



State of Utah

JON M. HUNTSMAN, JR.
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Lieutenant Governor

DEPARTMENT OF TRANSPORTATION

JOHN R. NJORD, P.E.
Executive Director

CARLOS M. BRACERAS, P.E.
Deputy Director

February 25, 2009

Dennis M. Astill
Project Manager and General Counsel
Anderson Geneva Development
99 North Geneva Road
Vineyard, Utah 84057

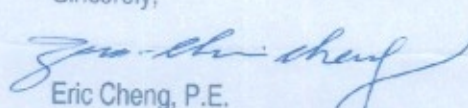
Re: Railroad Crossing at 400 North Vineyard Road

Dear Mr. Astill:

Thank you for meeting with us and providing the information concerning this crossing on February 19, 2009. After reviewing the information, UDOT will conduct another surveillance review on this crossing based upon the crossing being public because of the FRA inventory listing this crossing as public and Resolution and Order passed by the Utah County Board of County Commissioners in 1942. At this point, UDOT considers this crossing as public unless other information is provided that demonstrates that the crossing is private. This review shall be performed in accordance with Utah Administrative Code R930-5-7. Consequently, Union Pacific Railroad, Utah Transit Authority, the Town of Vineyard and Anderson Geneva will be involved in this review with UDOT. These parties will have the opportunity to provide any documentation concerning the crossing for this review. As part of the review, a meeting will be held at the site of the railroad crossing.

If you have any further questions concerning this matter, please contact me or Renee Spooner.

Sincerely,


Eric Cheng, P.E.
UDOT Chief Railroad Engineer

Cc: Tracy Conti
Robert Hull
Dave Nazare
Renee Spooner
David Church, Vineyard Town
Randy Farnworth, Vineyard Town
Josh Sletten, HNTB