



State of Utah

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DEPARTMENT OF TRANSPORTATION

JOHN R. NJORD, P.E.
Executive Director

CARLOS M. BRACERAS, P.E.
Deputy Director

July 13, 2009

Mr. Dennis Astill
Project Manager & General Counsel
Anderson Geneva Development
99 North Geneva Road
Vineyard, UT 84057

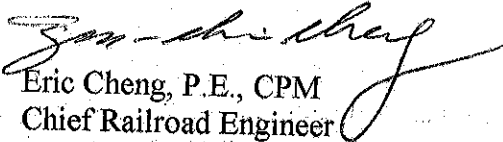
RE: 400 North Railroad Crossing Vineyard, Utah – DOT No. 254903N

Dear Mr. Astill:

The Utah Department of Transportation (UDOT) would like to thank you for providing the documents and information to UDOT regarding the status of the 400 North/Vineyard Road highway-rail crossing (the "Crossing"). After reviewing the documents and pertinent information, UDOT classifies this Crossing as a public crossing. However, the current conditions at the Crossing are unsafe for the public. Pursuant to Utah Code Ann. Section 54-4-15, UDOT is ordering the temporary closure of the Crossing. UDOT will contact the parties within the next two weeks to schedule a Diagnostic/Surveillance Team review for a recommendation as to the type of treatments to be used to close the Crossing. The Crossing shall remain closed until the Town of Vineyard improves the approach roadways to the standard of the roadway as classified in its current Master Street Plan and the Crossing has been improved to meet the required safety standards as determined by UDOT with recommendations from the Diagnostic/Surveillance Team review.

Thank you again for your concerns and efforts in this matter. If you have any questions or concerns, please feel free to give me a call.

Sincerely,


Eric Cheng, P.E., CPM
Chief Railroad Engineer

Cc: David Church, Attorney for Vineyard Town
Jim Marshall, UP Railroad
Steve Meyer, UTA
Tracy Conti

Robert Hull
Renee Spooner
Jeff Harris, HNTB
Travis Colledge, HNTB