



# Oregon

John A. Kitzhaber, MD, Governor

## Department of Transportation

Rail Division  
555 13<sup>th</sup> St. NE, Ste. 3  
Salem, OR 97301-4179

August 13, 2013

TO ALL PARTIES

**RX 1697: In the Matter of the Investigation on the Departments Own Motion of the Highway-Rail Grade Crossing at NE 244<sup>th</sup> Avenue (County Farm Road) and Union Pacific Railroad Company, a Delaware Corporation, Portland Subdivision, at Wood Village, Multnomah County, Oregon.**

Enclosed is your copy of Order No. 51017 in the above-cited matter. This Order is a compliance document, the terms of which are binding upon the Railroad Company and Road Authority and enforceable, if necessary, in a court of law.

Order No. 51017 requires the parties to provide written notice of project completion to the Rail Division. Upon receipt of this notice, Rail Division Staff will carefully inspect the crossing for compliance with the Order. Any deficiency or non-compliance item(s) found by staff will be directed to the affected party for correction/completion of that work.

The ordered improvements on this project are funded by the Rail Division's Crossing Safety Improvement program using federal MAP-21 funds. **As such, it is very important that no work is to be done until railroad and local agency agreements are in place and federal funds have been obligated for the project if reimbursement is desired.** The next step in the process involves executing these agreements. I will be contacting you about these agreements in the near future.

Please call or e-mail me with any questions. I look forward to working with you and making these safety improvements a reality. Thank you.

Glen Kirkpatrick  
Rail Crossing Safety Specialist  
503.986.4097  
503.986.3183 (fax)  
[Glen.e.kirkpatrick@odot.state.or.us](mailto:Glen.e.kirkpatrick@odot.state.or.us)

Enclosure: Copy of Order No. 51017

ORDER NO. 51017

ENTERED August 8, 2013

ODOT CROSSING NO. 2A-014.40  
U.S. DOT NO. 809182D

**BEFORE THE OREGON DEPARTMENT  
OF TRANSPORTATION**

**RX 1697**

In the Matter of the Investigation on the Departments )  
Own Motion of the Highway-Rail Grade Crossing at NE )  
244<sup>th</sup> Avenue (County Farm Road) and Union Pacific )  
Railroad Company (UPRR), a Delaware Corporation, )  
Portland Subdivision, at Wood Village, Multnomah )  
County, Oregon. )

**ORDER**

In the furtherance of its duties in the administration of ORS 824.206, Rail Division staff has investigated the adequacy of the safety at the subject grade crossing. The affected railroad is UPRR. The public authority in interest is Multnomah County.

A diagnostic team reviewed the crossing site on June 6, 2012. The team consisted of representatives from UPRR, Multnomah County, and ODOT Rail Division. The diagnostic team reached agreement regarding the proposed safety improvements at the crossing. Based upon that agreement, by e-mail dated June 12, 2013, staff served a Proposed Order (PO) and its Appendix for all parties to review and acknowledge their agreement with its terms. No objections to the terms of the PO were received from any party.

All parties in this matter have agreed that the proposed crossing alterations are required by the public safety, necessity, convenience and general welfare. Therefore, under ORS 824.214, the Department may enter this Order without hearing.

The Appendix to this Order depicts the crossing vicinity of NE 244<sup>th</sup> (County Farm Road), including the alignment of the roadway and track at the crossing. It also illustrates the scope of proposed work at the crossing. The track intersects the roadway at an angle of  $\approx 102$  degrees. The crossing is equipped with train activated flashing-light signals. The average daily traffic volume is approximately 1,500 vehicles at the crossing. The average speed of vehicles is approximately 40 miles per hour (mph). There is a daily average of 24 freight trains over the crossing. The maximum authorized speed on this track is 60 mph.

It is proposed that new flashing-light signals and automatic gates be installed at the crossing. The automatic signals will be installed to accommodate the roadway configuration depicted in the Appendix to this Order. It is further proposed that the crossing upgrade will include an additional set of flashing-light signals directed at the Willamette Grey Stone Driveway and urban guardrail around the protective devices as depicted in the Appendix to this Order.

From the foregoing, the Department finds that the proposed crossing alterations are required by the public safety, necessity, convenience and general welfare, and that it is appropriate to authorize expenditure of federal funds, as set forth in ORS 824.240(3) and 824.250, in the amount agreed upon by the parties.

IT IS THEREFORE ORDERED that:

1. The authority to alter the crossing is granted. All alterations shall be substantially in progress within **18 months** from the date of approval of federal construction-engineering funds for this project. No authority to establish a Quiet Zone is granted by this Order.
2. Multnomah County shall:
  - a. Subject to reimbursement as set forth below, construct that portion of the crossing lying outside lines drawn perpendicular to the end of ties to accommodate the roadway configuration depicted in the Appendix to this Order. The roadway approaches shall comply with OAR 741-120-0020.
  - b. Subject to reimbursement as set forth below, furnish and install guardrail adjacent to the ordered automatic signals at the crossing, as depicted in the Appendix to this Order. The guardrails shall be installed according to ODOT Drawing No. RD 445 (urban installation), and located according to OAR 741-110-0040 (7).
  - c. Subject to reimbursement as set forth below, furnish and install two stop clearance lines at the crossing as depicted in the Appendix to this Order, located according to OAR 741-110-0040 (4).
  - d. Maintain the existing advance warning signs, advance warning pavement markings, the ordered stop clearance lines, urban guardrail, and that portion of the crossing lying outside lines drawn perpendicular to the end of ties at the crossing, and bear all the costs.
3. UPRR shall:
  - a. Subject to reimbursement as set forth below, reconstruct that portion of the crossing lying between lines drawn perpendicular to the end of ties at the crossing to accommodate the roadway configuration depicted in the Appendix to this Order.
  - b. Subject to reimbursement as set forth below, furnish and install crossing surfacing material to accommodate the roadway configuration depicted in the Appendix to this Order.
  - c. Subject to reimbursement as set forth below, furnish and install two new flashing-light signals, and two automatic gates at the crossing. The signals shall be located as depicted in the Appendix to this Order and activated according to OAR 741-110-0070.
  - d. Subject to reimbursement as set forth below, furnish and install an additional set of flashing-lights on the signal mast in the NW quadrant of the crossing. The additional lights shall be directed at the driveway in the NW quadrant of the crossing as depicted in the Appendix to this Order.
  - e. Maintain the ordered automatic signals and circuitry, that portion of the crossing lying between lines drawn perpendicular to the end of ties at the crossing, and bear all the costs.



- f. Notify the Rail Division of the Department in writing or by facsimile transmission not less than five working days prior to the date that the ordered automatic signals will be activated and placed in service.
- 4. Using MAP 21 federal funds, the Department shall bear 100 percent of the cost of work items listed in paragraphs 2.a., 2.b., 2.c., 3.a., 3.b, 3.c., and 3.d., above.
- 5. Each party shall notify the Rail Division of the Department in writing upon completion of its portion of the project.
- 6. Upon completion of the ordered reimbursable work, UPRR and Multnomah County, shall present claims for reimbursement for Department approval.

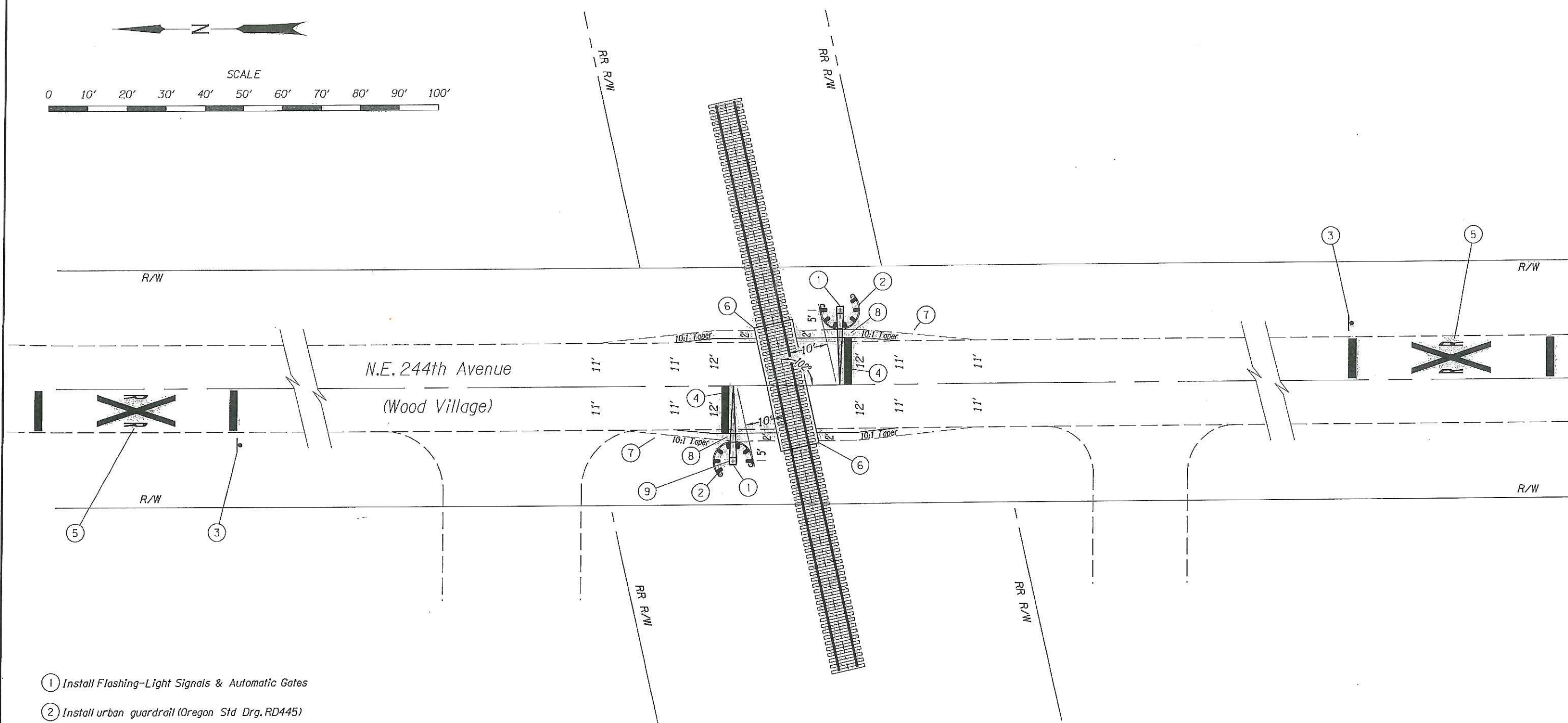
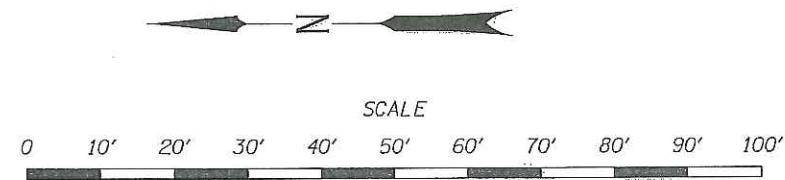
All previous Orders of the Public Utility Commission or the Department pertaining to this crossing, not in conflict with this Order, remain in full effect.

Made, entered, and effective

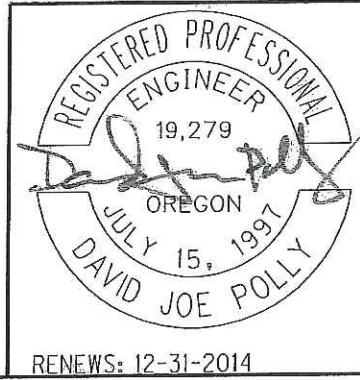
8 August 2013


ALC

H. A. (Hal) Gard  
Rail and Public Transit Division Administrator



- ① Install Flashing-Light Signals & Automatic Gates
- ② Install urban guardrail (Oregon Std Drg. RD445)
- ③ Retain Signs (MUTCD W10-1)
- ④ Install Stop Clearance Line (Located 1' in advance of Gate)
- ⑤ Retain Advance Warning Pavement Markings
- ⑥ Retain crossing surface material to match roadway
- ⑦ Widen shoulder and adjust shoulder slope for guardrail installation. (Oregon Std Drgs. RD420 & RD445)
- ⑧ Place pavement on widened shoulder for guardrail run. (Oregon Std Drgs. RD420 & RD445)
- ⑨ Install extra set of flashing lights directed at driveway in N.W. quadrant



		OREGON DEPARTMENT OF TRANSPORTATION <b>RAIL DIVISION</b>	
CROSSING ORDER DEPICTION NE 244TH (COUNTY FARM ROAD) ODOT NO. 2A-014.40 U.S. DOT NO. 809183K MULTNOMAH COUNTY, OREGON			
DESIGN BY: G.E. KIRKPATRICK	DATE: 21 MAY 2013	Appendix to	
DRAWN BY: DANIEL J. McMILLEN	SCALE: 1" = 25'	Order No. <u>51017</u>	
APPROVED BY:	PROJECT:	RX <u>1697</u>	
NO	DATE	REVISION	
		Page 1 of 1	



# Oregon

John A. Kitzhaber, M.D., Governor

## Department of Transportation

Rail Division

555 13<sup>th</sup> Street NE

Salem, OR 97301-4179

Phone: (503) 986-4321

Fax: (503) 986-3183

### OREGON DEPARTMENT OF TRANSPORTATION

#### CERTIFICATE OF SERVICE

**RX 1697**

I, Rose Schlundt, Administrative Specialist of the Rail Division for the Department of Transportation of the State of Oregon, hereby certify that on the 15<sup>th</sup> day of August, 2013, I served copies of Order No. 51017 upon the appropriate parties listed below via US mail at Salem, Oregon, with postage prepaid and addressed as their addresses appear in the records of the Department of Transportation.

#### INTERESTED PARTIES

Terrel Anderson, Mgr. of Industry & Publ. Proj.  
Union Pacific Railroad  
9451 Atkinson  
Roseville, CA 95747

Brian Vincent, County Engineer  
Multnomah County Transportation Division  
1620 SE 190<sup>th</sup> St  
Portland, OR 97233

Rose Schlundt, Administrative Specialist  
Oregon Department of Transportation  
Rail Division