

Instructions

Following are the instructions and forms for applying for right of entry onto Norfolk Southern property. **Submit your application and check for fee payment to the appropriate Real Estate address.**

1. You must submit a fully completed **Application Form**. Please be sure you provide the complete legal name of the applicant, are explicit in the proposed use of the property, and that you sign the application. Please send the original application to NS and retain a copy for your records.
2. Any **application fees must be paid** at the time of submission of your application. All fees are non-refundable. Please **make your check payable to Norfolk Southern Corporation**.
3. An **exhibit** representing the location of the proposed access of property, with dimensions, should be attached to your application. See the Sample Exhibit provided in this section for an example of what this item should look like, and the kind of information it should include.
4. A **general location map** of the property must also accompany your application. Examples include such data as county highway maps with the location marked, USGS topographical maps with the location marked, or applicable county tax maps with the area highlighted, etc. The proposed leased or licensed property should be highlighted.
5. Please read the **insurance overview** and make certain you can comply with all requirements.
6. **Be sure to submit any attachments** specifically called for with the application such as agreement copies, sketches of the property, or agreements with any NS departments or contractors to enter NS property.

Processing of your application requires NS management review and approval and may involve several departments at NS.

The proposed site may not be used prior to the execution of a separate formal agreement with NS and verification that all insurance requirements have been met. Environmental rights of entry may require fees and information in addition to that required by the application form for approval to enter the property.

Insurance

Each tenant/licensee shall be required to obtain, at its sole cost and expense, various types of insurance coverage with various limits. These insurance coverages must be of a form and be underwritten by insurance companies that meet with the NS' approval. In addition, the tenant/licensee may be required to pay NS a risk-financing fee in certain instances. The types of insurance typically required by NS include:

Commercial General Liability Insurance

Automobile Liability Insurance

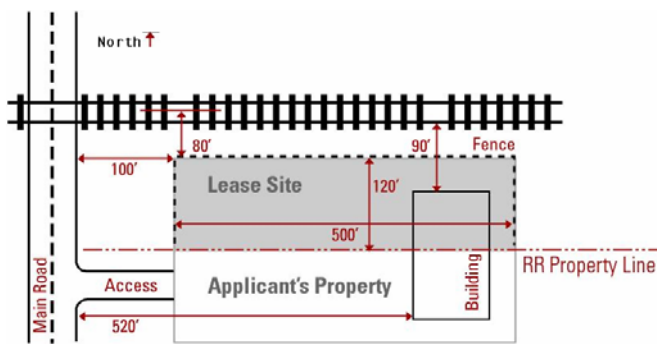
Worker's Compensation Insurance

Railroad Protective Liability Insurance (during construction or maintenance only)

Norfolk Southern generally requires a policy of Commercial General Liability Insurance with a combined single limit of not less than \$2,000,000 per occurrence for injury to or death of persons and damage to or loss or destruction of property. Specific insurance requirements will be provided to you in the agreement covering your request when it is approved by the Railroad.

Exhibit/Sketch

An exhibit/sketch of the proposed leased property, with dimensions, should accompany all applications. Any planned improvements on the property, with dimensions from the nearest track, should also be depicted. Below is an example of what the sketch might look like, and some of the dimensions it could include.



Try to provide as many details or landmarks that identify the premises as possible. Mileposts generally exist along every mile of the RR and are similar in appearance to the mile markers found along interstates. If you have a GPS (Global Positioning System), please include property latitude and longitude.

If milepost markers are readily accessible or visible on the property, we appreciate your including the details but your safety is our foremost concern.

Maps

Examples include such data as county highway maps with the location marked, USGS topographical maps with the location marked, or applicable county tax maps with the area highlighted, etc. The proposed lease or licensed area should be highlighted. Please indicate which direction is north.

Hazardous Materials

Prohibition of Certain Potentially Environmentally Damaging Operations On Company Property:

Electronics, electrical transformer repair or reconditioning, asbestos manufacturing, blast furnaces, steel works, rolling and finishing mills, smelting and/or refining, wood treatment or tie plants, salvage operations, junk yards, scrap dealers, drum or barrel reconditioners, battery recycling, tire storage or recycling, waste disposal operations of any kind including landfills, surface impoundments and waste piles, incinerators, sewage systems, electroplating operations, fuel blending, waste or used oil recycling or reclamation, explosives disposal, manufacturing or detonation, bulk oil storage or any facility requiring a TSD hazardous waste permit or any hazardous waste transloading facility.

The foregoing list of prohibited activities on company property is not exclusive. All proposed leases, licenses and permits will be carefully evaluated to determine if the proposed activities pose an unreasonable environmental risk.

NORFOLK SOUTHERN CORPORATION RIGHT OF ENTRY APPLICATION FORM

APPLICANT INFORMATION The Application fee of \$750 is enclosed (mail-in applications only). Check # _____

Legal Name of Applicant (party to agreement) _____ Tax ID _____
 Mailing Street _____ Billing Street _____
 Address Street _____ Address Street _____
 City _____ City _____
 State _____ Zip _____ State _____ Zip _____
 Name of Contact _____ Billing Contact _____
 Title _____ Title _____
 Phone # (_____) _____ Fax # (_____) _____ Phone # (_____) _____ Fax # (_____) _____
 E-Mail Address _____ E-Mail Address _____

Applicant is a: (Provide state of formation for Corporation and Partnerships, and name of owner for Sole Proprietorship)

<input type="checkbox"/> Corporation- State _____	<input type="checkbox"/> Non-Profit	<input type="checkbox"/> Contractor Working Solely for Applicant
<input type="checkbox"/> Limited Partnership- State _____	<input type="checkbox"/> Individual	SubContractor: _____
<input type="checkbox"/> General Partnership- State _____	<input type="checkbox"/> Other (specify) _____	
<input type="checkbox"/> Sole Proprietorship – State _____	<input type="checkbox"/> Government Entity- State _____	<input type="checkbox"/> Contractor Working Solely for NS
Owner _____	Gov't Dept': _____	NS Dept: _____

PROPERTY INFORMATION ENVIRONMENTAL RIGHT OF ENTRY SURVEYING, PERFORMING WORK OR OTHER

Location of property Street Address (if applicable) _____ Railroad Milepost _____
 Nearest Town _____ County _____ State _____ Latitude/Longitude _____ / _____
 Railroad Line Name _____ Division (if known) _____
A sketch of the property you wish to enter is REQUIRED. Provide Lat/Long coordinates if available.

Time period to occupy From ____/____/____ To ____/____/____

Work to be performed is within _____ Ft of the tracks. (If within 25ft of center of the rail, a flagman is required at your expense.)

Applicant's intended purpose for this right-of-entry (be specific) _____

Approximate area of property to be occupied (specify square feet or acres) _____ SQFT _____ AC

Were services to be performed requested by Norfolk Southern Corporation or its subsidiaries? Yes No

Requested by whom? _____

Are there railroad tracks located on the land? Yes No

Is the intended purpose of this work related to environmental sampling environmental investigation remediation?

Are you aware of any storage tanks on the property? Yes No Above Ground Underground

How Many? _____ Owned by Railroad Applicant Other _____

What is stored in tanks? _____ Distance from nearest track _____ Yds _____ Ft

How will property be accessed? Public road adjacent Across Railroad Property not covered by this license

Across Railroad tracks Other (specify) _____

Are you aware of any existing or former agreements covering this property? Yes No

If yes, provide licensee's name & company _____

Are there any existing improvements (buildings, pavement, fences, billboards, etc.) on the property? Yes No

If yes, specify _____ Who owns them? _____

I/We understand that submission of this application does not authorize occupation of or entry on the property. Exact fees and insurance requirements will be forwarded after the application has been reviewed and approved by NS.

Signed _____

Date _____ / _____ / _____