

Norfolk Southern Real Estate Department
Attn: Track Lease Applications
1200 Peachtree Street, NE, 12th Floor
Atlanta, GA 30309



Instructions

Following are the instructions and application form for applying for a track lease with Norfolk Southern. **Submit all applications to the Real Estate address above.**

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 track, and that you sign the application. Please send the original application to NS and retain a copy for your records.
2. A **general location map** of the track location must also accompany your application if the track will be used for transloading purposes. 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. Leased track should be highlighted.
3. Please read the **insurance overview** and make certain you can comply with all requirements.

Processing of your application requires NS management review and approval and may involve several departments at NS. Any proposed transloading of hazardous materials or substances on proposed leased track must be pre-approved by the Environmental, Real Estate and Law departments before the application will be progressed. The proposed site may not be used prior to the execution of a formal agreement with NS.

Insurance

Each rail customer 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. The types of insurance typically required by NS include:

Commercial General Liability Insurance

Railroad Protective Liability Insurance

If the cars to be loaded, unloaded, or stored contain or last contained flammable or hazardous commodities, the applicant must provide proof of general liability insurance, including contractual liability insurance, in the amount of \$5,000,000 (combined single limit for bodily injury and/or property damage liability) for each occurrence. Norfolk Southern must be named as an additional insured.

If the cars to be loaded, unloaded, or stored contain or last contained non-flammable or non-hazardous commodities, the applicant must provide proof of general liability insurance, including contractual liability insurance, in the amount of \$2,000,000 (combined single limit for bodily injury and/or property damage liability) for each occurrence. Norfolk Southern must be named as an additional insured.

The limits of the insurance coverage may be updated from time to time. Specific insurance requirements will be provided to you in the agreement covering your request when it is approved by the Railroad.

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 TRACK LEASE APPLICATION FORM

APPLICANT INFORMATION

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"/> Limited/General Partnership- State	<input type="checkbox"/> Individual
<input type="checkbox"/> Limited Liability Corp. LLC- State	<input type="checkbox"/> Other (specify)
<input type="checkbox"/> Sole Proprietorship – State	<input type="checkbox"/> Government Entity- State
Owner _____	Gov't Dep't: _____

TRACK INFORMATION

Location of track to be leased Nearest Street _____ Railroad Milepost _____

Nearest City or Town _____ County _____ State _____

Approximate length of track to be leased (specify lineal feet) _____ LF

Proposed term of track lease In effect until terminated by either party on 30 days written notice.

_____ Months _____ Years

To Expire Automatically _____, 20____

Purpose for leasing track

Transloading (see note 1)

Car Cleaning

Mobile Car Repair Facility

Storage in Transit

Storage of Empty Rail Equipment

Intra-plant Switching/Interchange

Other (Specify) _____

Identify type of loading or unloading apparatus _____

Identify carload commodity _____

Will any cars to be loaded, unloaded or stored contain or have contained flammable or hazardous commodities? Yes No

If Yes, please provide relevant commodity code(s) and see Notes 1 and 2 below, if you marked No, see Note 3 below:

1. _____ 2. _____ 3. _____ 4. _____

Note 1 If the purpose of the lease of track is for loading or unloading flammable commodities, applicant will be required to pay for the grounding and bonding of rail in track and installation of derails as required by NS for the track to be leased.

Note 2 If the cars to be loaded, unloaded, or stored contain or last contained flammable or hazardous commodities, the applicant must provide proof of general liability insurance, including contractual liability insurance, in the amount of \$5,000,000 (combined single limit for bodily injury and/or property damage liability) for each occurrence. Norfolk Southern must be named as an additional insured.

Note 3 If the cars to be loaded, unloaded, or stored contain or last contained non-flammable or non-hazardous commodities, the applicant must provide proof of general liability insurance, including contractual liability insurance, in the amount of \$2,000,000 (combined single limit for bodily injury and/or property damage liability) for each occurrence. Norfolk Southern must be named as an additional insured.

I/We understand that submission of this application does not authorize occupation of the track and that approval is contingent upon availability of the track. Exact fees and insurance requirements will be forwarded after the application has been reviewed and approved by Norfolk Southern.

Signed _____

Date _____ / _____ / _____