

Instructions

Following are the instructions and forms for applying for a land lease or license with Norfolk Southern and its subsidiaries. **Submit your application and check for fee payment 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 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 lease 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, sublessee agreements, legal documentation of proposed assignment, and sketches of parking lots, etc.

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 formal agreement with NS.

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.

Hazardous Materials

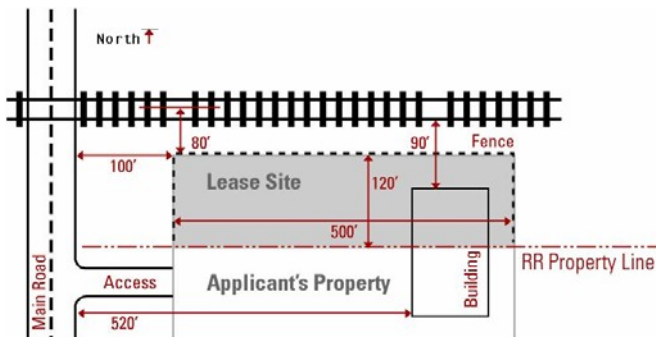
Prohibition of Certain Potentially Environmentally Damaging Operations On Company Property:

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 will be carefully evaluated to determine if the proposed activities pose an unreasonable environmental risk.

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.

NORFOLK SOUTHERN CORPORATION LAND LEASE APPLICATION FORM

APPLICANT INFORMATION

The application fee of \$500 is enclosed (mail-in applications only). Check # _____

Legal Name of Applicant (party to agreement) _____ Tax ID _____

Mailing Address Street _____
Street _____

Billing Address Street _____
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)

Corporation – State: _____

Limited Partnership – State: _____

Limited Liability Company – State: _____

Non-Profit – State: _____

Individual: State: _____

Government Entity: State: _____

Other (specify and state of formation): _____

Sole Proprietorship – State and name of owner: _____

PROPERTY INFORMATION

Location of property Lat/Long: _____ / _____

Street (if applicable) _____

Nearest Town _____ County _____ State _____ Railroad Milepost: _____

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

Are there railroad tracks located on the land? Yes No

How close will the leased property be to the centerline of the nearest track _____ Yds _____ Ft

On which side of the track is the leased area situated? N S E W

Your intended purpose for this property (be specific) _____

(if storage, state commodities to be stored) _____

Do you anticipate shipping by rail at this location: Yes No

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

If yes, specify _____

Who owns them? _____

Will you make improvements to the land? Yes No If yes, specify _____

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 lease

Across Railroad tracks Other (specify) _____

LAND LEASE APPLICATION FORM FOR

Legal Name of Applicant (Tenant): _____ Date: _____

Will there be parking on this property? Yes No Will this be commercial / public parking? Yes No
Will parking be for your employees and customers only? Yes No

Parking Details _____

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

If yes, provide licensee's name & company _____

Will any portion of property be subleased? No Yes All Part (specify) _____

Sublessee: _____

Address: _____

Phone Number: _____

Specific Use of Property by Sublessee _____

A copy of your agreement with the Sublessee is REQUIRED, please attach to this application

Term: _____ Rental/Purchase Price: \$ _____ Billing Frequency: _____

I/We understand that submission of this application does not authorize occupation of the property and that approval is contingent upon the availability of the property and the negotiation of a formal lease agreement. Exact rental rates and other requirements will be forwarded to Applicant after the application has been reviewed and approved by Norfolk Southern.

Signed _____

Date _____