

Instructions

Following are the instructions and forms for applying for a sublease or assignment 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

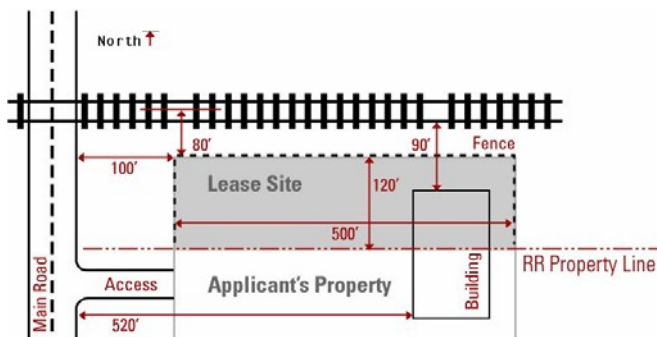
Prohibition of Certain Potentially Environmentally Damaging Operations On Company Property:

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, licenses and permits 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 SUBLEASE/ASSIGNMENT APPLICATION

APPLICANT INFORMATION Application fee of \$750 and copy of your lease/license is enclosed (mail-in applications only). Check# _____

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

Mailing Address
Street _____
Street _____
City _____
State _____ Zip _____

Billing Address
Street _____
Street _____
City _____
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: _____

SUBTENANT/ASSIGNEE INFORMATION

Legal Name of Subtenant Assignee _____ Tax ID _____

Mailing Address
Street _____
Street _____
City _____
State _____ Zip _____

Billing Address
Street _____
Street _____
City _____
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: _____

Reason for Sublease/Assignment _____

Selling Company Selling Assets Only Corp Name Change Only Purchase Another Company Purchase Co. Assets

Please attach a REQUIRED copy of your proposed Sublease agreement or legal documentation to support an Assignment.

Sublease/ Provisions Proposed Effective Date: _____

Term _____

Rental/Purchase Price \$ _____

Billing Frequency _____

Proposed use of the property by the subtenant/assignee _____

SUBLEASE/ASSIGNMENT APPLICATION FORM FOR

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

Original Lease Parties _____

Date _____ Rental \$ _____ Billing Frequency _____

Amendments Parties _____

Date _____ Provide copies of all documents and the names and addresses of all affected parties.

PROPERTY/LEASE INFORMATION (check one) Land Pipe Wire Building

Location of property Lat/Long: _____ / _____

Street (if applicable) _____

Nearest Town _____ County _____ State _____ Railroad Milepost: _____

A sketch of the property you wish to sublease or assign is REQUIRED. See the instructions for completion of the required sketch.

Is this a Pipe? Yes No Underground Above Ground
Water Gas Petroleum Sewer Other _____

Is this a Wire? Yes No Electric Power Telephone cable Fiber Optic Other _____

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

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

Are there any existing improvements (buildings, pavement, billboards, etc..) located within the lease area? Yes No

(If yes, specify) _____ Who owns them? _____

Does the subtenant/assignee plan to make attachments or improvements (lighting, paving etc.)? No Yes *If yes, attach plans.*

Will there be parking on this property? Yes No Will this be commercial/public parking? No Yes Will parking be for
subtenant/assignee's employees/customers only? Yes No Details _____

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 _____ Yards _____ Feet

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

Across Railroad tracks Other (specify) _____

I/We understand that submission of this application does not authorize occupation of the property by the subtenant or assignee and that approval of the proposed sublease/assignment is subject to the specific requirements set forth in the lease, as the same may have been amended, and, if applicable, the execution of formal documentation evidencing Norfolk Southern's consent to the proposed sublease or assignment. Additional charges may apply to assignments if approved. Exact rental rates, charges and other requirements will be forwarded to Applicant after the application has been reviewed and approved by Norfolk Southern.

Signed _____ Date _____