



MISSOURI
DEPARTMENT OF
NATURAL RESOURCES

Michael L. Parson
Governor

Dru Buntin
Director

Petition for Notice of Interim Trail Use

October 24, 2022

305553

Cynthia T. Brown
Chief
Section of Administration
Surface Transportation Board
395 E Street, Southwest
Washington, DC 20423

ENTERED
Office of Proceedings
October 24, 2022
Part of
Public Record

Re: Petition for Issuance of a Notice of Interim Trail Use
V and S Railway, LLC—Abandonment Exemption –
In Franklin County, Missouri
Docket No. ~~AB-604~~ AB 603 (Sub-No. 5X)

Dear Ms. Brown:

On October 4, 2022, V and S Railway, LLC (V&S) filed a Notice of Exemption with the Surface Transportation Board (the Board) to abandon approximately 9.71 miles of the former Rock Island Line Railroad that runs between Milepost 61.89 and Milepost 71.6 in Franklin County, Missouri (the Line). The notice was published in the Federal Register on October 24, 2022. V&S has not yet consummated the abandonment. The Missouri Department of Natural Resources, P.O. Box 176, Jefferson City, Missouri 65102-0176 (the Department) respectfully petitions the Board to issue a Notice of Interim Trail use for the Line.

The Line is suitable for railbanking. The Department acknowledges the use of the Line is subject to the Department, as sponsor, continuing to meet its responsibilities to manage the right-of-way, assume any legal liability arising out of the transfer or use of the right-of-way, and the payment of any and all taxes that may be levied or assessed against the right-of-way. The Department also acknowledges the Line is subject to possible future reconstruction and reactivation of the Line for rail service.

The Department, as a government entity, respectfully requests that the Board waive the filing fee for this trail use petition as provided in 49 C.F.R. Section 1002.2(e)(1).

FILING FEE WAIVED



STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and railbanking under 16 U.S.C. 1247(d) and 49 CFR 1152.29 with respect to the right-of-way owned by V&S, the Department is willing to assume full responsibility for: (1) Managing the right-of-way, (2) any legal liability arising out of the transfer or use of the right-of way (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and (3) the payment of any and all taxes that may be levied or assessed against the right-of-way. The Property extends from railroad milepost 61.89 near Beaufort to railroad milepost 71.6 near Union, a distance of 9.71 miles in Franklin County, Missouri. The right-of way is part of a line of railroad proposed for abandonment in Docket No. STB AB 603 (Sub No. 5X). A map of the property depicting the right-of-way is attached.

The Department acknowledges that use of the right-of-way is subject to the sponsor's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service. A copy of this statement is being served on the railroad(s) on the same date it is being served on the Board.

By my signature below, I certify service upon V and S Railway, LLC, by U.S. Mail, postage prepaid, first class, this 24th day of October, 2022.

Respectfully submitted,



Rebecca McKinstry
Deputy General Counsel

Attorney for: MISSOURI DEPARTMENT OF NATURAL RESOURCES

Enclosure

c: Justin J. Marks, Legal Counsel, V&S
Dru Buntin, Director, Department of Natural Resources
David Kelly, Director, Missouri State Parks
R. Zane Price, Real Estate Manager, Missouri State Parks

