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March 6, 2019
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February 28, 2019

VIA E-FILE

The Honorable Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 "E" Street, S.W., Room #100
Washington, DC 20423-0001

**JOINT NOTICE OF INTERIM TRAIL USE / RAIL BANKING AGREEMENT BETWEEN
UNION PACIFIC RAILROAD COMPANY AND
THE IOWA NATURAL HERITAGE FOUNDATION
IN ACCORDANCE WITH 49 C.F.R. 1152.29(h)**

Re: Abandonment and Discontinuance of Service on the Bristow Subdivision from
M.P. 318.07 to M.P. 318.66 near Hampton, Franklin County, Iowa; STB Docket
No. AB-33 (Sub-No. 316X)

Dear Ms. Brown:

Union Pacific Railroad Company ("Union Pacific") and the Iowa Natural Heritage Foundation (the "Foundation") have entered into a trail use/rail banking agreement (the "Trail Use Agreement") covering the rail line from Milepost 318.07 to Milepost 318.66 near Hampton, Franklin County, State of Iowa on Union Pacific's former Bristow Subdivision (the "Line"). Attached to this Joint Notice as **Exhibit A** and made a part hereof is a map depicting an accurate description of the Line, including mileposts, that is the subject of said Trail Use Agreement. In accordance with the requirements of 49 C.F.R. 1152.29(h), Union Pacific and the Foundation hereby certify that the Trail Use Agreement includes provisions requiring the trail sponsor, the Foundation, to fulfill the responsibilities described at 49 C.F.R. 1152.29(a)(3). A copy of the Foundation's Statement of Willingness to Assume Financial Responsibility under the Trail Use Agreement is attached hereto as **Exhibit B** and is hereby made a part hereof.

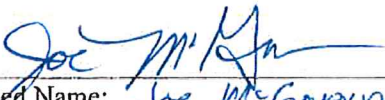
Sincerely,

UNION PACIFIC RAILROAD COMPANY

By: Chris D. Goble
Printed Name: Chris D. Goble
Title: Assistant Vice President – Real Estate

Sincerely,

IOWA NATURAL HERITAGE FOUNDATION

By: 
Printed Name: Joe McGovern
Title: President

Enclosures



NOTE: BEFORE YOU BEGIN ANY WORK, SEE AGREEMENT FOR FIBER OPTIC PROVISIONS.

EXHIBIT "A"

UNION PACIFIC RAILROAD COMPANY

HAMPTON, FRANKLIN COUNTY, IOWA

M.P. 318.07 TO 318.66 - BRISTOW SUB.

MAP CCW V-341 / 19

SCALE: 1" = 200'

OFFICE OF REAL ESTATE

OMAHA, NEBRASKA DATE: 10-31-2018

PJB FILE: 0265407

LEGEND:	
SALE AREA	-----
UPRRCO. R/W OUTLINED	-----
SALE AREA = 5.9 ACRES +/-	-----
CADD FILENAME	0265407
SCAN FILENAME	1A341019-265407.TIF

EXHIBIT B

**IOWA NATURAL HERITAGE FOUNDATION
STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY UNDER
THE TRAIL USE AGREEMENT**

Iowa Natural Heritage Foundation (the "Foundation") acquired the Line as defined below on February 28, 2019, under a Purchase and Sale Agreement between Union Pacific Railroad Company and the Foundation dated January 24, 2019.

In order to establish interim trail use and rail banking under 16 U.S.C. 1247(d) and 49 CFR 1152.29 with respect to the right-of-way owned by Union Pacific Railroad Company, the Foundation hereby represents to the Surface Transportation Board and Union Pacific Railroad Company that the Foundation assumes 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 sponsor is immune from liability, in which case it need only indemnify Union Pacific Railroad Company 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 right of way is known as Bristow Subdivision from Milepost 318.07 to Milepost 318.66 near Hampton, Franklin County, Iowa (the "Line"). The right-of-way is part of a line of railroad proposed for the discontinuance and abandonment by Union Pacific Railroad Company in Docket No. AB-33 (Sub No. 316X). A map of the property depicting the right-of-way is attached hereto as **Exhibit A** and is hereby made a part hereof.

The Foundation acknowledges that use of the right-of-way is subject to the Foundation'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 on the same date it is being served on the Surface Transportation Board.

IOWA NATURAL HERITAGE FOUNDATION

By: Joe McGovern
Printed Name: Joe McGovern
Title: President

Agreed to and acknowledged by Union Pacific Railroad Company this 28th day of February, 2019.

UNION PACIFIC RAILROAD COMPANY

By: Chris D. Goble
Printed Name: Chris D. Goble
Title: Assistant Vice President – Real Estate