

**BEFORE THE SURFACE AND TRANSPORTATION BOARD
STB DOCKET NO. AB ~~1032 X~~**

1032 (Sub-No. 2X)

ENTERED
Office of Proceedings
September 4, 2019
Part of
Public Record

**NEBRASKA, KANSAS & COLORADO RAILWAY, LLC—IN DECATUR, NORTON
AND PHILLIPS COUNTIES, KANSAS AND HARLAN COUNTY, NEBRASKA**

**PLAINTIFFS' NOTICE PERTAINING
TO THE CONSUMMATION OF ABANDONMENT**

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Co. v. United States Case No. 15-1253L*

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*Counsel for Landowners in Dawson v. United
States Case No. 15-1268L*

Dated: September 4, 2019

NOTICE OF ABANDONMENT

The Landowners' filed their Motion for Declaratory and Injunctive Relief on June 7, 2019. On September 3, 2019, Nebraska, Kansas & Colorado Railway, L.L.C. consummated abandonment of the rail lines. A copy of the notice filed with the STB is attached as Exhibit A.

As a result, the Landowners' Motion for Declaratory and Injunctive Relief is now moot and is withdrawn.

Stewart, Wald & McCulley, LLC

By: /s/ Elizabeth A. McCulley

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Case No. 15-1268L*

CERTIFICATE OF SERVICE

I certify that I have this day served copies of document upon all parties of record in this proceeding, by U.S. Mail this 4th day of September, 2019.

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September 3, 2019

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Ms. Cynthia Brown
Chief, Section of Administration
Surface Transportation Board
395 E Street S.W.
Washington, DC 20423

Re: Docket No. AB-1032X, Nebraska, Kansas & Colorado Railway, L.L.C. -
Abandonment Exemption - in Decatur, Norton, and Phillips Counties,
Kansas and Harlan County, Nebraska

Dear Ms. Brown:

On June 12, 2015, Nebraska, Kansas & Colorado Railway, L.L.C. ("NKCR") filed a Notice of Exemption with the Board in the above-referenced matter to abandon 57.31 miles of rail line between (1) milepost 3.35 near Orleans, Neb., and milepost 29.84 at Almena, Kan.; (2) milepost 47.23 at Reager, Kan., and milepost 78.05 at Oberlin, Kan.; and (3) the Norton Spur in Norton, Kan.

By decision served September 4, 2015, the Surface Transportation Board ("Board") authorized the abandonment of the rail lines. By decision served February 22, 2019, the consummation deadline was extended to March 1, 2020.

NKCR hereby notifies the Board that at 3:00 pm, Eastern Daylight Time on September 3, 2019, NKCR consummated the abandonment of the rail lines.

If you have any questions, please call me.

Sincerely,


Karl Morell

cc: Nebraska Public Service Commission
Kansas Department of Transportation

