



W. Karl Hansen
612.335.7088 DIRECT
karl.hansen@stinson.com

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May 1, 2017

ENTERED
Office of Proceedings
May 1, 2017
Part of
Public Record

Hon. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW, Room 100
Washington, DC 20024

VIA E-FILING

Re: *Dakota, Minnesota & Eastern Railroad Corporation - Abandonment of Trackage in Scott County, Iowa*
STB Docket No. AB-337 (Sub No. 9X)
Our File No. 2061322.0031

Dear Ms. Brown:

By decision served November 9, 2016, the Surface Transportation Board ("Board") issued a Notice of Interim Trail Use ("NITU") for the rail line located between milepost 7.52 +/- and milepost 9.47 +/- in Scott County, Iowa (the "Line") pursuant to a request by the Iowa Natural Heritage Foundation on behalf of the City of Eldridge ("City"). In compliance with 49 C.F.R. § 1152.29(h), Dakota, Minnesota & Eastern Railroad Corporation ("DM&E") and the City hereby notify the Board that on April 20, 2017 the City acquired the Line for railbanking/interim trail use pursuant to a sale agreement dated February 1, 2016.

As required by 49 C.F.R. 1152.29(a)(2), DM&E and the City hereby certify that the City assumes full responsibility for managing the premises, any legal liability arising out of the transfer or use of the right-of-way (or indemnifying DM&E if the City is immune from liability), and payment of any and all taxes that may be levied or assessed against the right-of-way. A map of the Line is attached as Exhibit A and a copy of the City's Statement of Willingness to Assume Financial Responsibility is attached as Exhibit B.

DM&E and the City have authorized the filing of this letter.

Please contact me if you have questions. Thank you.

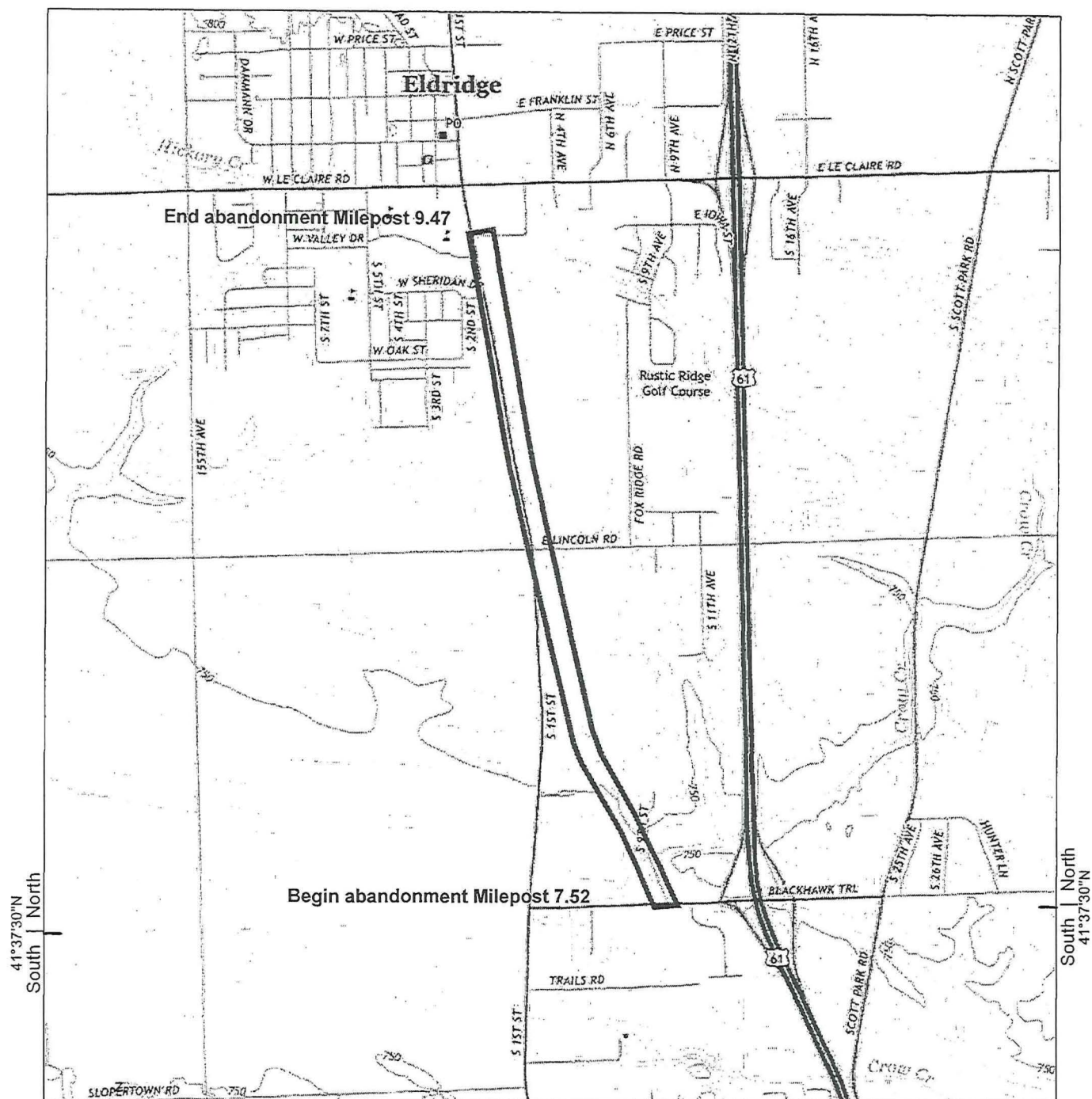
Sincerely,

Stinson Leonard Street LLP

A handwritten signature in blue ink, appearing to read 'W. Karl Hansen', written over the printed name.

W. Karl Hansen

cc: David S. Drach, Director Real Estate Sales & Acquisitions U.S.
John Dowd, City of Eldridge



2013	0 1 Distance in Miles 1: 24,000 (1"=2,000') NAD 1983 UTM Zone 15N			Dakota, Minnesota & Eastern Railroad Corp. Eldridge Line abandonment STB Docket No. AB-337 (Sub-No. 9X)				
	Unified maps show subdued modern topo features where corresponding maps of the same year were not published.		WeaverBoos HIG #1634422 completed: 06/20/2016					
Zone	Topographic Map Name	Publisher	Map Size	Base Map	Aerial Photo Topo Updates			
North	Eldridge, IA	USGS	7½' x 7½'	2013	Photo	Year	Inspected	Revised
South	Davenport East, IA	USGS	7½' x 7½'	2013	--	--	--	--

Exhibit A

JOINT NOTICE

City of Eldridge, Iowa's Statement of Willingness To Assume Financial Responsibility

City of Eldridge, Iowa (the "City") acquired the Line as defined below on April 20, 2017 under an Agreement between Dakota, Minnesota & Eastern Railroad Corporation ("DM&E") and the City dated February 1, 2016.

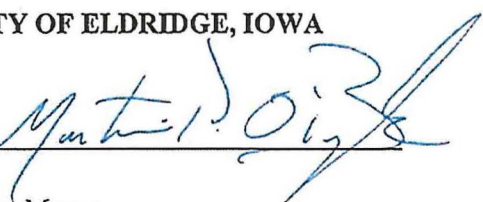
In order to establish interim trail use and rail banking under 16 U.S.C. 1247(d) and 49 CRF 1152.29 with respect to the right-of-way owned by DM&E [see Docket No. AB 337 (Sub-No. 9X)], the City hereby represents to the Surface Transportation Board and DM&E that the City assumes responsibility for:

- (1) managing the right-of-way;
- (2) any legal liability arising out the transfer or use of the right-of-way (unless the sponsor is immune from liability, which case it need only indemnify DM&E against any potential liability), and
- (3) the payment of any and all taxes that may levied or assessed against the right-of-way.

The rail line ("Line") is known as the north end of the Eldridge Line between milepost 7.52 ± and milepost 9.47±, Scott County, Iowa a distance of 1.95 miles and proposed for abandonment by Dakota, Minnesota & Eastern Railroad Corporation in STB Docket No. AB 337 (Sub-No. 9X). A map of the property depicting the right-of-way is attached hereto as Exhibit A and made a part hereof.

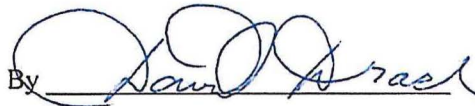
The City of Eldridge, Iowa acknowledges that use of the right-of-way is subject to the City's continuing responsibility to meet its representations described above and subject to possible future reconstruction and reactivation of the right-of-way for railroad service.

CITY OF ELDRIDGE, IOWA

By 

Title Mayor

AGREED AND ACKNOWLEDGED by Dakota, Minnesota & Eastern Railroad Corporation
this 15th day of May, 2017.

By 

Title DIRECTOR REAL ESTATE US

Exhibit B