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May 2, 2017
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Public Record

May 2, 2017

VIA E-FILING

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

RE: Proposed Discontinuance of the Cissna Park from Milepost 98.20 to Milepost 104.23 near Cissna Park, a total distance of 6.03 miles in Irquois County, Illinois; STB Docket No. AB-33 (Sub-No. 282X)

Dear Ms. Brown:

Pursuant to the Board's exemption procedures for discontinuance of service of rail lines with no local business for at least two (2) years, (49 C.F.R. § 1152.50), I am hereby e-filing the Verified Notice of Exemption, including a Certificate of Service and Publication.

Please file the Notice of Exemption in Docket No. AB-33 (Sub-No. 282X). Enclosed is a credit authorization voucher in the amount of \$4,000.00 for the filing fee.

Sincerely,

Mack H. Shumate, Jr.
Senior General Attorney

Attachments

FILED
May 2, 2017
SURFACE
TRANSPORTATION BOARD

FEE RECEIVED
May 2, 2017
SURFACE
TRANSPORTATION BOARD

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB-33 (Sub-No. 282X)

**UNION PACIFIC RAILROAD COMPANY
-- DISCONTINUANCE OF SERVICE EXEMPTION --
IN IROQUOIS COUNTY, ILLINOIS**

**VERIFIED NOTICE OF EXEMPTION
FOR DISCONTINUANCE OF SERVICE**

UNION PACIFIC RAILROAD COMPANY

Mack H. Shumate, Jr.
Senior General Attorney
101 North Wacker Drive, Room 1920
Chicago, Illinois 60606
Tel: 312-777-2055
Fax: 877-213-4433

Dated and Filed: May 2, 2017

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB-33 (Sub-No. 282X)

**UNION PACIFIC RAILROAD COMPANY
-- DISCONTINUANCE OF SERVICE EXEMPTION --
IN IROQUOIS COUNTY, ILLINOIS**

VERIFIED NOTICE OF EXEMPTION

Union Pacific Railroad Company ("UP") submits this verified Notice of Exemption for Discontinuance of Service ("Notice of Exemption") pursuant to 49 § C.F.R. 1152, Subpart F - Exempt Abandonments and Discontinuances of Service, for an exempt Discontinuance of that Service over that portion of the Cissna Park Industrial Lead from Milepost 98.20 to Milepost 104.23 at Cissna Park, a total distance of 6.03 miles in Iroquois County, Illinois (the "Line").

In accordance with the requirements of 49 C.F.R. § 1152.50(d)(2), UP submits the following information:

Proposed Consummation Date: 49 C.F.R. § 1152.50(d)(2)

The Discontinuance of Service is proposed to be consummated or effective on or after June 19, 2017 at least 50 days after filing this Notice of Exemption.

Certification: 49 C.F.R. 1152.50(b)

UP certifies that no local or overhead traffic has moved over the Line for at least two years. Therefore, there is no need to reroute any traffic. UP further certifies that no formal complaint filed by a user of rail service on the Line (or filed by a state or local governmental entity acting on behalf of such user) regarding cessation of service over the Line is pending either with the Board or any U.S. District Court, or has been decided in favor of the complainant within the two-year period.

Additional Information Required: 49 C.F.R. 1152.22(a)(1)-(4), (7)-(8) and (e)(4)

(a) General.

(a)(1) The railroad's exact name is Union Pacific Railroad Company.

(a)(2) UP is a common carrier by railroad subject to 49 U.S.C. Subtitle IV,

Chapter 105.

(a)(3) UP intends to discontinue service over the Cissna Park Industrial Lead from Milepost 98.20 to Milepost 104.23 at Cissna Park a total distance of 6.03 miles in Iroquois County, Illinois. UP intends to "rail bank" the Line, leaving the track in place and to retain its interest in the underlying right-of-way. The only salvage activity contemplated is removal of the public grade crossing on the Line at milepost 103.80 in accordance with a future Illinois Commerce Commission ("ICC") exemption decision. The Illinois Department of Transportation ("IDOT") and UP expect to receive a decision from the ICC in T16-0061 granting IDOT's Petition to exempt and permit temporary removal of the Public Crossing at milepost 103.80 on the Line (AAR/DOT #167136B). IDOT

has acknowledged UP's rights and obligations with regard to the crossing removal or modification during the period of discontinuance and authorizes reinstallation of the crossing panels and warning devices if rail service on the Line is reinstated. A copy of IDOT's authorization is attached hereto as **Exhibit C**. UP acknowledges that all grade crossing warning devices ordered to be installed by the ICC if and when service on the Line over the subject crossing is reestablished shall be the responsibility of the railroad reestablishing such rail service. UP respectfully requests authority from the Board to remove the public grade crossing and grade crossing warning devices at milepost 103.80 upon receipt by the Board of such authorization by the ICC.

(a)(4) A map showing the location of the Line in relation to other rail lines, highways, and major roads in the area is attached as **Exhibit A**.

(a)(7) The representative to whom correspondence regarding this abandonment and discontinuance should be sent is:

Mack H. Shumate, Jr.
Senior General Attorney
101 North Wacker Drive, Room 1920
Chicago, Illinois 60606
Tel: 312-777-2055
Fax: 877-213-4433

(a)(8) ZIP Codes. The Line traverses U.S. Postal Service Zip Codes 60924 and 60953.

(e)(4) Rural and Community Impact.

The Line was constructed in 1881 by the Strawn and & Indiana State Line Railroad, which was merged with the Chicago, Danville and St. Louis Railroad to form the Chicago and Eastern Illinois Railroad ("C&EI") in 1887. In

1967 the C&EI was split with a portion being sold to the Louisville and Nashville Railroad. The C&EI corporate entity, along with the remainder of its railroad system including the subject Line, was acquired at that time by the Missouri Pacific Railroad, which was then itself acquired by the Union Pacific Railroad Company in 1982. The track is laid with 110lb rail.

After the discontinuance, rail service will continue to be provided on the UP's Villa Grove on Subdivision at Mainline Milepost 98.20. The area is well served by local roads and highways.

The Line passes by open space suitable for industrial development, but current demand is low and no projects are planned at this time. The Line also runs through the town of Cissna Park. The track would require considerable work to make it operable. Due to the proximity of the Line to both Chicago and St. Louis, so at some point there may be justification to reopen the Line for storage purposes.

Discontinuance preserves the Line for potential future uses, and along with appropriate crossing exemption decisions from the ICC, allows the railroad grade crossing in Cissna Park to be removed and the crossing to be paved over during the period of inactivity. This not only permits school buses and fuel trucks to travel safely over the former crossing in an economical manner but such discontinuance preserves the right of way and remaining track structure for a potential rail shipper that may choose to locate on the Line in future years.

Based on information in UP's possession the Line does not contain federally granted right of way. Any documentation in UP's possession with

regard to the Line will be made available promptly to those requesting it.

Labor Protection

The interests of railroad employees will be protected by the conditions discussed in Oregon Short Line Railroad Co. – Abandonment – Goshen, 360 I.C.C. 91 (1979).

Certifications

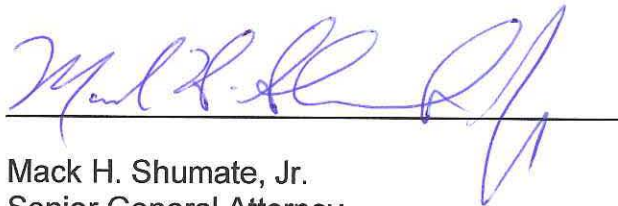
Attached as **Exhibit B** is a Certificate of Service and Publication, pursuant to the notice requirements of 49 C.F.R §§ 1152.50(d)(1), 1105.11 and 1105.12.

Environmental and Historic Report

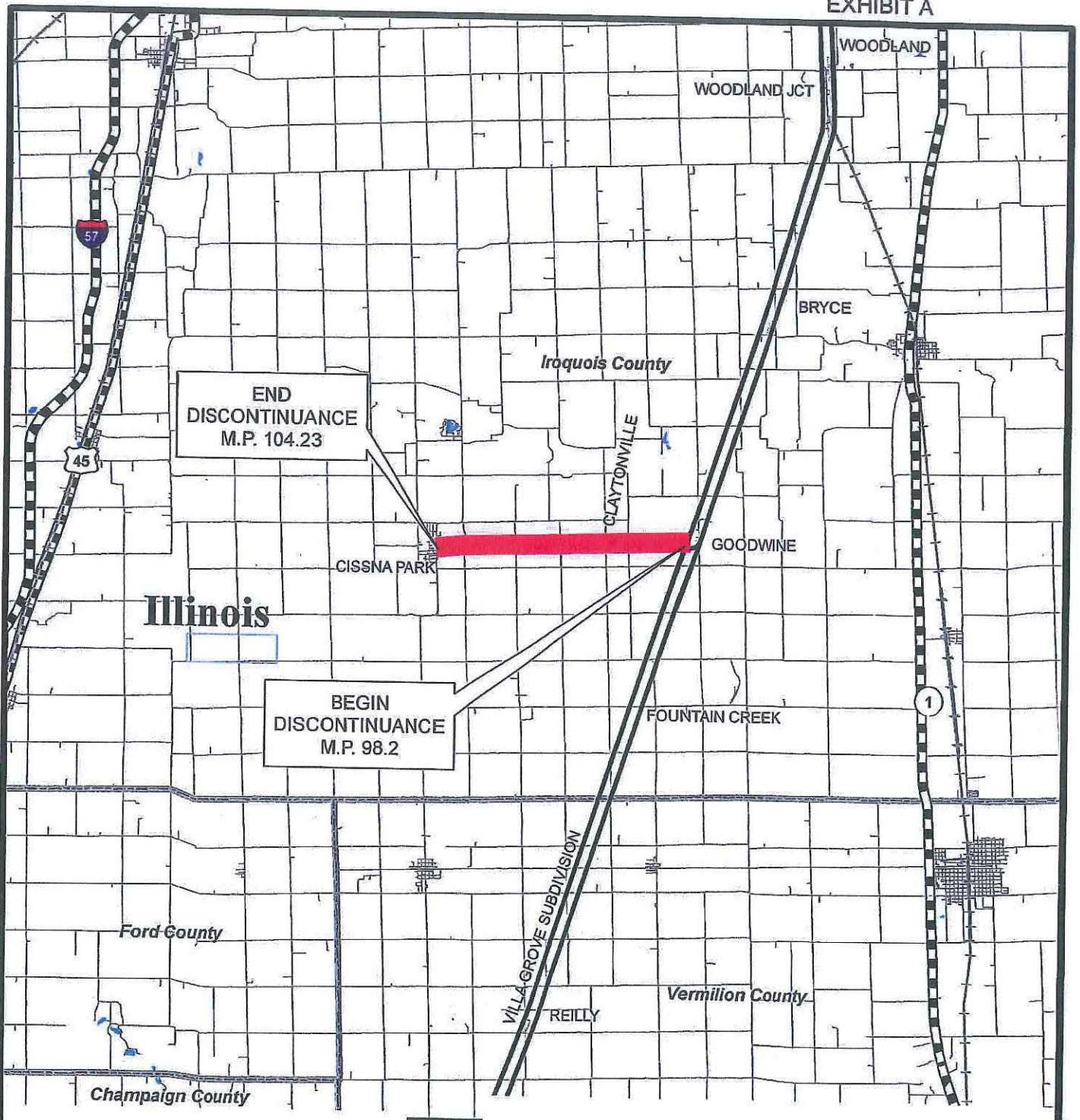
Not applicable in that UP is merely discontinuing service on the Line.

Respectfully submitted,

UNION PACIFIC RAILROAD COMPANY



Mack H. Shumate, Jr.
Senior General Attorney
101 North Wacker Drive, Room 1920
Chicago, Illinois 60606
Tel: 312-777-2055
Fax: 877-213-4433
MACKSHUMATE@UP.com



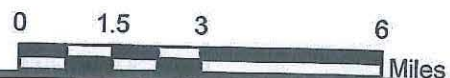
Legend

- UPRR TO BE DISCONTINUED
- OTHER UPRR LINES
- OTHER RAILROADS
- PRINCIPAL HIGHWAYS
- OTHER ROADS

CISSNA PARK INDUSTRIAL LEAD

MP 98.2 TO MP 104.23
TOTAL OF 6.03 MILES IN IROQUOIS COUNTY
IN ILLINOIS

UNION PACIFIC RAILROAD CO. CISSNA PARK INDUSTRIAL LEAD ILLINOIS



DOCKET NO. AB – 33 (SUB-NO. 282X)

UNION PACIFIC RAILROAD COMPANY
-- DISCONTINUANCE OF SERVICE EXEMPTION --
IN IROQUOIS COUNTY, ILLINOIS

CERTIFICATE OF SERVICE AND PUBLICATION

49 C.F.R. § 1152.50(d)(1) – Notice

The undersigned certifies that on April 20, 2017 (at least 10 days before a Notice of Exemption is filed), written notice was given by Union Pacific Railroad Company ("Union Pacific") stating Union Pacific's intent to use the Notice of Exemption procedure to discontinue service on the Cissna Park Industrial Lead in Iroquois County, Illinois in Docket No. AB-33 (Sub-No. 282X).

Said written notice (a copy of which is attached hereto as **Attachment No. 1**) was served on the following:

U.S. Dept. of Agriculture
Chief of the Forest Service
4th Floor, N.W. Auditors Bldg.
U.S. Department of Agriculture
14th St. & Independence Ave., SW
Washington, DC 20250

Headquarters
Military Surface Deployment & Distribution
Command
Transportation Engineering Agency
ATTN: ADTE - SA
Railroads for National Defense Program
709 Ward Drive, Building 1990
Scott AFB, IL 62225-5357

National Park Service
Midwest Region
601 Riverfront Drive
Omaha, NE 68102-4226

Officer of the Governor State
Single Point of Contact
Mr. Steven Klockenga
State of Illinois
107 Stratton
Springfield, IL. 62706

49 C.F.R. § 1105.12 – Newspaper Notice

The undersigned further certifies that a "Notice of Intent to Discontinue Service" was published in the form prescribed by the Board for a Notice of Exemption (Copy Attached as **Attachment No. 2**). The Notice was published one time in a major newspaper in the county in which the Line is located as follows:

County

Iroquois

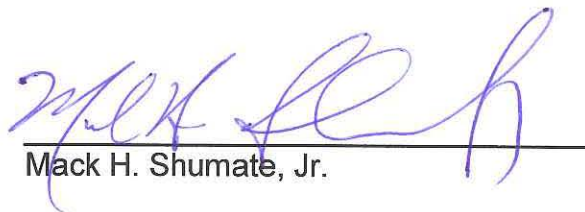
Newspaper

Daily Journal

Date

April 27, 2017

Dated this 2nd day of May, 2017.


Mack H. Shumate, Jr.



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ATTACHMENT 1

April 20, 2017

U.S. Department of Agriculture
Chief of the Forest Service
4th Floor, N.W. Auditors Bldg.
U.S. Dept of Agriculture
14th St. & Independence Avenue, SW
Washington, DC 20250

National Park Service
Midwest Region
601 Riverfront Drive
Omaha, NE 68102-4226

Headquarters
Military Surface Deployment & Distribution
Command
Transportation Engineering Agency
ATTN: ADTE – SA
Railroad for National Defense Program
709 Ward Drive, Building 1990
Scott AFB, IL 62225-5357

Officer of the Governor State
Single Point of Contact
Mr. Steven Klockenga
State of Illinois
107 Stratton
Springfield, IL. 62706

**RE: Proposed Discontinuance of the Cissna Park from Milepost 98.20 to
Milepost 104.23 near Cissna Park, a total distance of 6.03 miles in Iroquois
County, Illinois; STB Docket No. AB-33 (Sub-No. 282X)**

Dear Sir or Madam:

Please be advised that Union Pacific Railroad Company ("UP") expects to file with the United States Surface Transportation Board ("STB"), on or after April 30, 2017, a notice of an exempt discontinuance of a portion of a line of railroad known as the Cissna Park Industrial Lead along UP's Village Grove Subdivision, located near Cissna Park, Iroquois County, Illinois, extending from Milepost 98.20 to Milepost 104.23 at Cissna Park, a total distance of 6.03 miles in Iroquois County, Illinois (The "Line"). The Line traverses U.S. Postal Service zip code 60924 and 60953.

The "no business" exemption procedure will be used to discontinue the Line, pursuant to the STB's abandonment and discontinuance regulations at 49 C.F.R. §1152.50. No local traffic has moved over the Line for at least two years and there is no overhead traffic on the Line. A Notice of Exemption to discontinue service on the Line pursuant to 49 C.F.R. § 1152.50 (no local traffic for at least two years) will be filed with the STB on or after April 30, 2017.



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ATTACHMENT 1

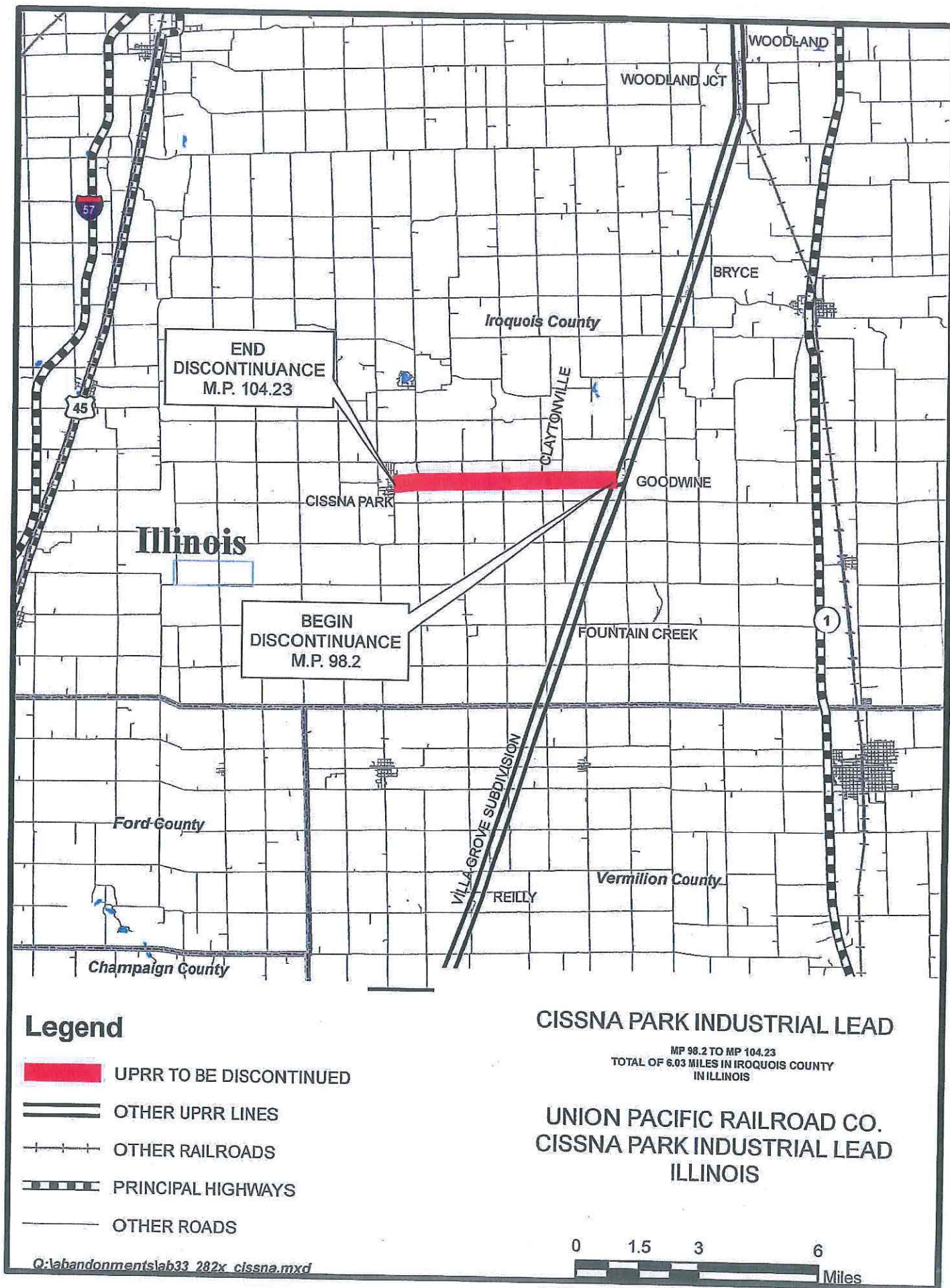
Based on information in UP's possession, the Line does not contain federally granted right-of-way. Any documentation in UP's possession will be made available promptly to those requesting it.

A map showing the segment of Line to be discontinued marked as Exhibit A is attached for your information.

Sincerely,



Mack H. Shumate, Jr.
Senior General Attorney



Want to Buy

BUYER PAYING TOP \$1 FOR estates, china, silver, old toys, signs, furniture & collections
315-584-4721

WANTED\$\$\$ Musical instruments - saxophones, accordions, drum sets, banjos. 815-584-4721.

WANT TO BUY: R12 FRE-
\$10.00 Certified buyer
K UP and PAY CASH
cylinders of R12.
312-291-9169



Place an ad, log onto
BackToSell.com

Antiques/Public Sale

Estate Auction Sat. Apr. 29
8:30am 200 Veterans Dr.
Joliet, IL 62260 100's of Out-
Antiques! www.amanti-
Antiques.com 10% Buyers
Commission (618)210-7574
Antique May Auctions
ICAN

ONLINE BANKRUPT-
CY Ends April 29th
Joliet, IL ANTIQUES
THE 1700'S INTO THE
1800'S AND A FEW
MODERN ITEMS
www.laurenzana.com

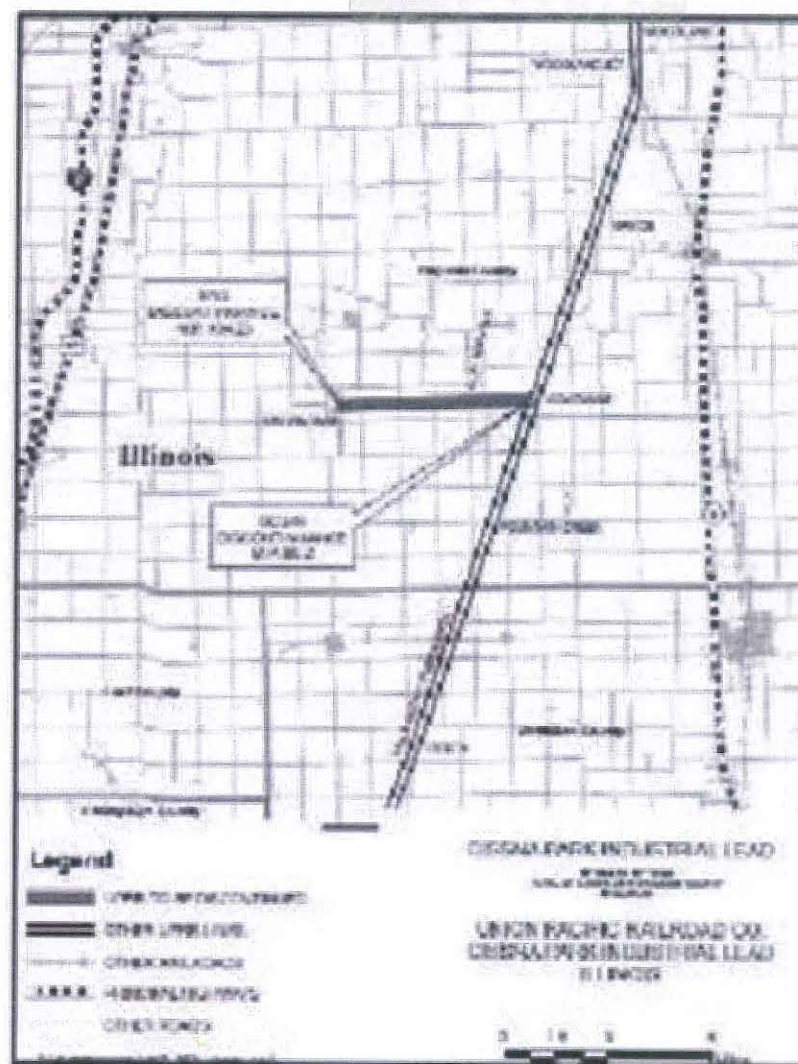
Public Notices**Public Notices****Public Notices****Public Notices****NOTICE OF INTENT TO DISCONTINUE SERVICE****ATTACHMENT 2**

UNION PACIFIC RAILROAD COMPANY ("UP") GIVES NOTICE THAT ON OR AFTER April 30, 2017, it intends to file with the Surface Transportation Board, Washington, D.C. 20423, a Notice of Exemption under 49 C.F.R. Part 1152, Subpart F – Exempt Abandonments and Discontinuances, for an exempt Discontinuance of Service on that portion of a line of railroad known as the Cissna Park Industrial Lead connecting at Goodwine, along UP's Village Grove Subdivision, located near Cissna Park, Iroquois County, Illinois, extending from Milepost 98.20 to Milepost 104.23 at Cissna Park, a total distance of 6.03 miles in Iroquois County, Illinois (The "Line"). The Line traverses U.S. Postal Service zip codes 60924 and 60953. The proceeding has been docketed as No. AB-33 (Sub-No. 282X).

The Board's Section of Environmental Analysis ("SEA") will generally prepare an Environmental Assessment ("EA"), which will normally be available twenty-five (25) days after the filing of the Notice of Exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis (SEA), Surface Transportation Board, Washington, DC 20423 or by calling that office at (202) 245-0295. The Notice of Exemption will provide that the proceeding is exempt from environmental reporting requirements under 49 CFR 1105.6(c) and from historic reporting requirements under 49 CFR 1105.8(b).

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails used also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 395 E Street, SW, Washington, DC 20423 [See 49 CFR 11 04.1(a) and 11 04.3(a)], and one copy must be served on the applicant's representative. [See 49 CFR 11 04.12(a)] Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compliance at (866) 254-1792. Copies of any comments or requests for conditions should be served on UP's: Mack Shumate, Jr., Senior General Attorney, 101 North Wacker Drive, #1920, Chicago, Illinois 60606 (312) 777-2055.

UNION PACIFIC RAILROAD COMPANY

**Jobs****DRIVERS**

Family Owned, Family Driven

IN THE CIRCUIT COURT
OF THE TWENTY-FIRST
JUDICIAL CIRCUIT
KANKAKEE COUNTY ILLINOIS

2. Description of Work: (a) The proposed work is officially known as Section 17-00000-00-GM Group 8. (b) The proposed in



Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

Date: April 28, 2017

SUBJECT: PRELIMINARY ENGINEERING

IL Route 49 (Cissna Park)
Discontinuance Authority
Iroquois County

Union Pacific Railroad Company
DOT/AAR No. 167 136B
RR Mile Post 103.80

Mr. Mack H. Shumate, Jr.
Law Department
Union Pacific Railroad Company
101 North Wacker Drive; Suite 1920
Chicago, IL 60606

Dear Mr. Shumate:

Due to the positive rail break near the switch at Goodwine, Illinois, which prohibits trains from accessing this track, the Illinois Department of Transportation through previous communications with your company is requesting the removal of the grade crossing proper and patching of the roadway at the subject grade crossing. We are also requesting the removal of the warning devices at this location.

Since the parties are in agreement that this is a discontinuance of service and not an abandonment, the Illinois Department of Transportation authorizes the re-establishment of the subject crossing, contingent on ICC determination as to grade crossing warning device needs, if service on the line, which will be discontinued, is ever re-established.

Very truly yours,

Jack Elston, P.E.
Section Chief
Preliminary Engineering

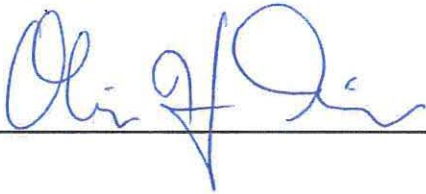
cc: William M. Barnes Attn: Jennifer Kuntz
Michael Stead - ICC
Design & Environment

VERIFICATION

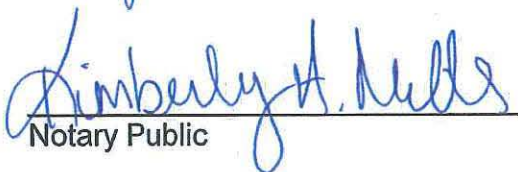
State of Nebraska)
) ss:
County of Douglas)

I, Olin H. Dirks, Senior Manager Rail Line Planning, for Union Pacific Railroad Company declare under penalty of perjury, under the laws of the United States of America, that I have read the forgoing document and that its assertions are true and correct to the best of my knowledge, information and belief. I further declare that I am qualified and authorized to submit this verification on behalf of Union Pacific Railroad Company.

Dated at Omaha, Nebraska, this 2nd day of May, 2017.



SUBSCRIBED AND SWORN TO
before me this 2nd day of
May, 2017.


Notary Public

