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October 12, 2017

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

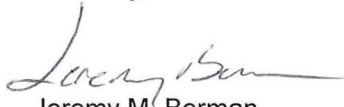
RE: Proposed Abandonment and Discontinuance of the Rockwell Industrial Lead, a total distance of approximately 2.5 miles in Cerro Gordo County, Iowa; STB Docket No. AB-33 (Sub-No. 327X)

Dear Ms. Brown:

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

Please file the Notice of Exemption in Docket No. AB-33 (Sub-No. 327X). Enclosed is a credit authorization voucher in the amount of \$4,000.00 for the filing fee.

Sincerely,


Jeremy M. Berman

FEE RECEIVED
October 12, 2017
SURFACE
TRANSPORTATION BOARD

FILED
October 12, 2017
SURFACE
TRANSPORTATION BOARD

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 327X)

**UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN CERRO GORDO COUNTY, IOWA
(ROCKWELL INDUSTRIAL LEAD)**

Notice of Exemption

UNION PACIFIC RAILROAD COMPANY
Jeremy M. Berman
General Attorney
1400 Douglas Street STOP 1580
Omaha, NE 68179
(402) 544-4735
(402) 501-0129 (FAX)
jmberman@up.com

Dated: October 12, 2017

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 327X)

**UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN CERRO GORDO COUNTY, IOWA
(ROCKWELL INDUSTRIAL LEAD)**

Notice of Exemption

Union Pacific Railroad Company ("UP") submits this verified Notice of Exemption pursuant to 49 § C.F.R. 1152, Subpart F -- Exempt Abandonments and Discontinuances of Service and Trackage Rights for an exempt abandonment of a portion of the Rockwell Industrial Lead, from Milepost 155.5 near Elm Street to Milepost 157.5 near 19th Street, both in Mason City, IA, and for discontinuance only from Milepost 157.5 to Milepost 158.0 near Swifts, IA, a distance of approximately 2.0 miles to be abandoned, and 0.5 miles to be discontinued, all in Cerro Gordo County, Iowa (the "Line").

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

The abandonment and discontinuance are proposed to be consummated on or after December 1, 2017 (at least 50 days after filing the 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 abandon a portion of UP's Rockwell Industrial Lead. The Line proposed for abandonment extends from Milepost 155.5 near Elm Street to Milepost 157.5 near 19th Street, both in Mason City, IA, and for discontinuance only from Milepost 157.5 to Milepost 158.0 near Swifts, IA, in Cerro Gordo County, Iowa, a total distance of approximately 2.0 miles to be abandoned, and 0.5 miles to be discontinued.

(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 1**.

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

Jeremy M. Berman
General Attorney
1400 Douglas Street STOP 1580
Omaha, NE 68179
(402) 544-4735
(402) 501-0129 (FAX)

(a)(8) ZIP Codes. The Line traverses U.S. Postal Service Zip Code 50401.

(e)(4) Rural and Community Impact.

The right-of-way of the Line proposed for abandonment is not suitable for public purposes such as roads, highways, other forms of mass transportation, energy production, or transmission as this area is adequately served by existing roads and utility lines at the present time.

UP has reached an agreement with the City of Mason City to sell the Line, including the bridges, for conservation as a hike/bike trail as an addition to the trail network in the local area.

The Line proposed for abandonment contains both fee and reversionary property. Based on UP's records, the Line does not contain federally granted right-of-way. Any documentation in the UP's possession related to the Line will be made available promptly to those requesting it.

After the proposed abandonment, UP will continue to provide rail service from the remaining portion of the Rockwell Industrial Lead, and the Mason City and Albert Lea Subdivisions of the Spine Line, which lie within one mile of the Line. Rail service at Mason City is also available from Canadian Pacific Railway and Iowa Traction Railway. The area is well served by local roads and major highways such as US 65, which parallels the Line, and US 18, which runs East and West less than two miles South of the Line.

No local traffic has moved over the Line during the past two years, and there is no overhead traffic or passenger service on the Line. UP has received no request for rail service on the Line in well over two years. No complaint regarding cessation of service has been filed, is pending, or has been ruled upon in favor of a complainant during the prior two years.

A map of the Line is attached hereto as **Exhibit 1**.

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 2** 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

On September 7, 2017, UP's Combined Environmental and Historic Report ("CEHR"), containing the information required by 49 C.F.R. §§ 1105.7(e) and 1105.8, and delivered in accordance with 49 C.F.R. 1105.11, was served on the required parties. The CEHR was electronically filed with the Office of Environmental Analysis ("OEA"), on September 21, 2017. The map attachment to the CEHR indicates that the line contains three bridges that are 50 years or older. No other historic properties are indicated in the CEHR.

Since serving the CEHR, UP received email correspondence from the Iowa State Historic Preservation Office ("Iowa SHPO"). The Iowa SHPO indicated that it requires additional information to conduct its assessment. UP is continuing to engage with the Iowa SHPO and believes it will receive all required information through the OEA's environmental assessment process. UP is filing this Notice of Exemption prior to resolving these issues in order to obtain the soonest possible consummation date. UP also believes that no historic structures will be affected by this abandonment and discontinuance because the bridges will remain intact as part of Mason City's proposed hike/bike trail.

Dated this 12th day of October, 2017.

Respectfully submitted,

UNION PACIFIC RAILROAD COMPANY


Jeremy M. Berman

VERIFICATION

State of Nebraska)
) ss:
County of Douglas)

I, Olin H. Dirks, Lead – Commercial and Interline Strategy, 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 12th day of October, 2017.



SUBSCRIBED AND SWORN TO
before me this 12th day of
October, 2017.



Notary Public

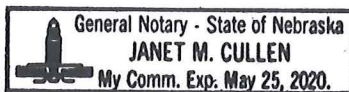
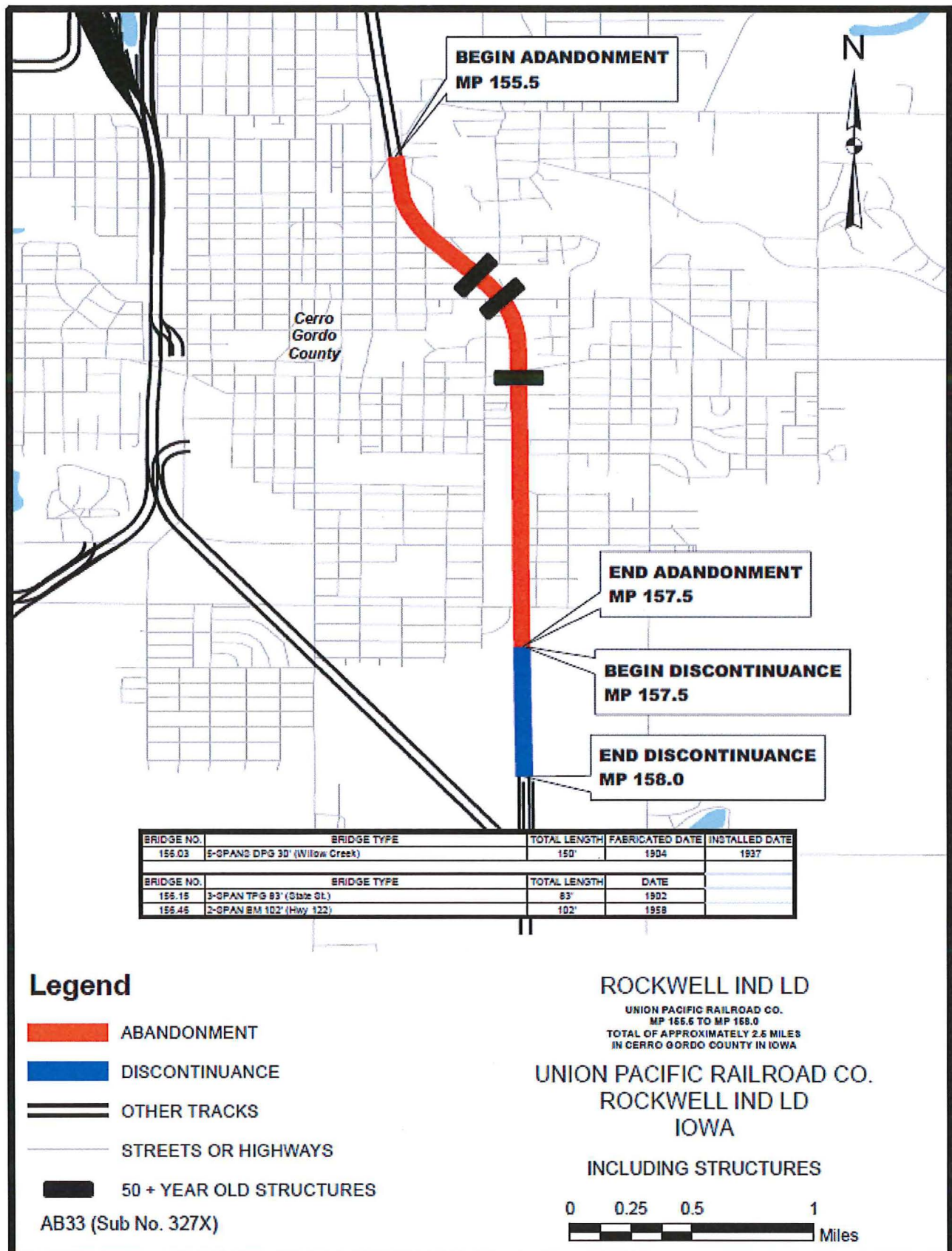


EXHIBIT 1



Docket No. AB-33 (Sub-No. 327X)

**UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN CERRO GORDO COUNTY, IOWA
(ROCKWELL INDUSTRIAL LEAD)
CERTIFICATE OF SERVICE AND PUBLICATION**

49 C.F.R. § 1152.50(d)(1) – Notice

The undersigned certifies that on October 2, 2017 (at least 10 days before a Notice of Exemption is filed), written notice was given by Union Pacific stating Union Pacific's intent to use the Notice of Exemption procedure to abandon a portion of the Rockwell Industrial Lead, from Milepost 155.5 near Elm Street to Milepost 157.5 near 19th Street, both in Mason City, IA, and for discontinuance only from Milepost 157.5 to Milepost 158.0 near Swifts, IA, a distance of approximately 2.0 miles to be abandoned, and 0.5 miles to be discontinued, all in Cerro Gordo County, Iowa in Docket No. AB-33 (Sub-No. 327X). Said written notice (a copy of which is attached hereto as

Attachment 1) was served on the following:

Iowa Department of Transportation
Office of Rail Transportation
800 Lincoln Way
Ames, IA 50010

U.S. Dept. of Agriculture
Chief of the Forest Service
1400 Independence Ave., SW
U.S. Department of Agriculture
Washington, DC 20250-111

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

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

49 C.F.R. § 1105.11 – Transmittal Letter for Applicant's Report

The undersigned certifies that on September 7, 2017 (at least 20 days before a Notice of Exemption is filed), a Combined Environmental and Historic Report pursuant to 49 C.F.R. § 1105.7 and 1105.8 was served in Docket No. AB-33 (Sub-No. 327X) for abandonment and discontinuance of portions of the Rockwell Subdivision in Cerro Gordo County, Iowa on the following:

- (1) State Clearinghouse (or alternate)
- (2) State Environmental Protection Agency
- (3) Head of each County
- (4) U.S. Environmental Protection Agency, Regional Office
- (5) U.S. Fish and Wildlife Service
- (6) U.S. Army Corps of Engineers
- (7) National Park Service
- (8) U.S. Natural Resources Conservation Service
- (9) The National Geodetic Survey
- (10) Other Agencies Consulted (As Listed)
- (11) State Historic Preservation Office

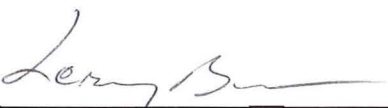
(This Certificate of Service (copy attached as **Attachment 2**) attached to Combined Environmental Historic Reports lists the names and addresses of the federal, state and local agencies.)

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

The undersigned further certifies that a "Notice of Intent to Abandon and Discontinue Service" was published in the form prescribed by the Board for a Notice of Exemption (copy attached as **Attachment 3**). The Notice was published one time in a major newspaper in the county in which the Line is located as follows:

<u>County</u>	<u>Newspaper</u>	<u>Date</u>
Cerro Gordo	Globe Gazette	October 6, 2017

Dated this 12th day of October, 2017



Jeremy M. Berman

Union Pacific Railroad Company
1400 Douglas St., Mail Stop 1580
Omaha, NE 68179

Attachment 1

October 2, 2017

Iowa Department of Transportation
Office of Rail Transportation
800 Lincoln Way
Ames, IA 50010

U.S. Dept. of Agriculture
Chief of Forest Service
1400 Independence Ave., SW
Washington, DC 20250-1111

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

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

RE: Proposed Abandonment and Discontinuance of the Rockwell Industrial Lead, a total distance of approximately 2.5 miles in Cerro Gordo County, Iowa; STB Docket No. AB-33 (Sub-No. 327X)

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 October 12, 2017, a notice of an exempt abandonment on a line of railroad known as the Rockwell Industrial Lead (the "Line"), located in Cerro Gordo County, Iowa extending from Milepost 155.5 near Elm St. to Milepost 157.5 near 19th St. in Mason City, IA, and discontinuance of service only from Milepost 157.5 to Milepost 158.0 near Swifts, IA, a total distance of approximately 2.5 miles. The Line traverses U.S. Postal Service zip code 50401.

The "no business" exemption procedure will be used to abandon the Line, pursuant to the STB's abandonment 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 abandon and 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 October 12, 2017.

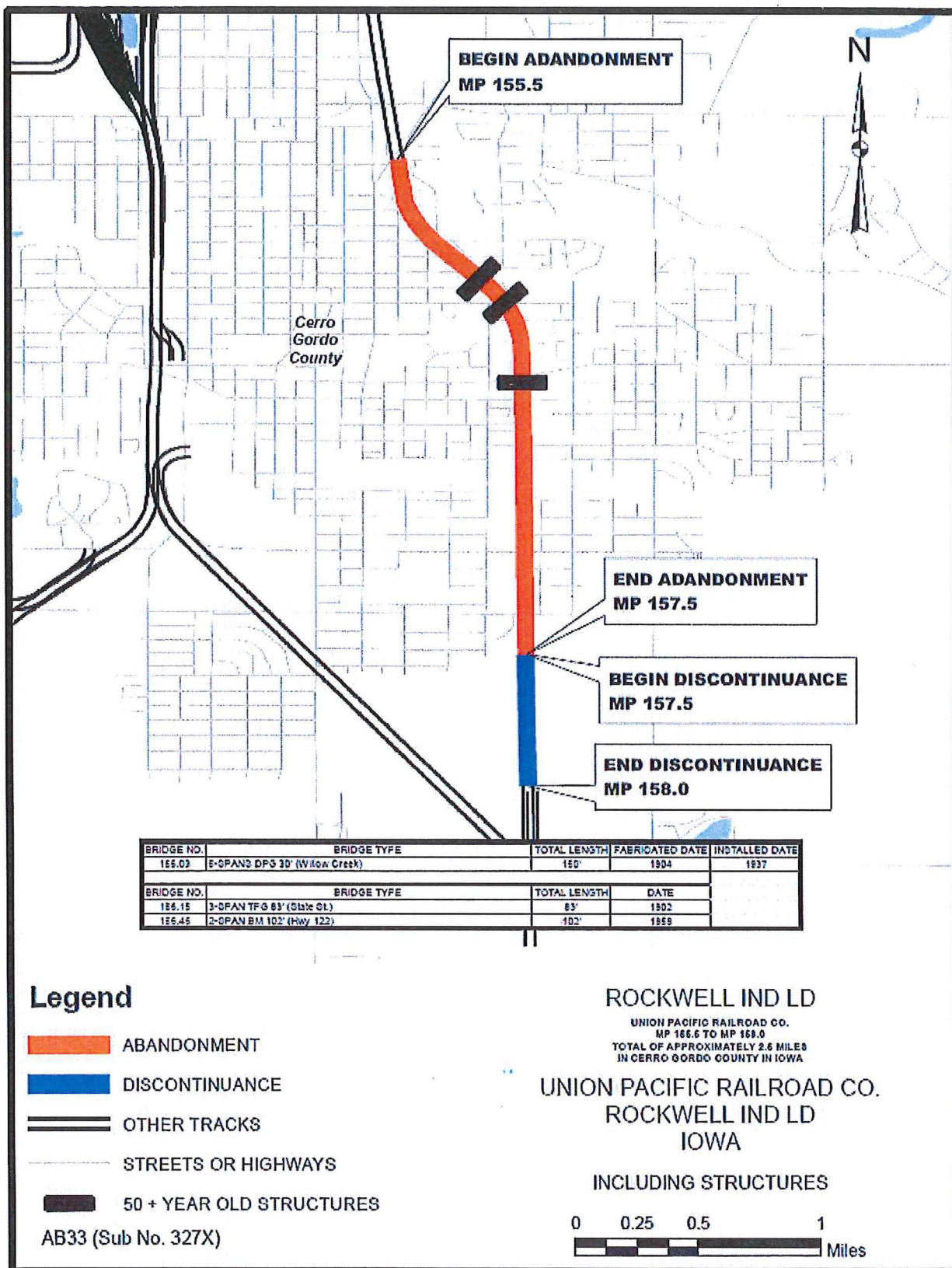
Based on information in UP's possession, the Line does not contain federally granted right-of-way. Any documentation in UP's possession will be made available promptly to those requesting it.

A map showing the segment of Line to be abandoned is attached for your information.

Sincerely,


Sarah Rief
Legal Assistant

Attachment



CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Combined Environmental and Historic Report in Docket No. AB-33 (Sub-No. 327X), was served by First Class U.S. Mail, postage prepaid, on the 7th day of September, 2017, on the following parties:

State Clearinghouse (or alternate):

Capital Planning Commission
1007 East Grand Ave.
Des Moines, IA 50319

State Environmental Protection**Agency:**

State Environmental Protection Agency
210 Walnut St # 827
Des Moines, IA 50309-2105

Head of Each County:

Cerro Gordo Board of Supervisors
220 N. Washington Ave.
Mason City, IA 50401

**Environmental Protection Agency
(Regional Office):**

U.S. Environmental Protection Agency
Region 7
11201 Renner Blvd.
Lenexa, KS 66219

State Historic Preservation Office:

State Historical Society of Iowa
600 E. Locust St.
Des Moines, IA 50319

U.S. Fish and Wildlife:

U.S. Fish and Wildlife Service
Midwest Region
5600 American Blvd. West, Suite 990
Bloomington, MN 55437-1458

U.S. Army Corps of Engineers:

U.S. Army Corps of Engineers
Rock Island District
Attn: CEMVR-PM-AC
P.O. Box 2004
Clock Tower Building
Rock Island, IL 61204-2004

National Park Service:

National Park Service
Midwest Region
601 Riverfront Dr.
Omaha, NE 68102

**U.S. Natural Resources Conservation
Service:**

U.S. Natural Resources Conservation
Service
Mason City Service Center
1415 S. Monroe Ave.
Mason City, IA 50401-5678

National Geodetic Survey:

National Geodetic Survey
Geodetic System Division
SSMC-3 #9209
NOAA/NGS 2
1315 E-W Highway
Silver Spring, MD 20910-3282

Dated this 7th day of September, 2017.

s/Jeremy M. Berman

Jeremy M. Berman

*** Proof of Publication ***

Attachment 3

State of Iowa
County of Cerro Gordo

UNION PACIFIC RAILROAD COMPANY
1400 DOUGLAS ST STOP 1580
OMAHA, NE 68179

ORDER NUMBER 294986

I, Sherrie Kilts, being duly sworn, on oath, do depose and say that I am an Accounting Customer Service Representative of The Globe-Gazette and I am authorized to make this affidavit, that The Globe-Gazette is a daily newspaper regularly published and printed in the English language in the City of Mason City, Cerro Gordo County, Iowa, and has a general circulation in the said city and county; and that I personally know that the notice, a true copy of which is hereto affixed, was published in the Globe-Gazette on the following days, to-wit:

PUBLISHED ON: 10/06/2017

TOTAL AD COST: 141.92
FILED ON: 10/6/2017

That the issues of said paper containing said notice were duly circulated in the regular manner.

Sherrie Kilts

Linda F Halpman

Notary Public in and for Said County

