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FILED

NOV 26 2008

**SURFACE
TRANSPORTATION BOARD**

November 25, 2008

Via Overnight Mail

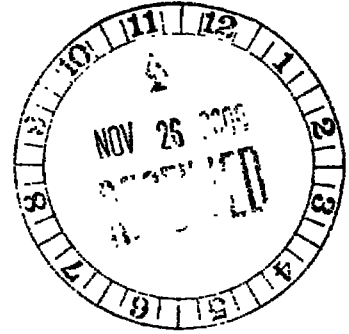
Surface Transportation Board
ATTN: Anne K. Quinlan, Acting Secretary
395 E Street, SW.
Washington, DC 20424

Law

Thomas J. Healey
Counsel - Regulatory

17641 S Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca



**ENTERED
Office of Proceedings**

NOV 26 2008

**Part of
Public Record**

Re: Environmental Report, Historic Report and Required Certifications for Docket No. AB-314 (Sub-No. 4X), Chicago Central & Pacific Railroad Company — Notice of Exemption for Abandonment in Cedar Rapids, Linn County, Iowa

Dear Ms. Quinlan:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the Verified Notice of Exemption of Chicago Central & Pacific Railroad Company dated November 25, 2008, pursuant to 49 C.F.R. § 1152.50. I am also enclosing a check in the amount of \$3,700.00, representing the appropriate fee for this filing.

One extra copy of this transmittal letter is enclosed as well. Please date stamp this copy to show receipt and return it to me in the enclosed envelope.

The Environmental and Historic Reports for this proceeding have already been filed with the Board. Feel free to contact me if you have any questions. Thank you for your assistance in this matter.

Respectfully submitted,

FEE RECEIVED

NOV 26 2008

**SURFACE
TRANSPORTATION BOARD**

Tom Healey

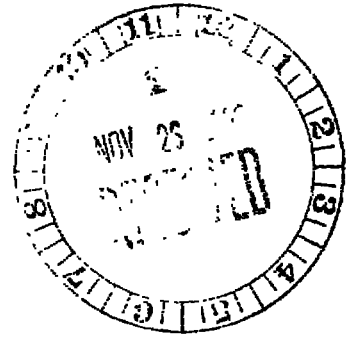
Thomas J. Healey
Attorney for
Chicago Central & Pacific Railroad Company

Encls.

cc: Iowa Department of Transportation

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-314 (SUB-NO. 4X)



CHICAGO CENTRAL & PACIFIC RAILROAD COMPANY
— ABANDONMENT EXEMPTION —
IN CEDAR RAPIDS, LINN COUNTY, IOWA

VERIFIED NOTICE OF EXEMPTION OF
CHICAGO CENTRAL & PACIFIC RAILROAD COMPANY
PURSUANT TO 49 C.F.R. § 1152.50

ENTERED
Office of Proceedings

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NOV 26 2008

SURFACE
TRANSPORTATION BOARD

Thomas J. Healey
17641 S. Ashland Avenue
Homewood, IL 60430-1345
(708) 332-4381
ATTORNEY FOR
CHICAGO CENTRAL & PACIFIC
RAILROAD COMPANY

Dated: November 25, 2008

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-314 (Sub-No. 4X)

CHICAGO CENTRAL & PACIFIC RAILROAD COMPANY
- ABANDONMENT EXEMPTION -
IN CEDAR RAPIDS, LINN COUNTY, IOWA

**VERIFIED NOTICE OF EXEMPTION OF
CHICAGO CENTRAL & PACIFIC RAILROAD COMPANY
PURSUANT TO 49 C.F.R. § 1152.50**

Chicago Central & Pacific Railroad Company ("CCP") hereby submits this Notice of Exemption pursuant to 49 C.F.R. Part 1152, Subpart F, to abandon its line of railroad in Cedar Rapids, Linn County, Iowa, referred to herein as the "Line" between milepost 229.50 and milepost 229.75, a distance of 0.25 miles.

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

General Corporation Information: 49 C.F.R. § 1152.22(a)(1)-(2)

CCP is a Class II common carrier by rail subject to the jurisdiction of the Surface Transportation Board under the Interstate Commerce Act, Subtitle IV, Chapter 105 of Title 49 of the United States Code. CCP owns and operates approximately 700 miles of rail line between Chicago, Illinois and Sioux City/Council Bluffs, Iowa, and commenced operations in 1985. Chicago, Central & Pacific Railroad Company – Purchase (Portion), Trackage Rights, and Securities Exemption, Finance Docket No. 30663 (ICC served December 24, 1985). CCP is today an indirect subsidiary of Canadian National Railway Company ("CN"), and is part of a Class I system of railroads in the United States controlled by Grand Trunk Corporation, a wholly-owned CN subsidiary. The complete name and address of CCP is:

Chicago Central & Pacific Railroad Company
17641 S. Ashland Avenue
Homewood, IL 60430-1345

Relief Sought: 49 C.F.R. § 1152.22(a)(3)

Pursuant to the Board's class exemption for the abandonment of out-of-service rail lines, codified at 49 C.F.R. Part 1152. Subpart F, CCP intends to abandon its line of railroad between Mileposts 229.50 to 229.75, a distance of approximately 0.25 miles in Cedar Rapids, Linn County, Iowa.

Map: 49 C.F.R. § 1152.22(a)(4)

A map of the Line to be abandoned is attached hereto as Exhibit A.

CCP's Representative: 49 C.F.R. § 1152.22(a)(7)

CCP's representative to whom correspondence regarding this abandonment should be sent is:

Thomas J. Healey
17641 S. Ashland Avenue
Homewood, IL 60430-1345
(708) 332-4381

ZIP Codes Traversed: 49 C.F.R. § 1152.22(a)(8)

The portion of the Line to be abandoned traverses United States Postal Service ZIP Code 52302.

Qualification for Class Exemption: 49 C.F.R. § 1152.50(b)

Per the certificate and verification attached hereto as Exhibit B, CCP certifies that no local revenue traffic has moved over the portion of the Line to be abandoned for at least the last two years, there is no overhead traffic on this trackage that would have to be rerouted over other lines, and no formal complaint filed by a user of rail service on the portion of the Line to be abandoned (or a state or local governmental entity acting on behalf of such user) regarding cessation of service on the proposed abandonment is pending with the Board or any U.S. District Court or has been decided in favor of the complainant during the last two years.

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

CCP will not consummate the proposed abandonment any earlier than January 19, 2009.

Suitability for Other Public Purposes: 49 C.F.R. § 1152.22(e)(4)

CCP does not believe that this abandonment would be suitable for any public purpose.

Labor Protection: 49 C.F.R. 1152.50(d)(2)

The level of labor protection applicable in rail line abandonment's is that established in *Oregon Short Line Co. — Abandonment — Goshen*. 360 I.C.C. 91 (1979).

Certificate of Compliance with Notice Requirements: 49 C.F.R. § 1152.50(d)(2)

A certificate that the notice requirements of 49 C.F.R. § 1152(d)(1) and 49 C.F.R. § 1105.11 have been complied with is attached hereto as Exhibit C.

Environmental and Historic Report: 49 C.F.R. §§ 1105.7 and 1105.8

An Environmental Report and Historic Report, prepared pursuant to 49 C.F.R. §§ 1105.7 and 1105.8, was already filed with the Surface Transportation Board in this proceeding. The report concludes that the proposed abandonment, if implemented, will not significantly affect either the quality of the human environment or the conservation energy resources. No commenting agency has raised concerns or sought conditions in connection with the proposed abandonment.

Respectfully submitted,

By 

Thomas J. Healey
17641 S. Ashland Avenue
Homewood, IL 60430-1345
(708) 332-4381
ATTORNEY FOR CHICAGO CENTRAL & PACIFIC
RAILROAD COMPANY

Dated: November 25, 2008

**Cedar Rapids, Iowa
AB 314, Sub No. 4X**

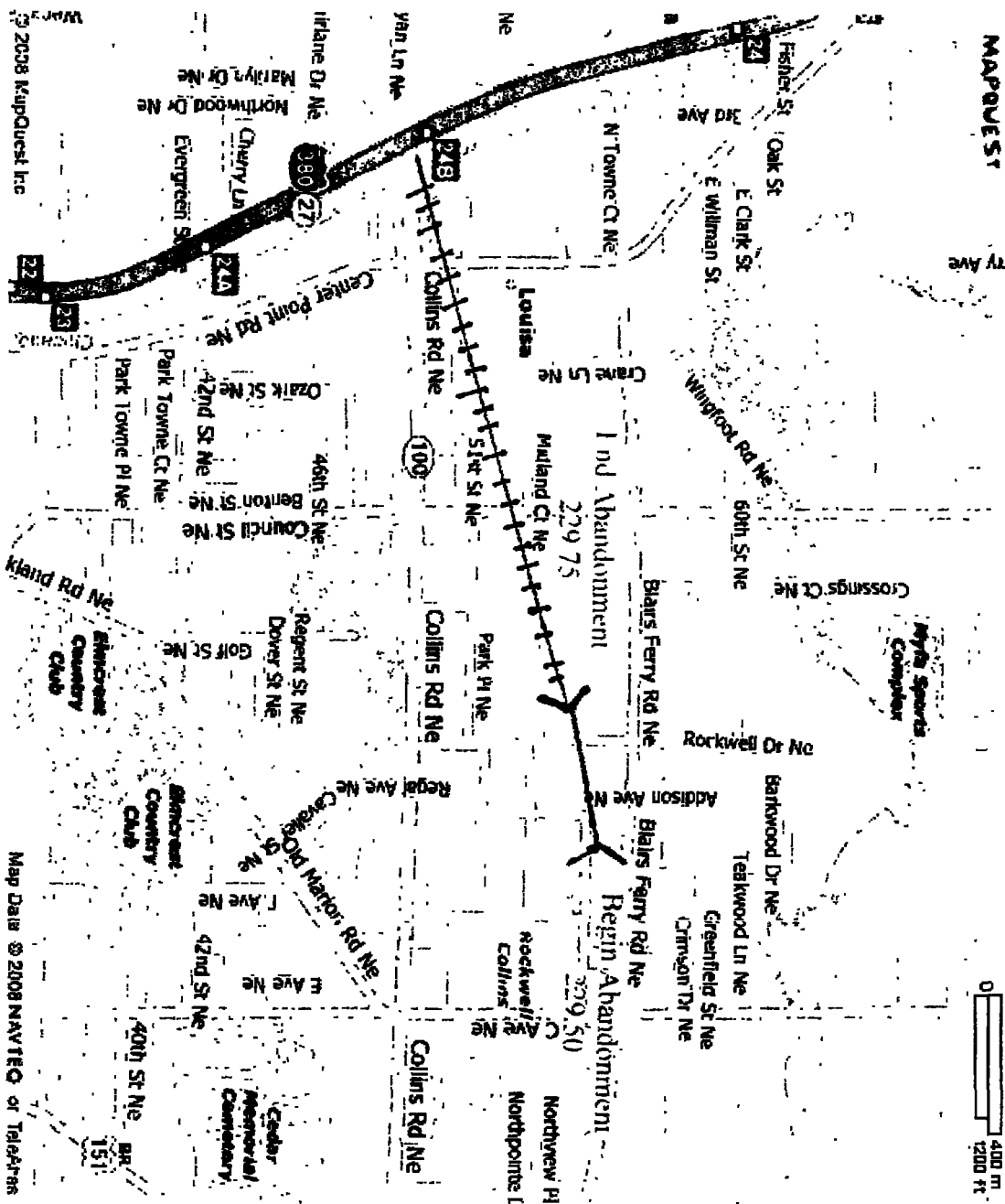


EXHIBIT A

EXHIBIT B

DOCKET NO. AB-314 (SUB-NO. 4X)

**CHICAGO CENTRAL & PACIFIC RAILROAD COMPANY
— ABANDONMENT EXEMPTION —
IN LINN COUNTY, IOWA**

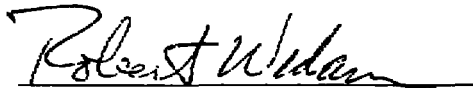
CERTIFICATE AND VERIFICATION

STATE OF ILLINOIS)
) ss
COUNTY OF COOK)

Robert M. Wedam, being duly sworn, deposes and says:

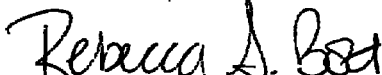
1. That no local traffic has moved over the line of Chicago Central & Pacific Railroad Company ("CCP") from milepost 229.50 to 229.75 a distance of 0.25 miles in Cedar Rapids, Linn County, Iowa, for at least two years, and that there is no overhead traffic to be rerouted over other lines; and
2. That no formal complaint filed by a user of rail service on the subject line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the line is either pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of the complainant within the last two years; and
3. That he has read the foregoing Notice of Exemption, knows the facts therein asserted, and that the same are true as stated.

Date: November 25, 2008



Robert M. Wedam
Senior Manager – Network Strategies
Chicago Central & Pacific Railroad Company

Subscribed and sworn to
before me this 25 day of
November, 2008.



Notary Public

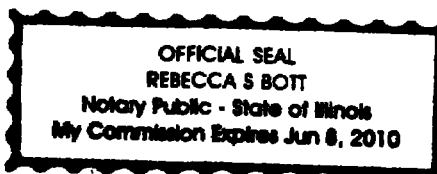


EXHIBIT C

CERTIFICATE

I, Thomas J. Healey, an attorney for Chicago Central & Pacific Railroad Company, hereby certify that, for the proceeding before the Surface Transportation Board known as Docket No. AB-314 (Sub-No. 4X), Chicago Central & Pacific Railroad Company — Abandonment Exemption — in Cedar Rapids, Linn County, Iowa:

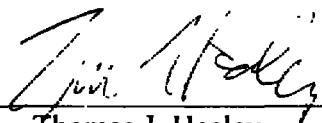
(1) The notice requirements of 49 C.F.R. § 1152.50(d)(1) have been complied with, to-wit: On November 7, 2008, written notice was mailed to the: (a) Iowa Department of Transportation; (b) U.S. Department of Defense, MTMCTEA; (c) U.S. Department of Agriculture; and (d) National Center for Recreation and Conservation (copies of which are attached hereto as Attachments 1-4).

(2) The notice requirements of 49 C.F.R. § 1105.11 have been complied with, to wit: On October 27, 2008, the Environmental Report and Historic Report for this proceeding, which reports have also been filed with the Surface Transportation Board, and the accompanying transmittal letters in the form set forth in 49 C.F.R. § 1105.11 (a sample of which is attached hereto as Attachment 5) were served by first class mail, postage prepaid, on the parties listed on Attachment 6, which list includes the state historic preservation officer, as required by 49 C.F.R. § 1105.7(b) and § 1105.11.

(3) A newspaper notice was published on July 19, 2008, in The Gazette, a newspaper of general circulation in Linn County, Iowa. The notice alerted the public to the proposed abandonment, to possible reuse alternatives, and to procedures for

EXHIBIT C

participating in the STB proceeding. A copy of the notice and Affidavit of Publication are attached to this Certificate as Attachment 7.



Thomas J. Healey

Dated: November 25, 2008



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory

17641 S Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

November 7, 2008

Iowa Department of Transportation
800 Lincoln Way
Arnes, Iowa 50010

Re: Docket No. AB-314 (Sub-No. 4X), Chicago Central & Pacific Railroad Company
Notice of Exemption in Cedar Rapids, Linn County, Iowa

Dear Sir/Madam:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Chicago Central & Pacific Railroad Company shall on or after November 17, 2008, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 0.25 miles of railroad line starting at milepost 229.50 and ending at milepost 229.75 in Linn County, Cedar Rapids, Iowa. Such line runs through U.S. Postal Zip Code 52302.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey
Attorney for Chicago Central & Pacific Railroad Company

ATTACHMENT 1



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Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

November 7, 2008

Military Surface Deployment and Distribution Command
Transportation Engineering Agency
Attn: SDTE-SA (Railroads for National Defense)
709 Ward Drive, Building 1990
Scott AFB, IL 62225-5357

Re: Docket No. AB-314 (Sub-No. 4X), Chicago Central & Pacific Railroad Company
Notice of Exemption in Cedar Rapids, Linn County, Iowa

Dear Sir/Madam:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Chicago Central & Pacific Railroad Company shall on or after November 17, 2008, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 0.25 miles of railroad line starting at milepost 229.50 and ending at milepost 229.75 in Linn County, Cedar Rapids, Iowa. Such line runs through U.S. Postal Zip Code 52302.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey
Attorney for Chicago Central & Pacific Railroad Company

ATTACHMENT 2



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

November 7, 2008

Ms. Abigail Kimball
Chief, Forest Service
U.S. Department of Agriculture
1400 Independence Ave., S.W.
RM 4NW YATESBG
Washington, DC 20250

Re: Docket No. AB-314 (Sub-No. 4X), Chicago Central & Pacific Railroad Company
Notice of Exemption in Cedar Rapids, Linn County, Iowa

Dear Ms. Kimball:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Chicago Central & Pacific Railroad Company shall on or after November 17, 2008, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 0.25 miles of railroad line starting at milepost 229.50 and ending at milepost 229.75 in Linn County, Cedar Rapids, Iowa. Such line runs through U.S. Postal Zip Code 52302.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey
Attorney for Chicago Central & Pacific Railroad Company

ATTACHMENT 3



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

November 7, 2008

Mr. Thomas Ross, Division Chief
National Center for Recreation and Conservation
National Park Service
1849 C. Street, N.W.
Org. Code 2220
Washington, D.C. 20420

Re: Docket No AB-314 (Sub-No. 4X), Chicago Central & Pacific Railroad Company
Notice of Exemption in Cedar Rapids, Linn County, Iowa

Dear Mr. Ross:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Chicago Central & Pacific Railroad Company shall on or after November 17, 2008, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 0.25 miles of railroad line starting at milepost 229.50 and ending at milepost 229.75 in Linn County, Cedar Rapids, Iowa. Such line runs through U.S. Postal Zip Code 52302.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey
Attorney for Chicago Central & Pacific Railroad Company

ATTACHMENT 4



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory

17641 S Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

October 27, 2008

**Re: Chicago Central and Pacific Railroad Company Notice of Exemption for Abandonment –
Cedar Rapids, Linn County, Iowa - Docket AB-314 (Sub-No. 4X)**

To Whom It May Concern:

Any time on or after November 17, 2008, Chicago Central & Pacific Railroad Company ("CCP") expects to file with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon a railroad line located between milepost 229.50 and milepost 229.75, a distance of 0.25 miles, in Linn County, Iowa. Enclosed is an Environmental Report and a Historic Report describing the proposed action and any expected environmental and historical effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental and historical analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental and historic review process, please contact their Section of Environmental Analysis (SEA), at the Surface Transportation Board, 395 E Street, SW, Washington, D.C. 20423-0001, (202) 245-0245, and refer to the above docket number.

CCP will file the Environmental Report and Historic Report with the STB on or about October 27, 2008. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the STB (with a copy to the undersigned) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and historical impact of the contemplated action.

If there are any questions concerning this proposal, please contact the undersigned directly at (708) 332-4381 or by mail at the above address.

Sincerely,

Thomas J. Healey
Attorney for Chicago Central & Pacific Railroad Co.

Encls.

ATTACHMENT 5

U.S. Environmental Protection Agency
Office of Water (4101M)
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Office of Ocean and Coastal Resource Manage
Attn: David Kennedy, Director
NOAA Ocean Service
1305 East West Highway
Silver Spring, MD 20910

Linn County Board of Supervisors
Linn County Administrative Office Building
930 First Street SW
Cedar Rapids, IA 52404

US EPA Region 7
901 N. 5th Street
Kansas City, KS 66101

U.S. Fish & Wildlife Service
Mr. Richard Nelson, Field Supervisor
Rock Island Field Office
1511 47th Avenue
Moline, IL 61265

U.S. Army Corp of Engineers Rock Island Dist
Attn: Donna Jones
Clock Tower Building
PO Box 2004
Rock Island, Illinois 61204

Mr. Dewayne Prince, Chief Land Resource
National Park Service, Midwest Region
601 Riverfront Dr.
Omaha, NE 68102

Mr. Simon Monroe
National Geodetic Survey
Simon.Monroe@noaa.gov

National Resource Conservation Service
Attn: Richard Van Klaveren, State Conservationist
Iowa State Office
210 Walnut St., RM 693
Des Moines, IA 50309-2119

Iowa Department of Transportation
800 Lincoln Way
Arnes, Iowa 50010

State of Iowa Historical Building
Attn: Director
600 East Locust
Des Moines, IA 50319-0290

Mr. Nicholas Chevance,
Regional Environmental Coordinator
National Park Service
Midwest Regional Office
601 Riverfront Drive
Omaha, NE 68102

STATE OF IOWA
Counties of Linn and Johnson

ss.

I, Dave Storey, do state that I am the publisher of THE GAZETTE, a daily newspaper of general circulation in Linn and Johnson Counties, in Iowa. The notice, a printed copy of which is attached, was inserted and published in THE GAZETTE newspaper in the issue(s) of 7/19/08

The reasonable fee for publishing said notice is \$25.89

LEGAL NOTICE

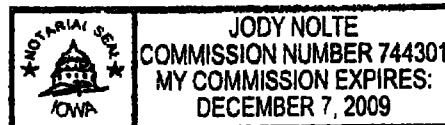
Chicago Central & Pacific Railroad Company gives notice that on or after September 8, 2008, it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F-Exempt Abandonments, permitting the abandonment of 0.25 miles of line of railroad, starting at milepost 229.50 and ending at milepost 229.75 in Cedar Rapids, Linn County, Iowa, which line traverses through U.S. Postal Zip Code 52302. There are no stations located along this line. The proceeding will be docketed as AB-314 (Sub No. 4X). The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 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 SEA, Surface Transportation Board, 395 E. Street SW, Washington, DC 20423 or by calling that office at (202) 245-0245. 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 use 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 for the Secretary, 395 E. Street SW, Washington, DC 20423 (See 49 CFR 1104.1(a) and 1104.3(a)). And one copy must be served on applicant's representative. (See 49 CFR 1104.12(a)). Questions regarding offers of financial assistance, public use or trail use may be directed to the Commission's Office of Congressional and Public Services at (202) 365-1592. Copies of any comments or requests for conditions should be served on the applicant's representative: Thomas J. Healey, (708) 332-4381 at 17641 S. Ashland Avenue, Homewood, IL 60430.

Dave Storey

This instrument was acknowledged by Dave Storey before me on 7/23/08

Jody Nolte

Notary Public in and for the State of Iowa



ATTACHMENT 7