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229036

ENTERED
Office of Proceedings

MAR 24 2011

Part of
Public Record

March 24, 2011

BY HAND

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

FEE RECEIVED

MAR 24 2011

**SURFACE
TRANSPORTATION BOARD**



**Re: Manufacturers Railway Company – Discontinuance Exemption – In
St. Louis, MO., Docket No. AB-1075X**

Dear Ms. Brown:

Enclosed for filing in the above-referenced docket please find an original and 10 copies of Manufacturers Railway Company’s Petition for Exemption and a check for the filing fee in the amount of \$6,300. Also enclosed is a compact disc containing the text of this filing in both PDF and Microsoft Word format. As you can see from the enclosed materials, Manufacturers Railway Company is requesting expedited consideration of this petition.

Please date-stamp the additional copy of the filing provided and return it to the messenger for our files. I appreciate your attention to this matter.

FILED
MAR 24 2011
**SURFACE
TRANSPORTATION BOARD**

Very truly yours,

A handwritten signature in black ink, appearing to read 'Paul A. Cunningham'.

Paul A. Cunningham
Counsel for Manufacturers Railway Company

Enclosures

EXPEDITED CONSIDERATION REQUESTED

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Docket No. AB-1075X

**MANUFACTURERS RAILWAY COMPANY
– DISCONTINUANCE EXEMPTION –
IN ST. LOUIS, MO**

PETITION FOR EXEMPTION



**ENTERED
Office of Proceedings**

MAR 24 2011

**Part of
Public Record**

FILED

MAR 24 2011

**SURFACE
TRANSPORTATION BOARD**

Paul A. Cunningham
Matthew W. Ludwig
HARKINS CUNNINGHAM LLP
1700 K Street, N.W., Suite 400
Washington, DC 20006-3804
(202) 973-7600

Counsel for Manufacturers Railway Company

FEE RECEIVED
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**SURFACE
TRANSPORTATION BOARD**

March 24, 2011

EXPEDITED CONSIDERATION REQUESTED

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Docket No. AB-1075X

**MANUFACTURERS RAILWAY COMPANY
– DISCONTINUANCE EXEMPTION –
IN ST. LOUIS, MO**

PETITION FOR EXEMPTION

Manufacturers Railway Company (“MRS”), a Class III carrier, hereby seeks exemption from Surface Transportation Board (“Board” or “STB”) from the prior approval requirements of 49 U.S.C. § 10903 to discontinue service over all tracks and yards located within the area bordered by Cedar Street on the North to Zepp Street on the South; and Mississippi River flood wall on the East to U.S. Interstate 55 on the West. The tracks and yards are located in United States Postal Service Zip Code 63118 in the City of St. Louis, State of Missouri. This rail line comprises all of the rail line owned and operated by MRS, and, assuming the petition is granted and the discontinuance consummated, MRS would no longer provide service as a rail common carrier.

Requiring MRS to file an application to discontinue service over its entire system is not necessary to satisfy the National Rail Transportation Policy of 49 U.S.C. § 10101, nor is application of 49 U.S.C. § 10903 necessary to protect shippers from an abuse of market power. Currently, the only active shipper on the MRS system is Anheuser-Busch, Incorporated

("Anheuser-Busch"), and it supports this petition.¹ As described in more detail below, MRS operated at a significant loss in 2010, expects to continue to operate at a substantial loss this year and indefinitely into the future, and has no reasonable prospect to profitably operate. Requiring MRS to file a full application for discontinuance would not change these basic facts. Accordingly, MRS should be exempted from 49 U.S.C. § 10903 and related regulations with respect to its proposed discontinuance. In light of its significant operating losses, MRS respectfully requests expedited consideration of its Petition.

The facts asserted in this Petition are verified by Kurt R. Andrew, MRS's President and Chief Executive Officer.

FACTUAL BACKGROUND

A. Description of the Railway and Rail Lines

MRS was incorporated in 1887 to handle rail movements originating and terminating at the Anheuser-Busch brewery in St. Louis, Missouri. MRS is currently owned by Anheuser-Busch Companies, Inc., and Anheuser-Busch, Incorporated (a subsidiary of Anheuser-Busch Companies, Inc.) is the only currently active customer on the MRS system.

The rail assets of MRS consist of:

A line, roughly one (1) mile in length, running from Lesperance Street to Dorcas Street along the wharf (the "Brewery Line") which allowed access to the Terminal Railroad Association, Union Pacific Railroad, and the McArthur Bridge leading to the Alton and Southern Railroad.

A line, roughly 2.6 miles in length running from Zepp Street to Cedar Street mainly within right-of-way of Second Street in St. Louis (the "Second Street Line").

¹ Both Anheuser-Busch and MRS are wholly-owned subsidiaries of Anheuser-Busch Companies, Inc.

The Brewery Line is the only rail line necessary to serve the Anheuser-Busch brewery. MRS intends to discontinue common carrier service over this line, but does not intend to remove the trackage or rail assets comprising this line.

Throughout its 120 year history, various shippers unrelated to Anheuser-Busch located on the Second Street Line have also received rail service from MRS. However, in recent years, the number of shippers and carloads on that line has decreased substantially: since 2005 only 3 shippers have used rail service over the Second Street Line, and in 2010 only 5 carloads from 1 shipper originated or terminated on the line. There is no overhead traffic on the Second Street Line. MRS intends to discontinue service over this line but does not intend, at this point, to remove the trackage or rail assets comprising this line.

Most of the lines of MRS are embedded within the right-of-way of existing streets of the City of St. Louis. A map showing, in clear relief, the exact location of the rail lines over which service would be discontinued and their relation to other rail lines in the area, highways, water routes, and population centers is attached as Exhibit 1. Based on information in MRS's possession, the line does contain federally granted right-of-way. Any documentation in petitioner's possession will be made available promptly to those requesting it.

B. Traffic on the Rail Lines

Throughout its history, the primary purpose of MRS was to meet the terminal and switching needs of the Anheuser-Busch brewery. Anheuser-Busch, an affiliate of MRS, has always been and currently is the source of the majority of the traffic handled by MRS, although even that traffic has dwindled in recent times. In 2010, Anheuser-Busch decided to stop outbound shipments of beer by rail. Those shipments stopped March 13, 2011. Since that time, the brewery has only received, on average, six (6) to seven (7) inbound carloads of grain, celite and magnesite per day. This amount of traffic generates \$1.28 million annual revenue for MRS.

MRS has, through the years, attempted to locate non-brewery business on their tracks. That business has recently declined precipitously, and has little likelihood of recovering. One non-brewery customer, located near the terminus of the Brewery Line, ceased using the MRS for switching services when it moved to a new facility in Illinois in June 2010. That shipper accounted for approximately \$120,000 in revenue in 2010 before it moved.

There are currently only three non-brewery shippers located on the MRS system, all on the Second Street Line. However, only one of those shippers used the MRS system in 2010, and none appear likely to use it in the future. Those shippers and their recent carload volumes are listed below:

Shipper	Total Carloads in 2010	Total Carloads since 2005	Date of last carload
Century Used Bricks	5	70	Jul. 2010
Universal Storage	0	1,656	Dec. 2009
Loy Lange Box	0	10	May 2006
Total	5	1,736	Jul. 2010

Year	Century Used Bricks		Universal Storage		Loy Lange Box		Total	
	Carloads	Revenue	Carloads	Revenue	Carloads	Revenue	Carloads	Revenue
2005	16	\$8,700	457	\$84,100	7	\$2,200	480	\$95,000
2006	13	\$6,800	407	\$77,000	3	\$1,100	423	\$84,900
2007	12	\$6,400	254	\$53,300	0	\$0.0	266	\$59,700
2008	10	\$5,000	327	\$75,900	0	\$0.0	337	\$81,000
2009	14	\$7,300	211	\$53,400	0	\$0.0	225	\$60,600
2010	5	\$2,700	0	\$0.0	0	\$0.0	5	\$2,700
2011²	0	\$0.0	0	\$0.0	0	\$0.0	0	\$0.0

Century Used Bricks, the only shipper to use the Second Street Line in 2010, has represented that it does not require rail service going forward, will not lease its real estate to a lessor that requires rail service, and supports this petition. Based on Universal Storage's complete cessation of rail service as of December 2009 and Loy Lange Box's complete cessation

² Projected.

of rail service as of May 2006, it does not appear either shipper will require rail services in the foreseeable future. And, even if they did resume service, the revenue MRS could receive from those shippers would fall far short of the amount needed just to break even.

MRS also uses its track to store empty railcars for others, but that business is sporadic, unpredictable, and generates little revenue.

MRS is a terminal carrier, and, as such, there is no overhead traffic on any of its lines.

C. MRS's Reasons for Discontinuing Service

Operation of MRS has become highly unprofitable, with a loss of \$700,000 in 2010, a projected loss of \$1.4 million in 2011, and projected annual losses of \$2.0 million thereafter. There is no reasonable prospect for profitable operations, as the limited existing and potential revenue available to MRS is insufficient to cover its extensive annual maintenance and operating costs. Continued operation of the line would result in substantial opportunity costs, and shippers on the line have feasible transportation options. Indeed, the lack of shipments by rail demonstrates the availability of other forms of transportation to these shippers.

In 2010, MRS lost approximately \$700,000. It received revenue of \$2.8 million from brewery switching services, approximately \$120,000 for switching services provided to a non-brewery customer that relocated to a facility in another state in June, 2010, \$2,700 from the one active shipper on the Second Street Line, and approximately \$2.6 million from miscellaneous services (primarily from the lease of railcars,³ as well as car storage, repair, and painting services). That same year, MRS incurred \$6.2 million in annual operating expenses, including \$1.5 million for building, equipment, locomotive and track maintenance.

³ MRS leases sixty-seven (67) railroad cars from the Southern Illinois Railcar Company and uses them to transport Anheuser-Busch's grain products, for which it charges Anheuser-Busch a fee.

In 2011, MRS projects it will lose approximately \$1.4 million. It projects revenue of \$2.0 million from brewery switching services, \$0 from non-brewery shippers on either the Brewery Line or the Second Street Line, and approximately \$1 million from miscellaneous services, against expenses of \$4.4 million (\$1.5 million of which is for building, equipment, locomotive and track maintenance). After 2011, MRS expects it would lose approximately \$2 million a year if it continues operations.

D. Environmental and Historic Preservation Matters

There will be no adverse environmental impacts or impacts to historic resources as a result of the planned discontinuance. The proposed discontinuance of service will not result in any diversion to trucks, let alone enough diversions that would exceed the thresholds set forth in the Board's environmental rules. *See* 49 C.F.R. § 1105.7(e)(5)(C). The only operational change will be that MRS trains will cease to operate over the line segments at issue. The track will remain in place and thus there will be no salvage. *See* 49 C.F.R. §§ 1105.6(c)(2) (exempting any action “that does not result in significant changes in carrier operations” that would exceed the thresholds (for increase in train traffic or diversions to trucks) in § 1105.7(e)(4) & (5)) and 1105.8(b) (exempting actions where there will be no impact on historic properties); *Caldwell County R.R. – Discontinuance of Service Exemption – In Caldwell County, NC*, STB Docket No. AB-999X (served Jul. 9, 2007) (finding that a discontinuance was exempt from environmental reporting requirements under 49 C.F.R. 1105.6(c) and from historic reporting requirements under 49 C.F.R. 1105.8(b) where the track remained in place and there was no salvage); *New Mexico Gateway R.R. LLC – Discontinuance Exemption – in Dona Ana County, NM*, STB Docket No. AB-995X (served Jul. 3, 2006) (no environmental or historical documentation required in entire system discontinuance). The undersigned counsel has contacted the Board’s Office of

Environmental Assessment regarding this matter and has been advised that no Environmental Report is required in these circumstances.

E. Other Issues

Because this is a discontinuance proceeding and not an abandonment, and because the offers of financial assistance (OFA) provisions for a subsidy to provide continued rail service do apply to discontinuances, the Board need not consider OFAs to acquire the line for continued rail service. Likewise, the Board need not consider trail use requests under 16 U.S.C. 1247(d), or requests to negotiate for public use of the line.⁴

Because this petition seeks discontinuance covering MRS's entire rail system, and because MRS has no corporate affiliate that will continue substantially similar rail operations, or a corporate parent that will realize substantial financial benefits over and above relief from the burden of deficit operations by its subsidiary railroad, labor and protective conditions should not be imposed. See *Mo. & Valley Park R.R.—Discontinuance Of Service Exemption—In St. Louis County, MO*, STB Docket No. AB 1057X (STB served Jun. 15, 2010) (citing *Wellsville, Addison & Galeton R.R.—Aban. of Entire Line in Potter & Tioga Counties, Pa.*, 354 I.C.C. 744 (1978); and *Northampton & Bath R.R.—Aban. Near Northampton and Bath Junction in Northampton County, Pa.*, 354 I.C.C. 784 (1978)). MRS requests the Board follow its established practice regarding labor conditions in entire system discontinuances.

A draft Federal Register notice is attached as Exhibit 2. Notice of the proposed discontinuance ran on March 23, 2011 in the St. Louis Post Dispatch, a newspaper of general circulation in St. Louis, Missouri. A copy of the notice is attached as Exhibit 3 to this Petition.

⁴ In any event, the lines at issue are in a highly urban and industrial area, are generally embedded in existing public streets, and would accordingly be inappropriate for trail or other public use.

The factual assertions contained in this Petition are verified by MRS President and Chief Executive Officer, Kurt R. Andrew.

AN EXEMPTION IS WARRANTED UNDER THE APPLICABLE LEGAL STANDARD

Under 49 U.S.C. § 10903, service over a rail line may not be discontinued without prior approval from the Board. Under 49 U.S.C. § 10502, however, the Board must exempt a transaction or service from regulation when it finds that: (1) continued regulation is not necessary to carry out the rail transportation policy of 49 U.S.C. § 10101 (“RTP”); and (2) either (a) the transaction or service is of limited scope, or (b) regulation is not necessary to protect shippers from the abuse of market power. The discontinuance proposed by MRS clearly meets this statutory requirement.

A. Regulation is not Necessary to Carry Out the RTP

Detailed scrutiny under 49 U.S.C. § 10903 is not necessary to carry out the RTP in this case. Given that MRS is operating the line at a significant loss, granting MRS’s Petition, instead of requiring it to incur the substantial cost and delay associated with a full regulatory proceeding will, at a minimum:

- minimize the need for Federal regulatory control over the rail transportation system;
- foster sound economic conditions in transportation and ensure effective competition and coordination between rail carriers and other modes;
- reduce regulatory barriers to exit;
- encourage honest and efficient management of railroads;
- provide for the expeditious handling and resolution of all proceedings required or permitted to be brought before the Board.

49 U.S.C. § 10101(2), (5), (7), (9), and (15). Other aspects of the RTP will not be adversely affected. For example, while there is minimal traffic on the Second Street Line, allowing discontinuance of service could eliminate the risk of accidents at a number of grade crossings, which would promote the public health and safety. 49 U.S.C. § 10101(8).

For these reasons, the Board need not require MRS to use the formal discontinuance application procedures in order to carry out the RTP, as the use of the exemption procedures is fully consistent with that policy. .

B. The Proposed Discontinuance is of Limited Scope

While the proposed discontinuance consists of the entire system of MRS, it is of limited scope since it involves only a total of 13.5 miles of rail line and storage tracks, 2.6 miles (19.3 percent) of which (the Second Street Line) has recently handled only 5 carloads annually, and will not handle any rail traffic in the foreseeable future. The Board's predecessor has found discontinuances of service over much longer segments of track than the 13.5 mile MRS system to be matters of limited scope. *See Tex. R.R. Switching, Inc.—Discontinuance of Service Exemption—In LaSalle, Zavala & Dimmit Counties, TX*, Docket No, AB-428X, slip op. at 3 (ICC served June 9, 1995) (51.55 miles of rail line is a transaction of limited scope); *Tex. N.W Ry. – Abandonment and Discontinuance Of Service Exemption - Hansford and Hutchinson Counties TX; Texas County, OK; and Seward County, KS*, ICC Docket No. AB-281X, 1987 ICC LEXIS 194 (Aug. 4, 1987) at *7 (abandonment of 56 miles of line and discontinuance of service over an additional 37 miles of line is a transaction of limited scope).

No currently active rail shippers would lose service, and no overhead traffic would need to be rerouted. Considering all the circumstances present, the proposed discontinuance is clearly of limited scope.

C. Regulation is not Necessary to Protect Shippers from Market Power Abuse

Because the proposed discontinuance is of limited scope, MRS does not need to show that regulation is unnecessary to protect shippers from an abuse of market power. Nonetheless, it is clear that the discontinuance will not have any effect on market power. There is only one currently active shipper on the MRS system, and it supports the petition. Where the affected

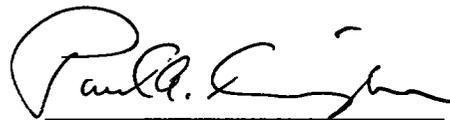
shipper does not object to the discontinuance there can be no abuse of market power. *See Kan. & Okla. R.R. — Discontinuance Exemption—In Lane, Ness & Rush Counties, KS*, STB Docket No. AB-853 (Sub-No. 2X), slip op. at 2 (STB served Oct. 15, 2004) (regulation not needed to protect shippers from abuse of market power where no current shippers objected to discontinuance); *Soo Line R.R. – Discontinuance Exemption – In Rockford, IL*, Docket No. AB-57 (Sub-No. 30X), 1990 WL 287258, at *3 (ICC decided Feb. 2, 1990) (since the sole shipper “fully supports the relief, regulation is not necessary to protect shippers from an abuse of market power.”).

In addition, all of the actual and potential shippers on the line have alternative transportation options, as shown by the fact that those shippers are using those options to the exclusion of rail service. Since no overhead traffic moves on the line, discontinuance will not affect the routing options of any other shipper.

CONCLUSION

Application of the regulatory requirements and procedures of 49 U.S.C. § 10903 to the discontinuance of the MRS system is not required to carry out the RTP, the proposed transaction is of limited scope, and regulation is not required to protect shippers from an abuse of market power. Accordingly, MRS respectfully requests the Board grant the proposed petition.

Respectfully submitted,



Paul A. Cunningham
Matthew W. Ludwig
HARKINS CUNNINGHAM LLP
1700 K Street, N.W., Suite 400
Washington, DC 20006-3804
(202) 973-7600
*Attorneys for Manufacturers Railway
Company*

VERIFICATION

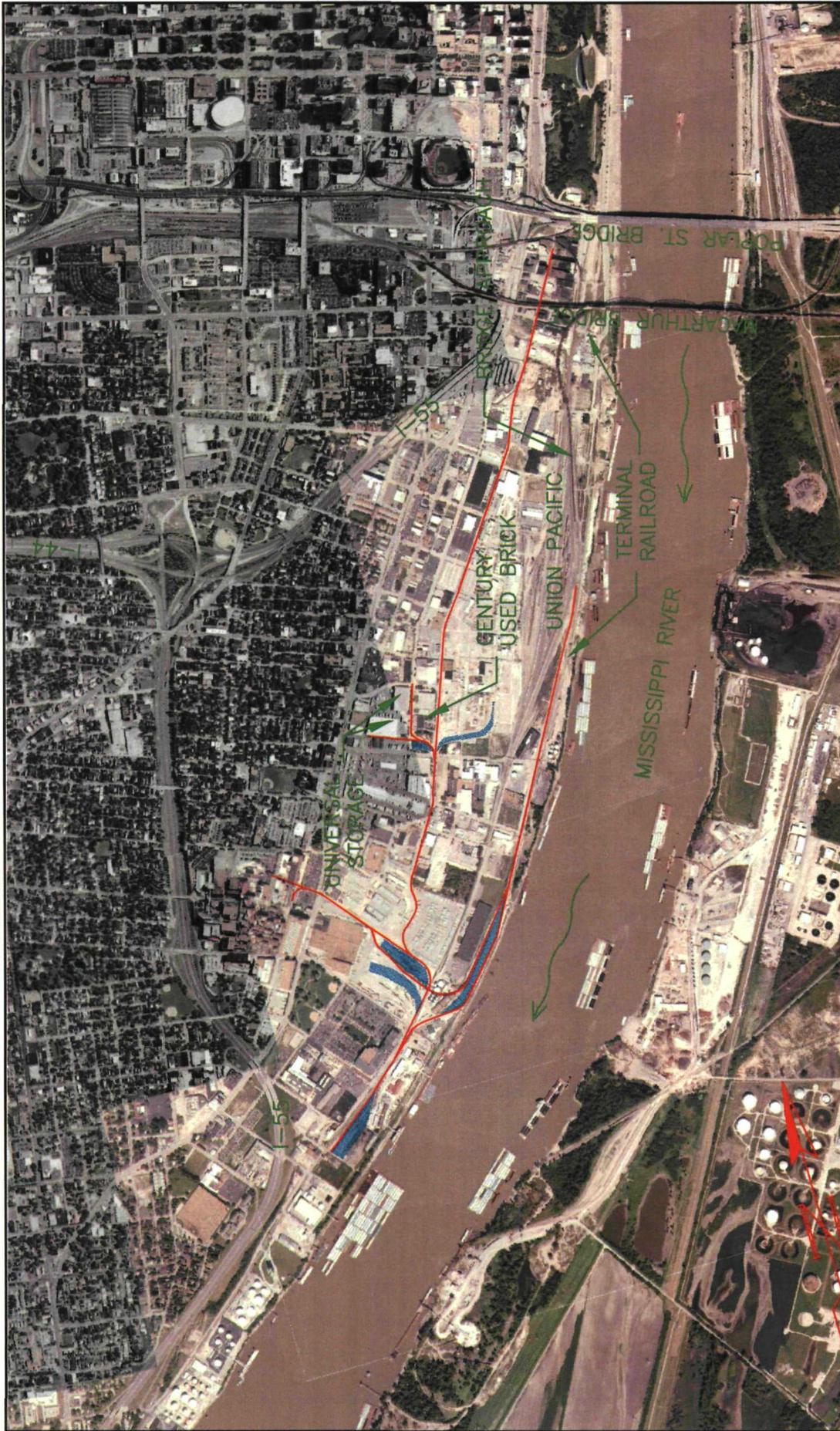
I, Kurt R. Andrew, verify under penalty of perjury that the factual assertions in the foregoing Petition for Exemption are true and correct to the best of my knowledge. I also verify that I am qualified and authorized to file this Petition for Exemption.

Executed on March ~~23~~, 2010

A handwritten signature in black ink, appearing to read "Kurt R. Andrew", written over a horizontal line.

Kurt R. Andrew
President & CEO
Manufacturers Railway Company

EXHIBIT 1



LEGEND

MANUFACTURES BREWERY LINE AND SECOND ST. LINE

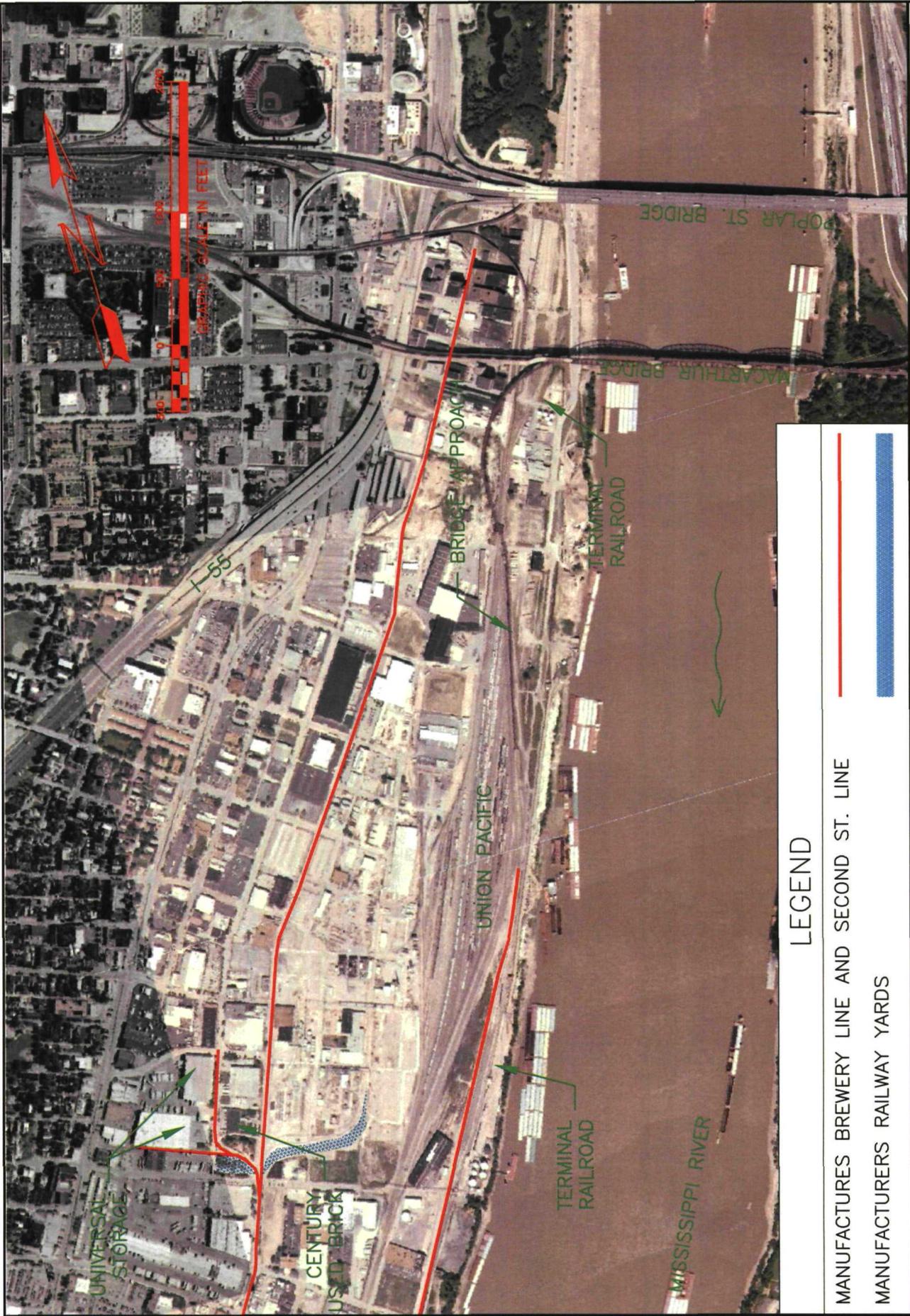
MANUFACTURERS RAILWAY YARDS

MANUFACTURERS RAILWAY COMPANY
 ONE ARSENAL ST.
 ST. LOUIS, MO 63118
 (314) 577-1719

MANUFACTURERS RAILWAY CO.
 SYSTEM MAP

Drawn By: JML Scale: AS SHOWN
 Checked By: DRZ Sheet 1 of 3
 Drawing: 11039-1 Date: 3/23/11

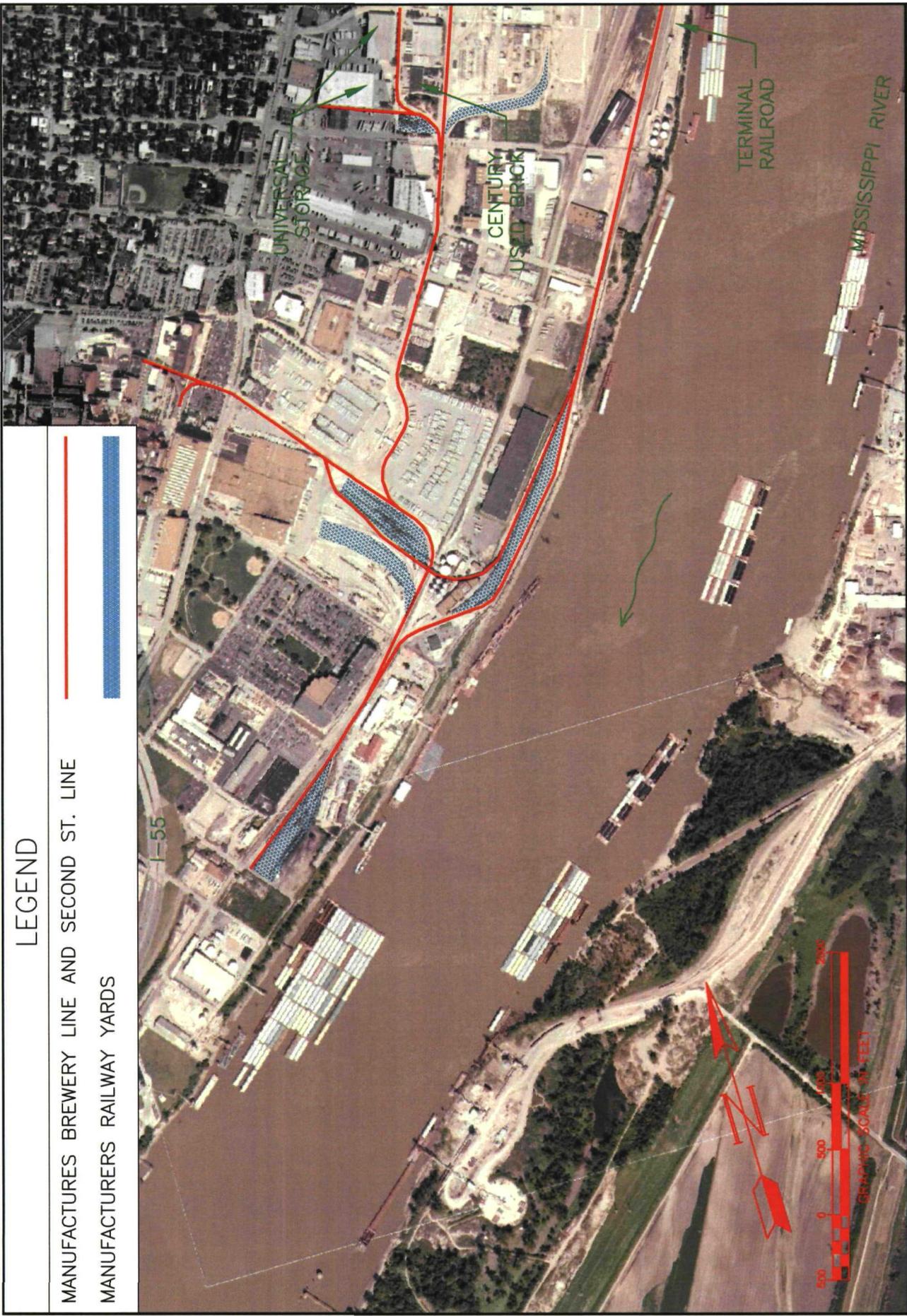
11166 TESSON FERRY ROAD
 SUITE 100
 ST. LOUIS, MO. 63125-6966
 (314) 799-7800
DESIGN NINE
 ENGINEERING SERVICES FOR RAILROADS AND INDUSTRY



LEGEND

- MANUFACTURES BREWERY LINE AND SECOND ST. LINE
- MANUFACTURERS RAILWAY YARDS

 <p>11166 TESSON PERRY ROAD SUITE 100 ST. LOUIS MO, 63125-6866 (314) 728-7600</p> <p>ENGINEERING SERVICES FOR RAILROADS AND INDUSTRY</p>	<p>Drawn By: JML Checked By: DRZ Drawing: 11039-1</p>	<p>Scale: AS SHOWN Sheet 2 of 3 Date: 3/23/11</p>	<p>MANUFACTURERS RAILWAY CO. SYSTEM MAP</p>	<p>MANUFACTURERS RAILWAY COMPANY</p> <p>ONE ARSENAL ST. ST. LOUIS, MO 63118 (314) 577-1719</p>
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LEGEND

MANUFACTURES BREWERY LINE AND SECOND ST. LINE

MANUFACTURERS RAILWAY YARDS

1166 TIBBSON FERRY ROAD
 SUITE 100
 ST. LOUIS, MO. 63125-6966
 (314) 729-1600

DESIGN NINE

ENGINEERING SERVICES FOR RAILROADS AND INDUSTRY

Drawn By: JML
 Checked By: DRZ
 Drawing: 11039-1

Scale: AS SHOWN
 Sheet 3 of 3
 Date: 3/23/11

MANUFACTURERS RAILWAY CO.
 SYSTEM MAP

MANUFACTURERS
 RAILWAY COMPANY

ONE ARSENAL ST.
 ST. LOUIS, MO 63118
 (314) 577-1719

EXHIBIT 2

BEFORE THE
SURFACE TRANSPORTATION BOARD

STB Docket No. AB-1075X

MANUFACTURERS RAILWAY COMPANY
– ABANDONMENT EXEMPTION –
IN ST. LOUIS, MO

Notice of Petition for Exemption to
Abandon and Discontinue Service

On March 24, 2011, Manufacturers Railway Company filed with the Surface Transportation Board, Washington, D.C. 20423, a petition for exemption for the discontinuance of service on all tracks and yards located within the area bordered by Cedar Street on the North to Zepp Street on the South; Mississippi River flood wall on the East to U.S. Interstate 55 on the West. The tracks and yards are located in United States Postal Service Zip Code 63118 in the city of St. Louis, state of Missouri.

The line does contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it. The line to be discontinued constitutes the entire railroad line of Manufacturers Railway Company. Accordingly, no employee protective conditions will be imposed.

As this is a discontinuance of service proceeding and not an abandonment, there will be no consideration of offers of financial assistance or requests for trail use/rail banking or public use conditions. This discontinuance proceeding does not require any environmental or historic documentation.

All filings in response to this notice must refer to STB Docket No. AB-1075X, and must be sent to: (1) Surface Transportation Board, 395 E Street, S.W., Washington, DC 20423-0001,

and (2) Paul A. Cunningham, Harkins Cunningham LLP, 1700 K Street, NW, Suite 400, Washington, DC 20006.

Persons seeking further information concerning abandonment procedures may contact the Surface Transportation Board or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152.

EXHIBIT 3

NOTICE OF INTENT TO DISCONTINUE RAIL SERVICE

Manufacturers Railway Company (“MRC”) gives notice that on or about March 24, 2011, it intends to file with the Surface Transportation Board, Washington, DC, 20423, a petition for exemption under 49 USC 10502 from the prior approval requirements of 49 USC 10903, *et seq*, permitting the discontinuance of service on all tracks and yards located within the area bordered by Cedar Street on the North to Zepp Street on the South; Mississippi River flood wall on the East to U.S. Interstate 55 on the West. The tracks and yards are located in United States Postal Service Zip Code 63118 in the city of St. Louis, state of Missouri. The proceeding has been docketed as No. AB-1075X. Interested persons may make inquiries regarding environmental matters by writing to the Office of Environmental Analysis (“OEA”) Surface Transportation Board, Washington, DC, 20423 or by calling OEA at (202) 245-0295. Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions also can be filed with the Board. Because this is a discontinuance of service proceeding and not an abandonment, there will be no consideration of requests for railbanking/trails or public use conditions. An original and 10 copies of any pleading that raises matters other than environmental issues (such as offers of financial assistance) must be filed directly with the Chief, Section of Administration, Office of Proceedings, Surface Transportation Board, Washington, DC 20423–0001 [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 may be directed to the Board’s Office of Public Assistance, Governmental Affairs, and Compliance, at 202-245-0238. Copies of any comments or requests for conditions should be served on the applicant’s representative: Paul Cunningham, Esq., Harkins Cunningham LLP, 1700 K Street NW, Suite 400, Washington, DC 20006.

Classified

TRUSTEE
in the St.
Louis
County
Recorder's
Office

a debt
and any
information
obtained
therefrom
will be
used for
that purpose.

Published from March 22, 2011 through April 11, 2011

NOTICE OF TRUSTEE'S SALE

For default in the payment of debt secured by a deed of trust executed by Wade Jones, Jr., dated May 3, 2000, and recorded on July 11, 2000, Document No. 000352, in Book No. 004 of Page 3607 in the Office of the Recorder of Deeds, City of St. Louis, Missouri, the undersigned Successor Trustee will on March 24, 2011, at 10:30 AM, in the East Front Door of the Civil Courts Building in the City of St. Louis, Missouri, sell at public vendue to the highest bidder for cash.

A Lot in Block 4388-N of the City of St. Louis, fronting 32 feet 6 inches on the West line of Shreve Avenue by a depth Westwardly of 120 feet to an alley, bounded North by a line 115 South of the line of Margaretta Avenue MORE CORRECTED DESCRIBED AS A Lot in Block 4388-N of the City of St. Louis, Missouri, fronting 32 feet 6 inches on the West line of Shreve Avenue by a depth Westwardly of 120 feet to an alley, bounded North by a line 115 South of the line of Margaretta Avenue, commonly known as 3927 Shreve Avenue, St. Louis, MO, 63115

subject to all prior easements, restrictions, covenants and encumbrances now of record, if any, to satisfy the debt and costs.

South & Associates, P.C., Successor Trustee

First Publication: March 4, 2011. For more information, visit www.southlaw.com

NOTICE
Pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. §1692c(b), no information concerning the collection of this debt may be given without the prior consent of the consumer given directly to the debt collector or the express permission of a court of competent jurisdiction. The debt collector is attempting to collect a debt and any information obtained will be used for that purpose (Casefile No. 126889-311198).

South & Associates, P.C., Successor Trustee

First Publication: March 16, 2011. For more information, visit www.southlaw.com

Published from March 4, 2011 through March 24, 2011

NOTICE OF TRUSTEE'S SALE

For default in the payment of debt secured by a deed of trust executed by Offie R. Cunningham, dated January 26, 1999, and recorded on February 15, 1999, Document No. 199, in Book No. M1480, of Page 0262 in the Office of the Recorder of Deeds, City of St. Louis, Missouri, the undersigned Successor Trustee will on April 7, 2011, at 10:30 AM, at the East Front Door of the Civil Courts Building in the City of St. Louis, Missouri, sell at public vendue to the highest bidder for cash.

The Eastern 76 feet Ten inches (8' 10") of Lot Number Eleven (11) and the Western Twenty-one feet Eight inches (21' 8") of Lot Number Twelve (12) of L. B. RUSSELL'S SECOND SUBDIVISION and in Block Number Forty-one Hundred For

This firm is a debt collector and any information we obtain from you will be used for that purpose.

Published from March 12, 2011 through April 1, 2011

NOTICE OF TRUSTEE'S SALE

For default in the payment of debt secured by a deed of trust executed by Terry L. Lane, dated February 21, 2008, and recorded on February 25, 2008, in Book No. 02292008, of Page 0032 in the Office of the Recorder of Deeds, City of St. Louis, Missouri, the undersigned Successor Trustee will on April 5, 2011, at 10:30 AM, at the East Front Door of the Civil Courts Building in the City of St. Louis, Missouri, sell at public vendue to the highest bidder for cash:

The Eastern 9 feet of Lot 73, all of Lot 74, and the Western 8 feet of Lot 75 of PRICHARD'S SUBDIVISION in Block 2570 of the City of St. Louis, Missouri, fronting 42 feet on the Southern line of Keokuk Street, by a depth Southwardly of 126 feet to an alley, bounded West by a line 60 feet, 6 inches East of the Eastern line of Pennsylvania Avenue MORE CORRECTED DESCRIBED AS A Lot in Block 2570 of the City of St. Louis, Missouri, fronting 42 feet on the Southern line of Keokuk Street, by a depth Southwardly of 126 feet to an alley, bounded West by a line 60 feet, 6 inches East of the Eastern line of Pennsylvania Avenue, commonly known as 3927 Shreve Avenue, St. Louis, MO, 63115

subject to all prior easements, restrictions, covenants and encumbrances now of record, if any, to satisfy the debt and costs.

South & Associates, P.C., Successor Trustee

First Publication: March 4, 2011. For more information, visit www.southlaw.com

NOTICE
Pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. §1692c(b), no information concerning the collection of this debt may be given without the prior consent of the consumer given directly to the debt collector or the express permission of a court of competent jurisdiction. The debt collector is attempting to collect a debt and any information obtained will be used for that purpose (Casefile No. 118967-510002).

South & Associates, P.C., Successor Trustee

First Publication: March 16, 2011. For more information, visit www.southlaw.com

Published from March 16, 2011 through April 5, 2011

In Re: Cynthia Applegate, a single person

TRUSTEE'S SALE - Under the terms of the Deed of Trust executed by Cynthia Applegate, a single person dated 10/26/2005 and recorded on 10/26/2005 Book 10282005 Page 0272 in the office of the Recorder of Deeds for St. Louis County, Missouri, the undersigned Successor Trustee, will on 04/07/2011 between the hours of 9:00 a.m. and 5:00 p.m.

Successor Trustee
First Publication: March 9, 2011. For more information, visit www.southlaw.com

NOTICE

Pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. §1692c(b), no information concerning the collection of this debt may be given without the prior consent of the consumer given directly to the debt collector or the express permission of a court of competent jurisdiction. The debt collector is attempting to collect a debt and any information obtained will be used for that purpose (Casefile No. 105715-03250).

Published from March 9, 2011 through March 29, 2011

NOTICE OF TRUSTEE'S SALE

For default in the payment of debt secured by a deed of trust executed by Calvin Brown, dated June 14, 2007, and recorded on June 19, 2007, in Book No. 04192007, of Page 0311 in the Office of the Recorder of Deeds, City of St. Louis, Missouri, the undersigned Successor Trustee will on April 20, 2011, at 10:30 AM, at the East Front Door of the Civil Courts Building in the City of St. Louis, Missouri, sell at public vendue to the highest bidder for cash:

The Eastern part of Lot 25, all of Lot 26 and the Western 1/2 of Lot 27 in Block 711 of SHAW'S GARDEN SUBDIVISION and in Block 6906 of the City of St. Louis, Missouri, beginning at the North line of Flad Avenue 213.90 feet East of the East line of Maury Avenue measured on the North line of Flad Avenue, thence Southwardly 32.5 feet to a point in the South line of an alley 178.31 feet East of the East line of Maury Avenue measured along the South line of said alley, thence Eastwardly along the South line of said alley 37.49 feet, thence Northwardly 32.5 feet to a point in the North line of Flad Avenue 254.06 feet East of the East line of Maury Avenue measured along the North line of Flad Avenue, thence Westwardly along the North line of Flad Avenue 42.76 feet to a point in the North line of Flad Avenue, commonly known as 4535 Flad Avenue, St. Louis, MO, 63110

subject to all prior easements, restrictions, covenants and encumbrances now of record, if any, to satisfy the debt and costs.

South & Associates, P.C., Successor Trustee

First Publication: March 16, 2011. For more information, visit www.southlaw.com

Published from March 16, 2011 through March 24, 2011

NOTICE OF TRUSTEE'S SALE

For default in the payment of debt secured by a deed of trust executed by Kevin M. Falank and Lanora R. Falank, dated September 2, 2005, and recorded on October 19, 2005, in Book No. 10192005, of Page 0171 in the Office of the Recorder of Deeds, City of St. Louis, Missouri, the undersigned Successor Trustee will on April 5, 2011, at 10:30 AM, at the East Front Door of the Civil Courts Building in the City of St. Louis, Missouri, sell at public vendue to the highest bidder for cash:

Part of Lot 7 and all of Lot 8 in Block 3 of McDERMOTT AND HAYDEN'S SUBDIVISION and in Block 5337 of the City of St. Louis, and together being described as follows: Beginning at the South line of Lot 8, being in the North-east corner of Nagel Avenue; thence Northeast along the South line of said Lot 8, more or less, to the Southwest line of an Alley; thence Northwest along the Southwest line of said Alley, 100 feet to a point in the Southwest and parallel with the Southeast line of said Lot 7, 40 feet to

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or the West line of Virginia Avenue; thence East 24 feet 6 inches to a point 11 inches South of the North line of said Lot 9, and 92 feet 1/4 inches West of the West line of Virginia Avenue; thence North 11 inches to the dividing line between Lots 8 and 9; thence East along said dividing line 92 feet 1/4 inches to the West line of Virginia Avenue; thence North on the West line of Virginia Avenue, 31 feet 10 1/2 inches to a line dividing the North and South half of said Lot 7; thence West along said dividing line 108 feet 9 inches, more or less, to a point; thence in a Northwesterly direction 20 feet, more or less, to the East line of Ivory Avenue 32 feet 6 1/2 inches to the place of beginning, commonly known as 7822 Ivory Avenue, St. Louis, MO, 63111

Questions concerning the project should be directed to Enviro Tech Services at 636-225-3368 or e-mail to topine@enviroservices.com.

The Ferguson Florissant R-II School District reserves the right to waive informality and to reject any or all bids.

Foreclosures

NOTICE OF TRUSTEE'S SALE

For default in the payment of debt secured by a deed of trust executed by Catherine D. Yarnall, dated April 13, 2004, and recorded on April 21, 2004, in Book No. 04212004, at Page 0129 in the Office of the Recorder of Deeds, City of St. Louis, Missouri, the undersigned Successor Trustee will on April 5, 2011, at 10:30 AM, at the East Front Door of the Civil Courts Building in the City of St. Louis, Missouri, sell at public vendue to the highest bidder for cash:

A Lot in Block No. 4816 of the City of St. Louis, fronting 50 feet on the North line of Meigs Street by a depth Northwardly between parallel lines of 180 feet bounded East by a line 50 feet West of and parallel with the West line of VON PHILIP'S ADDITION and West by property now or formerly of Benjamin F. Larson and wife, the Southwest corner of the 427 feet 11 inches East of the East line of Ivanhoe Avenue, measured along the North line of Meigs Street, commonly known as 6607 Odell Street, St. Louis, MO, 63139

subject to all prior easements, restrictions, reservations, covenants and encumbrances now of record, if any, to satisfy the debt and costs.

South & Associates, P.C., Successor Trustee

First Publication: March 16, 2011. For more information, visit www.southlaw.com

NOTICE

Pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. §1692c(b), no information concerning the collection of this debt may be given without the prior consent of the consumer given directly to the debt collector or the express permission of a court of competent jurisdiction. The debt collector is attempting to collect a debt and any information obtained will be used for that purpose.

Legal Notices

NOTICE OF INTENT TO DISCONTINUE RAIL SERVICE

Moisture Users Railway Company ("MURC") gives notice that on or about March 24, 2011, it intends to file with the Surface Transportation Board, Washington, DC, 20423, a petition for exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10503, et seq., permitting the discontinuance of service on all tracks and yards located within the area bordered by Cedar Street on the North to Zepp Street on the South, Mississippi River flood wall on the East to U.S. Interstate 55 on the West. The tracks and yards are located in United States Postal Service Zip Code 63119 in the city of St. Louis, Missouri. The proceeding has been docketed as No. AB-1075X. Interested persons may make inquiries regarding environmental matters by writing to the Office of Environmental Analysis (OEA), Surface Transportation Board, Washington, DC, 20423 or by calling OEA at (202) 245-0295. Appropriate offers of financial assistance to continue service can be filed with the Board. Requests for environmental conditions also can be filed with the Board. Because this is a discontinuance of service proceeding and not an abandonment, there will be no discontinuation of requests for railbanking/trailor public use conditions. An original and 10 copies of any pleading that raises matters other than environmental issues (such as offers of financial assistance) must be filed directly with the Chief Clerk of Administration, Office of Proceedings, Surface Transportation Board, Washington, DC 20420 (202) 154-2000. 1104 (a) and 1104.3(a), and one copy must be served on applicant's representative (see 49 C.F.R. 1104.3(c)). Questions regarding offers of financial assistance may be directed to the Board's Office of Public Assistance and Environmental Affairs, and Compliance, at 202-245-0238. Copies of any comments or requests for conditions should be served on the applicant's representative: Paul Cunningham, Esq., Harkins Cunningham LLP, 1700 K Street N.W., Suite 1000, Washington, DC 20006.

Appropriate offers of financial assistance to continue service can be filed with the Board. Requests for environmental conditions also can be filed with the Board.

Because this is a discontinuance of service proceeding and not an abandonment, there will be no discontinuation of requests for railbanking/trailor public use conditions. An original and 10 copies of any pleading that raises matters other than environmental issues (such as offers of financial assistance) must be filed directly with the Chief Clerk of Administration, Office of Proceedings, Surface Transportation Board, Washington, DC 20420 (202) 154-2000. 1104 (a) and 1104.3(a), and one copy must be served on applicant's representative (see 49 C.F.R. 1104.3(c)).

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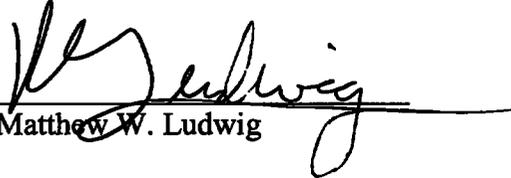
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CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that the forgoing notice of the proposed discontinuance in STB Docket No. AB-1075X was published on March 23, 2011, in the St. Louis Dispatch, a newspaper of general circulation in St. Louis County, Missouri as required by 49 C.F.R. § 1105.12.

Dated: March 24, 2011


Matthew W. Ludwig

CERTIFICATE OF SERVICE

I hereby certify that, on this 24th day of March, 2011, I had the foregoing Petition for Exemption served by first class mail, postage pre-paid on the following parties:

State Public Service Commission

Missouri Public Service Commission
Governor Office Building
200 Madison Street
PO Box 360
Jefferson City, MO 65101-0360

Military Traffic Management Command

SDDCTEA
ATTN: SDTE-SA
Railroads for National Defense
720 Thimble Shoals Blvd.,
Suite 130
Newport News, VA 23606-4537

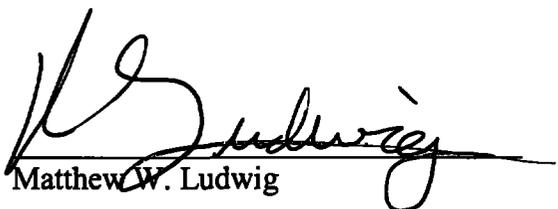
National Park Service

Chief of National Recreation and Trails
U.S. Dept. of Interior – Nat'l. Park Service
Recreation Resources Assistance Division
1849 C Street, NW
Washington, DC 20240-0001

National Park Service - Midwest Region
U.S. Department of Interior
601 Riverfront Drive
Omaha, NE 68102-4226

U.S. Department of Agriculture

U.S. Department of Agriculture
Chief of the Forest Service
4th Floor N.W., Yates Building
201 14th Street, S.W.
Washington, DC 20250


Matthew W. Ludwig