

May 11, 2015

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Office of Proceedings
May 20, 2015
Part of
Public Record

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

Re: STB Docket No. AB-314 (Sub-No. 7X), *Chicago Central & Pacific Railroad Company – Abandonment Exemption – In Pottawattamie County, Iowa, and Douglas County, Nebraska*

Dear Ms. Brown:

Please find enclosed for filing in STB Docket No. AB-314 (Sub-No. 7X), *Chicago Central & Pacific Railroad Company – Abandonment Exemption – In Pottawattamie County, Iowa, and Douglas County, Nebraska*, one original and ten copies of Omaha Bridge and Terminal Railway, LLC's Notice of Intent to File an Offer of Financial Assistance and Notice of Intent to Participate.

Please time and date stamp the extra copy of this letter and the Notice of Intent to File an Offer of Financial Assistance and Notice of Intent to Participate and return it in the provided self-addressed stamped envelope.

Should you have questions or concerns regarding this filing, please do not hesitate to contact me.

Sincerest regards,



Christopher T. Chappellear
President, Omaha Bridge and Terminal Railway, LLC
Post Office Box 3592
Omaha, NE 68103

Enclosures

Cc: Robert A. Wimbish, Attorney for Chicago Central & Pacific Railroad Company, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, IL 60606-2832

**BEFORE THE SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB DOCKET NO. AB-314 (Sub-No. 7X)

**CHICAGO CENTRAL & PACIFIC RAILROAD COMPANY
- ABANDONMENT EXEMPTION -
IN POTTAWATTAMIE COUNTY, IOWA, AND DOUGLAS COUNTY, NEBRASKA**

**NOTICE OF INTENT TO FILE AN
OFFER OF FINANCIAL ASSISTANCE**

NOTICE OF INTENT TO PARTICIPATE

Christopher T. Chappellear, President
Omaha Bridge and Terminal Railway, LLC
Post Office Box 3592
Omaha, NE 68103

Office (402) 594-5691

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WASHINGTON, DC**

STB DOCKET NO. AB-314 (Sub-No. 7X)

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NOTICE OF INTENT TO PARTICIPATE

Pursuant to 49 USC 10904(c) and 49 CFR 152.27(c)(2)(i), Omaha Bridge and Terminal Railway, LLC (“OBT”) does hereby express its intention to file an offer of financial assistance (“OFA”) to purchase 2.56 miles of interconnected track across and adjacent to the Missouri River in Iowa and Nebraska (collectively, the “Missouri River Bridge Line”), consisting of – (1) a roughly 2.12-mile long line of railroad extending from milepost 510.62 in Council Bluffs, Pottawattamie County, Iowa, across the Missouri River to milepost 514.80 near North 25th Street E in Omaha, Douglas County, Nebraska;¹ and (2) the south leg of its wye track at Council Bluffs, extending from Milepost 511.17 on CC&P’s main line near Avenue K to the connection with the first line segment at North 16th Street, an additional distance of approximately 0.44 miles; that portion of STB Docket No. AB-314 (Sub-No. 7X), proposed to be abandoned by Chicago Central & Pacific Railroad Company (“CC&P”).

By copy of this notice, OBT, pursuant to 49 CFR 1152.27(a) does hereby request that CC&P provide the following to the undersigned:

1. CC&P’s minimum purchase price for the line; and,

¹ The subject rail line includes a milepost equation (adjustment) at Levy Junction near Nash Boulevard in Council Bluffs where milepost 511.35=513.41, accounting for what might otherwise be perceived as a mileage discrepancy based exclusively on calculations applying the terminal milepost numbers.

2. CC&P's most recent reports on the physical condition of the line, in its entirety; and,
3. CC&P's traffic, revenue, and other data necessary (if any) to determine the amount of financial assistance that would be required to restore and maintain operations over the line; and,
4. CC&P's estimate of the net liquidation value of the line, with supporting data, reflecting available real estate appraisals, assessments of the quality and quantity of tract material on the line, and removal cost estimates (including the cost of transporting removed materials to point of sale or point of storage for relay use); and,
5. Documentation indicating the extent to which CC&P has marketable fee title on the line's right-of-way as contrasted to easements or other interests that would revert to others if the line were not being used for railroad purposes. Such documentation of title is deemed necessary to determine whether, and to what extent, the line's real estate should be considered for net liquidation value purposes, pursuant to 49 CFR 1152.27(a)(3); and,
6. Current valuation maps for the line, including any deed indices that appear on accompanying maps. Such maps are essential to verification as to the quality of the land included in the sale of the line and are deemed included within the meaning of 49 CFR 1152.27(a)(3); and,
7. Any other information deemed relevant to appropriate valuation of the line for purposes of acquisition pursuant to an offer of financial assistance.

In view of the accelerated procedures in abandonment exemption proceedings, OBT does hereby petition the Board to toll the period for submitting offers of financial assistance for an additional 30 days, in order to provide OBT adequate time to review and analyze the material to be provided by CC&P and submit an appropriate OFA. Such petition will not prejudice the interests of CC&P or any other party.

With further regard to STB Docket No. AB-314 (Sub-No. 7X), OBT does herein submit its notice of intent to participate and hereby requests to be placed on the Board's service list. All correspondence and/or documentation should be directed to:

Christopher T. Chappellear, President
Omaha Bridge & Terminal Railway, LLC
P.O. Box 3592
Omaha, NE 68103

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C. Chappellear", with a long, sweeping horizontal stroke at the end.

Christopher T. Chappellear, President
Omaha Bridge and Terminal Railway, LLC
Post Office Box 3592
Omaha, NE 68103

Office (402) 594-5691