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May 30, 2014

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VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W., Room 1034
Washington, DC 20423-0001

Re: **Docket No. AB-414 (Sub-No. 8X)**
Iowa Interstate Railroad, Ltd. -- Abandonment
Exemption -- In Polk, Jasper and Marion Counties, IA

Dear Ms. Brown:

Iowa Interstate Railroad, Ltd. ("IAIS") hereby responds to the request dated May 13, 2014 and filed May 14, 2014 by the Iowa Natural Heritage Foundation on behalf of itself, the Polk and Jasper County Conservation Boards and the Cities of Prairie City and Mitchelsville (collectively, the "Proponent") for the issuance of a Notice of Interim Use ("NITU") and a Public Use Condition in the above-captioned proceeding.

Parties other than Proponent have contacted IAIS and expressed an interest in the right-of-way. IAIS is willing to negotiate a fair market sale of the right-of-way with any interested party, including Proponent, that presents an alternate use for the property. As such, IAIS does not concur in the issuance of an NITU at this time, but understands that the issue may be revisited as long as the Board retains jurisdiction over the line.

Under these circumstances, IAIS also does not believe that a public use condition on the abandonment is necessary or appropriate. In the event such a condition is imposed, however, IAIS confirms its understanding that: 1) the condition does not prevent the removal of rail and track material (excluding bridges, culverts, etc.) during the period of the condition; 2) IAIS may discuss disposition of the right-of-way with other parties during the period of the condition, provided it deals in good faith with the Proponent and does not, during the period of the condition, dispose of the right-of-way without first offering it, on reasonable terms, for sale for public use; and 3) after expiration of the condition, a period not to exceed 180 days, IAIS may dispose of the right-of-way in its discretion. See 49 C.F.R. § 1152.28(b).

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IAIS also is in receipt of the letter dated May 19, 2014 and filed May 27, 2014 by the Jasper County Conservation Board regarding the status of the former railroad right-of-way between MP 135.0 near Prairie City and MP 129.4 in Monroe, Iowa. IAIS has no objection to the relief and clarification sought in that letter.

Thank you for your attention to this matter. Kind regards.

Very truly yours,

Thomas J. Litwiler
Attorney for Iowa Interstate Railroad, Ltd.

TJL:tl

cc: Mr. Joe McGovern, Iowa Natural Heritage Foundation
Ms. Keri Van Zante, Jasper County Conservation Board
Onna B. Houck, Esq., Iowa Interstate Railroad, Ltd.