

AldenLaw

John L. Alden
Anthony E. Palmer, Jr.

One East Livingston Avenue
Columbus, Ohio 43215-5700
www.aldenlaw.net

235949

Telephone: (614) 221-1306
Facsimile: (614) 221-3551
jalden@aldenlaw.net

ENTERED
Office of Proceedings
April 22, 2014
Part of
Public Record

April 21, 2014

VIA OVERNIGHT DELIVERY

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

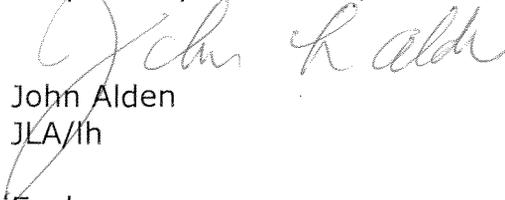
RE: STB FINANCE DOCKET NO. 35794, KAN RAIL, INC. – EXEMPTION TO OPERATE

Dear Ms. Brown:

Enclosed for filing the above-referenced proceeding are an original and ten (10) copies of the verified notice of exemption of KAN Rail, Inc., pursuant to 49 C.F.R. § 1150.31, as well as a check in the amount of \$1,900.00 to cover the cost of the filing.

Please date stamp the extra copy of this letter and return to me as proof of receipt. Please contact me if you have any questions or require any additional information.

Respectfully submitted,


John Alden
JLA/ih

Enclosures

Cc: Charles Ring

FILED
April 22, 2014
SURFACE
TRANSPORTATION BOARD


FEE RECEIVED
April 22, 2014
SURFACE
TRANSPORTATION BOARD

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VIA OVERNIGHT DELIVERY

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Respectfully submitted,



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Enclosures

Cc: Charles Ring



**BEFORE THE
SURFACE TRANSPORTATION BOARD**

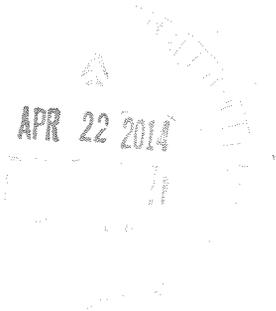
KAN RAIL, INC.)
an Ohio Corporation) **Finance Docket No. FD 35794**
)

**VERIFIED NOTICE OF EXEMPTION
UNDER 49 C.F.R. § 1150.31**

By: John L. Alden) KAN Rail, Inc.
AldenLaw
One East Livingston Avenue
Columbus, Ohio 43215
(614) 221-1306

Attorney for Applicant) Applicant
in Finance Docket No. FD 35794) in Finance Docket No. FD 35794

DATE FILED: April 21, 2014



**BEFORE THE
SURFACE TRANSPORTATION BOARD**

KAN RAIL, INC.
an Ohio Corporation

)
)
)

Finance Docket No. FD 35794

**VERIFIED NOTICE OF EXEMPTION
UNDER 49 C.F.R. § 1150.31**

Pursuant to 49 C.F.R. § 1150.31, *et seq.* and 49 U.S.C. § 10502(a), Kan Rail, Inc., an Ohio corporation (“KAN” or the “Applicant”), hereby provides this Verified Notice of Exemption from 49 U.S.C. § 10901 for KAN’s lease and operation of approximately two thirds (2/3) of a mile of existing railroad trackage, as well as approximately one half (1/2) of a mile of additional trackage to be constructed, both the existing and additional trackage situated and to be constructed, respectively, at a transloading facility located in Wapakoneta, Ohio. The rail operation and proposed construction are more specifically described in the Information Section of this Notice.

INFORMATION REQUIRED BY 49 C.F.R. § 1150.33

KAN is a newly formed entity established specifically for the purpose of leasing and operating all existing rail lines and railroad equipment at a facility located in Wapakoneta, Ohio, that includes real property, buildings, appurtenances, and three (3) separate rail lines consisting of approximately 3,410 aggregate linear feet of track (the “Facility”) owned by AIP Logistics, Inc. (“AIP”) and KanTrade Ltd. (collectively, “Sister

Entities”). Said trackage and equipment is used in conjunction with interchanging rail cars (box, tank, etc.) to and from a railroad line owned and operated by CSX Transportation, Inc. (“CSX”). KAN proposes to assume control of and to conduct all rail aspects of the Facility as a tenant railroad, specifically by loading and unloading rail cars to and from the CSX line from and to the rail lines, warehouses, and/or silos at the Facility in order to service third party shippers and in order to allow continuous transportation of material to and from shipper destinations by rail.

Applicant’s name and address

The Applicant’s full name and address are as follows:

Kan Rail, Inc., c/o Charles Ring, Vice President, P.O. Box 407, Wapakoneta, Ohio 45895.

Applicant’s representative to receive correspondence

The name, address, and telephone number of the representative of the Applicant who should receive correspondence are as follows:

John L. Alden, AldenLaw, One East Livingston Avenue, Columbus, Ohio 43215, (614) 221-1306 (email: jalden@aldenlaw.net).

Statement concerning agreement and lease

A private sidetrack agreement has been reached between AIP and CSX dated December 2, 2013 (the “Agreement”). KAN will lease from, and operate for, Sister Entities all rail lines and railroad equipment owned by Sister Entities, including the private sidetrack which is the subject of the Agreement, pursuant to a lease and operating agreement

between KAN and Sister Entities, execution of which is contingent upon the Board's approval of this application.

Operator of the property

KAN will be the operator and lessee of all existing and to-be-constructed rail lines and all railroad equipment located at the Facility. Sister Entities are currently and will continue to be the owners and lessors of the Facility, including all existing and to-be-constructed rail lines and all railroad equipment located therein.

Brief Summary of the proposed construction

Sister Entities propose to lay approximately 2,615 linear feet of additional track within the boundaries of the real property covered by the Facility, to remain under the ownership of Sister Entities and to be leased to and operated by KAN. The proposed time schedule for completion of said additional trackage is May 1, 2014. The additional trackage is not described by or designated milepost numbers. Plans for the proposed additional trackage are attached as Appendix 1.

Map that indicates the area to be served

A map of the Facility, including the area to be served and a depiction of all existing trackage, is attached as Appendix 2.

Certificate of projected revenues

The required certificate is attached to this Notice as Appendix 3.

Transactions imposing interchange commitments

KAN's rail operation of neither the existing nor the additional trackage would involve any provision or agreement that may limit future interchange with a third-party connecting carrier, whether by outright prohibition, per-car penalty, adjustment in the purchase price or rental, positive economic inducement, or other means.

CAPTION SUMMARY

A caption summary required by 49 C.F.R. § 1150.34 for Finance Docket Number FD 35794 is attached to this Notice as Appendix 4.

ENVIRONMENTAL AND HISTORIC REPORT

This transaction does not require environmental and historic reporting. See 49 C.F.R. § 1105.6(c)(2)(i) and 49 C.F.R. § 1105.8(b).

LABOR PROTECTION

Pursuant to 49 U.S.C. § 10901(c), labor protection requirements do not apply to this transaction.

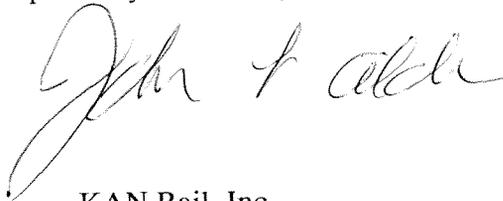
VERIFICATION

The verification is attached to this Notice as Appendix 5.

CONCLUSION AND REQUESTED RELIEF

WHEREFORE, within 30 days of the filing of this Notice, the Director of the Board's Office of Proceedings should publish notices in the Federal Register of the filing of notices of exemption in Finance Docket No. FD 35794. See 49 C.F.R. §1150.32(b).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John L. Alden". The signature is written in a cursive style with a large initial "J".

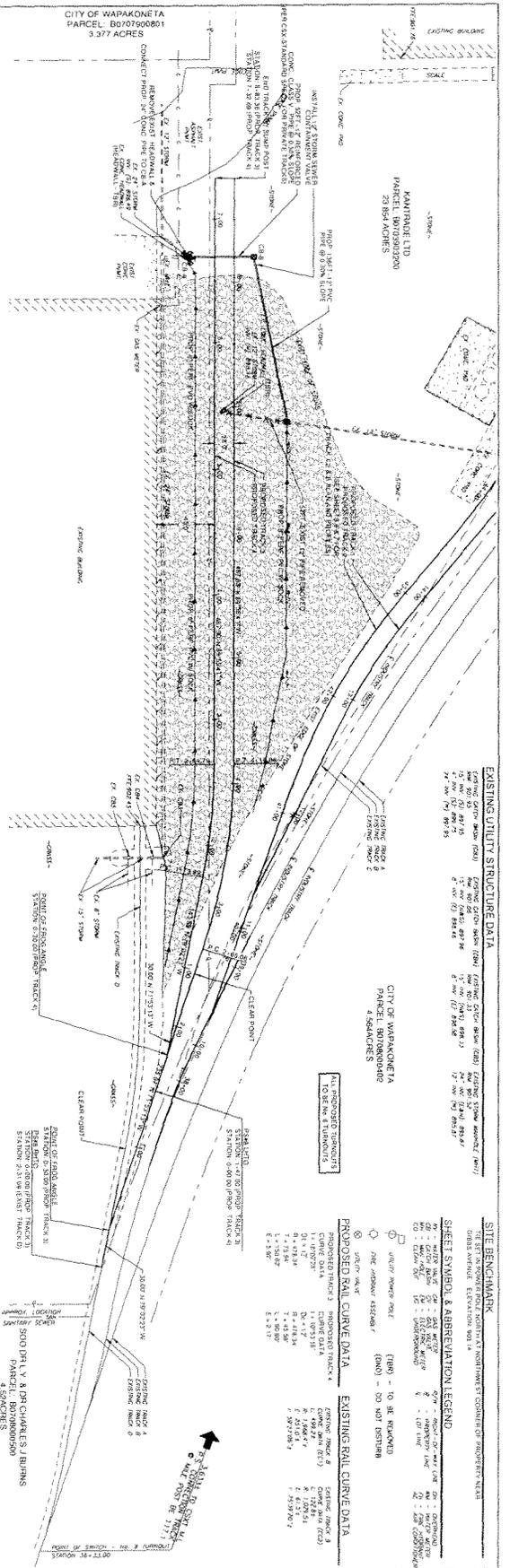
By: John L. Alden
AldenLaw
One East Livingston Avenue
Columbus, Ohio 43215
(614) 221-1306

KAN Rail, Inc.

Attorney for Applicant
in Finance Docket No. FD 35794

Applicant
in Finance Docket No. FD 35794

DATE FILED: April 21, 2014



GENERAL PLAN NOTES

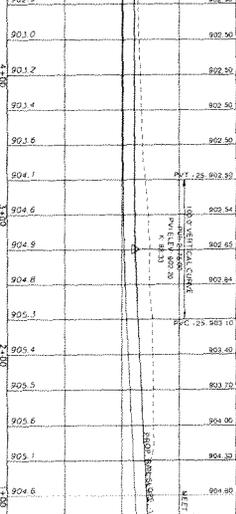
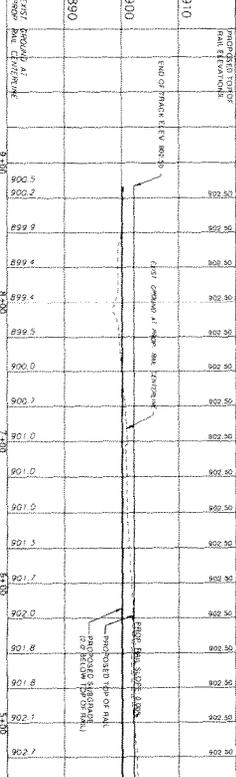
- 1) THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF WAPAKONETA AND THE OHIO DEPARTMENT OF TRANSPORTATION.
- 2) THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF WAPAKONETA AND THE OHIO DEPARTMENT OF TRANSPORTATION.
- 3) THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF WAPAKONETA AND THE OHIO DEPARTMENT OF TRANSPORTATION.
- 4) THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF WAPAKONETA AND THE OHIO DEPARTMENT OF TRANSPORTATION.

PROPOSED UTILITY STRUCTURE DATA

STRUCTURE NO.	TYPE	DATE	DEPTH	LOCATION
1	CONCRETE	1988	4.0	STATION 0+00 TO 0+10
2	CONCRETE	1988	4.0	STATION 0+10 TO 0+20
3	CONCRETE	1988	4.0	STATION 0+20 TO 0+30
4	CONCRETE	1988	4.0	STATION 0+30 TO 0+40
5	CONCRETE	1988	4.0	STATION 0+40 TO 0+50
6	CONCRETE	1988	4.0	STATION 0+50 TO 0+60
7	CONCRETE	1988	4.0	STATION 0+60 TO 0+70
8	CONCRETE	1988	4.0	STATION 0+70 TO 0+80
9	CONCRETE	1988	4.0	STATION 0+80 TO 0+90
10	CONCRETE	1988	4.0	STATION 0+90 TO 0+100

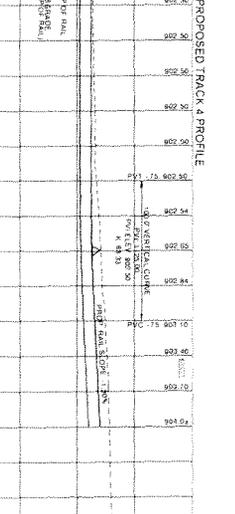
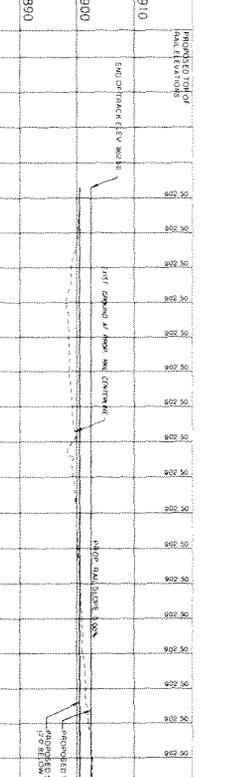
PROPOSED RAIL CURVE DATA

TRACK	STATION	PC	PT	PI	END	DELTA	CHORD	CHORD BEARING
3	0+00	0+00	0+00	0+00	0+00	0°00'00"	0.00	0°00'00"
		0+100	0+100	0+100	0+100	0°00'00"	0.00	0°00'00"
4	0+00	0+00	0+00	0+00	0+00	0°00'00"	0.00	0°00'00"
		0+100	0+100	0+100	0+100	0°00'00"	0.00	0°00'00"



PROPOSED TRACK 3 PROFILE

STATION	ELEVATION (FEET)
0+00	890.0
0+10	890.0
0+20	890.0
0+30	890.0
0+40	890.0
0+50	890.0
0+60	890.0
0+70	890.0
0+80	890.0
0+90	890.0
0+100	890.0



PROPOSED TRACK 4 PROFILE

STATION	ELEVATION (FEET)
0+00	890.0
0+10	890.0
0+20	890.0
0+30	890.0
0+40	890.0
0+50	890.0
0+60	890.0
0+70	890.0
0+80	890.0
0+90	890.0
0+100	890.0

OHIO Utilities Protection Service
 CALL TOLL FREE: 800-445-2224
 10000 W. STATE ST., COLUMBUS, OH 43240

**NEW RAILROAD SPUR FOR:
 AIP LOGISTICS, INC. 300 INDUSTRIAL DRIVE, WAPAKONETA, OHIO 45895**

PLAN AND PROFILE - PROPOSED TRACK 3 & 4

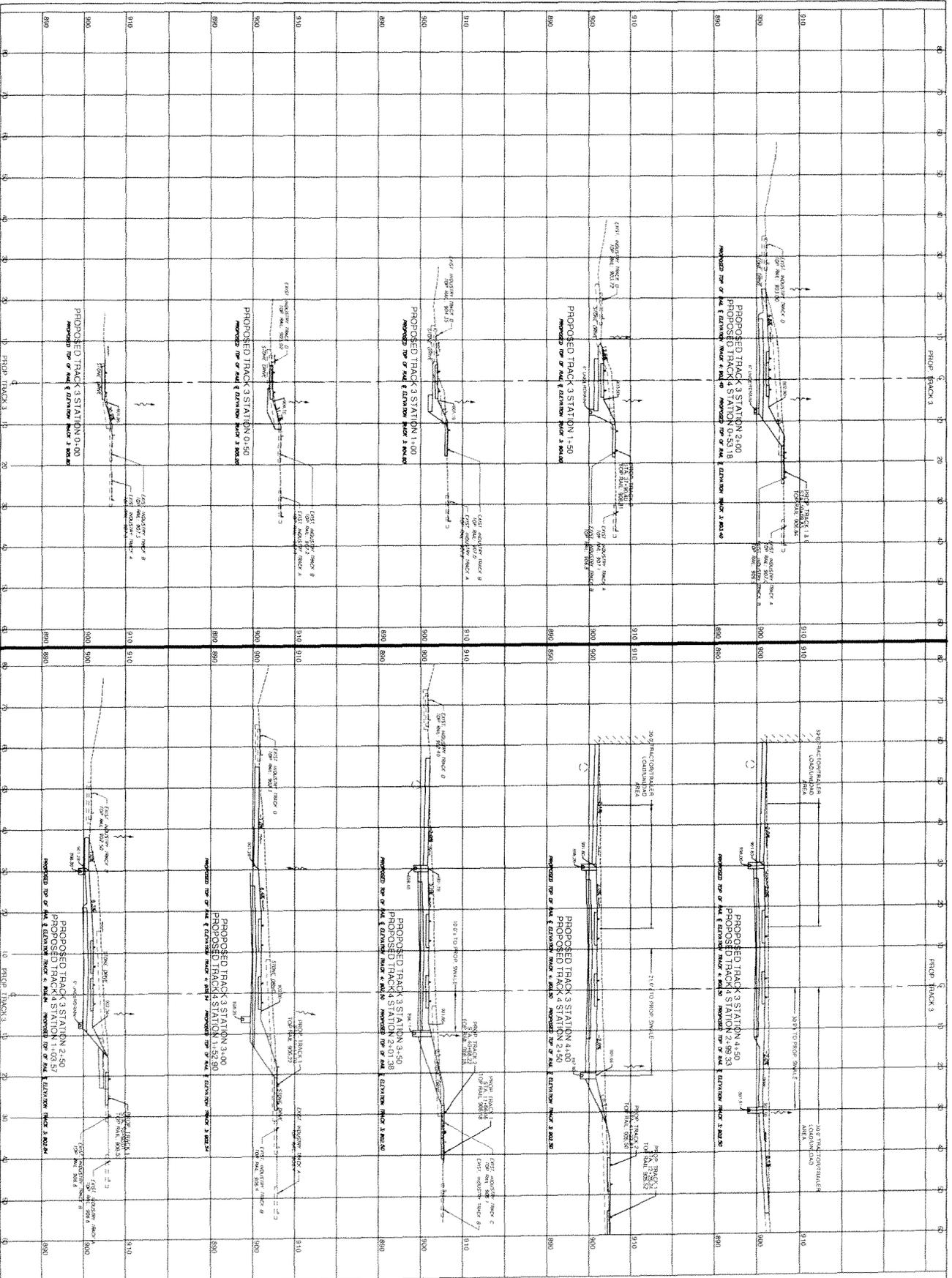
FOR BIDDING 11 15 13

Bockrath & Associates
 Engineering and Surveying, LLC
 115 South Fair Avenue, Suite A, Ottawa, OH 45875
 Phone: 419.523.3769

REVISIONS:

NO.	DATE	DESCRIPTION
1	11/15/13	ISSUE FOR BIDDING
2	11/15/13	REVISED PER COMMENTS
3	11/15/13	REVISED PER COMMENTS

DATE: 11/15/13
 SHEETS: 3 OF 1



NEW RAILROAD SPUR FOR:
AIP LOGISTICS, INC. 300 INDUSTRIAL DRIVE, WAPAKONETA, OHIO 45895

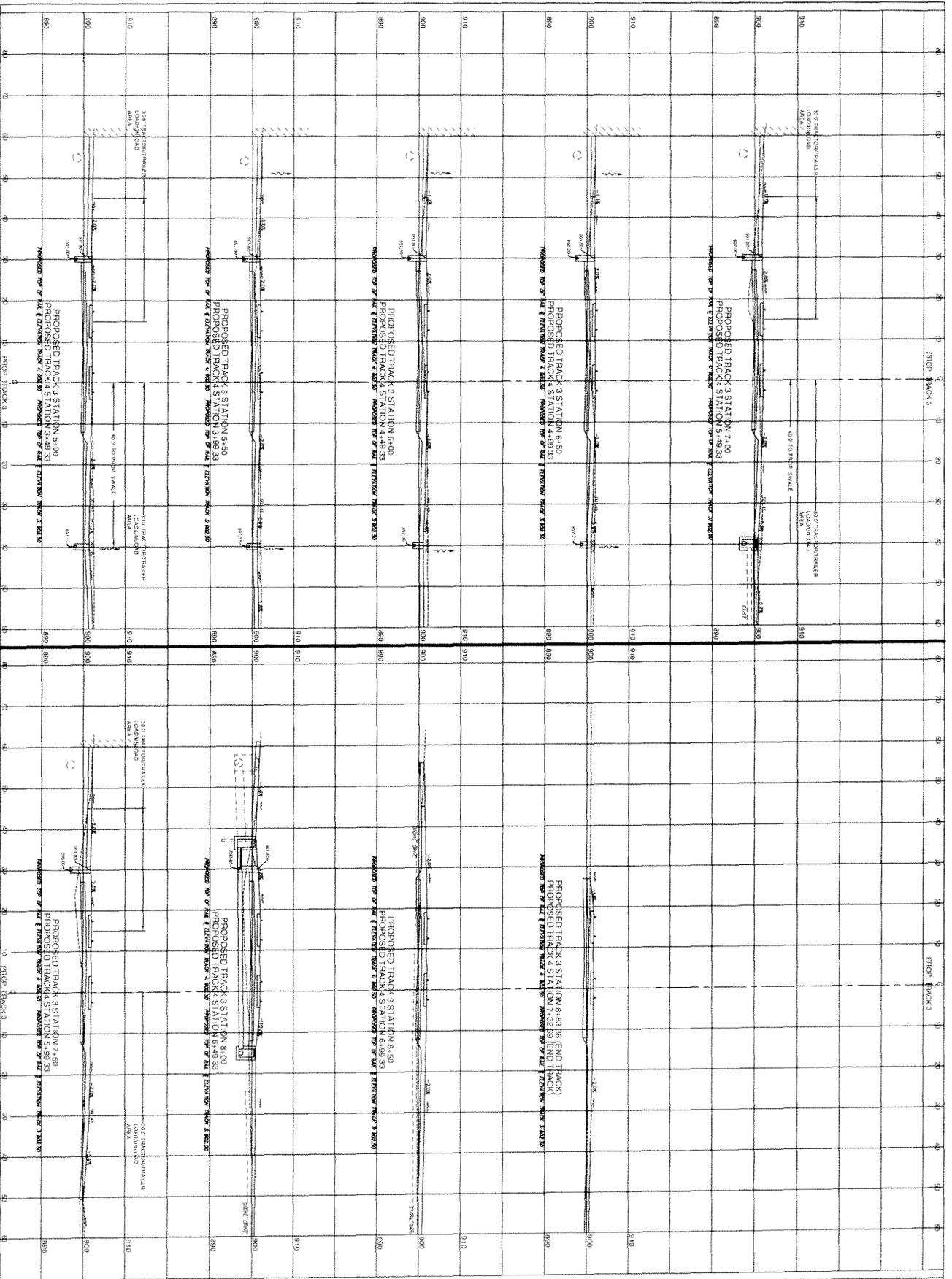
CROSS SECTIONS

Bockrath & Associates
Engineering and Surveying, LLC
115 South Fair Avenue, Suite A, Ottawa, OH 45875
Phone: 419.320.5789

FOR BIDDING 11.15.13

REVISIONS
NO. DATE BY
1 07/20/13
2 07/23/13
3 08/01/13
4 08/01/13
5 08/01/13
6 08/01/13
7 08/01/13
8 08/01/13
9 08/01/13
10 08/01/13
11 08/01/13

DATE: 08/01/13
DRAWN BY: JLS
CHECKED BY: JLS
SCALE: AS SHOWN
SHEET - 4
OF 11 SHEETS



NEW RAILROAD SPUR FOR:
 AIP LOGISTICS, INC. 300 INDUSTRIAL DRIVE, WAPAKONETA, OHIO 45895

CROSS SECTIONS

Bockrath & Associates
 Engineering and Surveying, LLC
 115 South Fair Avenue, Suite A, Ottawa, OH 45875
 Phone: 419.523.5789

FOR BIDDING 11 15 13

REVISIONS
 NO. DATE BY
 1 07/26/13
 2 12/13/12
 3 12/13/12
 SHEET 5 OF 11 SHEETS

GENERAL PLAN NOTES

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND MAINTAINING ALL CONSTRUCTION LAINEES THROUGHOUT THE WORK.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND MAINTAINING ALL CONSTRUCTION LAINEES THROUGHOUT THE WORK.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND MAINTAINING ALL CONSTRUCTION LAINEES THROUGHOUT THE WORK.
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5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND MAINTAINING ALL CONSTRUCTION LAINEES THROUGHOUT THE WORK.

SHEET SYMBOL & ABBREVIATION LEGEND

- 1" = 100' (PLAN)
- 1" = 10' (PROFILE)
- 1" = 10' (VERTICAL CURVE)
- 1" = 10' (HORIZONTAL CURVE)
- 1" = 10' (GRADE)
- 1" = 10' (ELEVATION)

EXISTING RAIL CURVE DATA

Curve No.	Stationing	Radius	Delta	Length	Chord	Offset
1	1+00.00 to 1+100.00	1000.00'	18.00°	100.00'	100.00'	1.57'
2	1+100.00 to 1+200.00	1000.00'	18.00°	100.00'	100.00'	1.57'

PROPOSED UTILITY STRUCTURE DATA

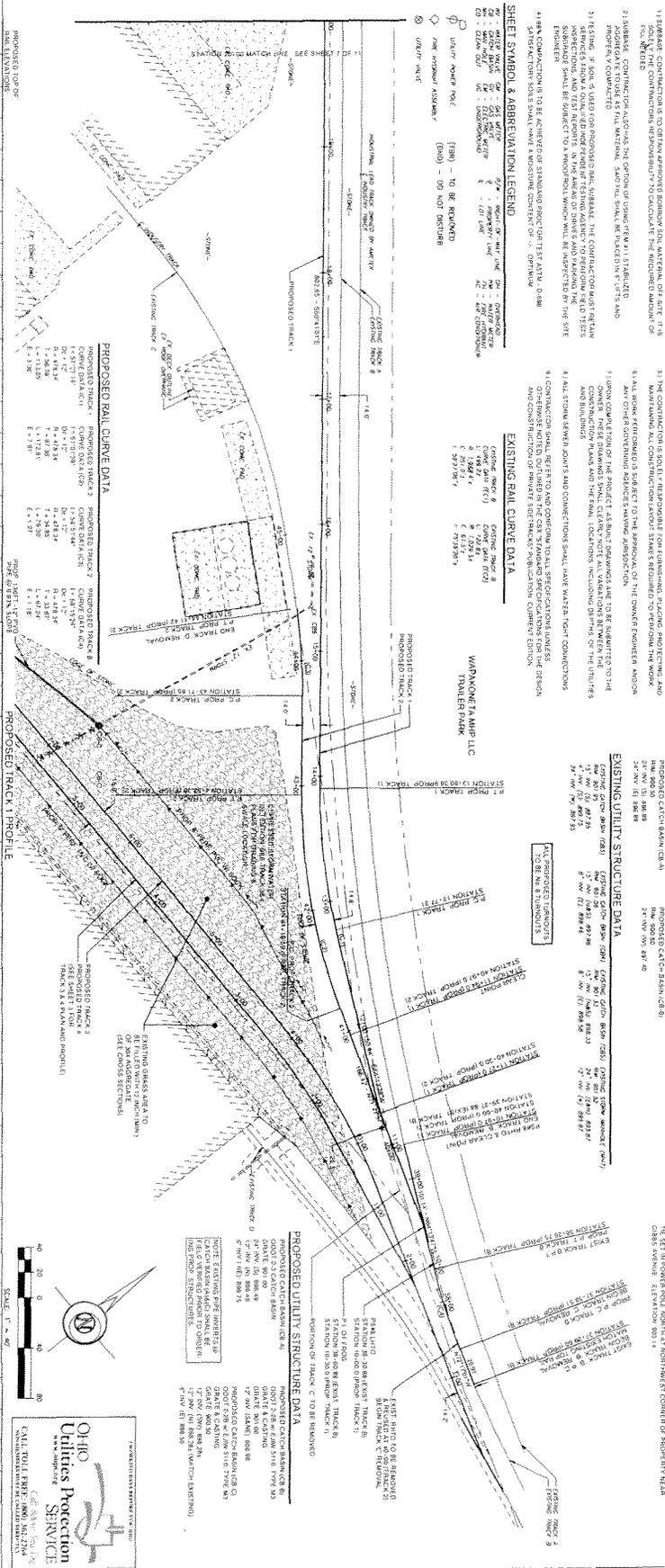
Structure No.	Stationing	Structure Type	Structure Length
1	1+00.00 to 1+100.00	Box Culvert	100.00'
2	1+100.00 to 1+200.00	Box Culvert	100.00'

EXISTING UTILITY STRUCTURE DATA

Structure No.	Stationing	Structure Type	Structure Length
1	1+00.00 to 1+100.00	Box Culvert	100.00'
2	1+100.00 to 1+200.00	Box Culvert	100.00'

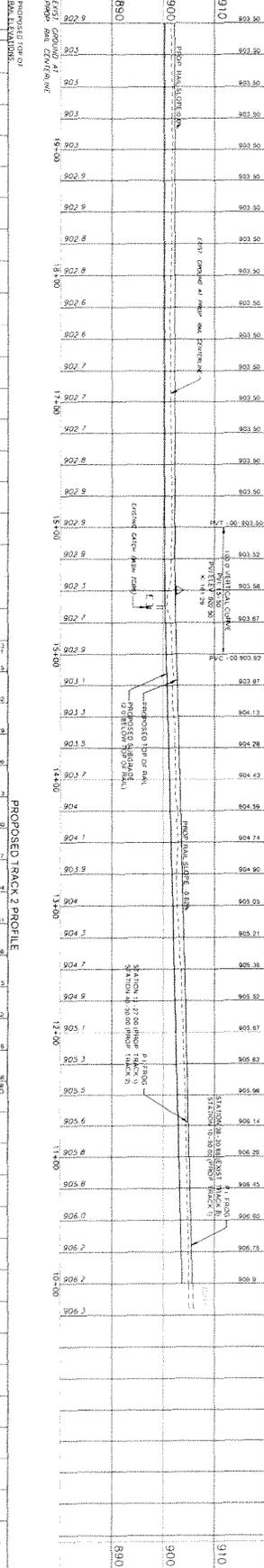
SITE BENCHMARK

- 1. BENCHMARK 1: ELEVATION 803.14
- 2. BENCHMARK 2: ELEVATION 803.14
- 3. BENCHMARK 3: ELEVATION 803.14
- 4. BENCHMARK 4: ELEVATION 803.14



OHIO Utilities Protection SERVICE
 CALL TOLL FREE: 800.562.7274
 15000 W. 15th Avenue, Suite 100, Aurora, CO 80012

Bockrath & Associates
 Engineering and Surveying, LLC
 115 South Fair Avenue, Suite 4, Ottawa, OH 45875
 Phone: 419.523.5789



PROPOSED TRACK 2 PROFILE

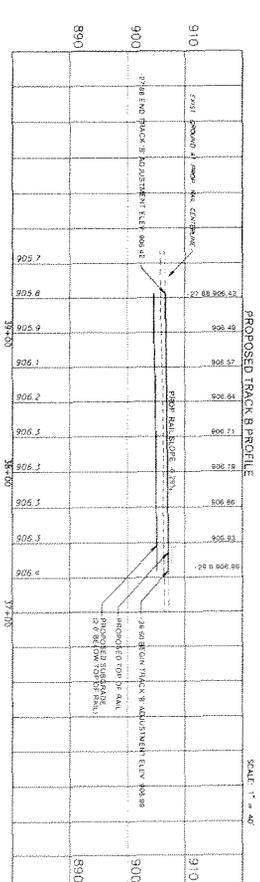
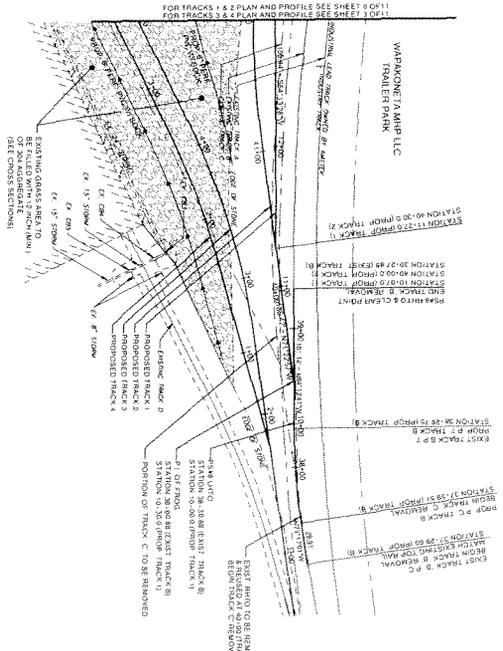
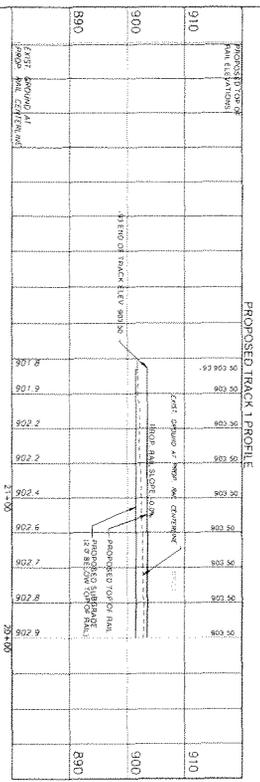
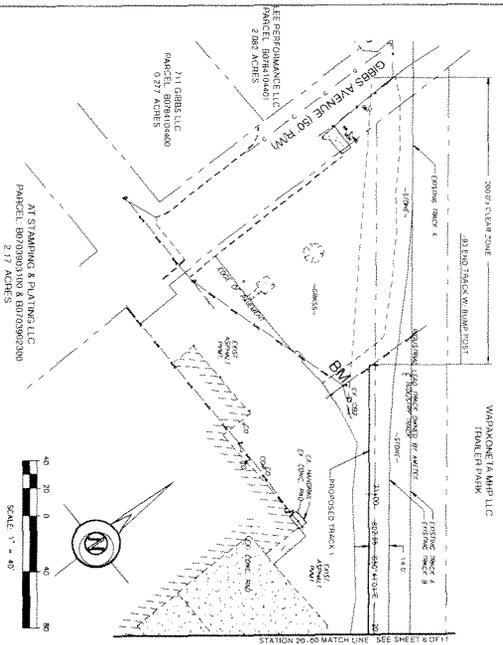
Stationing	Elevation (ft)
1+00.00	800.00
1+05.00	800.00
1+10.00	800.00
1+15.00	800.00
1+20.00	800.00
1+25.00	800.00
1+30.00	800.00
1+35.00	800.00
1+40.00	800.00
1+45.00	800.00
1+50.00	800.00
1+55.00	800.00
1+60.00	800.00
1+65.00	800.00
1+70.00	800.00
1+75.00	800.00
1+80.00	800.00
1+85.00	800.00
1+90.00	800.00

**NEW RAILROAD SPUR FOR:
 AIP LOGISTICS, INC. 300 INDUSTRIAL DRIVE, WAPAKONETA, OHIO 45895**

PLAN AND PROFILE - PROPOSED TRACK 1 & 2
 FOR BIDDING 11.15.13

REVISIONS:
 1. REVISED
 2. REVISED
 3. REVISED
 4. REVISED
 5. REVISED
 6. REVISED

DESIGNED BY: CARL J. BROWN
 CHECKED BY: JEFFREY L. BROWN
 DATE: 11.15.13
 SHEET: 6
 OF 11 SHEETS



EXISTING UTILITY STRUCTURE DATA

EXISTING OWNER (JOB)	EXISTING CENTER LINE (ELEV)			
WPAKONETA PARK (201)	20+00 (897.5)	20+10 (897.5)	20+20 (897.5)	20+30 (897.5)
AT STAMMING & PLATING, LLC (202)	20+40 (897.5)	20+50 (897.5)	20+60 (897.5)	20+70 (897.5)

GENERAL PLAN NOTES

- 1) THE CONTRACTOR IS TO OBTAIN APPROVED BIDDING DOCUMENTS, INCLUDING BUT NOT LIMITED TO, THE CONTRACT DOCUMENTS, SPECIFICATIONS, AND BIDDING DOCUMENTS, AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.
- 2) THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.
- 3) THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.
- 4) THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.

EXISTING UTILITY STRUCTURE DATA

EXISTING OWNER (JOB)	EXISTING CENTER LINE (ELEV)			
WPAKONETA PARK (201)	20+00 (897.5)	20+10 (897.5)	20+20 (897.5)	20+30 (897.5)
AT STAMMING & PLATING, LLC (202)	20+40 (897.5)	20+50 (897.5)	20+60 (897.5)	20+70 (897.5)

SHEET SYMBOL & ABBREVIATION LEGEND

(Symbol) WATER MAIN
 (Symbol) SEWER MAIN
 (Symbol) GAS MAIN
 (Symbol) ELECTRIC MAIN
 (Symbol) TELEPHONE MAIN
 (Symbol) CABLE MAIN
 (Symbol) OTHER UTILITY

SITE BENCHMARK

GIBBS AVENUE ELEVATION: 897.5
 GIBBS AVENUE ELEVATION: 897.5

Bockrath & Associates
 Engineering and Surveying, LLC
 115 South Fair Avenue, Suite A, Wapakoneta, OH 45875
 Phone: 419.333.5789

NEW RAILROAD SPUR FOR:
AIP LOGISTICS, INC. 300 INDUSTRIAL DRIVE, WAPAKONETA, OHIO 45895

PLAN AND PROFILE - PROPOSED TRACK 1 & B

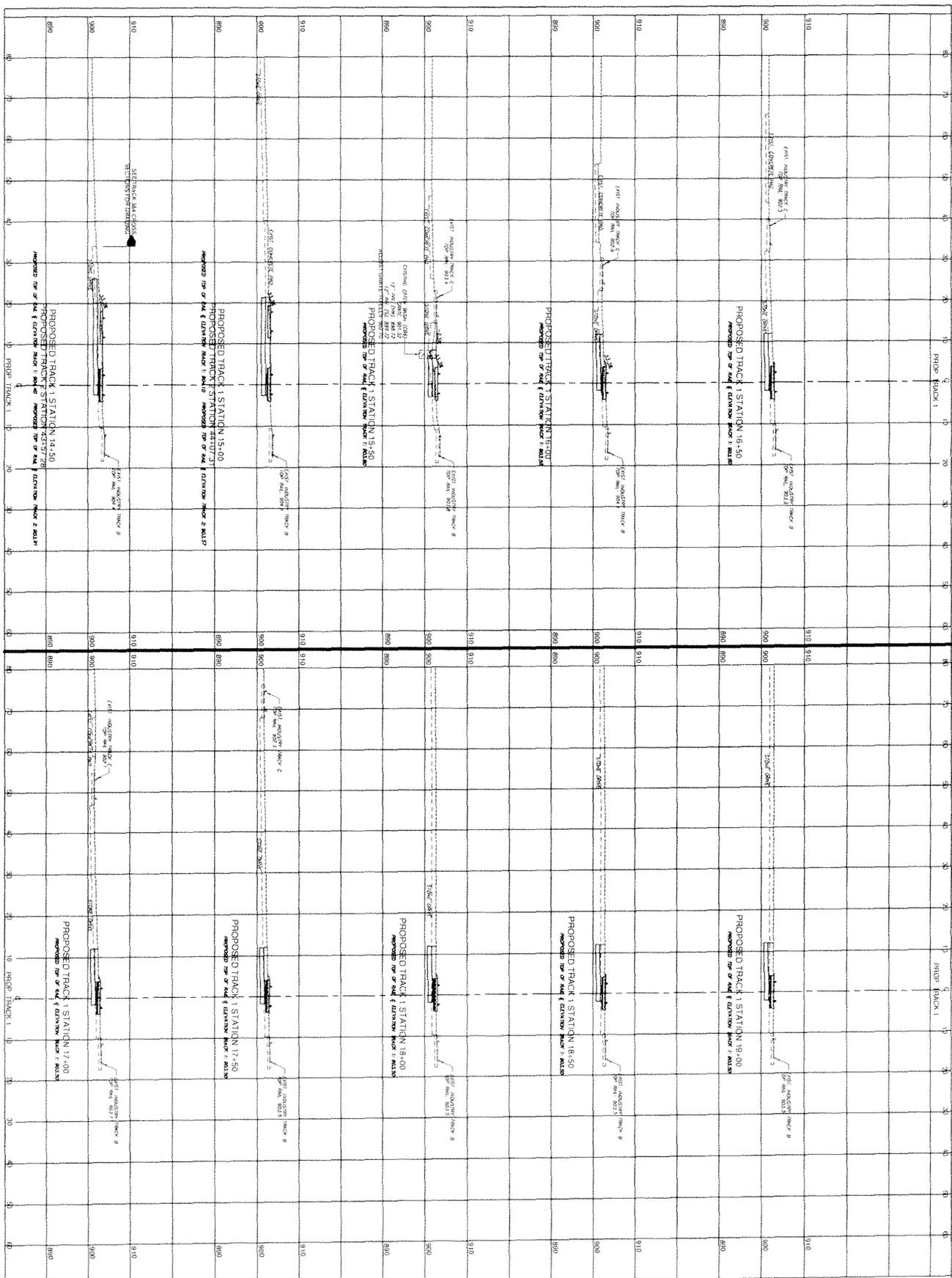
FOR BIDDING 11.15.13

REVISIONS:

NO.	DATE	DESCRIPTION
1	11/15/13	ISSUED FOR BIDDING

SHEET 1 - 7
 OF 11 SHEETS





**NEW RAILROAD SPUR FOR:
AIP LOGISTICS, INC. 300 INDUSTRIAL DRIVE, WAPAKONETA, OHIO 45895**

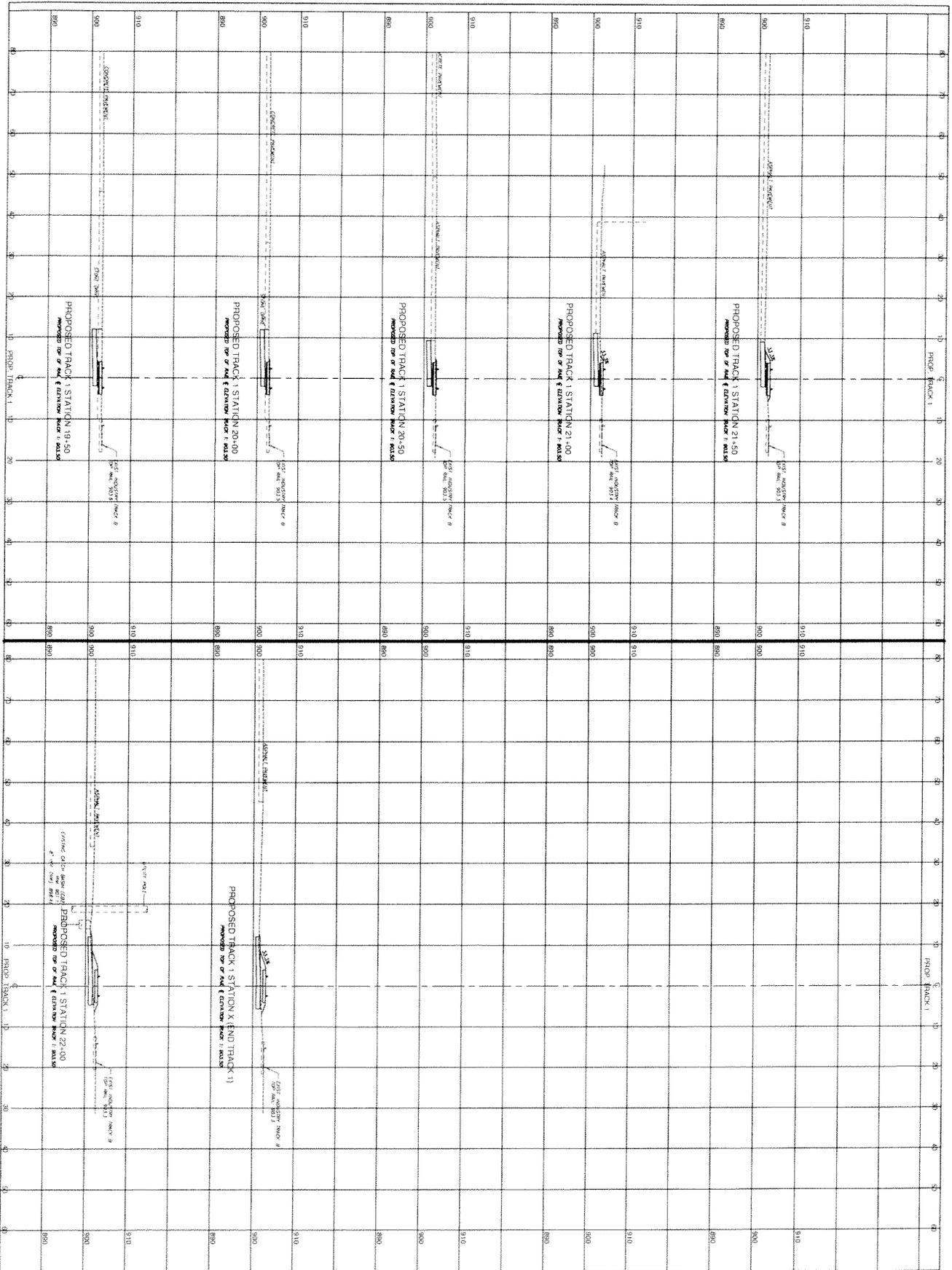
Bockrath & Associates
Engineering and Surveying, LLC
115 South Fair Avenue, Suite A, Ottawa, OH 45075
Phone: 419.523.5789

CROSS SECTIONS - PROPOSED TRACK 1 & 2

FOR BIDDING 11.15.13

REVISIONS
NO. DATE BY
1 12/13/12
2 12/13/12
3 12/13/12
4 12/13/12
5 12/13/12
6 12/13/12
7 12/13/12
8 12/13/12
9 12/13/12
10 12/13/12
11 12/13/12

DESIGNED BY: JMT
CHECKED BY: JMT
DATE: 12.13.12
SHEET 9
OF 11 SHEETS



**NEW RAILROAD SPUR FOR:
AIP LOGISTICS, INC. 300 INDUSTRIAL DRIVE, WAPAKONETA, OHIO 45895**

CROSS SECTIONS - PROPOSED TRACK 1 & 2

FOR BIDDING 11.15.13

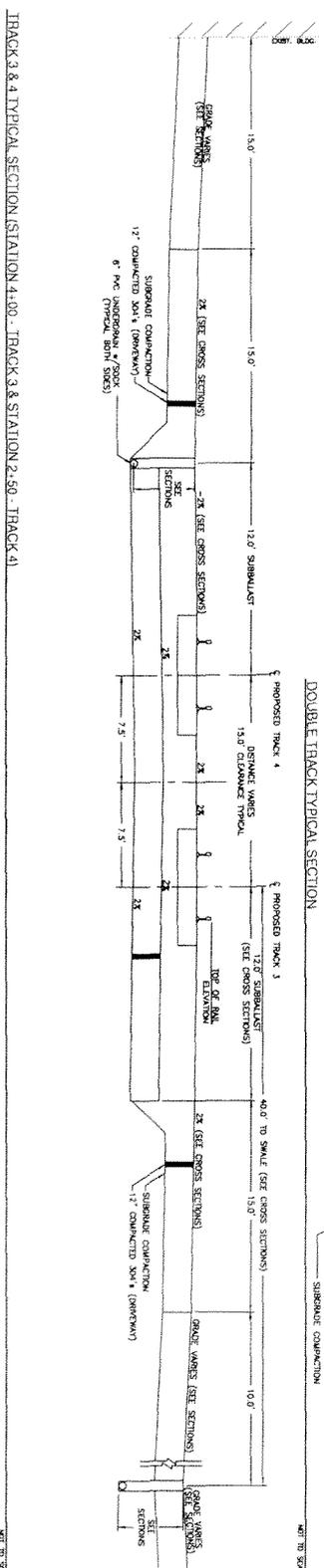
Bockrath & Associates
Engineering and Surveying, LLC
115 South Fair Avenue, Suite A, Ottawa, OH 45875
Phone: 419.523.5789

REVISIONS
NO. DATE BY
1 11/15/13 JCB
2 12/10/13 JCB
3 12/10/13 JCB
JOB NUMBER: 13-338
SHEET - 10
OF 11 SHEETS

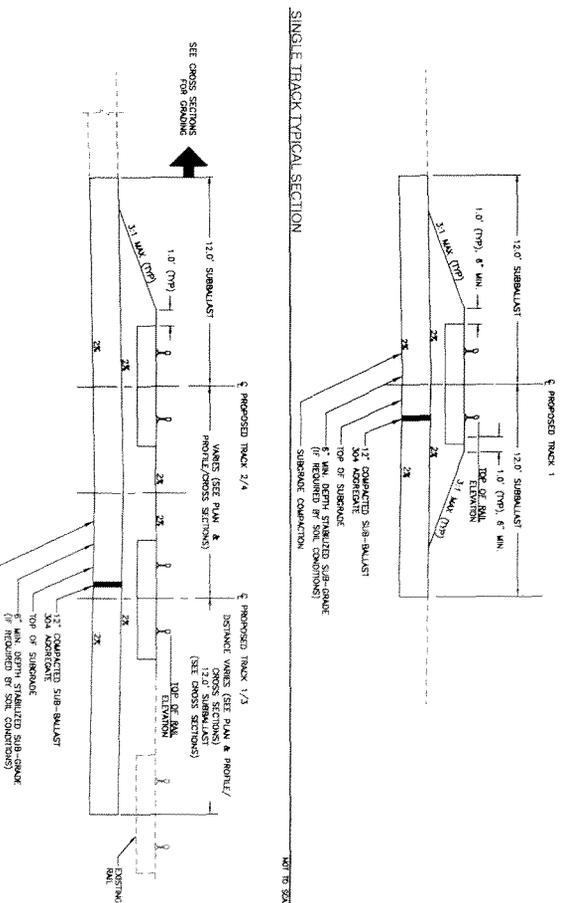
PLAN NOTES

- 1) CONSTRUCTION OF INDUSTRY'S BARRIERS, STRUCTURES, ROADBEDS, TRACK, ETC. SHALL NOT BEGIN PRIOR TO RECEIVING EXACT APPROVAL OF FINAL PLANS.
- 2) INDUSTRY'S OWNERS SHALL OBTAIN ALL NECESSARY APPROVALS AND PERMITS REQUIRED BY GOVERNMENTAL AGENCIES FOR ALL WORK.
- 3) INSPECTION OF THE COMPLETED TRACK WILL BE MADE BY RAIL PERFORMANCE, AND WILL NOT BE PLACED IN SERVICE WITHOUT RAIL APPROVAL.
- 4) ALL WORK SHALL CONFORM TO THE AGRICULTURAL COMPLEX CROSS SECTIONS AND NOTES SHOWN BY THE PLANS AND APPROVED BY RAIL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS FROM THE AGRICULTURAL COMPLEX TO RECEIVE THE SUBBALLAST ON OR OFF SITE.
- 5) THE ROADBED WILL BE CONSTRUCTED TO THE DIMENSIONS ON THE CORNER C&T DRAWING TITLED "STANDARD ROADBED AND SHOULDER CROSS SECTIONS".
- 6) CLEARING AND GRADING
- 7) EXCAVATION
- 8) FILLING
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TRACK 3 & 4 TYPICAL SECTION (STATION 4+00 - TRACK 3 & STATION 2+50 - TRACK 4)



SINGLE TRACK TYPICAL SECTION



NEW RAILROAD SPUR FOR:
AIP LOGISTICS, INC. 300 INDUSTRIAL DRIVE, WAPAKONETA, OHIO 45895

GENERAL NOTES AND SITE DETAILS

FOR BIDDING 11 15 13

Bockrath & Associates
 Engineering and Surveying, LLC
 115 South Fair Avenue, Suite A, Ottawa, OH 45875
 Phone: 419.523.5769

REVISIONS

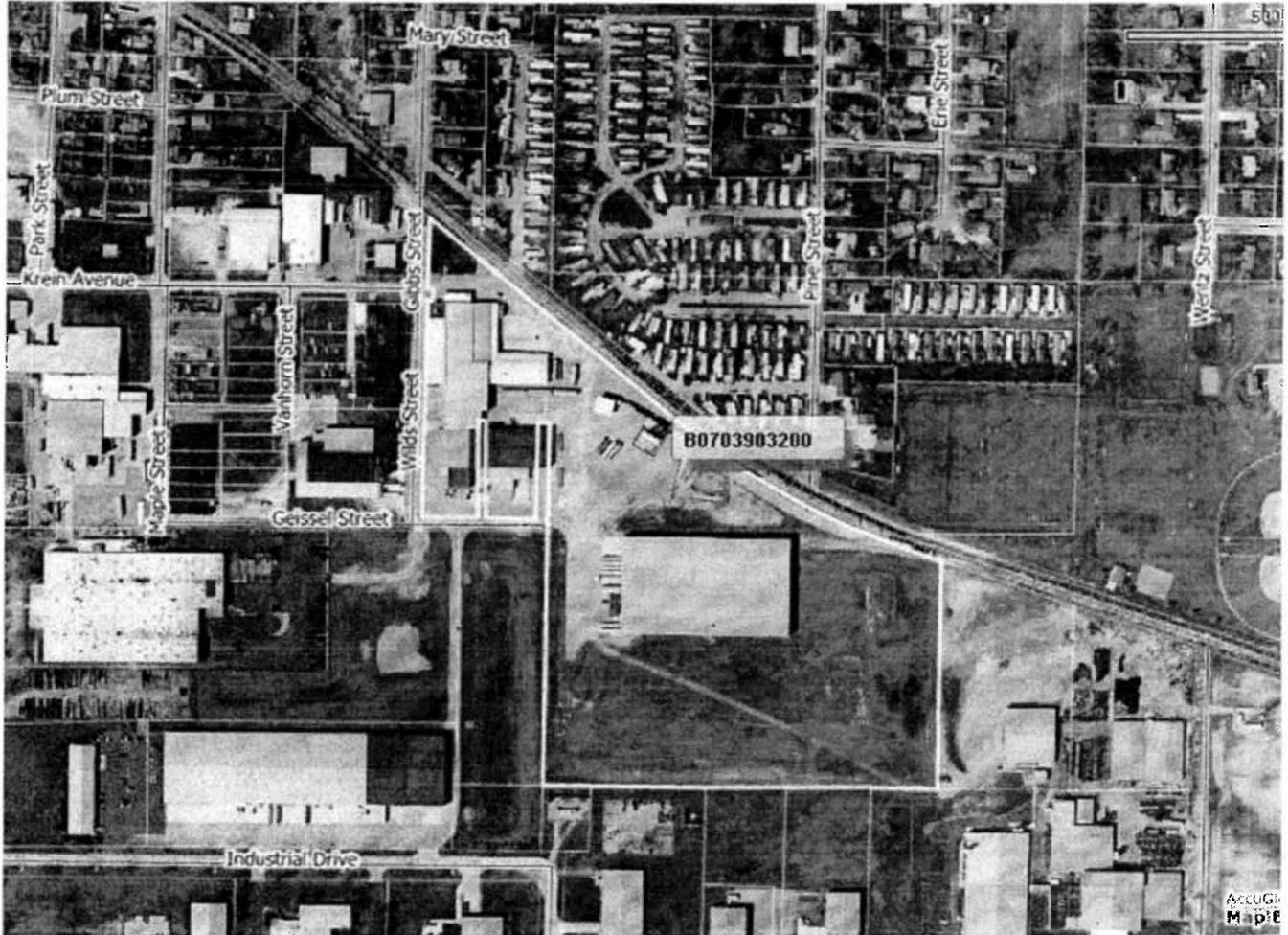
NO.	DATE	DESCRIPTION
1	07/26/13	DESIGNED BY JAM
2	12/13/12	JOB NUMBER: 12-339

DATE: 11/11/13
 SHEET: 11
 OF: 11 SHEETS



[Print](#) | [Back](#)

Auglaize County GIS



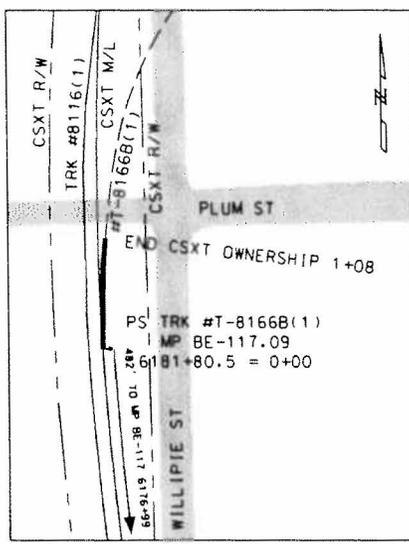
Notes

APPENDIX 2b

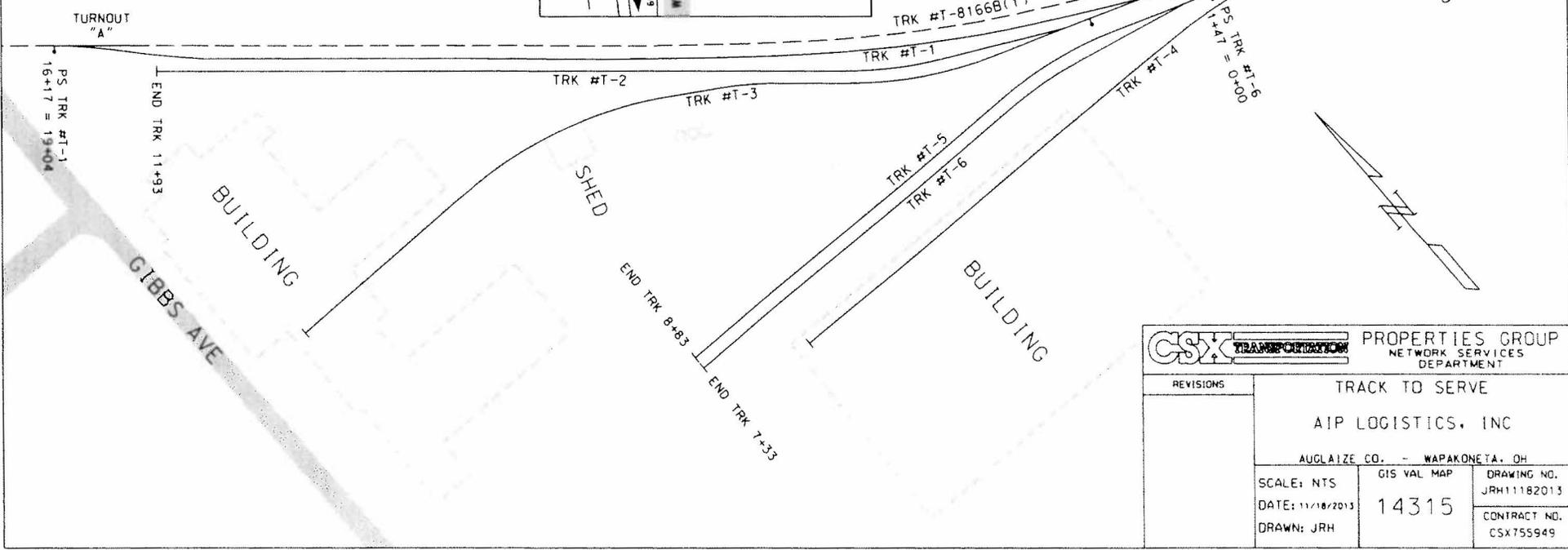
THIS RAILROAD VALUATION EXHIBIT IS A GRAPHICAL REPRESENTATION. IT MAY NOT REFLECT CURRENT "ON THE GROUND" CONDITIONS AND/OR ACTUAL LOCATIONS OF FEATURES. ALL DIMENSIONS, OFFSET DISTANCES AND MEASUREMENT NOTATIONS SHOWN ARE APPROXIMATE.

- L E G E N D -

-  CSXT OWNERSHIP TRK #T-8166B(1) = 108'
-  INDUSTRY OWNED TRKS
-  CSX RIGHT-OF-WAY BOUNDARY
-  TRKS OWNED BY OTHERS



3633' WEST TO PS TRK #T-8166B(1) IN M/L
 MP BE-117.09 6181+80.5 = 0+00
 THEN 482' SOUTH TO MP BE-117 6176+99



		PROPERTIES GROUP	
		NETWORK SERVICES DEPARTMENT	
REVISIONS		TRACK TO SERVE	
		AIP LOGISTICS, INC	
		AUGLAIZE CO. - WAPAKONETA, OH	
SCALE: NTS	GIS VAL MAP	DRAWING NO.	
DATE: 11/18/2013	14315	JRH11182013	
DRAWN: JRH		CONTRACT NO.	
		CSX755949	

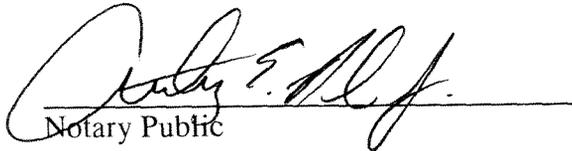
CERTIFICATION UNDER 49 C.F.R. § 1150.33(g)

KAN Rail, Inc. hereby certifies under 49 C.F.R. § 1150.33(g) that the projected revenues from the rail operation and proposed trackage construction described in the foregoing Notice do not exceed those that would qualify it as a Class III rail carrier.



John L. Aiden,
Authorized Representative of
KAN Rail, Inc.

SUBSCRIBED AND SWORN TO before
me this 21st day of April, 2014.



Notary Public

ANTHONY E. PALMER, JR., Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

[AFFIX OFFICIAL SEAL]

CAPTION SUMMARY

SURFACE TRANSPORTATION BOARD

Notice of Exemption

FINANCE DOCKET NO. FD 35794

**KAN RAIL, INC.
EXEMPTION TO OPERATE**

Kan Rail, Inc. (“KAN”) has filed a Verified Notice of Exemption to lease and operate approximately two thirds (2/3) of a mile of existing rail line and approximately one half (1/2) mile of to-be-constructed additional rail line; both the existing and the additional rail lines are situated and will be constructed, respectively, at a transloading facility owned by AIP Logistics, Inc. and KanTrade, Ltd., located in Wapakoneta, Ohio. Both the existing and the additional rail lines are and will be used by KAN in conjunction with interchanging rail cars to and from a railroad line owned and operated by CSX Transportation, Inc. Comments must be filed with the Board and served on KAN’s representative, John L. Alden, AldenLaw, One East Livingston Avenue, Columbus, Ohio, 43215, (614) 221-1306.

This Notice is filed under 49 C.F.R. § 1150.31. If the Notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the

exemption under 49 U.S.C. § 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

By the Board

[SEAL]

VERIFICATION

STATE OF OHIO)
)
COUNTY OF FRANKLIN)

John L. Alden, being duly sworn, states that he is an attorney for KAN Rail, Inc. ("KAN"); that he is familiar with the factual allegations made in the foregoing Notice of Exemption on behalf of KAN; and that such allegations are true as stated.



John L. Alden, Attorney for
KAN Rail, Inc.

SUBSCRIBED AND SWORN TO before
me this 21st day of April, 2014.



Notary Public

ANTHONY E. PALMER, JR., Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

[AFFIX OFFICIAL SEAL]