

BEFORE THE SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C. 20423

235633

Docket No. FD 35316

ALLIED ERECTING AND DISMANTLING CO., INC., AND
ALLIED INDUSTRIAL DEVELOPMENT CORPORATION
--PETITION FOR DECLARATORY ORDER—
RAIL EASEMENTS IN MAHONING COUNTY, OHIO

ENTERED
Office of Proceedings
March 14, 2014
Part of
Public Record

NOTICE OF INCLUSION OF COPIES OF MATERIALS THAT WERE
INADVERTENTLY OMITTED FROM PETITION TO REOPEN AND SUPPLEMENT
THE RECORD

Allied Erecting and Dismantling Co., Inc. and Allied Industrial Development Corporation (collectively "Allied"), by and through counsel, respectfully request the Board to accept the filing of the attached "Certificate of Agreement of Merger" and "Articles of Incorporation of the Mahoning Valley Railroad." As Respondents have noted, Response at 7, n.3, the undersigned counsel inadvertently failed to attach copies of these documents to Allied's Petition to Reopen and Supplement the Record.

Because the MVRVY Articles of Incorporation were specifically mentioned in the Board's decision, served December 20, 2013, it is respectfully submitted that they are already a part of the record. Nevertheless, Allied respectfully requests that the Board accept the attached copy of that document in order that the record will contain the entire document and not merely the slightly redacted language that is reflected in the Board's decision.

It is respectfully submitted that acceptance of these documents will not adversely impact or prejudice Respondents in any respect. The undersigned apologizes for any inconvenience that has been caused by the inadvertent

failure to attach these documents to the Petition that was filed with the Board on February 20, 2014.

Respectfully submitted,



Richard H. Streeter
Counsel for Allied Erecting & Dismantling
Co., Inc. and
Allied Industrial Development Corp.

Dated: March 14, 2014

Certificate of Service

I hereby certify that on March 12, 2014, a copy of the foregoing Notice of Inclusion of Materials That Were Inadvertently Omitted From Petition to Reopen and Supplement the Record was served upon the following persons by Email:

Eric M. Hocky

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C. Scott Lanz

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Thomas J. Lipka

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Richard H. Streeter

Form 3-419

UNITED STATES OF AMERICA,
STATE OF OHIO,
OFFICE OF THE SECRETARY OF STATE.

RECEIVED FOR RECORD
AT 10:31 O'CLOCK P.M.

APR 11 1985

WILLIAM E. REPASKY
Recorder, Mahoning County, Ohio

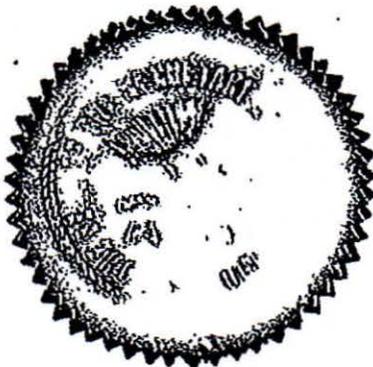
10-00

I, SHERROD BROWN,

Secretary of State of the State of Ohio, do hereby certify that the foregoing is an exemplified copy, carefully compared by me with the original record now in my official custody as Secretary of State, and found to be true and correct, of the

Certificate of AGREEMENT OF MERGER of JONES & LAUGHLIN STEEL INCORPORATED, a Delaware corporation, License No. 577671, merging into: REPUBLIC STEEL CORPORATION, survivor of said merger, a New Jersey corporation, License No. 48462 and change survivors Corporate title to: LTV STEEL COMPANY, INC. was

filed in this office on the 28th day of December A.D. 1984
and recorded on (the) Roll (Volume) F611, Frame 17000X 507 of
the Records of Incorporations.



WITNESS my hand and official seal at
Columbus, Ohio, this 9TH day
of APRIL A.D. 19 85

Sherrod Brown

SHERROD BROWN

Secretary of State

State of New Jersey



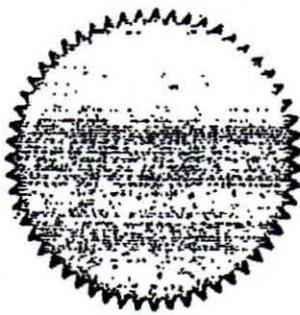
Department of State

I, the Secretary of State of the State of New Jersey, do hereby Certify that
REPUBLIC STEEL CORPORATION

did on the 19th day of December A. D. 1984
file and record in this department a Certificate of Merger of JONES &
LAUGHLIN STEEL INCORPORATED (a Delaware Corporation) into REPUBLIC STEEL
CORPORATION (a New Jersey Corporation), the name of the surviving corporation
is REPUBLIC STEEL CORPORATION and changed its name in merger to LTV STEEL
COMPANY, INC.

as by the statutes of this State required

In Testimony Whereof, I have herunto
set my hand and affixed my Official
Seal at Trenton, this 5th
day of February A. D. 1985



Jane Bengio
SECRETARY OF STATE

MC 666-100

ARTICLES OF INCORPORATION

OF

THE MAHONING VALLEY RAILWAY COMPANY

APPROVED

By S. R. H.

Date 3-31-81

Amount 125⁰⁰

The undersigned, desiring to form a corporation for profit under Sections 1701.01 to 1701.99, inclusive, of the Ohio Revised Code, do hereby certify:

FIRST: The name of the Corporation shall be The Mahoning Valley Railway Company.

SECOND: The place in the State of Ohio where the principal office of the Corporation will be located is Youngstown, in Mahoning County.

THIRD: The purposes for which the Corporation is formed are to build, acquire, own, lease, operate, and maintain a railroad to be operated by steam or other motive power and described as follows:

Beginning at a point approximately three hundred (300) feet East of Center Street in the City of Youngstown, County of Mahoning and State of Ohio, which point shall be its Western terminus, and running thence in a Southeasterly direction to a point at the Eastern end of Jones & Laughlin's panther run pipe storage facility on the South bank of the Mahoning River, approximately five hundred (500) feet West of the Poland Township boundary line, in the City of Struthers, County of Mahoning, and State of Ohio, which last mentioned point shall be the Eastern terminus of said railroad;

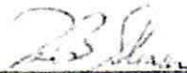
and to have, exercise and enjoy all of powers, rights, privileges, immunities and franchises of a railroad company under the laws of the State of Ohio.

FOURTH: The authorized number of shares of the Corporation is 1500 all of which shall be common shares without par value.

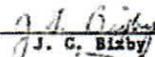
FIFTH: The amount of stated capital with which the Corporation will begin business is \$500.

SIXTH: Without derogation from other power to purchase shares of the Corporation, the Corporation by action of its directors may purchase outstanding shares of any class of the Corporation to the extent not prohibited by law.

IN WITNESS WHEREOF, we have hereunto set our hands this 25th day of March, 1981.



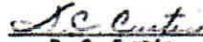
R. B. Shafer



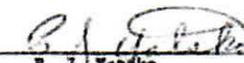
J. C. Bisby



R. W. Farham



D. C. Curtis



P. J. Yacoko