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Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

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232589

July 18, 2012

Via Overnight Mail

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E. Street, S.W.
Washington, DC 20424

Re: Docket No. AB-314 (Sub-No. 5X), Chicago Central and Pacific Railroad Company— Abandonment Exemption — in North Riverside, Cook County, Illinois

Dear Ms. Brown:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the Verified Notice of Exemption of Chicago Central and Pacific Railroad Company dated July 11, 2012, pursuant to 49 C.F.R. § 1152.50. I am also enclosing a check in the amount of \$3,600.00, representing the appropriate fee for this filing.

The Environmental and Historic Reports for this proceeding have already been filed with the Board. Feel free to contact me if you have any questions. Thank you for your assistance in this matter.

Respectfully submitted,

Thomas J. Healey
Attorney for
Chicago Central and Pacific Railroad Company

Encls.

cc: Illinois Department of Transportation

ENTERED
Office of Proceedings

JUL 23 2012

Part of
Public Record

FILED

JUL 23 2012

SURFACE
TRANSPORTATION BOARD

FEE RECEIVED

JUL 23 2012

SURFACE
TRANSPORTATION BOARD

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-314 (SUB-NO. 5X)

CHICAGO CENTRAL & PACIFIC RAILROAD COMPANY
— ABANDONMENT EXEMPTION —
IN NORTH RIVERSIDE, COOK COUNTY, ILLINOIS

**VERIFIED NOTICE OF EXEMPTION OF
WISCONSIN CENTRAL LTD.
PURSUANT TO 49 C.F.R. § 1152.50**

Thomas J. Healey
17641 S. Ashland Avenue
Homewood, IL 60430-1345
(708) 332-4381
ATTORNEY FOR
CHICAGO CENTRAL AND PACIFIC RAILROAD COMPANY

Dated: July 18, 2012

BEFORE THE
SURFACE TRANSPORTATION BOARD



DOCKET NO. AB-314 (Sub-No. 5X)

CHICAGO CENTRAL AND PACIFIC RAILROAD COMPANY
- ABANDONMENT EXEMPTION -
IN NORTH RIVERSIDE, COOK COUNTY, ILLINOIS

**VERIFIED NOTICE OF EXEMPTION OF
CHICAGO CENTRAL AND PACIFIC RAILROAD COMPANY
PURSUANT TO 49 C.F.R. § 1152.50**

Chicago Central and Pacific Railroad Company (“CCP”) hereby submits this Notice of Exemption pursuant to 49 C.F.R. Part 1152, Subpart F, to abandon its line of railroad in North Riverside, Cook County, Illinois, referred to herein as the “Line” between milepost 11.88 and milepost 13.47, a distance of 1.59 miles.

In accordance with the requirements of 49 C.F.R. § 1152.50(d)(2), CCP submits the following information:

General Corporation Information: 49 C.F.R. § 1152.22(a)(1)-(2)

CCP is a Class II common carrier by rail subject to the jurisdiction of the Surface Transportation Board under the Interstate Commerce Act, Subtitle IV. Chapter 105 of Title 49 of the United States Code. CCP owns and operates approximately 700 miles of rail line between Chicago, Illinois and Sioux City/Council Bluffs, Iowa, and commenced operations in 1985. CCP is today an indirect subsidiary of Canadian National Railway Company (“CN”), and is part of a Class I system of railroads in the United States controlled by Grand Trunk Corporation, a wholly-owned CN subsidiary. The complete name and address of CCP is:

Chicago Central and Pacific Railroad Company
17641 S. Ashland Avenue
Homewood, IL 60430-1345

Relief Sought: 49 C.F.R. § 1152.22(a)(3)

Pursuant to the Board's class exemption for the abandonment of out-of-service rail lines, codified at 49 C.F.R. Part 1152, Subpart F, CCP intends to abandon its line of railroad between Mileposts 11.88 to 13.47, a distance of approximately 1.59 miles in North Riverside, Cook County, Illinois.

Map: 49 C.F.R. § 1152.22(a)(4)

A map of the Line to be abandoned is attached hereto as Exhibit A.

CCP's Representative: 49 C.F.R. § 1152.22(a)(7)

CCP's representative to whom correspondence regarding this abandonment should be sent is:

Thomas J. Healey
17641 S. Ashland Avenue
Homewood, IL 60430-1345
(708) 332-4381

ZIP Codes Traversed: 49 C.F.R. § 1152.22(a)(8)

The portion of the Line to be abandoned traverses United States Postal Service ZIP Codes 60546 (North Riverside) and 60130 (Forest Park).

Qualification for Class Exemption: 49 C.F.R. § 1152.50(b)

Per the certificate and verification attached hereto as Exhibit B, CCP certifies that no local revenue traffic has moved over the portion of the Line to be abandoned for at least the last two years, there is no overhead traffic on this trackage that would have to be rerouted over other lines, and no formal complaint filed by a user of rail service on the portion of the Line to be abandoned (or a state or local governmental entity acting on behalf of such user) regarding

cessation of service on the proposed abandonment is pending with the Board or any U.S. District Court or has been decided in favor of the complainant during the last two years.

Consummation Date: 49 C.F.R. § 1152.50(d)(2)

CCP will not consummate the proposed abandonment any earlier than September 12, 2012.

Suitability for Other Public Purposes: 49 C.F.R. § 1152.22(e)(4)

CCP is not the owner of the underlying right-of-way, and therefore believes that it would not be of interest to the State or any other entity as a highway or mass transportation line or other similar public use particularly because it sits in a highly developed urban area with a mature roadway system.

Labor Protection: 49 C.F.R. 1152.50(d)(2)

The level of labor protection applicable in rail line abandonment is that established in *Oregon Short Line Co. — Abandonment — Goshen*, 360 I.C.C. 91 (1979).

Certificate of Compliance with Notice Requirements: 49 C.F.R. § 1152.50(d)(2)

A certificate that the notice of requirements of 49 C.F.R. § 1152(d)(1) and 49 C.F.R. § 1105.11 have been complied with is attached hereto as Exhibit C.

Environmental and Historic Report: 49 C.F.R. §§ 1105.7 and 1105.8

An Environmental and Historic Report, prepared pursuant to 49 C.F.R. §§ 1105.7 and 1105.8, was already filed with the Surface Transportation Board in this proceeding.

Since filing the Environmental and Historic Report with the Surface Transportation Board, CCP has received correspondence from the Illinois Department of Natural Resources, see attached as Exhibit D. The DNR has stated there will be no adverse effects on endangered or threatened species, critical habitats, wildlife sanctuaries or refuges, or state parks or forests as a result of this abandonment.

CCP also received correspondence from the Illinois Historic Preservation Agency, see attached as Exhibit E. The Agency has found that no historic properties will be affected by this abandonment.

Respectfully submitted,

By  _____
Thomas J. Healey
17641 S. Ashland Avenue
Homewood, IL 60430-1345
(708) 332-4381

ATTORNEY FOR CHICAGO CENTRAL AND PACIFIC
RAILROAD COMPANY

Forest Park, Cook County, IL

Roosevelt Road

Milepost 13.47

Milepost 13

Harlem Avenue

Cermak Road

Section 24, T39N, R12E

North Riverside, Cook County, IL

Section 25, T39N, R12E

CCP Railroad (Freeport Subdivision)

Milepost 11.88

EXHIBIT B

DOCKET NO. AB-314 (SUB-NO. 5X)

**CHICAGO CENTRAL AND PACIFIC RAILROAD COMPANY
— ABANDONMENT EXEMPTION —
IN NORTH RIVERSIDE, COOK COUNTY, ILLINOIS**

CERTIFICATE AND VERIFICATION

STATE OF ILLINOIS)
) ss
COUNTY OF COOK)

Brian R. Buchanan, being duly sworn, deposes and says:

1. That no local traffic has moved over the line of Chicago Central and Pacific Railroad Company ("CCP") from milepost 11.88 to 13.47, a distance of 1.59 miles in North Riverside, Cook County, Illinois, for at least two years, and that there is no overhead traffic to be rerouted over other lines; and
2. That no formal complaint filed by a user of rail service on the subject line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the line is either pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of the complainant within the last two years; and
3. That he has read the foregoing Notice of Exemption, knows the facts therein asserted, and that the same are true as stated.

Date: July 18, 2012



Brian R. Buchanan
Manager – Network Strategies
Chicago Central and Pacific Railroad Company

Subscribed and sworn to
before me this 18 day of
July, 2012.



Notary Public

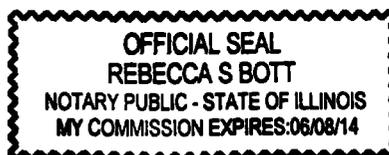


EXHIBIT C

CERTIFICATE

I, Thomas J. Healey, an attorney for Chicago Central and Pacific Railroad Company, hereby certify that, for the proceeding before the Surface Transportation Board known as Docket No. AB-314 (Sub-No. 5X), Chicago Central and Pacific Railroad Company — Abandonment Exemption — in North Riverside, Cook County, Illinois:

(1) The notice requirements of 49 C.F.R. § 1152.50(d)(1) have been complied with, to-wit: On June 21, 2012, written notice was mailed to the: (a) Illinois Department of Transportation; (b) U.S. Department of Defense, MTMCTEA; (c) National Center for Recreation and Conservation; and (d) U.S. Department of Agriculture (copies of which are attached hereto as Attachments 1-4).

(2) The notice requirements of 49 C.F.R. § 1105.11 have been complied with, to wit: On April 27, 2012, the Environmental Report and Historic Report for this proceeding, which reports have also been filed with the Surface Transportation Board, and the accompanying transmittal letters in the form set forth in 49 C.F.R. § 1105.11 (a sample of which is attached hereto as Attachment 5) were served by first class mail, postage prepaid, on the parties listed on Attachment 6, which list includes the state historic preservation officer, as required by 49 C.F.R. § 1105.7(b) and § 1105.11.

(3) A newspaper notice was published on March 18, 2012, in *The Chicago Tribune*, a newspaper of general circulation in Cook County, Illinois. The notice alerted the public to the proposed abandonment, to possible reuse alternatives, and to procedures for participating in the STB proceeding. A copy of the notice and Affidavit of Publication are attached to this Certificate as Attachment 7.



Thomas J. Healey

Dated: July 18, 2012



Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

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F - 708-332-4361
tom.healey@cn.ca

June 21, 2012

Illinois Department of Transportation
2300 S. Dirksen Parkway
Springfield, IL 62764

Re: Docket No. AB-314 (Sub-No. 5X), Chicago Central and Pacific Railroad Company; Notice of Exemption in Cook County, North Riverside Illinois

Dear Sir/Madam:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Chicago Central and Pacific Railroad Company shall on or after July 2, 2012, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 1.59 miles of railroad line between milepost 11.88 and milepost 13.47 in Cook County, North Riverside, Illinois. Such line runs through U.S. Postal Zip Code 60546.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey
Attorney for:
Chicago Central and Pacific Railroad Company



Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

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F - 708-332-4361
tom.healey@cn.ca

June 21, 2012

Military Surface Deployment & Distribution Command
Transportation Engineering Agency
Attn: SDTE-SA (Railroads for National Defense)
709 Ward Drive, Building 1990
Scott AFB, IL 62225-5357

Re: Docket No. AB-314 (Sub-No. 5X), Chicago Central and Pacific Railroad
Company; Notice of Exemption in Cook County, North Riverside Illinois

Dear Sir/Madam:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Chicago Central and Pacific Railroad Company shall on or after July 2, 2012, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 1.59 miles of railroad line between milepost 11.88 and milepost 13.47 in Cook County, North Riverside, Illinois. Such line runs through U.S. Postal Zip Code 60546.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey
Attorney for:
Chicago Central and Pacific Railroad Company



Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

www.cn.ca

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F - 708-332-4361
tom.healey@cn.ca

June 21, 2012

Mr. Thomas Ross
Division Chief
National Center for Recreation and Conservation
National Park Service
1849 C. Street, N.W., Org. Code 2220
Washington, D.C. 20420

Re: Docket No. AB-314 (Sub-No. 5X), Chicago Central and Pacific Railroad
Company; Notice of Exemption in Cook County, North Riverside Illinois

Dear Sir/Madam:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Chicago Central and Pacific Railroad Company shall on or after July 2, 2012, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 1.59 miles of railroad line between milepost 11.88 and milepost 13.47 in Cook County, North Riverside, Illinois. Such line runs through U.S. Postal Zip Code 60546.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey
Attorney for:
Chicago Central and Pacific Railroad Company



Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

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tom.healey@cn.ca

June 21, 2012

Mr. Dale Bosworth
Chief, Forest Service
U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

Re: Docket No. AB-314 (Sub-No. 5X), Chicago Central and Pacific Railroad
Company; Notice of Exemption in Cook County, North Riverside Illinois

Dear Sir/Madam:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Chicago Central and Pacific Railroad Company shall on or after July 2, 2012, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 1.59 miles of railroad line between milepost 11.88 and milepost 13.47 in Cook County, North Riverside, Illinois. Such line runs through U.S. Postal Zip Code 60546.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey
Attorney for:
Chicago Central and Pacific Railroad Company



Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
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www.cn.ca

April 27, 2012

Re: Chicago Central and Pacific Railroad Company Notice of Exemption for Abandonment – North Riverside, Cook County, Illinois - Docket AB-314 (Sub-No. 5X)

To Whom It May Concern:

Any time on or after July 2, 2012, Chicago Central and Pacific Railroad Company ("CC&P") expects to file with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon a railroad line located between milepost 11.88 and milepost 13.47, a distance of 1.59 miles, in North Riverside, Cook County, Illinois. Enclosed is an Environmental Report and a Historic Report describing the proposed action and any expected environmental and historical effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental and historical analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental and historic review process, please contact their Section of Environmental Analysis (SEA), at the Surface Transportation Board, 395 E Street, SW, Washington, D.C. 20423-0001, (202) 245-0245, and refer to the above docket number.

CC&P will file the Environmental Report and Historic Report with the STB on or about April 27, 2012. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the STB (with a copy to the undersigned) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and historical impact of the contemplated action.

If there are any questions concerning this proposal, please contact the undersigned directly at (708) 332-4381 or by mail at the above address.

Sincerely,

Thomas J. Healey
Attorney for Chicago Central and Pacific Railroad Co.

Encls.

Illinois Environmental Protection Agency
1021 N. Grand Ave. East
PO Box 19276
Springfield, IL 62794-9276

Mr. Todd Main, Program Manager
Illinois Coastal Zone Management
James R. Thompson Center
100 W. Randolph St., Suite 4-300
Chicago, IL 60601

Guy Belmonte, Village Administrator
Village of North Riverside
2401 S. Des Plaines Ave.
North Riverside, Illinois 60546

Illinois Environmental Protection Agency
Office of Regional Counsel
77 West Jackson Blvd.
Chicago, IL 60604

Resident Agent in Charge
U.S. Fish and Wildlife Services
1499 Bradforton Road
Springfield, IL 62707-6044

Mr. Mitch Isoe, Chief
U.S. Army Corp of Engineers
111 N. Canal Street, Suite 600
Chicago, IL 60606-7206

National Park Service, Midwest Region
601 Riverfront Drive.
Omaha, NE 68102

Mr. Thomas Ryterske, Conservationist
National Resource Conservation Service
PO Box 407
Streamwood, IL 60107

Illinois Department of Transportation
2300 S. Dirksen Parkway
Springfield, IL 62764

Illinois Historic Preservation Agency
Attn: Director
1 Old State Capital Plaza
Springfield, IL 62701

Illinois DNR
Springfield
One Natural Resources Way
Springfield, IL 62702-1271



CERTIFICATE OF PUBLICATION

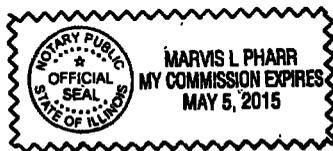
Chicago Tribune Company hereby certifies that it is the publisher of the Chicago Tribune; that the Chicago Tribune is an English language newspaper of general circulation, published daily in the City of Chicago, County of Cook and State of Illinois; that the Chicago Tribune has been so published continuously for more than one year prior to the date of first publication mentioned below and is further a newspaper as defined in Ill. Rev. Stat. Ch. 100, SS 5 & 10; that the undersigned is the duly authorized agent of the Chicago Tribune Company to execute this certificate on its behalf; and that a notice of which the annexed is a true copy was printed and published in said newspaper (1) times(s) and on the following dates:

Starting 03/18/12 and Ending 03/18/12

the first publication being on the earliest of said dates and the last publication being on the latest of said dates.

Executed at Chicago, Illinois this 19TH day of March, 2012.

CHICAGO TRIBUNE COMPANY



By *[Handwritten Signature]*

Chicago Tribune - chicagotribune.com
435 North Michigan Avenue, Room 1015 - Chicago, Illinois 60611
(312) 222-3232 - Fax: (312) 222-4014

CHICAGO CENTRAL AND PACIFIC RAILROAD COMPANY ("CC&P") gives notice that on or after April 30, 2012, it intends to file with the Surface Transportation Board, Washington, DC 20423, a Petition for Exemption under 49 CFR 1105.12 Subpart F-Exempt Abandonments, permitting the abandonment of approximately 1.59 miles of railroad line starting at Milepost 11.88 and ending at Milepost 13.47, in Chicago, Cook County, Illinois. This line traverses through U.S. Postal Zip Codes 60130 and 60546. There is one station. The proceeding will be docketed as AB-314 (Sub-No. 5X).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the petition for exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the SEA, Surface Transportation Board, 395 E. Street SW, Washington, DC 20423 or by calling that office at (202) 245-0245.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 395 E. Street SW, Washington, DC 20423 [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, public use or trail use may be directed to the Commission's Office of Congressional and Public Services at (202) 565-1592. Copies of any comments or requests for conditions should be served on the applicant's representative: Thomas J. Healey, (708) 332-4381 at 17641 S. Ashland Avenue, Homewood, IL 60430.



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

Pat Quinn, Governor
Marc Miller, Director

May 10, 2012

Thomas J. Healey
Counsel for Chicago Central and Pacific Railroad Co.
17641 S. Ashland Ave.
Homewood, IL 60430-1339

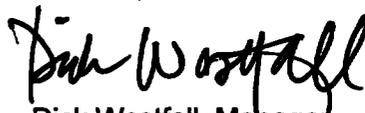
Re: Chicago Central and Pacific Railroad Co. Proposed Abandonment in North
Riverside, Cook Co., IL, Docket No: AB-314 (Sub-No. 5X)

Dear Mr. Healey:

Thank you for your April 27 letter regarding the above proposed abandonment. The Illinois Department of Natural Resources has reviewed the area in question and has found no effects from the proposed abandonment on endangered or threatened species, critical habitats, wildlife sanctuaries or refuges, or state parks or forests.

Thank you for the opportunity to review this proposed abandonment.

Sincerely,



Dick Westfall, Manager
Greenways and Trails Section

cc: Karen Miller
Jim Modglin



Illinois Historic Preservation Agency

1 Old State Capitol Plaza • Springfield, Illinois 62701-1512 • www.illinois-history.gov

Cook County

PLEASE REFER TO: IHPA LOG #003043012

North Riverside

Between mile posts 11.88 & 13.47

STB-AB-314 (Sub-No. 5X)

Railroad line abandonment, Chicago Central & Pacific RR Co.

May 1, 2012

Thomas J. Healey

Illinois Central Railroad Company

17641 South Ashland Avenue

Homewood, IL 60430-1339

Dear Mr. Healey:

We have reviewed the documentation submitted for the referenced project(s) in accordance with 36 CFR Part 800.4. Based upon the information provided, no historic properties are affected. We, therefore, have no objection to the undertaking proceeding as planned.

Please retain this letter in your files as evidence of compliance with section 106 of the National Historic Preservation Act of 1966, as amended. This clearance remains in effect for two (2) years from date of issuance. It does not pertain to any discovery during construction, nor is it a clearance for purposes of the Illinois Human Skeletal Remains Protection Act (20 ILCS 3440).

If you are an applicant, please submit a copy of this letter to the state or federal agency from which you obtain any permit, license, grant, or other assistance.

Sincerely,

Anne E. Haaker

Deputy State Historic

Preservation Officer