

LEONARD
STREET
AND
DEINARD

FILED

OCT 18 2012

**SURFACE
TRANSPORTATION BOARD**

150 SOUTH FIFTH STREET SUITE 2300
MINNEAPOLIS, MINNESOTA 55402
612-335-1500 MAIN
612-335-1657 FAX

W. KARL HANSEN
612-335-7088 DIRECT
KARL.HANSEN@LEONARD.COM

October 17, 2012

233215

Hon. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW, Room 100
Washington, DC 20024

VIA OVERNIGHT DELIVERY

ENTERED
Office of Proceedings

OCT 18 2012

Part of
Public Record

**Re: *Abandonment of Trackage in Cook County, Illinois*
STB Docket No. AB-57 (Sub-No. 60X)**

Dear Chief Brown:

Please find enclosed for filing the unbound original, ten bound copies, and three compact discs containing electronic copies of Soo Line Railroad Company's Verified Notice of Class Exemption from the requirements of 49 U.S.C. § 10903 for the above-referenced rail line abandonment. I also enclose a check in the amount of \$3,700 as the filing fee pursuant to 49 C.F.R. § 1002.2.

Enclosed please find a duplicate copy of this letter and self-addressed stamped envelope to be stamped with the filing date and returned to the undersigned. Please contact me if you have any questions.

Very truly yours,

LEONARD, STREET AND DEINARD



W. Karl Hansen

Enclosures

cc: Bill Tuttle
David Drach

RECEIVED
OCT 18 2012
**SURFACE
TRANSPORTATION BOARD**

A Professional Association

LAW OFFICES IN MINNEAPOLIS • MANKATO • ST. CLOUD • BISMARCK • WASHINGTON, D.C.
91643471
WWW.LEONARD.COM

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C.



SOO LINE RAILROAD COMPANY –)
ABANDONMENT OF TRACKAGE)
LOCATED IN COOK COUNTY, ILLINOIS)
)
)

DOCKET NO. AB-57
(SUB-NO. 60X)

233215

NOTICE OF EXEMPT ABANDONMENT OF TRACKAGE LOCATED BETWEEN
MILEPOST 2.38 +/- AND MILEPOST 5.26 +/- (ELGIN SUBDIVISION) WHICH
TRAVERSES THROUGH UNITED STATES POSTAL SERVICE ZIP CODES 60622 AND
60647 IN COOK COUNTY, ILLINOIS

VERIFIED NOTICE OF EXEMPTION
PURSUANT TO 49 U.S.C. SECTION 10502 AND 49 C.F.R. PART 1152

CLASS EXEMPTION FROM THE REQUIREMENTS
OF 49 U.S.C. SECTION 10903

SOO LINE RAILROAD COMPANY
(d/b/a Canadian Pacific)

LEONARD, STREET and DEINARD
Professional Association
W. Karl Hansen
150 South Fifth Street, Suite 2300
Minneapolis, Minnesota 55402
Tel. (612) 335-7088
Fax. (612) 335-1657

Attorney for Applicant

FILED
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Public Record

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BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C.



SOO LINE RAILROAD COMPANY –)
ABANDONMENT OF TRACKAGE)
LOCATED IN COOK COUNTY, ILLINOIS)
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(SUB-NO. 60X)

NOTICE OF EXEMPT ABANDONMENT OF TRACKAGE LOCATED BETWEEN
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60647 IN COOK COUNTY, ILLINOIS

VERIFIED NOTICE OF EXEMPTION
PURSUANT TO 49 U.S.C. SECTION 10502 AND 49 C.F.R. PART 1152

CLASS EXEMPTION FROM THE REQUIREMENTS
OF 49 U.S.C. SECTION 10903

Soo Line Railroad Company, d/b/a Canadian Pacific, (“Soo Line”) files this Verified Notice of Exemption pursuant to 49 U.S.C. § 10502 and the Board’s regulations at 49 C.F.R. Section 1152.50. This Verified Notice of Exemption is for Soo Line’s abandonment of a 2.88 mile line of railroad between milepost 2.38 +/- and milepost 5.26 +/- (Elgin Subdivision) which traverses through United States Postal Service Zip Codes 60622 and 60647 in Cook County, Illinois.

No local traffic has moved over the line for at least two years and all overhead traffic has been routed over other lines.

In accordance with the requirements of 49 C.F.R. Section 1152.50, Soo Line submits the following:

1. WRITTEN NOTIFICATION OF FILING FOR ABANDONMENT EXEMPTION – 49 C.F.R. SECTION 1152.50(d)(1).

Said notification was served on the appropriate parties on October 3, 2012, at least ten (10) days prior to the filing date of this exemption. *See* Exhibit No. 2.

2. PROPOSED CONSUMMATION DATE - 49 C.F.R. SECTION 1152.50(d)(2).

Soo Line intends to consummate the proposed abandonment of its trackage on the later of December 6, 2012 or 50 days after the filing of this notice.

3. CARRIER CERTIFICATION REGARDING LOCAL AND OVERHEAD TRAFFIC AND STATUS OF NO COMPLAINTS REQUIRED BY 49 C.F.R. SECTIONS 1152.50(b) and (d)(2).

The required Certification is attached as Exhibit No. 3.

4. INFORMATION REQUIRED BY 49 C.F.R. SECTIONS 1152.22(a)(1)-(4), (7) and (8) and (e)(4) (INCORPORATED BY REFERENCE IN 49 C.F.R. SECTION 1152.50(d)(2)):

(a) SECTION 1152.22(a)(1) EXACT NAME OF APPLICANT.

Soo Line Railroad Company d/b/a Canadian Pacific.

(b) SECTION 1152.22(a)(2) WHETHER THE APPLICANT IS A COMMON CARRIER BY RAILROAD SUBJECT TO 49 U.S.C. Subtitle IV, chapter 105.

Soo Line is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, chapter 105.

(c) SECTION 1152.22(a)(3) RELIEF SOUGHT (ABANDONMENT OF LINE OR DISCONTINUANCE OF SERVICE).

Soo Line seeks authority to abandon a 2.88 +/- mile line of railroad in Cook County, Illinois.

(d) SECTION 1152.22(a)(4) DETAILED MAP

See Exhibit No. 1.

- (e) SECTION 1152.22(a)(7) NAME, TITLE AND ADDRESS OF REPRESENTATIVE OF APPLICANT TO WHOM CORRESPONDENCE SHOULD BE SENT.

W. Karl Hansen
LEONARD, STREET AND DEINARD
Professional Association
150 South Fifth Street, Suite 2300
Minneapolis, MN 55402
Tel: (612) 335-7088
Fax: (612) 335-1657

- (f) SECTION 1152.22(a)(8) LIST OF ALL UNITED STATES POSTAL ZIP CODES THAT THE LINE PROPOSED FOR ABANDONMENT TRAVERSES:

United States Postal Zip codes 60622 and 60647.

- (g) SECTION 1152.22(e)(4) STATEMENT OF WHETHER THE PROPERTIES PROPOSED TO BE ABANDONED ARE SUITABLE FOR USE FOR OTHER PUBLIC PURPOSES, INCLUDING ROADS OR HIGHWAYS, OTHER FORMS OF MASS TRANSPORTATION, CONSERVATION, ENERGY PRODUCTION OR TRANSMISSION, OR RECREATION. IF THE APPLICANT IS AWARE OF ANY RESTRICTION ON TITLE TO THE PROPERTY, INCLUDING ANY REVERSIONARY INTEREST, WHICH WOULD AFFECT THE TRANSFER OF TITLE OR THE USE OF THE PROPERTY FOR OTHER THAN RAIL PURPOSES, THIS SHALL BE DISCLOSED.

The property proposed to be abandoned may be suitable for other public uses. Soo Line is not currently aware of any restriction on title to the property, including any reversionary interest, which would affect the transfer of title or the use of the property for other than rail purposes.

5. SECTION 1152.50(d)(2) THE LEVEL OF LABOR PROTECTION.

Soo Line understands that in granting an exemption for the proposed abandonment, the Board does not relieve a carrier of its statutory obligation to protect the interests of employees. Accordingly, while Soo Line anticipates that no adverse effect to its employees will occur as the result of this abandonment, it understands that the Board will likely impose the conditions set forth in *Oregon Short Line Railroad Company - Abandonment – Goshen*, 360 I.C.C. 91 (1979), for the benefit of any carrier employee who may be adversely affected by the proposed abandonment.

6. SECTION 1105.7(c) CERTIFICATE OF SERVICE OF ENVIRONMENTAL REPORT AND HISTORIC REPORT.

An Environmental Report and Historic Report was prepared in accordance with 49 C.F.R. Sections 1105.7 and 1105.8 and served on the Board and all relevant parties on September 26, 2012, pursuant to 49 C.F.R. Section 1105.7(b). Applicant's certification pursuant to 49 C.F.R. Section 1105.7(c) is attached as Exhibit No. 4.

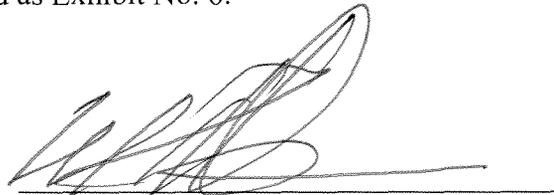
7. SECTION 1105.12 PUBLICATION OF NEWSPAPER NOTICE.

A notice in accordance with Section 1105.12 was published in a newspaper of general circulation in Cook County, Illinois on September 25, 2012. A copy of said notice with the required Certification are attached as Exhibit No. 5.

8. VERIFICATION.

The required Verification is attached as Exhibit No. 6.

Dated: October 17, 2012



W. Karl Hansen
LEONARD, STREET AND DEINARD
Professional Association
150 South Fifth Street, Suite 2300
Minneapolis, MN 55402
Tel.: (612) 335-7088
Fax: (612) 335-1657

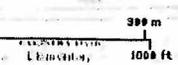
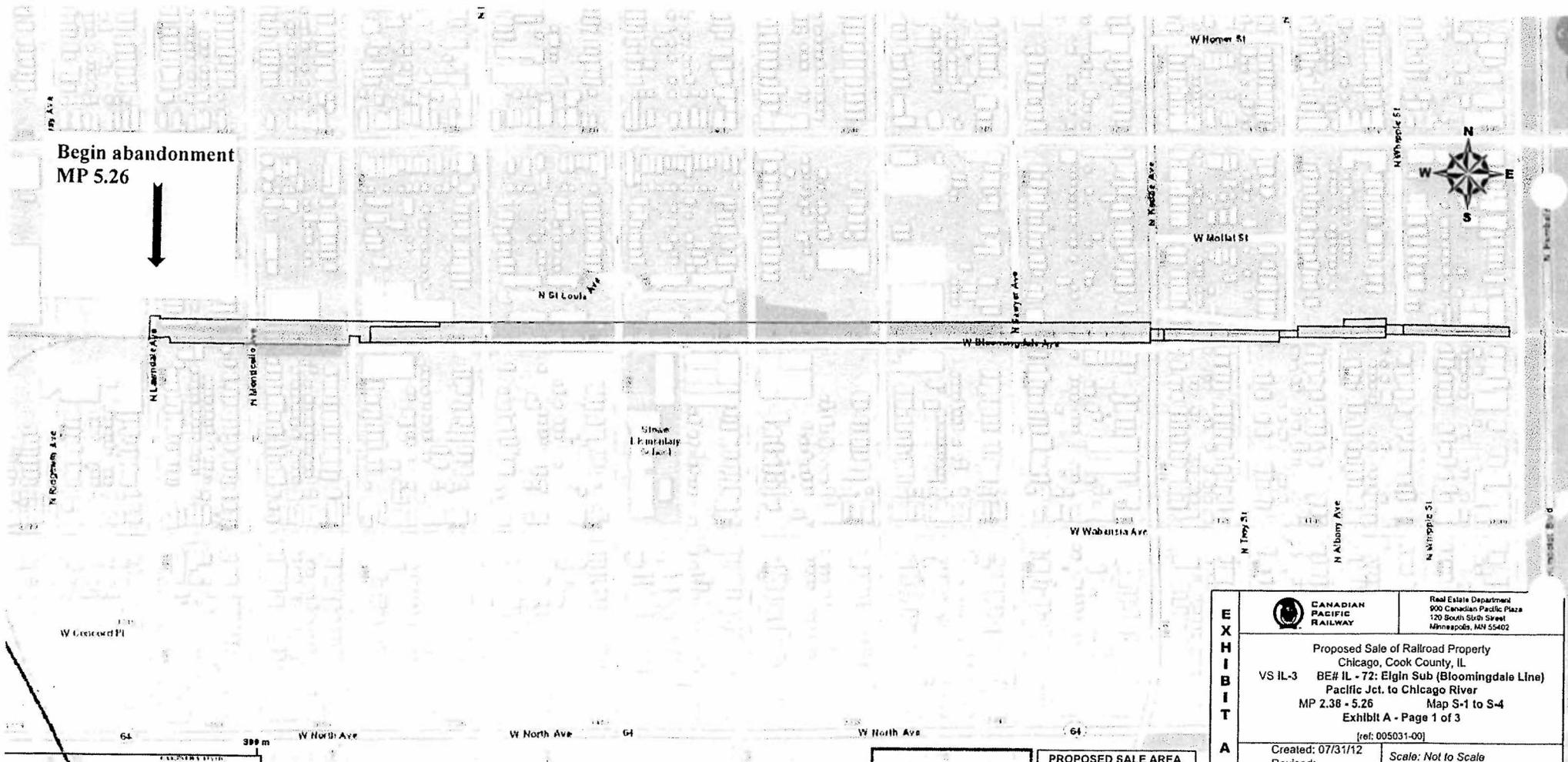
Counsel for Soo Line Railroad Company

Exhibit No. 1

Detailed Exhibit Map for Verified Notice of Exemption

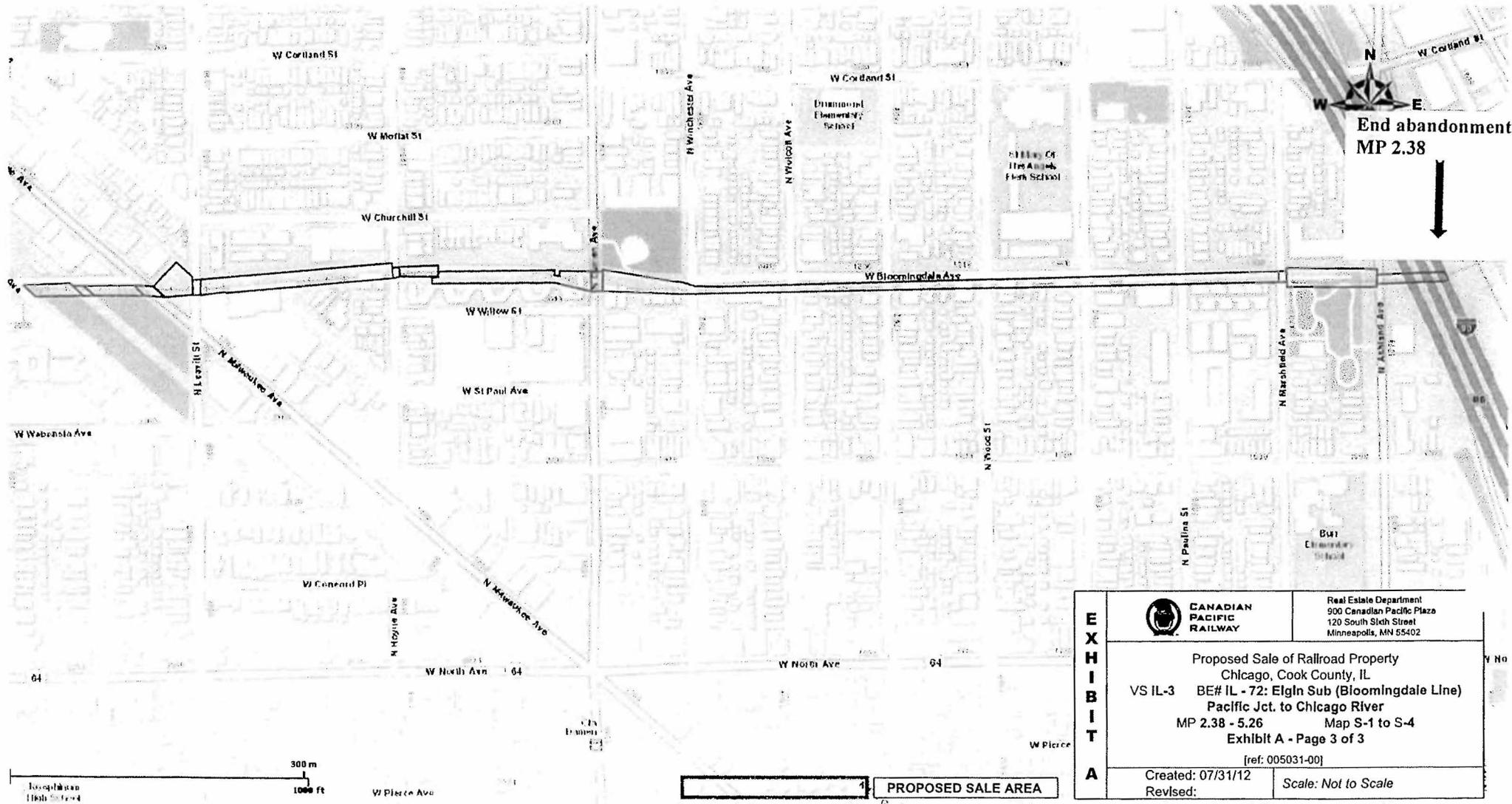
49 C.F.R. Sections 1152.50(d)(2) and 1152.22 (a)(5)

Begin abandonment
MP 5.26



PROPOSED SALE AREA

E X H I B I T A	 CANADIAN PACIFIC RAILWAY	Real Estate Department 900 Canadian Pacific Plaza 120 South Sixth Street Minneapolis, MN 55402
	Proposed Sale of Railroad Property Chicago, Cook County, IL VS IL-3 BE# IL - 72: Elgin Sub (Bloomingdale Line) Pacific Jct. to Chicago River MP 2.38 - 5.26 Map S-1 to S-4 Exhibit A - Page 1 of 3 [ref: 005031-00]	
	Created: 07/31/12 Revised:	Scale: Not to Scale



N
W E
End abandonment
MP 2.38
↓

PROPOSED SALE AREA

E X H I B I T A	 CANADIAN PACIFIC RAILWAY	Real Estate Department 900 Canadian Pacific Plaza 120 South Sixth Street Minneapolis, MN 55402	
	Proposed Sale of Railroad Property Chicago, Cook County, IL VS IL-3 BE# IL - 72: Elgin Sub (Bloomingdale Line) Pacific Jct. to Chicago River MP 2.38 - 5.26 Map S-1 to S-4 Exhibit A - Page 3 of 3 [ref: 005031-00]		
	Created: 07/31/12 Revised:	Scale: Not to Scale	
	W Pierce Ave		

Exhibit No. 2

Certification of Proper Service of Written
Notice of Intent to Abandon under the Exemption Process

49 C.F.R. Section 1152.50(d)(1)

CERTIFICATE OF COMPLIANCE WITH SERVICE REQUIREMENT FOR
NOTIFICATION OF INTENT TO FILE EXEMPTION ABANDONMENT

The undersigned hereby certifies that he served the Notice of Intent to File Verified Notice of Exemption for the proposed abandonment in Docket No. AB-57 (Sub-No. 60X) via first class U.S. Mail, on October 3, 2012, as required by 49 C.F.R. Section 1152.50(d)(1), to the parties listed on the attached Service List.

Dated: October 17, 2012



W. Karl Hansen
LEONARD, STREET AND DEINARD
Professional Association
150 South Fifth Street, Suite 2300
Minneapolis, MN 55402
Tel.: (612) 335-7088
Fax: (612) 335-1657

Counsel for Soo Line Railroad Company

SERVICE LIST
NOTICE OF INTENT TO FILE EXEMPT ABANDONMENT
Soo Line Railroad Company – Abandonment of
Trackage Located in Cook County, Illinois
STB Docket No. AB-57 (Sub-No. 60X)

ILLINOIS PUBLIC SERVICE COMMISSION (OR EQUIVALENT AGENCY)

Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

U.S. DEPARTMENT OF DEFENSE

Office of Special Assistant for Transportation Engineering
Surface Deployment and Distribution Command
Transportation Engineering Agency
Railroads for National Defense Program
709 Ward Drive, Building 1990
Scott AFB, IL 62225

NATIONAL PARK SERVICE, RECREATION RESOURCES ASSISTANCE DIVISION

National Center for Recreation and Conservation
U.S. Department of the Interior
National Park Service
1849 C Street N.W.
Org. Code 2220
Washington, DC 20240

U.S. DEPARTMENT OF AGRICULTURE, CHIEF OF THE FOREST SERVICE

Tom Tidwell, Chief
Forest Service
U. S. Department of Agriculture
Sidney R. Yates Federal Building
201 14th Street, S.W.
Washington, DC 20024

Exhibit No. 3

Carrier Certification of Out-of-Service Status/Local
Traffic/Overhead Traffic/No Complaints

49 C.F.R. Section 1152.50(b)

CERTIFICATION THAT RAIL LINE MEETS
CRITERIA OF 49 C.F.R. SECTION 1152.50(b)

I, David S. Drach, Director Real Estate U.S. for Soo Line Railroad Company, hereby certify that with respect to the trackage that is the subject of this Verified Notice of Exemption in Docket AB-57 (Sub-No. 60X), Soo Line has had no movements over the subject trackage in at least two years. No local traffic has been handled to or from any customer for at least two (2) years prior to the date hereof and any overhead traffic routed over this line can be and has been rerouted over other lines. Further, I certify that no formal complaint has been filed by a user of rail service on the line (or a State or local government entity acting on behalf of such user) regarding cessation of service over the line segment and that no such complaint is either pending with the Commission or any U.S. District Court or has been decided in favor of a complainant within the two-year period immediately preceding the filing of this Notice.

The foregoing Certification is made on behalf of Soo Line Railroad Company and Canadian Pacific by the undersigned after due and careful investigation of the matters herein certified. I verify under penalty of perjury under the laws of the United States of America, that I have been authorized by Soo Line Railroad Company to verify and file with the Surface Transportation Board the foregoing statement; that I know the contents thereof and the facts asserted therein; that I declare that the foregoing is true and correct.

Date: October 12, 2012



David S. Drach
Director Real Estate U.S.

Exhibit No. 4

Certification of Proper Service of
Environmental and Historic Reports

49 C.F.R. Section 1105.7(c)

CERTIFICATE OF COMPLIANCE WITH SERVICE REQUIREMENT FOR
ENVIRONMENTAL AND HISTORIC REPORTS

The undersigned hereby certifies that he served the Environmental and Historic Reports in Docket No. AB-57 (Sub-No. 60X) with a transmittal letter conforming to the requirements of 49 C.F.R. § 1105.11 via first class U.S. Mail, on September 26, 2012, as required by 49 C.F.R. § 1105.7(c) and 49 C.F.R. § 1105.8, to the parties listed on the attached Service List.

Dated: October 17, 2012



W. Karl Hansen
LEONARD, STREET AND DEINARD
Professional Association
150 South Fifth Street, Suite 2300
Minneapolis, Minnesota 55402
Tel: (612) 335-7088
Fax: (612) 335-1657

SERVICE LIST
ENVIRONMENTAL AND HISTORIC REPORT
Soo Line Railroad Company – Abandonment of
Trackage Located in Cook County, Illinois
STB Docket No. AB-57 (Sub-No. 60X)

Appropriate Regional Office(s) of the
U.S. Environmental Protection Agency

US EPA Region 5
Ralph Metcalfe Federal Building
Office of Strategic Environmental Analysis
77 West Jackson Blvd.
Mailcode B-19J
Chicago, IL 60604-3590

U.S. Fish and Wildlife Service

U.S. Fish & Wildlife Service, Midwest Region
Regional Director Tom Melius
5600 American Blvd West, Ste 900
Bloomington, MN 55437-1458

U.S. Army Corps of Engineers - Chicago, IL District Office

U.S. Army Engineer District, Chicago
ATTN: Public Affairs Office
111 North Canal Street
Suite 600
Chicago, IL 60606-7206

National Park Service

Michael Reynolds, Regional Director
Midwest Park Service
National Park Service
601 Riverfront Drive
Omaha, NE 68102-4226

U.S. Soil Conservation Service

Natural Resources Conservation Service
2118 West Park Court
Champaign, IL 61821
Attn: Gary Struben - State Soil Scientist

National Geodetic Survey (as designated agent for the National Geodetic Survey and the U.S. Geological Survey)

National Oceanic and Atmospheric Administration
Geodetic Services Division
Room 9292, NGS/12
East-West Highway
Silver Spring, MD 20910-3282

STATE AGENCIES CONSULTED

State Clearinghouse

Illinois State Clearinghouse
Office of the Governor
State of Illinois 207- Statehouse
Springfield, IL 62706

State Department of Transportation for Illinois

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

State Environmental Protection Agency for Illinois

Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

State Historic Preservation Office for Illinois

Illinois State Historic Preservation Officer
Illinois Historic Preservation Agency
Preservation Services
#1 Old State Capitol Plaza
Springfield IL 62701-1507

State Coastal Zone Management Agency

Illinois Department of Natural Resources
Coastal Management Program Office
160 N. LaSalle Street, Suite S-700
Chicago, Illinois 60601
Attn: Diane Tecic, Program Manager

State Water Quality Official

Illinois Department of Natural Resources
Office of Water Resources
160 N. LaSalle St - Suite S-700
Chicago, Illinois 60601

Other Political Entities and/or Indian Reservations through which the line runs

Cook County

The Honorable Toni Preckwinkle
Cook County Board of Commissioners – President
118 N. Clark Street Room 537
Chicago, IL 60602

City of Chicago

Steven Holler
City of Chicago
Law Department - Real Estate Division
121 North LaSalle, Rm. 600
Chicago, IL 60602

Regional Railroad Authority

Regional Transportation Authority
Administrative Offices
175 W. Jackson Blvd, Suite 1650
Chicago, IL 60604

Exhibit No. 5

Certificate of Publication of
Newspaper Notice

49 C.F.R. Section 1105.12

CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-57 (Sub-No. 60X) was advertised in a newspaper of general circulation in all counties through which the line which is the subject of this Notice runs, as required by 49 C.F.R. Section 1105.12. Copies of the Affidavit of Publication and Notice are attached.

Dated: October 17, 2002



W. Karl Hansen
LEONARD, STREET AND DEINARD
Professional Association
150 South Fifth Street, Suite 2300
Minneapolis, MN 55402
Tel.: (612) 335-7088
Fax: (612) 335-1657

LEONARD STREET AND DEINARD
BLOOMINGDALE ABANDONMENT

ADORDERNUMBER: 0000406229-01

PO NUMBER: BLOOMINGDALE ABANDONMENT

AMOUNT: \$1,672.00

NO OF AFFIDAVITS: 1

Sun Times Media

Chicago Sun-Times

Certificate of Publication

State of Illinois - County of Cook

Chicago Sun-Times, does hereby certify it has published the attached advertisements in the following secular newspapers. All newspapers meet Illinois Compiled Statute requirements for publication of Notices per Chapter 715 ILCS 5/0.01 et seq. R.S. 1874, P728 Sec 1, EFF. July 1, 1874. Amended by Laws 1959, P1494, EFF. July 17, 1959. Formerly Ill. Rev. Stat. 1991, CH100, PI.

Note: Notice appeared in the following checked positions.

PUBLICATION DATE(S): 09/25/2012

Chicago Sun-Times

NOTICE

Soo Line Railroad Company, (d/b/a Canadian Pacific) gives notice that on or about October 15, 2012, it intends to file with the Surface Transportation Board, Washington, DC 20423, a Notice of Exemption under 49 C.F.R. 1152 Subpart F - Exempt Abandonments permitting the abandonment of 2.88 miles +/- feet of rail line between milepost 2.38 +/- and milepost 5.26 +/- which traverses through United States Postal Service Zip Codes 60622 and 60647 in Cook County, Illinois. The proceeding will be docketed as No. AB 57 (Sub No. 60X). The Board's Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the Notice of 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 Office of Environmental Analysis (OEA), Surface Transportation Board, 395 E Street, S.W. Washington, DC, 20423, or by calling that office at 202 245 0295.

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 Section of Administration, Office of Proceedings, 395 E Street, S.W., 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 trails use may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compliance Services at 202 245 0238. Copies of any comments or requests for conditions should be served on the applicant's representative, W. Karl Hansen at Leonard, Street and Deinard, 150 South Fifth Street, Suite 2300, Minneapolis, MN 55402, 612-335-1500. 9/25/12 406229

Soo Line Railroad Company
(d/b/a Canadian Pacific)
Minneapolis, Minnesota

IN WITNESS WHEREOF, the undersigned, being duly authorized, has caused this Certificate to be signed and notarized

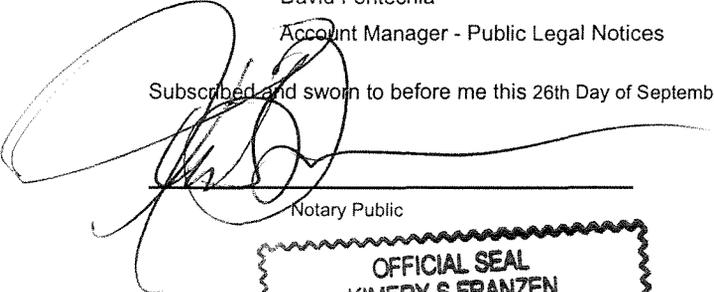
By



David Fontechia

Account Manager - Public Legal Notices

Subscribed and sworn to before me this 26th Day of September 2012 A.D.



Notary Public

LEONARD STREET AND DEINARD
150 S FIFTH STR
STE 2300
MINNEAPOLIS, MN 55402

OFFICIAL SEAL
KIMERY S FRANZEN
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES: 10/16/16

Exhibit No. 6
Verification Regarding
Facts of Verified Notice of Exemption

VERIFICATION

I, David S. Drach, Director Real Estate U.S. for Soo Line Railroad Company, hereby verify that I have carefully examined all of the statements concerning the operations of Soo Line in the Verified Notice of Exemption, including the map attached as Exhibit No. 1 to the Notice; that I have knowledge of the matters set forth therein; and that all such statements made and matters set forth are true and correct to the best of my knowledge, information, and belief.

The foregoing is made on behalf of Soo Line Railroad Company by the undersigned after due and careful investigation of the matters herein certified. I verify under penalty of perjury under the laws of the United States of America, that I have been authorized by Soo Line Railroad Company to verify and file with the Surface Transportation Board the foregoing statement; that I know the contents thereof and the facts asserted therein; that I declare that the foregoing is true and correct.

Date: October 12, 2012



David S. Drach
Director Real Estate U.S.