

UNION PACIFIC RAILROAD
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Senior General Attorney, Law Department

238182

April 9, 2015

ENTERED
Office of Proceedings
April 9, 2015
Part of
Public Record

VIA E-FILING

The Honorable Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E Street, S.W., Room #100
Washington, DC 20423-0001

RE: Abandonment of and Discontinuance of Service on the Hartland Subdivision, from M.P. 119.65 near Albert Lea to the end of Union Pacific ownership at M.P. 107.0 near Hartland, a distance of 12.65 miles in Freeborn County, Minnesota; STB Docket No. AB-33 (Sub-No. 298X)

Dear Ms. Brown:

Union Pacific Railroad Company ("Union Pacific") has received the executed Joint Notice of Interim Trail Use / Rail Banking Agreement Between Union Pacific Railroad Company and Freeborn County, Minnesota in Accordance with 49 C.F.R. 1152.29(h) which is attached hereto and hereby made a part of this e-filing. As indicated in Union Pacific's filing in this matter with the Board dated December 5, 2014, it is hereby reaffirmed by Union Pacific that for railroad operation and safety reasons, the milepost references for the Trail Agreement was set at M.P. 107.00 to M.P. 119.50, a distance of 12.50 miles. Madison Avenue is now the southern end of the trail. Union Pacific will retain the portion of the Line from M.P. 119.50 to 119.65 in its railroad operating system and this small segment will neither be sold nor abandoned.

Sincerely yours,



Mack H. Shumate, Jr.

MHS/ev
Attachment

cc: Freeborn County Minnesota

Joint Notice of Interim Trail



March ~~30~~, 2015

VIA E-FILE

The Honorable Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E. Street, S.W., Room #100
Washington, DC 20423-0001

**JOINT NOTICE OF INTERIM TRAIL USE / RAIL BANKING AGREEMENT
BETWEEN UNION PACIFIC RAILROAD COMPANY AND
FREEBORN COUNTY, MINNESOTA IN ACCORDANCE WITH 49 C.F.R. 1152.29(h)**

**Re: Abandonment of and Discontinuance of Service on the Hartland Subdivision from
M.P. 119.5 near Albert Lea to M.P. 107.0 near Hartland, in Freeborn County,
Minnesota; STB Docket No. AB-33 (Sub-No. 298X)**

Dear Ms. Brown:

Union Pacific Railroad Company ("Union Pacific") and Freeborn County, Minnesota ("Freeborn County") have entered into a trail use/rail banking agreement (the "Trail Use Agreement") covering the rail line from milepost 119.5 near Albert Lea, Minnesota to milepost 107.0 near Hartland, Minnesota, on Union Pacific's Hartland Subdivision for a total distance of 12.5 miles (the "Line"). Attached to this Joint Notice as **Exhibit A** and hereby made a part hereof is a map depicting an accurate description of the Line, including mileposts, that is the subject of said Trail Use Agreement. In accordance with the requirements of 49 C.F.R. 1152.29(h), Union Pacific and Freeborn County hereby certify that the Trail Use Agreement includes a provision requiring the trail sponsor, Freeborn County, to fulfill the responsibilities described at 49 C.F.R. 1152.29(a) (3). A copy of Freeborn County's Statement of Willingness to Assume Financial Responsibility under the Trail Use Agreement is attached hereto as **Exhibit B** and is hereby made a part hereof.

Sincerely,

UNION PACIFIC RAILROAD COMPANY



Senior Counsel-Real Estate

Sincerely,

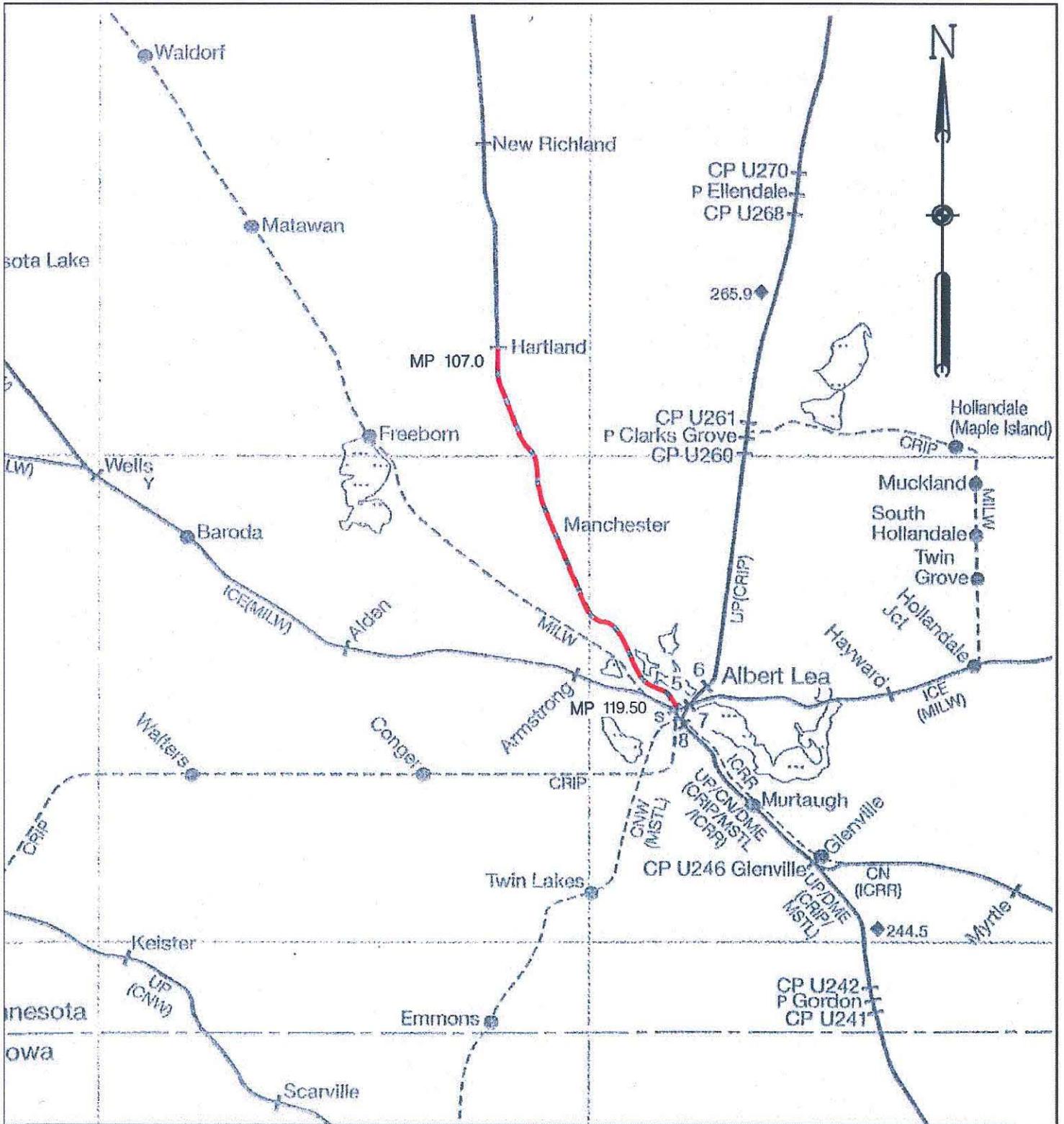
FREEBORN COUNTY, MINNESOTA

By: 
Title: CHAIRMAN

Enclosure

EXHIBIT A TO
JOINT NOTICE

MAP DEPICTING RIGHT-OF-WAY



NOT TO SCALE

LEGEND

LINE SALE SHOWN



EXHIBIT "A"

UNION PACIFIC RAILROAD CO.

ALBERT LEA - HARTLAND, FREEBORN COUNTY, MN.

M.P. 107.0-119.50 +- HARTLAND SUB.

MSL MN V 1B /23-26

REAL ESTATE DEPARTMENT OMAHA NE.

FILE #2349-82 DATE: 6-28-2011 T.D.A.

EXHIBIT B TO
JOINT NOTICE

**Freeborn County Statement of Willingness
To Assume Financial Responsibility**

Freeborn County, through authorization by The Freeborn County Board, acquired the Line as defined below on March 26, 2015 under a Donation and Purchase and Sale Agreement between Union Pacific Railroad Company and Freeborn County dated December 19, 2014.

In order to establish interim trail use and rail banking under 16 U.S.C. 1247(d) and 49 CFR 1152.29 with respect to the right-of-way owned by Union Pacific Railroad Company, Freeborn County hereby represents to the Surface Transportation Board and Union Pacific Railroad Company that Freeborn County assumes responsibility for (1) managing the right-of-way, (2) any legal liability arising out of the transfer or use of the right-of-way (unless the sponsor is immune from liability, in which case it need only indemnify Union Pacific Railroad Company against any potential liability), and (3) the payment of any and all taxes that may be levied or assessed against the right of way. The right of way is known as the Hartland Subdivision from milepost 119.5 near Albert Lea, Minnesota to milepost 107.0 near Hartland, Minnesota, and extends for a total distance of 12.5 miles in Freeborn County, Minnesota (the "Line"). The right-of-way is part of a line of railroad abandoned by Union Pacific Railroad Company in Docket No. STB AB 33 (Sub No. 298X). A map of the property depicting the right-of-way is attached hereto as **Exhibit A** and is hereby made a part hereof.

Freeborn County acknowledges that use of the right-of-way is subject to Freeborn County's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service. A copy of this statement is being served on the railroad on the same date it is being served on the Surface Transportation Board.

FREEBORN COUNTY, MINNESOTA

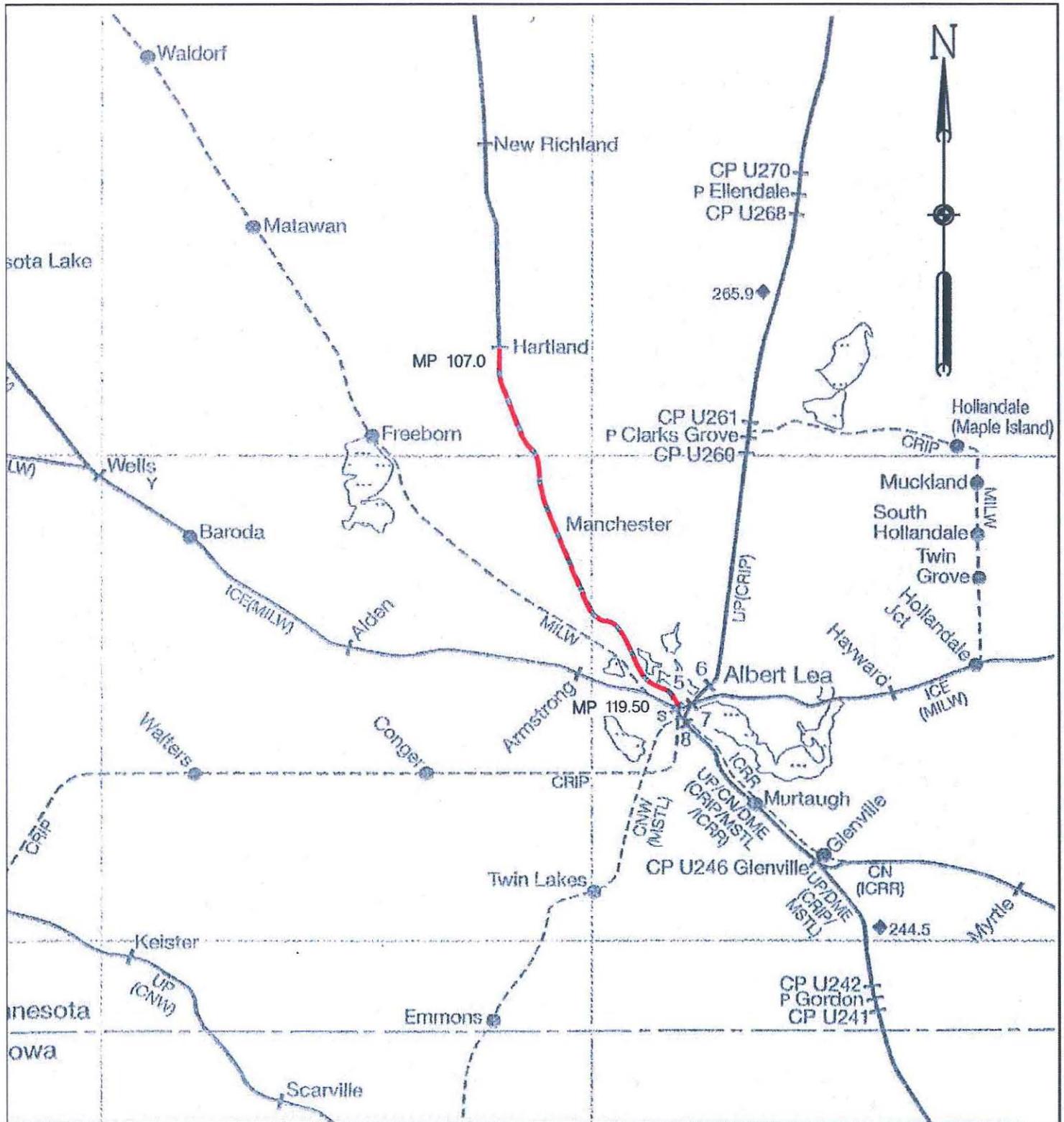
By: Mike See

Title: CHAIRMAN

Agreed to and Acknowledged by Union Pacific Railroad Company this 30th day of March, 2015.

By: Phil R. Mc

Title: Senior Counsel - Real Estate



NOT TO SCALE

LEGEND

LINE SALE SHOWN



EXHIBIT "A"

UNION PACIFIC RAILROAD CO.

ALBERT LEA - HARTLAND, FREEBORN COUNTY, MN.

M.P. 107.0-119.50 +- HARTLAND SUB.

MSL MN V 1B /23-26

REAL ESTATE DEPARTMENT OMAHA NE.

FILE #2349-82 DATE: 6-28-2011 T.D.A.