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VIA U.P.S. OVERNIGHT DELIVERY

SURFACE  
TRANSPORTATION BOARD

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SURFACE  
TRANSPORTATION BOARD

Mr. Vernon Williams, Secretary  
Surface Transportation Board  
Section of Environmental Analysis  
1925 "K" St., N.W., Room 504  
Washington, DC 20423-0001

**RE: Docket AB-33(Sub-No.171X), Union Pacific Railroad Company -  
Abandonment Exemption - In Washington County, IL (Sparta Branch  
from Milepost 41.1 near Oakdale, IL to the end of the track at Milepost  
23.0 near Hoyleton, IL), a distance of 18.10 miles**

Dear Mr. Williams:

Pursuant to the Board's exemption procedures for abandonment of rail lines with no local business for at least two years, (49 C.F.R. 1152.50), enclosed are an original and ten (10) copies of a verified Notice of Exemption, including a Certificate of Service and Publication.

Please file the Notice of Exemption in Docket No. AB-33(Sub-No. 190X). Enclosed is a check for \$2,700.00 for the filing fee. Three (3) computer disks, in WordPerfect format, are included for the Board's use.

Sincerely yours,

Mack H. Shumate, Jr.  
Senior General Attorney

Enclosures

O:\ABANDONMENT\33-171x\STB4.wpd

Mack H. Shumate, Jr.  
Senior General Attorney, Law Department

UNION PACIFIC RAILROAD  
101 N. Wacker Dr., Rm. 1920, Chicago, IL 60606-1718  
ph. (312) 777-2055 fx. (312) 777-2065

Before the  
SURFACE TRANSPORTATION BOARD

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Docket No. AB-33 (Sub-No. 171X)

UNION PACIFIC RAILROAD COMPANY  
-- ABANDONMENT EXEMPTION --  
WASHINGTON COUNTY, ILLINOIS  
(SPARTA BRANCH)

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**NOTICE OF EXEMPTION**

UNION PACIFIC RAILROAD COMPANY

Mack H. Shumate, Jr., Senior General Attorney  
101 North Wacker Drive, Room 1920  
Chicago, Illinois 60606  
(312) 777-2055  
(312) 777-2065 FAX

Dated: July 11, 2003  
Filed: July 14, 2003

Before the  
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 171X)

UNION PACIFIC RAILROAD COMPANY  
-- ABANDONMENT EXEMPTION --  
IN WASHINGTON COUNTY, ILLINOIS  
(SPARTA BRANCH)

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WASHINGTON  
D.C.

**NOTICE OF EXEMPTION**

Union Pacific Railroad Company ("UP") submits this verified Notice of Exemption pursuant to 49 § C.F.R. 1152, Subpart F -- Exempt Abandonments and Discontinuances of Service and Trackage Rights, for an exempt abandonment of the Sparta Branch from milepost 41.1 near Oakdale to the end of the track at milepost 23.0 near Hoyleton, a distance of 18.10 miles in Washington County, Illinois, (the "Line").

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

The abandonment is proposed to be consummated on or after September 2, 2003 (at least 50 days after filing the Notice of Exemption).

**Certification: 49 C.F.R. 1152.50(b)**

UP certifies that no local traffic has moved over the Line for at least two years; and that no formal complaint filed by a user of rail service on the Line (or filed by a state or local governmental entity acting on behalf of such user) regarding cessation of service over the Line either is pending with this Board or any U.S. District Court or has been decided in favor of the complainant within the two-year period. The Line has not been used as an overhead route for the past two (2) years.

**Additional Information Required: 49 C.F.R. 1152.22(a)(1)-(4), (7)-(8) and (e)(4)**

(a) General.

(a)(1) The railroads' exact name is Union Pacific Railroad Company.

(a)(2) UP is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

(a)(3) UP intends to abandon the Line from milepost 41.1 near Oakdale, to Milepost 23.0 near Hoyleton, a distance of 18.10 miles. The Line is located in Washington County, Illinois.

(a)(4) A map showing the location of the Line in conjunction with other rail lines, highways and major roads in the area is attached hereto as **Exhibit A** and hereby made a part hereof.

(a)(7) The representative to whom correspondence regarding this abandonment should be sent is:

Mack H. Shumate, Jr., Senior General Attorney  
Union Pacific Railroad Company  
101 North Wacker Drive, Room 1920  
Chicago, Illinois 60606  
(312) 777-2055  
(312) 777-2065 FAX

(a)(8) ZIP Code. The Line traverses U. S. Postal Service Zip Codes 62263, 63368 and 62803.

(e)(4) Rural and Community Impact. The Line was constructed by the Centralia & Central Railroad between 1891 and 1893. The Line is laid with a combination of 90-pound and 112-pound jointed and 112-pound welded rail. There appear to be no reasonable alternatives to the abandonment. No local traffic has moved over the Line in the past two years, and there is no overhead traffic on the Line.

Given that the Line has not been used for rail shipments for over twenty-four (24) months, there will be no effect on regional or local transportation systems and patterns and no diversion of traffic to other transportation systems or modes. After abandonment, the closest rail service would be provided by UP near Oakdale, Illinois at the beginning of the abandonment. The immediate area of the Line is served by four highways -- Routes 177, 64, 15 which are east-west routes, and Route 127, which is a north-south route.

Based on information in the UP's possession, the Line proposed for abandonment does not contain federally granted right-of-way. Only a small segment of the Line appears to be suitable for public purposes. The part of the Line running through the town of Nashville, Illinois could be used for roadway and/or utility corridor purposes. Title to approximately half the Line is reversionary in nature. The surrounding area is generally agricultural in nature with mixed residential and wooded areas toward the beginning of the Line abandonment at milepost 32.9 to 41.1. UP is unaware of any adverse effects on local and existing land use plans. Washington County, Illinois officials have been contacted. To date UP has received no response. Any documentation so related to the Line, including real estate documentation, in UP's possession regarding UP's real property interests in the Line will be made available upon request.

#### **Labor Protection**

The interests of railroad employees will be protected by the conditions discussed in Oregon Short Line Railroad Co. -- Abandonment -- Goshen , 360 ICC 91 (1979).

**Certifications**

Attached hereto as **Exhibit B** and hereby made a part hereof is a Certificate of Service and Publication pursuant to the notice requirements of 49 C.F.R. §§ 1152.50(d)(1), 1105.11 and 1105.12.

**Environmental and Historic Report**

A copy of the Transmittal Letter of UP's Combined Environmental and Historic report containing the information required by 49 C.F.R. §§ 1105.7 (e) and 1105.8, and delivered in accordance with 49 C.F.R. 1105.11, is attached hereto as **Exhibit C** and hereby made a part hereof. The original and ten (10) copies were sent to Ms. Victoria Rutson, Section of Environmental Analysis (SEA), on May 21, 2003.

Whether or not the Line or any portion thereof is transferred to Washington County, Illinois, all salvage operations, if any, will be performed in accordance with applicable environmental law.

Dated this 11<sup>th</sup> day of July, 2003.

Respectfully submitted,

UNION PACIFIC RAILROAD COMPANY

  
\_\_\_\_\_  
Mack H. Shumate, Jr.  
Senior General Attorney

**VERIFICATION**

STATE OF NEBRASKA )  
 ) ss:  
COUNTY OF DOUGLAS )

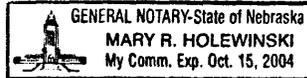
I, RAYMOND E. ALLAMONG, JR., Manager Rail Line Planning of Union Pacific Railroad Company, declare under penalty of perjury, under the laws of the United States of America, that I have read the foregoing document and that its assertions are true and correct to the best of my knowledge, information and belief. I further declare that I am qualified and authorized to submit this verification on behalf of Union Pacific Railroad Company. I know that willful misstatements or omissions of material facts constitute Federal criminal violations punishable under 18 U.S.C. 1001 by imprisonment up to five years and fines up to \$10,000 for each offense. Additionally, I know that these misstatements are punishable as perjury under 18 U.S.C. 1621, which provides for fines up to \$2,000 or imprisonment up to five years for each offense.

Dated at Omaha, Nebraska, this 27th day of June, 2003.

*Raymond E. Allamong, Jr.*  
Raymond E. Allamong, Jr.

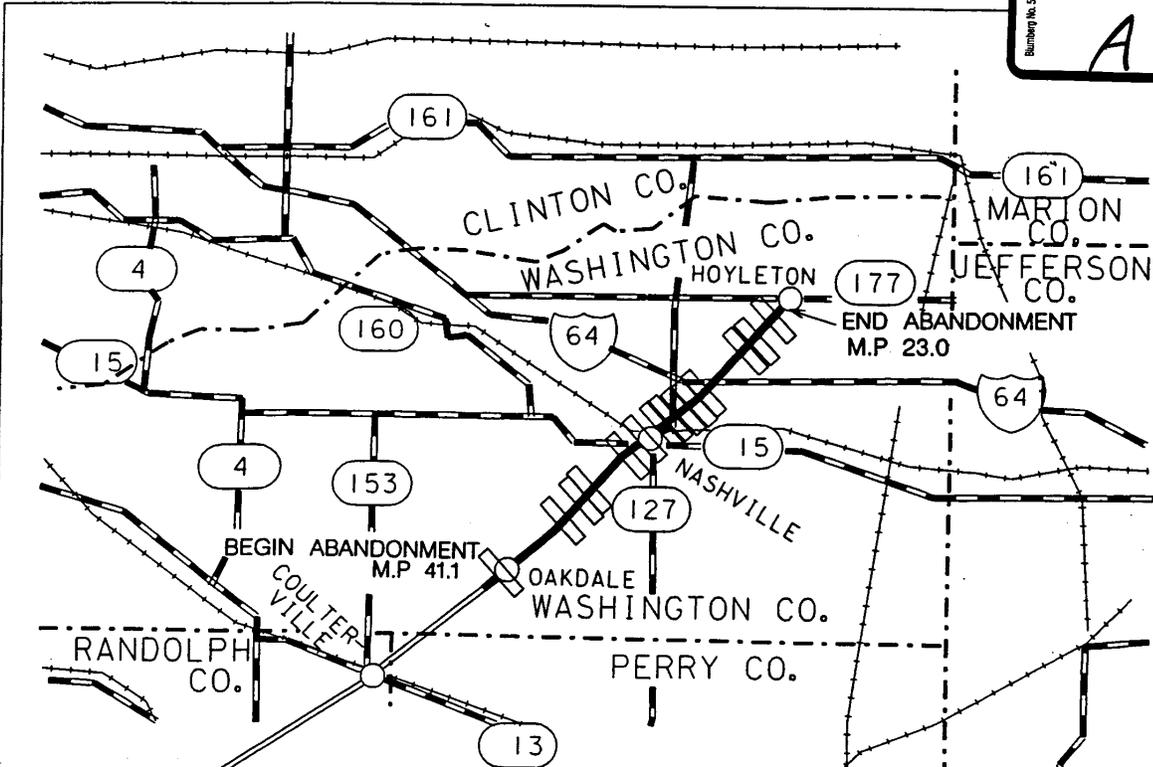
SUBSCRIBED AND SWORN TO  
before me this 27th day of  
June, 2003.

*Mary R. Holewinski*  
\_\_\_\_\_  
Notary Public



My Commission expires: October 15, 2004

EXHIBIT  
A



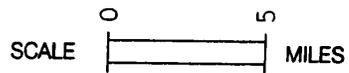
BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
23.8	TIMBER PILE TRESTLE - OPEN DECK	34'-8"	1951
25.3	TIMBER PILE TRESTLE - OPEN DECK	77'-7"	1950
25.5	TIMBER PILE TRESTLE - OPEN DECK	34'-11".0'	1950
28.3	TIMBER PILE TRESTLE - OPEN DECK	25'-1"	1910
28.6	TIMBER PILE TRESTLE - OPEN DECK	96'-8"	1941
28.7	TIMBER PILE TRESTLE - OPEN DECK	40'-8"	1941
28.9	TIMBER PILE TRESTLE - OPEN DECK	64'-6"	1914
31.9	TIMBER PILE TRESTLE - OPEN DECK	117'-8"	1910
32.8	TIMBER PILE TRESTLE - OPEN DECK	61'-9"	1910
33.2	TIMBER PILE TRESTLE - OPEN DECK	96'-2"	1939
37.5	TIMBER PILE TRESTLE - OPEN DECK	26'-11"	1939
37.7	TIMBER PILE TRESTLE - OPEN DECK	40'-8"	1939
38.5	TIMBER PILE TRESTLE - OPEN DECK	90'-7"	1949
41.1	TIMBER PILE TRESTLE - OPEN DECK	54'-11"	1937

SPARTA BRANCH  
M.P. 23.0 to M.P. 41.1  
SPARTA BRANCH A TOTAL OF 18.10 MILES  
IN WASHINGTON COUNTY, IL.

STATION	MILE POST	AGENCY
HOYLETON, IL.	23.20	NO
NASHVILLE, IL.	32.60	NO
OAKDALE, IL.	40.90	NO

- LEGEND
- UPRR LINES TO BE ABANDONED
  - OTHER UPRR LINES
  - OTHER RAILROADS
  - 50+ YEAR OLD STRUCTURES
  - PRINCIPAL HIGHWAYS

UNION PACIFIC RAILROAD CO.  
SPARTA BRANCH  
INCL. 50+ YEAR OLD STRUCTURES



AB0014\_SPATADGN

Revised: April 8, 2003

**DOCKET NO. AB-33 (SUB-NO. 171X)  
Sparta Branch in Washington County, IL**

**CERTIFICATE OF SERVICE AND PUBLICATION**

**49 C.F.R. § 1152.50(d)(1) - Notice**

The undersigned certifies that on June 27, 2003 (at least 10 days before a Notice of Exemption is filed), written notice was given of Union Pacific's intent to use the exemption notice procedure to abandon the Sparta Branch in Washington County, Illinois in Docket No. AB-33 (Sub-No. 171X). Written notice (a copy of which is attached hereto as Attachment 1) was served on the following:

Allyn Lepeska  
Office of General Counsel  
Wisconsin Department of Transportation  
PO Box 7910  
Madison, WI 53707

U.S. Department of Agriculture  
Chief of the Forest Service  
4th Floor NW, Auditors Bldg.  
14th Street & Independence Ave., SW  
Washington, D.C. 20250

National Park Service  
William D. Shaddox  
Chief, Land Resources Division  
1849 "C" St., N.W., #MS2540  
Washington, D.C. 20240

Military Traffic Management Command  
Transportation Engineering Agency  
Attn: Railroads for National Defense  
720 Thimble Shoals Blvd., Suite 130  
Newport News, VA 23606-2574

**49 C.F.R. § 1105.11 - Transmittal Letter For Applicant's Report**

The undersigned certifies that on May 21, 2003 (at least 20 days before a Notice of Exemption is filed), a Combined Environmental and Historic Report

pursuant to 49 C.F.R. §§ 1105.7 and 1105.8 was served in Docket No. AB-33 (Sub-No. 171X) for abandonment of the Sparta Branch in Washington County, Illinois on the following:

- (1) State Clearinghouse (or alternate)
- (2) State Environmental Protection Agency
- (3) State Coastal Zone Management Agency
- (4) Head of each County
- (5) U.S. Environmental Protection Agency (regional office)
- (6) U.S. Fish and Wildlife Service
- (7) U.S. Army Corps of Engineers
- (8) National Park Service
- (9) U.S. Natural Resources Conservation Service
- (10) The National Geodetic Survey
- (11) State Historic Preservation Office
- (12) Other Agencies Consulted (as listed)

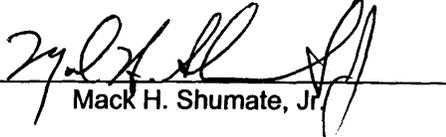
(The Certificate of Service attached to the Combined Environmental and Historic Report lists the names and addresses of the federal, state and local agencies served.)

**49 C.F.R. § 1105.12 - Newspaper Notice**

The undersigned further certifies that a "Notice of Intent to Abandon or to Discontinue Rail Service" was published in the form prescribed by the Board for a Notice of Exemption. The notice was published one time in a major newspaper in the county in which the Line is located as follows:

<u>County</u>	<u>Newspaper</u>	<u>Date</u>
Washington	Nashville News	July 9, 2003

Dated this 11<sup>th</sup> day of July, 2003.

  
Mack H. Shumate, Jr.



May 21, 2003

**VIA U.P.S. OVERNIGHT**

Surface Transportation Board  
Section of Environmental Analysis  
1925 "K" St., N.W., Room 504  
Washington, DC 20423-0001

**Attention:** Victoria Rutson

**RE: Docket AB-33 (Sub-No.171X), Union Pacific Railroad Company -  
Abandonment Exemption - In Washington County, IL (Sparta Branch  
from MP 41.1 at Coulterville, IL to the end of the track at MP 23.0  
near Hoyleton, IL), a distance of 18.10 miles**

Dear Ms. Rutson:

Enclosed for filing in the above-referenced docket is the original and ten (10) copies of a Combined Environmental and Historic Report prepared pursuant to 49 C.F.R. §1105.7 and §1105.8, with a Certificate of Service, and a transmittal letter pursuant to 49 C.F.R. §1105.11.

Union Pacific anticipates filing a Petition for Exemption in this matter on or after June 12, 2003.

Sincerely,

A handwritten signature in black ink, appearing to read "Mack H. Shumate, Jr.".

Mack H. Shumate, Jr.  
Senior General Attorney

Enclosures

Mack H. Shumate, Jr.  
Senior General Attorney, Law Department

UNION PACIFIC RAILROAD  
101 N. Wacker Dr., Rm. 1920, Chicago, IL 60606-1718  
ph. (312) 777-2055 fx. (312) 777-2065

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cc (w/ enclosures):

**State Clearinghouse (or alternate):**

Mr. Steve Klokkenga  
State Single Point of Contact  
Office of the Governor  
State of Illinois  
107 Stratton  
Springfield, IL 62706

**State Environmental Protection Agency:**

Illinois Environmental Protection Agency  
P. O. Box 19276  
Springfield, IL 62794

**State Coastal Zone Management Agency  
(if applicable):**

Mr. Don Vonnahme, Director  
Department of Transportation  
Room 401 - Annex Building  
2300 South Dirksen Parkway  
Springfield, IL 62764

**Head of each County:**

Washington County Board  
245 North Kaskaskia Street  
Nashville, IL 62263

**Environmental Protection Agency**

**(Regional Office):**

U.S. Environmental Protection Agency  
Region V  
77 West Jackson Boulevard  
Chicago, IL 60604

**U.S. Fish and Wildlife:**

U.S. Fish & Wildlife Service, Region 3  
One Federal Drive  
Federal Building  
Fort Snelling, MN 55111

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cc 12

**U.S. Army Corps of Engineers:**

U.S. Army Engineer District, North Central  
111 North Canal Street  
Chicago, IL 60606-7206

**National Park Service:**

William D. Shaddox  
Chief, Land Resources Division  
National Park Service  
Department of the Interior  
1849 "C" Street, N.W., #MS2540  
Washington, D.C. 20240

**U.S. Natural Resources Conservation Service:**

Natural Resource Conservation Service  
1902 Fox Drive  
Champaign, IL 61820

**National Geodetic Survey:**

National Geodetic Survey  
Edward J. McKay, Chief  
Spatial Reference System Division  
NOAA N/NGS2  
1315 E-W Highway  
Silver Spring, MD 20910-3282

**State Historic Preservation Office:**

Illinois Historic Preservation Agency  
1 Old State Capitol Plaza  
Springfield, IL 62701-1507