



213758

April 13, 2005

APR 14 2005
RECEIVED

VIA U.P.S. OVERNIGHT DELIVERY

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

**RE: Docket No. AB-33(Sub-No.219X), Union Pacific Railroad Company
- Abandonment Exemption - - In Douglas and Champaign Counties,
Illinois (Westville Industrial Lead)**

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. 219X). Enclosed is a check for \$3,000.00 for the filing fee. Three (3) computer disks, in Word format, are included for the Board's use.

FILED

Sincerely yours,

Enclosures

cc: All parties of record

O:\Abandonmetns\33-219X\STB-NOEt-Ltr.doc

ENTERED
Office of Proceedings

APR 14 2005

OFFICE OF
Public Records

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

Docket No. AB-33 (Sub-No. 219X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN DOUGLAS and CHAMPAIGN COUNTIES, ILLINOIS
(WESTVILLE INDUSTRIAL LEAD)

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: April 13, 2005
Filed: April 14, 2005

Before the
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 219X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN DOUGLAS and CHAMPAIGN COUNTIES, ILLINOIS
(WESTVILLE INDUSTRIAL LEAD)

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 Westville Industrial Lead from milepost 164.87 at Villa Grove to the end of the track at milepost 155.0, a distance of 9.87 miles in Douglas and Champaign Counties, Illinois, (the "Line").

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

The abandonment is proposed to be consummated on or after June 2, 2005 (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 subject

Line has not been used for freight traffic for at least two years. There is no overhead traffic over the Line.

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 164.87 at Villa Grove to the end of the track at milepost 155.0 near Broadlands, a distance of 9.87 miles in Douglas and Champaign Counties, 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 61818 and 61956.

(e)(4) Rural and Community Impact. The Line was constructed in 1887 by the Chicago, Danville & St. Louis Railroad. The first of four (4) miles of the Line consists of 112-pound welded rail and the balance of the Line consists primarily of 100-pound

jointed rail. There appears to be no reasonable alternative to the abandonment. There has been no local traffic nor overhead traffic for at least two years. After abandonment, the closet rail stations would be Villa Grove on the UP, approximately six (6) miles west of Longview, and Homer on the Norfolk Southern ("NS"), approximately twelve (12) miles northeast of Broadlands.

The Towns of Broadlands and Longview lie on county roads that provide access to state routes. State Route 130 is approximately six (6) miles west of Longview, and State Route 49 is approximately two (2) miles east of Broadlands. Both of these state routes connect to major east-west routes, U.S. 36 on the south and Interstate 74 on the north. In addition, Interstate 57, a major north-south route, can be accessed by either U.S. 36 or Interstate 74.

Based on information in the Applicant's possession, the Line proposed for abandonment does not contain federally granted right-of-way. The title to the property in the proposed abandonment is approximately 75% reversionary and therefore, its use would be restricted as a public road or recreational trail unless it is progressed as a rails to trails corridor. There will be no effect on regional or local transportation systems and patterns and no diversion of traffic to other transportation systems or modes. No one has shown any interest at this time but an effort will be made to contact local agencies. If no interest is generated, the reversionary property will revert and the fee property will be sold to adjacent landowners.

Any documentation so related to the Line, including real estate documentation relating to the Line in UP's possession, will be made available to those requesting it.

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.

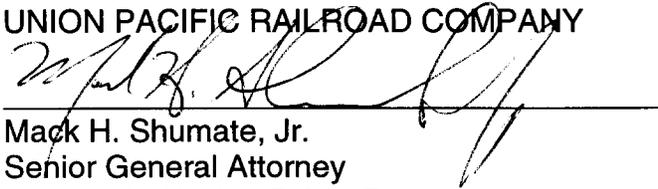
Environmental and Historic Report

A copy of the Transmittal Letter of UP's Combined Environmental and Historic Report ("CEHR") 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 November 1, 2004. The CEHR indicates that the proposed abandonment does not involve historic properties.

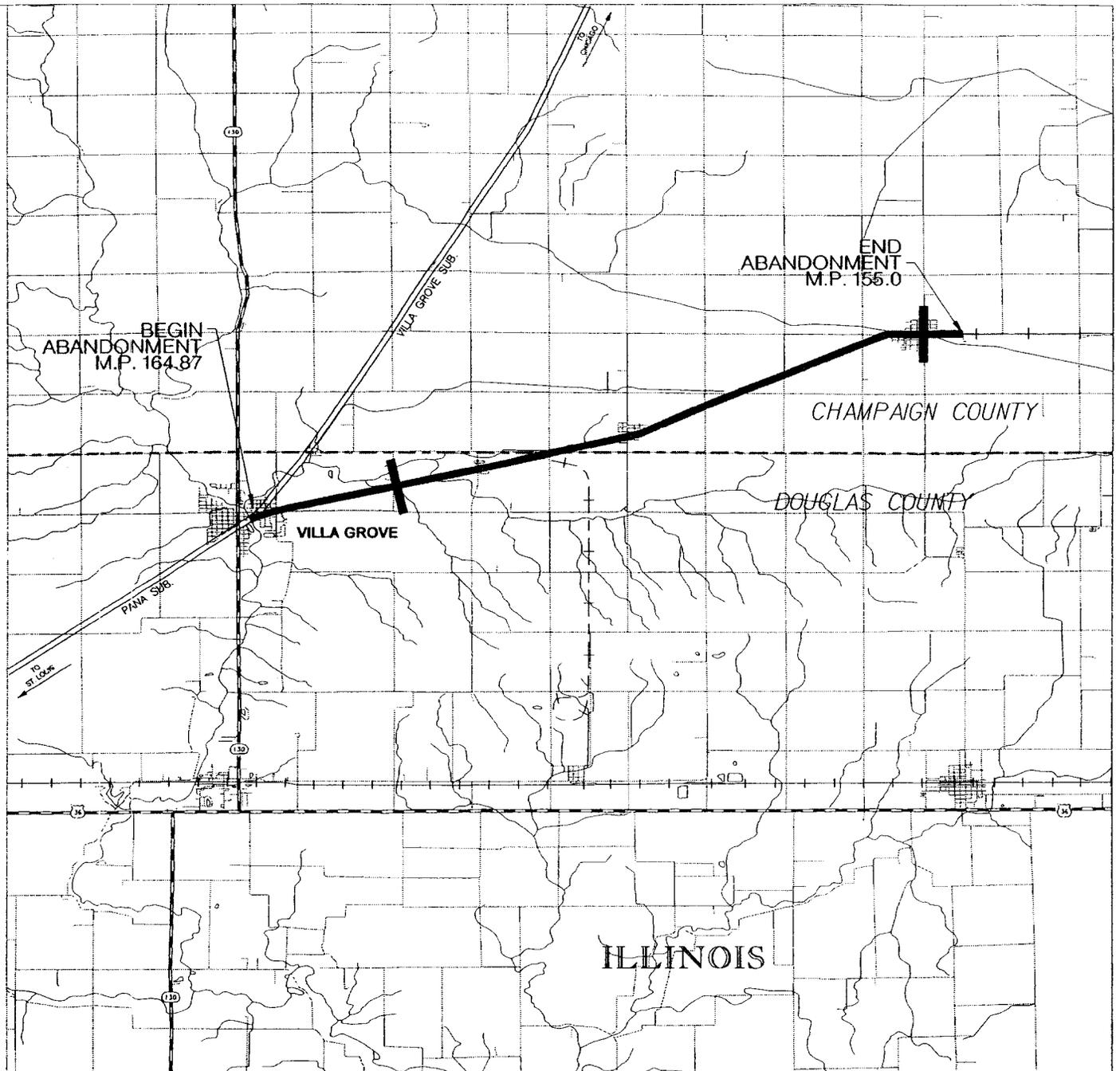
Dated this 13th day of April, 2005.

Respectfully submitted,

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



BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
155.6	1 SPAN TPG-2 SPAN IPTOD	102'	1897
162.9	4 SPAN IPTOD	192'	1948

LEGEND

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

WESTVILLE INDUSTRIAL LEAD

4.11 MILES IN DOUGLAS COUNTY, ILLINOIS
 5.76 MILES IN CHAMPAIGN COUNTY, ILLINOIS
 A TOTAL OF 9.87 MILES

UNION PACIFIC RAILROAD CO.

WESTVILLE INDUSTRIAL LEAD
 VILLA GROVE TO BROADLANDS, ILLINOIS
 INCLUDING 50+ YEAR OLD STRUCTURES



FILE: Q:\abandonments\ab0342_westville.dgn

DATE: 11-Mar-04 14:34

DOCKET NO. AB-33 (SUB-NO. 219X)
Westville Industrial Lead in Douglas and Champaign Counties, IL

CERTIFICATE OF SERVICE AND PUBLICATION

49 C.F.R. § 1152.50(d)(1) - Notice

The undersigned certifies that on March 11, 2005 (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 for discontinuance of service and trackage rights over the Westville Industrial Lead in Douglas and Champaign Counties, Illinois in Docket No. AB-33 (Sub-No. 219X). Written notice (a copy of which is attached hereto as Attachment 1) was served on the following:

Mr. David Lazarides
Illinois Commerce Commission
527 East Capital Avenue
Springfield, IL 62701

William D. Shaddox
Chief, Land Resources Division
National Park Service
1849 "C" St., N. W., #MS3540
Washington, DC 20240

U. S. Department of the Interior
National Park Service
Midwest Regional Office
1709 Jackson Street
Omaha, NE 68102

U. S. Department of the Interior
National Park Service
Midwest Region
601 Riverfront Drive
Omaha, NE 68102-4226

U. S. Department of Agriculture
Chief of the Forest Service
4th Floor N.W., Auditors Building
14th Street and Independence Avenue
Washington, D.C. 20250

Military Traffic Management Command
Transportation Engr. Agency
Railroads for National Defense
720 Thimble Shoals Blvd., Suite 140
Newport News, VA 23606-2574

49 C.F.R. § 1105.11 -

The undersigned certifies that on November 2, 2004 (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. 219X) for abandonment of the Westville Industrial Lead in Douglas and Champaign Counties, 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)

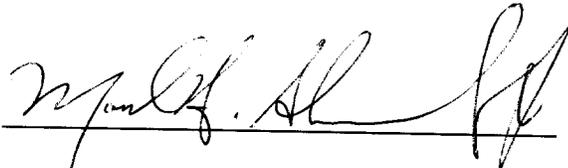
(The Certificate of Service attached to the Combined Environmental and Historic Report lists the names and addresses of the federal, state and local agencies served.)

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>
Douglas	<i>Villa Grove News</i>	March 17, 2005
Champaign	<i>Southern Champaign County Today</i>	March 16, 2005

Dated this 13th day of April, 2005.



 Mack H. Shumate, Jr.



FILE COPY

March 11, 2005

Mr. David Lazarides
 Illinois Commerce Commission
 527 East Capital Avenue
 Springfield, IL 62701

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

National Park Service
 William D. Shaddox
 Chief, Land Resources Division
 1849 "C" St., N. W., #MS3540
 Washington, DC 20240

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

U. S. Department of the Interior
 National Park Service
 Midwest Regional Office
 1709 Jackson Street
 Omaha, NE 68102

U. S. Department of the Interior
 National Park Service
 Midwest Region
 601 Riverfront Drive
 Omaha, NE 68102-4226

**RE: Docket No. AB-33(Sub-No.219X), Union Pacific Railroad Company
 - Abandonment Exemption - In Douglas and Champaign Counties, Illinois
 from M.P. 164.87 to M.P. 155.0 (Westville Industrial Lead)**

Dear Sirs:

This is notice that Union Pacific Railroad Company intends to abandon the Westville Industrial Lead from M. P. 164.87 at Villa Grove to the end of the track at M. P. 155.0 near Broadlands, a distance of 9.87 miles in Douglas and Champaign Counties, Illinois, (the "Line"). The Line traverses U.S. Postal Service Zip Codes 61816 and 61956. The proceeding will be docketed as No. AB-33 (Sub-No. 219X).

The "no business" exemption procedure will be used to abandon the Line, pursuant to the abandonment regulations of the Surface Transportation Board at 49 C.F.R. Section 1152.50. No local traffic has moved over the Line in at least two years and there is no overhead traffic on the rail Line. A Notice of Exemption will be filed with the Surface Transportation Board on or after March 22, 2005.

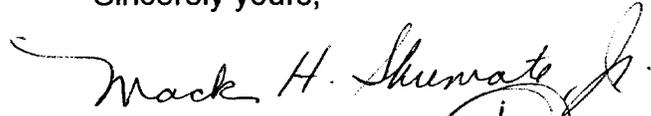
Mack H. Shumate, Jr.
 Senior General Attorney, Law Department

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

Based on information in our possession, the Line does not contain federally granted rights-of-way. Any documentation in the Railroad's possession will be made available promptly to those requesting it.

A map showing the Line to be abandoned is attached, for your information.

Sincerely yours,


Mack H. Shumate, Jr.
Senior General Attorney 

Enclosures

FILE COPY



November 1, 2004

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 No. AB-33(Sub-No.219X), Union Pacific Railroad Company
- **Abandonment Exemption - - In Douglas and Champaign Counties,**
- **Illinois (Westville Industrial Lead)**

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 November 22, 2004.

Sincerely,

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

Enclosures

O:\ABANDONMENTS\33-224X\STB-EHR.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 fax. (312) 777-2065