

218053



# AVIATION TECHNOLOGIES LTD.

P.O. BOX: # 73, Tonopah, Nevada 89049  
Administrative Offices: 4959 - Talbot Lane, Unit # 69, Reno, Nevada 89509  
Aviation Technologies Ltd., "ATL" PRINCIPAL PLACE OF BUSINESS: TONOPAH AIRPORT, NYE COUNTY, NEVADA

**Robert Alan Kemp**

**Chief Executive Officer - Aviation Technologies Ltd.**

[Representing]

## NEVADA CENTRAL RAILROAD

**VIA - IMMEDIATE FAX FILING**

Mr. Vernon A. Williams, Secretary  
Office of the Secretary  
Surface Transportation Board  
1925 - K Street, NW Room: 711  
Washington, D.C. 20423-0001

ENTERED  
Office of Proceedings  
NOV 9 2006  
Part of  
Public Record

(Wednesday), November 8, 2006

RE: Docket No. AB-33 (SUB-NO. 230X)

### Notice of Intent to File: Offer of Financial Assistance

Union Pacific Railroad Company  
-- ABANDONMENT EXEMPTION --

Dear Secretary Williams:

We have enclosed the instant Original and ten copies of: NEVADA CENTRAL RAILROAD's Notice of Intent to File Offer of Financial Assistance in response to Union Pacific Railroad Company's ABANDONMENT EXEMPTION Filed with the Board on October 10<sup>th</sup>, 2006.

If You or Your Staff have any questions or comments, please feel free to contact me personally.

Very truly yours,

Robert Alan Kemp (775) 827- 3258

Acting Representative and Legal Resident Agent for: NEVADA CENTRAL RAILROAD

Enclosures: Notice of Intent to File Offer of Financial Assistance, Verification, Certification of Service  
cc: Mr. John T. Digilio, Jr., Vice Chairman - Director/President, Nevada Central Railroad  
Mr. Joseph Anthony McNulty, III - Director/Vice President, Nevada Central Railroad

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[Representing]

## NEVADA CENTRAL RAILROAD

YIA - FedEx COURIER DELIVERY

(Tuesday), November 7, 2006

Mr. Vernon A. Williams, Secretary  
Office of the Secretary  
Surface Transportation Board  
1925 - K Street, NW Room: 711  
Washington, D.C. 20423-0001

AIRBILL NO: 8563-8736-3589

RE: Docket No. AB-33 (SUB-NO. 230X)

### Notice of Intent to File: Offer of Financial Assistance

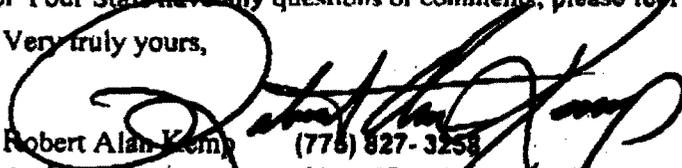
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cc: Mr. John T. D'igilio, Jr., Vice Chairman - Director/President, Nevada Central Railroad  
Mr. Joseph Anthony McNulty, III - Director/Vice President, Nevada Central Railroad

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**STB DOCKET NO: AB-33 (Sub. No: 230X)**

**Union Pacific Railroad Company  
-- ABANDONMENT EXEMPTION --  
IN WASHOE COUNTY, NV, AND LASSEN COUNTY, CA.**

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**PUBLIC NOTICE OF INTENT TO ACQUIRE AND PROVIDE FOR  
THE MAINTENANCE OF INTERSTATE COMMERCE AND  
OPERATION OF RAIL TRANSPORTATION SERVICES IN WASHOE  
COUNTY, NEVADA, AND LASSEN COUNTY, CALIFORNIA, AS  
PART OF THE NEVADA CENTRAL RAILROAD: NCR - ByPass .TM.,  
BY AND THROUGH THE EXECUTION AND LEGAL SUBMISSION  
OF A NOTICE OF INTENT TO FILE AN OFFER OF FINANCIAL  
ASSISTANCE TO THE UNION PACIFIC RAILROAD COMPANY**

**- NEVADA CENTRAL RAILROAD -  
- NOTICE OF INTENT: TO FILE OFFER OF FINANCIAL ASSISTANCE -**

**THIS INFORMATION IS PROVIDED BY NEVADA CENTRAL RAILROAD IN RESPONSE TO THE  
PETITION FOR EXEMPTION FILED BY UNION PACIFIC RAILROAD TO THE STB ON:  
OCTOBER 10<sup>TH</sup>, 2006.**

1. Nevada Central Railroad, as a financially responsible entity executing the purchase now described, identified hereinafter as (NCR), a Railroad Corporation of Tonopah, Nevada, 89049, pursuant to 49 U.S.C. 10904(c) and 49 C.F.R. 1152.27(c)(2)(i), hereby formally expresses its intent to file an offer of financial assistance by purchasing the combined lines identified by Union Pacific Railroad Company as the (Flanigan Industrial Lead) from Milepost 338.33 near Flanigan, Nevada to Milepost 360.10 near Wendel, California, a distance of 21.77 miles in Washoe County, Nevada, and Lassen County, California; and the (Susanville Industrial Lead) from Milepost 358.68 to Milepost 359.25 near Wendel, California,

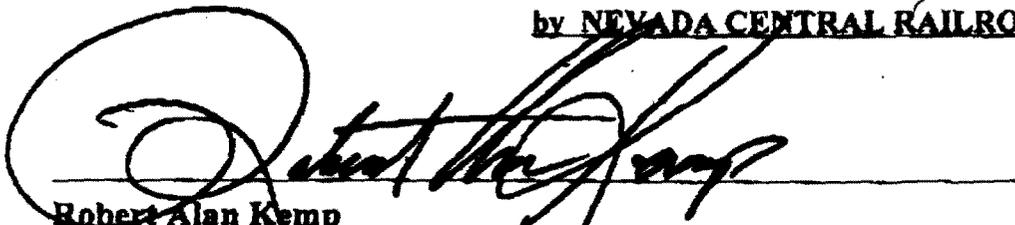
a distance of 0.57-Miles in Lassen County, California, (collectively) the lines proposed to be abandoned as further identified within the Map previously published and publically submitted to the STB by the Union Pacific Railroad Company, that is attached and identified herein for visual clarification as: (EXHIBIT: 00913-A), and within the Map Now Published and publically submitted by NEVADA CENTRAL RAILROAD as part of the Nevada Central Railroad; [NCR-ByPass -TM. North-West Fork, Heavy High Speed Railroad Construction Project], that is attached and identified herein as: (NCR - MAP - EXHIBIT: 00913-B).

2. By copy of this Notice, NCR, pursuant to 49 C.F.R. 1152.27(a), asks the Union Pacific Railroad Company to provide it with copies of the most recent report on the physical condition of the line, the carrier's estimate of the net liquidation value of the line, with supporting data including, but not limited to identification of the parcels of land underlying the rights-of-way which are owned in fee and those which are easement grants including [US-Government Granted Rights of Way], the lengths, weight, age and condition of the relay, reroll and scrap rails, the reusable and scrap ties, the speed limits on the line, and any other restrictions which pertain to the use of the line by Milepost, and any other information including Engineering Diagrams and Drawings, or Maps, deemed relevant to enable NCR to calculate the net liquidation value of the line and the minimum purchase price which the Union Pacific Railroad seeks for the property.

Respectfully submitted this:

8<sup>th</sup> Day of November, 2006.

by NEVADA CENTRAL RAILROAD



**Robert Alan Kemp**

**Chairman & CEO., AVIATION TECHNOLOGIES LTD.,**

4959 - Talbot Lane, Unit: # 69

Reno, Nevada, 89509

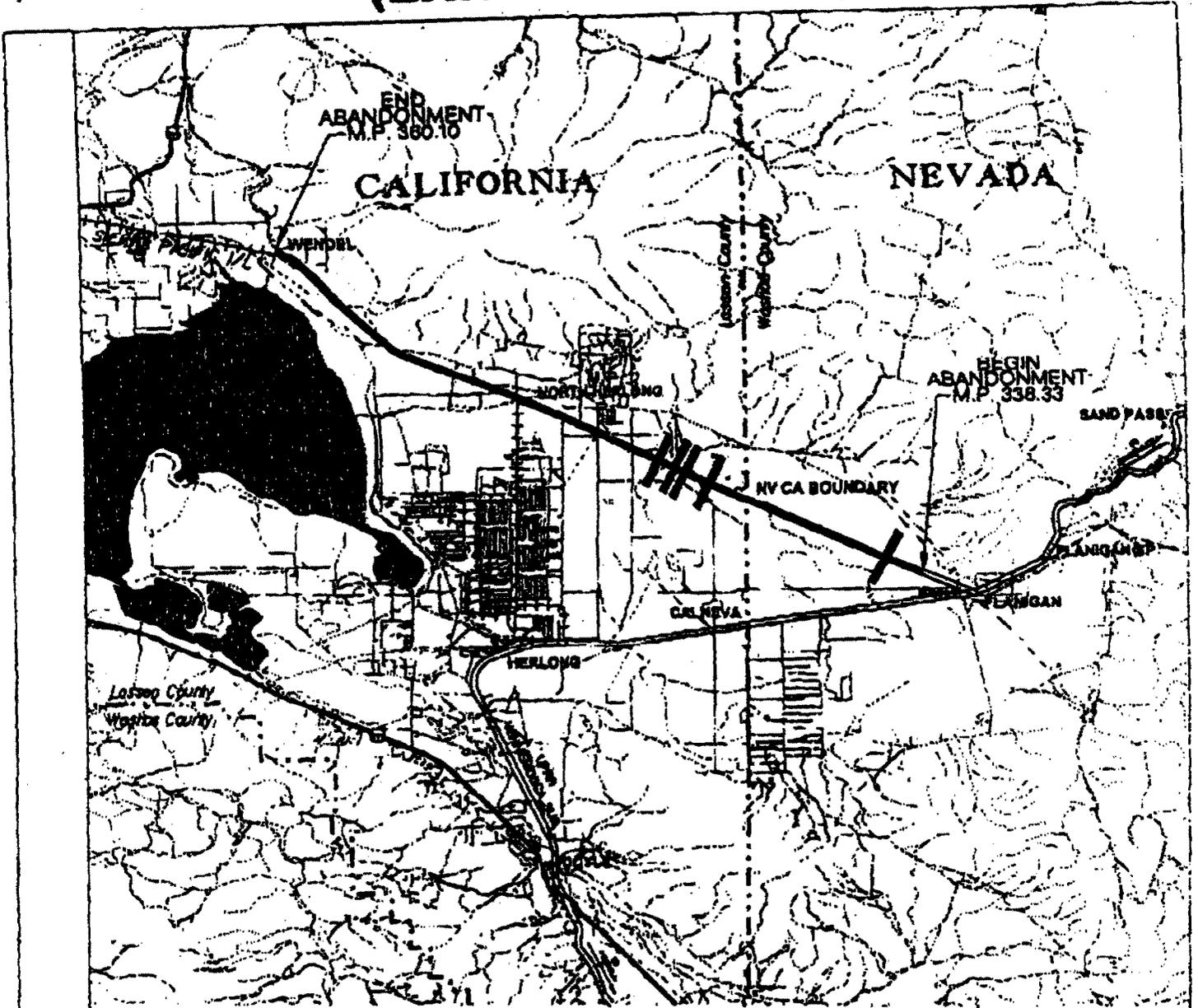
(775) 827- 3258

Representing:

NEVADA CENTRAL RAILROAD

# (EXHIBIT: 00913-A)

ATTACHMENT I



STATION	MILE POST	AGENCY
CASHY ST LINE	343.12	MO
NORTH HERLONG	349.8	MO
WENDEL	359.7	MO

BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
24474	2 SPAN TRUSS AND TRUSS OPEN DECK (TWOOD)	243'	1929
24480	2 SPAN TRUSS AND TRUSS OPEN DECK (TWOOD)	483'	1929
24481	2 SPAN TRUSS AND TRUSS OPEN DECK (TWOOD)	483'	1929
24482	1 SPAN TRUSS AND TRUSS OPEN DECK (TWOOD)	241'	1929
24483	1 SPAN TRUSS AND TRUSS OPEN DECK (TWOOD)	241'	1929

- LEGEND**
- UPRR LINES TO BE ABANDONED
  - OTHER UPRR LINES
  - OTHER RAILROADS
  - RAILROADS (abandoned)
  - PRINCIPAL HIGHWAYS
  - OTHER ROADS
  - 60+ YEAR OLD STRUCTURES

### FLANIGAN INDUSTRIAL LEAD

MP 338.33 TO MP 360.10  
 TOTAL OF 21.77 MILES  
 IN WASHOE COUNTY, NEVADA = 4.79 MILES  
 IN LASSEN COUNTY, CALIFORNIA = 16.98 MILES  
 UNION PACIFIC RAILROAD CO.  
 FLANIGAN INDUSTRIAL LEAD  
 CALIFORNIA - NEVADA  
 INCLUDING 60+ YEAR OLD STRUCTURES

SCALE MILES

FILE: q:\abandonments\009133\florigandgn

DATE: 25-Jan-05 11:47

# (NCR - MAP - EXHIBIT: 00913-B)



NEVADA CENTRAL RAILROAD - NCR-Bypass™

11/07/06 12:01 FAX 210 270 0790

PALACIO DEL RIO SALES

002

11/06/2006 20:03 5206641059

RAK ATL

PAGE 02

### VERIFICATION

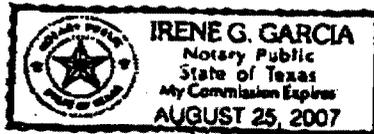
State of Texas:        )  
                                   ) ss.  
 County of Bexar:     )

John T. Digilio, Jr., being duly sworn, deposes and states that he is the Vice Chairman & President of the **NEVADA CENTRAL RAILROAD**, and is authorized to make this verification, has read the foregoing Notice of Intent to Execute an Offer of Financial Assistance and has personal knowledge that the facts asserted therein are true and accurate as stated to the best of his knowledge, information, and belief.

  
 \_\_\_\_\_  
 John T. Digilio, Jr.

APPEARED Mr. John T. Digilio, Jr. SUBSCRIBED AND SWORN TO before me this 7th day of November, 2006.

  
 \_\_\_\_\_  
 Notary Public Irene G. Garcia, State of Texas, Bexar County



My Commission Expires: August 25, 2007

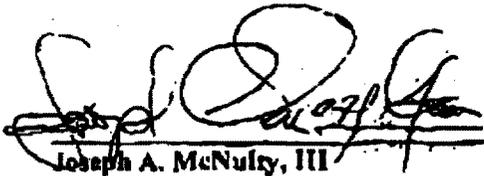
**VERIFICATION**

State of New York: )

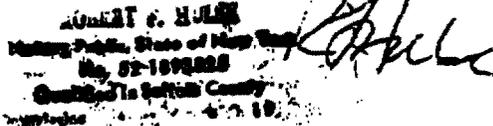
) ss.

County of Suffolk: )

Joseph A. McNulty, III, being duly sworn, deposes and states that he is the Director & Senior Executive Vice President of the NEVADA CENTRAL RAILROAD, and is authorized to make this verification, has read the foregoing Notice of Intent to Execute an Offer of Financial Assistance and has personal knowledge that the facts asserted therein are true and accurate as stated to the best of his knowledge, information, and belief.

  
Joseph A. McNulty, III

APPEARED Mr. Joseph A. McNulty, III, SUBSCRIBED AND SWORN TO before me this \_\_\_\_\_ day of November, 2006.

  
ROBERT E. HULSE  
Notary Public, State of New York  
No. 02-189222  
Qualified in Suffolk County

Notary Public

Seal:

My Commission Expires: 11/30/09

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**Robert Alan Kemp**

Chief Executive Officer - Aviation Technologies Ltd.

[Representing]

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(Tuesday), November 7, 2006

AIRBILL NO: 8563-8736-3589

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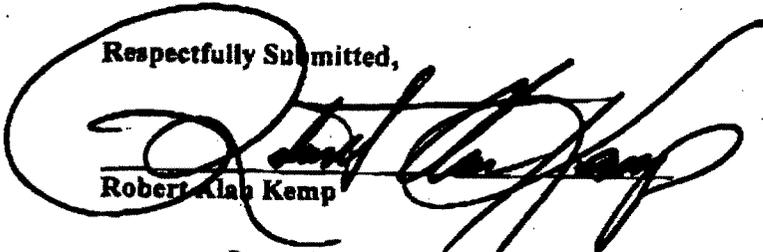
Union Pacific Railroad Company

-- ABANDONMENT EXEMPTION --

### CERTIFICATE OF SERVICE

I, Robert Alan Kemp certify that on this 8<sup>th</sup>, day of November, 2006, that I made service of the attached original NCR Notice of Intent to File: Offer of Financial Assistance, Via - FedEx Courier Delivery along with 10-Copies, upon the Surface Transportation Board, (STB), and mailed a Single Copy of same to all listed Parties, Agencies, and Individuals, listed for Service in the UP Petition for Exemption: AB-33 (Sub. NO. 230X), by depositing same into the United States First Class Mail with prepaid postage.

Respectfully Submitted,



Robert Alan Kemp

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Respectfully Submitted,



Robert Alan Kemp