



Minnesota Department of Transportation

2 19985

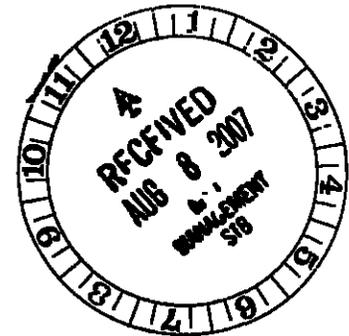
Office of Freight and Commercial Vehicle Operations

395 John Ireland Blvd  
St Paul, MN 55155-1899

August 2, 2007

Vernon A Williams, Secretary  
Surface Transportation Board  
395 E Street SW  
Washington, D.C 20423-0001

ENTERED  
Office of Proceedings  
AUG 6 2007  
Part of  
Public Record



Re STB Docket No AB-6 (Sub-No.455X) BNSF Railway  
--Abandonment Exemption--in Stearns County, MN

Dear Mr Williams

This request is filed on behalf of the Minnesota Department of Transportation and Minnesota Department of Natural Resources, which are state agencies interested in transportation and natural resources hereinafter referred to as "proponent".

Proponent requests that issuance of a Public Use Condition as well as an Interim Trail Use Condition be rescinded by the STB and that an outright abandonment authorization be made between MP 16.21 to MP 17 00 near Cold Spring in Stearns County Minnesota

Proponent asks the STB to initiate the consummation of this docket for the following reasons:

When the Minnesota Department of Transportation (Mn/DOT) realigned Minnesota Trunk Highway 23 in the area occupied by this rail corridor it made an agreement with the Minnesota Department of Natural Resources (DNR) to acquire the adjacent railroad property when it became abandoned in a fair land exchange.

In a Memorandum of Understanding between the two state agencies it was agreed that the Minnesota Department of Natural Resources did not want a future reversionary right by the railroad as a part of the fair land exchange. Mn/DOT did not acquire the property from the DNR with any conditions attached and the DNR wants a similar condition in exchange.

The group (Rocori Trail Group) that wishes to develop the trail along with the DNR would be denied state bond money without free and clear fee title holding of the property.

Therefore, the proponent requests that the STB rescind the prior request for an NITU/PUN and that the consummation of this abandonment proceed forward.

By my signature below, I certify service upon the BNSF Railway Company, P.O. Box 961039, Ft Worth, TX 76161-0039 via certified U.S. Mail, this 2<sup>nd</sup> day of August 2007.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert R. Rickert", written over a horizontal dashed line.

Robert R. Rickert  
State Rail Bank Program Manager

Cc: Jake DeBoever-attorney for BNSF Railway - *sent via certified U.S. Mail*  
Susan Odom-Manager for Network Development at BNSF Railway- *sent via e-mail*  
Jamie Hukriede- Mn/DOT District 3 ROW Engineer - *sent via e-mail*  
Dan Collins- Mn/DNR Regional Manager - *sent via e-mail*

*ENCL: 10 copies*