

LAW OFFICES OF  
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July 11, 2008

THE ADAMS BUILDING SUITE 301  
600 BALTIMORE AVENUE  
TOWSON, MARYLAND 21284-4022  
(202) 466-6532  
FAX (410) 332-0885

Honorable Anne K. Quinlan  
Acting Secretary  
Surface Transportation Board  
395 F. Street, S.W.  
Washington, D.C. 20423

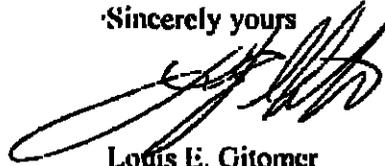
RE: Docket No. AB-33 (Sub-No. 269X), *Union Pacific Railroad Company—* 222866  
*Abandonment Exemption in Osborne and Rooks Counties, KS (Osborne*  
*to Stockton)*  
Docket No. AB-486 (Sub-No. 4X), *Kyle Railroad Company—* 222867  
*Discontinuance Exemption in Osborne and Rooks Counties, KS (Osborne*  
*to Stockton)*

Dear Acting Secretary Quinlan:

Enclosed are corrected pages 5, 14, and 15 to the Notice of Exemption that was filed in the above-entitled proceedings on July 8, 2008.

Thank you for your assistance. If you have any questions please call or email me.

Sincerely yours



Louis E. Gitomer  
Attorney for Kyle Railroad Company

Enclosures

(312) 777-2065, and e-mail mackshumate@up.com For Kyle, Louis E Gitomer, Law Offices of Louis E Gitomer, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, (202) 466-6532

(8) List of all United States Postal Service ZIP Codes that the line proposed for discontinuance traverses. The Line traverses ZIP Codes 67473, 67474, 67623, 67675, and 67669

(e) Rural and community impact

(4) Statement of whether the properties proposed to be abandoned are appropriate for use for other public purposes, including roads and highways, other forms of mass transportation, conservation, energy production or transmission, or recreation. If the applicant is aware of any restriction on the title to the property, including any reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed

UP and Kyle do not believe that the properties proposed for abandonment and discontinuance of service are suitable for other public purposes

4 The level of labor protection. The interests of railroad employees who may be adversely affected by the proposed abandonment and discontinuance of service will be adequately protected by the labor protective conditions in *Oregon Short Line R Co – Abandonment–Goshen*, 360 I C C 91 (1979)

5. Certification. A certificate of compliance with the notice requirements of 49 C F R §§ 1152.50(d)(1) is attached as Exhibit C and a certificate of compliance with the notice requirements of 49 C F R §§ 1105.11 is attached in Exhibit D

**COMBINED ENVIRONMENTAL AND HISTORIC REPORT  
CERTIFICATE OF SERVICE**

Pursuant to the requirements of 49 C.F.R. § 1105.11, the undersigned hereby certifies that a copy of the Combined Environmental and Historic Report in Docket No AB-33 (Sub-No 269X) and No AB-486 (Sub-No 4X), was mailed via first class mail on June 4, 2008, to the following parties

U S National Geodetic Survey  
NGS InfoCenter@noaa.gov

Kansas Department of Transportation  
Room 860 South  
Docking State Office Building  
Topeka, KS 66612

Kansas Corporation Commission  
1500 SW Arrowhead Road  
Topeka, KS 66604

Kansas State Historical Society  
6425 SW 6<sup>th</sup> Avenue  
Topeka, KS 66615

Kansas Department of Health and Environment  
1000 SW Jackson Street  
Suite 540  
Topeka, KS 66612-1368

United States Environmental Protection Agency  
Region 7  
901 N 5<sup>th</sup> Street  
Kansas City, KS 66101

U S. Army Corps of Engineers  
Kansas City District  
601 E 12th Street  
Kansas City, MO 64106

First District Commissioner Gary Doane  
Osborne County  
423 W Main  
Osborne, KS 67473-0160

Second District Commissioner Bryan Byrd  
Osborne County  
423 W Main  
Osborne, KS 67473-0160

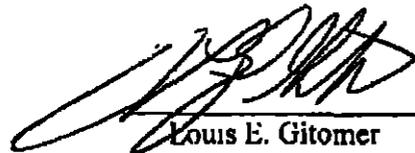
Third District Commissioner Betty Pruter  
Osborne County  
423 W Main  
Osborne, KS 67473-0160

Robert Schamel, Chairman  
Rooks County Commission  
210 S Oak  
Stockton, KS 67669

Natural Resources Conservation Service  
United States Department of Agriculture  
760 South Broadway  
Salina, KS 67401

U S Fish and Wildlife Service  
Region 6  
P O Box 25486  
Denver Federal Center  
Denver, CO 80225

National Park Service  
Midwest Region  
601 Riverfront Drive  
Omaha, NE 68102-4226



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Louis E. Gitomer  
July 8, 2008