

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

MICHAEL J. BARRON, JR.
(312) 252-1511
mbarron@fletcher-sippel.com



Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

FILE RECEIVED

TRANSPORTATION BOARD January 19, 2006

Via Overnight Mail

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

Re: Docket No. AB-31 (Sub-No. 40X), Grand Trunk Western Railroad Incorporated — Abandonment Exemption — in Genesee County, Michigan

Dear Secretary Williams:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the Verified Notice of Exemption of Grand Trunk Western Railroad Incorporated dated January 19, 2006 pursuant to 49 C.F.R. § 1152.50. A check in the amount of \$3,000.00, representing the appropriate fee for this filing, also is enclosed.

One extra copy of this transmittal letter is enclosed as well. Please date stamp this copy to show receipt and return it to me in the enclosed envelope.

The Environmental and Historic Reports for this proceeding have already been filed with the Board. Feel free to contact me if you have any questions. Thank you for your assistance in this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael J. Barron, Jr.'.

Michael J. Barron, Jr.
Attorney for Wisconsin Central Ltd.

Encls.

cc: Gloria Jeff, Director, Michigan Department of Transportation

215610



BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-31 (SUB-NO. 40X)

GRAND TRUNK WESTERN RAILROAD INCORPORATED —
ABANDONMENT EXEMPTION — IN GENESEE COUNTY, MICHIGAN

Office ENTERED
of Proceedings

JAN 20 2006

Part of
Public Record

VERIFIED NOTICE OF EXEMPTION OF
GRAND TRUNK WESTERN RAILROAD INCORPORATED PURSUANT TO
49 C.F.R. § 1152.50

FILE RECEIVED
JAN 20 2006
SURFACE TRANSPORTATION BOARD

Michael J. Barron, Jr.
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, IL 60606-2832
312-252-1500

ATTORNEY FOR
GRAND TRUNK WESTERN
RAILROAD INCORPORATED

Dated: January 19, 2006

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-31 (SUB-NO. 40X)



GRAND TRUNK WESTERN RAILROAD INCORPORATED —
ABANDONMENT EXEMPTION — IN GENESEE COUNTY, MICHIGAN

**VERIFIED NOTICE OF EXEMPTION OF
WISCONSIN CENTRAL LTD. PURSUANT TO
49 C.F.R. § 1152.50**

Grand Trunk Western Railroad Incorporated (“GTW”) hereby submits this Notice of Exemption pursuant to 49 C.F.R. Part 1152, Subpart F, to abandon its line of railroad in Flint, Genesee County, Michigan referred to herein as the “Flint Old Main” between milepost 265.3 and milepost 267.5, a distance of 2.2 miles.

In accordance with the requirements of 49 C.F.R. § 1152.50(d)(2), GTW submits the following information:

General Corporation Information: 49 C.F.R. § 1152.22(a)(1)-(2)

GTW is a Class I common carrier by rail which owns and operates approximately 485 miles of rail line in Michigan, Ohio, Indiana and Illinois. GTW is a wholly-owned subsidiary of Canadian National Railway Company. The complete name and address of GTW is:

Grand Trunk Western Railroad Incorporated
17641 S. Ashland Avenue
Homewood, IL 60430-1345

Relief Sought: 49 C.F.R. § 1152.22(a)(3)

Pursuant to the Board’s class exemption for the abandonment of out-of-service rail lines, codified at 49 C.F.R. Part 1152, Subpart F, GTW intends to abandon its line of railroad known as

the Flint Old Main from milepost 265.3 to milepost 267.5 in Flint, Genesee County, Michigan, a distance of 2.2 miles.

Map: 49 C.F.R. § 1152.22(a)(4)

A map of Flint Old Main is attached hereto as Exhibit A.

GTW's Representative: 49 C.F.R. § 1152.22(a)(7)

GTW's representative to whom correspondence regarding this abandonment should be sent is:

Michael J. Barron, Jr.
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, IL 60606-2832
312-252-1500

ZIP Codes Traversed: 49 C.F.R. § 1152.22(a)(8)

The Flint Old Main traverses United States Postal Service ZIP Codes 48503, 48507 and 48532.

Qualification for Class Exemption: 49 C.F.R. § 1152.50(b)

Per the certificate and verification attached hereto as Exhibit B, GTW certifies that no local revenue traffic has moved over the Flint Old Main for at least the last two years, there is no overhead traffic on the Flint Old Main that would have to be rerouted over other lines, and no formal complaint filed by a user of rail service on the Flint Old Main (or a state or local governmental entity acting on behalf of such user) regarding cessation of service on the proposed abandonment is pending with the Board or any U.S. District Court or has been decided in favor of the complainant during the last two years.

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

GTW will not consummate the proposed abandonment any earlier than March 13, 2006.

Suitability for Other Public Purposes: 49 C.F.R. § 1152.22(e)(4)

The line may be suitable as a trail. GTW does not believe that the right-of-way would be of interest to the State or any other entity as a highway or mass transportation line or other similar public use because it sits in a highly developed urban area with a mature roadway system. GTW generally holds fee title on the Flint Old Main. Based on information in our possession, the Flint Old Main does not appear to contain any federally granted right-of-way.

Labor Protection: 49 C.F.R. 1152.50(d)(2)

The level of labor protection applicable in rail line abandonments is that established in *Oregon Short Line Co. — Abandonment — Goshen*, 360 I.C.C. 91 (1979).

Certificate of Compliance with Notice Requirements:
49 C.F.R. § 1152.50(d)(2)

A certificate that the notice of requirements of 49 C.F.R. § 1152(d)(1) and 49 C.F.R. § 1105.11 have been complied with is attached hereto as Exhibit C.

Environmental and Historic Report: 49 C.F.R. §§ 1105.7 and 1105.8

An Environmental Report and Historic Report, prepared pursuant to 49 C.F.R. §§ 1105.7 and 1105.8, were already filed with the Surface Transportation Board in this proceeding.

Since submitting the Environmental Report and Historic Report, GTW has received no additional correspondence.

If GTW receives additional correspondence, it will forward copies to the STB.

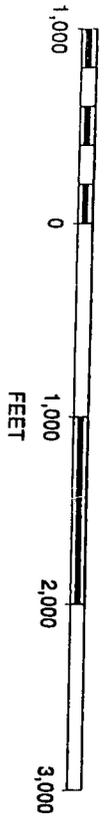
Respectfully submitted,

By 
Michael J. Barron, Jr.
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, IL 60606-2832
312-252-1500
ATTORNEY FOR GRAND TRUNK WESTERN
RAILROAD INCORPORATED

Dated: January 19, 2006



SCALE 1 : 11,536



DOCKET NO. AB-31 (SUB-NO. 40X)

GRAND TRUNK WESTERN RAILROAD INCORPORATED — ABANDONMENT
EXEMPTION — IN GENESEE COUNTY, MICHIGAN

CERTIFICATE AND VERIFICATION



STATE OF ILLINOIS)
) ss
COUNTY OF COOK)

Paul E. Ladue, being duly sworn, deposes and says:

1. That no local traffic has moved over the line of Grand Trunk Western Railroad Incorporated (GTW”) from milepost 265.3 to 267.5, a distance of 2.2 miles in Flint, Genesee County, Michigan, for at least two years, and that there is no overhead traffic to be rerouted over other lines; and

2. That no formal complaint filed by a user of rail service on the subject line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the line is either pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of the complainant within the last two years; and

3. That he has read the foregoing Notice of Exemption, knows the facts therein asserted, and that the same are true as stated.

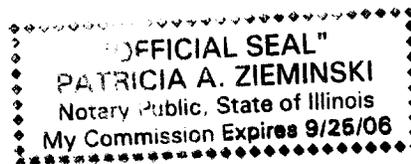
Paul E. Ladue

Date: January 19, 2006

Paul E. Ladue
Director - Contracts
Grand Trunk Western Railroad Incorporated

Subscribed and sworn to
before me this 19th day of
January, 2006.

Patricia A. Zieminski
Notary Public



CERTIFICATE

I, Michael J. Barron, Jr., an attorney for Grand Trunk Western Railroad Incorporated, hereby certify that, for the proceeding before the Surface Transportation Board known as Docket No. AB-31 (Sub-No. 40X), Grand Trunk Western Railroad Incorporated — Abandonment Exemption — in Genesee County, Michigan:

(1) The notice requirements of 49 C.F.R. § 1152.50(d)(1) have been complied with, to-wit: On January 10, 2006, written notice was mailed to the: (a) United States Department of Defense, MTMCTEA, Attn: Railroads for National Defense; (b) Chief of the Forest Service, U.S. Department of Agriculture; (c) National Center for Recreation and Conservation, National Park Service; and (d) Michigan Department of Transportation (copies of which are attached hereto as Attachments 1-4).

(2) The notice requirements of 49 C.F.R. § 1105.11 have been complied with, to wit: On December 29, 2005, the Environmental Report and Historic Report for this proceeding, which reports have also been filed with the Surface Transportation Board, and the accompanying transmittal letters in the form set forth in 49 C.F.R. § 1105.11 (a sample of which is attached hereto as Attachment 5) were served by first class mail, postage prepaid, on the parties listed on Attachment 6, which list includes the state historic preservation officer, as required by 49 C.F.R. § 1105.7(b) and § 1105.11.

(3) A newspaper notice was published on September 12, 2005, in The Flint Journal, a newspaper of general circulation in Genesee County, Michigan. The notice alerted the public to the proposed abandonment, to possible reuse alternatives, and to

procedures for participating in the STB proceeding. A copy of the notice and Affidavit of Publication are attached to this Certificate as Attachment 7.



Michael J. Barron, Jr.

Dated: January 19, 2006

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

MICHAEL J. BARRON, JR.
(312) 252-1511
mbarron@fletcher-sippel.com



January 10, 2006

United States Department of Defense
MTMCTEA
Attn: Railroads for National Defense
720 Thimble Shoals Blvd., Suite 130
Newport News, VA 23606-2574

Re: Docket No. AB-31 (Sub-No. 40X), Grand Trunk Western Railroad Incorporated
Notice of Exemption in Genesee County, Michigan

Dear Sir/Madam:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Grand Trunk Western Railroad Incorporated shall on or after January 20, 2006, file a Notice of Exemption with the Surface Transportation Board for approval to abandon a 2.2 mile line of railroad between milepost 265.3 and milepost 267.5 in Flint, Genesee County, Michigan. Such line runs through U.S. Postal Zip Codes 48503, 48507 and 48532.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Based on information in our possession, the line does not contain any federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Michael J. Barron, Jr.
Attorney

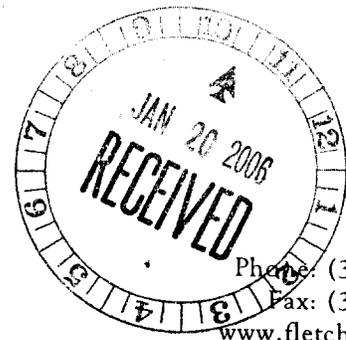
ATTACHMENT 1

FLETCHER & SIPPEN LLC

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January 10, 2006

Mr. Dale Bosworth
Chief, Forest Service
U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

Re: Docket No. AB-31 (Sub-No. 40X), Grand Trunk Western Railroad Incorporated
Notice of Exemption in Genesee County, Michigan

Dear Mr. Bosworth:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Grand Trunk Western Railroad Incorporated shall on or after January 20, 2006, file a Notice of Exemption with the Surface Transportation Board for approval to abandon a 2.2 mile line of railroad between milepost 265.3 and milepost 267.5 in Flint, Genesee County, Michigan. Such line runs through U.S. Postal Zip Codes 48503, 48507 and 48532.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Based on information in our possession, the line does not contain any federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

A handwritten signature in black ink that reads "Michael J. Barron, Jr." in a cursive style.

Michael J. Barron, Jr.
Attorney

ATTACHMENT 2

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
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January 10, 2006

Mr. Thomas Ross
Division Chief
National Center for Recreation and Conservation
National Park Service
1849 C. Street, N.W.
Org. Code 2220
Washington, D.C. 20420

Re: Docket No. AB-31 (Sub-No. 40X), Grand Trunk Western Railroad Incorporated
Notice of Exemption in Genesee County, Michigan

Dear Ross:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Grand Trunk Western Railroad Incorporated shall on or after January 20, 2006, file a Notice of Exemption with the Surface Transportation Board for approval to abandon a 2.2 mile line of railroad between milepost 265.3 and milepost 267.5 in Flint, Genesee County, Michigan. Such line runs through U.S. Postal Zip Codes 48503, 48507 and 48532.

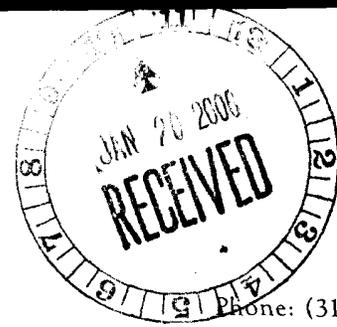
The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Based on information in our possession, the line does not contain any federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

A handwritten signature in cursive script that reads 'Michael J. Barron, Jr.'.

Michael J. Barron, Jr.
Attorney

ATTACHMENT 3



FLETCHER & SIPPEN LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

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Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

January 10, 2006

Ms. Gloria J. Jeff
Director
Michigan Department of Transportation
425 Ottawa
P.O. Box 30050
Lansing, MI 48909

Re: Docket No. AB-31 (Sub-No. 40X), Grand Trunk Western Railroad Incorporated
Notice of Exemption in Genesee County, Michigan

Dear Director Jeff:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Grand Trunk Western Railroad Incorporated shall on or after January 20, 2006, file a Notice of Exemption with the Surface Transportation Board for approval to abandon a 2.2 mile line of railroad between milepost 265.3 and milepost 267.5 in Flint, Genesee County, Michigan. Such line runs through U.S. Postal Zip Codes 48503, 48507 and 48532.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Based on information in our possession, the line does not contain any federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Michael J. Barron, Jr.
Attorney

ATTACHMENT 4

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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Suite 920
Chicago, Illinois 60606-2832

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(312) 252-1511
mbarron@fletcher-sippel.com



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www.fletcher-sippel.com

December 29, 2005

**Re: Grand Trunk Western Railroad Incorporated Notice of Exemption for Abandonment—
Genesee County, Michigan—Docket AB-31 (Sub-No. 40X)**

To Whom It May Concern:

Any time on or after January 18, 2006, Grand Trunk Western Railroad Incorporated ("GTW") expects to file with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon a railroad line located between milepost 265.3 and milepost 267.5, a distance of 2.2 miles, in Flint, Genesee County, Michigan. Enclosed is an Environmental Report and a Historic Report describing the proposed action and any expected environmental and historical effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental and historical analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental and historic review process, please contact their Section of Environmental Analysis (SEA), at the Surface Transportation Board, 1925 K Street, N.W., Washington, D.C. 20423-0001, (202) 565-1545, and refer to the above docket number.

GTW will file the Environmental Report and Historic Report with the STB on or about January 18, 2006. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the STB (with a copy to the undersigned) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and historical impact of the contemplated action.

If there are any questions concerning this proposal, please contact the undersigned directly at (312) 252-1511 or by mail at the above address.

Sincerely,

ATTACHMENT 5


Michael J. Barron, Jr.
Attorney for Grand Trunk Western Railroad
Incorporated

Encls.

ATTACHMENT 6

Ms. Gloria J. Jeff
Director
Michigan Department of Transportation
425 Ottawa
P.O. Box 30050
Lansing, MI 48909

Mr. Richard Hammel
Chairman
Genesee County Board of Commissioners
1101 Beach Street
Room 312
Flint, MI 48502

Mr. John Bricker
State Conservationist
USDA Natural Resources Conservation Service
3001 Coolidge Road
Suite 250
East Lansing, MI 48823

Coastal Management Program
Michigan Department of Environmental Quality
Land and Water Management Division
Attention: Chris Antieau
P.O. Box 30458
Lansing, MI 48909

Mr. Russell J. Harding
Director
Michigan Department of Environmental Quality
P.O. Box 30473
Lansing, MI 48909

Mr. Kenneth A. Westlake
Chief, NEPA Implementation Section
US EPA, Region 5
77 W. Jackson Blvd.
Mail Code B-19J
Chicago, IL 60604-3590

Ms. Rebecca Humphries
Director
Michigan Department of Natural Resources
P.O. Box 30028
Lansing, MI 48909

Mr. Craig Czarnecki
Field Supervisor
U.S. Fish & Wildlife Service
2651 Coolidge Road, Suite 101
East Lansing, MI 48823

Mr. Gary R. Mannesto
Chief, Regulatory Office
U.S. Army Corps of Engineers
Detroit District
P. O. Box 1027
Detroit, MI 48231

Chief, Spatial Reference System Division
National Geodetic Survey
Nat'l. Oceanic & Atmospheric Adm.
1315 East West Highway, Room 8813
Silver Spring, MD 20910

State Historic Preservation Officer
Dept. of History, Arts and Libraries
Attention: Brian Grennell
702 W. Kalamazoo St
Lansing, MI 48909

Mayor Donald Williamson
Mayor
Flint, Michigan
1101 S. Saginaw Street
Flint, MI 48502

Charter Township of Flint
Attn. Linda Barber
1490 S. Dye Road
Flint, MI 48532

D. Thomas Ross
Assistant Director, Recreation and Conservation
National Park Service
Department of Interior
1849 C Street, NW
Org. Code 2220
Washington, DC 20240

Michigan no longer has a dedicated State Clearinghouse

Affidavit of Publication



(STATE OF MICHIGAN) SS.
(COUNTY OF GENESEE)

I, Thomas A. Eason, being duly sworn says: I am Advertising Director of The Flint Journal, a newspaper printed and published in said county. The annexed is a printed copy of a notice which was published in said paper on the following date, to wit:

<u>September 12</u> A.D. <u>2005</u>	_____ A.D. _____
_____ A.D. _____	_____ A.D. _____
_____ A.D. _____	_____ A.D. _____
_____ A.D. _____	_____ A.D. _____
_____ A.D. _____	_____ A.D. _____
_____ A.D. _____	_____ A.D. _____
_____ A.D. _____	_____ A.D. _____
_____ A.D. _____	_____ A.D. _____

X *Thomas A. Eason*

Subscribed and sworn to before me this 13th Day of

September, A.D. 2005

Jacqueline M. Valley
NOTARY PUBLIC

MY COMMISSION EXPIRES: _____ A.D. My Commission Expires Sep. 15, 2011
Acting in the County of Genesee

GRAND TRUNK WESTERN RAILROAD INCORPORATED gives notice that on or after October 17, 2005, it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F-Exempt Abandonments, permitting the abandonment of a 2.2 mile line of railroad between milepost 269.3 and milepost 267.5 in Flint, Genesee County, Michigan, which line traverses through U.S. Postal Zip Code 48503, 48507 and 48532. The proceeding will be docketed as AB-31 (Sub-No. 40X).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA) which will normally be available 28 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 18 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Board, Surface Transportation Board, 1925 K Street NW, Washington, DC 20423 or by calling that office at (202) 565-1845.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 K Street NW, Washington, DC 20423-0001. (See 49 CFR 1104.1(a) and 1104.3(a)), and one copy must be served on applicant's representative. (See 49 CFR 1104.12(a)). Questions regarding offers of financial assistance, public use or trails use may be directed to the Commission's Office of Congressional and Public Services at (202) 565-1592. Copies of any comments or requests for conditions should be served on the applicant's representative: Michael J. Barron, Jr., (708) 332-3954 at 17641 S. Ashland Avenue, Homewood, IL 60430.

ATTACHMENT 7