

JOHN D. HEFFNER, PLLC  
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ORIGINAL

218815



**FILED**  
MAR 16 2006  
SURFACE  
TRANSPORTATION BOARD

March 16, 2007

VIA HAND DELIVERY - RETURN COPY

Hon. Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, NW (7<sup>th</sup> fl.)  
Washington, DC 20423-0001

**FEE RECEIVED**  
MAR 16 2007  
SURFACE  
TRANSPORTATION BOARD

Dear Secretary Williams:

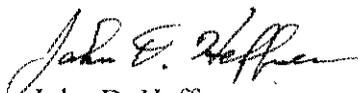
Enclosed for filing in STB Finance Docket No. 35005, Chicago Terminal Railroad—Acquisition and Operation Exemption—Rail Lines of Union Pacific Railroad Company and Canadian Pacific Rail System at Elk Grove Village, Cook and DuPage Counties, IL are the original and ten copies of the Verified Notice of Exemption of Chicago Terminal Railroad.

The railroad's check for \$1,500.00 in payment of the filing fee is attached.

An additional copy of this letter and of the Notice are enclosed for you to stamp to acknowledge your receipt of them and to return to me via the messenger.

If you have any question concerning this filing or if I otherwise can be of assistance, please let me know.

Sincerely yours,

  
John D. Heffner

ENTERED  
Office of Proceedings  
MAR 16 2007  
Part of  
Public Record

enc.  
cc: Mr. Steve Gregory

218815

**ORIGINAL**

BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, D.C.



STB Finance Docket No. 35005

CHICAGO TERMINAL RAILROAD  
-- ACQUISITION AND OPERATION EXEMPTION --  
RAIL LINES OF UNION PACIFIC RAILROAD COMPANY  
AND CANADIAN PACIFIC RAIL SYSTEM  
AT ELK GROVE VILLAGE, COOK AND DUPAGE COUNTIES, IL

**FILED**  
MAR 16 2007  
SURFACE  
TRANSPORTATION BOARD

VERIFIED NOTICE OF EXEMPTION  
OF  
CHICAGO TERMINAL RAILROAD

**FEE RECEIVED**  
MAR 16 2007  
SURFACE  
TRANSPORTATION BOARD

John D. Heffner  
John D. Heffner, PLLC.  
1920 N Street, NW (Ste. 800.)  
Washington, DC 20036-1601  
Tel.: (202) 263-4180

ENTERED  
Office of Proceedings  
MAR 16 2007  
Part of  
Public Record

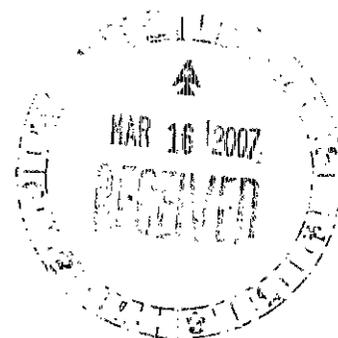
Attorney for

CHICAGO TERMINAL RAILROAD

Dated: March 16, 2007

BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, D.C.

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STB Finance Docket No. 35005

CHICAGO TERMINAL RAILROAD  
-- ACQUISITION AND OPERATION EXEMPTION --  
RAIL LINES OF UNION PACIFIC RAILROAD COMPANY  
AND CANADIAN PACIFIC RAIL SYSTEM  
AT ELK GROVE VILLAGE, COOK AND DUPAGE COUNTIES, IL

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VERIFIED NOTICE OF EXEMPTION  
OF  
CHICAGO TERMINAL RAILROAD

*Chicago Terminal Railroad ("CTM")*, pursuant to 49 U.S.C. 10902 and 49 C.F.R.

1150.41, et seq., states, as follows:

1. Applicant's name and address:

Chicago Terminal Railroad  
118 S. Clinton Street (Suite 300)  
Chicago, IL 60661  
(312) 466-0900

2. Name and address of applicant's representative:

John D. Heffner  
John D. Heffner, PLLC.  
1920 N Street, NW (Ste. 800)  
Washington, DC 20036-1601  
Tel.: (202) 263-4180

3. Agreement:

CTM, a Class III rail carrier subject to the jurisdiction of the Board, has reached an agreement to acquire by lease and operate rail lines owned by the Union Pacific Railroad Company ("UP") and by the UP and the Canadian Pacific Rail System ("CP"). The lines are located in the Centex Industrial Park and the adjacent Elk Grove Yard and originate at the west end of UP's approximate 800-foot Elk Grove Lead track extending from its Milwaukee Subdivision at Milepost 7.8, totaling approximately 25 miles of tracks in the Centex Industrial Park and 11,500 feet of tracks in the Elk Grove Yard..

- 4.. Operator of the railroad line will be CTM.
5. The following is a brief summary of the proposed transaction:
  - a. The railroad or railroads whose lines are being leased::

Union Pacific Railroad Company  
1400 Douglas Street  
Omaha, NE 68179  
Tel.: (402) 544-5500

Canadian Pacific Rail System  
401 9th Avenue SW  
Calgary, AB T2P 4Z4

- b. The transaction is scheduled to be consummated thirty days following the date of filing of this Verified Notice of Exemption.

- c. Milepost designations:

The approximately 25 miles of track in the Centex Industrial Park and the approximately 11,500 feet of track in the adjacent Elk Grove Yard originate at the west end of UP's approximate 800-foot Elk Grove Lead track extending from its Milwaukee Subdivision at Milepost 7.8.

6. Maps of the railroad line being acquired are attached.

7. Environmental certification:

Since this is a transaction under a class exemption from the provisions of 49 U.S.C. 10901 which will result in no significant changes in railroad operations, that is, no increase in rail traffic of more than fifty percent or three trains a day on any segment of rail line or a twenty percent increase of rail yard activity, no environmental documentation is required, pursuant to 49 C.F.R. 1105.6(c)(2). Similarly, since the proposed transaction will not result in the disposition or alteration of properties subject to the Board's jurisdiction that are 50 years old or older, no historic report is required, pursuant to 49 C.F.R. 1105.8(b).

8. Employee protection:

Pursuant to 49 U.S.C. 10902(b), no employee protective condition need be attached.

9. Revenue certification:

CTM's projected annual revenue will not exceed \$5 million; the acquisition will not result in the creation of a Class II or Class I rail carrier.

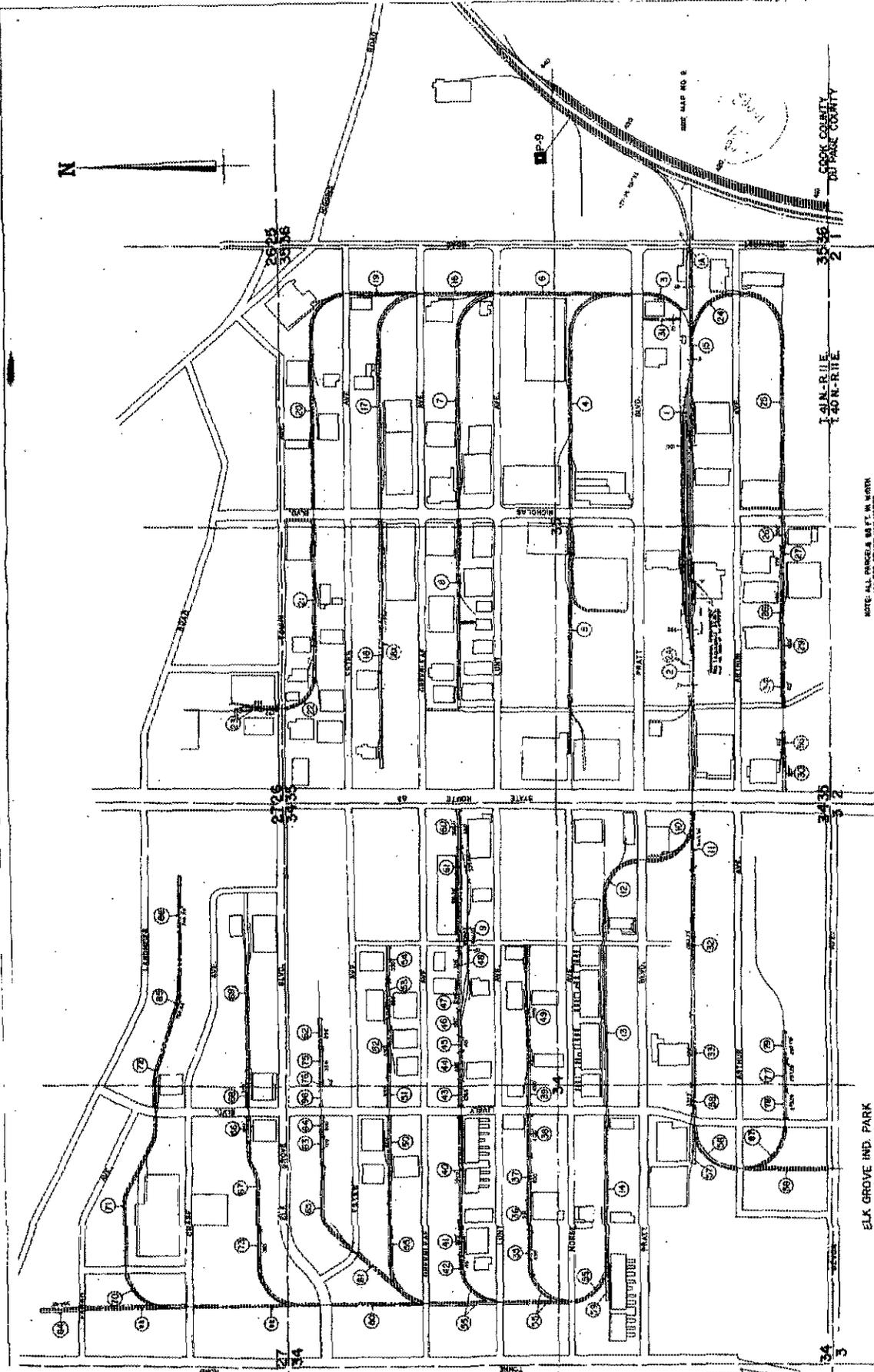
Respectfully submitted,

CHICAGO TERMINAL RAILROAD

By its attorney,

  
John D. Heffner  
John D. Heffner, PLLC  
1920 N Street, NW (Ste. 800))  
Washington, DC 20036-1601  
Tel.: (202) 263-4180

Dated: March 16, 2007

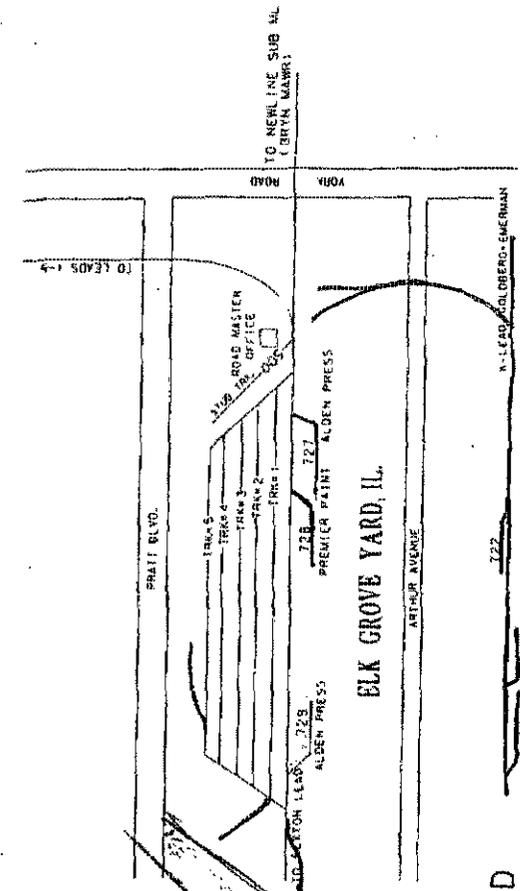
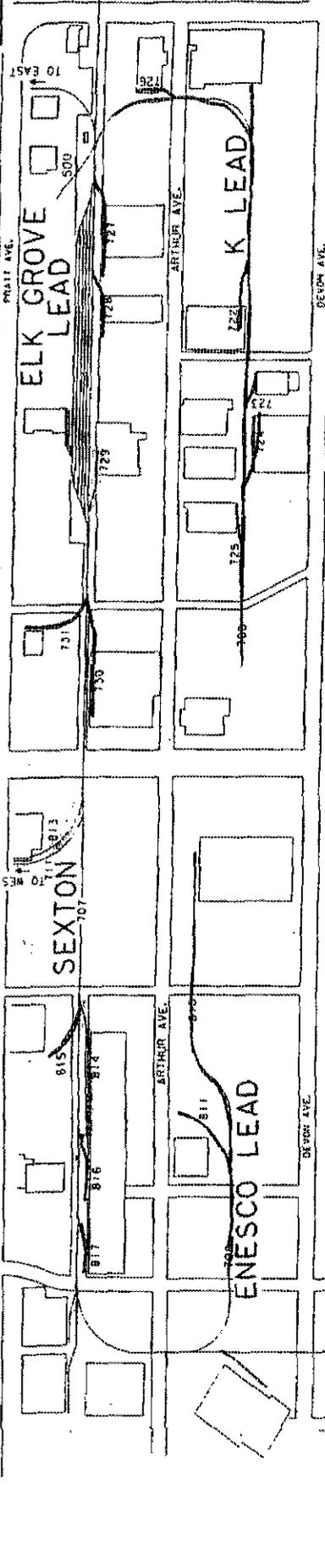


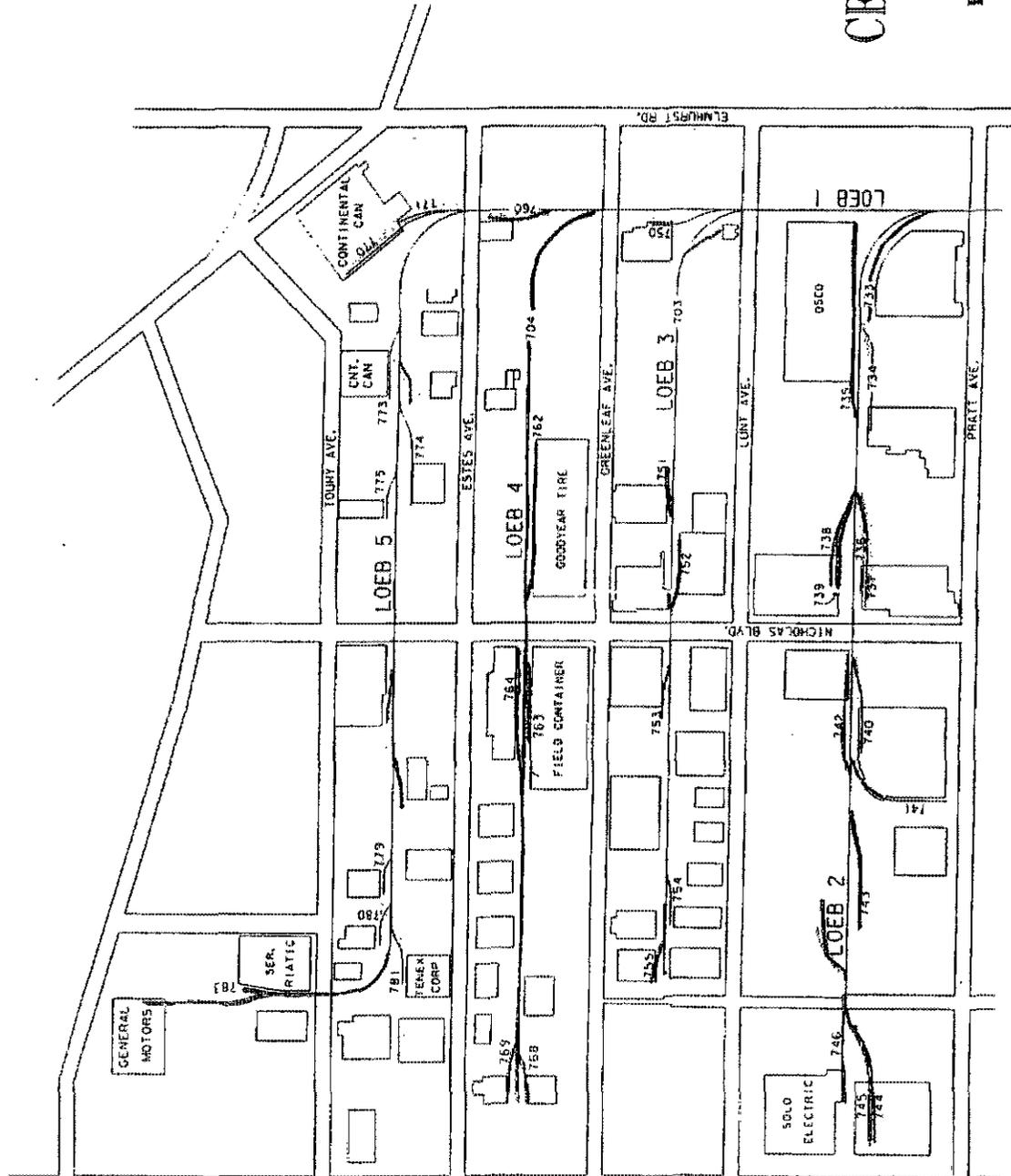
RIGHT OF WAY MAP  
 CHICAGO & NORTH WESTERN TRANSPORTATION CO.  
 CENTEX INDUSTRIAL PARK  
 SCALE: 1" = 400'  
 JAN. 30, 1973  
 R. E. DEPT. CHICAGO, ILL.  
 P.A.K.



NOTE: ALL DIMENSIONS ARE IN FEET. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF CHICAGO ORDINANCES.

ELK GROVE IND. PARK  
 (See sheets)





# CENTEX INDUSTRIAL PARK EAST

BLK GROVE VILLAGE, ILLINOIS

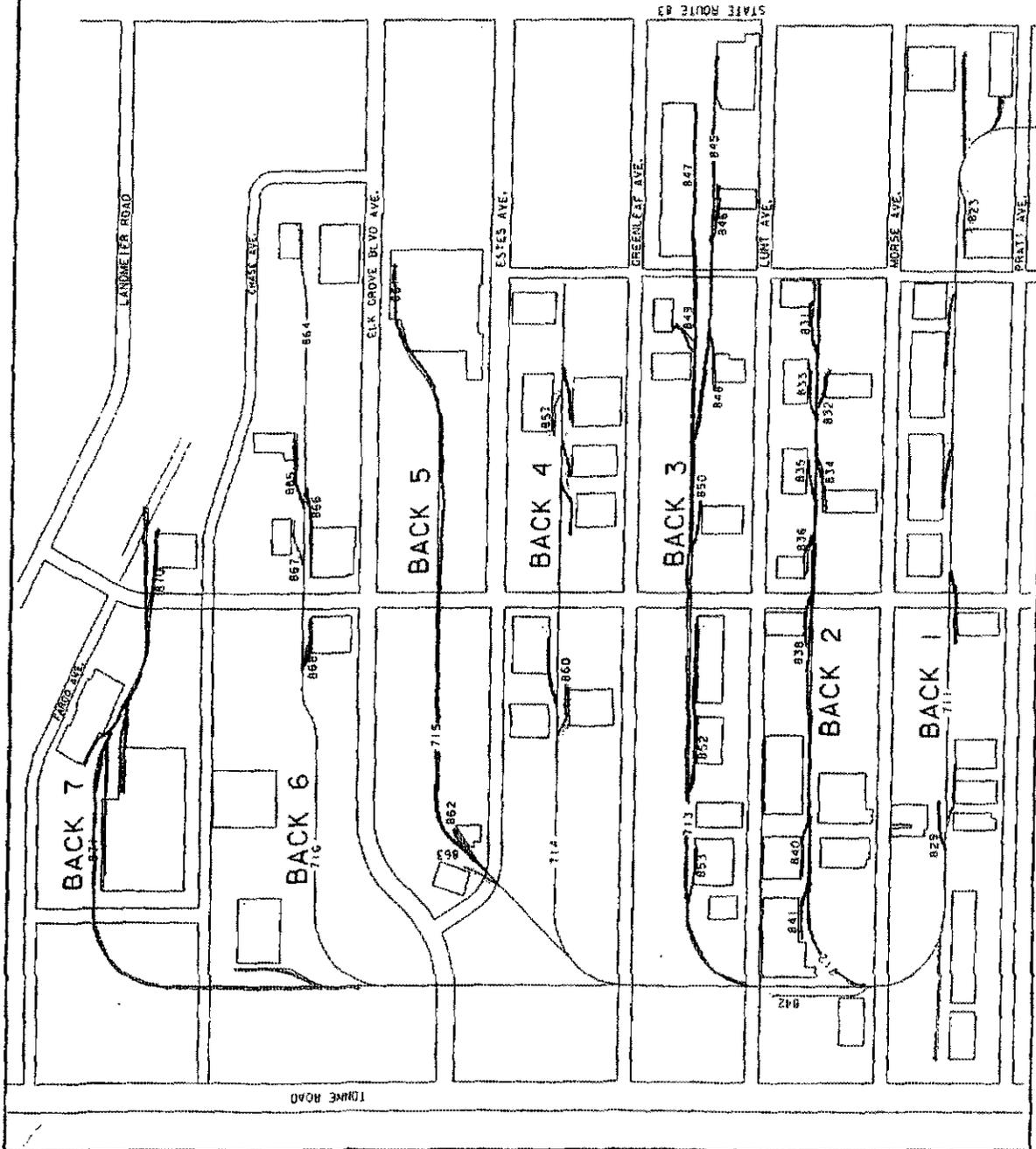
NO SCALE

M.S.

REVISED AS TO NOVEMBER 23, 1999

CHICAGO DIVISION  
MILWAUKEE SUBDIVISION

136



# CENTEX INDUSTRIAL PARK WEST

BLK GROVE VILLAGE, ILLINOIS

REVISED AS TO NOVEMBER 23, 1999

MUS

03/14/2007 13:29 FAX

THOMPSON HINES

007/007

**VERIFICATION**

I, Steve Gregory, Vice President of Chicago Terminal Railroad, declare under penalty of perjury, under the laws of the United States of America, that I have read the foregoing Verified Notice of Exemption and its assertions are true and correct to the best of my knowledge, information and belief. I further declare that I am qualified and authorized to submit this verification on behalf of Chicago Terminal Railroad. I know that willful misstatements or omissions of material facts constitute Federal criminal violations punishable under 18 U.S.C. 1001 by imprisonment up to five years and fines up to \$10,000 for each offense. Additionally, these misstatements are punishable as perjury under 18 U.S.C. 1621, which provides for fines up to \$2,000 or imprisonment up to five years for each offense.

Dated at Denver, CO, this 14th of March 2007..

  
Steve Gregory

## CAPTION SUMMARY

BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, D.C.

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STB Finance Docket No. 35005

CHICAGO TERMINAL RAILROAD  
-- ACQUISITION AND OPERATION EXEMPTION --  
RAIL LINES OF UNION PACIFIC RAILROAD COMPANY  
AND CANADIAN PACIFIC RAIL SYSTEM  
AT ELK GROVE VILLAGE, COOK AND DUPAGE COUNTIES, IL

Chicago Terminal Railroad has filed a Verified Notice of Exemption to acquire by lease and to operate the approximately 25 miles of track in the Centex Industrial Park and the approximately 11,500 feet of track in the adjacent Elk Grove Yard. Comments must be filed with the Board and served on John D. Heffner, John D. Heffner, PLLC, 1920 N Street, NW (Ste. 800.), Washington, DC 20036-1601, Tel.: (202) 263-4180.

The Notice is filed under 49 C.F.R. 1150.41, et seq. If the Notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.