



Mack H. Shumate, Jr.
Senior General Attorney, Law Department

February 12, 2010

VIA E-FILING

The Honorable Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E Street, S.W., Room 100
Washington, DC 20423-0001

CORRECTED CERTIFICATE OF SERVICE AND PUBLICATION

RE: Exempt Discontinuance of Service over the Ankeny Industrial Lead from Milepost 10.50 in Ankeny to Milepost 10.70 in Ankeny, a distance of .20 miles in Polk County, Iowa; STB Docket AB-33 (Sub-No. 279X)

Dear Ms. Brown:

Attached hereto for filing in the above-referenced matter is a Corrected Certificate of Service and Publication. Please note, a copy of the newspaper notice as it appeared is attached to the Corrected Certificate of Service and Publication. This matter was brought to our attention by Julia Farr in the Board's Office of Proceedings and we appreciate her diligent efforts to assure that the record in this matter is accurate.

Sincerely,

A handwritten signature in black ink, appearing to read "Mack H. Shumate, Jr.", with a stylized flourish at the end.

Enclosures

cc: Julia Farr <via e-mail>

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**DOCKET NO. AB-33 (SUB-NO. 279X)
Ankeny Industrial Lead**

**CORRECTED
CERTIFICATE OF SERVICE AND PUBLICATION**

49 C.F.R. § 1152.50(d)(1) - Notice

The undersigned certifies that on November 5, 2009 (at least 10 days before a Notice of Exemption is filed), written notice was given of Union Pacific's intent to use the exemption notice procedure to abandon the Ankeny Industrial Lead in Polk County in Ankeny, Iowa in Docket No. AB-33 (Sub-No. 279X). Written notice (a copy of which is attached hereto as Attachment 1) was served on the following:

Iowa Department of Management
Attn: Kathy Mabie
State Capitol Bldg., Room G12
1007 East Grand Avenue
Des Moines, IA 50319

U.S. Department of Agriculture
Chief of the Forest Service
4th Floor, N.W., Auditors Building
14th St. & Independence Ave., S.W.
Washington, DC 20250

Nick Chevance
Environmental Coordinator
Planning & Compliance Office
National Park Service, Midwest Region
601 Riverfront Drive
Omaha, NE 68102

Headquarters
Military Surface Deployment &
Distribution
Command
Transportation Engineering Agency
ATTN: SDTE-SA
(Railroads for National Defense)
709 Ward Drive, Building 1990
Scott AFB, IL 62225-5357

49 C.F.R. § 1105.11 - Transmittal Letter For Applicant's Report

The undersigned certifies that on October 20, 2009 (at least 20 days before a Notice of Exemption is filed), a Combined Environmental and Historic Report pursuant to 49 C.F.R. §§ 1105.7 and 1105.8 was served in Docket No. AB-33 (Sub-No. 279X) for abandonment of the Ankeny Industrial Lead in Polk County in Ankeny, Iowa on the following:

- (1) State Clearinghouse (or alternate)
- (2) State Environmental Protection Agency
- (3) Head of each County
- (4) U.S. Environmental Protection Agency, Regional Office
- (5) U.S. Fish and Wildlife Service
- (6) U.S. Army Corps of Engineers
- (7) National Park Service
- (8) U.S. Natural Resources Conservation Service
- (9) The National Geodetic Survey
- (10) Other Agencies Consulted (As Listed)
- (11) State Historic Preservation Office

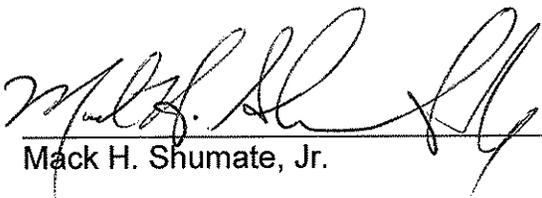
(The Certificate of Service attached to the Combined Environmental and Historic Report listed the names and addresses for the federal, state and local agencies.)

49 C.F.R. § 1105.12 - Newspaper Notice

The undersigned further certifies that a "Notice of Intent to Abandon or to Discontinue Rail Service" was published in the form prescribed by the Board for a Notice of Exemption. The Notice was published one time in a major newspaper in the county in which the Line is located as follows:

<u>County</u>	<u>Newspaper</u>	<u>Date</u>
Polk	<i>Des Moines Register</i>	January 29, 2010

Dated this 12th day of February, 2010.


 Mack H. Shumate, Jr.

The Des Moines Register

AFFIDAVIT OF PUBLICATION

COPY OF ADVERTISEMENT
Exhibit "A"

STATE OF IOWA
SS
COUNTY OF POLK

The undersigned, being first duly sworn on oath, states that she/he is the

Accounting Specialist E. M. Harlot
of The Des Moines Register and Tribune Company, a corporation duly organized and existing under the laws of the State of Iowa, with its principal place of business in Des Moines, Iowa, the publisher of

THE DES MOINES REGISTER (Daily)

DES MOINES SUNDAY REGISTER

newspapers of general circulation printed and published in the City of Des Moines, Polk County, Iowa, and that an advertisement, a printed copy of which is attached as Exhibit "A" and made a part of this affidavit, was printed and published in The Des Moines Register (daily) on the following dates

1/29/10

Subscribed and sworn to before me by said affiant this 2 day of February, 2010.

Susan Hazleton
Notary Public in and for Polk County, Iowa

SUSAN HAZELTON
Notarial Seal - Iowa
Commission # 223023
My Commission Expires 8/2011

R599 NOTICE OF INTENT TO ABANDON OR DISCONTINUE RAIL SERVICE
UNION PACIFIC RAILROAD COMPANY ("UP") gives notice that on or after January 29, 2010, it intends to file with the Surface Transportation Board, Washington, D.C. 20423, a Notice of Exemption under 49 C.F.R. Part 1152, Subpart F, Exempt Abandonments permitting the abandonment of a 20 mile line of railroad, known as the Ankeny Industrial Lead, between railroad milepost 10.05 in Ankeny to railroad milepost 10.07 in Ankeny, which traverses through United States Postal Service Zip Code 50021 in Polk County, Iowa. The proceeding

has been docketed as No. AB-33 (Sub-No. 279X). The Board's Section of Environmental Analysis ("SEA") will generally prepare an Environmental Assessment ("EA") which will normally be available 25 days after the filing of the Notice of Exemption. Comments on environmental and energy matters should be filed no later than 15 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 Section of Environmental Analysis (SEA), Surface Transportation Board, Washington, DC 20423 or by calling that office at (202) 245-0295. 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, 395 E Street, SW, Washington, DC 20423 (See 49 CFR 1104.1(a) and 1104.3(a)), and one copy must be served on the 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 Board's Office of Congressional and Public Services at (866) 254-1792. Copies of any comments or requests for conditions should be served on UP's Mack H. Shumate, Jr., Senior General Attorney, 101 North Wacker Drive, #1920, Chicago, Illinois 60606, 312/777-2055.
UNION PACIFIC RAILROAD COMPANY

