

Wisconsin Department of Transportation

www.dot.wisconsin.gov

Scott Walker
Governor

Dave Ross
Secretary

Office of General Counsel
4802 Sheboygan Ave., Rm. 115B
P.O. Box 7910
Madison, WI 53707-7910

Telephone: 608-266-8810
FAX: 608-267-6734
E-mail: ogc.exec@dot.wi.gov

My 8, 2017

VIA E-FILE

243028

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

ENTERED
Office of Proceedings
May 8, 2017
Part of
Public Record

Re: Termination of Modified Certificate and Interim Trail Use for the rail segment extending from milepost 7.96 and ending at milepost 13.07, a distance of 5.11 miles in Sauk County, Wisconsin, STB Finance Docket No. 31340.

Dear Ms. Brown:

The Wisconsin Department of Transportation ("WisDOT") and Wisconsin Department of Natural Resources ("WDNR") hereby file this Joint Notice of Interim Trail Use/Rail Banking Agreement in accordance with 49 C.F.R. 1152.29(h), which is attached hereto with this e-filing.

Sincerely,

Bennett Conard
Assistant General Counsel
Wisconsin Department of Transportation
Office of General Counsel
4802 Sheboygan Avenue, Room 115B
P.O. Box 7910
Madison, WI 53707-7910
(608) 266-8810
Fax (608) 267-6734
bennett.conard@dot.wi.gov

Attachment

cc: Wisconsin Department of Natural Resources

BEFORE THE
SURFACE TRANSPORTATION BOARD

Finance Docket No. 31340

WISCONSIN & SOUTHERN RAILROAD, L.L.C
-- MODIFIED CERTIFICATE --
MAZOMANIE, WISCONSIN TO PRAIRIE DU SAC, WISCONSIN

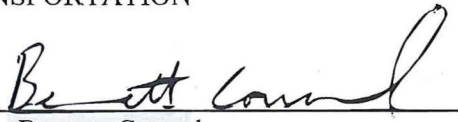
**JOINT NOTICE OF INTERIM TRAIL USE/RAIL BANKING AGREEMENT
BETWEEN WISCONSIN DEPARTMENT OF TRANSPORTATION AND
WISCONSIN DEPARTMENT OF NATURAL RESOURCES IN ACCORDANCE WITH
49 C.F.R. 1152.29(h)**

The Wisconsin Department of Transportation ("WisDOT") and the Wisconsin Department of Natural Resources ("WDNR") have entered into a trail use/rail banking agreement (the "Trail Use Agreement") covering the rail segment extending approximately 5.11 miles, beginning near milepost 7.96, near Sauk City, in Sauk County, Wisconsin, to milepost 13.07, near Prairie du Sac, in Sauk County, Wisconsin, through Zip Codes 53578 and 53583 in Sauk County (the "instant rail line").¹ A map depicting an accurate description of the instant rail line, including mileposts, that is the subject of the Trail Use Agreement is attached hereto as **Exhibit 1**.

In accordance with the requirements of 49 C.F.R. 1152.29(h), WisDOT and WDNR hereby certify that the Trail Use Agreement includes provisions requiring the trail Sponsor, WDNR, to fulfill the responsibilities described at 49 C.F.R. 1152.29(a)(2).

Respectfully,

WISCONSIN DEPARTMENT OF
TRANSPORTATION

By: 

Bennett Conard

Attorney for Wisconsin Department of
Transportation

¹ The Wisconsin & Southern Railroad ("WSOR") is not a party to the Interim Trail Use Agreement because WSOR does not own the right-of-way. WDNR has assumed all responsibility for managing the right-of-way in the Interim Trail Use Agreement, and WSOR has no continuing obligation over the instant rail line.

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Madison, WI 53707-7910
(608) 266-8810

Respectfully,

WISCONSIN DEPARTMENT OF NATURAL
RESOURCES

By: Bugt Shown

Title: State Trails Coordinator

EXHIBIT 1

Sauk County



Subject Area

Milepost 13.07



Further described as the point S89 degrees 51'22"W 87.44 feet along the South line of the Northwest 1/4 of Section 23, Township 10 North, Range 6 East from center of Said Section 23.

Milepost 7.96



Further described as 89.72755W lat., 43.26541 N long., or the eastern extent of Water Street.

WISCONSIN DEPARTMENT
OF NATURAL RESOURCES

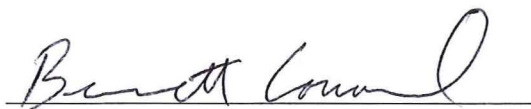


Bureau of
Parks and Recreation
Feb 24, 2017

Great Sauk State Trail - dcb

CERTIFICATE OF SERVICE

I hereby certify that I have caused the foregoing petition for Notice of Interim Trail Use in regards to **Finance Docket No. 31340**, by electronic mail or regular mail, pursuant to 49 C.F.R. § 1104.12, this 8th day of May, 2017, on all parties of record on the service list.

A handwritten signature in cursive script, reading "Bennett Conard", is written over a horizontal line.

Bennett Conard, Attorney
State Bar no. 1100005
Wisconsin Department of Transportation
Office of General Counsel