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ENTERED
Office of Proceedings
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Part of
Public Record

VIA ELECTRONIC FILING

Cynthia T. Brown
Chief, Section of Administration - Office of
Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20024

Re: STB Docket No. AB-449 (Sub-No. 3X)
Western Kentucky Railway, LLC
-- Exempt Abandonment --
Webster, Union, Caldwell and Crittenden Counties, Kentucky
Notice of Consummation

Dear Ms. Brown:

In this proceeding, Western Kentucky Railway, LLC ("WKRL") filed a notice of exemption to abandon all of its remaining lines of railroad in Webster and Union Counties, KY. The exemption became effective on February 26, 2011. The exemption was reopened and Webster and Union County were each authorized to negotiate an interim trail use/rail banking agreement with WKRL for the lines in their respective counties. Ultimately, Webster County requested a further extension of its NITU, and Union County determined that it no longer wished to pursue trail use and rail banking.

Consistent with the Board's decision served February 25, 2011, WKRL previously salvaged the lines, and discontinued common carrier service.

Cynthia T. Brown
February 10, 2017
Page 2

On September 4, 2012, WKRL filed a notice of partial consummation for the portion of the lines in Union County. (The line in Union County extended from MP 48.0 at Dekoven to the Union County / Webster County line outside of Blackford.)

The lines in Webster County have continued to be subject to a NITU based on extensions requested, agreed to and approved. The most recent extension was approved by the Board's Office of Proceedings in a decision served August 1, 2016, which extended the NITU until January 24, 2017.

Webster County has notified WKRL that the County does not intend to seek any further extension of the NITU. As the most recent extension of the NITU has now expired, there are no longer any legal impediments to the consummation of the abandonment by WKRL.

Accordingly, WKRL is hereby providing notice pursuant to 49 CFR §1152.50(e) and §1152.29(e)(2), that as of February 28, 2017, it is exercising the abandonment authority granted in this proceeding, and consummating the abandonment of the rail lines in Webster County: (1) between Union County / Webster County line outside of Blackford and milepost 62.5 at Blackford; (2) between milepost 0.0 at Blackford and milepost 3.8 at Pyro Wye and between milepost 3.8 and milepost 8.5 at Clay; (3) between milepost 0.0 at Costain Prep Plant and milepost 9.5 at Providence; (4) the Wheatcroft loop track, which connects line 2 and line 3 described above, between milepost 0.8 +/- on line 3 and running north towards milepost 5.6 +/- and milepost 6.0 +/- on line 2; and (5) between milepost 0.0 at Costain Prep Plant and milepost 5.5 at Caney Creek. WKRL is cancelling all remaining station listings related to its former lines of railroad.

Pursuant to 49 CFR § 1152.29(e)(2), WPRR certifies that a copy of this Notice of Consummation has been sent to the Kentucky Transportation Cabinet, Rail Division. A copy has also been sent to Webster County, and to the Kentucky Tourism, Arts and Heritage Cabinet.

Cynthia T. Brown
February 10, 2017
Page 3

Please let me know if there are any questions about this notice of consummation.

Respectfully,

CLARK HILL PLC



Eric M. Hocky

EMH/e

cc: Steve Henry, Webster County Judge Executive (by email)
Seth Wheat, Kentucky Tourism, Arts
and Heritage Cabinet (by mail)
WKRL (by email)

Kentucky Transportation Cabinet
Rail Division
200 Mero Street
Frankfort, KY 40622