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THOMAS F. MCFARLAND

March 3, 2017

242739
ENTERED
Office of Proceedings
March 6, 2017
Part of
Public Record

By UPS overnight mail

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

Re: Finance Docket No. 36106, 2nd & Main, LLC -- Acquisition and Operation
Exemption -- Norland North Chicago, LLC

Dear Ms. Brown:

Hereby transmitted is the original and 10 copies of Notice Of Exemption Under 49 C.F.R.
§ 1150.31 for filing with the Board in the above referenced matter.

This Notice is related to Finance Docket No. 36103, *Hussey Terminal Railroad Company
and 2nd & Main, LLC -- Acquisition and Operation Exemption -- at North Chicago, Lake County,
IL*. It is respectfully requested that the Notice of Exemption in F.D. 36103 be noticed to the
public on the same date on which this Notice of Exemption is noticed to the public.

Also enclosed is a check in the amount of \$1,900 for the filing fee.

Very truly yours,

/s/ Thomas F. McFarland

Thomas F. McFarland
Attorney for Applicant

TMcF:kl:enc:\1754-A\ltrSTB1

FEE RECEIVED
March 6, 2017
SURFACE
TRANSPORTATION BOARD

FILED
March 6, 2017
SURFACE
TRANSPORTATION BOARD

BEFORE THE
SURFACE TRANSPORTATION BOARD



2ND & MAIN, LLC -- ACQUISITION)
AND OPERATION EXEMPTION --) FINANCE DOCKET
NORLAND NORTH CHICAGO, IL) NO. 36106
)

**NOTICE OF EXEMPTION
UNDER 49 C.F.R. § 1150.31**

2ND & MAIN, LLC
1900 Marquette Street
North Chicago, IL 60062

Applicant

THOMAS F. McFARLAND
THOMAS F. McFARLAND, P.C.
208 South LaSalle Street, Suite 1666
Chicago, IL 60604-1228
(312) 236-0204 (ph)
mcfarland@aol.com

Attorney for Applicant

Date Filed: March 6, 2017

BEFORE THE
SURFACE TRANSPORTATION BOARD

2 ND & MAIN, LLC -- ACQUISITION	)	
AND OPERATION EXEMPTION --	)	FINANCE DOCKET
NORLAND NORTH CHICAGO, IL	)	NO. 36106
	)	

**NOTICE OF EXEMPTION
UNDER 49 C.F.R. § 1150.31**

Pursuant to 49 U.S.C. § 10502 and 49 C.F.R. § 1150.31, *et seq.*, 2nd & Main, LLC (2&M) hereby provides notice of its class exemption for its acquisition from Norland North Chicago, LLC (Norland) and operation of approximately 540 feet of rail line at North Chicago, IL shown on a plat that is attached to this Notice as Appendix 1.

INFORMATION ABOUT 2&M REQUIRED BY 49 C.F.R. § 1150.33

The following is furnished pursuant to 49 C.F.R. § 1150.33:

(a) *The full name and address of the applicant;*

Applicant is 2nd & Main, LLC, (2&M), 1900 Marquette Street, North Chicago, IL 60062.

(b) *The name, address, and telephone number of the representative of the applicant who should receive correspondence;*

2&M's representative is Thomas F. McFarland, Thomas F. McFarland, P.C., 208 South LaSalle Street, #1666, Chicago, IL 60604-1228, 312-236-0204.

(c) *A statement that an agreement has been reached or details about when an agreement will be reached;*

An agreement has been reached between 2&M and Norland for 2&M's acquisition and operation of the Rail Line.

(d) *The operator of the property;*

The operator of the property will be 2&M.

(e) *A brief summary of the proposed transaction, including:*

(1) *The name and address of the railroad transferring the subject property;*

The transferor of the property is Norland North Chicago, LLC, 1601 North Lewis Avenue, Waukegan, IL 60085-1761. Norland is believed to have acquired the Rail Line in bankruptcy prior to 2014 as a secured creditor of a prior owner of the Line, Edward Hines Lumber Co., which was later involuntarily dissolved.

(2) *The proposed time schedule for consummation of the transaction;*

The transaction will be consummated shortly after the exemption for the transaction becomes effective.

(3) *The mileposts of the subject property, including any branch lines; and*

The Rail Line does not have milepost numbers.

(4) *The total route miles being acquired;*

Approximately 540 feet of rail line is proposed to be acquired and operated.

(f) *A map that clearly indicates the area to be served, including origins, termini, stations, cities, counties, and States; and*

A plat showing the Rail Line is attached to this Notice as Appendix 1.

(g) *A certificate that applicant's projected revenues do not exceed those that would qualify it as a Class III rail carrier.*

2&M's projected revenues would not exceed those that would qualify it as a Class III rail carrier. See the Verification of Philip N. Dahl, President of 2&M, attached to this Notice as Appendix 2.

(h) *Interchange Commitments.*

There are no interchange commitments.

ADDITIONAL INFORMATION

Annual Revenues

In compliance with 49 C.F.R. § 1150.32(e), Applicant states that the projected annual revenue of 2&M created by the prior transaction did not exceed \$5 million. *See* Appendix 2.

CAPTION SUMMARY

The Caption Summary required by 49 C.F.R. § 1150.34 is attached as Appendix 3.

LABOR PROTECTION

By virtue of 49 U.S.C. § 10901(c), labor protective conditions are not to be imposed in regard to the proposed exemption.

ENVIRONMENTAL AND HISTORIC CONSIDERATIONS

By virtue of 49 C.F.R. § 1106(c) and 49 C.F.R. § 1105.8(b)(1), no environmental or historic reporting is required in regard to the proposed exemption.

VERIFICATION

The verification of Philip N. Dahl, President of 2&M, is attached to this Notice as Appendix 2.

CONCLUSION AND REQUESTED RELIEF

WHEREFORE, the Board should publish notice of the filing of this Notice of Exemption in the Federal Register no more than 16 days after filing of the Notice. *See* 49 C.F.R. § 1150.32(b).

Respectfully submitted,

2ND & MAIN, LLC
1900 Marquette Street
North Chicago, IL 60062

Applicant

/s/ Thomas F. McFarland

THOMAS F. McFARLAND
THOMAS F. McFARLAND, P.C.
208 South LaSalle Street, Suite 1666
Chicago, IL 60604-1228
(312) 236-0204 (ph)
mcfarland@aol.com

Attorney for Applicant

Date Filed: March 6, 2017

Appendix 1

EXHIBIT A
PLAT

Of that part of the N $\frac{1}{2}$ of the N.W. $\frac{1}{4}$ of Sec. 4 T. 44. N.
R. 12 E. of 3rd P.M. Lying South of the E. J. & E. Ry.²²³
East of the C. & N.W. Ry.

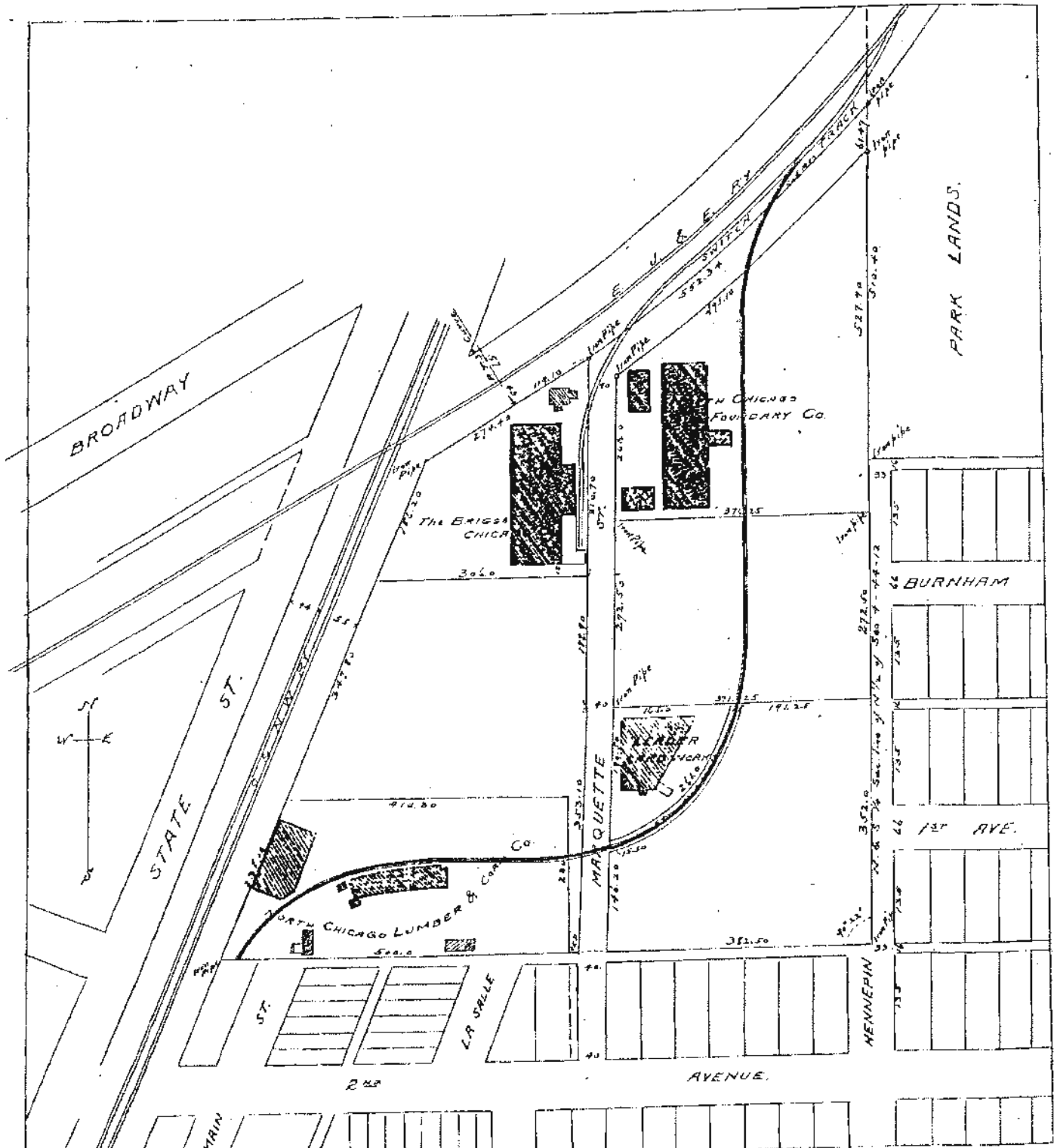
NORTH CHICAGO, ILL.

Scale 100 feet per inch

Oct 1915

R. J. Smith, C.E.

pg 60
Municipal Assessor
City of North Chicago
L. J. Smith
Cassidy & Co. 1915

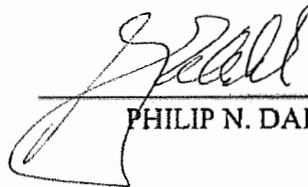


Appendix 2

VERIFICATION

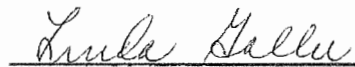
STATE OF ILLINOIS)
) SS:
COUNTY OF LAKE)

PHILIP N. DAHL, being duly sworn, states that he is President of 2nd & Main, LLC (2&M); that he has read the foregoing Notice of Exemption under 49 C.F.R. § 1150.31; that the projected revenues of 2&M would not exceed those that would qualify it as a Class III rail carrier; that the projected annual revenue of 2&M to be created by the proposed acquisition and operation would not exceed \$5 million; and that all other facts set forth in the Notice of Exemption are true and correct.



PHILIP N. DAHL

SUBSCRIBED and SWORN to
before me this 3rd day of
March, 2017.



Notary Public

My Commission Expires: 1/19/21



Appendix 3

CAPTION SUMMARY

SURFACE TRANSPORTATION BOARD

Notice of Exemption

STB Finance Docket No. 36106

*2nd & Main, LLC -- Acquisition and Operation
Exemption -- Norland North Chicago, LLC*

2nd & Main, LLC (2&M) has filed a Notice of Exemption to acquire from Norland North Chicago, LLC and operate approximately 540 feet of rail line at North Chicago, Lake County, Illinois (the Rail Line). The Rail Line does not have milepost numbers. Comments must be filed with the Board and served on 2&M's representative, Thomas F. McFarland, Thomas F. McFarland, P.C., 208 South LaSalle Street, Suite 1666, Chicago, IL 60604-1228, ph 312-236-0204.

The Notice is filed under 49 C.F.R. § 1150.31 *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.

By the Board