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ENTERED
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November 13, 2017
Part of
Public Record

November 10, 2017

By e-filing

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

Jeremy M. Berman, Esq.
General Attorney
Union Pacific Railroad Company
1400 Douglas Street STOP 1580
Omaha, NE 68179

Re: Docket No. AB-33 (Sub-No. 327X), *Union Pacific Railroad Company --
Abandonment Exemption -- in Cerro Gordo County, IA (Rockwell Industrial
Lead)*

Dear Ms. Brown & Mr. Berman:

Pursuant to 49 C.F.R. § 1152.27(c)(2)(i), M&StL Group, LLC (MSL), a noncarrier, hereby submits its formal expression of intent to file an offer of financial assistance (OFA) for purchase of the 2-mile segment of rail line proposed for abandonment in the above proceeding, i.e., between Milepost No. 155.5 near Elm Street and Milepost No. 157.5 near 19th Street in Mason City, Cerro Gordo County, Iowa (the Rail Line).

Pursuant to 49 C.F.R. § 1152.27(a), Mr. Berman, in behalf of Union Pacific Railroad Company (UP), is respectfully requested to promptly provide:

- (1) UP's estimate of the minimum purchase price for the 2-mile segment;
- (2) UP's most recent report of the physical condition of the 2-mile segment, including an identification of the extent to which the main line is NOT intact;
- (3) UP's estimate of the net liquidation value (NLV) of the 2-mile segment, with supporting data reflecting available real estate appraisals, assessments of the quality and quantity of track materials in the segment and removal cost estimates (including the cost of transporting materials to point of sale or point of storage for relay use);

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- (4) if UP's estimate of NLV includes a value for real estate in the right-of-way of the segment, evidence to establish that UP has marketable fee title to any parcels claimed to have such value; and
- (5) copies of all existing interchange agreements involving the Rail Line.

Respectfully submitted,



Thomas F. McFarland
Attorney for M&StL Group, LLC

TMcf:mg:11778efSTBI

cc: Ms. Andrea Boulton, *by e-mail to Lhein@Inhf.Org*

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Dear Ms. Brown:

This is to certify that on November 10, 2017, I sent copies of a Formal Expression of M&StL Group, LLC of Intent to File an OFA to purchase a 2-mile segment of the rail line covered by the captioned docket to the following party of record in the proceeding by the means stated:

Andrea Boulton - by e-mail to lhein@inhf.org.

Formal expressions of intent to file an OFA were due on November 9, 2017. The Formal Expression of M&StL Group, LLC was e-mailed to the Board and to counsel for Union Pacific Railroad Company on that date, but that filing was not served on the above party of record on that date.

This is the respectfully request that in the circumstances M&StL Group's Formal Expression of Intent be accepted for filing one business day out of time.

Respectfully submitted,



Thomas F. McFarland
Attorney for M&StL Group, LLC

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cc: Jeremy Berman, Esq., *by e-mail*