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205830

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July 11, 2002

ENTERED
Office of Proceedings

JUL 12 2002

Part of
Public Record



VIA OVERNIGHT DELIVERY

Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

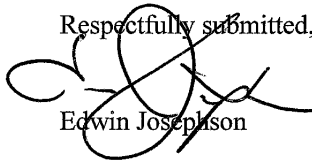
**Re: Missouri & Valley Park Railroad Corporation
Application for Exemption
Finance Docket No. 34231**

Dear Honorable Secretary:

We enclose on behalf of Missouri & Valley Park Railroad Corporation Verified Notice of Exemption Application Pursuant to Section 49 C.F.R. 1150.33. In addition to the original document, we also enclose ten (10) copies, as required by the Rules.

Please also find enclosed herewith our check payable to the order of the Surface Transportation Board in the amount of \$1,300. Please observe that there is a copy of the Caption summary attached to the Exemption and each of the copies.

Respectfully submitted,


Edwin Josephson

FEE RECEIVED

EJ/jem
Enclosure

FILED

JUL 12 2002

JUL 12 2002

**SURFACE
TRANSPORTATION BOARD**

**SURFACE
TRANSPORTATION BOARD**

DID #0101989000

205830

BEFORE THE
SURFACE TRANSPORTATION BOARD
FINANCE DOCKET NO. 34231



FEE RECEIVED

MISSOURI & VALLEY PARK RAILROAD CORPORATION

JUL 12 2002

**SURFACE
TRANSPORTATION BOARD**

- LEASE EXEMPTION -

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY

VERIFIED NOTICE OF EXEMPTION

PURSUANT TO 49 C.F.R. 1150.33 Et Seq.

ENTERED
Office of Proceedings

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Public Record

FILED

JUL 12 2002

**SURFACE
TRANSPORTATION BOARD**

EDWIN I. JOSEPHSON
CHUHAK & TECSON, P.C.
30 South Wacker Drive
Suite 2600
Chicago, IL 60606
(312) 444-9300

Attorneys for:

MISSOURI & VALLEY PARK RAILROAD
CORPORATION

Dated: July 3, 2002

BEFORE THE
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 34231

MISSOURI & VALLEY PARK RAILROAD CORPORATION

- LEASE EXEMPTION -

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY

VERIFIED NOTICE OF EXEMPTION

PURSUANT TO 49 C.F.R. 1150.33 Et Seq.

Missouri & Valley Park Railroad Corporation ("MVP"), a Class III rail carrier, files this Notice of Exemption pursuant to 49 C.F.R. Parts 1150.33, et seq. under 49 U.S.C. 10901, to permit MVP to lease and operate a 2.14 mile rail line and yard office building from The Burlington Northern and Santa Fe Railway Company ("BNSF") near West Valley Park, Missouri on the South Side of the Cuba Sub Main Line and on the South Side of said line at East Valley Park, Missouri.

In support of this Notice of Exemption, MVP submits the following information as required by 49 C.F.R. 1150.33:

A. Full name and address of the applicant:

Missouri & Valley Park Railroad Corporation
22 East Dundee Road
Suite 22
Barrington, Illinois 60010

B. Applicant's representative:

Edwin I. Josephson
Chuhak & Tecson, P.C.
30 South Wacker Drive
Suite 2600
Chicago, Illinois 60606
(312) 444-9300

C. Statement of Agreement:

MVP has entered into an agreement with BNSF for the lease of the rail line. MVP and BNSF have also entered into a certain trackage agreement and interchange agreement that affects the leased line.

D. Operation of the Property:

MVP is an Illinois corporation, incorporated on June 20, 2002, to transact any and all lawful business for which a corporation may be organized under the Illinois Business Corporation Act. Specifically, the corporation was incorporated to enter into the lease with BNSF as described herein.

E. Summary of proposed transaction:

- 1) The name and address of the railroad leasing the subject property is:

The Burlington Northern and
Santa Fe Railway Company
2600 Lou Menk Drive
Fort Worth, Texas 76131

- 2) Time Schedule: MVP's lease of the rail line is expected to be effective as of 12:01 A.M. on July 4, 2002 and shall continue in effect through July 3, 2007, subject to confirmation of the approval or exemption from approval of this transaction by the Surface Transportation Board.

3) Mile Posts: The rail line being leased from BNSF is located between Milepost 20.50 near West Valley Park, Missouri on the South Side of the Cuba Sub Main Line and at or near Milepost 18.36 on the BNSF Cuba Sub at East Valley Park, Missouri on the South Side of the Cuba Sub Mail Line.

4) Total Route Miles: The length of the rail line being leased is 2.14 miles.

F. Map:

A map of the Rail Line is attached as Exhibit "A".

G. Certificate of Projected Revenues:

MVP hereby certifies that MVP's projected revenues do not exceed those that would qualify it as a Class III carrier.

A Caption Summary under Section 49 CFR 1150.34 is attached.

Respectfully submitted,



EDWIN I. JOSEPHSON

CHUHAK & TECSON, P.C.
30 South Wacker Drive
Suite 2600
Chicago, Illinois 60606
(312) 444-9300

ATTORNEYS FOR:

MISSOURI & VALLEY PARK RAILROAD
CORPORATION

Dated: July 3, 2002.

VERIFICATION

STATE OF ILLINOIS)

COUNTY OF Lake)

I, Richard C. McClure, being duly sworn, depose and state that I am President of the Missouri & Valley Park Railroad Corporation, that I am authorized to make this verification, and that I have read the foregoing Notice of Exemption and know the facts asserted therein are true and accurate as stated to the best of my knowledge, information and belief.



Richard C. McClure

SUBSCRIBED AND SWORN TO before me this 3rd day of July, 2002, in the County of Lake, State of Illinois.

My commission expires

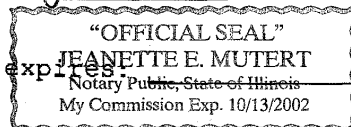
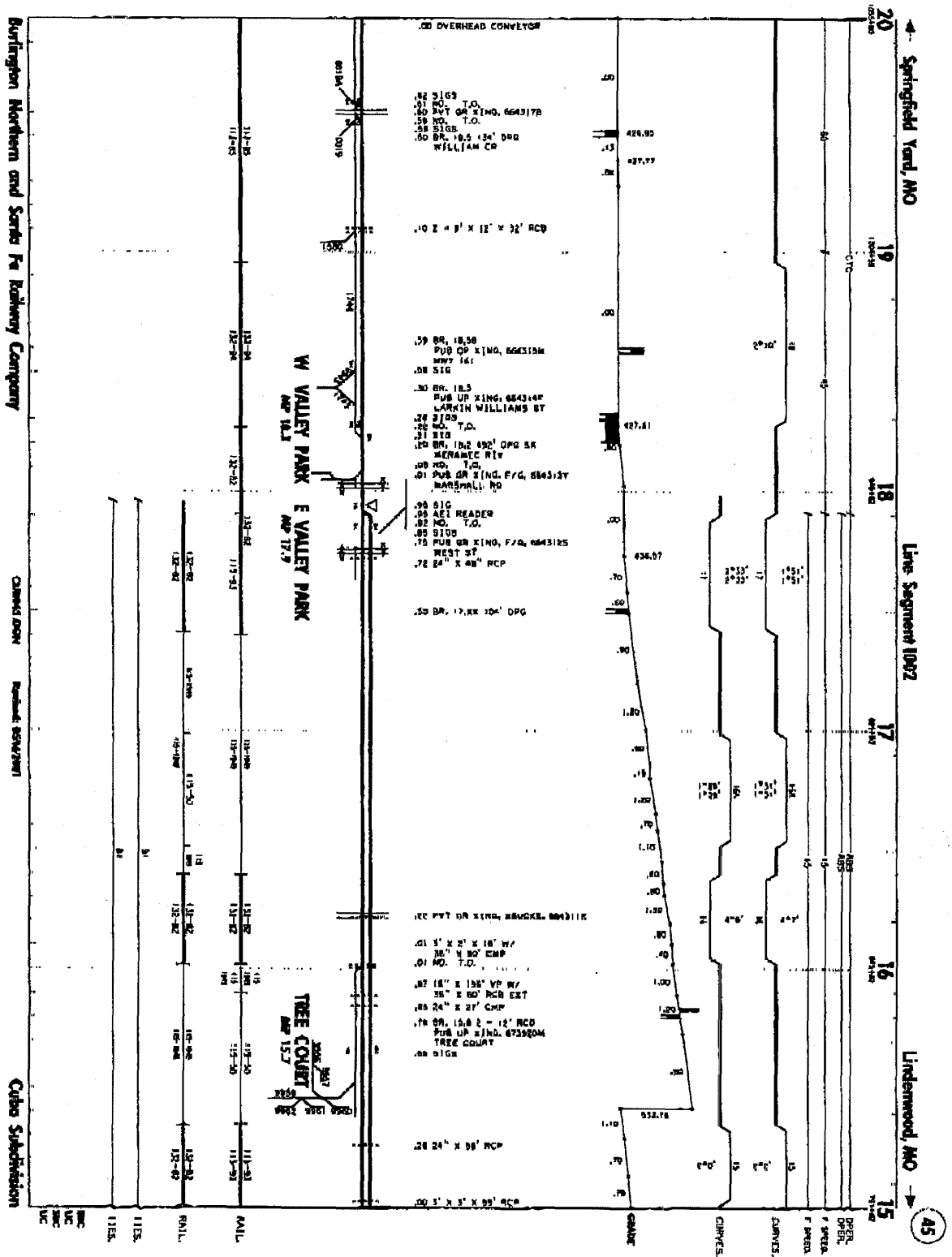
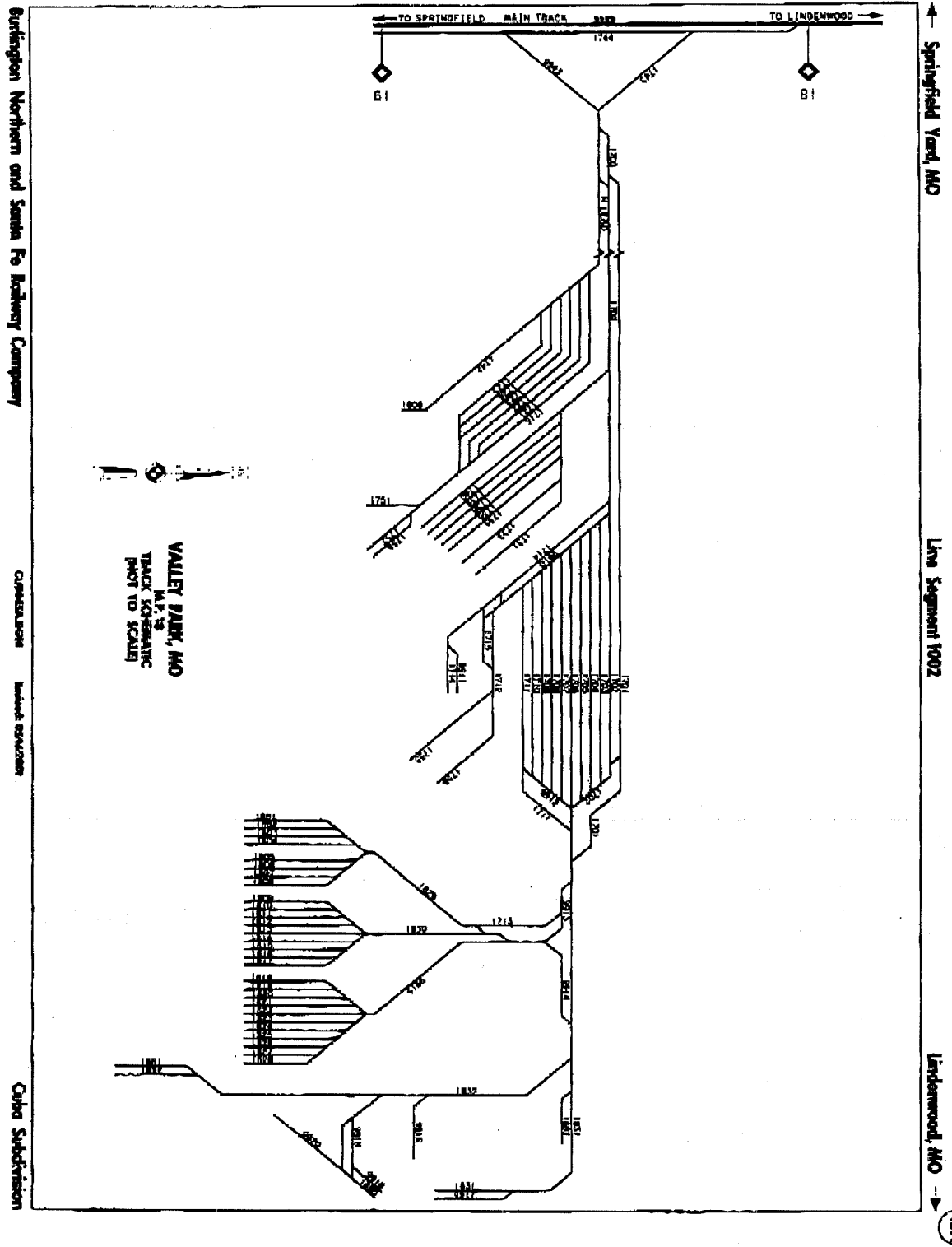

Notary Public

EXHIBIT A

MAP





Burlington Northern and Santa Fe Railway Company

CREATION: 06/20/02

Chiba Substation

SURFACE TRANSPORTATION BOARD

NOTICE OF EXEMPTION

FINANCE DOCKET NO. 34231

MISSOURI & VALLEY PARK RAILROAD CORPORATION
- LEASE EXEMPTION -
THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY

Missouri & Valley Park Railroad Corporation, a Class III rail carrier, has filed a notice of exemption to lease from The Burlington Northern and Santa Fe Railway Company ("BNSF") the rail line located between Milepost 20.50 near West Valley Park, Missouri on the South Side of the Cuba Sub Main Line and at or near Milepost 18.36 on the BNSF Cuba Sub at East Valley Park, Missouri on the South Side of the Cuba Sub Main Line.

Comments must be filed with the Board and served on Edwin I. Josephson, CHUHAK & TECSON, P.C., 30 South Wacker Drive, Suite 2600, Chicago, Illinois 60606, (312) 368-4666.

This notice is filed under 49 C.F.R. 1150.31. If the notice contains false or misleading information, the exemption is void ab initio. The filing of a petition to revoke will not automatically stay the transaction.