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June 30, 2005

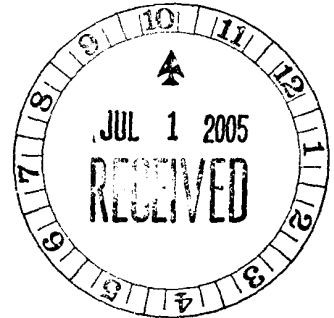
VIA FEDERAL EXPRESS

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W., Room 700
Washington, DC 20006

ENTERED
Office of Proceedings

JUL 1 - 2005

Part of
Public Record



Re: **Finance Docket No. 34715**
R. J. Corman Railroad Property, LLC -- Acquisition Exemption --
Line of The Railroad Co. and The WV Southern Railway Co.

Dear Secretary Williams:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the **Verified Notice of Exemption of R.J. Corman Railroad Property, LLC Pursuant to 49 C.F.R. § 1150.41**, dated June 30, 2005. A check in the amount of \$1,500, representing the appropriate fee for this filing, and a computer diskette containing the text of the Notice and the *Federal Register* caption summary in MS Word 2000 format are attached.

One extra copy of the Notice and this letter also are enclosed. I would request that you date-stamp those items to show receipt of this filing and return them to me in the provided envelope.

If you have any questions regarding this filing, please feel free to contact me. Thank you for your assistance on this matter.

Respectfully submitted,

Thomas J. Litwiler
Attorney for R.J. Corman Railroad Property, LLC

TJL:tl

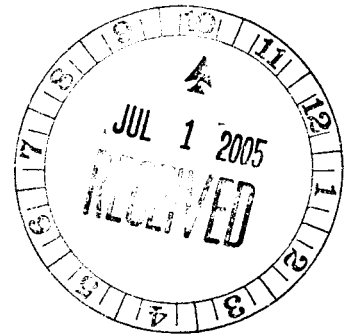
Enclosures

FILED
JUL 1 - 2005
SURFACE
TRANSPORTATION BOARD

FEE RECEIVED
JUL 1 - 2005
SURFACE
TRANSPORTATION BOARD

ORIGINAL

BEFORE THE
SURFACE TRANSPORTATION BOARD



FINANCE DOCKET NO. 34715

R.J. CORMAN RAILROAD PROPERTY, LLC
-- ACQUISITION EXEMPTION --
LINE OF THE RAILROAD CO. AND THE WV SOUTHERN RAILWAY CO.

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VERIFIED NOTICE OF EXEMPTION
OF
R.J. CORMAN RAILROAD PROPERTY, LLC
PURSUANT TO 49 C.F.R. § 1150.41

FILED

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SURFACE
TRANSPORTATION BOARD

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JUL 1 - 2005

SURFACE
TRANSPORTATION BOARD

Ronald A. Lane
Thomas J. Litwiler
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832
(312) 252-1500

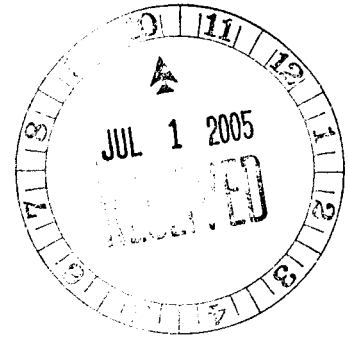
ATTORNEYS FOR R.J. CORMAN
RAILROAD PROPERTY, LLC

Dated: June 30, 2005

BEFORE THE
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 34715

R.J. CORMAN RAILROAD PROPERTY, LLC
-- ACQUISITION EXEMPTION --
LINE OF THE RAILROAD CO. AND THE WV SOUTHERN RAILWAY CO.



**VERIFIED NOTICE OF EXEMPTION
OF
R.J. CORMAN RAILROAD PROPERTY, LLC
PURSUANT TO 49 C.F.R. § 1150.41**

Pursuant to 49 C.F.R. § 1150.41, et seq., R.J. Corman Railroad Property, LLC ("Railroad Property"), a Class III rail carrier, hereby files this Verified Notice of Exemption to acquire from The Railroad Co. ("RRC") and The WV Southern Railway Co. ("WVSR") a line of railroad known as the "Loup Creek Branch" extending from milepost 0.0 at Thurmond, West Virginia to milepost 12.0 at Mt. Hope, West Virginia, a distance of approximately twelve miles. The Loup Creek Branch is currently owned by RRC and operated by WVSR, a wholly-owned subsidiary of RRC. Based on projected revenues for the Loup Creek Branch, Railroad Property expects to remain a Class III rail carrier after consummation of the transaction proposed herein.

This Notice is related to Finance Docket No. 34716, R.J. Corman Railroad Company/Bardstown Line, d/b/a R.J. Corman Railroad Company/WV Lines -- Lease Exemption -- Line of R.J. Corman Railroad Property, LLC, in which R.J. Corman Railroad Company/Bardstown Line, d/b/a R.J. Corman Railroad Company/WV Lines ("RJCV") is filing a Verified Notice of Exemption pursuant to 49 C.F.R. § 1150.41 to lease from Railroad Property and operate the Loup Creek Branch.

In accordance with the requirements of 49 C.F.R. § 1150.43, Railroad Property submits the following information:

Name and Address of Applicant: 49 C.F.R. § 1150.43(a)

The full name and address of the rail carrier applicant herein is as follows:

R.J. Corman Railroad Property, LLC
One Jay Station, P.O. Box 788
Nicholasville, KY 40356

Applicant's Representative: 49 C.F.R. § 1150.43(b)

Railroad Property's representative to whom correspondence regarding this transaction should be sent is as follows:

Ronald A. Lane
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832
(312) 252-1500

Statement Concerning Agreement: 49 C.F.R. § 1150.43(c)

Railroad Property, RRC, WVSR and CSX Transportation, Inc. ("CSXT"), the former owner of the Loup Creek Branch, have reached agreements in principle providing for transfer of the Loup Creek Branch to Railroad Property. Railroad Property anticipates that final written agreements will be executed on or before July 8, 2005.

Operator: 49 C.F.R. § 1150.43(d)

R.J. Corman Railroad Company/Bardstown Line, d/b/a R.J. Corman Railroad Company/WV Lines ("RJCV"), a Railroad Property affiliate, will lease and operate the Loup Creek Branch, pursuant to a separate notice of exemption being filed concurrently herewith in Finance Docket No. 34716.

Summary of the Transaction: 49 C.F.R. § 1150.43(e)

Railroad Property¹ is a Class III common carrier by rail that owns or leases approximately 157 route miles of rail line in Kentucky and Ohio. See R.J. Corman Railroad Property, LLC -- Lease Exemption -- Line of CSX Transportation, Inc., Finance Docket No. 34625 (STB served March 4, 2005); R.J. Corman Equipment Company, LLC -- Acquisition Exemption -- Lines of CSX Transportation, Inc., Finance Docket No. 34386 (STB served September 12, 2003); R.J. Corman Equipment Company, LLC -- Acquisition Exemption -- Line of Lexington & Ohio Railroad Co., Inc., Finance Docket No. 34325 (STB served April 14, 2003); R.J. Corman Equipment Company, LLC -- Acquisition Exemption -- Line of CSX Transportation, Inc., Finance Docket No. 34226 (STB served August 6, 2002); R.J. Corman Equipment Company, LLC -- Acquisition Exemption -- Line of CSX Transportation, Inc., Finance Docket No. 34165 (STB served February 15, 2002). Railroad Property is a member of the R.J. Corman family of railroads, which includes eight other Class III rail carriers in the eastern United States. See Richard J. Corman -- Continuance in Control Exemption -- R.J. Corman Equipment Company, LLC, Finance Docket No. 34167 (STB served February 15, 2002). Railroad Property does not perform any rail operations; all of the rail lines owned or leased by Railroad Property are leased or sub-leased to and operated by other Corman rail carrier affiliates.

Pursuant to agreements to be entered into by Railroad Property, CSXT, RRC, WVSR and CSXT, Railroad Property will acquire all of the right, title and interest of RRC and

¹ Railroad Property was formerly known as R.J. Corman Equipment Company, LLC. The name of that entity was formally changed to R.J. Corman Railroad Property, LLC, and its non-rail assets were transferred to a new non-carrier entity named R.J. Corman Equipment Company. As a result, the new "Equipment Company" does not own any railroad assets, and Railroad Property holds the railroad assets and bears the residual common carrier obligations of the former R.J. Corman Equipment Company, LLC.

WVSR, excluding title to the underlying real estate, in the Loup Creek Branch, extending from a connection with CSXT at milepost 0.0 in Thurmond to milepost 12.0 at Mt. Hope, a distance of approximately 12 miles in Fayette County, West Virginia. RRC/WVSR had acquired the Loup Creek Branch from CSXT in 2003. The Railroad Co., Inc. and WV Southern Railway Co. -- Acquisition and Operation and Exemption -- Rail Line of CSX Transportation, Inc., Finance Docket No. 34384 (STB served August 19, 2003). RRC will simultaneously transfer to CSXT title to the real estate underlying the Loup Creek Branch right-of-way, and Railroad Property will lease the underlying real estate from CSXT for 20 years.

Pursuant to exemption in Finance Docket No. 34716, Railroad Property will lease the Loup Creek Branch to its corporate affiliate, RJCVC, which will operate, maintain and provide all common carrier service on the line. Railroad Property, RJCVC, CSXT and a local mine operator also anticipate installation of a spur on a previously-abandoned right-of-way west of Mt. Hope to serve a new coal mine load-out. See CSX Transportation, Inc. -- Abandonment Exemption -- In Fayette County, WV, Docket No. AB-55 (Sub-No. 525X) (STB served April 15, 1996).

The complete name and address of the carriers transferring the Loup Creek Branch to Railroad Property are as follows:

The Railroad Co.
The WV Southern Railway Co.
Thurmond Station
Thurmond, WV 25936

Railroad Property intends to consummate its acquisition of the Loup Creek Branch on July 8, 2005.

Map: 49 C.F.R. § 1150.43(f)

A map showing the Loup Creek Branch and the surrounding area is attached as Exhibit A to this notice.

Certificate of Compliance: 49 C.F.R. § 1150.43(g)

A Certificate of Compliance with the provisions of 49 C.F.R. § 1150.43(g) is attached as Exhibit B to this notice.

Advance Notice: 49 C.F.R. § 1150.42(e)

The projected annual operating revenue of Railroad Property does not exceed \$5 million, and, accordingly, the advance notice requirements of 49 C.F.R. § 1150.42(e) are not applicable to this transaction. See Exhibit B hereto.

Environmental and Historic Preservation Data: 49 C.F.R. § 1105

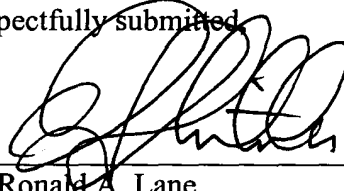
Under 49 C.F.R. § 1105.6(c)(2), Railroad Property's proposed acquisition of the Loup Creek Branch is exempt from environmental reporting requirements. The proposed acquisition will not result in significant changes in carrier operations, i.e., changes that exceed the thresholds established in 49 C.F.R. § 1105.7(e)(4) or (5).

Under 49 C.F.R. § 1105.8(b)(1), Railroad Property's proposed acquisition of the Loup Creek Branch also is exempt from historic preservation reporting requirements. The proposed acquisition is for the purpose of continued rail operations. Further Surface Transportation Board approval is required to discontinue or abandon any service and there are no plans to dispose of or alter properties subject to Board jurisdiction that are fifty years old or older.

Caption Summary: 49 C.F.R. § 1150.44

A caption summary in appropriate form is attached as Exhibit C to this notice.

Respectfully submitted,

By: 

Ronald A. Lane
Thomas J. Litwiler
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832
(312) 252-1500

**ATTORNEYS FOR R.J. CORMAN
RAILROAD PROPERTY, LLC**

Dated: June 30, 2005

Map WV-14
PRINCE - THURMOND

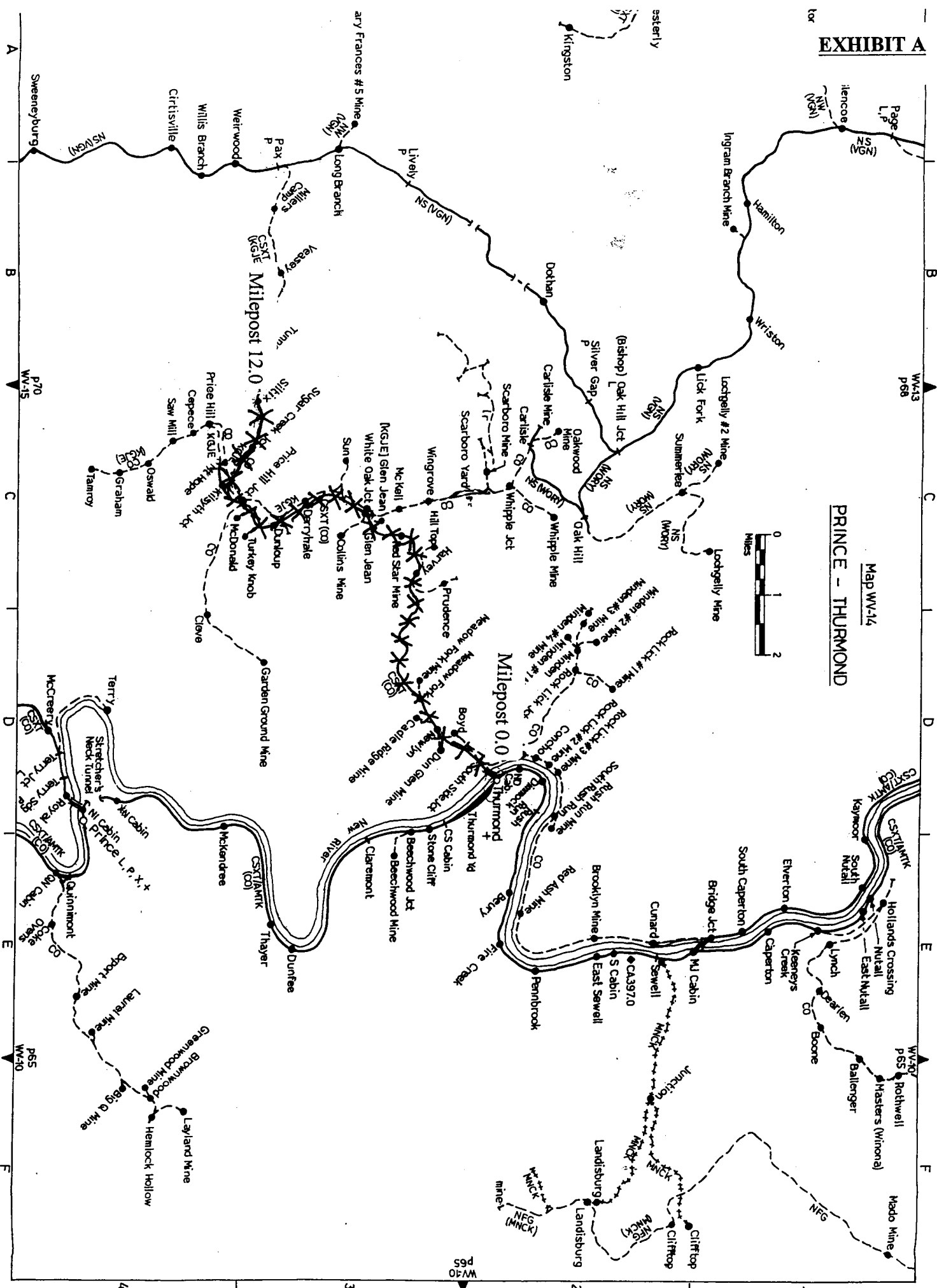


EXHIBIT B

CERTIFICATION

Commonwealth of Kentucky)
) ss:
County of Jessamine)

Richard J. Corman, being duly sworn, hereby certifies that the projected annual rail revenue of R.J. Corman Railroad Property, LLC does not exceed \$5 million and will not result in the creation of a Class II or Class I carrier under the provisions of 49 C.F.R. § 1201 (1-1).


Richard J. Corman
President

SUBSCRIBED AND SWORN TO
before me this 29 day
of June, 2005.

Melissa Lynn Essex
Notary Public

My Commission expires: 3/28/09

SURFACE TRANSPORTATION BOARD

NOTICE OF EXEMPTION

FINANCE DOCKET NO. 34715

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-- ACQUISITION EXEMPTION --
LINE OF THE RAILROAD CO. AND THE WV SOUTHERN RAILWAY CO.**

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Railroad Property expects to consummate its acquisition of the Loup Creek Branch on July 8, 2005.

Comments must be filed with the Board and served on:

Ronald A. Lane
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832
(312) 252-1500

This Notice is filed under 49 C.F.R. § 1150.41. 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.

Dated: July __, 2005

By the Board

Vernon A. Williams
Secretary

VERIFICATION

Commonwealth of Kentucky)
) ss:
County of Jessamine)

Richard J. Corman, being duly sworn, deposes and says that he is President of R.J. Corman Railroad Property, LLC, that he has read the foregoing Notice of Exemption and knows the facts asserted therein, and that the same are true as stated.

X Richard J. Corman
Richard J. Corman

SUBSCRIBED AND SWORN TO
before me this 29 day
of June, 2005

of June, 2005

Melissa Lynn Estler
Notary Public

My Commission expires: 3-22-09