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LAW OFFICES OF
LOUIS E. GITOMER

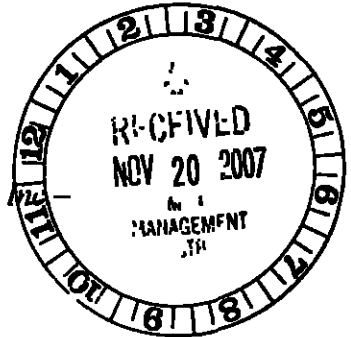
LOUIS E. GITOMER
LOU_GITOMER@VERIZON.NET

November 20, 2007

THE ADAMS BUILDING, SUITE 301
600 BALTIMORE AVENUE
TOWSON, MARYLAND 21204-4022
(202) 466-6532
FAX (410) 332-0885

Honorable Vernon A. Williams
Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

RE: Docket No. AB-364 (Sub-No. 13X), *Mid-Michigan Railroad, Inc.* -
Abandonment Exemption-in Muskegon County, MI



Dear Secretary Williams

Enclosed are the original and 10 copies of a Verified Notice of Exemption for abandonment in the above-entitled proceeding and a check for the filing fee of \$3,200. Also enclosed is a computer diskette containing the Notice. Maps and other color exhibits are included in Exhibit E at the end of the Notice.

Please time and date stamp the additional copy of this letter and the Notice and return them with our messenger. Thank you for your assistance.

If you have any questions please call or email me.

Sincerely yours,

Louis E. Gitomer
Attorney for Mid-Michigan Railroad, Inc.

Enclosures

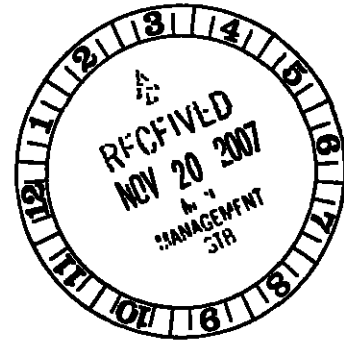
FILED
NOV 23 2007
SURFACE
TRANSPORTATION BOARD

FEE RECEIVED
NOV 20 2007
SURFACE
TRANSPORTATION BOARD

ENTERED
Office of Proceedings
NOV 20 2007
Part of
Public Record

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO AB-364 (Sub-No 13X)



MID-MICHIGAN RAILROAD, INC -ABANDONMENT EXEMPTION-
IN MUSKEGON COUNTY, MI

VERIFIED NOTICE OF EXEMPTION

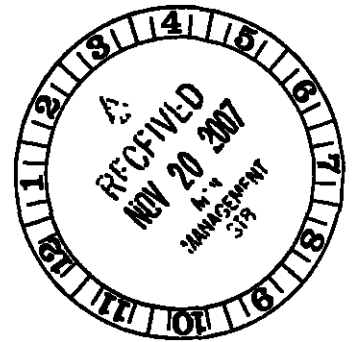
Scott G Williams, Esq
Senior Vice President and General Counsel
RailAmerica, Inc
5300 Broken Sound Boulevard N W
Second Floor
Boca Raton, FL 33487
(561) 226-1757

Louis E Gitomer, Esq
600 Baltimore Avenue
Suite 301
Towson, MD 21204
(202) 466-6532

Attorneys for MID-MICHIGAN
RAILROAD, INC

Dated November 20, 2007

BEFORE THE
SURFACE TRANSPORTATION BOARD



DOCKET NO AB-364 (Sub-No 13X)

MID-MICHIGAN RAILROAD, INC.—ABANDONMENT EXEMPTION—
IN MUSKEGON COUNTY, MI

VERIFIED NOTICE OF EXEMPTION

Mid-Michigan Railroad, Inc (“MMRR”) files this Verified Notice of Exemption pursuant to the class exemption at 49 C.F.R. § 1152.50 for MMRR to abandon a 3.35-mile rail line in Muskegon, MI between milepost 191.40 and milepost 194.75, the end of the line, in Muskegon County, MI (the “Line”). No local rail traffic has moved over the Line during the past two years. Any overhead rail traffic can be rerouted over other rail lines.

Based on information in the possession of MMRR, the Line does not contain federally granted rights-of-way. Any documentation in the railroad’s possession will be made available promptly to those requesting it.

There are no local shippers on the Line. The last shipment on the Line occurred in September 2005. There have been no rail shipments in 2006 or in 2007 to date.

1. Proposed consummation date. The proposed discontinuance date is January 9, 2008.
2. Certification required by 49 C.F.R. § 1152.50(b). *See* Exhibit A.
3. Information required by 49 C.F.R. § 1152.22(a)(1) through (4), (7), and (8), and (e)(4).

(a) General.

(1) Exact name of applicant The Mid-Michigan Railroad, Inc

(2) Whether applicant is a common carrier by railroad subject to 49

U.S.C Subtitle IV, Chapter 105 MMRR is a common carrier by railroad subject to 49

U S C Subtitle IV, Chapter 105.

(3) Relief sought MMRR seeks to use the class exemption at 49 C F R. § 1152.50 to abandon a 3.35-mile rail line in Muskegon, MI between milepost 191.40 and milepost 194.75, the end of the line, in Muskegon County, MI

(4) Map. See Exhibit B-1

(7) Name, title, and address of representative of applicant to whom correspondence should be sent Louis E. Gitomer, Law Offices of Louis E. Gitomer, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, (202) 466-6532

(8) List of all United States Postal Service ZIP Codes that the line proposed for discontinuance traverses The Line traverses ZIP Codes 49441, 49442, and 49444

(e) Rural and community impact

(4) Statement of whether the properties proposed to be abandoned are appropriate for use for other public purposes, including roads and highways, other forms of mass transportation, conservation, energy production or transmission, or recreation If the applicant is aware of any restriction on the title to the property, including any reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed

MMRR does not believe that the properties proposed for abandonment are suitable for other public purposes

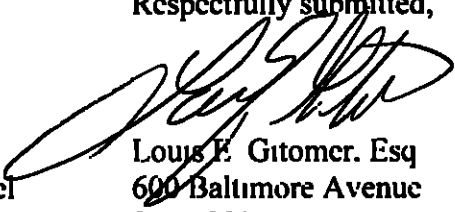
4. The level of labor protection The interests of railroad employees who may be adversely affected by the proposed abandonment will be adequately protected by the labor protective conditions in Oregon Short Line R. Co. -- Abandonment -- Goshen, 360 I C C 91 (1979)

5. Certification Certificates of compliance with the notice requirements of 49 C.F.R. §§ 1152.50(d)(1) and 1105.11 are attached as Exhibit C.

6. Combined Environmental and Historic Report The Combined Environmental and Historic Report is attached as Exhibit D.

Respectfully submitted,

Scott G. Williams, Esq.
Senior Vice President and General Counsel
RailAmerica, Inc.
5300 Broken Sound Boulevard N.W.
Second Floor
Boca Raton, FL 33487
(561) 226-1757


Louis E. Gitomer, Esq.
600 Baltimore Avenue
Suite 301
Towson, MD 21204
(202) 466-6532

Attorneys for: MID-MICHIGAN
RAILROAD, INC

Dated November 20, 2007

EXHIBIT A-VERIFICATION AND CERTIFICATION

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STATE OF FLORIDA)
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) SS.
COUNTY OF PALM BEACH)

I hereby certify that no local traffic has moved over MMRR's 3.35-mile rail line in Muskegon, MI between milepost 191.40 and milepost 194.75, the end of the line, in Muskegon County, MI, for at least two years prior to the date hereof, and that any overhead traffic on the line can be rerouted over other lines. Further, no formal complaint filed by a user of rail service on the line (or a State or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of a complainant within the two-year period. The foregoing certification is made on behalf of MMRR by the undersigned after due and careful investigation of the matters herein certified and based on the best of the knowledge, information, and belief of the undersigned.



Scott G Williams

My Commission Expires 4/11/2010 Sharon Swick
Notary Public



Sharyn Brooks
Commission # DD523113
Expires June 11, 2010
Lundberg Troy Farm Insurance - inc 800-365-7019

EXHIBIT B—MAP OF LINE

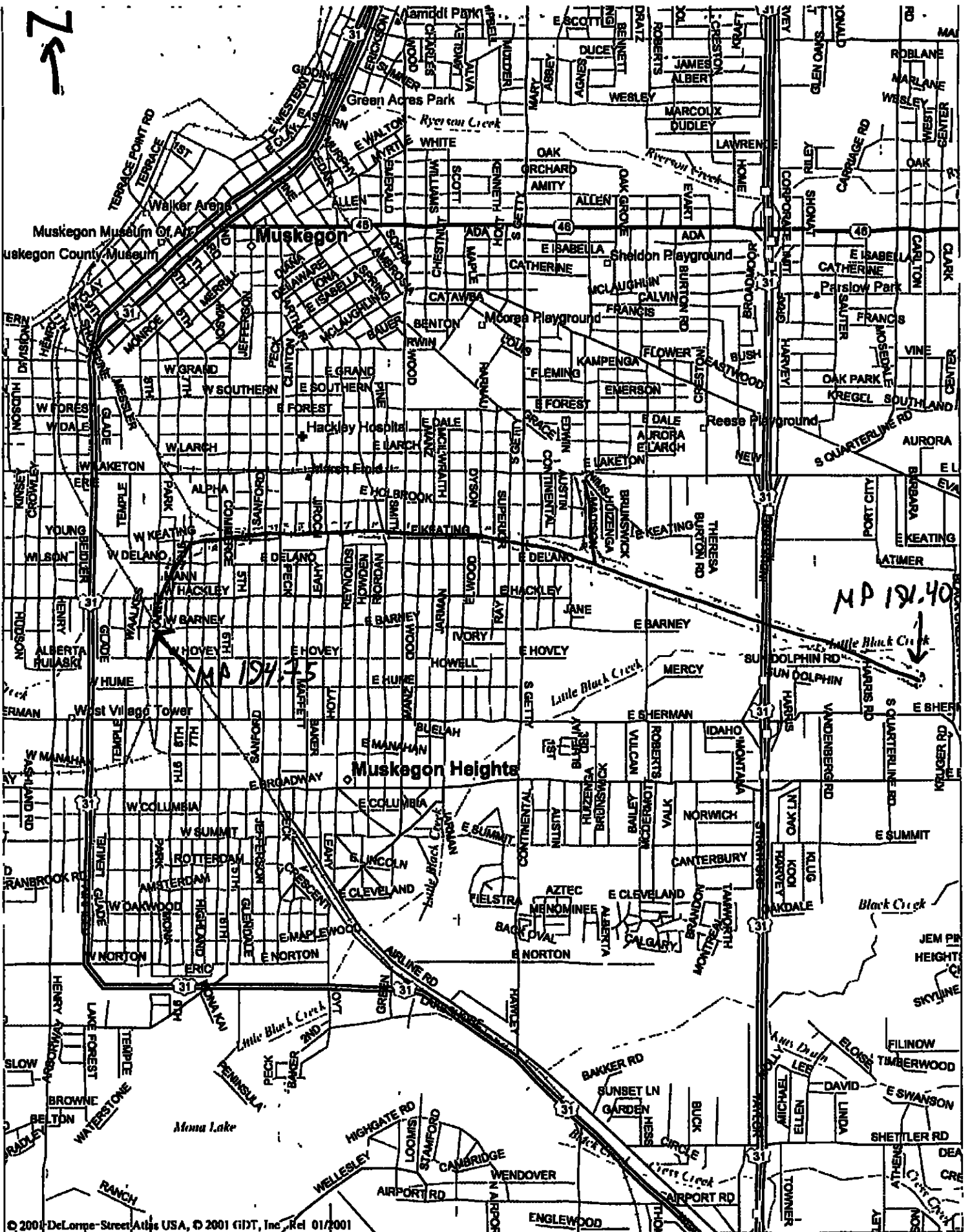


EXHIBIT C—CERTIFICATE OF SERVICE

Pursuant to 49 C F R § 1152.50(d)(1), the undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-364 (Sub-No. 13X) was mailed via first class mail on November 2, 2007, to the following parties

State Public Service Commission

Michigan Department of Transportation
State Transportation Building
425 W. Ottawa St.
P O Box 30050
Lansing, MI 48909

Military Traffic Management Command

MTMCTEA
ATTN: Railroads for National Defense
720 Thimble Shoals Blvd
Suite 130
Newport News, VA 23606-2574

National Park Service

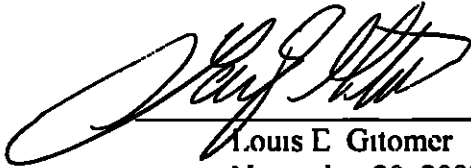
Ms. Cheri Espersen
National Recreation Trail Coordinator
Rivers, Trails and Conservation Assistance Program National Park Service
1849 C Street, NW (Org Code 2240)
Washington, DC 20240-0001

National Park Service

U S Department of Interior
National Park Service
Land Resources Division
800 North Capitol St., N.E.
Room 540
Washington, DC 20002

U S Department of Agriculture

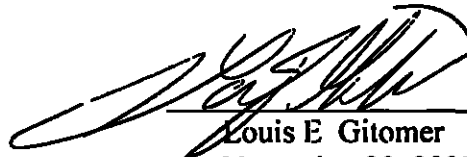
U S Department of Agriculture
Chief of the Forest Service
4th Floor N W , Auditors' Building
14th Street and Independence Avenue, S.W.
Washington, DC 20250



Louis E. Gitomer
November 20, 2007

CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that notice of the proposed abandonment in Docket No AB-364 (Sub-No 13X) was advertised on November 19, 2007 in the Muskegon Chronicle, a newspaper of general circulation in Muskegon County, MI, as required by 49 C.F.R. § 1105.12

A handwritten signature in black ink, appearing to read 'Louis E. Gitomer', is written over a horizontal line.

Louis E Gitomer
November 20, 2007

:

EXHIBIT D

**COMBINED ENVIRONMENTAL AND HISTORIC REPORT
CERTIFICATE OF SERVICE**

Pursuant to the requirements of 49 C F R § 1105.7 and 49 C.F.R. § 1105.8(c), the undersigned hereby certifies that a copy of the Combined Environmental and Historic Report in Docket No. AB-364 (Sub-No. 13X) was mailed via first class mail on October 25, 2007, to the following parties:

Manager, Federal Project Review
Michigan Department of Commerce
Michigan Neighborhood Builders Alliance
P O Box 30242
Lansing, MI 48909

Michigan Historic Center
702 West Kalamazoo Street
P O Box 30740
Lansing, MI 48909-8240

Michigan Department of Environmental Quality
P O Box 30473-7973
Lansing, MI 48909

Detroit District Headquarters
U S Army Corps of Engineers
Detroit District
477 Michigan Ave.
Detroit, MI 48226

USDA Natural Resources Conservation Service
3001 Coolidge Street
East Lansing, MI 48823-6350

U S Environmental Protection Agency
Region 5
Metcalf Building
Office of Strategic Environmental Analysis
77 West Jackson Boulevard
Mailcode B-19J
Chicago, IL 60604

U S. Fish and Wildlife Service
Region 3
One Federal Drive
BHW Federal Building
Fort Snelling
Twin Cities, MN 55111

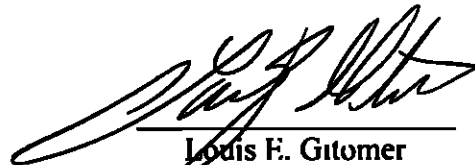
National Oceanic and Atmospheric Administration
National Geodetic Survey
1315 East-West Highway
Silver Spring, MD 20910-3282

U S National Park Service
Midwest Region
1709 Jackson Street
Omaha, NE 68102

Honorable Stephen Warmington
Mayor, City of Muskegon
933 Terrace Street
Muskegon, MI 49440

Honorable James J Derczynski
Chair, Board of Commissioners
County of Muskegon
990 Terrace Street, 4th Floor
Muskegon, MI 49442

Honorable Rillastine R Wilkins
Mayor, City of Muskegon Heights
City Hall
2724 Peck
Muskegon Hts , MI 49444


Louis F. Gitomer
November 20, 2007

COMBINED ENVIRONMENTAL AND HISTORIC REPORT
(49 C F R 1105 7 and 1105 8)

Docket No AB-364 (Sub-No 13X)

**MID-MICHIGAN RAILROAD, INC –ABANDONMENT EXEMPTION–
IN MUSKEGON COUNTY, MI**

Dated October 25, 2007
Revised November 20, 2007

ENVIRONMENTAL REPORT

(1) **Proposed Action and Alternatives** Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

Mid-Michigan Railroad, Inc (“MMRR”) proposes to abandon the 3.35-mile rail line in Muskegon, MI between milepost 191.40 and milepost 194.75, the end of the line, including all spur tracks, in Muskegon County, MI (the “Line”). Upon receipt of abandonment authority, MMRR proposes to salvage the track and material in the Line and dispose of the right-of-way.

Abandonment of the Line will result in the removal of the rail, cross-ties and possibly the upper layer of ballast. MMRR does not intend to disturb any sub-grade or sub-grade structures. In consultation with the Michigan Department of Transportation (“MDOT”), the bridge over US Highway 31 will most likely be removed in order to save MDOT about \$10 million in design and construction costs for US Highway 31. Removal of the Line will result in the elimination of 15 public road crossings and one private crossing.

The last shipper on the Line was Dana Perfect Circle (“Dana”). Dana has not received any shipments since September 2005. There have been no shipments over the Line in 2006 or 2007.

The only alternative to a full abandonment would be for MMRR not to abandon the Line. No service has been provided on the Line since September 2005. The Line is a stub end track and therefore has no overhead traffic. With little, if any, potential traffic, MMRR has decided to seek abandonment of the Line.

A map of the proposed abandonment is attached hereto as Exhibit 1.¹

(2) Transportation System Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

No passenger traffic will be diverted to other modes as a result of the proposed abandonment. Dana, the only shipper on the line, has not used the Line since September 2005. No traffic moved over the Line in 2006 or 2007. There is no freight traffic to be diverted to motor carrier. Accordingly, the proposed abandonment should have no adverse effects on regional or local transportation systems and patterns.

(3) Land Use (i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies. (ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land. (iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by 1105.9. (iv) If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. § 10905 and explain why.

(i) MMRR considers the proposed abandonment to be consistent with existing land use plans. The land adjoining the Line is in the City of Muskegon.

MMRR contacted the City of Muskegon, the City of Muskegon Heights, and the County of Muskegon, MI by letters dated October 25, 2007. See Exhibit 2. No response has been

¹ The copy of the map that accompanied the information-gathering letter has been removed from that letter. That map was the same as the map in Exhibit 1 accompanying this report.

received as of this date. A copy of this Environmental Report has been mailed to the appropriate local and state agencies for their information and further comment.

(ii) MMRR does not believe that there is any prime agricultural land that will be affected. MMRR notified the United States Department of Agriculture ("USDA") Natural Resources Conservation Service (the agency succeeding to the responsibilities of the Soil Conservation Service) of the proposed abandonment by letter dated October 25, 2007, and requested assistance in identifying any potential effects on prime agricultural land. See Exhibit 2. USDA's response is in Exhibit 5.

(iii) The Line does not pass through a designated coastal zone.

(iv) MMRR believes that the Line may be suitable for interim trail use/ rail banking based on Muskegon's expanding pedestrian trail system.

(4) Energy. (i) Describe the effect of the proposed action on transportation of energy resources. (ii) Describe the effect of the proposed action on recyclable commodities. (iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why. (iv) If the proposed action will cause diversions from rail to motor carriage of more than (A) 1,000 rail carloads a year, or (B) an average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.

(i) The proposed abandonment will have no effect on the transportation of energy resources.

(ii) The proposed abandonment will have no effect on the transportation of recyclable commodities.

(iii) The proposed abandonment will have minimal effect on overall energy efficiency since there has been no traffic on the Line since September 2005.

(iv) The proposed abandonment will not cause the diversion more than 1,000 rail carloads a year, or an average of 50 rail carloads per mile per year for any part of the Line of rail traffic to motor carriage

(5) Air (i) If the proposed action will result in either (A) An increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or (B) an increase in rail yard activity of at least 100 percent (measured by carload activity), or (C) an average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. § 10901 (or § 10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in sub-section (5)(i)(A) will apply. (ii) If the proposed action affects a class I or nonattainment area under the Clean Air Act, and will result in either (A) an increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, (B) an increase in rail yard activity of at least 20 percent (measured by carload activity), or (C) an average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan. However, for a rail construction under 49 U.S.C. § 10901 (or 49 U.S.C. § 10505), or a case involving the reinstitution of service over a previously abandoned line, only the three train a day threshold in this item shall apply. (iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify the materials and quantity, the frequency of service, safety practices (including any speed restrictions), the applicant's safety record (to the extent available) on derailments, accidents and spills, contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment

(i) The proposed abandonment will not result in meeting or exceeding the specified thresholds

(ii) The proposed abandonment will not result in meeting or exceeding the specified thresholds

(iii) The proposed abandonment will not affect the transportation of ozone depleting materials

(6) Noise If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause (i) an incremental increase in noise levels of three decibels Ldn or more, or (ii) an increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement

communities, and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed

Not applicable.

(7) **Safety** (i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings) (ii) If hazardous materials are expected to be transported, identify the materials and quantity; the frequency of service, whether chemicals are being transported that, if mixed, could react to form more hazardous compounds, safety practices (including any speed restrictions), the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills, the contingency plans to deal with accidental spills, and the likelihood of an accidental release of hazardous materials (iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved

(i) The proposed abandonment will have no detrimental effects on public health and safety MMRR will cease operating over the Line As a result of the abandonment, MMRR will remove 15 public road crossings and one private crossing Removal of the bridge at US Highway 31 will result in reduced costs for highway improvements

(ii) The proposed abandonment will not affect the transportation of hazardous materials

(iii) MMRR is not aware of any known hazardous waste sites or sites where there have been known hazardous materials spills on the Line

(8) **Biological Resources** (i) Based on consultation with the U S Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects (ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects

(i) MMRR does not believe that the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat MMRR notified the U S Fish and Wildlife Service ("USF&W") of the proposed abandonment by letter dated October 25, 2007, and requested assistance in determining whether the proposed abandonment

will adversely affect endangered or threatened species or areas designated as a critical habitat

See Exhibit 2. The response of the USF&W is in Exhibit 5

(ii) MMRR is unaware of any wildlife sanctuaries or refuges, National or State parks or forests that would be adversely affected by the proposed abandonment

MMRR notified the National Parks Service of the proposed abandonment by letter dated October 25, 2007, and requested assistance in identifying any potential effects on wildlife sanctuaries or refuges, National or State parks or forests See Exhibit 2 To date, no response to this request has been received A copy of this Report is being supplied to the National Park Service for its information and comment

(9) Water. (i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies (ii) Based on consultation with the U S Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U S C § 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected Describe the effects (iii) State whether permits under section 402 of the Clean Water Act (33 U S C § 1342) are required for the proposed action.

(i) MMRR is confident that the proposed abandonment will be consistent with applicable water quality standards. MMRR contacted the Michigan Department of Environmental Quality ("MIDEQ") and the United States Environmental Protection Agency ("USEPA") by letters dated October 25, 2007 See Exhibit 2 To date, no response to this request has been received A copy of this Report has been supplied to the MIDEQ and USEPA for their information and comment

(ii) MMRR believes that no permits under section 404 of the Clean Water Act are required for the proposed abandonment and that no designated wetlands or 100-year flood plains will be affected by the proposed abandonment MMRR expects that the only bridge on the Line over US Highway 31 will be removed after negotiations with the Michigan Department of Transportation Upon receiving abandonment authority, removal of material will be

accomplished by use of the right-of-way for access, along with existing public and private crossings. No new access roads are contemplated. MMRR does not intend to disturb any of the underlying roadbed or perform any activities that would cause sedimentation or erosion of the soil, and does not anticipate any dredging or use of fill in the removal of the track material. The crossties and/or other debris will be transported away from the Line and will not be discarded along the right-of-way nor be placed or left in streams or wetlands, or along the banks of such waterways. Also, during track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any waterways. Based upon this course of action, MMRR does not believe a permit under Section 404 of the Clean Water Act will be required.

MMRR contacted the U.S. Army Corps of Engineers by letter dated October 25, 2007 and has received no response to date. See Exhibit 2. A copy of this Report has been supplied to the U.S. Army Corps of Engineers for its information and comment.

(11) MMRR believes that no permit under section 402 of the Clean Water Act would be required for the abandonment. MMRR contacted the MIDEQ and the USEPA by letter dated October 25, 2007. See Exhibit 2. A copy of this Report has been supplied to the MIDEQ and USEPA for their information and further comment.

(10) Proposed Mitigation. Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

MMRR does not expect any adverse environmental impact from the proposed abandonment and, therefore, see no need for any mitigating actions. MMRR will, of course, adhere to any remedial actions suggested by the recipients of this Report, which are required by the Board.

HISTORIC REPORT

1 A U.S. G. S. topographic map (or alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action,

U. S. Geological Survey Maps have been supplied to the Michigan Historic Center ("MIHC") See Exhibit 3

2 A written description of the right of way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristics of the surrounding area;

The 3.35-mile right-of-way is generally 50 feet wide from end of track at milepost 191.40 to milepost 194.0 (Peck Street) and from milepost 194.0 to milepost 194.75 is irregular, with some larger parcels from milepost 194.0 to milepost 194.25 and the remainder of the Line being about 20 feet wide in many areas. The western end of the Line begins at about Ninth Street and the MMRR north-south line in Muskegon Heights, MI. The Line runs east to Getty Avenue, where it turns southeast and continues across US Highway 31 before it ends just north of Sherman Boulevard at milepost 191.40.

3 Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area,

Photographs of the bridges on the Line that are 50 years old or older and a detailed description of the bridges are attached as Exhibit 4. The bridge over US Highway 31 may be removed after negotiations with the Michigan Department of Transportation.

4 The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known,

See Exhibit 4.

5 A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action,

The Line was constructed by the Grand Rapids & Indiana Railroad ("GR&I") in 1886 GR&I was purchased by the Pennsylvania Railroad in 1921 Grand Trunk & Western ("GTW") purchased the line during the Penn Central bankruptcy period in 1976 Central Michigan Railroad (Straits Corporation) ("CMR") purchased the line from G'I W in September of 1987 Railtex purchased the Line, and other properties from CMR in December 1990 and formed the Michigan Shore Railroad, a predecessor to MMRR RailTex merged into RailAmerica, Inc in 2000

6 A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic,

MMRR possesses the valuation maps of the Line, but is not aware of any other documentation in its possession

7 An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities),

MMRR believes that the bridges and structures on the Line are not unusual or noteworthy for inclusion on the National Register of Historic Places It is also MMRR' opinion that there are no archeological resources or other railroad related historic properties in the project area Moreover, since MMRR is agreeable to converting the Line to interim trail use/rail banking, MMRR does not plan to alter, remove or dispose of any of the bridges that are on the Line.

8 A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic waste), and the surrounding terrain

MMRR believes that there are no existing records as to the nature of any known subsurface ground disturbance or fill, or environmental conditions that might affect the

archeological recovery of any potential resources

9 Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specific non railroad owned properties or groups of properties immediately adjacent to the railroad right-of-way photographs of specified properties that can be readily seen from the railroad right-of-way (or other public rights-of-way adjacent to the property) and a written description of any previously discovered archeological sites, identifying the location and type of the site (i.e. prehistoric or native American)

MMRR does not foresee the likelihood that any additional information will need to be supplied in association with the proposed abandonment other than that information previously submitted But, if any additional information is requested, MMRR will promptly supply the necessary information

MMRR contacted MIHC. See Exhibit 2 No response has been received A copy of this Report has been mailed to MIHC.

EXHIBIT 1 – MAP

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MMRR Line Segment Map

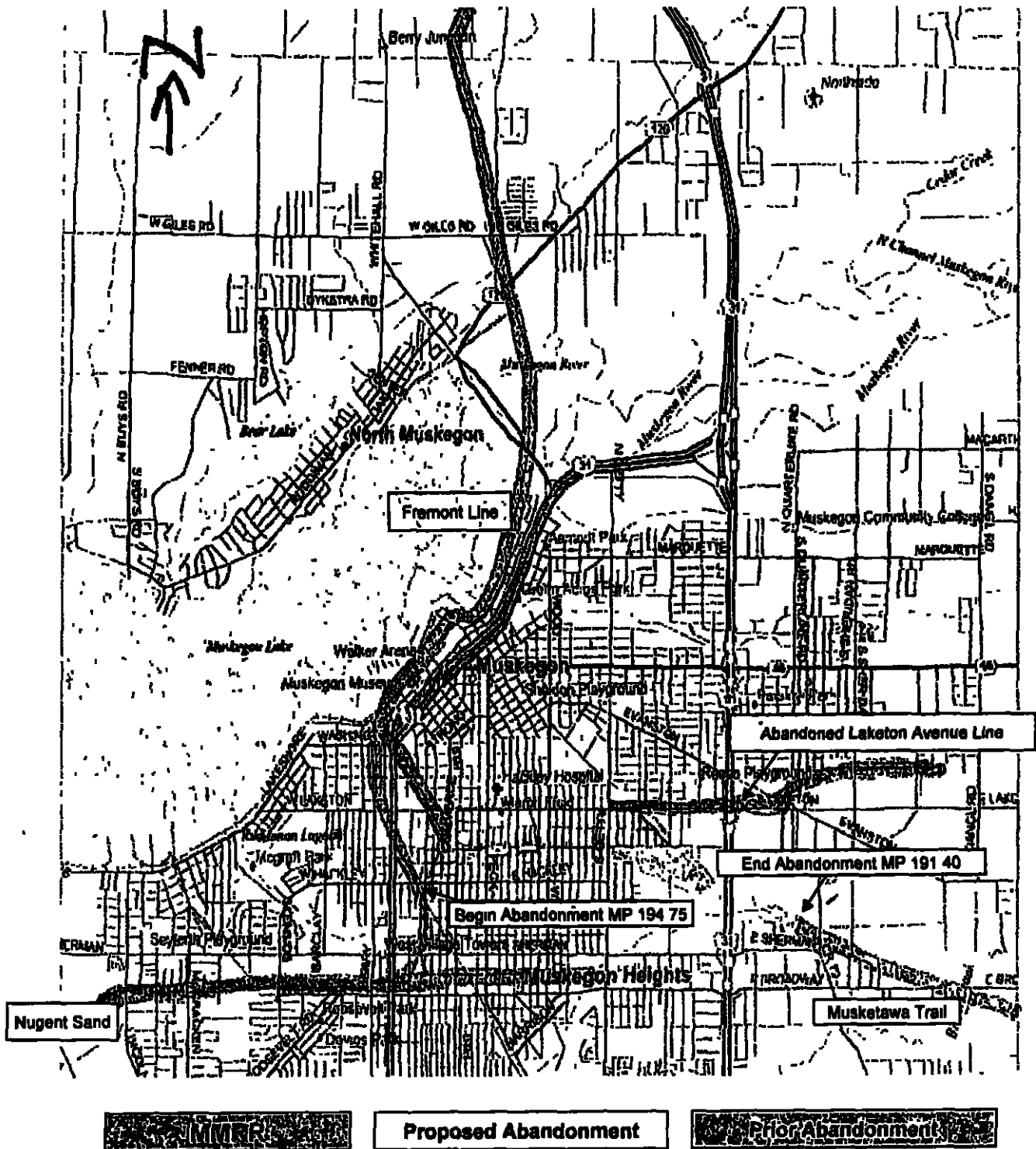


EXHIBIT 2 – LETTERS

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**LAW OFFICES OF
LOUIS E. GITOMER**

LOUIS E. GITOMER
LOU_GITOMER@VERIZON.NET

October 25, 2007

THE ADAMS BUILDING, SUITE 301
600 BALTIMORE AVENUE
TOWSON, MARYLAND 21204-4022
(202) 466-6532
FAX (410) 332-0885

Honorable Rillastine R. Wilkins
Mayor, City of Muskegon Heights
City Hall
2724 Peck
Muskegon Hts., MI 49444

RE: Docket No. AB-364 (Sub-No. 13X), *Mid-Michigan Railroad, Inc. –
Abandonment Exemption—in Muskegon County, MI*

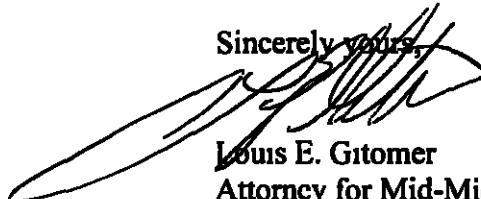
Dear Mayor Wilkins

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Attached is a *Combined Environmental and Historic Report* describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area. We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, NW, Washington, DC 20423, telephone 202-245-0295 and refer to the above Docket No. AB-364 (Sub-No. 13X).

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Sincerely yours,



Louis E. Gitomer
Attorney for Mid-Michigan Railroad, Inc.

Enclosures

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October 25, 2007

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Honorable James J. Derezinski
Chair, Board of Commissioners
County of Muskegon
990 Terrace Street, 4th Floor
Muskegon, MI 49442

RE. Docket No. AB-364 (Sub-No. 13X), *Mid-Michigan Railroad, Inc –
Abandonment Exemption—in Muskegon County, MI*

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THE ADAMS BUILDING, SUITE 301
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Honorable Stephen Warmington
Mayor, City of Muskegon
933 Terrace Street
Muskegon, MI 49440

RE: Docket No. AB-364 (Sub-No. 13X), *Mid-Michigan Railroad, Inc. –
Abandonment Exemption—in Muskegon County, MI*

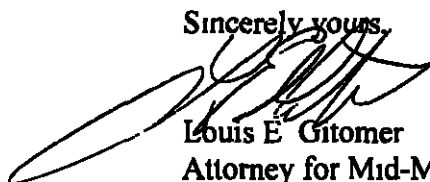
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U.S. National Park Service
Midwest Region
1709 Jackson Street
Omaha, NE 68102

RE Docket No AB-364 (Sub-No 13X), *Mid-Michigan Railroad, Inc –
Abandonment Exemption—in Muskegon County, MI*

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National Oceanic and Atmospheric Administration
National Geodetic Survey
1315 East-West Highway
Silver Spring, MD 20910-3282

RE: Docket No. AB-364 (Sub-No 13X), *Mid-Michigan Railroad, Inc –
Abandonment Exemption—in Muskegon County, MI*

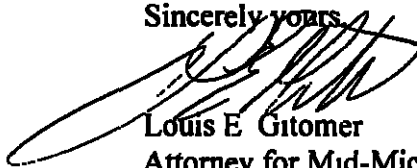
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U S Fish and Wildlife Service
Region 3
One Federal Drive
BHW Federal Building
Fort Snelling
Twin Cities, MN 55111

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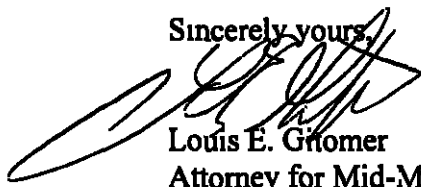
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U S Environmental Protection Agency
Region 5
Metcalf Building
Office of Strategic Environmental Analysis
77 West Jackson Boulevard
Mailcode. B-19J
Chicago, IL 60604

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Abandonment Exemption—in Muskegon County, MI*

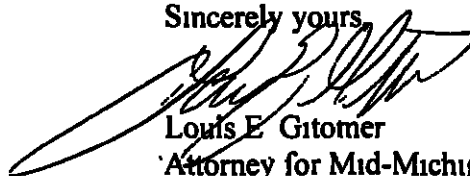
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600 BALTIMORE AVENUE
TOWSON, MARYLAND 21204-4022
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USDA Natural Resources Conservation Service
3001 Coolidge Street
East Lansing, MI 48823-6350

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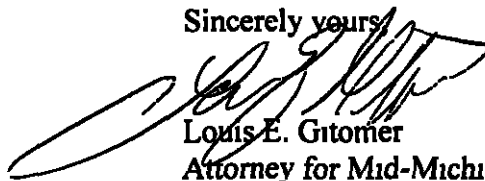
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Detroit District Headquarters
U S. Army Corps of Engineers
Detroit District
477 Michigan Ave.
Detroit, MI 48226

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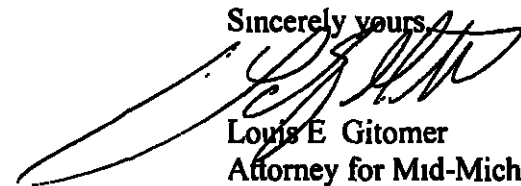
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Michigan Department of Environmental Quality
P O. Box 30473-7973
Lansing, MI 48909

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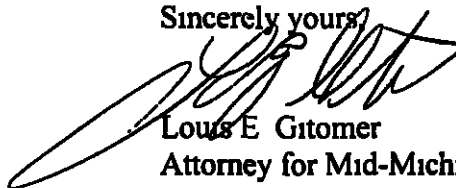
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TOWSON, MARYLAND 21204-4022
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Michigan Historic Center
702 West Kalamazoo Street
P.O. Box 30740
Lansing, MI 48909-8240

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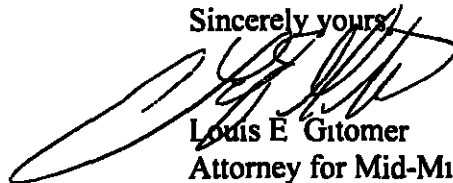
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Manager, Federal Project Review
Michigan Department of Commerce
Michigan Neighborhood Builders Alliance
P O Box 30242
Lansing, MI 48909

RE Docket No AB-364 (Sub-No 13X), *Mid-Michigan Railroad, Inc –
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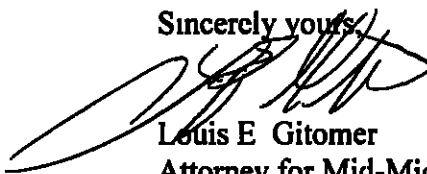
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EXHIBIT 3 – USGS MAPS

MUSKEGON

MUSKEGON HEIGHTS

MP 19140

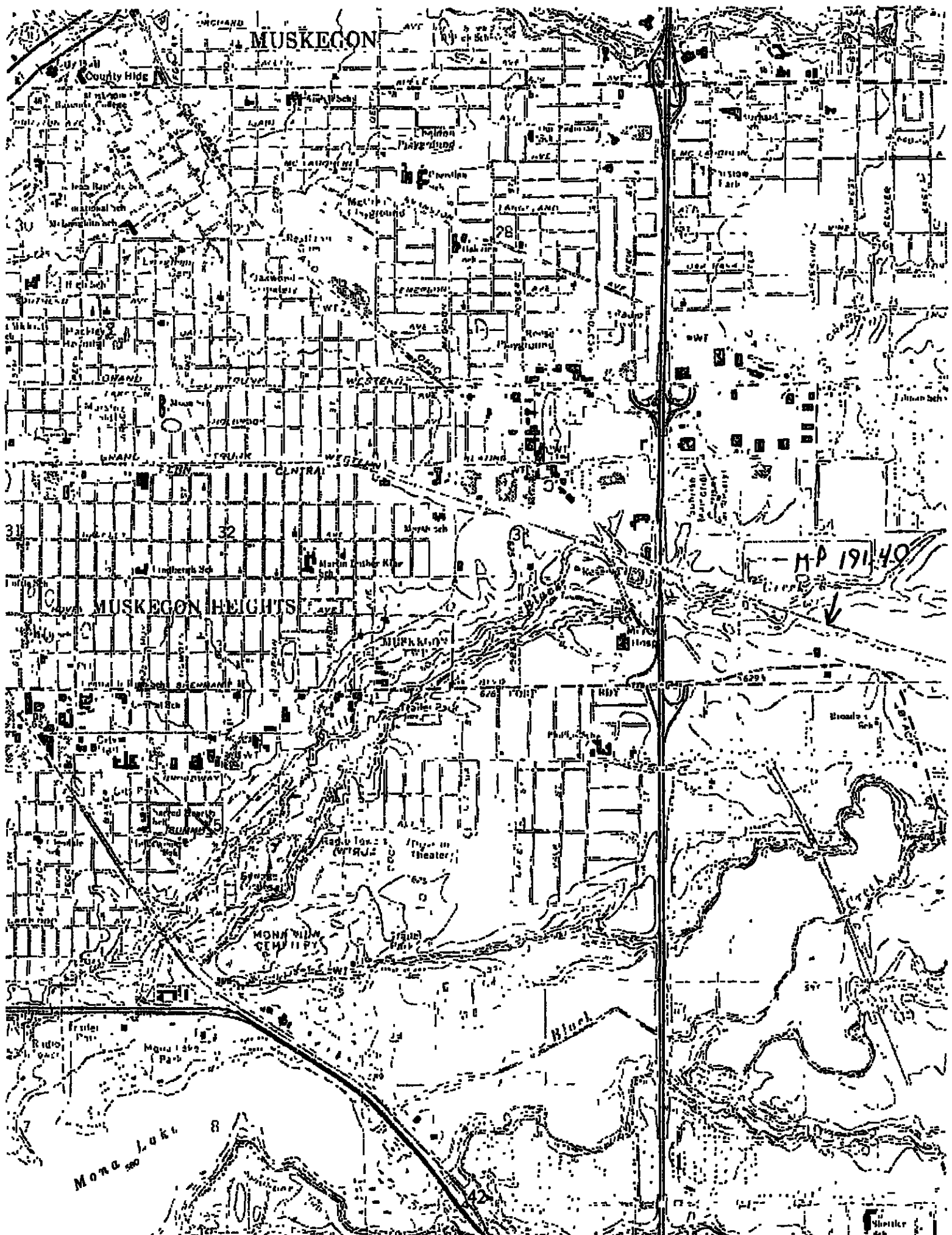
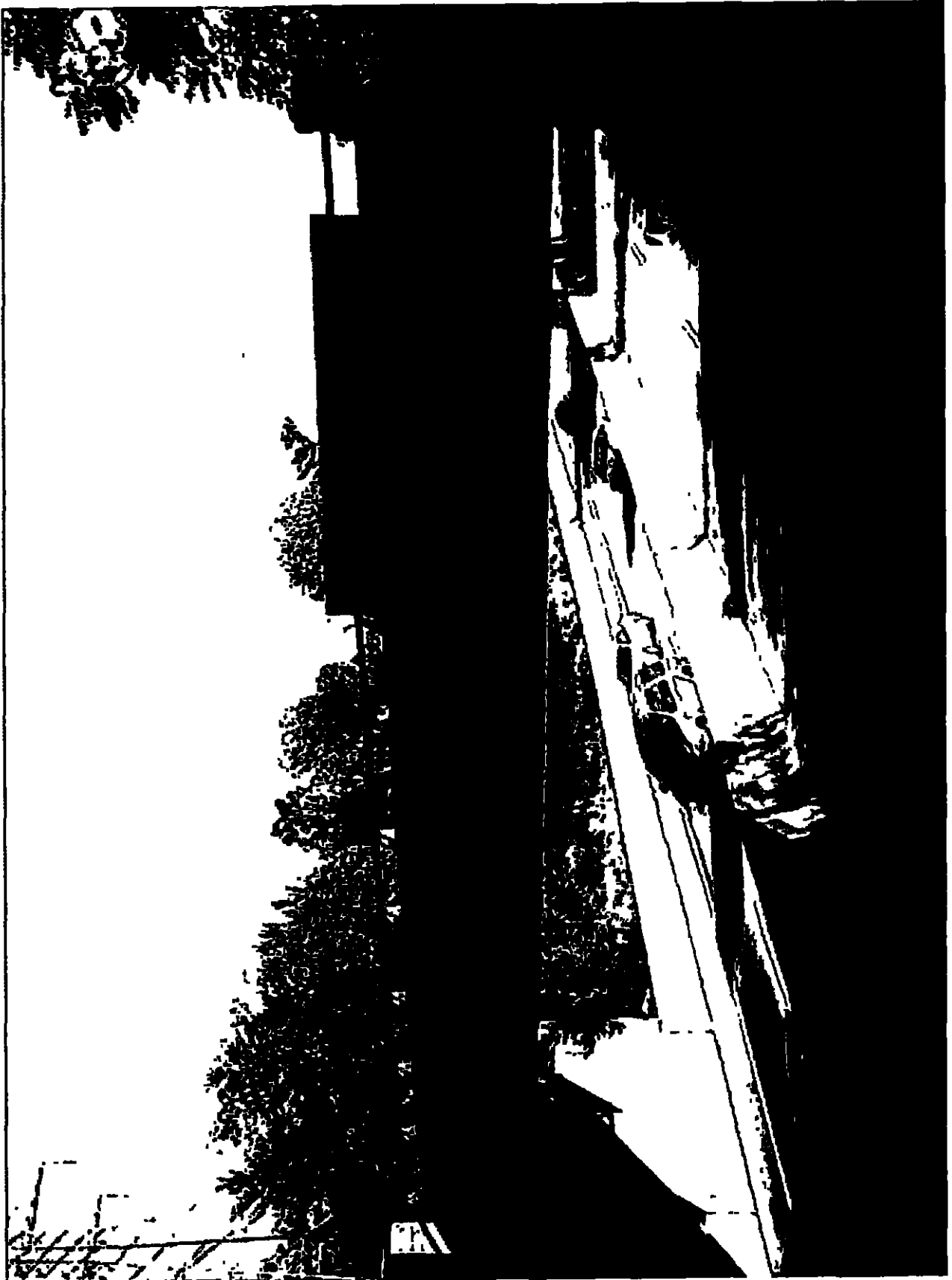


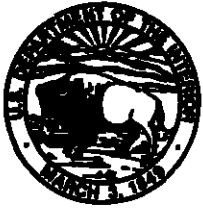


EXHIBIT 4 – BRIDGE PHOTOGRAPHS AND DESCRIPTIONS



This is a plate girder bridge that was built in 1949.

EXHIBIT 5 – RESPONSES



IN REPLY REFER TO

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Bishop Henry Whipple Federal Building
1 Federal Drive
Fort Snelling, MN 55111-4056

FWS/NWRS-RE - General
Railroad Abandonments

November 2, 2007

Surface Transportation Board
Section of Environmental Analysis (SEA)
1925 K Street, NW
Washington, D C 20423

Dear Sir/Madam

Thank you for the opportunity to comment on the proposed abandonment of service on 3.35 miles of railroad line between MP 191.40 and MP 194.75, located in Muskegon County, Michigan, STB Docket No. AB-364 (Sub-No. 13X).

We have researched our ownerships in the vicinity and have determined we do not own any land or interests in land in the vicinity of the proposed rail line abandonments. We do not have any concerns regarding real estate matters in the abandonments.

Sincerely,

/s/ Patrick G. Carroll

Patrick G. Carroll
Senior Realty Officer
Division of Realty

cc: Louis E. Gitomer, Law Offices of Louis E. Gitomer

United States Department of Agriculture



Helping People Help the Land

Natural Resources Conservation Service

3001 Coolidge Road, Suite 250

East Lansing, MI 48823

T (517) 324-5270/ F (517) 324-5171/ www.mnrcs.usda.gov

October 31, 2007

Section of Environmental Analysis

Surface Transportation Board

1925 K Street, NW

Washington, DC 20423

**RE: Docket No. AB-364 (Sub-No. 13X), Mid-Michigan Railroad, Inc.
Abandonment Exemption in Muskegon County, MI**

We have reviewed the proposal to abandon 3.35 miles of rail line between milepost 191.40 and milepost 194.75 in the City of Muskegon, Michigan. The land adjacent to where the abandonment is proposed has already been converted to non-farm uses. Therefore, no conversion of prime and unique farmland will occur.

Thank you for this opportunity to comment on the proposal.

Sincerely,


GARRY LEE
State Conservationist

cc

Mr. Louis E. Gittomer, Attorney, 600 Baltimore Ave., Suite 301, Towson, MD 21204

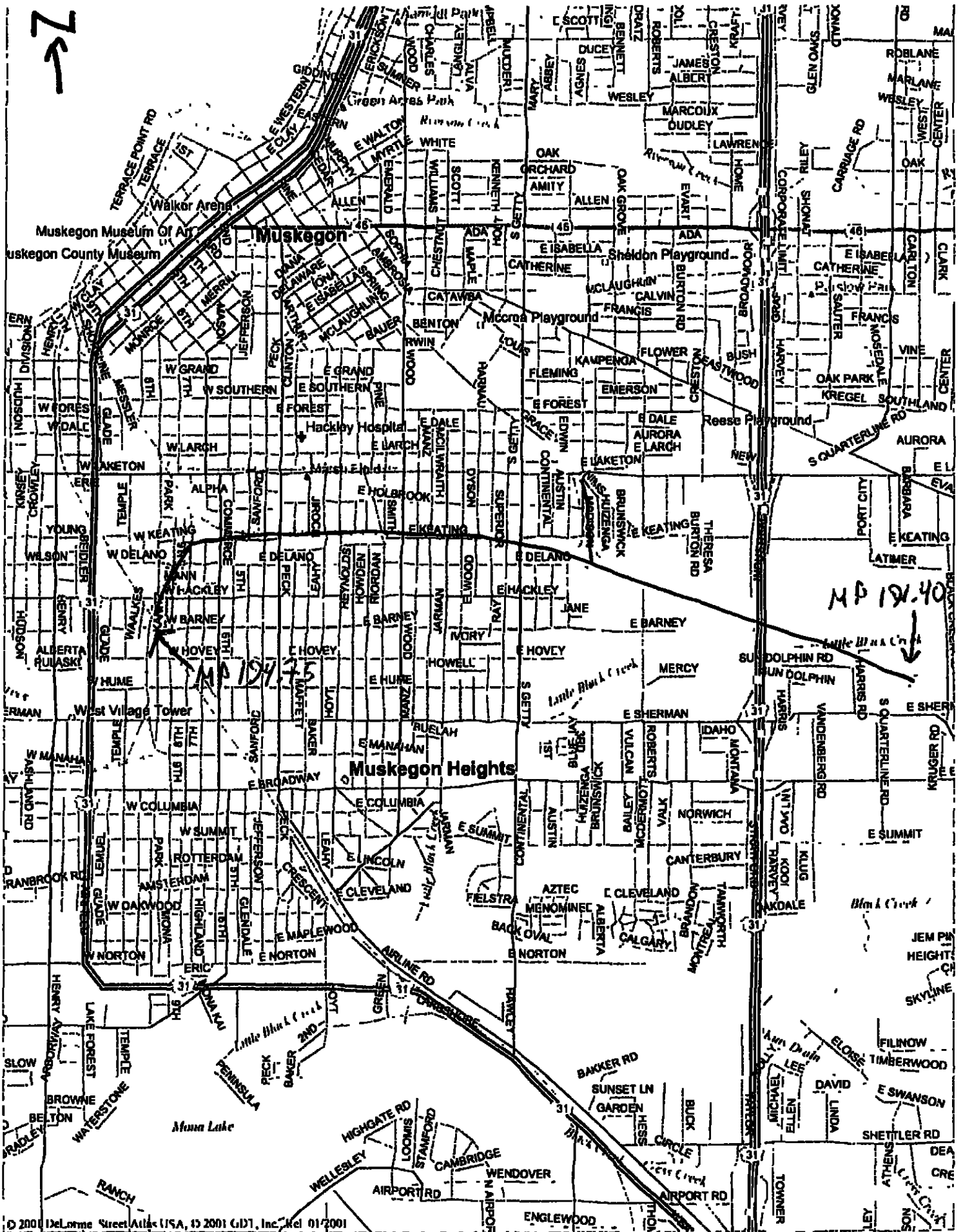
Carla Gregory, Area Conservationist, NRCS, Grand Rapids, MI

Steve Utic, District Conservationist, NRCS, Grand Rapids, MI

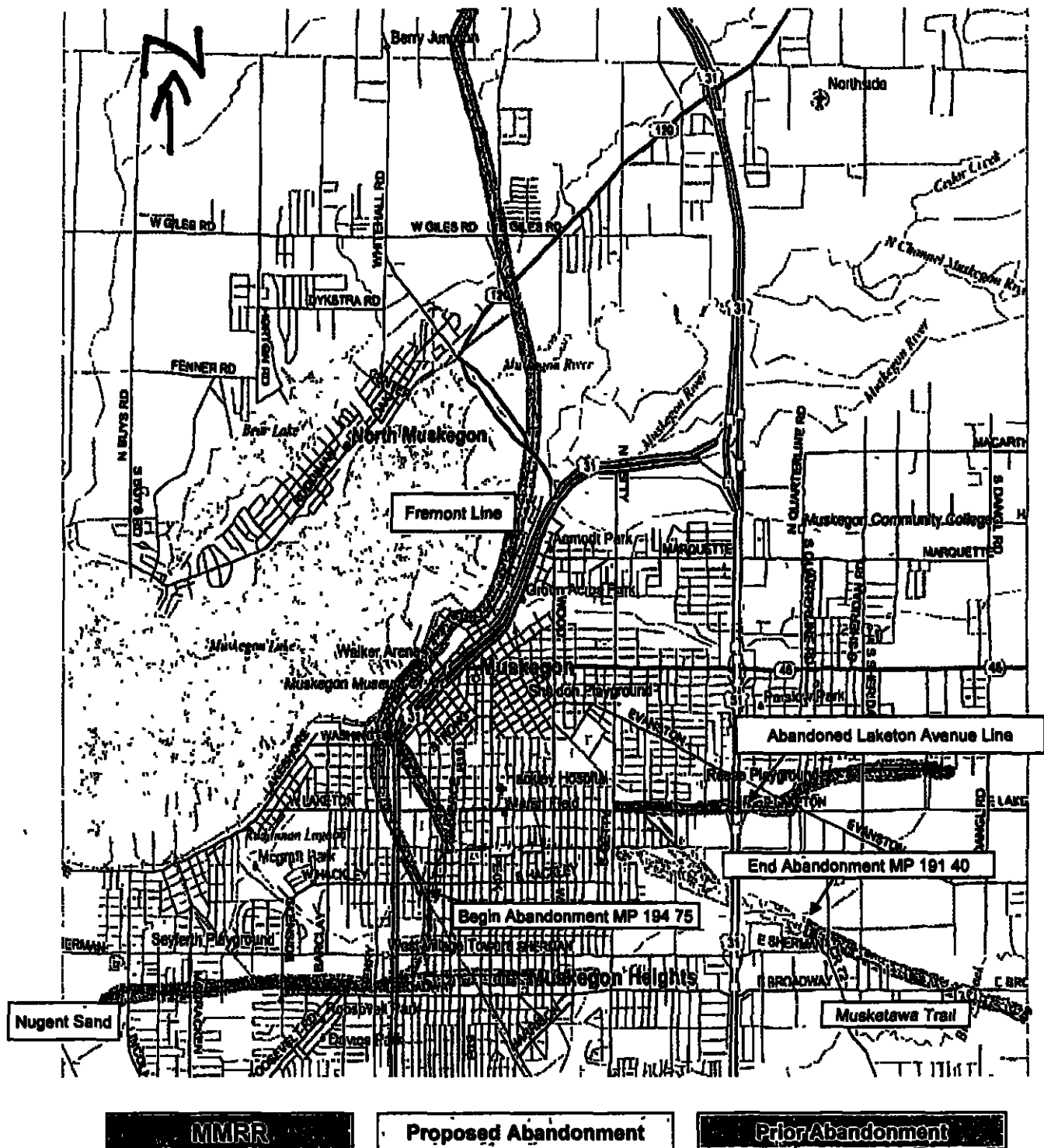
Brian Barclay, District Conservationist, NRCS, Stanton, MI

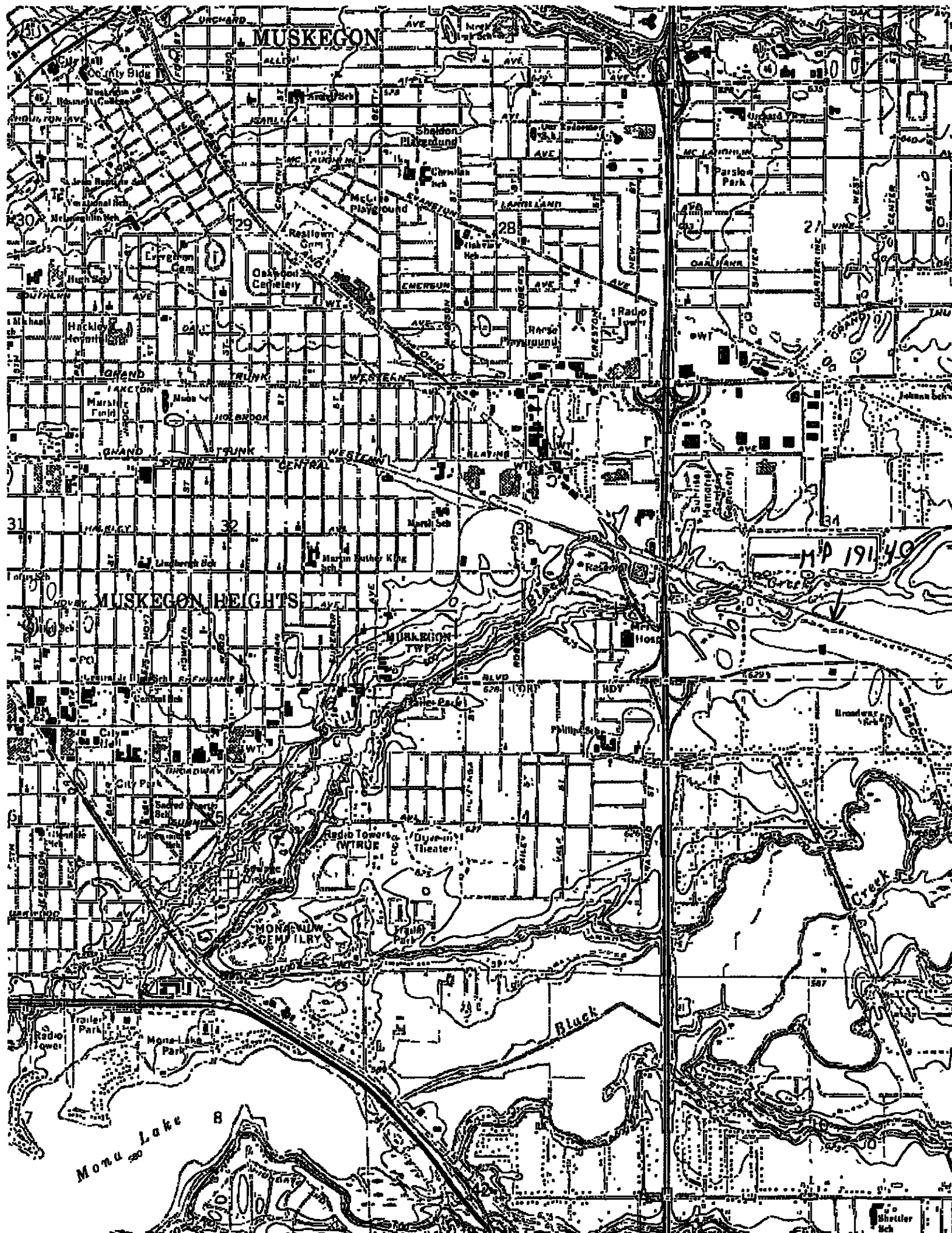
EXHIBIT E – COLOR EXHIBITS

7



MMRR Line Segment Map









This is a plate girder bridge that was built in 1949.