

Subdivision involved in this proceeding and in Docket No. FD 35250 had been previously leased to Modoc Railway and Land Company, LLC (MR&L), and operated by Modoc Northern Railroad Co. (MNRR). According to LRY, UP has terminated the lease with MR&L and MNRR and under terms of that lease plans to seek discontinuance authority for MNRR from the Board in the name of both MR&L and MNRR.

The transaction cannot be consummated until August 14, 2010, the effective date of the exemption (30 days after the exemption was filed).<sup>2</sup>

LRY certifies that, as a result of this transaction, its projected revenues will not exceed those that would qualify it as a Class III carrier.

If the verified 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 effectiveness of the exemption. Petitions to stay must be filed by no later than August 6, 2010 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35389, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, a copy must be served on James H. M. Savage, Of Counsel, John D. Heffner, PLLC, 1750 K Street, NW., Suite 200, Washington, DC 20006.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: July 27, 2010.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

**Kulunie L. Cannon,**

*Clearance Clerk.*

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**BILLING CODE 4915-01-P**

designation. However, the letter was not sufficient to amend LRY's notice of exemption.

<sup>2</sup> LRY's notice of exemption stated August 7, 2010, as the date of consummation. LRY's counsel was notified that August 14, 2010, is the effective date of the exemption and consummation cannot occur before that date.

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35391]

#### **Gardendale Railroad, Inc.—Operation Exemption—Rail Line of Border Transload & Transfer, Inc. at Gardendale, LaSalle County, TX**

Gardendale Railroad, Inc. (GRI), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to operate a 1.86-mile line of railroad extending between milepost 107.0 and milepost 105.14 at or near Gardendale in LaSalle County, Tex. The line is owned by Crystal City Railroad, Inc. (CCR) and is currently being operated by Border Transload & Transfer, Inc. (BTT) (formerly known as Texas Railroad Switching, Inc. (TRS)).<sup>1</sup>

This transaction is related to a concurrently filed verified notice of exemption in Docket No. FD 35392, *Gregory B. Cundiff, Connie Cundiff, CGX, Inc. and Ironhorse Resources, Inc.—Continuance in Control Exemption—Gardendale Railroad, Inc.* In that proceeding, Gregory B. Cundiff, Connie Cundiff, CGX, Inc., and Ironhorse Resources, Inc., jointly have filed a verified notice of exemption to continue in control of GRI upon its becoming a Class III rail carrier.

The transaction will be consummated no sooner than August 13, 2010, the effective date of the exemption (30 days after the exemption was filed).

GRI certifies that its projected annual revenues as a result of the transaction will not exceed those that would qualify it as a Class III rail carrier.

If the verified 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 effectiveness of the exemption. Stay petitions must be filed by August 6, 2010 (at least 7 days before the exemption becomes effective).

<sup>1</sup> In 1990, CCR received an exemption to acquire a 53.41-mile line of railroad and TRS received an exemption to lease and operate the line. See *Crystal City R.R.—Acquisition and Operation Exemption—R.R. Switching Service of Missouri, Texas R.R. Switching—Lease and Operation Exemption—Crystal City R.R.*, FD 31757 (served Nov. 15, 1990). In 1995, CCR was authorized to abandon, and TRS was authorized to discontinue service over, the line with the exception of a 1.86-mile portion. See *Crystal City R.R.—Aban. Exemption—in LaSalle, Zavala, and Dimmit Counties, Tex.*, AB 427X (served June 9, 1995), *Texas R.R. Switching, Inc.—Discontinuance of Service Exemption—in LaSalle, Zavala, and Dimmit Counties, Tex.*, Docket No. AB 428X (served June 9, 1995).

An original and 10 copies of all pleadings, referring to Docket No. FD 35391, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Thomas F. McFarland, Thomas F. McFarland, P.C., 208 South LaSalle Street, Suite 1890, Chicago, Ill. 60604.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: July 23, 2010.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

**Kulunie L. Cannon,**

*Clearance Clerk.*

[FR Doc. 2010-18621 Filed 7-29-10; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Office of Thrift Supervision

#### **MainStreet Savings Bank, FSB, Hastings, MI; Notice of Appointment of Receiver**

Notice is hereby given that, pursuant to the authority contained in section 5(d)(2) of the Home Owners' Loan Act, the Office of Thrift Supervision has duly appointed the Federal Deposit Insurance Corporation as sole Receiver for MainStreet Savings Bank, Hastings, Michigan, (OTS No. 00966) on July 16, 2010.

Dated: July 23, 2010.

By the Office of Thrift Supervision.

**Sandra E. Evans,**

*Federal Register Liaison.*

[FR Doc. 2010-18612 Filed 7-29-10; 8:45 am]

**BILLING CODE 6720-01-M**

## DEPARTMENT OF THE TREASURY

### Office of Thrift Supervision

#### **Olde Cypress Community Bank, Clewiston, FL; Notice of Appointment of Receiver**

Notice is hereby given that, pursuant to the authority contained in section 5(d)(2) of the Home Owners' Loan Act, the Office of Thrift Supervision has duly appointed the Federal Deposit Insurance Corporation as sole Receiver for Olde Cypress Community Bank, Clewiston, Florida (OTS No. 02517), on July 16, 2010.

Dated: July 23, 2010.