



City of Chicago
Richard M. Daley, Mayor

Department of Transportation

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229554

May 20, 2011

VIA E-FILING

Ms. Cynthia Brown
Chief, Section of Administration
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

ENTERED
Office of Proceedings

MAY 20 2011

Part of
Public Record

Mack H. Shumate, Jr.
101 North Wacker Drive, Room 1920
Chicago, IL 60606

Re: Union Pacific Railroad Company--Abandonment Exemption and
Discontinuance of Operations over the Weber Industrial Lead from
Milepost 5.8 near Wilson Avenue, Chicago, to Milepost 9.5 near
Touhy Avenue, Skokie, a Distance of 3.7 Miles in Cook County, IL;
STB Docket No. AB-33 (Sub-No. 263X)

Dear Ms. Brown:

The City of Chicago, an Illinois municipal corporation, acting by and through its Department of Transportation ("City"), hereby petitions the Surface Transportation Board ("Board") for an order extending its Decision and Notice of Interim Trail Use or Abandonment ("NITU") in the above-referenced matter for an additional 180 days, through and including December 3, 2011.

On December 9, 2008, the City filed a petition for a Public Use Condition as well as a Certificate or Notice of Interim Trail Use ("Petition"), rather than an outright abandonment authorization, for the portion of the Weber Industrial Lead extending from milepost 5.8 near Wilson Avenue in Chicago to approximately milepost 8.4 near Devon Avenue, a distance of approximately 2.6 miles. The Village of Lincolnwood ("Village") filed a similar trail use/rail banking request on the portion of the rail line traversing the village.

On December 17, 2008, the Board issued its NITU, providing for a 180-day period for negotiations between the City, the Village and Union Pacific Railroad Company ("UP"). By decisions served June 18, 2009; May 4, 2010; June 21, 2010; and December 17, 2010, the Board extended the NITU negotiating period to June 6, 2011. Since the date of request for the most recent decision, the Chicago Department of Transportation completed contract negotiations with McDonough Associates to lead a team of consultants to provide "Phase I" preliminary engineering and environmental studies compliant with FHWA standards and to provide real estate acquisition



FILING FEE WAIVED



services under USDOT guidelines. The City's Department of Procurement Services has requested additional documentation prior to approving the contract before submitting to the Illinois Department of Transportation for approval. Four-fifths of the cost of the teams' efforts will be funded by the federal Congestion Mitigation and Air Quality Improvement (CMAQ) Program. The City continues to make progress, but needs additional time to complete its trail engineering plan and conclude negotiations with UP.

In support of its request for additional time, the City renews its Petition and its Statement of Willingness to Assume Financial Responsibility.

A copy of this statement is being served on UP on the same date it is being served on the Board. By my signature below, I certify service upon Union Pacific Railroad Company, Attn: Mack H. Shumate, Jr., 101 North Wacker Drive, Room 1920, Chicago, IL 60606, by U.S. Mail, postage prepaid, first class, this 20th day of May 2011.

Pursuant to 49 C.F.R. § 1002.2(e)(1), the filing fee for this request is waived.

Respectfully submitted,

CITY OF CHICAGO, an Illinois
municipal corporation

By: _____

Gabe Klein

Acting Commissioner of Transportation