

UNION PACIFIC RAILROAD  
1400 Douglas Street, Stop 1580  
Omaha, Nebraska 68179

Madeline E. Roebke Assistant General Attorney

P 402 544 1121

241291

August 15, 2016

ENTERED  
Office of Proceedings  
August 15, 2016  
Part of  
Public Record

**VIA E-FILE**

The Honorable Cynthia T. Brown  
Chief, Section of Administration  
Surface Transportation Board  
395 E. Street, S.W., Room #100  
Washington, D.C. 20423-0001

**RE: Proposed Abandonment of the Former Texas Central Railroad from  
Milepost 2.31 to Milepost 4.76, a total distance of 2.45 miles near Waco,  
McLennan County, Texas; STB Docket No. AB-33 (Sub-No. 318X)**

Dear Ms. Brown:

In accordance with 49 C.F.R.1152.29(h), Union Pacific Railroad Company ("Union Pacific") hereby submits for filing, the attached fully executed Joint Notice of Interim Trail Use / Rail Banking Agreement Between Union Pacific and the City of Waco, Texas covering that portion of that portion of the Texas Central Lead from Milepost 2.31 to Milepost 4.76 near Waco, Texas near McLennan County, Texas.

Sincerely,



Madeline E. Roebke  
Senior General Attorney

Attachments

cc: The City of Waco



August 15, 2016

VIA E-FILE

The Honorable Cynthia T. Brown  
Chief, Section of Administration  
Surface Transportation Board  
395 E. Street, S.W., Room #100  
Washington, DC 20423-0001

**JOINT NOTICE OF INTERIM TRAIL USE / RAIL BANKING AGREEMENT  
BETWEEN UNION PACIFIC RAILROAD COMPANY AND  
CITY OF WACO, TEXAS IN ACCORDANCE WITH 49 C.F.R. 1152.29(h)**

**Re: Abandonment of the Texas Central Lead, located in McLennan County, Texas; STB  
Docket No. AB 33 (Sub-No. 318X)**

Dear Ms. Brown:

Union Pacific Railroad Company ("Union Pacific") and City of Waco, Texas ("City") have entered into a trail use/rail banking agreement (the "Trail Use Agreement") covering the rail line from Milepost 2.31 to Milepost 4.76 near Waco, Texas, in McLennan County, Texas, known as the Texas Central Lead, for a total distance of 2.45 miles (the "Line"). Attached to this Joint Notice as **Exhibit A** and made a part hereof is a map depicting an accurate description of the Line, including mileposts, that is the subject of said Trail Use Agreement. In accordance with the requirements of 49 C.F.R. 1152.29(h), Union Pacific and the City hereby certify that the Trail Use Agreement includes provisions requiring the trail sponsor, City of Waco, to fulfill the responsibilities described at 49 C.F.R. 1152.29(a)(2). A copy of the City's Statement of Willingness to Assume Financial Responsibility under the Trail Use Agreement is attached hereto as **Exhibit B** and is hereby made a part hereof.

Sincerely,

UNION PACIFIC RAILROAD COMPANY

  
\_\_\_\_\_  
General Attorney

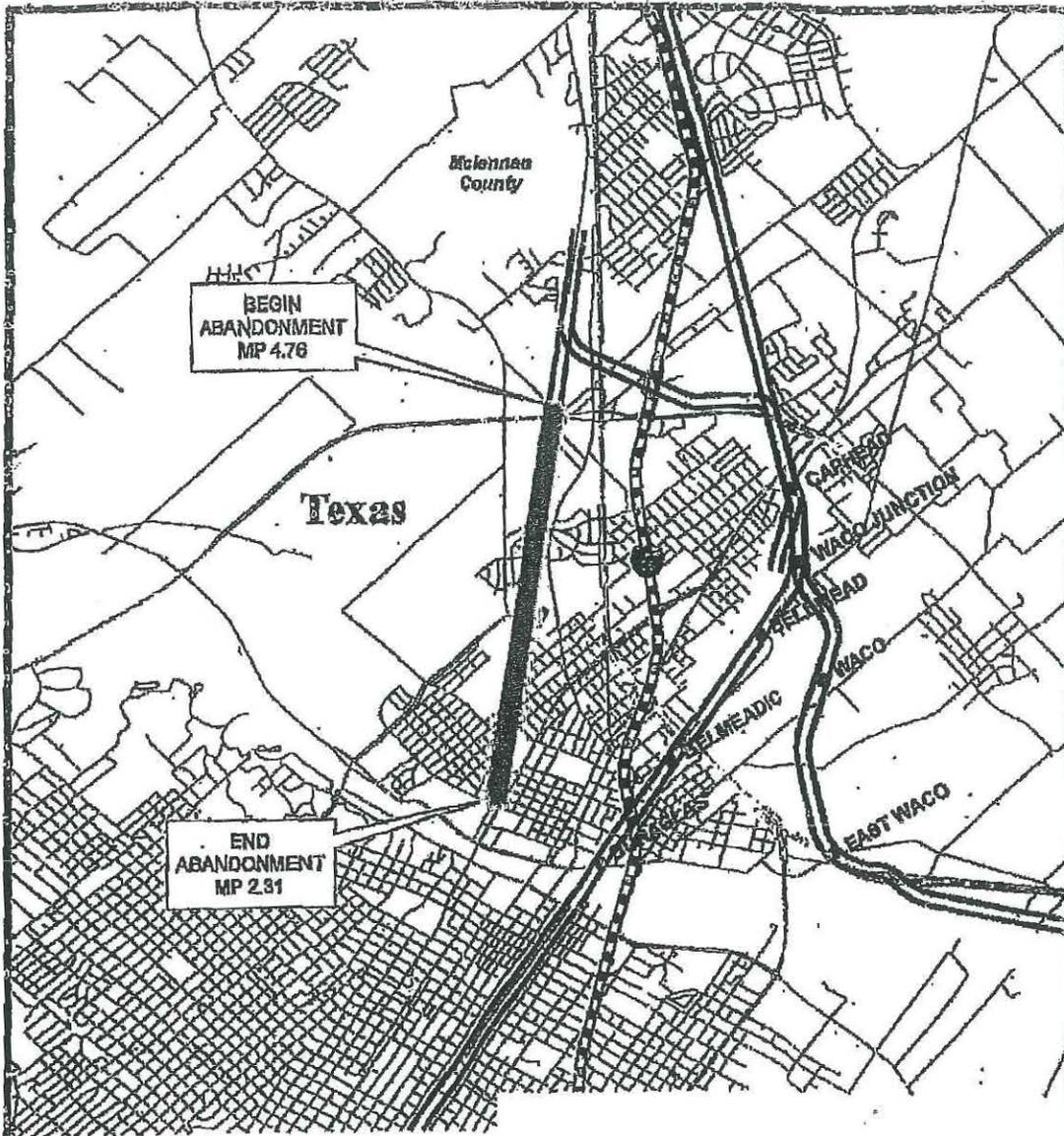
Sincerely,

CITY OF WACO, TEXAS

By: *Scott Finley*  
Title: City manager

Enclosure

cc:



**Legend**

-  Former Texas Central Railroad
-  OTHER UPRR LINES
-  PRINCIPAL HIGHWAYS
-  OTHER ROADS

**FORMER TEXAS CENTRAL RAILROAD**

UNION PACIFIC RAILROAD CO.  
MP 2.31 TO MP 4.76  
TOTAL OF 2.45 MILES IN MCLENNAN COUNTY  
IN TEXAS

**UNION PACIFIC RAILROAD CO.  
FORMER TEXAS CENTRAL RAILROAD  
TEXAS**

NOTE : THERE ARE NO 50+ YEAR OLD STRUCTURES



G:\abandonments\abds\_316x\_Texas\_Central\_RR\axd

**EXHIBIT B TO**  
**JOINT NOTICE**

**City of Waco, Texas' Statement of Willingness To Assume Financial Responsibility**

City of Waco, Texas, acquired the Line as defined below on August 10, 2016 under an Agreement between Union Pacific Railroad Company and City of Waco dated July 6, 2016.

In order to establish interim trail use and rail banking under 16 U.S.C. 1247(d) and 49 CFR 1152.29 with respect to the right-of-way owned by Union Pacific Railroad Company [see Docket No. AB 33 (Sub-No. 318X)], City of Waco, Texas hereby represents to the Surface Transportation Board and Union Pacific Railroad Company that City of Waco, Texas assumes responsibility for (1) managing the right-of-way, (2) any legal liability arising out of the transfer or use of the right-of-way (unless the sponsor is immune from liability, in which case it need only indemnify Union Pacific Railroad Company against any potential liability), and (3) the payment of any and all taxes that may be levied or assessed against the right of way. The rail line or property is known as the Texas Central Lead and extends from Milepost 2.31 to Milepost 4.76, near Waco, Texas, a distance of 2.45 miles in McLennan County, Texas (the "Line"). The right-of-way is part of a line of railroad proposed for abandonment by Union Pacific Railroad Company in STB Docket No. AB 33 (Sub-No. 318X). A map of the property depicting the right-of-way is attached hereto as **Exhibit A** and is hereby made a part hereof.

City of Waco, Texas acknowledges that use of the right-of-way is subject to City of Waco, Texas' continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service. A copy of this statement is being served on the railroad on the same date it is being served on the Surface Transportation Board.

CITY OF WACO, TEXAS

By: *[Signature]*  
Title: City Manager

Agreed to and Acknowledged by Union Pacific Railroad Company this 15<sup>th</sup> day of August, 2016.

By: *[Signature]*  
Title: Senior General Attorney

