

UNION PACIFIC RAILROAD  
101 North Wacker Drive, Room 1920  
Chicago, Illinois 60606-1718

P 312.777.2055  
F 877.213.4433  
[mackshumate@up.com](mailto:mackshumate@up.com)

Mack H. Shumate, Jr.  
Senior General Attorney, Law Department

February 7, 2014

235437

ENTERED

Office of Proceedings  
February 10, 2014  
Part of  
Public Record

**VIA E-FILING**

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

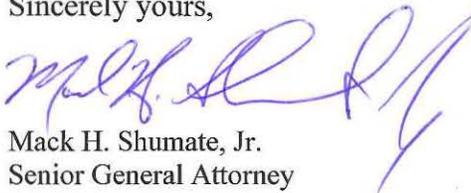
**RE: Proposed Abandonment and Discontinuance of Service over the Lexington Industrial Lead from Milepost 246.49 near Myrick to Milepost 243.58 near Lexington, a distance of 2.91 miles in Lafayette County, Missouri; STB Docket No. AB-33 (Sub-No. 297X)**

Dear Ms. Brown:

Union Pacific Railroad Company ("Union Pacific") has received a request from the City of Lexington, Missouri ("City") dated February 3, 2014 seeking a 180-day extension of the negotiation period for interim trail use and rail banking under the provisions of 16 U.S.C. §1247(d) and 49 C.F.R. § 1152.29 regarding that portion of the Union Pacific's right-of-way known as the Lexington Industrial Lead, as defined above, a distance of 2.91 miles in Lafayette County, Missouri. The current negotiation period is scheduled to expire on February 13, 2014.

The Union Pacific is willing to continue to negotiate with the City concerning the acquisition of the subject property for trail use and supports the City's request for a 180-day extension of the negotiation period to August 16, 2014. A copy of the City's request is attached hereto as **Exhibit A** and hereby made a part hereof.

Sincerely yours,



Mack H. Shumate, Jr.  
Senior General Attorney

Attachment

cc: City of Lexington





# City of Lexington

Valoree Maycock  
Attorney at Law  
P.O. Box 124  
Lexington, Missouri 64067  
660-259-2457  
Fax: 660-259-2180  
val@iland.net

RECEIVED

FEB 7 2014

LAW DEPARTMENT  
UNION PACIFIC RR CO.

February 3, 2014

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: Decision and Notice of Interim Trail Use or Abandonment Union Pacific Railroad Company –  
Abandonment Exemption – In Lafayette County, Missouri Docket No. AB 33  
(Sub-Nó. 297X) Service Date – August 17, 2013.**

Dear Ms. Brown:

Under the above described Decision and the Notice of Interim Trail Use (NITU), an extension of time for negotiation of our trail use/rail banking agreement was granted August 17, 2013, and the permit for public use negotiations was granted until February 13, 2014.

At this time, the City of Lexington, a third class city, situated in Lafayette County, Missouri, is formally requesting extension of the NITU for purposes of negotiation with Union Pacific Railroad Company, and permit an additional 180 days from February 13, 2014, for those public use negotiations. This additional time is being requested in anticipation of fully completing this negotiation process during this period. Pursuant to discussions with Union Pacific Railroad Company representatives, the Company has no objection to this request.

On behalf of the City of Lexington, I appreciate your consideration of this request. Please contact me at your earliest convenience if you should have any questions.

Sincerely,

Valoree Maycock  
Attorney for the City of Lexington, Missouri

cc: Mack H. Shumate, Jr. - Union Pacific Senior General Attorney  
Rick Harris, Union Pacific Real Estate Department  
Jerry Brown - Mayor, City of Lexington, Missouri  
Mark Rounds – Lexington City Administrator