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November 2, 2012

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E-Filed

Cynthia Brown
Chief, Section of Administration
Surface Transportation Board
Office of Proceedings
395 E Street, SW
Washington, DC 20423

ENTERED
Office of Proceedings
November 2, 2012
Part of
Public Record

Re: STB Docket No. AB-6 (Sub-No. 475), BNSF Railway Company
-- Abandonment Exemption -- in Boulder County, Colorado

Dear Ms. Brown:

This is in response to the request dated October 15, 2012, by the City of Lafayette, Colorado, for a 120-day extension of the Notice of Interim Trail Use ("NITU"), issued by the Surface Transportation Board ("Board") in this proceeding. The request was served on BNSF Railway Company ("BNSF") but for some unknown reason has not appeared on the Board's website. A copy of the letter is attached.

BNSF hereby notifies the Board that BNSF does not object to the requested extension of the NITU.

If you have any questions, please call me.

Sincerely,

Karl Morell
Of Counsel

cc: Gary Klaphake, City Administrator

October 15, 2012

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

Re: Additional Request for 120 Day PUC Extension for Negotiations
STB Docket No. AB-6 (Sub-No. 475X); Burlington Northern Santa Fe Railway Abandonment
Exemption in Boulder County, CO

Dear Ms. Brown,

This request is filed on behalf of the City of Lafayette, which is a municipality interested in transportation and recreation, hereinafter referred to as "proponent". The proponent remains engaged in discussions with Burlington Northern Santa Fe Railway ("BNSF") toward the desired outcome for all parties, which is an agreement regarding railbanking and interim trail use of the line by the proponent.

On October 26, 2011 the STB granted the proponent's request to impose a public use condition to allow for negotiating the railbanking of the line for trail use expiring April 23, 2012. On July 30, 2012 the STB granted the proponent's request for a 60 day PUC extension for negotiations extending to October 21, 2012. The proponent hereby requests *an additional 120-day period in which to continue negotiations* with BNSF as we are making progress by presently negotiating an agreement and closing dates and to take into consideration the upcoming holidays. BNSF is amenable to this extension and continued negotiations. Thank you for your consideration.

By my signature below, I certify service upon Burlington Northern Santa Fe Railway, 2500 Lou Menk Drive, 3rd Floor, Fort Worth, Texas 76131-2828, by US Mail postage pre-paid, first class, this 15th day of October, 2012.

Respectfully submitted,



Gary Klaphake
City Administrator

CC: Karl Morell (via email – kmorrell@balljanik.com)
Matt Webb (via email – matt.webb@am.jll.com)