

241017

Before the  
SURFACE TRANSPORTATION BOARD  
Washington, D.C. 20423

ENTERED  
Office of Proceedings  
June 30, 2016  
Part of  
Public Record

STB Docket No. FD36031

Status of the Former Spur Line at 125 Paul Avenue,  
San Francisco, California

**MOTION TO WITHDRAW  
PETITION FOR DECLARATORY ORDER  
BY  
400 PAUL WAVE EXCHANGE, LLC**

400 Paul Wave eXchange, LLC ("400 Paul Wave"), a limited liability company with offices at 2999 Oak Road, Suite 400 Walnut Creek, California hereby moves to withdraw its Petition for Declaratory Order filed with the STB Office of Proceedings on May 4, 2015 seeking a ruling that the spur line located at 125 Paul Avenue in San Francisco, California is de facto abandoned.

As a result of negotiations held after the filing 400 Paul Wave's Petition for Declaratory Order, 400 Paul Wave and Union Pacific Railroad ("UP") have reached an agreement that resolves their dispute regarding the slope easement benefiting the now-absent spur line. The settlement agreement is to be completed not later than July 12, 2016.

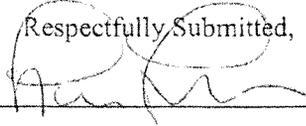
Except for 400 Paul Wave, whose interests have now been satisfied, no other party sought the relief requested from the Petition for Declaratory Order.

 <b>GRANTED</b>	DECISION ID NO.: <u>45315</u>
	DECIDED DATE: <u>7/7/16</u>
	SERVICE DATE: <u>7/8/16</u>
	APPROVED: <u>Rachelle Campbell</u> Director
Office of Proceedings	<input type="checkbox"/>

Accordingly, 400 Paul Wave moves to withdraw its Petition for Declaratory Order.

Further, 400 Paul Wave requests an expedited decision from the STB, which would allow the transactions relating to 400 Paul to proceed by their July 12, 2016 deadline.

Respectfully Submitted,



Lisa Freilicher, General Counsel  
400 Paul Wave eXchange, LLC  
2999 Oak Road, Suite 400  
Walnut Creek, California 94597

Dated: 6/29/2016

**PROOF OF SERVICE BY MAIL**

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF ORANGE )

I am a citizen of the United States and employed in Orange County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 895 Dove Street, 5th Floor, Newport Beach, California 92660. I am readily familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service. On June 30, 2016, I placed with this firm at the above address for deposit with the United States Postal Service a true and correct copy of the within document(s):

**MOTION TO WITHDRAW PETITION FOR DECLARATORY ORDER  
BY 400 PAUL WAVE EXCHANGE, LLC**

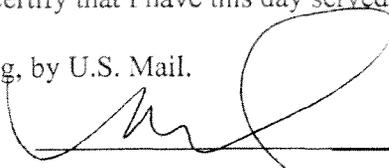
in a sealed envelope, postage fully paid, addressed as follows:

Robert M. Krantz  
Union Pacific Railroad Company  
2603 Camino Ramon, Ste. 200  
San Ramon, CA 94583

Union Pacific Railroad Company  
c/o CT Corporation System  
818 West Seventh St., Ste. 930  
Los Angeles, CA 90017

Jeremy M. Berman  
Union Pacific Railroad Company  
1400 Douglas Street, Stop 1580  
Omaha, NE 68179

I certify that I have this day served copies of document upon all parties of record in this proceeding, by U.S. Mail.

Signature   
Martha Ramirez

Date 6/30/2016