

UNION PACIFIC RAILROAD
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Mack H. Shumate, Jr.
Senior General Attorney, Law Department

232058

March 14, 2012

VIA E-FILE

ENTERED
Office of Proceedings

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

MAR 14 2012

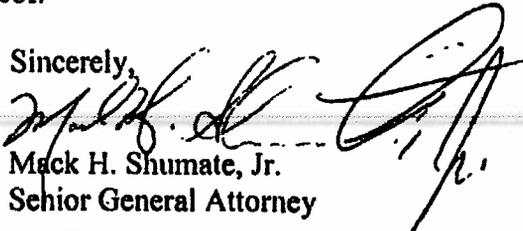
Part of
Public Record

Re: Proposed Abandonment of and Discontinuance of Service on the Bailey Branch from M. P. 671.58 near Monroe to M. P. 682.25 near Greenberry; and the Hull Oakes Lead from M. P. 673.21 near Alpine Jct. to M. P. 680.06 near Dawson in Benton County, Oregon; STB Docket No. AB-33 (Sub-No. 257X) and AB-986 (Sub-No. 1X)

Dear Ms. Brown:

Union Pacific Railroad Company ("Union Pacific") has received a request from the Benton County Board of Commissioners dated March 11, 2012 for a additional 180-day extension in which to complete negotiations for the acquisition under the provisions 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 Bailey Branch from M.P. 671.58 near Monroe, to M.P. 682.25 near Greenberry and the Hull Oakes lead from M.P. 673.21 near Alpine Junction to M.P. 680.06 near Dawson, a total distance of 17.86 miles in Benton County, Oregon. The Union Pacific is willing to continue negotiating with Benton County concerning the acquisition of the subject property for trail use and supports the Benton County Board of Commissioners' request for a 180-day extension in which to negotiate. A copy of the Benton County Board of Commissioners' request is attached hereto as Exhibit A and hereby made a part hereof.

Sincerely,


Mack H. Shumate, Jr.
Senior General Attorney

Enclosure

cc: Loren J. Smith Farms
Goracke Brothers
Van Beek Dairy Farm
Nusbaum Farms
Hull Oakes Lumber Co.
Wilbur Ellis

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 GRANTED Office of Proceedings	DECISION ID NO.: <u>42296</u>
	DECIDED DATE: <u>3/22/12</u>
	SERVICE DATE: <u>3/23/12</u>
	APPROVED: <u>Rachel Campbell</u> Director
	<input checked="" type="checkbox"/> <u>NITU negotiating period extended to 9/3/12.</u>





EXHIBIT A

BOARD OF COMMISSIONERS

408 SW Monroe Ave., Suite 111

P.O. Box 3020

Corvallis, OR 97339-3020

(541) 766-6800

FAX (541) 766-6893

11 March 2012

Ms. Cynthia Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E. Street SW
Washington, D.C. 20423
VIA EMAIL

Re: STB Docket No. AB-33 (Sub-No. 257), Union Pacific R.R. –
Abandonment – In Benton County, OR

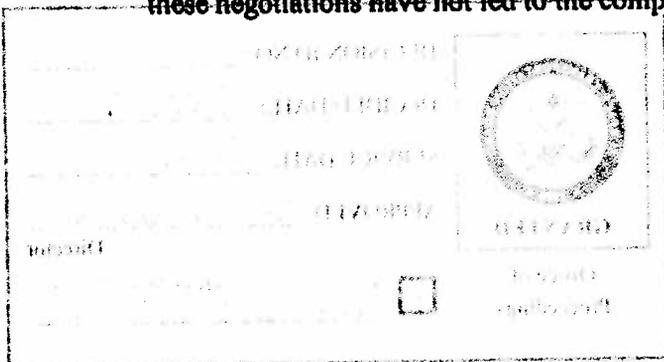
Dear Ms. Brown:

By decision served September 9, 2011 in the above-referenced proceeding, the Board issued a Certificate of Interim trail Use ("CITU"). As set forth in the Board's decision served on October 10, 2011, the Board extended the CITU negotiating period to March 7, 2012 for a portion of the line extending from:

- 1) MP 682.25 near Greenberry, OR to MP 671.58 near Monroe, OR, the Bailey Branch; and
- 2) The Hull Oakes Lead from MP 673.21 near Alpine Junction to MP 680.06 near Dawson, OR,

or a total distance of 17.86 miles in Benton County, Oregon.

Union Pacific Railroad Company ("UP") and County of Benton, Oregon continue to be engaged in negotiations concerning an agreement for the portion of the line, but to date, these negotiations have not led to the completion of a final agreement.



Benton County respectfully requests that the Board issue an order further extending the negotiating period by an additional 180 days in order to permit Benton County and UP to continue their ongoing negotiations. In addition, Benton County has conferred with UP, and UP concurs with the forgoing request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Linda Modrell". The signature is written in a cursive style and is positioned above the printed name.

Linda Modrell, Commissioner
Benton County

LM/lg

cc: Raymond Allamong, Union Pacific
Robert Melbo, Rail, State of Oregon
Mack H. Shumate, Jr. Esq. – Counsel for Union Pacific Railroad Company