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November 12, 2015

Via Electronic Filing

Ms. Cynthia Brown
Chief, Section of Administration
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

 GRANTED Office of Proceedings	DECISION ID NO.: <u>44903</u>
	DECIDED DATE: <u>11/24/15</u>
	SERVICE DATE: <u>11-25-15</u>
	APPROVED: <u>Rachel Campbell</u> Director
	<input checked="" type="checkbox"/> <u>extended to 5/10/16</u>

LAW DEPARTMENT
UNION PACIFIC RR CO.

**Re: Union Pacific Railroad Company
Abandonment of Weber Industrial Lead, Lincolnwood, Illinois
STB Docket No. AB-33 (Sub-No. 263X)
Petition for Public Use Condition and Interim Trail Use**

Dear Chief Brown:

The Village of Lincolnwood, Illinois (the "**Village**"), a political subdivision, hereby petitions the Surface Transportation Board for an order extending its Decision and Notice of Interim Trail Use or Abandonment in the above-referenced matter ("**Decision**") for an additional 180 days, through and including May 10, 2016.

On November 25, 2008, the Village filed its Petition for a Public Use Condition as well as an Interim Trail Use Condition ("**Petition**"), rather than an outright abandonment authorization, for that portion of the Weber Industrial Lead located within the corporate boundaries of the Village, extending from approximately Milepost 8.4 near Devon Avenue to approximately Milepost 9.45 near Touhy Avenue. As part of the Petition, the Village filed its Statement of Willingness to Assume Financial Responsibility pursuant to 49 CFR §1152.29.

On December 17, 2008, the Board issued its Decision, providing for a 180-day period for negotiations between the Village, the City of Chicago, and Union Pacific Railroad Company ("**UP**"). The Board has granted thirteen extensions of the time period for negotiations, most recently on June 4, 2015, when the Board issued an order further extending the time period for negotiations through and including November 12, 2015.

Since June 2015, the Village has continued its development of plans for the use of the right-of-way for trail and/or other public purposes, all in accordance with the Petition. As noted in the Village's previous extension requests, the Village and UP have exchanged multiple offers over the last several months for acquisition by the Village of the right-of-way. In August, the Village and UP reached tentative agreement on the

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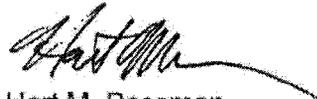
sales price and primary terms of the transaction. The parties have been working diligently to finalize all remaining terms and to consummate the sale.

The Village continues to work with the Illinois Department of Transportation, the Federal Highway Administration, and UP to produce all necessary plans, obtain all necessary approvals, and complete all required engineering and preparations for the proposed purchase and trail use of the right-of-way. In recognition of the cooperation between the Village and UP to date, the Village is optimistic that it will reach final accord with the UP on the acquisition of the right-of-way. However, as those negotiations remain ongoing, the Village requests additional time to continue those negotiations to a successful conclusion.

Therefore, the Village respectfully requests that the Board issue an order extending the negotiation period for an additional 180 days, through and including May 10, 2016. In support of its request, the Village renews its Petition and its Statement of Willingness to Assume Financial Responsibility.

By my signature below, I certify service upon Union Pacific Railroad Company, c/o Mack H. Shumate, 101 North Wacker Drive, Room 1920, Chicago, Illinois 60606, and upon the City of Chicago, c/o Ms. Rebekah Scheinfeld, 30 North LaSalle Street, Suite 1100, Chicago, IL 60602-2570, by U.S. Mail, postage pre-paid, first class, this 15th day of May, 2015.

Respectfully submitted,



Hart M. Passman
Assistant Village Attorney
Village of Lincolnwood

cc: Tim Wiberg, Village Manager