



CHICAGO DEPARTMENT OF TRANSPORTATION  
CITY OF CHICAGO

 <b>GRANTED</b> Surface Transportation Board 395 E Street, SW Washington, DC 20420-0001	DECISION ID NO.: <u>43740</u>	235713
	DECIDED DATE: <u>4/9/14</u>	ENTERED
	SERVICE DATE: <u>4/9/14</u>	Office of Proceedings
	APPROVED: <u>Karl Morell</u>	March 28, 2014
	<input checked="" type="checkbox"/> extended to 9/26/14 Director for rail lines between (1) Station 185+77 and Station 163+50; and (2) between Station 157+65 and Station 197+81.	Part of Public Record

March 28, 2014

VIA E-FILING

Surface Transportation Board  
395 E Street, SW  
Washington, DC 20420-0001

Karl Morell  
Ball Janik LLP  
655 15<sup>th</sup> Street NW, Suite 225  
Washington, DC 20005

Re: BNSF Railway Company--Abandonment Exemption--in Cook County, IL, STB Docket No. AB-6 (Sub-No. 487X)

Dear Board:

The City of Chicago, an Illinois municipal corporation, acting by and through its Department of Transportation ("City"), hereby petitions the Surface Transportation Board ("Board") for an order extending its Decision and Notice of Interim Trail Use or Abandonment ("NITU") in the above-referenced matter for an additional 180 days, through and including September 26, 2014.

On March 18, 2013, the City filed a request for issuance of a notice of interim trail use (NITU) and public use condition ("Petition") for approximately 1.1 miles of rail line, as follows: (1) approximately 0.50 miles of track (Sangamon Street Line) from south of Western Avenue Yard at 16<sup>th</sup> Street (Station 186+79), extending to the red board south of Cullerton Street (Station 163+50); and (2) approximately 0.60 miles of track (Lumber Street Line) from West Cermak Road at the Colonial Brick switch (Station 157+65), extending to the end of the line on Lumber Street (Station 197+81), in Chicago, Cook County, Illinois.

On April 4, 2013, the Board issued its NITU, permitting the City to negotiate with BNSF Railway Company ("BNSF") for trail use for the line until October 1, 2013, and permitting public use negotiations for the line until October 2, 2013. In an Order on February 27, 2014 the Board (1) modified the NITU to vacate the segment of the Sangamon Line between Station 186+79 and 185+77 and (2) extended the NITU negotiating period to March 30, 2014 for that portion of the Sangamon Line between stations 185+77 and 163+50 and for the Lumber Line as originally petitioned. The City has commenced negotiations with BNSF and due diligence

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activities associated with the acquisition of the line, but needs additional time to complete these activities.

In support of its request for additional time, the City renews its Petition and its Statement of Willingness to Assume Financial Responsibility.

A copy of this statement is being served on BNSF on the same date it is being served on the Board. By my signature below, I certify service upon Karl Morell, Ball Janik LLP, 655 15<sup>th</sup> Street NW, Suite 225, Washington, DC 20005, by U.S. Mail, postage prepaid, first class, this 28<sup>th</sup> day of March, 2014.

Pursuant to 49 C.F.R. § 1002.2(e)(1), the filing fee for this request is waived.

Respectfully submitted,

**CITY OF CHICAGO**, an Illinois municipal corporation

By:    
Rebecca Scheinfeld  
Commissioner of Transportation

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