



CHICAGO DEPARTMENT OF TRANSPORTATION  
CITY OF CHICAGO

May 25, 2012 232362

VIA E-FILING

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

Mack H. Shumate, Jr.  
101 North Wacker Drive, Room 1920  
Chicago, IL 60606

 <b>GRANTED</b> Office of Proceedings	DECISION ID NO.: <u>42444</u>	ENTERED
	DECIDED DATE: <u>7/11/12</u>	Office of Proceedings
	SERVICE DATE: <u>7/11/12</u>	May 25, 2012
	APPROVED: <u>Rachelle Campbell</u>	Part of Public Record
		Director

Re: Union Pacific Railroad Company--Abandonment Exemption and Discontinuance of Operations over the Weber Industrial Lead from Milepost 5.8 near Wilson Avenue, Chicago, to Milepost 9.5 near Touhy Avenue, Skokie, a Distance of 3.7 Miles in Cook County, IL; STB Docket No. AB-33 (Sub-No. 263X)

Dear Ms. Brown:

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 November 27, 2012.

On December 9, 2008, the City filed a petition for a Public Use Condition as well as a Certificate or Notice of Interim Trail Use ("Petition"), rather than an outright abandonment authorization, for the portion of the Weber Industrial Lead extending from milepost 5.8 near Wilson Avenue in Chicago to approximately milepost 8.4 near Devon Avenue, a distance of approximately 2.6 miles. The Village of Lincolnwood ("Village") filed a similar trail use/rail banking request on the portion of the rail line traversing the village.

On December 17, 2008, the Board issued its NITU, providing for a 180-day period for negotiations between the City, the Village and Union Pacific Railroad Company ("UP"). By multiple decisions, the most recent served on December 28, 2011, the Board extended the NITU negotiating period to December 3, 2011. A contract has been negotiated with McDonough

Associates to lead a team of consultants to provide "Phase I" preliminary engineering and environmental studies compliant with FHWA standards and to provide real estate acquisition services under USDOT guidelines. This contract has been submitted to the Illinois Department of Transportation for approval; upon this approval the studies will begin. Four-fifths of the cost of the teams' efforts will be funded by the federal Congestion Mitigation and Air Quality Improvement (CMAQ) Program. The City continues to make progress, but needs additional time to complete its trail engineering plan and conclude negotiations with UP.

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 UP on the same date it is being served on the Board. By my signature below, I certify service upon Union Pacific Railroad Company, Attn: Mack H. Shumate, Jr., 101 North Wacker Drive, Room 1920, Chicago, IL 60606, by U.S. Mail, postage prepaid, first class, this 25 th day of May 2012.

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: \_\_\_\_\_

Gabe Klein

Commissioner of Transportation