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January 10, 2013

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**VIA E-FILING**

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

**JOINT NOTICE OF  
INTERIM TRIAL USE AGREEMENT**

**Re: Docket No. AB-102 (Sub-No. 13), Missouri-Kansas-Texas Railroad Company (“MKT”) – Abandonment – in St. Charles, Warren, Montgomery, Callaway, Boone, Howard, Cooper and Pettis Counties, MO**

Dear Ms. Brown:

With concurrence by Union Pacific Railroad Company (“Union Pacific”) as successor in interest to Missouri-Kansas-Texas Railroad Company (“MKT”) the City of Boonville, Missouri (the “City”), was granted issuance of a Certificate of Interim Trail Use (“CITU”) pursuant to 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 for the MKT Missouri River Bridge and related railroad property on the former MKT Line between M.P. 191.47 at Boonville and M.P. 191.16 North of Boonville, a distance of approximately .3 miles in Cooper and Howard Counties, Missouri (the “MKT Bridge”) by decision of the Surface Transportation Board (“Board”) in Docket No. AB-102 (Sub-No. 13) with a service date of July 20, 2012 (the “CITU Decision”).

In accordance with the CITU Decision, Union Pacific and City hereby jointly notify the Board that they have successfully negotiated and closed an agreement (the “Agreement”) for rail banking/interim trail use for the MKT Bridge. Attached hereto as Exhibit A and hereby made a part hereof is a map depicting and showing an accurate description of the involved right of way with milepost references of the MKT Bridge which is subject to the Agreement.

Union Pacific and City hereby certify that the Agreement includes provisions requiring the City as sponsor to fulfill the responsibilities described in 49 C.F.R. § 1152.29(a)(2).

Sincerely,



Mack H. Shumate, Jr.  
General Attorney  
Union Pacific Railroad Company  
101 North Wacker Drive, Room 1920  
Chicago, IL 60606  
(312) 777-2055  
mackshumate@up.com



Megan B. McGuire  
City Counselor  
City of Boonville  
401 Main Street  
Boonville, Missouri 65233  
mmcguire@boonville-mo.org

Attachment

**CERTIFICATE OF SERVICE**

I, Mack H. Shumate, hereby certify that on January 10, 2013, I served the foregoing document, **Joint Notice of Interim Trial Use Agreement** on the following:

Megan B. McGuire  
City Counselor  
City of Boonville  
401 Main Street  
Boonville, Missouri 65233  
[mmcguire@boonville-mo.org](mailto:mmcguire@boonville-mo.org)

Julie Thacher  
Mayor  
City of Boonville, Missouri  
City Hall  
401 Main Street  
Boonville, Missouri 65233

Mary Bryan, Esq.  
Real Estate Attorney  
Missouri State Parks  
P.O. Box 176  
Jefferson City, MO 65102  
[mary.bryan@dnr.mo.gov](mailto:mary.bryan@dnr.mo.gov)



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Mack H. Shumate, Jr.  
Senior General Attorney

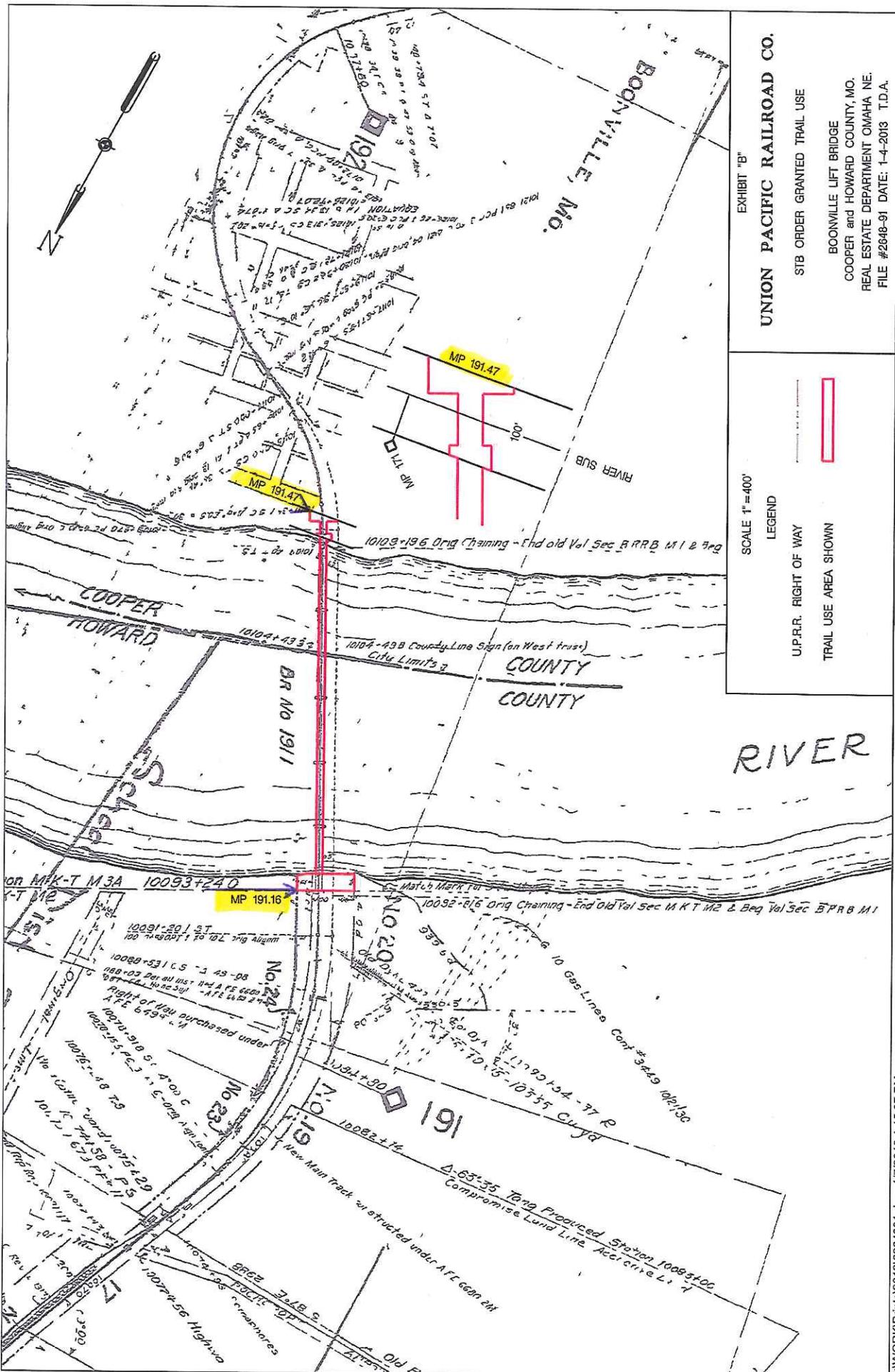


EXHIBIT "B"  
**UNION PACIFIC RAILROAD CO.**  
 STB ORDER GRANTED TRAIL USE  
 BOONVILLE LIFT BRIDGE  
 COOPER and HOWARD COUNTY, MO.  
 REAL ESTATE DEPARTMENT OMAHA NE.  
 FILE #2648-91 DATE: 1-4-2013 T.D.A.

SCALE 1" = 400'  
 LEGEND  
 U.P.R.R. RIGHT OF WAY  
 TRAIL USE AREA SHOWN

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Exhibit A