

Public Use Condition Request

233769

January 28th, 2013

Secretary

Surface Transportation Board
395 E Street SW
Washington, DC 20423-0001

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

ENTERED
Office of Proceedings
February 6, 2013
Part of
Public Record



Re: BNSF Railway Company Abandonment in Cook County, Illinois, [Docket No. AB-6 (Sub-No. 482X)]

Dear Secretary:

This request is filed on behalf of the interested petitioners hereinafter referred to as "proponent."

Proponent requests issuance of a Public Use Condition rather than an outright abandonment authorization between Station 36 + 70 (North of the Chicago Sanitary and Ship Canal Bridge) and Station 149 + 87 (The end of the track near Western Avenue).

Proponent asks the STB to find that this property is suitable for other public use, and to place the following conditions on the abandonment:

1. An order prohibiting the carrier from disposing of the corridor, other than the tracks, ties and signal equipment, except for public use on reasonable terms. Justification for this condition is the rail corridor in question has limited available public use space. The corridor would make excellent public spaces in an area of busy public streets. The time period sought is 180 days from the effective date of the abandonment authorization. Proponent needs this much time to assemble a complete plan and begin negotiations with the carrier.

2. An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts and tunnels. The justification for this condition is that these structures have considerable value for recreational purposes. The time period requested is 180 days from the effective date of the abandonment authorization for the same reason as indicated above.

The property extends from railroad milepost 36 + 70 north of the Chicago Sanitary and

Ship Canal Bridge to railroad milepost 149 + 87 at the end of the track near Western Avenue, a distance of 2.14 miles in Cook County, Illinois. The track traverses U.S. Postal Service Zip Codes 60608, 60623, and 60632. The property is part of a line of railroad proposed for abandonment in STB Docket No. AB-6 (Sub-No. 482X).

A map depicting the property is attached.

Photographic views depicting the property are attached.

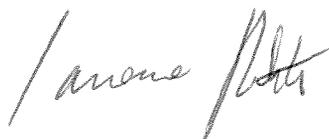
By my signature below, I certify service upon BNSF Railway Company, 2650 Lou Menk Drive, Fort Worth, TX 76131-2830, by U.S. Mail, postage pre-paid, first class, this day of January 28th, 2013.

Respectfully submitted,

Brian Lynch
Corresponding Petitioner
3329 S Prairie Ave, Unit 1
Chicago, IL
60616



Laurence Rohter P.E.
311 Addison Rd
Riverside, IL
60546

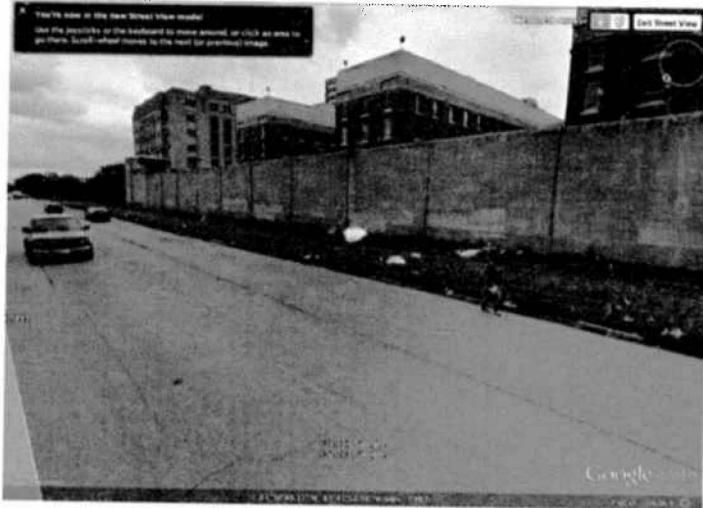


James Novak WA9FIH
2335 S 2nd Ave
North Riverside
60546

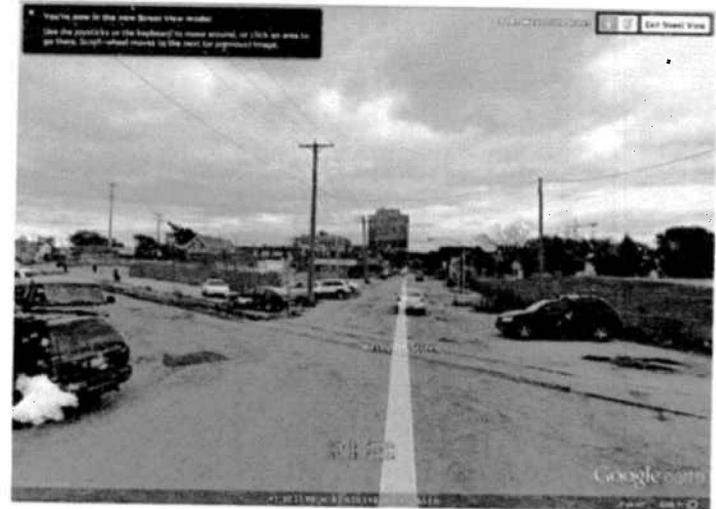


Gabrielle Souder
463 W 31st St, R2
Chicago, IL
60616

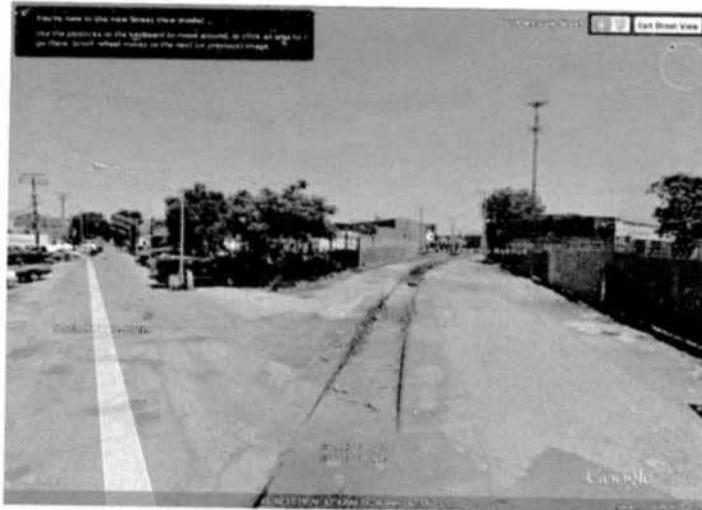




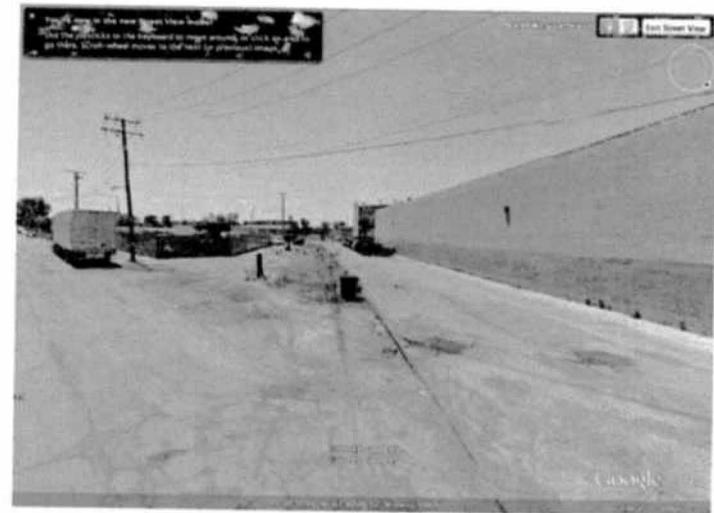
26th Street [south-east]



27th Street [east]



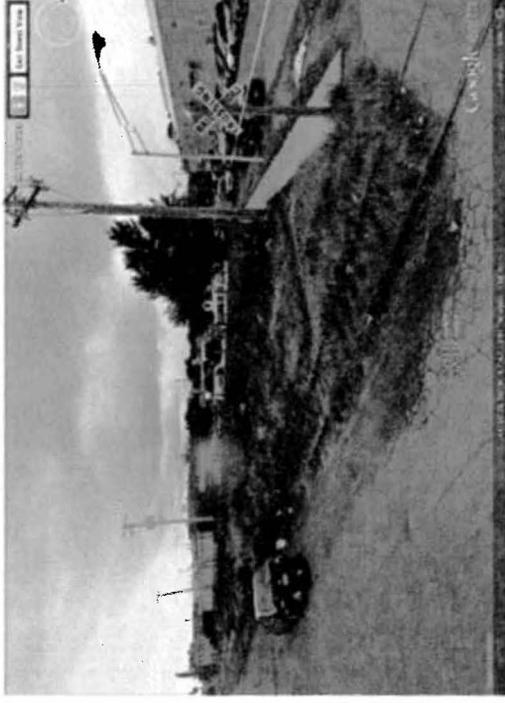
Whipple Street [north]



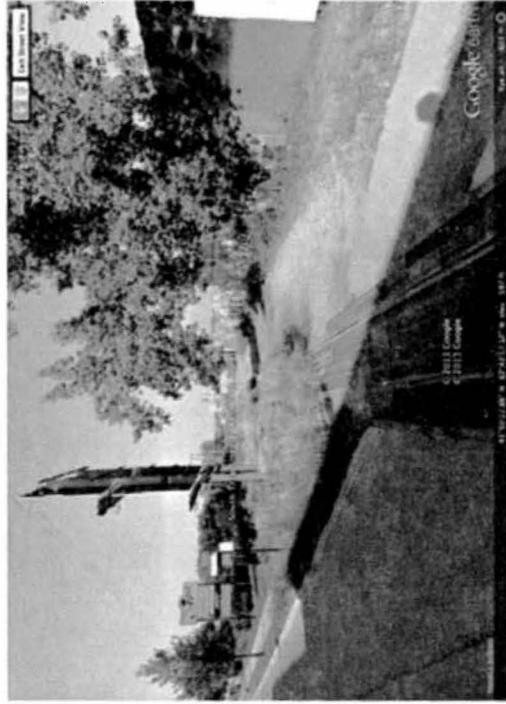
Whipple [south]



West 28th Street [north-east]



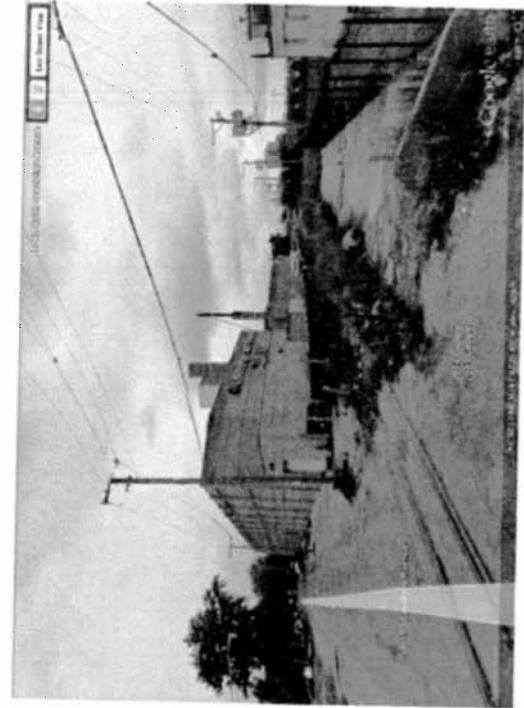
West 28th [south-west]



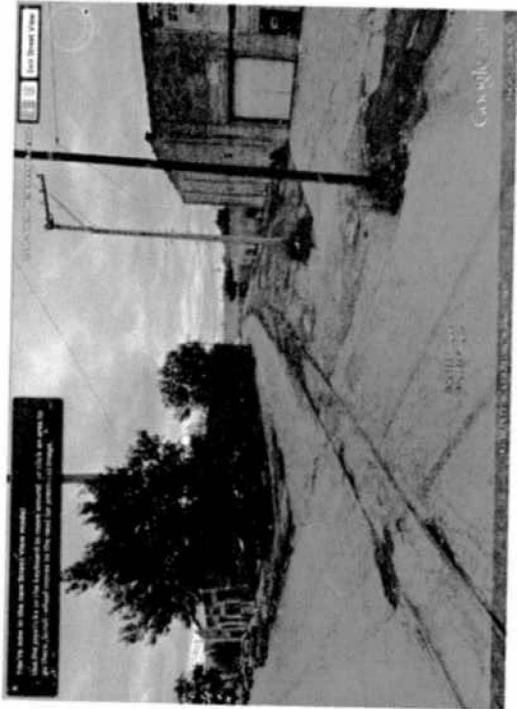
Kedzie [east]



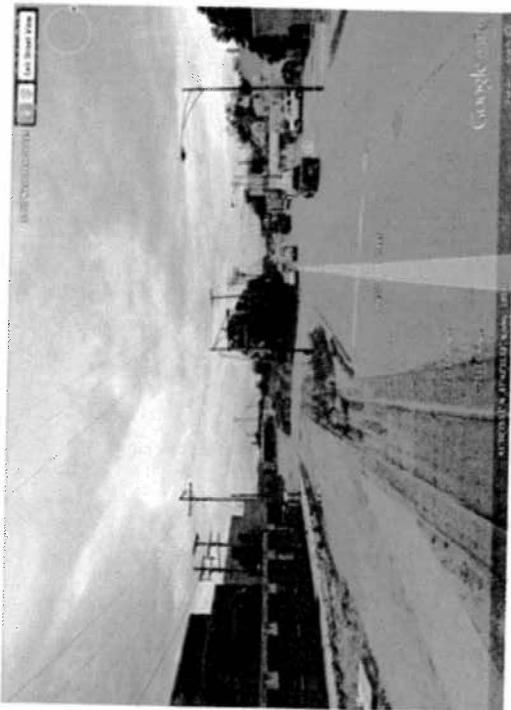
Kedzie [west]



Spaulding [north-east]



Sacramento [south-west]



West 31st [west]