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June 11, 2012

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

ENTERED
Office of Proceedings
June 11, 2012
Part of
Public Record

RE: Abandonment Exemption and Discontinuance of Operations over the Weber Industrial Lead from M.P. 5.8 near Wilson Avenue to M.P. 9.5 near Touhy Avenue, a distance of 3.7 miles in Cook County, Illinois; STB Docket No. AB-33 (Sub-No. 263X)

Dear Ms. Brown:

Union Pacific Railroad Company ("Union Pacific") has received a request from the City of Chicago, an Illinois municipal corporation, (the "City"), seeking to extend the negotiation period covering the issuance of a Certificate or Notice of Interim Trail Use pursuant to 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 for the portion of the Union Pacific's Weber Industrial Lead located in the City between approximately Milepost 5.8 near Wilson Avenue to the border with the Village of Lincolnwood, Illinois, at approximately Milepost 8.4 near Devon Avenue, a distance of approximately 2.6 miles in Cook County, Illinois.

The Union Pacific is willing to extend the negotiation period with the City concerning the acquisition of the subject property for trail use and supports the City's request to extend the negotiation period for an additional 180 days to November 27, 2012. A copy of the City's request for extension is attached hereto as **Exhibit A** and hereby made a part hereof.

Sincerely,



Attachment

cc: City of Chicago

O:\ABANDONMENTS\33-263X\2012_06_11 STB 180-Days - City of Chgo.doc



RECEIVED

MAY 29 2012

LAW DEPARTMENT
UNION PACIFIC RR CO.



Exhibit A

CHICAGO DEPARTMENT OF TRANSPORTATION
CITY OF CHICAGO

May 25, 2012

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

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 25th 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