



CHICAGO DEPARTMENT OF TRANSPORTATION  
CITY OF CHICAGO

May 20, 2013

**VIA E-FILING**

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

234273  
ENTERED  
Office of Proceedings  
May 21, 2013  
Part of  
Public Record

Michael J. Barron, Jr.  
Fletcher & Sippel LLC  
29 North Wacker Drive, Suite 920  
Chicago, IL 60606-2832

Re: Illinois Central Railroad Company--Abandonment Exemption--In Cook County, IL, STB  
Docket No. AB-43 (Sub-No. 184X)

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 21, 2013.

On October 15, 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 approximately 3,205 feet of rail line beginning at the point of clearance at Station 26+58 (Halsted Street) and extending northeasterly approximately 3,205 feet to the end of the track at Station 58+63 (Cermak Road).

On December 17, 2008, the Board issued its NITU, authorizing a 180-day period for the City to negotiate an interim trail use/rail banking agreement with Illinois Central Railroad Company ("**IC**"). The initial negotiating period under the NITU expired on June 15, 2009. By multiple decisions - the most recent (ID# 42791) served December 10, 2012 - the Board extended the NITU negotiating period to May 25, 2013. The City continues to explore the potential to pursue

**FILING FEE WAIVED**

this trail project, and needs additional time to secure project financing, complete the trail engineering plan and conclude negotiations with IC. Because there are multiple railroad tracks and operators in this corridor we have requested clarification of which tracks in the named corridor are actually included in this docket and what portion of the property lies in the existing public way.

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 IC on the same date it is being served on the Board. By my signature below, I certify service upon Illinois Central Railroad Company, c/o Michael J. Barron, Jr., Fletcher & Sippel LLC, 29 N. Wacker Drive, Suite 920, Chicago, Illinois 60606-2832, by U.S. Mail, postage prepaid, first class, this 20<sup>th</sup> day of May, 2013.

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

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