



**The City of
OKLAHOMA CITY**

232194

April 13, 2012

Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

ENTERED
Office of Proceedings
April 13, 2012
Part of
Public Record

The City of Oklahoma City ("OKC"), pursuant to 49 C.F.R. 1152.29 expresses its interest in acquiring for interim trail use and rail banking under the National Trails System Act, 16 U.S.C. 1247(d), and 49 C.F.R. 1152.29, the right-of-way authorized for abandonment in STB Docket No. AB 6 (Sub-No. 480X).

The abandonment authorization has not yet been exercised by BNSF Railway Company ("BNSF"). No notice of consummation has been filed with the Board. Accordingly, the rail line remains subject to the Board's jurisdiction to issue a Decision and Notice of Interim Trails Use or Abandonment.

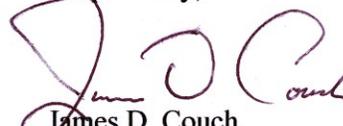
In order to establish interim trail use and rail banking under section 8(d) of the National Trails System Act, 16 U.S.C. 1247(d) and 49 C.F.R. 1152.29, the City of Oklahoma City is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of, (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability) and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by BNSF, identified below.

The property is located between railroad milepost 541.69 and milepost 542.91, in Oklahoma City, Oklahoma County. The right-of-way is the subject of an exemption for abandonment in STB Docket No. AB 6 (Sub-No. 480X).

Oklahoma City acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

A map depicting the right-of-way is attached. The right-of-way to be rail banked and used on an interim basis for a trail is colored in red. By my signature below, I certify service upon Karl Morell, Attorney for BNSF by U.S. Mail, postage prepaid, this 13th day of April, 2012.

Respectfully,


James D. Couch,
City Manager

cc: Karl Morell, Of Counsel, Ball Janik LLP
Suite 225, 655 Fifteenth Street N.W., Washington, DC 20005.

420 West Main, Suite 900 • Oklahoma City, OK 73102 • 405.297.2576 • FAX 405.297.1631

FILING FEE WAIVED

SEGMENT OF BNSF TRACT TO BE ABANDONED

