



ST. CHARLES  
SINCE 1834

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September 10, 2012

Ms. Cynthia Brown  
Chief, Section of Administration  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20024

232946

ENTERED  
Office of Proceedings  
September 10, 2012  
Part of  
Public Record

**RE: Union Pacific Railroad Company  
Abandonment of St Charles, IL Lead  
STB Docket No. AB-33 (Sub-No. 284X)  
Petition for Public Use Condition and Interim Trail Use**

Dear Chief Brown:

On July 9<sup>th</sup>, 2010, the City of St Charles, IL, the County of Kane, Forest Preserve District of Kane County, and the St Charles Park District jointly filed a request for Public Use Condition and a request for Interim Trail Use Condition (NITU) for approximately 3.17 miles of railroad between milepost 35.13 and milepost 38.3 near St Charles, IL. By order dated September 21, 2011, the Board granted the request to implement interim trail use and to permit public use negotiations as specifically set forth in the order, for a period of 180 days commencing from September 21, 2011, and ending on March 21, 2012.

The City of St Charles, IL wishes to continue to work with local partner jurisdictions to compile specific information in efforts to satisfy our negotiating needs, and has been in direct contact with Union Pacific; however, we do not believe that the parties will be able to finalize negotiations by the end date of the order. Therefore, the City respectfully requests the Board to grant a 180 day extension until March 31, 2013, or such time so indicated by the Board.

Enclosed please find the original and ten (10) copies of this letter. Also, it is my understanding that the filing fee of \$450.00 is waived for Government Agencies requesting extension of NITU negotiations as to STB Docket No. AB-33 (Sub-No. 284X) Union Pacific Railroad Company. Please time and date stamp a copy of this letter and return it with the self-addressed stamped envelope.

DONALD P. DEWITTE *Mayor*

BRIAN TOWNSEND *City Administrator*

We are also sending a copy to Union Pacific Railroad Company, by US Mail, postage prepaid, first class, on this 10th day of September, 2012

Thank you for your consideration of this request, and please contact me should you have any questions or concerns.

Very Truly Yours,

A handwritten signature in cursive script, appearing to read "Mark Koenen".

Mark Koenen  
Director of Public Works, City of St Charles, IL

CC: Mack Shumate, General Attorney  
Union Pacific Railroad  
101 North Wacker Drive, Suite 1920  
Chicago, IL 60606