

P 312 777 2055  
F 312 777 2065

March 16, 2011

**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

**UP CONCURRENCE TO REQUEST FOR EXTENSION  
OF TRAIL USE NEGOTIATION PERIOD**

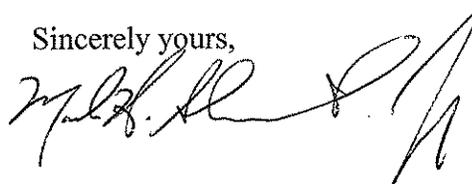
**RE: Abandonment Exemption – Millard Industrial Lead from M.P. 22.85 in Omaha, Nebraska to M.P. 19.4 in La Vista, Nebraska, a total distance of approximately 3.45 miles in Douglas and Sarpy Counties, Nebraska;  
STB Docket No. AB-33 (Sub-No. 260X)**

Dear Ms. Brown:

Union Pacific Railroad Company (“Union Pacific”) has received a request from the Nebraska Trails Foundation, Inc. dated March 9, 2011 for an additional 180-day extension in which to complete negotiations for the acquisition under the provisions 16 U.S.C. §1247(d) and 49 C.F.R. § 1152.29 regarding that portion of Union Pacific’s Millard Industrial Lead from M.P. 22.10 in Omaha, Nebraska to M.P. 19.4 in La Vista, Nebraska, a total distance of approximately 2.70 miles in Douglas and Sarpy Counties, Nebraska.<sup>1</sup>

The Union Pacific is willing to continue negotiating with Nebraska Trails Foundation, Inc. concerning the acquisition of the subject property for trail use and supports the Council’s request for an additional 180-day extension in which to negotiate. A copy of the Nebraska Trails Foundation’s request is attached hereto as Exhibit “A” and hereby made a part hereof.

Sincerely yours,



Attachment

cc: Nebraska Trails Foundation, Inc.

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<sup>1</sup> Although the board authorized UP to abandon the Line from Milepost 19.4 to Milepost 22.85, to date Union Pacific only consummated abandonment of the Line from M.P. 22.10 to M.P. 22.81, a distance of 0.61 miles by notice filed July 14, 2009. The Line segment from M.P. 19.4 to M.P. 22.10 remains subject to the ongoing trail use negotiations, while the portion of the Line from M.P. 22.81 to M.P. 22.85 remains an active rail line, subject to Board jurisdiction.

bcc: w/attachment

Ray Allamong  
Joe Bateman  
Brenda Mainwaring  
Lynda Prucha  
Colleen Graham  
Rick Harris  
Michael Drelicharz  
Jason Hormann  
Darin Bair  
Marcia Bovenzo



# Nebraska Trails Foundation

3901 S 27<sup>th</sup> Ste 29 • Lincoln, NE • 68502-5703 • 402-475-7712

March 9, 2011

Ann K. Quinlan, Secretary  
Surface Transportation Board  
395 E Street SW  
Washington, DC 20423

RE: Surface Transportation Docket No. AB-33 (Sub. No. 260X) Union Pacific Railroad Company Abandonment Exemption in Douglas and Sarpy Counties, Nebraska

Dear Ms. Quinlan:

On November 1, 2010, the Board issued a decision in the above-referenced proceeding imposing a Notice of Interim Use (NITU) condition. The time period is to expire on April 10, 2011. The Nebraska Trails Foundation, Inc. and the Papio-Missouri River Natural Resources District are requesting an additional 180 day extension.

The Natural Resources District and the Union Pacific have agreed to a purchase (NITU) with a closing this summer; so UP is in agreement with this request for extension.

Thank you for your consideration.

Yours truly,

Ross Greathouse  
For the Foundation  
3901 South 27<sup>th</sup> Street, Ste 29  
Lincoln, NE 68502

CC: David Schmidt, Pres. NTF  
Mack H. Shumate, UP ✓  
Alissa Hackel, UP  
Gabriel S. Meyer, UP  
Gerry Bowen, Papio-Missouri NRD

**RECEIVED**

MAR 14 2011

LAW DEPARTMENT  
UNION PACIFIC RR CO.