

UNION PACIFIC RAILROAD
101 North Wacker Drive, Room 1920
Chicago, Illinois 60606-1718

P 312.777.2055
F 877.213.4433
mackshumate@up.com

Mack H. Shumate, Jr.
Senior General Attorney, Law Department

232641

August 2, 2012

ENTERED
Office of Proceedings
August 2, 2012
Part of
Public Record

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

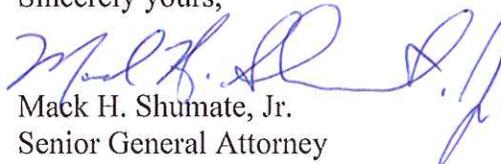
RE: Proposed Abandonment and Discontinuance of Service over the Lexington Industrial Lead from Milepost 246.49 near Myrick to Milepost 243.58 near Lexington, a distance of 2.91 miles in Lafayette County, Missouri; STB Docket No. AB-33 (Sub-No. 297X)

Dear Ms. Brown:

Union Pacific Railroad Company ("Union Pacific") has received a request from the City of Lexington, Missouri ("City") dated July 23, 2012 seeking a 180 day extension of the negotiation period for interim trail use and rail banking under the provisions of 16 U.S.C. §1247(d) and 49 C.F.R. § 1152.29 regarding that portion of the Union Pacific's right-of-way known as the Lexington Industrial Lead, as defined above, a distance of 2.91 miles in Lafayette County, Missouri.

The Union Pacific is willing to continue to negotiate with the City concerning the acquisition of the subject property for trail use and supports the City's request for the 180-day extension of the negotiation period to February 18, 2013. A copy of the City's request is attached hereto as **Exhibit A** and is hereby made a part hereof.

Sincerely yours,


Mack H. Shumate, Jr.
Senior General Attorney

Attachment – Exhibit A

cc: City of Lexington

2012_08_02\AB33-297X\STB 180-Day Ext Trail Use Request.doc



City of Lexington

RECEIVED

JUL 25 2012

LAW DEPARTMENT
UNION PACIFIC RR CO.

Valoree Maycock
Attorney at Law
P.O. Box 124
Lexington, Missouri 64067
660-259-2457
Fax: 660-259-2180
val@iland.net

July 23, 2012

The Honorable Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E. Street, S. W. Room #100
Washington, DC 20423-0001

RE: Decision and Notice of Interim Trail Use or Abandonment Union Pacific Railroad Company – Abandonment Exemption – In Lafayette County, Missouri Docket No. AB 33 (Sub-No. 297X) Service Date – February 24, 2012.

Dear Ms. Brown:

Under the above described Decision, the Notice of Interim Trail Use (NITU) for purposes of negotiation was granted February 23, 2012 and the permit for public use negotiations was granted until August 22, 2012.

At this time, the City of Lexington, a third class city, situated in Lafayette County, Missouri, is formally requesting extension of the NITU for purposes of negotiation with Union Pacific Railroad Company, and permit an additional 180 days from August 22, 2012, for those public use negotiations. This additional time is being requested in anticipation of fully completing this negotiation process during this period. Pursuant to discussions with Union Pacific Railroad Company representatives, the Company has no objection to this request.

On behalf of the City of Lexington, I appreciate your consideration of this request. Please contact me at your earliest convenience if you should have any questions.

Sincerely,

Valoree Maycock
Attorney for the City of Lexington, Missouri

cc: Mack H. Shumate, Jr. - Union Pacific Senior General Attorney ✓
Rick Harris, Union Pacific Real Estate Department
Jerry Brown - Mayor, City of Lexington, Missouri