

UNION PACIFIC RAILROAD COMPANY

LAW DEPARTMENT
101 NORTH WACKER DRIVE, SUITE 1920
CHICAGO, ILLINOIS 60606
FAX NO. 312-777-2065

RONALD J. CUCHNA
GENERAL SOLICITOR
312-777-2040

204769

ENTERED
Office of the Secretary

FEB 14 2002

Part of
Public Record



February 13, 2002



GEORGE H. BRANT
312-777-2051
THOMAS W. CUSHING
312-777-2053
FREDERICK P. JOHNSTON, JR.
312-777-2047
DANIEL R. LA FAVE
312-777-2048
LINDA L. COYLE
312-777-2056
MACK H. SHUMATE, JR.
312-777-2055

Mr. Vernon Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D. C. 20423-0001

**Re: Docket No. AB-33 (Sub-No. 180X) - Union Pacific Railroad Company
-- Abandonment Exemption -- In Shawnee County, Kansas
(Topeka Industrial Lead)**

Dear Mr. Williams:

The Union Pacific Railroad Company has received a request from the City of Topeka for a 180 day extension in which to complete negotiations for the acquisition of that portion of the Union Pacific's right-of-way consisting of a 1.07 mile line of railroad over the Topeka Industrial Lead from milepost 406.53 to milepost 407.40 for an interim recreational trail. The Union Pacific is willing to continue to negotiate with the City of Topeka concerning the acquisition of the subject property for interim recreational trail and supports the City of Topeka's request for an extension of the negotiation period for an additional 180 days commencing on February 22, 2002. A copy of the City of Topeka's request is attached hereto as Exhibit A and hereby made a part hereof.

Ten (10) copies of this letter are enclosed for the Board's use and distribution. In addition, copies of the City's filing as provided to UPRR on February 12, 2002, are attached as Exhibit A hereto.

Very truly yours,

Mack H. Shumate, Jr.,
Senior General Attorney

MHS/taf
Enclosure



CITY OF TOPEKA



CITY ATTORNEY
215 SE 7th Street Room 353
Topeka, Kansas 66603-3979
Phone 785-368-3883
Fax 785-368-3901

RISK MANAGEMENT
215 SE 7th Street Room 353
Topeka, Kansas 66603-3979
Phone 785-368-3883
Fax 785-368-3901

CITY PROSECUTION
215 SE 7th Street Room 260
Topeka, Kansas 66603-3979
Phone 785-368-3910
Fax 785-368-3104

February 11, 2002

VIA OVERNIGHT DELIVERY

Mr. Vernon Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001

RECEIVED

FEB 12 2002

LAW DEPARTMENT
UNION PACIFIC RR CO.

Re: Docket No. AB-33 (Sub No. 180X), Union Pacific Railroad
Company – Abandonment Exemption – Shawnee County,
Kansas (Topeka Industrial Lead)

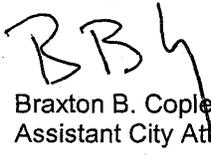
Dear Mr. Williams:

The City of Topeka, Kansas, is requesting a 180-day extension on our request for Interim Trail Use. The City and Union Pacific Railroad Company are currently negotiating the Interim Trail Use; however, we will not be able to complete the negotiations prior to the expiration of the Trail Use Condition on February 21, 2002.

The City looks forward to promptly completing its negotiations with Union Pacific and remains willing to assume financial responsibility for the right of way as stated in our original commitment dated July 23, 2001, a copy of which is enclosed.

Thank you for your attention to this matter. Please contact me with any questions you may have.

Sincerely,


Braxton B. Copley
Assistant City Attorney

BBC/gl

Enclosure: July 23, 2001, letter

cc: Brenden J. Long, City Attorney
Rogers Brazier, Director of Parks and Recreation
Mack H. Shumate, Union Pacific Railroad ✓
Linda Baburek, Union Pacific Railroad

AB-33-180X
SERVICE LIST

Transportation Planning Bureau
Kansas Dept. of Transportation
Docking State Office Building
915 West Harrison
Topeka, Kansas 66612

U.S. Army Corps of Engineers
U.S. Army Engineer Division
Kansas City District
700 Federal Building
Kansas City, Missouri 64106-2896

Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, Kansas 66604

National Park Service
William D. Shaddox. Chief
Land Resources Division, #540
800 North Capitol Street, NE,
Washington, D.C. 20002

Kansas Department of Health
& Environment
Forbes Field, Building 740
Topeka, Kansas 66620

***U.S. Natural Resource
Conservation Service
760 South Broadway
Salinas, Kansas 67401***

***National Geodetic Survey
Edward J. McKay, Chief Spatial
Reference System Division
NOAA N/NGS2
1315 E-W Highway
Silver Spring, Maryland 20910-3282***

***Shawnee County Commissioners
200 East 7th Street
Topeka, Kansas 66603***

***U.S. Environmental Protection
Agency - Region 7
901 North 5th Street
Kansas City, Kansas 66101***

***Wildlife & Parks Department
900 Southwest Jackson Street,
#502N
Topeka, Kansas 66612***

***U.S. Fish & Wildlife Service
Region 6
Assistant Regional Director
Box 25486 - Denver Federal Center
Denver, Colorado 80225***

***Water Resources Division
921 South Kansas Avenue
FL-2
Topeka, Kansas 66612***

***City of Topeka
City Attorney
215 SE 7th Street, Room 353
Topeka, Kansas 66603-39979***

***Danial J. Minkus
Rail Services Update
6343 Merritt Ridge
Madison, WI 53718-3118***