

Lincoln



Nebraska's Capital City

June 7, 2002

205 634

Mr. Vernon Williams, Secretary
Surface Transportation Board
Office of the Secretary
Case Control Unit
1925 "K" Street N.W.
Washington, D.C. 20423-001



RE: Docket AB-33 (Sub-No. 181X)
Union Pacific Railroad Company – Abandonment Exemption
in Lancaster County, Nebraska (Jamaica Industrial Lead)

Dear Mr. Williams:

Enclosed please find the original and ten copies of the City's Second Request for Enlargement of Time to Negotiate Trail Use in the above-captioned abandonment proceedings.

Sincerely,

Dana W. Roper
City Attorney, Representing the
City of Lincoln, Nebraska

DWR/jdp/ce

cc: Mack H. Shumate, Jr.
Sr. General Attorney
Union Pacific Railroad Company
101 N. Wacker Drive, Suite 1920
Chicago, IL 60606

ENTERED
Office of the Secretary

JUN 17 2002

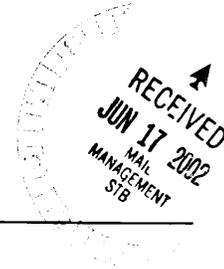
Part of
Public Record

Lynn Johnson, City of Lincoln Parks Director

Law Department / Dana W. Roper, City Attorney / 575 South 10th Street / Suite 4201 / Lincoln, Nebraska 68508
Phone: 402-441-7281, Civil Fax: 402-441-8812, Pros. Fax: 402-441-8813 / Website: www.ci.lincoln.ne.us

Ernest R. (Rick) Peo III, Chief Assistant / John C. McQuinn II, Chief Prosecutor / Richard C. Anderson, Police Legal Advisor
Civil: James D. Faimon / Don W. Taute / Steven J. Huggenberger / Joel D. Pedersen / Connor L. Reuter / Margaret M. Blatchford / Tonya L. Skinner
Prosecution: Patrick C. Campbell / Christine A. Loseke / Rob E. Caples / Marcee A. Shell

Before the
SURFACE TRANSPORTATION BOARD



DOCKET NO. AB-33 (Sub-No. 181X)

UNION PACIFIC RAILROAD COMPANY
– ABANDONMENT EXEMPTION –
IN LANCASTER COUNTY, NE
(JAMAICA INDUSTRIAL LEAD NEAR LINCOLN, NE)

**SECOND REQUEST FOR ENLARGEMENT OF TIME
TO NEGOTIATE TRAIL USE**

CITY OF LINCOLN, NEBRASKA,
A Municipal Corporation

Dana W. Roper, City Attorney
575 South 10th Street, Rm. 4201
Lincoln, NE 68508
(402) 441-7290

**ENTERED
Office of the Secretary**

JUN 17 2002

**Part of
Public Record**

Before the
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-33 (Sub-No. 181X)

UNION PACIFIC RAILROAD COMPANY
– ABANDONMENT EXEMPTION –
IN LANCASTER COUNTY, NE
(JAMAICA INDUSTRIAL LEAD NEAR LINCOLN, NE)

**SECOND REQUEST FOR ENLARGEMENT OF TIME
TO NEGOTIATE TRAIL USE**

On October 16, 2001, the Surface Transportation Board issued a "Decision and Notice of Interim Trail Use or Abandonment" in the above-captioned matter. The City of Lincoln, Nebraska had submitted a letter requesting issuance of a public use condition as well as a request for an interim trail use for the rail line. The October 16, 2001 Order of the Surface Transportation Board accepted the trail use request and UP's response and issued a NITU for the entire line and granted the parties 180 days from the effective date of the Decision to reach an agreement for interim trail use/rail banking and to enable any state or local governmental agency or any other interested person to negotiate the acquisition of the line for public use. A Request for Enlargement of Time to Negotiate Trail Use was granted by the Surface Transportation

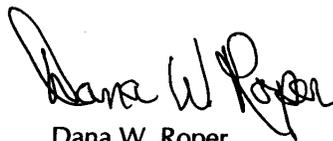
Board on April 10, 2002, which extended the NITU negotiation period for an additional 90 days or until June 14, 2002.

Unfortunately, the Union Pacific Railroad Company and the City of Lincoln have been unable to complete their negotiations on an agreement for the implementation of the proposed public and interim trail use. The City of Lincoln and the Union Pacific Railroad Company are both still desirous of completing such discussions and entering into the appropriate agreements to allow for such interim trail use by the City of Lincoln. The discussions have been delayed awaiting accurate descriptions and appraisals of the property.

The City hereby requests an additional 180-day time period within which to reach agreement for interim trail use/rail banking or until December 14, 2002. Based on contacts with the Union Pacific Railroad, it is the understanding of the undersigned that the Railroad will consent and agree to this request for the extension of such deadline. I understand that the Railroad will be filing a response to this extension request and would join in such request for an extension.

By my signature below, I certify service upon Union Pacific Railroad Company by U.S. mail, postage prepaid, first class, this 7th day of JUNE, 2002.

Respectfully submitted,



Dana W. Roper
City Attorney, Representing the
City of Lincoln, Nebraska
575 South 10th Street, Room 4201
Lincoln, NE 68508
(402) 441-7290