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20 July 2004  
by express service

211627

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

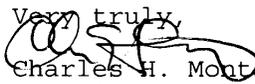
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Office of Proceedings

Re: BNSF -- Exemption -- MP 38.01 to  
MP 39.00 in Snohomish, WA,  
AB 6 (Sub-no. 422X)

JUL 21 2004  
Part of  
Public Record

Dear Mr. Williams:

In light of Burlington Northern & Santa Fe Railway's (BNSF's) representation in its letter dated 14 July 2004 (appearing in the STB website E-library for filings for July 15, 2004) indicating that BNSF is voluntarily preparing a third-party expert study relating to safety issues (earthquake hazard and lead-based paint) relating to the railroad bridge over the Snohomish River, City of Snohomish withdraws its request for a public use condition providing for the same relief. City appreciates BNSF's voluntary agreement to provide this information.

Very truly,  
  
Charles H. Montange  
for City of Snohomish

Encls.

cc. counsel for BNSF (w/encl.)  
Ann Caley (City of Snohomish) (w/encl.)