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**City  
of  
YUBA CITY** PUBLIC WORKS DEPARTMENT

1201 CIVIC CENTER BOULEVARD, YUBA CITY, CA 95993 · (530) 822-4626 · FAX (530) 822-4694

February 7, 2005

ENTERED  
Office of Proceedings

Mr. Vernon A. Williams, Secretary  
Surface Transportation Board  
1925 K Street NW  
Washington, D.C. 2023-0001

FEB 11 2005

Part of  
Public Record

RE: Docket AB-33 (Sub-No. 205X), Union Pacific Railroad Company (UP) Abandonment –  
Sutter County, CA (Yuba City Industrial Lead from M.P. 136.38 near Marysville,  
California to M.P. 139.77, a Distance of 3.39 miles in Sutter County, California)

Request for Extension – Notice of Interim Trail Use (NITU)

Dear Secretary Williams,

On June 10, 2004, the City of Yuba City, CA, filed a request for the issuance of a notice of interim trail use (NITU) for the subject line under the National Trails System Act, 16 U.S.C. 12479(d) (Trails Act), in order to negotiate with UP for acquisition of the right of way for use as a trail. The City submitted a statement of willingness to assume financial responsibility for the right-of-way, and acknowledged that the use of the right-of-way is subject to possible future reconstruction and reactivation of the right-of-way for rail service as required under 49 CFR 1152.29. In a response submitted on June 15, 2004, UPRC states that it supports the issuance of a NITU.

The Surface Transportation Board exempted the abandonment of the line described above to the extent necessary to implement interim trail use/railbanking, for a period of 180 days commencing from the effective date of the exemption, until March 4, 2005.

The City of Yuba City respectfully requests an extension to negotiate our agreement for interim trail use/rail banking for an additional 180 days, from March 4, 2005, to August 31, 2005. If you have any questions, please do not hesitate to call me.

I certify that a copy of this comment was also faxed to UP's counsel, UP Law (att: Mack Shumate Jr.) at 312-777-2065.

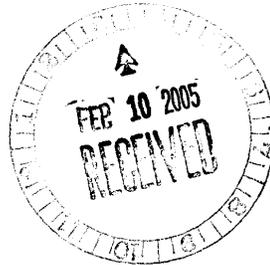


John E. Wright  
Public Works Director

Cc: Mack Shumate, Jr., UP Counsel

EXHIBIT  
A

**UNION PACIFIC RAILROAD COMPANY  
FACSIMILE TRANSMISSION**



Law Department  
Chicago

101 N. Wacker Dr.  
Room 1920  
Chicago, IL 60606

**Deliver to:** Darlene Evans

**Co./Dept:** Surface Transportation Board

**Fax:** 202/565-9004

**From:** Mack H. Shumate, Jr.

**Phone:** 312/777-2055

**Date:** February 10, 2005

**Fax:** 312/777-2065

No. of Pages Transmitted - 3 - Including Cover

**RE:** STB Docket No. AB-33 (Sub. No. 205X), Union Pacific Railroad Company --- Exemption Petition - (Yuba Industrial Lead) from Milepost 136.38 near Marysville, California to Milepost 139.77, a distance of 3.39 miles in Sutter County, California

**Comments:** Yuba City Extension Notice of Interim Trail Use

Transmitting From

Fax No. 312/777-2065

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February 10, 2005

**VIA UPS NEXT DAY AIR**

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

**RE: Docket AB-33 (Sub-No. 205X), Union Pacific Railroad Company  
Abandonment Exemption - In Sutter County, CA (Yuba City  
Industrial Lead from M.P. 136.38 near Marysville, California to  
M.P. 139.77, a Distance of 3.39 Miles in Sutter County, California**

Dear Mr. Williams:

The Union Pacific Railroad Company ("Union Pacific") has received a second request from the City of Yuba City ("Yuba") for a Notice of Interim Trail Use pursuant to 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 Yuba City Industrial Lead from M.P. 136.38 near Marysville, California to M.P. 139.177, a distance of 3.39 miles in Sutter County, California.

Union Pacific is willing to continue negotiating with Yuba concerning the acquisition of the subject property for trail use and supports Yuba's request to negotiate for a period of 180 days. A copy of Yuba's request is attached hereto as Exhibit "A" and hereby made a part hereof.

Ten (10) additional copies of this letter and exhibit are enclosed for the Board's use and distribution.

Very truly yours

Enclosures

cc (w/enc.): Darlene Evans  
< via facsimile at 202/565-9004 >  
Ted Senstraun, STB  
City of Yuba City

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

UNION PACIFIC RAILROAD  
101 N. Wacker Dr., Rm. 1920, Chicago, IL 60606-1718