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214706

**EXPEDITED HANDLING REQUESTED**  
**VIA FAX AND UPS OVERNIGHT MAIL**

September 15, 2005

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

ENTERED  
Office of Proceedings

SEP 16 2005

Part of  
Public Record



Re: **Surface Transportation Board Docket No. AB-6 (Sub-No. 429X);**  
**BNSF Railway Company – Abandonment Exemption – in Ramsey**  
**County, MN; ~~Docket No. AB-882 (Sub-No. 1X); Minnesota~~**  
**~~Commercial Railway Company – Discontinuance of Service~~**  
**~~Exemption – in Ramsey County, MN~~**

Dear Secretary Williams:

BNSF herewith requests immediate action by the Board to remove the Section 106 condition imposed by the Board in its decision, served September 8, 2005, in the referenced docket.

The Minnesota State Historic Preservation Office, the City of Maplewood, the STB's Section of Environmental Analysis (SEA), and BNSF have reached agreement on suitable mitigation set forth in a Memorandum of Agreement (MOA), and BNSF has now signed the MOA and forwarded it to SEA. Pursuant to the terms of the MOA, execution submission and implementation of its terms evidence that STB has taken into account the effects of the abandonment on historic properties and is satisfying the requirements of Section 106 of the National Historic Preservation Act (Title 16 USC Section 470(f)). Accordingly, upon STB's confirmation of execution of the MOA by all necessary parties, the Board's condition prohibiting BNSF from taking any action to dispose of its interests in the right of way should be removed.

On behalf of the City of Maplewood **expedited handling is requested** in order to facilitate public funding of an infrastructure project within the City of Maplewood (involving a highway improvement and a trail project) which I have been advised necessitates a closing on the transfer of the referenced right of way to the City of Maplewood **on or before September 20, 2005.**

Sincerely,

Sarah W. Bailiff

SWB/js

cc: Dennis Gimmestad (MN SHPO, via fax)  
Victoria Rutson (SEA, via fax)  
Catherine Glidden, SEA (via fax)  
Richard Batie  
David Ramberg (counsel for Maplewood, via fax)  
Glenn Olander-Quamme (counsel for BNSF, via fax)