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December 12, 2005

Mr. Vernon Williams
Surface Transportation Board
1925 "K" Street, N.W., Room 504
Washington, DC 20423-0001

RE: Docket No. AB-33 (Sub. No. 208X), Union Pacific Railroad Company – Abandonment Exemption - In Marshall County, Kansas (Marietta Industrial Lead) from Milepost 133.3 near Marysville, Kansas to Milepost 125.0 near Marietta, Kansas, a distance of 8.13 miles; Notice of Closing of Conveyance Pursuant to the National Trails System Act.

Dear Mr. Williams:

On October 29, 2003, Union Pacific Railroad Company ("UP") filed a Notice of Exemption to permit UP to abandon a 8.13 mile line of railroad between Milepost 133.3 near Marysville, Kansas to Milepost 125.0 near Marietta, Kansas. On November 10, 2003 the Nebraska Trails Foundation, Inc filed for the issuance of a notice of interim trail use ("NITU"). On December 15, 2003, the Board issued a NITU until June 15, 2004. The trail condition was extended numerous times to facilitate acquisition of the right-of-way by Nebraska Trails Foundation, Inc. The trail condition was last extended to December 8, 2005, by Board's Decision served September 21, 2005.

The purpose of this letter is to notify the Board that on December 6, 2005, (1) UP has discontinued service, and (2) the Line between Milepost 133.3 to Milepost 125.0 that was subjected to the National Trails System Act was conveyed to the Nebraska Trails Foundation, Inc. The conveyance was pursuant to the National Trails System Act, 16 U.S.C. 1247(d). Ten (10) additional copies of this letter are enclosed for the board's use and distribution.

Sincerely,

Mack H. Shumate, Jr.

Enclosures

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

UNION PACIFIC RAILROAD
101 N. Wacker Dr., Rm. 1920, Chicago, IL 60606-1718
ph. (312) 777-2055 fx. (312) 777-2065