

FILING FEE WAIVED



BEFORE THE
SURFACE TRANSPORTATION BOARD

UNION PACIFIC RAILROAD COMPANY	§	
ABANDONMENT EXEMPTION	§	DOCKET NO. AB-33
IN ELLIS COUNTY, TEXAS	§	(SUB-NO. 229X)
(WAXAHACHIE INDUSTRIAL LEAD)	§	

**PETITION FOR EXTENSION OF
NOTICE OF INTERIM TRAIL USE**

ENTERED
Office of Proceedings

DEC 12 2006

Part of
Public Record

218260

CITY OF WAXAHACHIE, TEXAS
401 S. Rogers
Waxahachie, Texas 75165

Proposed Trail User

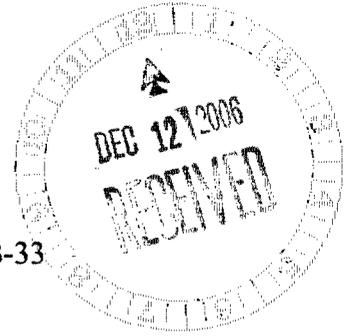
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**PETITION FOR EXTENSION FOR OF
NOTICE OF INTERIM TRAIL USE**

BACKGROUND

On February 1, 2006 the Surface Transportation Board ("Board") issued a Decision and Notice of Interim Trail Use or Abandonment the City of Waxahachie, Texas ("City") and Union Pacific Railroad Company ("UP") for the City and UP to be able to negotiate an agreement for interim trail use/railbanking for the Waxahachie Industrial Lead by July 31, 2006.

On July 28, 2006, the Board issued a Decision extending the NITU negotiating period to October 29, 2006. On October 27, 2006, the Board issued a Decision extending the NITU negotiating period to December 28, 2006.

The parties have negotiated in good faith and have reached an agreement. It is anticipated that additional time will be needed to formalize the contract, obtain the requisite appraisals and complete the transaction. An additional sixty (60) days should be sufficient.

CONCLUSION AND REQUESTED RELIEF

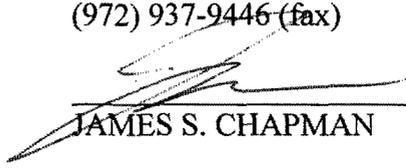
WHEREFORE, it is requested that the Board should issue a sixty (60) day extension for Notice of Trail Interim Use authorizing the City and UP to negotiate for rail banking, interim

recreational trail use and potential acquisition in fee of the right-of-way involved in this proceeding.

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