

219170

**CHAPMAN & CHAPMAN LLP**

ATTORNEYS AND COUNSELLORS

CITIZENS NATIONAL BANK - UPTOWN  
10011 S HIGHWAY 77 NORTH  
WAXAHACHIE, TEXAS 75165  
OR  
P O BOX 641  
WAXAHACHIE, TEXAS 75168

WWW.CHAPMANCHAPMAN.COM



RICHARD F. CHAPMAN (1903-1987)  
STEVEN F. CHAPMAN  
JAMES S. CHAPMAN  
KELLY S. BIRD, LEGAL ASSISTANT  
SHELLEY BRANCATO, LEGAL ASSISTANT  
WANDA JOHNSON, LEGAL ASSISTANT

WAXAHACHIE (972) 937-2720  
MFTRO (972) 938-2728  
FAX (972) 937-9446

April 17, 2007

Vernon A. Williams, Secretary  
Surface Transportation Board  
Case Control Unit, Suite 713  
1925 K Street, N W  
Washington, DC 20423-0001

ENTERED  
Office of Proceedings  
APR 17 2007  
Part of  
Public Record

Re: Docket No AB-33 (Sub-No 229X), Union Pacific Railroad Company-Abandonment  
Exemption--in Ellis County, Texas (Waxahachie Industrial Lead)

Dear Mr Williams,

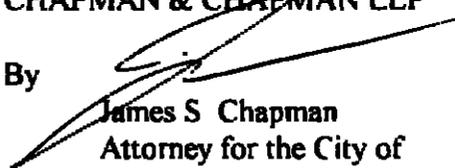
Enclosed please find an original and ten (10) copies of Petition for Extension of Notice of Interim  
Trail Use, for filing with the Board in the above-referenced matter. A copy is being sent served on  
Applicant's representative

The filing fee is waived for the City of Waxahachie, Texas

Very truly yours,

CHAPMAN & CHAPMAN LLP

By

  
James S. Chapman  
Attorney for the City of  
Waxahachie, Texas

JSC/sb  
Enclosures

CC Mack H Shumate  
Union Pacific Railroad  
101 N. Wacker Dr , Room 1920  
Chicago, IL 60606-1718

ORIGINAL

BEFORE THE  
SURFACE TRANSPORTATION BOARD



UNION PACIFIC RAILROAD COMPANY §  
ABANDONMENT EXEMPTION §  
IN ELLIS COUNTY, TEXAS §  
(WAXAHACHIE INDUSTRIAL LEAD) §

DOCKET NO. AB-33  
(SUB-NO 229X)

---

PETITION FOR EXTENSION OF  
NOTICE OF INTERIM TRAIL USE

---

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

Proposed Trail User

CHAPMAN & CHAPMAN LLP  
JAMES S. CHAPMAN  
P.O. Box 641  
Waxahachie, Texas 75168  
(972) 938-2720  
(972) 937-9446 (fax)

Attorney for Proposed Trail User

BEFORE THE  
SURFACE TRANSPORTATION BOARD

---



UNION PACIFIC RAILROAD COMPANY §  
ABANDONMENT EXEMPTION §  
IN ELLIS COUNTY, TEXAS §  
(WAXAHACHIE INDUSTRIAL LEAD) §

DOCKET NO. AB-33  
(SUB-NO. 229X)

---

**PETITION FOR EXTENSION FOR  
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. On December 19, 2006, the Board issued a Decision extending the NITU negotiating period to February 26, 2007. On February 26, the Board issued a Decision extending the NITU negotiating period to April 27, 2007.

The parties have negotiated in good faith and have reached an agreement. It is anticipated that additional time will be needed to complete the appraisal as UP has discovered a conflict of interest and has had to switch to a new appraisal firm, and complete the transaction. An additional ninety (90) days is requested.

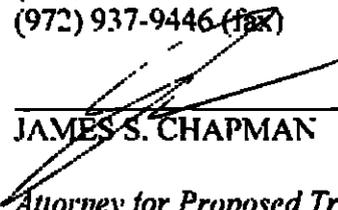
**CONCLUSION AND REQUESTED RELIEF**

WHEREFORE, it is requested that the Board should issue a ninety (90) 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

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

*Proposed Trail User*

CHAPMAN & CHAPMAN LLP  
P.O. Box 641  
Waxahachie, Texas 75168  
(972) 938-2720  
(972) 937-9446 (fax)

  
\_\_\_\_\_  
JAMES S. CHAPMAN

*Attorney for Proposed Trail User*