



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

June 22, 2007



**VIA UPS NEXT DAY AIR**

ENTERED  
Office of Proceedings

Vernon A. Williams, Secretary  
Surface Transportation Board  
Section of Environmental Analysis  
1925 "K" Street, N.W., Room 504  
Washington, DC 20423-0001

JUN 25 2007

Part of  
Public Record

**RE: Proposed Abandonment of the El Dorado Subdivision from Milepost 457.0 near Gilcrest to Milepost 460.6 near El Dorado Junction, a distance of 3.6 miles in Ouachita County, Arkansas; STB Docket No. AB-33 (Sub-No. 222X)**

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Dear Mr. Williams:

Union Pacific Railroad Company ("Union Pacific") has received a written request dated June 18, 2007 from Michael W. Frey, Esq. representing the City of Camden, Arkansas seeking an 80-day extension of the negotiation period relating to the issuance of a Certificate or 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 El Dorado Subdivision from M. P. 457.0 near Gilcrest to M. P. 460.6 near El Dorado Junction, a distance of 3.62 miles in Ouachita County, Arkansas (the "Line").

Union Pacific is willing to continue to negotiate with the City of Camden concerning the acquisition of the subject property for trail use and supports the City's request to extend the negotiation period of 180 days commencing as of June 25, 2007. A copy of the City's request is attached hereto as Exhibit "A" and hereby made a part hereof.

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

Sincerely yours,

*Mack H. Shumate, Jr.*  
*(Signature)*

Enclosures

Part of  
Public Record  
JUN 25 2007  
Office of Proceedings  
ENTERED

# MICHAEL W. FREY

Attorney and Counselor at Law  
119 Van Buren NW  
Camden, AR 71701

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Facsimile: (870) 836-5711  
E-Mail: [freylaw@sbcglobal.net](mailto:freylaw@sbcglobal.net)



Please reply to  
P.O. Box 725  
Camden, AR 71711-0715

18 June 2007

*Via Fax, First Class Mail to Follow*

Mr Mack H. Shumate, Jr.  
Union Pacific Railroad Company  
101 North Wacker Drive, Room 1920  
Chicago, Illinois 60606

**RE: Docket Number AB-33 (Sub-No. 222X)  
Union Pacific Railroad Company  
Abandonment Exemption in Ouachita County, Arkansas**

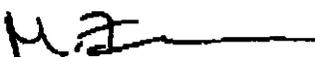
Dear Mr. Shumate.

I represent the City of Camden in Ouachita County, Arkansas. Union Pacific filed a Notice of Exemption under 49 CFR 1152 on May 31, 2006. The STB entered a notice of interim trail use or abandonment (NITU) on June 27, 2006 extending the negotiation period for 180 days.

The negotiation period is scheduled to expire on June 25, 2007. The City of Camden is asking for an extension of the negotiation period. I am enclosing our request made to the STB. I am also enclosing my letter to Kristian Ehrhorn outlining our eventual plans for the right-of-way

Please advise if Union Pacific is agreeable to an extension. Thank you for your continuing courtesies.

Very truly yours,

  
Michael W. Frey  
Camden City Attorney

Encl: Request to STB  
Letter to Kristian Ehrhorn

CC: Kristian Ehrhorn, UP Real Estate, *Via fax, first class mail to follow*



# MICHAEL W. FREY

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119 Van Buren NW  
Camden, AR 71701



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Please reply to:  
P.O. Box 715  
Camden, AR 71711-0715

18 June 2007

*Via Fax, First Class Mail to Follow*

Mr. Kristian J. Ehrhorn  
Union Pacific Railroad Company  
1400 Douglas Street, Stop 1690  
Omaha, Nebraska 68179-1690

**RE: Docket Number AB-33 (Sub-No. 222X)  
Union Pacific Railroad Company  
Abandonment Exemption in Ouachita County, Arkansas**

Dear Mr Ehrhorn:

I represent the City of Camden in Ouachita County, Arkansas. Union Pacific filed a Notice of Exemption under 49 CFR 1152 on May 31, 2006. The STB entered a notice of interim trail use or abandonment (NITU) on June 27, 2006 extending the negotiation period for 180 days.

The goal of the City is to incorporate a walking/biking trail into its master plan for future development. I am enclosing a copy of the feasibility study previously obtained by the City. The overall aim is to take advantage of the City's location next to the Ouachita River and create a Riverwalk. We have already constructed a picnic area, slackwater harbor, boat dock, waterfall and walkway.

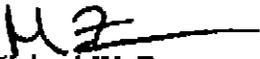
On page 3, you will note a trail from the river to the City's museum. This trail was originally planned to run next to the Union Pacific right-of-way. The right-of-way runs from a bluff overlooking the river (part of the future development); past the chamber of commerce office (previously the Missouri Pacific Railroad Depot); past the McCollum Chidester Museum, and past the local primary and junior high schools. Through the abandonment exemption, the City would like to obtain the right of way and place the trail on it. The walking/biking trail would extend the full length of the proposed abandonment.

The City is working on an updated feasibility study that would focus on exhibiting the full potential of the railroad right-of-way. In the interim, we would like to extend the negotiating period.

The negotiation period is scheduled to expire on June 25, 2007. The City of Camden is asking for an extension of the negotiation period. I am enclosing a copy of my letter to Mack Shumate and the Surface Transportation Board. I would appreciate any assistance you may provide in facilitating our extension request.

Thank you again for your continuing courtesies.

Very truly yours,

  
Michael W Frey  
Camden City Attorney

Encl: Request to STB  
Letter to Mack Shumate  
Tourism Attraction Feasibility Study – The Vision of the Ouachita

CC: Mack Shumate, UP

# MICHAEL W. FREY

Attorney and Counselor at Law

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18 June 2007



Please reply to  
P.O. Box 715  
Camden AR 71711-0715

*Via Overnight Delivery*

Vernon A. Williams, Secretary  
Surface Transportation Board  
Section of Environmental Analysis  
1925 "K" Street, N.W., Room 504  
Washington, DC 20423-0001

**RE: *Docket No. AB-33 (Sub-No. 222X)***  
***Proposed Abandonment of the El Dorado Subdivision, Ouachita County, AR***  
***Request for Extension of Interim Trail Use Negotiating Period***

Dear Secretary Williams:

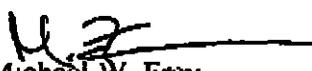
I am the City Attorney for Camden Arkansas. This request is filed on behalf of the City of Camden, Arkansas, which is a political subdivision.

On June 27, 2006, the STB issued a Certificate of Notice of Interim Trail Use pursuant to 49 C.F.R. §1152.29. On December 22, 2006, the STB extended the negotiation period for 180 days. The 180-day negotiation period is scheduled to expire on June 25, 2007. The City of Camden is requesting that the negotiation period be extended for another 180 days.

By my signature below, I certify service upon Union Pacific Railroad Company, c/o Mack H. Shumate, Jr., Senior General Attorney, 101 North Wacker Drive, Room 1920, Chicago, Illinois 60606, by facsimile and by First Class U.S. Mail, postage prepaid, on this 18<sup>th</sup> day of June 2007. I have enclosed ten (10) additional copies of this letter for the Board's use and distribution.

Thank you for your time and consideration. I will await further directives from the Board.

Respectfully submitted,

  
Michael W. Frey  
Camden City Attorney

Enclosure: Ten copies of letter

cc: Mr Mack H. Shumate, Jr. Union Pacific Railroad, *Via fax and First Class Mail*