

224540



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

February 18, 2009

VIA E-FILING

The Honorable Anne K. Quinlan
Secretary
Surface Transportation Board
395 E Street S.W., Room #1149
Washington, D.C. 20024

**Re: Proposed Abandonment of the Chesterville Industrial Lead
from M. P. 52.9 near Chesterville to M. P. 61.2 near Eagle
Lake, a distance of 8.3 miles in Colorado and Wharton
Counties, Texas; STB Docket No. AB-33 (Sub-No. 253X)**

Dear Ms. Quinlan:

This is to confirm that under 49 CFR 1152.29, the Union Pacific Railroad Company, ("Union Pacific"), and The Metropolitan Transit Authority of Harris County, Texas, ("MTA"), have executed an Agreement for the trails use/rail banking regarding that portion of the Union Pacific's right-of-way known as the Chesterville Industrial Lead extending between Milepost 52.9 near Chesterville and Milepost 61.2 near Eagle Lake, a distance of a distance of 8.3 miles in Colorado and Wharton Counties, Texas.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mack H. Shumate, Jr." with a stylized flourish at the end.

cc: Fritz R. Kahn, Esq.
Cassie B. Stinson, Esq.

O:\ABANDONMENTS\33-253X\STB-NOC-TrailUse.doc