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**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
AB-303 (SUB-NO. 31X)  
WISCONSIN CENTRAL LTD --  
NOTICE OF EXEMPTION FOR ABANDONMENT--  
IN HAYWARD, SAWYER COUNTY, WISCONSIN**

**COUNTY OF SAWYER, WISCONSIN  
MOTION TO EXTEND TIME TO  
NEGOTIATE A NOTICE OF INTERIM TRAIL USE**

**BACKGROUND**

On a service date of December 19, 2007, the Surface Transportation Board (the Board) served notice that Wisconsin Central, LTD (WCL) filed with the Surface Transportation Board a Notice of Exemption pursuant to 49 U.S.C. § 10502 and the Board's regulations at 49 C.F.R. § 1152.50 That Notice of Exemption is for WCL's abandonment of a 1.80 - mile portion of its line of railroad between milepost 100.80 to milepost 102.60 in the City of Hayward, County of Sawyer, Wisconsin This portion of the line traverses United State Postal Service Zip Code 54843.

On November 29, 2007, the County of Sawyer (CSW) signed a Statement of Willingness to Accept Financial Responsibility pursuant to 49 C.F.R. § 1152.29. This statement is for the segment of WCL railroad from milepost 100.80 to milepost 102.60, a total of approximately 1.80 miles.

The Board issued a NITU under 49 C.F.R. § 1152.29, which was served on December 19, 2007, allowing CSW until June 16, 2008, to negotiate a rail banking agreement with WCL.

On June 16, 2008, the Board issued a NITU under 49 C.F.R. § 1152.29, allowing CSW and WCL until December 13, 2008, to negotiate a rail banking agreement with WCL.

Negotiations are currently continuing in good faith between CSW and WCL. Since the last extension, Sawyer County Board of Supervisors has passed a resolution to establish its commitment to use the line for recreational purposes, and continues to negotiate with WCL. However, more time

is needed to finalize negotiations. WCL is agreeable to an extension of time to continue negotiations under an NI TU condition for the rail corridor between milepost 100.80 and 102.60.

**MOTION**

Therefore, CSW moves that the period prescribed to negotiate an interim trail use/rail banking agreement be extended for 180 days for the rail corridor between milepost 100 80 to 102 60, a total of approximately 1.80 miles in the City of Hayward, in Sawyer County, Wisconsin.

Respectfully submitted,

*Kathleen Chung*

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12/12/08

**CERTIFICATE OF SERVICE**

I hereby certify that I have caused the foregoing Request for NITU extension in regards to AB303 31X, by electronic mail, pursuant to 49 C.F.R. §1104.12, this 12<sup>th</sup> day of December 2008, on all parties of record on the service list.

*Kathleen Chung*

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Kathleen Chung, Attorney  
State Bar no. 1032802  
Wisconsin Department of Transportation  
Office of General Counsel