

225242



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

June 15, 2009

VIA E-FILING

The Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Re: Abandonment Exemption and Discontinuance of Operations over the Weber Industrial Lead from M.P. 5.8 near Wilson Avenue to M.P. 9.5 near Touhy Avenue, a distance of 3.7 miles in Cook County, Illinois; STB Docket No. AB-33 (Sub-No. 263X)

Dear Secretary Quinlan:

Union Pacific Railroad Company ("Union Pacific") has received a request from the City of Chicago, an Illinois municipal corporation, (the "City"), seeking 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 for the portion of the Union Pacific's Weber Industrial Lead located in the Village of Lincolnwood between approximately Milepost 8.4 at Devon Avenue to the border with the Village of Skokie, Illinois, at approximately Milepost 9.4 near Touhy Avenue, a distance of approximately 1.0 mile in Cook County, Illinois. The City needs additional time to secure funding, complete engineering plans and conclude negotiations with Union Pacific.

The Union Pacific is willing to continue to negotiate with the City concerning the acquisition of the subject property for trail use and supports the City's request to extend the negotiation period for an additional 180 days to December 13, 2009. A copy of the City's request dated June 11, 2009 is attached hereto as Exhibit "A" and hereby made a part hereof.

Sincerely,

A handwritten signature in black ink, appearing to read "Mack H. Shumate, Jr.", written over a white background.

Attachment

cc: City of Chicago

O:\ABANDONMENTS\33-263X\STB-005.doc



City of Chicago
Richard M. Daley, Mayor
Department of Transportation
Thomas G. Byrne
Commissioner
311 North LaSalle Street
Suite 1100
Chicago, Illinois 60602-2570
(312) 744-3600
(312) 744-1200 (FAX)
www.cityofchicago.org/transportation

EXHIBIT "A"

June 11, 2009

VIA E-FILING

Ms. Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E-Street, SW
Washington, DC 20423-0001

Mack H. Shumate, Jr.
101 North Wacker Drive, Room 1920
Chicago, IL 60606

Re: Union Pacific Railroad Company--Abandonment Exemption and Discontinuance of Operations over the Weber Industrial Lead from Milepost 5.8 near Wilson Avenue, Chicago, to Milepost 9.5 near Touhy Avenue, Skokie, a Distance of 3.7 Miles in Cook County, IL; STB Docket No. AB-33 (Sub-No. 263X)

Dear Ms. Quinlan:

The City of Chicago, an Illinois municipal corporation, acting by and through its Department of Transportation ("City") hereby petitions the Surface Transportation Board for an order extending its Decision and Notice of Interim Trail Use or Abandonment in the above-referenced matter ("Decision") for an additional 180 days, through and including December 13, 2009.

On December 9, 2008, the City filed a petition for a Public Use Condition as well as a Certificate or Notice of Interim Trail Use ("Petition"), rather than an outright abandonment authorization, for the portion of the Weber Industrial Lead extending from milepost 5.8 near Wilson Avenue in Chicago to approximately milepost 8.4 near Devon Avenue, a distance of approximately 2.6 miles. The Village of Lincolnwood ("Village") filed a similar trail use/rail banking request on the portion of the rail line traversing the village.

On December 17, 2008, the Board issued its Decision, providing for a 180-day period for negotiations between the City, the Village and Union Pacific Railroad Company ("UP"). Since the date of the Decision, the City has started scope preparations to hire an engineering firm and has been working to secure the 20% non-federal matching funds for the federal Congestion Mitigation and Air Quality Program (CMAQ) grant. The City has made progress, but needs additional time to secure funds, complete its trail engineering plan and conclude negotiations with UP.



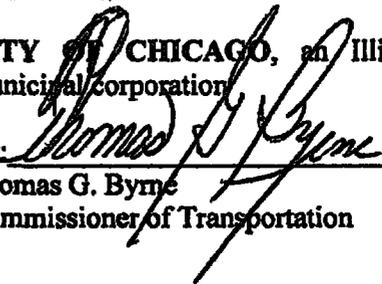
In support of its request for additional time, the City renews its Petition and its Statement of Willingness to Assume Financial Responsibility.

A copy of this statement is being served on UP on the same date it is being served on the Board. By my signature below, I certify service upon Union Pacific Railroad Company, Attn: Mack H. Shumate, Jr., 101 North Wacker Drive, Room 1920, Chicago, IL 60606, by U.S. Mail, postage prepaid, first class, this 12th day of June, 2009.

Pursuant to 49 C.F.R. § 1002.2(e)(1), the filing fee for this request is waived.

Respectfully submitted,

CITY OF CHICAGO, an Illinois
municipal corporation

By: 

Thomas G. Byrne
Commissioner of Transportation 