

**Kirkpatrick & Lockhart LLP**

December 27, 2004

212 864  
1800 Massachusetts Avenue, NW  
Suite 200  
Washington, DC 20036-1221  
202.778.9000  
www.kl.com

**VIA HAND DELIVERY**

Mr. Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, NW  
Washington, DC 20423-0001

ENTERED  
Office of Proceedings  
DEC 27 2004  
Part of  
Public Record

Janie C. I. Sheng  
202.778.9855  
Fax: 202.778.9100  
jsheng@kl.com



Re: **Docket No. AB-874X**  
**Sierra Northern Railway –**  
**Abandonment Exemption – in Yolo County, California**

Dear Secretary Williams:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of a **Letter Requesting Issuance of a Notice of Interim Trail Use ("NITU")**, pursuant to 49 C.F.R. § 1152.29. A check in the amount of \$200.00, representing the appropriate fee for this filing, also is enclosed.

If you have any questions regarding this filing, please feel free to contact me. Thank you for your assistance on this matter.

Respectfully submitted,

Janie C. I. Sheng  
Counsel for the City of West  
Sacramento

**FILED**  
DEC 27 2004  
SURFACE  
TRANSPORTATION BOARD

Enclosures

FILED  
DEC 27 2004  
SURFACE  
TRANSPORTATION BOARD

**FILED**  
DEC 27 2004

FILED

DEC 27 2004

Kirkpatrick & Lockhart LLP

1800 Massachusetts Avenue, NW  
Suite 200  
Washington, DC 20036-1221  
202.778.9000  
www.kl.com

SURFACE  
TRANSPORTATION BOARD

DEC 9 2004

December 27, 2004

VIA HAND DELIVERY

Mr. Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, NW  
Washington, DC 20423-0001

Janie C. I. Sheng  
202.778.9855  
Fax: 202.778.9100  
jsheng@kl.com

ENTERED  
Office of Proceedings

DEC 27 2004

Part of  
Public Record



Re: **Docket No. AB-874X**  
**Sierra Northern Railway –**  
**Abandonment Exemption – in Yolo County, California**

Dear Secretary Williams:

This letter is filed on behalf of the City of West Sacramento (hereinafter referred to as the "City"). The City requests issuance of a Notice of Interim Trail Use ("NITU") for the rail line between approximately MP 90.5 in the City of West Sacramento to a point south of Pumphouse Road, (the "Subject Line"), a distance of approximately 9.27 route miles in Yolo, County, California.

On December 23, 2004, the Surface Transportation Board ("STB") served and published notice that Sierra Northern Railway ("Sierra") filed a notice of exemption under 49 CFR Part 1152, Subpart F to abandon the Subject Line. The notice provided that any request for trail use/rail banking under 49 CFR § 1152.29 must be filed no later than January 3, 2005. The City respectfully seeks rail banking and interim trail use on the Subject Line.

The City makes the following statement in support of its NITU request:

**STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY**

In order to establish interim trail use and rail banking under 16 U.S.C. § 1247(d) and 49 CFR § 1152.29, the City of West Sacramento is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the use is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against, the right-of-way owned and operated by Sierra Northern Railway. The property known as the Clarksburg Branch, extends from railroad milepost 90.5 in the City of West Sacramento, to a point south of Pumphouse Road, a distance

DC-684346 v1 0307591-0100

BOSTON ■ DALLAS ■ HARRISBURG ■ LOS ANGELES ■ MIAMI ■ NEWARK ■ NEW YORK ■ PITTSBURGH ■ SAN FRANCISCO ■ WASHINGTON

**Kirkpatrick & Lockhart LLP**

Mr. Vernon A. Williams  
December 27, 2004  
Page 2

of 9.27 miles in Yolo County, California. The right-of-way is part of a line of railroad proposed for abandonment in Docket No. STB AB-874X.

A map of the property depicting the right-of-way is attached.

The City of West Sacramento acknowledges that use of the right-of-way is subject to the user continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service. A copy of this statement is being served on the railroad(s) on the same date it is being served on the Board.

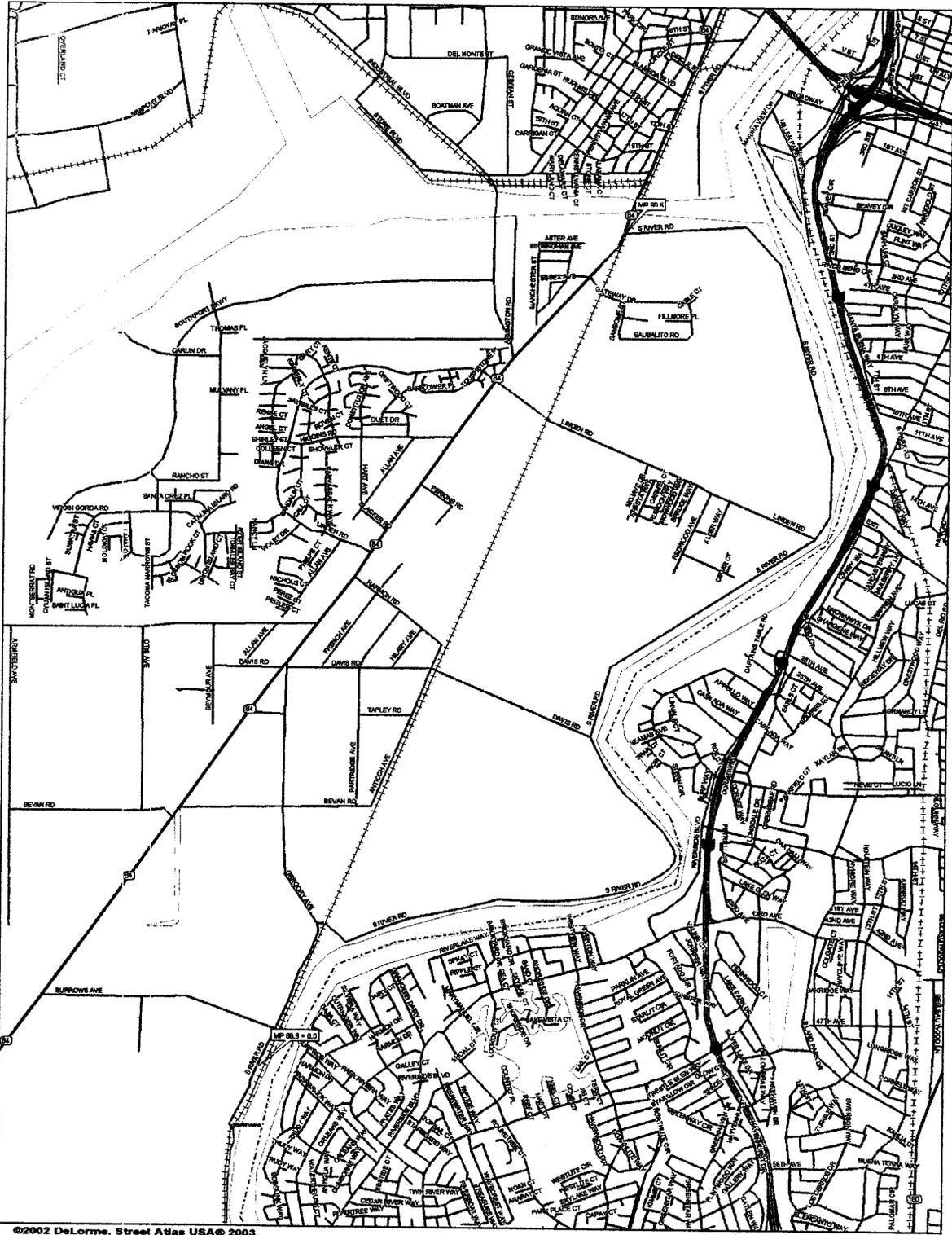
Respectfully submitted,



Janie C. I. Sheng  
**Counsel for the City of West Sacramento**

Enclosures

Cc: Torgny Nilsson, Esq. (Sierra Northern Railway)



©2002 DeLorme. Street Atlas USA® 2003.  
www.delorme.com

TN  
N154°E

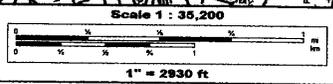
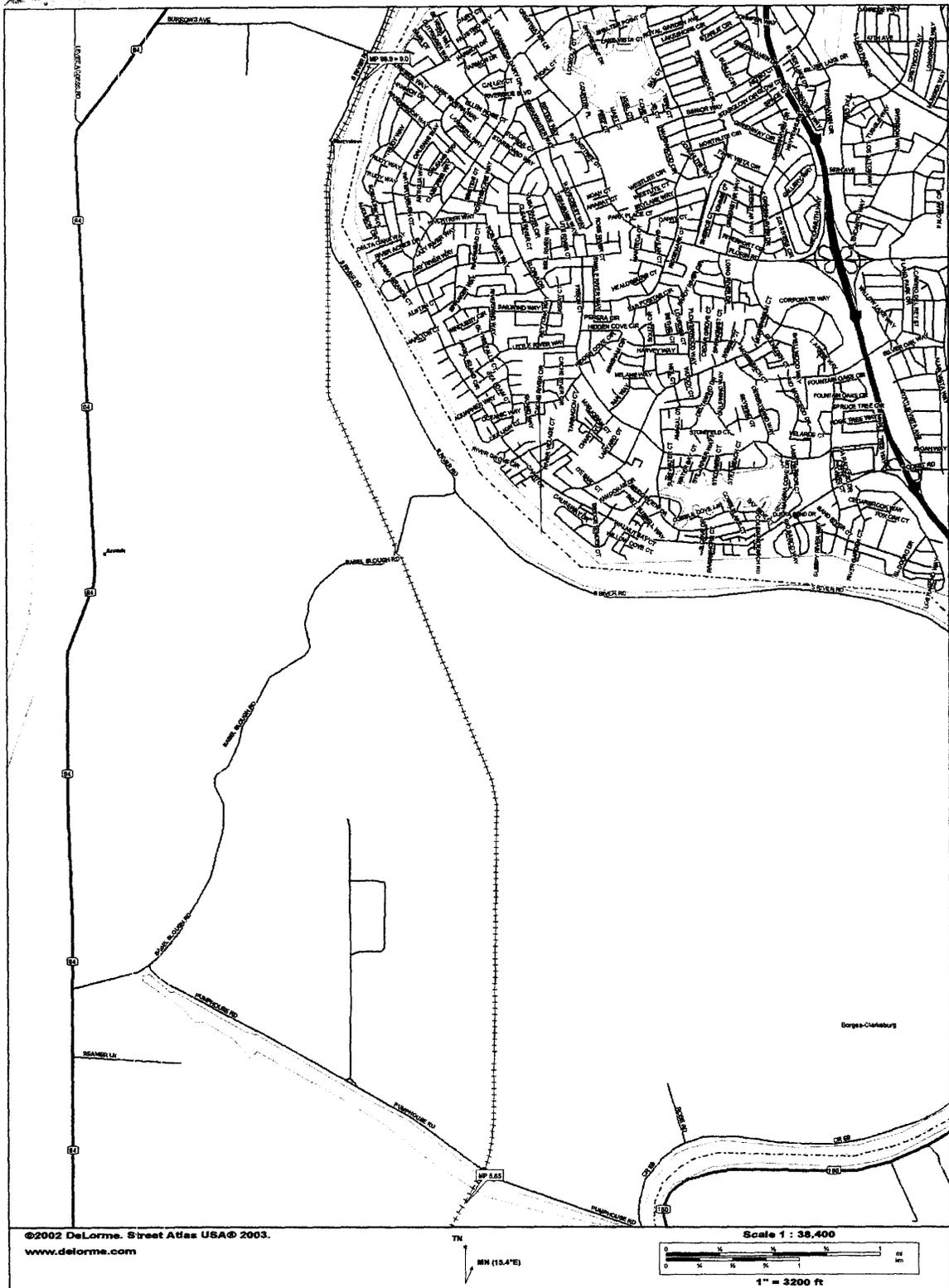


EXHIBIT A-1

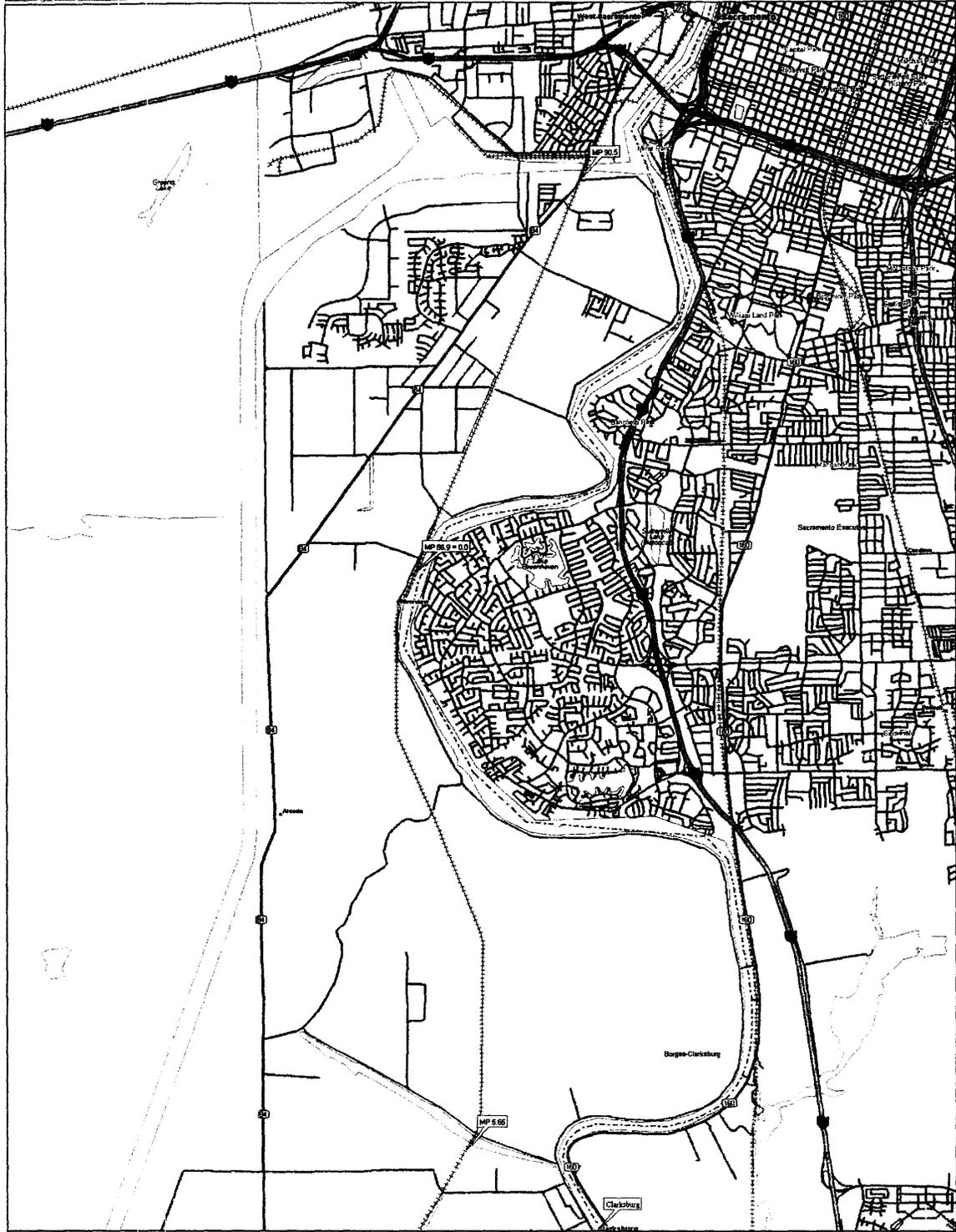


©2002 DeLorme. Street Atlas USA® 2003.  
www.delorme.com

TN  
MN (15.4°E)

Scale 1 : 32,400  
1" = 3200 ft

EXHIBIT A-2



©2002 DeLorme. Street Atlas USA © 2003.  
www.delorme.com

TN  
MN (15.4°E)

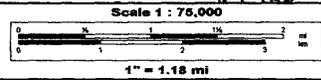


EXHIBIT A-3