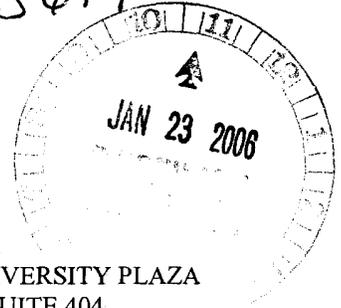


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January 20, 2006

Hon. Vernon Williams
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

ENTERED
Office of Proceedings
JAN 23 2006
Part of
Public Record

Re: City of Jersey City, et al.
Petition for Declaratory Order
F.D. 34818

Dear Mr. Williams:

Please be advised that I represent 212 Marin Boulevard, LLC., 247 Manila Avenue, LLC., 280 Erie Street, LLC., 317 Jersey Avenue, LLC., 354 Coles Street, LLC, 389 Monmouth Street, LLC., 415 Brunswick Street, LLC. and 446 Newark Avenue, LLC., all being parties in interest relative to the above referenced matter.

Enclosed please find an original and ten copies of a Petition to Intervene, and an original and ten copies of a Petition for an Extension of Time. Please file the originals and return one copy of each marked "file" in the self-addressed envelope provided.

Thank you.

Very truly yours,

ALAMPI, & DEMARRAIS

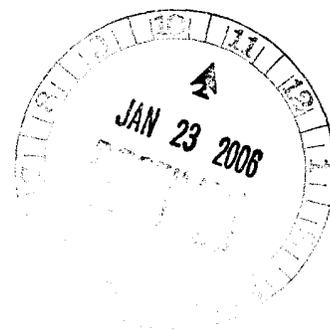
CARMINE R. ALAMPI, ESQ.

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cc: Fritz R. Kahn, Esq.
Charles H. Montange, Esq.

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC



STB Finance Docket No. 34818

CITY OF JERSEY CITY, et al.

v.

212 MARIN BOULEVARD, LLC, et al.

PETITION FOR EXTENSION OF TIME
OF
212 MARIN BOULEVARD, LLC, et al

ENTERED
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Attorneys for

212 MARIN BOULEVARD, L.L.C., et al.

Dated: January 20, 2006

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC



STB Finance Docket No. 34818

CITY OF JERSEY CITY, et al.

v.

212 MARIN BOULEVARD, LLC, et al.

PETITION FOR EXTENSION OF TIME
OF
212 MARIN BOULEVARD, LLC, et al.

Petitioner, 212 Marin Boulevard, L.L.C., 247 Manila Avenue, L.L.C., 280 Erie Street, L.L.C., 317 Jersey Avenue, L.L.C., 354 Coles Street, L.L.C., 389 Monmouth Street, L.L.C., 415 Brunswick Street, LLC and 446 Newark Avenue, LLC (hereinafter collectively referred to as "SLH Properties"), pursuant to 49 C.F.R. 1104.7, request a brief, 20-day extension of the due date for filing a response to the Petition for Declaratory Order of the City of Jersey City, et al., and in support of their petition state, as follows:

1. The Petition for Declaratory Order alleges that the approximately 1.5- mile right-of-way extending between the Waldo Avenue Yard and Harsimus Cove in Jersey City, NJ, certain segments of which were purchased by SLH Properties, is an active line of railroad, never having been authorized for abandonment by this Board or its predecessor, the Interstate Commerce

Commission, and, therefore the sale of the segments by Consolidated Rail Corporation without the prior approval of the Board was unlawful and should be invalidated. SLH believes the Petition's allegations to be wholly unfounded and have sought leave to actively to participate in the proceeding and to demonstrate the baselessness of the Petition's charge.

2. The Petition for Declaratory Order numbers 31 pages, and its separately bound appendix, including Verified Statements and Exhibits, measures an inch thick. SLH Properties will want to review carefully the Petition and its supporting data to enable them to bring to the Board's attention the errors and inconsistencies which the pleading contains.

3. What the Petition for Declaratory Order contends is an active line of railroad subject to the Board's jurisdiction is trackage originally sought to be laid by the United New Jersey Railroad and Canal Company more than 125 years ago. The Pennsylvania Railroad Company in 1871 leased the United New Jersey Railroad and Canal Company for 999 years and operated its properties as an integral part of the company for nearly a century. The Pennsylvania Railroad Company merged with the New York Central in 1968, and, in less than four years' time, in 1972 the unified Penn Central Transportation Company filed for bankruptcy. The bankruptcy of the Penn Central Transportation Company and seven other railroads in the Northeast was deemed beyond the capacity of the bankruptcy courts to deal with and led to the enactment of the Regional Rail Reorganization Act of 1973, as amended by the Railroad Revitalization and Regulatory Reform Act of 1976. The legislation, among other things, created the United States Railway Association, which was charged with the responsibility of identifying those railroad lines which should be conveyed to Conrail pursuant to the Final System Plan or be made available for state or industry subsidized operations. The Petition for Declaratory Order fails to

focus on the conveyancing process and or to discuss what function, if any, the Final System Plan assigned the trackage between Waldo Avenue Yard and Harsimus Cove

4. SLH Properties will want to explore what operations were actually performed on the trackage between Waldo Avenue Yard and Harsimus Cove, not only by the Pennsylvania Railroad, but more importantly by the Penn Central Transportation Company before its bankruptcy in 1972 and by Consolidated Rail Corporation after it commenced operations in 1976. The searching inquiries which SLH Properties expects to undertake are time consuming and cannot be completed in the ten days remaining before responses to the Petition must be filed.

5. As is evident from the sheer size of the pleading and the breadth of its attachments, the preparation of the Petition for Declaratory Order must have been in the works for months. SLH Properties, however, saw the pleading only ten days ago. The brief, 20-day extension of the response date which SLH Properties seeks, will not prejudice the City of Jersey City and the parties allied with it, and, in the view of SLH Properties, will aid the Board in determining whether there is a dispute or controversy requiring resolution by the declaratory order proceeding which the Petition seeks and, if the Petition were granted, in better understanding the position of the parties.

WHEREFORE, SLH Properties asks that the its request for a brief, 20-day extension of the due date for responding to the Petition for Declaratory Order, filed January 13, 2006, be granted and the date by which responses are due to be filed be set as February 22, 2006.

Respectfully submitted,

212 MARIN BOULEVARD, LLC, et al.

By their attorneys,

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Tel.: (202) 263-4152

Dated: January 20, 2006
Due: January 23, 2006

CERTIFICATE OF SERVICE

A copy of the foregoing Petition to Intervene of 212 Marin Boulevard, LLC, et al. this day was served upon the City of Jersey City, et al., by my facsimile transmitting and mailing copies, with first class postage prepaid, to their attorney, Charles H. Montagne, Esq.



Carmine R. Alampi, Esq.

Dated: January 20, 2006