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JOSEPH F. PENNISI
DEPUTY COUNTY EXECUTIVE

March 30, 2007

VIA FEDERAL EXPRESS OVERNIGHT

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
395 E Street, SW, Room 101
Washington, DC 20423

ENTERED
Office of Proceedings
APR 3 - 2007
Part of
Public Record

RE. Request for Extension – Interim Trail Use/Public Use Conditions
Delaware & Hudson Railway Company, Inc. d/b/a Canadian Pacific Railway
Abandonment – Albany County, New York
STB Docket No. AB-156 (Sub-No. 23X)

Dear Mr. Williams.

Reference is made to my letter to you dated March 16, 2007 (copy attached) requesting extension of the trail use negotiation period in the above-referenced matter. It was our intention to request an extension of ninety (90) days. It has come to my attention, however, that due to an inadvertent oversight, my letter request referenced both a ninety-day and one hundred and eighty-day extension period.

This letter will clarify that Albany County respectfully requests that an additional ninety (90) days (through July 6, 2007) be granted as an extension to complete the acquisition process between the County and Canadian Pacific. It is our understanding that Canadian Pacific is supportive of this extension.

Should you have any questions regarding this request or require additional information, please contact Mark Fitzsimmons, Director of the Albany County Department of Economic Development, Conservation and Planning at (518) 447-5665 or mfitzsimmons@albanycounty.com.

Hon Vernon A Williams
March 30, 2007
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Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael G Breslin". The signature is written in a cursive style with a large initial "M".

Michael G Breslin
County Executive

cc: Karl Hansen, Esq., Leonard, Street and Denard
Gerry Edwards, Canadian Pacific Railway
John Privitera, Esq.
Mark Fitzsimmons, Albany County EDCP



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The Honorable Vernon A. Williams
Secretary
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RE. Request for Extension – Interim Trail Use/Public Use Conditions
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STB Docket No AB-156 (Sub-No 23X)

Dear Mr. Williams:

With regard to the referenced matter, on July 8, 2003, the Surface Transportation Board granted an initial request by Albany County for interim trail use/railbanking and public use conditions. The Surface Transportation Board subsequently granted requests by Albany County to extend the trail use negotiation period and the public use condition until April 7, 2007 for the purpose of securing acquisition funding assistance through New York State Parks grant award and completing negotiations with Canadian Pacific Railway Company (“Canadian Pacific”) for acquisition of the rail corridor in question.

Since the most recent extension was granted, Albany County and Canadian Pacific have continued negotiations toward conveyance of the subject rail corridor, however, during that time period, progress was interrupted by the turnover of key personnel on both sides of the negotiations table, resulting in delays that precluded our ability to finalize the proposed conveyance. It is therefore, necessary that the trail use negotiation period and the public use condition be extended for another 180 days, during which time, it is anticipated that outstanding issues will be resolved and transfer of title completed.

Given the above, Albany County respectfully requests that an additional ninety (90) days (through July 6, 2007) be granted as an extension to complete the acquisition process between the County and Canadian Pacific. It is our understanding that Canadian Pacific is supportive of this extension.

Should you have any questions regarding this request or require additional information, please contact Mark Fitzsimmons, Director of the Albany County Department of Economic Development, Conservation and Planning at (518) 447-5065 or mfitzsimmons@albanycounty.com

Thank you for your time and consideration in this matter.

Sincerely,



Michael G. Breslin
County Executive

cc Karl Hansen, Esq., Leonard, Street and Debard
Gerry Edwards, Canadian Pacific Railway
John Privitera, Esq.
Mark Fitzsimmons, Albany County EDCP