



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

May 7, 2010

**VIA E-FILING**

The Honorable Cynthia T. Brown  
Chief, Section of Administration  
Surface Transportation Board  
395 E Street, S.W., Room #100  
Washington, DC 20423-0001

**NOTICE OF CORRECTION**

**RE: Abandonment Exemption – Millard Industrial Lead from M.P. 22.85 in Omaha, Nebraska to M.P. 19.4 in La Vista, Nebraska, a total distance of approximately 3.45 miles in Douglas and Sarpy Counties, Nebraska;  
STB Docket No. AB-33 (Sub-No. 260X)**

Dear Ms. Brown:

The following supplements and clarifies filing made in this matter by Union Pacific on April 14, 2010. Union Pacific Railroad Company (“Union Pacific”) has received a request from the Nebraska Trails Foundation, Inc. dated April 7, 2010 for an additional 180-day extension in which to complete negotiations for the acquisition under the provisions 16 U.S.C. §1247(d) and 49 C.F.R. § 1152.29 regarding that portion of Union Pacific’s Millard Industrial Lead from M.P. 22.10 in Omaha, Nebraska to M.P. 19.4 in La Vista, Nebraska, a total distance of approximately 2.70 miles in Douglas and Sarpy Counties, Nebraska.<sup>1</sup>

The Union Pacific is willing to continue negotiating with Nebraska Trails Foundation, Inc. concerning the acquisition of the subject property for trail use and supports the Council’s request for an additional 180-day extension in which to negotiate. A copy of the Nebraska Trails Foundation’s request is attached hereto as Exhibit “A” and hereby made a part hereof.

Sincerely yours,

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

Attachment

cc: Nebraska Trails Foundation, Inc.

<sup>1</sup> Although the board authorized UP to abandon the Line from Milepost 19.4 to Milepost 22.85, to date Union Pacific only consummated abandonment of the Line from M.P. 22.10 to M.P. 22.81, a distance of 0.61 miles by notice filed July 14, 2009. The Line segment from M.P. 19.4 to M.P. 22.10 remains subject to the ongoing trail use negotiations, while the portion of the Line from M.P. 22.81 to M.P. 22.85 remains an active rail line, subject to Board jurisdiction.



# Nebraska Trails Foundation, Inc.

April 7, 2010

Ann K. Quinlan, Secretary  
Surface Transportation Board  
395 E Street SW  
Washington, DC 20423

RE: Surface Transportation Docket No. AB-33 (Sub. No. 260X) Union Pacific  
Railroad Company Abandonment Exemption in Douglas and Sarpy  
Counties, Nebraska

Dear Ms. Quinlan:

On October 30, 2009, the Board issued a decision in the above-referenced proceeding imposing a Notice of Interim Use (NITU) condition. The time period is to expire on April 15, 2010. The Nebraska Trails Foundation, Inc. and the Papio-Missouri River Natural Resources District are requesting an additional 180 day extension.

The Union Pacific has agreed with this request for extension.

Thank you for your consideration.

Yours truly,

Ross Greathouse  
For the Foundation  
3901 South 27<sup>th</sup> Street, Ste 29  
Lincoln, NE 68502

CC: David Schmidt, Pres. NTF ✓  
Mack H. Shumate, UP ✓  
Alissa Hackel, UP  
Gabriel S. Meyer, UP  
Gerry Bowen, Papio-Missouri NRD

1225 L Street . Suite 501 . Lincoln, NE . 68508