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|--------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| <br><b>GRANTED</b><br>Office of<br>Proceedings | DECISION ID NO.: 51169                                                                                          |
|                                                                                                                                | DECIDED DATE: 3/17/2022                                                                                         |
|                                                                                                                                | SERVED DATE: 3/17/2022                                                                                          |
|                                                                                                                                | APPROVED: <br>Acting Director |
| <input checked="" type="checkbox"/> Extended to 3/11/2023                                                                      |                                                                                                                 |

March 10, 2022

304083

ENTERED  
Office of Proceedings  
March 10, 2022  
Part of  
Public Record

**VIA STB efilng**

Ms. Cynthia T. Brown  
Chief of the Section of Administration  
Surface Transportation Board  
395 E Street, S.W.  
Washington, D.C. 20423

RE: Proposed Abandonment from Milepost 148.2 to Milepost 149.5 in  
Sheboygan County, Wisconsin  
Docket No. AB-33 (Sub-No. 321X)

Dear Ms. Brown:

The City of Sheboygan, Wisconsin (the "City") hereby requests the Surface Transportation Board (the "Board") grant a one-year extension of time until March 11, 2023 to negotiate an interim trail use/rail banking agreement with Union Pacific Railroad Company ("UP"), over the 1.30-mile portion of the line proposed for abandonment in the above-entitled proceeding between Milepost 148.2 and Milepost 149.5, in the City of Sheboygan.

The City and UP have negotiated a written purchase and sale agreement for the sale of the line to the City, which is contingent upon the completion of due diligence on the line to the City's satisfaction. Certain issues that are a part of said agreement have arisen preventing closing. However, progress has been made and the parties anticipate the contingencies will either be met or be determined to be unable to be met during 2022. If the due diligence and contingencies are completed to the City's satisfaction, the City expects to close on the acquisition of the Line for interim trail use and rail banking shortly thereafter and during calendar year 2022.

The City requests a one-year extension until March 11, 2023, pursuant to the rules adopted by the Board in *Limiting Extensions of Trail Use Negotiating Periods*, Docket No. EP 749 (Sub-No. 1) et al. (served December 4, 2019), slip op. at 11. This request is the second extension request made under the new rule limiting extension requests. The City further requests that the filing fee for this extension request be waived pursuant to 49 CFR 1002. (e)(1) because the City is a local government entity.

CITY ATTORNEY'S OFFICE

CITY HALL  
828 CENTER AVENUE  
SUITE 210  
SHEBOYGAN, WI 53081

920/459-3917  
FAX 920/459-3919

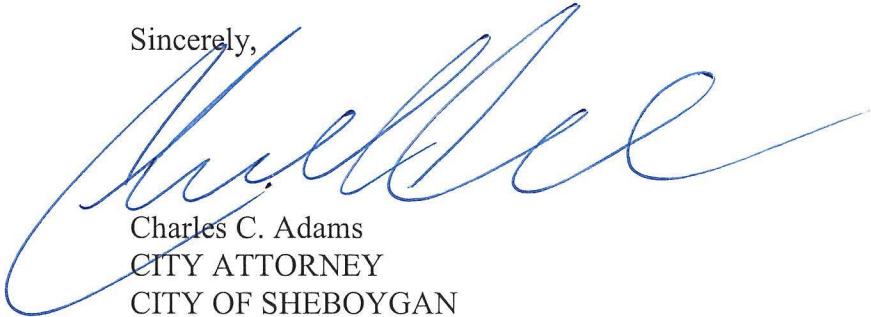
[www.sheboyganwi.gov](http://www.sheboyganwi.gov)

**FILING FEE WAIVED**

Cynthia T. Brown  
March 10, 2022  
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I certify that copies of this request for an extension of time have been served on all parties to this proceeding pursuant to the requirements of the law. The City is e-filing this letter. If you have any questions, do not hesitate to call or email me.

Sincerely,



Charles C. Adams  
CITY ATTORNEY  
CITY OF SHEBOYGAN

CCA/kah

cc: Vincent R. Bauer, Wisconsin Department of Transportation  
Whitney Larkin, Union Pacific Railroad Company