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May 20, 2015

VIA ELECTRONIC FILING

The Honorable Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20024

238436
238438
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ENTERED
Office of Proceedings
May 20, 2015
Part of
Public Record

Re: STB Finance Docket No. 35846, *Metropolitan Transit Authority of Harris County, Texas--Acquisition Exemption--Union Pacific Railroad Company's Right to Restore Service over Rail Banked Right-of-Way in Harris, Fort Bend, Austin, Wharton, and Colorado Counties, Texas*

STB Finance Docket No. 35847, *Fort Bend County Toll Road Authority--Acquisition Exemption-- Metropolitan Transit Authority of Harris County, Texas's Right to Restore Service over Rail Banked Right-of-Way in Harris, Fort Bend, Austin, Wharton, and Colorado Counties, Texas*

STB Docket No. AB-33 (Sub-No. 156), *Union Pacific Railroad Company--Abandonment--in Harris, Fort Bend, Austin, Wharton, and Colorado Counties, Tx*

STB Docket No. AB-33 (Sub-No. 253X), *Union Pacific Railroad Company--Abandonment Exemption--in Colorado and Wharton Counties, Tx*

Dear Ms. Brown:

Enclosed please find an *errata* to the clarification filed by Metropolitan Transit Authority of Harris County, Texas, and Fort Bend County Toll Road Authority in the above-referenced proceedings. The clarification was originally filed November 10, 2014.

Very truly yours,

Thompson Coburn LLP

By 

Thomas Sean McGowan

Enclosure

The Honorable Cynthia T. Brown
Page 2

cc: Union Pacific Railroad Company
1400 Douglas Street
Omaha, NE 68179
Attn: Counsel's Office

Mack H. Shumate, Jr.
Law Department
Union Pacific Railroad Company
101 North Wacker Drive
Chicago, IL 60606

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Metropolitan Transit Authority	)	
of Harris County, Texas – Acquisition	)	
Exemption -- Union Pacific Railroad	)	
Company's Right to Restore Rail	)	Finance Docket No. 35846
Service over Rail Banked	)	
Right-of-Way in Harris, Fort Bend,	)	
Austin, Wharton, and Colorado	)	
Counties, Texas	)	

Fort Bend County Toll Road	)	
Authority – Acquisition Exemption –	)	
Metropolitan Transit Authority	)	
of Harris County, Texas's Right to Restore Rail	)	Finance Docket No. 35847
Service over Rail Banked	)	
Right-of-Way in Harris, Fort Bend,	)	
Austin, Wharton, and Colorado	)	
Counties, Texas	)	

UNION PACIFIC RAILROAD COMPANY--	)	
ABANDONMENT--IN HARRIS, FORT BEND,	)	
AUSTIN, WHARTON, AND COLORADO	)	AB-33 (Sub-No. 156)
COUNTIES, TX	)	
	)	

UNION PACIFIC RAILROAD COMPANY--	)	
ABANDONMENT EXEMPTION--IN	)	
COLORADO AND WHARTON COUNTIES, TX	)	AB-33 (Sub-No. 253X)
	)	
	)	

**ERRATA TO
CLARIFICATION REGARDING 49 C.F.R. § 1150.31 VERIFIED NOTICES OF
EXEMPTION FILED BY METROPOLITAN TRANSIT AUTHORITY OF HARRIS
COUNTY, TEXAS, AND FORT BEND COUNTY TOLL ROAD AUTHORITY AND
JOINT PETITION TO VACATE AND REISSUE NOTICE OF INTERIM TRAIL USE
AND CERTIFICATE OF INTERIM TRAIL USE**

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Attorneys for Metropolitan Transit
Authority of Harris County,
Houston, Texas and Fort Bend
County Toll Road Authority

Dated: May 20, 2015

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Metropolitan Transit Authority	)	
of Harris County, Texas – Acquisition	)	
Exemption -- Union Pacific Railroad	)	
Company's Right to Restore Rail	)	Finance Docket No. 35846
Service over Rail Banked	)	
Right-of-Way in Harris, Fort Bend,	)	
Austin, Wharton, and Colorado	)	
Counties, Texas	)	

Fort Bend County Toll Road	)	
Authority – Acquisition Exemption –	)	
Metropolitan Transit Authority	)	
of Harris County, Texas's Right to Restore Rail	)	Finance Docket No. 35847
Service over Rail Banked	)	
Right-of-Way in Harris, Fort Bend,	)	
Austin, Wharton, and Colorado	)	
Counties, Texas	)	

UNION PACIFIC RAILROAD COMPANY--	)	
ABANDONMENT--IN HARRIS, FORT BEND,	)	
AUSTIN, WHARTON, AND COLORADO	)	AB-33 (Sub-No. 156)
COUNTIES, TX	)	
	)	

UNION PACIFIC RAILROAD COMPANY--	)	
ABANDONMENT EXEMPTION--IN	)	
COLORADO AND WHARTON COUNTIES, TX	)	AB-33 (Sub-No. 253X)
	)	
	)	

**ERRATA TO
CLARIFICATION REGARDING 49 C.F.R. § 1150.31 VERIFIED NOTICES OF
EXEMPTION FILED BY METROPOLITAN TRANSIT AUTHORITY OF HARRIS
COUNTY, TEXAS, AND FORT BEND COUNTY TOLL ROAD AUTHORITY AND
JOINT PETITION TO VACATE AND REISSUE NOTICE OF INTERIM TRAIL USE
AND CERTIFICATE OF INTERIM TRAIL USE**

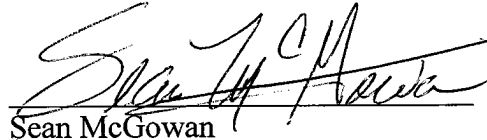
The Metropolitan Transit Authority of Harris County, Texas (METRO) and the Fort Bend County Toll Road Authority (FBCTRA) jointly submit this Errata to their Clarification Regarding 49 C.F.R. § 1150.31 Verified Notices of Exemption Filed by Metropolitan Transit Authority of Harris County, Texas, and Fort Bend County Toll Road Authority and Joint Petition to Vacate and Reissue Notice of Interim Trail Use and Certificate of Interim Trail Use (Clarification).¹

This Errata corrects the description of the Subject ROW in the Clarification, which inaccurately included 0.42 miles that are not part of the Subject ROW. Thus, METRO and FBCTRA submit the following corrections to the Clarification.

Location in Clarification	Original Text	Correct Text
Page 4, Second Paragraph under <u>Background</u> , First Sentence	“between Bellaire Branch’s milepost 20, approximately 2,020 feet east of the Harris County-Fort Bend County line, to milepost 61.2 near Eagle Lake, in Colorado County, Texas, a distance of 41.2 miles in Harris, Fort Bend, Austin, Wharton, and Colorado Counties, Texas”	“between Bellaire Branch’s milepost 20.42 at the Harris-Fort Bend County line, to milepost 61.2 near Eagle Lake, in Colorado County, Texas, a distance of 40.78 miles in Fort Bend, Austin, Wharton, and Colorado Counties, Texas”
Page 5, Second Paragraph under <u>Clarification</u> , First Sentence	“approximately 480.59 acres of real property in Harris, Fort Bend, Austin, Wharton, and Colorado Counties, Texas”	“approximately 480.59 acres of real property in Fort Bend, Austin, Wharton, and Colorado Counties, Texas”

¹ **Note:** On May 19, 2015, FBCTRA filed a Motion to Withdraw its Verified Notice of Exemption to Acquire METRO’s Right to Restore Service Over Railbanked Right of Way in Harris, Fort Bend, Austin, Wharton and Colorado Counties, Texas, filed in STB Finance Docket No. 35847 on July 29, 2014.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sean McGowan", is written over a horizontal line.

Sean McGowan

Kathleen E. Kraft

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Attorneys for Metropolitan Transit
Authority of Harris County,
Houston, Texas and Fort Bend
County Toll Road Authority

Dated: May 20, 2015

Certificate of Service

I hereby certify that on May 20, 2015, I served a copy of the foregoing *Errata* on the following:

By first class mail, postage pre-paid

Union Pacific Railroad Company
1400 Douglas Street
Omaha, NE 68179
Attn: Counsel's Office

By first class mail, postage pre-paid and electronic mail

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Law Department
Union Pacific Railroad Company
101 North Wacker Drive
Chicago, IL 60606



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