



242738

CHICAGO DEPARTMENT OF TRANSPORTATION
CITY OF CHICAGO

ENTERED
Office of Proceedings
March 3, 2017
Part of
Public Record

March 3, 2017

VIA E-FILING

Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Karl Morell
Ball Janik LLP
655 15th Street NW, Suite 225
Washington, DC 20005

Re: BNSF Railway Company--Abandonment Exemption--in Cook County, IL, STB
Docket No. AB-6 (Sub-No. 493X)

Dear Board:

The City of Chicago, an Illinois municipal corporation, acting by and through its Department of Transportation ("**City**"), hereby petitions the Surface Transportation Board ("**Board**") for an order modifying and extending its Decision and Notice of Interim Trail Use or Abandonment ("**NITU**") in the above-referenced matter an additional 180 days for public use negotiations and additional 114 days for trail use negotiations, both through and including September 13, 2017.

On September 26, 2016, the City filed a request for issuance of a notice of interim trail use (NITU) and public use condition ("**Petition**") for an approximately 0.89-mile rail line (the "**Lumber Street Line**") on BNSF's Lumber District Lead beginning just west of Laflin Street at Engineering Station 118+00 and proceeding east along West Cermak Road to the most easterly point at Engineering Station 157+65 and heading north along the Sangamon Street Lead at Engineering Station 163+50, including both legs of the wye, in Chicago, Cook County, Illinois.

On November 23, 2016, the Board issued its NITU as Decision 45227, permitting the City to negotiate with BNSF Railway Company ("**BNSF**") for trail use for the Lumber Street Line, for a period of 180 days from the service date of this decision and notice,

FILING FEE WAIVED

until May 22, 2017, and to permit public use negotiations as set forth below, for a period of 180 days commencing from the effective date of the exemption, until March 17, 2017.

The City has continued discussions with BNSF regarding the line and will need to complete due diligence for title and environmental conditions and to secure funds for trail development. The City requests additional time to continue these activities.

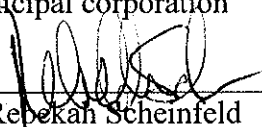
In support of its request for additional time, the City renews its Petition and its Statement of Willingness to Assume Financial Responsibility.

A copy of this statement is being served on BNSF on the same date it is being served on the Board. By my signature below, I certify service upon all parties of record in this proceeding by U.S. Mail, postage prepaid, first class, this 3rd day of ~~February~~ March, 2017.

Pursuant to 49 C.F.R. § 1002.2(e)(1), the filing fee for this request is waived.

Respectfully submitted,

CITY OF CHICAGO, an Illinois
municipal corporation

By: 
Rebekah Scheinfeld
Commissioner of Transportation