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SEC

SERVICE DATE – LATE RELEASE JUNE 27, 2007

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-1012

THE SHOPS AT KINGSBURY SQUARE, LLC—ADVERSE ABANDONMENT—CHICAGO
TERMINAL RAILROAD IN CHICAGO, IL

Decided: June 27, 2007

On May 2, 2007, The Shops at Kingsbury Square, LLC (Kingsbury Square) filed a petition for partial waiver of abandonment regulations and for exemptions, in conjunction with an application that Kingsbury Square had intended to file for adverse abandonment of authority of Chicago Terminal Railroad (CTR) to operate over a segment of rail line between the north edge of North Avenue and the terminus of the line near the intersection of Division and Halsted Streets, a distance of approximately 0.5 miles, in Chicago, Cook County, IL.

By notice filed on June 19, 2007, Kingsbury Square requests permission to withdraw its petition in this proceeding with prejudice. Kingsbury Square states that it has negotiated an agreement with CTR whereby Kingsbury Square has agreed to purchase and CTR has agreed to sell a spur track and railroad easement that connect with the line that is the subject of this proceeding. Kingsbury Square's request is reasonable. Accordingly, Kingsbury Square's request will be granted, and the proceeding will be dismissed with prejudice.

It is ordered:

1. Kingsbury Square's request for withdrawal of its petition for partial waiver of abandonment regulations and for exemptions will be granted, and this proceeding is dismissed with prejudice.

2. This decision is effective on the date of its service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary