

EXPEDITED CONSIDERATION REQUESTED

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-1068X

**MISSOURI CENTRAL RAILROAD COMPANY
-- ABANDONMENT AND DISCONTINUANCE --
IN CASS COUNTY, MISSOURI**

232309
ENTERED
Office of Proceedings
May 16, 2012
Part of
Public Record

MOTION TO EXTEND TIME TO NEGOTIATE INTERIM TRAIL USE

The Missouri Department of Natural Resources ("MDNR") hereby requests and the Missouri Central Railroad Company ("MCRR") hereby agrees to an extension of time of an additional 90-day period, or until September 17, 2012, for the parties to finalize and close on a trail use agreement and to provide additional time to fulfill and remove the applicable environmental conditions related to the rail line subject to the above referenced abandonment proceeding. The current period for negotiation of interim trail use/rail banking is set to expire on June 19, 2012.

The parties have substantially agreed to the terms of a trail use agreement and have been diligently working toward closing on the transaction. A Memorandum of Agreement ("MOA") has been entered into for the Section 106 process of the National Historic Preservation Act so that the Board may remove that condition. Closing is expected to take place once that process is completed and the MOA terms are fulfilled.

Pursuant to 49 CFR §1002.2(e)(i) and MDNR's status as a state agency, it is requesting the waiver of the \$450.00 filing fee for extension of the period of time to negotiate a trail use agreement.

 GRANTED	DECISION ID NO.: <u>42414</u>
	DECIDED DATE: <u>5/24/12</u>
	SERVICE DATE: <u>5/25/12</u>
	APPROVED: <u>Rachel D Campbell</u> Director
Office of Proceedings	☐

FILING FEE WAIVED

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Respectfully submitted,



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