

209796

ORIGINAL

LAW OFFICE
THOMAS F. MCFARLAND, P.C.
208 SOUTH LASALLE STREET - SUITE 1890
CHICAGO, ILLINOIS 60604-1112
TELEPHONE (312) 236-0204
FAX (312) 201-9695
mcfarland@aol.com

THOMAS F. MCFARLAND

January 6, 2004

By UPS overnight mail

Vernon A. Williams, Secretary
Surface Transportation Board
Case Control Unit, Suite 713
1925 K Street, N.W.
Washington, DC 20423-0001

ENTERED
Office of Proceedings

JAN 07 2004

Part of
Public Record



Re: Finance Docket No. 34425, *City of Lincoln - Petition for Declaratory Order*

Dear Mr. Williams:

Transmitted herewith for filing in the above proceeding are 11 copies of Lincoln Lumber Company's responses to discovery (the originals were provided to the City of Lincoln). Also enclosed are 11 copies of the City of Lincoln's acknowledgment of timely receipt of those responses.

These responses to discovery and the City's acknowledgment of timely receipt of the responses are being filed in light of the City of Lincoln's motion to compel responses, which is being held in abeyance. In filing that motion long before the due date for discovery responses, the City unjustly disparaged the reputation of Lincoln Lumber Company, its President and its counsel. We think it important for the Board to be aware that complete responses were filed on a timely basis.

Very truly yours,

Tom McFarland

Thomas F. McFarland
Attorney for Lincoln Lumber Company

TMcF:kl:enc:wp11\977\ltrstb8

cc: All parties of record
Mr. Donald L. Hamill



LINCOLN LUMBER COMPANY

Lumber Division
932 No. 23rd Street
402/474-4488

P.O. Box 30373
Station A
Lincoln, Nebraska 68503

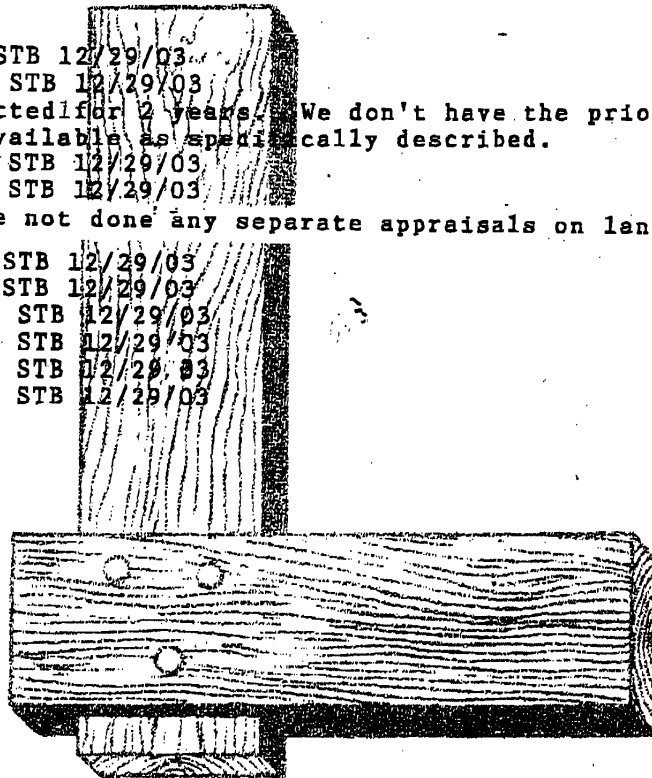
Millwork Division
2201 Dudley
402/435-5073

pedersen #1

Produced for inspection at the office of Joel Pedersen. Delivered by Don Hamill, intended time 8:45 A.M. on 12/30/03

REQUESTS

1. Refer STB 12/29/03
2. Refer STB 12/29/03
3. Submitted for 2 years. We don't have the prior years.
4. Not available as specifically described.
5. Refer STB 12/29/03
6. Refer STB 12/29/03
7. I have not done any separate appraisals on land value.
8. Refer STB 12/29/03
9. Refer STB 12/29/03
10. Refer STB 12/29/03
11. Refer STB 12/29/03
12. Refer STB 12/29/03
13. Refer STB 12/29/03



First in Quality—First in Service

Sinclair
Hille
Architects

program
consultants
for

Nebraska
Department
of Roads
Transportation
Enhancement
Program

OLSSON ASSOCIATES
CONSULTING ENGINEERS

Aaron Buettner, E.I.T.

1111 Lincoln Mall - P.O. Box 84608 • Lincoln, Nebraska 68501-4608
(402) 474-6311, Ext. 294 • FAX (402) 474-5160 • E-Mail: abuettner@oaconsulting.com

MEMORANDUM

TO: Don Hamill
FROM: John Williams
DATE: 8/17/01
RE: Business Card

Attached is my business card per your request. I was with Terry Genrich on August 16, 2001 reviewing the City's application for a trail project.

Terry Genrich & these 2 guys were taking pictures of railroad to send in with application for federal money. I saw the 2 3rd street where they were to turn.

8/17

Program Consultants'
Mailing Address:

700 Q Street
Lincoln, Nebraska
68508

encl.

Program Consultants'
Telephone Numbers:

Sinclair Hille
Architects
402/476-7331
Fax: 476-8341

Olsson Associates
402/474-6311
Fax: 474-5160

Greathouse Associates
402/475-7712
Fax: 475-7714

John G. Williams
landscape architect

SINCLAIR hille
architects

700 Q Street
Lincoln, NE 68508

T: 402.476.7331
F: 402.476.8341

www.sinclairhille.com
jwilliams@sinclairhille.com



1/17/03
 Brian A. Kramer, PE
 ENGINEER
 Engineering Services
 Public Works/Utilities Department
 521 Westgate Blvd., Suite 100
 Lincoln, NE 68508
 402 / 441-8400 / fax: 402 / 441-6576
 bkramer@ci.lincoln.ne.us

Pedersen #3

LINCOLN

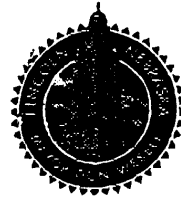
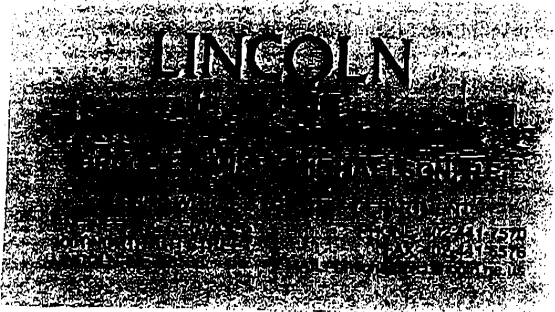


CLINTON W. THOMAS

REAL ESTATE BROKER AND RELOCATION AGENT
 HOUSING REHABILITATION AND REAL ESTATE DIVISION
 cthomas@ci.lincoln.ne.us

129 N. 10th St., Rm. 110
 LINCOLN, NE 68508

Bus: 441-7569
 FAX: 441-8711



Lynn Johnson DIRECTOR

Lincoln Parks & Recreation Department
 2740 A Street
 Lincoln, Nebraska 68502
 402 441-7847 / fax 402 441-8706
 ljohnson@ci.lincoln.ne.us



1:00 To 3:00 P.M. 6/20/03
 EA Engineering, Science,
 and Technology
 121 South 13th Street, Suite 400
 Lincoln, NE 68508
 Telephone: 402-476-3765
 Fax: 402-476-7825
 lmarinet.mpr@aol.com



Matt Lindberg, P.E.
 Engineer

Engineering, Science, and Technology Services



Terry Genrich NATURAL RESOURCES MANAGER

Lincoln Parks & Recreation Dept.
 2740 A Street
 Lincoln, Nebraska 68502
 402 441-7939 / fax 402 441-8706
 tgenrich@ci.lincoln.ne.us



Engineers
 Land Surveyors
 Planners

Douglas J. Stevenson, L.S.

TAGGE ENGINEERING CONSULTANTS
 112 W. 11th Avenue • Holdrege, NE 68949
 (308) 895-4173
 (308) 995-6164 (FAX)

wished I & C could be bi-passed with proposed
storm Sewer. Doesn't seem fair it benefits
primarily neighbors to west (Benefit
Whittier st. + 22nd st. - water going into loading
dock on East ^(one block) & running through bldg westward
several ft. high. Waterline several ft. high. Benefit
Commonwealth - water through their Bldg.

I & C should not have to bear the costs of destruction,
interferences, Construction, long hours, overtime work,
extra labor, inconveniences to our customers, the plan
of I & C to overcome inefficiencies etc, etc, etc.

alot of general overall uncertainty ???

Storm sewer bond up for vote

BY J. CHRISTOPHER HAIN
Lincoln Journal Star

Asking taxpayers to tax themselves is always a risky proposition, but the Lincoln City Council did what it could Monday to make a proposed storm sewer bond issue more palatable to voters.

First, the council chose to address the bond issue at the May 1 general election, rather than the April primary when Lincoln Public Schools officials are considering a property tax bid override.

Second, the city discussed delaying bond payments for two years, until after payments end on another bond issue.

Councilwoman Cindy Johnson said she would support the storm sewer bond because improvements are desperately needed and because the city will delay payments.

"I think it's important we keep an eye on the bonds we already have," she said.

1001-38

Columbus-based ambulance company licensed for non-emergency service in Lincoln.

Her colleagues agreed. And the committee voted 4-1 to send the question to voters.

The bond issue would fund \$7 million in projects throughout the city where no system exists or to replace a structurally deficient system. The last street sewer bond issue was in 1997.

"We've been funding storm sewers this way since the late '60s and early '70s," City Engineer Roger Figgard said. "This is a continuation of building storm sewer and fixing storm sewer in the other part of town."

The bond issue would cost the owner of a \$100,000 home about \$6

annually in property tax.

But by standing bond payments in 2003, the city could avoid increasing the amount taxpayers pay annually for bond issues, City Finance Director Paul Perez said.

The city has \$74 million in outstanding bond payments for such things as bridges, highways, redevelopment and other services. And the amount of \$100,000 it may still pay \$632 this year for those bonds. However, payments on the downtown redevelopment bond issue are scheduled to end Dec. 15, 2002.

In two years, the city plans to ask for a \$4 million to \$5 million bond issue for new fire stations and possibly renovations to Peabody Auditorium.

However, combined payments on the storm sewer and fire station bond issues would still be less than the downturn bond that ends in 2002, Herz said.

Construction of the storm sewer projects could begin in late 2001 with completion in 2002 or 2003.

Ironically, the council discussed earlier Monday the future of city infrastructure, including the idea of a storm water utility — instead of bond issues. The city would assess a citywide storm water fee, using the money for new construction, upgrades or replacement of storm sewers.

Council members aren't near the point of saying "yea" or "nay" to the idea. But Johnson questioned whether decisions on storm water improvements should be taken away from voters.

**So did council Vice Chairman
Jeff Fortenberry.**

"You'd potentially give up some of the community's oversight," he said.

Reach: Christopher Hahn at 473-7223 or
chahnsjournal@comcast.net

11-14-97

we have reviewed a lot of ^{into} S&C buying this for one reason
& only one reason 24th st to 19th st. ^{for Railroad useage.} S&C
Need this railroad ^{land} abounded by U.P. Cannot do S&C
business without it. Purchase is definite ^{Must -}
S&C Needs this railroad. ^{and on both sides Main line.} We are Committed as company,
a family & me personally to this railroad purchase. Its big
purchase transaction (spending a lot of hard earned money)

(a) The whole railroad operation 24th st to
19th st. Close to S&C 23rd st. head 1/4's, Close
to 23rd st Equipment head 1/4's. Storm sewer could
screw this ^{R.R.} big time.

1. Storm sewer - when??
2. — — — location in S&C R.R. land??
3. — — — one side, both sides Main
line - troubling??
4. ~~Storm sewer~~ ^{storm sewer} under Main line Near 2nd
Terminal and 20th st. (they talked me City about
this). No problem - I don't agree, it is problem.
5. This be very hurtful, upsetting to S&C,
& Horribly expensive to S&C (City Not Concerned)

(b) S&C for some unknown reason ^{of the city} would have
to go "duplicate" part or all of this R.R. ^(Track + Road) purchase
it would create disastrous investment, waste of
lot of money. This storm sewer would & could foreseeable
Cause S&C duplicating a lot of costs we did not
factor into this purchase. Could turn our
investment up side down. We planned one purchase
of ownership R.R. land from 24th to 19th st. Not having
to leave this area & purchase a 2nd location. ^{S&C}
They Need to Understand how they be hurting. ^{with}
this storm sewer location down R.R. Corridor

Review of storm sewer plans (blueprints) etc. of storm sewer:

7. LHC hopes they give 1st alot of Consideration. I note LHC never has seen any 1st survey work ???
This concerns LHC. Though City may save money going over & down R.R. land 24th to 14th st. they must realize it will be very costly & expensive to LHC. The adjoining property owners should bear costs LHC will bear - the adjoining property owners will experience benefits without risk. LHC faced with all risk, uncertainty and possible losses. Where is equity in that ?? ?? ??

8. Storm sewer installed
23rd street is threat of alot LHC loss. Lots of Const. here. This extreme overload area North-west approx of entrance of LHC office.

9. Surprises are normal in Construction (even with good planning). These storm sewer Const. surprises could be estimated \$10,000 to \$25,000 per occurrence. These ^{could be} estimated 12 to 15 unplanned for surprises could be realistic. This could add up to \$150,000 to \$300,000 of estimated losses for LHC on short term basis. On a long term basis the estimated losses could add up to an accumulated losses of \$1,000,000 or more.

10. Don't forget liability all by itself. Liability could be alot of dollars ?? ?? ??

Wattamill

KNUDSON APPRAISAL SERVICES
1011 So 78th Street
Omaha, Nebraska 68114

Pedersen #7

Telephone (402) 397-2230

September 19, 2000

Mr. Loren F. Lukins
Senior Manager, Appraisals
Union Pacific Railroad Company
1416 Dodge Street, Room 1100
Omaha, Nebraska 68179

RE: Appraisal Report
11th to 18th Street, North of Avery, 5.75 Acres; and
24th to 33rd Street, North of Avery, 10.00 Acres
Lincoln, Nebraska

Dear Mr. Lukins:

In accordance with your request, I have appraised the former railroad right-of-way described above. The subject property is legally described within the body of the attached report.

The purpose of this letter is to set forth my estimate of the subject's market value of the fee simple interest as of the effective date of this appraisal. To the best of my knowledge, this appraisal report has been prepared in conformity with the requirements of the Uniform Standards of Professional Appraisal Practice (USPAP). The value as estimated herein is premised upon the Assumptions and Limiting Conditions in the attached report. As requested, I have separated the appraisal into two valuations. The Phase I valuation will consist of a 250,470 square foot/5.75 acre from 18th Street on the east to 11th Street on the west. Phase II consists of a 435,600/10.00 acre tract of land extending from 24th Street on the west to approximately 33rd Street on the east.

As a result of my analysis, it is my opinion that the total value of the subject property land as of September 10, 2000, is:

Parcel I	\$ 900,000
Parcel II	<u>1,050,000</u>
Total Value, Both Parcels	\$1,950,000

Dennis J. Knudson, MAI
MEMBER APPRAISAL INSTITUTE

Mr. Loren F. Lukius
Page -2-

The value is segregated as follows:

Parcel I:	250,470 square feet @ \$3.00/SF = \$751,410, called	\$750,000
	Assemblage Value (1.20 Factor)	<u>x 1.20</u>
	Total Parcel I	\$900,000
Parcel II:	435,600 square feet @ \$2.00/SF =	\$871,200
	Assemblage Value (1.20 Factor)	<u>x 1.20</u>
	Total Parcel II	\$1,045,440
	Called	\$1,050,000
Total Valuation for Both Parcels		\$1,950,000

The attached report sets forth the reasoning and methodology used in making this appraisal.

Respectfully submitted,



Dennis J. Knudson, MAI
Nebraska General Certified Appraiser CG920136

DJK/ms

** TOTAL PAGE 04 **

Re-Storm Sewer X st.

2/18/03 10:05 A.M.

Dave Sknodas - Talked to him on left.
Plans 90% Complete - sent to City (Brian) for review
Got more expensive to go around the property
but they did look at alternatives.

Probably be Month before they get plans
back from being reviewed and being told
to finalize.

As of 2/18/03 10:05 A.M. No final
decision from the City as to the route
of the storm sewer.

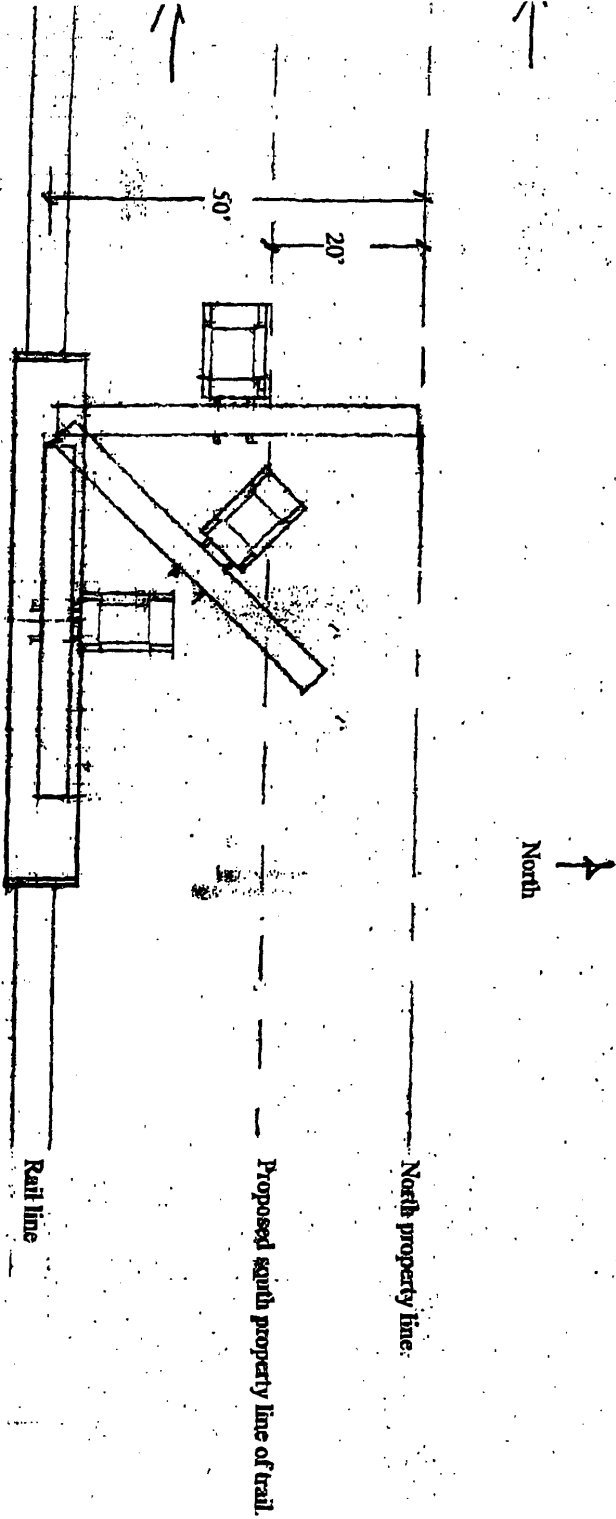
Matt out for a funeral Today (Matt
Q. H. Lindberg)

The rain storm waters directed into inlets. They
 Have mind set. Why don't they get easement 1st before
 force Channeling of water down on both sides
 of Main line Trackage. This is wrong on Cities part.
 Lawyers tell me doing this Channeling with concrete
 inlets (several) without agreements to do so. Their mind
 is Made up going to use ^{R.R.} land to travel water over this
 R.R. land without Consent, without payment, without
 a Written agreement ??? ? ? ? ?
 out to damage & bc + others to west.

Pedersen #10

Lincoln Lumber
Rail Terminal between 22nd & 23rd Street
Lincoln, Nebraska

scale 1"=20'



This drawing shows unloading 48' material by fork lift from a rail flatcar. As the drawing shows it is not possible to unload the material without the north 20'.

Shown from side whistles at
between 22nd & 23rd at
on north side main line
Drawn by Mr. Richard Pedersen
12/19/03
Lincoln, Neb. 68510-4131



LINCOLN LUMBER COMPANY

Lumber Division
932 No. 23rd Street
402/474-4488

P.O. Box 30373
Station A
Lincoln, Nebraska 68503

Millwork Division
2201 Dudley
402/435-5073

12/19/03

Exhibit RC-2 (RC-2)
page 2 of 2

1. Mr. Richard Robinson
1221 Evergreen
Lincoln, Neb. 68510-4137

phon - 402-488-5650

2. Mr. Robinson has over 30 yrs. experience doing Engineering drawings, Architectural drawings and designing and building high dollar Custom Homes. Mr. Robinson has designed and drawn blue prints for many Homes \$500,000 and above over last 30 yrs. plus.

3. Mr. Robinson present forlift exhibits were taken (pictures)

4. Drawing exhibits actual unloading, lifting, clearances, backing around as illustrated.

5. Forklift drive over proposed south property line of trail.

6. 48' spacers over top of R.R. car

7. When forklift drive over spacers too close to proposed south property line.

8. This further proof this trail on Sbc property not a good & fair decision. Not fair at all, Unfair. Not safe, liability, Not practical, Common sense shows while looking at this drawing Sbc can't unload R.R. Car efficiently, effectively, or profitably.

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SPECIALIZING IN RAILROAD
TRACKWORK

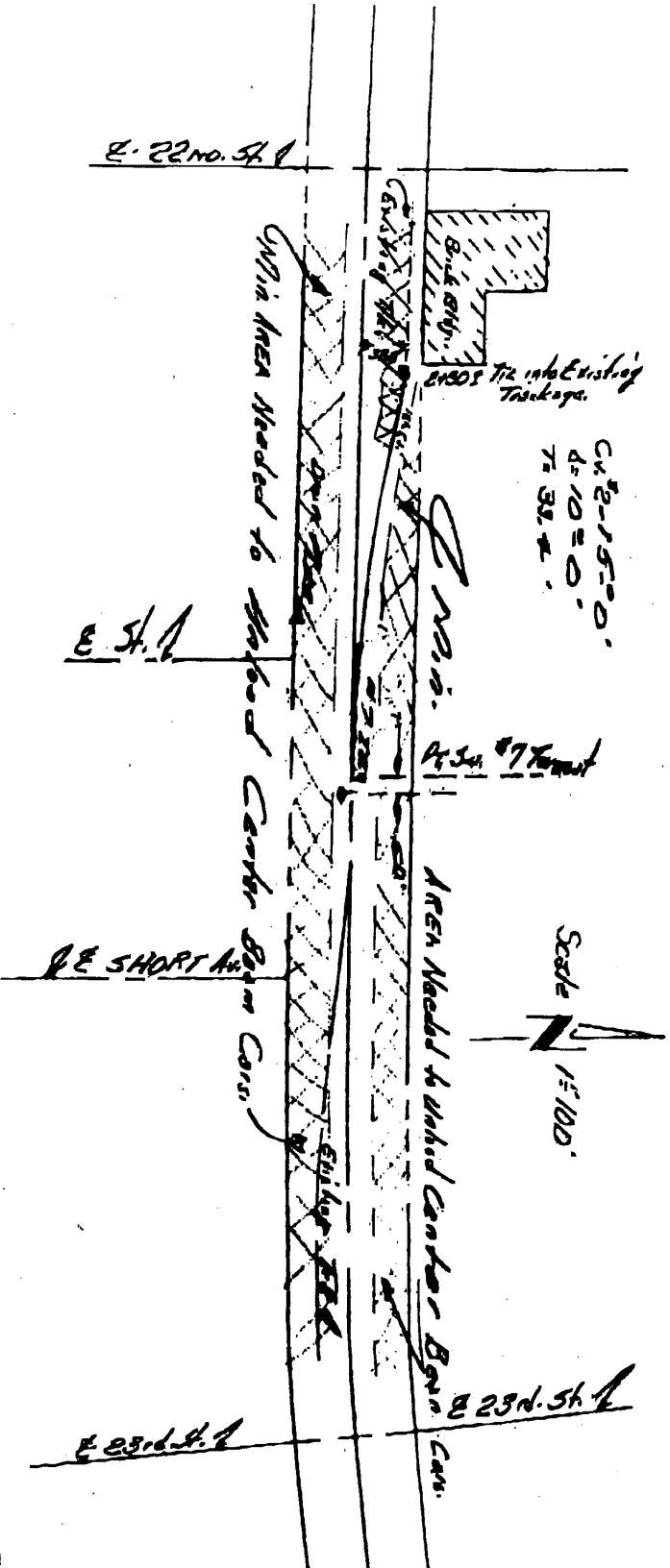
Pedersen #11



Robert W. Mitchell
President

62871
76080

P.O. Box 177
Bellevue, NE 68005



Note: The RAILS Co. has designed
Build 10.000 Trackage in Nebraska
for 25 years and our Pros. are approved
by the State of Nebraska.
R.W.M.

THE RAILS Co.
and LINCOLN LUMBER &
Industrial Spur Track to serve
Lincoln Lumber Co.
Oct. 12/1905
R.W.M.

9-17-00

Pedersen #12

fall 2000

Concerned about effluence water being planned
channeled down through middle of ETC. This
really not fair distribution.

- (a) City has no easement right to project water
(illegal) onto Railroad land
- (b) Disrupts ETC
- (c) Makes Neighbors Mad
- (d) subjects ETC some unnecessary costs & expense



LINCOLN LUMBER COMPANY

Lumber Division
932 No. 23rd Street
402/474-4488

P.O. Box 30373
Station A
Lincoln, Nebraska 68503

Millwork Division
2201 Dudley
402/435-5073

February 12, 2002

Roger Figard
Mike Merwick
Jim Visger

Dennis Bartels
Larry Worth
Brian Will

Byron Blum
Larry McNeil
Ray Hill

Gentlemen:

Lincoln Lumber as a whole is very concerned about meeting the needs requested of our company by our City over the long-term future of 25 to 30 years. We want to take care of Lincoln's needs the best we can. We have invested our time and our money to a noticeable extent.

Our Lincoln Lumber world really started to turn when UP filed for the abandonment of its track from 18th to 24th St. Next, we have invested our time and money into trying to improve this ground and to make long term plans related to this ground. We have been making plans related to this ground for some time. I verbally told the planning dept., building and safety dept. and public works that our long-term plans were to move the RR tracks to the south side of the land and then build several buildings on this land to house building material. All three departments told me that a sewer easement would not let Lincoln Lumber construct buildings over the top of this storm sewer easement.

The storm sewer project will prevent the above and be very costly to Lincoln Lumber as we won't be able to use the ground as planned. Further, Lincoln Lumber is very concerned about disruption to our daily business and the cost of this interference and disruptions.

Lincoln Lumber also wants to be upfront and tell all the departments about our future plans. We plan to apply to:

Rezoning lot 4, Block 1 Vine Street Addn. rezoning lots 5, 6 & 7 in Tresters Addn. from R-6 to I-1.

Vacate the 23rd Street alley between the north edge of the RR right-of-way and the south edge of lot 4, Block 1 Vine Street Addn.

Vacate the alley between 24th St. in Block 5 of Tresters Addn.

To rezone the R-6 zoning that is on railroad land south of A.K. Griffiths Addn. AA a result of meetings with codes dept., public works, planning and transportation, Lincoln Lumber is becoming prepared to file in the near future.

I realize as of this date the storm sewer route has not been determined. Maybe the above facts will help this determination. The decision is not up to Lincoln Lumber, but if it was the decision would be to route it some other than over Lincoln Lumber railroad land.

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13



LINCOLN LUMBER COMPANY

Lumber Division
932 No. 23rd Street
402/474-4488

P.O. Box 30373
Station A
Lincoln, Nebraska 68503

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Page 2
February 12, 2002

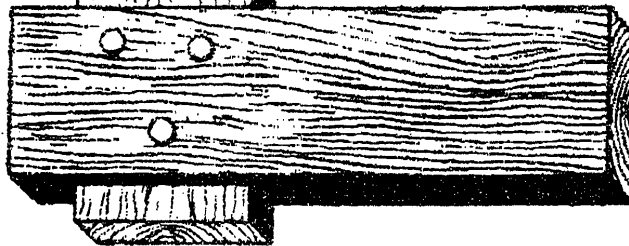
Lincoln Lumber will want a total and complete release of liability for anything related to this storm sewer construction responsibility and any long-term responsibility. There is a lot of stuff buried in this RR ground and on the surface of this ground.

We plan to ask Mark Hunsaker to help Lincoln Lumber with this complicated overlapping situation as Mark will understand all of this far better than we understand this whole matter. We will do our best to be timely with all of this. We will continue to be upfront as we have expressed above.

The people in all the departments have been very nice, helpful, cooperative, reasonable and just plain decent in every way regarding the zoning, vacations, the storm sewer and just everything. We appreciate very much your being this way. If you have any questions, or if anything comes up that Lincoln Lumber should be informed of, please let us know.

Sincerely

Don Hamill



First in Quality—First in Service

12 6-6-97 abandonment filed

List of phone calls and meetings to City personnel re: sewer.

11-8-00 - sale closed List of phone calls and meetings

5/14/01 bond issue

8/30/00	phone calls to Al Imig & Mike Michaelson
12/26/01	Phone calls to Al Imig and Larry McNeil
12/27/01	Phone to Lee Gustafson with E.A. Engr.
1/22/02	Phone call to Larry McNeil
2/6/02	Phone call from Rick Wilson
4/12/02	Phone call to Matt Lindburg
6/13/02	Phone call to Matt Lindburg
7/3/02	Received map from Olsson & Co.
11/19/02	Phone call from Matt Lindberg
11/21/02	Phone call to Matt Lindberg
1/10/03	Meeting with Clint Thomas
1/14/03	Set up meeting
2/18/03	Talked to Douglas Stevenson - surveyors
2/18/03	Meeting with Joel Pedersen, attorney
2/18/03	Phone call to Dave Skirodas
6/20/03	Meeting with Matt Lindborg & Brian Kramer

ITEMENT OF RAIL CARS

Pedersen #15

4341728

CAR		CONTENTS		Actually Placed			RELEASE		CALLED TO:							
Number				Date	Time		Date	Time								
5	6	4	1	5	0	2x4-1L	Viking	12	29	00	8:30A	12	29	00	5:25	Rogee
5	5	3	0	6	1	2x4-92 3/8 studs	Seaboard	12	29	00	8:30A	12	29	00	5:25	Rogee
5	5	7	9	0	7	2x4 92 3/8 studs	Seaboard	1	19	00	10:30A	1	22	01	4:00P	Rogee
		3	3	4	2	2x4 92 3/8 studs	LB5	1	3	01	10:30A	1	3	01	5:10	Rogee
		4	3	3	3	4x8 3/4 structural wood	Weyburne	1	10	01	1:00pm	1	11	01	11:50	Rogee
		1	0	2	0	4x8 3/4 structural wood	Weyburne	1	10	01	1:00pm	1	10	01	6:00	Rogee
		1	0	2	1	4x8 3/4 structural wood	Weyburne	1	9	01	9:00am	1	10	01	12:10	Rogee
		6	5	6	4	2x4 52 3/8 studs	Viking	1	9	01	9:00am	1	10	01	12:10	Rogee
5	5	8	3	4	1	4x8 7/8 structural wood	Viking	1	10	01	1:00pm	1	11	01	3:20	Rogee
2	5	0	0	6	2	2x6 92 3/8 structural wood	Viking	1	13	01	9:30A	1	18	01	4:30P	Rogee
		4	3	3	5	4x8 7/8 structural wood	Weyburne	1	3	01	10:30A	1	4	01	3:00P	Rogee
2	0	4	1	1	5	2x4 92 3/8 studs	Bramble	2	19	01	10:30A	2	20	01	10:10	Rogee
		4	3	4	3	4x8 3/4 structural wood	Weyburne	1	3	01	10:30A	1	4	01	3:00P	Rogee
		4	3	4	9	4x8 1/4 structural wood	Weyburne	1	15	01	9:30A	1	16	01	3:00P	Rogee
		1	0	2	2	4x8 7/8 structural wood	Weyburne	1	15	01	9:30A	1	15	01	3:00P	Rogee
		2	1	0	2	2x4 52 3/8 studs	Shannon	1	15	01	9:30A	1	16	01	4:30	Rogee
5	6	4	0	8	5	2x6 1/2 structural wood	Seaboard	1	19	01	10:30A	1	23	01	5:00	Rogee
		6	5	6	1	2x4 52 3/8 studs	Seaboard	1	17	01	12:00P	1	18	01	4:30P	Rogee
8	6	3	2	5	3	2x8-10-12	Weyburne	1	19	01	10:30A	1	22	01	4:00	Rogee
6	2	4	0	8	9	2x4 16	Seaboard	2	7	01	11:15	2	7	01	4:30	Rogee
2	4	9	9	4	7	2x4 10 3/8 studs	Weyburne	2	20	01	11:30	2	23	01	10:30	Rogee
8	6	2	2	0	2	2x8 2x10-2x12	Weyburne	2	22	01	10:50	2	23	01	10:50	Rogee

MENT OF RAIL CARS

ELDON

494-1778

CAR		CONTENTS	Actually Placed		RELEASE		CALLED TO:
Number			Date	Time	Date	Time	
04	3482	4x8 7/8 Structural	2 20	01 11:36	2 23	01 10:36	Rogel
10	235	4x8 7/8 Structural	2 21	01 16:00	2 29	01 4:26	Rogel
43	20	4x8 3/4 7/8 Structural	2 21	01 10:00	2 28	01 4:24	Rogel
10	204	4x8 3/4 7/8 Structural	3 22	01 9:30	3 22	01 3:20	Rogel
86	357	2x6 RL Seaboard	4 2	01 8:00	4 2	01 3:40	Rogel
86	1421	2x4B-2x4RL 11Kiny	4 2	01 8:00	4 2	01 3:40	Rogel
86	637	2x8-2x10-16 31000	5 24	01 8:00	5 24	01 5:00	Rogel
86	1095	2x4 8 7/8 11Kiny	7 17	01 7:30	7 17	01 5:30	Rogel
02	1462	2x4 10x8 11 Seaboard	7 17	01 7:30	7 18	01 2:16	Rogel
62	4561	2x4 RL Concession	8 3	01 7:30	8 6	01 8:30	Rogel
84	399	2x6 RL Concession	8 3	01 7:30	8 6	01 5:30	Rogel
35	638	2x4 5x6 11Kiny	8 6	01 7:30	8 6	01 5:30	Rogel
27	4061	2x8-2x10-2x11 11Kiny	8 3	01 7:30	8 5	01 5:30	Rogel
62	3859	2x4 8 3/8 11Kiny	11 2	01 7:30	11 2	01 3:30	Rogel
62	4160	2x6 5 1/2 11Kiny	11 12	01 7:30	11 12	01 4:25	Rogel
51	384	5x8 11Kiny	11 19	01 1:00	11 19	01 4:30	Rogel
72	785	2x4 RL 11Kiny	12 13	01 12:30	12 13	01 4:30	Rogel
21	208	2x4 RL 11Kiny	12 13	01 12:30	12 14	01 10:30	Rogel
21	032	2x4 RL 11Kiny	12 17	01 11:00	12 16	01 11:30	Rogel
35	8181	2x4 RL 11Kiny	12 21	01 16:30	12 26	01 2:30	Rogel
36	8245	2x4 RL 11Kiny	12 21	01 16:30	12 26	01 2:30	Rogel

MENT OF RAIL CARS

8100N
434-1779

CAR		CONTENTS		Actually Placed				RELEASE				CALLED TO:	
Number				Date	Time		Date	Time		Date	Time		
3	7 6 3 2 7	ORRONEO 4x8 3/4 R&D	1	5	62	2:00p	1	6	02	4:00	Eldon		
7	3 0 2 5 2	WEST FRIGATE CONCURRENCE 1533	1	14	02	12:00	1	15	02	2:00p	Eldon		
7	3 0 9 7 9	WEST FRIGATE CONCURRENCE 1533	1	22	02	2:00p	1	23	02	3:00	Eldon		
3	1 9 5 8 7	ORRONEO 3 1/2 R&D	1	17	02	2:00p	1	18	02	3:00p	Eldon		
1	1 9 0 1 6	ORRONEO 3 1/2 R&D	1	17	02	7:00	1	17	02	1:00p	Eldon		
7	1 3 0 7 8	ORRONEO 3 1/2 R&D	1	16	02	7:00p	1	16	02	4:30p	Eldon		
2	8 7 0 5 3	ORRONEO 3 1/2 R&D	1	7	02	7:30p	1	8	02	9:30	Eldon		
3	7 6 7 5 8	ORRONEO 3 1/2 R&D	1	13	02	7:00	1	17	02	4:00p	Eldon		
2	8 7 0 6 5	ORRONEO 3 1/2 R&D	1	7	02	7:30p	1	7	02	4:30	Eldon		
7	2 8 6 4 2	ORRONEO 1 1/2 1517 R&D	1	14	02	7:30p	1	14	02	10:30p	Eldon		
3	7 6 9 1 0	ORRONEO 7 1/2 1510 R&D	1	16	02	7:00p	1	16	02	4:30p	Eldon		
3	1 8 3 1 1	ORRONEO 1 1/2 1525 R&D	1	14	02	7:30p	1	15	02	2:00	Eldon		
7	6 0 6 1 1	ORRONEO 3 1/2 R&D 1529	1	11	02	7:30p	1	11	02	3:00p	Eldon		
7	6 0 6 1 1	ORRONEO 3 1/2 R&D 1530	1	10	02	7:00p	1	10	02	3:00	Eldon		
7	1 2 6 0 2	ORRONEO 3 1/2 R&D 1520	1	8	02	11:30p	1	8	02	4:10p	Eldon		
5	0 1 5 7 0	ORRONEO 3 1/2 R&D 1519	1	9	02	11:30p	1	9	02	10:30	Eldon		
7	2 4 0 7 6	ORRONEO 3 1/2 R&D 1526	1	10	02	7:00p	1	10	02	3:00	Eldon		
0	7 4 1 9 6	WEST FRIGATE CONCURRENCE 1533	1	17	02	7:00p	1	18	02	3:00	Eldon		
3	6 1 8 3	WEST FRIGATE CONCURRENCE 1533	1	26	02	7:00	1	29	02	3:00	Eldon		
2	2 3 9 4 4	WEST FRIGATE CONCURRENCE 1544 R&D	1	24	02	7:00	1	22	02	3:00	Eldon		
7	1 3 0 9 2	WEST FRIGATE CONCURRENCE 1544 R&D	1	27	02	7:00p	1	27	02	3:00p	Eldon		

CEMENT OF RAIL CARS

CAR		CONTENTS		Actually Placed		RELEASE		CALLED TO:
Number				Date	Time	Date	Time	
31	8401	1/2 4x8 orbond R10	1	21	02 7:00	27	02 3:00	Eldon.
1	0096	5/8 3/4 SE orbond R10	1	23	02 7:00	28	02 4:00	Eldon
3	7503	1/2 orbond R10	1	22	02 2:00	23	02 3:00	Eldon
3	7676	1/2 orbond R10	1	29	02 7:00	30	02 3:00	Eldon
6	2323	2x4 orbond R10	1	28	02 2:00	29	02 2:00	Eldon
3	4407	2x4 orbond R10	3	11	02 8:00	11	02 4:00	Eldon
6	2374	2x4 orbond R10	3	4	02 7:00	4	02 4:00	Eldon
5	2195	2x8 orbond R10	2	21	02 7:00	21	02 4:00	Eldon
3	7644	3/4 SE orbond R10	2	11	02 3:00	12	02 3:00	Eldon
1	4641	4x8 7/16 orbond R10	2	6	02 7:00	7	02 4:30	Eldon
1	9684	4x8 7/16 orbond R10	2	6	02 7:00	7	02 4:30	Eldon
7	6097	4x8 1/2 orbond R10	2	7	02 7:00	7	02 2:30	Eldon
7	3076	2x4 orbond R10	3	7	02 7:00	7	02 4:00	Eldon
2	6928	2x4 orbond R10	4	3	02 7:00	3	02 4:00	Eldon
6	2437	2x4 orbond R10	4	8	02 7:00	4	02 4:00	Eldon
2	1573	2x4 orbond R10	4	22	02 7:00	22	02 2:00	Eldon
3	4648	2x4 orbond R10	5	14	02 7:00	14	02 3:00	Eldon
8	4183	2x4 orbond R10	5	15	02 7:00	15	02 3:00	Eldon
6	2509	2x4 orbond R10	5	21	02 7:00	22	02 3:00	Eldon
5	6444	2x4 orbond R10	5	22	02 7:00	22	02 12:00	Eldon
5	6441	2x4 orbond R10	5	21	02 7:00	22	02 12:00	Eldon
6	2516	2x4 orbond R10	5	30	02 7:00	30	02 12:00	Eldon

EMENT OF RAIL CARS

CAR		CONTENTS	Actually Placed				RELEASE				CALLED TO:
Number			Date	Time			Date	Time			
62	4040	Gravel Empire 2x6	7	16	02	9:00	7	16	02	9:00	Eldon
62	5433	Gravel Empire 2x6	7	15	02	9:00	7	15	02	9:00	Eldon
62	4112	Gravel Empire 2x6	7	24	02	9:00	7	30	02	9:00	Eldon
37	6139	Gravel Empire 2x6	7	7	02	12:00	7	9	02	11:00	Eldon
14	3111	Gravel Empire 2x6	7	6	02	9:00	7	5	02	12:00	Eldon
76	0885	Gravel Empire 2x6	7	6	02	9:00	7	5	02	12:00	Eldon
37	5887	Gravel Empire 2x6	7	30	02	9:00	7	31	02	11:00	Eldon
30	0900	Gravel Empire 2x6	7	30	02	9:00	7	31	02	11:00	Eldon
86	3240	Gravel Empire 2x6	7	31	02	9:00	7	31	02	11:00	Eldon
62	3085	Gravel Empire 2x6	7	20	02	9:00	7	24	02	10:00	Eldon
95	5000	Gravel Empire 2x6	7	10	02	9:00	7	10	02	9:00	Eldon
73	2977	Gravel Empire 2x6	7	30	02	9:00	7	30	02	9:00	Eldon
31	8086	Gravel Empire 2x6	7	12	02	9:00	7	12	02	9:00	Eldon
68	4342	Gravel Empire 2x6	7	5	03	7:30	7	5	03	4:00	Eldon
56	4068	Gravel Empire 2x6	7	13	03	9:00	7	13	03	3:00	Eldon
76	0620	Gravel Empire 2x6	7	21	03	11:00	7	21	03	9:00	Eldon
76	0629	Gravel Empire 2x6	7	22	03	9:00	7	23	03	9:00	Eldon
86	1106	Gravel Empire 2x6	7	21	03	11:00	7	25	03	11:00	Eldon
15	2317	Gravel Empire 2x6	7	28	03	11:00	7	29	03	9:00	Eldon
25	0712	Gravel Empire 2x6	7	23	03	9:00	7	24	03	3:00	Eldon
76	0634	Gravel Empire 2x6	7	29	03	11:00	7	29	03	9:00	Eldon

CEMENT OF RAIL CARS

CAR			CONTENTS		Actually Placed		RELEASE		CALLED TO:
Number					Date	Time	Date	Time	
20033	2x4-8-9' steel	Rebar	1	22	03	5:00	21	03	11:00 Eldon g.
562397	2x4-8-9' steel	Rebar	1	30	03	7:30	31	03	4:10 Eldon
466214	2x4-8-9' steel	Rebar	2	7	03	9:00	7	03	8:00 Eldon
114049	2x4-8-9' steel	Rebar	2	13	03	8:00	13	03	5:00 Eldon
73033	2x4-8-9' steel	Rebar	2	3	03	9:30	5	03	4:00 Eldon
73021	2x4-8-9' steel	Rebar	2	3	03	9:30	5	03	4:00 Eldon
466234	2x4-8-9' steel	Rebar	2	13	03	8:00	13	03	5:00 Eldon
268300	2x4-8-9' steel	Rebar	2	14	03	9:00	17	03	8:00 Eldon
266771	2x4-8-9' steel	Rebar	2	12	03	8:00	12	03	5:00 Eldon
117006	2x4-8-9' steel	Rebar	2	12	03	8:00	12	03	5:00 Eldon
253629	2x4-8-9' steel	Rebar	2	7	03	9:00	7	03	8:00 Eldon
583079	2x4-8-9' steel	Rebar	2	20	03	5:00	24	03	9:00 Eldon
19115	2x4-8-9' steel	Rebar	2	10	03	8:00	10	03	3:00 Eldon
761064	2x4-8-9' steel	Rebar	2	10	03	8:00	11	03	3:00 Eldon
760794	2x4-8-9' steel	Rebar	2	25	03	10:00	26	03	4:00 Eldon
420721	2x4-8-9' steel	Rebar	2	27	03	9:00	28	03	9:00 Eldon
30016	2x4-8-9' steel	Rebar	2	27	03	9:00	28	03	9:00 Eldon
465221	2x4-8-9' steel	Rebar	2	6	03	9:00	7	03	9:00 Eldon
266825	2x4-8-9' steel	Rebar	2	6	03	9:00	7	03	9:00 Eldon
266841	2x4-8-9' steel	Rebar	2	17	03	8:00	17	03	4:00 Eldon
267557	2x4-8-9' steel	Rebar	2	18	03	8:00	19	03	4:00 Eldon
149002	2x4-8-9' steel	Rebar	2	18	03	8:00	19	03	4:00 Eldon

STATEMENT OF RAIL CARS

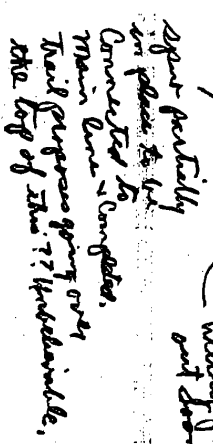
CAR		CONTENTS		Actually Placed		RELEASE		CALLED TO:
Initial	Number			Date	Time	Date	Time	
ASD	470421	1/2 on board	ASD	3 3	9:00	3 4	03 41:00	Eldon
MP	253591	1/2 on board	MP	3 17	03 8:00	3 17	03 9:00	Eldon
WSE	760833	1/2 on board	WSE	3 12	03 8:00	3 12	03 4:30	Eldon
WSE	020133	2nd RL	WSE	3 11	03 8:00	3 11	03 4:30	Eldon
WSE	152360	4th RL	WSE	3 19	03 8:00	3 20	03 12:00	Eldon
WSE	665197	4th RL	WSE	3 25	03 8:00	3 26	03 9:00	Eldon
WSE	733006	2nd RL	WSE	3 25	03 9:00	3 26	03 9:00	Eldon
WSE	873072	2nd RL	WSE	4 2	03 8:00	4 3	03 4:00	Eldon
WSE	214615	4th RL	WSE	3 31	03 8:00	4 1	03 11:00	Eldon
WSE	473306	2nd RL	WSE	4 3	03 8:00	4 4	03 4:00	Eldon
WSE	625626	2nd RL	WSE	4 15	03 8:00	4 16	03 4:00	Eldon
WSE	215311	2nd RL	WSE	4 10	03 8:00	4 11	03 4:00	Eldon
WSE	730623	2nd RL	WSE	4 17	03 8:00	4 18	03 4:00	Eldon
WSE	805330	2nd RL	WSE	7 23	03 12:00	7 24	03 9:00	Eldon
WSE	191000	4th RL	WSE	8 12	03 11:00	8 12	03 4:30	Eldon
WSE	533116	4th RL	WSE	12 29	03 9:30			

Exhibit 17 sewer plan 11 of 11 pages
included in Mantanga EA Engr 7-01321
papers X street 19-26

Exhibit 16 Housing Authority book
for 2003

part was included
as exhibit D in
our filing

10-19-05



Pedersen #19

North
East

32nd st. approx

21st st. approx

20th st approx

19th st approx

Lower Mainline
Main Line
Trackage of F&E Railroad

The 6" water main is about 100' from the street. It is in the way of the proposed main line. It is a good idea to move the water main to the south side of the main line. This would require a new water main line to be constructed. The water main is a good idea to move the water main to the south side of the main line. This would require a new water main line to be constructed.

approx East line of Commercial Electric

X - approx of the commonwealth line

"May have to move bridge & terminal to East further???"

May have to put the north-south line plans on the south side of the main line tracks but further east than originally planned by F&E

This ridge shows project but very harmful - damage to EC all economically about 100' long term. Can't build a great big bridge up of this.

Conclusion: Terminal 2 between 22nd & 19th have to be moved. Not feasible. Amount East & any bridge East also because proposed bridge & proposed stream shown interfering.

7-18-03

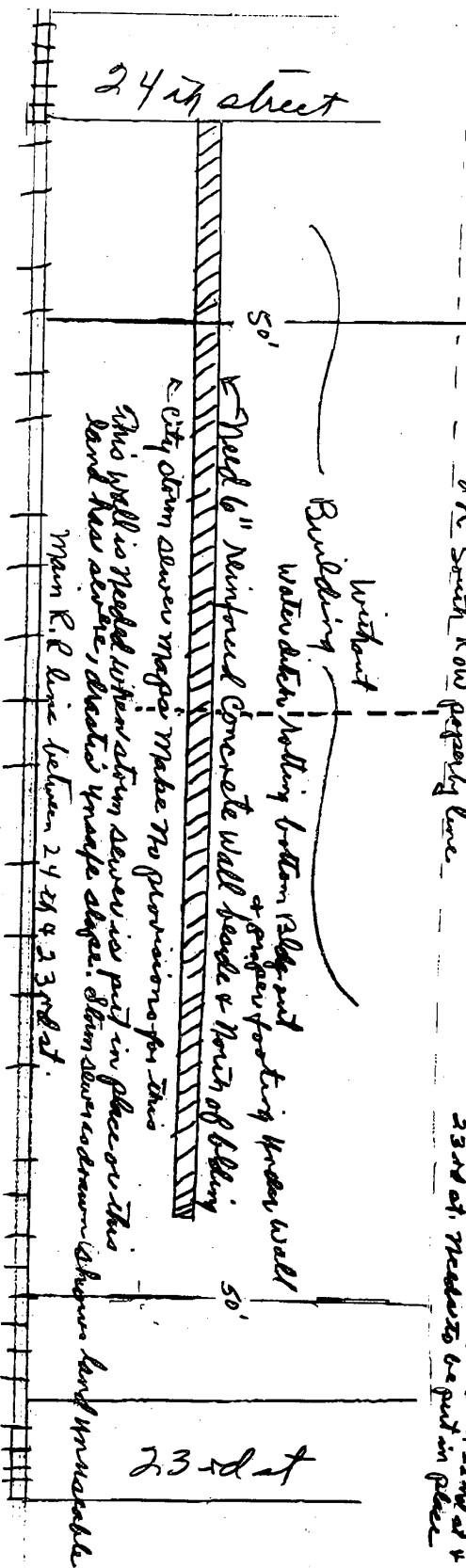
North
↑

25

3-14-03

I will make steel reinforcing
steering under all steel steel
reinforcing

This food over job done & piping
to obtain allow between 22 and 24
23 and 24. Measure to put in place



Pedersen #20

← East

West
↓

Important Note:
 For present planning of future planning of Don Hamell
 past planning of railroads

↑
west

South property line
of the RWD

Retaining Wall reinforced
with 100% useable
ballast & blockwork
operation.

Main Railroad Line
Tuckahoe

Sec 6 of 11 E.A. Engineering

scribing your track

1. This will disturb the
alt but storm nature
and the body to the permanently
2. Remains of people for being and,
the doesn't provide for concept and
to the land.
3. Need also plan for work in relation
4. Reason is waste for being accurate
plans of the said understanding.
5. This storm nature will be, danger
to the as development of agriculture to the
about being for the future.

Taken off from beginning
the 10% increase not of
the original but of the
new value after the
first year's depreciation.
So the value can't get
back where it was at
beginning.

East
↓

23rd st.

DANGEROUS - Yes.

Sept 1

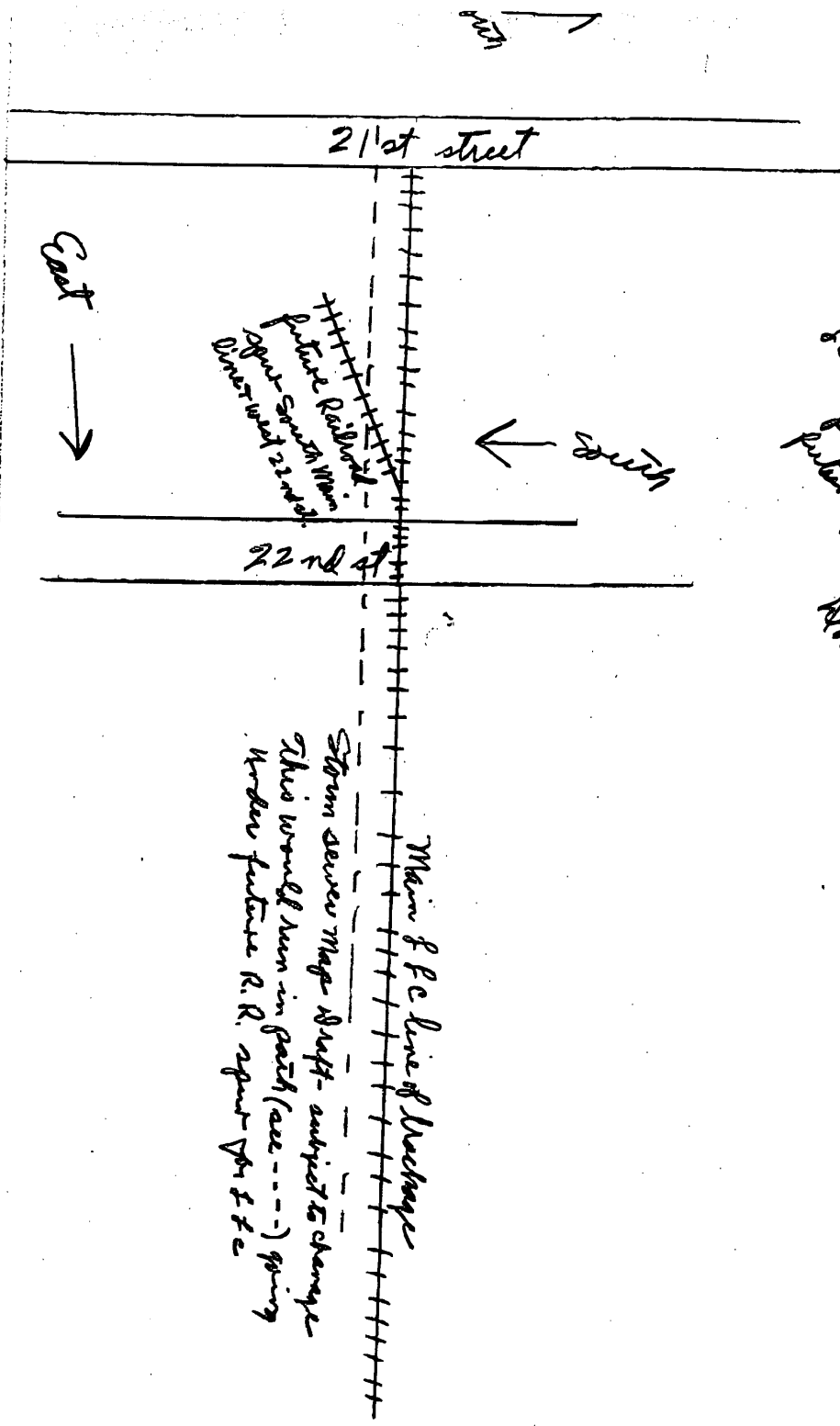
Short at
50' Row

South property line of the

Also in the pasture & now place
to pasture of the Marsh willow area
to the NW. Marsh & 100% a/c. level
about 500 ft. E of P.C. of 11 p.m. com. &
show that this drainage (photo) the
use of this intended for further building
& extension & growth etc. Can't have
photo's told over onto white of m. n. in

Important Note:
 F&C - Coast planning related to railroad
 F&C - Coast planning related to railroad
 F&C - Coast planning related to railroad
 F&C - Coast planning related to railroad

10-0-2



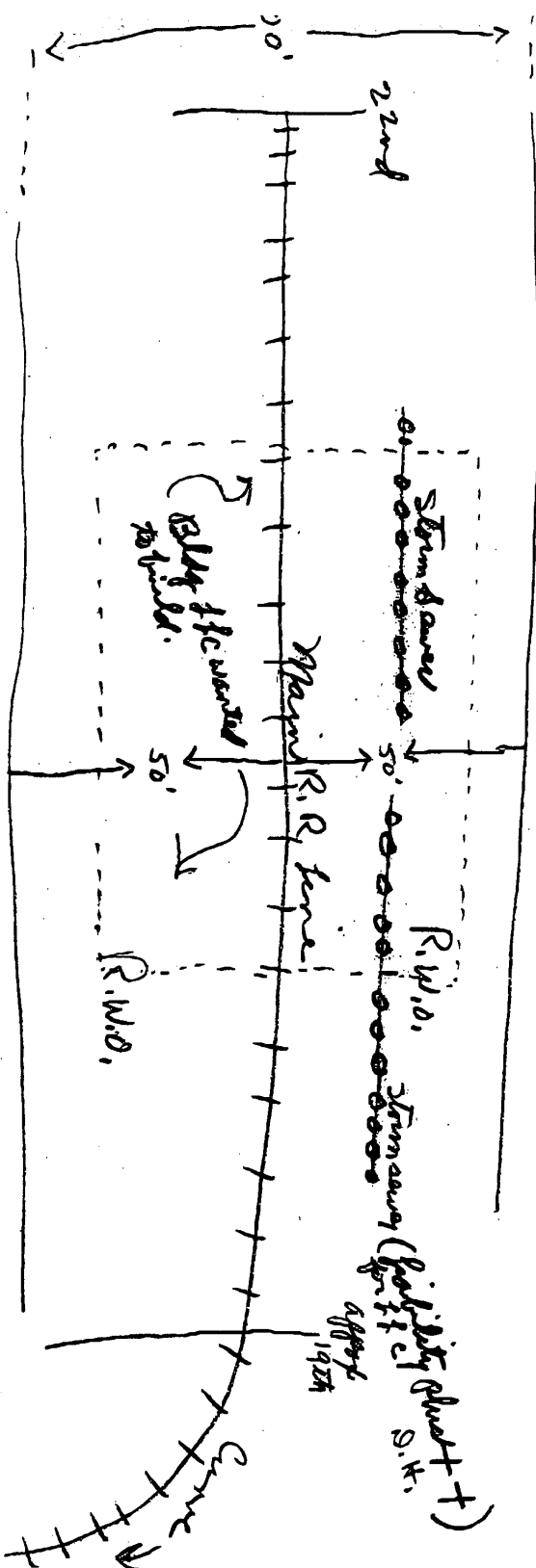
Main F&C line of trackage
 Stream serves map draft - subject to change
 This would run in path (see ---) going
 under future R.R. again per F&C

Pedersen #22

Pedersen #23

← →

Remained in contact
with 21 at
20th 21st



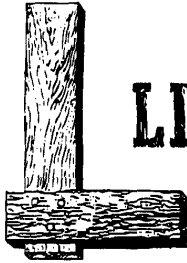
7/3/02 Receiving Mfg from Allison

the down
 downy
 +++ Main
 line
 approx
 1200
 planned

00000000 down downy
 ++++++ main tracks

Elder Men + Women, Can't
 Codes (Elder + safety) Men +
 East and West. This is

Edg. Mon't Wris. Can the Contractor (have to adjust to smaller Edg. & H. tower design).
Codas (Edg. & asph.) Mon't approve - Can't build this building over others about 100 ft.
East and West - this will impact the building side, pretty, expensive, a south planer.



LINCOLN LUMBER COMPANY

Lumber Division
932 No. 23rd Street
402/474-4488

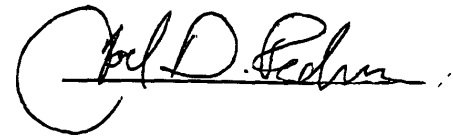
P.O. Box 30373
Station A
Lincoln, Nebraska 68503

Millwork Division
2201 Dudley
402/435-5073

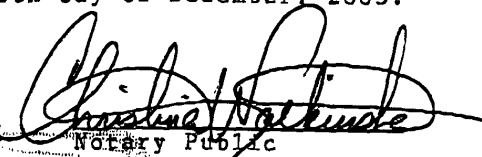
December 30, 2003

I acknowledge Discovery materials number 1-24 were
received by me this 30th day of December at 9:00 a.m.

Case: City of Lincoln
Petition for Declaratory order
Finance Docket No. 34425
Reply in Partial Opposition to Petition for Declaratory Order
Lincoln Lumber Company, Protestant



Subscribed and sworn to before me this 30th day of December, 2003.


Notary Public



First in Quality—First in Service