

212958



MICHAEL G. BRESLIN
COUNTY EXECUTIVE

JOSEPH F. PENNISI
DEPUTY COUNTY EXECUTIVE

COUNTY OF ALBANY
OFFICE OF THE EXECUTIVE
112 STATE STREET - ROOM 200
ALBANY, NEW YORK 12207-2021
(518) 447-7040 - FAX (518) 447-5589
WWW.ALBANYCOUNTY.COM

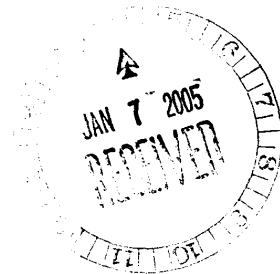
January 7, 2005

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K St., NW, Room 711
Washington, DC 20423-0001

ENTERED
Office of Proceedings

JAN 07 2005

Part of
Public Record



**Re: Request for Extension - Interim Trail Use/Public Use Conditions
Delaware & Hudson Railway Company, Inc. d/b/a Canadian Pacific Railway
Abandonment - Albany County, New York
STB Docket No. AB-156 (Sub-No. 23X)**

Dear Mr. Williams:

With regard to the referenced matter, on July 8, 2003, the Surface Transportation Board granted an initial request by Albany County for interim trail use/railbanking and public use conditions. The Surface Transportation Board subsequently granted a request by Albany County to extend the trail use negotiation period and the public use condition until January 10, 2005.

Since that extension was granted, Albany County has continued discussions with representatives of Canadian Pacific Railway Company regarding acquisition of the corridor and has just recently received the findings of an independent appraisal of the corridor commissioned by the County and Scenic Hudson Land Trust, Inc., our partner in this initiative. Additionally, Albany County anticipates a decision in the very near future on a pending grant application to the New York State Office of Parks, Recreation & Historic Preservation for acquisition funding assistance through the NYS Environmental Protection Fund and Land & Water Conservation Fund.

Notwithstanding our progress toward acquisition of the subject rail corridor, it will not be possible to complete negotiations with Canadian Pacific Railway Company before the January 10, 2005 deadline. Albany County, therefore, respectfully requests that an additional 180 days (through July 9, 2005) be granted as an extension to complete negotiations with Canadian Pacific Railway Company and to confirm the status of our

FILING FEE WAIVED

grant request for acquisition funding assistance. It is our understanding that Canadian Pacific is supportive of this extension.

Should you have any questions regarding this request or require additional information, please contact Mark Fitzsimmons, Director of the Albany County Department of Economic Development, Conservation & Planning at (518) 447-5665 or mfitzsimmons@albanycounty.com.

Thank you for your time and consideration in this matter.

Sincerely,



Michael G. Breslin
County Executive

Copy to: Diane Gerth Esq., Leonard, Street and Deinard
Stephen Fisk, Canadian Pacific Railway
John Dennison, Canadian Pacific Railway
Seth McKee, Scenic Hudson Land Trust Inc.
Mark Fitzsimmons, Albany County EDCP