

# CHAPMAN & CHAPMAN LLP

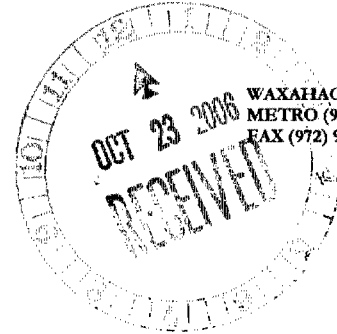
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October 13, 2006

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



Re: Docket No. AB-33 (Sub-No. 229X), Union Pacific Railroad Company-Abandonment  
Exemption--in Ellis County, Texas (Waxahachie Industrial Lead)

Dear Mr. Williams:

Enclosed please find an original and ten (10) copies of Petition for Extension of Notice of Interim Trail Use, for filing with the Board in the above-referenced matter. A copy is being sent served on Applicant's representative.

The filing fee is waived for the City of Waxahachie, Texas.

Very truly yours,

CHAPMAN & CHAPMAN LLP

By:

James S. Chapman  
Attorney for the City of  
Waxahachie, Texas

ENTERED  
Office of Filing & Indexing

OCT 23 2006

noted

JSC/sb  
Enclosures

CC: Mack H. Shumate  
Union Pacific Railroad  
101 N. Wacker Dr., Room 1920  
Chicago, IL 60606-1718

ORIGINAL

BEFORE THE  
SURFACE TRANSPORTATION BOARD

UNION PACIFIC RAILROAD COMPANY §  
ABANDONMENT EXEMPTION §  
IN ELLIS COUNTY, TEXAS §  
(WAXAHACHIE INDUSTRIAL LEAD) §

DOCKET NO. AB-33  
(SUB-NO. 229X)



PETITION FOR EXTENSION OF  
NOTICE OF INTERIM TRAIL USE

COPIES ARE WAIVED

CITY OF WAXAHACHIE, TEXAS  
401 S. Rogers  
Waxahachie, Texas 75165

Proposed Trail User

EXEMPTED  
Office of Proceedings

OCT 23 2006

Part of  
Petition

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Attorney for Proposed Trail User

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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|                                |   |                  |
|--------------------------------|---|------------------|
| UNION PACIFIC RAILROAD COMPANY | § |                  |
| ABANDONMENT EXEMPTION          | § | DOCKET NO. AB-33 |
| IN ELLIS COUNTY, TEXAS         | § | (SUB-NO. 229X)   |
| (WAXAHACHIE INDUSTRIAL LEAD)   | § |                  |

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**PETITION FOR EXTENSION FOR OF  
NOTICE OF INTERIM TRAIL USE**

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**BACKGROUND**

On February 1, 2006 the Surface Transportation Board ("Board") issued a Decision and Notice of Interim Trail Use or Abandonment the City of Waxahachie, Texas ("City") and Union Pacific Railroad Company ("UP") for the City and UP to be able to negotiate an agreement for interim trail use/railbanking for the Waxahachie Industrial Lead by July 31, 2006.

On July 28, 2006, the Board issued a Decision extending the NITU negotiating period to October 29, 2006.

The parties have negotiated in good faith and near to reaching a formal agreement. It is anticipated that additional time will be needed to formalize the contract, obtain the requisite appraisals and complete the transaction. An additional sixty (60) days should be sufficient.

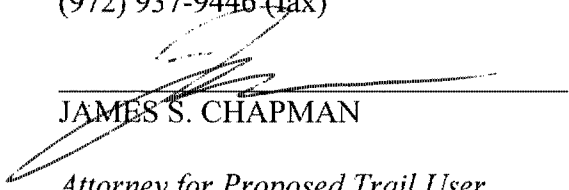
**CONCLUSION AND REQUESTED RELIEF**

WHEREFORE, it is requested that the Board should issue a sixty (60) day extension for Notice of Trail Interim Use authorizing the City and UP to negotiate for rail banking, interim recreational trail use and potential acquisition in fee of the right-of-way involved in this proceeding.

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401 S. Rogers  
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