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THOMAS F. MCFARLAND

June 19, 2007

By e-filing

Vernon A. Williams, Secretary
Surface Transportation Board
395 E Street, S.W., Suite 1149
Washington, DC 20024

Re: Docket No. AB-1012, *The Shops at Kingsbury Square, LLC -- Adverse
Abandonment -- Chicago Terminal Railroad in Chicago, Illinois*

Dear Mr. Williams:

Hereby transmitted is a Notice Of Withdrawal Of Petition For Partial Waiver Of
Abandonment Regulations And For Exemptions to be filed with the Board in the above
referenced matter.

Very truly yours,



Thomas F. McFarland
Attorney for Applicant

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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**THE SHOPS AT KINGSBURY SQUARE)
LLC — ADVERSE ABANDONMENT -) DOCKET NO. AB-1012
CHICAGO TERMINAL RAILROAD IN)
CHICAGO, ILLINOIS)**

**NOTICE OF WITHDRAWAL OF
PETITION FOR PARTIAL WAIVER
OF ABANDONMENT REGULATIONS
AND FOR EXEMPTIONS**

THOMAS F. McFARLAND
THOMAS F. McFARLAND, P.C.
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Attorney for Applicant

DATED: June 19, 2007

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**THE SHOPS AT KINGSBURY SQUARE)
LLC — ADVERSE ABANDONMENT -) DOCKET NO. AB-1012
CHICAGO TERMINAL RAILROAD IN)
CHICAGO, ILLINOIS)**

**NOTICE OF WITHDRAWAL OF
PETITION FOR PARTIAL WAIVER
OF ABANDONMENT REGULATIONS
AND FOR EXEMPTIONS**

On May 2, 2007, the Shops at Kingsbury Square, LLC (“The Shops”) filed a Petition for Partial Waiver of Abandonment Regulations and Exemptions pursuant to 49 C.F.R. §1152.24(e)(5) and 49 U.S.C. § 10502(a) with the Board in connection with a soon to be filed application for the “adverse abandonment” of a one half (.5) mile long line of railroad (“the Line”) owned and operated by Chicago Terminal Railroad in Chicago, IL. The Line is located between the north edge of North Avenue and its terminus near the intersection of Division and Halsted Streets. Additionally, The Shops sought exemptions from the offer-of-financial-assistance (OFA) provisions of 49 U.S.C. § 10904 and the public use provisions of 49 U.S.C. §10905, in conjunction with the proposed adverse abandonment of the Line.

Shortly after the filing of this Petition, the Shops and CTR negotiated an agreement whereby The Shops agreed to purchase and CTR agreed to sell a spur track and railroad easement that connect with the Line that is the subject of this Petition.

Accordingly, and as partial consideration for this transaction, the Shops have agreed to withdraw this Petition with prejudice and not to prosecute the associated “adverse abandonment” application. Accordingly, the Shops request Board permission to withdraw the above-captioned Petition with prejudice.

Respectfully submitted,

Thomas F. McFarland

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Attorney for Applicant

DATED: June 19, 2007

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of June, 2007, I served the foregoing document, Notice Of Withdrawal Of Petition For Partial Waiver Of Abandonment Regulations And For Exemptions, on John D. Heffner, Esq., John D. Heffner, PLLC, 1920 N Street, N.W., Suite 800, Washington, DC 20036, by e-mail to j.heffner@verizon.net.

Thomas F. McFarland

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