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July 19, 2017

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VIA E-FILING

The Honorable Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E Street, S.W., Room #100
Washington, DC 20423-0001

ENTERED
Office of Proceedings
July 19, 2017
Part of
Public Record

RE: Proposed Abandonment and Discontinuance of Service over the Lexington Industrial Lead from Milepost 246.49 near Myrick to Milepost 243.58 near Lexington, a distance of 2.91 miles in Lafayette County, Missouri; STB Docket No. AB-33 (Sub-No. 297X)

Dear Ms. Brown:

Union Pacific Railroad Company ("Union Pacific") has received a request from the City of Lexington, Missouri ("City") dated July 5, 2017 seeking a 180-day extension of the negotiation period for interim trail use and rail banking under the provisions of 16 U.S.C. §1247(d) and 49 C.F.R. § 1152.29 regarding that portion of the Union Pacific's right-of-way known as the Lexington Industrial Lead, as defined above, a distance of 2.91 miles in Lafayette County, Missouri. The current negotiation period is scheduled to expire on July 28, 2017.

The Union Pacific is willing to continue to negotiate with the City concerning the acquisition of the subject property for trail use and supports the City's request for a 180-day extension of the negotiation period to January 25, 2018. A copy of the City's request is attached hereto as **Exhibit A** and is hereby made a part hereof.

Sincerely yours,

Mack H. Shumate, Jr.
Senior General Attorney

Attachment

Valoree Maycock
Attorney At Law • Mediator

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LEXINGTON, MO 64067

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EXHIBIT A

RECEIVED

JUL 12 2017

LAW DEPARTMENT
UNION PACIFIC RR CO.

July 5, 2017

The Honorable Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E. Street, S. W. Room #100
Washington, D.C. 20423-0001

**RE: Decision and Notice of Interim Trail Use or Abandonment Union Pacific Railroad
Company – Abandonment Exemption – In Lafayette County, Missouri Docket No. AB 33
(Sub-No. 297X) Service Date – January 29, 2017**

Dear Ms. Brown:

Under the above described Decision, the Notice of Interim Trail Use (NITU) for purposes of negotiation was granted January 29, 2017, and the permit for public use negotiations was granted until July 28, 2017.

At this time, the City of Lexington, a third class city, situated in Lafayette County, Missouri, is formally requesting extension of the NITU for purposes of negotiation with Union Pacific Railroad Company, and permit an additional 180 days from July 28, 2017, for those public use negotiations. This additional time is being requested in anticipation of fully completing this negotiation process during this period. The parties are very close to final settlement of this matter. Pursuant to discussions with Union Pacific Railroad Company representatives, the Company has no objection to this request.

On behalf of the City of Lexington, I appreciate your consideration of this request. Please contact me at your earliest convenience if you should have any questions.

Sincerely,



Valoree Maycock
Attorney for the City of Lexington, Missouri

cc: Mack H. Shumate, Jr. - Union Pacific Senior General Attorney ✓
Rick Harris, Union Pacific Real Estate Department
Jerry Brown - Mayor, City of Lexington, Missouri
Mark Rounds - Lexington City Administrator

CCDY