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Forest Preserve District of DuPage County

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March 5, 2008

Via Fax and U.S. Mail

Mr. Michael F. Deegan
Regional Manager
Business Development & Real Estate
Canadian National Railroad Company
17641 S. Ashland Ave.
Homewood, IL 60430

Re: Canadian National Railway Company—EJ&E West Company
Pratt's Wayne Woods Forest Preserve—Munger Road
STB Finance docket No. 35087

Dear Mr. Deegan:

I am writing as a follow-up to the letter you received from the General Counsel for the Forest Preserve District of DuPage County ("District") dated February 8, 2008, concerning the request by Canadian National Railway Company ("Canadian National") to acquire a portion of the Pratt's Wayne Woods Forest Preserve for the proposed track connection near Munger Road in DuPage County, Illinois. As the attorney stated in his letter, the District does not have the authority under Illinois law to convey property to the railroad. Additionally, despite the request of our attorney, Canadian National has not provided the District with any evidence that the railroad has the power to acquire District property through eminent domain.

Because the District cannot legally convey property to Canadian National, the Board of Commissioners directed me to officially notify you that there is no reason to continue any further discussions or negotiations concerning the railroad's request to acquire a portion of the Pratt's Wayne Woods Forest Preserve. I hope, however, that Canadian National will work together with the District to address the issues raised by the District in its correspondence to the Surface Transportation Board dated February 14, 2008.

Please do not hesitate to contact me directly if you have any questions regarding this matter.

Very truly yours,

D. "Dewey" Pierotti, Jr.
President

cc: Hon. Charles D. Nottingham, Chairman
Victoria Ruston, SEA Chief
Phillis Johnson-Ball, SEA Deputy Chief
Brent Manning, Executive Director

Surface Transportation Board

CN-EJ&E EIS - FD-35087

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EXECUTIVE OFFICES

FAX TRANSMISSION

FAX NUMBER 630-933-7093

TO:	Victoria Ruston
FIRM:	STB
FAX NO.:	202/245-0454
DATE:	March 5, 2008
FROM:	Flo Orlik
TOTAL PAGES: (Including Cover Sheet)	2

MESSAGE:

Canadian National Railroad, STB Finance Docket No 35087

Copy being sent by regular mail:

YES ☐

NO ☐

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