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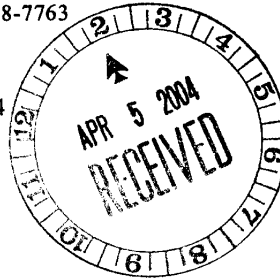
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April 5, 2004



ENTERED
Office of Proceedings

APR 05 2004

Part of
Public Record

Honorable Roger Nober
Chairman
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423

Re: Docket No. AB 167 (Sub-No. 1094)A, *Chelsea Property Owners—Abandonment—
Portion of the Consolidated Rail Corporation's West 30th Street Secondary Track in New
York, New York*

Dear Sir:

On October 7, 2003, this Board issued a Decision granting the request of The City of New York, NY ("the City") and the Chelsea Property Owners ("CPO") to hold this proceeding in abeyance until January 5, 2004. On January 7, 2004, this Board issued an order holding this proceeding in abeyance for an additional ninety (90) days through and including April 5, 2004.

Because discussions with CPO as well as with other interested parties are continuing in good faith but have not yet resolved all outstanding issues, the City is hereby requesting the Board to hold the proceedings in the above-referenced matter in abeyance for an additional period of ninety (90) days, and to refrain during that period from issuing a decision with respect to the various motions now pending. At the end of the requested ninety-day period, the City will report to this Board on the status of these negotiations.

Counsel for CPO, for Friends of the High Line ("FOHL"), and for CSX Transportation, Inc, and Consolidated Rail Corporation have authorized undersigned counsel to state that they do not oppose the request to hold the proceedings in abeyance for 90 days.

I am attaching an extra copy of this letter that I would appreciate having date-stamped and returned to our messenger. In addition, I am providing Mr. Vernon A. Williams, the Board's Secretary, with a copy of this letter for inclusion in the docket of this proceeding. Thank you for your attention to this matter.

Respectfully submitted,

Charles A. Spitulnik
Charles A. Spitulnik
Counsel for The City of New York, NY

cc: All parties of record in Docket No. AB 167 (Sub-No. 1094)A