

302659

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**ENTERED
Office of Proceedings
July 1, 2021
Part of
Public Record**

STB Docket No. AB 6 (Sub-No. 493X)

**BNSF RAILWAY COMPANY - ABANDONMENT EXEMPTION
IN COOK COUNTY, ILLINOIS.**

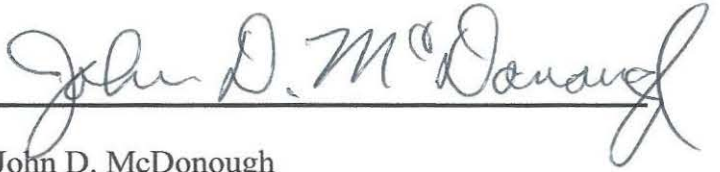
CITY OF CHICAGO'S MOTION TO WITHDRAW PETITION FOR NITU

Background. On September 26, 2016, the City of Chicago, Illinois ("Chicago") filed a request for issuance of a notice of interim trail use ("NITU") and public use condition ("Petition") for an approximately 0.89-mile rail line (the "Lumber Street Line") on BNSF Railway Company's Lumber District Lead beginning just west of Laflin Street at Engineering Station 118+00 and proceeding east along West Cermak Road to the most easterly point at Engineering Station 157+65 and heading north along the Sangamon Street Lead at Engineering Station 163+50, including both legs of the wye, in Chicago, Cook County, Illinois. On November 23, 2016, the Board issued its NITU as Decision #45227, permitting Chicago to negotiate with BNSF Railway Company ("BNSF") for trail use for the Lumber Street Line. On April 15, 2021, STB granted the most recent extension to March 6, 2022, as Decision #50684.

BNSF and Chicago have entered into discussions likely to result in a conveyance of the Lumber Street Line without the need for railbanking. Accordingly, Chicago requests to withdraw its Petition for NITU and allow BNSF's consummation of the abandonment to proceed. Counsel for BNSF has informed the undersigned that BNSF consents to this Motion.

Request. The City of Chicago hereby requests withdrawal of its Petition and termination of the NITU. Pursuant to 49 CFR § 1002.2(e)(1), the filing fee for this motion is waived.

Respectfully submitted,

A handwritten signature in black ink, reading "John D. McDonough". The signature is written in a cursive style with a horizontal line drawn underneath it.

John D. McDonough
Counsel for City of Chicago, Illinois

John D. McDonough
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Date: July 1, 2021

**CERTIFICATE OF
SERVICE**

I hereby certify that on July 1, 2021, I caused copies of the foregoing Motion to Withdraw Petition for NITU to be served by email upon all Parties of Record, including the following:

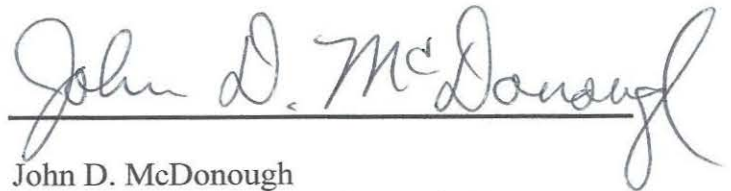
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Respectfully submitted,

A handwritten signature in dark ink, reading "John D. McDonough". The signature is written in a cursive style with a horizontal line underneath the name.

John D. McDonough
Counsel for City of Chicago, Illinois