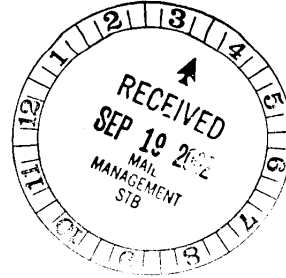


206225

MICHAEL A. CARDOZO
Corporation Counsel



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, N.Y. 10007-2601



September 19, 2002

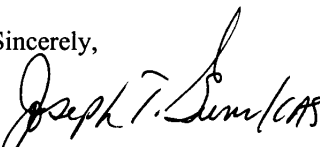
Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

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

Dear Sir:

I am enclosing an original and ten copies of the Motion of the City of New York to Seek to Extend the City's Time to Reply to the Motion by Chelsea Property Owners that a Certain Settlement Agreement Satisfies the Surety Condition in the ICC's September 16, 1992 Order in this Proceeding, and to the Friends of the Highline, Inc.'s Petition to Reopen the 1992 Abandonment Decision, to December 17, 2002, in the above referenced proceeding. An additional copy is enclosed for date-stamp and return to our messenger. Please note that a 3.5 inch diskette is enclosed with this document.

Sincerely,


Joseph T. Gunn

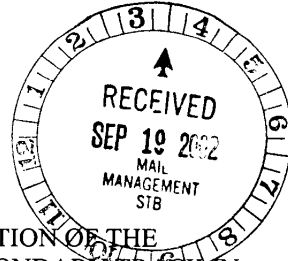
Enclosure

cc: All parties of record

BEFORE THE
SURFACE TRANSPORTATION BOARD

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



**MOTION OF THE CITY OF NEW YORK TO SEEK TO EXTEND THE CITY'S TIME
TO REPLY TO THE MOTION BY CHELSEA PROPERTY OWNERS THAT A
CERTAIN SETTLEMENT AGREEMENT SATISFIES THE SURETY CONDITION IN
THE ICC'S SEPTEMBER 16, 1992 ORDER IN THIS PROCEEDING, AND TO THE
FRIENDS OF THE HIGHLINE, INC.'S PETITION TO REOPEN THE 1992
ABANDONMENT DECISION, TO DECEMBER 17, 2002**

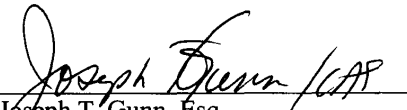
1. The City of New York (the "City") submits this motion to request the Surface Transportation Board ("STB") to extend the time for the City to respond to the Motion of Chelsea Property Owners ("CPO") for an order finding that an Agreement for Voluntary Abandonment and Charitable Contribution satisfies the surety condition in the ICC's September 16, 1992 order in the captioned proceeding, and to The Friends of the High Line, Inc.'s ("FOHL") Petition to Reopen the 1992 abandonment decision, for a period of ninety (90) days, until December 17, 2002, and to inform the STB of the City's position with respect to this proceeding.
2. Mayor Bloomberg and his staff are awaiting the results of a study commissioned by FOHL on the feasibility and financial implications of reuse and rehabilitation of the High Line before making any decisions regarding the High Line. CPO has commissioned its own study as well, which the administration will also take into consideration. The City will finalize its position on the High Line after taking these results into account. The studies are expected to be completed

within the next week, and the administration will be able to make its decision and reply to the motions of CPO and FOHL within ninety days from the date hereof.

3. In order for the administration to fully and carefully consider the studies being conducted and formulate its response to the positions taken by the parties to this proceeding, the City requests that the Board postpone ruling on the motions made by CPO and by FOHL and to grant the City an extension of time to reply to such motions until December 17, 2002.

Respectfully submitted,

THE CITY OF NEW YORK

By: 
Joseph T. Gunn, Esq.
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Tel. 212-788-1169
Fax. 212-227-5648
Email: JGunn@law.nyc.gov

Dated: September 19, 2002

Certificate of

I, Joseph Gunn, certify that on the 19th day of September, 2002, I caused a copy of the foregoing MOTION OF THE CITY OF NEW YORK TO SEEK TO EXTEND THE CITY'S TIME TO REPLY TO THE MOTION BY CHELSEA PROPERTY OWNERS THAT A CERTAIN SETTLEMENT AGREEMENT SATISFIES THE SURETY CONDITION IN THE ICC'S SEPTEMBER 16, 1992 ORDER IN TIES PROCEEDING, AND TO THE FRIENDS OF THE HIGHLINE, INC.'S PETITION TO REOPEN THE 1992 ABANDONMENT DECISION, TO DECEMBER 17, 2002 to be served by first class mail on the parties listed below.

Counsel

Represents

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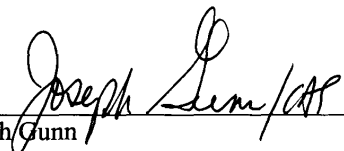
(MTA)

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(Friends of the High Line)

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(CPO)



Joseph Gunn

Dated: September 19, 2002