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301603

February 12, 2021

Ms. Cynthia Brown
Chief, Section of Administration
Surface Transportation Board
395 E Street, SW
Washington, DC 20024

ENTERED
Office of Proceedings
February 16, 2021
Part of
Public Record

**RE: Union Pacific Railroad Company
Abandonment of St Charles, IL Lead
STB Docket No. AB-33 (Sub-No. 284X)
Petition for Interim Trail Use**

Dear Chief Brown:

On July 9th, 2010, the City of St Charles, IL, the County of Kane, Forest Preserve District of Kane County, and the St Charles Park District jointly filed a request for Public Use Condition and a request for Interim Trail Use Condition (NITU) for approximately 3.17 miles of railroad between milepost 35.13 and milepost 38.3 near St Charles, IL. By order dated September 21, 2011, the Board granted the request to implement interim trail use negotiations as specifically set forth in the order, for a period of 180 days commencing from September 21, 2011, and ending on March 21, 2012. This request has been extended and updated from time to time since 2012.

The City of St Charles, IL wishes to continue to work with local partner jurisdictions to compile specific information in efforts to satisfy our negotiating needs, and has been in direct contact with Union Pacific; however, we do not believe that the parties will be able to finalize negotiations by the end date of the order. Therefore, the City respectfully requests the Board to grant a 360 day extension until February 15, 2022 or such time so indicated by the Board.

Enclosed please find the original and ten (10) copies of this letter. Also, it is my understanding that the filing fee of \$450.00 is waived for Government Agencies requesting extension of NITU negotiations as to STB Docket No. AB-33 (Sub-No. 284X)

RAYMOND P. ROGINA *Mayor*

MARK KOENEN, P.E. *City Administrator*

TWO EAST MAIN STREET

ST. CHARLES, IL 60174

PHONE: 630-377-4400

FAX: 630-377-4440

www.stcharlesil.gov

FILING FEE WAIVED

Union Pacific Railroad Company. Please time and date stamp a copy of this letter and return it with the self-addressed stamped envelope.

We are also sending a copy to Union Pacific Railroad Company, by US Mail, postage prepaid, first class, on this 12th day of February, 2021.

Thank you for your consideration of this request, and please contact me should you have and questions or concerns.

Very Truly Yours,



Peter Suhr
Director of Public Works, City of St Charles, IL

CC: Mack Shumate, General Attorney
Union Pacific Railroad
101 North Wacker Drive, Suite 1920
Chicago, IL 60606

Holly Cabel, Director- St Charles Park District
Monica Meyers, Director- Kane County Forest Preserve
Carl Schoedel, Director- Kane County Division of Transportation

Dan Parker, Union Pacific Railroad
1400 Douglas Street, Stop 1690
Omaha, NE 68179

Richard Welsh
National Association of Reversionary Property Owners
1100 Bellevue Way NE Ste. 8A PMB719
Bellevue, WA 98004
Email – dick156@earthlink.net



ST. CHARLES PARK DISTRICT

101 South Second Street • St. Charles, IL 60174 • Ph: 630-584-1055 • Fax: 630-584-1396 • stcparks.org

February 8, 2021

Mr. Peter Suhr
Public Works Director
City of St. Charles
2 E. Main Street
St. Charles, IL 60175

Dear Mr. Suhr,

I wanted to provide you a brief update on where our agency is at in our initiative to acquire the parcels of the Union Pacific Railroad (UPRR) property for the purpose of developing a bike path, trail linkages and pedestrian plazas. In the summer of 2018, the St. Charles Park District applied for a Land and Water Conservation Fund (LWCF) grant to fund the acquisition of the UPRR parcels between Randall Road and the Fox River. We were notified in January 2019 that we have been awarded the grant for \$473,600 for UPRR land acquisition.

We have had the property appraised and are closely following the negotiations between the UPRR and the Forest Preserve District of Kane County, as they are in active conversations that will result in a timeline and process for us to follow suit on the next adjacent segment of property.

I have attached an exhibit that outlines the current scope of our project. We look forward to bringing this amenity to St. Charles and working with our community partners to make it a reality. If you have any questions, please let me know.

Laura M. Rudow

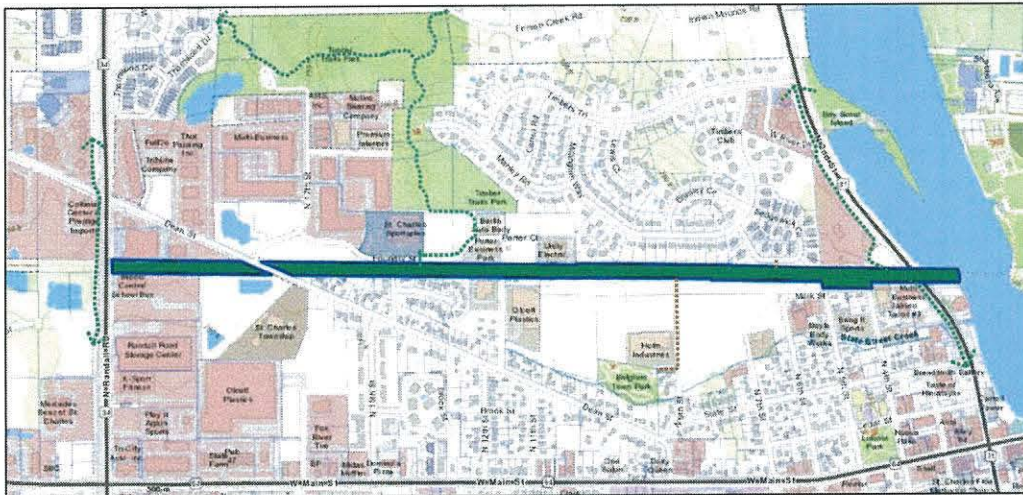
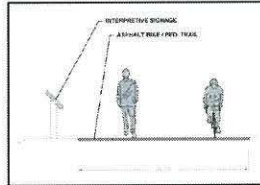
Laura Rudow
Superintendent of Parks and Planning
St. Charles Park District
lrudow@stcparks.org



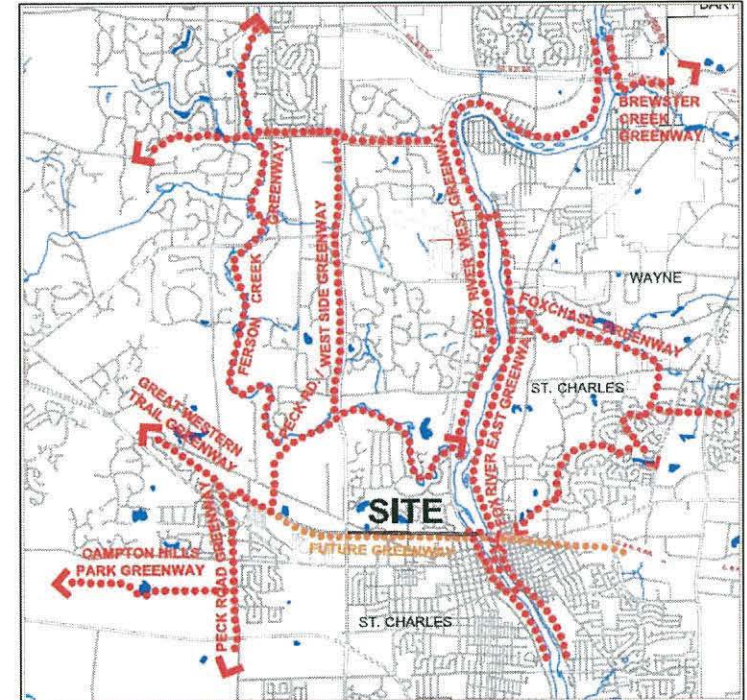
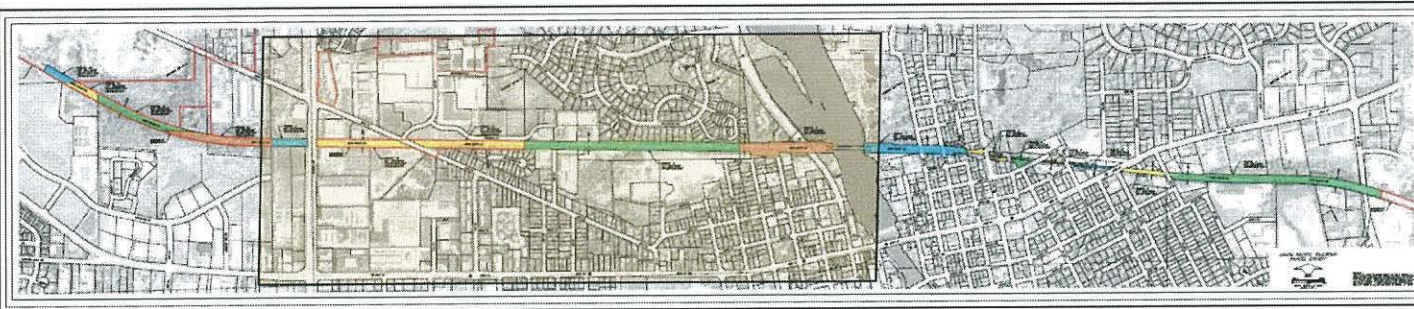
Bike & Pedestrian Trail -- Acquisition & Development Plan

UNION PACIFIC RAILROAD PARCEL

Randall Road to the Fox River



Phase 1 Project Limits

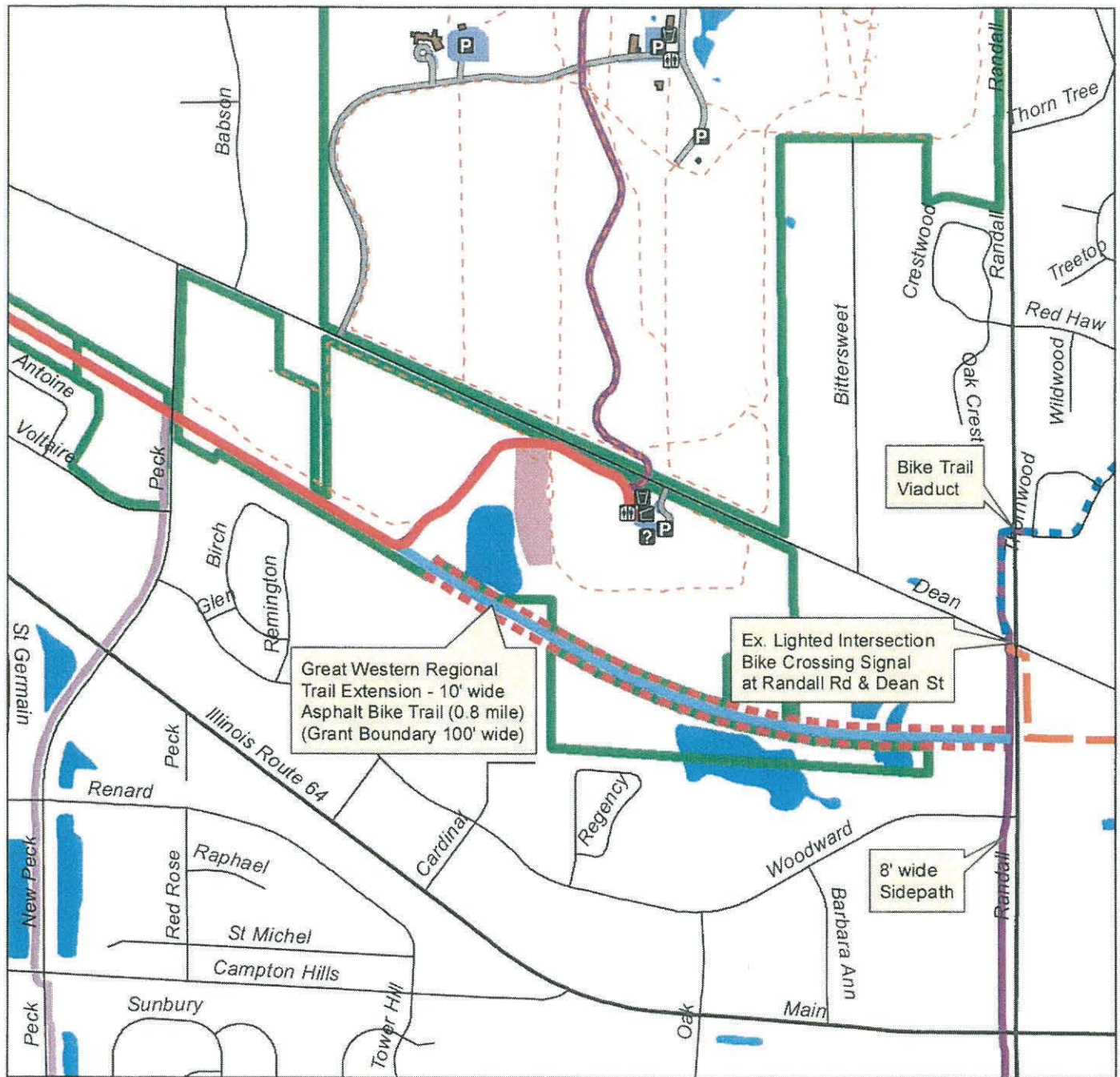


04/23/18



2017 Grant - Site Development Plan

Great Western Regional Trail Extension-Acquisition



Legend

	Information		Road
	Parking		Major Road
	Shelter		Forest Preserve Road
	Restroom		Grant Boundary
	Water		Forest Preserve
			Structure-Existing
			Illinois Nature Preserve
			Open Water

Trail Information

	Forest Preserve Internal Trail
	Great Western Trail
	GREAT WESTERN TRAIL EXTENSION
	LeRoy Oakes to Wildrose Trail (On street)
	Great Western Trail Extension Future StC-PD
	Peck Road Trail / Mid County Trail
	Randall Road Trail





1996 South Kirk Road, Suite 320, Geneva, Illinois 60134

Christopher W. Kiouss, President
Monica A. Meyers, Executive Director

(630) 232-5980
Fax: (630) 232-5924
www.kaneforest.com

February 08, 2021

Mr. Peter Suhr
Director of Public Works
City of St. Charles
2 E. Main Street
St. Charles, IL 60174-1984

Re: Great Western Trail Extension at Leroy Oakes Forest Preserve

Dear Mr. Suhr:

Per your request, the following is an update regarding the active Great Western Trail Extension Project at the Leroy Oakes Forest Preserve.

Since the February 2020 update, the District continued working with Patrick Engineering on Phase II engineering. In accordance with the IDOT grant, Phase II engineering included land appraisal and land acquisition negotiation services. Jensen Right of Way Associates, Inc. was the subcontractor responsible for the land appraisal and land negotiation services. The consultants completed a new/updated appraisal and, following the District's approval, made an offer in July 2020 to the Union Pacific Rail Road at the appraised value. The UPRR rejected the offer in September 2020 and, though several attempts were made by Jensen, the UPRR was nonresponsive to provide a formal counter offer. As required by IDOT, in the case that negotiations have failed to move forward, a 60 day notice of intent to file condemnation was submitted to the UPRR in September 2020. A resolution authorizing condemnation action against the UPRR was passed by the Forest Preserve District Commission in November 2020 with an updated resolution passed in February 2021. The District's hope is that the notice will spur consideration by the UPRR to proceed with negotiation by submitting the District a counteroffer with documentation as to the valuation of such counteroffer. Therefore, avoiding condemnation proceedings.

The following is the chronology of previous updates:

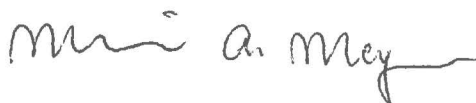
Our February 27, 2019 update indicated the District had acquired an Illinois Department of Transportation (IDOT) CMAQ grant for the purposes of assisting in the costs to acquire the necessary 8 acres of land currently owned by Union Pacific Railroad between the Leroy Oakes Forest Preserve to Randall Road as well as phase II (final design/land acquisition/bid documents), phase III (construction oversight) and construction. As required by the grant, the District had budgeted the funding for its grant match. Additionally, the District had completed Phase I engineering and secured the contract for Phase II engineering services; with both under review with IDOT.

Our August 8, 2019 update noted that the District had received approval from IDOT on the completed Phase I engineering review and IDOT was in the process of reviewing the Phase II engineering contract.

Our February 12, 2020 update noted the District had received approval from IDOT for the Phase II engineering contract. Engineering is scheduled to be completed in 2021. Bid letting and construction are anticipated immediately thereafter in 2021 through IDOT's letting process and schedule.

Please contact me at 630-232-5981 or meyersmonica@kaneforest.com should you have any questions or need further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Monica A. Meyers", with a stylized flourish at the end.

Monica A. Meyers
Executive Director



BUILDING AMERICA®

February 3, 2021

Via Email to kdobbs@stcharlesil.gov

Peter Suhr
Public Works Director
City of St Charles, IL

RE: Union Pacific--Abandonment Exemption--In Kane County, Illinois, AB 33 (Sub-No. 284X)

Dear Mr. Suhr:

In response to your letter dated February 3, 2021, Union Pacific is agreeable to your request to extend the NITU negotiating period in the above-captioned matter.

Please feel free to contact me if I can be of further assistance.

Sincerely,

/s/ Jeremy Berman

Jeremy Berman