

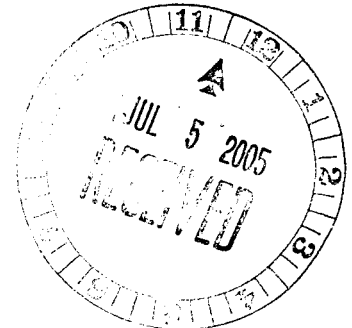


MICHAEL G. BRESLIN
COUNTY EXECUTIVE

COUNTY OF ALBANY
OFFICE OF THE EXECUTIVE
112 STATE STREET - ROOM 200
ALBANY, NEW YORK 12207-2021
(518) 447-7040 - FAX (518) 447-5589
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JOSEPH F. PENNISI
DEPUTY COUNTY EXECUTIVE



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June 24, 2005

ENTERED
Office of Proceedings

Hon. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K St., NW, Room 711
Washington, DC 20423-0001

JUL - 5 2005

Part of
Public Record

**Re: Request for Extension - Interim Trail Use/Public Use Conditions
Delaware & Hudson Railway Company, Inc. d/b/a Canadian Pacific Railway
Abandonment - Albany County, New York
STB Docket No. AB-156 (Sub-No. 23X)**

Dear Mr. Williams:

With regard to the referenced matter, on July 8, 2003, the Surface Transportation Board granted an initial request by Albany County for interim trail use/railbanking and public use conditions. The Surface Transportation Board subsequently granted requests by Albany County to extend the trail use negotiation period and the public use condition until July 9, 2005, for the purpose of securing acquisition funding assistance through a New York State parks grant award and completing negotiations with Canadian Pacific Railway Company for acquisition of the rail corridor in question.

Since the most recent extension was granted, Albany County and Canadian Pacific Railway Company have made significant progress toward negotiating the conveyance of the subject rail corridor. Specifically, the County's anticipated grant award from the New York State Office of Parks, Recreation & Historic Preservation for acquisition funding assistance was confirmed by the Governor's Office; the Board of Directors of Scenic Hudson Land Trust, Inc., our partner in this initiative, has resolved to provide the local share of the grant award; and, the County and Canadian Pacific Railway Company have reached an accord on fair market value for the rail corridor. At this time, the parties, through their respective counsels, are working to resolve contractual language including issues related to various easements, leases, and encroachments along the corridor's 9.1-mile length.

Notwithstanding the aforementioned progress toward acquisition of the rail corridor, it is apparent that finalizing the language of the conveyance agreement will

necessitate more than the three weeks remaining in the trail use negotiation period and the public use condition, especially given the time period required for County Legislative approval following mutual concurrence on all pertinent acquisition issues. Albany County, therefore, respectfully requests that an additional 180 days (through January 9, 2006) be granted as an extension to complete the acquisition process between the County and Canadian Pacific Railway Company. It is our understanding that Canadian Pacific is supportive of this extension.

Should you have any questions regarding this request or require additional information, please contact Mark Fitzsimmons, Director of the Albany County Department of Economic Development, Conservation and Planning at (518) 447-5665 or mfitzsimmons@albanycounty.com.

Thank you for your time and consideration in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael G. Breslin".

Michael G. Breslin

Cc: Annie Littlefield, Leonard, Street and Deinard
Stephen Fisk, Canadian Pacific Railway
Seth McKee, Scenic Hudson Land Trust Inc.
Mark Fitzsimmons, Albany County EDCP

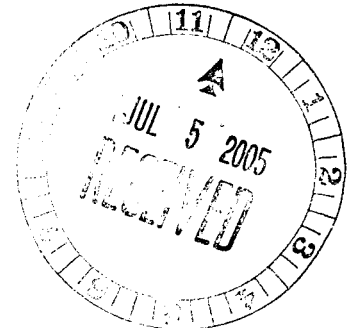


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