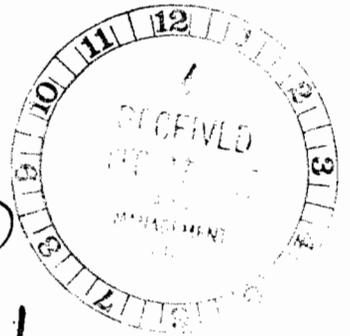




CITY OF DALLAS

See

E1-3200



September 14, 2007

Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423-0001

FEE RECEIVED
SEP 14 2007
SURFACE
TRANSPORTATION BOARD

Mr. Mack H. Shumate, Jr.
101 North Wacker Drive, Room 1920
Chicago, IL 60606

FILED
SEP 17 2007

Mr. Louis E. Gitomer
600 Baltimore Ave., Ste. 301
Towson, MD 21204

**SURFACE
TRANSPORTATION BOARD**

Ladies and Gentlemen:

Re: STB Docket No. AB33 (Sub No. 256X) and AB585 (Sub No. 2X)

It has just come to the attention of the City of Dallas that Union Pacific Railroad (UP) and Dallas Garland & Northeastern Railroad Company (DGNO) have jointly filed with the Surface Transportation Board (Board) a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903. UP seeks to abandon and DGNO seeks to discontinue service over the Trinity Industrial Lead, between milepost 0.0 near Terminal Junction and milepost 4.1 near Mockingbird Lane, a distance of 4.1 miles in the City of Dallas, Dallas County, Texas.

The City of Dallas has not been previously contacted by any parties on this matter. Pursuant to 49 U.S.C. 10905 and 49 CFR 1152.28, the City of Dallas wishes to hereby register its interest in the subject 4.1 mile long tract of property (which we understand to vary in width from 41.5 feet to 100 feet) for one or more of the following public purposes pursuant to 16 U.S.C. 1247 and 49 CFR 1152.29:

- 1) A rails-to-trails corridor.
- 2) Possible conversion of the property and the existing track to a passenger line as part of a new modern street car system currently being studied in Dallas.
- 3) Portions thereof may be needed for possible R.O.W. for a new road system being constructed as part of the City's Trinity River Corridor Project (for the main portion of the Woodall Rodgers extension across the new Margaret Hunt Hill Bridge and/or for approach ramps for that road as well as for the proposed Trinity Parkway).

- 4) Portions of the R.O.W. may be needed for the City in order to facilitate construction of a new "Baker Pumping Station" as part of the City's upgraded internal drainage system.
- 5) Portions of the R.O.W. may be needed to expand and/or reconfigure portions of the existing internal drainage sump system which runs intermittently along the entire length of the east levee of the Trinity River.

The City of Dallas is currently involved in a massive Trinity River Corridor Project involving improved flood protection, traffic congestion relief, creation of an environmental corridor (made up of lakes, parks, trails, and nature preserves), and significant economic development upgrade potential. This 4.1 mile R.O.W. which runs along the toe of the east levee could be used for several important public purposes along the east levee.

The City hereby submits its check for the \$200.00 filing fee for a trail use request, in addition to indicating its strong interest in the property for one or more of the above mentioned public uses. The City of Dallas, pursuant to 49 U.S.C. 10905 requests that the Board prohibit disposal of the line for 180 days and require that the line be offered for sale for public purposes. The City of Dallas also requests an oral hearing on the application for abandonment pursuant to 49 CFR 1152.25 (d)(6)(i).

Statement of Willingness To Assume Financial Responsibility

In order to establish interim trail use and rail banking under 16 U.S.C. 1247(d) and 49CFR 1152.29, the City of Dallas is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by Union Pacific Railroad and operated by Dallas Garland and Northeastern Railroad. The property, known as Trinity Industrial Lead, extends from railroad milepost 0.0 near Terminal Junction, to railroad milepost 4.1, near Mockingbird Lane, a distance of 4.1 miles in the City of Dallas, Dallas County, Texas. The right-of-way is part of a line of railroad proposed for abandonment in Docket No. STB AB-33 (Sub-No. 256X) and AB585 (Sub-No. 2X).

A map of the property depicting the right-of-way is attached.

The City of Dallas acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service. A copy of this statement is being served on the railroad(s) on the same date as it being served on the Board.

STB Docket No. AB33 (sub No. 256X) and AB 585 (Sub No. 2X)
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Page 3

Thank you for your consideration. If you have any questions please contact Paul Lehner, Director of Planning and Development for the Trinity River Corridor Project at 214-671-8983 or John Rogers, Esq., City Attorney's Office at 214-670-1275.

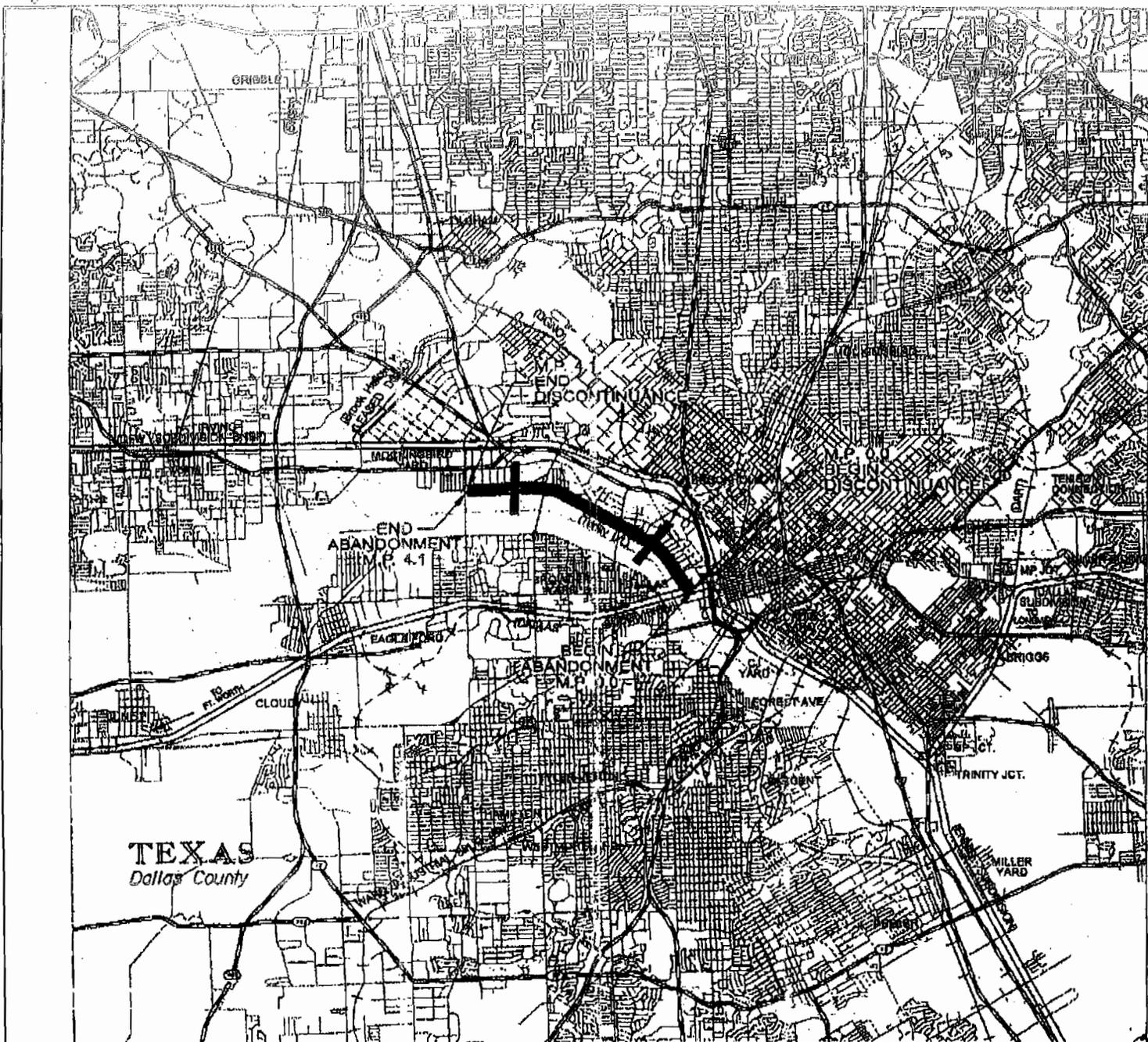
Sincerely,



Jill A. Jordan, P.E.
Assistant City Manager

Enclosure: Map of Trinity Industrial Lead
Check for \$200.00 filing fee (Surface Transportation Board only)

c: Mayor Tom Leppert
Mary K. Suhm, City Manager
Councilmember Dave Neumann, Chairman, Trinity River Committee
Paul M. Lehner, Director, Planning & Development, Trinity River Corridor
John Rogers, Esq., City Attorney's Office
Dallas County Commissioners
Gary C. Thomas, President & Executive Director, Dallas Area Rapid Transit
Kathryn Nichols, National Parks Service
James Randall, Director of Transportation, Planning & Programming, TxDOT
Colonel Christopher Martin, U.S. Army Corps of Engineers



BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
1.65	1 SPAN CRCK PLATE GIRDER-BALLAST DECK (OPC)	32'	1939
	2 SPAN RAIL TIMBER PILE TRESTLE OPEN DECK (PTOD)	104'	1956
3.4	10 SPAN RAIL TIMBER PILE TRESTLE OPEN DECK (PTOD)	120'	1900

LEGEND

- UPRR LINES TO BE ABANDONED
- OTHER UPRR LINES
- OTHER RAILROADS
- RAILROADS (abandoned)
- PRINCIPAL HIGHWAYS
- OTHER ROADS
- 50+ YEAR OLD STRUCTURES

TRINITY INDUSTRIAL LEAD
 MP D. 0 TO MP 4.1
 TOTAL OF 4.1 MILES
 IN DALLAS COUNTY
UNION PACIFIC RAILROAD CO.
 DALLAS, GARLAND & NORTHEASTERN RR, LESSEE
TRINITY INDUSTRIAL LEAD
 TEXAS
 INCLUDING 50+ YEAR OLD STRUCTURES

SCALE MILES

FILE: Q:\abandonments\ab33_256_1\Inly_vB.dgr

DATE: 30-May-07 14:25