

Railroad Commitment
TR-072009

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UTILE AND TRANSPORTATION
COMMISSION

The undersigned represents the Railroad Company in the GCPF application described as (enter a brief description):

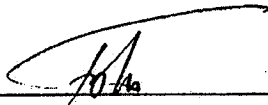
The City of Yakima has applied for GCPF funds to erect fencing for trespass abatement purposes. The City's trolley bridge and the adjacent BNSF Railway bridge cross the Naches River at the northern end of Yakima City limits. See attached photos for location of fencing. It is believed the BNSF has a 200 ft. right-of-way at this location and much of the fencing would be on that right-of-way. The City of Yakima and/or the Yakima Greenway Foundation will provide long-term maintenance of the fence.

We have reviewed the application and are satisfied the conditions are the same as described by the applicant in this matter. We agree to allow construction, modification or demolition on a railroad right-of-way as described in the application.

See Notes below.

John Li

Printed name of Railroad Representative



Signature of Railroad Representative

Manager, Public Projects

Title

206 625 6146

Phone

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E-mail

Date:

4/21/08

Notes: BNSF supports this application for safety improvements. The final design and location of the fencing will need to be approved by BNSF prior to its installation. The city will also need to obtain a permit from BNSF with current indemnity language and insurance limits and with a 30-day cancellation clause, if the fencing would be on BNSF's Right-of-Way.