



J. Vann Cunningham
AVP
Economic Development

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February 12, 2009

The Honorable Carol Lehman
Mayor of Gardner
214 West Warren Street
Gardner, Kansas 66030

Dear Mayor Lehman:

In the spirit of our ongoing, open communication, I wanted to provide you with an update regarding our proposed Gardner intermodal project.

First, I want to assure you that BNSF remains committed to this project. This is evidenced by our major investment in land, state-of-the-art electric cranes, and project related development expenditures.

Unfortunately, BNSF is not exempt from the unprecedented and difficult economic conditions now affecting both the U.S. and Global economies.

Specifically, the decline in our intermodal volumes has caused us to consider an extension of our proposed construction schedule, which has to be variable based on market demand.

While we cannot provide additional specifics at this time, we will continue to keep you apprised of our plans and certainly appreciate your continued support.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Vann Cunningham".