



October 7, 2011

Robert A. Wimbish
Counsel for Norfolk Southern Railway Company
Baker & Miller PLLC
2401 Pennsylvania Avenue NW
Washington, District of Columbia 20037

Dear Mr. Wimbish:

Re: Notice of Fulfillment of Stipulation I of the *Memorandum of Agreement Between the Surface Transportation Board, Norfolk Southern Railway Company, and the Ohio Historic Preservation Office Regarding STB Docket No. AB 290 (Sub-No. 290X), Norfolk Southern Railway Company – Abandonment Exemption – in Lucas County, OH*

This is in response to your correspondence dated October 5, 2011, documenting efforts by Norfolk Southern Railway Company (NSR) to fulfill one of its obligations under the terms of the *Memorandum of Agreement (MOA) Between the Surface Transportation Board, Norfolk Southern Railway Company, and the Ohio Historic Preservation Office Regarding STB Docket No. AB 290 (Sub-No. 290X), Norfolk Southern Railway Company – Abandonment Exemption – in Lucas County, OH*. The execution of this MOA resolved adverse effects on historic properties that would result from NSR's proposed abandonment of a 2.82-mile stretch of rail line. My comments are made pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, and the associated regulations at 36 CFR Part 800.

Stipulation I in the MOA obligates NSR to advertise the bridges at TW 0.54, TW 0.62, and TW 0.99 as available for acquisition through posting on the "Reusable Bridges webpage of the Ohio Department of Transportation's Division of Transportation Development – Office of Environmental Services (DTD-OES) for a period of not less than sixty (60) days." To document that NSR has fulfilled this obligation, your October 5, 2011, correspondence conveyed a copy of a July 15, 2011, letter from Timothy M. Hill, Administrator of DTD-OES, confirming that the bridges were posted on the webpage from February 11, 2011 to July 14, 2011. Visual proof of the posting – in the form of a printout of the webpage dated July 14, 2011 – was also included in your correspondence.

By way of this letter, the Ohio Historic Preservation Office acknowledges NSR's fulfillment of Stipulation I of the MOA. We understand that no interested party came forward expressing an interest in acquiring the bridges for relocation/reuse. Accordingly, NSR will move forward with fulfillment of Stipulation II, which requires preparation of a recordation package for each bridge that will not be relocated/reused. We look forward to receiving the draft recordation packages for review and comment.

If you have any questions, please contact me by phone at (614) 298-2000 or by email at jcook@ohiohistory.org. Thank you for your cooperation.

Sincerely,

Justin M. Cook, History Reviews Manager
Resource Protection and Review

Copy: Danielle Gosselin, STB (via email)

OHPO Project ID 1989-LUC-1327 #15

OHIO HISTORICAL SOCIETY

Ohio Historic Preservation Office

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