

213606

Columbus & Greenville Railway Company
201 19th Street North
Columbus, Mississippi 39703

Hon. Vernon A. Williams
Secretary
Surface Transportation Board
Mercury Building, #711
1925 K Street, N.W.
Washington, D.C. 20423-0001

ENTERED
Office of Proceedings

MAR 23 2005

Part of
Public Record

FD 34666



Re: Columbus and Greenville Railway Company
Verified Notice of Exemption – Acquisition and
Operation of 2.99 miles of Newly Constructed Track
in Greenwood, Leflore County, Mississippi

Dear Secretary Williams:

Enclosed for filing please find the original and ten (10) copies of a Verified Notice of Exemption on an Acquisition and Operation of newly constructed track. This Notice is filed pursuant to 49 U.S.C. 10902 and in compliance with the regulations published at 49 C.F.R. §1150.41.

There are also enclosed a disk with the materials converted to a WordPerfect 5.1 format and an extra copy of this cover letter and the cover to the Notice. Please stamp both the cover letter and the cover page and return to me in the self-addressed envelope provided.

If there are any format problems or omissions from this package please contact me at 410-467-2028. For all other matters I wish to be contacted at the number shown on the cover to the filing.

FEE RECEIVED

MAR 23 2005

**SURFACE
TRANSPORTATION BOARD**

Yours truly,

Wandaleen P. Cole

Wandaleen Poynter Cole

Enclosures:

Notice of Exemption Filing Package
Stamped Return Address Envelope (with pages to stamp)
\$1500 Filing Fee

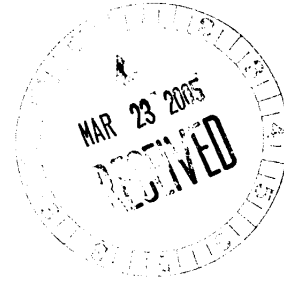
FILED

MAR 23 2005

**SURFACE
TRANSPORTATION BOARD**

213606

Before the
SURFACE TRANSPORTATION BOARD



ORIGINAL

**VERIFIED NOTICE
COLUMBUS AND GREENVILLE RAILWAY COMPANY
EXEMPTION OF ACQUISITION AND OPERATION
2.99 MILES OF NEWLY CONSTRUCTED TRACK HELD BY THE CITY OF
GREENWOOD, LEFLORE COUNTY, MISSISSIPPI**

ENTERED
Office of Proceedings
MAR 23 2005
Part of
Public Record

FINANCE DOCKET NO. 34666

FEE RECEIVED

MAR 23 2005

SURFACE
TRANSPORTATION BOARD

Wandaleen Poynter Cole
Columbus and Greenville Railway Company
201 19th Street North
Post Office Box 6000
Columbus, Mississippi 39703
(662) 329-7710

Dated: March 21, 2005

FILED

MAR 23 2005

SURFACE
TRANSPORTATION BOARD



BEFORE THE SURFACE TRANSPORTATION BOARD

*Verified Notice of Exemption
Pursuant to 49 U.S.C. 10902 and 49 C.F.R. 1150.41*

STB Finance Docket No. 34666

Columbus and Greenville Railway Company -- *Exemption* – Acquire and Operate
2.99 Miles of Newly Constructed Track held by the City of Greenwood, Mississippi

Columbus and Greenville Railway Company (“C&G”) files this *Notice of Exemption* to acquire and operate approximately 2.99 miles of bypass rail line constructed and owned by the City of Greenwood, County of Leflore, Mississippi. C&G is a Class III Railroad and this operation over this acquired track will not increase or decrease its annual revenues.

There are no structures on the bypass track requiring preservation under the requirements of section 106 of the National Historic Preservation Act, 16 U.S.C. 470f.

C&G’s projected annual revenue after the acquisition will not exceed \$5 million dollars. No notice at the workplace of the potentially affected employees is required under 49 1150.42.42(e).

§1150.43. Required Information in notice for small line acquisitions:

- (a) Columbus and Greenville Railway Company
201 19th Street North
P.O. Box 6000
Columbus, Mississippi 39703

(b) Correspondence relating to the filing should be directed to:

H. Lynn Gibson
Columbus and Greenville Railroad Company
Executive Vice President/CFO
201 19th Street North
Post Office Box 6000
Columbus, Mississippi 39703
(662) 329-7710

(c) C&G has reached an agreement with the City of Greenwood, Mississippi,
wherein a like kind exchange of properties will take place.

(d) The bypass track is newly constructed. There is no current operator. C&G will
be the operator and have full control of operations on the line after acquisition.

(e) C&G will seek exemption from abandonment requirements to abandon a portion
of its main line railroad through the City of Greenwood ("City") allowing it to
deed the railroad property to the City for public use. City will deed the bypass
track and attendant properties to C&G. It will be an equal exchange that will
allow the City to reach its goal of moving rail operations out of the central
commercial area. Thirteen at grade street crossings will be eliminated. C&G will
gain a more efficient and safer main line operation over the bypass track..

(1) The bypass track is currently owned, but not operated, by the City of
Greenwood, Mississippi. The City Attorney is Billy B. Bowman - Brewer,
Deaton & Bowman, P.O. Drawer B, Greenwood, Mississippi 38935-0706, (662)
453-3450.

(2) C&G will exchange deeds with the City within fifty (50) days from *Federal Register* publication of a Notice of Exemption from Abandonment Regulation of its main line track in Docket AB-297 (120-X), which will be filed on or about April 5, 2005.

(3) The bypass track turns out of the C&G main line at milepost 116.57. The bypass track currently has no milepost designations. C&G will assign milepost numbers 113.59 through 116.57 to incorporate the line into its system.

(4) The bypass track is 2.99 miles in length.

(f) Maps, marked as Exhibit A, clearly indicating the location of the bypass track are attached. The track is located in the State of Mississippi, County of Leflore and City of Greenwood.

(g) A Certificate, Marked as Exhibit B, that C&G's projected revenues as a result of the transaction will not result in the creation of a Class I or Class II carrier.

VERIFICATION OF FACTUAL CORRECTNESS

VERIFICATION

I hereby verify on behalf of Columbus and Greenville Railway Company, under penalty of perjury, that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this Verification.

Executed on March 17, 2005.



H. Lynn Gibson
Executive Vice President/CFO



Vanessa H. Shumper 3/17/05

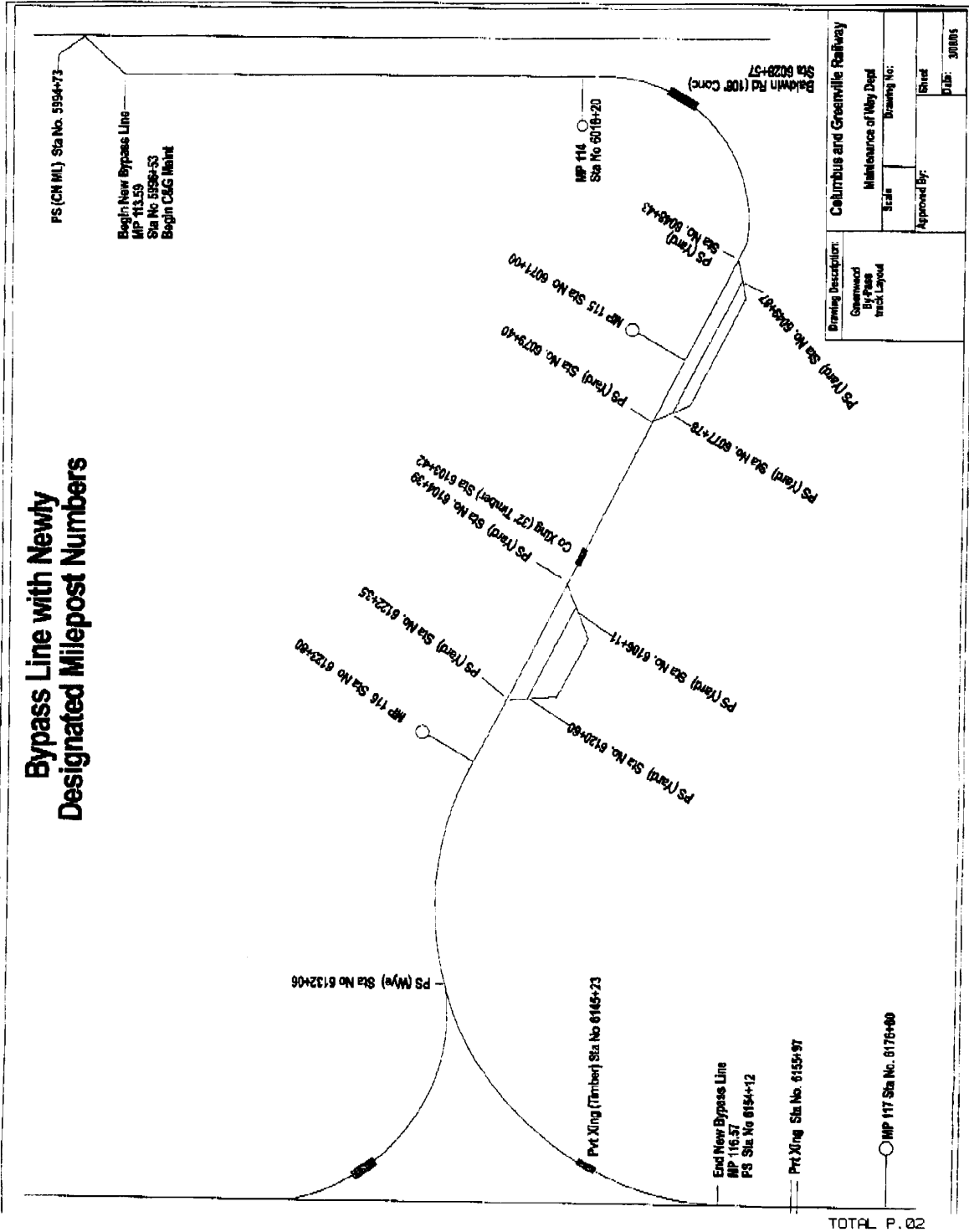
Notary Public State of Mississippi At Large
My Commission Expires: February 5, 2008
Bonded Thru Heiden, Brooks & Garland, Inc.

EXHIBIT A

MAPS

**C&G Map Designating Milepost Numbers
Excerpt from Mississippi State Railroad Map
Engineering Drawing**

Bypass Line with Newly Designated Milepost Numbers



[illegible]

LOCATION OF BYPASS TRACK
SEE INSERT ABOVE

$$\begin{array}{r} 19 \div 17 \\ \underline{19} \\ 19 \end{array}$$

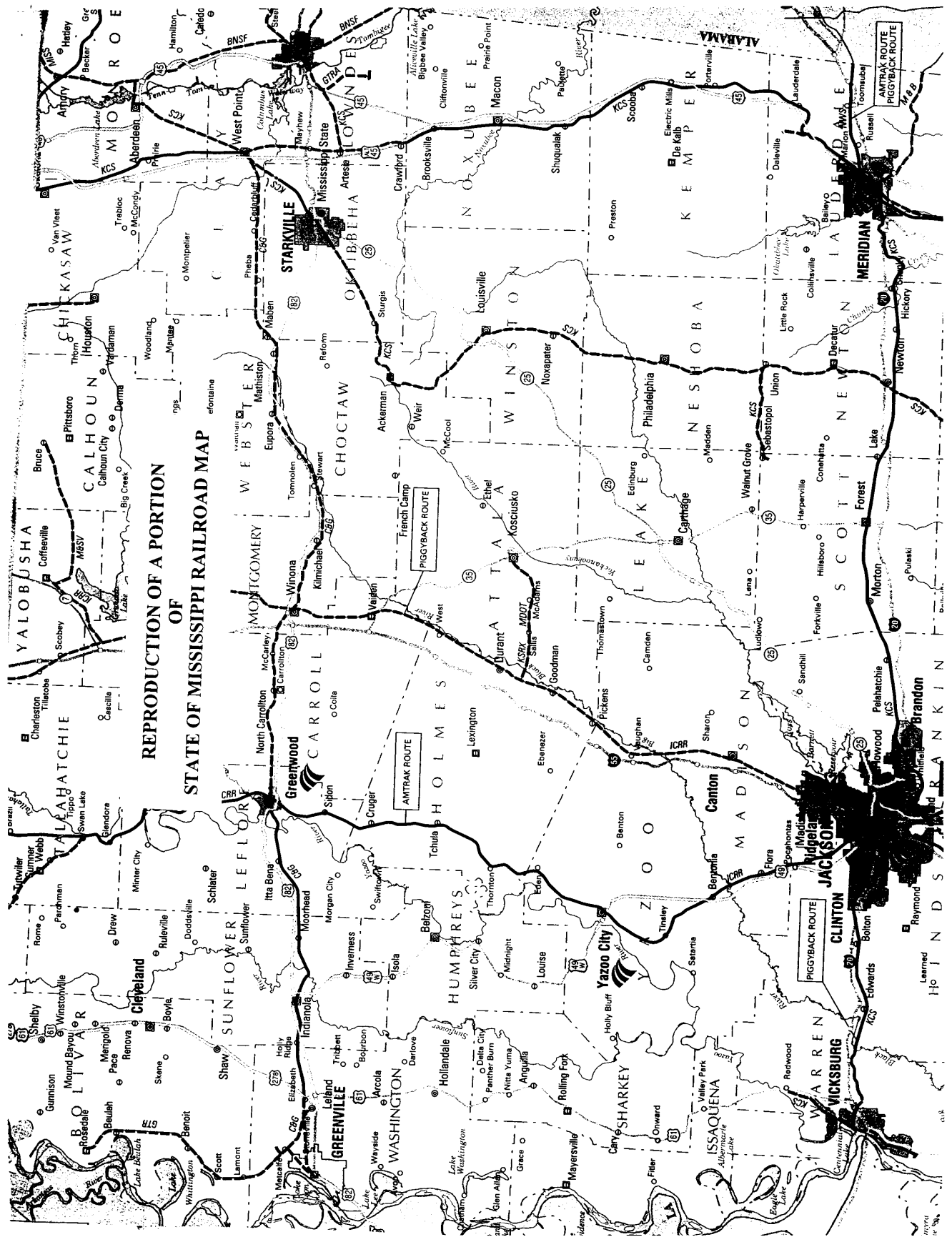
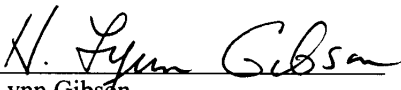


EXHIBIT B

**Certificate that C&G will Remain a Class III Carrier
49 C.F.R. §1150.43(g)**

CERTIFICATE OF REVENUE
49 C.F.R. § 1150.43(g)

H. Lynn Gibson, Executive Vice President and Chief Financial Officer of the Columbus and Greenville Railway Company ("C&G"), hereby certifies that the Acquisition and Operation of a bypass track near Greenwood, Mississippi, all as described in the C&G Notice of Exemption by a Class III Carrier under 49 U.S.C. 10902, will not increase revenues resulting in the creation of a Class I or Class II carrier requiring Surface Transportation Board processing under 49 C.F.R. § 1150.45.


H. Lynn Gibson
Executive Vice President/Chief Financial Officer
Columbus and Greenville Railway Company

Dated: March 17, 2005


3/17/05

Notary Public State of Mississippi At Large
My Commission Expires: February 5, 2008
Bonded Thru Heiden, Brooks & Garland, Inc.

EXHIBIT C

***Federal Register* Publication Notice
Disk Included in Filing Package**

BEFORE THE SURFACE TRANSPORTATION BOARD

Verified Notice of Exemption
Pursuant to 49 U.S.C. 10902 and 49 C.F.R. 1150.41

STB Finance Docket No. 34666

Columbus and Greenville Railway Company
Exemption – Acquire and Operate
2.99 Miles of Newly Constructed Bypass Track held by the
City of Greenwood, Mississippi

Columbus and Greenville Railway Company (“C&G”) has filed a *Verified Notice of Exemption* to acquire and operate in main line common carrier service 2.99 miles of bypass rail line constructed and owned by the City of Greenwood, County of Leflore, Mississippi. The City will deed the property to C&G. C&G is a Class III Railroad and the subject of this acquisition and operating exemption will not increase or decrease its annual revenues. It will remain a Class III carrier. Questions concerning this Notice may be directed to H. Lynn Gibson, Executive Vice President/CFO, 201 19th Street North, P.O. Box 6000, Columbus, Mississippi 39703, (662) 329-7710. C&G is also seeking an Exemption from Abandonment Regulation in AB 297 (Sub No. 120-X). C&G intends to abandon 1.59 miles of main line track and right-of-way within the City of Greenwood from milepost 112.67 to milepost 114.26.

This notice is filed under 49 C.F.R. 1150.41. If the notice contains false or misleading information, the exemption is void *ab initio*. The filing of a petition to revoke will not automatically stay the transaction.