

JEFFERSON COUNTY COMMISSION



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September 23, 2003

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K St. NW, Room 711
Washington, DC 20423

209055
FILED



RE: CSX Transportation – Rail Abandonment – Jefferson County, Alabama - Docket
No. AB-55 (Sub-no. 613X)

Dear Mr. Williams,

This comment should be treated as a protest or a petition for reconsideration in the above described proceeding. This comment is filed on behalf of the Jefferson County Commission, a county government in the State of Alabama with an interest in the described CSX rail abandonment. The Jefferson County Commission is hereinafter referred to as "Commenter".

While not taking a position on the merits of this abandonment, Commenter request issuance of a Certificate or Notice of Interim Trail Use rather than an outright abandonment authorization between milepost ONC 384.00 at Black Creek and milepost ONJ 400.47 at West Jefferson, a distance of approximately 16.47 miles.

Request for Interim Trail Use

The railroad right-of-way in this proceeding is suitable for railbanking. Commenter makes the following request:

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**SURFACE
TRANSPORTATION BOARD**

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and rail banking under section 8 (d) of the National Trails System Act, 16 U.S.C. 1247(d), and 49 C.F.R. 1152.29, to the extent allowed by law the Jefferson County Commission is willing to assume full responsibility for management of, for any legal liability of the railroad arising out of the transfer or use of,

and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned and operated by CSX Transportation.

The property along the rail line extends from railroad milepost ONC 384.00 at Black Creek and milepost ONJ 400.47 near West Jefferson, a distance of approximately 16.47 miles in Jefferson County, Alabama. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-55 (Sub-no. 613X).

A CSX generated map depicting the right-of-way is attached.

The Jefferson County Commission acknowledges that use of the right-of-way is subject to the user continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

By my signature below, I certify service upon the following by U.S. Mail, postage prepaid, first class, this 30th day of September 2003:

CSX Transportation
Asset Management
Attn: Stephanie Lemmon
500 Water Street – J200
Jacksonville, FL 32202

Respectfully submitted,



Mary M. Buckelew
Jefferson County Commission

MMB/pbr