



City of Greenville

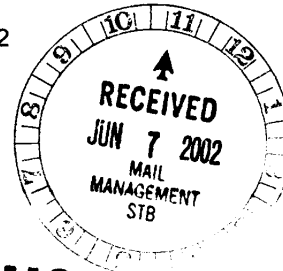
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205565

206 South Main Street ♦ Post Office Box 2207 ♦ Greenville, South Carolina 29602

May 30, 2002

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
Case Control Unit
1925 K Street, NW, Room 711
Washington, DC 20423



Re: STB Docket Number AB-55 (Sub-No. 612x)

FILING FEE WAIVED

Dear Mr. Williams:

This comment should be treated as a protest or a petition for reconsideration in the above-captioned proceeding. This comment is filed on behalf of the City of Greenville which is a political subdivision interested in conservation and recreation and the Friends of the Reedy River, Inc., which is a private/public interest organization interested in conservation and recreation, both of which are hereinafter referred to as "Commenter."

While not taking a position on the merits of this abandonment, Commenter requests issuance of a Public Use Condition as well as a Certificate or Notice of Interim Trail Use rather than an outright abandonment authorization between Valuation Station 47+50 and Valuation Station 115+11.5.

A. Public Use Condition

Commenter requests the Surface Transportation Board (STB) to find that this property is suitable for other public use, specifically trail use, and to place the following conditions on the abandonment:

1. An order prohibiting the carrier from disposing of the corridor, other than the tracks, ties and signal equipment, except for public use on reasonable terms. The jurisdiction for this condition is that the rail corridor in question will make an excellent recreational trail and conversion of the property to trail use is in accordance with local plans. In addition, the corridor provides important wildlife habitat and greenspace and its preservation as a recreational trail is consistent with that end. The time period sought is 180 days from the effective date of the abandonment authorization. Commenter needs this much time because we have not had an opportunity to assemble or review title information, complete a trail plan or commence negotiations with the carrier.

ENTERED
Office of the Secretary

JUN 07 2002

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2. An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts and tunnels. The justification for this condition is that these structures have considerable value for recreational trail purposes. The time period requested is 180 days from the effective date of the abandonment authorization for the same reason as indicated above.

B. Interim Trail Use

The railroad right-of-way in this proceeding is suitable for rail banking. In addition to the public use conditions sought above, Commenter also makes the following request:

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, Commenter is willing to assume full responsibility for management of, for any legal liability 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 by CSX Transportation, Inc., and operated by CSX Transportation, Inc.

The property known as the Swamp Rabbit extends from railroad milepost near Valuation Station 47-50 to railroad milepost Valuation Station 115+11.5, a distance of 1.31 miles in Greenville County, South Carolina. The right-of-way is part of a line of railroads proposed for abandonment in STB Docket No. AB55-Sub 612x.

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

The City of Greenville - Friends of the Reedy River acknowledges that use of the right-of-way is subject to the users' continuing to meet its responsibilities described above and subject to possible future construction and reactivation of the right-of-way for rail service.

By my signature below, I certify service upon CSX Transportation, Inc., Natalie S. Rosenberg, 500 Water Street, Jacksonville, Florida 32202 by U.S. Mail; postage prepaid, first class this 30th day of May 2002.

Respectfully submitted,

By: Charles R. Oliver
Charles R. Oliver.

Its: City Manager
City of Greenville

By: Frank S. Holleman, III
Frank S. Holleman, III

Its: President
Friends of Reedy River, Inc.

EXHIBIT A

END ABANDONMENT
V.S. 115 + 115

Proposed Abandonment of 1.31 Miles

VAL: V-4/A - H
GIS: 07400 - 07403
Scale: 1" = 1250'
Date: 03/04/2002
Drawn By: JKOrt

RECORD
THE DEED AND MORTGAGE
RECORDS
 Total Distance = 1.31 Miles +