

CITY OF FULTONDALE

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September 22, 2008

Mr. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W. Room 711
Washington, DC 20423



Re: STB Docket No. AB-55 (Sub-No. 613x)

FILING FEE WAIVED

Dear Mr. Williams

On September 17, 2007, the City of Fultondale, Alabama, filed a request to replace Jefferson County, Alabama as the interim trail use proponent for the notice of interim trail use (NITU) for the subject line under the National Trails System Act, 16 U.S.C. 1274(d) (Trails Act), in order to negotiate with CSXT for acquisition of the rights-of-way for use as a trail. In its decision of September 28, 2007, the Surface Transportation Board (STB) agreed to issue the replacement NITU and provided a 180 day period for the City and CSXT to negotiate an agreement. The prescribed deadline for reaching agreement was March 30, 2008. A second 180 day extension was granted by STB at the City's request on April 2, 2008 extending the negotiation period to September 26, 2008.

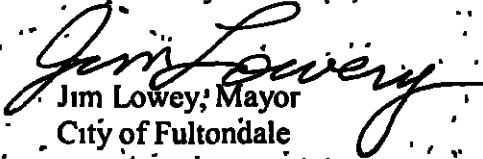
During the current extension period the City ordered and recently received a current appraisal of this ROW performed by Clayton, Roper & Marshall (the CRM Appraisal). We also understand that CSXT has ordered a current appraisal of the ROW. Based upon the valuation and other information contained in the CRM Appraisal, the City is currently in the process of submitting a revised Memorandum of Agreement and Purchase Agreement to CSXT.

Both parties are continuing to work diligently and significant progress has been made with the negotiations, but we do not anticipate being able to complete our negotiations by the date specified. Therefore, we are writing to request a 180 day extension of the September 26, 2008, deadline.

"A FRIENDLY CITY"

By copy of this letter, I am requesting that CSXT notify you of CSXT's agreement with the requested extension.

Respectfully submitted,


Jim Lowey, Mayor
City of Fultondale

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

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Attn Ralph Pressley
2175 Northlake Parkway, Suite 19
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