



OFFICE OF THE MAYOR MIAMI-DADE COUNTY, FLORIDA

CARLOS A. GIMENEZ
MAYOR

November 19, 2018

246818

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W., Room 1034
Washington, DC 20423-0001

ENTERED
Office of Proceedings
November 21, 2018
Part of
Public Record

Re: **Docket No. AB-70 (Sub-No. 6X)**
Florida East Coast Railway, L.L.C. -- Abandonment
Exemption-- In Miami-Dade County, Florida

Dear Ms. Brown:

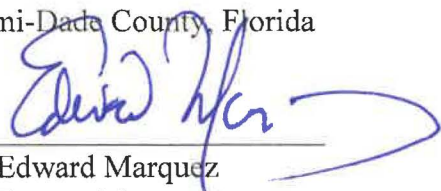
Pursuant to 49 C.F.R. §§ 1152.29(f), FECI LT1 LLC ("LT1") and Miami-Dade County, Florida (the "County") jointly request that the notice of interim trail use ("NITU") served on May 8, 2018 in the above-captioned proceeding involving a former Florida East Coast Railway, L.L.C. ("FEC") rail line between mileposts LR 11+3989 and LR 12+4502.52 in Miami-Dade County, Florida (the "Line") be vacated, and a replacement NITU be issued for the Line that substitutes the County for LT1 as the trail sponsor.

A copy of the existing NITU and of the County's Statement of Willingness to Assume Financial Responsibility are attached. The County acknowledges that interim use of the Line is subject to possible future reconstruction and reactivation of the right-of-way for rail service. The parties have closed the underlying real estate transaction into escrow, and responsibility for the right-of-way will transfer to the County as the replacement trail sponsor immediately upon issuance of the replacement NITU. The parties request that the replacement NITU be issued no later than December 19, 2018.

FECI LT1 LLC joins in the submission of this request as acknowledged below. Please feel free to contact me if you have any questions regarding this filing.

Respectfully submitted,

Miami-Dade County, Florida

By: 

Edward Marquez
Deputy Mayor

Attachments

cc: Kolleen O.P. Cobb, Esq., LT1

Acknowledged and agreed to as of the 19th- day of November, 2019

FECI LT1 LLC

By:



Kolleen Cobb, Vice President

117 NE 1st Avenue
Miami, FL 33132
kolleen.cobb@feci.com

STB NOTICE OF INTERIM TRAIL USE

SERVED MAY 8, 2018

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and rail banking under 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 with respect to the former right-of-way of Florida East Coast Railway, L.L.C. between mileposts LR 11+3989 and LR 12+4502.52 in Miami-Dade County, Florida, Miami-Dade County (the "County") is willing immediately upon the transfer of the NITU to assume full responsibility for: (1) managing the right-of-way, (2) any legal liability arising out of the transfer or use of the right-of-way, and (3) the payment of any and all taxes that may be levied or assessed against the right-of-way.

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