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May 31, 2022

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20024

Re: New England Central Railroad, Inc.—Abandonment Exemption—
In Franklin County, Vt.
Surface Transportation Board Docket No. AB 1315X

Dear Ms. Brown:

Pursuant to 49 C.F.R. § 1152.29(h), New England Central Railroad, Inc. ("NECR") as the owner of the freight rail line subject to abandonment in this proceeding, and the Vermont Agency of Transportation ("VTrans") as the holder of the NITU pursuant to a decision of the Board served on May 24, 2022, hereby jointly notify the Board that NECR and VTrans have entered into an interim trail use agreement covering the following segment of rail line: between approximately Mile Post 0.436 (Railroad Station 23+03) at the south side of Lower Newton Road and extending to Mile Post 0.60 (Railroad Station 31+68) in St. Albans, Franklin County, Vermont.

NECR and VTrans certify that the Agreement includes provisions requiring VTrans to fulfill the responsibilities described in 49 C.F.R. § 1152.29(a)(2) as was set forth in the Statement of Willingness of VTrans dated May 4, 2022. The Statement of Willingness and a map of the subject line are enclosed herewith.

The filing of this letter has been authorized by NECR and VTrans. Please let me know if there are any questions regarding this filing.

Sincerely,



Justin J. Marks
Counsel for New England Central Railroad, Inc.

CC: VTrans

State of Vermont
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Agency of Transportation

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April 27, 2022

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VIA E-FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20024

Re: *New England Central Railroad, Inc.—Abandonment Exemption—In Franklin County, Vt.*
Docket No. AB 1315X

Dear Ms. Brown:

This request for interim trail use/rail banking is filed on behalf of the Vermont Agency of Transportation (“VTrans”), an agency of the State of Vermont, hereinafter referred to as “Proponent.”

Pursuant to 49 C.F.R. § 1152.29, Proponent requests issuance of a Public Use Condition, as well as a Notice of Interim Trail Use for an approximately 865-foot-long line of railroad between approximately milepost 0.436 (railroad station 23+03), at the south side of Lower Newton Road, and milepost 0.60 (railroad station 31+68) in St. Albans, Franklin County, Vermont (“the Line”).

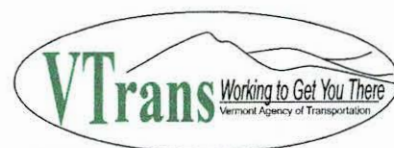
A. Public Use Condition

Proponent requests the STB to find that this property is suitable for other public use, specifically trail use, and to place the following conditions on the abandonment:

- 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 justification for this condition is that the corridor will make an excellent recreational trail connecting downtown St. Albans and the existing Missisquoi Valley Rail Trail.

Proponent has coordinated conversion of the property to trail use with the City of St. Albans. Negotiations with the carrier for sale of the corridor are complete subject to the issuance of a Notice of Interim Trail Use by the Board.

FILING FEE WAIVED



B. Interim Trail Use

The railroad right-of-way in this proceeding is suitable for railbanking. In addition to the public use condition sought above, Proponent also states as follows:

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

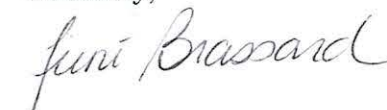
In order to establish interim trail use and rail banking under 16 U.S.C. 1247(d) and 49 CFR 1152.29 with respect to the right-of-way owned by CV Properties, Inc. (owner of the underlying property rights) and New England Central Railroad, Inc. (owner of the common carrier operating rights and the underlying rail assets of the rail line) and operated by New England Central Railroad, Inc. (Railroad), the Vermont Agency of Transportation ("VTrans"), an agency of the State of Vermont (Interim Trail Sponsor), is willing 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 (unless the sponsor is immune from liability, in which case it need only indemnify the railroad against any potential liability), and (3) the payment of any and all taxes that may be levied or assessed against the right of way. The property, known as the Richford Subdivision (Name of Branch Line), extends from railroad milepost 0.436 near St. Albans, Vermont (Station Name), to railroad milepost 0.60, near St. Albans, Vermont. (Station name), a distance of approximately 865 feet in Franklin County, Vermont. The right-of-way is part of a line of railroad proposed for abandonment in Docket No. STB AB 1315X. A map of the property depicting the right-of-way was attached to the carrier's April 5, 2022 Notice of Exemption as "Exhibit A" and is incorporated herein by reference.

VTrans (Interim Trail Sponsor) acknowledges that use of the right-of-way is subject to the sponsor's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service. A copy of this statement is being served on the railroad on the same date it is being served on the Board.

Finally, VTrans, as a state governmental entity, respectfully requests a waiver of the Board's filing fees in accordance with 49 C.F.R. § 1002.2(e)(1).

Should you have any questions, please do not hesitate to contact me

Sincerely,



Trini Brassard

Assistant Director, Division of Policy,
Planning and Intermodal Development

cc: Eric M. Hocky, Esq.
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NOTICE OF EXEMPTION EXHIBIT A

MAP

