Scioto County

OFFICE OF
COUNTY COMMISSIONERS

SCOTTIE POWELL, Chairman
MERIT SMITH
STEVEN W. MAULT

Room 310, Courthouse
602 Seventh Street
PORTSMOUTH, OH 45662

AMANDA HOWARD, Clerk
Amanda.howard@sciotocounty.net
Telephone (740) 355-8202

KATIE SANFORD, Deputy Clerk
ksanford@sciotocounty.net
Telephone (740) 355-8263

Main Line (740) 355-8313
Fax (740) 355-7358

312294

ENTERED
Office of Chief Counsel
September 11, 2026
Part of
Public Record

BEFORE THE SURFACE TRANSPORTATION BOARD

AB-290 (SUB-NO. 422X)

NORFOLK SOUTHERN RAILWAY COMPANY
-ABANDONMENT EXEMPTION-
IN SCIOTO COUNTY, OHIO

PETITION FOR ISSUANCE OF A NOTICE OF INTERIM TRAIL USE

Pursuant to 16 U.S.C. § 1247(d) and 49 C.F.R. 1152.29, the Scioto County Board of Commissioners hereby makes its Petition for Issuance of a Notice of Interim Trail Use. The Scioto County Board of Commissioners states as follows:

1. The Scioto County Board of Commissioners files this petition pursuant to state, federal, and local laws as applicable.

2. The name, title, and address of the Scioto County Board of Commissioners' representative to whom correspondence should be sent is:
Scottie Powell, Chairman
Scioto County Board of Commissioners
702 6th Street, Room 310
Portsmouth, Ohio 45662

3. The Scioto County Board of Commissioners is interested in acquiring and using the right-of-way of the following line owned by Norfolk Southern Railway Company (NSR) for interim trail use and railbanking.

   a. Approximately 24.43 miles of rail line, extending between milepost CT 80.57 +/- and approximately CT 105.0 +/- in Scioto County, Ohio (the Line).

4. A map and legal description of the Line is attached as Exhibit A.

5. The Scioto County Board of Commissioners makes the following statement:

STATEMENT OF WILLINGNESS TO ASSUME FINANICAL RESPONSIBILITY

FILING FEE WAIVED

Scioto County

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 CFR 1152.29 with respect to the Rail Line (as defined below) owned by Norfolk Southern Railway Company ("NSR"), the Scioto County Board of Commissioners, a county duly authorized under the Constitution of the State of Ohio (Board), is willing to assume full responsibility for management of, for any legal liability arising out of the transfer of use (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for payment of any and all taxes that may be levied or assessed against, the Rail Line.

The property, a portion of NSR's Peavine, extends between milepost CT 80.57 +/- and approximately CT 105.0 +/- in Scioto County, Ohio (the Line), a distance of approximately 24.43 miles of rail line. The Line traverses U.S. Postal Service Codes 45662, 45652, 45663, 45660, 45671, and 45657. The property is all of the line of railroad proposed for abandonment in STB Docket No. AB 290 (Sub-No. 422X).

The Board acknowledges that use of the right-of-way is subject to the user'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 Norfolk Southern Railway Company on the same date that it is being served on the Board.

6. The Scioto County Board of Commissioners has been in contact with the staff of NSR, and NSR has indicated that NSR is willing to negotiate a Trails Use Agreement with the County with respect to the Line if the Board issues a Notice of Interim Trail Use.

Accordingly, the Scioto County Board of Commissioners respectfully petitions the Surface Transportation Board to issue a Notice of Interim Trail Use authorizing the City of NSR to negotiate for the Scioto County Board of Commissioners' acquisition or use of the Line's right-of-way in the above stated proceeding for interim trail use and railbanking.

Respectfully,

Scottie Powell, Chairman
Scioto County Board of Commissioners

Scioto County

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SCOTTIE POWELL, Chairman
MERIT SMITH
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BEFORE THE SURFACE TRANSPORTATION BOARD

AB-290 (SUB-NO. 422X)

NORFOLK SOUTHERN RAILWAY COMPANY
—ABANDONMENT EXEMPTION—
IN SCIOTO COUNTY, OHIO

REQUEST FOR WAIVER OF FILING FEE

Dear Chief of Case Administration:

On behalf of the Scioto County Board of Commissioners ("Scioto County"), please accept this letter as Scioto County's request for waiver of any filing fee associated with its **Petition for Issuance of a Notice of Interim Trail Use** in the above-captioned proceeding.
As a political subdivision of the State of Ohio and a local government entity, Scioto County requests a waiver of the Board's filing fee pursuant to **49 C.F.R. § 1002.2(e)(1)**. That provision provides that filing fees are waived for an application, petition, notice, or other document filed by a state or local government entity, subject to the exceptions set forth therein.

Scioto County is filing its Petition for Issuance of a Notice of Interim Trail Use pursuant to **16 U.S.C. § 1247(d)** and **49 C.F.R. § 1152.29** to seek authorization to negotiate with Norfolk Southern Railway Company concerning the interim trail use and railbanking of approximately **24.43 miles of rail line in Scioto County, Ohio**, extending from approximately milepost CT 80.57 to approximately milepost CT 105.0.
Scioto County is not acting in the capacity of a carrier or shipper in this proceeding, nor does it own or propose to own a carrier. Rather, Scioto County is acting in its governmental capacity to pursue the preservation and conversion of an existing railroad right-of-way for interim trail use and railbanking for the benefit of the public.

Scioto County

Accordingly, Scioto County respectfully requests that the Surface Transportation Board waive any filing fee applicable to the accompanying Petition pursuant to **49 C.F.R. § 1002.2(e)(1)**.

Thank you for your consideration of this request.

Respectfully submitted,
Scottie Powell, Chairman

Scioto County Board of Commissioners
702 6th Street, Room 310
Portsmouth, Ohio 45662

Scioto County, Ohio
Norfolk Southern Railway Company
Peavine Line

All right, title and interest of Grantor in that line of railroad being a portion of the former Norfolk Southern Railway Company, being known as the Peavine Line, comprised of land and right-of-way for main tracks, branch lines, sidings and other appurtenant railroad facilities lying and being in Scioto County, Ohio, being more particularly described as follows:

Said portion of railroad beginning as a point on the track centerline of said railroad in the City of Portsmouth, said point being located at Railroad Valuation Station 3+29.38, more or less, as shown on Railroad Valuation Map V-18-0, Sheet 90 (12935), and shown on the Beginning Cut Point Plat;
Thence, with said railroad in a general northwestwardly direction with a strip of land of varying width on each side of the centerline of track of said railroad for a distance of 128,511.13 feet, more or less, to a point on the Scioto/Adams County Line, said point being located at Railroad Valuation Station 1288+65.53, as shown on Railroad Valuation Map V-18-0, Sheet 102-A (12947), and shown on the End Cut Point Plat;
Said line of railroad being substantially as shown on Railroad Valuation Maps V-18-0, Sheets 90 (12935) thru 102-A (12947), inclusive, and on file in the Scioto County Engineer's Office;

List of Railroad Valuation Maps:

- V-18-0, Sheet SL-30 (12854)
- V-18-0, Sheet 90 (12935)
- V-18-0, Sheet 91 (12936)
- V-18-0, Sheet 92 (12937)
- V-18-0, Sheet 93 (12938)
- V-18-0, Sheet 94 (12939)
- V-18-0, Sheet 95 (12940)
- V-18-0, Sheet 96 (12941)
- V-18-0, Sheet 97 (12942)
- V-18-0, Sheet 98 (12943)
- V-18-0, Sheet 99, (12944)
- V-18-0, Sheet 100 (12945)
- V-18-0, Sheet 101 (12946)
- V-18-0, Sheet 102-A (12947)

List of Parcel Numbers being transferred by Municipality:

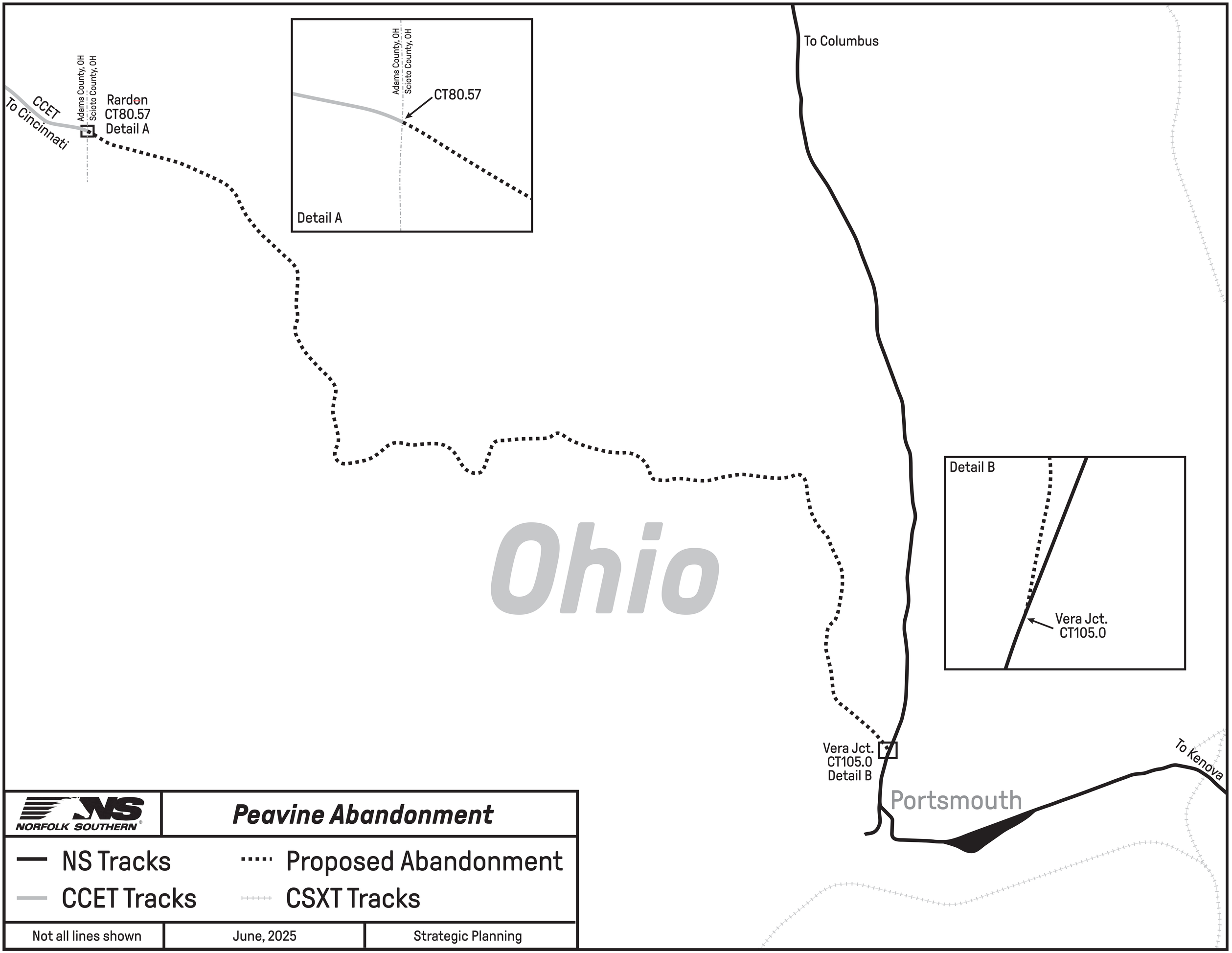
- 29-7071.000 (City of Portsmouth)
- 05-4025.000 (Clay Township)
- 27-7058.000 (Washington Township)
- 21-7025.000 (Rush Township)
- 23-7036.000 (Union Township)
- 03-4017.000 (Brush Creek Township)
- 04-4023.000 (Village of Otway)
- 18-7014.000 (Rarden Township)
- 19-7021.000 (Village of Rarden)

Beginning and End Cut Point Plats are attached and in file on the Scioto County Engineer's Office.

STATE OF OHIO
DARREN C. LEBRUN 8308
REGISTERED PROFESSIONAL SURVEYOR

Darren C. LeBrun PE PS

Darren C. LeBrun, P.S. #8308
Scioto County Engineer
Date: 6/9/26


To Columbus
Adams County, OH
Scioto County, OH
CCET
To Cincinnati
Rardon
CT80.57
Detail A
Adams County, OH
Scioto County, OH
CT80.57
Detail A
Ohio
Detail B
Vera Jct.
CT105.0
Vera Jct.
CT105.0
Detail B
Portsmouth
To Kenova
NORFOLK SOUTHERN
Peavine Abandonment
NS Tracks
Proposed Abandonment
CCET Tracks
CSXT Tracks
Not all lines shown
June, 2025
Strategic Planning