

Greenbrier County Commission



Woody Hanna, President
Lowell Rose, Commissioner
Michael F. McClung, Commissioner

242718

March 1, 2017

Ms. Cynthia Brown
Chief, Section of Administration
Surface Transportation Board
Office of Proceedings
395 E. Street, SW
Washington, DC 20423-0001

ENTERED
Office of Proceedings
March 1, 2017
Part of
Public Record

Re: CSX Transportation Abandonment in Greenbrier/Fayette Counties, West Virginia, AB-55 (Sub-No 768X)

Dear Secretary,

This request is filed on behalf of the Greenbrier and Fayette County Commission, West Virginia, which are county government entities, hereinafter referred to as "proponent." With respect to the file fee, the "proponent" requests a waiver of the filing fee, based on the fact that it is a county government filing the request on behalf of the general public.

Proponent request issuance of a Public Use Condition as well as an Interim Trail Use Condition rather than an outright abandonment authorization between milepost CAP 21.0 and the end of the track at milepost CAP 27.0 near Rainelle, in Greenbrier and Fayette Counties, W. Va.

A. Request for Public Use Condition

Proponent asks 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:

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. Justification for this condition is the rail corridor in question is along a scenic waterway and the corridor would 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 open space and its preservation as a recreational trail is consistent with those purposes. The time period sought is 180 days from the effective date of the abandonment authorization. Proponent needs this much time to assemble and to review title information complete a trail plan, or begin negotiations with the carrier.

FILING FEE WAIVED

912 Court Street N. - Lewisburg, WV 24901
Phone 304-647-6689 • Fax 304-647-6650 • www.greenbriercounty.net

B. Request for Interim Trail Use

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

STATEMENT OF WILLINGNESS TO ASSUME

FINANCIAL RESPONSIBILITY

In order to establish interim trail use and railbanking under section 8(d) of the National Trails System Act, 16 U. S. C.

1247(d) and 49 CFR 1152.19, is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability, in which case it needs only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by and operated by.

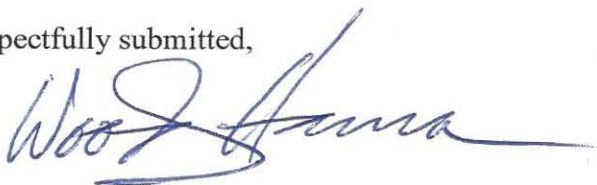
The property extends between milepost CAF 21.0 and the end of the track at milepost CAF 27.00 near Rainelle in Greenbrier and Fayette Counties, W. Va (the Line). The line traverses United States Postal Service Zip Code 25962 and includes the Rainelle Jct. station at milepost CAF 21 (FSAC 83044/OPSL 62375) The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB55 (Sub-No 768X).

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

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.

By my signature below, I certify upon CSX Transportation, 500 Water Street, Jacksonville, Fl., 32202, by U.S. Mail, postage pre-paid, first class, this day of March 1, 2017.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Woody Hanna", with a long horizontal flourish extending to the right.

Woody Hanna

President

Greenbrier County Commission



**Nicholas County
West Virginia**

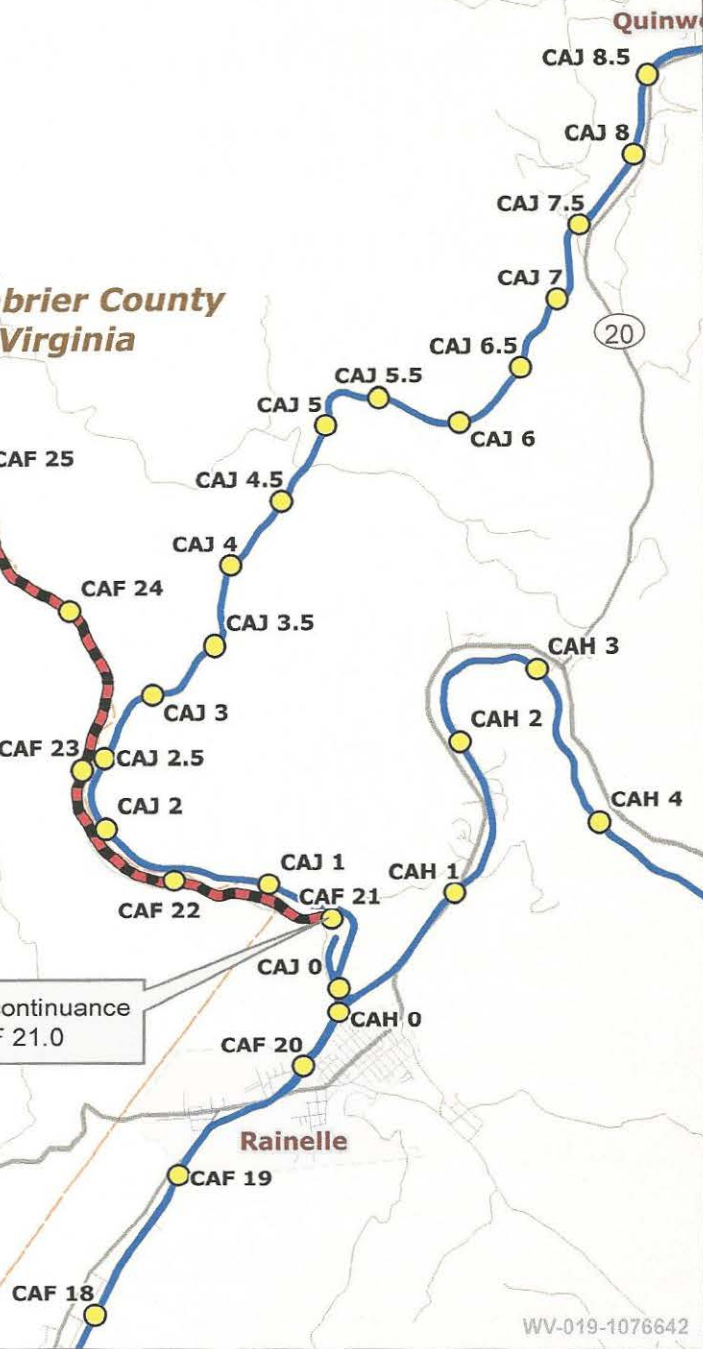
**Greenbrier County
West Virginia**

**Fayette County
West Virginia**

End Discontinuance
CAF 27.0

Start Discontinuance
CAF 21.0

-  Engineering Mileposts
-  Proposed Abandonment
-  Previously Abandoned/Industry
-  CSX Operating Track



WV-019-1076642



CSX Real Property, Inc.

**CSX Transportation, Inc.
Proposed Abandonment
Sewell Valley Subdivision**

Milepost CAF 21.0 to CAF 27.0 (6 miles)
Rainelle - Greenbrier & Fayette Counties, WV
Florence Division - Sewell Valley Subdivision
STB Docket No. AB 55 (Sub-No.768X)

