

Middle Creek National Battlefield Foundation, Inc.
Post Office Box 326
Prestonsburg, Kentucky 41653-0326

March 30, 2004

VIA FAX

Vernon A. Williams, Secretary
Surface Transportation Board
Case Control Unit, Suite 713
1925 K Street, N.W.
Washington, DC 20423

RE: STB Docket No. AB-55-627X (CSX Transportation, Inc. ("CSXT") – Abandonment Exemption -
in Floyd County, Kentucky

Dear Mr. Williams:

Middle Creek National Battlefield Foundation, Inc., ("MCNBF") hereby request that it be substituted for the Floyd County Fiscal Court ("FCFC") as the interim trail user under the Notice of Interim Trail Use ("NITU").

Attached to this request is a Statement of Willingness to Assume Financial Responsibility for the Right-of-Way that has been executed on behalf of MCNBF.

Additionally, this letter serves as MCNBF official request for an extension of time to negotiate with CSXT, due to fact that the present extension expires today, March 30, 2004.

The required hard copies of this letter is being sent via first class mail. All parties being served. Thank you for your attention to this matter.

Very truly yours,

Franklin D. Fitzpatrick
Founder and President



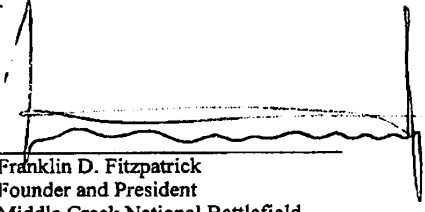
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Cc: All parties of record

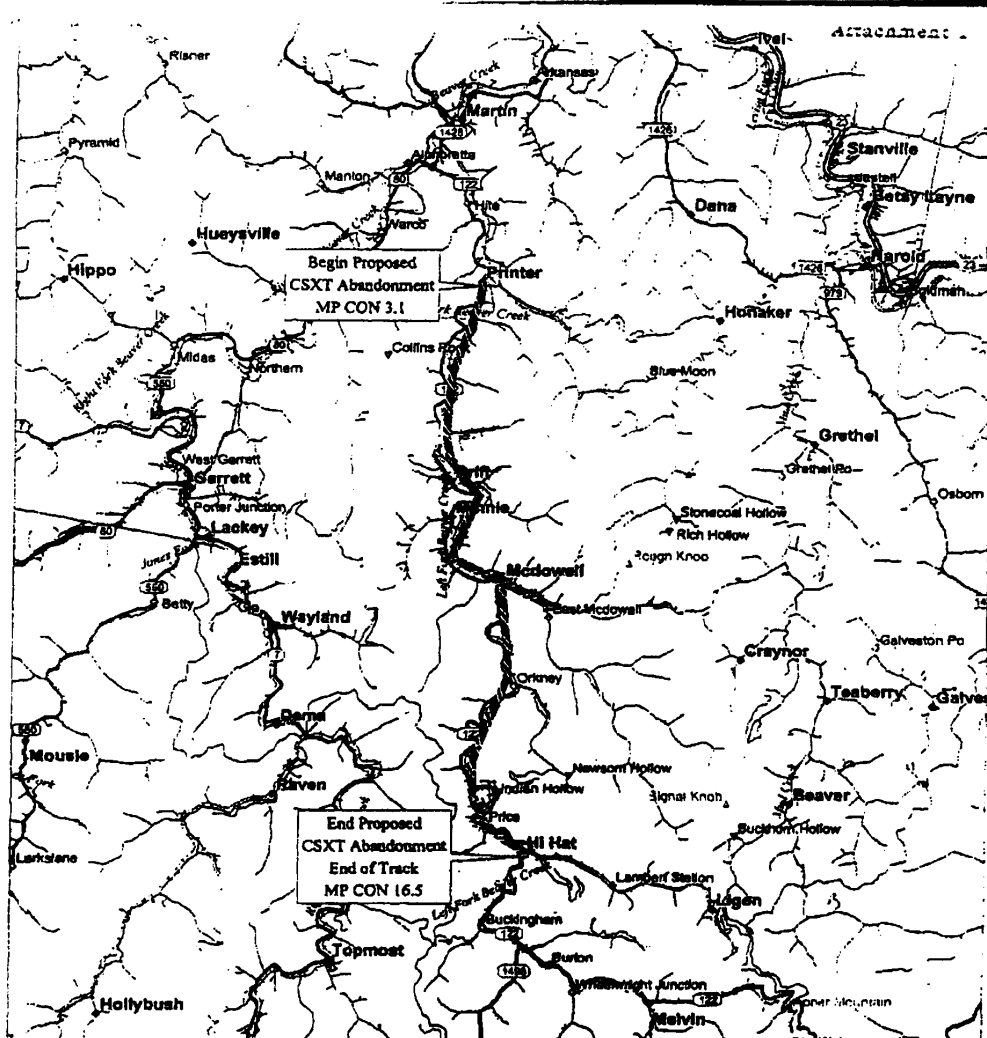
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Statement of Willingness to Assume Financial Responsibility

In order to establish interim trail use and rail banking under 16 USC 1247 (d) and 49 CFR 11.52.29, Middle Creek National Battlefield Foundation, Inc., (MCNBF) is willing to assume financial responsibility for the right-of-way owned by CSX Transportation, Inc. The property extends from Milepost 3.1 at Salisbury, KY to Milepost 16.5 near Clear Creek Junction – Docket No. AB-55-627X. This rail line is situated in Floyd County, KY. A map depicting the right-of-way is attached. MCNBF acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to 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.



Franklin D. Fitzpatrick
Founder and President
Middle Creek National Battlefield
Foundation, Inc.



CSX Transportation, Inc

Salisbury to Clear Creek Junction, Floyd County, Kentucky

13.4 Miles of line proposed to be abandoned