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410-296-2205 Ms. Cynthia T. Brown

Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D. C. 20423

May 15, 2018

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ENTERED
Office of Proceedings
May 15, 2018
Part of
Public Record

RE: **STB Docket AB-55 (Sub-No. 777x), CSX Transportation, Inc.—**
Abandonment Exemption—in Fulton County, AL

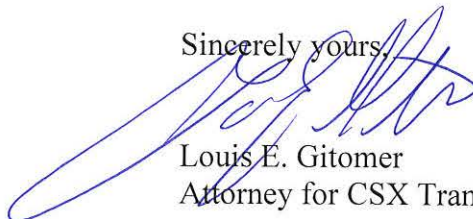
Dear Ms. Brown:

Pursuant to 49 CFR 1152.29(h), CSXT Transportation, Inc. (“CSXT”) and Atlanta BeltLine, Inc., a Georgia non-profit corporation implementation agent of the City of Atlanta (“ABI”) notify the Surface Transportation Board that they have entered a Purchase Sale Agreement (the “Agreement”) for the rail banking/interim trail use of the 4.4-mile rail line extending from milepost XXC 0.0, at the switch to the Norfolk Southern, Oakland Junction near the Ormewood Station, and milepost XXC 4.4 near Glenwood Ave., SE, Atlanta, GA, in Fulton County, GA (the “Premises”). A map and notice executed by both parties is attached.

As required by 49 CFR 1152.29(a)(2), CSXT and ABI certify that, under section 22 of the Agreement, that ABI has agreed that upon the conveyance of the Premises to the ABI pursuant to the terms of the Agreement (the “Conveyance”), that ABI shall assume full responsibility for: (i) managing the Premises; (ii) and will, pursuant to the Agreement, indemnify CSXT against any potential legal liability arising out of the transfer or use of the Premises; and (iii) the payment of any and all taxes that may be levied or assessed against the Premises after the Conveyance.

The filing of this letter has been authorized by CSXT and ABI. This letter is being efiled. Thank you for your assistance. If you have any questions please call or email me.

Sincerely yours,



Louis E. Gitomer
Attorney for CSX Transportation, Inc.

Attachment

cc: Ms. Fultz

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**DOCKET NO. AB-55 (SUB-NO. 777X)
CSX TRANSPORTATION, INC.
ABANDONMENT EXEMPTION – IN FULTON COUNTY, GEORGIA**

**NOTICE OF CONSUMMATION OF
TRAIL USE AGREEMENT**

Communications with respect to this pleading
should be addressed to:

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Counsel for Atlanta BeltLine, Inc.

Dated: May 15, 2018

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**DOCKET NO. AB-55 (SUB-NO. 777X)
CSX TRANSPORTATION, INC.
ABANDONMENT EXEMPTION – IN FULTON COUNTY, GEORGIA**

**NOTICE OF CONSUMMATION OF
TRAIL USE AGREEMENT**

Atlanta BeltLine, Inc., a Georgia non-profit corporation implementation agent of the City of Atlanta (“ABI”), and CSX Transportation, Inc., a Virginia corporation (“CSXT”), hereby submit this notice pursuant to 49 CFR 1152.29(h) that they have entered into a Purchase and Sale Agreement, effective as of December 7, 2017 (the “Agreement”),¹ for rail banking/interim trail use of the 4.4-mile rail line known as the A&WP Subdivision, between milepost XXC 0.0, at the switch to the Norfolk Southern, Oakland Junction near the Ormewood Station, and milepost XXC 4.4 near Glenwood Ave., SE, Atlanta, GA (the “Line”). The Notice of Interim Trail Use (“NITU”) covering the Segment, issued on February 6, 2018, is supported by a statement of willingness to assume financial responsibility (“SWAFR”) executed by ABI and submitted in the docket of this proceeding on January 3, 2018.

As required by 49 CFR 1152.29(a)(2), ABI and CSXT certify that, under section 22 of the Agreement, ABI has agreed that upon the conveyance of the Line to ABI pursuant to the terms of the Agreement (the “Conveyance”), ABI shall assume full responsibility for: (i) managing the Line; (ii) and will, pursuant to the Agreement, indemnify CSXT against any

¹ The parties note that the Board’s regulations at 49 C.F.R. § 1152.59(h) require notification to the Board that a trail use agreement has been reached within ten (10) days of the effective date of such agreement. Here, the parties entered into an agreement governing the terms and conditions of trail use prior to ABI’s filing its trail use request and the Board’s issuance of the NITU. To the extent the Board’s leave is necessary to late-file this notice of consummation of a trail use agreement, the parties respectfully request such permission.

potential legal liability arising out of the transfer or use of the Line; and (iii) the payment of any and all taxes that may be levied or assessed against the Line after the Conveyance. A map of the line currently subject to the NITU is attached hereto as Exhibit A.

ABI intends to develop the property as a modern streetcar corridor and multi-use public recreational trail as part of the Atlanta BeltLine, a comprehensive transportation and economic development effort to link 45 neighborhoods in central Atlanta through a 22-mile loop of public transportation, multi-use trails and parks.



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Respectfully submitted,



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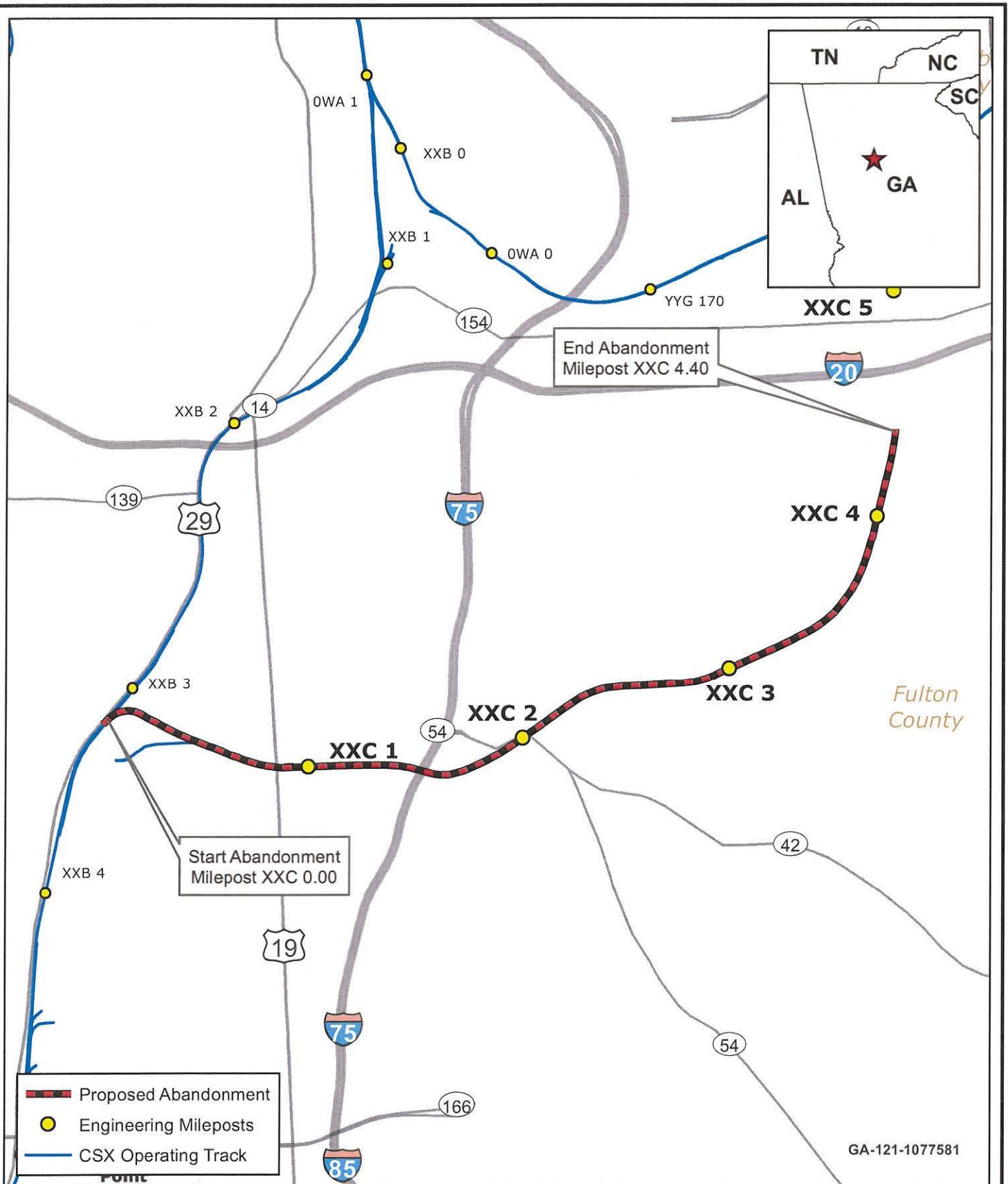
Counsel for the Atlanta BeltLine, Inc.

Dated: May 15, 2018

Exhibit A

Map of the Line

[Attached hereto]



CSX Transportation, Inc.
Proposed Abandonment
Atlanta, Fulton County, GA
Sand Line

Milepost XXC 0.00 to XXC 4.40
 Total Distance of approx. 4.40 Miles
 Atlanta Division - Atlanta Terminal Subdivision
 STB Docket No. AB 55 (Sub-No. 777X)

