

INDIANA TRAILS FUND
217 WEST 10TH STREET #120
INDIANAPOLIS INDIANA 46204-4115
317-237-9348



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2017 September 19

ENTERED
Office of Proceedings
September 20, 2017
Part of
Public Record

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

Re: Norfolk Southern Railway Company - Abandonment Exemption-In Hartford City,
Indiana, AB-290 (Sub-No. 392X) [and Central Railroad Company of Indianapolis -
Discontinuance of Lease and Operation Authority – between milepost RK 138-6 to
milepost RK 138.8 in Hartford City, Indiana, AB-511 (Sub-No. 7X)].

Dear Ms_ Brown:

Enclosed are an original and eleven copies of a jointly-filed Verified Notice of Exemption
("Secretary Surface Transportation Board Washington, DC 20423-0001").

This request is filed on behalf of Indiana Trails Fund, which is an Indiana not-for-profit
organization interested in transportation, natural resources, and recreation, hereinafter
referred to as "proponent." Proponent requests issuance of a Public Use Condition as well as an
Interim Trail Use Condition rather than an outright abandonment authorization between
approximately 0.2 miles of rail line extending from near or about milepost RK 138-6 to near or
about milepost RK 138.8 in Hartford City, Indiana ("the Line").

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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: [example: the rail corridor in question is along a scenic river and will connect a public park to a major residential area. 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: [example: to assemble or to review title information, complete a trail plan, or begin negotiations with the carrier].

2. An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts and tunnels. The justification for this condition is that these structures have considerable value for recreational trail purposes. The time period requested is 180 days from the effective date of the abandonment authorization for the same reason as indicated above.

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 §1152.29, 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 need 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 Norfolk Southern RR.

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Request to Railbank

The property, known as the RK Line, extends from railroad milepost RK 138.6 to railroad milepost 138.8 near Hartford City, IN, a distance of 0.2 miles in Blackford County. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB- 290 (Sub-No. 392X).

A map depicting the right-of-way is attached. Indiana Trails Fund 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 service upon Norfolk Southern Railroad Company via Mr. William Mullin, Esq., Baker & Miller PLLC, 2401 Pennsylvania Ave. N, Suite #300, Washington, DC 20037, by Federal Express, this 19th day of September, 2017 .

Respectfully submitted,

A handwritten signature in cursive script, reading "Richard Vonnegut".

Richard Vonnegut
on behalf of
the Indiana Trails Fund.

Included:

- Original
- 11 duplicates
- Indiana map
- Local map
- \$300 filing fee

[illegible]

