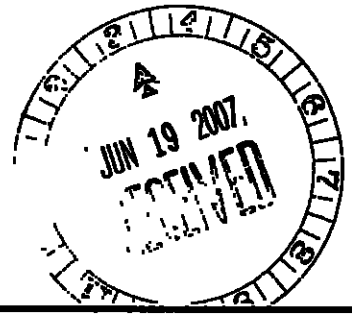


PAN AM RAILWAYS
IRON HORSE PARK
NO BILLERICA, MA 01862



FEE RECEIVED

June 18, 2007

JUN 19 2007

**SURFACE
TRANSPORTATION BOARD**
The Honorable Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001

Re Boston & Maine Corporation and Springfield Terminal Railway Company -
Abandonment and Discontinuance of service - Over the Georgetown Branch -
Essex County, Massachusetts - Docket No. AB 32 (Sub No. 53x),
Docket No. AB 355 (Sub No. 5x)

219585

219584

Dear Secretary Williams

Enclosed for filing in the above captioned proceeding, please find an original and ten copies of the Verified Notice of Exemption dated June 18, 2007 filed on behalf of the Boston & Maine Corporation and the Springfield Terminal Railway Company. Additionally, please find a check in the amount of \$6,200.00 representing the appropriate fee for filing.

Should you have any questions in regard to this filing, please contact the undersigned at (978) 663-1029. Thank you in advance for your assistance with this matter.

Sincerely,

Michael Q. Geary

Michael Q. Geary
Staff Attorney
Pan Am Railways

**ENTERED
Office of Proceedings**

JUN 19 2007

**Part of
Public Record**

Enclosures - Original and 10 copies

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO AB 32 (Sub No 53x)
DOCKET NO AB 355 (Sub No 5x)



BOSTON & MAINE CORPORATION
SPRINGFIELD TERMINAL RAILWAY COMPANY
-ABANDONMENT AND DISCONTINUANCE OF SERVICE-
GEORGETOWN BRANCH, ESSEX COUNTY, MASSACHUSETTS

VERIFIED NOTICE OF EXEMPTION

Boston & Maine Corporation (the "B&M") and the Springfield Terminal Railway Company ("ST") file this Verified Notice of Exemption pursuant to the Board's regulations at 49 C F R §1152.50. This Notice of Exemption seeks to abandon and discontinue service by B&M and ST over a line of railroad known as the Georgetown Branch in Haverhill, Massachusetts, extending from milepost 4.66 to milepost 6.13 in Essex County. In accordance with the aforementioned regulations, B&M and ST make the following responses:

RESPONSE TO 49 C F R SECTION 1152.50(d)(2)

1 Proposed Consummation Date

The proposed consummation date of this discontinuance is August 8, 2007.

2. Certification Required in Section 1152.50(b).

The required certification is set forth as Exhibit B to this Notice of Exemption

3 Information required in Section 1152.22(a)(1-4),(7),(8) and (e)(4)

(a) General.

(1) Exact name of applicant.

Boston & Maine Corporation
Springfield Terminal Railway Company

- (2) Whether applicant is a common carrier by railroad subject to the Interstate Commerce Act

B&M and ST are common carriers by railroad subject to the Interstate Commerce Act

- (3) Relief sought

B&M and ST seek to abandon and discontinue service over the line.

- (4) Detailed map of the line

Map is attached hereto as Exhibit A

- (7) Name, title and address of representative of applicant to whom correspondence should be sent.

Michael Q Geary, Esq
Boston and Maine Corporation
Springfield Terminal Railway Company
Iron Horse Park
North Billerica, MA 01862

- (8) United States Postal Zip Codes that the line traverses

Zip Code 01830

- (e) Rural and community impact

- (4) Statement of whether the properties proposed to be abandoned are suitable for use for other public purposes, including roads or highways, other forms of mass transportation, conservation, energy production or transmission, or recreation. If the applicant is aware of any restriction on the title to the property, including any reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed

B&M and ST are unsure about the suitability of the Line for public non-rail purposes. Prior to the effective date of this abandonment, title to the Line will be acquired by third parties

4 The Level of Labor Protection

B&M and ST understand that, in exempting the proposed abandonment and discontinuance, the Board does not relieve the carrier of its statutory obligation to protect the interests of employees. See 49 C.F.R. § 1152.50(c). Accordingly, B&M and ST anticipate that the Board will impose the conditions set forth in Oregon Short Line R. Co. –Abandonment- Goshen, 360 I.C.C. 91 (1979), for the benefit of employees who may be adversely affected by the proposed abandonment and discontinuance.

5. Certificate of Compliance with the Notice Requirements of Section 1152.50(d)(1)

The required certificate is set forth as Exhibit C to this Notice of Exemption.

6. Environmental Report and Historical Report.

The Environmental /Historical Report required by 49 C.F.R. 1105.7 and 1105.8 is attached as exhibit D to this Notice of Exemption. Attached, as Exhibit E, is a certificate affirming B&M and ST's compliance with 49 C.F.R. 1105.11.

7 Newspaper Notice

The Newspaper Notice required by 49 C.F.R. 1105.12 was published on May 12, 2007. An affidavit from this newspaper is attached.

8 Verification

The required verification is set forth as Exhibit F to this Notice of Exemption.

Respectfully submitted,



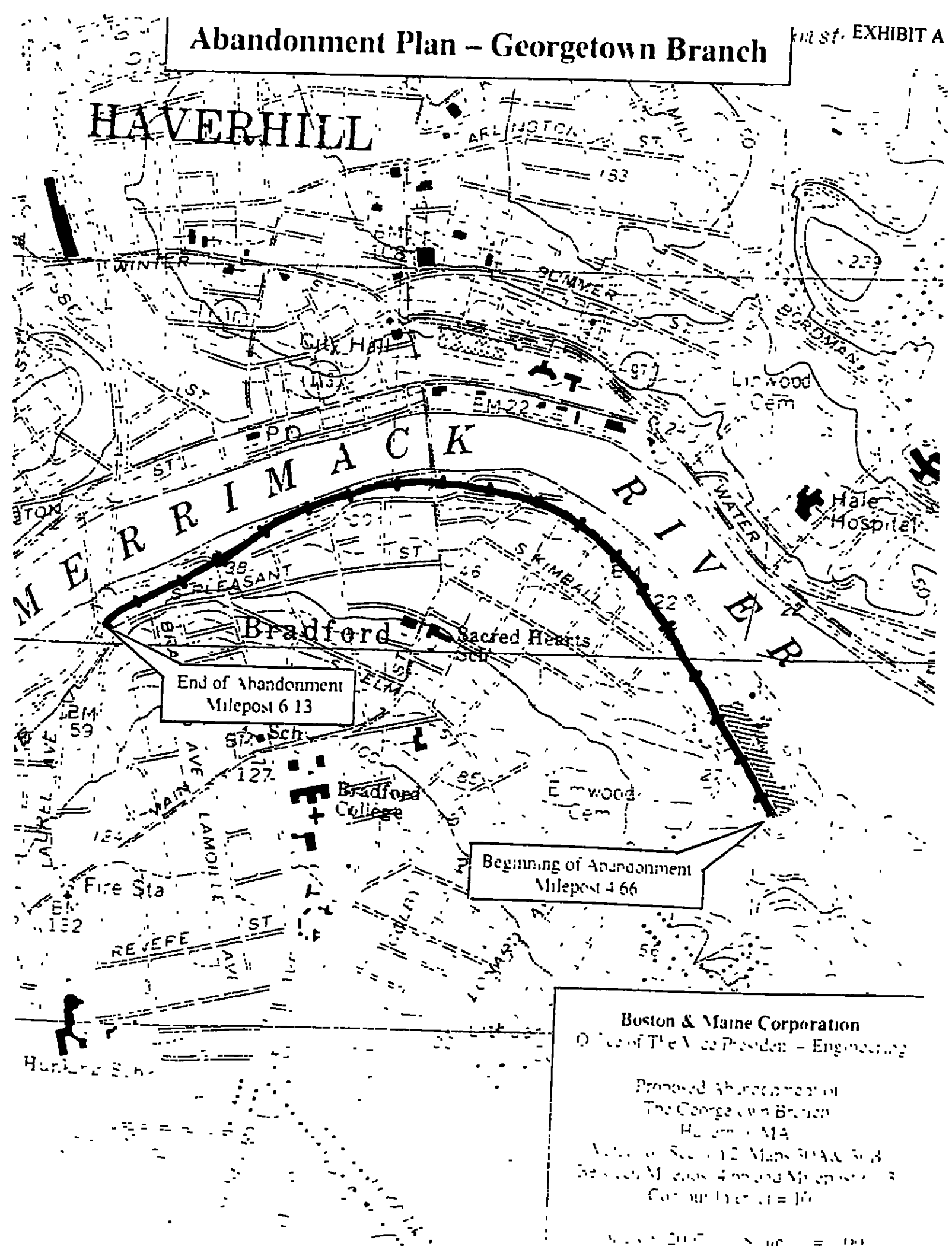
Michael Q. Geary
Staff Attorney
Boston & Maine Corporation
Iron Horse Park
North Billerica, MA 01862

Dated June 18, 2007

Abandonment Plan - Georgetown Branch

1st. EXHIBIT A

HAVERHILL



End of Abandonment
Milepost 6.13

Beginning of Abandonment
Milepost 4.66

Boston & Maine Corporation
Office of The Vice President - Engineering

Proposed Abandonment of
The Georgetown Branch
Haverhill, MA

Adopted by Section 12 Maps 300A, 301B,
302, 303, 304, 305, 306 and 307
Copyright 1971, 1972, 1973

CERTIFICATION REQUIRED

IN 49 C.F.R. SECTION 1152.50(b)

In accordance with 49 C.F.R. Section 1152.50(b), I hereby certify that, with respect to the line, which is the subject of the Notice of Exemption in Docket No. AB 32 (Sub No 53x) and Docket No. 355 (Sub No 5x): (1) no local traffic has moved over the line for at least two years prior to the date hereof; and (2) there is no overhead traffic on the line, and (3) no formal complaint filed by a user of rail service on the line (or state or local agency acting on behalf of such user) regarding cessation of service over the line is either pending with the Board or any U S District Court or has been decided in favor of a complainant within the two-year period prior to the date hereof. The foregoing certification is made on behalf of the Boston & Maine Corporation and the Springfield Terminal Railway Company by the undersigned after due and careful investigation of the matters herein certified and based on the best knowledge, information and belief of the undersigned.


Michael Q. Geary

Dated: June 18, 2007

EXHIBIT C

CERTIFICATE OF COMPLIANCE WITH
NOTICE REQUIREMENTS OF
49 C F R 1152 50 (d)(1)

In accordance with 49 C.F.R. Section 1152 50(d)(2), I hereby certify that.

On May 11, 2007, I caused to be served by FedEx overnight delivery service, the notice required by 49 C.F.R. Section 1152.50(d)(1), upon

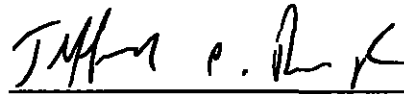
Brian Cristy
Director, Transportation Division
Commonwealth of Massachusetts
Department of Telecommunications and Energy
One South Station
Boston, MA 02110

Office of Special Assistant for
Transportation Engineering
Railroads for National Defense Program
Military Traffic Management Command
Transportation Engineering Agency
720 Thimble Shoals Blvd - Suite 130
Newport News, VA 23606

Marie Rust
Regional Director
National Park Service, NE Region
Recreation Resources Division
U.S. Customs House
200 Chestnut St, 5th Floor
Philadelphia, PA 19106

Gail Kimball
Chief of Forest Service
U.S. Department of Agriculture
P.O. Box 96090
Washington, DC 20090-6090

Dated: May 23, 2007


Jeffrey C. Royer



PAN AM
RAILWAYS

SPRINGFIELD TERMINAL RAILWAY COMPANY
BOSTON & MAINE CORPORATION
MAINE CENTRAL RAILROAD COMPANY

1700 IRON HORSE PARK
NORTH BILLERICA, MA 01862

File 017

LEGAL DEPARTMENT
(978) 663-1215
Fax (978) 663-1213

May 11, 2007

To: Service List

Re Abandonment of and Discontinuance of Service
Over Georgetown Branch – AB 32 (Sub No 53x)
AB 355 (Sub No. 5x)

Ladies and Gentlemen:

In accordance with the Surface Transportation Board's regulations at 40 CFR § 1152.50(d)(1), the Boston & Maine Corporation and the Springfield Terminal Railway Company hereby gives notice that on or about May 4, 2007 it intends to file with the Surface Transportation Board, Washington, D.C. 20423, a Notice of Exemption. Said Notice will seek permission for the abandonment and discontinuance of service on a portion of the so-called Georgetown Branch (the "Line") in Haverhill, Massachusetts, extending from railroad milepost 4 66 to milepost 6 13, which traverse through United States Postal Service Zip Code 01830, a distance of 1 47 miles, in Middlesex County, Massachusetts. A map depicting the Line is attached. If permitted by the Board, the exempt procedure permitted by Subpart F of 49 CFR § 1152 will be used

Based on information in our possession, the Line does not contain federally granted rights-of-way Any documentation in the railroad's possession will be made available promptly to those requesting such documentation

Sincerely,

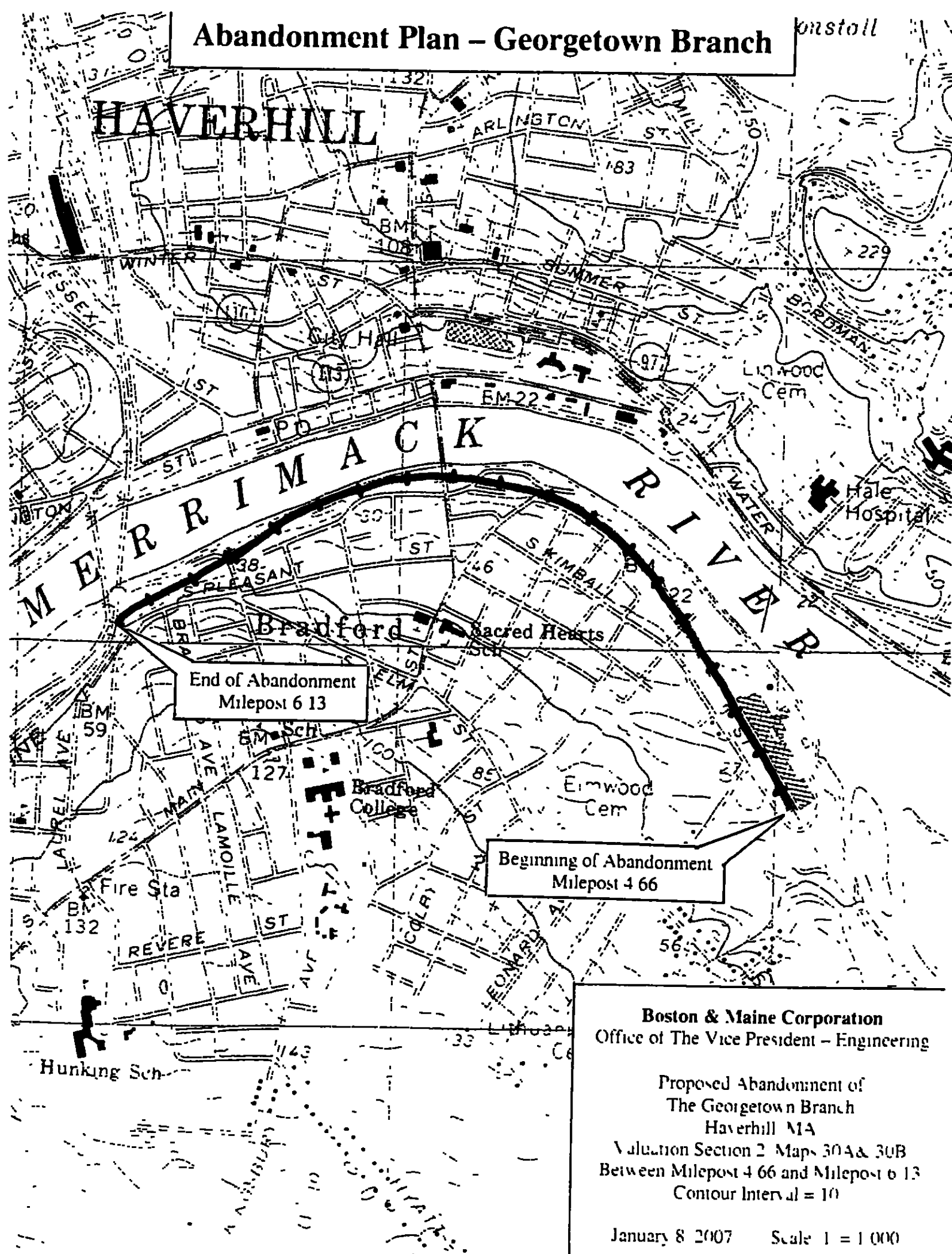
A handwritten signature in black ink, appearing to read "Jeffrey C. Royer".

Jeffrey C Royer
Staff Attorney

Enclosure

Abandonment Plan – Georgetown Branch

onstoll



Boston & Maine Corporation
Office of The Vice President – Engineering

Proposed Abandonment of
The Georgetown Branch
Haverhill MA
Valuation Section 2 Maps 30A & 30B
Between Milepost 4 66 and Milepost 6 13
Contour Interval = 10

January 8 2007 Scale 1 = 1 000

GEORGETOWN BRANCH
ENVIRONMENTAL/HISTORICAL REPORT

Docket No. AB 32 (Sub No. 53x)

Docket No. AB 355 (Sub No. 5x)

I. ENVIRONMENTAL REPORT

The following information is provided in accordance with 49 C F R § 1105.7(e).

(1) Proposed Action and Alternatives

The Boston and Maine Corporation ("B&M") and the Springfield Terminal Railway Company ("ST") (collectively the "Applicants") propose to abandon and discontinue service over a 1.5 mile portion of the so-called "Georgetown Branch" line of railroad (the "Line"). A map of the proposed abandonment and discontinuance has previously been provided to all parties receiving this report, and is attached as Exhibit A.

Due to the inability to generate traffic over the Line, there is no reasonable alternative to abandonment and discontinuance.

(2) Transportation System

There will be no substantial effect on existing regional or local transportation systems or patterns.

There is no passenger or freight traffic on the Line. Any traffic previously moving over the Line was rerouted more than two years ago.

(3) Land Use

- (i) The Applicants believe that the proposed action is consistent with and in furtherance of local land use plans.

(ii) The Applicants believe the proposed action will have no effect or adverse impact on any prime agricultural land

(iii) This action is outside the boundary of the Massachusetts coastal zone

(iv) In light of the fact that title to the Line proposed for abandonment and discontinuance will be sold to third parties, Applicants are unsure whether the right-of-way is suitable for alternative public use under 49 U S C 10906

(4) **Energy**

(i) The transportation of energy resources will not be effected by the proposed action.

(ii) The proposed action will have no effect on the movement and/or recovery of recyclable commodities

(iii) The proposed action will increase overall energy efficiency in that it will allow Applicants to eliminate their potential responsibility for costly and energy-consuming maintenance operations for an unused portion of line

(iv) The proposed action will not cause a diversion from rail to motor carrier in excess of the threshold levels set forth at § 1105 7 (c)(4)(iv)(A) or (B)

(5) **Air**

The proposed action will not result in any of the increases set forth at § 1105 7 (e)(5).

(6) **Noise**

The proposed action will not result in or exceed any of the thresholds set forth at § 1105 7 (e)(6)

(7) **Safety**

(i) The proposed action will have no adverse effect on public health and

safety

- (ii) No hazardous materials will be diverted to highway transportation
- (iii) No known hazardous waste sites or spills exist on the Line

(8) **Biological Resources**

(i) Applicants know of no endangered or threatened species or critical habitats that will be affected by the proposed action. The Applicants requested comments from the U S Fish and Wildlife Service in this regard. The Service responded and has advised Applicants that "no federally-listed or proposed, threatened or endangered species or critical habitat under the jurisdiction of the U S Fish and Wildlife Service are known to occur in the project area(s) "

(ii) Applicants believe no national or state parks or forests will be affected by the proposed action.

(9) **Water**

(i) The Applicant contemplates no action inconsistent with federal, state and/or local water quality standards

(ii) The Applicant does not believe the proposed action will require any permits under § 404 of the Clean Water Act. No salvage operations will be undertaken. No designated wetlands or 100-year flood plains will be affected by the proposed action.

(iii) Permits under § 402 of the Clean Water Act are not required for the proposed action. However, no salvage operations will be undertaken.

(10) **Proposed Mitigation**

Because no adverse environmental impacts are expected to result from the proposed action, no mitigation will be needed or is planned.

(11) **Additional Information for Rail Constructions**

The proposed action is not a rail construction proposal, so this section does not apply.

II. HISTORIC REPORT

The following information is provided in accordance with 49 C F R § 1105.8(d)

(1) Maps

A topographical map is attached hereto as Exhibit B

(2) Description of Right-of-Way

The portion of Line at issue is approximately 1.47 miles in length. The width of the right-of-way varies from 38 feet to 100 feet +/- The attached topographic map indicates the Line's topography.

(3) Photographs of Railroad Structures

The Applicants know of no sites or structures on the Line that are 50 years or older or that are listed in the National Register of Historic Places. The Applicants have requested comments from the Massachusetts Historic Preservation Officer in regard to the anticipated effect of the proposed action on historical resources. The Massachusetts Historical Commission ("MHC") has responded by letter, and has no objection to the proposed action.

(4) Construction Dates

The Applicants know of no sites or structures on the Line that are 50 years or older or that are listed in the National Register of Historic Places.

(5) History of Operations

The Line has existed since approximately 1851. The Line was built by the Newburyport Railroad Company and serves as a link between Georgetown, Massachusetts and Bradford (Haverhill), Massachusetts for over a century.

Newburyport Railroad Company was merged into Boston and Maine Corporation's predecessor, Boston and Maine Railroad Company, in 1906. No local or overhead traffic has moved over the Line for at least two years. The proposed abandonment will not effect carrier operations in the area.

(6) **Summary of Useful Documents**

The Applicants know of no sites or structures on the Line that are 50 years or older or that are listed on the National Register of Historic Places.

(7) **Opinion as to Historical Significance**

The Applicants know of no sites or structures on the Line that are 50 years or older or that are listed in the National Register of Historic Places. The Applicants have requested comments from the Massachusetts Historic Preservation Officer in regard to the anticipated effect of the proposed action on historical resources. The Massachusetts Historical Commission ("MHC") has responded by letter, and has no objection to the proposed action. The Applicants are not aware of any culturally significant locations, archaeological sites or unique landforms located along the Line or that will be affected by the proposed action.

(8) **Description of Prior Subsurface Disturbance**

The Applicants know of no prior subsurface ground disturbances or fill, or environmental conditions that might affect the archeological recovery of resources and the surrounding terrain.

III. CERTIFICATE OF SERVICE

This certifies that the Applicants have served copies of this

Environmental/Historical Report upon and, prior to such service, consulted, or

attempted to consult, with the following parties

Debra Jean. CDBG
Financial Assistant
Department of Housing and
Community Development
One Congress Street, 10th Floor
Boston, MA 02114

Richard Chalpin
Regional Director
Commonwealth of Massachusetts
Department of Environmental Protection
Northeast Regional Office
205B Lowell Street
Wilmington, MA 01887

Susan Snow-Cotter
Commonwealth of Massachusetts
Executive Office of Environmental Affairs
Coastal Zone Management Program
251 Causeway Street, STE 800
Boston, MA 02114-2138

Mayor James Fiorentini
4 Summer Street, Room 200
Haverhill, MA 01830

Stephan Perkins
Office Director
Office of Environmental Stewardship
U S Environmental Protection Agency
New England, Region 1
1 Congress Street, STE 1100
Boston, MA 02114-2023

Michael Bartlett
New England Field Office
U S Department of Interior
Fish & Wildlife Service
70 Commercial Street, STE 300
Concord, NH 03301

Larry Rosenberg
Chief, Public Affairs Office
New England District
U S Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

Regional Director
Northeast Region
National Park Service
U S Customs House
200 Chestnut Street, 5th Floor
Philadelphia, PA 19106

Dan Lenthall
District Conservationist
USDA – NRCS
319 Littleton Road, STE 205
Westford, MA 01886-4133

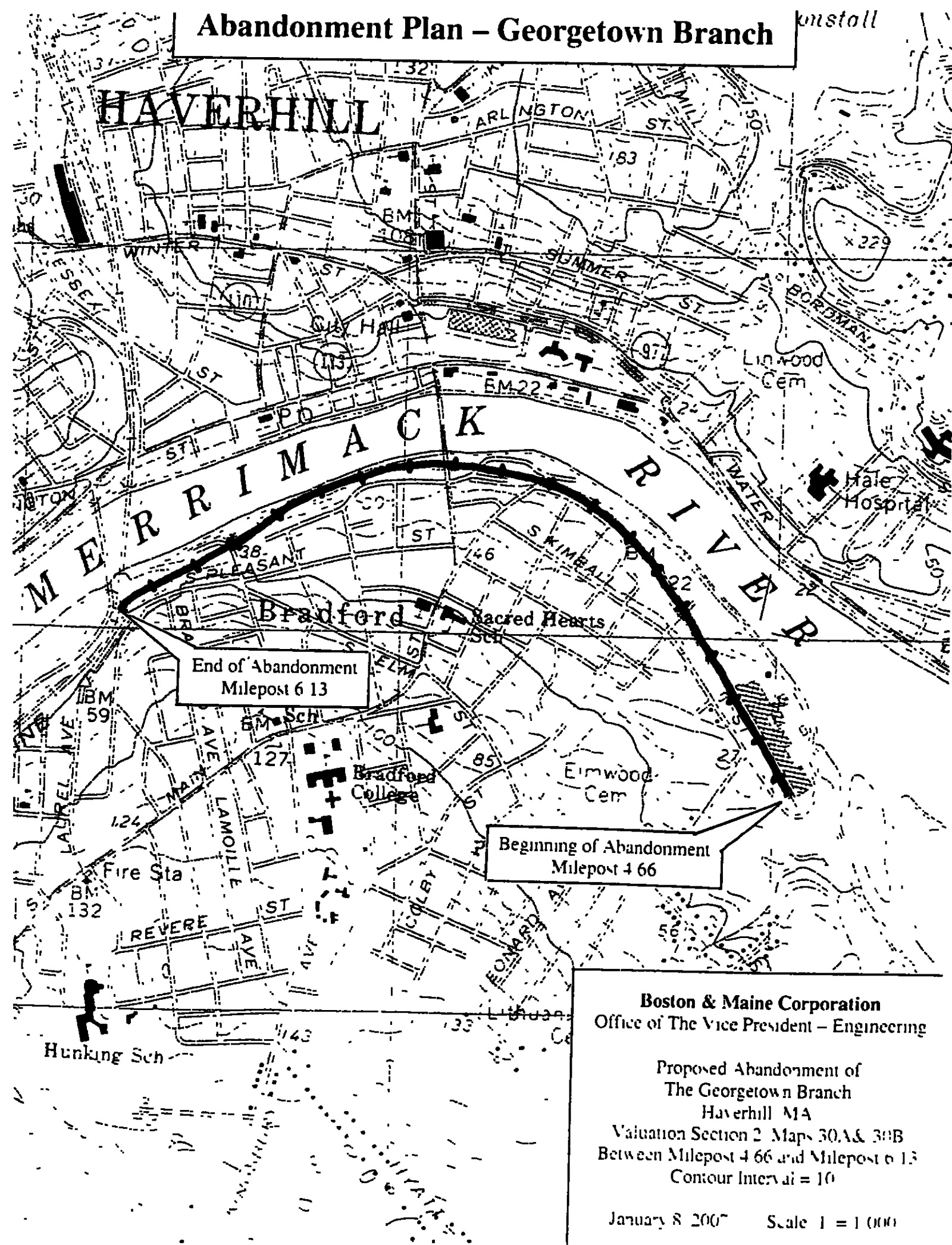
Edward J McKay, Chief
Spatial Reference System Division
National Geodetic Survey
NOAA, N/NGS2
1315 East-West Highway
Silver Spring, MD 20910-3293

Ann M Lattinville
Director of Architectural Review
Massachusetts Historical Commission
220 Morrissey Blvd
Boston, MA 02125

EXHIBIT A

Abandonment Plan – Georgetown Branch

onstall

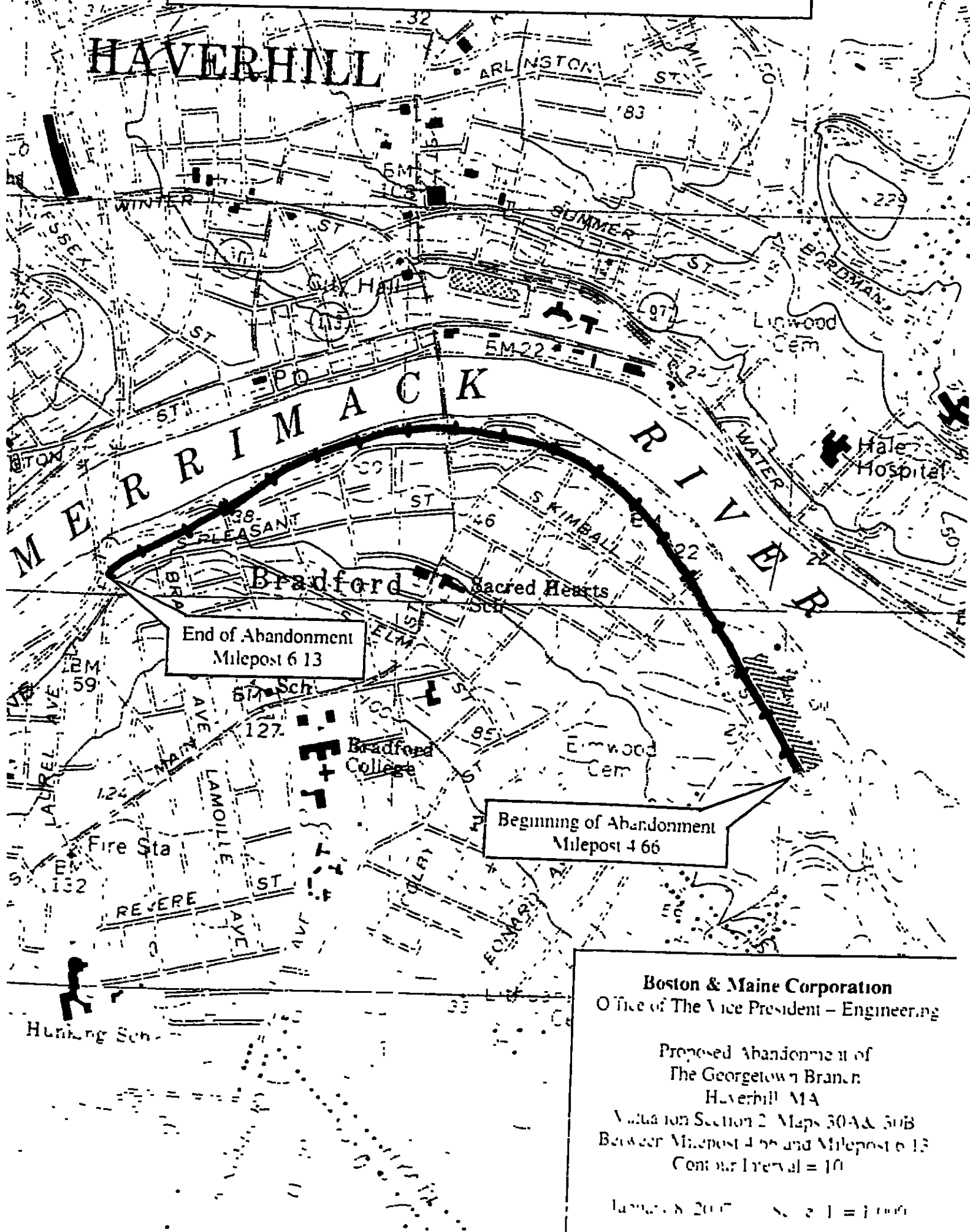


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EXHIBIT B

Abandonment Plan - Georgetown Branch

on stall



**APPENDIX TO
ENVIRONMENTAL/HISTORICAL REPORT**



Natural Resources Conservation Service
319 Littleton Road, Suite 205
Westford, MA 01886

978-692-1904 x3
fax 978-392-1305
www.ma.nrcs.usda.gov

January 24, 2007

Jeffrey C Royer, Esq , Legal Department
Springfield Terminal Railway Company
Boston & Maine Corporation
1700 Iron Horse Park
North Billerica, MA 01862

RE: Abandonment of and Discontinuance of Service
Over Georgetown Branch – AB 32 (Sub No 53x)

Dear Sir

I am not aware of any adverse effect that the proposed abandonment and discontinuance of service of the above mentioned rail line will have on agricultural resources or businesses in the area

Sincerely,

A handwritten signature in cursive script that reads "Daniel Lenthall".

Daniel J Lenthall
District Conservationist



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
OFFICE OF COASTAL ZONE MANAGEMENT
251 Causeway Street Suite 800 Boston MA 02114 2136
(617) 626-1200 FAX (617) 626 1240

February 5, 2007

Jeffrey C. Royer
Pan Am Railways
1700 Iron Horse Park
North Billerica, MA 01862

RE Abandonment of and discontinuance of Service over Georgetown Branch,
Haverhill

Dear Mr. Royer

The Massachusetts Office of Coastal Zone Management (CZM) has received your package of information, including plans, for the proposed (project description)

The activities associated with this project fall outside the geographical boundaries of the Massachusetts Coastal Zone as delineated in Chapter 5 Massachusetts Coastal Regions and An Atlas of Resources, 1 June 1977 and further described in the Massachusetts Coastal Zone Management Plan and therefore are not subject to federal consistency review by this office

Thank you for submitting the information to CZM. If you have any questions regarding our review process, feel free to call me at (617) 626-1219

Sincerely,

Truman Henson
Project Review Coordinator

TH/pb

cc Karen Kirk Adams, Chief
Regulatory Branch, NED, US Army Corps of Engineers





PAN AM
RAILWAYS

SPRINGFIELD TERMINAL RAILWAY COMPANY
BOSTON & MAINE CORPORATION
MAINE CENTRAL RAILROAD COMPANY

1700 IRON HORSE PARK
NORTH BILLERICA, MA 01862

RECEIVED

JAN 24 2007

MASS. HIST. COM.

LEGAL DEPARTMENT

(978) 663-1215

FAX (978) 663-1213

January 15, 2007

To Service List

Re Abandonment of and Discontinuance of Service
Over Georgetown Branch - AB 32 (Sub No 53x)

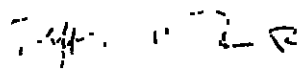
Ladies and Gentlemen

The Boston and Maine Corporation and the Springfield Terminal Railway Company intends to file a Notice of Exemption with the Surface Transportation Board regarding the abandonment of an approximately 1.47 mile line of railroad known as the Georgetown Branch in Haverhill, Massachusetts. A map depicting the portion of the line to be abandoned is attached.

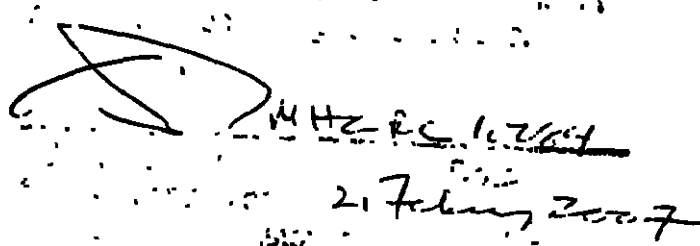
In connection with the Notice of Exemption, federal regulations at 49 CFR § 1105.7 and § 1105.8 require that we prepare an Environmental Historical Report after consulting with and gathering information from your office regarding the anticipated impact of the proposed action on environmental and historical resources. Your input is welcome. Because time is of the essence, however, kindly forward any comments and any relevant information to the undersigned at your earliest convenience, and in any event no later than two weeks from receipt of this letter. If you know of no adverse effect that the proposed abandonment and discontinuance of service will have, and/or do not object to the proposed action, I would appreciate your so notifying the undersigned in writing.

Thank you for your cooperation. If you have any questions, please do not hesitate to call.

Sincerely,


Jeffrey C. Royer, Esq.
Staff Attorney

Enclosure


21 February 2007



United States Department of the Interior

FISH AND WILDLIFE SERVICE
New England Field Office
70 Commercial Street, Suite 300
Concord New Hampshire 03301-5087



February 23, 2007

Reference	<u>Project</u>	<u>Location</u>
	Railroad abandonment AB 32 (Sub No 53x)	Georgetown Branch, Haverhill, MA

Jeffrey Royer
Boston & Maine Corporation
1700 Iron Horse Park
North Billerica, MA 01862

Dear Mr. Royer

This responds to your recent correspondence requesting information on the presence of federally-listed and/or proposed endangered or threatened species in relation to the proposed activity(ies) referenced above

Based on information currently available to us, no federally-listed or proposed, threatened or endangered species or critical habitat under the jurisdiction of the U S Fish and Wildlife Service are known to occur in the project area(s). Preparation of a Biological Assessment or further consultation with us under Section 7 of the Endangered Species Act is not required

This concludes our review of listed species and critical habitat in the project location(s) and environs referenced above. No further Endangered Species Act coordination of this type is necessary for a period of one year from the date of this letter, unless additional information on listed or proposed species becomes available

Thank you for your coordination. Please contact us at 603-223-2541 if we can be of further assistance

Sincerely yours

Anthony P. Fur
Endangered Species Specialist
New England Field Office

JAMES J. FIORENTINI
MAYOR



CITY OF HAVERHILL
MASSACHUSETTS

CITY HALL ROOM 100
FOUR SUMMER STREET
HAVERHILL MA 01830
PHONE (978) 374-2300
FAX (978) 373-7544
WWW.CITYHAVERHILL.MA.US

February 27, 2007

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K St., NW, Rm 711
Washington, DC 20423

Subject ***Pan Am Railways (Boston and Maine Corporation and Springfield Terminal Railway Company) – Abandonment of and Discontinuance of Service over Georgetown Branch – AB 32 (Sub No. 53x)***

Dear Mr. Williams

This comment should be treated as a protest or a petition for reconsideration in the above-captioned proceeding. This comment is filed on behalf of The City of Haverhill which is a municipal government agency interested in transportation and natural resources, which is hereinafter referred to as 'Commenter'.

While not taking a position on the merits of this abandonment, Commenter requests issuance of a Public Use Condition as well as a Certificate or Notice of Interim Trail Use rather than an outright abandonment authorization between "End of Abandonment, Milepost 6.13" and the Main Street Bridge over the Merrimack River (see attachment).

A. Public Use Condition

Commenter requests 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 of public use on reasonable terms. The justification for this condition is that the City of Haverhill desires conversion to a public recreational trail at this location, which is along a scenic river. The trail is part of local plans to provide a downtown walking loop which would encompass the above mentioned limits along the current rail, the Upper County Bridge (which is adjacent to Milepost 6.13), a boardwalk on the north side of the river (next spring construction is scheduled for a portion of the boardwalk and replacement of an existing section of boardwalk) and the Main Street Bridge. To this end, the City has hired a Consulting Firm to complete 100% design plans for the sections of boardwalk mentioned above, and to bring to 25% design the remaining sections of boardwalk on the north side of the river and a recreational trail on the south side of the river (location of the to be abandoned rail). The existing rail corridor provides important wildlife habitat and greenspace and its preservation as a recreational trail is

consistent with that end. The time period sought is 180 days from the effective date of the abandonment authorization. Commenter needs this much time because our Consultant needs the proper time to complete the design plans and to this point we have had the opportunity for only preliminary discussions with Pan Am Rail to express our interest.

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 request is 180 days from the effective date of the abandonment authorization for the same reason as indicated above.

B. Interim Trail Use

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

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL REESPONSIBILITY

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 C.F.R. 1152.29, The City of Haverhill 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 taxes that may be levied or assessed against the right-of-way owned by Pan Am Railways.

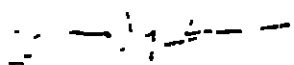
The property, known as the Georgetown Branch extends from railroad milepost 6.13 at end of abandonment to milepost 4.66 at beginning of abandonment, a distance of 1.47 miles in Essex County, Massachusetts. The right of way is part of a line of railroad proposed for abandonment in STB Docket No. AB 32 (Sub No. 53).

A map depicting the right of way is attached.

The City of Haverhill 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 Pan Am Railways (attention Jeffrey C. Royer, Esq.), 1700 Iron Horse Park, North Billerica, MA 01862, by U.S. Mail, postage prepaid, first class, this 27th day of 2007.

Respectfully submitted,


James J. Fiorentini
Mayor

install



CERTIFICATE OF COMPLIANCE
WITH NOTICE REQUIREMENTS OF
49 C F R. 1105.11 AND 1105.7(b)

In accordance with 49 C F R. Section 1105.7(b), I hereby certify that on March 13, 2007, a copy of the Environmental/Historical Report was served upon the parties listed below, by first-class mail, postage prepaid

Debra Jean, CDBG
Financial Assistant
Department of Housing and
Community Development
One Congress Street, 10th Floor
Boston, MA 02114

Richard Chalpin
Regional Director
Commonwealth of Massachusetts
Department of Environmental Protection
Northeast Regional Office
205B Lowell Street
Wilmington, MA 01887

Susan Snow-Cotter
Commonwealth of Massachusetts
Executive Office of Environmental Affairs
Coastal Zone Management Program
251 Causeway Street, STE 800
Boston, MA 02114-2138

Mayor James Fiorentini
4 Summer Street, Room 200
Haverhill, MA 01830

Stephan Perkins
Office Director
Office of Environmental Stewardship
U S Environmental Protection Agency
New England, Region 1
1 Congress Street, STE 1100
Boston, MA 02114-2023

Michael Bartlett
New England Field Office
U S Department of Interior
Fish & Wildlife Service
70 Commercial Street, STE 300
Concord, NH 03301

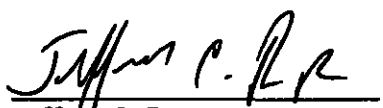
Larry Rosenberg
Chief, Public Affairs Office
New England District
U S Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

Regional Director
Northeast Region
National Park Service
U S Customs House
200 Chestnut Street, 5th Floor
Philadelphia, PA 19106

Dan Lenthall
District Conservationist
USDA - NRCS
319 Littleton Road, STE 205
Westford, MA 01886-4133

Simon Monroe
Spatial Reference System Division
National Geodetic Survey
NOAA, N/NGS2
1315 East-West Highway
Silver Spring, MD 20910-3293

Ann M Lattinville
Director of Architectural Review
Massachusetts Historical Commission
220 Morrissey Blvd
Boston, MA 02125


Jeffrey C Royer

Dated May 23, 2007

VERIFICATION

State of Massachusetts)
)
Middlesex County)

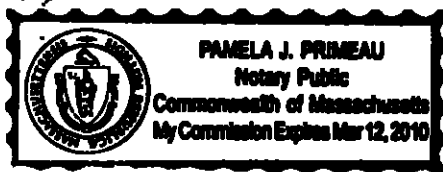
Michael Q Geary, being duly sworn, states that he is a Staff Attorney for the Boston & Maine Corporation and the Springfield Terminal Railway Company, that he is authorized to verify and file with the Surface Transportation Board the foregoing Notice of Exemption in Docket No AB 32 (Sub No. 53x) and AB 355 (Sub No. 5x) on behalf of the Boston & Maine Corporation and the Springfield Terminal Railway Company, that he has carefully examined all of the statements in the Notice of Exemption, and that all representations set forth therein are true and correct to the best of his knowledge, information and belief.


Michael Q Geary

Subscribed and sworn to before me,
A Notary Public in and for the State
And County above named, this
18th day of June, 2007.


Notary Public

My Commission Expires. _____



Ad Number 5BTE0090
Client
ID notice of intent to discontinue s
Classification LEGAL NOTICES
Size 2x47
Begin Date 05/12/2007
End Date 05/12/2007

/BOSTON AND MAINE CORPORATI
IRON HORSE PARK
NORTH BILLERICA, MA 01862

To place an ad, please call 617-929-1500 or email to classified@globe.com

The Boston Globe

CERTIFIED

Below is your advertisement from THE BOSTON GLOBE, beginning 05/12/2007 and ending 05/12/2007, appearing 1 time(s) in the Classification, LEGAL NOTICES

Thank you!
Boston Globe Advertising

NOTICE OF INTENT TO DISCONTINUE RAIL SERVICE

The Boston and Maine Corporation and the Springfield Terminal Railway Company give notice that on or about May 18, 2007 it intends to file with the Surface Transportation Board, Washington, D.C. 20423, a notice of exemption under 49 C.F.R. 1152 Subpart F, Exempt Abandonments permitting the abandonment and discontinuance of service over approximately 1.47 mile portion of track known as the Georgetown Branch between milepost 4.66 and milepost 6.13 (the "Line"). The Line is located in Essex County, Massachusetts and traverses through United States Postal Service zip code 01850. The proceeding will be docketed as No. AB 32 (Sub No. 53d) and No. AB 355 (Sub No. 5x).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested person may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis (SEA), Surface Transportation Board, Washington, DC 20423 or by calling that office at 202 927 6211.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and ten (10) copies of any pleading that raises matters other than environmental issues (such as trail use, public use and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 K Street, N.W., Washington, DC 20423 (See 49 C.F.R. 1104.1(a) and 1104.3(a)), and one copy must be served on applicant's representative (See 49 C.F.R. 1104.12(a)). Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at 202 565 1592. Copies of any comments or request for conditions should be served on

Jeffrey C. Royer
Staff Attorney
Boston & Maine Corporation
Springfield Terminal Railway Company
Iron Horse Park
North Billerica, MA 01862

TO GLOBE NEWSPAPER CO., INC.

For Advertising in the **BOSTON GLOBE**

**Boston and Maine Corporation
Iron Horse Park
North Billerica, MA 01862**

LEGAL NOTICE

NOTICE OF INTENT TO DISCONTINUE RAIL SERVICE

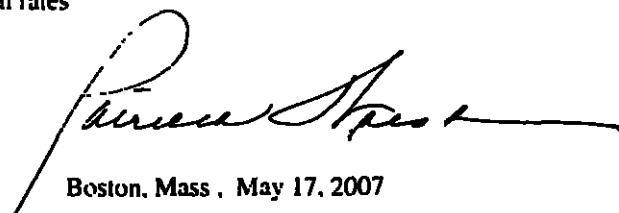
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Jeffrey C. Royer
Staff Attorney
Boston & Maine Corporation
Springfield Terminal Railway Company
Iron Horse Park
North Billerica, MA 01862

I, **Patricia Walsh**, hereby certify that I am *Classified Sales Representative* of the **Globe Newspaper Co.**, publishers of the **Boston Globe**, that the above advertisement has been inserted in said newspaper 1x Time, Saturday, May 12, 2007 and that it is charged at the usual rates


Boston, Mass., May 17, 2007

Personally appeared before me and made oath that the above statement subscribed to by him is true
Suffolk ss


Notary Public

My Commission Expires *Jan 3, 2008*

