

# CLARK HILL

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## VIA E-FILING

Cynthia T. Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street SW  
Washington, DC 20024

Re: Buffalo & Pittsburgh Railroad, Inc.  
-- Exempt Abandonment --  
In Erie and Cattaraugus Counties, NY  
STB Docket No. AB-369 (Sub-No. 7X)

Dear Ms. Brown:

Pursuant to 49 C.F.R. §1152.29(h), Buffalo & Pittsburgh Railroad, Inc. ("BPRR") as the owner and former operator of the rail line approved for abandonment, and Erie Cattaraugus Rail Trail, Inc. ("ECRT"), as the holder of the NITU, hereby jointly notify the Board that BPRR and ECRT have reached agreement on the terms of a Lease Agreement for Interim Trail Use and Rail Banking (the "Agreement") for the interim trail use of the 27.6 mile rail line between Milepost 8.4 in the Town of Orchard Park, Erie County, New York and Milepost 36 in the Town of Ashford, Cattaraugus County, New York. A map of the rail line is enclosed as Exhibit A.

BPRR and ECRT certify that the Agreement includes provisions requiring ECRT to fulfill the responsibilities described in 49 CFR §1152.29(a)(2) and as was set forth in the Statement of Willingness filed by ECRT with the Board on March 11, 2016.

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The filing of this letter has been authorized by BPRR and ECRT. Please let us know if there are any questions regarding this filing.

Respectfully,

CLARK HILL PLC



Eric M. Hocky

EMH/e

Enclosure

cc: Marc A. Romanowski, counsel for ECRT - by email  
Tom Alworth, New York State Office of Parks - by email  
Joseph V. Kocsis, Jr., Western New York Railway Historical Society, Inc. - by mail

