



MAYOR'S OFFICE
CITY OF MUNCIE, INDIANA

Dan C. Canan, Mayor
Phyllis J. Amburn, Deputy Mayor

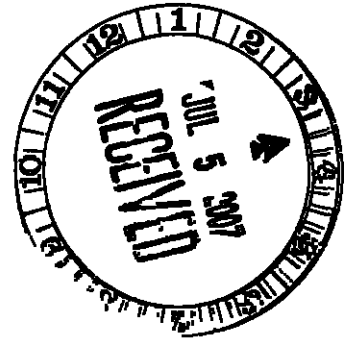
July 2, 2007

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

FILED

JUL 5 - 2007

**SURFACE
TRANSPORTATION BOARD**



RE: CSX Transportation, Inc.-Abandonment-Delaware County, Indiana
AB-55 (Sub-No. 679X)

ENTERED
Office of Proceedings

JUL 5 - 2007

**Part of
Public Record**

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 Muncie, Indiana which is a municipal governmental agency, hereinafter referred to as "Proponent".

While not taking a position on the merits of this abandonment, Proponent 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 QIM 0.0 and QIM 1.4.

A. Public Use Condition

Proponent 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 corridor would make an excellent recreational trail and conversion of the property to trail use is in accordance with the Bicycle & Pedestrian Plan for Muncie and Delaware County, specifically the multi-use path labeled the Buck Creek Beltway (a combination of Buck Creek and the Muncie Beltway line). Additionally, the trail extends through South Muncie, an area which is currently involved in a redevelopment initiative, and would provide connections to existing trails, several neighborhoods, parks, elementary schools and community amenities. The time period sought is 180 days from the effective date of the abandonment authorization. Proponent needs this much time because we have not had an opportunity to review title information, or to commence negotiations with the carrier.

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- 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 cited 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, Proponent also makes the following request for interim trail use

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

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 Muncie is willing to assume full responsibility for management and financial oversight for an interim trail use of the subject right-of-way owned by CSX Transportation, Inc. and operated by CSX

The property, known as the Muncie Belt Industrial Track, extends from railroad milepost QIM 0.0 to railroad milepost QIM 1.4, a distance of 1.4 miles in Delaware County, Indiana. The right-of-way is a part of a line of railroad proposed for abandonment in STB Docket No AB-55 (Sub-no. 679X)

Maps depicting the right-of-way are attached

The City of Muncie 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

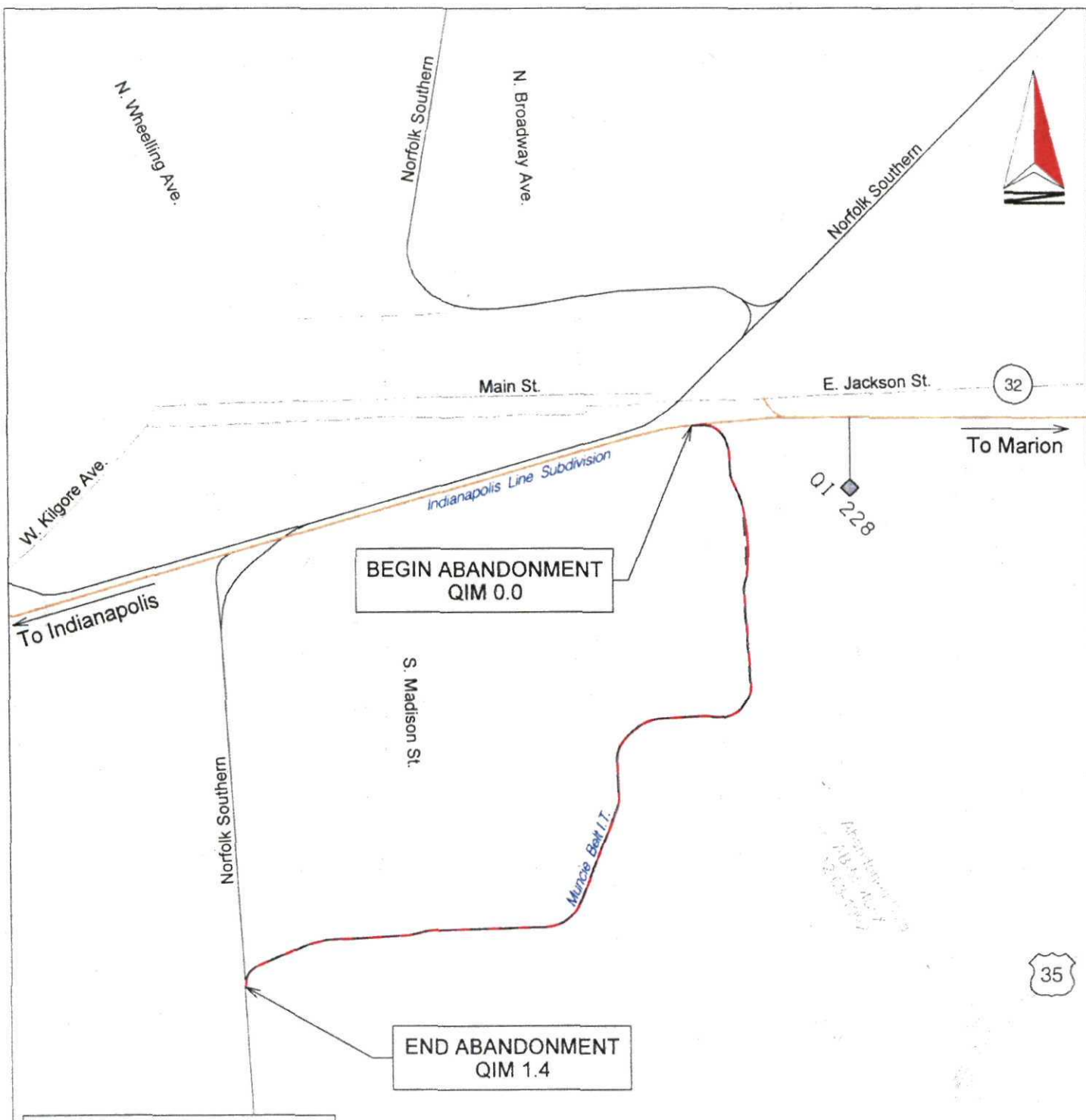
By my signature below, I certify service upon CSX Transportation, Inc. c/o Steven C. Armbrust, 500 Water Street, J-150, Jacksonville, FL 32202, by U.S Mail, postage prepaid, first class, this 2nd day of July, 2007

Respectfully submitted,



Ivan Canan
Mayor
City of Muncie, Indiana

Attachments (3)



BEGIN ABANDONMENT
QIM 0.0

END ABANDONMENT
QIM 1.4

LEGEND

- CSXT Operating Corridor
- Proposed Abandonment
- Total Distance = 1.4 Miles +/-
- Previous Abandonment

NORTHERN REGION
GREAT LAKES DIVISION
INDIANAPOLIS LINE SUBDIVISION
MUNCIE BELT INDUSTRIAL TRACK
QIM 0.0 - QIM 1.4 +/-
STB Docket No. AB55 - 679X

Delaware Co.,
Indiana

CSX TRANSPORTATION

**Proposed Abandonment of the
Muncie Belt Industrial Track**

QIM 0.0 - QIM 1.4
a distance of 1.4 Miles +/-
Delaware County, Indiana



SCALE: 1" = 2000 Feet

Revised: Mar. 9, 2007
Drawn By: L. Fenwick

