



Indiana Trails Fund, Inc.

DID# 0102002001

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July 25, 2002

Secretary Vernon A. Williams
Surface Transportation Board
Mercury Building
1925 K Street, N. W.
Washington, DC 20423-0001
202-565-1674- Tele

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Office of Proceedings

JUL 26 2002

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Public Record



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Re: CSX Transportation Abandonment in Marion County, Indiana,
AB-55 (SUB NO. 621X)

JUL 25 2002

Dear Secretary Williams:

**SURFACE
TRANSPORTATION BOARD**

This request is filed on behalf of Indiana Trails Fund, Inc., which is a private/public interest organization interested in conservation and/or recreation, etc., 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 Milepost BD-127.19 at the east side of Holmes Street (marked on the ground as Milepost BD-126.9) and Milepost BD-127.80 (end of track).

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: 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 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: to 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.

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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, Indiana Trails Fund, Inc. 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 CSX Transportation, Inc.

The property, known as the Sequoia Supply Industrial Track from railroad milepost near BD-126.9 to railroad milepost near DB-127.80, a distance of 0.61 miles in Marion County, Indiana. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-55 (SUB-NO. 621X)

A map depicting the right-of-way is attached.

Indiana Trails Fund, Inc. 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., Natalie S. Rosenberg, Counsel, 500 Water Street J150, Jacksonville, Florida 32202 (904-359-1253) by U.S. Mail, postage pre-paid, first class, this 25th day of July, 2002 .

Respectfully submitted,



Richard C. Vonnegut

On behalf of Indiana Trails Fund, Inc.

Enc:
Map
10 duplicates
\$150 filing fee

