

DD# 010220700/

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**FRIENDS OF FRED MEIJER HEARTLAND TRAIL**

P.O Box 455, Edmore, MI 48829

989.427.5555

June 30, 2003

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

ENTERED  
Office of Proceedings

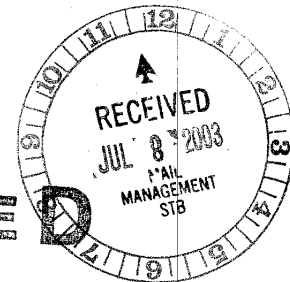
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Public Record

**FILED**

JUL 8 2003

SURFACE  
TRANSPORTATION BOARD



**FEE RECEIVE**

Re: CSX Transportation, Inc, - Abandonment Exemption - Gratiot County, Michigan -  
STB Docket Number AB-55 Sub-No. 635X

JUL 8 2003

Dear Mr. Williams:

SURFACE  
TRANSPORTATION BOARD

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 Friends of Fred Meijer Heartland Trail, which is a private public interest organization interested in conservation and/or recreation, 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 Alma, CBE 40.0 and Elwell, Gratiot County, Michigan CBE-45.5.

**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 for 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 city of Alma local plans. The corridor will be an extension of the current Fred Meijer Heartland Trail, which is 29 miles long and currently ends at Elwell. This corridor will allow for the final link of our trail from Greenville to Alma. In addition the corridor provides important wildlife habitat and open space 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 we have not had an opportunity to assemble or to review title information, complete a trail plan or commence 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. 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 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 C.F.R. §1152.29, Friends of Fred Meijer Heartland Trail is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of, and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by CSX Transportation, Inc. (CSXT)) and operated by Mid-Michigan Railroad Company (MMRR).

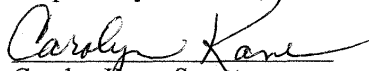
The property, known as the Edmore Line, Alma to Elwell, Gratiot County, Michigan extends from railroad milepost CBE 40.0 near Alma to railroad milepost CBE 45.5 near Elwell, a distance of 5.5 miles in Gratiot County, Michigan. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-55 (Sub-no. 635X).

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

Friends of Fred Meijer Heartland Trail 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, 500 Water Street, Jacksonville, FL 32202 by US Mail, postage pre-paid, first class, this 30<sup>th</sup> day of June, 2003.

Respectfully submitted, )



Carolyn Kane, Secretary

On behalf of: Friends of Fred Meijer Heartland Trail

