

Corporation Counsel
Linda Runkle

City Attorney
Patricia Stanton Bernens



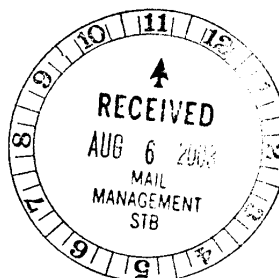
City of Bloomington
Legal Department

208640

Assistant City Attorneys
Vickie Renfrow
Susan Failey
R. Michael Flory
Jennifer K. Schultz

July 31, 2003

Mr. Vernon Williams, Secretary
Surface Transportation Board
Mercury Building
1925 K Street, N.W.
Washington, DC 20423-0001



Re: The Indiana Rail Road Company Abandonment in Monroe County, Indiana
STB Docket No. AB-295 (Sub-No. 5X)

Dear Secretary:

Enclosed please find for filing are an original and ten copies of a Request for Public Use Condition and Trail Use Request by the City of Bloomington, Indiana in the above-captioned proceeding. A check in the amount of \$150.00 to cover the filing fee is also enclosed. I would appreciate your acknowledgment of receipt of these documents by stamping the extra enclosed copy of this letter and returning it to me in the enclosed self-addressed, stamped envelope.

Sincerely,

Susan Failey
Assistant City Attorney

Enclosures

cc: John H. Broadley
1054 Thirty-first Street, N.W.
Washington, D.C. 20007

Steve Meyer
The Indiana Rail Road Company
101 West Ohio Street, Suite 1600
Indianapolis, IN 46204

ENTERED
Office of Proceedings
AUG - 2003
Part of
Public Record

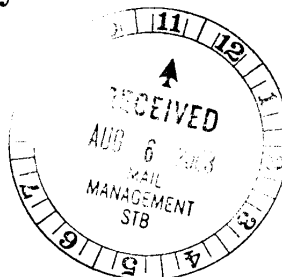


**City of Bloomington
Office of the Mayor**

John Fernandez

July 14, 2003

Mr. Vernon Williams, Secretary
Surface Transportation Board
Mercury Building
1925 K Street, N.W.
Washington, DC 20423-0001



Re: CSX Transportation, Inc. Abandonment in Monroe County, Indiana
STB Docket No. AB-55 (Sub-No. 634X)

ENTERED
Office of Proceedings

AUG - 2003

Dear Secretary:

Part of
Public Record

This request is filed on behalf of the City of Bloomington, Indiana, acting by and through its Redevelopment Commission, which is a political subdivision interested in transportation and natural resources, 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 00Q-219.55 and Milepost 00Q-222.50.

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 runs through downtown Bloomington and adjoins City Hall, the Convention Center, and numerous businesses, as well as several residential neighborhoods. The trail is included in the Proponent's Alternative Transportation and Greenways plan as an important north-south route through downtown. Development of the rail corridor into a trail will create a safe, easy route for bicyclists and pedestrians to access downtown from the south and west portions of Bloomington without adding to traffic congestion downtown, as well as provide recreational benefits. The Proponent also plans to purchase CSX's switchyard consisting of approximately 63 acres at the southern end of the corridor for development primarily as a park, so the trail will also provide access from downtown to the proposed park. The time period sought is 180 days from the effective date of the abandonment authorization. Proponent needs this much time to review title information, complete environmental evaluation, and conduct negotiations with CSX.

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. 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 requests approval of interim trail use and railbanking, and submits the following assurance:

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, the City of Bloomington, Indiana is willing to assume full responsibility for management of the corridor and trail, to indemnify the railroad against any potential liability arising out of the transfer and use of the corridor and trail, and to assume responsibility for the payment of any and all taxes that may be levied or assessed against the right-of-way owned and operated by CSX Transportation, Inc.

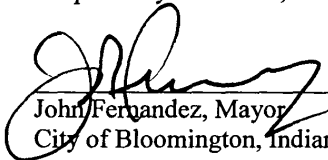
The property, known as the McDoel Switchyard and rail corridor, extends from railroad milepost 00Q-219.55 near Adams Street in Bloomington, Indiana to railroad milepost 00Q-222.50 near Country Club Drive, a distance of 2.95 miles in Monroe County, Indiana. The right-of-way is part of a line of CSX Transportation, Inc.'s railroad proposed for abandonment in STB Docket No. AB-55(Sub-No. 634X).

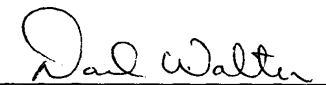
A map depicting the right-of-way is attached.

The City of Bloomington 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., 500 Water Street, Jacksonville, FL 32202, by U.S. Mail, postage pre-paid, first class, this 30th day of July, 2003.

Respectfully submitted,


John Fernandez, Mayor
City of Bloomington, Indiana


David Walter, President
President, Redevelopment Commission
City of Bloomington, Indiana

