

# CLARK HILL

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Eric M. Hocky  
T (215) 640-8523  
F (215) 640-8501  
Email: ehocky@clarkhill.com

Clark Hill PLC  
Two Commerce Square  
2001 Market Street, Suite 2620  
Philadelphia, PA 19103  
T (215) 640-8500  
F (215) 640-8501

**clarkhill.com**      **301231**

October 30, 2020

VIA E-FILING

ENTERED  
Office of Proceedings  
October 30, 2020  
Part of  
Public Record

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

Re: South Carolina Central Railroad Company, LLC - Abandonment Exemption –  
In Terrell County, GA  
Surface Transportation Board Docket No. AB 312 (Sub-No. 4X)

Georgia Southwestern Railroad, Inc. - Discontinuance Exemption -  
In Terrell County, GA  
Surface Transportation Board Docket No. AB 1000 (Sub-No. 4X)

Dear Ms. Brown:

Pursuant to 49 C.F.R. §1152.29(h), South Carolina Central Railroad Company, LLC (“SCRF”) as the owner of the freight rail easement being abandoned in Docket No. AB 312 (Sub-No. 4X), and South Georgia Rails To Trails Inc. (“SGRT”), as the holder of the NITU, hereby jointly notify the Board that on October 22, 2020, SCRF and SGRT entered into a Trail Use Agreement (the “Agreement”) covering the freight rail easement property extending from railroad milepost 72.88 to railroad milepost 72.63 in the Town of Sasser, Terrell County, GA, a distance of 1350 feet. A map of the rail line is attached to the Statement of Willingness enclosed herewith.

SCRF and SGRT certify that the Agreement includes provisions requiring SGRT to fulfill the responsibilities described in 49 CFR §1152.29(a)(2) as was set forth in the Statement of Willingness of SGRT dated February 28, 2019, a copy of which is enclosed herewith.

Cynthia T. Brown  
October 30, 2020  
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The filing of this letter has been authorized by SCRF and SGRT. Please let us know if there are any questions regarding this filing.

Respectfully,

CLARK HILL PLC

*/s/ Eric M. Hocky*

ERIC M. HOCKY

EMH:e

cc: Spencer Lee, Counsel for South Georgia Rails To Trails Inc.

LAW OFFICES  
**W SPENCER LEE IV LLC**

POST OFFICE BOX 1376  
ALBANY, GEORGIA 31702

247213

247214

ENTERED

Office of Proceedings  
February 28, 2019  
Part of  
Public Record

W SPENCER LEE IV  
ATTORNEY AT LAW

504 NORTH JACKSON STREET  
ALBANY, GEORGIA 31701

**VIA FEDEX**

February 27, 2019

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



Re: South Carolina Central Railroad Company, LLC - Abandonment Exemption –  
In Terrell County, GA  
Surface Transportation Board Docket No. AB 312 (Sub-No. 4X)

Georgia Southwestern Railroad, Inc. - Discontinuance Exemption - FEE RECEIVED  
In Terrell County, GA  
Surface Transportation Board Docket No. AB 1000 (Sub-No. 4X) February 28, 2019

Dear Ms. Brown:

TRANSPORTATION BOARD

This letter petition for an interim trail use condition is filed on behalf of South Georgia Rails To Trails Inc. ("SGRT" or "proponent"), a Georgia not-for-profit corporation holding a Federal 501(c)(3) Exemption Letter. Also enclosed is a check in the amount of \$300 representing the filing fee for this petition.

Proponent requests that the Board impose an interim trail use condition on the proposed abandonment (and discontinuance) of the rail line described that is the subject of the above-referenced proceedings and described more fully below.

In connection with the request, SGRT makes the following statement:

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

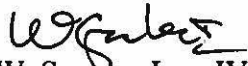
In order to establish interim trail use and rail banking under 16 U.S.C. 1247(d) and 49 CFR 1152.29 with respect to the right-of-way freight easement owned by South Carolina Central Railroad Company, LLC ("SCRF")<sup>1</sup> and operated by Georgia Southwestern Railroad, Inc. ("GSWR"), SGRT, interim trail sponsor, is willing to assume full responsibility for: (1)

<sup>1</sup> The underlying property is owned by the Georgia Department of Transportation.

managing the right-of-way, (2) any legal liability arising out of the transfer or use of the right-of-way (unless the sponsor is immune from liability, in which case it need only indemnify the railroad against any potential liability), and (3) the payment of any and all taxes that may be levied or assessed against the right of way. The property extends from railroad milepost 72.88 to railroad milepost 72.63 in the Town of Sasser, a distance of 1350 feet, in Terrell County, GA. The right-of-way is part of a line of railroad proposed for abandonment (and discontinuance) in STB Docket No. AB 312 (Sub-No. 4X). A map of the property depicting the right-of-way is attached.

SGRT acknowledges that use of the right-of-way is subject to the sponsor's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service. I certify that a copy of this letter is being served on counsel for SCRF and GSWR on the same date it is being served on the Board.

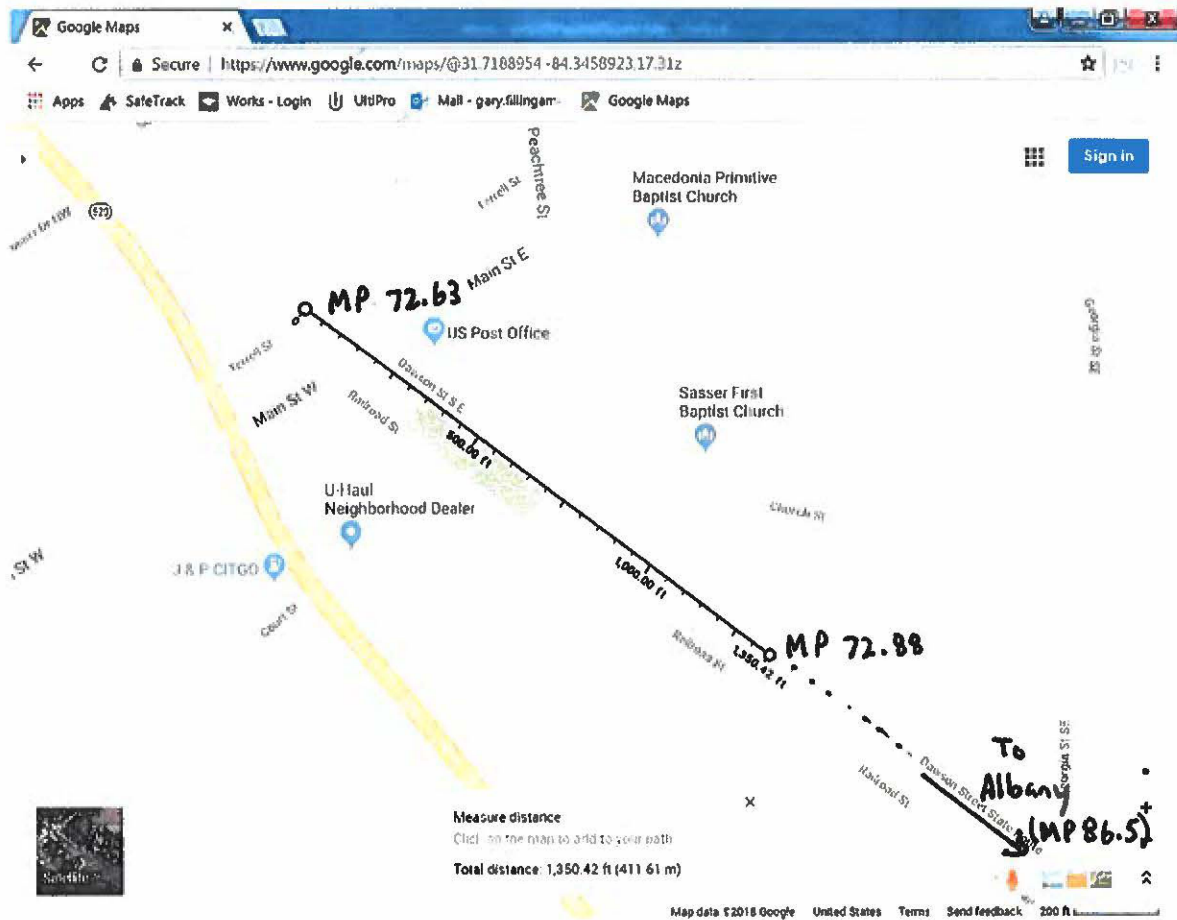
Respectfully submitted,



W. Spencer Lee, IV

Attorney for South Georgia Rails To Trails Inc.

cc: Eric M. Hocky, attorney for SCRF and GSWR, by email  
Billups "Bo" Johnson, President - SGRT



[CORRECTED]