

AUG 18 2008

**SURFACE
TRANSPORTATION BOARD**

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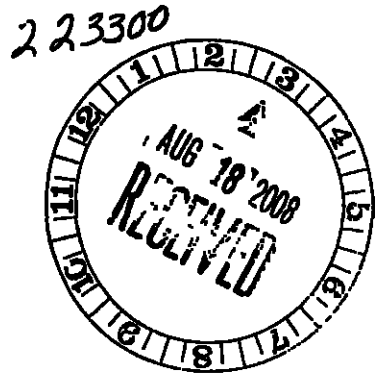
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TYO INCORPORATED

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August 14, 2008

Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0001

FEE RECEIVED

AUG 18 2008

TRANSPORTATION BOARD

Re STB Docket No. AB-1000 (Sub-No. 1X), *Georgia Southwestern Railroad, Inc. – Abandonment Exemption – in Harris and Meriwether Counties, GA*

Dear Acting Secretary Quinlan:

By decision served December 10, 2007, the Board issued a notice of interim trail use ("NITU") at the request of Harris County, GA ("Harris County") for the rail line located between milepost R-12.0, at Florida Rock, and milepost R-55.0, at Allie (the "Line"). By decision served February 15, 2008, the Board extended the NITU until August 13, 2008.

On August 13, 2008, Harris County filed for an extension of the NITU, but only for the portion of the Line located between milepost R-12.0, at Florida Rock, and milepost R-33.5, at the Harris County-Meriwether County line.

TYO, Inc. ("TYO"), a Nebraska subchapter S corporation, pursuant to 49 C.F.R. 1152.29, expresses its interest in acquiring for interim trail use and rail banking under the National Trails System Act, 16 U.S.C. 1247(d), and 49 C.F.R. 1152.29, the right-of-way of Georgia Southwestern Railroad, Inc. ("GSR"), that is located between milepost R-33.5, at the Harris County-Meriwether County line, and milepost R-55.0, at Allie.

**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, TYO 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

Vernon A. Williams
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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 GSWR, identified below

The property is located between railroad milepost R-33.5, at the Harris County-Meriwether County line, and milepost R-55.0, at Allie in Meriwether County, GA. The right-of-way is the subject of an exemption for abandonment in STB Docket No. AB-1000 (Sub-No. 1X).

TYO 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.

A map depicting the right-of-way is attached. The right-of-way to be rail banked and used on an interim basis for a trail is colored in yellow. By my signature below, I certify service upon Karl Morell, Attorney for GSWR by U.S. Mail, postage prepaid, this August 14, 2008.

The \$200 filing fee is attached.

Ten copies accompany the original of this request.

Respectfully submitted,



Terry Peterson
President
TYO, Inc.

cc Karl Morell, Esq.
Ball, Janik
1455 F Street, N.W., Suite 225
Washington, D.C. 20005