

ANDREW C. RAMBO, P.C.

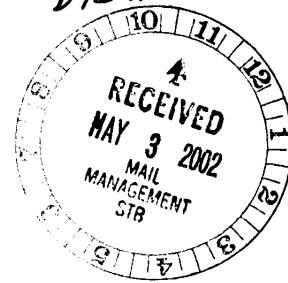
- Attorney At Law -

104 DEPOT ST. • P.O. BOX 129
SHELBYVILLE, TENNESSEE 37162

TELEPHONE 931-684-6213

FACSIMILE 931-684-6227

May 2, 2002



205316

VERNON WILLIAMS
SURFACE TRANSPORTATION BOARD
OFFICE OF THE SECRETARY
1925 K STREET, NW, ROOM 700
WASHINGTON, DC 20423

Re: Pine Belt Southern Railroad Company, Inc.

Dear Mr. Williams:

Enclosed please find our Notice of Exemption, Exhibits, and attachments together with ten copies. Also enclosed is a check in the amount of \$2,700.00 payable to the Surface Transportation Board.

Sincerely,

FEE RECEIVED

MAY 03 2002

SURFACE
TRANSPORTATION BOARD

Andrew C. Rambo

Enc.

FILED

MAY 03 2002

SURFACE
TRANSPORTATION BOARD

ENTERED
Office of the Secretary

MAY 03 2002

Part of
Public Record

DID# 0101938002



BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB 601

PINE BELT SOUTHERN RAILROAD COMPANY, INC.

-- ABANDONMENT --

BETWEEN NUCKOLS AND HURTSBORO,
IN RUSSELL, BULLOCK, AND MACON COUNTIES, ALABAMA

NOTICE OF EXEMPTION

Dated: May 1, 2002

PI\ABANDONMENT.ABERNATHY

BEFORE THE
SURFACE TRANSPORTATION BOARD



DOCKET NO. AB 601

PINE BELT SOUTHERN RAILROAD COMPANY, INC.

-- ABANDONMENT --

BETWEEN NUCKOLS AND HURTSBORO,
IN RUSSELL, BULLOCK, AND MACON COUNTIES, ALABAMA

NOTICE OF EXEMPTION

COMES NOW Pine Belt Southern Railroad Company, Inc. ("PBRR") and files this notice of exemption from regulation under 49 U.S.C. §§ 10903-10905, pursuant to the provisions of 49 U.S.C. § 10502 and 49 CFR § 1152.50, for abandonment of its line of railroad lying between Milepost S-304.00 at Nuckols and Milepost S-329.00 at Hurtsboro, Alabama.

Pursuant to regulations adopted by the Interstate Commerce Commission in Ex Parte No. 274 (Sub-Nos. 8 and 8A), Exemption of Out of Service Rail Lines, 366 I.C.C. 885 (1983) and 1 I.C.C.2d 55 (1984), and by the Surface Transportation Board ("Board" or "STB") in STB Ex Parte No. 537, Abandonment and Discontinuance of Rail Lines and Rail Transportation Under 49 U.S.C. 10903, served December 24, 1996, and codified at 49 CFR § 1152.50, PBRR states as follows:

PIABANDONMENT.ABERNATHY

Traffic Certification - §§ 1152.50(b) and (d)(2).

As the attached certificate of President G. Richard Abernathy confirms, no traffic has originated, terminated or moved overhead on this line segment for at least two years, and no complaint is pending with the Board or a U. S. District Court or has been decided in favor of a complainant concerning cessation of service over this line within the two-year period.

Consummation Date - § 1152.50(d)(2)

The effective date of the abandonment between Milepost S-304.00 at Nuckols and Milepost S-329.00 at Hurtsboro, Alabama, will be June 20, 2002.

General Corporate Information - § 1152.22(a)(1-2) and (7)

The party filing this notice is Pine Belt Southern Railroad Company, Inc., a common carrier by railroad subject to STB jurisdiction under the Interstate Commerce Commission Termination Act (Interstate Transportation Act) (49 U.S.C. Subtitle IV, Chapter 105), whose representative to whom correspondence may be sent is:

G. Richard Abernathy
President
Pine Belt Southern Railroad Company, Inc.
P.O. Box 1317
Shelbyville, TN 37162

Description of the Line and the Relief Sought - § 1152.22(a)(3-4 and 7)

The relief sought is authority for abandonment of the line. The line for which the abandonment authority is sought consists of 25 miles of track between Milepost S-304.00 at Nuckols and Milepost S-329.00 at Hurtsboro, in Russell, Bullock, and Macon Counties, Alabama. A map showing the line to be abandoned, other rail lines in the area, highways, and

population centers is attached as Exhibit 1 to this notice. The line traverses United States Postal Service ZIP Codes 36860, 36875, and 36858.

Suitability of the Line for Other Public Purposes - § 1152.22(e)(4)

PBRR has received no inquiries about public use of the right of way underlying the line segment to be abandoned and is unaware of any potential public purposes to which the right of way may be suited. PBRR is not aware of any restriction on the title to the property which would affect the transfer of title or the use of property for other than rail purposes.

Labor Protection - § 1152.50(d)(2)

Since the line to be abandoned has been out of service for over two years, PBRR believes no employees will be adversely affected by exercise of abandonment authority for this line. However, as a condition to exercise of the authority permitted in this matter, PBRR will accept the imposition of standard labor protective conditions as set forth in Oregon Short Line R. Co. - Abandonment - Goshen, 360 I.C.C. 91 (1979).

Environmental and Historic Reports: Certifications - § 1105.7 and § 1105.8

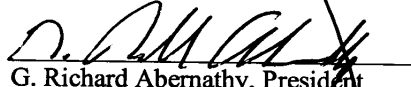
Attached are environmental and historical reports prepared and served in accordance with the Surface Transportation Board's regulations. PBRR certifies that the notice and transmittal requirements of § 1105.7, § 1105.8 and § 1105.11 have been met.

Service and Newspaper Notice Requirements Certification - § 1152.50(d)(1-2)

As the attached certification indicates, PBRR certifies that the service and notice requirements of § 1152.50(d)(1)(certain government agencies) and § 1105.12 (newspaper notice) have been complied with.

For the foregoing reasons, PBRR believes the proposed rail line abandonment is exempt from under 49 U.S.C. §§ 10903-10905 pursuant to 49 C.F.R. § 1152.50 and requests that the Board serve the appropriate notice.

Respectfully submitted,


G. Richard Abernathy, President
Pine Belt Southern Railroad Company, Inc.

Of Counsel:

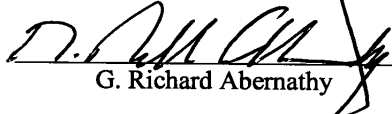
Andrew C. Rambo
Attorney at Law
P.O. Box 129
Shelbyville, TN 37162
(931) 684-6213

Dated: May 1, 2002

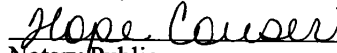
VERIFICATION

STATE OF TENNESSEE
COUNTY OF BEDFORD

G. Richard Abernathy, being duly sworn, deposes and says that he is President of Pine Belt Southern Railroad Company, Inc.; that he is authorized to sign, verify, and file with the Surface Transportation Board the foregoing Notice of Exemption in AB-601 on behalf of Pine Belt Southern Railroad Company, Inc.; that he has carefully examined all of the statements contained in said Notice of Exemption; that he has knowledge of the matters set forth therein; and that all such statements made and matters set forth are true and correct to the best of his knowledge, information, and belief.


G. Richard Abernathy

Subscribed and sworn to before me this 1st day of May, 2002.

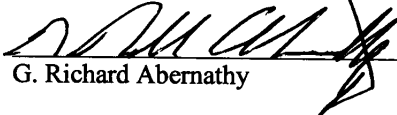

Notary Public

My Commission Expires: 09/21/2004

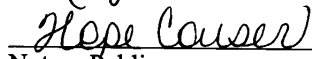
CERTIFICATION

STATE OF TENNESSEE
COUNTY OF BEDFORD

G. Richard Abernathy makes oath and says that he is President for Pine Belt Southern Railroad Company, Inc.; that the line between Milepost S-304.00 at Nuckols and Mileposts 329.00 at Hurtsboro, Alabama, over which operations are to be abandoned, is subject to his supervision and direction; that no local traffic has moved over the line for at least two years, that no overhead traffic has moved over the line for at least two years and that overhead traffic, if there were any, could be rerouted over other lines; and that no formal complaint filed by a user of rail service on the line or a state or local government entity acting on behalf of such user regarding cessation of service over the line either is pending before the Surface Transportation Board or any U. S. District Court or has been decided in favor of the complainant within the two-year period.


G. Richard Abernathy

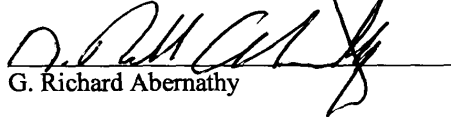
Subscribed and sworn to before me this 1st day of May, 2002.


Notary Public

My commission expires: 09/21/2004

CERTIFICATION

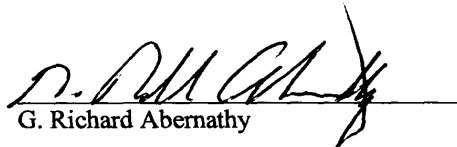
I hereby certify (1), pursuant to § 1105.11, that Environmental and Historic Reports were submitted to the agencies identified in § 1105. 7(b) and to the appropriate State Historic Preservation Officer (see Exhibit 2); (2), pursuant to § 1105.12, that a notice of intent to abandon rail service was published in Tuskegee News, Tuskegee, AL; Phenix Citizen, Phenix City, AL; and Union Springs Herald; Union Springs, AL on the ^{3rd + 4th} day of April 2002 (see Exhibit 3); and (3) that the notice required by § 1152.50(d)(1) was given (see Exhibit 4).


G. Richard Abernathy

Dated: 05/01/2002

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Exemption was served upon Mr. Chris Longcrier, Railway Track Supervisor Railway Safety Section, Alabama Public Service Commission; the United States Department of Defense (MTMCTEA); National Park Service, Recreation Resources Assistance Division; National Park Service, Land Resources Division; and U. S. Department of Agriculture, Chief of the Forest Service; on March 25, 2002, by I first class mail, postage prepaid.


G. Richard Abernathy

PIABANDONMENT.ABERNATHY

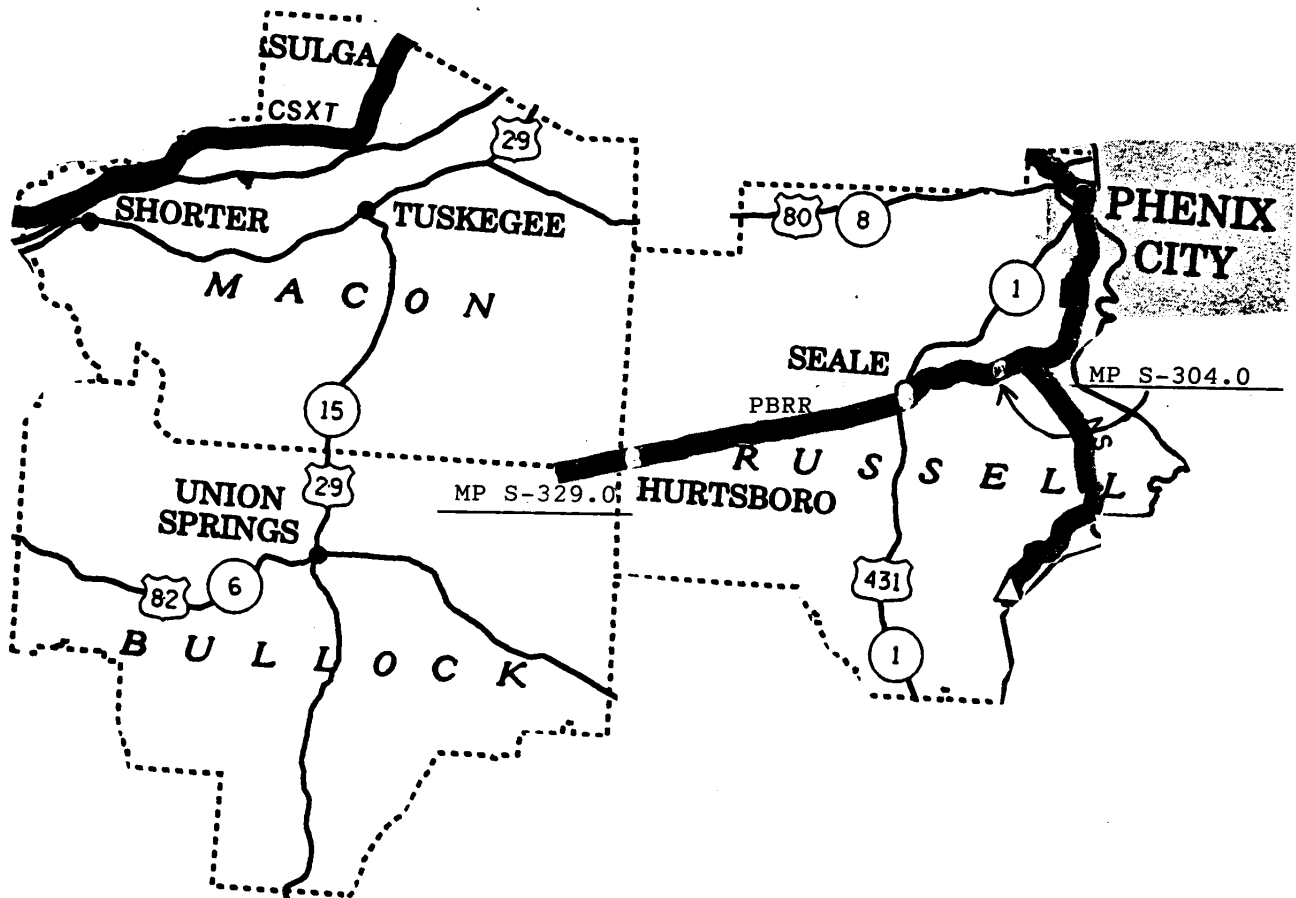


EXHIBIT 2

ENVIRONMENTAL AND
HISTORIC REPORTS

ENVIRONMENTAL REPORT ON
PROPOSED RAIL LINE ABANDONMENT

Abandonment of: 25 miles of track between MP S-304.00 and MP S-329.00 from Nuckols to Hurtsboro, Alabama

1. PROPOSED ACTION AND ALTERNATIVES

Pine Belt Southern Railroad Company, Inc. (hereinafter called PBRR) proposes to abandon use of 25 miles of rail line from Nuckols to Hurtsboro, Alabama. A Map delineating the line proposed for abandonment is attached as Appendix A.

The alternatives to abandonment of this line are not to abandon or to discontinue service on the line and retain the trackage in place. Not abandoning the line would avoid the temporary impacts from salvage and recycling of the rails and crossties, but eliminate the long-term environmental and social benefits.

2. TRANSPORTATION SYSTEM

Effects of the proposed action on regional or local transportation systems and patterns are expected to be negligible. Within the last two years, no rail freight or passenger traffic has moved on the line segment proposed for abandonment. Consequently, no rail traffic will be diverted to highway mode as a result of the abandonment.

3. LAND USE

(i) The proposed abandonment involves 25 miles of rail line from Nuckols to Hurtsboro, Alabama. The land use along the rail line proposed for abandonment of service is approximately

5% residential, and 95% wooded. PBRR owns the right-of-way (ROW), and it will sell to the adjacent owners, with local zoning and development ordinances controlling future land use. With respect to effects of the proposed rail line abandonment on land use, PBRR believes any impact will be negligible. The absence of traffic on the rail line proposed for abandonment indicates a substantial lack of rail dependent land uses in the service area. Since no rail traffic moves on the line over which service is to be abandoned, the abandonment is not expected to have any effect on existing land use, future land use, land use plans or the land use planning process. Therefore the proposed abandonment is expected to be consistent with any land use plans for the service area.

(ii) Prime Agricultural Lands

No effects on any prime agricultural land are anticipated as a result of the abandonment.

(iii) Coastal Zone

Not Applicable

(iv) Alternative Public Use

Location, physical condition, and adjacent conditions, leads PBRR to believe the ROW of the line proposed for abandonment would not be suitable for highways, other forms of mass transit, energy production related transportation facilities, conservation or recreation corridors, or other public use.

4. ENERGY

(i) Development and Transportation of Energy Resources

Development and transportation of energy resources will not be affected by the abandonment.

No freight or passenger traffic has moved on the line proposed for abandonment for two years,

and therefore compared with the past two years the abandonment would have no effect on development and transportation of energy resources.

(ii) Movement/Recovery of Recyclable Commodities

Movement/recovery of recyclable commodities will not be affected by the abandonment. No freight or passenger traffic has moved on the line proposed for abandonment for two years, and therefore compared with the past two years the abandonment would have no effect on movement or recovery of recyclable commodities.

(iii) Impact on Energy Efficiency

Energy efficiency will not be impacted by the proposed abandonment. No freight or passenger traffic has moved on the line proposed for abandonment for two years, and therefore, compared with the past two years, the abandonment would have no effect on energy efficiency.

(iv) Diversion of Traffic to Motor Carriers

No traffic is expected to be diverted to motor carriers in connection with the proposed abandonment.

5. AIR

The proposed action is abandonment and does not exceed Surface Transportation Board thresholds at 49 CFR 1105.7 (e)(5) and therefore does not require a quantified analysis of emissions.

(i) Effects on Air Emissions

Russell County, Bullock County, and Macon County do not have established analysis thresholds for air emissions. The United States Environmental Protection Agency (USEPA) has National Ambient Air Quality Standards (NAAQS) for pollutants (including ozone) as found in 40 CFR

Part 50. The State of Alabama is regulated by the NAAQS. PBRR does not anticipate any adverse effect on Alabama's air quality as a result of the proposed abandonment.

(ii) Class I or Non-Attainment Area

Russell County, Bullock County, and Macon County are in attainment for all National Ambient Air Quality Standard (NAAQS) pollutants according to the USEPA and the Alabama Department of Environmental Protection. Russell County, Bullock County, and Macon County are in attainment for ozone. PBRR does not believe any Class I or Non-Attainment areas would be affected by the proposed abandonment.

(iii) Ozone Depleting Materials

Not applicable. Transportation of ozone depleting materials (such as nitrogen oxide and freon) is not contemplated, since the proposed action is abandonment.

6. NOISE

The proposed action does not exceed Surface Transportation Board thresholds at 49 CFR 1105.7 (e)(6) and therefore does not require a quantified analysis of noise levels. Noise levels associated with rail removal or salvage operations will be temporary and will not have a significant impact on the area surrounding the proposed abandonment.

There is no federal noise regulation according to the USEPA. Neither Russell, Bullock, and Macon Counties nor the State of Alabama have established analysis thresholds for noise.

7. SAFETY

(i) Public Health and Safety

Abandonment of the captioned rail line will have no significant effect upon public health or

safety. At the existing grade crossings on the line to be abandoned, the potential for accidents and delays will be eliminated.

(ii) Hazardous Materials Transport

Not applicable. Action proposed is abandonment.

(iii) Hazardous Waste or Hazmat Spill Sites

PBRR has no knowledge of any hazardous waste sites or sites where there have been known hazardous material spills on the ROW of the line proposed for abandonment or which will be affected by this abandonment.

8. BIOLOGICAL RESOURCES

(i) Endangered Species/Critical Habitat

The US Fish and Wildlife Service and the Alabama Department of Fish & Wildlife Resources have indicated no endangered species are known to occur in Russell, Bullock, and Macon Counties. PBRR is not aware of any critical habitat that would be destroyed or modified as a result of the proposed abandonment. Since salvage operations will be handled generally within the ROW, PBRR does not believe that any endangered species that might be present would be adversely affected. PBRR is willing to undertake reasonable mitigating actions to protect any endangered species that might be encountered in connection with abandonment activities.

(ii) Sanctuaries, Refuges and Parks

Based on the site investigation and comments received from government agencies, the line segment proposed for abandonment does not pass through any parks, national forests, or wildlife sanctuaries. No adverse effects on any wildlife sanctuary, National Park, or State Park are anticipated.

9. WATER

(i) Water Quality Standards

PBRR does not intend to either appreciably remove or alter the contour of the roadbed underlying the rail line to be abandoned. The areal extent of disturbed areas will be kept to a minimum and limited to the ROW wherever possible. Since there are no plans to undertake in-stream work, or dredge and/or fill any materials in connection with the proposed abandonment, no water quality impacts are expected in connection with the proposed action. Therefore, PBRR considers the abandonment to be consistent with any applicable Federal, State and/or local water quality standards.

(ii) Wetlands/100- Year Flood Plains

The line proposed for abandonment crosses Lockhart Creek, Reed Branch Creek, Kiogee Creek and other streams, and passes through 100-year flood plains. Since the geometry of the roadbed will not be significantly altered, no discernible effects on 100-year flood plains are expected in connection with the proposed abandonment. Consequently, PBRR does not believe a Section 404 permit will be required in connection with the proposed abandonment.

(iii) Section 402 Permit

Inasmuch as PBRR does not intend to either appreciably remove or alter the contour of the roadbed underlying the rail line to be abandoned, undertake significant in-stream work, or dredge and/or fill any materials in connection with the proposed abandonment, water quality effects should be negligible. PBRR does not believe that a permit under Section 402 of the Federal Water Pollution Control Act will be required.

10. PROPOSED MITIGATION

Abandonment of the involved rail line is not expected to produce adverse environmental impacts.

Only minimal physical activity associated with removal of rail, ties, and other railroad appurtenances will be produced by the proposed action. PBRR will undertake all reasonable mitigation associated with these activities to assure that physical activities associated with the abandonment does not produce adverse environmental effects.

HISTORIC REPORT

PROPOSED RAIL LINE ABANDONMENT

PROPOSED ACTION AND ALTERNATIVES

Pine Belt Southern Railroad Company, Inc. (PBRR) proposes to abandon 25 miles of rail line between Milepost S-304.00 at Nuckols and Milepost S-329.00 at Hurtsboro, Alabama. A map delineating the line proposed for abandonment is attached as Appendix "A".

The alternatives to abandonment of the line are to not abandon or to discontinue service on the line, retaining the trackage in place. Neither of these alternatives is economically feasible for PBRR.

ADDITIONAL INFORMATION

- (1) U.S.G.S. Topographic Map - Maps were furnished to the Alabama Historic Commission.
- (2) Written Description of Right of Way - The right of way width varies, but is generally 50 feet on each side of the main track centerline. The line passes through residential (5%) and wooded (95%) areas.
- (3) Photographs - Not applicable. There are no structures on the line that are 50 years old and older.
- (4) Date of Construction of Structures - Not applicable.
- (5) History of Operations and Changes Contemplated - The subject 25-mile rail line of Pine Belt Southern Railroad Company, Inc. between Milepost S-304.00 at Nuckols, Alabama and Milepost

S-329.00 at Hurtsboro, Alabama was built as a portion of the Mobile & Girard Railroad.

Alabama received a grant of right of way through federal land in 1850 to build a railroad from Girard, Alabama to the waters of the Mobile Bay (31st Congress Senate Bill 274, July 9, 1850). The railroad was to be completed within ten (10) years, otherwise, Alabama was to refund to the United States, what it received from the sale of land, with title vesting in the purchasers. The title for all remaining land was to reinvest in the United States.

The railroad was only completed from Girard to Union Springs, Alabama by 1861. In 1870 the line was completed from Union Springs to Troy, Alabama and later to Andalusia, Alabama. That is all the information available on this rail line.

The Central of Georgia Railroad began as a cotton hauler. It was chartered in 1833 to be a part of the rail connection from the port city of Savannah, Georgia into the interior of the state. To expand its rail business into Alabama, it bought the Montgomery & Eufaula Railroad in 1879. This railroad was later reorganized in 1895, and several shortlines were acquired by the Central of Georgia, including the Mobile & Girard.

In 1963 the Central of Georgia became a part of the Southern Railway Company which was acquired by the Norfolk Southern Railway in 1974. The Norfolk & Western Railway and the Southern Railway consolidated in 1982 to form Norfolk Southern Corporation.

Norfolk Southern abandoned that portion of the line from Goshen to Andalusia, Alabama in 1986, and later in 1988 abandoned that portion of the line from Troy to Hurtsboro, Alabama. On July 27, 1995 the subject rail line was sold to the Pine Belt Southern Railroad Company to be operated as a shortline, interchanging with Norfolk Southern's mainline at Nuckols, Alabama. The rail traffic was 95% sand, 4% logs, and 1% inbound finished lumber.

In recent years the business declined as the sand distributor lost its key rail customer, and

the lumber business declined, closed or changed their transportation mode to motor carrier.

There is no demand or need, therefore, for rail transportation from the locations along this line of track.

The change contemplated in the operation of this line of railroad track between Nuckols and Hurtsboro, Alabama is for the Pine Belt Southern Railroad Company to abandon the subject, unneeded and unproductive line of railroad; then selling the land to adjacent owners after salvaging other assets.

(6) Summary of Documents In Carrier's Possession That Might Be Useful for Documenting a Structure That Is Found To Be Historic - Not applicable.

(7) Opinion Regarding Criteria For Listing In The National Register Of Historic Places - There are no structures on the line to be abandoned. The line passes through residential and wooded areas. Carrier has no reason to believe that there is any likelihood of finding archaeological resources or historic properties on the line proposed for abandonment.

(8) Subsurface Ground Conditions That Might Affect Archaeological Recovery - Carrier is not aware of any prior subsurface ground disturbances or environmental conditions that would affect archaeological recovery.

(9) Follow-Up Information -- Additional information will be provided as appropriate.

MAPS WILL BE SCANNED LATER

The Phenix Citizen - LEGALS
P. O. Box 1267
Phenix City, AL 36868-267

PLEASE INCLUDE INVOICE # WITH PAYMENT

EXHIBIT 3

Invoice

DATE	INVOICE #
04/04/02	2281

BILL TO:

PINE BELT SOUTHERN RAILROAD
P.O. BOX 1317
SHELBYVILLE, TENN. 37162

P.O. NUMBER	TERMS	PROJECT
	Net 30	

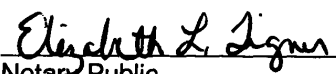
QUANTITY	DESCRIPTION	RATE	AMOUNT
4	PC3083 NOTICE OF INTENT: 4/4/02 Certification of Publication This is to certify that the above legal notice appeared in the issues of The Phenix Citizen newspaper on the dates listed above.  Mike Venable, Publisher  Elizabeth L. Ligner Notary Public Sworn to and subscribed to me on <u>4/4/02</u> My Commission Expires June 21, 2003	11.50	46.00
		TOTAL	\$46.00

EXHIBIT 3

Union Springs Herald, Wednesday, April 3, 2002—Page 10

IED PAGE

— FAX 334-738-2342

BUSINESS
OPPORTUNITY
HOMES FOR RENT
HOMES FOR SALE
JOBS WANTED
LEGAL NOTICES

barred.

Martha Cecilia Green Moorer
Charlotte Virginia Green Moorer

Johnny H. Williamson
Judge of Probate
8-20-Stc

LEGAL

NOTICE OF INTENT TO ABANDON RAIL SERVICE

Pine Belt Southern Railroad Company, Inc. gives notice that on or about May 1, 2001, it intends to file with the Surface Transportation Board (STB), Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F-Exempt Abandonments, permitting the abandonment of a 25 mile line of railroad between milepost 8-304.00, near Nuckols and milepost 8-329.00, near Hurtsboro, which traverses through United States Postal Service Zip Codes 36860, 36875, 36888 in Russell, Macon, and Bullock Counties, Alabama. The proceeding will be docketed as No. AB 601. The STB's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will addressed in an STB decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis, Surface Transportation Board, 1925 K Street, NW, Washington, DC 20423 or by calling that office at (202) 565-1526.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 K Street, NW, Washington, DC 20423 (See 49 CFR 1104.1 (a) and 1104.3(a), and one copy must be served on applicants' representative (See 49 CFR 1104.12(a)). Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at (202) 565-1592. Copies of any comments or requests for conditions should be served on the applicant's representative: G. Richard Abernathy, P.O. Box 1317, Shelbyville, TN 37162 (631) 664-7378.

4-3-1tc

LEGAL

LEGAL NOTICE

Sealed bids are being accepted by Bullock Correctional Facility for the purchase of soft drinks and ice cream. The period of service will cover April 15, 2002 through September 30, 2002. Bids must be post marked by April 10, 2002. Bids will be opened on April 12, 2002. Requirements are as follows:
Soft drinks sold in 12 oz. cans. Vendor will provide ice machines with a 400-800 pound capacity. Ice machines are to be repaired and maintained by

the vendor.

Ice cream sold in pint sizes. Vendor will provide freezers with a 400-800 pound capacity. Freezers are to be repaired and maintained by the vendor.

Interested parties should mail sealed bids to: Bullock County Correctional Facility, Soft Drink/Ice Cream Bid, P.O. Box 5107, Union Springs, AL 36089.

Direct questions to Ms. Patricia Jackson, Canteen Manager or Mr. Luke A. Stewart, Business Manager at (334) 738-5625 ext. 155.

4-3-2tc

Cloverland Union Springs AG AG Associated Grocers

3819 S. Court St.
Ph. 264-3461
Open Mon - Fri 8 - 7
Sat 7 - 7 and Sun 8 - 6

910 Martin Luther King Blvd
Ph. 738-2311
Open Mon - Sun 7 - 7

WIC & Food Stamps Welcomed. We Accept All Major Credit,
ATM & Debit Cards. Money Orders & Western Union Available.

Fresh Fryer
Hot Wings
5 lb bag
\$3.99

Tasty Smoked Sausage
\$10.99 10 lb bag

USDA Beef
Chuck Roast
boneless
\$1.69 lb

Fresh Boston Butt
Pork Roast
.99¢ lb

Lykes Bologna & Hot
Dogs
.89¢ 12 oz pkg

Fresh Quarterloin
Pork Chops
\$1.59 lb

ShurFine
Ice Cream
1/2 gallon
2/\$4.00

ShurFine Vegetable Oil
\$1.29 48 oz

ShurFine
Ketchup
24 oz
.89¢

Marcal
Paper Towels
single roll
.69¢

Sun Wash Detergent
.89¢ 31 oz box

Jiffy
Corn Muffin Mix
7 oz box
3/\$1.00

Yellow
Onions
3 lb bag
.99¢

ShurFine Sloppy Joe
Sauce
2/\$1.00 15 oz

Green
Cabbage
5 lb
\$1.00

All prices good April 3 - April 9, 2002

PINK
GRAPEFRUIT

4 for **\$1.00** 12 PACK

PEPSI PRODUCTS 2 for **\$6.00**

Received Time May. 2. 11:57AM

Central Air/Heat, all appliances
Nice quiet Neighborhood. Call
726-1418.

HOUSES FOR RENT

Nice 2 Bedroom, 1 Bath, Quiet
Neighborhood, \$275.00 month,
Deposit Required. Serious
Inquirers Call 770-716-6287. (C
3/21 thru 4/4/02)

HOUSES FOR SALE

BARGAIN BARGAIN BAR-
GAIN

A 4-Bedroom, Brick House
located at 702 Thomas Street, with
2 full baths, living room, the mas-
ter bedroom has been remodeled
recently. Carport, outside storage,
sun deck on the back. Central air
and heating. Lot size 120x170.
Call Open Door Realty Company
(334)727-5300 or (334)727-0185.

3BR/1BA Home for sale. 1506
Calloway Street Tuskegee Insti-
tute, Alabama. 36088 \$52,000
financing available (334)727-4858
Leave a message.

NEW HOME FOR SALE

4 Bedroom, 2 bathroom, double
box ceiling in living room, tray ceil-
ing in master bedroom, with large
walk in closet, solid oak cabinets,
dish washer, ceiling fan, lots of
crown and chair rail molding, gar-
den tub-shower unit with his and
her shower heads, double bowl
marble vanity in master bath-
room, gas fire place, alarm system.
Approximately 1550 square feet.
\$95,000. No money down to quali-
fied buyer. Phone 727-2000.

LEGALS PUBLIC NOTICE

Notice is hereby given that the
City Council of the City of
Tuskegee, Alabama will hold a
Public Hearing on Tuesday, April
9, 2002 at 8:00 P.M., during the
regular City Council meeting for
the purpose of hearing comments
from citizens for the construction
of 14 units apartment complex for
the Alabama Department of
Mental Health and Mental
Retarded to be built in the Police
Jurisdiction of this city.
The Tuskegee News: April 4, 2002

NOTICE OF INTENT TO ABANDON RAIL SER- VICE

Pine Belt Southern Railroad
Company, Inc. gives notice that on
or about May 1, 2001, it intends to

ad to the Board of Commissioners of
Congressional and Public Services
at (202)565-1592. Copies of any
comments or requests for condi-
tions should be served on the
applicant's representative: G.
Richard Abernathy, P.O. Box 1317,
Shelbyville, TN 37182 (931)684-
7376.

The Tuskegee News: April 4,
2002

THE STATE OF ALABAMA
PROBATE COURT
MACON COUNTY
IN THE MATTER OF THE
ESTATE OF WILLIE PACE,
Deceased.

NOTICE OF APPOINT- MENT

TO BE PUBLISHED BY
EXECUTRIX

In Re: Estate of WILLIE PACE,
Deceased.

Letters Testamentary of said
deceased having been granted to
ROBIETTA PACE, Executrix on
the 28th day of March, 2002, by
the Honorable Alfonza Menefee,
Judge of Probate, notice is hereby
given that all persons claims
against said estate are hereby
required to present the same with-
in the time allowed by law or the
same will be barred.

ROBIETTA PACE
Executrix

ALFONZA MENE-
FEE

JUDGE OF PRO-

BATE
The Tuskegee News: April 4, 11,
and 18, 2002.

NOTICE OF

MORTGAGE FORECLOSURE
WHEREAS, default has been
made in the terms of the mortgage
executed on the 28th day of June,
1999, by Roberts Henderson, a sin-
gle woman, as Mortgagor, in favor
of Mortgage Corporation of the
South, as Mortgagee, as recorded
in the Office of the Judge of
Probate of Macon County,
Alabama, in Mortgage Book 494,
at Page 4; and said default contin-
uing, the mortgagee, under power
of sale contained in said mortgage
will sell at auction for cash to the
highest bidder on the steps of the
Macon County Courthouse in
Tuskegee, Alabama, May 2, 2002,
between the hours of 11:00 a.m.
and 4:00 p.m. the following
described real estate in said mort-
gage, situated in Macon County,
Alabama, to wit:

Commencing at the Southwest
corner of the Northeast Quarter of
Section 27, Township 18 North,

36088
Phone #334-727-6087
Sale Date: April 12, 2002
The Tuskegee News: March 28,
April 4, and 11, 2002.

IN THE DISTRICT COURT IN
AND
FOR MACON COUNTY,
ALABAMA
IN RE:
America's Cash Express, Inc.
PLAINTIFF,
VS.
Harvey A. Johnson
D/E/A
Johnson's Painting & Contracting
DEFENDANT.
CASE NUMBER: SM-2001-151.

NOTICE OF PUBLICATION

Harvey A. Johnson, whose where-
abouts are unknown, must answer
our Plaintiff, America's Cash
Express, Inc. Summons and
Complaint within thirty (30) days
of the final date of publication of
this notice or thereafter a judge-
ment by default may be rendered
against him in the above styled
cause.
Done this 6th day of March, 2002.

Eddie D. Mallard
Clerk of Courts
Macon County,

Alabama

Christie G. Pappas
Attorney for Plaintiff
Post Office Box 1329
Eufaula, Alabama 36072-1329
(334)687-3576
The Tuskegee News: February 28,
March 7, 14, and 21, 2002.

IN THE PROBATE COURT OF
MACON COUNTY, ALABAMA
IN RE: THE ESTATE OF
ISRAEL J. SIMS,
Deceased.

NOTICE TO CREDITORS
TAKE NOTICE that LETTERS
OF TESTAMENTARY having
been granted to DELORES SIMS
MCCRAY and SAMUEL SIMS, as
Executors of the ESTATE OF
ISRAEL J. SIMS, deceased, on the
24th day of January, 2002, by the
Honorable Alfonza Menefee,
NOTICE IS HEREBY GIVEN
that all persons having claims
against said Estate are hereby
required to present the same with-
in the time allowed by law or the
same will be barred.

DELORES SIMS MCCRAY,
EXECUTOR OF THE ESTATE
OF ISRAEL J. SIMS
SAMUEL SIMS, EXECUTOR

Exhibit
in 3
same will be barri

GENE
E

The Tuskegee N
April 4, and 11, 2

IN THE PROBATE
MACON COUNTY,
IN THE MATTE
THE ESTATE O
EDDIE L. LEE,

Letters Testame
Will of EDDIE I
having been gra
signed on the 2
2002, by Alfonz
Probate Court
Alabama, notice
that all perso
against said E
required to pres
in the time allow
same will be be

84

BATE
The Tuskegee
April 4, and 11,

STATE OF AL
COUNTY OF I

NOTICE FOR

Default having
payment of
secured by the
executed by T
on the 11th da
LUV HOMES
and KEVIN
TRUSTEE;
Mortgage. Bod
the Office of t
Macon Count
HOMES, INC
KEVIN T. CL
as Mortgagee,
default contin
by given, the
power of sale
mortgage, L
d/a CMH ai
TON, TRUST
will sell at p
to the highes
the Courthou
Tuskegee,
Alabama, dur
sale on April
ing described
ed in Macon

MOBILE HOME(S)

Call Alvin Today at 727-3020 and let her assist you in pla
Received Time May. 2. 2:25PM

P.O. Box 1317
Shelbyville, Tenn. 37162

EXHIBIT 4

PINE BELT SOUTHERN
RAILROAD

March 25, 2002

Mr. Chris Longcrier
Railway Track Supervisor Railway Safety Section
Alabama Public Service Commission
P.O. Box 3042460
Montgomery, AL 36130

MTMCTEA
Attn: Railroads for National Defense
720 Thimble Shoals Blvd., Ste. 130
Newport News, VA 23606-2574

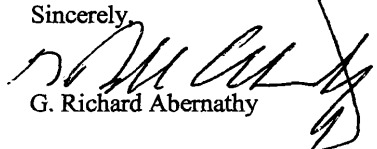
U.S. Department of Agriculture
Chief of the Forest Service
Sidney R. Yates Federal Building
201 14th Street, SW at Independence Avenue, SW
Washington, DC 20250

National Park Service
Recreation Resources Assistance Division
P.O. Box 37127
Washington, DC 20013-7127

National Park Service
Land Resources Division-MS800
800 N. Capitol Street, NW
Washington, DC 20001

Pursuant to 49 CFR. 1152.50(d)(1), Pine Belt Southern Railroad Company, Inc. (PBRR) hereby gives notice that on or about May 1, 2002, it will file with the Surface Transportation Board a notice of exemption from regulation in accordance with the exemption regulations set forth at 49 CFR Part 1152, Subpart F. That notice of exemption will permit PBRR abandonment of a 25 mile line of railroad lying Milepost S-304.00 at Nuckols, and Milepost 329.00 at Hurtsboro, which traverses through United States Postal Service Zip Codes 36860, 36875, 36858 in Russell, Macon, and Bullock Counties, Alabama (see attached map). No revenue traffic has originated or terminated or moved overhead on the line to be abandoned for more than two years. Based on information in our possession, the line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,


G. Richard Abernathy

ATTACHMENT #1

CONSULTATIONS

NUCKOLS TO HURTSBORO ABANDONMENT

Comments:

Alabama Clearing House Association returned package and stated no involvement in these proceedings.

U.S. Fish and Wildlife Service noted no listed, proposed or candidate species present.
April 25, 2002

Mr. Dale Hurst with the Alabama Department of Environmental Management responded that there should be no negative impact on air quality.

No comments:

Alabama Environmental Protection Agency
P.O. Box 301463
Montgomery, AL 36130-1463

Mr. Isaiah Sumbry, Chairman
Russell County of Commissioners
P.O. Box 969
Phenix City, AL 36867

Mr. Jesse Upshaw, Chairman
Macon County of Commission Office
101 East Northside Street
Tuskegee, AL 36083

Mr. Myron C. Penn, Chairman
Bullock County of Commissioners Office
110 Hardaway Avenue West
Union Springs, AL 36089

United States Environmental Protection Agency
Region 4
Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-3104

U.S. Army Corps of Engineers
District Counsel
P.O. Box 2288
Mobile, AL 36628

National Park Service
Recreation Resources Assistance Division
P.O. Box 37127
Washington, DC 20013-7127

National Park Service
Land Resources Division-MS800
800 N. Capitol Street, NW
Washington, DC 20001

USDA
NRCS
Soil Survey Division
14th and Independence Ave., SW., Room 4250-S
Washington, DC 20250.

Burton Smith, Geodetic Technician
National Geodetic Survey
1315 East West Highway
Silver Spring, Maryland 20910

Richard Cohen, State Advisor
Geodetic Survey
325 Broadway
Boulder, Colorado 80303

Alabama Department of Transportation
Fourth Division
Highway 280
P.O. Box 1179
Alexander City, AL 35011

Alabama Department of Transportation
Sixth Division
1525 Coliseum Blvd.
P.O. Box 8008
Montgomery, AL 36110

Alabama Department of Conservation and Natural Resources
Alabama Fish and Wildlife Service
64 N. Union Street
Montgomery, AL 36130

Dr. Lee H. Warner
State Historic Preservation Officer
The Alabama Historical Commission
468 South Perry Street
Montgomery, AL 36130-0900

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

March 25, 2002

Alabama Clearing House Association
1220 Financial Center
505 N 20th Street
Birmingham, AL 35203

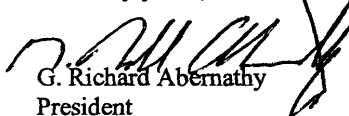
Re: Pine Belt Southern Railroad Company, Inc. Proposed Abandonment of 25 miles of rail line located between milepost S-304 and milepost S-329 from Nuckols to Hurtsboro, Alabama
STB Docket No. AB 601

On May 1, 2002, we expect to be filing with the Surface Transportation Board a notice of exemption seeking authority to abandon 25 miles of rail line located between railroad milepost S-304 at Nuckols and railroad milepost S-329 at Hurtsboro, Alabama. Attached is an Environmental Report and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

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Your comments will be considered by the Board in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact Dick Abernathy by telephone at (931) 684-7376 or at the address shown on the letterhead.

Sincerely yours,


G. Richard Abernathy
President

Letters/stbr

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

March 25, 2002

U.S. Fish and Wildlife Service
Washington Office
1849 C Street NW
Washington, DC 20240

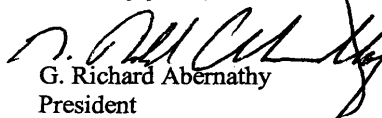
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Sincerely yours,


G. Richard Abernathy
President

Letters/stbr

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

March 25, 2002

U.S. Fish and Wildlife Service
Washington Office
1849 C Street NW
Washington, DC 20240

02-0916

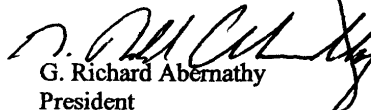
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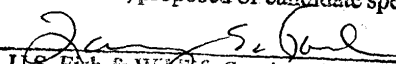
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Sincerely yours,


G. Richard Abernathy
President

Letters/stbr

☒ No listed, proposed or candidate species present


U.S. Fish & Wildlife Service Field Supervisor

4-25-02

Date

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

March 25, 2002

Alabama Environmental Protection Agency
Attn: Air Division
P.O. Box 301463
Montgomery, AL 36130-1463

Re: Pine Belt Southern Railroad Company, Inc. Proposed Abandonment of 25 miles of rail line located between milepost S-304 and milepost S-329 from Nuckols to Hurtsboro, Alabama
STB Docket No. AB 601

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Sincerely yours,


G. Richard Abernathy
President

Letters/stbr

ADEM



ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

POST OFFICE BOX 301483 36130-1483 ♦ 1400 COLISEUM BLVD. 36110-2059

MONTGOMERY, ALABAMA

WWW.ADEM.STATE.AL.US

(334) 271-7700

JAMES W. WARR
DIRECTOR

DON SIEGELMAN
GOVERNOR

April 2, 2002

Ms. Dana White
Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 527
Washington, DC 20423

Facsimiles: (334)
Administration: 271-7950
General Counsel: 394-4332
Air: 279-3044
Land: 279-3050
Water: 279-3051
Groundwater: 270-5631
Field Operations: 272-8131
Laboratory: 277-8718
Mining: 394-4326
Education/Outreach: 394-4363

RE: Pine Belt Southern Railroad Company, Inc. Proposed Rail Line Abandonment Project
Railroad Milepost S-304 in Nuckols, Alabama to Milepost S-329 in Hurtsboro, Alabama
STB Docket No. AB 601

Dear Ms. White:

I am writing in response to a letter we received from Mr. G. Richard Abernathy, President, Pine Belt Southern Railroad Company, Inc. dated March 25, 2002, regarding the proposed abandonment of 25 miles of rail line located between railroad milepost S-304 at Nuckols and railroad milepost S-329 at Hurtsboro, Alabama. In this letter, Mr. Abernathy asked that our Department provide your agency with any comments that we may have concerning air quality impacts that may occur as a result of this project.

Since this project's purpose is to abandon an existing rail line, no further emissions should be created. Therefore, we do not expect this project to cause any negative air quality impacts for the project area. Should the scope or design of the project change, we should be contacted for further review.

If you have any questions, please call me at (334) 271-7882.

Sincerely,

Dale Hurst
Program Development Unit
Control Strategies Section
Planning Branch
Air Division

ADH/dh

cc: Mr. G. Richard Abernathy, President
Pine Belt Southern Railroad

Birmingham Branch
110 Vulcan Road
Birmingham, Alabama 35209-4702
(205) 942-6168
(205) 941-1603 [Fax]

Decatur Branch
2715 Sandlin Road, S.W.
Decatur, Alabama 35603-1333
(256) 353-1713
(256) 340-9359 [Fax]

Mobile Branch
2204 Perimeter Road
Mobile, Alabama 36615-1131
(251) 450-3400
(251) 479-2593 [Fax]

Mobile - Coastal
4171 Commanders Drive
Mobile, Alabama 36615-1421
(251) 432-6533
(251) 432-6598 [Fax]



Printed on Recycled Paper

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

March 25, 2002

Alabama Environmental Protection Agency
P.O. Box 301463
Montgomery, AL 36130-1463

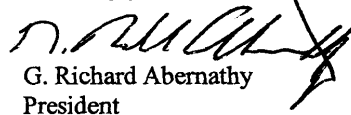
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Your comments will be considered by the Board in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact Dick Abernathy by telephone at (931) 684-7376 or at the address shown on the letterhead.

Sincerely yours,


G. Richard Abernathy
President

Letters/stbr

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

March 25, 2002

Mr. Isaiah Sumbry, Chairman
Russell County of Commissioners
P.O. Box 969
Phenix City, AL 36867

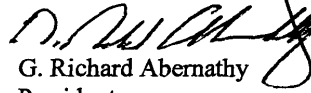
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STB Docket No. AB 601

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Sincerely yours,


G. Richard Abernathy
President

Letters/stbr

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

March 25, 2002

Mr. Jesse Upshaw, Chairman
Macon County of Commission Office
101 East Northside Street
Tuskegee, AL 36083

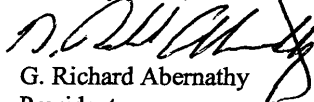
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Sincerely yours,


G. Richard Abernathy
President

Letters\stbr

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

March 25, 2002

Mr. Myron C. Penn, Chairman
Bullock County of Commissioners Office
110 Hardaway Avenue West
Union Springs, AL 36089

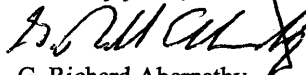
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Sincerely yours,



G. Richard Abernathy
President

Letters/stbr

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

March 25, 2002

United States Environmental Protection Agency
Region 4
Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-3104

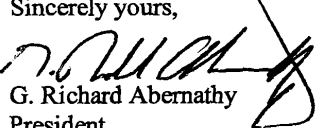
Re: Pine Belt Southern Railroad Company, Inc. Proposed Abandonment of 25 miles of rail line
located between milepost S-304 and milepost S-329 from Nuckols to Hurtsboro, Alabama
STB Docket No. AB 601

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Sincerely yours,


G. Richard Abernathy
President

Letters/stbr

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

March 25, 2002

U.S. Army Corps of Engineers
District Counsel
P.O. Box 2288
Mobile, AL 36628

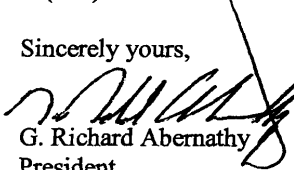
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P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

March 25, 2002

National Park Service
Recreation Resources Assistance Division
P.O. Box 37127
Washington, DC 20013-7127

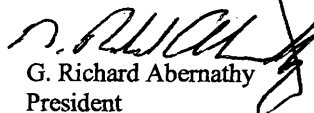
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President

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P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

March 25, 2002

National Park Service
Land Resources Division-MS800
800 N. Capitol Street, NW
Washington, DC 20001

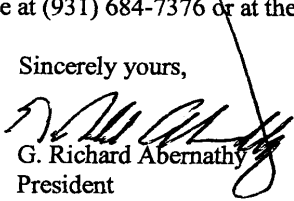
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Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

March 25, 2002

USDA
NRCS
Soil Survey Division
14th and Independence Ave., SW., Room 4250-S
Washington, DC 20250.

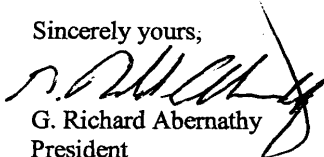
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Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

March 25, 2002

Burton Smith, Geodetic Technician
1315 East West Highway
Silver Spring, Maryland 20910

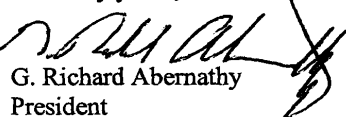
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P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

March 25, 2002

Richard Cohen, State Advisor
325 Broadway
Boulder, Colorado 80303

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G. Richard Abernathy
President

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P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

March 25, 2002

Alabama Department of Transportation
Fourth Division
Highway 280
P.O. Box 1179
Alexander City, AL 35011

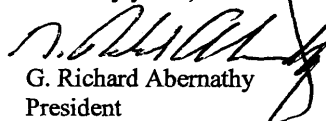
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Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

March 25, 2002

Alabama Department of Transportation
Sixth Division
1525 Coliseum Blvd.
P.O. Box 8008
Montgomery, AL 36110

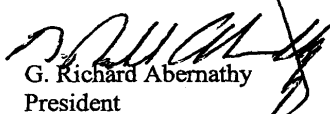
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Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

March 25, 2002

Alabama Department of Conservation and Natural Resources
Alabama Fish and Wildlife Service
64 N. Union Street
Montgomery, AL 36130

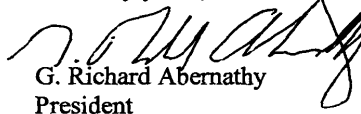
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P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

March 25, 2002

Dr. Lee H. Warner
State Historic Preservation Officer
The Alabama Historical Commission
468 South Perry Street
Montgomery, AL 36130-0900

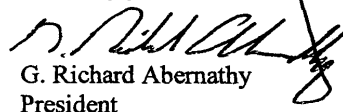
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