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Office of Proceedings
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September 16, 2020

BY E-FILING

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

Re: Norfolk Southern Railway Company - Abandonment Exemption - In Hudson and
Essex Counties, New Jersey
Docket No. AB-290 (Sub-No. 408X)
*Request for Notice of Interim Trail Use - corrected Statement of Willingness
included)*

Dear Ms. Brown:

On July 29, 2020, Open Space Institute Land Trust, Inc., a New York not-for-profit corporation ("OSILT" or "Proponent") filed a request for a Notice of Interim Trail Use including the required Statement of Willingness to Assume Financial Responsibility ("Statement of Willingness"). Board staff has called to our attention that there was a typographical error in the Statement of Willingness. OSILT requests that the Board accept the enclosed substitute Statement of Willingness (corrections / changes from the original are underlined).

Please let us know if there are any questions regarding this filing.

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By my signature below, I certify service by e-mail of a copy of this request on counsel for Norfolk Southern Railway Company and on the other parties of record shown below.

Respectfully submitted,

CLARK HILL PLC

/s/ Eric M. Hocky

Eric M. Hocky
Attorneys for
Open Space Institute Land Trust, Inc.

EMH:e
Enclosure

cc: William A. Mullins, Attorney for Norfolk Southern Railway Company
Crystal M. Zorbaugh, Attorney for Norfolk Southern Railway Company
Charles H. Montange
Rahid Cornejo
Bruce Donald
James P. Bruno

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY
(corrected)

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 CFR 1152.29 with respect to the Rail Line (as defined below”) owned by Norfolk Southern Railway Company (“NSR”), Open Space Institute Land Trust, Inc., a New York not-for-profit corporation (“OSILT”), is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of the right-of-way (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for payment of any and all taxes that may be levied or assessed against the Rail Line.

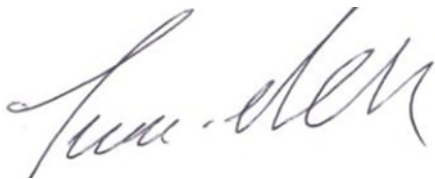
The property, a portion of the former New York and Greenwood Lake Railroad, extends between Milepost WD 2.9 in the City of Jersey City to Milepost WD 11.5 in the Township of Montclair, in Hudson and Essex Counties, New Jersey, a distance of approximately 8.6 miles. The property is all of the line of railroad proposed for abandonment in STB Docket No. AB-290 (Sub-No. 408X).

A map depicting the Rail Line is attached as Exhibit A.

OSILT 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 copy of this statement is being served on Norfolk Southern Railway Company on the same date that it is being served on the Board.

Open Space Institute Land Trust, Inc.



By: _____

Name: Terrence Nolan

Title: Senior Vice President

Dated as of: July 29, 2020