



ALLEGANY COUNTY, MARYLAND

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ENTERED

Office of Proceedings

December 10, 2020

Part of
Public Record

December 10, 2020

Ms. Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E. Street, S.W.
Washington, D.C. 20423

RE: Docket No. AB 1294X and AB 1293X / Eighteen Thirty Group, LLC and Georges Creek Railway (Joint Filers)

Dear Ms. Brown:

I am legal counsel for Allegany County, Maryland, and I am filing this request on behalf of the Board of Commissioners of Allegany County, Maryland, a political subdivision of the State of Maryland ("Allegany County").

Allegany County requests that the Surface Transportation Board issue a Notice of Interim Trail Use for an approximate 7.54 mile rail line (the "Corridor") between milepost BAI 26.00 in Moscow, and milepost BAI 18.46 in Shaft, in Allegany County, Maryland (please see attached map).

This Corridor will provide important and needed opportunities for outdoor recreation that will connect the towns of Barton, Frostburg, Midland, Lonaconing, Luke and Westernport, providing quality of life benefits not only for the residents of those towns but for the public generally. The mayors of each of those towns and the Board of Commissioners of Allegany County have given their support for the development of the Corridor as a 7.54 mile recreational rail trail. The addition of this rail trail would complement the existing Great Allegany Passage Rail Trail, which also passes through the City of Frostburg and attracted approximately 150,000 visitors in 2020. The combination of both rail trails would significantly benefit the health and well-being of residents in the region and attract beneficial tourism and support job creation in the rural area.

Allegany County recognizes that some time has passed since the Surface Transportation Board approved the Joint Filers verified notice of exemption to abandon the Corridor, and the County apologizes for the delay in a timely filing of this request. However, it has taken some time for the County to formally establish itself as the sponsor applicant for this trail, in part because of the time required to finalize a cooperative relationship with the Maryland Department of Natural Resources ("DNR") for purposes of proceeding to acquire the Corridor, and in part due to

FILING FEE WAIVED

administrative delays caused by Covid-19 impacts. The County desires that negotiations be able to commence as soon as possible with the Eighteen Thirty Group, LLC, for acquisition of the Corridor. The Maryland Department of Natural Resources, a State agency which is working together with the County and which will acquire and own the Corridor, will conduct such negotiations on behalf of the County.

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and rail banking under § U.S.C. 1247(d) and § 49 CFR 1152.59, with respect to the Corridor, Allegany County is willing to assume full responsibility for (1) Managing the right-of-way, (2) any legal liability arising out of the transfer or use of the right-of-way, and (3) the payment of any and all taxes that may be levied or assessed against the right-of-way.

Allegany County requests a waiver of the filing fee pursuant to §49 C.F.R. 1152.2(e), based on Allegany County being a governmental entity.

By my signature below, I certify service upon Eighteen Thirty Group, LLC and Georges Creek Railway, attn.: Melanie B. Yasbin, Esq., Law Offices of Louis E. Gitomer, LLC, their attorney.

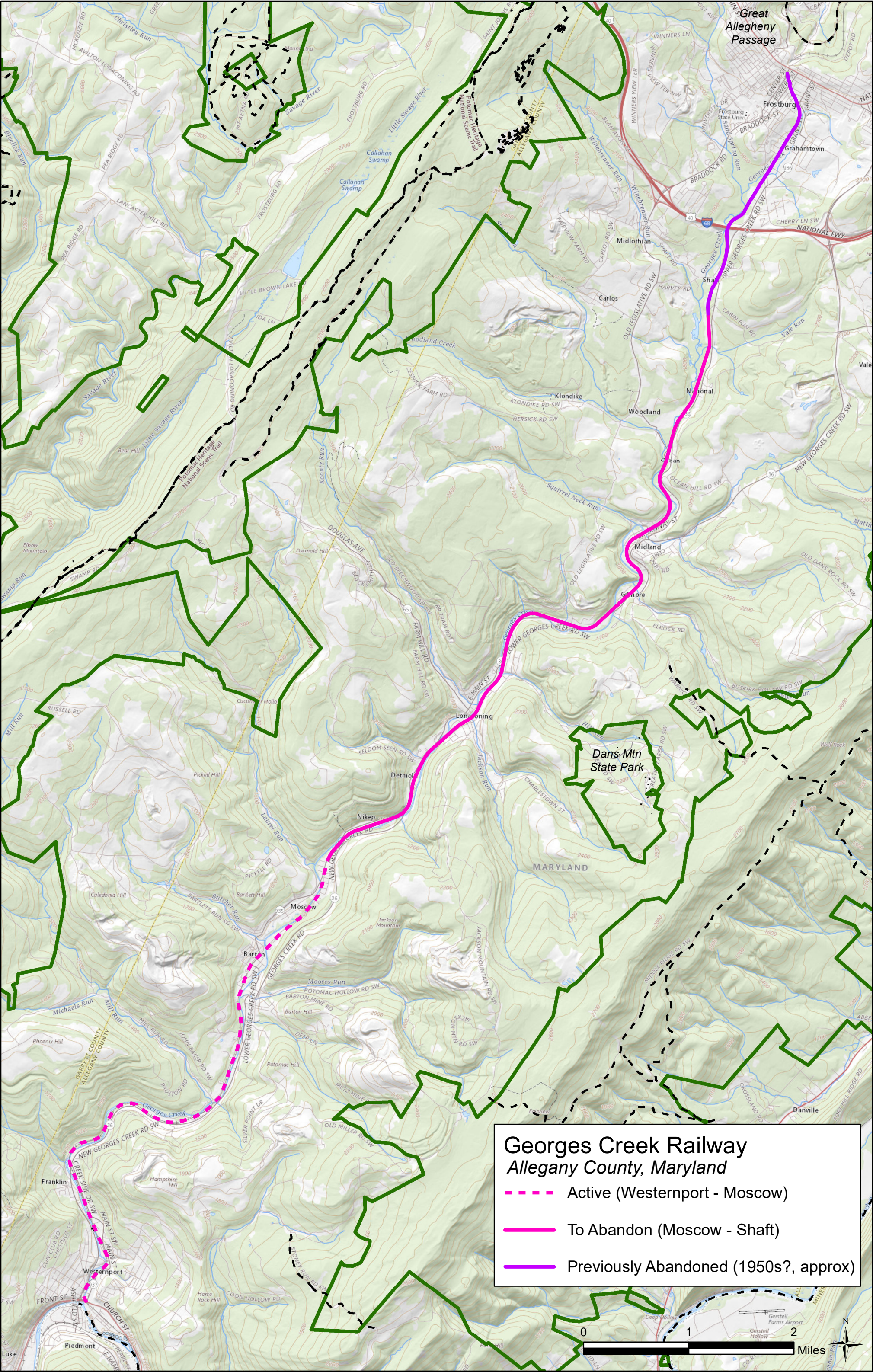
Respectfully submitted,

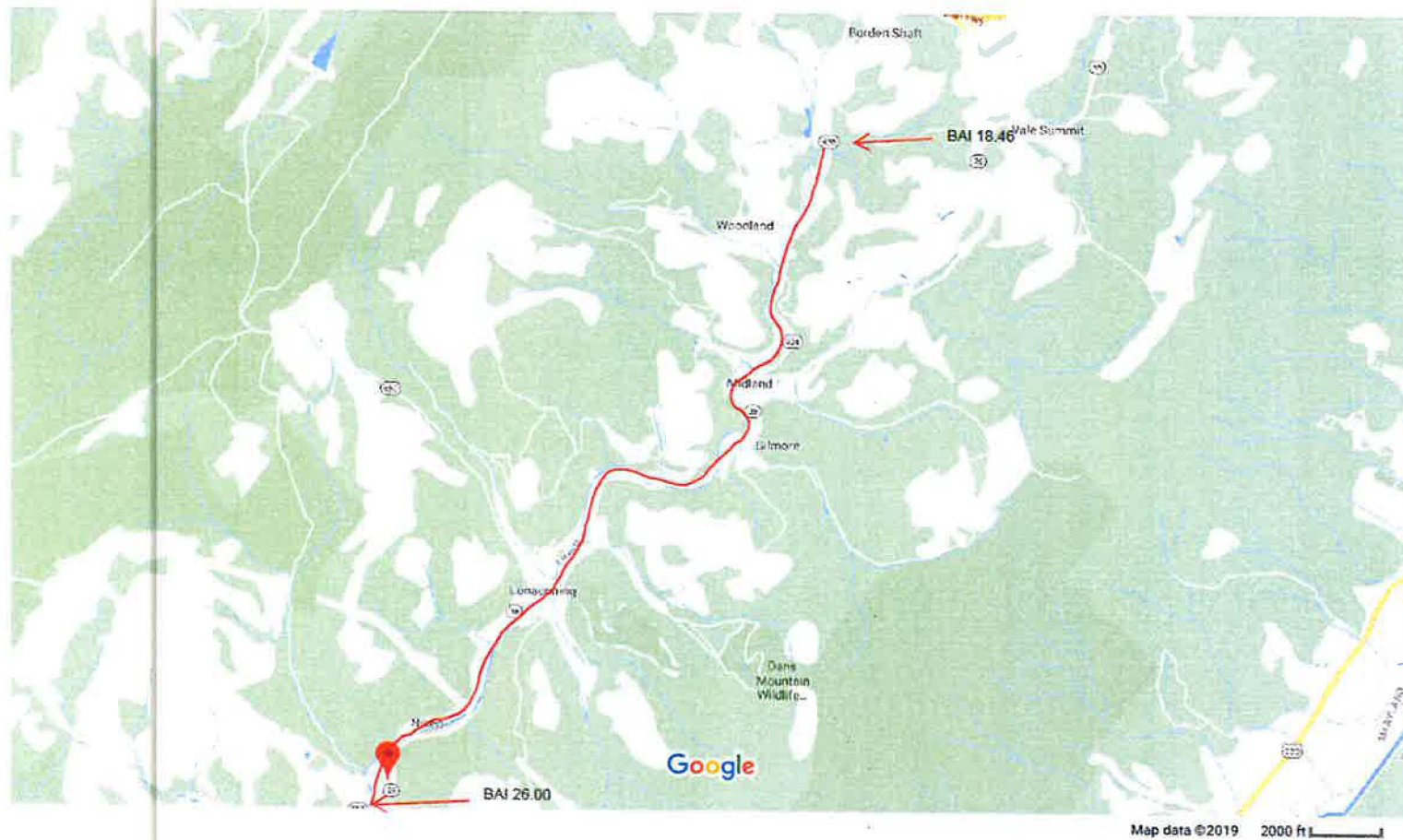
OFFICE OF THE COUNTY ATTORNEY

A handwritten signature in black ink, appearing to read 'T. Lee Beeman, Jr.', is written over a horizontal line.

T. Lee Beeman, Jr.
County Attorney

Cc: Eighteen Thirty Group, LLC and Georges Creek Railway, to the attention of Melanie B. Yasbin, Esq.





Line to be abandoned and discontinued
STB Docket No. AB-1294X Eighteen Thirty Group LLC--Abandonment Exemption--in Allegany County, MD
STB Docket No. AB-1293X Georges Creek Railway--Discontinuance Exemption--in Allegany County, MD