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Office of Proceedings
August 16, 2022
Part of
Public Record

August 15, 2022

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

Re: Petition for Notice of Interim Trail Use in Docket No. AB 55 (Sub No. 808X),
CSX Transportation, Inc.—Abandonment Exemption—in Gwinnett, Ga.

Dear Ms. Brown:

On June 6, CSX Transportation, Inc. ("CSXT") filed a Notice of Exemption with the Surface Transportation Board (the "Board") to abandon an approximately 0.13-mile rail line that runs between Val Sta. 12+37 and Val Sta. 19+52 on its Atlanta Division, Abbeville Subdivision, Lawrenceville Branch, in Gwinnett County, Georgia (the "Line"). The notice was published in the Federal Register on June 24, 2022 (the "Notice"). CSXT has not yet consummated the abandonment. The City of Lawrenceville, Georgia (the "City") respectfully petitions the Board to issue a Notice of Interim Trail Use for the Line.

The Line is suitable for railbanking. The City acknowledges that use of the Line is subject to the City, as sponsor, continuing to meet its responsibilities to manage the right-of-way, assume any legal liability arising out of the transfer of use of the right-of-way, and the payment of any and all taxes that may be levied or assessed against the right-of-way. The City also acknowledges that the Line is subject to possible future reconstruction and reactivation of the Line for rail service.

Per the Notice, this petition was due July 5, 2022. However, late-filed petitions and requests are permitted with a statement showing good cause. 49 C.F.R. § 1152.29(b)(3). The City needed additional time beyond the filing deadline for interim trail use and rail banking requests in order to evaluate and determine that the right-of-way would be appropriate for use as a trail, and it has taken some time for the City to formally establish itself as the sponsor applicant.

A map of the Line is attached to this request letter.

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FILING FEE WAIVED



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The City, as a government entity, respectfully requests that the Board waive the filing fee for this trail use request as provided in 49 C.F.R. § 1002.2(e)(1).

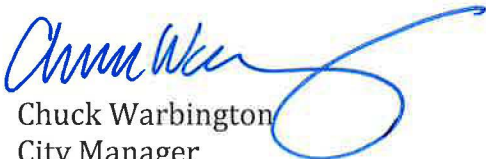
Statement of Willingness To Assume Financial Responsibility

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 owned and operated by CSXT, the City 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 (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 Val Sta. 12+37 to Val Sta. 19+52, a distance of 0.13 miles in Gwinnett County, Georgia. The right-of-way is part of a line of railroad proposed for abandonment in Docket No. STB AB 55 (Sub-No. 808X). A map of the property depicting the right-of-way is attached.

The City of Lawrenceville, Georgia 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. A copy of this statement is being served on the railroad(s) on the same date it is being served on the Board.

By my signature below, I certify service upon CSXT via Sarah Watson 500 Water Street, 12th Floor, Jacksonville, FL 32202 by U.S. mail, first class.

Respectfully submitted,


Chuck Warbington
City Manager
City of Lawrenceville, Georgia

Attachment: Map of Line

* Note: City of Lawrenceville proposes to railbank the entirety of CSXT's proposed abandonment between Val Sta. 12+37 and Val Sta. 19+52

