



September 8, 2022

Cynthia T. Brown
Chief
Section of Administration Surface Transportation Board
395 E Street, SW
Washington, DC 20423

305253

ENTERED
Office of Proceedings
September 8, 2022
Part of
Public Record

RE: Petition for Issuance of a Notice of Interim Trail Use
CSXT Right of Way Logan County, West Virginia
Docket No. AB-55 (Sub-No. 763X)

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 Hatfield McCoy Regional Recreation Authority 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 Petition for Issuance of Notice of Interim Trail Use covers the Right of Way more specifically describe as:

SEGMENT A: All those portions of Grantor's operating rail lines lying and being situate in the county of Logan, WV being a strip of land in varying width, the centerline of which is described as follows:

(CLX line portion): BEGINNING at a point in the centerline of grantor's rail line at or near Railroad Valuation Station 6+19.5, approximately Milepost CLX 0.11, as shown on Right-of-Way and Track Map The Chesapeake and Ohio Railway Company Rockhouse Spur map V15C/1.1 (V16126), and in the west property line of the operating corridor of CSX Transportation, Inc line CLS, said property line described as being the low water line of the Guyandotte River by deed, thence extending in a general southwesterly direction an approximate distance of 3.30 miles, more or less, by milepost distance to the place of ENDING, at or near Railroad Valuation Station 184+00, approximately Milepost CLX 3.41, as shown on Right-of-Way and Track Map The Chesapeake and Ohio Railway Company Rockhouse Spur map V15C/1.4 (V16129), aforesaid CLX line segment portion containing 59.8 acres, more or less, as indicated on Exhibit A attached hereto and made a part hereof, and as further shown in detail on Grantor's Right-of-Way

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September 8, 2022
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and Track Maps: The Chesapeake and Ohio Railway Company Rockhouse Spur map V15C/1.1 (V16126) dated 9/27/1946, V15C/1.2 (V16127) dated 10/1/1946, V15C/1.3 (V16128) dated 10/3/46, V15C/1.4 (V16129) dated 10/3/1946, all which are incorporated herein by reference and copies of which have been provided to Grantee.

Reserving to grantor: an easement being an easement 20 feet wide in width, the centerline of which is described as follows:

(CLX line portion): BEGINNING at a point in the centerline of grantor's rail line at or near Railroad Valuation Station 6+19.5, approximately Milepost CLX 0.11, as shown on Right-of-Way and Track Map The Chesapeake and Ohio Railway Company Rockhouse Spur map V15C/1.1 (V16126), and in the west property line of the operating corridor of CSX Transportation, Inc CLS line, said property line described as being the low water line of the Guyandotte River by deed, thence extending in a general southwesterly direction an approximate distance of 0.13 miles, more or less, by milepost distance to the place of ENDING, at or near Railroad Valuation Station 12+96, approximately Milepost CLX 0.24, as shown on Right-of-Way and Track Map The Chesapeake and Ohio Railway Company Rockhouse Spur map V15C/1.1 (V16126), and the east line of McDonald Avenue, as indicated in Red on Exhibit A attached hereto and made a part hereof, aforesaid easement portion containing 0.31 acres, more or less, The right-of-way is part of a line of railroad proposed for abandonment by CSXT.

A map of the property depicting the right-of-way is attached.

The Hatfield McCoy Regional Recreation Authority, a public corporation and instrumentally of government in the State of West Virginia, 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.

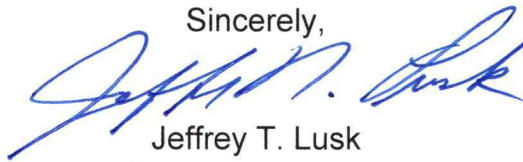
By my signature below, I certify service upon the following individuals by U.S. mail, first class:

Sarah Watson
CSXT
500 Water Street, 12th Floor
Jacksonville, FL 32202

Richard Welsh
National Association of Reversionary Property Owners
1100 Bellevue Way
Suite 8A
Pmb 719
Bellevue, WA 98004

Louis E. Gitomer
The Law Offices of Louis E. Gitomer, LLC
600 Baltimore Ave, Suite 301
Towson, MD 21204

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeffrey T. Lusk", with a stylized flourish at the end.

Jeffrey T. Lusk
Executive Director

EXHIBIT A

GIS

16126-001
16127-001
16128-001
16129-001

INTEL

V15C/1.1
V15C/1.2
V15C/1.3
V15C/1.4

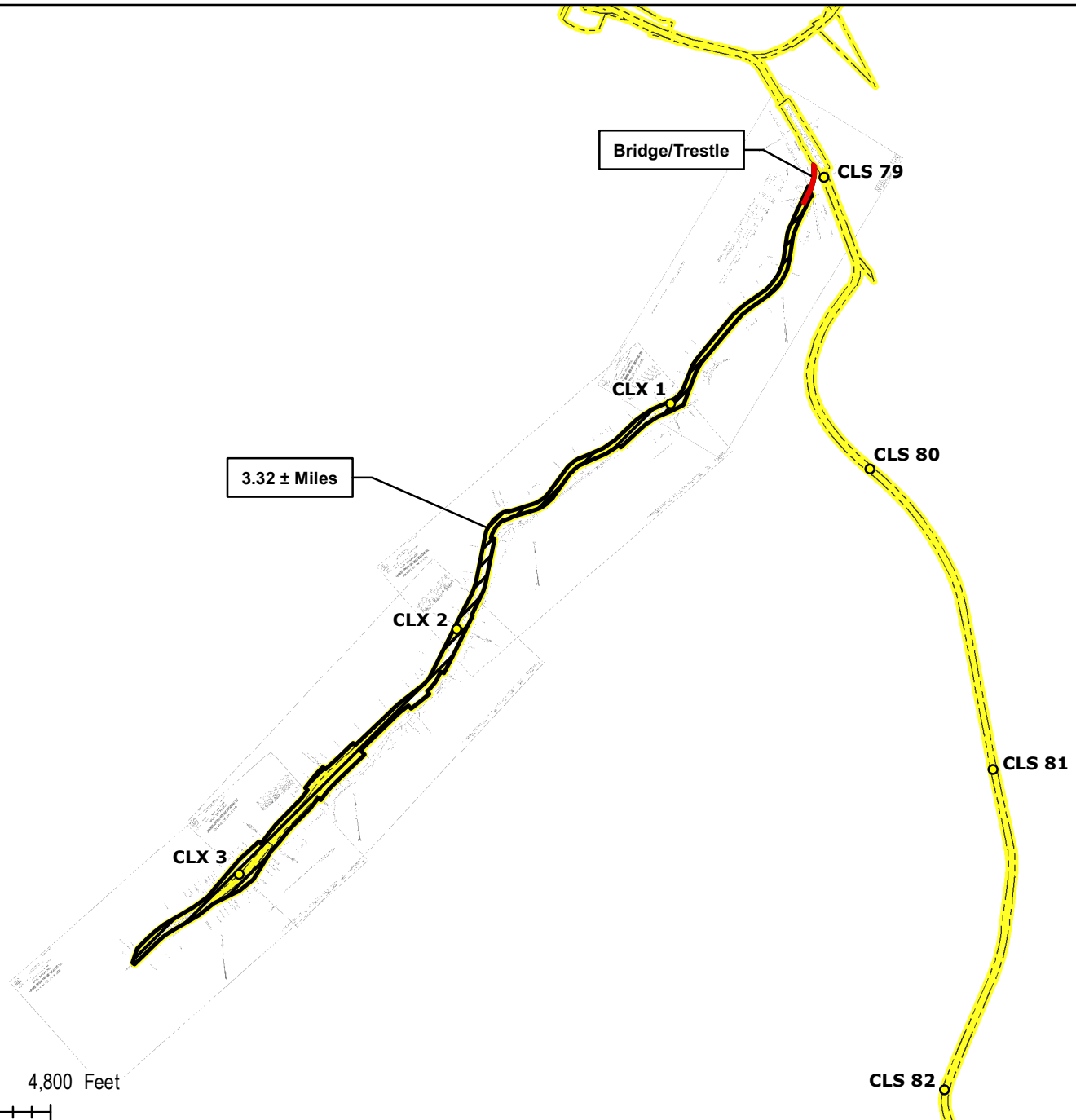
PIN

54045 0071
54045 0072
54045 0073
54045 0074
54045 0075
54045 0076
54045 0077
54045 0078



1" = 2,500'

0 600 1,200 2,400 3,600 4,800 Feet



CSX TRANSPORTATION, INC.

WV-LOGAN-HATFIELD MCCOY TRAIL
SITE: WV-045-1078657
LOGAN COUNTY - MAN, WV
MILEPOST: CLX 0.11 - CLX 3.41

REGION: S ZONE: SOUTHERN
SUBDIVISION: LOGAN
DATE: 03/10/2022
REVISED: 06/10/2022
DRAWN BY: o7525

-  Engineering Milepost
-  Premises 59.8 ± Acres
-  Railroad Easement - 20' ± Wide
-  CSX Ownership / Rights

THIS RAILROAD MAP EXHIBIT GRAPHICALLY REPRESENTS A PROPOSED REAL ESTATE TRANSACTION. IT MAY NOT REFLECT CURRENT "ON THE GROUND" CONDITIONS AND/OR ACTUAL LOCATIONS OF FEATURES. ALL DIMENSIONS, OFFSET DISTANCES, AREA CALCULATIONS AND MEASUREMENT NOTATIONS SHOWN ON THIS EXHIBIT ARE APPROXIMATE.