

September 12, 2022



305270

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

ENTERED
Office of Proceedings
September 12, 2022
Part of
Public Record

Re: Amendment to the 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)

Dear Ms. Brown:

Please amend our current filing to the following filing document the milepost and right of way description in the original filing were incorrect:

The Hatfield McCoy Regional Authority ("HMRA") requests authority to replace the Georgetown and High Line Railway Company, LLC ("GHL") as the party negotiating interim trail use with CSX Transportation, Inc. ("CSXT") for the 3.29-mile rail line on CSXT's Southern Region, Florence Division, Logan Subdivision between milepost CLX 0.11, near Man, and milepost CLX 3.29, near Garnette, in Logan County, WV (the "Line").

CSXT filed a Notice of Exemption seeking authority to abandon the Line on September 7, 2016. A Notice of Exemption was served on September 27, 2016, granting CSXT's request. On October 7, 2016, GHL filed a request for issuance of a notice of interim trail use ("NITU") for the Line. By Decision and Notice of Interim Trail Use or Abandonment ("NITU") served on October 26, 2016, the proceeding was reopened and a 180-day period was authorized for GHL to negotiate an interim trail use railbanking agreement with CSXT for the Line. The trail use negotiation period under the NITU was extended several times, with the most recent decision, served on October 25, 2021, extending the negotiation period until October 24, 2022. HMRA intends to enter an agreement with CSXT and close the acquisition of the Line under the NITU by October 24, 2022.

GHL, as the interim trail use proponent, has agreed that HMRA should be designated as its successor as interim trail use proponent for the Line, and GHL has evidenced its joinder in this request, its willingness to relinquish its negotiation rights, and its designation of HMRA as its successor as trail use, proponent by its execution of the letter being concurrently filed with this request. HMRA makes the following statement of its willingness to assume financial responsibility.

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 CSX Transportation, Inc., the Hatfield McCoy Regional Authority (interim trail sponsor) 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. The property, known as the Southern Region, Florence Division, Logan Subdivision, extends from railroad milepost CLX 0.11 near Man, to railroad milepost CLX 3.29, near Garnette, a distance of 3.29 miles in Logan County, WV. The right-of-way is part of a line of railroad proposed for abandonment in Docket No. STB AB-55 (Sub-No. 763). A map of the property depicting the right-of-way is attached.

Hatfield McCoy Regional Authority 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 on the same date it is being served on the Board.

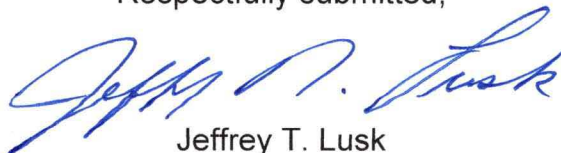
By my signature below, I certify service upon the following individuals by U.S. mail, first class:

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

Respectfully submitted,



Jeffrey T. Lusk
Executive Director