



Doherty Wallace Pillsbury & Murphy P.C.

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ENTERED
Office of Proceedings
December 16, 2022
Part of
Public Record

December 16, 2022

VIA E-FILING

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

**Re: Pioneer Valley Railroad Company, Inc. – Abandonment Exemption – in the
Town of Southampton, Hampshire County, Massachusetts, Surface Transportation Board
Docket No. AB 531 (Sub-No. 3X) – *Interim Trail Use Agreement Reached***

Dear Ms. Brown,

Pursuant to 49 CFR §1152.29(h), Pioneer Valley Railroad Company, Inc. (“PVRR”) and the Town of Southampton hereby jointly notify the Surface Transportation Board that as of February 28, 2022, they have entered into a binding Offer to Purchase and Interim Trail Use/Railbanking Agreement (the “Agreement”) for the rail banking/interim trail use of the approximately 4.25-mile rail line, known as the Florence Secondary, between milepost 69.70 at Coleman Road and milepost 73.95 at Brickyard Road in Southampton, Hampshire County, Massachusetts.

PVRR and the Town of Southampton certify that the Agreement includes provisions requiring the Town of Southampton to fulfill the responsibilities described in 49 CFR §1152.29(a)(2) as were also set forth in the Statement of Willingness of the Town of Southampton dated November 10, 2022, a copy of which is enclosed herewith. In accordance with the requirements of 49 CFR §1152.29(h), a map of the rail line is enclosed herewith as well.

The filing of this letter has been authorized by PVRR and the Town of Southampton. Thank you for your assistance. Please let us know if there are any questions regarding this filing.

Michael S. Schneider Direct (413) 233 9516 mschneider@dwpm.com

One Monarch Place, Suite 1900 • Springfield, MA 01144-1900 • T 413-733-3111 • F 413-734-3910 • dwpm.com

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Sincerely,



Michael S. Schneider
*Counsel for Pioneer Valley Railroad
Company, Inc.*

Enclosure

CC:

Katharine Klein, Esq., via email w/ enclosure

Tom Owen, President, via email w/ enclosure

James Plasse, CFO, via email w/ enclosure

David Pederson, General Manager, via email w/ enclosure

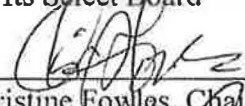
**STATEMENT OF WILLINGNESS TO ASSUME
FINANCIAL RESPONSIBILITY**

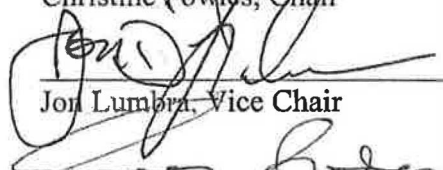
In order to establish interim trail use and rail banking under 16 U.S.C. 1247(d) and 49 CFR 1152.29 with respect to the right-of-way owned and operated by Pioneer Valley Railroad Company, Inc., the Town of Southampton ("Interim Trail Sponsor") is willing to assume full responsibility for: (1) managing the right-of-way; (2) any legal liability arising out of the transfer or use of the right-of-way (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 Subject Line, known as the Florence Secondary, extends from Milepost 69.70 to Milepost 73.95, a distance of approximately 4.25 miles in Southampton, Hampshire County, Massachusetts. The right-of-way is the line of railroad proposed for abandonment in STB Docket No. AB 531 (Sub-No. 3X). A map of the property depicting the right-of-way is attached.

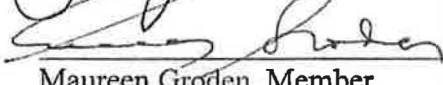
The Town of Southampton acknowledges that use of the right-of-way is subject to the Interim Trail Sponsor's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service. A copy of this Statement is being served on Pioneer Valley Railroad Company, Inc., c/o Michael Schneider, Esq., Doherty Wallace Pillsbury & Murphy P.C., One Monarch Place, Suite 1900, Springfield, MA 01144, mschneider@dwpm.com on the same date it is being served on the Board.

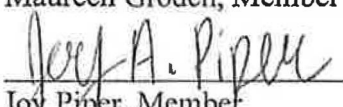
Executed this 10th day of November, 2022.

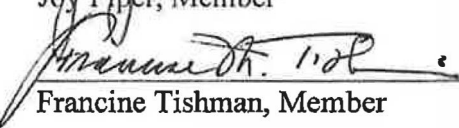
TOWN OF SOUTHAMPTON,
By Its Select Board

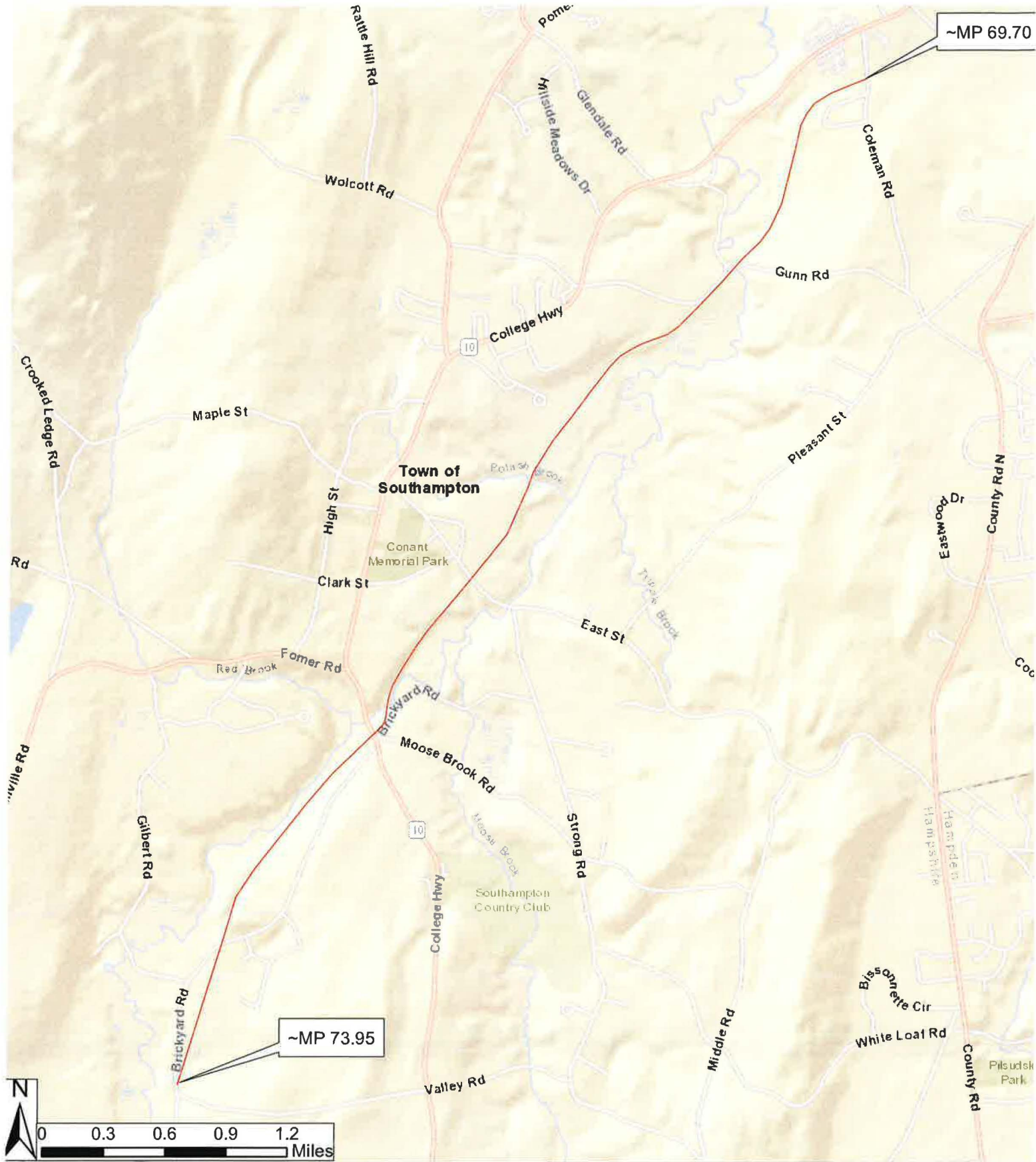

Christine Fowles, Chair


Jon Lumbra, Vice Chair


Maureen Groden, Member


Joy Piper, Member


Francine Tishman, Member



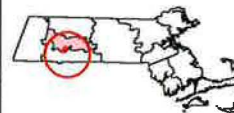
Docket No. AB 531 Sub-No. 3X

Pioneer Valley Railroad Company, Inc.
Abandonment Exemption
in Hampshire County, MA

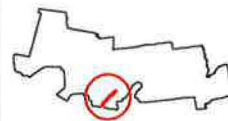
Legend

— the Line

Note: Maps produced by the STB's
Office of Environmental Analysis
are based on information
provided by the applicant and are
for reference purposes only.



Massachusetts



Hampshire County