



OFFICE OF THE CITY ATTORNEY

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Office of Proceedings
December 14, 2023
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Public Record

December 14, 2023

Secretary
Surface Transportation
Board Washington, DC 20423-0001

Re: CSX Transportation Inc. Abandonment in Pinellas County, Florida

Dear Secretary:

This renewed request is filed on behalf of the City of St. Petersburg, Florida, a Municipal Corporation, existing by and under the laws of the State of Florida, hereinafter referred to as "proponent."

Proponent renews its 2019 requests for issuance of a Public Use Condition as well as an Interim Trail Use Condition rather than an outright abandonment authorization for the prior rail line in downtown St. Petersburg, FL, beginning on the south side of 5th Ave N to Dr. Martin Luther King Jr St N.

A. Request for Public Use Condition

Proponent renews its 2019 request for the STB to find that this property is suitable for other public use, specifically trail use, and to place the following conditions on the abandonment:

1. An order prohibiting the carrier from disposing of the corridor, other than the tracks, ties and signal equipment, except for public use on reasonable terms. Justification for this condition is twofold. First, the corridor in question connects to the Pinellas Trail – an existing and highly successful rails-to-trails conversion. Second, banking this section of line would allow the possibility of conversion to light rail, if such proposed service is ever brought to fruition. The time period sought is 180 days from the effective date of the abandonment authorization. Proponent needs this much time to assemble and review documents, prepare trail plans, and negotiate with CSX regarding sale.
2. An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts and tunnels. The justification for this condition is that any such structures could have considerable value for recreational trail purposes. The time period requested is 180 days from

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the effective date of the abandonment authorization for the same reason as indicated above.

B. Request for Interim Trail Use

The railroad right-of-way in this proceeding is suitable for railbanking. In addition to the public use conditions sought above, proponent also renews its 2019 request as follows:

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 by CSX Transportation Inc., and operated by CSX Transportation Inc., the Proponent 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, in downtown St. Petersburg, FL, beginning on the south side of 5th Ave N to Dr. Martin Luther King Jr St N, runs for an approximate distance of half of a mile in Pinellas County, Florida. A map of the property depicting the right-of-way is attached as Exhibit "A".

Proponent acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

The Proponents' designated person of contact in this matter is: Aaron Fisch, Director of Real Estate and Property Management for the City of St. Petersburg, Florida. P.O. Box 2842, St. Petersburg, FL 33731-2842. Office: 727- 893-7186.

By my signature below, I certify service upon CSX Transportation Inc., by U.S. Mail, postage pre-paid, first class, this fourteenth day of December, 2023.

Respectfully submitted,



Rob Gerdes,
City Administrator
The City of St. Petersburg, FL



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Exhibit "A" - Map of Right of Way

