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VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration Office of Proceedings
Surface Transportation Board
395 E Street, S.W., Room 1034
Washington, DC 20423-0001

**Re: Docket No. AB-290 (Sub-No. 404X) Norfolk Southern Railway Company –
Abandonment Exemption – In the City of Greensboro, North Carolina**

Dear Ms. Brown:

The City of Greensboro, North Carolina ("Greensboro") respectfully seeks expedited consideration of its petition filed in the above-referenced proceeding on December 7, 2022. In its petition, Greensboro sought clarification from the Surface Transportation Board ("STB" or "Board") that approximately 264' of railroad right-of-way subject to the Notice of Interim Trail Use ("NITU") may be narrowed from a width of 100 feet from center line to at most 50 feet in connection with a land sale to Kotis Properties to develop an important grocery store that could not proceed without this transaction.

Greensboro has worked with Kotis Properties since April of 2020 in planning to bring a needed grocery store to the Midtown area. Midtown currently does not have a grocer, limiting

food access in this area. The property has a commitment from a reputable grocery store provider but may be jeopardized by an extended timeframe for advancing the project.

On June 28, the Board issued a decision in this proceeding clarifying its regulatory authority over this railbanked line in North Carolina and explaining the Board's procedures for determining whether a portion of a right-of-way can be removed from such a line. The Board also provided Norfolk Southern Railway Company ("NSR") an additional 30 days to explain how the narrowing of the right-of-way would interfere with rail reactivation.

On October 12, Greensboro and NSR advised the Board that they had reached a settlement on this issue and the petition. Specifically, Greensboro and NSR reached a settlement agreement that the right-of-way subject to the NITU along the 264-foot section may be narrowed to 65 feet (at least 39' on the north side of the center line and 26' on the south side) through the removal of the Kotis parcel, which would not interfere with any potential reactivation of rail service. Accordingly, NSR withdrew its opposition to Greensboro's petition and now supports its request. Further, NSR authorized Greensboro to inform the Board of this change in NSR's position as was done.

Greensboro does understand that the Board has been called upon to handle immense responsibilities since its petition was filed including the national rail service issues. However, this project is important to the community where the grocery store will be constructed, and Greensboro wanted to make the Board aware of its desire to move ahead with the project as quickly as possible.

Greensboro thanks the STB for its consideration of this important request.

Respectfully submitted,

/s/ Daniel R. Elliott

Daniel R. Elliott
Attorney for City of Greensboro, NC

cc: All Parties of Record