



ENGINEERING

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Office of Proceedings
December 2, 2024
Part of
Public Record

VIA E-FILING

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

Re: Norfolk Southern Railway Company – Abandonment Exemption –
in Pitt County, North Carolina, AB-290 (Sub-No. 414X)

Petition for Issuance of a Notice of Interim Trail Use

Dear Ms. Brown:

Pursuant to 16 U.S.C. § 1247(d) and 49 C.F.R. 1152.29, the City of Greenville, North Carolina (the “City of Greenville” or “City”) is filing a petition for the issuance of a Notice of Interim Trail Use. The City of Greenville has been in contact with the Norfolk Southern Railway Company (“NSR”), and NSR has indicated that it is willing to negotiate a Trails Use Agreement with the City for an approximately one-mile-long, unmileposted, rail line, extending from West 14th Street northward to Dickinson Avenue (the “Line”) in Pitt County, North Carolina.

As a local government entity, the City also requests, pursuant to 49 C.F.R. 1002(e)(1), a waiver or reduction of the \$350 filing fee, which has been prepaid for this filing. If there are any questions about this matter, please contact me directly, either by telephone at: (252) 329-4683 or by email at: LKIRBY@GREENVILLENC.GOV.

By my signature below, I certify service by e-mail of a copy of this request on counsel for NSR and the parties of record.

Sincerely,

A handwritten signature in black ink that reads 'Lisa Ann Kirby'.

Lisa Ann Kirby, PE, CFM
Director of Engineering/City Engineer
City of Greenville, North Carolina

cc: Crystal M. Zorbaugh, Counsel for NSR
Parties of Record

FILING FEE WAIVED

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

AB-290 (Sub-No. 414X)

**NORFOLK SOUTHERN RAILWAY COMPANY
– ABANDONMENT EXEMPTION –
IN PITT COUNTY, NORTH CAROLINA**

PETITION FOR ISSUANCE OF A NOTICE OF INTERIM TRAIL USE

Pursuant to 16 U.S.C. § 1247(d) and 49 C.F.R. 1152.29, the City of Greenville, North Carolina (the “City of Greenville” or “City”) hereby makes its Petition for Issuance of a Notice of Interim Trail Use. The City of Greenville states as follows:

1. The City of Greenville files this petition pursuant to state, federal, and local laws as applicable and as authorized by its Mayor and City Council.
2. The name, title, and address of the City of Greenville’s representative to whom correspondence should be sent is:

Lisa Ann Kirby, PE, CFM
Director of Engineering
200 West Fifth Street
Greenville, NC 27834

3. The City of Greenville is interested in acquiring and using the right-of-way of the following rail line owned by Norfolk Southern Railway Company (“NSR”) for interim trail use and railbanking.
 - a. An approximately one-mile-long, unmileposted, rail line, extending from West 14th Street northward to Dickinson Avenue (the “Line”) in Pitt County, North Carolina.
4. A map of the Line is attached as Exhibit A.
5. The City of Greenville makes the following statement:

**STATEMENT OF WILLINGNESS TO ASSUME
FINANCIAL RESPONSIBILITY**

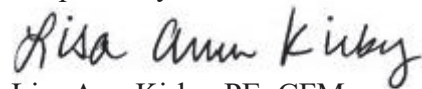
In order to establish interim trail use and rail banking under 16 U.S.C. 1247(d) and 49 C.F.R. 1152.29 with respect to the right-of-way owned by Norfolk Southern Railway Company ("NSR") and operated by NSR, the City of Greenville is willing to assume full responsibility for: (1) Managing the right-of-way, (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 known as NSR's Greenville line of railroad, extends for approximately one mile from West 14th Street northward to Dickinson Avenue in Pitt County, North Carolina. The right-of-way is part of an unmileposted line of railroad proposed for abandonment in STB Docket No. AB-290 (Sub-No. 414X). A map of the property depicting the right-of-way is attached.

The City of Greenville acknowledges that the 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 Surface Transportation Board.

6. The City of Greenville has been in contact with the staff of NSR, and NSR has indicated that NSR is willing to negotiate a Trails Use Agreement with the City with respect to the Line if the Board issues a Notice of Interim Trail Use.

Accordingly, the City of Greenville respectfully petitions the Surface Transportation Board to issue a Notice of Interim Trail Use authorizing the City and NSR to negotiate for the City of Greenville's acquisition or use of the Line's right-of-way in the above-stated proceeding for interim trail use and railbanking.

Respectfully,



Lisa Ann Kirby, PE, CFM
Director of Engineering
City of Greenville, North Carolina



Docket No. AB 290 (Sub-No. 414X)
Norfolk Southern Railway
Abandonment Exemption
In Pitt County, N.C.

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.



Pitt County, NC



North Carolina