

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

January 14, 2025

309092

VIA E-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

ENTERED
Office of Proceedings
January 14, 2025
Part of
Public Record

Re: Docket No. AB-55 (Sub-No. 817X), CSXT Transportation, Inc. – Abandonment Exemption – in Franklin, Massachusetts Request for Interim Trails Use/Rail Banking

Dear Ms. Brown:

CSX Transportation, Inc. filed a Notice of Exemption with the Surface Transportation Board (the "Board") to abandon an approximately 1.6-mile rail line that runs between milepost QVF 18.01 and milepost QVF 19.61, on its Northern Region, Franklin Subdivision in Norfolk County, MA. The Board served a Notice of Exemption on January 10, 2025.

The Town of Franklin, a duly incorporated municipality of the Commonwealth of Massachusetts, requests that the Surface Transportation Board issue a Notice of Interim Trail Use/rail banking for the entire 1.6-mile rail line that runs between milepost QVF 18.01 and milepost QVF 19.61 running between Union Street and Grove Street, which is the subject of the above-referenced abandonment notice of exemption proceeding.

Statement of Willingness to Assume Financial Responsibility is attached through a true attest certified copy of the Town Clerk acknowledging the local legislative body's authorization of funds to purchase said parcels.

FILING FEE WAIVED

In order to establish interim trail use and rail banking under section 8(d) of the National Trails System Act, 16 U.S.C. § 1247(d), and 49 CFR § 1152.29, The Town of Franklin 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 Segment's right-of-way (or, to the extent that the Town of Franklin is immune from liability, then the Town of Franklin will indemnify CSXT against any potential liability), and
3. The payment of any and all taxes that may be levied or assessed against the right-of-way owned by CSXT.

A map depicting the Segment's right-of-way is attached as Exhibit A.

The Town of Franklin acknowledges that its proposed use of the right-of-way is subject to it continuing to meet its responsibilities described above, and is subject to possible future reconstruction and reactivation of the Segment's right-of-way for rail service.

Pursuant to 49 CFR 1102.2(e) (1), the otherwise-applicable filing fee associated with a request for issuance of a trails use condition is waived for the Town of Franklin as a local government entity.

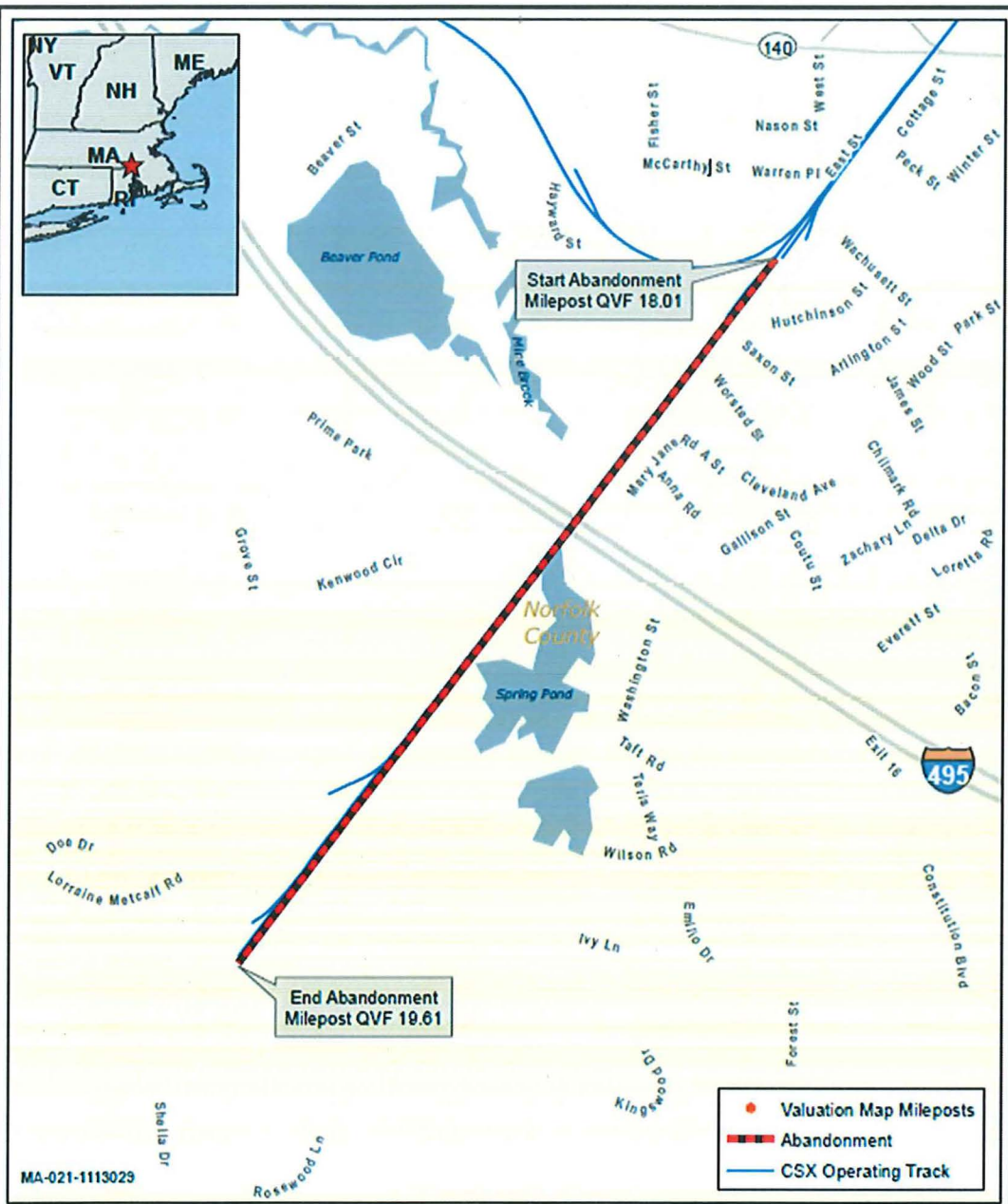
Respectfully submitted,



Jamie Hellen
CEO/Town Administrator
Town of Franklin

Enclosure: Exhibit A map
Authorization of funds

Cc: All parties of record



MA-021-1113029



CSX Transportation, Inc.
Abandonment
Norfolk County - Franklin, MA
Franklin Sub
 Milepost QVF 18.01 - 19.61
 Total Distance of approx. 1.6 Miles
 NE - Albany - Franklin
 STB Docket No. AB 55 (Sub-No. 817X)



**TOWN OF FRANKLIN
RESOLUTION 24-74**

**PURCHASE OF LAND FROM CSX FOR
RAIL TRAIL EXTENSION
AUTHORIZATION AND APPROPRIATION**

WHEREAS, the Town of Franklin, acting by and through the Franklin Town Council, desires to acquire by purchase, the land of CSX Transportation, INC of approximately nineteen point five one (19.51 acres) of unimproved land located at Grove Street to Union Railroad line, Franklin, County of Norfolk, Commonwealth of Massachusetts, shown on Franklin Assessor's maps: Map 287 Parcel 073 (5.7 acres) and Map 295 Parcel 014 (10.4 acres) and Town intends to acquire all of said land for an agreed upon purchase price of two million, five hundred and seventy thousand dollars (\$2,570,000); and

WHEREAS, the Town's purchase of said land will permit extension of the existing SNETT Rail Trail for public recreation.

NOW THEREFORE, BE IT RESOLVED that the Town of Franklin purchase approximately nineteen point five one (19.51) acres of land at Grove Street to the Union Railroad line, Franklin, County of Norfolk, Commonwealth of Massachusetts, shown on Franklin Assessor's maps: Map 287 Parcel 073 (5.7 acres) and Map 295 Parcel 014 (10.4 acres) for the sum of two million, five hundred and seventy thousand dollars (\$2,570,000); to permit extension of the existing SNETT Rail Trail for public recreation, and that the Town Administrator, in consultation with the Town Attorney, be authorized to execute a purchase and sales agreement containing said price and such other terms and conditions as the Town Administrator determines to be in the Town's interest and execute any other documents and take any other action necessary to consummate the purchase, and **BE IT FURTHER RESOLVED** that the sum of one million nine hundred forty nine thousand seven hundred and fifty dollars (\$1,949,750) be appropriated from the Open Space Stabilization account to fund said purchase, together with related engineering, legal, and other closing expenses, if any. Said transfer is to be combined with ARPA funds in the amount of six hundred twenty thousand two hundred and fifty dollars (\$620,250). For a total authorized funding of two million, five hundred and seventy thousand dollars (\$2,570,000).

This Resolution shall become effective according to the provisions of the Town of Franklin Home Rule Charter.

DATED: NOV. 20th 2024

VOTED: Passed

UNANIMOUS: ✓

A True Copy of the Record
ATTEST: Nancy Danella
Town Clerk, Franklin, MA

A TRUE RECORD ATTEST:



Nancy Danello, CMC
Town Clerk

A True Copy of the Record

ATTEST: Nancy Danello
Town Clerk, Franklin, MA

YES: 9 NO: 0

ABSTAIN: ABSENT:

RECUSED:


Glenn Jones, Clerk