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Transportation Solutions for the 21st Century

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July 9, 2025

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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

ENTER
Office of Proceedings
July 9, 2025
Part of
Public Record

Re: Norfolk Southern Railway Company – Abandonment Exemption – In Cuyahoga, Geauga, and Portage Counties, Ohio, AB-290 (Sub-No. 418X)

Dear Ms. Brown:

On July 1, 2025, the Open Space Institute Land Trust, Inc., a New York not-for-profit corporation (“OSILT” or “Trail Sponsor”), filed a petition for the issuance of a Notice of Interim Trail Use (“NITU”) to allow OSILT to finalize a trails use agreement¹ with Norfolk Southern Railway Company (“NSR”) for the approximately 7-mile long rail line, extending between Milepost RH 15.0 +/- and Milepost RH 22.0 +/- in Cuyahoga, Geauga, and Portage Counties, Ohio (the “Line”) that is the subject of this exempt abandonment proceeding.²

NSR was served a copy of the OSILT request³ and understands that after a trails use agreement is finalized, OSILT (or the then “Trail Sponsor”) will file with the Board to acquire the residual common carrier obligation for the Line from NSR. NSR hereby notifies the Board that, consistent with OSILT’s stipulations within its July 1, 2025, filing, NSR supports issuance of a NITU and is willing to either finalize a trails agreement with OSILT or engage in negotiations with West Creek if the Board

¹ Alternatively, OSILT notes in its request that it anticipates West Creek Conservancy (“West Creek”) will ultimately substitute OSILT as the Trail Sponsor, subject to any necessary substitution authorization under 49 CFR § 1152.29(f).

² The abandonment was filed as a joint notice of exemption to include the discontinuance of common carrier service by Cleveland & Cuyahoga Railway, LLC in AB 1257 (Sub-No. 1X).

³ Per the regulations in 49 CFR § 1152.29(b)(2), the railroad’s reply is due 10 days after the NITU is filed. As stated in the request for a NITU, NSR has entered into an agreement with OSILT to acquire the Line for the public use of development of a trail and open space, while holding the Line for possible reactivation of rail service.

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were to authorize it as the substitute trail sponsor, toward a possible alternative trails use arrangement for the Line.

If there are any questions concerning this letter, please contact me, NSR's representative, by mail: Crystal Zorbaugh, Mullins Law Group PLLC, 2001 L Street, NW, Suite 720, Washington, DC 20036; by FAX: (202) 663-7849; by e-mail: czorbaugh@mullinslawgroup.net; or by telephone: (202) 663-7831.

Sincerely,

/s/ Crystal M. Zorbaugh

Crystal M. Zorbaugh
Attorney for Norfolk Southern Railway Company

cc: Justin J. Marks, Counsel to OSILT
Parties of Record