

City of Lebanon

FEE RECEIVED

March 3, 2015

SURFACE

TRANSPORTATION BOARD



51 North Park Street
Lebanon, New Hampshire 03766

237849

237851

February 19, 2015

ENTERED

Office of Proceedings

March 3, 2015

Part of

Public Record

Secretary

Surface Transportation Board

395 E Street, S.W.,

Washington, DC 20423

FILED

March 03, 2015

SURFACE

TRANSPORTATION BOARD

Re: Docket: AB-1120X and 1120 (Sub-No. 1X) - Proposed Discontinuance of Service and Abandonment Exemptions in Lebanon, Grafton County, NH

Dear Secretary:

This request is filed on behalf of the City of Lebanon, which is a government agency interested in conservation and recreation, hereinafter referred to as "proponent."

Proponent requests issuance of a Public Use Condition as well as an Interim Trail Use Condition rather than an outright abandonment authorization between Railroad Milepost B140, Station 3515+69 on map v32.1-68 and ending at Railroad Milepost B141, Station 3568+49 on map v32.1-69 which traverses through United States Postal Service ZIP Code 03766 in Lebanon, Grafton County, New Hampshire, a distance of approximately 0.97 miles.

A. Request For Public Use Condition

Proponent asks 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 that the corridor would make an excellent recreational trail and conversion of the property to trail use is in accordance with local plans. In addition, the corridor provides important wildlife habitat

Assessing 448-1499 • City Clerk 448-3054 • Codes 448-1524 • Engineering 448-0674 • Finance 448-0682
Landfill 298-7872 • Manager 448-4220 • Planning 448-1457 • Public Works 448-3112 • Recreation 448-5121
Tax Collector 448-1720 • Wastewater Plant 298-5986 • Water & Sewer Billing 448-1569 • Water Plant 448-2514 • Welfare 448-2944

Area Code 603

Fax 448-4891

and open space and its preservation as a recreational trail is consistent with those purposes. The time period sought is 180 days from the effective date of the abandonment authorization.

Proponent needs this much time: complete a trail plan and begin negotiations with the carrier.

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 these structures have considerable value for recreational trail purposes. The time period requested is 180 days from 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 makes the following request:

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and railbanking under section 8(d) of the National Trails System Act, 16 U.S.C. §1247(d), and 49 CFR §1152.29, is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability], and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by and operated by the State.

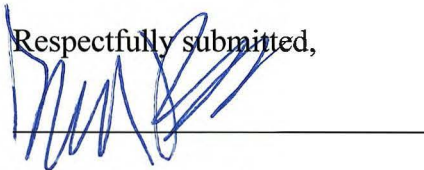
The property is located beginning at Railroad Milepost B140, Station 3515+69 on map v32.1-68 and ending at Railroad Milepost B141, Station 3568+49 on map v32.1-69 which traverses through United States Postal Service ZIP Code 03766 in Lebanon, Grafton County, New Hampshire, a distance of approximately 0.97 miles.

The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-1120X and 1120 (Sub-No. 1X). A map depicting the right-of-way is attached.

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.

By my signature below, I certify service upon Claremont Concord Railroad Corporation ("CCRC"), P.O. Box 848, Columbia, PA 17512, and the State of New Hampshire, by U.S. Mail, postage pre-paid, first class, this 19th day of February, 2015.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Gregory Lewis', is written over a horizontal line.

Gregory Lewis, City Manager

MP B 140, Station 3517+06

State of N.H. - Northern Railroad

MP B 141, Station 3568+49

**Discontinuance of Service
Exemption
Northern Railroad
Lebanon, NH**

1,000 500 0 1,000 Feet

