

LAW OFFICE
THOMAS F. MCFARLAND, P.C.
208 SOUTH LASALLE STREET - SUITE 1666
CHICAGO, ILLINOIS 60604-1228
TELEPHONE (312) 236-0204
mcfarland@aol.com

245090
245091

THOMAS F. MCFARLAND

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Office of Proceedings
January 31, 2018
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By e-filing

Ms. Cynthia T. Brown, Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20024

Re: STB Docket Nos. AB-1254X and AB-1255X, *Winamac Southern Railway Company and US Rail Holdings, LLC -- Abandonment Exemption -- in Kokomo, Howard County, IN*

Dear Ms. Brown:

Pursuant to 49 C.F.R. § 1152.29(h), this is to notify the Board that an Agreement for Railbanking and Interim Trail Use has been reached between Winamac Southern Railway Corporation (WSRY) and US Rail Corporation (USRC), on one hand, and the City of Kokomo, Indiana (the City) on the other hand.

A map is attached to this Notice that depicts the right-of-way covered by the Agreement. That right-of-way extends approximately 2.38 miles in the City of Kokomo, Indiana between Milepost No. 183.64 at Defenbaugh Street and Milepost No. 181.26 at Webster Street.

This is also to certify that the Agreement includes provisions requiring the Trail Sponsor (the City) to fulfill the responsibilities set out at 49 C.F.R. § 1152.29(a)(2), i.e. A statement indicating the trail sponsor's willingness to assume full responsibility for: (i) managing the right of way; (ii) any legal liability arising out of the transfer or use of the right-of-way; and (iii) the payment of any and all taxes that may be levied or assessed against the right-of-way.

Respectfully submitted,



Thomas F. McFarland
Attorney for Petitioners,
Winamac Southern Railway Company
and US Rail Holdings, LLC

THOMAS F. MCFARLAND

Ms. Cynthia T. Brown, Chief

January 31, 2018

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cc: Mr. Scot Ortman, Winamac Southern Railway Company, *sortman@kokomograin.com*
Mr. Brad Ortman, Winamac Southern Railway Company, *bortman@kokomograin.com*
Ms. Danielle Hall-Mitchell, US Rail Holdings, LLC, *dmh@usrailcorp.com*
Mr. Carey Stranahan, P.E., City of Kokomo, Indiana, *cstranahan@cityofkokomo.org*

