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September 13, 2019

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

Re: STB Docket No. AB-290 (Sub-No. 404X)
STB Case No. 248381
*Norfolk Southern Railway Company – Abandonment Exemption –
In the City of Greensboro, North Carolina*

Dear Ms. Brown:

This request is filed on behalf of the City of Greensboro, a municipal corporation existing under the laws of the State of North Carolina, having its principal office located at 300 W. Washington Street, Greensboro, North Carolina, 27401 (hereinafter referred to as the “Proponent”).

Proponent requests issuance of a Public Use Condition and an Interim Trail Use Condition, rather than an outright abandonment authorization for the 3.1 mile rail line located between Milepost CF-65.6 and Milepost CF-68.7 (the “Line”) within the territorial jurisdiction of the City of Greensboro, North Carolina. Proponent, as a governmental entity, respectfully requests the Surface Transportation Board (the “Board”) waive any filing fee.

A. Request for Public Use Condition

Proponent requests the Board find that the rail right-of-way pertaining to the Line (together referred to as the “Line Corridor”) is suitable for other public use, specifically trail use, and to place the following conditions on abandonment:

1. Carrier shall be prohibited from disposing of the Line Corridor, other than the tracks, ties, signal equipment, and fixtures exclusive to railroad use, except for public use on reasonable terms. The justification for this condition is that the Line corridor is ideal for recreational use and would allow for the connection of existing public greenway trails operated by the Proponent. The connection would improve public safety with respect to the use and function of existing trails. Proponent requests 180 days from the effective date of abandonment authorization to allow

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Proponent to complete its due diligence with respect to development of trail plans and negotiation with Norfolk Southern Railway Company.

2. Prohibition on the removal or destruction of potential trail related structures such as bridges, tressels, culverts, or tunnels. These structures have considerable value toward the redevelopment of the Line Corridor for recreational use. Proponent requests 180 days from the effective date of abandonment authorization for the same reasons indicated in subsection A.1.

B. Request for Interim Trail Use

For reasons previously stated, the Line Corridor is suitable for rail banking. In addition to that information set out above in support of the Public Use Condition Request, Proponent also provides the following to facilitate the Board's consideration of this request:

Statement of Willingness to Assume Financial Responsibility

In order to establish interim trail use under Section 8(d) of the National Trails System Act, 16 U.S.C. §1247(d) and 49 CFR §1152.29, proponent is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of, and for the payment of any and all taxes that may be levied or assessed against the Line right-of-way owned and operated by the railroad.

The railway line (Line) extends from Milepost CF-65.6 and Milepost CF-68.7, for a distance of 3.1 miles within the territorial jurisdiction of Greensboro, North Carolina. The right-of-way which pertains to this request is the same as that described in the Verified Notice of Exemption filed with the Board on August 26, 2019, STB Docket No. AB-290 (Sub-No. 404X).

A map depicting the portion of the right-of-way to be subject to the trail use condition requested is attached.

The City of Greensboro acknowledges that use of the right-of-way is subject to its continuing commitment to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

The Proponents' designated person of contact with respect to this matter is:

Chris Wilson, Assistant City Manager
City of Greensboro
P.O. Box 3136
Greensboro NC 27402-3136

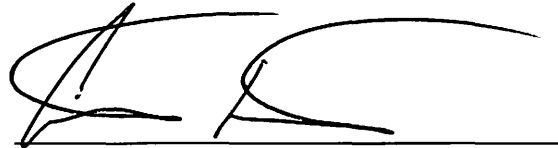
w/ copy to:
W. Andrew Kelly, Assistant City Attorney
City of Greensboro
P.O. Box 3136
Greensboro NC 27402-3136

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By my signature below, I certify a copy of this request was served on counsel for Norfolk Southern Railway Corporation by email and U.S. Mail, first class, postage pre-paid contemporaneous with the filing of the same with the Board this thirteenth day of September, 2019.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'CW', is written over a horizontal line.

Chris Wilson, Assistant City Manager

PO Box 3136

Greensboro, NC 27402-3136

Phone: 336-373-2320

Christian.Wilson@greensboro-nc.gov

cc: Greg E. Summy
William A. Mullins
Crystal M. Zorbaugh

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Map Exhibit



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