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August 29, 2019

Secretary
Surface Transportation Board
395 E Street, S.W
Washington, DC 20423-0001

Re: CSX Transportation Inc. Abandonment in Pinellas County, Florida (STB Docket No. AB-55 (sub-No. 794X))

Dear Secretary:

This request is filed on behalf of the City of St. Petersburg, Florida, a Municipal Corporation, existing by and under the laws of the State of Florida, hereinafter referred to as "Proponent."

Proponent requests issuance of an Interim Trail Use Condition, as well as a Public Use Condition, rather than an outright abandonment authorization for the prior rail line in downtown St. Petersburg, FL, beginning on the south side of 5th Ave N to Dr. Martin Luther King Jr St N., identified by CSX as an approximately .86 miles rail line on its Clearwater Subdivision, between milepost ARE 897.57 and milepost ARE 898.43, in St. Petersburg, Pinellas County, FL.

As noted in the City's Request for Public Use Condition, filed with the Surface Transportation Board on August 29, 2019, the corridor in question is located in the dense, urban core of St. Petersburg, Florida. It is ideal for public trail use as it directly connects to the Pinellas Trail – an existing and highly successful rails-to-trails conversion. The City is a sponsor of the portion of this trail which connects to the subject line (STB Docket No. AB_55_646_X), and Pinellas County is sponsor for much of the remainder of the 47 miles of trail that span the heavily populated areas of Pinellas County. Additionally, banking the section of line would allow the possibility of conversion to light rail in the future, as contemplated in local comprehensive planning documents - if such proposed service is ever brought to fruition - by keeping the line contiguous. For these reasons, the City respectfully requests the Board grant the following request.

FILING FEE WAIVED

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, proponent also makes the following request:

In order to establish interim trail use and rail banking under 16 U.S.C. 1247(d) and 49 CFR 1152.29 with respect to the right-of-way owned by CSX Transportation Inc., and operated by CSX Transportation Inc., the Proponent 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 right-of-way (unless the sponsor is immune from liability, as the Proponent in the instant matter is, in which case it need only indemnify the railroad against any potential liability), and (3) the payment of any and all taxes that may be levied or assessed against the right of way.

The property, in downtown St. Petersburg, FL, begins on the south side of 5th Ave N to Dr. Martin Luther King Jr St N, in Pinellas County, Florida, has been identified by CSX as an approximately .86 miles rail line on its Clearwater Subdivision, between milepost ARE 897.57 and milepost ARE 898.43, in St. Petersburg, Pinellas County, FL. A map of the right-of-way, as provided by CSX in connection with their Notice of Exemption, is attached as Exhibit "A".

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.

The Proponents' designated person of contact in this matter is: Alfred Wendler, Director of Real Estate and Property Management for the City of St. Petersburg, Florida. P.O. Box 2842, St. Petersburg, FL 33731-2842. Office: 727- 893-7183.

By my signature below, I certify service upon Louis E. Gitomer, Esq., Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, Lou@lgraillaw.com; and Melanie Yasbin, Law Offices Of Louis E. Gitomer, LLC, 600 Baltimore Ave. Suite 301, Towson, MD 21204-4022, Melanie@lgraillaw.com, by email and by U.S. Mail, postage pre-paid, first class, and Richard J. Welsh, National Association Of Reversionary Property Owners, 1100 Bellevue Way Ne Ste. 8A Pmb 719, Bellevue, WA 98004 by U.S. Mail, postage pre-paid, first class this twenty-ninth day of August, 2019.

Respectfully submitted,



Dr. Kanika Tomlin,
Deputy Mayor
The City of St. Petersburg, FL

Exhibit "A"

