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James R. Paschall
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via fax 202-565-9004 - and mail (2 pages)
Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423

November 12, 2003
ENTERED
Office of Proceedings

NOV 13 2003

Part of
Public Record

Re: STB Docket No. AB-290 (Sub-No. 240X), Norfolk Southern Railway Company -
Abandonment Exemption - In Gaston County, NC

Dear Mr. Williams:

This responds to the September 29, 2003 request of Gaston County, the City of Gastonia, and the Town of Dallas, North Carolina for a trail use negotiation condition in the subject proceeding. Norfolk Southern Railway Company declines to negotiate with the County, City and Town under the National Trails System Act at this time. Therefore, NSR requests that the Board not enter a trail use negotiation condition in the decision on NSR's petition for exemption.

The North Carolina Railroad Company and the North Carolina Department of Transportation have expressed interest in the acquisition of the subject rail line. While NSR has not made a commitment with respect to disposition of this property, we consider an agreement to convey the property to NC DOT or NCRR more likely than disposition of the line to the County, City and Town. Nonetheless, we are willing to discuss the matter generally and preliminarily with the County, City and Town. We would consider agreeing to a later request to the Board to enter a Trails Act negotiation condition prior to consummation of the abandonment of this line if neither NC DOT nor NCRR agree to acquire the line and if further negotiations with the County, City and Town are desired and an agreement then appears possible.

Inasmuch as NSR is considering disposition of the property to a public entity, NSR does not object to a 180-day public use condition with respect to the right-of-way as long as track, ties and signals may be salvaged if none of the public entities expresses interest in acquiring them to NSR.

Mr. Vernon A. Williams
AB No. 290, Sub-No. 240X
November 12, 2003
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An original and ten copies of this letter will follow by mail.

Very truly yours,


James R. Paschall

cc: via fax (704) 854-6607
as representative of the County, City and Town

Honorable Jennifer T. Stultz, Mayor
City of Gastonia
P. O. Box 1748
Gastonia, NC 28053-1748

Unless you have already made another contact with NSR on this matter, you may contact Sarah B. Corey, Director of Strategic Planning, or the person to whom she may refer the inquiry, to discuss the disposition of this line. Her address is the same as mine and her direct phone number is (757) 629-2686.

cc: Ms. S. B. Corey