



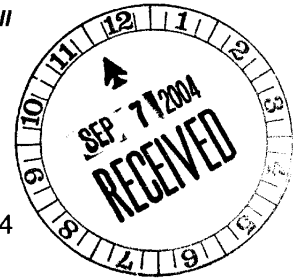
Norfolk Southern Corporation
Law Department
Three Commercial Place
Norfolk, Virginia 23510-9241

James R. Paschall
General Attorney

ENTERED
Office of Proceedings
SEP 07 2004
Part of
Public Record

Writer's Direct Dial Number
(757) 629-2759
fax (757) 533-4872

August 27, 2004



via fax 202-565-9002 and mail

Honorable Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423

211948

Re: STB Docket No. AB-290 (Sub-No. 238X), Norfolk Southern Railway
Company – Abandonment Exemption – in Buchanan County, VA

Dear Mr. Williams:

The Board served a Notice of Exemption for the abandonment by Norfolk Southern Railway Company (NSR) of 4.0 miles of its line of railroad between milepost BH-0.0 at Bull Creek and milepost BH-4.0 at Harman, in Buchanan County, VA on September 9, 2003. The notice of consummation of the abandonment is due by September 9, 2004. NSR has not consummated the abandonment of the line.

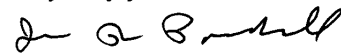
Buchanan County, Virginia filed a request for a public use condition and an interim trail use negotiation condition in a letter filed with the Board on August 23, 2004. NSR believes the request for a public use condition is both untimely and unnecessary. However, NSR agrees to the Board's issuance of a 180-day notice of interim trail use negotiation condition in this matter.

The Town of Grundy had filed a letter, not in proper form, requesting an interim trail use condition within a week of the filing of NSR's notice of exemption in this matter. After the abandonment notice was served, NSR discussed the possible transfer of the right-of-way to the Town or the County for interim trail use. However, NSR, the Town and the County overlooked the fact that no response was made to the Town's original letter and no NITU had been issued. As the consummation date approached, the parties recognized this omission. Because the line has not been formally abandoned and the parties are still agreeable to interim trail use negotiations, the County has now asked that the Board issue a NITU and NSR supports that request.

Mr. Vernon A. Williams
AB No. 290, Sub-No. 238X
August 27, 2004
Page 2 of 2

In view of the timing of the formal request for a NITU, NSR also asks that the consummation date be extended to sixty (60) days after the end of the 180-day interim trail use negotiation period, or any extensions of that period.

Very truly yours,



James R. Paschall

cc via fax 276-762-5593

Mr. Frank Kilgore
Assistant County Attorney
Buchanan County, Virginia
Kilgore and Kilgore
16542 Russell Street
P. O. Drawer 1210
St. Paul, VA 24283

cc: Mr. John T. Moon