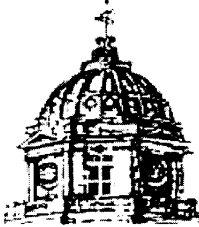


213715



OFFICE OF
MONROE COUNTY ATTORNEY

Courthouse, Room 220
Bloomington, Indiana 47404
Telephone: (812) 349-2525
Facsimile: (812) 349-2982
e-mail: legal1@co.monroe.in.us
legal2@co.monroe.in.us

DAVID B. SCHILLING
Plan Commission Attorney

WILLIAM K. STEGER
County Commissioners' Attorney

MARJORIE K. RICE
County Council Attorney

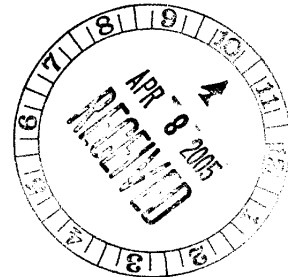
EDWARD J COCKERILL

April 7, 2005

Via UPS Overnight Delivery

Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20006

Re: The Indiana Rail Road Company – Abandonment Exemption
Monroe County, IN AB 295 (Sub-No. 6X)



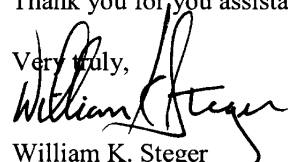
Dear Sirs:

Invocation of National Trails Act. Enclosed for filing are an original and ten (10) copies of a Petition for Issuance of a NITU and accompanying "Statement of Willingness" which are intended to invoke Section 8(d) of the National Trails System Act, 16 U.S.C. 1247(d) in the above referenced proceeding.

Please file stamp and return to me one of the extra copies of the Petition and Statement of Willingness in the enclosed stamped self - addressed envelope.

Thank you for your assistance.

Very truly,

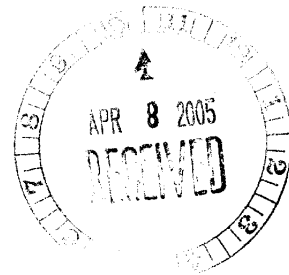

William K. Steger
Monroe County Attorney

FILING FEE WAIVED

cc: John H. Broadley

ENTERED
Office of Proceedings
APR 8 2005
Part of
Public Record

BEFORE THE
SURFACE TRANSPORTATION BOARD
Washington, D.C.

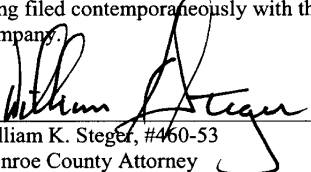


The Indiana Rail Road Company -- Abandonment
Exemption -- Monroe County, IN

)
) AB 295 (Sub-No. 6X)
)
)
)

Petition for Issuance of a NITU

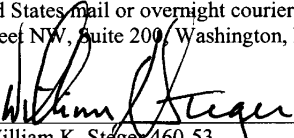
The Monroe County (IN) Parks and Recreation Board, on behalf of the Monroe County Parks and Recreation Department respectfully requests that the Surface Transportation Board issue a Notice of Interim Trail Use in this proceeding. Its Statement of Willingness to Assume Financial Responsibility is being filed contemporaneously with this Petition, and served upon counsel for The Indiana Rail Road Company.



William K. Steger, #460-53
Monroe County Attorney
Courthouse, Room 220
Bloomington, IN 47404
Tel.: (812) 349-2525
Fax: (812) 349-2982
e-mail: wsteger@co.monroe.in.us

CERTIFICATE OF SERVICE

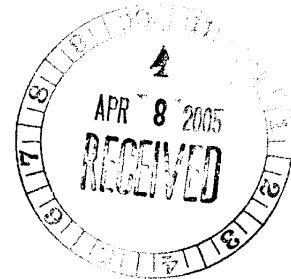
I hereby certify that a copy of the foregoing Petition and Statement of Willingness to Assume Financial Responsibility was served by first class United States mail or overnight courier delivery to: John Broadley, John H. Broadley & Associates, 1054 31st Street NW, Suite 200, Washington, D.C. 20007 on 7th day of APRIL, 2005.



William K. Steger 460-53
Monroe County Attorney

ENTERED
Office of Proceedings
APR 11 2005
Part of
Public Record

BEFORE THE
SURFACE TRANSPORTATION BOARD
Washington, D.C.



The Indiana Rail Road Company -- Abandonment
Exemption – Monroe County, IN

)
) AB 295 (Sub-No. 6X)
)
)
)

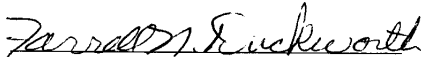
Statement of Willingness to Assume Financial Responsibility

In order to establish interim trail use and railbanking under 16 U.S.C. 1247(d) and 49 CFR 1152.29, the Monroe County Parks and Recreation Board on behalf of the Monroe County Parks and Recreation Department (interim Trail User), is willing to assume full responsibility for management of, for any legal liability arising out of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned and operated by the Indiana Railroad Company (Railroad). The property, known as Ellettsville Branch extends from railroad milepost 213.69 to railroad milepost 216.13 southeast of the Town of Ellettsville, a distance of 2.44 miles in Monroe County, Indiana. The right-of-way is part of a line of railroad proposed for abandonment in Docket AB-295 (Sub-No. 6X).

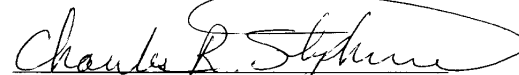
Maps depicting the property are attached.

Monroe County Parks and Recreation Board, on behalf of the Monroe County Parks and Recreation Department acknowledges that use of 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. A copy of this statement is being served on the railroad on the same date it is being served on the Board.

Monroe County Parks and Recreation


Monroe County Parks and Recreation Board
Farrell N. Duckworth, President

Dated: March 16, 2005


Monroe County Parks and Recreation Department
Charles R. Stephenson, Administrator

Dated: March 17, 2005

290 West Seventh Street
Bloomington, Indiana 47404
(812) 349-2800

Counsel: William K. Steger
Monroe County Attorney
Courthouse, Room 220
Bloomington, IN 47404
Tel. (812) 349-2525
Fax (812) 349-2982

cc: John Broadley
John H. Broadley & Associates
1054 31st Street NW, Suite 200
Washington, D.C. 20007
Tel. (202) 333-6025
Fax (202) 333-5685
Attorney, Indiana Rail Road Company

ENTERED
Office of Proceedings
APR 13 2005
Part of
Record

