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STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY  
GOVERNOR

LYNDO TIPPETT  
SECRETARY

May 24, 2006

Mr. Vernon A. Williams, Secretary  
Surface Transportation Board  
1925 K Street, NW  
Washington, DC 20006

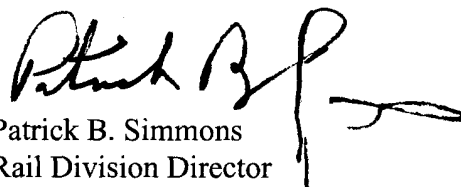
RE: STB Docket No. AB-290 (Sub. No. 266X), Norfolk Southern Railway  
Company – Abandonment – near Marion – in McDowell County,  
North Carolina – Notice of Exemption

Dear Mr. Williams:

The purpose of this letter is to assert that the North Carolina Department of Transportation supports Norfolk Southern Railway's (NSR) willingness to work with the City of Marion, and the City's intent to obtain a public use condition in the above-referenced proceeding.

Thank you for your consideration of the City's request.

Sincerely,

  
Patrick B. Simmons  
Rail Division Director

PBS/sb

cc: James R. Paschall, NSR  
Bob Boyette, City of Marion

ENTERED  
Office of Proceedings

MAY 31 2006

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Public Record