

WOOD COUNTY PORT AUTHORITY

932 Dixie Hwy.
Rossford, OH 43460

230958

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Telephone (419) 666-7130
Fax (419) 666-1983
Email: rhuffman@shynlaw.com

General Counsel
Rev H. Huffman, Esq.

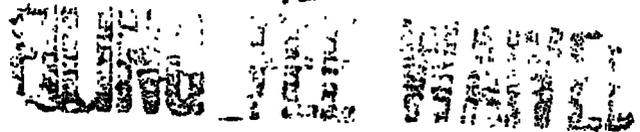
August 31, 2011

Ms. Cynthia T. Brown
Chief of the Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D. C. 20423

ENTERED
Office of Proceedings

SEP 14 2011

Part of
Public Record



RE: Docket No. AB-55 (Sub-No. 501X)
*CSX Transportation Inc.- Abandonment Exemption-in Lucas and Wood
Counties, OH*

Dear Ms. Brown:

On July 2, 2010, the Surface Transportation Board (the "Board") served a Decision and Notice of Interim Trail Use or Abandonment (the "NITU") in the above-entitled proceeding for the approximately 2.07 miles of rail line on CSX Transportation, Inc.'s ("CSXT") Northern Region, Chicago Division, Toledo Terminal Subdivision, between milepost CO- 14.31 at River Road in Lucas County, Ohio and milepost CO- 16.38 at Bates Road in Wood County, Ohio (the "Line").¹ CSXT and Metroparks of the Toledo Area ("Metroparks") were authorized to negotiate interim trail use/rail banking over the Line until December 29, 2010. By subsequent decisions served, February 16, 2011 and June 24, 2011, the negotiation period was extended to June 30, 2011, and December 27, 2011, respectively.

The Wood County Port Authority is collaborating with Metroparks on planning a bicycle and pedestrian trail along this section of the corridor. In connection therewith, the Wood County Port Authority and Metroparks have agreed that the Port Authority will replace Metroparks in negotiating with CSXT for the NITU and holding the NITU for the 0.27-mile segment between milepost CO-14.32 and milepost CO-14.59. In compliance with 49 CFR 1152.29, the Port Authority makes the following statement.

¹ The end point was corrected from milepost CO-16.46 to milepost CO-16.38 in *CSX Transportation, Inc. -- Abandonment Exemption--in Lucas and Wood Counties, Ohio*, Docket No. AB 55 (Sub-No. 501X) (STB served June 24, 2011).

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and rail banking under 16 U.S.C. 1247(d) and 49 CFR 1152.29, the Wood County Port Authority is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of, and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned and operated by CSX Transportation, Inc. The property, known as Northern Region, Chicago Division, Toledo Terminal Subdivision, extends from railroad milepost CO-14.32 near River Road in Lucas County, Ohio to railroad milepost CO-14.59 in Wood County, Ohio a distance of 0.27 miles. The right-of-way is part of a line of railroad proposed for abandonment in Docket No. STB AB-55 (Sub-No. 501X).

A map of the property depicting the right-of-way is attached.

The Wood County Port Authority 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. A copy of this statement is being served on the railroad(s) on the same date it is being served on the Board.

The Port Authority is a local governmental entity and therefore requests waiver of the filing fee for this request under 49 C.F.R. 1102.2(e)(1). The Port Authority is e-filing this letter.

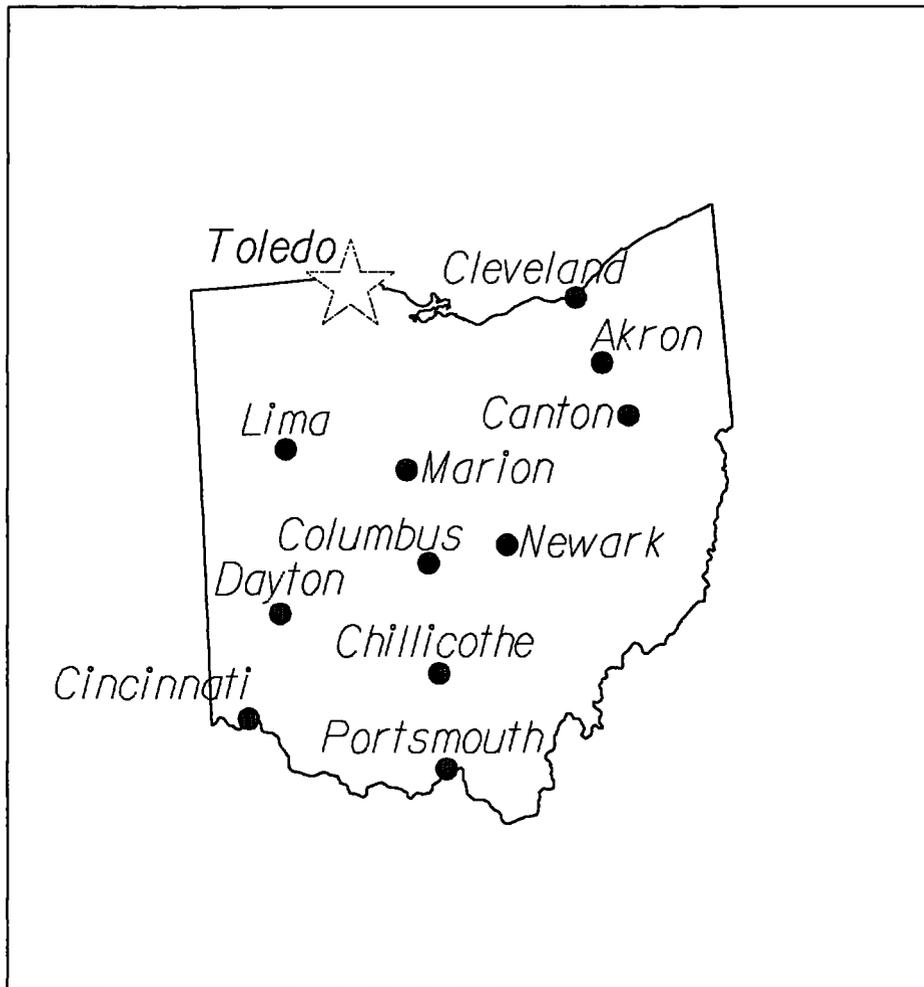
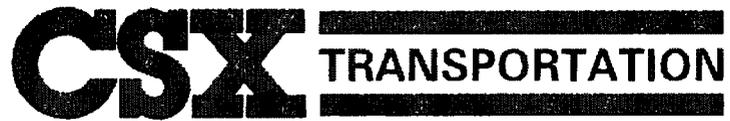
Thank you for your assistance. If you have any questions please call me at (419) 666-7130 or email me at rhuffman@spitlerhuffmanlaw.com

Sincerely yours,


Rex Huffman
Counsel

cc: CSX Transportation, Inc.
Metroparks of the Toledo Area

Enclosure (map)

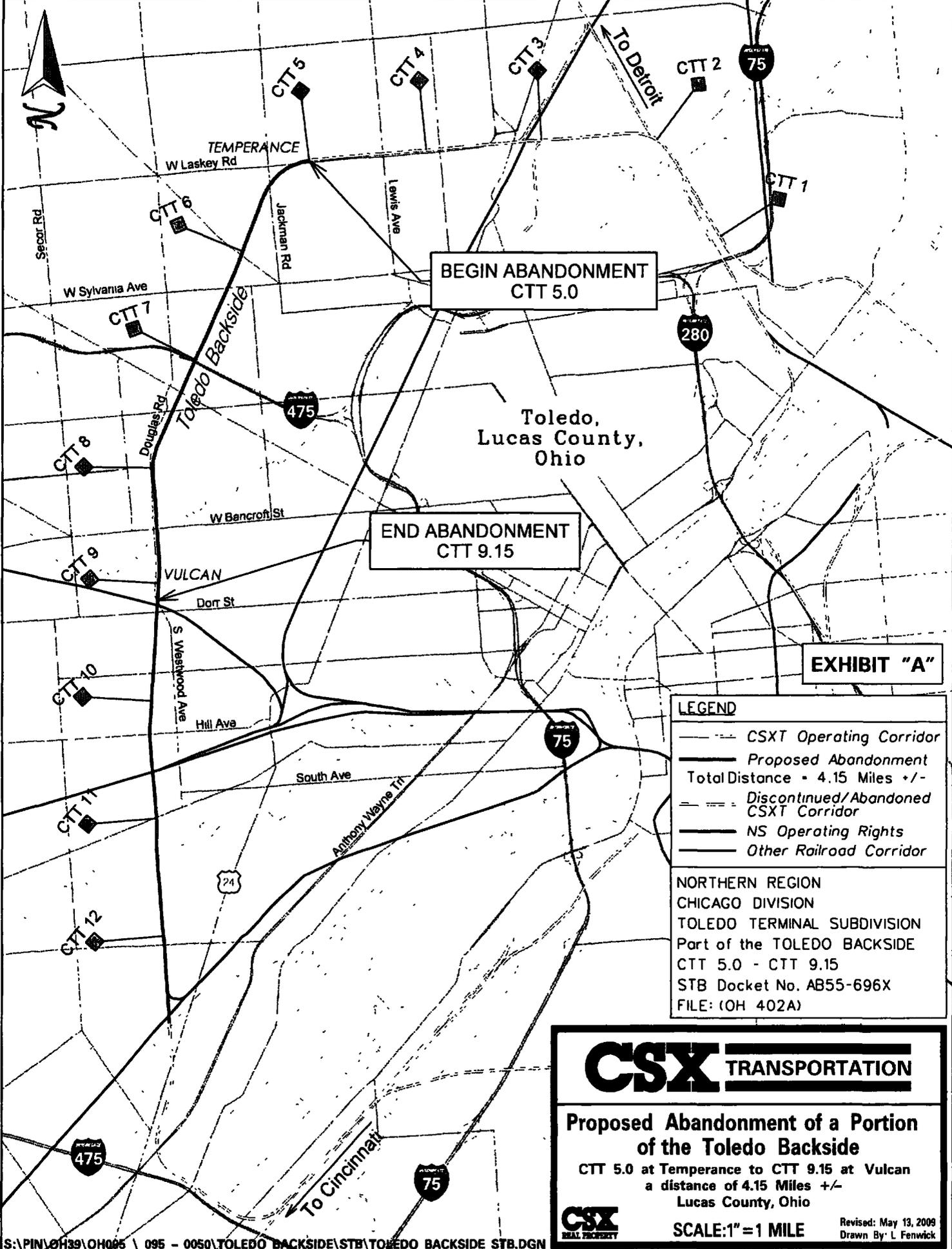


Toledo, OH

AREA MAP

- Proposed Abandonment -

A Portion of the Toledo Backside
from CTT 5.0 at Temperance to CTT 9.15 at Vulcan,
a Distance of 4.15 miles +/-.
City of Toledo, Lucas County, Ohio



BEGIN ABANDONMENT
CTT 5.0

END ABANDONMENT
CTT 9.15

EXHIBIT "A"

- LEGEND**
- CSXT Operating Corridor
 - Proposed Abandonment
Total Distance - 4.15 Miles +/-
 - Discontinued/Abandoned CSXT Corridor
 - NS Operating Rights
 - Other Railroad Corridor

NORTHERN REGION
CHICAGO DIVISION
TOLEDO TERMINAL SUBDIVISION
Part of the TOLEDO BACKSIDE
CTT 5.0 - CTT 9.15
STB Docket No. AB55-696X
FILE: (OH 402A)

CSX TRANSPORTATION

Proposed Abandonment of a Portion of the Toledo Backside
CTT 5.0 at Temperance to CTT 9.15 at Vulcan
a distance of 4.15 Miles +/-
Lucas County, Ohio

CSX
REAL PROPERTY

SCALE: 1" = 1 MILE

Revised: May 13, 2009
Drawn By: L Fenwick