

Central Michigan Railway Company

1424 Straits Drive
Bay City, MI 48706-8705

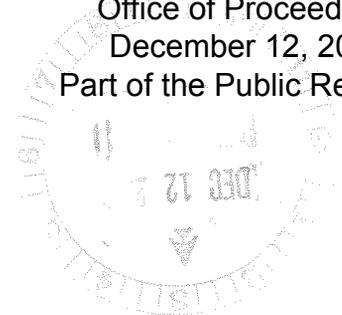


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December 10, 2013

ENTERED
Office of Proceedings
December 12, 2013
Part of the Public Record



Cynthia T. Brown
Chief of the Section of Administration
Office of Proceedings
Surface Transportation Board
395 E. Street, SW
Washington, DC 20423-0001

Re: STB Docket No. AB-308 (Sub-No. 4X), Central Michigan Railway Company –
Abandonment Exemption – Line in Kent County, MI

Dear Ms. Brown:

The Central Michigan Railway Company (“CMRY”), the party filing the above- captioned abandonment notice of exemption, has received a request from Dark Properties, Inc. for the Board’s Continuance of a trail use condition covering the line that is subject to the above abandonment proceeding.

Board precedent states that the agency will not impose such a condition without the concurrence of the party seeking abandonment authorization. Accordingly, the purpose of this letter is to advise, in accordance with 49 C.F.R. 1152.29(b) (2) and Board precedent, that CMRY is willing to continue to negotiate interim trail use/rail banking with Dark Properties, Inc.

CMRY also consents and agrees to a 180 day extension of the NITU negotiating period. Although the NITU negotiating period expired on October 27, 2013, CMRY has not yet consummated the abandonment of the segment that is the subject of Dark Properties’ request and CMRY considers the line still subject to the jurisdiction of the STB and respectfully request the extension request be granted.

If there are any questions concerning this, please contact me.

Sincerely,

William F. Bartlett
Corporate Properties Manager

Cc: Mr. William A. Mullins
Baker & Miller, PLLC