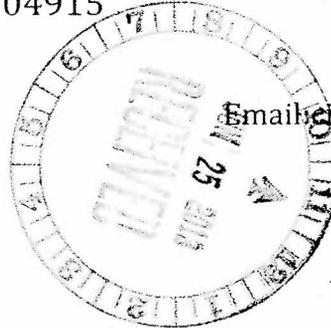




# CITY OF BELFAST

131 Church Street  
Belfast, Maine 04915

234476



Email: [cityhall@cityofbelfast.org](mailto:cityhall@cityofbelfast.org)  
Tel: (207) 338-3370  
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June 24, 2013

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

ENTERED  
Office of Proceedings

JUN 25 2013

Part of  
Public Record

RE: Request for Public Use Condition / Interim Trail Use  
Notice of Exemption for abandonment by City of Belfast, Maine  
STB Docket No. AB-1109X

Dear Ms. Brown:

The City of Belfast, Maine has submitted herewith a Notice of Exemption seeking abandonment of a portion of the Belfast and Moosehead Lake Railroad extending from MP 0.33 near the U.S. Route 1 overpass to MP 2.33 near the Oak Hill Road, with the portion to be abandoned being located entirely within the City of Belfast.

The City Council of the City of Belfast has found that the most beneficial use of the railroad corridor at this time is for a public recreational walking and biking trail. The Notice of Exemption process has been commenced in order to request railbanking and interim trail use conditions. Provided a Notice of Interim Trail Use is issued, the City of Belfast will retain control of the subject portion of rail line, consummate abandonment through removal of track, and construct a recreational trail within the corridor.

Because control of the corridor will remain with the City of Belfast, no negotiation is necessary as the City Council has authorized its own trail use. The STB has taken the position in the past that a government entity may propose abandonment of and railbank their own lines. See Roaring Fork Railroad Holding Authority, AB 547X, and City of Alameda, CA, AB 1090X.

The City of Belfast, Maine hereby requests that the Surface Transportation Board issue a Notice of Interim Trail Use (NITU) for the entire portion of line subject to the Notice of Exemption referenced above.

A **fee exemption** is requested pursuant to Title 49 § 1002.2(e)(1) as the City of Belfast is a unit of local government.

**A Statement of Willingness to Assume Financial Responsibility is attached.**

Certification

I, Kristin M. Collins, declare under penalty of perjury that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this pleading.

Executed on June 24, 2013

CITY OF BELFAST



Kristin M. Collins, Esq., Bar #9793  
Attorney for the City of Belfast  
Kelly & Collins, LLC  
96 High Street  
Belfast, Maine 04915  
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(207) 338-0328 (fax)

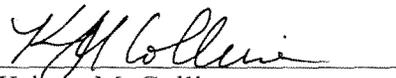
**STATEMENT OF WILLINGNESS  
TO ASSUME FINANCIAL RESPONSIBILITY**

In order to establish interim trail use and railbanking under 16 U.S.C. 1247(d) and 49 C.F.R. 1152.29, the City of Belfast, Maine (Interim Trail User) is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use 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 by the City of Belfast and operated by same. The property, a portion of the line known as the Belfast and Moosehead Lake Railroad, extends from milepost 0.33 at the U.S. Route 1 overpass in the City of Belfast to milepost 2.33 near Oak Hill Road in the City of Belfast, Waldo County, State of Maine. This portion of railroad line is proposed for abandonment in STB docket number AB-1109X.

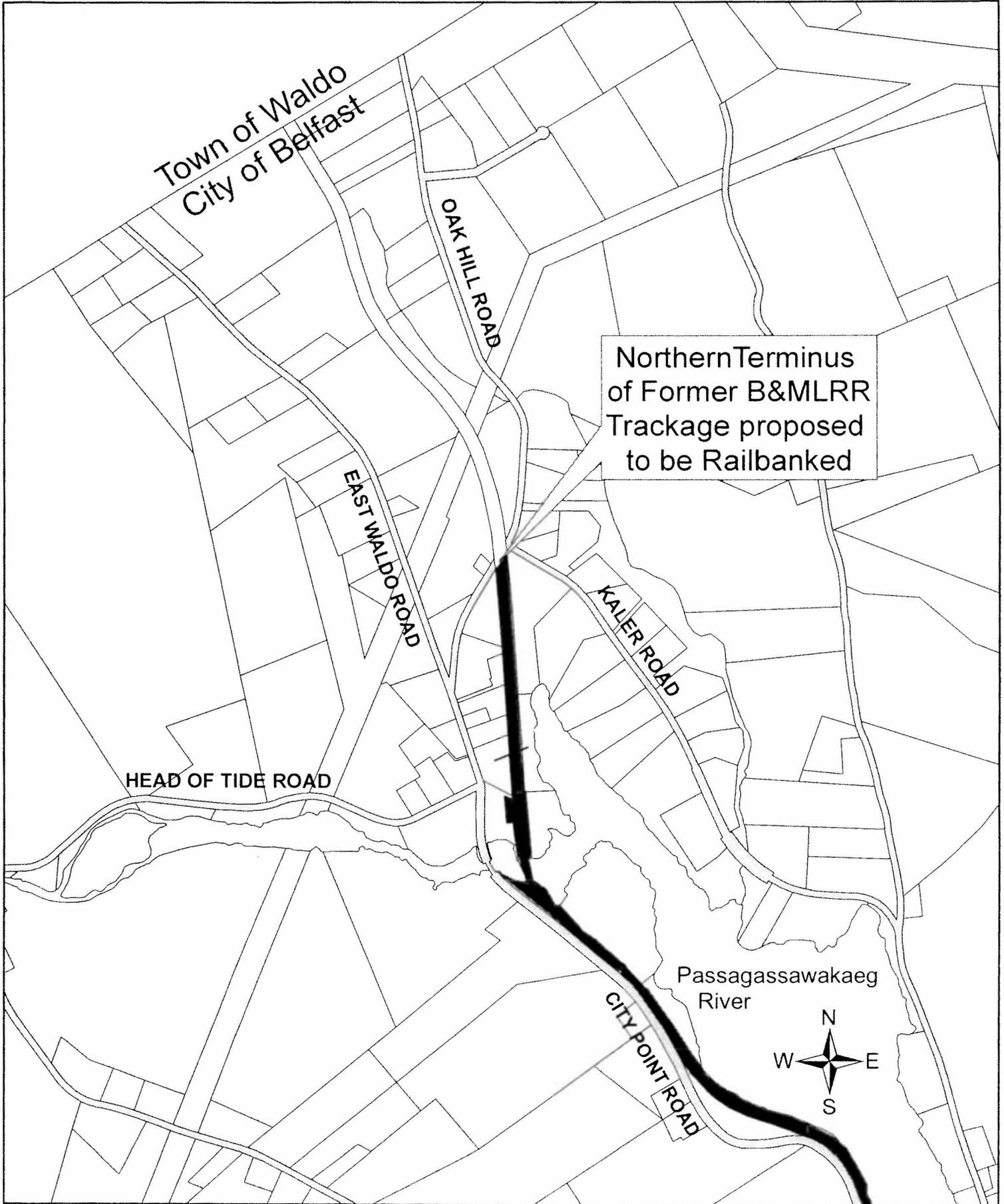
A map of the property depicting the right of way is attached.

The City of Belfast acknowledges that use of the right of way is subject to the user 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 Surface Transportation Board.

Dated: June 24, 2013

  
\_\_\_\_\_  
Kristin M. Collins  
Attorney for City of Belfast, Maine

FORMER B&MLRR TRACKAGE PROPOSED TO BE RAILBANKED



# FORMER B&MLRR TRACKAGE PROPOSED TO BE RAILBANKED

