

41177
DO

SERVICE DATE – LATE RELEASE JANUARY 31, 2011

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 55 (Sub-No. 687X)

CSX TRANSPORTATION, INC.–ABANDONMENT EXEMPTION–IN
FULTON AND CLAYTON COUNTIES, GA.

Decided: January 31, 2011

On September 9, 2008, a decision and notice of interim trail use or abandonment (NITU) was served authorizing a 180-day period, until March 12, 2009, for the City of College Park, Ga. (City), to negotiate an interim trail use/rail banking agreement with CSX Transportation, Inc. (CSXT) for a 1.67-mile line of railroad on CSXT's Southern Region, Atlanta Division, Atlanta Terminal Subdivision, between Valuation Station 0+00 and the end of the line, Valuation Station 88+00, in Fulton and Clayton Counties, Ga. Pursuant to a number of Board decisions, the negotiating period under the NITU was extended several times.

By letters filed on October 18, 2010 and December 17, 2010, the City requested further extensions of time in order to conclude acquisition of the right-of-way. On January 7, 2011, however, CSXT notified the Board that, on December 7, 2009, it entered into an agreement with the City to sell the line, and that the sale was consummated on December 17, 2010. Accordingly, since the sale of the line pursuant to the NITU has been completed, the City's extension requests will be dismissed as moot.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The requests to extend the NITU negotiating period are dismissed as moot.
2. This decision is effective on its service date.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.