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July 28, 2011

JOHN H. BROADLEY

ENTERED
Office of Proceedings

JUL 29 2011

Part of
Public Record

Cynthia T. Brown, Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street S.W.
Washington, D.C. 20423-0001

Re: **STB Docket AB 295 (Sub-No. 7X), The Indiana Rail Road Company—
Abandonment Exemption—Martin and Lawrence Counties, IN**

Dear Ms. Brown:

Enclosed for filing in this docket please find the PETITION OF THE INDIANA RAIL ROAD COMPANY TO REOPEN THIS PROCEEDING AND TO MODIFY THE NITU SERVED ON MARCH 26, 2010.

As indicated by the attached certificate of service I have served all persons who are listed as parties of record on the Board's service list for this proceeding.

Should you have any questions concerning this matter, please do not hesitate to call me at the above number.

Yours very truly,


John Broadley

Enclosure

served by the Board on March 18, 2011, the period for INRD and Indiana Trails Fund to negotiate a trail use agreement was extended to September 17, 2011.

The parties to the trail use negotiations have agreed that a trail use agreement will cover only that portion of the line between Milepost 241.35 and Milepost 262.11, and that INRD accordingly will be free to exercise its exemption and consummate the abandonment of the line between Milepost 262.11 and 262.5 and of the BIT.¹ Accordingly, INRD requests that the Board reopen this proceeding and modify the NITU to cover only the portion of the line between Milepost 241.35 and Milepost 262.11, and to authorize INRD to exercise its exemption and consummate the abandonment of the portion of the line between Milepost 262.11 and Milepost 262.50, and the BIT.

REQUEST FOR EXPEDITION

INRD has reached an agreement to sell the trackage to be removed from the NITU to the City of Bedford, IN, and requests that the Board act expeditiously on this petition to permit the sale transaction to be consummated.

¹ A letter from the Indiana Trails Fund addressed to the Board to this effect is attached hereto.

CONCLUSION

For the reasons stated above, INRD requests that the Board issue an order reopening this proceeding:

1. To modify the NITU to cover only the line between Milepost 241.35 and Milepost 262.11; and
2. To authorize INRD to exercise its exemption and consummate the abandonment of the line between Milepost 262.11 and Milepost 262.50 and of the Bedford Industrial Track.

Respectfully submitted,

THE INDIANA RAIL ROAD COMPANY

By: /S/ John Broadley ²
One of its attorneys

John Broadley
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Washington, D.C. 20007
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Dated: July 29, 2011

² Document filed electronically

CERTIFICATE OF SERVICE

I hereby certify that on this 29th Day of July 2011 I caused copies of the foregoing PETITION OF THE INDIANA RAIL ROAD COMPANY TO REOPEN THIS PROCEEDING AND TO MODIFY THE NITU SERVED ON MARCH 26, 2010 to be served on all parties listed on the Board's web site as Parties of Record in this proceeding, by depositing copies thereof, postage prepaid, in the United States mail addressed to such parties, or their indicated counsel, at the address listed on the Board's web site.

/s/ John Bradley ³

Dated: July 29, 2011

³ Document filed electronically



Indiana Trails Fund, Inc.

P. O. Box 402, Indianapolis, Indiana 46206-0402
317-237-9348 . www.indianatrails.com

28 July 2011

Cynthia Brown, Secretary
Surface Transportation Board
395 E. Street SW
Washington, DC 20424
202-245-0245

Re: STB Docket No. AB-295 (Sub No. 7X) The Indiana Rail Road
Company – Abandonment Exemption – Martin and Lawrence
Counties, Indiana

Dear Secretary Brown:

The Indiana Trails Fund, which is a party of interest in the above
proceedings, consents to two changes in the NITU.

- 1) To remove the Bedford Industrial Track from the NITU.
- 2) To change the east endpoint of the NITU from Milepost #252.50 to
Milepost #252.11 in the City of Bedford

I am enclosing ten duplicates. I am also serving this to Mr John Boadley,
Esq., attorney for The Indiana Rail Road Company.

Sincerely,

Richard Vonnegut,
President