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ENTERED
Office of Proceedings
November 2, 2015
Part of
Public Record



October 26, 2015

Secretary
Surface Transportation Board
Washington, DC 20423-0001

Re: CSX Transportation Abandonment in Floyd County Kentucky, STB Docket number AB 55
(Sub-No. 745X)

Dear Secretary,

This request is filed on behalf of City of Prestonsburg, which a government municipality, hereinafter referred to as "proponent." With respect to the filing fee, the City of Prestonsburg, respectfully requests a waiver of the filing fee, based on the fact that it is a local government municipality filing the request on behalf of the general public.

Proponent requests issuance of a Public Use Condition as well as an Interim Trail Use Condition rather than an outright abandonment authorization between COQ 0.0 and COQ 10.1.

A. Request for Public Use Condition

Proponent asks the STB to find that this property is suitable for other public use, specifically trail use, and to place the following conditions on the abandonment:

1. An order prohibiting the carrier from disposing of the corridor, other than the tracks, ties and signal equipment, except for public use on reasonable terms. Justification for this condition is the rail corridor in question is along a scenic waterway and the corridor would make an excellent recreational trail and conversion of the property to trail use is in accordance with local plans. In addition, the corridor provides important wildlife habitat and open space and its preservation as a recreational trail is consistent with those purposes. The time period sought is 180 days from the effective date of the abandonment authorization. Proponent needs this much time to assemble and to review title information, complete a trail plan, or begin negotiations with the carrier.

FILING FEE WAIVED



Home of
The Kentucky Opry - Mountain Arts Center • Thunder Ridge Racetrack • Jenny Wiley
Summer Music Theatre and State Park • Jenny Wiley Pioneer Festival • StoneCrest Golf Course



B. Request for Interim Trail Use

The railroad right-of-way in this proceeding is suitable for railbanking. In addition to the public use conditions sought above, proponent also makes the following request:

STATEMENT OF WILLINGNESS TO ASSUME

FINANCIAL RESPONSIBILITY

In order to establish interim trail use and railbanking under section 8(d) of the National Trails System Act, 16 U.S.C.

1247(d) and 49 CFR 1152.19, 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 and operated by.

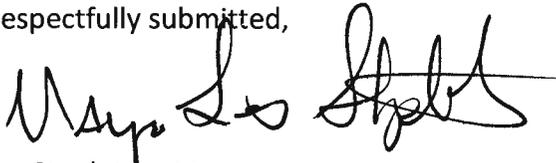
The property extends from railroad milepost COQ 0.0 to milepost COQ 10.1 for a distance of 11.4 miles in Floyd County. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB 55 (Sub-No. 745X).

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

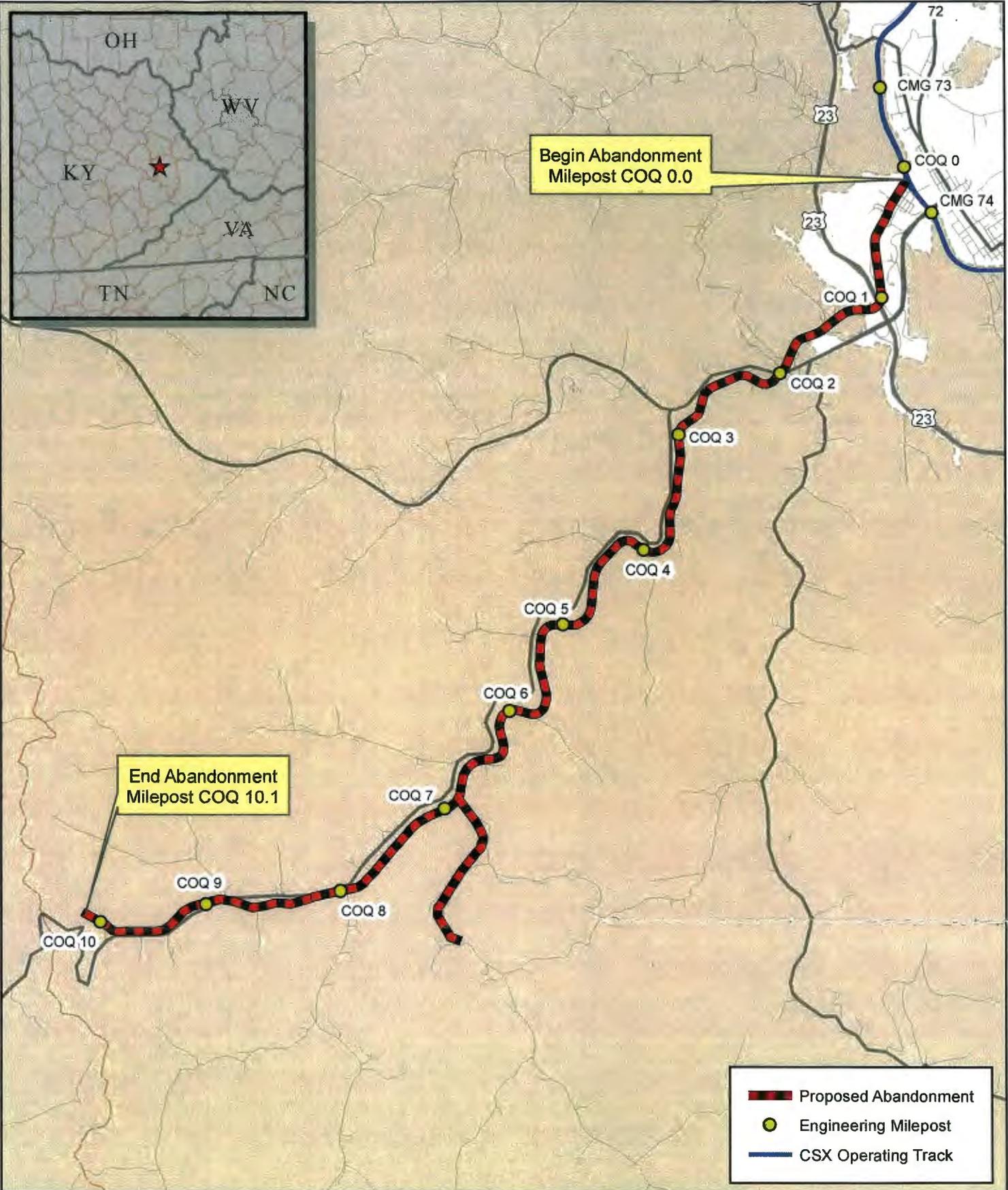
Acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

By my signature below, I certify upon CSX Transportation, 500 Water Street, Jacksonville, FL, 32202, by U.S. Mail, postage pre-paid, first class, this day of October 26, 2015.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Les Stapleton". The signature is written in a cursive, somewhat stylized font.

Les Stapleton, Mayor
City of Prestonsburg, Kentucky



-  Proposed Abandonment
-  Engineering Milepost
-  CSX Operating Track



CSX Transportation, Inc.
Proposed Abandonment, Prestonsburg to David
Milepost COQ 0.0 - COQ 10.1 (11.4 Miles Total)
STB Docket No. AB55 (Sub No. 745X)
Huntington West Division - Middle Creek Subdivision
Floyd County, Kentucky

