

Indiana Trails Fund
PO Box 402
Indianapolis, Indiana 46206-0402
317-237-9348
www.indianatrails.community

235643



2014 March 14

Cynthia T. Brown, Chief
Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001
(202) 245-0362

ENTERED
Office of Proceedings
March 18, 2014
Part of
Public Record

Re: Docket No. AB-55 (Sub-No. 712X), CSX Transportation, Inc. – Abandonment
Exemption - in White County, Indiana

Dear Ms. Brown:

This request is filed on behalf of the Indiana Trails Fund, Inc., which is an Indiana not-for-profit corporation for the purpose to protect and railbank transportation corridors for reuse for economic development by walking, bicycling, and horseback riding, hereinafter referred to as "proponent."

Proponent requests issuance of a Public Use Condition as well as an Interim Trail Use Condition rather than an outright abandonment authorization on approximately 9.67 miles of rail line on the Monticello Industrial Track, Monon Subdivision, between Monon, milepost 0QA 88.33 and Monticello (end of track) milepost 0QA 98.00, in White County, Indiana.

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.

FILED
March 18, 2014
Surface Transportation Board

FEE RECEIVED
March 18, 2014
Surface Transportation Board

Justification for this condition is:

This railroad corridor will provide a bicycling and walking corridor for both a transportation link within White county, and a recreation facility to enhance the strong tourism center which Monticello already is.

The Indiana Trails Fund seeks a time period of 180 days from the effective date of the abandonment authorization. Proponent needs this much time to begin negotiations with the carrier.

2. An order barring removal or destruction of potential trail-related structures

such as bridges, trestles, culverts and tunnels. The justification for this condition is that these structures have considerable value for recreational trail purposes. The time period requested is 180 days from the effective date of the abandonment authorization for the same reason as indicated above.

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: That CSX Transportation agrees to this request for Interim Trail Use in order to improve the non-motor transportation facilities and the health of citizens, and, by extensions and connections, improve mobility and transportation throughout White County.

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 §1152.29, 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 railroad.

The property, known as the Monticello Industrial Track, Monon Subdivision extends, between Monon, from milepost OQA 88.33 at Monon, and milepost OQA 98.00, in Monticello (end of track), a distance of 9.67 miles of rail line in White County, Indiana. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-55 (Sub-No. 712X).

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

The Indiana Trails Fund, Inc. 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.

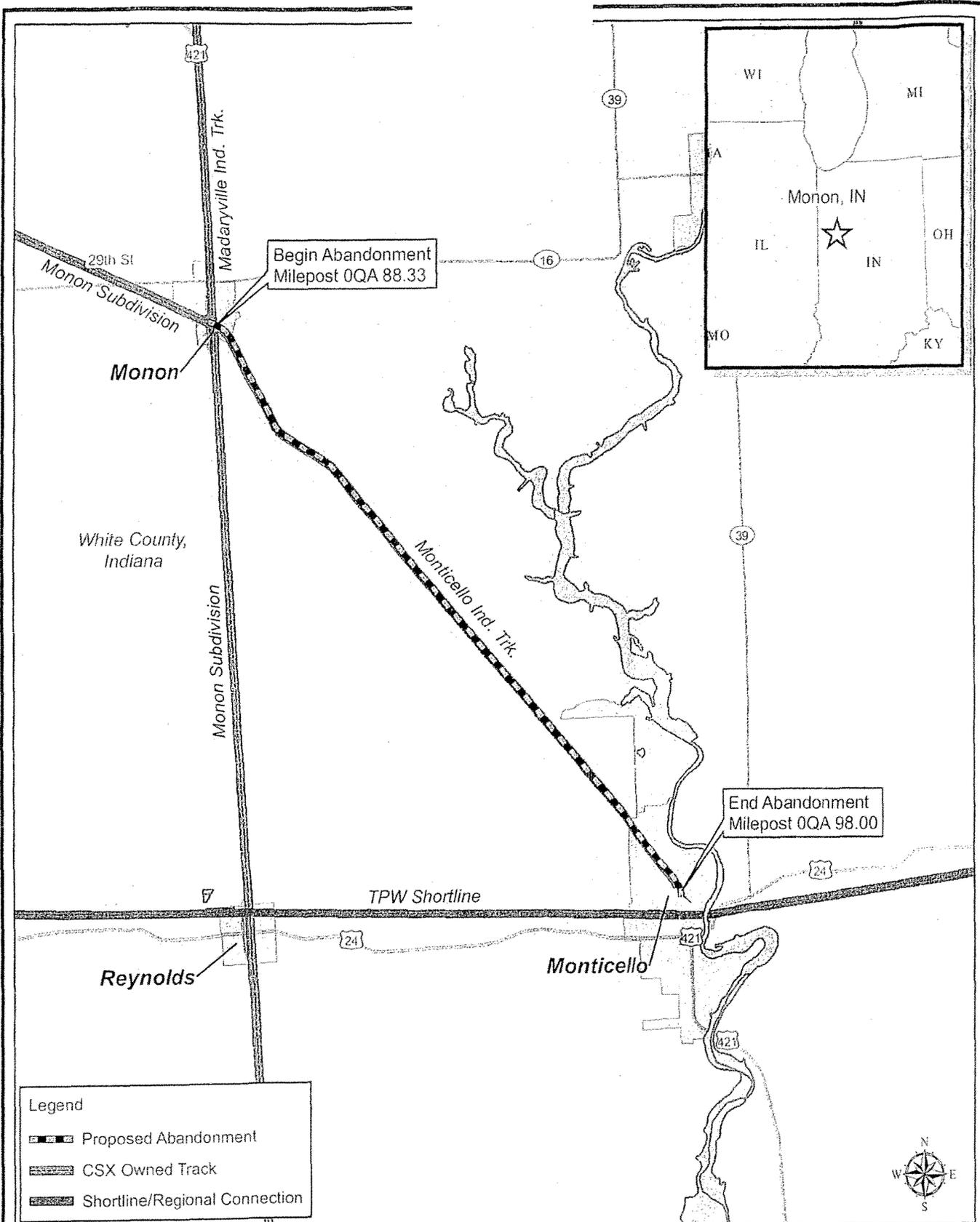
By my signature below, I certify service upon CSX Transportation, c/o Mssr. Louis E. Gitomer, Esq., Attorney, at the Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, Maryland 21204-4022, by overnight Fed-Ex, postage pre-paid, first class, this day of 2014 March 14.

Respectfully submitted,



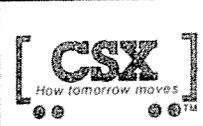
Richard C Vonnegut Jr.,
President,
Indiana Trails Fund, Inc.
trails@indianatrails.community

- Cc:
- ten duplicates.
 - A check for \$250 per STB code (27) (i) A request for a trail use condition in an abandonment proceeding under 16 U.S.C.1247(d)
 - One macro/state map.
 - One micro/local corridor map



Legend

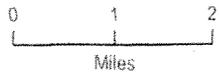
-  Proposed Abandonment
-  CSX Owned Track
-  Shortline/Regional Connection



Creation Date: June 13, 2011
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**CSX Transportation, Inc. Proposed Abandonment
 Monon Subdivision - Monticello Industrial Track**

0QA 88.33 at Monon to 0QA 98.00 at Monticello
 a distance of 9.67 Miles +/-
 White County, Indiana
 STB Docket No. AB 55 (Sub-No. 712X)



CSX Real Property, Inc.
 IN-181-1026131