



GREG GOODNIGHT, MAYOR
City Hall - 100 South Union Street
Kokomo, Indiana 46901
mayor@cityofkokomo.org
(765) 456-7444

RECEIVED
MAY 18 2012

MANAGEMENT
232332

ENTERED
Office of Proceedings
May 18, 2012
Part of
Public Record

May 7, 2012

Chief, Section of Administration,
Office of Proceedings
Surface Transportation Board
Washington, DC 20423-0001

Re: Central Railroad of Indianapolis Abandonment in Howard County, Indiana, Docket No. AB-511 (Sub-No. 6X)

Dear Chief:

This request is filed on behalf of The City of Kokomo, which is a city in Howard County, Indiana, 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 between milepost 55.66 and 57.77, as well as between milepost 57.88 and 58.5.

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 connects to the north with a previously railbanked corridor developed as a 37 mile public trail. The corridor requested for Public Use allows this trail to be connected to a population center of approximately 58,000 residents. The time period sought is 180 days from the effective date of the abandonment authorization. Proponent needs this much time to review title information and begin negotiations with the carrier.
2. An order barring removal or destruction of potential trail-related structures such as bridges, trestles, ballast, 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:

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, the City of Kokomo is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of, 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 Central Railroad of Indianapolis..

The property, known as the Tipton Industrial Lead, extends from railroad milepost 55.66 near Gano Street to railroad milepost 57.77 at the south right-of-way of the proposed US31, then from milepost 57.88 at the north right-of-way of the proposed US31 to milepost 58.5 at the south end of the Nickel Plate Trail, a distance of 2.11 and .62 miles respectively (2.73 miles total) in Howard County, Indiana. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-511 (Sub-No. 6X).

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

The City of Kokomo 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.

Finally, the City of Kokomo requests the STB to waive the filing fees for this request as the city is a governmental agency.

By my signature below, I certify service upon Central Railroad of Indianapolis, by U.S. Mail, postage pre-paid, first class, this 7th day of May, 2012.

Sincerely,



Greg Goodnight
Mayor
City of Kokomo

RAILBANK REQUEST

RxR PROPOSED ABANDONMENT
MILEPOST 58.5

RxR PROPOSED ABANDONMENT
MILEPOST 57.88 (+/-)

RxR PROPOSED ABANDONMENT
MILEPOST 57.39 (+/-)

RAILBANK REQUEST

RxR PROPOSED ABANDONMENT
MILEPOST 55.66

1 inch equals 1,000 feet

