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**Office of the City Manager**

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May 8, 2014

236012

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

ENTERED  
Office of Proceedings  
May 8, 2014  
Part of  
Public Record

Re: CSX Transportation, Inc. – Hamilton Beltline Abandonment in Butler County, Ohio, STB Docket Number AB-55 (Sub-No. 734x) ID 235785

Dear Ms. Brown:

This request is filed on behalf of City of Hamilton, Ohio, which is a political subdivision interested in transportation and/or natural resources, which is hereinafter referred to as 'proponent'.

While not taking a position on the merits of this abandonment, proponent requests issuance of a Public Use Condition as well as a Certificate or Notice of Interim Trail Use rather than an outright abandonment authorization on its Northern Region, Louisville Division, Indianapolis Subdivision between milepost BDA 0.0 and the end of its track at approximately milepost BDA 2.96 in Hamilton, Butler County, Ohio.

**A. Public Use Condition**

Proponent requests 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 of public use on reasonable terms. The justification for this condition is that 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 greenspace and its preservation as a recreational trail is consistent with that end. The time period sought is 180 days from the effective date of the abandonment authorization. Proponent needs this much time because we have not had an opportunity to assemble or to review title information, complete a trail plan and commence 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. 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 rail banking under section 8(d) of the National Trails System Act, 16 U.S.C. §1247(d), and 49 C.F.R. §1152.29, City of Hamilton, Ohio 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 and operated by CSX Transportation, Inc.

The property, known as the Hamilton Beltline extends from railroad milepost BDA 0.0 near Millville Avenue to railroad milepost BDA 2.96 near North B Street; a distance of 2.96 miles in Butler County, Ohio. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-55 (Sub 734x).

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

City of Hamilton 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.

Respectfully submitted,



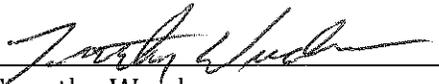
Timothy Werdmann  
Acting City Manager

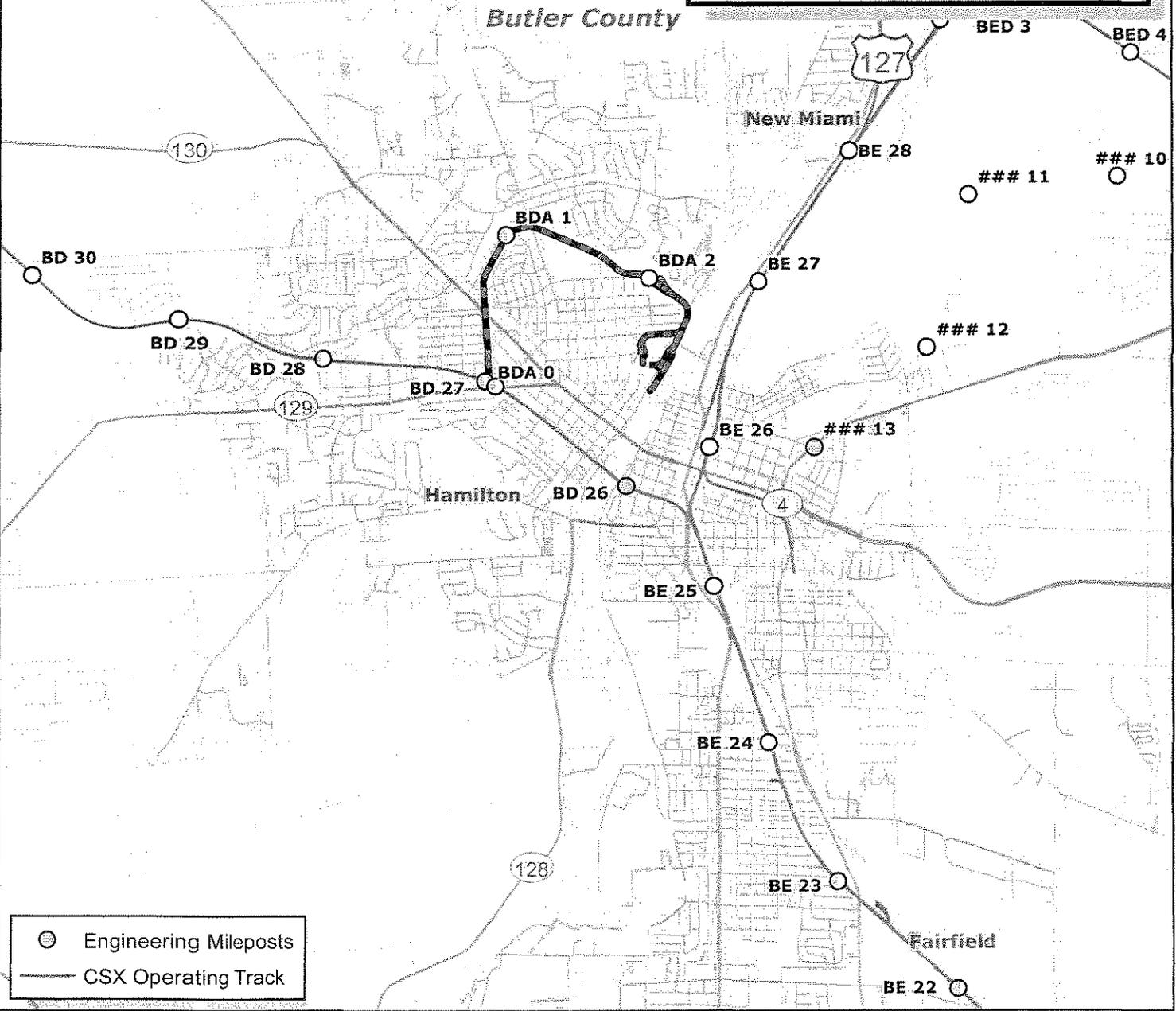
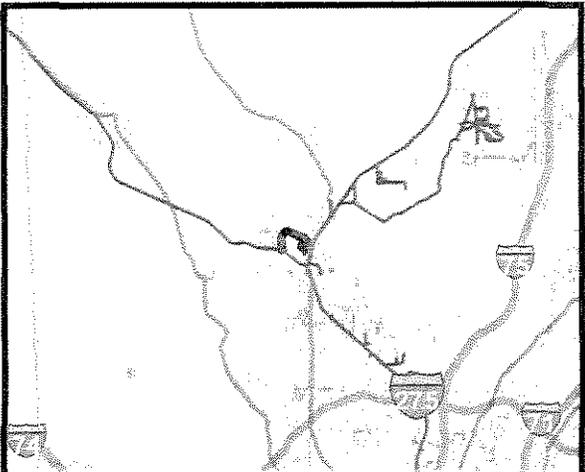
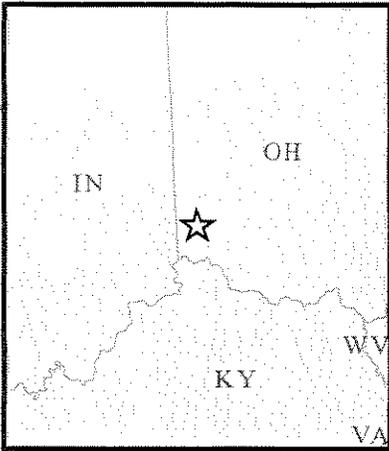
## Certificate of Service

I hereby certify that a copy of this document was mailed via first class U.S. mail, postage pre-paid, on May 8, 2014, to the following parties:

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Timothy Werdmann



Engineering Mileposts  
 CSX Operating Track



**CSX Transportation, Inc.**  
**Proposed Abandonment**  
**Hamilton, OH**  
 MP BDA 0.0 to BDA 2.96  
 Total Distance of approx. 2.96 Miles  
 Hamilton, Butler County, OH  
 STB Docket No. AB 55 (Sub-No. 734X)

