



BIKE WALK MISSISSIPPI

NATIONAL "ADVOCACY ORGANIZATION OF THE YEAR 2013" - Alliance for Biking and Walking



PO Box 515 Jackson, MS 39205

January 21, 2014

235351

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

ENTERED
Office of Proceedings
January 24, 2014
Part of
Public Record

Re: Docket No. AB 1087(Sub-No. 1). Grenada Railway LLC-Abandonment in Montgomery, Carroll, Holmes, Yazoo and Madison Counties in Mississippi.

This request is filed on behalf of the Bicycle Advocacy Group of Mississippi doing business as: "Bike Walk Mississippi", a public interest bicycle and pedestrian advocacy nonprofit organization interested in promoting cycling, walking, running and other recreation in Mississippi. Our request is not intended to be controversial to the needs of the surrounding communities nor is it to circumvent the efforts to bring economic development to the surrounding area; but instead it is to offer a viable solution in the case of abandonment for increased opportunities for new avenues to bring economic development, tourism and increased quality of life to the area by allowing the surrounding communities to benefit from public use of the land by using it as multi-use trail. These efforts have proven to be monumentally positive throughout the state of Mississippi. "Bike Walk Mississippi" 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 between railroad Milepost 626.1 near Elliott and Milepost 703.8 near Canton, MS.

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. 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 or 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, Bike Walk Mississippi 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

The property, known as the "Rail Line" extends from railroad Milepost 626.1 near Elliott and Milepost 703.8 near Canton, a distance of 77.7 miles in Montgomery, Carroll, Holmes, Yazoo and Madison Counties in Mississippi. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. **AB-1087** (Sub-No. 1X).

Bike Walk Mississippi 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. Based on public record, we understand that the information in the possession of Grenada Railway LLC, the railroad includes no federally granted rights-of-way.

By my signature below, I certify service upon Grenada Railway, LLC c/o Attorney Fritz R. Kahn, P. C., 1919 M. Street, NW, Washington, DC 20036, by U.S. Mail, postage prepaid, first class, on January 21, 2014.

Respectfully submitted,



Melody Moody

On behalf of: Bicycle Advocacy Group of Mississippi, dba: Bike Walk Mississippi