

Carroll County Wabash & Erie Canal, Inc.

1030 West Washington Street
Delphi, IN 46923

238807

April 24, 2015

Ms. Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D. C. 20423

ENTERED
Office of Proceedings
July 13, 2015
Part of
Public Record

RE: Docket No. AB-55 (Sub-No. 401), *CSX Transportation, Inc.—
Abandonment—Between Delphi and Frankfort, IN*

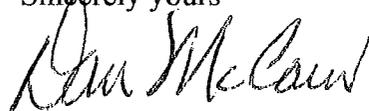
Dear Ms. Brown:

Enclosed for filing are the original and 10 copies of a Statement of Willingness to Assume Financial Responsibility by the Carroll County Wabash & Erie Canal, Inc., a 501(c)(3) non-profit corporation for a trail over a portion of the rail line authorized to be abandoned in *CSX Transportation, Inc.—Abandonment—Between Delphi and Frankfort, IN*, ICC Docket No. AB-55 (Sub-No. 401) (ICC served January 3, 1992). Due to the imposition of historic conditions and a Memorandum of Agreement dated July 9, 2012 (the “MOA”), CSX Transportation, Inc. (“CSXT”) has not consummated the abandonment. Carroll County Wabash & Erie Canal, Inc. seeks to enter into negotiations with CSXT to acquire a portion of the line, including the bridge being acquired pursuant to the MOA for interim trail use/railbanking (“Trail Use”).

Carroll County Wabash & Erie Canal, Inc. is a charitable organization. It is seeking Trail Use in order to complete the acquisition of the Deer Creek Bridge and the 0.43-mile northern approach pursuant to the MOA, which is between mileposts 0QA 112.6 and 0QA 113.2. Carroll County Wabash & Erie Canal, Inc. requests the Board find that the acquisition of the historic Deer Creek Bridge by a charitable organization is an extraordinary situation in the best interest of the public and that payment of the fee would be a hardship, and therefore waive the associated filing fee under 49 CFR 1002.2(e).

Thank you for your assistance. If you have any questions, please call or email me.

Sincerely yours



Enclosures FEE RECEIVED
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Carroll County Wabash & Erie Canal, Inc.

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BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-55 (Sub-No. 401)

CSX TRANSPORTATION, INC.—ABANDONMENT—
BETWEEN DELPHI AND FRANKFORT, IN

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and rail banking under 16 U.S.C. §1247(d) and 49 CFR §1152.29 with respect to the right-of-way owned and operated by CSX Transportation, Inc., (“CSXT”) CARROLL COUNTY WABASH & ERIE CANAL, INC., a 501(c)(3) non-profit corporation, whose address is 1030 W Washington St, Delphi, IN 46923-9107, (“CCW&EC”) is willing to assume full responsibility for (1) Managing the right-of-way, (2) any legal liability arising out of the transfer or use of the right-of-way, and (3) the payment of any and all taxes that may be levied or assessed against the right of way. The property extends from railroad milepost 0QA 112.6, to railroad milepost 0QA 113.2, a distance of 0.60 miles in Carroll County, IN. The right-of-way is a portion of the line of railroad proposed for abandonment in STB Docket No. AB-55 (Sub-No. 401).

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

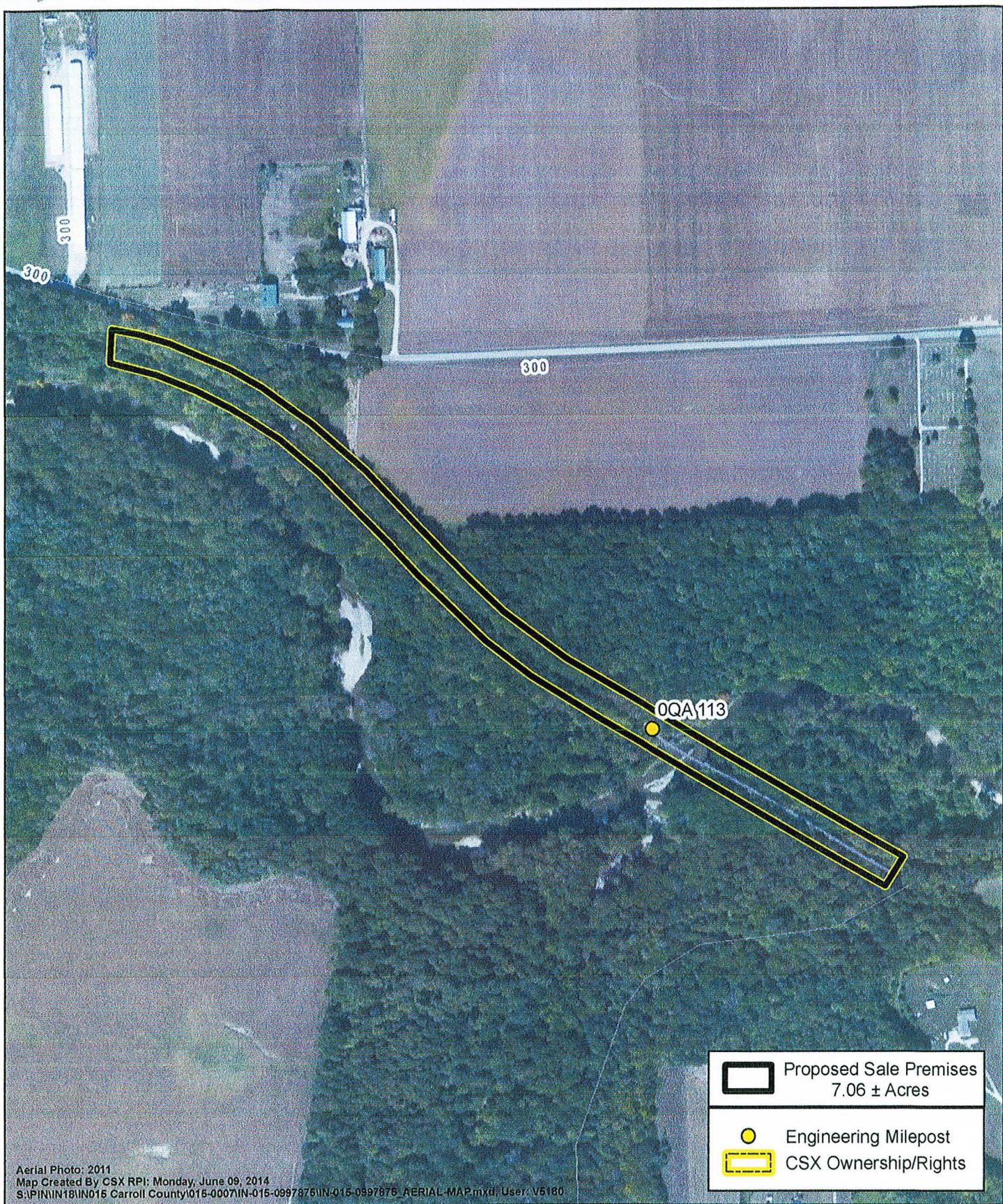
CCW&EC acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service. A copy of this statement is being served on CSXT on the same date it is being served on the Board.

Respectfully submitted,

A handwritten signature in black ink that reads "Dan McClain". The signature is written in a cursive style with a large initial "D".

for CARROLL COUNTY
WABASH & ERIE CANAL, INC.

Dated: May 1, 2015



Aerial Photo: 2011
 Map Created By CSX RPI: Monday, June 09, 2014
 S:\PIN\IN18\IN015 Carroll County\015-0007\IN-015-0997875\IN-015-0997875_AERIAL_MAP.mxd; User: V6180

	Proposed Sale Premises 7.06 ± Acres
	Engineering Milepost
	CSX Ownership/Rights



CSX Properties Group, Inc.

Proposed Transfer of Bridge and Land
Site ID: IN-015-0997875
Carroll County - Delphi, IN
Abandoned Division - Abandoned Subdivision
0QA 112.6 to 0QA 113.2

