



Jo Ann Burroughs
Manager Network Services

500 Water Street – J-315
Jacksonville, FL 32202
Phone: (904) 359-1247
E-Mail: Jo_Burroughs@csx.com

July 26, 2016

241454

Review and Compliance Staff
State Historic Preservation Office
WV Division of Culture and History
1900 Kanawha Blvd East
Charleston, WV 25305

ENTERED
Office of Proceedings
September 7, 2016
Part of
Public Record

Dear Sir/Madam;

Please be advised that CSX Transportation, Inc. (CSXT) is considering to file with the Surface Transportation Board (STB) a Notice of Exemption seeking authority to abandon our common carrier obligation in the Southern Region, Huntington East Division, Logan Subdivision, from Railroad Milepost CLX 0.0 to CLX 3.29. The distance is approximately 3.29 miles from Man to Garnette WV. STB Docket number AB 55 (Sub-No. 763X).

The approximate 3.29 mile line segment is a dead end spur as depicted on the attached map. There has been no traffic on the line for at least two (2) years.

The Hatfield – McCoy Regional Recreation Authority has expressed interest in acquiring the line under a Notice of Interim Trail Use and Rail Banking (NITU) with the Surface Transportation Board. An NITU will allow for the line to be salvaged or sold while also rail banking the right-of-way for future reconstruction and reactivation of rail service should the coal reserves in the vicinity become active.

The purpose of the proposed action is to abandon our common carrier obligation over the line and establish interim trail use/rail banking in order to preserve the contiguous corridor.

In connection with rail lines that are to become the subject of applications for authority to abandon, Federal Regulations at 49 CFR 1105.8(d), require that a Historic Report be submitted to the State Historic Preservation Officer prior to filing with the Surface Transportation Board. In



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accordance with those Regulations, I am attaching a Historic Report covering the above-proposed abandonment. Here is an updated CD containing more information about the stone structures.

We would appreciate receiving a letter from your office confirming that this project will have no impact upon cultural resources.

If you have any questions, please feel free to call or email me.

Sincerely,

Jo Ann Burroughs
Enclosures

HISTORIC REPORT

**CSX TRANSPORTATION, INC.
Logan County, West Virginia
DOCKET AB-55 (SUB-NO. 763X)**

1105.7(e)(1)

PROPOSED ACTION AND ALTERNATIVES. Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable detailed map and drawings clearly delineating the project.

CSXT proposes to abandon approximately 3.29 miles of its common carrier obligation between from Railroad Milepost CLX 0.0 to Railroad Milepost CLX 3.29 from Man to Garnette, Logan County West Virginia.

A Rail to Trails Group has expressed interest in acquiring the line under a Notice of Interim Trail Use and Rail Banking (NITU) with the Surface Transportation Board. An NITU will allow for the line to salvaged or sold while also rail banking the right-of-way for future reconstruction and reactivation of rail service should the coal reserves in the vicinity become active.

The purpose of the proposed action is to abandon our common carrier obligation over the line and establish interim trail use/rail banking in order to preserve the contiguous corridor.

A map which delineates the proposed project is attached. (See Attachment 1)

1105.8(d)

- (1) A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action.**

Attached is a copy of the Man to Mallory West Virginia quadrangle topographic map prepared by the U. S. Department of Interior Geological Survey.

The line to be abandoned has been identified by a heavy red line with black dashes. (See Attachment 2)

There are three CSXT-owned structures that are 50 years old or older that may be eligible for listing in the National Register that are part of the proposed action. Two structures are stone arches and have no plans or drawings. The bridge has a License agreement with the Hatfield's and McCoy Regional Recreation Authority HMRRA). (See attachment 3).

- (2) **A written description of the right of way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristic of the surrounding area:**

The right of way width along this right of way is approximately 50 feet from the centerline of track. The line is located in the rugged Appalachian Mountains in south western West Virginia. It is located in a mountainous, forested area that contained several strip mines and mine dumps.

The line begins in the City of Man, West Virginia and traverses the mountains in a south westerly direction to Garnette, Logan County West Virginia.

- (3) **Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area:**

Digital photos are enclosed. (See attachment 4).

- (4) **The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known:**

The HMRRA ATV trail was completed in 2014 on the bridge at Milepost CLX 0.20. Prior to 2014, the rest of the line has been modified as necessary throughout its existence to maintain safe

railroad operation and perform routine maintenance.

(5) A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action:

This line was constructed by the Chesapeake and Ohio Railway Company (C & O) as the Rockhouse Spur in 1946. The C & O was incorporated under the general laws of Virginia and West Virginia on July 1, 1878.

On November 1, 1980, Seaboard Coast Line Industries Inc. and Chessie System Inc. merged and became CSX Corporation. On April 30, 1987, the Baltimore & Ohio Railroad Company was merged into the Chesapeake and Ohio Railway Company. The Chesapeake and Ohio Railway Company was merged into CSX Transportation on September 2, 1987.

Upon receiving abandonment authority, Applicant's operations and maintenance over this line will cease. HMRRA has expressed interest in acquiring the line as an addition to their ATV trail.

(6) A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic:

Bridge drawings and pictures are attached on the enclosed CD.

(7) An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities):

A review of our records indicates there are three CSXT-owned structures over 50 years old on this line segment that may be eligible for listing in the National Register.

We do not know of any significance or uniqueness to this structure that would warrant your consideration, since to our knowledge, it is not associated with any event that has made a contribution to the broad patterns of history; or were not associated with lives of persons

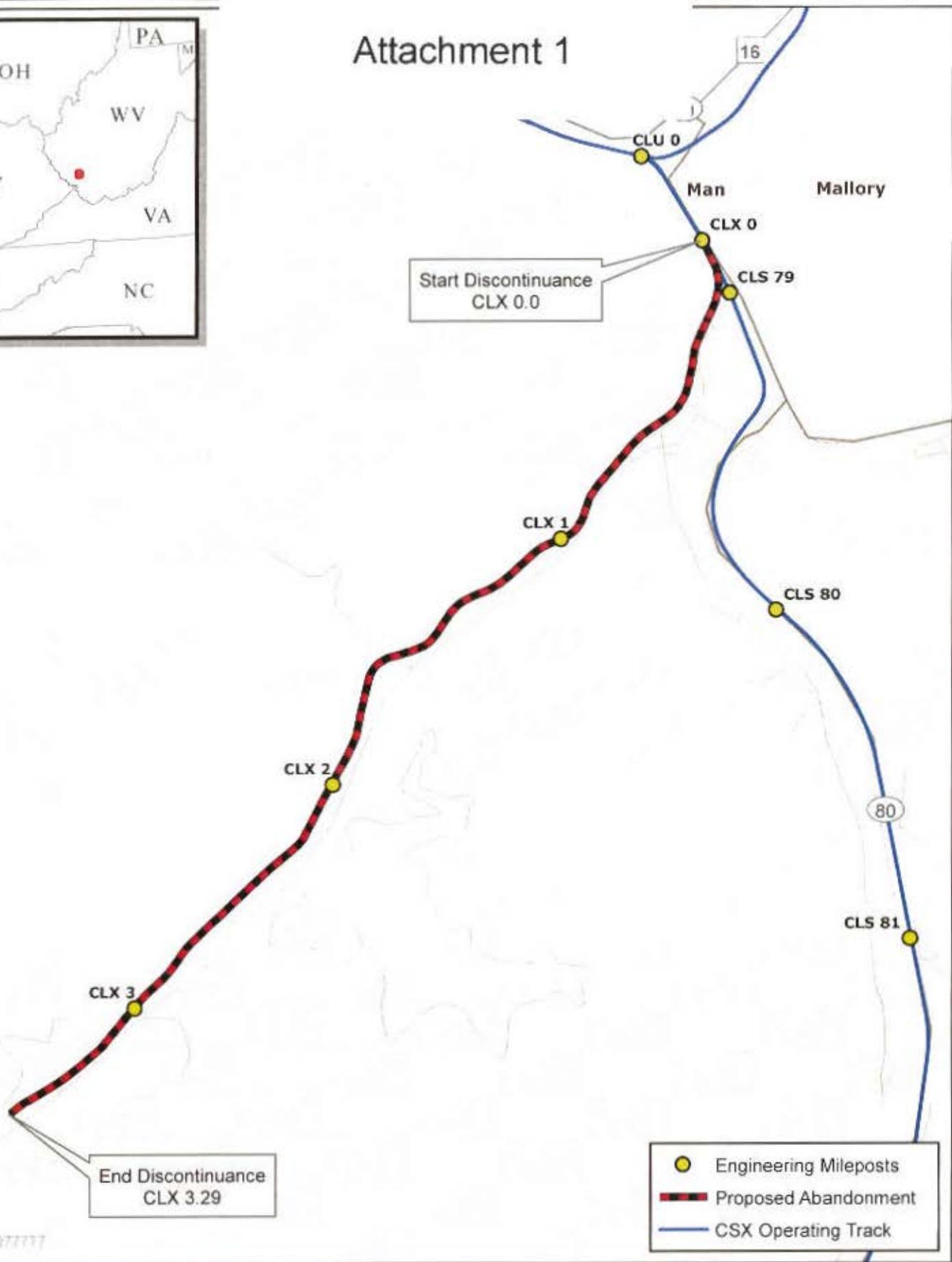
significant to our past; do not embody the distinctive characteristics of a type, period or method of construction; and do not represent a significant and distinguishable entity whose components may lack individual distinction and have not or may not be likely to yield information important in prehistory or history.

We do not know of any archeological resources or any other previously unknown historic properties in the project area.

- (8) **A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or man-made) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.**

The line was disturbed during construction by cuts and fill and any archeological resources that may have been located in the proposed project area would have been affected at that time versus during the proposed salvage operations associated with rail removal. Our records do not indicate that any swampy conditions exist, or that any hazardous material spills have occurred within the project area.

Attachment 1



WV-845-1077777



CSX Real Property, Inc.

CSX Transportation, Inc. Proposed Abandonment Man to Garnette

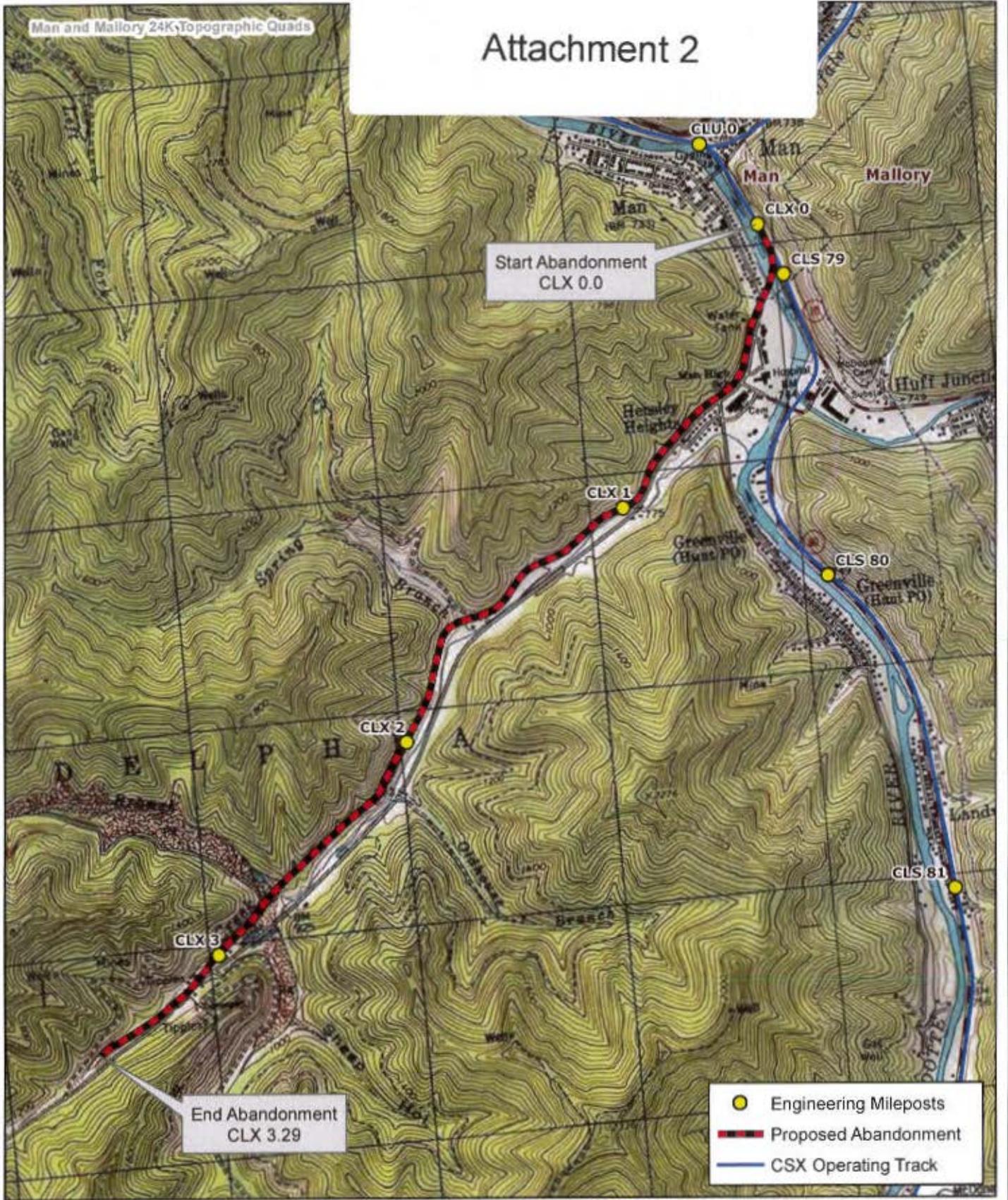
Milepost CLX 0.0 - CLX 3.29 (3.29 Miles)
Logan County, WV
Huntington Division - Logan Subdivision
STB Docket No. AB 55 (Sub-No. 763X)

0 1,000 2,000

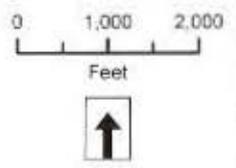
Feet



Attachment 2



CSX Transportation, Inc.
Proposed Abandonment
Man to Garnette
Milepost CLX 0.0 - CLX 3.29 (3.29 Miles)
Logan County, WV
Florence Division - Logan Subdivision
STB Docket No. AB 55 (Sub-No. 763X)



Attachment 3



SUMMIT ENGINEERING INC.

since 1977

July 23, 2014

Amanda Payne,
Trail Systems Project Manager
Rahall Transportation Institute
907 Third Avenue
Huntington, WV 25701

RE: CSX Rail Trestle Conversion to ATV Trail
Final Project Report

13-424

Ms. Payne:

This letter and subsequent attachments are provided for your records as a Final Project Report on the CSX Rail Trestle Conversion Project in Man, West Virginia. The following evidentiary materials are attached hereto:

Exhibit A	Affidavit of Advertisement
Exhibit B	Bid Tab
Exhibit C	Close Out Letter to Hatfield McCoy Regional Recreation Authority
Exhibit D	Contractor Lien Release and Affidavit of Lien Release
Exhibit E	Copies of the Project Pay Requests (#1 and #2)
Exhibit F	Photographs: Before, During, & After Construction

The project chronology was as follows:

✓ Pre-Bid Meeting	→	Tuesday, February 4, 2014 at 1:00pm.
✓ Bid Opening	→	Tuesday, February 11, 2014 at 2:00pm.
✓ Resolution to Award	→	HMRRRA resolves to award to low bidder Upton Construction Company, Inc.
✓ Notice of Award	→	Tuesday February 25, 2014
✓ Preconstruction Conference	→	Thursday March 6, 2014
✓ Contract Amount	→	As awarded \$279,000 As completed <u>\$268,000</u> Contract Under-Run \$ 11,000

- ✓ **Notice to Proceed** → Tuesday April 8, 2014.
- ✓ **Progress Meetings** → There were two construction progress meetings.
Meeting #1 May 7, 2014 (day 29 of contract)
Meeting #2 June 13, 2014 (day 57 of contract)
- ✓ **Change Orders** → There were no change orders issued for this project.
- ✓ **Completion Date** → Target August 6, 2014
Actual June 13, 2014
- ✓ **12 Month General Warranty Period** → Expires June 15, 2015.

DISCUSSION

The Hatfield and McCoy Trail Authority (HMRRRA) operates the Rockhouse ATV trail between Man and Gilbert WV. Prior to this project, trail riders wishing to cross the Guyandotte River had to ride the streets of Man, WV.

The project goal was to promote trail use by providing ATV riders a means of crossing the Guyandotte river that would minimize conflicts with automobiles. HMRRRA secured a license agreement from CSX to adapt an 'inactive' existing railway bridge at Man, WV to ATV use. The existing bridge is a 'thru' plate girder structure. It was rail banked by CSX – meaning CSX still owns the structure and has a right to reclaim it for railroad use at a future date. Consequently, the railroad rails must remain in place. The project challenge was to design a new deck system that did not disturb the existing rails.

CLOSURE

Summit Engineering, Inc. appreciates the opportunity to be of assistance. Please let me know if you have any questions or comments regarding this correspondence. I can be reached at 859-264-9860 ext. 105 (khoward@summit-engr.com).

Sincerely,



Kevin Howard, P.E.
Vice President

Cc: Jeff Lusk HMRRRA
Jerry Brown Summit
file

Exhibit A
Affidavit of Advertisement



CHARLESTON NEWSPAPERS

P.O. Box 2995
Charleston, West Virginia 25330
Billing 348-4898
Classified 348-4848
1-800-WVA-NEWS

LEGAL ADVERTISING INVOICE

INVOICE DATE	01/29/14
ACCOUNT NBR	005393102
SALES REP ID	0071
INVOICE NBR	888067001

M

BILLED TO

HATFIELD-MCCOY REGIONAL
RECREATION AUTH
179 RITA MALL ROAD
LYBURN WV 25632 USA

Please return this portion with your payment.
Make checks payable to: Charleston Newspapers

AMOUNT PAID: _____



CHARLESTON NEWSPAPERS

P.O. Box 2995
Charleston, West Virginia 25330
Billing 348-4898
Classified 348-4848
1-800-WVA-NEWS
FEIN 55-0676079

INVOICE DATE	01/29/14
ACCOUNT NBR	005393102
SALES REP ID	0071
INVOICE NBR	888067001

Legal pricing is based upon 63 words per column inch.

Each successive insertion is discounted by 25% of the first insertion rate

The Daily Mail rate is \$.13 per word, the Charleston Gazette rate is \$.14 per word, and the Metro Putnam rate is \$.13 per word.

ISSUE DATE	AD TYPE	PUB	DESCRIPTION		AD NUMBER	AD SIZE TOTAL RUN	RATE	GROSS AMOUNT	NET AMOUNT
			REFERENCE NBR	PURCHASE ORDER #					
01/21	LEGR	GZ	1721, 1728	CSX RAIL	0551671	1X1025			
						10.25	8.82	90.41	90.41
01/28	LEGR	GZ	1721, 1728	CSX RAIL		1X1025			
						10.25	8.82	90.41	
				LEGAL DISCOUNT 25%				22.60-	67.81
TOTAL INVOICE AMOUNT									158.22

State of West Virginia, **AFFIDAVIT OF PUBLICATION**

I, Lisa R. Fitzwater of _____



THE CHARLESTON GAZETTE,
do solemnly swear that the legal notice of:
1/21, 1/28 CSX RAIL TRES

was duly published in said newspaper(s) at the stated price for the respective newspaper(s) and during the dates listed below:

Subscribed and sworn to before me this 30th day of January, 2014 01/21/14-01/28/14

**LEGAL
ADVERTISEMENT**

tion Authority at 179 Rita
Mail Road, Lyburn, WV
until 2 pm on Tuesday
February 11, 2014. Bids re-
ceived shall be publicly
opened and read aloud im-
mediately after the close
of the bid period.

The work includes:

Construction of a pres-
sure treated timber deck
on the CSX rail trestle
bridge at Man, WV com-
plete with fall protection
deck, wheel guards, and
railing.

The Contract Docu-
ments may be examined
at the following locations:

1. Hatfield & McCoy Re-
gional Recreation Autho-
rity, 179 Rita Mail Road,
Lyburn, WV
25635

2. Summit Engineering,
Inc., 3205 Summit Square
Place, Lexington, KY
40509

3. Summit Engineering,
Inc., 306 Technology
Drive, South Charleston,
WV 25503

4. Contractors Associa-
tion of West Virginia, 2114
Kanawha Boulevard, East
Charleston, WV 25311

5. Dodge DocuPro, www.cloudproiecthosting.com/030138/edmbost (Available Electronically)

Copies of the Contract Documents may be pur-
chased from Summit En-
gineering (S. Charleston
Office 304-744-6410 aftn,
Charleston) upon payment
of a non-refundable
charge of \$100.00 per set.
If documents are to be
mailed, there will be an
additional handling fee of
\$19.00 for each set. The
OWNER and ENGINEER
shall not be responsible
for any full or partial sets
of Contract Documents ob-
tained from any other
source. No bid will be con-
sidered unless submitted
on the Bid Form provided
with the Contract Docu-
ments.

The OWNER reserves
the right to reject any and
all Bids or to let the con-
tract in whole or in part
and to waive formalities.

Performance and pay-
ment bonds in the amount
of the contract price will
be required. A "Mandate-
ry" Pre-Bid Conference
will be held at Hatfield
McCoy offices at Lyburn,
WV at 1:00 pm on Tuesday
February 4, 2014.

Federal wage and hour
provisions DO apply to
this project. State wage
and hour provisions DO
apply to this project. Per-
formance and Payment
Bonds in the amount of the
contract price are re-
quired.

Jeffrey Lusk
(Executive Director,
MARRA)
(551671)

**SECTION 00100
ADVERTISEMENT
FOR BIDS**

Owner: Hatfield & McCoy
Regional Recreation
Authority
Address: PO Box 539
Lyburn, WV 25635

Separate sealed Bids for
the construction of a pro-
ject entitled: CSX Rail
Trestle Conversion to
ATV Trail will be re-
ceived by Hatfield &
McCoy Regional Recrea-

Exhibit B
Certified Bid Tabulation

ITEM NO.	ITEM	QUANTITY	UNIT	Upton Construction Co. Inc.		All Quality, LLC		Main Street Builders		Bilco Construction Company	
				UNIT PRICE (Note 1)	AMOUNT	UNIT PRICE (Note 1)	AMOUNT	UNIT PRICE (Note 1)	AMOUNT	UNIT PRICE (Note 1)	AMOUNT
1	RAILROAD REHABILITATION										
	New pressure treated Bridge Deck, Fall Protection Deck, and Railing. Complete, In Place, and ready for Service	1	LS	\$ 239,000.00	\$ 239,000.00	\$ 243,792.00	\$ 243,792.00	\$ 309,000.00	\$ 309,000.00	\$ 315,123.00	\$ 315,123.00
2	WEAK TIMBER REPLACEMENT - ORDERED IN WRITING (NOTE 1)										
	Timbers <u>not</u> identified for replacement in plans but discovered in installation process as follows										
		446 25	EA	\$ 400.00	\$ 10,000.00	\$ 400.00	\$ 10,000.00	\$ 267.00	\$ 6,675.00	\$ 305.00	\$ 7,625.00
	8.5"x10"x10' Railroad Tie (Note 1)	446 50	EA	\$ 200.00	\$ 10,000.00	\$ 400.00	\$ 20,000.00	\$ 164.00	\$ 8,200.00	\$ 140.00	\$ 7,000.00
3	ALL OTHER WORK										
	All other work required by contract documents, gravel approaches, guardrails, clean-up, etc.	1	LS	\$ 20,000.00	\$ 20,000.00	\$ 10,000.00	\$ 10,000.00	\$ 2,000.00	\$ 2,000.00	Note 1	
	BASE BID TOTAL			\$ 279,000.00	\$ 279,000.00	\$ 283,792.00	\$ 283,792.00	\$ 325,875.00	\$ 325,875.00		\$ 329,748.00

ITEM NO.	ITEM	QUANTITY	UNIT	Jim Construction, Inc		Dunhill Construction		Kanawha Stone Company, Inc.		Marcebee Industrial	
				UNIT PRICE (Note 1)	AMOUNT	UNIT PRICE (Note 1)	AMOUNT	UNIT PRICE (Note 1)	AMOUNT	UNIT PRICE (Note 1)	AMOUNT
1	RAILROAD REHABILITATION										
	New pressure treated Bridge Deck, Fall Protection Deck, and Railing. Complete, In Place, and ready for Service	1	LS	\$ 345,860.00	\$ 345,860.00	\$ 347,600.00	\$ 347,600.00	\$ 375,000.00	\$ 375,000.00	\$ -	\$ -
2	WEAK TIMBER REPLACEMENT - ORDERED IN WRITING (NOTE 1)										
	Timbers <u>not</u> identified for replacement in plans but discovered in installation process as follows										
		446 25	EA	\$ 363.00	\$ 9,075.00	\$ 410.00	\$ 10,250.00	\$ 517.00	\$ 12,025.00	\$ -	\$ -
	8.5"x10"x10' Railroad Tie (Note 1)	446 50	EA	\$ 179.00	\$ 8,090.00	\$ 132.00	\$ 6,600.00	\$ 563.00	\$ 28,150.00	\$ -	\$ -
3	ALL OTHER WORK										
	All other work required by contract documents, gravel approaches, guardrails, clean-up, etc.	1	LS	\$ 6,675.00	\$ 6,675.00	\$ 22,400.00	\$ 22,400.00	\$ 20,000.00	\$ 20,000.00		
	BASE BID TOTAL			\$ 370,560.00	\$ 370,560.00	\$ 386,850.00	\$ 386,850.00	\$ 436,075.00	\$ 436,075.00	Late - Returned Unopened	

1 Nothing Filling in for Item 3. Assume intent was \$0.00

Indicates a math error was corrected

This is to certify that the above is a true and exact copy of the tabulation of bids received on the above referenced project; that the same was advertised in the manner and form prescribed by the laws of the State of West Virginia and sealed and competitive bids were received and publicly opened and read aloud on the hour and date prescribed in the Advertisement, this 11th day of February, 2014.



Kevin M. Howard

Exhibit C
Close Out Letter to HMRRA



SUMMIT ENGINEERING INC.

since 1977

June 16, 2014

Mr. Jeffrey Lusk
Hatfield McCoy Regional Recreation Trail Authority
PO Box 146
Man, WV 25635

**RE: CSX Rail Trestle Conversion to ATV Trail
Project Completion**

13-424

Mr. Lusk,

CONTRACT COMPLETION

A final walk-out and project inspection was held on Friday, June 13, 2014. The following parties were in attendance:

Personnel

Bill Robertson
Jeff Lusk
John Fekete
Joe Tucker
Kevin Howard
Jerry Brown
Drake Levo

Representing

WVDOH - RTP
HMRRA
HMRRA
Upton Construction
Summit Engineering
Summit Engineering
Summit Engineering

The Project was declared to be complete on **6/13/14**. The warranty period extends for twelve months from completion. The warranty period will expire on Monday, June 15, 2015.

The contract amount was \$279,000. The project completed \$11,000 under budget (\$268,000). No change orders were issued.

PROJECT CLOSEOUT

The Contractor provided a Lien Release and an Affidavit of Lien Release. HMRRA delivered the Contractor's final payment in the meeting.

OUTSTANDING ISSUES

This letter of completion is also intended to serve as a final report for the project. The following comments are pertinent:

3205 Summit Square Place, Lexington, Kentucky 40509 Phone 859-264-9860

Architectural
Engineering

Surveying
Civil Engineering

Environmental
GIS Services

CSX Rail Trestle Conversion to ATV Trail Project Completion

1. **The Project.** The Engineer is not aware of outstanding complaints between the Owner and Contractor nor between the Contractor and adjacent land owners.
2. **Project Records.** Copies of the weekly reports of construction progress are attached for the project reading file.
3. **Approaches.** It is our understanding the HMRRRA will be finishing the bridge approach trails as a separate project. We would encourage signage urging riders to keep speeds under 5 MPH. Wide UTVs will have difficulty passing on the narrow deck.

CLOSURE

Summit Engineering, Inc. appreciates the opportunity to be of assistance. Please let me know if you have any questions or comments regarding this correspondence. I can be reached at 859-264-9860 ext. 105 (khoward@summit-engr.com).

Sincerely,



Kevin Howard, P.E.
Vice President

Cc: Jerry Brown
file

Exhibit D

Contractor Lien Release and Affidavit of Lien Release

CONTRACTOR'S RELEASE OF LIEN

Upton Construction, Inc. does hereby waive, release, and relinquish the right to claim, demand or impose a lien for work done and/or materials furnished to date (June 12, 2014) on the real property known as **CSX Rail Trestle Conversion to ATV Trail** or on any and all property owned by Hatfield McCoy Regional Recreation Trail Authority in exchange for valuable consideration in the amount of \$268,000.00 as invoiced on Pay Requests 1 and 2.

Upton Construction, Inc.

Name of Company

[Signature]

Authorized Signature

Vice-President

Title

[Signature]

Witness

Subscribed and sworn to before me this
13 day of June, 2014.

Shannon Marie Orso

Notary Public

State of W.V.

My Commission Expires 1-6-16

(Notary Seal)



AFFIDAVIT OF RELEASE OF LIENS

TO (Owner)

Hatfield McCoy Regional Recreation Trail Authority

CONTRACT FOR: CSX Rail Trestle Conversion to ATV Trail

PO Box 146

Man, WV 25635

CONTRACT DATE: 4-8-14

PROJECT:
(Name & Address)

CSX Rail Trestle Conversion to ATV Trail

State of: **West Virginia**
County of: **Logan**

The undersigned Upton Construction, Inc. hereby certifies that to the best of his knowledge, information and belief, except as listed below, the Releases or Waivers of Lien attached hereto include the Contractor, all Subcontractors, all suppliers of materials and equipment, and all performers of Work, Labor or services who have or may have liens against any property of the Owner arising in any manner out of the performance of the Contract referenced above.

EXCEPTIONS: (If none, write "None". If required by the Owner, the Contractor shall furnish bond satisfactory to the Owner for each exception.)

SUPPORTING DOCUMENTS ATTACHED HERETO: CONTRACTOR: Upton Construction, Inc.

1. Contractor's Release or Waiver of Liens, conditional upon receipt of final payment.
2. Separate Releases or Waivers of Liens from Subcontractors and material and equipment suppliers, to the extent required by the Owner, accompanied by a list thereof.

Address: PO Box 430
Dunbar, WV 25064

By: Shannon Marie Orso

Subscribed and sworn to before me this
13 day of June, 2014.

Notary Public: Shannon Marie Orso

My Commission Expires: 1-6-16



Exhibit E

Copies of Project Pay Requests (#1 & #2)



SUMMIT ENGINEERING INC.

PERIODIC ESTIMATE FOR PARTIAL PAYMENT CSX Rail Trestle Conversion to ATV Trail Project

NTP: Tuesday April 8, 2014
 Original Completion Date: Tuesday August 6, 2014 (120 Day Contract)
 Rev Completion Date: _____ (Extended to ___ Days)
 Percent of Contract Time Expended: 22.50%
 Percent Complete by Materials: 51.40%
 Contractor Meeting Schedule? YES

Request No.: 1
 For Period: April 1, 2014 through April 30, 2014
 From Contractor: Upton Construction Inc.
 PO Box 430, 2296 Roxalana Road
 Dunbar, WV 26064

CONTRACT ESTIMATE						PAY QUANTITIES			
Item No.	Item Description	Est. Quantity	Unit	Unit Price	Amount	Previous Estimate	Current Estimate	Total To Date	Total Amount
1	RAILROAD REHABILITATION								
	New pressure treated Bridge Deck, Fall Protection Deck, and Railing. Complete, In Place, and ready for Service	1	LS	\$ 239,000.00	\$ 239,000.00	0	06	1	\$ 143,400.00
2	WEAK TIMBER REPLACEMENT - ORDERED IN WRITING								
a	8.5"x10"x10' Railroad Tie	25	EA	\$ 400.00	\$ 10,000.00	0	0	0	\$ -
b	4"x10"x12'	50	EA	\$ 200.00	\$ 10,000.00	0	0	0	\$ -
3	ALL OTHER WORK								
	All other work required by contract documents, gravel approaches, guardrails, clean-up, etc.	1	LS	\$ 20,000.00	\$ 20,000.00	0.00	0.00	0.00	\$ -
ORIGINAL CONTRACT AMOUNT					\$ 279,000.00				
CHANGE ORDERS									
TOTAL REVISED CONTRACT AMOUNT (After Change Orders)					\$279,000.00	TOTAL WORK TO DATE \$ 143,400.00			

SUMMARY OF ALL ESTIMATES					
Est. 1 \$129,060.00	Est. 2 \$0.00	Est. 3 \$0.00	Est. 4 \$0.00	Est. 5 \$0.00	Est. 6 \$0.00
Est. 7 \$0.00	Est. 8 \$0.00	Est. 9 \$0.00	Est. 10 \$0.00	Est. 11 \$0.00	Est. 12 \$0.00

SUMMARY

Total Work to Date	\$ 143,400.00
Stored Materials	\$0.00
Retention @ 10%	\$ 14,340.00
Total Due Contractor to Date	\$ 129,060.00
Less Previous Payments	\$ -
Amount Due From Total Estimate	\$ 129,060.00

CONTRACTOR'S CERTIFICATION:

I, the undersigned Contractor, certify that the work shown on the attached estimate, which has been completed or is in progress, is in accordance with the contract documents, and that the work is complete and ready for payment. I further certify that the work is complete and ready for payment.

By: [Signature] Date: 5-7-14

INSPECTOR'S CERTIFICATION:

I, the undersigned Inspector, certify that the work shown on the attached estimate, which has been completed or is in progress, is in accordance with the contract documents, and that the work is complete and ready for payment.

By: [Signature] Date: 5-7-2014
 Title: Inspector

CERTIFICATION OF CONSULTING ENGINEER AS TO PAYMENT REQUEST:

I, the undersigned Consulting Engineer, certify that the work shown on the attached estimate, which has been completed or is in progress, is in accordance with the contract documents, and that the work is complete and ready for payment. I further certify that the work is complete and ready for payment.

By: [Signature] Date: 5-7-14
 Title: ENGINEER

HATFIELD/MICCOL REGIONAL RECREATION AUTHORITY:

By: [Signature] Date: 5-7-2014
 Title: Executive Director



SUMMIT ENGINEERING INC.

PERIODIC ESTIMATE FOR PARTIAL PAYMENT CSX Rail Trestle Conversion to ATV Trail Project

NTP: Tuesday April 8, 2014
 Original Completion Date: Tuesday August 6, 2014 (120 Day Contract)
 Rev Completion Date: _____ (Extended to ___ Days)
 Percent of Contract Time Expended: 52.50%
 Percent Complete by Materials: 96.06%
 Contractor Meeting Schedule? YES

Request No.: **2 FINAL**
 For Period: May 1, 2014 through June 12, 2014
 From Contractor: Upton Construction Inc.
 PO Box 430, 2296 Roxalana Road
 Dunbar, WV 25064

CONTRACT ESTIMATE						PAY QUANTITIES			
Item No.	Item Description	Bid Quantity	Unit	Unit Price	Amount	Previous Estimates	Current Estimate	Total To Date	Total Amount
1	RAILROAD REHABILITATION								
	New pressure treated Bridge Deck, Fall Protection Deck, and Railings. Complete, In Place, and ready for Service	1	LS	\$ 239,000.00	\$ 239,000.00	0.0	0.4	1	\$ 239,000.00
2	WEAK TIMBER REPLACEMENT - ORDERED IN WRITING								
a	8.5"x10"x12' Railroad Tie	25	EA	\$ 400.00	\$ 10,000.00	0	12	12	\$ 4,800.00
b	4"x10"x12'	50	EA	\$ 200.00	\$ 10,000.00	0	21	31	\$ 4,200.00
3	ALL OTHER WORK								
	All other work required by contract documents, general approaches, guardrails, clean-up, etc.	1	LS	\$ 20,000.00	\$ 20,000.00	0.00	1.00	1.00	\$ 20,000.00
ORIGINAL CONTRACT AMOUNT					\$ 279,000.00				
CHANGE ORDERS									
CD1									\$
TOTAL REVISED CONTRACT AMOUNT (After Change Orders)					\$279,000.00	TOTAL WORK TO DATE		\$ 268,000.00	

SUMMARY OF ALL ESTIMATES					
Est. 1 \$129,000.00	Est. 4 \$0.00	Est. 7 \$0.00	Est. 10 \$0.00	Est. 11 \$0.00	Est. 12 \$0.00
Est. 2 \$0.00	Est. 5 \$0.00	Est. 8 \$0.00	Est. 9 \$0.00	Est. 10 \$0.00	Est. 11 \$0.00
Est. 3 \$0.00	Est. 6 \$0.00	Est. 7 \$0.00	Est. 8 \$0.00	Est. 9 \$0.00	Est. 10 \$0.00

SUMMARY

Total Work to Date	\$ 268,000.00
Stored Materials	\$ 0.00
Retainage @ 0%	\$ -
Total Due Contractor to Date	\$ 268,000.00
Less Previous Payments	\$ 129,060.00
Amount Due From This Estimate	\$ 138,940.00

CONTRACTOR'S CERTIFICATION:

The undersigned Contractor certifies that to the best of their knowledge, information and belief the work covered by this payment estimate has been completed in accordance with the contract documents, that all amounts have been paid by the contractor for work for which previous payment estimates were issued and payment received from the Owner, and that current payment shown herein is now due.

UPTON CONSTRUCTION INC.:

By: [Signature] Date: 6-13-14
 Title: VICED PRESIDENT

INSPECTOR'S CERTIFICATION:

The undersigned certifies that the work has been carefully inspected and to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract documents.

INSPECTOR:

By: [Signature] Date: 6/13/14
 Title: Inspector

CERTIFICATION OF CONSULTING ENGINEER AS TO PAYMENT REQUEST:

The undersigned, a duly qualified and licensed Engineer hereby certifies that he represents the Government Agency submitting this request and that all expenses represented in this request were duly incurred for the Construction of the "Project", and that such expenses have not been the subject of any request for disbursement previously submitted.

SUMMIT ENGINEERING, INC.:

By: [Signature] Date: 6/13/14
 Title: EM6

HATFIELD MCCOY REGIONAL RECREATION AUTHORITY:

By: [Signature] Date: 6/12/2014
 Title: Executive Director

Attachment 4

Exhibit F

Photographs: Before, During, & After Construction

Exhibit F
Project Photographs

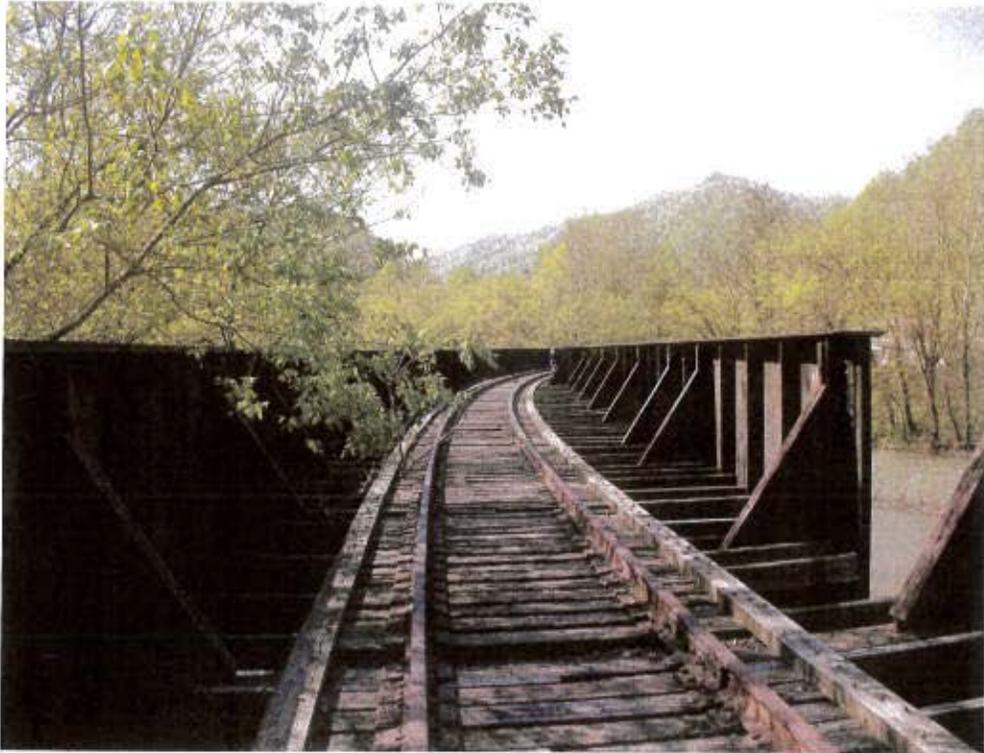


Photo E - 1
Pre-Project Photo 4/23/13

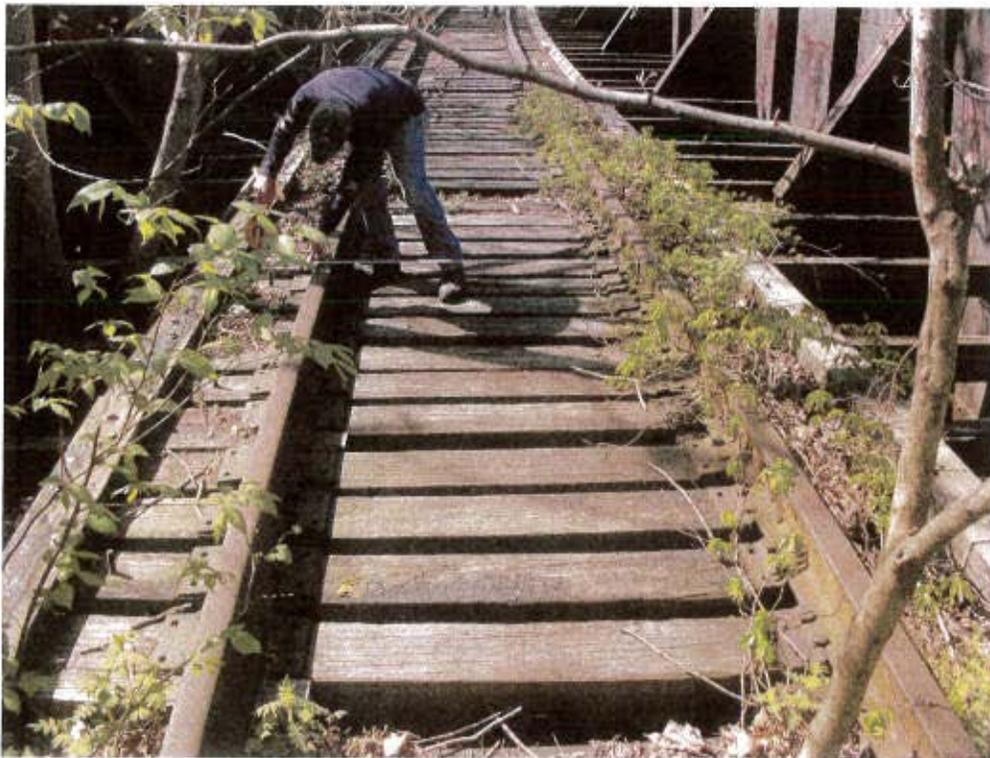


Photo E - 2
Pre-Project Photo 4/23/13

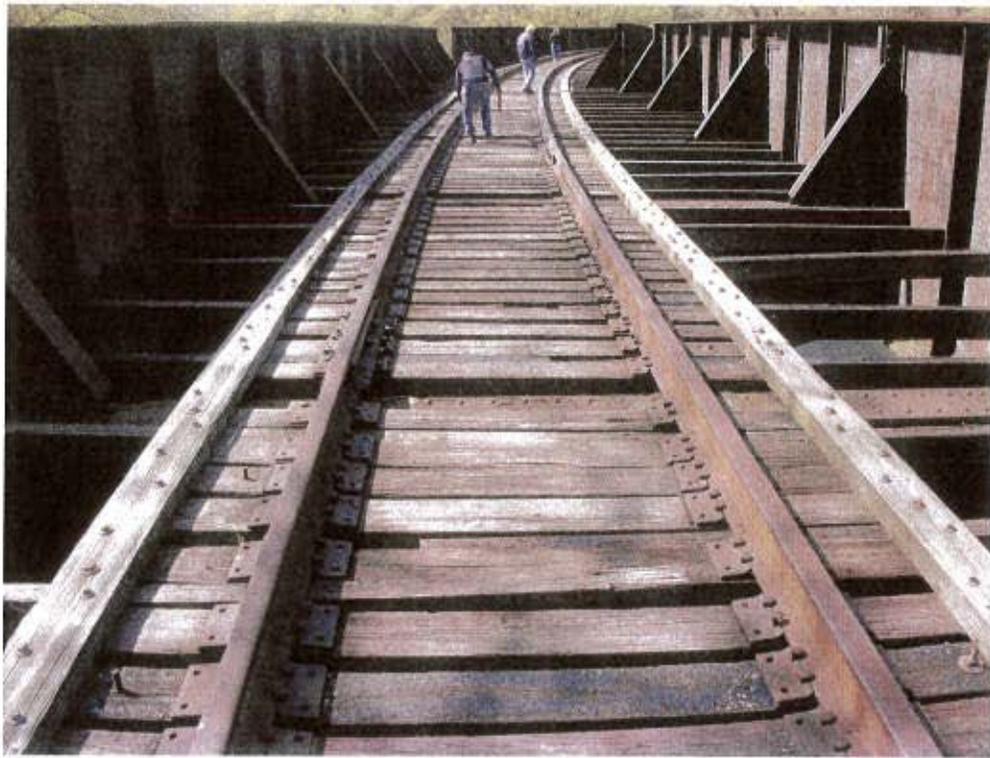


Photo E - 3
Pre-Project Photo 4/23/13



Photo E - 4
Pre-Project Photo 4/23/13



Photo C-1
Construction Photo 4/15/14 – Project Sign



Photo C-1
Construction Photo 4/23/14 – Decking Stringers

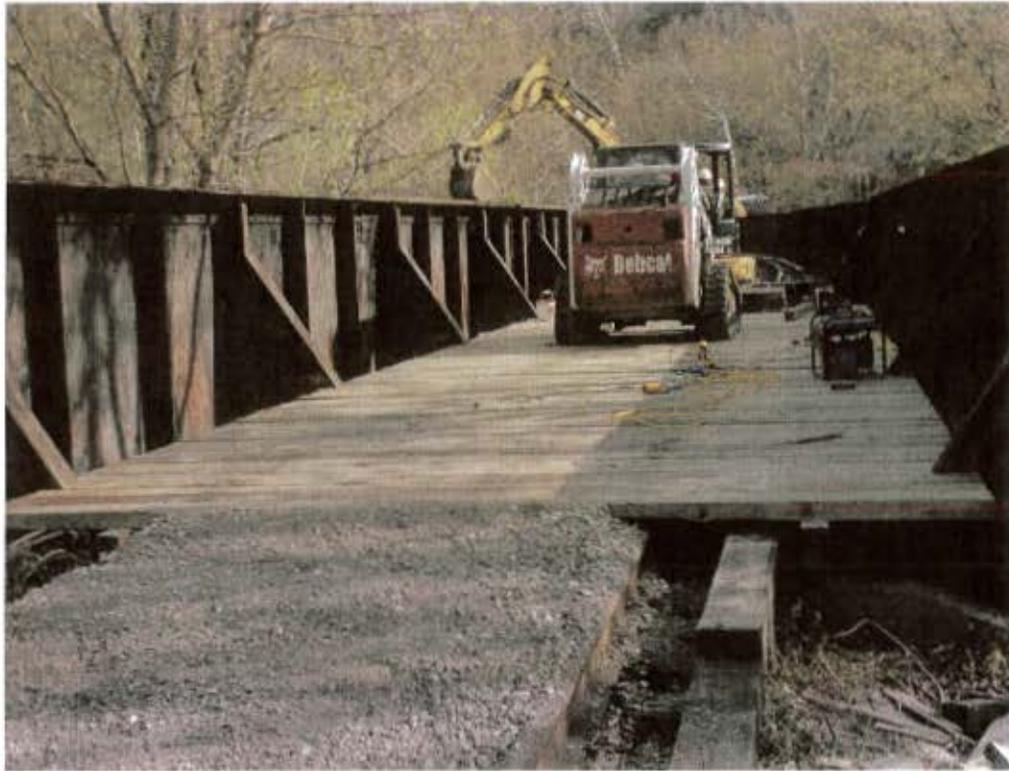


Photo C- 3
Construction Photo 5/7/14 – Moving Material to Work Location



Photo C- 4
Construction Photo 5/14/14 – Wheel Guard Assembly



Photo F-1
Finished Construction Photo 6/9/14 – Route 10 Approach



Photo F-2
Finished Construction Photo 6/9/14 – Looking toward McDonald



Photo F- 3
Finished Construction Photo 6/9/14 – Looking toward Route 10



Photo F- 4
Finished Construction Photo 6/9/14 – East McDonald Ave Approach