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August 16, 2016

Via E-Filing

Cynthia T. Brown, Chief
Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 2043-0001

**Re: *Caldwell Railroad Commission – Abandonment Exemption – In Caldwell County, N.C.*
STB Docket No. AB-1112X**

Dear Ms. Brown:

Caldwell County Pathways, Inc. (the “CCP”) and Caldwell Railroad Commission (“CRC”) hereby jointly file this letter to notify the Surface Transportation Board (the “Board”) that they have reached an interim trail use agreement concerning the Line described below.

On October 5, 2015, Caldwell Railroad Commission (“CRC”) filed an amended verified notice of exemption under 49 C.F.R. part 1152 subpart F to abandon the 3.91-mile rail line located between mileposts 108.79 and 112.7, in Lenoir, Caldwell County, North Carolina (the “Line”).

On October 30, 2015, CCP filed a request for the issuance of a notice of interim trail use to negotiate with CRC for acquisition of the Line for use as a trail under the National Trails System Act (the “Trails Act”), 16 U.S.C. § 1247(d), and 49 C.F.R. § 1152.29. In a response filed on November 9, 2015, CRC indicated its willingness to negotiate with CCP for interim trail use.

On November 23, 2015, the Board issued its Decision and Notice of Interim Trail Use or Abandonment (the “NITU”) providing for a 180-day period concluding on May 21, 2016 for negotiations between CCP and CRC to reach an agreement for interim trail use/trail banking. Among other things, the NITU provided that, if an interim trail use agreement is reached, the parties shall jointly notify the Board within 10 days that an agreement has been reached.

By decision rendered March 29, 2016, the Board extended the negotiation period by an additional 180 days, to and including November 17, 2016.

Pursuant to and in accordance with 49 C.F.R. § 1152.29(h) and the NITU, CCP and CRC hereby provide the Board with notice that, on the date of this letter, CCP and CRC entered into an interim trail use agreement covering the entire Line. CCP and CRC hereby further certify that the interim trail use agreement includes provisions requiring CCP, as trail sponsor, to assume full

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responsibility for: (1) managing the right-of-way, (2) any legal liability arising out of the transfer or use of the right-of-way (unless the sponsor is immune from liability, in which case it need only indemnify CRC against any potential liability), and (3) the payment of any and all taxes that may be levied or assessed against the right-of-way.

A map of the property depicting the Line is attached.

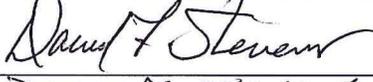
Should you have any questions, please do not hesitate to contact the undersigned.

Very truly yours,

CALDWELL COUNTY PATHWAYS

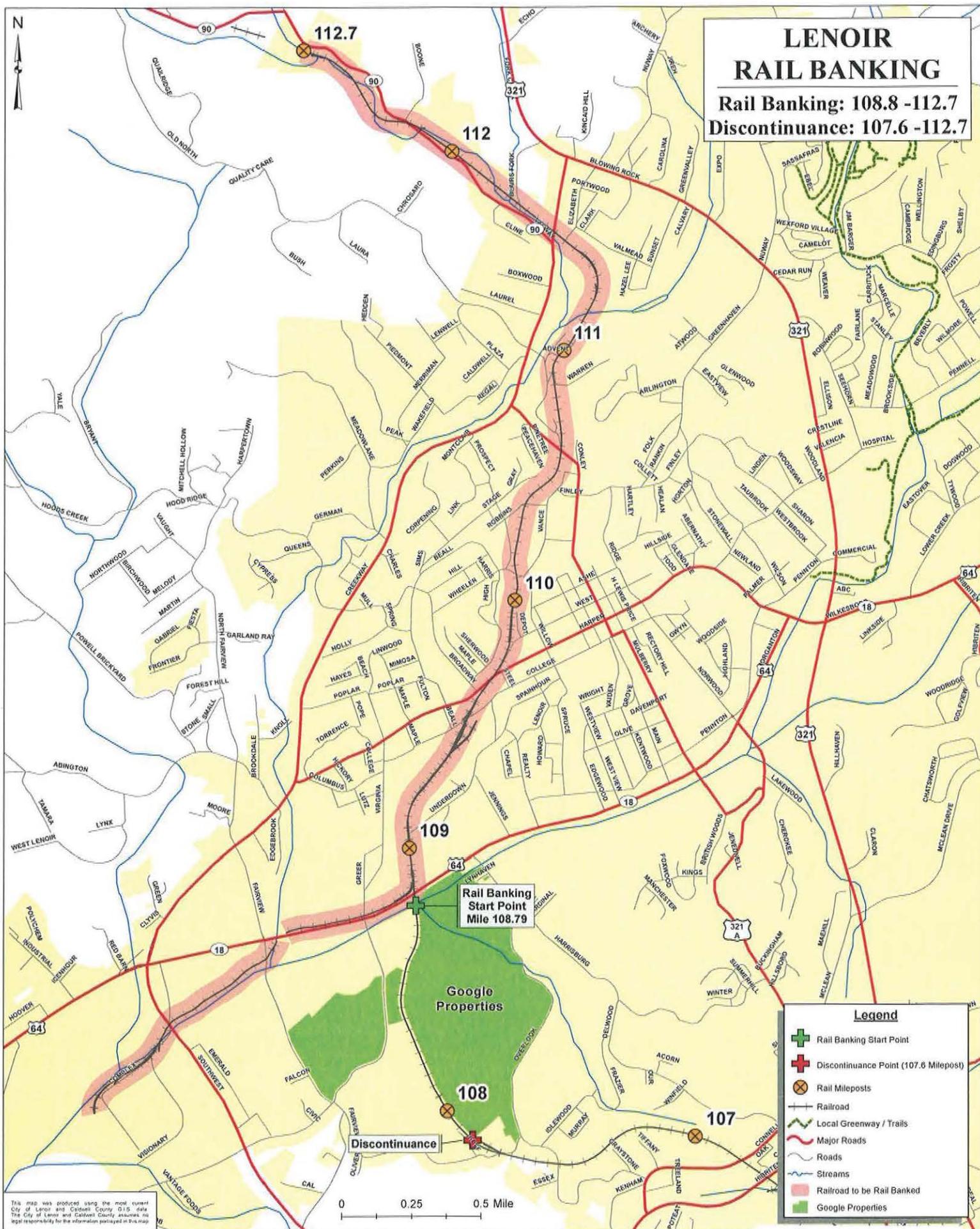
By: 
Name: Branden Thompson
Title: Chair

CALDWELL RAILROAD COMMISSION

By: 
Name: DAVID F. STEVENS
Title: Chair

cc: Adam N. Olls
David H. Coburn

enc. as stated.



**LENOIR
RAIL BANKING**

Rail Banking: 108.8 -112.7

Discontinuance: 107.6 -112.7

Rail Banking
Start Point
Mile 108.79

Discontinuance

Legend

- + Rail Banking Start Point
- + Discontinuance Point (107.6 Milepost)
- x Rail Mileposts
- Railroad
- ~ Local Greenway / Trails
- Major Roads
- Roads
- ~ Streams
- Railroad to be Rail Banked
- Google Properties

This map was produced using the most current City of Lenoir and Caldwell County GIS data. The City of Lenoir and Caldwell County assumes no legal responsibility for the information displayed on this map.

0 0.25 0.5 Mile

EXHIBIT 1