

Monroe County Commission

MONROE COUNTY

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Chief Administrator & Purchasing Agent

"A County Older than the State"

March 22, 2013

Ms. Rachel D. Campbell
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

233966
ENTERED
Office of Proceedings
March 22, 2013
Part of
Public Record

Re: *Alabama Railroad Co. – Abandonment Exemption – In Monroe County, AL*, STB Docket
Number AB-463 (Sub-No. 1X)

Dear Ms. Campbell:

This request is filed on behalf of the Monroe County Commission, a government agency interested in the development of a recreational trail in Monroe County, which is hereinafter referred to as 'proponent'. While not taking a position on the merits of this abandonment, the 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 extending from milepost 655.20 (east of Route 21, at Tunnel Springs, Alabama) to milepost 662.62 (west of Main Street, in Beatrice, Alabama).

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 state and 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 complete a detailed 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.

FILING FEE WAIVED

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, The Monroe County Commission 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 by Pioneer Railcorp Co, Inc. and operated by the Alabama Railroad Co.

The property, known as the Alabama Railroad, extends from railroad milepost 655.20 east of Route 21 at Tunnel Springs, Alabama to railroad milepost 662.62 west of Main Street in Beatrice, Alabama, a distance of 7.42 miles in Monroe County, Alabama. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-463 (Sub-No. 1X). A location map depicting the property is attached.

The Monroe County Commission 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.

By my signature below, I certify service upon the Alabama Railroad Co., by U.S. Mail, postage prepaid, first class, on March 22, 2013:

William A. Mullins
2401 Pennsylvania Avenue, NW, Suite 300
Washington, DC 20037

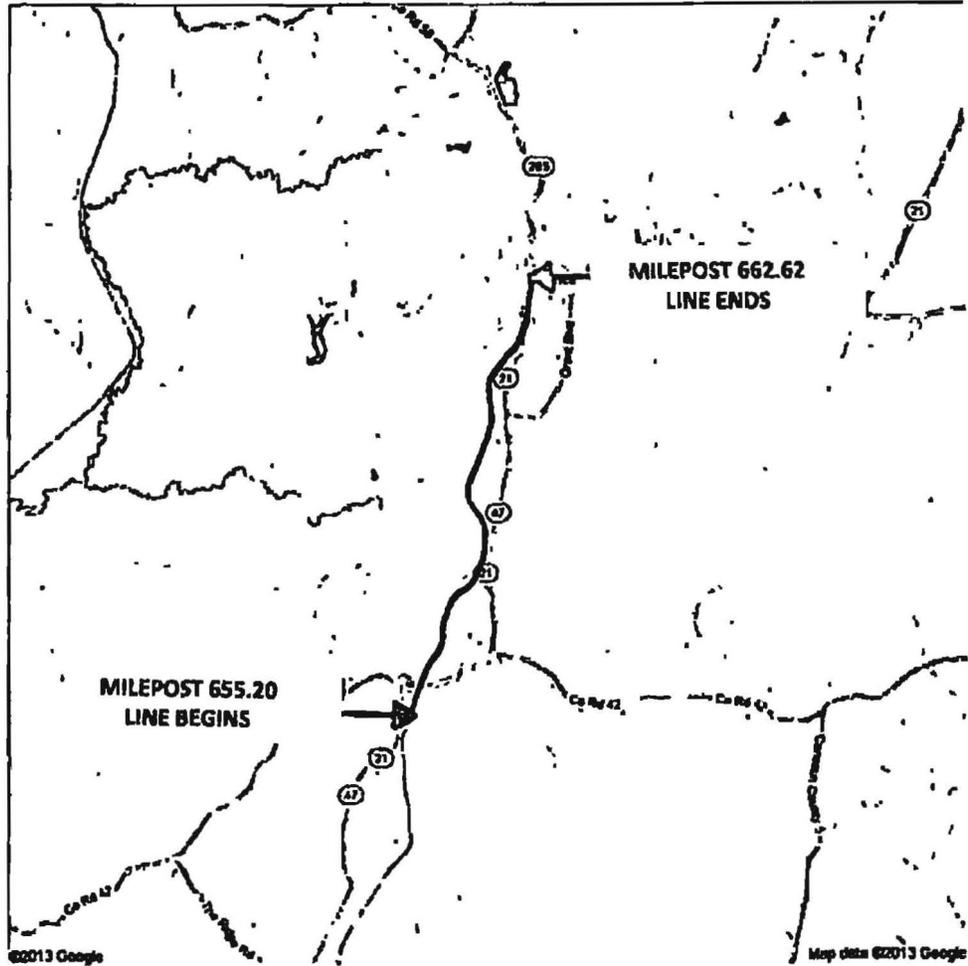
Respectfully submitted,



Greg Norris
Chairman
Monroe County Commission
Direct telephone: (251) 743-4107

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