



232378

May 29, 2012

ENTERED
Office of Proceedings
May 31, 2012
Part of
Public Record

By Fax to 202-245-0464

Ms. Cynthia T. Brown,
Chief of the Section of Administration, Office of Proceedings
SURFACE TRANSPORTATION BOARD
395 E. Street, S.W.
Washington, DC 20423

Re: Docket No. AB-312 (Sub-No.3X), South Carolina Railroad
Company, LLC – Now filed NOTICE OF TERMINATION OF
NEGOTIATIONS BETWEEN THE TOWN AND SCRF TO
ACQUIRE THE ROW, AND NOTICE OF WITHDRAWAL
OF ALL PURCHASE OFFERS BY TOWN TO SCRF, AND
NOTICE OF WITHDRAWAL BY TOWN OF ITS
STATEMENT OF WILLINGNESS TO ASSUME
FINANCIAL RESPONSIBILITY AND TOWN'S REQUEST
THAT STB AMEND ITS PRIOR DECISION (Feb. 3, 2012)

Dear Ms. Brown:

Please find enclosed our NOTICE OF TERMINATION, ETC.
for filing in the above Docket. Instead of waiting for the 180 days
to run before giving notice of termination of negotiations, the
Town has elected to give its NOTICE now, and prior to the
expiration of its current fiscal year which ends June 30, 2012.
Negotiations with SCRF and its RA owner reached an impasse
over pricing for the ROW that could not be mutually resolved.
Kindly return a stamped/filed copy for our municipal records.

SURFACE TRANSPORTATION BOARD

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Sincerely Yours,



**Michael D. Smith,
Town Administrator**



**Richard Lane Brown III,
Project Coordinator**

Enclosure, as indicated

**CC: Scott G. Williams, Esq. (By Fax to 904-538-6328)
Senior Vice President & General Counsel
Further attn. Jennifer Taylor, Mgr. CLA
RailAmerica, Inc.
7411 Fullerton Street, St. 300
Jacksonville, FL 32256**

**Louis E. Gitomer, Esq. (By Fax to 410-332-0885)
Further attn. Melanie B. Yasbin, Esq.
600 Baltimore Avenue, St. 301
Towson, MD 21204-4022**

**Michael O. Bagley, (By Fax to 904-256-0561)
Asst. Vice-President Real Estate
RailAmerica, Inc.
7411 Fullerton Street, St. 300
Jacksonville, FL 32256**

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB-312 (Sub-No.3X)

**SOUTH CAROLINA CENTRAL RAILROAD COMPANY, LLC-
ABANDONMENT EXEMPTION
IN CHESTERFIELD AND DARLINGTON COUNTIES, SC**

**NOTICE OF TERMINATION OF NEGOTIATIONS BETWEEN THE
TOWN AND SCRF TO ACQUIRE THE ROW, AND NOTICE OF THE
WITHDRAWAL OF ALL PURCHASE OFFERS BY TOWN TO SCRF,
AND NOTICE OF WITHDRAWAL BY TOWN OF ITS STATEMENT
OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY,
AND TOWN'S REQUEST THAT STB AMEND ITS PRIOR DECISION.**

TO THE SECRETARY:

**Attn. Chief of the Section of Administration,
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001 (for Fed Ex. 20024)**

And To

**SOUTH CAROLINA CENTRAL RAILROAD COMPANY, LLC
C/O RAILAMERICA, INC.
Attn. Michael O. Bagley,
Asst. Vice-President for Real Estate
7411 Fullerton Street, Suite 300
Jacksonville, Florida 32256**

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1. The Town of Cheraw ("Town") hereby gives notice to all parties that it is withdrawing from all negotiations with the South Carolina Central Railroad Company ("SCRF") for the purchase and acquisition of the railroad corridor ("ROW") described in the Amended Requests heretofore filed with the Surface Transportation Board ("STB"), and that all offers (whether original or amended and whether formal or informal) for the purchase and acquisition of the ROW be and the same are hereby revoked, rescinded and withdrawn, with said offers (as amended) being null and void and of no legal effect or consequence to the Town.

2. Further, the prior commitments of the Town, pursuant to the Statement of Willingness in the Amended Requests, to assume full responsibility for the management of, for any legal liability arising out of the transfer or use of, and for the payment of any and all taxes that may be levied or assessed against the ROW, be and the same are hereby revoked, rescinded and withdrawn, with said commitments being null and void and of no legal effect or consequence to the Town.

3. Further, the Town respectfully requests the STB to amend accordingly, as required by law, its DECISION AND NOTICE OF INTERIM TRAIL USE OR ABANDONMENT heretofore entered as of February 3, 2012.

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Certificate of Service

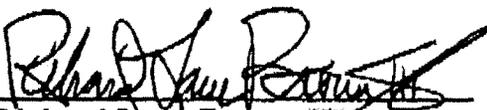
__By my signature below, I certify service upon the SOUTH CAROLINA
CENTRAL RAILROAD COMPANY LLC and upon its counsel of record
by US Mail postage pre-paid, first class, this 29th day of May, 2012,
and to the indicated addresses on the transmittal letter by fax.

Respectfully Submitted:

For the Town of Cheraw, SC:

By 
Michael D. Smith,
Town Administrator

For the Cheraw to Society Hill
Rail Trail Coalition a/k/a Friends
Of Cheraw to Society Hill Rail
Trail, a SC Non-profit Organization

By 
Richard Lane Brown III,
Project Coordinator