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July 29, 2005

Vernon A. Williams, Secretary
Surface Transportation Board
Case Control Unit, Suite 713
1925 K Street, N.W.
Washington, DC 20423-0001

FILED FEE WAIVED

Re: Docket No. AB-6 (Sub-No. 429X), *BNSF Railway Company -
Abandonment Exemption - in Ramsey County, MN*

~~Docket No. AB-882 (Sub-No. 1X), *Minnesota Commercial Railway
Company - Discontinuance of Service Exemption - in Ramsey County,
MN*~~

Dear Mr. Williams:

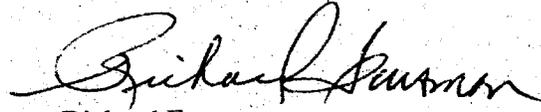
The City of Maplewood, Minnesota (the City) hereby requests issuance of a Notice of Interim Trail Use (NITU) in regard to the railroad right-of-way involved in the above matter.

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, the City 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 BNSF Railway Company (BNSF) and operated by Minnesota Commercial Railway Company (MNNR). The property extends southerly from railroad milepost 7.19, a point approximately 100 feet north of Interstate Highway I-694, to railroad milepost 6.52, a point approximately 50 feet north of Beam Avenue, a distance of approximately .67 miles in the City of Maplewood and in White Bear Township, Ramsey County, Minnesota. The right-of-way is part of a line of railroad proposed for abandonment in Docket Nos. STB AB-6 (Sub-No. 429X) and AB-882 (Sub-No. 1X). A map of the property depicting the right-of-way is attached. The City 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 the railroad(s) on the same date it is being served on the Board.

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard Fursman".

Richard Fursman
City Manager

cc: Sidney L. Strickland, Jr., Esq.
Thomas F. McFarland, Esq.