

ITF

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Indiana Trails Fund, Inc.

P. O. Box 402, Indianapolis, Indiana 46206-0402
317-237-9348 • www.indianatrails.org

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OCT 24 2008

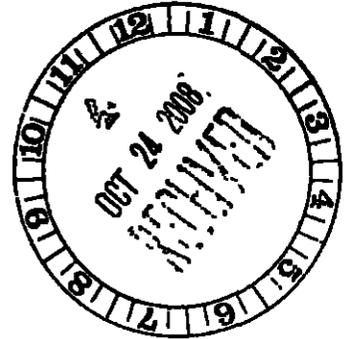
SURFACE
TRANSPORTATION BOARD

OCT 21 2008

CSX CORPORATION
Corporate Secretary Office

October 17, 2008

Secretary Vernon A Williams
Surface Transportation Board
Mercury Building
1925 K Street, N W #100
Washington, DC 20423-0001
202-565-1674 - Tele



Re Docket No AB-55 (Sub-No 688X) CSX Transportation, Inc - Abandonment
Exemption - in Marion County, IN

Dear Secretary Williams

Enclosed please find the original and ten duplicates of this request for NITU and
Railbanking in the above referenced proceeding, and the filing fee of \$200

Also, please find one additional duplicate which I ask be date stamped and returned in
the self-stamped self-addressed envelope

Thank you,

Richard Vonnegut

Richard Vonnegut,

FILED

OCT 24 2008

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TRANSPORTATION BOARD

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Office of Proceedings
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Secretary Vernon A Williams
Surface Transportation Board
Mercury Building
1925 K Street, N W #100
Washington, DC 20423-0001
202-565-1674 - TeleRe Docket No AB-55 (Sub-No 688X) CSX Transportation, Inc - Abandonment
Exemption - in Marion County, IN

Dear Secretary Williams

This request is filed on behalf of Indiana Trails Fund, Inc , which is a private/public interest organization interested in the conservation of railroad right-of-ways for both rail reuse and for such non-motor transportation as walking ITF is hereinafter referred to as "proponent "

Proponent requests issuance of a Public Use Condition as well as an Interim Trail Use Condition rather than an outright abandonment authorization between Milepost Q1A 1 11 (English Avenue) to the end of the track at Milepost Q1A 0 1, a distance of 1 01 miles known as the Arlington Industrial Track, Indianapolis, Marion County, Indiana (the "Line")

A. Request For Public Use Condition

Proponent asks 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 for public use on reasonable terms Justification for this condition is the corridor would make an excellent recreational trail and conversion of the property to trail use is in accordance with local plans In addition, the corridor provides open space and its preservation as a recreational trail is consistent with those purposes The time period sought is 180 days from the effective date of the abandonment authorization Proponent needs this much time to begin 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

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B. Request For 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 railbanking under section 8(d) of the National Trails System Act, 16 U S C 1247(d) and 49 CFR 1152.29, Indiana Trails Fund, Inc' 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 and operated by CSX Transportation, Inc.

The property is known as the Arlington Industrial Track of CSX Transportation, Inc from Milepost QIA 1 11 (English Avenue) to the end of the track at Milepost QIA 0 1, a distance of 1 01 miles. The right-of-way is part of a line of railroad proposed for abandonment in STB docket No. AB-55 (Sub-No 688X)

A map depicting the right-of-way is attached

Indiana Trails Fund, Inc 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 both Ms Kathryn R Barney, Esq , and Mr Steven C Armbrust, Esq , both of CSX Transportation, Inc , 500 Water Street, Jacksonville, FL 32202, by U S Mail, postage pre-paid, first class, this 17th day of October, 2008

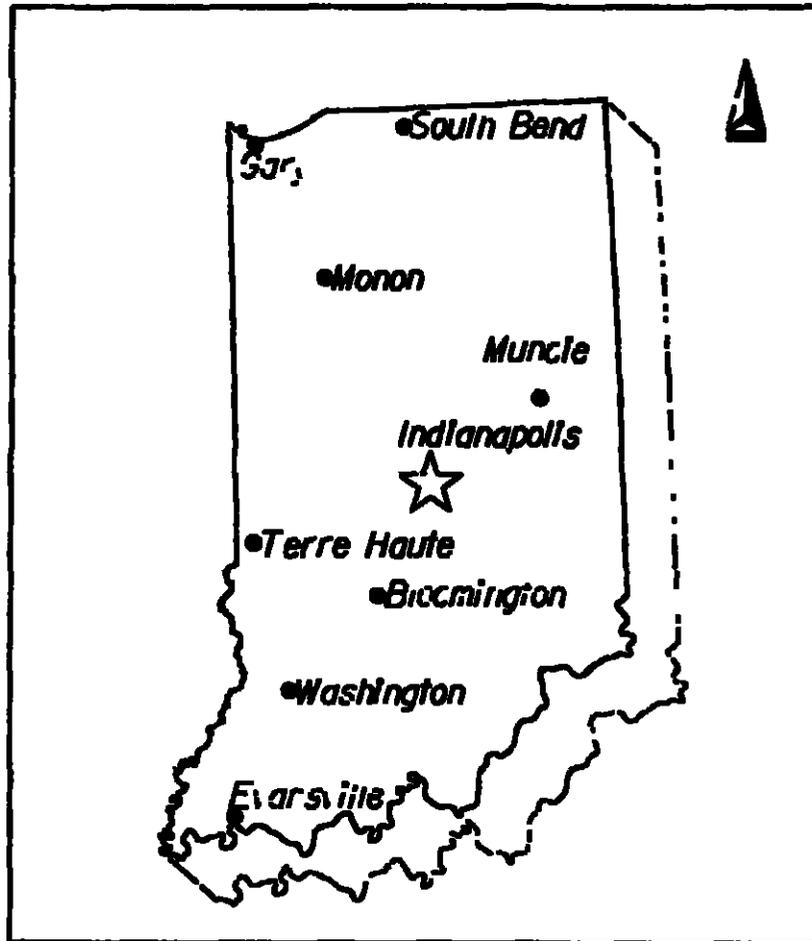
In addition to ten duplicates for STB, I am enclosing one more, for which I request time and date stamp, to be returned in the enclosed envelope. Also enclosed is an application check for \$200 00

Respectfully submitted,



Richard C Vonnegut
On behalf of Indiana Trails Fund, Inc

1 incl
Maps
10 duplicates
\$200 filing fee



AREA MAP

**Proposed Abandonment -
A portion of the Arlington Industrial Track
1.01 Miles (+/-) From Milepost QIA 0.1 - QIM 1.11
STB Docket No. AB55—Sub. No. 688X
Indianapolis, Marion County, Indiana**

