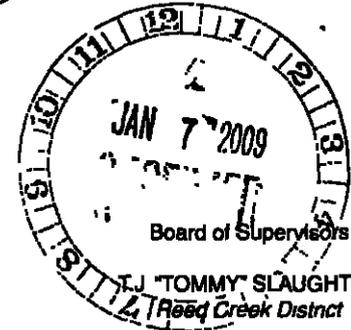


224312

County of Henry

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Deputy County Administrator

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Horsepasture District

JIM MCMILLIAN
Collinsville District

Fax (276) 634-4781

December 30, 2008

The Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

ENTERED
Office of Proceedings

JAN 7 2009

Part of
Public Record

Re: Norfolk Southern Railway Company
Abandonment in Henry County, Virginia
STB Docket Number AB-290 (Sub. No. 304X)

Dear Ms. Quinlan:

This request is filed on behalf of Henry County, Virginia which is a political subdivision of the Commonwealth of Virginia. Henry County has entered into a purchase contract with Norfolk Southern to acquire the right-of-way for interim trail use. The railroad right-of-way in this proceeding is suitable for rail banking and Henry County requests the right-of-way be approved for rail banking.

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, Henry County is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of to the extent authorized by law, and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by Norfolk Southern Railway Company.

The property extends from railroad milepost DW41.60 to railroad milepost DW45.80, a distance of 4.2 miles in Martinsville-Henry County, Virginia. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-290 (Sub.No. 304X).

FILING FEE WAIVED

A map depicting the right-of-way is attached.

Henry County 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 Norfolk Southern Railway Company, Three Commercial Place, Norfolk, Virginia 23510-2191, by U.S. Mail, postage prepaid, first class, on December 30, 2008.

Respectfully submitted,

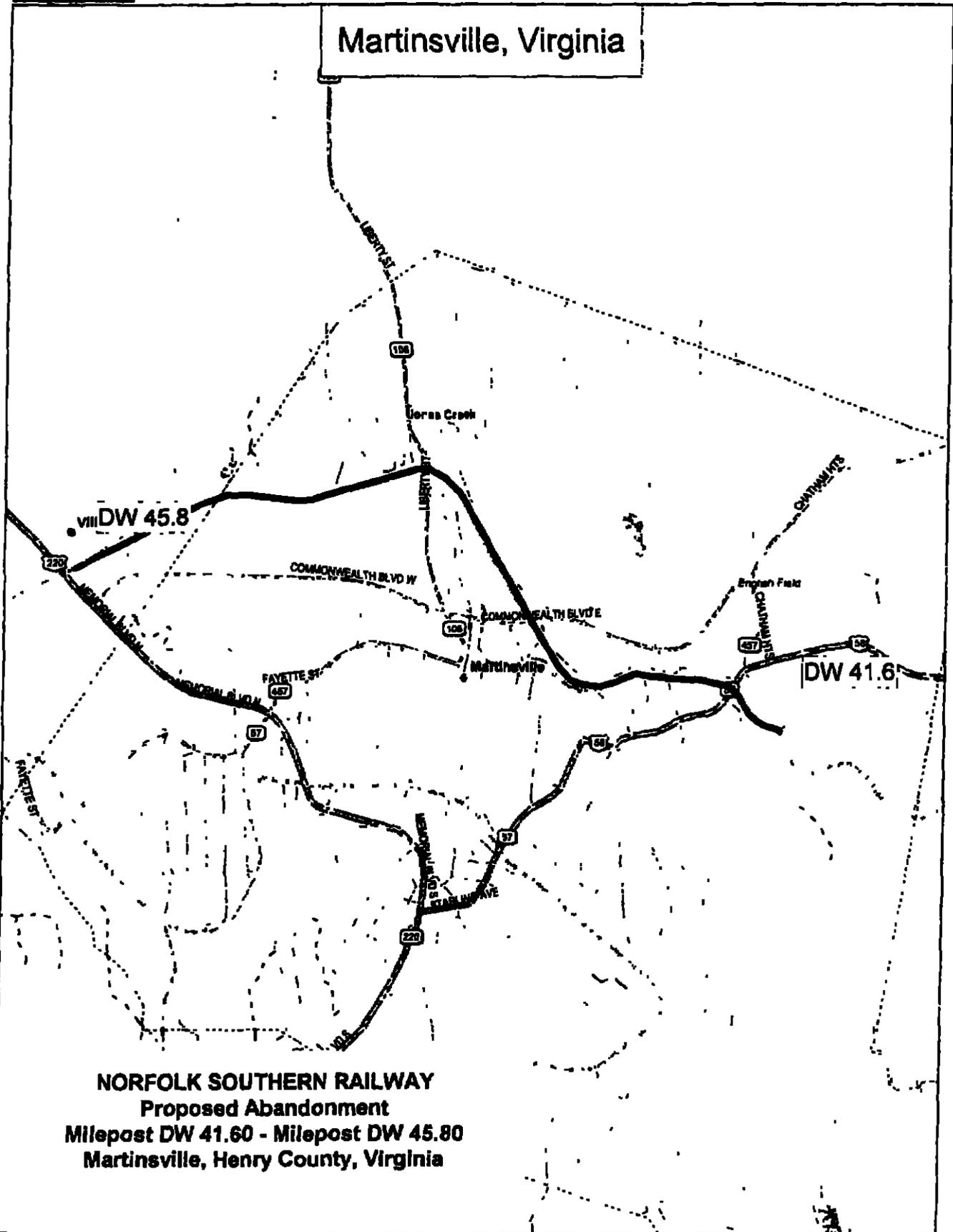


Benny Summerlin
County Administrator
On Behalf of Henry County, Virginia

/sb

Cc: Mr. James R. Paschall
Norfolk Southern Corporation

Martinsville, Virginia



NORFOLK SOUTHERN RAILWAY
Proposed Abandonment
Milepost DW 41.60 - Milepost DW 45.80
Martinsville, Henry County, Virginia