



Norfolk Southern Corporation  
Three Commercial Place  
Norfolk, Virginia 23510-2191

224814

**James R. Paschall**  
**Senior General Attorney**

(757) 629-2759

April 2, 2009

**Via fax – (202) 245-0484**

Honorable Anne K. Quinlan, Secretary  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423

**RE: STB Docket No. AB-290 (Sub-No. 266X), Norfolk Southern Railway Company – Abandonment Exemption – in Marion, McDowell County, North Carolina**

**Dear Ms. Quinlan:**

Norfolk Southern Railway Company (NSR) has not consummated the abandonment of the line that is the subject of this proceeding. The interim trail use negotiation condition in this matter expired on April 1, 2009. NSR continues to negotiate with the City of Marion for an interim trail use agreement with respect to the subject line. NSR consents to the Board's issuance of an extension (to October 1, 2009) of the trail use negotiation condition requested by the City of Marion in its letter to the Board filed April 1, 2009.

NSR requests that the consummation date deadline be extended to 60 days after the expiration date of the extended trail use negotiation period.

ENTERED  
Office of Proceedings

APR - 2 2009

Part of  
Public Record

Sincerely,

James R. Paschall /KPH  
James R. Paschall

cc: **Bob Boyette, City Manager**  
**City of Marion**  
**P. O. Drawer 700**  
**Marion, NC 28752**