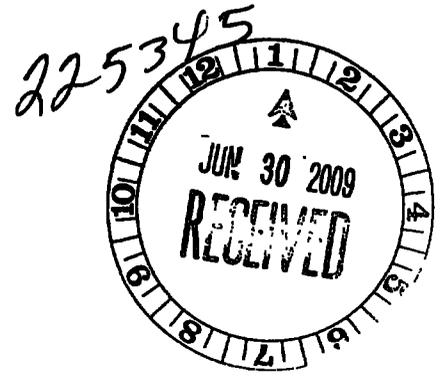
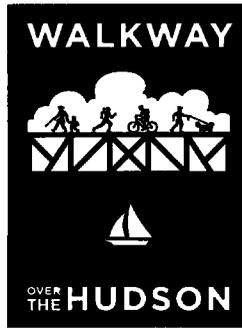


ENTERED
Office of Proceedings
JUL - 8 2009
Part of
Public Record



FILED
JUN 30 2009
SURFACE
TRANSPORTATION BOARD

June 26, 2009

Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

FEE RECEIVED

JUN 30 2009

SURFACE
TRANSPORTATION BOARD

Re: STB Docket No. AB-565 (Sub-No. 17X)
New York Central Lines, LLC—Abandonment Exemption—in Dutchess County,
NY

Dear Secretary:

By decision and notice of interim trail use or abandonment (NITU) served on October 15, 2004 (October 2004 decision), the Board, under 49 U.S.C. 10502, exempted from the prior approval requirements of 49 U.S.C. 10903 the abandonment by New York Central Lines, LLC (NYC), of approximately 4.7 miles of railroad line between milepost QCO 0.0 and milepost QCO 3.2 and between milepost QCK 29.5 and milepost QCK 31.0 (the “Line”), in the City and Town of Poughkeepsie, Dutchess County, NY. In the October 2004 decision, a 180-day period was authorized to permit public use negotiations and to permit Dutchess County (the County) to negotiate an interim trail use/rail banking agreement with NYC for the Line. The negotiating period under the NITU was extended several times, with the latest decision, served on March 23, 2009 (March 2009 decision), extending the NITU negotiating period until September 19, 2009. The March 2009 decision also extended the deadline for CSXT, as successor by merger to NYC, to file a notice of consummation of the abandonment until November 18, 2009.

Poughkeepsie-Highland Bridge Co., Inc., d/b/a Walkway Over the Hudson, a 501(c)(3) non-profit New York corporation (Walkway) owns and controls the former rail corridor and former railroad bridge across the Hudson River, which abuts the western end of the Line. Walkway is in the process of transforming the bridge and its approaches into a linear park and trail with completion scheduled to occur in early October.

Walkway anticipates that CSXT and the County will be unable to consummate an agreement in time to accommodate Walkway’s October opening. As such, Walkway

requests the issuance of an Interim Trail Use Condition, concurrent with the County's, over that portion of the Line between milepost QCK-29.5 and QCK-30.0. A map depicting the right-of-way is attached.

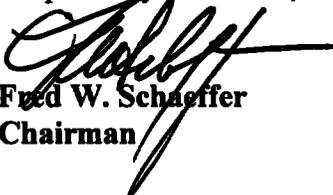
In order to establish interim trail use and railbanking under 16 U.S.C. §1247(d), and 49 CFR §1152.29, Walkway is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of, and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by and operated by CSX Transportation, Inc. The property extends from railroad milepost QCK-29.5 to railroad milepost QCK 30.0, both near Poughkeepsie, a distance of 0.5 miles in Dutchess County, NY. The right-of-way is part of a line of railroad proposed for abandonment in Docket No. STB AB-565 (Sub-No. 17X).

Walkway 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 CSX Transportation, Inc., by U.S. Mail.

Walkway is filing an original and 10 copies of this letter. A check for the filing fee of \$250.00 is enclosed.

Respectfully submitted,



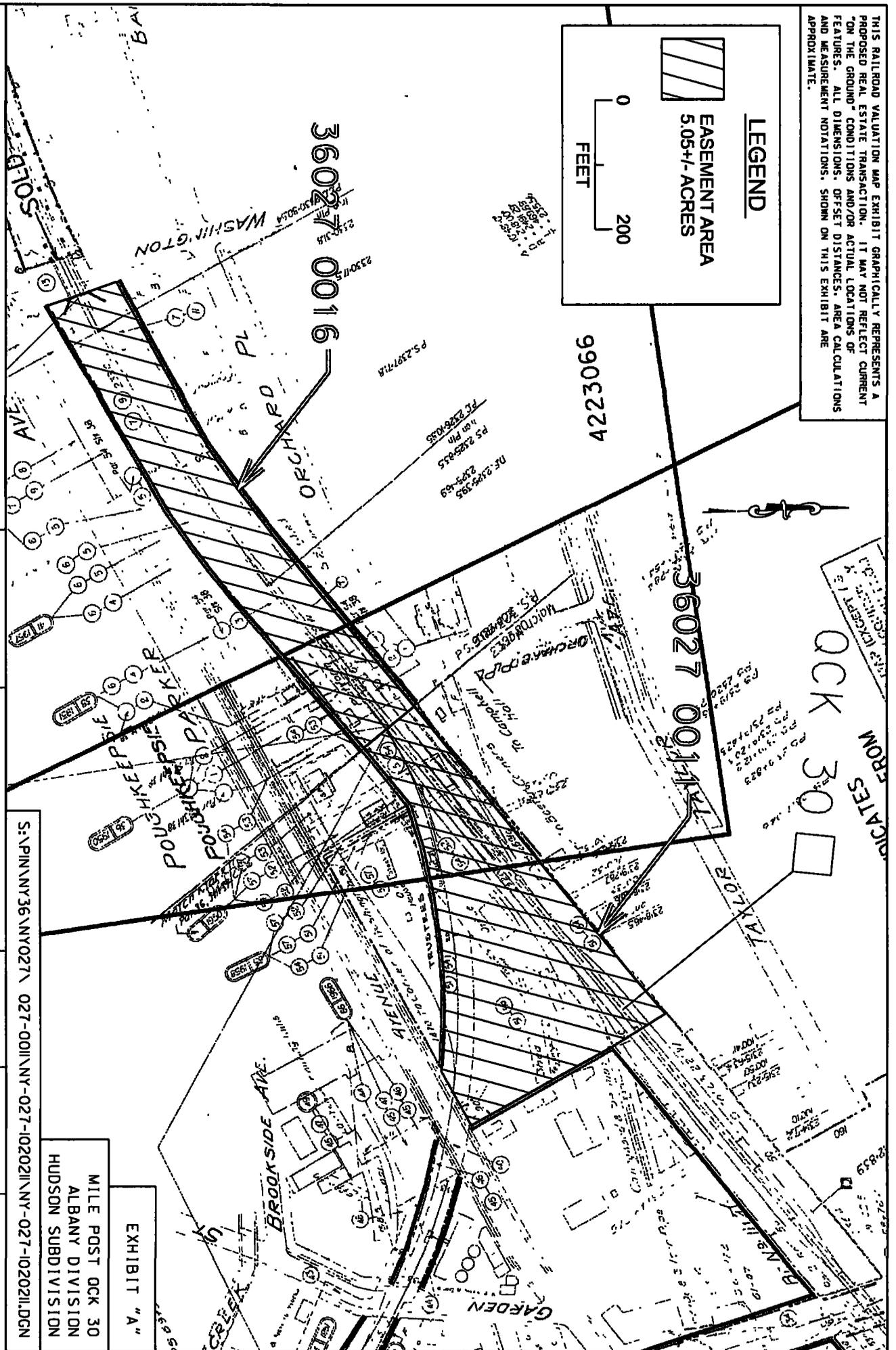
Fred W. Schaeffer
Chairman

THIS RAILROAD VALUATION MAP EXHIBIT GRAPHICALLY REPRESENTS A PROPOSED REAL ESTATE TRANSACTION. IT MAY NOT REFLECT CURRENT "ON THE GROUND" CONDITIONS AND/OR ACTUAL LOCATIONS OF FEATURES. ALL DIMENSIONS, OFFSET DISTANCES, AREA CALCULATIONS AND MEASUREMENT NOTATIONS, SHOWN ON THIS EXHIBIT ARE APPROXIMATE.

LEGEND

 EASEMENT AREA
5.05+/- ACRES

0 200
FEET



CSX TRANSPORTATION, INC.
 NY-027-1020211
 TEMPORARY CONSTRUCTION EASEMENT
 DUTCHESS COUNTY, NY

DATE: 06-24-09
 SCALE: 1"=200'
 DRAWN BY: CLP
 REVISED:

CITY: Poughkeepsie
 STATE: NY

VAL. SECT.: GIS NUMBERS:
 V8083 72364
 MAP NO.: 72363

S:\PIN\NY36\NY027\ 027-0011\NY-027-1020211\NY-027-1020211.DGN

EXHIBIT "A"
 MILE POST OCK 30
 ALBANY DIVISION
 HUDSON SUBDIVISION

FROM
 OCK 30
 DATES