

BREWER, DEATON & BOWMAN, PLLC

NORMAN C. BREWER, JR.
(1913-1979)

««««««»»»»»»

CHARLES M. DEATON
BILLY B. BOWMAN
N. CRAIG BREWER, III

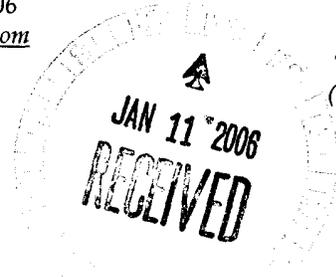
ATTORNEYS AT LAW
107 WEST MARKET STREET
POST OFFICE DRAWER B
GREENWOOD, MISSISSIPPI 38935-0706
Email Address: brewerdeabow@microsped.com

TELEPHONE
(662) 453-3445

TELECOPIER
(662) 453-3450

215532

January 10, 2006



Honorable Vernon A. Williams, Secretary
Surface Transportation Board
Mercury Building #711
1925 K Street, NW
Washington, D.C. 20423-0001

ENTERED
Office of Proceedings

Re: STB Docket No. AB 297 (Sub-No. 102X)

Part of
Public Record

Dear Mr. Williams:

Enclosed for filing in the above referenced matter is the original and ten copies of the request of the City of Greenwood, Leflore County, Mississippi, for authority for the late filing of an interim trail use and request for interim trail use in the above referenced procedure.

We have included a self-addressed stamped envelope for your use in returning a copy of this application to me, which includes the STB filing information.

Thank you for your assistance in this matter.

Very truly yours,

Brewer, Deaton & Bowman, PLLC



Billy B. Bowman
Attorney for the City of Greenwood

BBB/kdr

Enclosures

Mr. Williams
Page 2
January 10, 2006

cc: H. Lynn Gibson
Columbus and Greenville Railway Company
201 19th Street North
Post Office Box 6000
Columbus, MS 39703

Wandaleen Poynter Cole
STB Counsel
Columbus and Greenville Railway Company
201 19th Street North
Columbus, MS 39703

By facsimile
Surface Transportation Board
1-202-565-9004

ENTERED
Office of Proceedings

JAN 11 2006

RECEIVED

BEFORE THE
SURFACE TRANSPORTATION BOARD

COLUMBUS AND GREENVILLE RAILWAY COMPANY
NOTICE OF ABANDONMENT EXEMPTION
CITY OF GREENWOOD,
LEFLORE COUNTY, MISSISSIPPI

DOCKET NO. AB 297 (Sub-No. 102X)

REQUEST OF THE CITY OF GREENWOOD,
LEFLORE COUNTY, MISSISSIPPI
FOR AUTHORIZATION FOR THE LATE FILING OF AN
INTERIM TRAIL USE REQUEST
AND REQUEST FOR INTERIM TRAIL USE

Billy B. Bowman
Attorney, City of Greenwood
Brewer, Deaton and Bowman, PLLC
107 West Market Street
Greenwood, MS 38930
Dated January 10, 2006

BEFORE THE
SURFACE TRANSPORTATION BOARD

JAN 11 2006
RECEIVED

DOCKET NO. AB 297 (Sub-No. 102X)

COLUMBUS AND GREENVILLE RAILWAY COMPANY
NOTICE OF ABANDONMENT EXEMPTION
CITY OF GREENWOOD,
LEFLORE COUNTY, MISSISSIPPI

REQUEST OF THE CITY OF GREENWOOD,
LEFLORE COUNTY, MISSISSIPPI
FOR AUTHORIZATION FOR THE LATE FILING OF AN INTERIM TRAIL USE REQUEST
AND REQUEST FOR INTERIM TRAIL USE

The Columbus and Greenville Railway Company ("C&G"), a common carrier by railroad subject to U.S.C. Subtitle IV, chapter 105, had previously notified the Board, pursuant to 49 U.S.C. §10502, of an exemption from the prior approval requirements of 49 U.S.C. §10903 to abandon the line of railroad between Milepost 112.67 to Milepost 113.87, a distance of 1.18 miles, all within the City of Greenwood, County of Leflore, Mississippi, all in postal zip code 38930. The City of Greenwood, Mississippi on December 5, 2005, filed in this proceeding their request for issuance of a public use condition under 49 U.S.C. §10905.

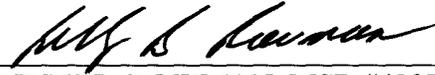
The City of Greenwood by this petition is requesting authority from the board for authorizing the late filing of a request for interim trail use on the section of track to be abandoned identified above. This request for interim trail use is necessary so that this procedure will not be treated as an abandonment of the use of the right of way for railroad purposes, triggering a reverter clause in the original deed granting use of the property for railroad purposes.

REQUEST FOR NOTICE OF INTERIM TRAIL USE
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 C.F.R. 1152-29, the City of Greenwood, a municipal corporation in Leflore County, Mississippi, is willing to assume full responsibility for management of, and to indemnify the C&G Railway against any potential liability arising out of the transfer or use of the railroad right of way, and for the payment of any and all taxes that may be levied or assessed against the right of way owned and operated by the Columbus & Greenville Railway Company. The property for which the interim trail use is requested extends from railroad milepost number 112.67 and ends at railroad milepost number 113.86, a distance of 1.18 miles in the City of Greenwood, Leflore County, Mississippi. The right of way is part of a line of railway proposed for abandonment in STB Docket No. AB 297 (Sub-No. 102X). A map of the property depicting the right of way is attached. The City of Greenwood 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.

In accordance with the requirements of 49 C.F.R. §1152.29, a copy of this statement is being served on this date on the Columbus & Greenville Railway Company both by fax and by United States mail.

Respectively submitted this the 10th day of January, 2006.



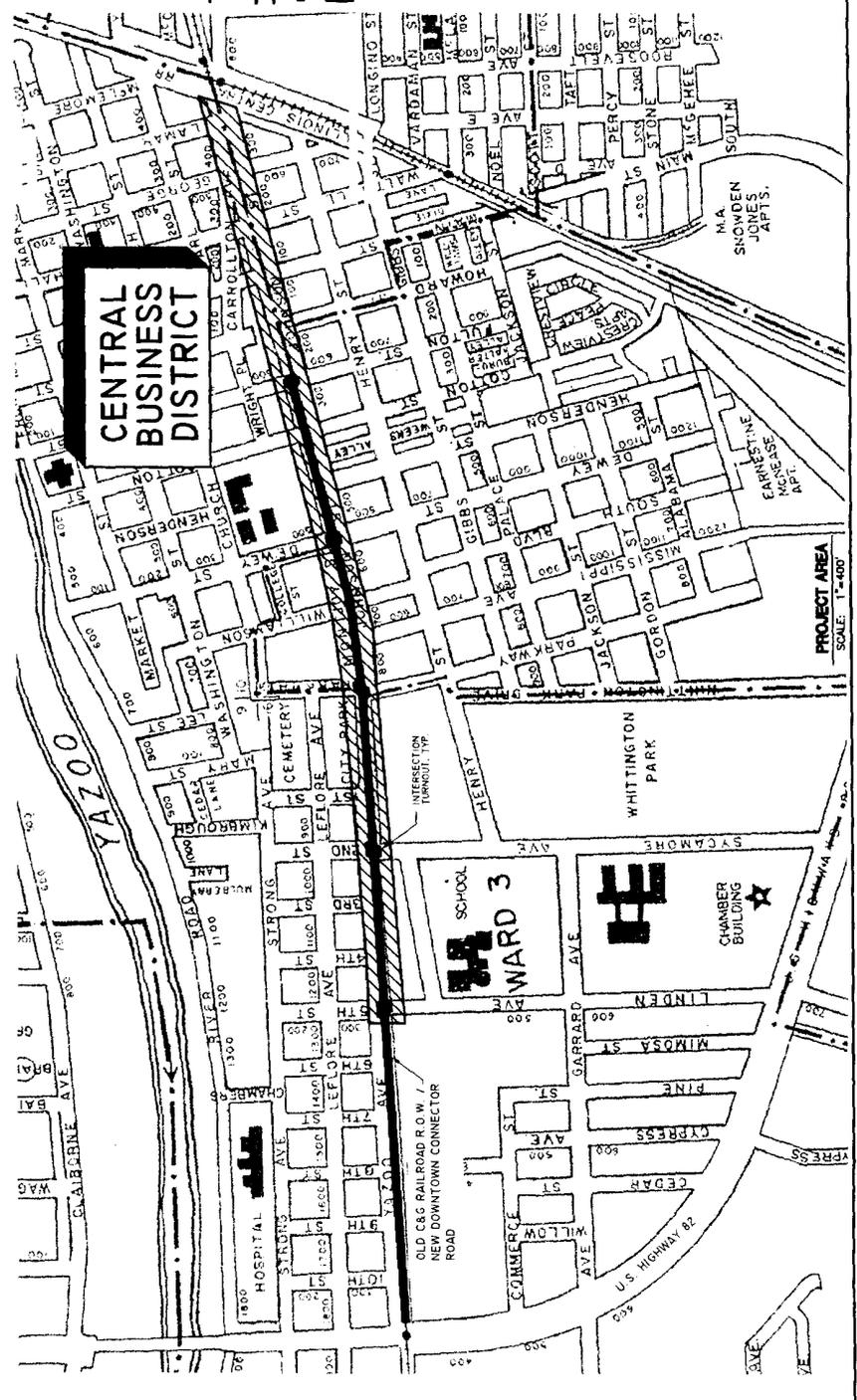
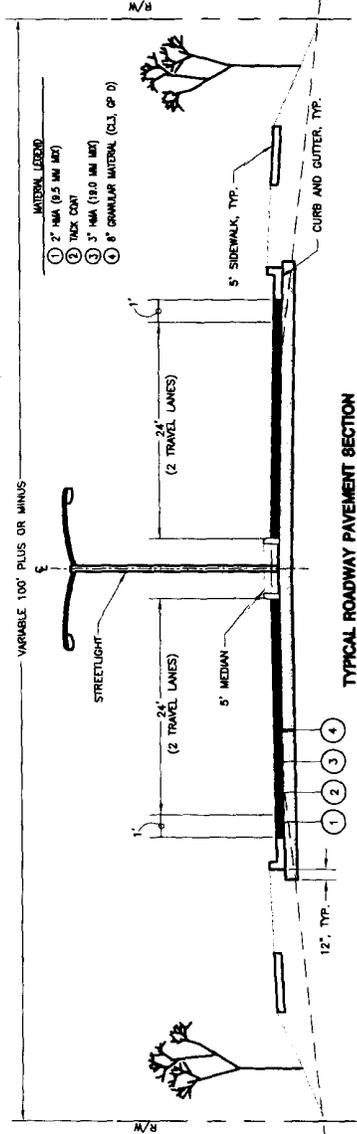
BILLY B. BOWMAN, MSB #4207
ATTORNEY, CITY OF GREENWOOD

Brewer, Deaton and Bowman, PLLC
107 W. Market Street
Post Office Drawer B
Greenwood, MS 38930
662-453-3445

CITY OF GREENWOOD



PROJECT AREA



CITY OF GREENWOOD
82-DOWNTOWN CONNECTOR ROAD
TYPICAL ROADWAY SECTION PLAN

DATE	BY	REVISION

PROJECT NUMBER: 1

GREENWOOD, MS
DESIGNED: TULLOCH
DRAWN: TULLOCH
CHECKED: TULLOCH
DATE: 10/20/2011

CERTIFICATE OF SERVICE

I hereby certify that I on this the 10th day of January, 2006, served a copy of this Request of the City of Greenwood, Leflore County, Mississippi, for Authorization for the Late Filing of an Interim Trail Use Request and Request for Interim Use upon the following persons, service indicated below:

Facsimile and Overnight Mail:

H. Lynn Gibson
Columbus & Greenville Railway Co.
Post Office Box 6000
Columbus, MS 39703
662-392-7729

Facsimile and Express Mail:

Wandaleen Poynter Cole
STB Counsel
Columbus & Greenville Railway Co.
201 19th Street North
Columbus, MS 39703
410-467-2936



BILLY B. BOWMAN
MSB #4207