

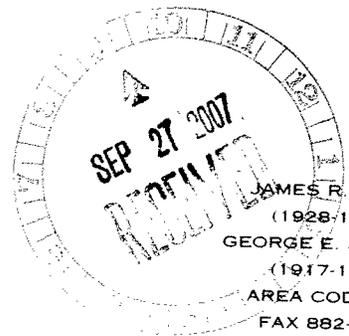
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September 26, 2007

OVERNIGHT DELIVERY
VIA FEDERAL EXPRESS



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The Honorable Vernon Williams
Surface Transportation Board
395 E. Street, Room 100
Washington, DC 20024

RE: STB Docket No. AB-1000 (Sub-No 1X), Georgia Southwestern Railroad, Inc. - Abandonment Exemption - in Harris and Meriwether Counties, Georgia

Dear Secretary Williams:

Attached for filing are the original and ten copies of a Petition for Interim Trail Use pursuant to 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29. Also attached is a check for the \$200.00 filing fee. However, pursuant to 49 C.F.R. § 1002.2(e), Harris County, a local government entity, requests that said filing fee be waived and refunded.

I am also enclosing an extra copy of the Petition. Please time and date stamp the same and return it in the enclosed self-addressed, stamped envelope.

If you have any questions, please let me know.

Very truly yours,

LEWIS, TAYLOR & TODD, P.C.

John M. Taylor

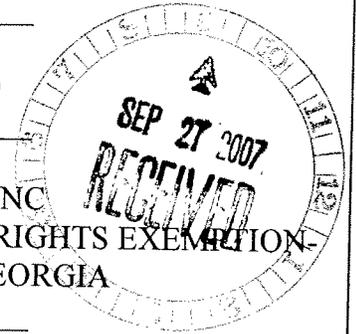
JMT/bcs
Enclosures
cc: Daniel B. Bridges (W/enc.)
Carol Silva (W/enc.)
Karl Morell (W/enc.)
Harry Lange (W/enc.)

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BEFORE THE
SURFACE TRANSPORTATION BOARD

STB DOCKET NO. AB-1000 (Sub-No. IX)

GEORGIA SOUTHWESTERN RAILROAD, INC
-ABANDONMENT AND DISCONTINUANCE OF TRACKAGE RIGHTS EXEMPTION-
IN HARRIS AND MERIWETHER COUNTIES, GEORGIA



PETITION FOR INTERIM TRAIL USE

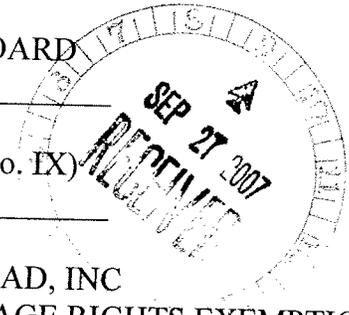
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Attorney for:
Harris County, Georgia

Dated: September 26, 2007

BEFORE THE
SURFACE TRANSPORTATION BOARD

STB DOCKET NO. AB-1000 (Sub-No. IX)



GEORGIA SOUTHWESTERN RAILROAD, INC
-ABANDONMENT AND DISCONTINUANCE OF TRackage RIGHTS EXEMPTION-
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PETITION FOR INTERIM TRAIL USE

Harris County, Georgia, a local government entity of the State of Georgia, hereinafter referred to as "Proponent," is interested in acquiring the right-of-way in Harris County and Meriwether County, Georgia proposed for exemption from abandonment in STB Docket No. AB-1000 (Sub-No. 1X) for interim trail use and rail banking under the National Trails System Act, 16 U.S.C. § 1247(d), and 49 C.F.R. § 1152.29.

Proponent is collaborating with other local governmental institutions and private-sector interests to structure the acquisition of the abandoned right-of-way, to finance said acquisition, and to arrange for future management of a trail system over the abandoned right-of-way. The collaboration is not complete as of the time of filing. This filing and any commitment made by Proponent herein are contingent upon the completion of an agreement among the local public and private entities to accomplish the foregoing.

Subject to the foregoing contingencies, and pursuant to 49 C.F.R. § 1152.29, Proponent requests issuance of an Interim Trail Use Condition rather than an outright abandonment authorization of the Georgia Southwestern Railroad line found between milepost

R-12.0, at Florida Rock, and milepost R-55.0, at Allie, in Harris and Meriwether Counties, Georgia, hereinafter referred to as "the Line." Proponent further requests issuance of a Public Use Condition.

A. Request for Interim Trail Use

The railroad right-of-way in this proceeding is suitable for rail banking. In addition to the public use conditions sought below, Proponent also makes the following request:

**STATEMENT OF WILLINGNESS TO ASSUME
FINANCIAL RESPONSIBILITY**

1. 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 CFR § 1152.29, Proponent Harris County, Georgia is willing to assume full responsibility to manage the right-of-way to be abandoned, to indemnify Georgia Southwestern Railroad, its successors or assigns, for any legal liability arising out of the transfer or use of the right-of-way to be abandoned, and to pay any and all taxes that may be levied or assessed against the right-of-way now owned by Georgia Southwestern Railroad, its successors or assigns, and acquired by Proponent.

2. The right of way to be abandoned extends from milepost R-12.0, near Florida Rock to milepost R-55.0, near Allie, a distance of forty-three (43) miles in Harris and Meriwether Counties, Georgia. The right-of-way is a line of railroad proposed for abandonment in STB Docket No. AB-1000 (Sub-No 1X). A map depicting the right-of-way is attached.

3. The Proponent 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. A copy of this statement is being served on Georgia Southwestern Railroad on the same date it is being served on the Board.

B. 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:

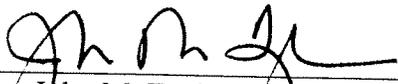
1. An order prohibiting the carrier from disposing of the corridor, other than the tracks, ties, and signal equipment, except for public use on reasonable terms. Justifications for this condition include that the rail corridor extends through areas of Meriwether and Harris Counties that are of scenic and historic value and that the dedication of a trail for the enjoyment of such areas is consistent with Proponent's land use and development plans. The time period sought is 180 days from the effective date of the abandonment authorization. Proponent expects to use such time to assemble a consortium of interested parties and to pursue negotiations with representatives for Georgia Southwestern Railroad.

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.

A filing fee of \$200.00 is enclosed with this Petition. Proponent is a local government entity and pursuant to 49 C.F.R. § 1002.2(e) hereby requests a waiver of said filing fee and prays that it be refunded to Proponent.

By my signature below, I certify service upon Georgia Southwestern Railroad through its counsel Karl Morell at 1455 F. Street, NW, Suite 225, Washington, D.C. 20005, by U.S. Mail, first class, with sufficient postage affixed thereto, this 26th day of September, 2007.

Respectfully submitted,

BY: 

John M. Taylor
Attorney for Harris County, Georgia

