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Friends of the Fred Meijer Heartland Trail  
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October 2, 2008

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Office of Proceedings

OCT 8 - 2008

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Public Record

Honorable Anne K. Quinlan  
Acting Secretary  
Surface Transportation Board  
395 E Street, S W  
Washington, D C 20423

RE Docket No AB-364 (Sub-No 12X), *Mid-Michigan Railroad, Inc -  
Abandonment Exemption-in Kent and Ionia Counties, MI*

Dear Acting Secretary Quinlan

On January 22, 2008, the West Michigan Trails and Greenways Coalition ("WMTGC") requested a notice of interim trail use/rail banking for approximately a 15.83-mile rail line (the Line) between milepost 137.83, southeast of Lowell, and milepost 122.00, east of Prairie Center, the end of the Line, in Kent and Ionia Counties, MI (the "Line"), in the above-entitled proceeding. By decision served April 4, 2008, the Surface Transportation Board granted the request.

The current negotiating period expired on October 1, 2008. WMTGC has been unable to finalize negotiations with the Mid-Michigan Railroad, Inc ("MMRR"). The Friends of the Fred Meijer Trail ("FFMT") desires to continue to negotiate for interim trail use/rail banking with MMRR for the Line in place of WMTGC. Attached is a Statement of Willingness to Assume Financial Responsibility from FFMT. MMRR has not consummated the abandonment. Therefore, FFMT respectfully requests the Board to grant a 180-day extension of time to March 29, 2009 to negotiate trail use with MMRR. Additionally, FFMT respectfully requests an extension of the date for MMRR to consummate the abandonment to May 18, 2009. Enclosed is a check for the filing fee of \$450.

An original and 10 copies of this letter are being filed. Please time and date stamp the additional copy of this letter and return it in the enclosed stamped envelope. Thank you for your assistance.

If you have any questions please call or email me

Sincerely yours,  
*Franz J Mogdis*  
Franz J Mogdis, Chairman  
Friends of the Fred Meijer Heartland Trail  
fmogdis@maisd.com

Cc Mid-Michigan Railroad, Inc

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**Docket No AB-364 (Sub-No 12X)**

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**MID-MICHIGAN RAILROAD, INC –ABANDONMENT EXEMPTION–  
IN KENT AND IONIA COUNTIES, MI**

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**STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY**

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In order to establish interim trail use and rail banking under 16 U S C §1247(d) and 49 CFR §1152 29, Friends of the Fred Mejer Trail ("FFMT") 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 and operated by Mid-Michigan Railroad, Inc ("MMRR"). The property, known as Lowell to Ionia Line, extends from railroad milepost 137 83 near Lowell, to railroad milepost 122 00, near Ionia, a distance of 15 83 miles in Kent and Ionia Counties, MI The right-of-way is part of a line of railroad proposed for abandonment in Docket No STB AB-364 (Sub-No 12X)

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

FFMT 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 the MMRR on the same date it is being served on the Board

Respectfully submitted,



Franz J Mogdis, Chairman  
Friends of the Fred Mejer Heartland Trail

