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December 31, 2009

FILING FEE WAIVED

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

RE: The Indiana Rail Road Company--Abandonment
Exemption-In Martin and Lawrence Counties,
Indiana, Docket #AB_295_7_X

Dear Secretary:

This request is filed on behalf of the City of Bedford, Indiana, which is a municipal corporation, and Greenways Foundation, Inc., which is a non-profit conservation group, both of which are hereinafter referred to as the "proponents". While not taking a position on the merits of this abandonment, the proponents request issuance of a Public Use Condition, as well as a Certificate of Notice of Interim Trail Use rather than an outright abandonment authorization between Milepost 241.35 and Mile Post 262.50, a distance of 21.15 miles, also including the Bedford Industrial Track branching from the Crane-Bedford Line at approximate milepost 262.40 and proceeding from the Crane-Bedford Line in an open counter-clockwise loop (east-north-west-south) for approximately 1.65 miles. The combined 22.75 miles of railroad right-of-way are hereinafter referred to as the "right-of-way".

A. Public Use Condition.

Proponents request the STB to find that this property is suitable for 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, ballast, ties and signal equipment, except of public use on reasonable terms. The corridor would make an excellent recreational trail and conversion of the property to trail use will be a tremendous benefit to the citizens of Martin and Lawrence Counties, including the city of Bedford. The time period sought is 180 days from the effective date of the abandonment authorization. Proponents need this much time because they have not had an opportunity to review title information, or to commence negotiations with the carrier.

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.

B. Interim Trail Use.

The railroad right-of-way in this proceeding is suitable for railbanking. In addition to the public use conditions sought above, Proponents also make the following request:

STATE OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and rail banking under section 8(d) of the National Trails Systems Act, 16 U.S.C. § 1247(d), and 49 C.F.R. § 1152.29, City of Bedford and Greenways Foundation, Inc. are willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is

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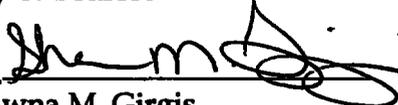
immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned and operated by The Indiana Railroad Company.

The City of Bedford and Greenways Foundation, Inc. acknowledge 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.

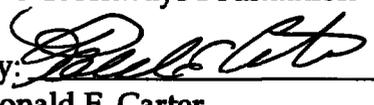
By signature below, we certify service upon The Indiana Railroad Company, c/o John H. Broadley & Associates, P.C., 1054 31st Street NW, Suite 200, Washington, D.C. 20007, by U.S. Mail, postage prepaid, first class, this _____ day of _____, 20__.

Respectfully submitted,

City of Bedford

By: 
Shawna M. Girgis
Mayor
1102 16th Street
Bedford, IN 47421

The Greenways Foundation

By: 
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