

INDIANA TRAILS FUND, INC.



2010 June 15

Ms Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E. Street, S.W.
Washington, DC 20424

227285

Re: Docket No. AB-117 (Sub No. 7X), Elgin, Joliet & Eastern Railway Company –
Abandonment Exemption – in Hammond, Lake County, Indiana

Dear Ms Brown:

Please accept the following application to railbank the EJE Ry Line in the above referenced docket.

The Indiana Trails Fund wishes to railbank this Line, and hereby requests your assistance to this end.

Thank you.

Richard Vonnegut
President
Indiana Trails Fund
217 West 10th Street #120
PO Box 402
Indianapolis, Indiana 46206-4112
work: 317- 237-9348
cell: 317-440-9069
trails@indianatrails.com

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INDIANA TRAILS FUND, INC.

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PO Box 402 Indianapolis, Indiana 46206-0402

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trails@indianatrails.com



2010 June 15

Secretary
Surface Transportation Board
Washington, DC 20423-0001

Re: Docket No. AB-117 (SubNo. 7X), Elgin, Joliet & Eastern Railway Company –
Abandonment Exemption – in Hammond, Lake County, Indiana

Dear Secretary:

This request is filed on behalf of the Indiana Trails Fund, Inc., which is an Indiana not-for-profit corporation interested in preserving transportation corridors for reuse as, hereinafter referred to as "proponent."

Proponent requests issuance of a Public Use Condition as well as an Interim Trail Use Condition rather than an outright abandonment authorization between MP 46.10 (near Indianapolis Boulevard and 152nd Street) and MP 48.28 (near Hohman Ave. at 149th Street latitude).

A. 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. Justification for this condition is: that the corridor, setting in a mature urban area, will provide a calm refuge and needed walkway and bikeway transportation for people without cars. This route connects a residential area on its eastside with business and industry on the westend. This is similar to the Lake George Trail, also in Hammond. This corridor will also provide some habitat for wildflower and other native plants and animals connecting to and migrating along the way.

The time period sought is 180 days from the effective date of the abandonment authorization. Proponent needs this much time: to assemble, to review title information, to complete a trail plan, and to begin 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.

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B. Request For Interim Trail Use

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

**STATEMENT OF WILLINGNESS TO ASSUME
FINANCIAL RESPONSIBILITY**

In order to establish interim trail use and railbanking under section 8(d) of the National Trails System Act, 16 U.S.C. §1247(d), and 49 CFR §1152.29, is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is 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, which is currently owned by and operated by the EJE RR., and which is proposed to be owned and operated by the Indiana Trails Fund, Inc.

The property, known as the Elgin Joliet, and Eastern Railway, extends from railroad milepost 46.10 (near Indianapolis Ave and 152nd Street) to railroad milepost 48.28 (near Hohman Ave and 149th Street latitude), a distance of 2.18 miles in Lake County, Indiana. The right-of-way is part of a line of the EJE Ry proposed for abandonment in STB Docket No. AB- 117 (Sub-No. 7X).

Two maps depicting the right-of-way are attached: one a state area map; the other a local map.

The Indiana Trails Fund 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 the Elgin Joliet, and Eastern Ry and related parties, as noted below, by Federal Express, this day of 15 June 2010.

Respectfully submitted,

Richard Vonnegut
President

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Included herewith are:

state area map
local area map
filing fee = \$250
ten duplicates

A duplicate missive is being simultaneously dispatched overnight via Federal Express to:

Thomas J. Healey
17641 S. Ashland Avenue
Homewood, IL 60430-1345
(708) 332-4381
ATTORNEY FOR
ELGIN, JOLIET, & EASTERN
RAILWAY COMPANY

AB2
117
#7X



Lake
County



Indianapolis

Indiana



Hohman
Ave

Hammond, IN

INDPLS
BLVD