

October 27, 2010

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

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Office of Proceedings

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**Subject: Norfolk Southern Railway Company Abandonment in Polk County, Iowa
STB Docket Number AB-290 (Sub-No. 322X)**

Dear Ms. Quinlan,

This request is filed on behalf of the City of Grimes, Iowa which is a municipal corporation of the State of Iowa interested in transportation and/or natural resources, which is hereinafter referred to as 'proponent'.

While not taking a position on the merits of this abandonment, proponent requests issuance of a Public Use Condition as well as a Certificate or Notice of Interim Trail Use rather than an outright abandonment authorization between northern most point and southern most point.

A. Public Use Condition

Proponent requests 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 of public use on reasonable terms. The justification for this condition is that the rail corridor in question is in the heart of a historic area of the City of Grimes commonly referenced as the "Governors District." This area has been identified as an area of significant historic and cultural importance and redevelopment plans for the area are underway.

The City of Grimes recently adopted a document entitled "The City of Grimes Comprehensive Plan," which included a substantial emphasis on how the area in question should be used, in lieu of a railway corridor. The identified concept called for the creation of a "promenade," which can best be described as a highly enhanced recreational trail that would connect the historic district to parks, existing recreational facilities, residential areas, commercial areas, and other already existing trails. The promenade would include elements such as landscaping, lighting and possibly public art displays.

The time period sought is 180 days from the effective date of the abandonment authorization. Proponent requires this much time in order to finalize plans and determine precisely what portions of the proposed abandonment area would be crucial to the established vision, to assemble and review title information, and commence negotiations with the carrier as appropriate.

2. An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts and tunnels, if any. 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, 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 C.F.R. §1152.29, the City of Grimes 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 owned by Norfolk Southern Railway Company.

The property, extends from railroad Milepost DU 353.00 to railroad Milepost DU 354.70 a distance of 1.7 miles in Polk County, Iowa. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-290 (Sub-No. 322X).

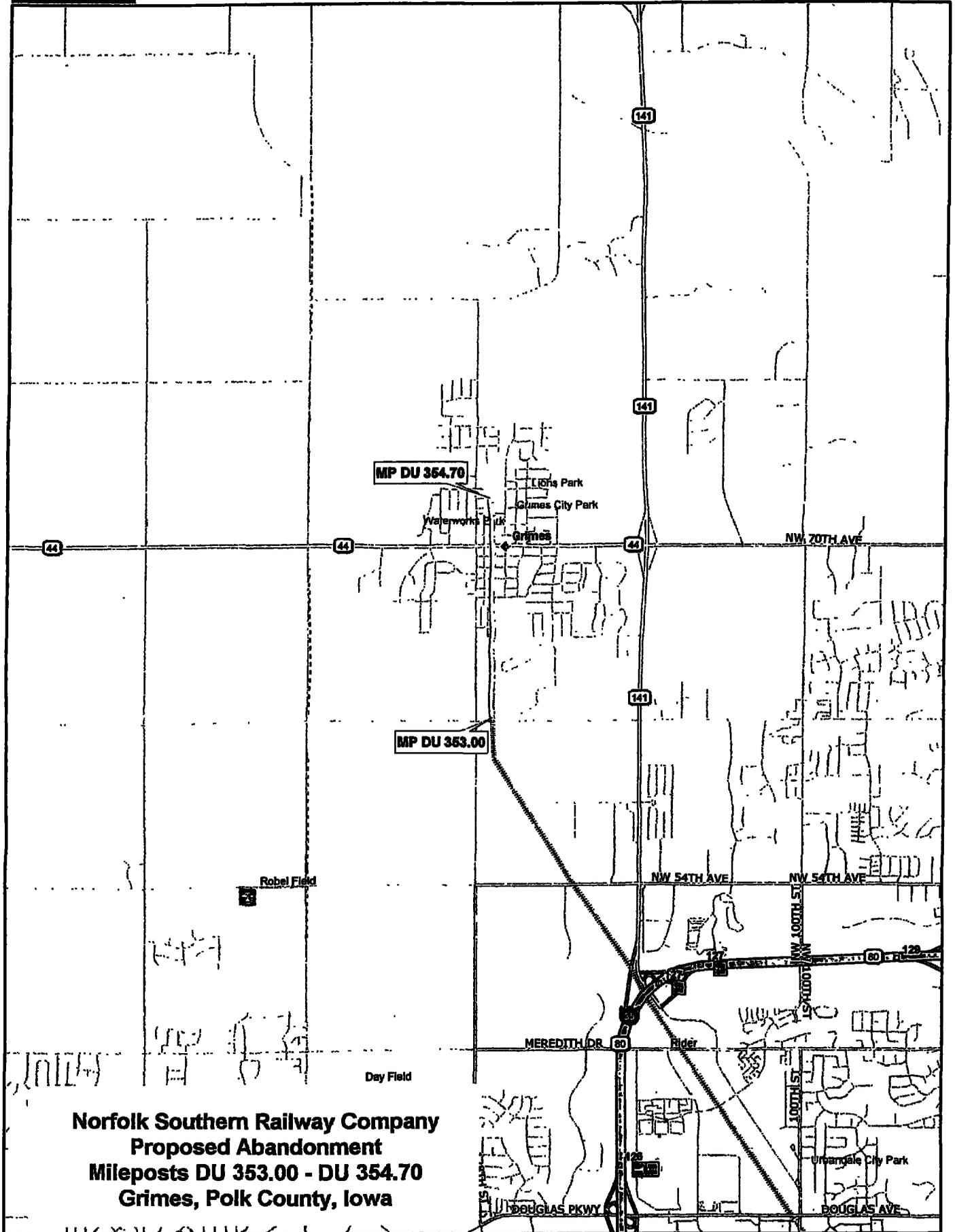
A map depicting the right-of-way is attached.

The City of Grimes 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 Norfolk Southern Railway Company, Attn: Daniel G. Kruger, Attorney, Three Commercial Place, Norfolk, Virginia 23510 and Iowa Interstate Railroad, Ltd., Attn: Lanny M. Van Daele, Corporate Counsel, 5900 6th Street, S.W., Cedar Rapids, Iowa 52404, by U.S. Mail, postage prepaid, first class, on October 27, 2010

Respectfully submitted,


Mayor Thomas Armstrong
City of Grimes, Iowa



**Norfolk Southern Railway Company
 Proposed Abandonment
 Mileposts DU 353.00 - DU 354.70
 Grimes, Polk County, Iowa**

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