

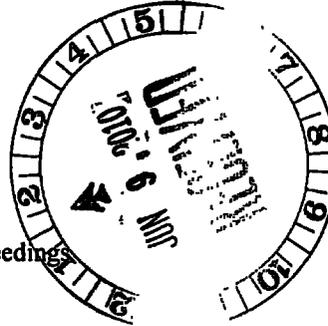
**TERRE HAUTE**  
A LEVEL ABOVE

227260

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Office of Proceedings

JUN 9 2010

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Public Record



June 7, 2010

Cynthia T. Brown  
Chief of the Section of Administration, Office of Proceedings  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423

**CITY OF  
TERRE HAUTE  
DEPARTMENT  
OF ENGINEERING**

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**DUKE A. BENNETT**  
Mayor

**CHARLES W. ENNIS, P.E., S.E.**  
City Engineer  
engineering@terrehaute.in.gov

**RE: Docket No. AB-55 (Sub-No. 701X), CSX Transportation, Inc. – Abandonment Exemption – in Vigo County, Indiana**

Dear Ms Brown:

This letter is filed on behalf of the City of Terre Haute, hereinafter referred to as “proponent”.

Proponent requests issuance of an Interim Trail Use Condition rather than an outright abandonment authorization between Railroad Milepost QST 2.77 (Helen Ave.) and Railroad Milepost QST 3.98 (14<sup>th</sup> ½ Street).

The railroad right-of-way in this proceeding is suitable for railbanking.

In order to establish interim trail use and railbanking under section 8(d) of the National Trail Act, 16 U.S.C. 1247(d), and 49 CFR 1152.29, the City of Terre Haute, subject to final approval of its Board of Public Works, 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 CSX Transportation, Inc. and operated by CSX Transportation, Inc.

The property, known as portion of the Graham Grain Lead, extends from railroad milepost Railroad Milepost QST 2.77 near Helen Ave., a distance of approximately 1.188 miles in Terre Haute, Vigo County, Indiana. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-55 (Sub-No. 701X).

A map depicting the right of way is attached.

The City of Terre Haute acknowledges that use of the right-of-way is subject to approval by its Board of Public Works and 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.

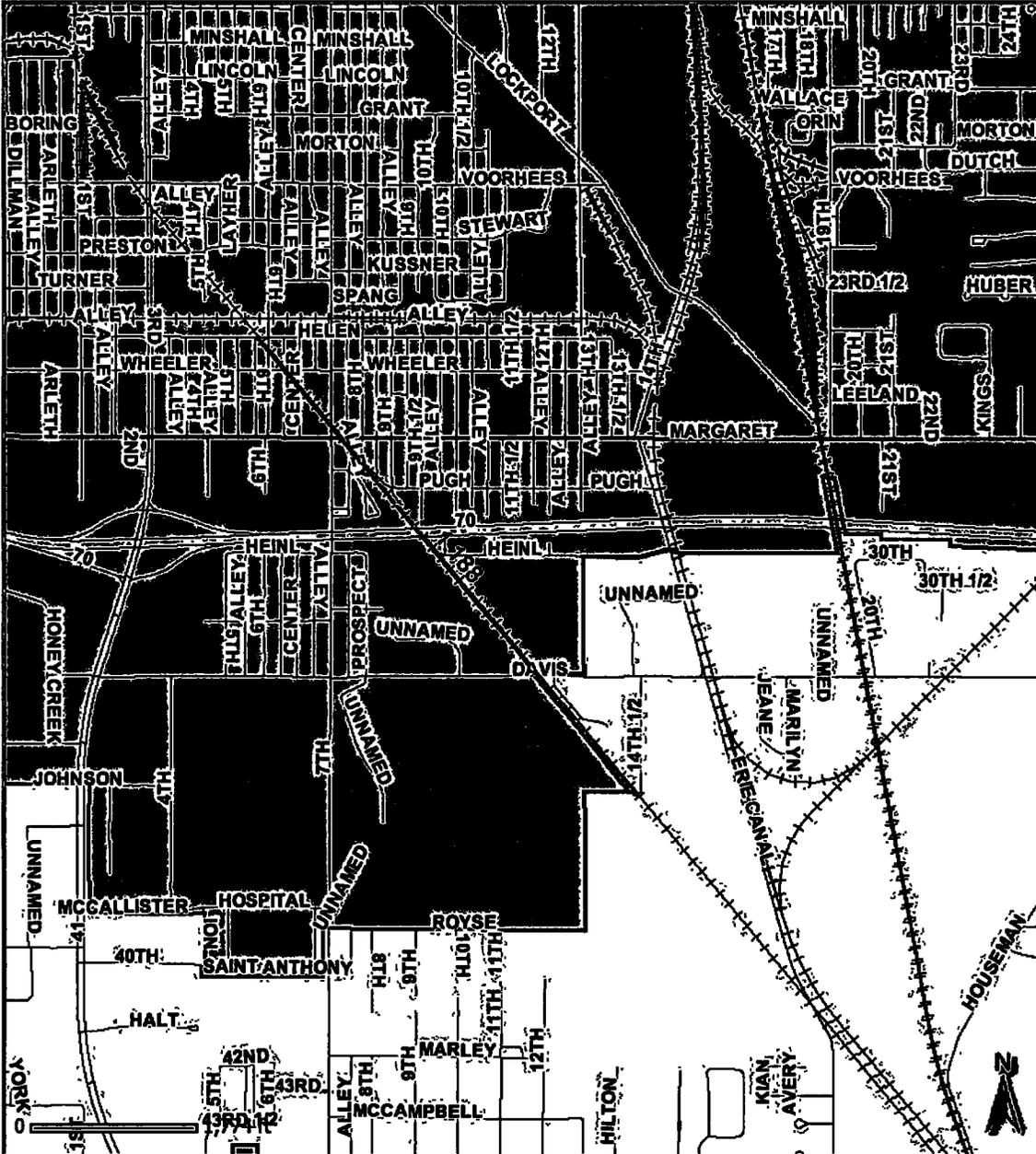
By my signature below, I certify service upon CSX Transportation, Inc. 500 Water Street, Jacksonville, FL 32202, by U.S. Mail, postage prepaid, first class, this 8th day of July, 2010.

Respectfully submitted,

Charles W. Ennis  
City Engineer

**FILED FEE WAIVED**

Date Created: 6/7/2010  
Map Scale: 1 in = 1,774 ft



Overview



Legend

- Railroads
- Road Centerlines
- Political Townships
- Corporate Limits

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