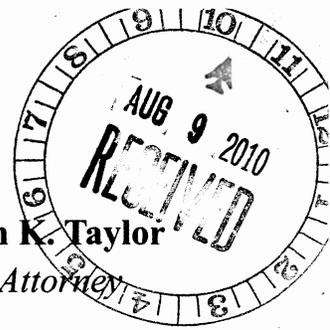




Department of Law
Monroe County, New York

Maggie Brooks
County Executive

William K. Taylor
County Attorney



227599

August 6, 2010

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W., Room 1034
Washington, DC 20024

ENTERED
Office of Proceedings

AUG 09 2010

Part of
Public Record

Re: Finance Docket No. 29762
Monroe County
Notice of Intention to Abandon Rail Line

Dear Ms. Brown:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the Notice of Intention to Abandon Rail Line of Monroe County, pursuant to 49 CFR 1150.24. It is my understanding that there is no filing fee for this matter.

One extra copy of the Notice and this letter are also enclosed. Please time-stamp those items to show receipt of this filing and return them to me in the provided envelope.

Please contact me if you have any questions. Thank you for your assistance.

Respectfully submitted,

John G. Rizzo
Deputy County Attorney
Tel. No.: (585) 753-1397

JGR
Enclosures



Department of Law
Monroe County, New York

Maggie Brooks
County Executive

William K. Taylor
County Attorney



BEFORE THE SURFACE TRANSPORTATION BOARD

Finance Docket No. 29762

COUNTY OF MONROE – STATE OF NEW YORK

NOTICE OF INTENTION TO ABANDON RAIL LINE
(Ontario Secondary Track, Monroe County, New York)

ENTERED
Office of Proceedings

AUG 09 2010

Part of
Public Record

The County of Monroe (“County”), by and through the County Executive, hereby files its notice of intention to abandon 1.8 miles of railroad known as the Ontario Secondary Track (USRA 103/104), which extends from milepost 83.00 in the Town of Webster, County of Monroe, New York, to milepost 84.80 in the Town of Webster, County of Monroe, New York. In support of this notice, the County hereby submits the following information:

A. The Ontario Secondary Track was acquired by the County on or about November 16, 1982, and licensed by the County to Ontario Midland Railroad Corporation (“OMID”) for the purposes of enabling OMID to provide rail service to businesses and municipalities located along the rail line.

B. OMID operated over the Ontario Secondary Track under the license agreement with the County pursuant to a Modified Certificate of Public Convenience and Necessity (“Certificate”) granted by the Interstate Commerce Commission under Service Date December 23, 1981. It was previously operated by OMID as designated operator (D-OP-34).

C. On the 4th day of August, 2010, OMID sent the Surface Transportation Board and the New York State Department of Transportation notice of its intent to terminate service over the

Ontario Secondary Track effective 60 days after such filing, pursuant to 49 CFR 1150.24. A copy of said notice is attached hereto.

D. No persons have used the subject line within 6 months preceding the date of this Notice.

Dated: Rochester, New York
Executed on 6th day of August, 2010

Respectfully submitted,

COUNTY OF MONROE COUNTY

By Maggie Brooks
MAGGIE BROOKS
County Executive
110 County Office Building
39 W. Main Street
Rochester, New York 14614
(585) 753-1000



I, Mary Beth Musto, declare under penalty of perjury that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this pleading.

Executed on 6th day of August, 2010

By Maggie Brooks
County Executive

Mary Beth Musto
Notary Public State of New York
Monroe County
Commission Expires Sept. 25, 20 10

I hereby certify that I have served all parties of record in this proceeding with this document by United States mail.

By Maggie Brooks 6th day of August, 2010
County Executive

BEFORE THE SURFACE TRANSPORTATION BOARD

Finance Docket No. 29762

ONTARIO MIDLAND RAILROAD CORP.

NOTICE OF INTENTION TO TERMINATE SERVICE

(Ontario Secondary track, Monroe County, New York)

Comes now the Ontario Midland Railroad Corp. ("OMID") by and through its undersigned attorney, and files its notice of intention to terminate service pursuant to 49 DFR 1150.24 – Termination of Service, over 1.8 miles of railroad known as the Ontario Secondary Track (USRA 103/104) which extends from milepost 83.00 in the Town of Webster, County of Monroe, New York to milepost 84.80 in the Town of Webster, County of Monroe, New York. In support of this noticed OMID hereby submits the following information:

A. OMID has operated over the Ontario Secondary Track under agreement with the owner of the rights thereto, Monroe County, New York, pursuant to a Modified Certificate of Public Convenience and Necessity ("Certificate") granted by the Interstate Commerce Commission under Service Date December 23, 1981. OMID previously operated as designated operator (D-OP-34).

B. No persons have used the subject line within 6 months preceding the date of this notice.

C. OMID intends to terminate service over that 1.8 miles portion of railroad known as the Ontario Secondary Track effective 60 days after filing this notice with the Surface Transportation Board and the New York State Department of Transportation.

Dated: Rochester, NY

Executed on the 4 day of August, 2010

Respectfully submitted,

ONTARIO MIDLAND RAILROAD CORPORATION

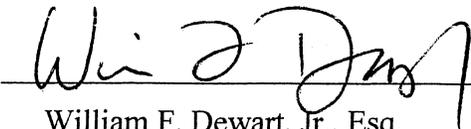
By: _____



William F. Dewart, Jr., Esq.
General Counsel
Branch, Dewart & Wise
45 Exchange Boulevard, Suite 713
Rochester, NY 14614
585-546-8426

I, William F. Dewart, Jr., Esq., declare under penalty of perjury that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this pleading.

Executed on the 4 day of August, 2010

By: 
William F. Dewart, Jr., Esq.

I hereby certify that I have served all parties of record in this proceeding with this document by United States mail.

Executed on the 4 day of August, 2010

By: 
William F. Dewart, Jr., Esq