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November 21, 2024
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ITF (holdings) - KY AVE (AB-55-818X) - RBg (request

Indiana Trails Fund
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2024 November 13

Cynthia T. Brown, Chief
Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423-0001
202-245-0362

Re: Docket No. AB-55 (Sub-No. 818X), CSX Transportation, Inc. - Abandonment
Exemption - in Marion County, IN

Dear Ms. Brown:

This request is filed on behalf of the Indiana Trails Fund, Inc., which is an Indiana not-for-profit corporation for the purpose of protecting and railbank transportation corridors for reuse for economic development by walking, bicycling, and horseback riding, 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 on approximately 1.8 miles of rail line on the Northeast Great Lakes Division, Indianapolis Terminal Subdivision, Craven Industrial Track, between Lat/Long (39.74752, -86.18469) – Lat/Long (39.7294, -86.20626), in Marion County, Indiana.

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.

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Justification for this condition is:

This railroad corridor will provide a bicycling and walking corridor for a transportation link within Marion County and the City of Indianapolis for commuting to and from businesses downtown, including the Lilly Technology Center as well as provide a recreation pathway for residents on the southwest side of Indianapolis.

The Indiana Trails Fund seeks a time period of 180 days from the effective date of the abandonment authorization. Proponent needs this much time 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.

Justification for this condition is:

These structures have considerable value for recreational trail purposes.

Indiana Trails Fund seeks a time period of 180 days from the effective date of the abandonment authorization for the same reason as indicated above.

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: CSX Transportation agrees to this request for Interim Trail Use in order to improve the non-motor transportation facilities and the health of citizens, and, by extensions and connections, improve mobility and transportation throughout Marion County.

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 owned by and operated by the railroad.

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The property, known as the Craven Industrial Track, Indianapolis Terminal Subdivision, between Lat/Long (39.74752, -86.18469) – Lat/Long (39.7294, -86.20626), a distance of 1.8 miles of rail line in Marion County, Indiana. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket N. AB-55 (Sub-No. 818X).

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

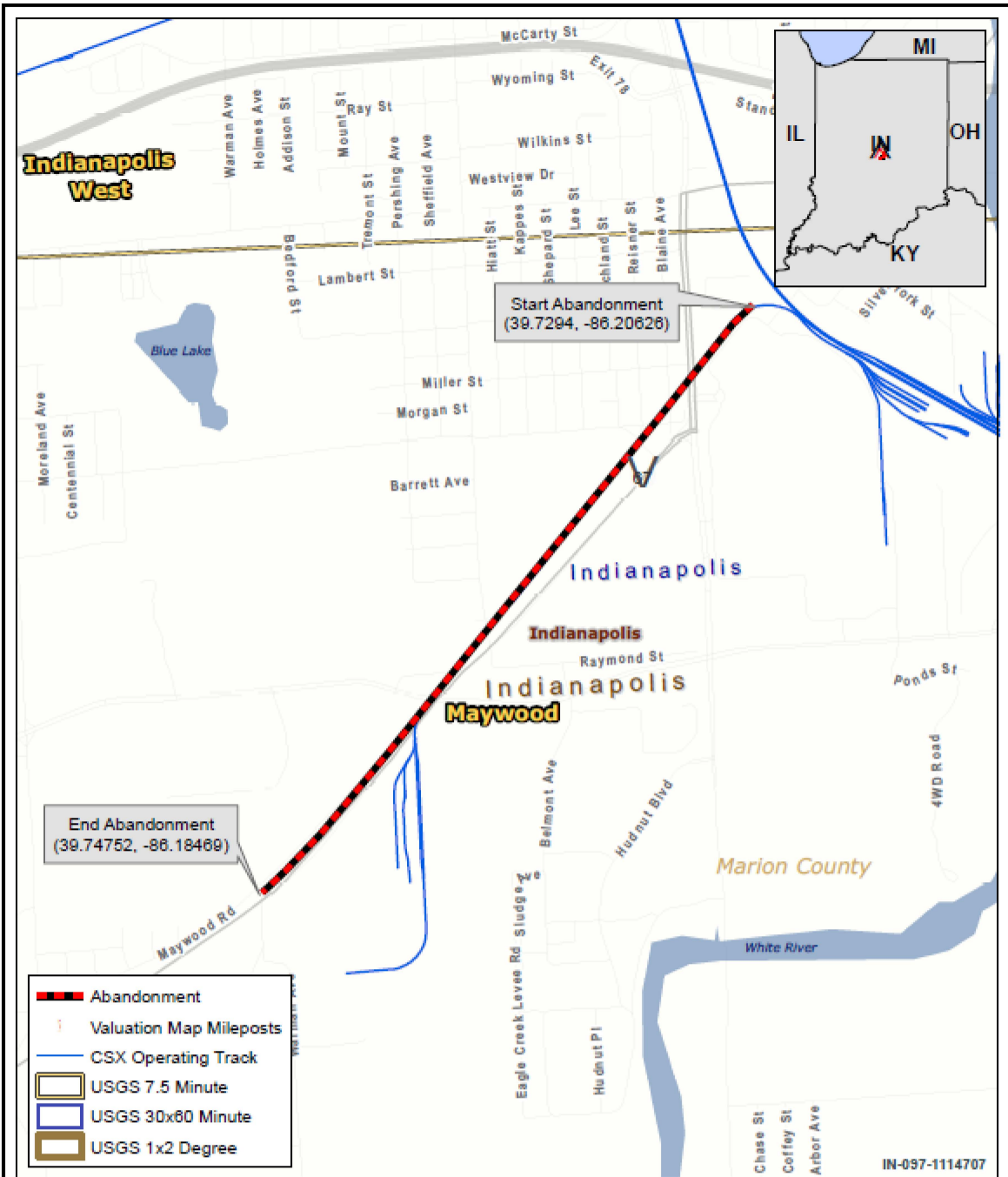
The Indiana Trails Fund, Inc. acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.







By my signature below, I certify service upon CSX Transportation, % Mssr. Louis E. Gitomer, Esq., Attorney, at the Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, Maryland 21204-4022 by email - Lou@lgrailaw.com - on this day of 2024 November 13.

Respectfully submitted,

Richard Vonnegut

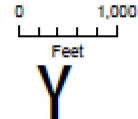
Richard Vonnegut
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Indiana Trails.
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-  Abandonment
-  Valuation Map Mileposts
-  CSX Operating Track
-  USGS 7.5 Minute
-  USGS 30x60 Minute
-  USGS 1x2 Degree



**CSX Transportation, Inc.
Abandonment
Marion County, IN
Indianapolis Terminal Sub**



Total Distance of approx. 1.71 Miles
MW - Avon - Indianapolis Terminal
STB Docket No. AB 55 (Sub-No. 818X)