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THE TRUST for PUBLIC LAND



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RECEIVED

April 15, 2005

Via Overnight Mail

TRANSPORTATION BOARD



Mr. Vernon A. Williams, Secretary  
Surface Transportation Board  
1925 K Street, N. W.  
Washington, D.C. 20423-0001

Re: Request for Interim Trail Use and Statement of Willingness to Assume Financial Responsibility/Railroad Switching Service of Missouri, Inc., Abandonment Exemption in St. Louis County, Missouri  
STB Docket No. AB-792X

Dear Mr. Williams:

Enclosed please find an original and 10 copies of a request for issuance of an Interim Trail Use Condition that is hereby filed by The Trust For Public Land, a nonprofit California public benefit corporation ("TPL"), together with the \$200.00 filing fee.

The railroad right-of-way in this proceeding is suitable for railbanking. In the event TPL purchases the rail corridor, it would do so with the intent to utilize the corridor for bicycle and pedestrian transportation. The location of this rail corridor and its improvements provide a unique at-grade and elevated trail connection between the established and well-used North Riverfront Trail, along the Mississippi River, and underprivileged neighborhoods in the City of St. Louis. The North Riverfront Trail is part of the Confluence Greenway project, a nationally recognized corridor of historic, cultural, recreational and natural resources that extends for 40 miles from downtown St. Louis through the confluence of the Mississippi and Missouri Rivers. Moreover, this rail corridor would potentially allow connection with the McKinley Bridge, which traverses the Mississippi River between Missouri and Illinois, and which is going to be redeveloped with dedicated bicycle lanes in the next two years.

In its efforts to acquire this corridor, TPL is working in conjunction with Great Rivers Greenway ("GRG"), a governmental agency organized pursuant to the laws of the State of Missouri. GRG is a regional park district that has as one of its primary objectives the furtherance of trail corridors in the metropolitan St. Louis region. It is intended that GRG would be the ultimate owner and steward of this corridor, and given its perpetual sales tax revenue base, has the financial ability to provide the necessary improvements, operation and maintenance of the corridor to ensure its ongoing success as a bicycle and pedestrian corridor.

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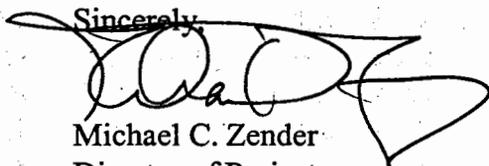
Statement of Willingness To Assume Financial Responsibility

In order to establish interim trail use and rail banking under 16 U.S.C. 1247(d) and 49 CFR 1152.29, the Trust for Public Land, a nonprofit California public benefit corporation 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 Ironhorse Resources, Inc., a Missouri corporation and operated by Railroad Switching Service of Missouri, Inc., a Missouri corporation. The property, known as the Post Dispatch Line, extends from Railroad Milepost 0 at the point of connection to Norfolk Southern Railway Company at or near Broad Street, to Railroad Milepost 1.89, a distance of approximately 1.89 miles in the City of St. Louis, Missouri. The right-of-way is part of a line of railroad proposed for abandonment in Docket No. AB-792X. A map of the property depicting the right-of-way is attached. The Trust for Public Land 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 Railroad Switching Service of Missouri, Inc., Thomas F. McFarland, Counsel, Thomas F. McFarland, P.C., 208 South LaSalle Street-Suite 1890, Chicago, Illinois 60604-1112, by U.S. mail, postage pre-paid, first class this 15<sup>th</sup> day of April, 2005.

In light of the foregoing, TPL respectfully requests issuance of an Interim Trail Use Condition rather than outright abandonment.

Please feel free to contact me if you require any additional information. My telephone number is (651) 999-5319.

Sincerely,



Michael C. Zender  
Director of Projects

Enclosures: Map Depicting Right-of-Way  
Filing Fee

cc: Larry Levin (w/enc.)  
Maggie Madden (w/enc.)

