



Marion County Board of County Commissioners

Growth Services ▪ Code Enforcement

2710 E. Silver Springs Blvd.
Ocala, FL 34470
Phone: 352-671-8900
Fax: 352-671-8903

Case No.: 998395-TG

November 18, 2025

CSX TRANSPORTATION INC
CARE OF TAX DEPT J910
500 WATER ST STE 1208
JACKSONVILLE, FL 32202-4423

VIA CERTIFIED MAIL 9214 8901 9403 8343 4119 85

CSX TRANSPORTATION INC
C/O C T CORPORATION SYSTEM
1200 S PINE ISLAND RD
PLANTATION, FL 33324

VIA CERTIFIED MAIL 9214 8901 9403 8343 4119 92

FLORIDA NORTHERN RAILROAD COMPANY LLC
3001 W ORANGE AVE
APOPKA, FL 32703

VIA CERTIFIED MAIL 9214 8901 9403 8343 4120 05

FLORIDA NORTHERN RAILROAD COMPANY LLC
C/O C T CORPORATION SYSTEM
1200 S PINE ISLAND RD
PLANTATION, FL 33324

VIA CERTIFIED MAIL 9214 8901 9403 8343 4120 12

TRACK LINE LLC
C/O DAVE MALAY & GABRIELLE MALAY
700 CARROLL AVE, STE 110
SOUTHLAKE, TX 76092

VIA CERTIFIED MAIL 9214 8901 9403 8343 4120 29

TRACK LINE RAIL LLC
C/O REGISTERED AGENTS SOLUTIONS INC
2894 REMINGTON GREEN LN, STE A
TALLAHASSEE, FL 32308

VIA CERTIFIED MAIL 9214 8901 9403 8343 4120 36

**NOTICE OF CONTINUING VIOLATION
CEASE AND DESIST ORDER
STOP WORK ORDER
SECOND NOTICE DEMANDING ABATEMENT OF NUISANCE**

Parcels: 33638-000-02 & 33638-000-03

On November 18, 2025, at 9:55 a.m., another inspection was made of the parcels referenced above having an address of 20361 & 20365 E MCKINNEY AVE, DUNNELLON, in unincorporated Marion County. This inspection revealed continuing violations of the **Marion County Code of Ordinances**. Specifically noted on the parcels are stockpiles of creosote-treated railroad ties in violation of:

- **Marion County Code, Chapter 16, Article III, Section 16-92, Accumulation of junk; unserviceable vehicles. We are requesting you remove all used ties from the property. "Junk" includes but is not limited to waste substance in any form resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations.**
- **Marion County Code, Chapter 9, Article III, Hazardous Materials, Section 9-47 Prohibitions.** No person or entity shall discharge or cause or permit the discharge of hazardous materials into the soil, air, ground water or surface water in Marion County unless the discharge is in compliance with federal, state or local law.
- This also serves as the second **ORDER TO ABATE THE NUISANCE, CEASE AND DESIST and STOP WORK** which requires no additional railroad ties be brought onto the parcels and you must remove the accumulation of railroad ties from the parcels **immediately**.
- This notice also serves to inform you that in addition to any applicable FDEP permit(s), a **Special Use Permit, Land Use Amendment, and or Zoning Change**, approved by the Marion County Board of County Commissioners, is required to store, shred or grind used ties on the properties. You can contact the Marion County Growth Services Department Zoning Division for more information regarding the application fee(s), submittals, and hearing processes. 352-438-2675.

You have fifteen (15) days from the date of this Notice to abate the above-referenced violations. Please immediately contact me to discuss this matter and/or to request a re-inspection. Failure to clear the violations **will** result in the violations being referred to the Marion County Code Enforcement Board for enforcement, referred to the state attorney's office, and Marion County will institute a civil action to enforce compliance and enjoin these violations. **If the nuisance is not abated on or before December 3, 2025, Marion County will file a Petition for Temporary Injunction in the Fifth Judicial Circuit Court, in and for Marion County, Florida, and have all appropriate costs assessed against any responsible party as permitted by law.**

Respectfully,

Tracy L. Gillyard

Code Enforcement Supervisor

352-671-8902

Tracy.Gillyard@MarionFL.org

ec:

Linda Blackburn Marion County Assistant County Attorney: Linda.Blackburn@marionfl.org

Chuck Varadin Marion County Growth Services Director: Chuck.Varadin@marionfl.org

Walker Brazell CSX Property Management Analyst: Walker_Brazell @CSX.COM

Dave Malay Chief Executive Officer (CEO), Track Line, LLC: dmalay@tracklinerrail.com

Michael Philpot, Florida Northern Railroad General Manager: mphilpot@regional-rail.com

Florida Northern Railroad LLC: csagent@regional-rail.com