

301120

ENTERED
Office of Proceedings
September 25, 2020
Part of
Public Record

Docket #: FD 36400

FD 36400 Comment Letter

Richard Welsh
1100 Bellevue Way NE PMB 719
Ste.8A
Bellevue, WA
98004

dick156@earthlink.net

NARPO

Concerning FD 36400

The National Association of Reversionary Property Owners (NARPO) is filing this Comment Letter to elucidate its position on the Petition for Declaratory order files by Chester County, PA., on May 20, 2020. NARPO has members who own portions the abutting property both on the rail line and on the industrial lead in this proceeding. These member own the undelying fee to the railroad right of way due to easement deeds issued in the 1800s.

This proceeding squares directly with STB decision in AB-457-1X decided on October 20, 1997 and affirmed by the DC Circuit in RLTD v. STB 196F.3rd 942, 1998 where the STB and the DC Circuit both agreed that the STB lacked jurisdiction as teh rail line was severed from teh National Rail Syatem. Both of these cases involved lines of railroad that had been abandoned for dedcades and had no connection to the National Rail System.

NARPO requests the STB to summarily dismiss the requested Declaratory Judgement for lack of jurisdiction.

Sincerely yours,
Dick Welsh--NARPO

NARPO has served a copy of this comment on the Parties of Record and also Chester County.