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AWARDS

PA Wildlife Federation
*Conservation Organization
of the Year
(2000)*

National Coalition of
Recreational Trails
*Engineering of HRTCP
(2000)*

Rails-to-Trails Conservancy
and American Society of
Landscape Architects
*Design of Bridges & Tunnel
(2003)*

American Trails Association
*State Trail Worker Award
Carl Knoch
(2004)*

PA Recreation & Park Society
*Local Governmental Award
(2005)*

National Park Service and
National Rails-to-Trails
Conservancy
*HRTCP
(2008)*

PA Tourism Office
*Keystone Society Award
Carl Knoch
(2010)*

PA DCNR
*Trail of the Year
Rails-to-Trails Conservancy
Hall of Fame
Heritage Rail Trail Co Park
(2015)*

10,000 Friends of PA
*Heritage Rail Trail
Redevelopment
(2017)*



November 12, 2020

301283

VIA E-FILING

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

ENTERED
Office of Proceedings
November 13, 2020
Part of
Public Record

Re: York Railway Company- Abandonment Exemption in York County, PA
Surface Transportation Board Docket No. AB 1307X; and
Yorkrail, LLC- Abandonment Exemption in York County, PA
Surface Transportation Board Docket No. AB 1308X

Dear Ms. Brown:

This request is filed on behalf of YORK COUNTY RAIL TRAIL AUTHORITY which is a municipal authority created by the COUNTY OF YORK, PA under the 1945 PA Municipal Authorities Act, 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 for two segments of rail line (together, the "Subject Line"):

- (1) Between at or near mile post 20.07, in the Village of Bair, PA in West Manchester Township to at or near mile post 23.3, in the Borough of Spring Grove, PA; and
- (2) Between at or near mile post 24.10, near Spring Grove, Pa in Jackson Township, to at or near mile post 29.46, near Hanover, PA in Heidelberg Township.

A. Request For Public Use Condition

Proponent asks the STB to find that the Subject Line 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. Justification for this condition is:

The corridor would make an excellent recreational trail and conversion of the property to trail use is in accordance with local plans. In addition, the corridor provides important wildlife habitat and open space, and its preservation as a recreational trail is consistent with those purposes.

The time period sought is 0 days from the effective date of the abandonment authorization, as a Purchase Sales Agreement has been executed between the parties prior to this request.

2. An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts and tunnels. The justification for this condition is that these structures have considerable value for recreational trail purposes. The time period requested is 0 days from the effective date of the abandonment authorization for the same reason as indicated above.

FILING FEE WAIVED

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 requests issuance of a Notice of Interim Trail Use with respect to the Subject Line. In order to establish interim trail use and rail banking, Proponent is willing to assume financial responsibility as set forth in the Statement of Willingness:

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and railbanking under 16 U.S.C. §1247(d), and 49 CFR §1152.29 with respect to the right-of-way owned by Yorkrail, LLC (owner of the underlying rail assets) and operated by York Railway Company (owner of the common carrier operating rights), YORK COUNTY RAIL TRAIL AUTHORITY is willing to assume full responsibility for: (1) Managing the right-of-way, (2) any legal liability arising out of the transfer or use of the right-of-way (unless the sponsor is immune from liability, in which case it need only indemnify the railroad against any potential liability), and (3) the payment of any and all taxes that may be levied or assessed against the right-of way. The property, a portion of which is known as the West Branch, extends between at or near mile post 20.07 to at or near mile post 23.3 and between at or near mile post 24.10 to at or near mile post 29.46, a total distance of 8.45 miles in York County, PA. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB 1307X and STB Docket No. AB 1308X.

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

YORK COUNTY RAIL TRAIL AUTHORITY acknowledges that use of the right-of-way is subject to the sponsor's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service. A copy of this statement is being served on the railroads on the same date it is being served on the Board.

By my signature below, I certify service upon York Railway Company and Yorkrail, LLC by U.S. Mail, postage pre-paid, first class, this day of November 12, 2020.

Respectfully submitted,

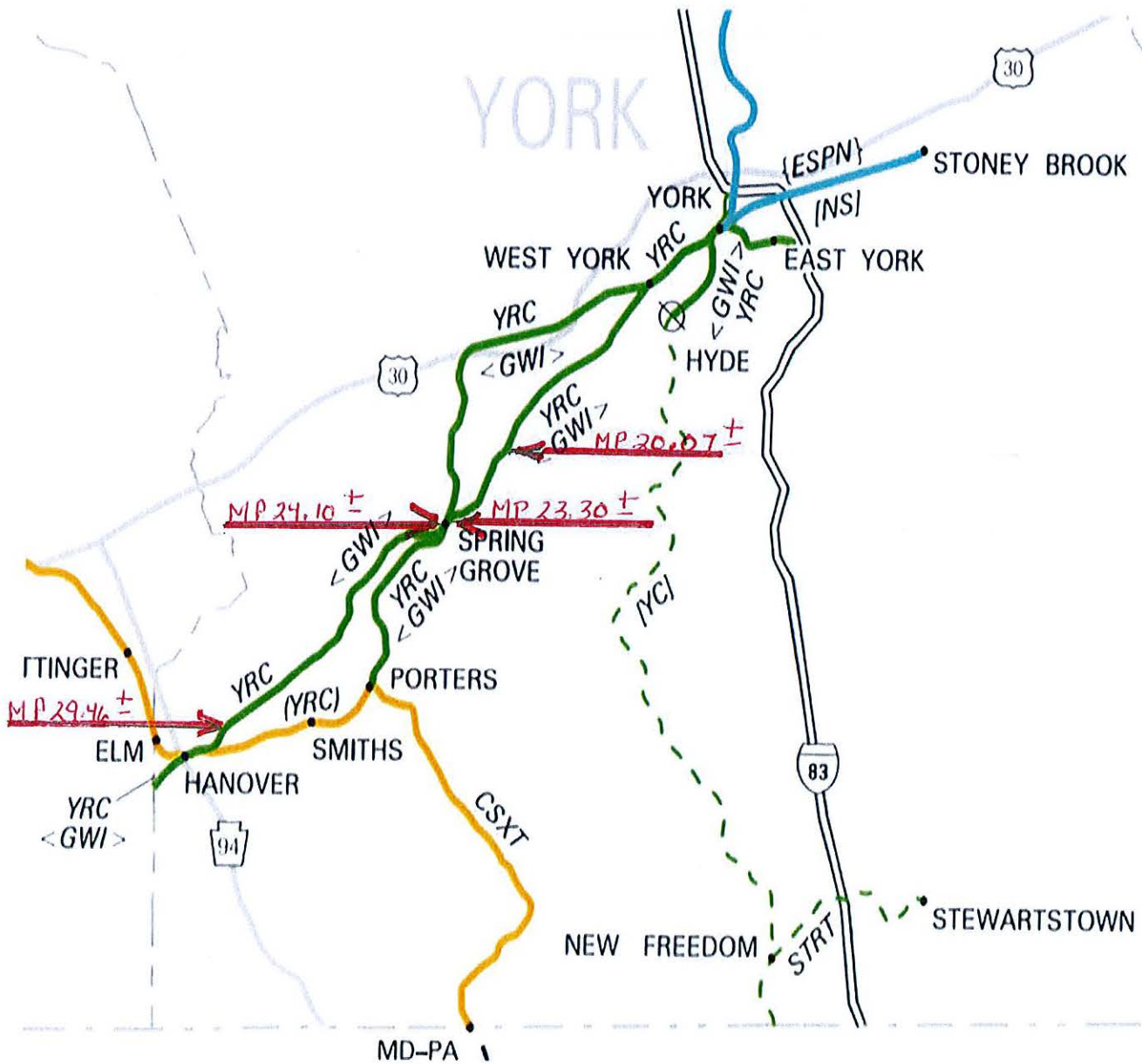
A handwritten signature in blue ink, appearing to read "Frank Kempf", is written over the printed name.

Frank Kempf, Chairman

on behalf of: YORK COUNTY RAIL TRAIL AUTHORITY

**Re: York Railway Company- Abandonment Exemption in York County, PA
Surface Transportation Board Docket No. AB 1307X**

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Re: PETITION FOR TRAIL USE REQUEST

York Railway Company- Abandonment Exemption in York County, PA
Surface Transportation Board Docket No. AB 1307X; and
Yorkrail, LLC- Abandonment Exemption in York County, PA
Surface Transportation Board Docket No. AB 1308X

Dear Ms. Brown:

This request relates to the PETITION FOR TRAIL USE REQUEST filed by the
YORK COUNTY RAIL TRAIL AUTHORITY for the above referenced
Abandonment Exemptions.

YORK COUNTY RAIL TRAIL AUTHORITY is a municipal authority created by
the COUNTY OF YORK, PA, under the 1945 PA Municipal Authorities Act.

YORK COUNTY RAIL TRAIL AUTHORITY respectfully requests a waiver of the
filing fee under 40 C.F.R. § 1002.2(e)(1) as a government entity.

Thank you.

Respectfully submitted,

Frank Kempf, Chairman
on behalf of: YORK COUNTY RAIL TRAIL AUTHORITY