

ENTERED
Office of Proceedings
October 7, 2021
Part of
Public Record

CONTAINS COLOR IMAGES

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C.

Finance Docket No. 36548

ACQUISITION AND OPERATION EXEMPTION
IN YORK COUNTY, PA

VERIFIED NOTICE OF EXEMPTION

James Riffin, (Applicant), a non-carrier, provides the following as his verified exemption notice to acquire and operate exemption of approximately 5.5 miles of the York Branch line, Line Code 1340, and approximately 180 feet of the Stewartstown Railroad, both within York County, PA. This action comes within the class of transactions which are exempt from regulation under 49 U.S.C. §10901.

1. The following 49 CFR §1150.33 details are provided:

(a) and (b): APPLICANT and representative to whom correspondence should be sent:

FEE RECEIVED James Riffin
October 7, 2021 P. O. Box 4044
SURFACE Timonium, MD 21094
TRANSPORTATION BOARD (443) 414-6210

FILED
October 7, 2021

(c): An agreement has been reached.

SURFACE
TRANSPORTATION BOARD

(d): James Riffin, in his individual capacity, will be the operator of the property. The Applicant reserves the right to designate another entity to be the operator of the line that is the subject of this Notice of Exemption (“**NOE**”). In the event the Applicant elects to designate another entity to be the operator of the lines that are the subject of this NOE, such as a limited

liability company controlled by the Applicant, such entity will file for authority to acquire and operate, and will not become the operator, unless and until the Board grants the entity authority to acquire and operate.

- (e): The following is a brief summary of the proposed activity. A more detailed summary of the proposed activity is included in the appendix hereto.

The Applicant proposes to acquire and operate (A) approximately 5.53 miles of line, known as the York Branch line, Line Code 1340, between **Milepost (“MP”) 2.0**, and ending on the western side of Campbell Road, at or near **MP 7.53**, situate in the Township of Hellam, York County, PA; and (B) approximately 180 feet of the Stewartstown Railroad, beginning on the north side of East Franklin Street, at MP **0.0**, and ending 180 feet north of East Franklin Street, at approximately **MP 0.034**, situate in the Borough of New Freedom, York County, PA. The Applicant proposes to interchange with (A) the East Penn Railroad, as to the York Branch line; and (B) with the Stewartstown Railroad, as to the Stewartstown line.

Applicant proposes to commence these activities within 90 days after the Exemption becomes effective. The transferor of the lines will be (A) Norfolk Southern Railway Company, for that portion of the York Branch that lies between MP 7.0 and MP 7.53; (B) Penn Central Properties, Inc. and American Premier Underwriters, Inc. (formerly The Penn Central Corporation), for that portion of the York Branch that lies between MP 2.0 and 7.0; and (C) the Stewartstown Railroad, for that portion of the Stewartstown Railroad that lies between MP 0.00 and MP 0.034.

- (f): Maps are attached hereto.

- (g): The Applicant certifies that the projected annual revenues of the lines of railroad the Applicant seeks to acquire via this Verified Notice of Exemption, will not exceed the limits for a Class III railroad (will not exceed \$5,000,000.00).

- (h): No agreements exist between Norfolk Southern Railway Company, the East Penn Railroad Company, the Stewartstown Railroad, and / or the Applicant, that would limit, or potentially limit, an interchange agreement with the adjacent East Penn Railroad, or the adjacent Stewartstown Railroad.

2. Caption Summary required by 49 CFR §1150.34, is attached.

3. Environmental and Historical Impact:

Per 49 CFR §1105.6 (c) (2) no environmental documentation need be prepared. (The thresholds in §1105.7 (e) (4) or (5) will not be exceeded. The Applicant proposes to operate only one or two trains per day.) The proposed activities will not affect any historic structures.

Labor protection: Any employees affected will be protected by the conditions imposed in *Norfolk and Western Railway – Trackage Rights– Burlington Northern, Inc.*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Railway – Lease and Operate – California Western Railroad*, 360 I.C.C. 653 (1980).

Respectfully submitted,

/s/ James Riffin

Date: October 7, 2021

James Riffin

VERIFICATION

I, James Riffin, being over the age of 21, and being competent and authorized to execute this Verified Notice of Exemption, state, under the penalties of perjury, that I have read the foregoing Notice of Exemption, and that its contents are true and correct to the best of my personal knowledge, information and belief.

/s/ James Riffin

James Riffin

NOTICE OF EXEMPTION

Finance Docket No. 36548

CAPTION SUMMARY

ACQUISITION AND OPERATION EXEMPTION IN YORK COUNTY, PA

James Riffin, a non-carrier, has filed a Notice of Exemption under 49 U.S.C. §10901, to acquire and operate, in his individual capacity, that portion of the York Branch, Line Code 1340, that lies between MP 2.0 and MP 7.53, in Hellam Township, PA, and that portion of the Stewartstown Railroad that lies between MP 0.00 and MP 0.034, in New Freedom Borough, PA. This action comes within the class of transactions which are exempt from regulation under 49 U.S.C. §10901.

Comments must be filed with the Surface Transportation Board and served on James Riffin, P.O. Box 4044, Timonium, MD 21094.

This Notice is filed under 49 CFR §1150.31. If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemptions under 49 U.S.C. §10505 (d) may be filed at any time. Filing petitions to revoke will not automatically stay the transaction.

Dated:

By the Board

APPENDIX

1. This Appendix provides the reader with more detail than that contained in the ‘Brief Summary’ section.

YORK BRANCH

2. The Final System Plan, at page 273, **authorized** the transfer from the Penn Central Transportation Company, to Conrail (“CRC”), of that portion of the York Branch (Line Code 1340) that lies between MP 7.0 (Stony Brook, PA) to MP 12.8 (York, PA).

3. What was **actually deeded** to Conrail by The Penn Central Transportation Company Trustees, is denoted in a deed dated **March 30, 1976**, recorded in **Book 78W**, beginning at **page 843**, (recorded in the Office of the Recorder of Deeds, York, PA).

4. The Deed to Conrail states that Conrail is to receive what is described in Exhibit A, **less that portion** that is “Reserved and Excepted by the Grantor,” which “Reserved” portion is described in Exhibit B.

5. Exhibit A contains the description for the entire York Branch: Beginning at Wrightsville, in Hellam Township, (at the Western edge of the Susquahanna River, at MP 0.0). Ending at the connection with the Northern Central Secondary Track, in Spring Garden, (in York), Pa, at MP 12.8.

6. Exhibit B describes a ‘cut line,’ which ‘cut line’ divided the York Branch into two portions: The **Western** portion, **which was conveyed to Conrail**; and the **Eastern** portion, which was **retained by the Penn Central Transportation Company**.

7. The ‘cut line’ was described as follows:

“Being a line drawn at right angles to the centerline of railroad right-of-way at Station 370+00, more or less, and **along the westerly line of Campbell road ...**.” Bold added.

8. The notation ‘370+00’ refers to the number of feet from the beginning point. ‘370+00’ means: 37,000 feet from the beginning point, which equates to 7.00 miles. Which would be at ‘MP 7.0.’ Which corresponds to the ‘cut point’ noted in the Final System Plan for the York Branch.

9. The Railroad Valuation Map for the York Branch indicates that Campbell Road is at **MP 7.53** (which would be at station 397+58, a difference of 2,758 feet).

10. Prior Board decisions have held that property-line-disputes, are to be resolved pursuant to State boundary-line law.

Title History – Western Portion of the York Branch

11. When Norfolk Southern bought the Pennsylvania Lines portion of Conrail, the **Western** Portion of the York Branch was conveyed from Conrail to Pennsylvania Lines LLC. (A wholly-owned subsidiary of Norfolk Southern Railway Company.) This conveyance was recorded in Book 1380, at page 7202 (in the Office of the Recorder of Deeds, York, PA). The York Branch ‘cut-line’ noted above, was described, in Book 1380 at page 7206, as being “at an existing lateral cut line, said point being on the common boundary between that property of Grantor and that property retained by the Trustees as described on Exhibit B”

12. Pennsylvania Lines LLC was merged into Norfolk Southern Railway Company as of August 27, 2004.

13. In STB FD 35533, in a decision served on July 15, 2011, the Board granted the East Penn Railroad LLC, authority to lease from Norfolk Southern Railway Company, that portion of the York Branch that lies between MP 7.50 and MP 12.31, and to operate that portion of the York Branch.

Title History – Eastern Portion of the York Branch

14. The Pennsylvania Railroad Company acquired the York Branch from the Wrightsville, York and Gettysburg Railroad Company, on June 21, 1870. The Pennsylvania Railroad Company merged with the New York Central Railroad, effective February 1, 1968, thus becoming the Penn Central Transportation Company. The Penn Central Transportation Company filed a bankruptcy petition on June 21, 1970. By virtue of Order No. 3708 of the Bankruptcy Court, title to all real property owned by the Penn Central Transportation Company, **was vested in The Penn Central Corporation**, free of all liens and encumbrances. See: Affidavit of Merger, recorded in Book 1006 at pp. 0289 - 0290, in the Office of the Recorder of Deeds, York, PA.

15. In a deed dated **June 15, 1994**, Penn Central Properties, Inc., and American Premier Underwriters, Inc. (**formerly The Penn Central Corporation**), deeded the **Eastern** portion of the York Branch to Lydon and Lydon, Inc. This deed is recorded in Book 1006, beginning at page 0280.

16. The ‘cut-line’ in the Lydon and Lydon deed, between the Eastern and Western portions of the York Branch, is also denoted as being “at the westerly line of Campbell Road ... at Railroad Valuation Station 370+00” Book 1006 at page 0281.

17. In a deed dated **February 22, 2019**, recorded in Book 2508 at page 7359, Lydon and Lydon conveyed all of its rights, title and interests in the Eastern portion of the York Branch, to James Riffin, the Applicant in this proceeding.

18. On December 27, 2019, Riffin filed a Complaint to Quiet Title, in the Court of Common Pleas for York County, PA, wherein Pennsylvania Lines LLC was named as a Defendant. The purpose of the Complaint was to determine the precise location of the boundary line between the Western (Pennsylvania Lines) portion of the York Branch, and the Eastern (Riffin) portion of the York Branch.

19. On **August 9, 2021**, the York Court of Common Pleas entered a **Consent Order**, which Consent Order Ordered that Riffin “shall have and hold the portion of that certain railroad right-of-way that ... (ii) lies Easterly of the Western boundary line of the Campbell Road right-of-way (the “Riffin Segment”), forever;” See: Appended copy of the Consent Order. [PA boundary line law: A ‘call’ to a monument (Campbell Road) prevails over a metes and bounds ‘call (Station 370+00).]

The entirety of the York Branch is a ‘line of railroad’

20. Once a railroad right-of-way becomes a ‘line of railroad,’ it remains a ‘line of railroad’ until two things happen:

A. Authority to abandon the line of railroad is granted (by the ICC / STB); **and**

B. Abandonment is consummated.

21. The Final System Plan divided Conrail’s lines of railroad into two categories:

A. Those lines for which abandonment authority **was NOT** granted (these lines were **designated** “line to CRC” in the Final System Plan / the mileposts of the lines for which abandonment authority was NOT being granted, was designated);

B. Those lines for which abandonment authority **was granted** (any line, or portion of a line, that was NOT listed in the Final System Plan, was **authorized** to be abandoned).

22. Abandonment authority is, and has always been, ‘permissive.’ Meaning: the railroad owning the line has the **authority** to abandon the line, but is **NOT OBLIGATED** to actually abandon the line.

23. For abandonment of the line to actually occur, an ‘act of abandonment’ has to occur.

24. The York Branch right-of-way was just a railroad easement. (The right-of-way was never owned in fee simple.)

25. If a railroad right-of-way is just a railroad easement, when abandonment authority is exercised, title to the right-of-way **reverts back** to the original owner(s). (Generally, the adjacent property owners get title to the center line of the right-of-way. Which is why the value ascribed to the real property underlying a line of railroad where title is just a railroad easement, is Zero Dollars, when a line of railroad authorized for abandonment, is subjected to an Offer of Financial Assistance.)

The Final System Plan – York Branch between MP 7.0 and MP 7.53

26. The Final System Plan designated that portion of the York Branch that lies between MP **7.0** and 12.8, was **NOT** to be abandoned. (No abandonment authority was granted for the portion of the York Branch that lies between MP 7.0 and MP 12.8.)

27. Consequently, the portion of the York Branch that lies between MP 7.0 (a point about 2,758 feet East of the western edge of Campbell Road), and MP 7.53 (Campbell Road), is a line of railroad. Regardless of who actually obtained title to that portion of the York Branch.

28. Since:

- A. The York Court of Common Pleas has Ordered that Riffin is the present owner of that portion of the York Branch; and since
- B. 49 U.S.C. 10901 prohibits any person from acquiring a line of railroad without authority;
- C. Riffin now seeks authority to acquire that portion of the York Branch that lies between MP 7.0 and MP 7.53 (West side of Campbell Road).

York Branch – Between MP 2.0 and MP 7.0

29. The bankruptcy court ordered title to that portion of the York Branch that lies between MP 0.0 and MP 7.0, to be conveyed to the Penn Central Corporation.

30. The portion of the York Branch that lies between MP 0.0 and MP 7.0 **was not** listed in the Final System Plan. Consequently, abandonment authority **was authorized** for that portion of the York Branch.

31. But actual abandonment **requires** an ‘act of abandonment.’

32. Rather than consummating its abandonment authority, the Penn Central Corporation did just the opposite:

- A. It sold the portion between MP 0.0 and MP 2.0 to Kline’s Quarry.
- B. It sold the portion between MP 2.0 and MP 7.53 to Lydon and Lydon.

33. Keep in mind: The Penn Central Corporation only acquired whatever title the Pennsylvania Railroad / the Penn Central Transportation Company, had acquired: a railroad easement.

34. Had the Penn Central Corporation consummated its abandonment authority, its railroad-easement title would have reverted back to the original property owners / adjacent property owners. And had title reverted back, the Penn Central Corporation would not have had any title to convey.

35. By selling the portion of the York Branch that lies between MP 0.0 and MP 7.0, the Penn Central Corporation continued to exercise dominion and control over the railroad easement / the York Branch line of railroad. By selling the portion of the York Branch that lies between MP 0.0 and MP 7.0, the Penn Central Corporation declared to the world that it **was not** exercising its

abandonment authority.

36. Consequently, that portion of the York Branch that lies between MP 0.0 and MP 7.0, remains a line of railroad.

37. And consequently, Riffin needs authority to acquire his portion of the York Branch line of railroad, to wit: Between MP 2.0 and MP 7.0.

38. Riffin now seeks authority to acquire that portion of the York Branch that lies between MP 2.0 and MP 7.0.

STEWARTSTOWN RAILROAD – MP 0.00 to MP 0.034

39. In September, 1884, the Stewartstown Railroad was chartered. In 1886, the Stewartstown Railroad purchased from **Eli Free**, in fee simple, a 0.4-acre parcel of land in New Freedom, PA (“**Free Parcel**”). This deed is recorded in the Office of the Recorder of Deeds, York, PA, in Book 17-S at page 634. The Parcel was 33 feet wide by about 600 feet long. Its southern boundary line was the northern boundary line of the E. Franklin Street right-of-way. Its western boundary line was the eastern boundary line of the Northern Central Railroad’s right-of-way. Its eastern boundary line was the western boundary line of the parcel of land that the **Jacob Mays’ building** was on. The interchange-track between the Stewartstown Railroad and the Northern Central Railroad, entered the Free Parcel of land near the northern boundary line of the Free Parcel. See: *The Story of the Stewartstown Railroad*, Baltimore NRHS Publications, 1995, ISBN 0-9651235-0-2. And see the appended copy of the 1997 Stewartstown Railroad Minor Subdivision Plan.

40. The Stewartstown Railroad’s line of railroad began at the southern-boundary-line of the Free Parcel, proceeded north along the center-line of the Free Parcel, then turned East, toward Stewartstown, PA. MP 0.00 on the Stewartstown Railroad is located at the boundary line between the Free Parcel and E. Franklin Street, in New Freedom Borough, PA.

41. The Jacob Mays’ building, was subsequently acquired by Helen LaMotte in 1948. When she died, in 1995, her son, Larry LaMotte inherited the Jacob May’s building parcel. He desired to open LaMotte’s Bar and Restaurant. The former Jacob Mays’ parcel was only about 65 feet wide, by 150-feet long. There was insufficient room on the Jacob Mays’ parcel to accommodate any of the required off-street parking needs for LaMotte’s proposed Bar and Restaurant. LaMotte contacted George Hart, the majority-owner of the Stewartstown Railroad. LaMotte asked if he could purchase the southern 180-feet of the Free Parcel. Mr. Hart subdivided the Free Parcel into two lots. The southern portion of the Free Parcel was designated Lot 1, the northern portion was designated Lot 2. The Stewartstown Railroad sold Lot 1 to LaMotte in **1997**. LaMotte used Lot 1 for some of his off-street parking needs. The Stewartstown Railroad’s Minor Subdivision Plan has a **Restrictive Note**, which prohibits the “separation of Lot 1 from the lands of Larry LaMotte, without Borough approval.” Neither LaMotte, nor the Stewartstown Railroad, sought, nor obtained, authority from the STB for LaMotte’s acquisition of this 180-foot portion of the Stewartstown Railroad’s line of railroad.

42. LaMotte used his Jacob Mays' parcel, and the Lot 1 parcel, as collateral for multiple bank loans. In 2009, LaMotte's Bar and Restaurant was closed by the Health Department. LaMotte defaulted on his bank loan. In 2010, a few weeks before the bank foreclosed on his mortgage, LaMotte sold Lot 1 to the adjacent property owner. (Franklin Land Investment LLC.) Neither LaMotte, nor Franklin Land Investment, sought, nor acquired, Borough approval for the 'separation' of Lot 1 from the Jacob Mays' parcel / (the 'lands of Larry LaMotte').

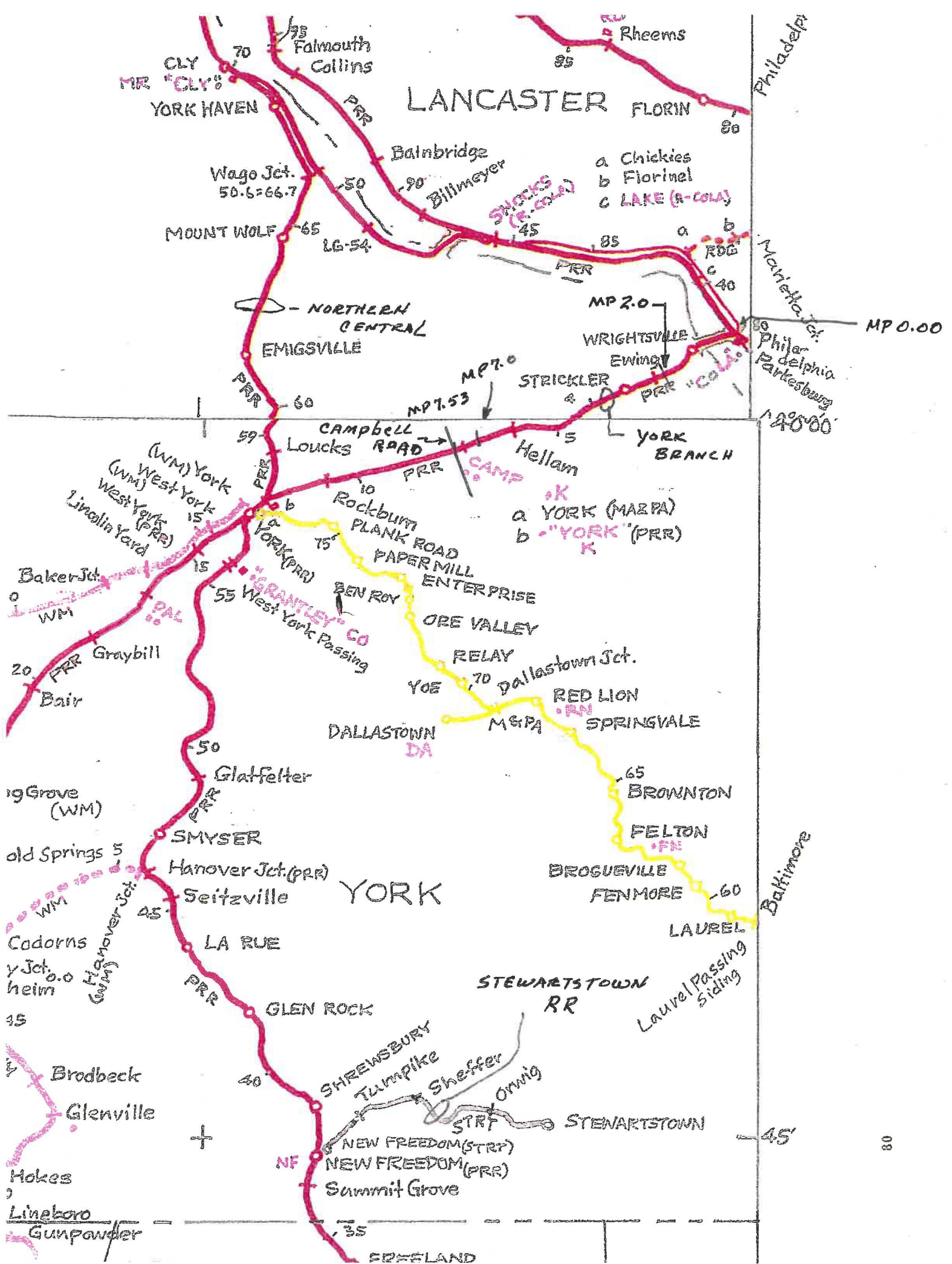
43. Since no one bid on the foreclosed property, the bank acquired title to the Jacob Mays' parcel. Goldfather York LLC bought the Jacob Mays' parcel from the bank. **Riffin** bought the Jacob Mays' parcel from Goldfather York LLC, on **September 17, 2018**.

44. On September 20, 2018, Riffin filed a Quiet Title Complaint in the York County Court of Common Pleas. In Riffin's Complaint, Riffin asks the Court to void LaMotte's unauthorized / unlawful, sale of Lot 1 to Franklin Center Investment LLC.

45. Once Riffin files a precipae for a trial, a trial will be scheduled. Shortly thereafter, Riffin expects the Court to void the conveyance of Lot 1 to Franklin Land Investment / to grant record-title to Riffin.

46. Since Lot 1 is a portion of the Stewartstown Railroad's line of railroad, Riffin needs STB authority to acquire that portion of the Stewartstown Railroad's line of railroad, **before** the Court grants Riffin record title (before Riffin files his precipae for a trial).

47. Which is why Riffin now seeks STB authority to acquire that portion of the Stewartstown Railroad's line of railroad that lies between MP 0.00 and MP 0.034 (180 linear feet of the Stewartstown Railroad's line of railroad / Lot 1 of the 1997 Stewartstown Railroad Minor Subdivision Plan.)



APPROVED BY THE NEW FREEDOM BOROUGH COUNCIL: *October 27, 1997*

Report by
Shaw Surveying, Inc.
John P. Hughes
Edward L. Hughes

RECOMMENDED FOR APPROVAL BY THE NEW FREEDOM
BOROUGH PLANNING COMMISSION: *9/14/97*

REVIEWED BY NEW FREEDOM BOROUGH ENGINEER: *8/25/97*

REVISED BY YORK COUNTY PLANNING COMMISSION: *9/14/97*

SITE DATA
EXISTING CSD: CENTRAL BUSINESS DISTRICT
EXISTING USE: RAILROAD
PROPOSED USE: LOT ONE - PARKING LOT (400' x 100') / LOT TWO - RAILROAD
TOTAL # OF LOTS: 2
TOTAL AREA SWS DATE: RESOLVE BY FT. / SWS DATE OF AN ACRE
WATER: PUBLIC
SEWER: PUBLIC
PLACES (PREVIOUS PLANNING) AS SHOWN
FRONT YARD:
SIDE YARD:
REAR YARD:
DEED REFERENCE: BOOK 17-5, PAGE 634
TAX MAP: NEW FREEDOM BORO. NO. 1, PARCEL: NONE

EDWARD L. HUGHES
DEED BOOK 606
PAGE 5-8

APPROVED BY OWNER/SUBMITTER:
John P. Hughes
PG. 006 STEWARTSTOWN, PA 17363

THIS PLAN, DAY OF *June*, 1997, BEFORE
ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED
JOHN W. ANDERSON, SR., PRESIDENT,
SHAW SURVEYING, INC., AND SAID
SAID OFFICER ARE THE OWNERS AND/OR EQUITABLE OWNERS OF THE
PROPERTY SHOWN IN THIS PLAN, AND THAT THEY ACKNOWLEDGE
THEir NAME TO BE THEIR ACT AND PLAN AND DESIRE THE SAME TO
BE RECORDED IN SUCH ACCORDING TO LAW.

MY NAME AND SEAL THE DAY AND DATE ABOVE WRITTEN.
Keya A. Kish
NOTARY PUBLIC

NOTES

- SOURCE OF TITLE - DEED TO STEWARTSTOWN RAILROAD COMPANY FROM E. W. FREE ET AL. DATED NOVEMBER 22, 1896 AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR YORK COUNTY, PENNSYLVANIA IN DEED BOOK 17-5, PAGE 634.
- UNDERGROUND UTILITIES BASED ON GROUND LEVEL MAINTENANCE AND AS MARKED BY THE UTILITY COMPANIES. THE LOCATION OF UNDERGROUND UTILITIES SHOWN HEREIN MAY NOT BE EXACT ON COMPLETE. PRIOR TO ANY EXCAVATION ON THE PROPERTY, THE CONTRACTOR SHALL CONTACT PENNSYLVANIA ONE CALL SYSTEM, INC. (1-800-345-1774) IN ACCORDANCE WITH ACT 36 OF 1991.
- PROPERTIES SUBJECT TO ALL EASEMENTS, AGREEMENTS, AND OTHER MATTERS OF RECORD.
- STREETS SHOWN HEREIN ARE TENDERS FOR DEDICATION TO PUBLIC USE AND SUPERVISION DESIGN IS HEREBY APPROVED BY OWNER.
- A WAIVER OF Section 4.22.281 WAS APPROVED BY BOROUGH COUNCIL ON OCT. 20, 1997.

LEGEND
UTILITY POLE
WATER VALVE
GAS LINE
WATER LINE
SEWER LINE
SEWER MANHOLE

RECORDS OF RECORDS
TOWN CLERK
RECORDS
1597064733
BOOK 13, 1997
1:06, 83 PM
RECORDS DIV. - H.S.
Rm. 402 2nd Fl.
1734

MP 0.00

LOT ONE
5,906± Sq. Ft. / 0.136 of an Acre

FORMERLY NORTHERN CENTRAL RAILWAY COMPANY
COMMONWEALTH OF PENNSYLVANIA
DEED BOOK 70-C, PAGE 861

LOT TWO
12,601± Sq. Ft. / 0.289 of an Acre
RESIDUAL TRACT

NORTHERN CENTRAL RR

INTERCHANGE
TRACE

STEWARTSTOWN
RR

JACOB MAYS'
Building

LARRY M. LAMOTTE

FORMERLY AMERICAN INSULATOR COMPANY
FRANKLIN CENTER, INC.
DEED BOOK 191-W, PAGE 181

ADD-ON LOT NOTE

LOT ONE (0.136 of an Acre) IS TO BE CONVEYED WITH A PORTION LAND OF
LARRY M. LAMOTTE AND MAY NOT BE SEPARATED THEREFROM WITHOUT FURTHER
APPROVAL BY THE COMMONWEALTH OF PENNSYLVANIA. LOT ONE
SHALL REMAIN PART OF LOT TWO AND NOT OTHERWISE SEPARATELY CONVEYED.
THE KNOWLEDGE THAT IF LOT ONE IS CONVEYED WITH AN ADJACENT PROPERTY,
IT MAY NOT BE SEPARATED THEREFROM WITHOUT FURTHER APPROVAL BY THE COMMONWEALTH OF PENNSYLVANIA.

SURVEYOR'S CERTIFICATION

I, THE SURVEYOR, HAVE THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF
THAT THIS PLAN CORRECTLY REPRESENTS LOTS, LARGES, STREETS AND HIGHWAYS AS
SURVEYED AND PLATTED BY ME FOR THE PURPOSES IN ABOVE.



NO.	DATE	DESCRIPTION
1	9/18/97	NEW YORK CO. PLANN. COMM.
2	10/27/97	NEW FREEDOM BOROUGH - NOTE # 3 ADDED
3	11/18/97	NEW YORK CO. PLANN. COMM.

STEWARTSTOWN RAILROAD COMPANY
NEW FREEDOM BOROUGH
YORK COUNTY, PENNSYLVANIA

SAS
SHAW SURVEYING, INC.
LAND SURVEYING AND PLANNING CONSULTANTS
47 W. PENNS. AVE. • STEWARTSTOWN, PA 17363 • 717/962-3456

GRAPHIC SCALE



Don B. P.
Page 114

RECEIVED
YORK COUNTY PROTHONOTARY
2021 AUG 10 PM 5:01
JUDICIAL CENTER YORK PA

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA
CIVIL DIVISION

JAMES RIFFIN

Plaintiff

*

No. 2019-SU-003836

VS.

*

PENNSYLVANIA LINES LLC AND
NORFOLK SOUTHERN CORPORATION

*

Defendants

*

* * * * *

CONSENT ORDER

AND NOW, this 9th day of August, 2021, the Parties' Motion for a
Consent Order in the above entitled case, is hereby **GRANTED**, and

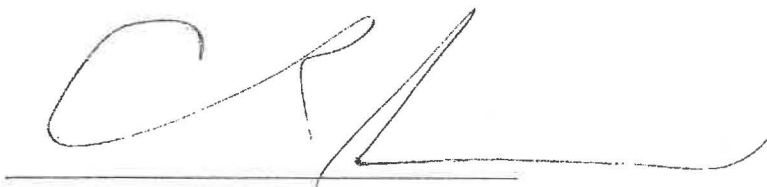
IT IS ORDERED, that **James Riffin**, the Plaintiff in this Proceeding, shall have and hold the
portion of that certain railroad right-of-way that (i) is situate in the Township of Hellam, York
County Pennsylvania, and that is known as the York Branch, and (ii) that lies Easterly of the
Western boundary line of the Campbell Road right-of-way (the "**Riffin Segment**"), forever;

TOGETHER with all, and singular, the buildings and improvements, ways, streets, alleys,
driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and
appurtenances, easements, and any and all other rights, privileges or legal interests appertaining or
appurtenant to, or associated in any way with, the Riffin Segment; and

TOGETHER with all rights, privileges or legal interests appertaining or appurtenant to, or in any way associated with, the Riffin Segment, that may presently belong to the Defendant; and

TOGETHER with all future, or after-acquired, rights, privileges or legal interests appertaining or appurtenant to, or in any way associated with, the Riffin Segment, including any and all judgments, awards of damages, reversions and remainders, and any and all other rights, privileges or legal interests appertaining or appurtenant to, or in any way associated with, the Riffin Segment, either in law or in equity.

BY THE COURT,

A handwritten signature in black ink, appearing to read 'Clyda W. Vedder', written over a horizontal line.

J. Clyda W. Vedder

Copy of this Order shall be provided to plaintiff as a self-represented litigant and to counsel for Defendants.