



ENTERED
Office of Proceedings
November 12, 2021
Part of
Public Record

Eric M. Hocky
T (215) 640-8523
F (215) 640-8501
Email: ehocky@clarkhill.com

Clark Hill
Two Commerce Square
2001 Market Street, Suite 2620
Philadelphia, PA 19103
T (215) 640-8500
F (215) 640-8501

November 12, 2021

BY E-FILING

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

Re: STB Docket No. AB-1265X
Lehigh Valley Rail Management, LLC - Abandonment Exemption -
In Cambria County, PA

Dear Ms. Brown:

Pursuant to 49 C.F.R. §1152.29(h), Lehigh Valley Rail Management, LLC ("LVRM") as the owner of the rail line being abandoned in Docket No. AB-1265X, and Cambria County Conservation and Recreation Authority ("CCCRA"), as the holder of the NITU, hereby jointly notify the Board that on November 3, 2021, LVRM and CCCRA entered into an Agreement for Bargain Purchase and Interim Tail Use (the "Agreement") covering the segment of the line of railroad between Milepost RJC 6.4 in Munster Township and Milepost RJC 10.45189 in Ebensburg Borough, and between Milepost 15.355 (RJC 10.45189) and Milepost 16.934 in Cambria Township, all in Cambria County, PA. A map of the rail line is attached to the Statement of Willingness enclosed herewith.

LVRM and CCCRA certify that the Agreement includes provisions requiring CCCRA to fulfill the responsibilities described in 49 CFR §1152.29(a)(2) as was set forth in the Statement of Willingness of CCCRA dated August 5, 2019, a copy of which is enclosed herewith.

Cynthia T. Brown
November 12, 2021
Page 2

The filing of this letter has been authorized by LVRM and CCCRA. Please let us know if there are any questions regarding this filing.

Respectfully,

CLARK HILL, PLC

/s/ Eric M. Hocky

Eric M. Hocky
Attorney for
Lehigh Valley Rail Management, LLC

EMH:e
Enclosure

cc: Kenneth G. Scholtz, Attorney for
Cambria County Conservation and Recreation Authority

RICHARD R. WILSON, P.C.

814-419-8152 - Phone
814-419-8156 - FAX
rwilson@rrwilson.net (Email)

Attorney at Law
A Professional Corporation
P.O. Box 752
Ebensburg, PA 15931

851 12th Street,
Oakmont, PA 15139
(814) 935-8601

August 5, 2019

248306

ENTERED
Office of Proceedings
August 12, 2019
Part of
Public Record



Ms. Cynthia T. Brown, Chief
Section of Administration
Surface Transportation Board
Office of Proceedings
395 E Street, SW
Washington, DC 20423-0001

Re: Lehigh Valley Rail Management, LLC – Abandonment Exemption – In Cambria County, PA – STB Docket No. AB-1265X – Late Filed Request by Cambria County Conservation and Recreation Authority for a Notice of Interim Trail Use and Withdrawal of the Petition by the Authority to Reopen and Reconsider this Proceeding

Dear Ms. Brown:

Upon consultation with the Board's Office of Proceeding Staff, Cambria County Conservation and Recreation Authority submits this Late Filed Request for a Notice of Interim Trail Use ("NITU") and withdraws its Petition to Reopen and Reconsider filed on July 17, 2019 in the above captioned proceeding. Enclosed in support of this request, please find a Statement of the Authority's willingness to assume financial responsibility under 16 U.S.C. §1247(d) and 49 C.F.R. §1152.29 and a map of the Lehigh Valley Rail Management's rail line proposed for conversion as an interim recreational trail.

Please let me know if there are any questions regarding this letter.

Very truly yours,

RICHARD R. WILSON, P.C.

Richard R. Wilson, Esq.
Attorney for Cambria County Conservation and
Recreation Authority

RRW/bab
Enclosure

xc: Lehigh Valley Management, LLC
Mike Higgins, STB
Eric Hocky, Esq.

BEFORE THE
SURFACE TRANSPORTATION BOARD



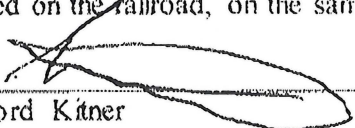
AB-1269X

LEHIGH VALLEY RAIL MANAGEMENT, LLC -- ABANDONMENT EXEMPTION
-- IN CAMBRIA COUNTY, PENNSYLVANIA

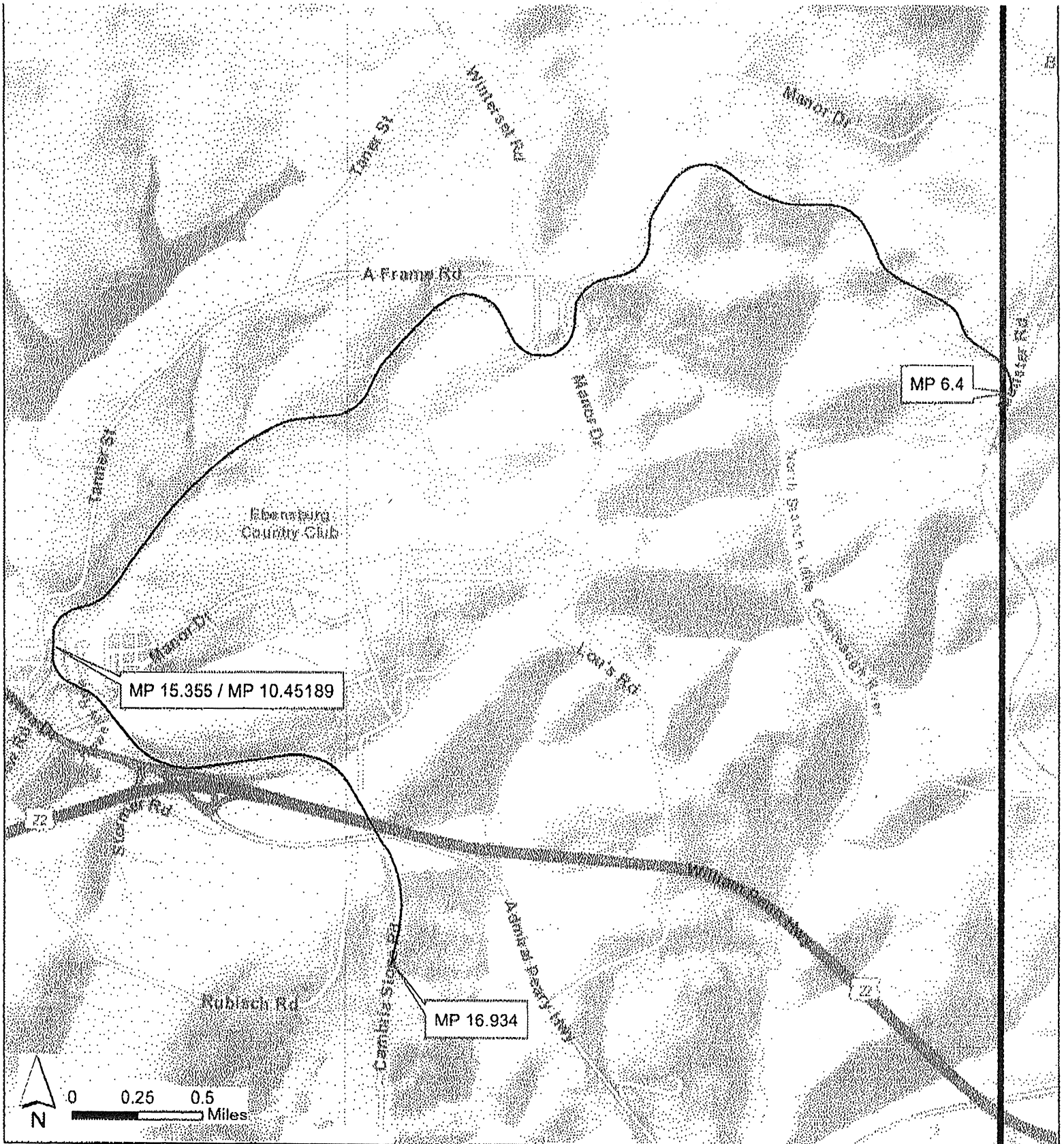
STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY BY
CAMBRIA COUNTY CONSERVATION AND RECREATION AUTHORITY
PURSUANT TO 49 C.F.R. §1152.29

In order to establish interim trail use and rail banking under 16 U.S.C. 1247(d) and 49 C.F.R. 1152.29, the Cambria County Conservation and Recreation Authority (CCCRA) 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 the Lehigh Valley Rail Management, LLC. The property extends from railroad milepost 6.4, to railroad milepost 16.934 a distance of approximately 10.534 miles in Cambria County, Pennsylvania. The right-of-way is the line of railroad proposed for abandonment in Docket No. STB AB-1265X.

A map depicting the railroad right-of-way is attached as Exhibit 1. CCCRA acknowledges that use of the right-of-way is subject to the user's continuing obligations 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 railroad, on the same date it is being served on the Board.


Clifford Kitner
Executive Director
Cambria County Conservation and
Recreation Authority
401 Candlelight Drive, Ste. 240
Ebensburg, PA 15931

Aug 5 2019
Date



Docket No. AB 1265X
 Lehigh Valley Rail Management, LLC
 Abandonment Exemption
 Cambria County, Pennsylvania

Legend

— the Line

Note: Maps produced by the STB's Office of Environmental Analysis are based on information provided by the applicant and are for reference purposes only.



Location in State