

National Association of Reversionary Property Owners (NARPO)
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ENTERED
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STB
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Washington, DC 20423

RE: AB 1320X Growth Resources of Wellsboro Foundation, and Wellsboro &
Corning Railroad Abandonment in Tioga County, PA.

The National Association of Reversionary Property Owners (NARPO) is filing this comment to the proposed abandonment in AB 1320X.

On May 9, 2022, the Growth Resources of Wellsboro Foundation (GROW) filed an Exemption for Abandonment in AB 1320X. On June 16, 2022, GROW filed a response to a STB request for clarification dated June 8, 2022 by the STB.

NARPO's comments concern the nature of the rail line in AB 1320X. In all previous writings by previous railroad owners who have had an ownership in the rail line such as the Pennsylvania Railroad, Baltimore & Ohio Railroad and ConRail always called the line of railroad in question the "Wellsboro Industrial Track". 49 U.S.C. 10906 (1995) declares that the STB does not have jurisdiction for abandonment or discontinuance over spur, industrial, team, etc., tracks/rail lines. The rail line in AB 1320X is stub ended, has light rail and has no through traffic and these conditions have existed for decades if not over 100 years.

Also NARPO sees it as somewhat dubious as to why GROW would want to conceal/redact pertinent sales cost and sales conditions that were imposed 30 years ago when GROW acquired the rail line from ConRail. It appears that ConRail was going to use an 26 USC 1031 Exchange in the sale of the rail line to GROW. NARPO does not see why the STB would involve themselves in a possible nefarious deal ConRail made 30 years ago.

NARPO requests the STB to declare that AB 1320X is not under STB jurisdiction so GROW can do whatever they choose with the rail line in question. Of course GROW would then have to deal with all the abutting property owners who have reversionary rights to the underlying land of the right of way which it appears this is something GROW was trying to avoid by using the STB jurisdiction.

All Parties of Record have been served via email on 6/22/2022.
Tioga County Commissioners
Owlet Lewis

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