

**National Association of Reversionary Property Owners
(NARPO)**

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STB Office of Proceedings
Washington, DC 20423

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Part of
Public Record

**RE: AB 565-1X New York Central Lines LLC Abandonment
Exemption—in Middlesex County, Mass.**

NARPO requests the STB to accept this response to a letter filed today with the STB. The CSX/GHL filed a letter on September 21, 2023 that contains false information in the second paragraph of page 3 of their letter.

NARPO writes in response to a letter filed with the STB in AB 565-1X on September 21, 2023 by CSX/GHL through their attorney, Lou Gitomer. This letter avers that CSX/GHL filed a letter saying that CSX/GHL and the City of Sudbury, MA., had on December 4, 2022 “entered into a Purchase and Sale Agreement for the Sudbury Trail”, see the second paragraph on page 3 of the CSX/GHL letter of September 21, 2023. No such letter is entered in the STB records and NARPO who has been a Party of Record in AB 565-1X for many years never received a copy of the alleged letter.

If this is an imaginary letter put forth by CSX/GHL, then the City of Sudbury and CSX/GHL have run out of time to extend the NITU for the 1.4 mile section of rail line in this abandonment. This also means that the remaining 3.4 miles of rail line that is subject to question by NARPO in AB 565-1X is not connected to the national rail system and thus not eligible for rails to trails under 16 USC 1247(d).

NARPO stands by all that was written in NARPO’s September 6, 2023 letter to the STB regarding AB 565-1X. NARPO also requests the STB to look into how CSX and GHL are subverting the STB rules. What would the STB rules look like if each railroad decided to form an alter ego/affiliate just to extend the NITU extension rules from EP-746? As the real estate title association has said during EP-746, they would like some kind of finality on railroad right of way ownership. How can there be finality

when CSX forms an affiliate for no other purpose than to extend NITUs indefinitely by finding a straw man entity to stand in to keep the NITU extension going on; then the straw man drops out and GHIL steps back in. Supposedly the City of Framingham and GHIL have come to a Trail Use agreement, but in reality that agreement has not been signed and is pending funding, due diligence, etc. Obviously a case of smoke and mirrors to obfuscate that no real binding agreement has been signed.

Due to the obvious subversion by CSX/GHL of STB rules, the STB should declare that the rail line in AB 565-1X is abandoned and consummated due to over 23 years of non use; see **RLTD v. STB**, 166 F3d 308, 1999.

Richard Welsh, Exec. Director NARPO

All parties of record were served via email on September 21, 2023.