

December 10, 2025

310491

Chief of Case Administration
Office of Chief Counsel
Surface Transportation Board
Washington, DC 20423-0001

ENTERED
Office of Chief Counsel
December 11, 2025
Part of
Public Record

Re: Southwest Pennsylvania Railroad Company – Abandonment
Exemption – in Fayette County, Pennsylvania
AB-1240 (Sub-No. 1X)

To Whom It May Concern:

Enclosed for filing is a Petition for Issuance of a Notice of Interim Trail Use Pursuant to 49 C.F.R. § 1152.29 filed by North Union Township (NUT). NUT has been in contact with Southwest Pennsylvania Railroad Company (SWP), and SWP has indicated that it is willing to negotiate a Trail Use Agreement with NUT.

Pursuant to 49 C.F.R. § 1002.2(e)(1), as a State of Pennsylvania government entity, NUT requests a waiver of the applicable filing fee, and requests confirmation of same.

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

Very truly yours,

RADCLIFFE MARTIN LAW, L.L.C.

BY *William M. Martin*

William M. Martin

Enclosure

cc: Thomas J. Healey, Esquire (w/enclosure)
John Ashbridge (w/enclosure)

FILING FEE WAIVED

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Docket No. AB-1240 (SUB-NO. 1X)

**SOUTHWEST PENNSYLVANIA RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN FAYETTE COUNTY, PENNSYLVANIA**

**PETITION OF NORTH UNION TOWNSHIP
FOR ISSUANCE OF A NOTICE OF INTERIM TRAIL USE
PURSUANT TO 49 C.F.R. §1152.29**

Communications with respect to this document should be addressed to:

William M. Martin, Esquire
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648 Morgantown Road, Ste. B
Uniontown, PA 15401
(724) 439-3939
wmm@radlaw.net

Solicitor for North Union Township

Date: December 10, 2025

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SURFACE TRANSPORTATION BOARD**

STB Docket No. AB-1240 (SUB-NO. 1X)

**SOUTHWEST PENNSYLVANIA RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
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**PETITION OF NORTH UNION TOWNSHIP
FOR ISSUANCE OF A NOTICE OF INTERIM TRAIL USE
PURSUANT TO 49 C.F.R. §1152.29**

On October 31, 2024, Southwest Pennsylvania Railroad Company (SWP) filed a Notice of Exemption (Exemption) with the Surface Transportation Board (Board) to abandon an approximately 1.87-mile rail line in two segments located near Uniontown, Fayette County, Pennsylvania (the “Line”), a map of which is attached hereto as **Exhibit A**. Public notice of the Exemption was published in the Federal Register on November 20, 2024 (89 F.R. 91870). SWP’s Exemption became effective on December 20, 2024. On November 19, 2025, the Board issued an order extending SWP’s consummation date to December 20, 2025.

The two connected segments of the Line extend:

1. from V.S. 874+34 at Redstone Jct. near Washington Street to V.S. 839+30 at the north side of Oliver Road, a distance of approximately 0.66 miles; and
2. from V.S. 1926+00 on the west side of North Gallatin Avenue Extension to V.S. 1989+93 near Coal Lick Run Jct. near the North Union Township/City of Uniontown border, a distance of approximately 1.21 miles, and together containing a total of approximately 1.87 route miles of railroad lines.

SWP has been in discussions to sell the Line to North Union Township (Township), with funds to be contributed by Fay-Penn Economic Development Council, upon issuance of the

abandonment exemption. SWP has agreed that it will consent to issuance of a Notice of Interim Trail Use in this proceeding for use of the rail line as a trail under the National Trails System Act, 16 U.S.C. §1247(d) and 49 C.F.R. §1152.29, if requested by Township. Therefore, Township respectfully petitions the Board to issue a Notice of Interim Trail Use for the Line. SWP and Township intend to execute a Purchase and Sale Agreement for the Line once negotiations between the Parties are concluded.¹

Township acknowledges that the use of the Line for trail use is subject to meeting its responsibilities to manage the right-of-way, assume any legal liability arising out of the transfer or use of the right-of-way, and the payment of any and all taxes that may be levied or assessed against the right-of-way. It also acknowledges that the public trail will be subject to the potential future restoration of rail service over the Line. Township has executed a Statement of Willingness to Assume Financial Responsibility pursuant to 49 C.F.R. §1152.29 for the Line, a copy of which is attached hereto as **Exhibit B**.

¹ Township acknowledges that the filing date for petitions seeking issuance of a notice of interim trail use was Monday, December 2, 2024. Township was unable to meet the filing date because of the intervening Thanksgiving Holiday. Township therefore requests that the Board accept this late-filed petition, and expects that SWP will not object. Township understands that the Board “routinely grants late-filed requests for the issuance of a notice of interim trail use if the abandonment has not been consummated and the railroad indicates a willingness to negotiate.” *Ala. & Fla. Ry.—Aban. Exemption—in Geneva, Coffee, & Covington Counties, Ala.*, AB 1073 (Sub-No. 1X), slip op. at 2 n.2 (STB served Mar. 24, 2022).

A copy of this Petition for Notice of Interim Trail Use along with Township's Statement of Willingness to Assume Financial Responsibility is being served on SWP on the same date it is being served on the Board.

Respectfully submitted,



William M. Martin, Esquire
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Uniontown, PA 15401
(724) 439-3939
wmm@radlaw.net

Solicitor for North Union Township

Date: December 10, 2025

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of December, 2025, the undersigned caused the foregoing
Petition for Notice of Interim Trail Use to be served on the following parties by email:

Thomas J. Litwiler, Esquire
Thomas J. Healey, Esquire
Fletcher & Sippel LLC
29 North Wacker Drive, Suite 800
Chicago, IL 60606-3208
THealey@fletcher-sippel.com
TLitwiler@fletcher-sippel.com

John Ashbridge
President
Southwest Pennsylvania Railroad Company
Bldg. 1, Suite 100
519 Cedar Way
Oakmont, PA 15139
johnashbridge@carloadexpress.com



William M. Martin, Esquire

Exhibit A

Map of the Line

Southwest Pennsylvania Railroad Company
— Abandonment Exemption —
In Fayette County, Pennsylvania
STB Docket AB-1240 (Sub-No. 1X)



Exhibit B

Statement of Willingness to Assume Financial Responsibility

Statement of Willingness to Assume Financial Responsibility

In order to establish interim trail use and rail banking under 16 U.S.C. §1247(d) and 49 CFR §1152.29 with respect to the right-of-way owned and operated by Southwest Pennsylvania Railroad Company, North Union Township, a township of the Second Class in the Commonwealth of Pennsylvania, 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 extends from V.S. 874+34 at Redstone Jct. near Washington Street to V.S. 839+30 at the north side of Oliver Road, a distance of approximately 0.66 miles; and from V.S. 1926+00 on the west side of North Gallatin Avenue Extension to V.S. 1989+93 near Coal Lick Run Jct. near the North Union Township/City of Uniontown border, a distance of approximately 1.21 miles; and together containing a total of approximately 1.87 route miles of railroad lines in Fayette County, Pennsylvania. The right-of-way is part of a line of railroad proposed for abandonment in Docket No. AB-1240 (Sub No. 1X). A map of the property depicting the right-of-way is attached.

North Union Township 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 railroad on the same date it is being served on the Board.

NORTH UNION TOWNSHIP

Approved as to form:

By: Ron Landman
Ron Landman, Secretary, Chairman

By: Robert Tupta
Robert Tupta, Chairman/Supervisor