

National Association of Reversionary Property Owners (NARPO)

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November 8, 2018

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Cynthia Brown

Chief, Section of Administration Surface Transportation Board Office of
Proceedings

395 E Street, SW

Washington, DC 20423

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Re: Docket No. AB 1107 X West Michigan Railroad

Dear Ms. Brown:

NARPO is responding to the November 9, 2018 filing of a letter from the Michigan Department of Natural Resources MDNR asking for an extension of a NITU. NARPO sees a problem in this NITU in that West Michigan Railroad has filed two consummation notices, 1/31/2014 for MP 30.2 to MP 30.55 and on 2/14/2014 for MP 25.1 to MP 26.5. But MDNR is still asking for a NITU extension for the portion of the abandonment in between these two consummations; namely between MP 30.2 and MP 26.5.

In the previous three NITU extensions the STB granted, the MDNR has asked for and received STB permission to extend the NITU for this portion of the right of way that has been disconnected from the National Rail System since the 2/14/2014 consummation of MP 25.2 to MP 26.5.

It appears that the Office of Proceeding is not doing due diligence before approving these NITU extensions. And the trail entity, now the MDNR, is

trying to pull a fast one on the STB and they seem to have succeeded so far.

NARPO also does not think the MDNR should be granted another NITU extension as they have done nothing in the almost 5 years since they and the Kal Haven Trails group have had the NITU granted by the STB. MDNR is using the same lame excuses the STB has seen for four and a half years. And the STB should not grant a NITU for MP 26.5 to MP 30.2.

Sincerely yours,

Dick Welsh, Executive Director, NARPO

NARPO verifies that James Radabaugh, radabaughj@michigan.gov, Paul Yauk, yorkp@michigan.gov, Audrey L Brodrick abrodrick@fletcher-sippel.com, Lawrence B Hummel, Friends of Kal Haven Trail no longer a party of record vbcrc@vbcrc.org, Matt Lincoln, lincolnm@michigan.gov, have received an email copy of this letter.

Signed Dick Welsh for NARPO dated November 9, 2018