

National Association of Reversionary Property Owners (NARPO)

245909

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Bellevue, WA 98004
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ENTERED
Office of Proceedings
June 11, 2018
Part of
Public Record

Surface Transportation Board
Chairman Ann Begeman
395 E Street
Washington, DC 20423

May 11, 2018

AB33-316X

Dear Ms. Begeman:

The National Association of Reversionary Property Owners (NARPO) is a non-profit foundation dedicated to the preservation of property rights. NARPO has appeared before the STB and the ICC since 1988 on behalf of our members, and we have been the plaintiff in court suits involving the ICC/STB. NARPO has also precipitated two rules makings before the ICC/STB over the years.

What causes us to write today is the recent letter to the STB from the Iowa Heritage Foundation (IHF) dated January 18, 2018 asking for another 180 day extension for a NITU that was issued back in 2013 for a 0.59-mile line of railroad on its Bristow Subdivision from milepost 318.07 to milepost 318.66 near Hampton, in Franklin County, Iowa. Notice of the exemption was served and published in the Federal Register on November 8, 2013 (78 Fed. Reg. 67,217). The exemption was scheduled to become effective on December 11, 2013.

As NARPO stated in 2017 concerning a trail use extension for AB 33-262X, we would like the STB to not continue extending these NITU extensions forever. The present requested extension is the 10th extension for this particular NITU. NARPO notices that the STB keeps waiving the Recording Fee even though the IHF is a non-government agency. NARPO has 7 members that own the land the right of way is on, and these owners have been wanting to use their property, but cannot because of the continued extension of the NITU. This NITU is for only 0.59 miles, but IHF cannot even do a deal with UP for this short track in over 5 years.

Again NARPO would like the STB to consider a rule making that would set a definite time frame for an Interim Trail Use agreement to be completed by the trail proponent and the abandoning railroad; like a firm order of 180 days, with no extensions, from the date of issuance of the Interim Trails Use Certificate much like the 180 days of the Public Use Condition that is put on most abandonments.

Sincerely yours,

Richard Welsh, Executive Director, NARPO

copies served on: Iowa Heritage Foundation and Franklin County Conservation Board

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Surface Transportation Board
Cynthia Brown, Secretary
395 E Street
Washington, DC 20423

May 31, 2018

RE: AB 33-316X

Dear Ms. Brown:

The National Association of Reversionary Property Owners (NARPO) sent a letter to the STB Chairman dated May 11, 2018 pertaining to AB 33-316X. NARPO forgot to serve Union Pacific Railroad (UP) with a copy of the May 11 letter. Please be advised that today we served a copy to UP.

Union Pacific Railroad Company

1400 Douglas Street, Stop 1580

Omaha, NE 68179

and by e-mail to jmberman@up.com

Sincerely yours,

A handwritten signature in black ink, which appears to read 'Richard Welsh', is written over the typed name.

Richard Welsh, Executive Director, NARPO