

July 13, 2018

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Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423

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Re: Support for NARPO proposal

Ms. Brown,

As a member of our Community Council Railroad Committee and a citizen who has extensively studied the issue of railroad easements in the U.S. I am writing in full support of the Petition for Rulemaking advanced by NARPO: Ex. Parte No. 79. 749

As a citizen I am shocked and dismayed at the continuous attempts by our federal government at taking property rights in utter disregard for common sense and the Constitution.

In Alaska we have faced the Department of the Interior and BLM. In the process of a simple transfer of the easement of the Alaska Railroad from federal to state ownership these departments transferred property interests not owned by the federal government.
See: www.railroadedalaska.com.

Each branch of the federal government seems to have a more creative methodology than the next to accomplish the stealing of property rights or delaying the same until hades literally freezes over.

Most of the property owners whose property is burdened by easements created under the 1875 General Railroad Act are faced with the "Rails to Trails Act" which operates to interfere with or prevent the reversion of the easement when abandoned.

I will call this what it is: it is unfair, unconscionable and unconstitutional. As to the existing rules that allow the matter of reversion to be continuously held in the air or bounced from pillar to post without end I will add that that situation is regrettable unfortunate and dumb.

The Act was passed at a time period in which the reversionary rights were perhaps unclear, although any reasonable reading of the 1941 Great Northern case should have been a good hint that the Act interfered with basic property rights.

The proposal will be a small step toward allowing reversion rights to be properly acknowledged.

Sincerely,


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