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April 20, 2007

219142

Honorable Vernon A. Williams
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Re: *Maryland Transit Administration – Petition for Declaratory Order*
Finance Docket No. 34975

Dear Sir:

I am enclosing an original and ten (10) copies of the Response of Maryland Transit Administration in the above referenced proceeding. An extra copy is enclosed for date stamp and return to our messenger. Please note that a 3.5 inch diskette is enclosed with this document.

Sincerely,

Charles A. Spitulnik

Enclosure

133209v1

Attorneys at Law
Denver • New York • Washington, DC

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**Before the
Surface Transportation Board
Washington, D.C.**

Finance Docket No. 34975

Maryland Transit Administration – Petition for Declaratory Order

RESPONSE OF THE MARYLAND TRANSIT ADMINISTRATION

Communications with respect to this document should be addressed to:

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Administration

Dated: April 20, 2007

**Before the
Surface Transportation Board
Washington, D.C.**

Finance Docket No. 34975

APR 20 2007
U.S. DEPARTMENT OF
TRANSPORTATION
WASHINGTON, D.C.

Maryland Transit Administration – Petition for Declaratory Order

RESPONSE OF THE MARYLAND TRANSIT ADMINISTRATION

The Maryland Transit Administration ("MTA"), by counsel, hereby submits this response to the requests for supplemental information included in the decision of the Surface Transportation Board ("STB") issued in this proceeding on March 30, 2007 ("STB Decision").¹ The March 30 Decision directed MTA to submit (a) an explanation of the apparent discrepancy between the stated length of the line and the corresponding stated mileposts, (b) a description of and explanation for any sale or salvage of any portion of the Cockeysville Industrial Track ("CIT") since MTA acquired it and (c) a description of and explanation for any and all obstacles that could potentially inhibit freight rail service on any portion of the CIT. The STB Decision also asked MTA to provide a detailed map of the CIT. The responses to the Board's requests follow.

(A) MTA CONFIRMS THAT THE LENGTH OF TRACK SUBJECT TO THESE PROCEEDINGS IS 14.22 MILES IN LENGTH.

MTA has determined, based upon the Verified Statement of Mr. Robert L. Williams, Transportation Engineer IV, Light Rail Operations, Maryland Transit Administration, attached hereto as Exhibit 1 ("VS Williams"), and examination of historical track maps provided by Mr. Williams, that the line is 14.22 miles in length. Two different locations 1.18 miles apart have

¹ The March 30 Decision directed MTA to respond by April 16, 2007. In a decision served on Wednesday, April 18, 2007 in response to a Petition of MTA, the date for submitting this response was extended to April 20, 2007.

been designated as Milepost 0.0 at various times. This distance corresponds to the apparent discrepancy created by the description of a specified length of line of 14.22 miles occupying the distance between Mileposts designated 0.0 and 15.4. Following is the history of the change in Mileposts:

1. As shown on VS Williams Exhibit B, the original Milepost 0 was located at the former Calvert Station near Center Street. That station was demolished in 1947. Milepost 1 was located at Union Station / Charles Street, and Milepost 2 was located just east of Mount Vernon Yard. A bridge over the line at Cedar Avenue was designated as being located at mile 2.17.

2. Union Station was later renamed Pennsylvania Station, and remained the location of Milepost 1 following the name change, as shown on VS Williams Exhibit C. Howard Street appears at Mile 1.25 on Exhibit C. The mile post markers on Exhibits B and C correspond to those shown on the valuation maps used to establish the mileage of the CIT when MTA acquired the line in 1990.

3. At some point around 1970, the milepost designations for the CIT were changed to reflect the reality that Calvert Street Station was no longer the beginning of the line. The track map dated 1988, VS Williams Exhibit D, shows milepost 1 to be just north of Cedar Avenue.² This is consistent with the relocation of milepost 0 to Pennsylvania Station. The Cedar Avenue Bridge is designed "Old Br. No 2.17". In each case where the mileposts appearing on Exhibit D are offset from those appearing on Exhibit C, the difference of the offset is 1.18 miles, which corresponds to the difference between 15.4 miles (as measured by Milepost locations) and 14.22 miles (actual distance) appearing in the description of the CIT. VS Williams at 5-6. The end point of the line, at mile 15.4, is located just south of the "U.G. Br. 15.44" appearing on Page C-5.

² Cedar Avenue is now referred to by the City of Baltimore as Wyman Park Drive

B. MTA HAS RECONFIGURED THE CIT TO PERMIT EFFICIENT LIGHT RAIL OPERATIONS BUT HAS NOT SOLD OR SALVAGED ANY PORTION OF THE LINE OF RAILROAD

MTA has taken no actions that would prevent Norfolk Southern Railway Company ("NSR"), as successor to Consolidated Rail Corporation ("Conrail") the holder of common carrier obligations on the CIT, from fulfilling its obligation to provide common carrier service on the line. In his Verified Statement, Mr. Williams describes the changes to the line since MTA acquired it. See VS Williams at 2-3, ¶¶ 6(a)-(f), 7.

Any action with respect to the transfer and development of the parcel referred to as the Maryland Specialty Wire property in Comments of James Riffin submitted in this proceeding on January 11, 2007, was undertaken by persons other than MTA (VS Williams at 4, ¶9) and, in any event, did not affect a line of railroad subject to the Board's jurisdiction. MTA conveyed a portion of the private industrial spur within the MTA right of way which connected the CIT to Maryland Specialty Wire Inc., in 1995, subject to an easement in favor of Baltimore County over such parcel, but MTA has never owned any of the real property on which the Maryland Specialty Wire operation was previously located. No authorization for sale of the track or cessation of operations over it was required because it was a spur track covered by 49 U.S.C. §10906.

Other than the removal of tracks described in Mr. Williams' Verified Statement, or the replacement of tracks as part of the construction of the light rail initially or the recent installation of a second track for the entire length of the light rail operation north of North Avenue, MTA has not sold or salvaged portions of the CIT line. MTA currently uses the CIT line from a point just north of North Avenue on the old CIT line (see VS Williams Exhibit D at page D-4) to a point just north of Warren Road (a point just north of MP 13 on VS Williams Exhibit D at page D-

28).³ The changes to the remainder of the CIT line north of Warren Road, other than the unauthorized salvage operation conducted unlawfully by Mr Riffin at the former Cockeysville Station (*see also* VS Williams at 2¶ 6(d))⁴ have not resulted from sale or salvage operations conducted by MTA.

C. MTA HAS CREATED NO OBSTACLES TO THE PROVISION OF RAIL SERVICE TO LOCATIONS ON THE CIT THAT WERE RECEIVING RAIL SERVICE AS OF THE DATE THAT IT ACQUIRED THE CIT

MTA has created no conditions which would potentially prevent the common carrier from fulfilling its obligations to locations that were receiving service on the active line as of the date that it acquired the line from Conrail.⁵ With one exception, any facilities which MTA has altered or permitted to be altered can be readily restored to service if so required.

MTA has made or permitted to be made the following alterations to facilities on or associated with the CIT since MTA acquired the line:

- (a) At Timonium Road (Milepost 10.3, *see* VS Williams Exhibit D at page D-22, MTA MP 12 (approximately) on Exhibit 2 page 2.3⁶), a switch and siding for Massey Ferguson / Saco Supply was modified in connection with MTA's original development of its light rail line in the early 1990s. Massey Ferguson was not using this siding at the time of MTA's acquisition of the property, and has

³ A map of the current configuration of the Light Rail line is attached to this Response as Exhibit 2. The milepost designations on that map are the mileposts used by MTA for its operation. On that map, the segment between a point near MTA MP 2 (at North Avenue, where the line designated "Amtrak (to Penn Station)" connects) and a point at approximately MTA MP 14.5, just north of Warren Road where the CIT line labeled "to Cockeysville" leaves the Light Rail Line, is the portion of the CIT line that is used for light rail operations. The portion of the CIT line north of Warren Road is not used or configured for light rail operations.

⁴ A copy of the reports prepared by MTA staff at the time that MTA discovered that Mr Riffin was helping himself to MTA's property without MTA's permission, and the police reports related to his unauthorized use of MTA property for storage of heavy equipment, are attached to this Response as Exhibit 3.

⁵ Mr Williams, in his Verified Statement at 4. ¶ 12, addresses the inaccurate and wholly unfounded allegations of Mr Riffin (found in Riffin's Comment 12 at para. 30 on page 10) about MTA's alleged construction of a concrete wall and change in the elevation of the track.

⁶ *See* fn. 3, *supra* for a description of the chart that is attached at Exhibit 2.

subsequently sold its property, which has since been redeveloped as a shopping center.

- (b) Also at Timonium Road, a switch to serve 84 Lumber which was out of service in 1990 at the north end of the 84 Lumber property has been replaced with a switch to provide access at the south end of the property. MTA now owns the 84 Lumber property and uses the side track for storage of its track equipment (See VS Williams Exhibit D at page D-22, MTA MP 11.9 on Exhibit 2 page 2.3).
- (c) At Padonia Road near Milepost 12.85 (See VS Williams Exhibit D at page D-24, MTA MP 13 on Exhibit 2 page 2.3), two switches that were already out of service in 1990 were removed.
- (d) Rails at the grade crossing at Cockeysville Road (VS Williams Exhibit D at page D-29), have been paved over. The right of way in this area remains intact, however, and should these rails be required to be restored to service, rehabilitation work would require not more than one week to complete. See VS Williams at 3, ¶6(e).
- (e) Rails leading to the former Packard Fencing depot at Cockeysville (the former Cockeysville Station), which is now MTA property, have been paved over. The right of way in this area remains intact, however, except to the extent that Mr. Riffin has unlawfully and without MTA's permission removed the rail.⁷ If restoration of rail service to this facility were to be required at any time, the right of way remains intact and could be restored.

The sole location where the track and right-of-way have been reconfigured in such a way that rail service could not easily be restored is at York Road, a point just beyond the former

⁷ See Exhibit 3

Cockeysville Rail Station and just south of the northernmost point on the line that MTA acquired from Conrail. According to Mr. Williams:

... [T]he Maryland State Highway Administration ("SHA") sought and received MTA's permission to correct the dangerous situation created by the road underpass/rail overpass at York Road. Because of the grade of the street, water collected in the automobile underpass during rainstorms creating dangerous situations and rendering the road impassable. The line had been abandoned just to the north of that overpass, and there were no active shippers north of the overpass at that time. Segments of the track north of there had been removed prior to MTA's acquisition. The connection between the old rail line and the property now owned by James Riffin and alleged to be owned by Mark Downs has been gone since the 1940's. As a result, MTA permitted SHA to remove the overpass and reconfigure the street to remove the dangerous condition.

VS Williams at 3, ¶7.

D. A MAP OF THE CIT

The most accurate depiction of the configuration of the CIT is included in Exhibit D to Mr. Williams' Verified Statement. The line acquired by MTA in 1990 ended at the location on page D-30 of that Exhibit, immediately north of York Road. Except as described in that Verified Statement and in this Response, the line acquired by MTA remains intact and available for rail service. As noted above, the only section of the line that is out of service is the segment north of the former Cockeysville freight station to the end of the line due to the reconstruction of York Road to eliminate that safety hazard created by the underpass.

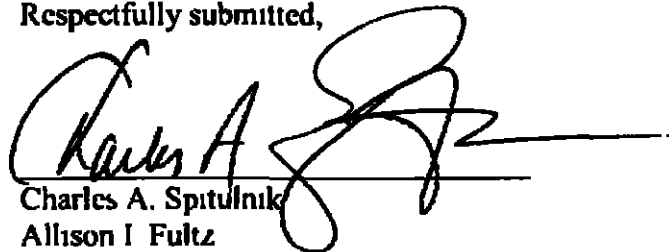
CONCLUSION

As set forth above, MTA (1) confirms that the length of line being acquired is 14.22 miles; (2) confirms that it has not sold or removed any portion of the CIT, and (3) confirms that,

with the exception of the removal of the rail overpass at York Road, it has not created any obstruction that would impede the provision or restoration of freight service to the CIT.

WHEREFORE, and in view of the foregoing, the MTA respectfully reiterates its request that this Board issue a declaratory order to confirm that MTA's acquisition of the CIT was outside the Board's jurisdiction and not subject to the Board's approval under 49 U.S.C. §10901 because common carrier obligations attached to the line were not transferred to MTA and that MTA did not assume any common carrier rights or obligations by virtue of its acquisition of the CIT.

Respectfully submitted,

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Charles A. Spitulnik
Allison I Fultz
Kaplan Kirsch & Rockwell LLP
1001 Connecticut Avenue, NW
Suite 905
Washington, D.C. 20036
(202) 955-5600
Email: csputulnik@kaplankirsch.com
afultz@kaplankirsch.com
Counsel for the Maryland Transit
Administration

Date: April 20, 2007

Certificate of Service

I hereby certify that I have this 20th day of April, 2007, caused to be served a copy of the foregoing Response of the Maryland Transit Administration, upon the following parties of record by first class mail, with postage prepaid:

James Riffin d/b/a The Northern Central Railroad
1941 Greenspring Drive
Timonium, MD 21093

Eric S. Strohmeier
CNJ Rail Corporation
833 Camoustie Drive
Bridgewater, NJ 08807



Charles A. Spitulnik

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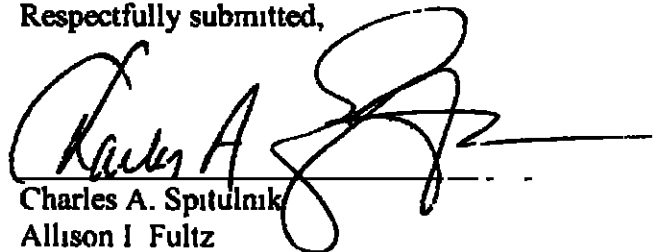
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WHEREFORE, and in view of the foregoing, the MTA respectfully reiterates its request that this Board issue a declaratory order to confirm that MTA's acquisition of the CIT was outside the Board's jurisdiction and not subject to the Board's approval under 49 U.S.C. §10901 because common carrier obligations attached to the line were not transferred to MTA and that MTA did not assume any common carrier rights or obligations by virtue of its acquisition of the CIT.

Respectfully submitted,

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Administration

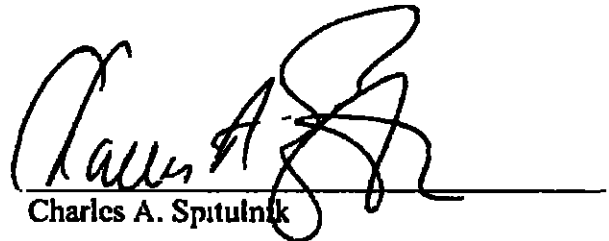
Date April 20, 2007

Certificate of Service

I hereby certify that I have this 20th day of April, 2007, caused to be served a copy of the foregoing Response of the Maryland Transit Administration. upon the following parties of record by first class mail, with postage prepaid:

James Riffin d/b/a The Northern Central Railroad
1941 Greenspring Drive
Timonium, MD 21093

Eric S. Strohmeier
CNJ Rail Corporation
833 Camoustic Drive
Bridgewater, NJ 08807



Charles A. Spitulnik

132371v3

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Exhibit 1
Verified Statement of Robert L. Williams
[attached hereto]

**Before the
SURFACE TRANSPORTATION BOARD
Washington, D.C.**

Finance Docket No. 34975

**MARYLAND TRANSIT ADMINISTRATION –
PETITION FOR DECLARATORY ORDER**

VERIFIED STATEMENT OF ROBERT L. WILLIAMS

I, Robert L. Williams, Transportation Engineer IV, Light Rail Operations, Maryland Transit Administration, do swear and affirm the following to the best of my personal knowledge:

1. I provided from my personal files copies of the track charts and diagrams showing conditions prior to 1988 on the line known as the Cockeysville Industrial Track ("CIT"), which was historically part of the former Northern Central Railway's main line. The attached statement of my education and experience (Exhibit A to this statement) confirms that I have extensive familiarity with and knowledge of the history of and current conditions on the CIT.
2. The track chart appearing as Exhibit B to this statement reflects conditions existing as of May 31, 1917.
3. The track chart appearing as Exhibit C reflects conditions existing as of 1965. The mile post markers on Exhibits B and C correspond to those shown on the valuation maps used to establish the mileage of the CIT when MTA acquired the line in 1990.
4. The track chart appearing as Exhibit D reflects conditions existing as of 1988. This is the last track chart prepared prior to MTA's acquisition of the line. I prepared this document myself at the request of Conrail based on my own observation of the line at the time.

5. The foregoing track charts reflect conditions existing prior to the Maryland Transit Administration's ("MTA") acquisition of the CIT.

6. Since acquiring the line in 1990, MTA has made or caused to be made the following alterations to facilities on or associated with the CIT:

- (a) At Timonium Road, a switch and siding for Massey Ferguson / Saco Supply was modified in connection with MTA's original development of its light rail line without objection from the shippers. Massey Ferguson subsequently sold its property, which has since been redeveloped as a shopping center, and the developer removed the tracks in connection with construction of the shopping center in approximately 2002. In 2004, after the shopping center had been constructed, MTA removed the unused switch and siding without the objection of the property owner of the redeveloped property.
- (b) At Timonium Road, a switch to serve 84 Lumber that was out of service in 1990, at the north end of the 84 Lumber property has been replaced with a switch to provide access at the south end of the property. MTA now owns this property and uses the side track for storage of its track equipment.
- (c) At Padonia Road, two switches that were already out of service in 1990 were removed.
- (d) Rails leading to the former Cockeysville freight station at Cockeysville, which is now MTA property, have been paved over. Packard Fencing occupied the former depot building under a lease from MTA. The tracks that have been removed at the Cockeysville station were taken, without permission from MTA, by Mr. James Riffin. If for any reason the rail connection to this property is ever required,

MTA can rehabilitate and establish this service. Although some of the track has been paved over, the majority of the infrastructure remains in place and, with some rehabilitation, could be used for freight service if necessary.

- (c) Rails at the grade crossing at Cockeysville Road were paved over in 1993. Should these rails be required to be restored to service, rehabilitation work would require not more than one month to complete.
- (f) A siding, the former Texas Industrial Siding (shown near milepost 13 on the track chart attached as Exhibit D), just north of Padonia Road, was removed during MTA's recent double track project. However, if it were ever to become necessary to serve Imerys by rail again (which is unlikely since Imerys has made other shipping arrangements), rail access to that facility could be restored.
- (g) The siding shown on Exhibit D at milepost 11.1, just north of Timonium Road, was removed as part of the double track project. The switches at that location were in place but out of service when MTA acquired the line.

7. In addition to all of these changes, the Maryland State Highway Administration ("SHA") sought and received MTA's permission to correct the dangerous situation created by the road underpass/rail overpass at York Road. Because of the grade of the street, water collected in the automobile underpass during rainstorms creating dangerous situations and rendering the road impassable. The line had been abandoned just to the north of that overpass, and there were no active shippers north of the overpass at that time. Segments of the track north of there had been removed prior to MTA's acquisition. The connection between the old rail line and the property now owned by James Riffin and alleged to be owned by Mark Downs has been gone since the

1940's. As a result, MTA permitted SHA to remove the overpass and reconfigure the street to remove the dangerous condition.

8. The construction of any other obstructions to the line or removal of any track or associated facilities alleged to have been performed by MTA, other than those described above, occurred prior to MTA's acquisition of the CIT and were performed by persons unknown to MTA. Again Exhibit D, the 1988 track chart that I prepared, confirms this.

9. MTA has sold no portion of the CIT that was part of the active rail line. Any action with respect to the transfer and development of the parcel referred to as the Maryland Specialty Wire property in Comments of James Riffin submitted in connection with this proceeding on January 11, 2007, was undertaken by persons other than MTA. Apart from track removed from property not owned by MTA, the rail and siding adjacent to the Maryland Specialty Wire still exists and has not been removed. If required, this track can be rehabilitated with one month's work.

10. Packard Fencing, a lessee of MTA at Cockeysville, was required to vacate its premises in order for MTA to comply with federal homeland security requirements and not for any other reason.

11. To the best of my knowledge, and notwithstanding the statements of Mr. Riffin, no facility operated by "Badolato Stone" exists adjacent to the CIT at Cockeysville.

12. Mr. Riffin also refers in paragraph 30 of his comments to a 12 inch thick concrete wall, and elevation of the right of way at that location, near North Avenue. Mr. Riffin is mistaken. There has been a grade separation between the former Northern Central Railroad mainline and the yard since the yard was constructed in the 1880s. There has historically been a retaining wall at that location – MTA performed an in-place replacement of an old stone wall that had previously been in this location with a concrete wall. In addition, the potential for interchanging

traffic from the old CIT line to CSXT south of North Avenue was eliminated in 1987 when the former Pennsylvania Railroad "Highline" track was removed from B&P Tower to North Avenue by its then owner, Amtrak.

13. As of MTA's acquisition of the CIT in 1990, no active shippers existed north of York Road in Cockeysville and tracks north of York Road had been removed. South of York Road, the CIT can be used or readily restored to service.

14. Finally, there is a ready explanation for the apparent discrepancy between the stated 14.22 miles of line, and the description of this line as extending from milepost 0.0 to milepost 15.4. Two different locations 1.18 miles apart have been designated as Milepost 0.0 at various times. As shown on Exhibit B, attached to this statement, the original milepost 0 for this rail line was located at the former Calvert Station near Center Street that was demolished in 1947. Milepost 1 was located at Union Station Charles Street, and Milepost 2 was located just east of Mount Vernon Yard. A bridge over the line at Cedar Avenue was designated as being located at mile 2.17. Union Station was later renamed Pennsylvania Station, and remained the location of milepost 1 following the name change, as shown on Exhibit C, attached to this statement. Howard Street appears at mile 1.25 on Exhibit C.

At some point in time around 1970, prior to MTA's acquisition of the CIT in 1990, the milepost designations for the CIT were changed. Milepost 0 was moved to Pennsylvania Station. The track map dated 1988, attached as Exhibit D, shows milepost 1 to be just north of Cedar Avenue.¹ This is consistent with the relocation of milepost 0 to Pennsylvania Station. The Cedar Avenue Bridge is designated "Old Br. No. 2.17." In each case where the mileposts appearing on Exhibit D are offset from those appearing on Exhibit C, the difference of the offset is 1.18 miles, which corresponds to the difference between 15.4 miles (as measured by

¹ Cedar Avenue is now referred to by the City of Baltimore as Wyman Park Drive

Milepost locations) and 14.22 miles (actual distance) appearing in the description of the CIT.

The end point of the line, at mile 15.4, is located just south of the "U.G. Br. 15.44" appearing on Page C-5.

172360v2

State of Maryland)
City of Baltimore) ss'

I, Robert L. Williams, herby verify under penalty of perjury that I am aware of and know the facts recited in the foregoing Affidavit, and that those facts are true and accurately stated to the best of my knowledge


Robert L. Williams

Subscribed and sworn to
before me this 11 day of
April, 2007


Notary Public

My Commission expires

My Commission
Expires 2/1/2010

Exhibit A
[attached hereto]

Exhibit A
Robert L. Williams
Statement of Education and Background

Education:

Bachelor of Science, Engineering Towson State College 1979

Graduate level coursework University of Wisconsin

- Railroad engineering
- Track design

Certificates – individual courses University of Delaware

- Railroad engineering
- Track design

Work Experience:

National Rail Passenger Corporation (Amtrak) 1979-1988

- Track man
- Flag man
- Engineering staff member – Division Engineer's Office
- Block Operator
- Rules Examiner
- Engineer responsible for the preparation and revision of system track charts

State of Maryland – Department of Natural Resources 1988-1991

- Project manager for restoration and archaeological investigation of Monkton Train Station (former Northern Central Railroad station)

Private Practice – Environmental Engineering 1991-1997

State of Maryland – Maryland Transit Administration (MTA) 1997-present

- Head Archivist and Historian for MTA
- Project Manager for planning of MTA double track project on former Northern Central Railroad line
- Transportation Engineer IV, Light Rail Operations

- Participant – Planning committee for planning of York's proposed light rail system

Publications and Presentations:

Publications:

- **The Greenspring Accommodation** (Transportation Trails, 1995) – history of a branch line of the Northern Central Railroad from Lake Roland to Owings Mills, Maryland
- **Railpace** magazine – various articles on the history of the Northern Central Railroad
- **Rail** magazine – various articles on the history of the Northern Central Railroad
- Baltimore County Historical Society publications – various articles on the history of the Northern Central Railroad
- **Right of Way and Plans Book for the Maryland and Pennsylvania Railroad**, Maryland and Pennsylvania Historical Society
- Maryland Transit Administration, official agency history of the Northern Central Railroad
- Contributor to books by Herbert Harwood and Robert Gunnerston detailing the history of the Northern Central railroad
- Article about the history of the Northern Central Railroad in the annual proceedings of the National Railroad Historical Society, 2004

Presentations:

- Numerous slide presentations and lectures about the history of the Northern Central Railroad for:
 - Maryland Transit Administration
 - Baltimore County Historical Society
 - York, PA, Chamber of Commerce
- National Railroad Historical Society, Annual Convention, Camp Springs, PA, 2004 – history of the Northern Central Railroad

Exhibit B
[attached hereto]

NORTHERN CENTRAL RAILWAY

PRR - SOUTHERN DIV

BALTIMORE DIVISION

TRACK CHART

MAY 31, 1917

Drawn By R. L. Williams, Lutherville, Md - 1969

LEGEND

TRACK

CROSSOVER

NO. 8-T-S" A TYPE OF SWITCH, NON-INTER
LOCKING SWITCH INDICATED BY "S"

NO. 10-7-30-K" A TYPE OF SWITCH,

INTERLOCKING SWITCH INDICATED BY "K"

BLOCK STATION-CALL LETTERS

PASSENGER STATION

TOOL HOUSE

FREIGHT STATION

WATER TANK

STAND PIPE

OVER HEAD BRIDGE CROSSING

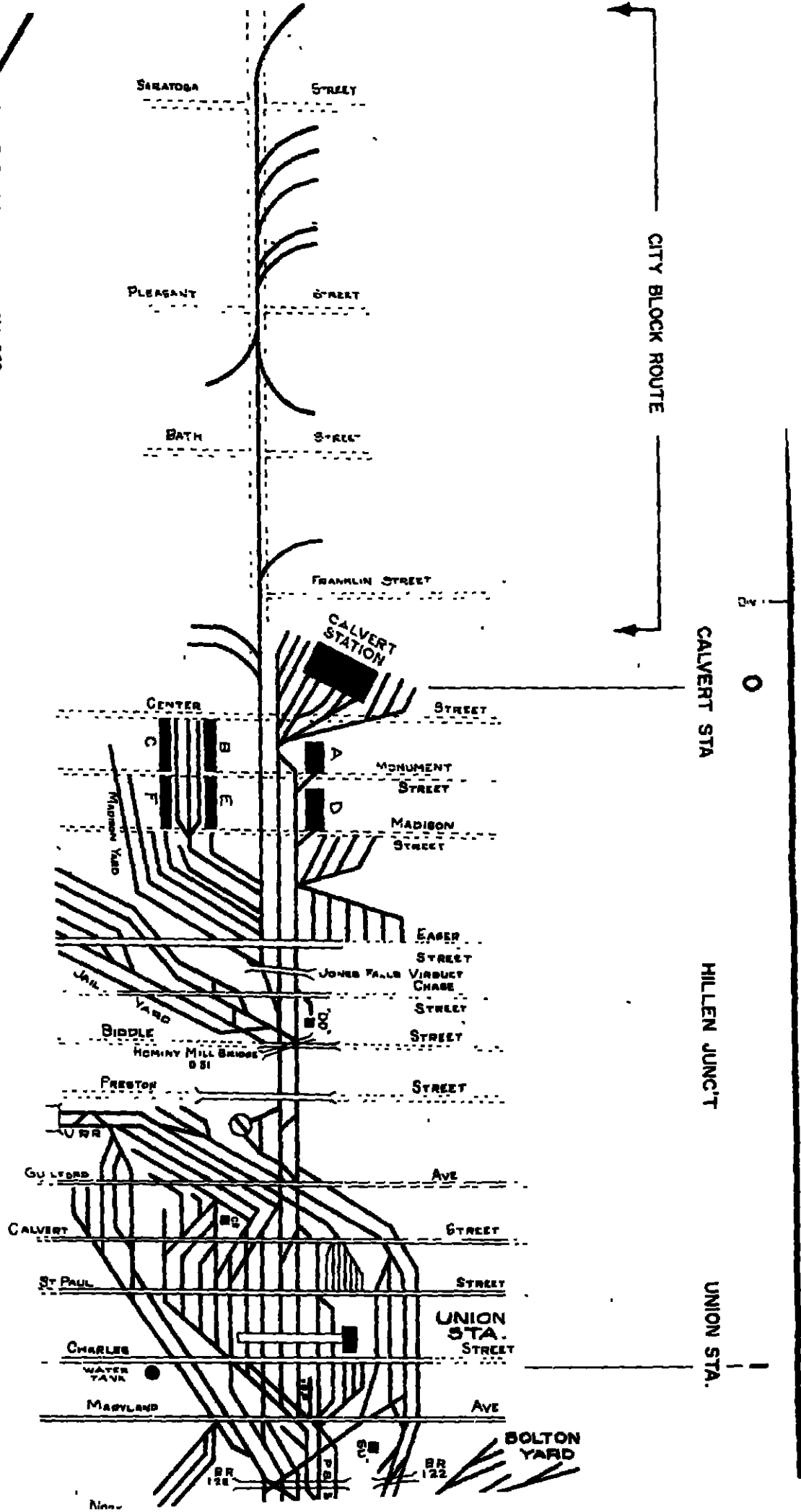
UNDER GRADE BRIDGE

(ROAD) GRADE CROSSING

BRIDGE GUARD

MILE POST

Drawn By R. L. Williams, Lutherville, Md. - 1989



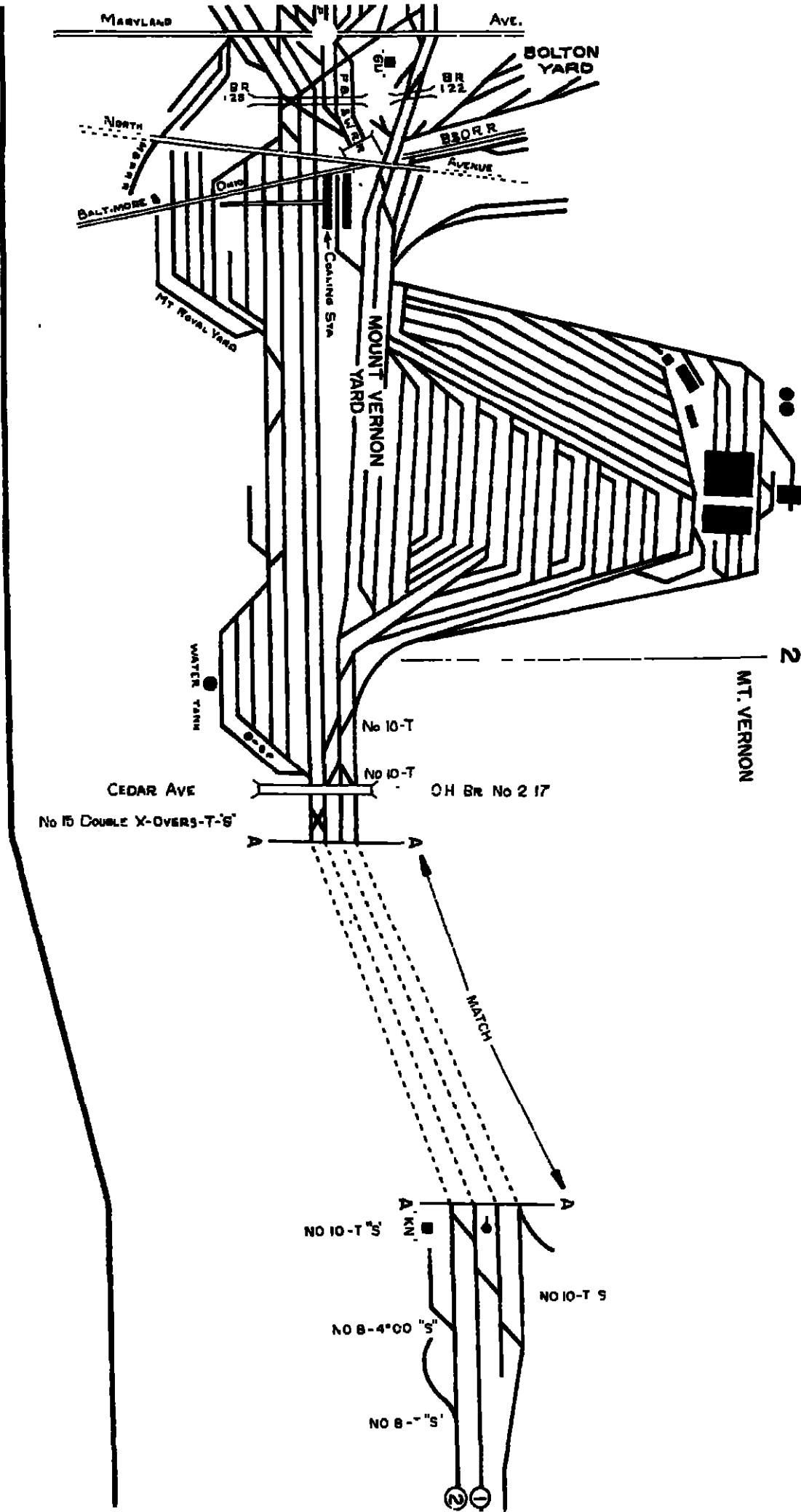
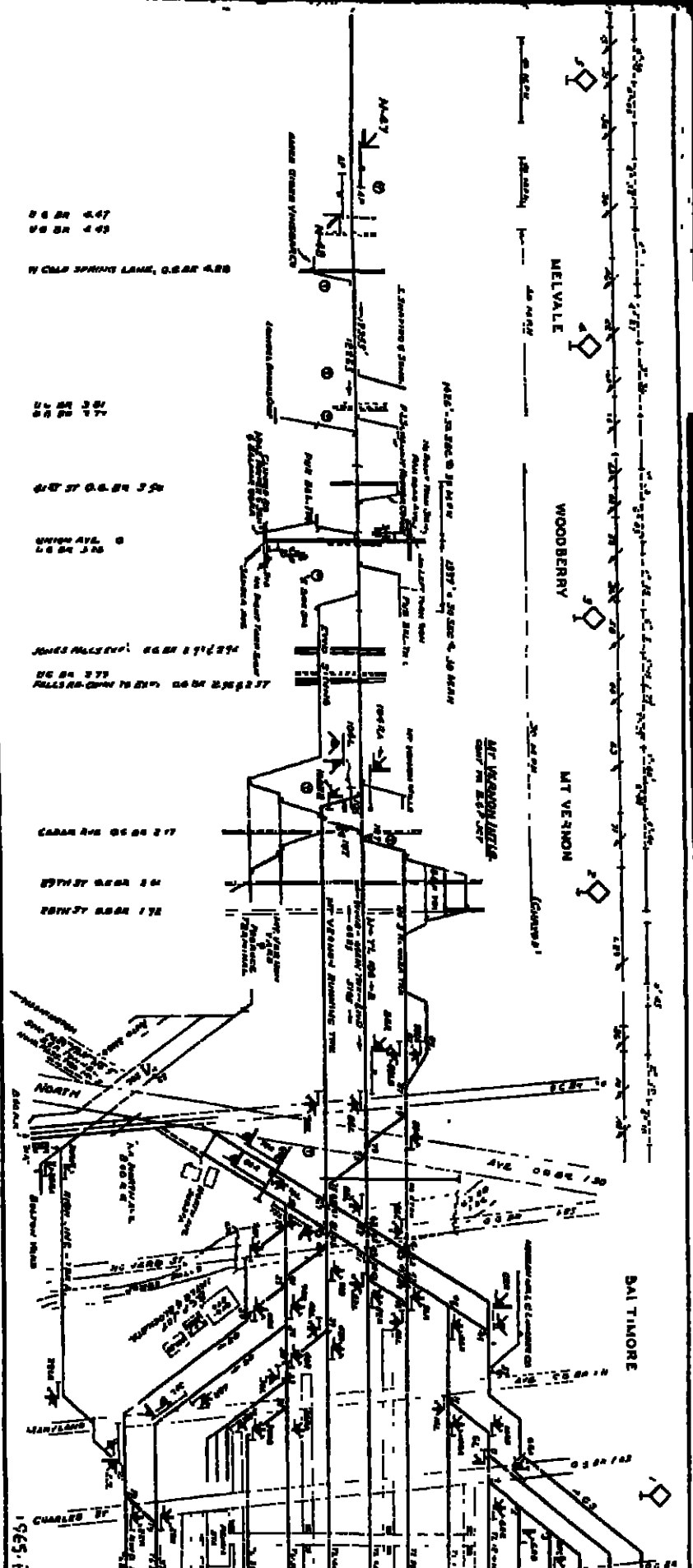


Exhibit C
[attached hereto]



Verified Statement of Robert L. Williams
 Exhibit C

UG BR 703
UG BR 704
UG BR 711

FALLS RD. 06 BR 650

ONES FALLS EXPY 06 BR 621

UG BR 592
MELAY AVE 06 BR 584

DELVORE AVE. 06 BR 541
UG BR 535

UG BR 447
UG BR 409

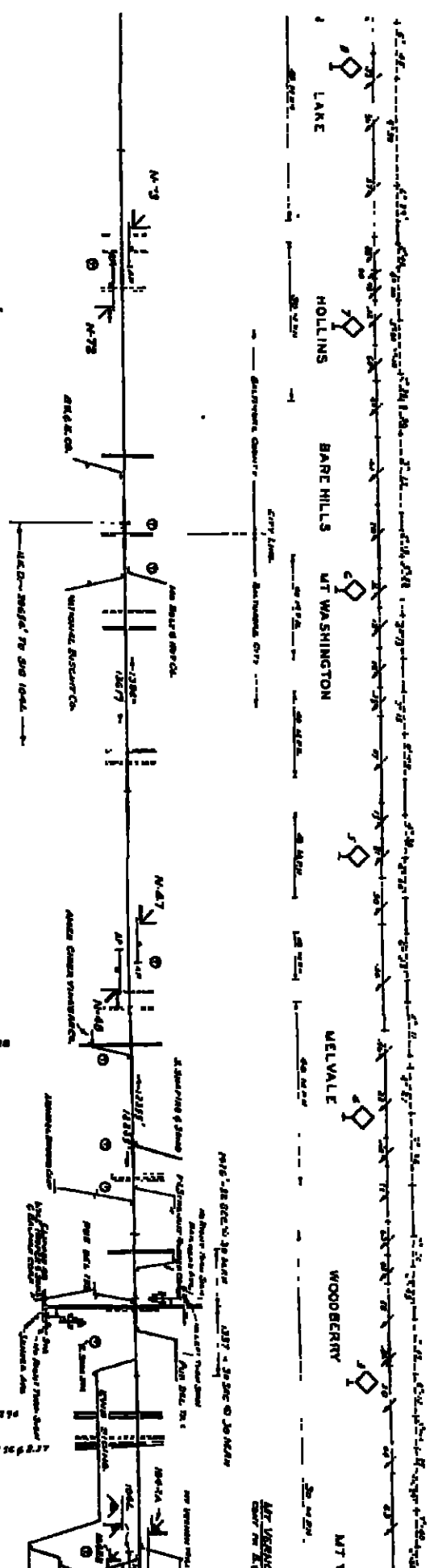
N Cold Springs Lane, 06 BR 488

UG BR 351
UG BR 350

41st ST 06 BR 370

UNION AVE. 0
UG BR 328

ONES FALLS EXPY 06 BR 212
UG BR 279
FALLS RD EXPY TO EXPY 06 BR 212



MT WASH
COUNTY

USDA N 15

US BR 1007

SEMINARY AVE 6

US BR 1008

BALTIMORE COUNTY BALTIMORE 00 BR 100

US BR 1009

JANPA RD 00 BR 101

US BR 101

RUTON RD 00 BR 102

US BR 103

US BR 104

US BR 105

FALLS RD 00 BR 106

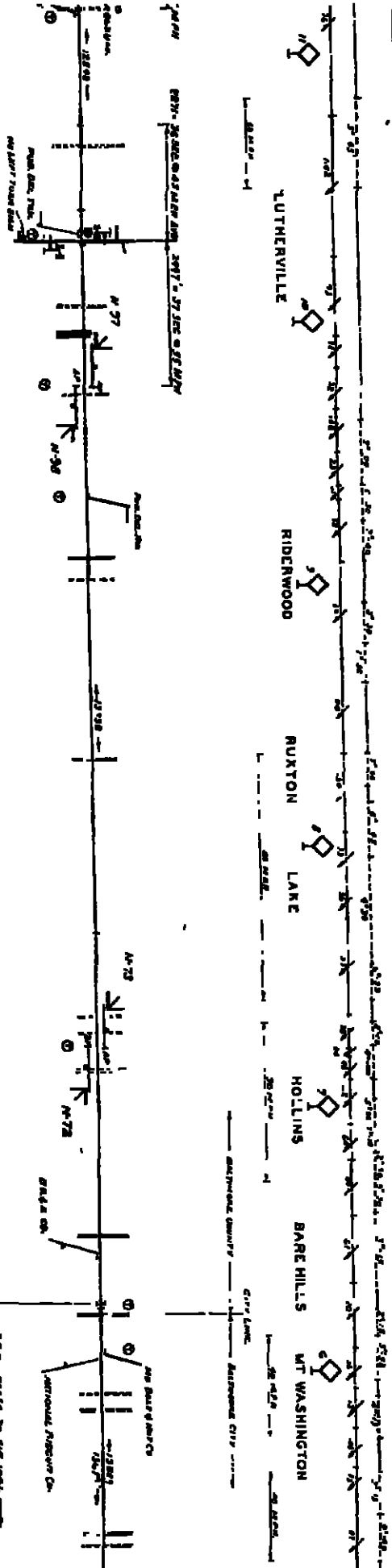
JONES HILLS EMPY 00 BR 107

US BR 108

BALTIMORE 00 BR 109

BALTIMORE AVE 00 BR 110

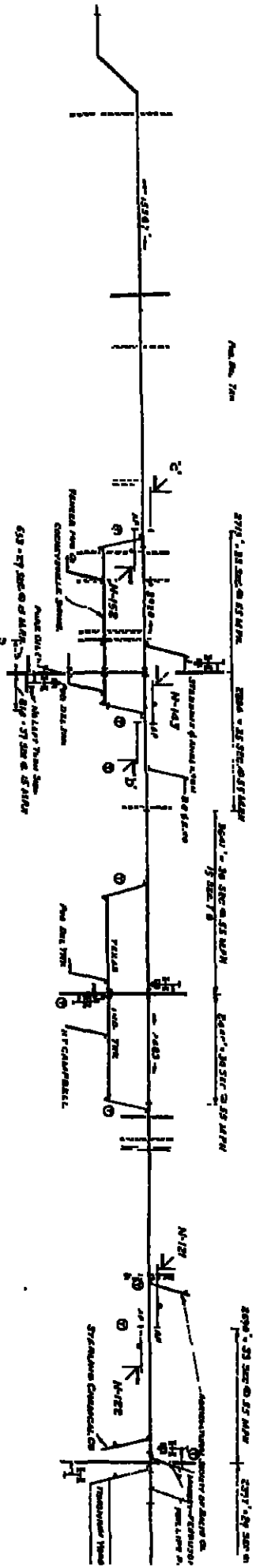
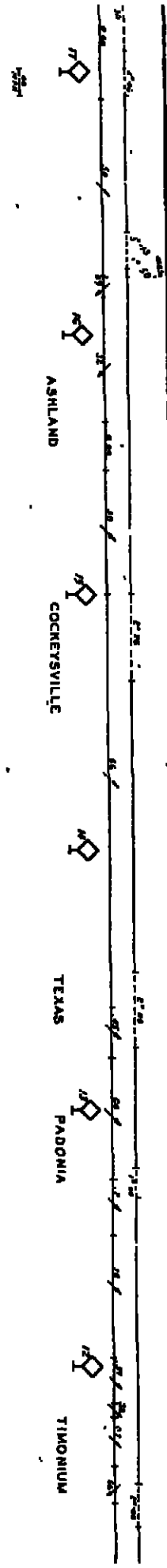
US BR 111



Verified Statement of Robert L. Williams

Exhibit C

PAGE C-3



US BR 16 94
 JETROPS RD 06 BR 16 94
 US BR 15 96
 US BR 15 94
 US BR 15 78
 US BR 15 95
 York TURNING 06 BR 19 97
 COCKEYSVILLE HWY, 06 BR 14 93
 Pennsylvania Rd. 0
 US BR 16 76
 CHURCH LANE 0
 PADONIA Rd 0
 06 BR 19 97
 PADONIA RD. 06 BR 12 95
 COCKEYSVILLE PHO Rd
 06 BR 12 95
 PADONIA RD 0

Exhibit D
[attached hereto]

NOTES

LEGEND

-  MILE POST
-  TRACK
-  SWITCH WITH DERAIL
-  SWITCH (Out of Service)
-  SWITCH (In Service)
-  TELEPHONE (Out of Service)
-  HIGHWAY CROSSING GATES

Abbreviations Used

- OH Over Head
- CG Over Grade
- UG Under Grade
- BR Bridge
- NO Number
- STA Station

Scale None

CONRAIL
Consolidated Rail Corporation
Harrisburg Division
COCKEYSVILLE IND. TRACK

TRACK CHART



JULY 1988

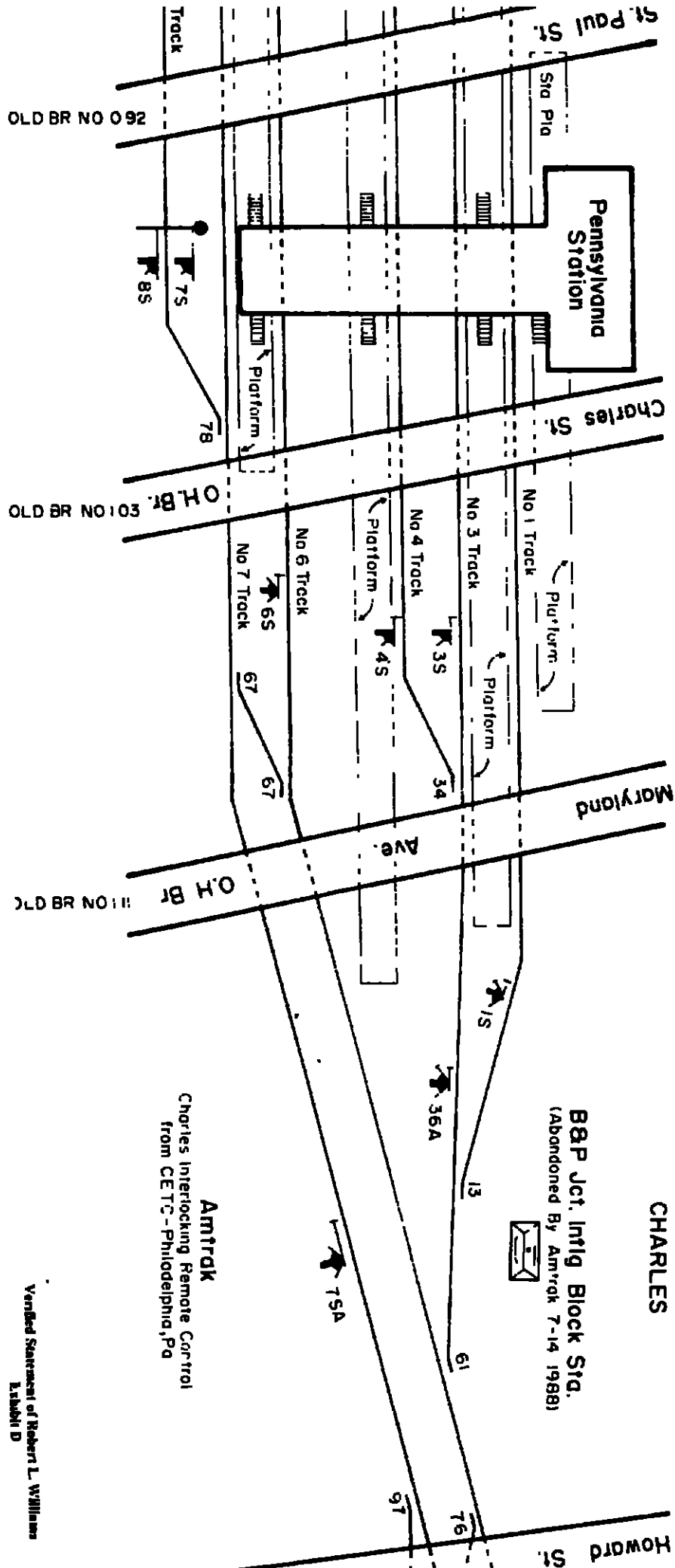
Drawn By R. L. Williams, J. L. Williams, Md. 1990

W. S. 2/1/90

©19

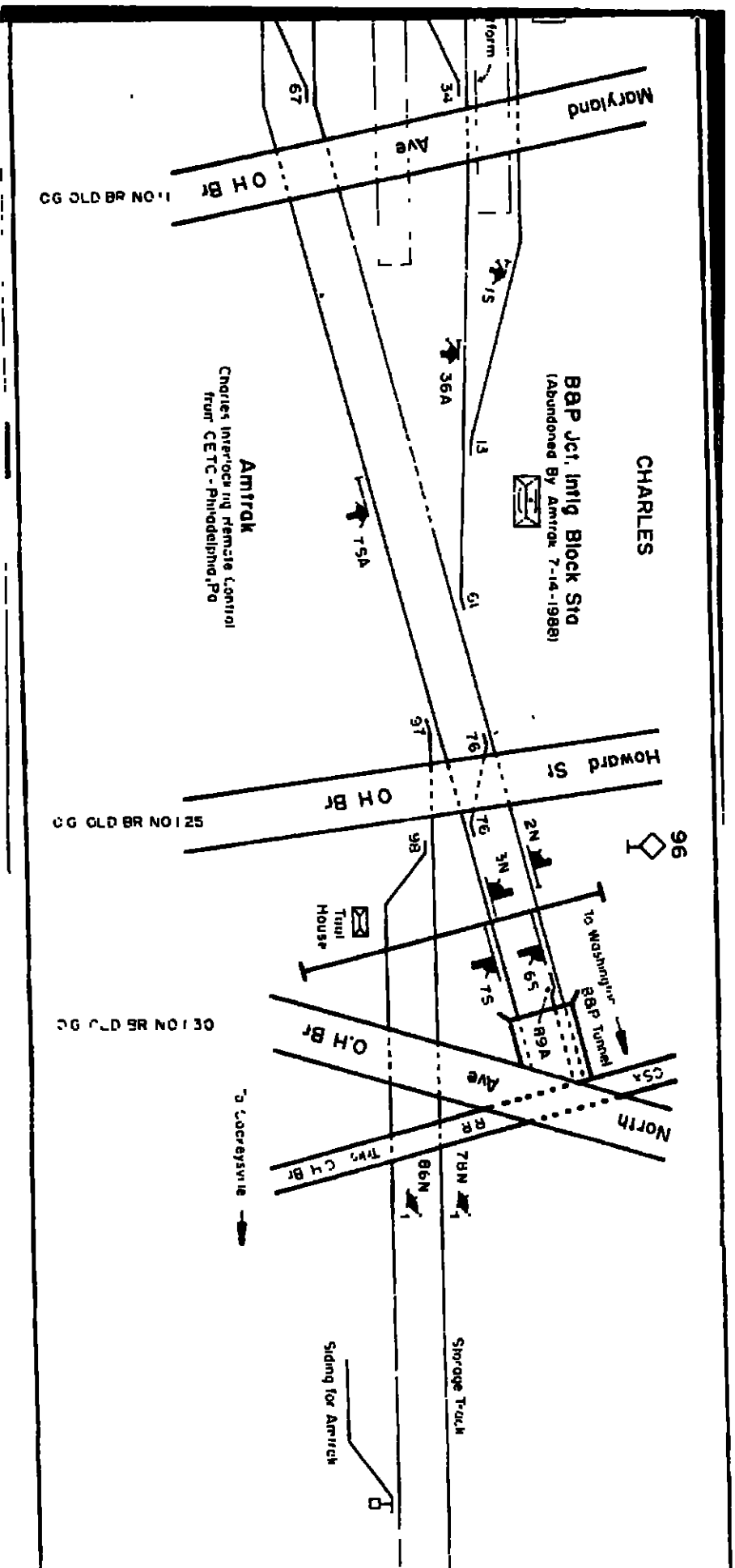
Verified Statement of Robert L. Williams
Exhibit D

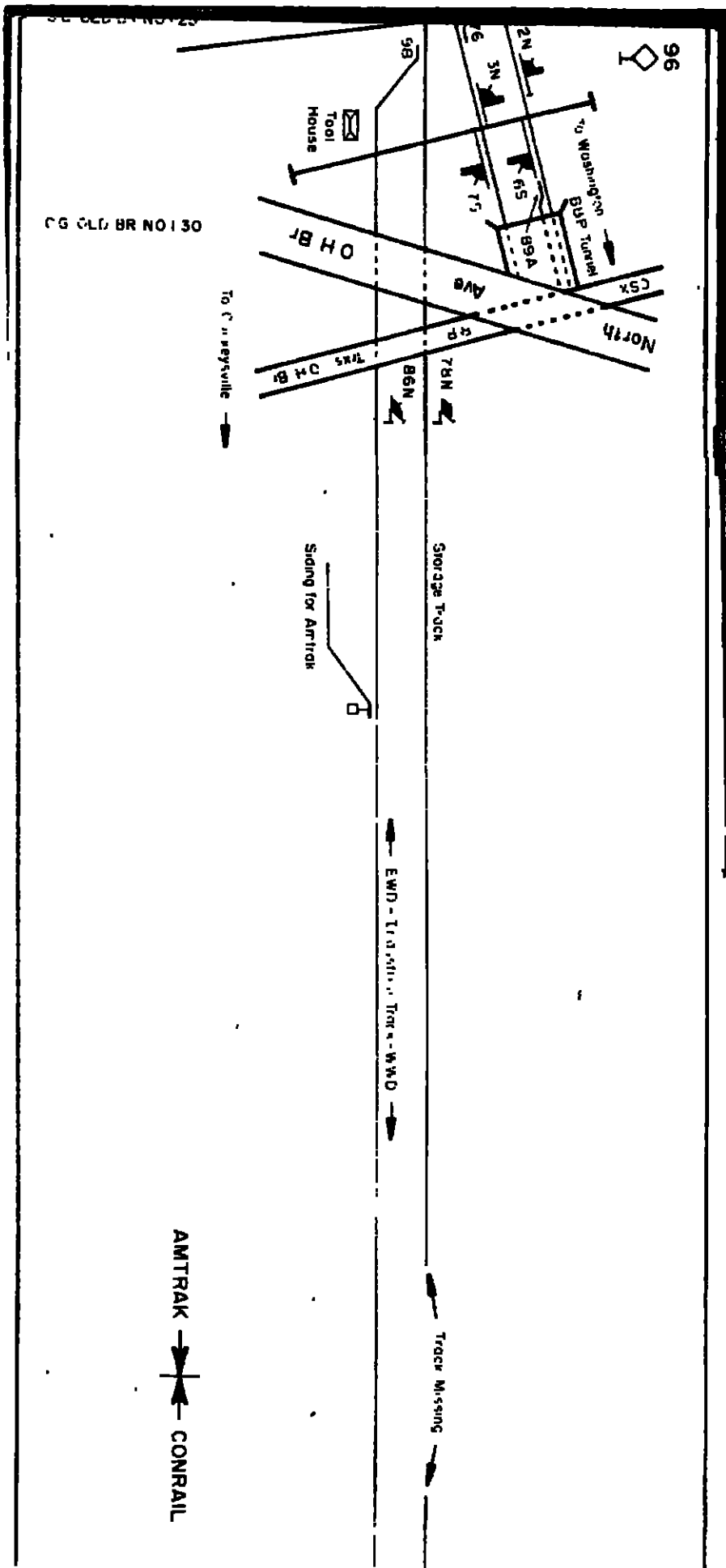
PAGE D-1



Amtrak
Charles Interlocking Remote Control
from CETC-Philadelphia, Pa

B&P Jct. Intlg Block Sig.
(Abandoned By Amtrak 7-14 1988)





MOUNT VERN

To Vernon Freepi Road

End of Trce

Trce Missing

EWD - Industry Trce - WWD

28th	St	OH BR
29th	St	OH BR

Trce

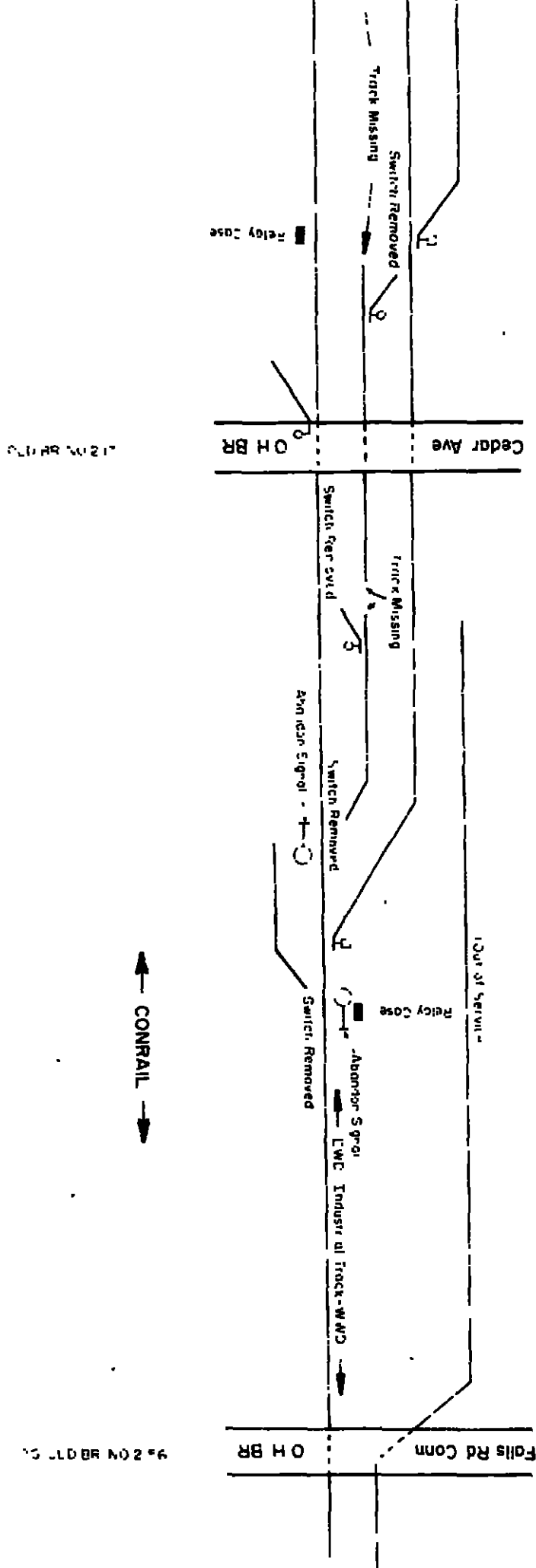
ve
01

AMTRAK ——— CONRAIL

26 ON BR 371 001

10 2 ON BR 371 001

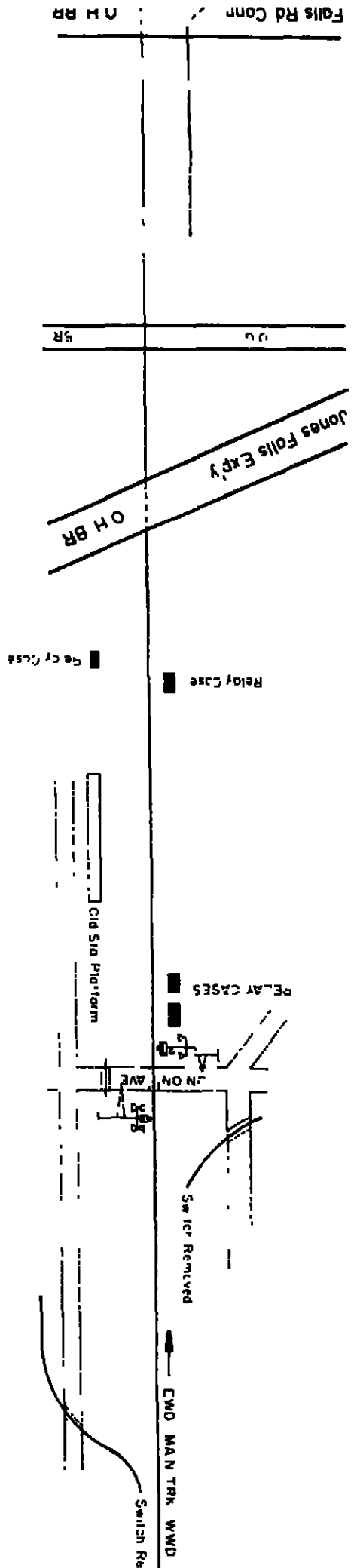
JNT VERNON



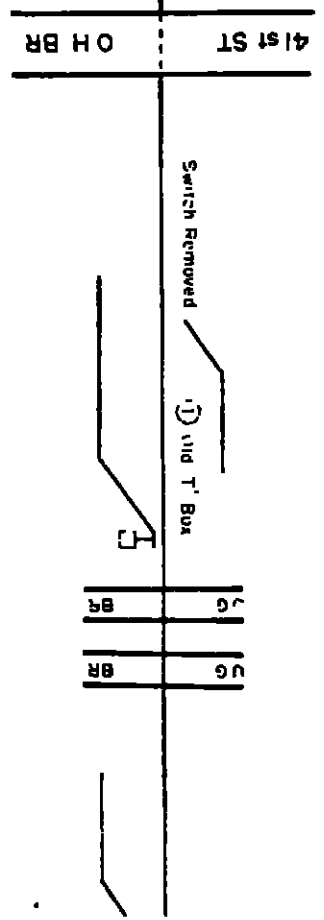
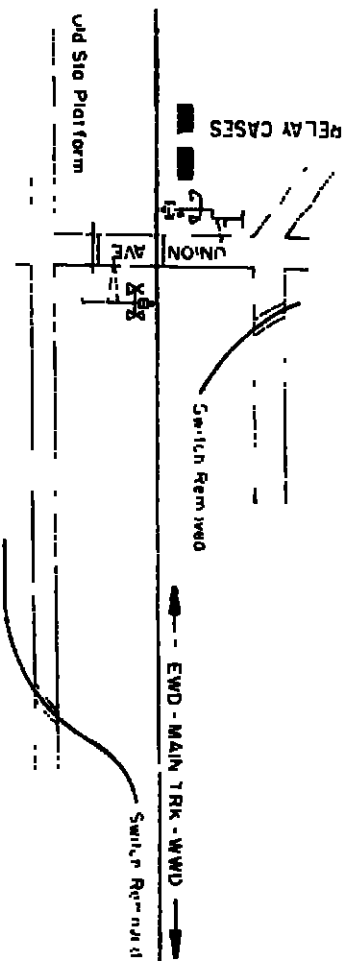
1204 BR 070

9-204 BR 070

2
WOODBERRY



Verified Statement of Robert L. Williams
Exhibit D



OLD BR NO 350

OLD BR NO 377

OLD BR NO 381



UNITED STATES

CLEER NO 4 28

92

58	9 r
----	-----

CUBR NO 445

FEB 25 1952

LWC MAIN TRF

4
CYLBURN

41-22-545F

FWD-MAIN TRK - W. 42

BELVIDERE AVE
OH BR
UG BR

OLD BR NO 535
OLD BR NO 541

4

CYLBURN

MT WASHINGTON

BALTO CITY — BAL

JONES FALL

Sw. Not Returned

BELVIDERE AVE
O. H. BR
UG BR

KELLY AVE
O. H. BR

UG BR

OLD BR NO 5 35

OLD BR NO 5 41

OLD BR NO 5 84

OLD BR NO 5 92

MT WASHINGTON

5

BARE HILLS

BALTO CITY — BALTO COUNTY

KELLY AVE O H BR

OLD BR NO 5 84

UG BR

OLD BR NO 5 92

Switch Removed

JONES FALLS
EXPY O H BR
RELAY CASES

OLD BR NO 5 21

Baltimore Gas & Electrical
Company

FALLS RD. O H BR

Old Standard

Verified Statement of Robert L. Williams
Exhibit D

PAGE D-12

5

COUNTY

BARE HILLS

HOLLINS

RELAY CASES
XPRY OH BR

Baltimore Gas & Electric
Company

FALLS RD
OH BR

110 510 PIGTOWN

EWD - MAIN TRK - WWD

Remnant of the
Old 510 PIGTOWN

510 BR

OLD BR NO 6 2

OLD BR NO 7 5

HOLLINS

6
BRIGHTSIDE

LAKE

Remount of the
Old Sin Uniform

U G
BR

CLD BR NO 715

U G
BR

CLD BR NO 764

U G
BR

CLD BR NO 789

EWD - MAIN TRK WWD

RELAY CASES

7

RUXTON

WD - MAIN TRK - WW'

RUXTON RD O.H. BR. 55 S C N BR D10

Remnant of the
Old 512 Pig turn

7

RUXTON

RUXTON RD O.H. BR. 53 B CN BB C73

Diagram of the
old Sta Platform

8

RIDERWOOD

JOPPA RD O.H. BR. 1 E CN BB C73

(WAS A N.C.R PSGR. STA)

STA PLATFORM

END - A

RIDERWOOD



(WAS A N C R PSGR STA)



SIA PLATFORM

EWD - MAIN TRK - WWD

JOPPA

RD O.H BR

116 CN 45 Q 71

UG BR

C D BR NO 9 73

MIN TRK - WWD

OLD BR NO 973

UG BR

FLAY CASES

BELTWAY 695

OLD BR NO 996

OLD WHISTLE SIGN

OLD BR NO 008

UG BR

FLAY CASES

FLAY

9

LUTHERVILLE

RELAY CASES

695

BELTWAY

CLD BR NO 996

OLD WHISTLE SIGN

CLD BR NO 1038

UG BR

RELAY CASES

RZ

SEMINARY

AVE

STONE BOX CULVERT

(WAS A N.C.R PSGR STA)

LOAD PLATFORM

STONE BOX CULVERT

Verified Statement of Robert L. Williams
Exhibit D

10

LUTHERVILLE

(WAS A N.C.R PSGR STA)

STONE BOX
CULVERT

STA PLATFORM

STONE BOX
CULVERT

UG
BR

OLD BR NO 15

RELAY CASE

OLD BR NO 15

UG
BR

SWITCH REMOVED

RELAY CASE

ENDING OUT OF SERVICE
END MAIN FRK - WWD

OLD WHISTLE SIGN

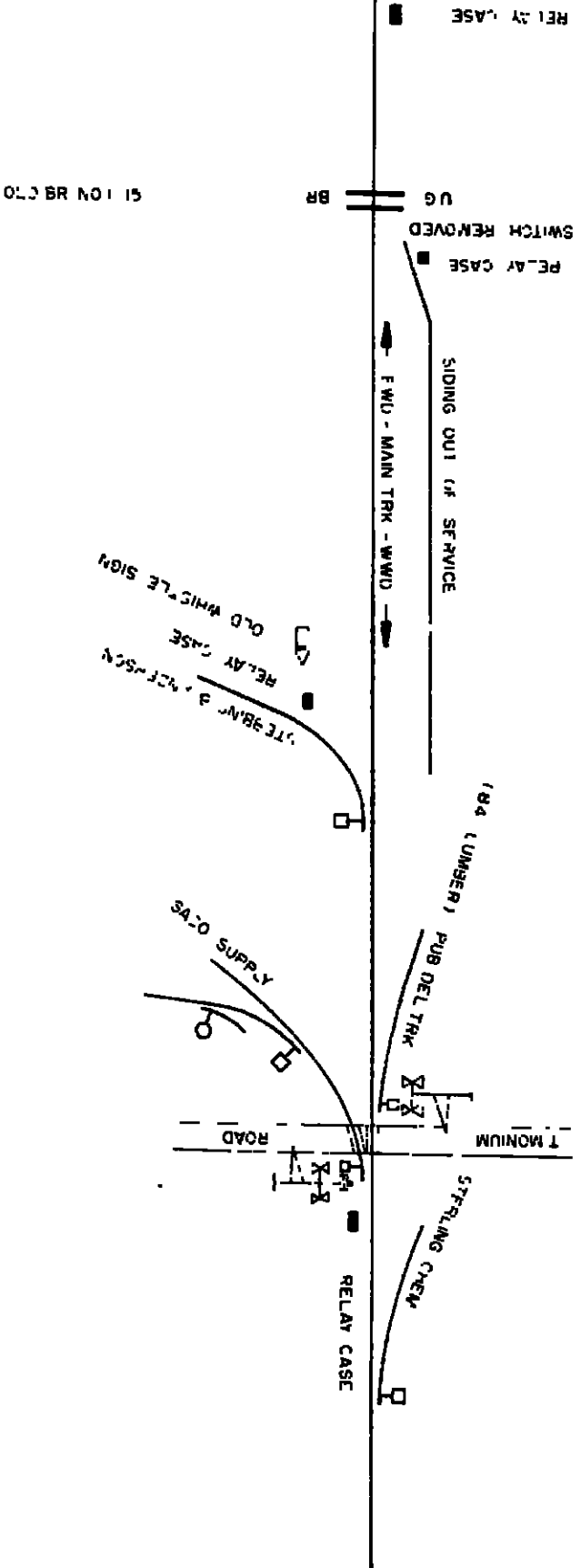
Verified Statement of Robert L. Williams

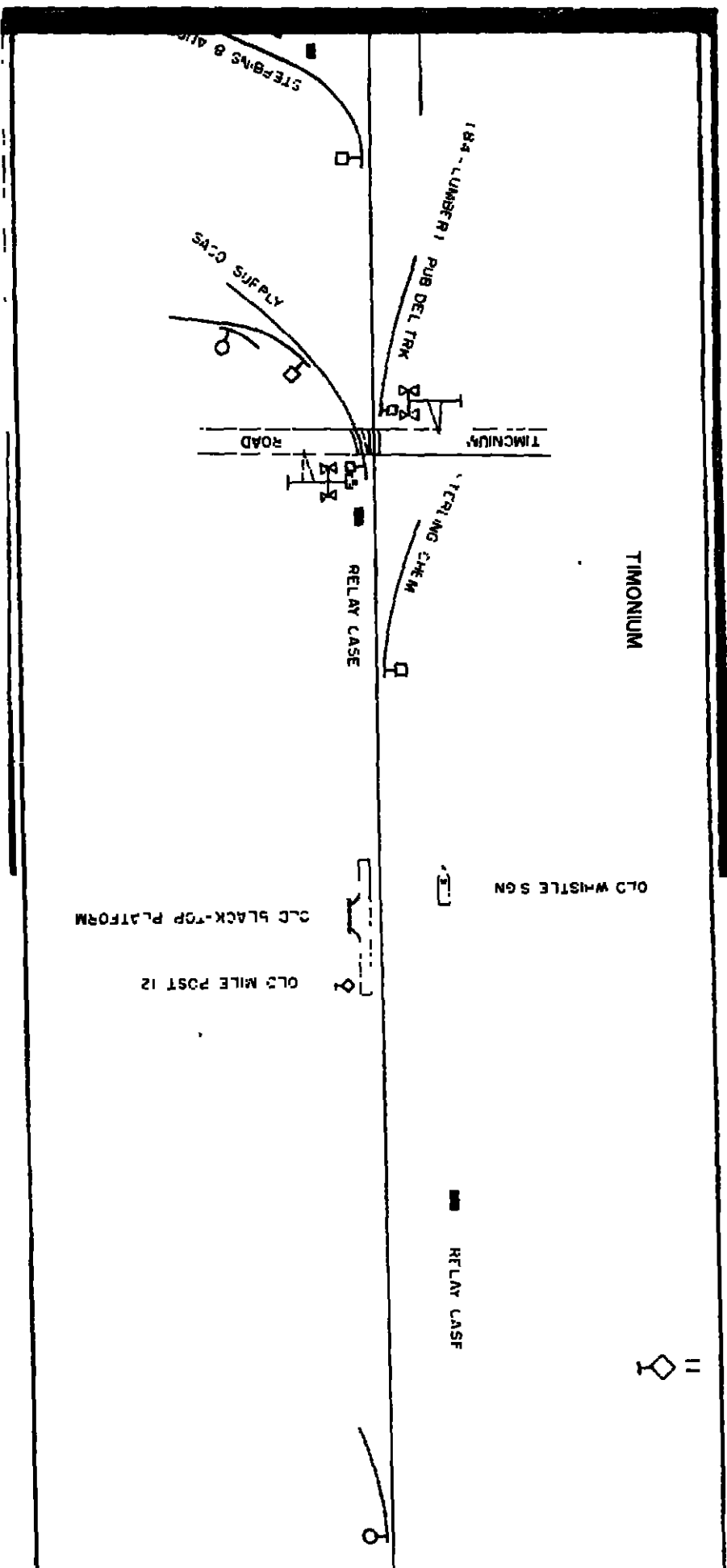
Exhibit D

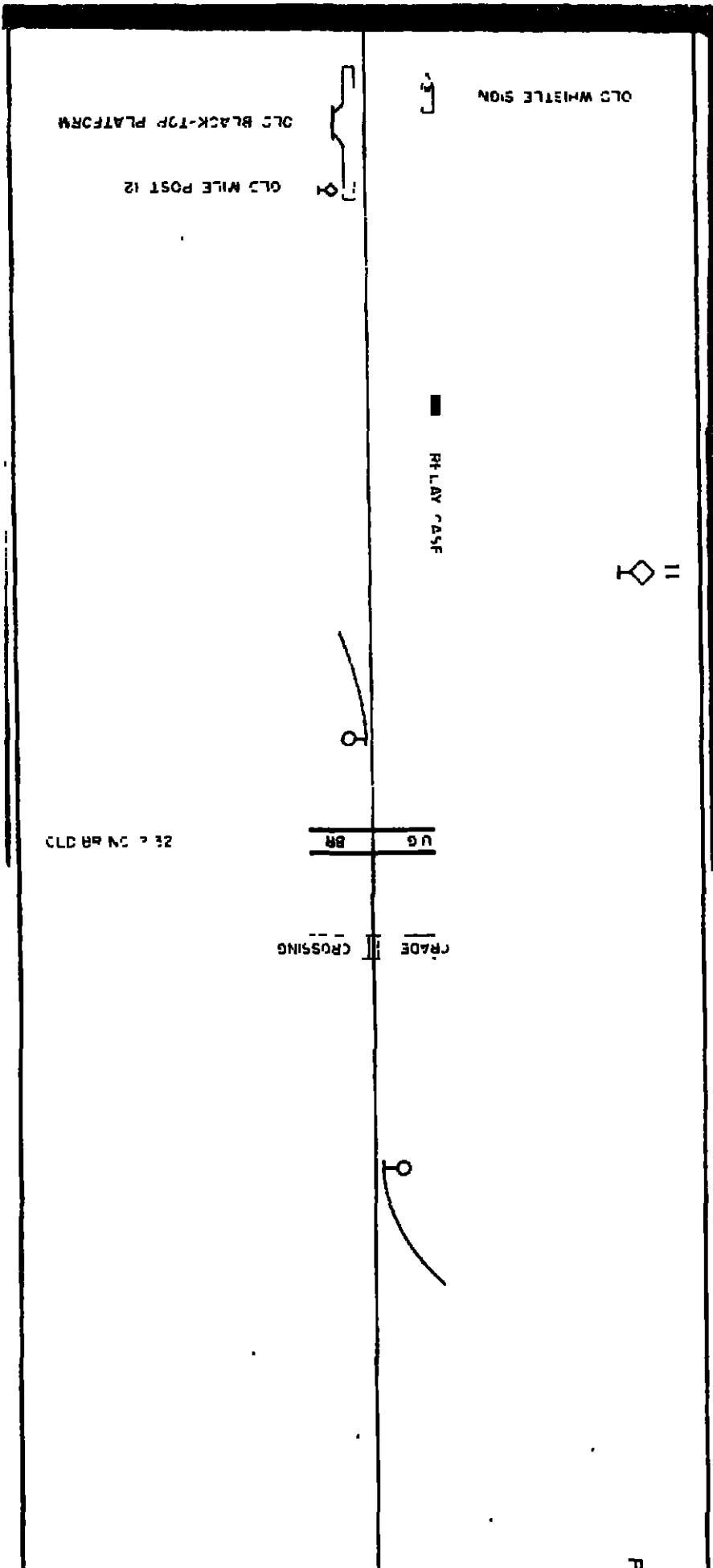
PAGE D-20

10

TIMONIUM







OLD BR NO 2 32

UG
BR.

GRADE
CROSSING

PADONIA

PADONIA RD OH BR.

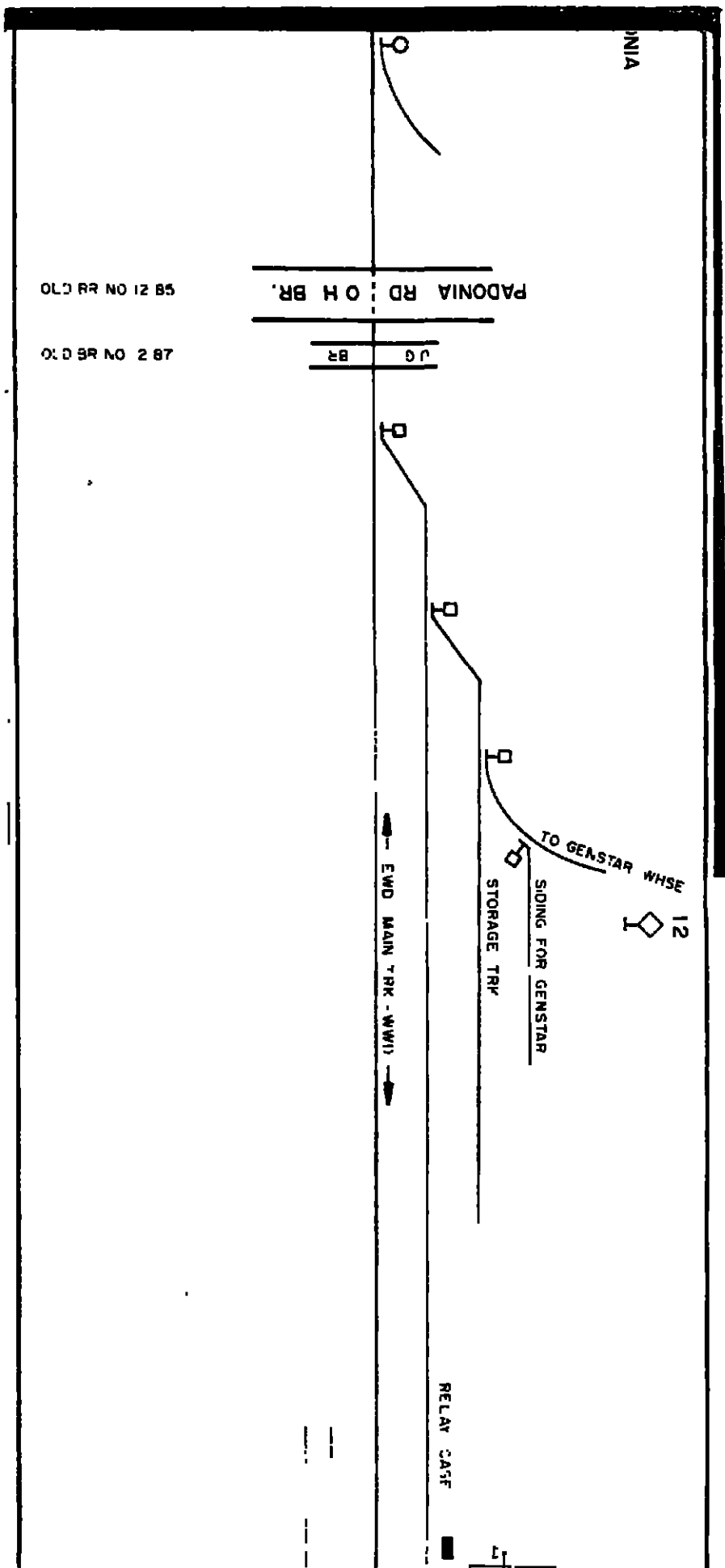
UG
BR

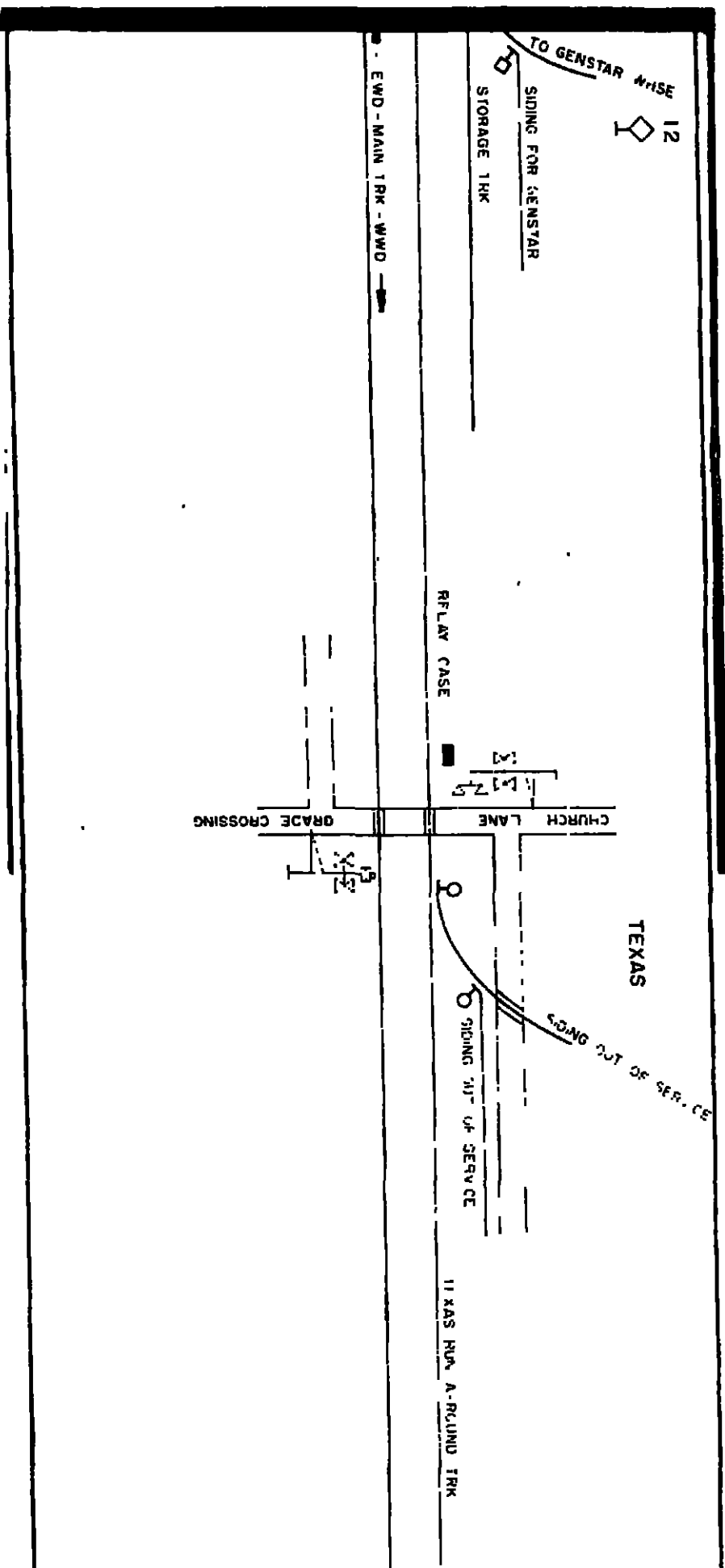
48 21 04 BR 12 87

48 21 04 BR 12 87

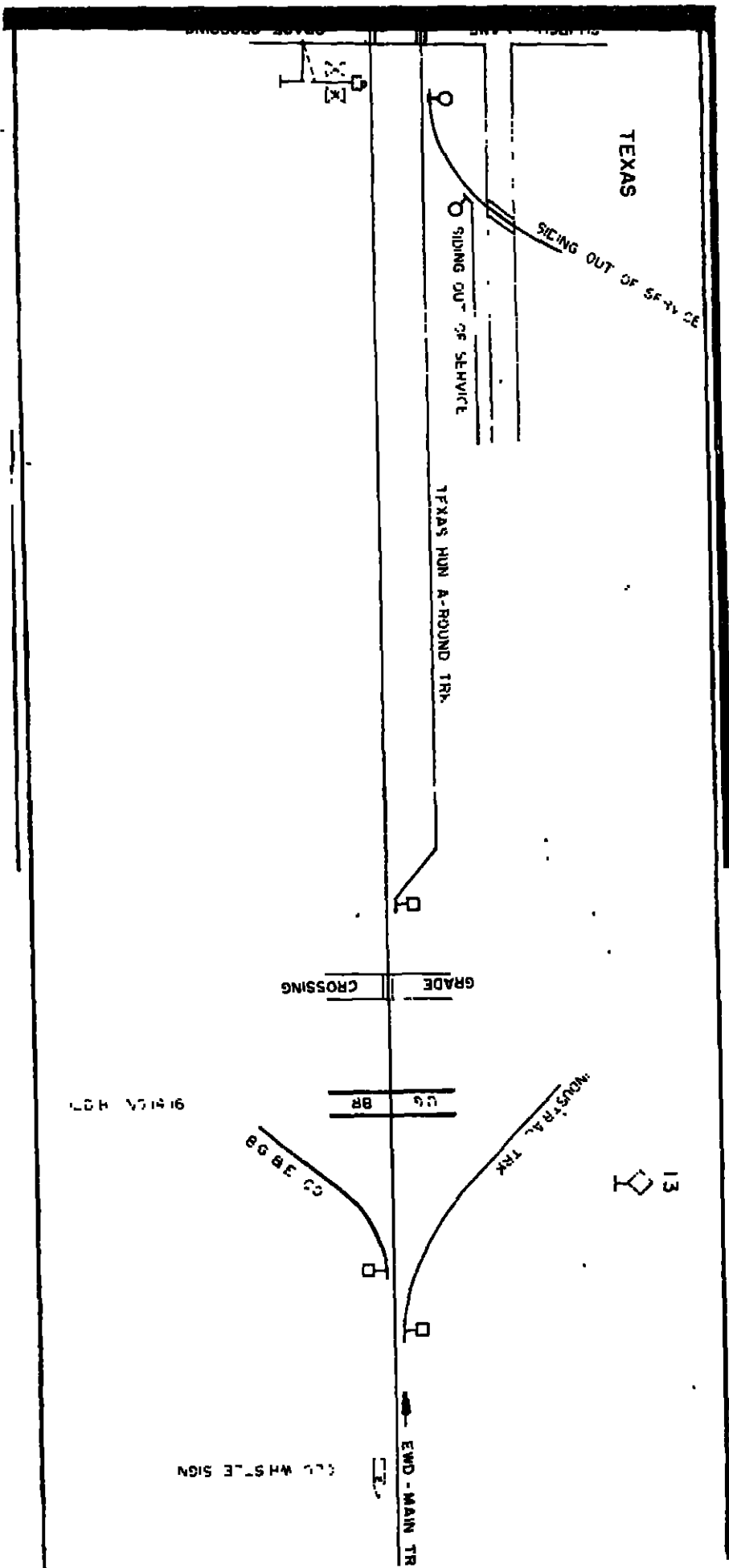
Verified Statement of Robert L. Williams
Exhibit D

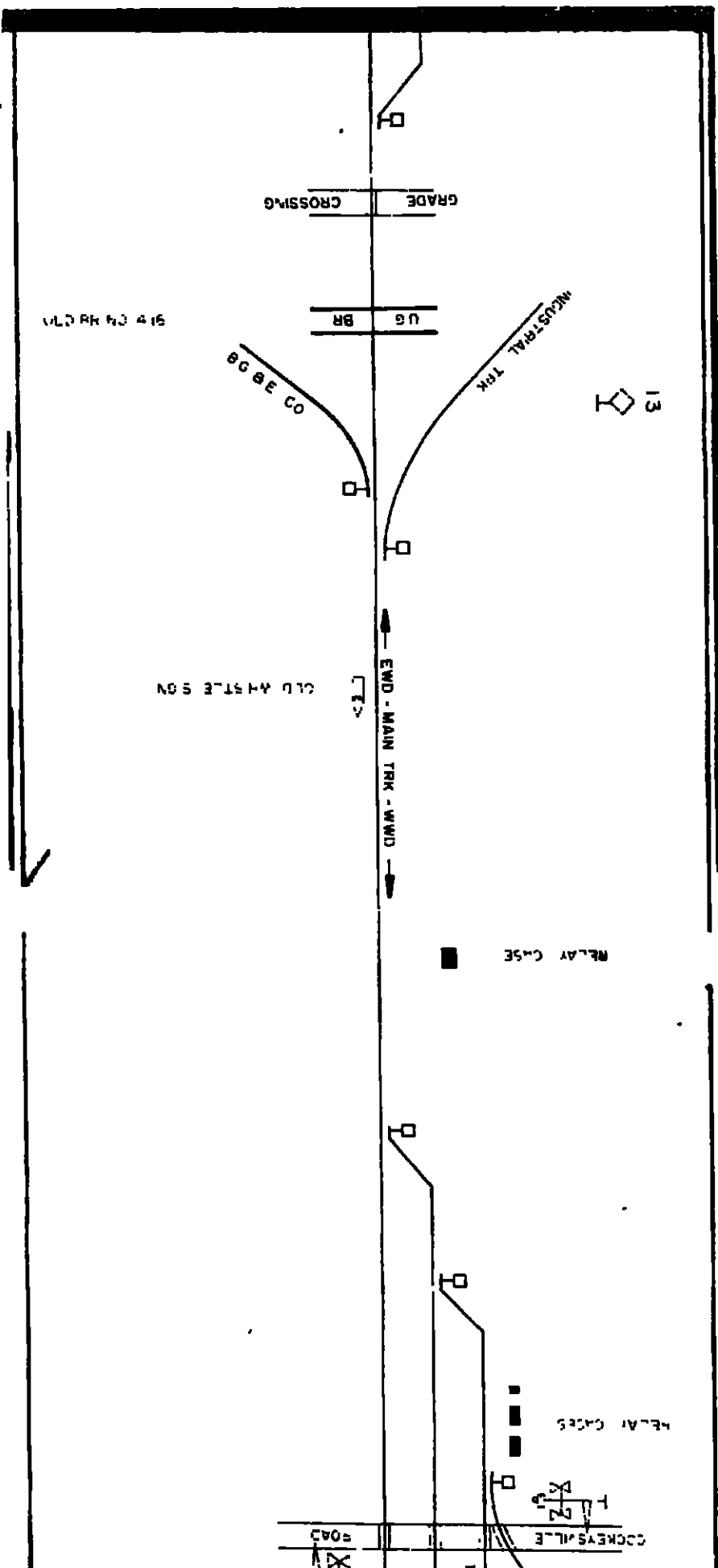
PAGE D-24



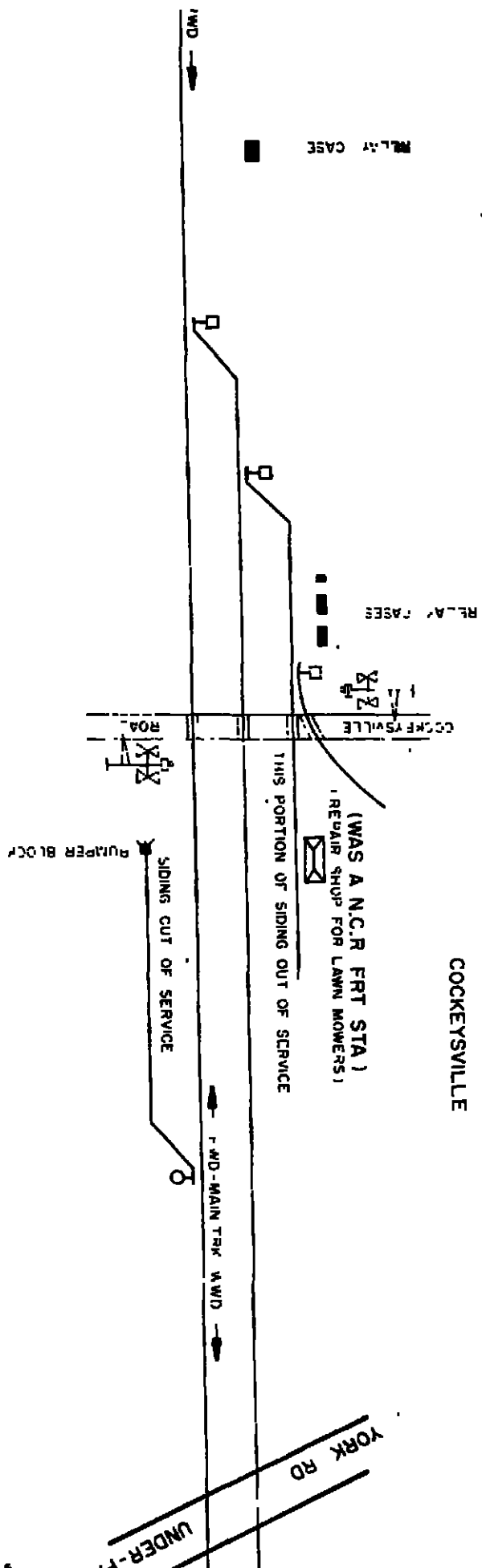


Verified Statement of Robert L. Williams
 Exhibit 11





Verified Statement of Robert L. Williams
 Exhibit D
 PACF D-28



Verified Statement of Robert L. Williams
Exhibit D

PAGE D-29

COCKEYSVILLE

(WAS A NCR FRT STA)
REPAIR SHOP FOR LAWN MOWERS)

PORTION OF SIDING OUT OF SERVICE

EWI - MAIN TRK - WWD

SIDING OUT OF SERVICE

BULLPUP BLOCK

YORK RD
UNDER-PASS

TRACKS END

SP 41 NO 370

© 1990

2

Exhibit 2
MTA Light Rail Line
North Avenue to Hunt Valley
Current Configuration

[attached hereto]

**MARYLAND TRANSIT
ADMINISTRATION**

LIGHT
RAIL
LINE

**NORTH AVENUE TO
HUNT VALLEY
STATION 0+0 TO STATION 908+77**



SYMBOLS

- [illegible]

BALTIMORE STREET
0400—E

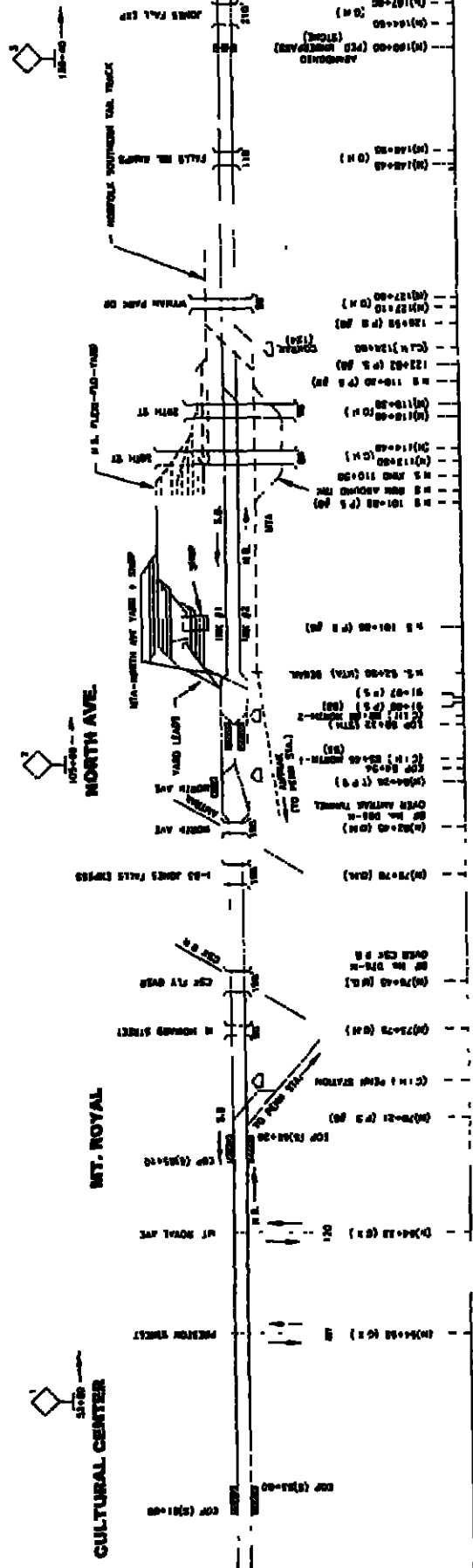
LEXINGTON STREET

CENTRAL STREET

A detailed street map of Baltimore, Maryland, showing the layout of streets and the location of the Baltimore City Jail. The map is oriented with North at the top. The Jail is located on the right side of the map, near the intersection of North Avenue and the street labeled 'BALTIMORE STREET'. The map includes labels for various streets such as 'N. CALVERT STREET', 'N. EIGHTH STREET', 'N. SEVENTH STREET', 'N. SIXTH STREET', 'N. FIFTH STREET', 'N. FOURTH STREET', 'N. THIRD STREET', 'N. SECOND STREET', 'N. FIRST STREET', 'N. BALTIMORE STREET', 'N. CALVERT STREET', 'N. EIGHTH STREET', 'N. SEVENTH STREET', 'N. SIXTH STREET', 'N. FIFTH STREET', 'N. FOURTH STREET', 'N. THIRD STREET', 'N. SECOND STREET', 'N. FIRST STREET'. The map also shows the 'BALTIMORE CITY JAIL' and the 'BALTIMORE CITY PRISON'.

WT. ROYAL

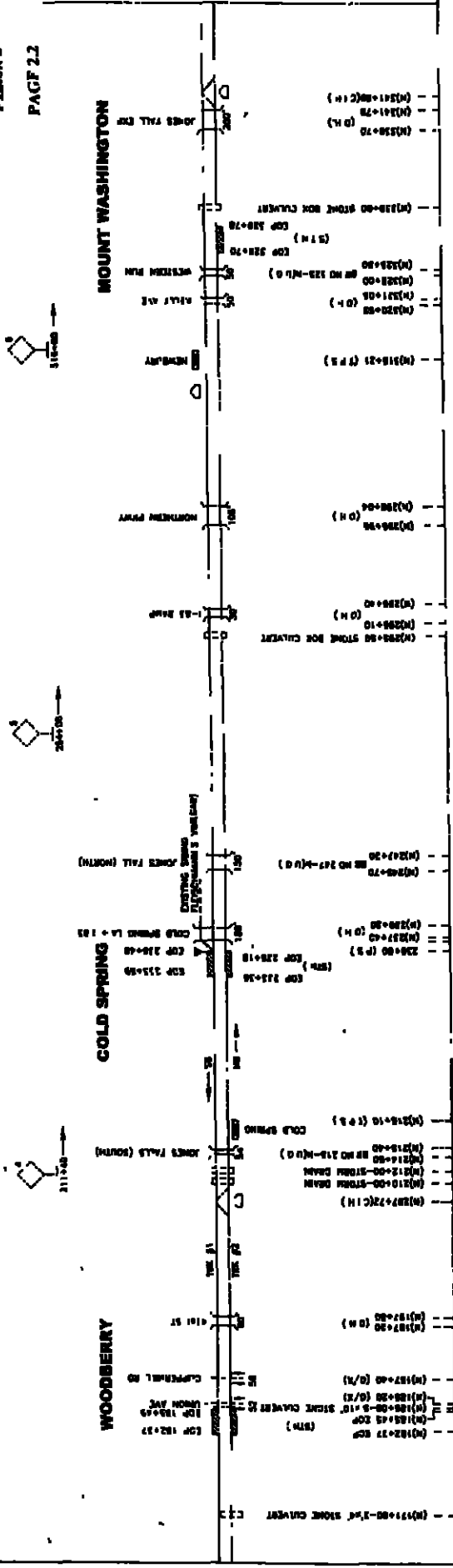
NORTH AVE.



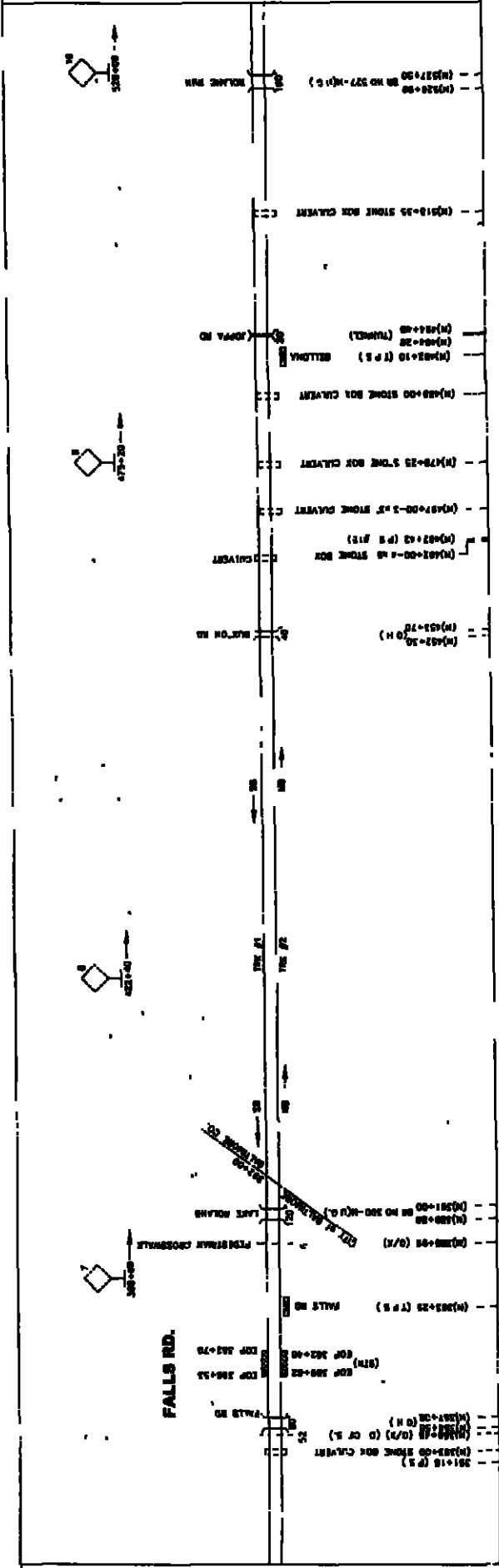
MOUNT WASHINGTON

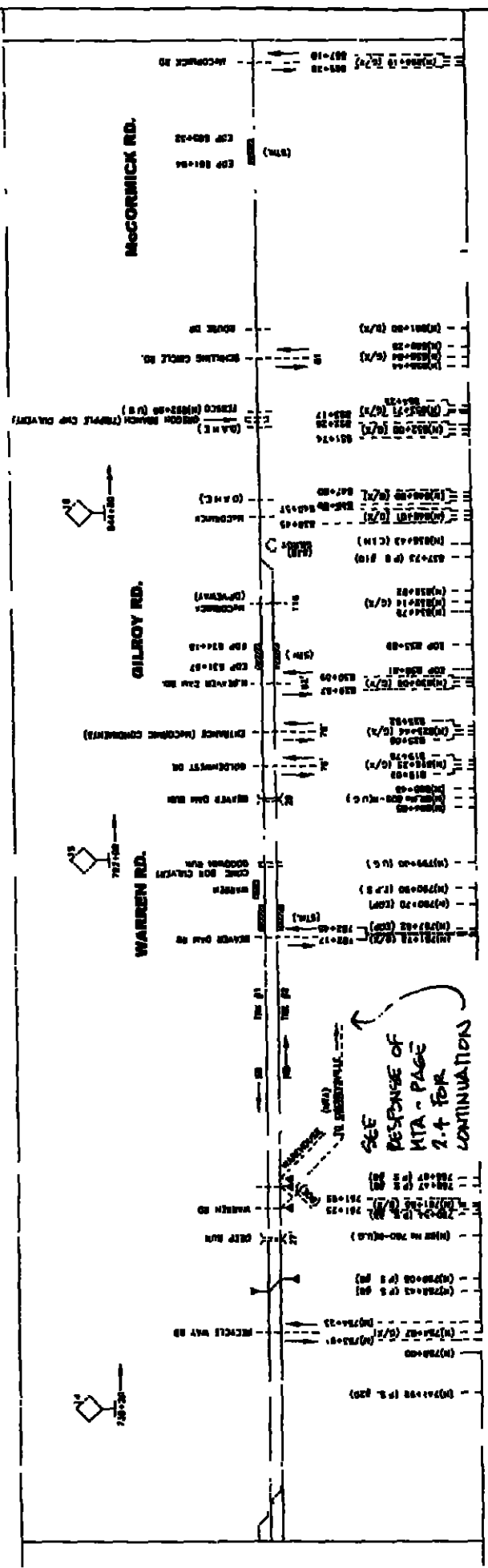
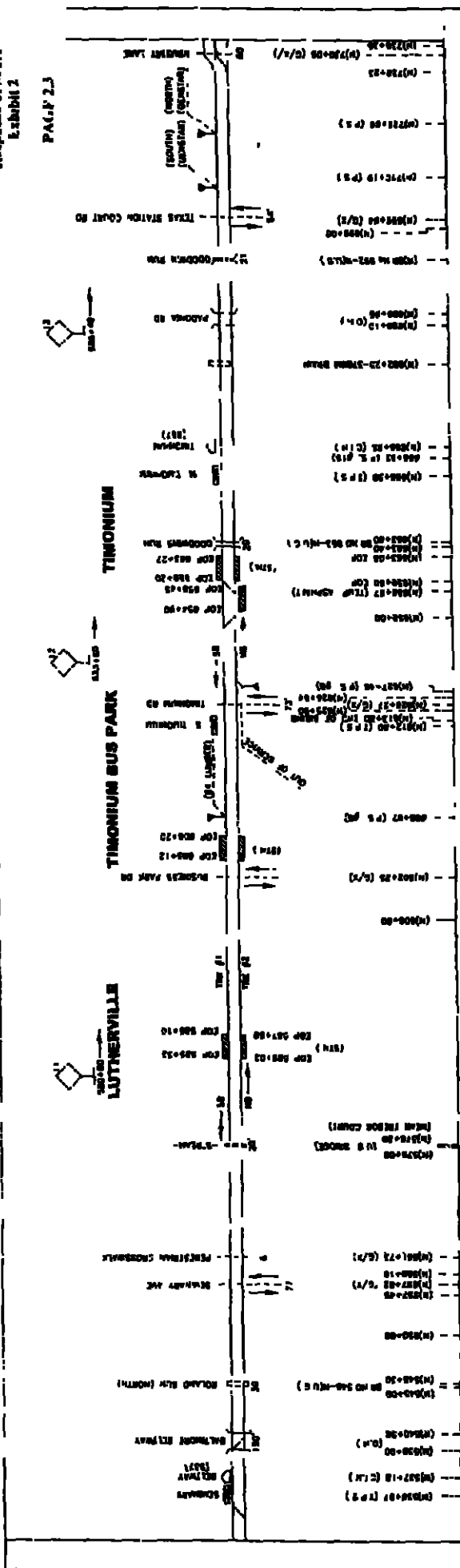
COLD SPRING

WOODBERRY



FALLS RD.





SEE
RESPONSE OF
MTA - PAGE
2.4 FOR
CONTINUATION

MARYLAND TRANSIT
ADMINISTRATION

LIGHT
RAIL
LINE

POI YARD
SIDING

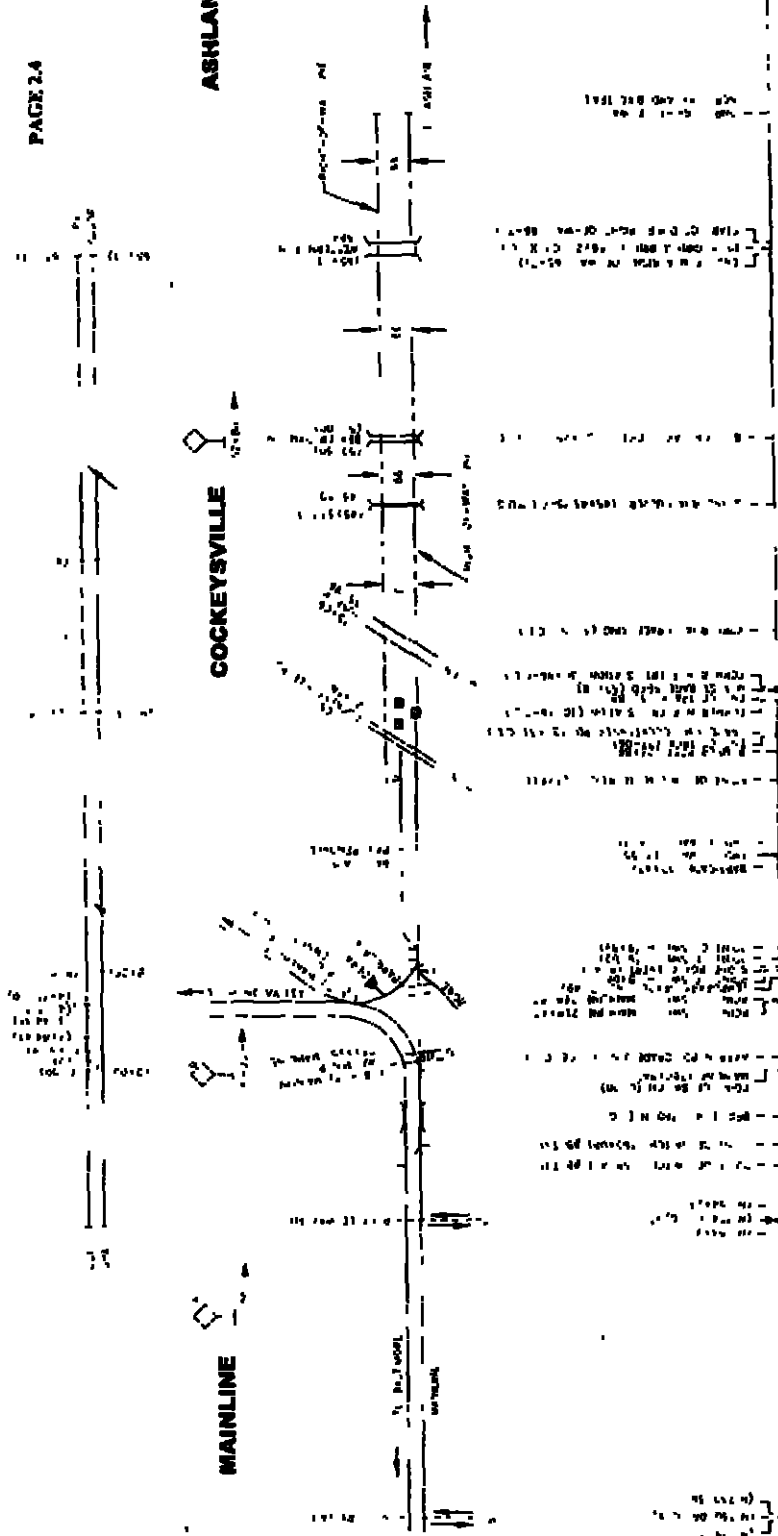
STATION 0+0 TO STATION 83+71



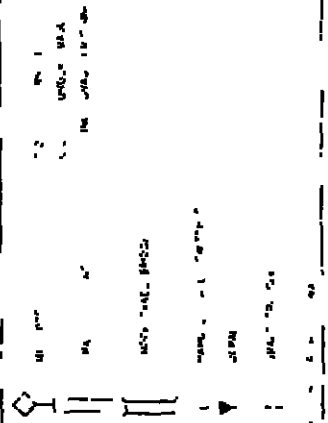
MAINLINE

COCKEYSVILLE

ASHLAND



SYMBOLS



DESIGNED R. L. W.	DATA 04/05/04
DRAWN L. L.	APPROVED

3

Exhibit 3

**Reports concerning unlawful removal of track materials
And unlawful use of MTA property on or adjacent to the CIT**

[attached hereto]

From: George Fabula
To: Dave Gunther; Derek Jones, Fletcher Hamilton; Irwin Brown; Millard Richburg
Date: Mon, Apr 14, 2003 12:38 PM
Subject: Re: Mr Riffin

Gentlemen.

I immediately went to David Ganovski, Director of MTA Freight Services to discuss the Norfolk Southern operating issue. NS has an operating agreement for the rail lines that are considered "old-freight lines." The area in question is between Warren Road and Cockeysville Road and is part of the main line. Owned and controlled by MTA and not considered an "old freight line." Not Norfolk Southern controlled. Once again, Mr. Riffin is trespassing on MTA property.

In addition, Mr. Ganovski made an interesting point. A law recently passed resulting from September 11, 2001 that MTA can take immediate action to a party trespassing on railroad right-of-way. Due solely to any potential terrorist activity. Not saying Mr. Riffin in anyway would take such actions but it is a right of the MTA. I would check this issue further.

I hope this information assists in resolving this ongoing situation.

George E. Fabula, Jr

>>> Dave Gunther 04/14/03 12:02PM >>>

On Sunday April 13, 2003 at approximately 1400hr, I witnessed Mr. Riffin using a crane to load MTA rail onto his truck at the corner of Railroad Ave and Cockeysville Rd. I contacted MTA police for a theft in progress.

Mr. Riffin claimed that he was moving the rail out of his way so that he could get his equipment off of our property. In fact, his equipment had already been removed. He then claimed that NS is shipping more equipment to this location, and that he had Mr. Von Brieson's permission to do so (Claiming that Mr. Von Brieson leases this property from MTA and that NS has operating rights over all of our tracks. George, I need your advice on this one. To my knowledge, this is abandoned right of way, not a siding for NS usage. Robert Williams concurs. In fact, the rail condition is so poor that we have removed a section of rail and placed a barricade to prohibit movement on this track. My interpretation to the agreement is that NS would have to make a formal request to use this track for "New" business, and as such, they would have to bring the track up to standards.

I advised Mr. Riffin that he is trespassing, and that we have already advised NS that we are not accepting freight shipped to our property.

When Mr. Riffin was removing his equipment last week, he was stock piling our rail on his truck. Mr. Hamilton challenged him about this, and Mr. Riffin offloaded the rail, claiming that he was moving it out of his way. He again has the same story for this occurrence. In either case, there was no reason to load the rail. If in fact it was obstructing work, the crane could have easily been used to move it several feet away.

The MTA police officer, in conversation with his supervisor, decided not to arrest Mr. Riffin, but advised him that if he was trespassing again, he would be arrested.

Irwin, I think maybe a strong letter from our legal department may help resolve Mr. Riffin's misguided actions.

CC: Arvey Jones, David Ganovski, Luther Fuller, Robert Williams

From: Fletcher Hamilton
To: Brown, Irwin, Fabula, George, Gunther, Dave; Jones, Derek, Richburg, Millard
Date: Wed, Apr 9, 2003 7:59 AM
Subject: Re: Riffin - Cockeysville

This report was originally generated during the morning hours on April 08, 2003 as a result of my finding Mr. Riffin loading scrap rail on his truck. I have attached pictures of the incident that I took which clearly show his activities. When asked what he was doing with the rail, he claimed that he was moving it out of the way, so he could mount his crane closer to load the equipment. After speaking with him about why he had to put it on his truck to move it, he quickly unloaded it. I thought it was rather suspicious that he was even at this location since he unloaded all of his equipment at the pole yard originally. As far as I know, we (MTA) did not authorize him to be at this other location to move his equipment. I was under the impression that it would be removed in the same manner that it was placed. Officer Wyndham visited the site and generated the report. When I arrived with officer Wyndham, the equipment was still on location with the key's and doors open and no one present.

Fletcher Hamilton
Superintendent Maintenance of Way/Catenary
Light Rail Division
344 West North Avenue
Baltimore, MD 21217
Office 410 454.7616
Fax 410 454 7621
fhamilton@mdot.state.md.us

>>> Millard Richburg Tuesday, April 08, 2003 4:02 34 PM >>>

At 3:45 PM today (4/8/03) Sgt. Combs arrived at the incident track and found Mr. Riffin on location. Riffin is reportedly removing his equipment and anticipates completion of removal on Wednesday 4/9. A police report has been filed under Baltimore County Central Complaint # 03-0980559T - Dumping, listing Mr. Riffin as the subject person.

>>> Dave Gunther 04/07/03 04:50PM >>>

Arrangements are being made to remove all of Mr. Riffin's equipment from our property tomorrow. If Mr. Riffin's crane is in the ROW and is obstructing the ability to remove his equipment from our track, then the crane will be removed also.

>>> George Fabula 04/07/03 01:02PM >>>

To all:

Good afternoon! I received a phone call from John Von Bressen to discuss the Riffin situation. Mr. Von Bressen stated he was clearing his leased area yesterday and Mr. Riffin discussed with him about utilizing his leased area to store the freight cars. Mr. Riffin told Mr. Von Bressen that he did not see how MTA could make decisions on the ROW when Norfolk Southern has an operating agreement.

Mr. Von Bressen was to contact me and then call Mr. Riffin back. I told Mr. Von Bressen that the issue is between MTA and Mr. Riffin and no third party. No agreement would be granted. Mr. Von Bressen stated a crane is along the ROW. Could be Mr. Riffin's.

Around 11 AM, I received a phone call from Lt. Millard Richburg. Mr. Riffin told the Lieutenant that MTA, Von Bressen and Riffin were working together on a 3-party arrangement for Mr. Riffin to temporarily store his cars on MTA ROW. I told Lt. Richard that no agreement is being discussed or will be granted verbally or in writing. Mr. Riffin is trespassing and I'm not sure if he'll be out by Tuesday.

I wanted to keep you updated as things progress

Thank you,
George Fabula - (410) 767-3698











BALTIMORE COUNTY
POLICE DEPARTMENT - FORM 10 - CRIME REPORT1 DW 2 PC 3 CC NUMBER
MTA 09 03-09805597

4 OFFENSE/INCIDENT DUMPING / TRESPASS				5 LOCATION UNIT BLOCK OF CONKEYVILLE RD 21031				CITY-STATE-ZIP 21202		6 TYPE OF PREMISE LIGHT RAIL	
7 TIME OCCURRED M 3 031 03 0900		8 TIME REPORTED M 3 031 03 1100		9 VICTIM/FIRM NAME (LAST FIRST MIDDLE) MARLAND TRAIL ADMIN		10 VICTIM/FIRM ADDRESS 6 ST PAUL ST		CITY-STATE-ZIP 21202		11 VICTIM EMPLOYMENT/SCHOOL	
12 OCCUPATION HOURS				13 SBR		14 RESIDENCE PHONE		15 BUSINESS PHONE 410-454-2222		16 NO OF VICTIMS 1	
17 NATURE OF INJURY(S)				18 FORCE/WEAPON USED		19 VICTIM HOSPITALIZED WHERE?				PHYSICIAN	
20 CID INVESTIGATOR		21 MEDICAL EXAMINER		22 PROPERTY DISPOSITION				23 BODY DISPOSITION			

24. INVESTIGATIVE INTERVIEWS:

INTERVIEWS CONDUCTED? YES ☒ NO ☐ IF NO EXPLAIN BLOCK #56											
W - WITNESS V - VICTIM C - COMPLAINANT P - PARENT G - GUARDIAN I - INTERVIEWED											
NAME		SEX-RACE-AGE		ADDRESS		RESIDENCE PHONE		BUSINESS PHONE		FACTORS	
DAVID GUNTHER		M, W		3440 NORTH AVE 21217				410-454-7662		A, B, C	
GEORGE FARULA		M, W		6 ST PAUL ST 21202				410-767-3698		A, B, C	

SUSPECT(S)

25-1 SUSPECT ONE ARRESTED YES ☐ NO ☒ WEAPON-DESCRIPTION										25-2 SUSPECT TWO ARRESTED YES ☐ NO ☒ WEAPON-DESCRIPTION									
NAME (LAST FIRST MIDDLE) RIFIN, JAMES										NAME (LAST FIRST MIDDLE) RECEIVED									
ADDRESS 491 GREENSPRING DR 21093 410-667-4957										ADDRESS PHONE									
SEX RACE DOB OR AGE HT WT BLD EYES COMP HAIR & STYLE M W 5-6 150 MED										SEX RACE DOB OR AGE HT WT BLD EYES COMP HAIR & STYLE W M 5-6 150 MED									
CLOTHING - CHARACTERISTICS										CLOTHING - CHARACTERISTICS									
MISCELLANEOUS										MISCELLANEOUS									

SUSPECT VEHICLE

26 VEHICLE(S)		27 YEAR		28 MAKE		29 MODEL		30 STYLE		31 COLOR (TOP/BOTTOM)		32 EQUIPMENT - CHARACTERISTICS							
SUSPECT ☐		33 VIN		34 REGISTRATION INFORMATION		STATE		YEAR		TAG		35 ☐ LOST ☐ STOLEN							
- TARGET ☐		36 METHOD OF THEFT/EVIDENCE OF TAMPERING										37 VEN OWNER		38 LOSS VALUE					
STOLEN ☐		39 LOCATION OF RECOVERY										40 RECOVERY BY		41 RECOVERY VALUE					
RECOVERY ☐		42 TOW CO/STORAGE LOCATION										DATE-TIME-DRIVER		43 VEN PROCESSED		44 VEHICLE HELD		45 TELETYPE NUMBER	
OTHER ☐																			

46 CRIME SCENE TECHNICAL WORK: NONE ☒ CRIME LAB ☐ FIELD ☐ TYPE

PHYSICAL EVIDENCE

47 POINT OF ENTRY		48 DIRECTION MEANS OF TRAVEL		49 PROPERTY DESTROYED		50 LOSS VALUE	
51 TOOLS MEANS USED (BE SPECIFIC)				52 SECURITY SURVEY INFORMATION REQUESTED ☐ COMPLETED ☐ REFUSED ☐ OTHER ☐			

STOLEN PROPERTY

53 ITEM	PROPERTY TAKEN	BRAND-DESCRIPTION-IDENTIFYING MARKS ETC	LOCATION	MODEL	SERIAL	NUMBER	VALUE

54 ARE SIMILAR CRIME/SUSPECT ACTION(S) KNOWN? YES ☐ NO ☒ IF YES, LIST C.C. NUMBER

55 TOTAL LOSS VALUE

IS ANY FORM OR TYPE OF M.O. PRESENT? IF YES, DESCRIBE

56 PROSECUTION YES ☐ NO ☐		57 WARRANT/SUMMONS PROCEDURE EXPLAINED YES ☐ NO ☐	
PROPERTY FOUND/RECOVERED		POSSE SYSTEM SEARCH ☐ YES ☐ NO	
FOLLOW-UP SEARCH REQ'D ☐ YES ☐ NO			

58 MISCELLANEOUS (CONTINUATION CLARIFICATION AND ANY PERTINENT DATA NOT CONTAINED ABOVE)

59 CASE ASSIGNMENT		58 CASE STATUS	
TOTAL SCREENING FACTORS 74		OPEN ☒	
		EX CLEAR ☐	
		SUSP ☐	
		CONF ☐	
60 DISTRIBUTION Can Rec Juv Detective Inter		61 INVESTIGATING OFFICER SGT Mark Conroy 0091	
62 APPROVAL INVESTIGATION COMPLETE YES ☒ NO ☐		63 DATE 4-9-03	
64 REPORT REVIEW		65 REPORTING AREA	
66 REC'D CENT REC		67 TELETYPE NUMBER	

BALTIMORE
POLICE DEPARTMENT - FORM 11 - SUPPLEMENT18 DIV
MTA 26 PC
07 31 CC NUMBER
03-0980559745 OFFENSE INCIDENT
DUMPING / TRESPASS 56 VICTIM/FIRM NAME
LAST FIRST MIDDLE
MARYLAND TRANSIT ADMIN 58 DATE ORIGINAL REPORT
7-31-03 76 SUPPLEMENT STATUS: CONT. ☒ FOLLOW-UP ☐ 86 IF MULTIPLE CLEARANCE LIST CC NUMBERS

NARRATIVE: DO NOT REPEAT RESULTS OF PRELIMINARY INVESTIGATION CLARIFY DATA SCREENING FACTORS, PROBABLE CAUSE ETC. ENTER ANY ADDITIONAL INFORMATION

98 PAGE NO. 2 106 ARREST DATA
NAME (LAST FIRST MIDDLE) DOB
BCI NUMBER ARREST NUMBER MISG INFO116 B. CCH
NO 124

ON 3/31/03, MR. DAVID GUNTHER, MTA MAINTENANCE SUPERINTENDANT, REPORTED THAT MR. JAMES RIFFIN HAD PLACED VARIOUS TRAIN EQUIPMENT ON MTA SIDING TRACK BETWEEN WARREN RD AND COLLEYSVILLE RD. MR. GUNTHER ADDED THAT MR. RIFFIN HAD REQUESTED PERMISSION TO PLACE THE EQUIPMENT AT THE LOCATION. HOWEVER, THE REQUEST WAS DENIED.

ON 4-1-03, MTA POLICE LIEUTENANT MINARD RICHBURG RESPONDED TO THE LOCATION TO MAKE ON SITE OBSERVATIONS. HE IDENTIFIED THE EQUIPMENT AS:

- ① BALLAST CONSOLIDATOR / ORANGE IN COLOR / SERIAL NUMBER 4471147 / MODEL CSC / MARKINGS - CANRON RAIL GROUP, WT 35,000 LBS
- ② "BURRO" / YELLOW IN COLOR / COLLEN - FRIESTEDT CO., CHICAGO / MARKINGS AT-1703; A58847
- ③ "BURRO" / TAN IN COLOR / MARKINGS - BN975053 / NOTATION: REPAIRED AT BRANDED 12-86, SD BORI 8-924-2247
- ④ TAMPER, PINK IN COLOR / CANRON GROUP / MARKINGS - AMTRAK NI 2302 / GROSS WT 31,600 LBS.

THE ABOVE LISTED TRAIN EQUIPMENT WAS ON THE TRACKS BETWEEN WARREN RD AND COLLEYSVILLE RD. AT RICHBURG SPOKE TO MR. RIFFIN AND MR. RIFFIN AGREED TO HAVE THE EQUIPMENT MOVED FROM THE PROPERTY BY THE CLOSE OF BUSINESS ON MONDAY 4-7-03. THIS AGREEMENT TOOK PLACE ON 4-2-03.

MR. GEORGE FABULA, MANAGER, MTA REAL ESTATE, CONFIRMED THAT THE PROPERTY IS UNDER CONTROL OF THE MTA AND MR. RIFFIN DID NOT HAVE PERMISSION TO PLACE THE EQUIPMENT ON THE SITE.

ON 4-7-03, AT 1600 HOURS, I RESPONDED TO THE LOCATION AND OBSERVED THE EQUIPMENT TO STILL BE THERE. NO ONE ELSE WAS THERE.

SCREENING
FACTORS
REVISED
TOTAL

136

INITIAL
REVISED

A B C D E F

146 CASE CONTINUANCE

186 TOTAL
FACTORS 24156 CASE
STATUSOPEN ☒
EX
CLEAR ☐
SUSP ☐
CLOSED ☐

176 Distribution

Cent Rec ☐ Adv ☐
Detective ☐ Intel ☐

186 INVESTIGATING OFFICER

13

186 APPROVAL

SGT Ken Conroy 009

216 REPORT REVIEW

226 REPORTING AREA

236 REC'D CENT REC

246 TELETYPE NUMBER

206 DATE

4-8-03

256 CC NUMBER
03-09805597

**BALTIMORE
POLICE DEPARTMENT - FORM 11 - SUPPLEMENT**

1a DV **MTA** 2a PC **07** 3a CC NUMBER **03-09805397**

4a OFFENSE/INCIDENT **DUMPING / TRIPASS** 5a VICTIM/FIRM NAME **MARYLAND** LAST FIRST MIDDLE **TRANSIT ADMIN** 6a DATE ORIGINAL REPORT **3 31-03**

7a SUPPLEMENT STATUS: **CONT.** ☒ **FOLLOW-UP** ☐ 8a IF MULTIPLE CLEARANCE LIST CC NUMBERS

NARRATIVE: DO NOT REPEAT RESULTS OF PRELIMINARY INVESTIGATION CLARIFY DATA SCREENING FACTORS PROBABLE CAUSE ETC ENTER ANY ADDITIONAL INFORMATION
DO NOT SUMMARIZE UNLESS NECESSARY

9a PAGE NO. **3** 10a ARREST DATA
NAME (LAST FIRST MIDDLE) DOB
BCI NUMBER ARREST NUMBER MISC INFO

11a BLOCK NO. 12a
AND THERE WAS NO EVIDENCE OF ANYONE ATTEMPTING TO MOVE THE EQUIPMENT

MTA DIST 6
SRN 76814

SCREENING FACTORS REVISED TOTAL	3a	A	B	C	D	E	F	14a CASE CONTINUANCE 18a TOTAL FACTORS 24	15a CASE STATUS OPEN ☒ EX CLEAR ☐ SUSP ☐ CLOSED ☐	25a CC NUMBER 03-09805397				
	INITIAL													
17a Distribution Com Rec _____ Inv _____ Detective _____ Info _____ Other _____	18a INVESTIGATING OFFICER SGT NEW GARD 0091		19a APPROVAL <i>[Signature]</i> 0002		20a DATE 4-8-03		21a REPORT REVIEW		22a REPORTING AREA		23a REC D (CENT REC)		24a TELETYPE NUMBER	

MILES RESPONSE - MVA BROWSE BY NAME TIME 1803 DATE 040803 PAGE 01
QUERY FORMAT: RIFFIN, JAMES
RACE SEX AGE VAR 05 HGT VAR 02" WGT VAR 20 LBS.

* NAME JAMES RIFFIN
ADDR 16944 YORK RD 246
CITY HEREFORD *

OLN R-150 367-000-653 RACE 2-WHITE
SEX M DOB 082143 HGT 506 WGT 150
STATE MD COUNTY BA ZIP 21111

TERM LETA

BALTIMORE
POLICE DEPARTMENT - FORM 11 - SUPPLEMENT

BALTIMORE POLICE DEPARTMENT		FORM 11 - SUPPLEMENT		1a DIV MPD	2a PC 07	3a CC NUMBER 03-09603-97
4a OFFENSE/INCIDENT DUMPING/TRESPASS		5a VICTIM/FIRM NAME MARYLAND		LAST FIRST MIDDLE TRANIT ADMIN		6a DATE-ORIGINAL REPORT 3-31-03
7a SUPPLEMENT STATUS: CONT. ☐		FOLLOW-UP ☒		8a IF MULTIPLE CLEARANCE LIST CC NUMBERS		
NARRATIVE: DO NOT REPEAT RESULTS OF PRELIMINARY INVESTIGATION CLARIFY DATA SCREENING FACTORS PROBABLE CAUSE ETC ENTER ANY ADDITIONAL INFORMATION						
9a PAGE NO.	10a ARREST DATA	NAME (LAST FIRST MIDDLE) DOB DC NUMBER ARREST NUMBER MISC INFO				

"Follow-up To Dumping Complaint"

ON TUE, 4-8-03, AT 1600 HRS, I RESPONDED TO MTA PROPERTY LOCATED IN THE UNIT AREA OF COCKEYSVILLE RD. I OBSERVED THAT ALL PREVIOUSLY LISTED TRAILER EQUIPMENT WAS STILL ON LOCATION AFTER THE OWNER (JAMES RIFFIN) AGREED TO HAVE IT REMOVED BY THE END OF THE BUSINESS DAY, ON 4-7-03.

WHILE ON LOCATION MR. RIFFIN ARRIVED AND STATED THAT THE RAIN AND SNOW KEPT HIM FROM REMOVING THE EQUIPMENT ON 4-7-03 HE ADDED THAT HE WAS CURRENTLY WORKING ON REMOVING THE EQUIPMENT AND SHOULD HAVE IT ALL REMOVED BY THE END OF THE DAY OF 4-8-03 FOLLOW UP TO BE CONDUCTED.

SCREENING FACTORS REVISED TOTAL		13a INITIAL REVISED	A	B	C	D	E	F	14a CASE CONTINUANCE		15a CASE STATUS OPEN ☒ EX CLEAR ☐ SUSP ☐ CLOSED ☐		25a CC NUMBER 63-0780559 T
									16a TOTAL FACTORS 24				
17a Distribution Cent Rec _____ Inv _____ Detective _____ Intel _____ Other _____		18a INVESTIGATING OFFICER Sgt. W. G. 0051		ID		19a APPROVAL [Signature]		20a DATE 4-P-23					
		21a REPORT REVIEW		22a REPORTING AREA		23a REC'D (CENT REC)		24a TELETYPE NUMBER					

*New File
Ref to me*

From: George Fabula
To: Dave Gunther, Derek Jones
Date: Tue, Apr 1, 2003 3:59 PM
Subject: Riffin - Cockeysville ROW

Gentlemen

Good afternoon! FYI - This morning, Mr Jim Riffin contacted me for the Cockeysville community association's contact person and phone number. I stated that it would not be necessary because his proposal(s) to utilize the Cockeysville ROW is rejected. Stating that his recent actions do not give MTA a high comfort level towards a future working relationship. He said, "Okay."

As in most things with the MTA, this will not go away. I expect a future phone call or letter appealing the decision. I would like to request a copy of the MTA Police report when available for my file.

Thank you for your assistance. Should you have any questions, please contact me at your convenience.

George Fabula - (410) 767-3698

CC: Charles Landes, Ira Silverman, Irwin Brown, John Murrow, Millard Richburg; Simon Taylor

From: Dave Gunther
To: Brown, Irwin Fabula George Richburg, Millard
Date: Tue, Apr 1, 2003 4 45 PM
Subject: Re: Riffin - Cockeysville ROW

Update. ..

Mr. Riffin has not removed his equipment from our property. He was advised yesterday by myself and George Fabula that he had 24 hrs to remove it please

Please advise on the next step of action

Attached are some pictures of the equipment.. They do not appear to be in operable condition. Especially take a look at #18.

>>> George Fabula 04/01/03 03:59PM >>>
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George Fabula - (410) 767-3698

CC: Jones, Derek, Landes, Charles, Murrow, John ; Silverman, Ira; Taylor, Simon

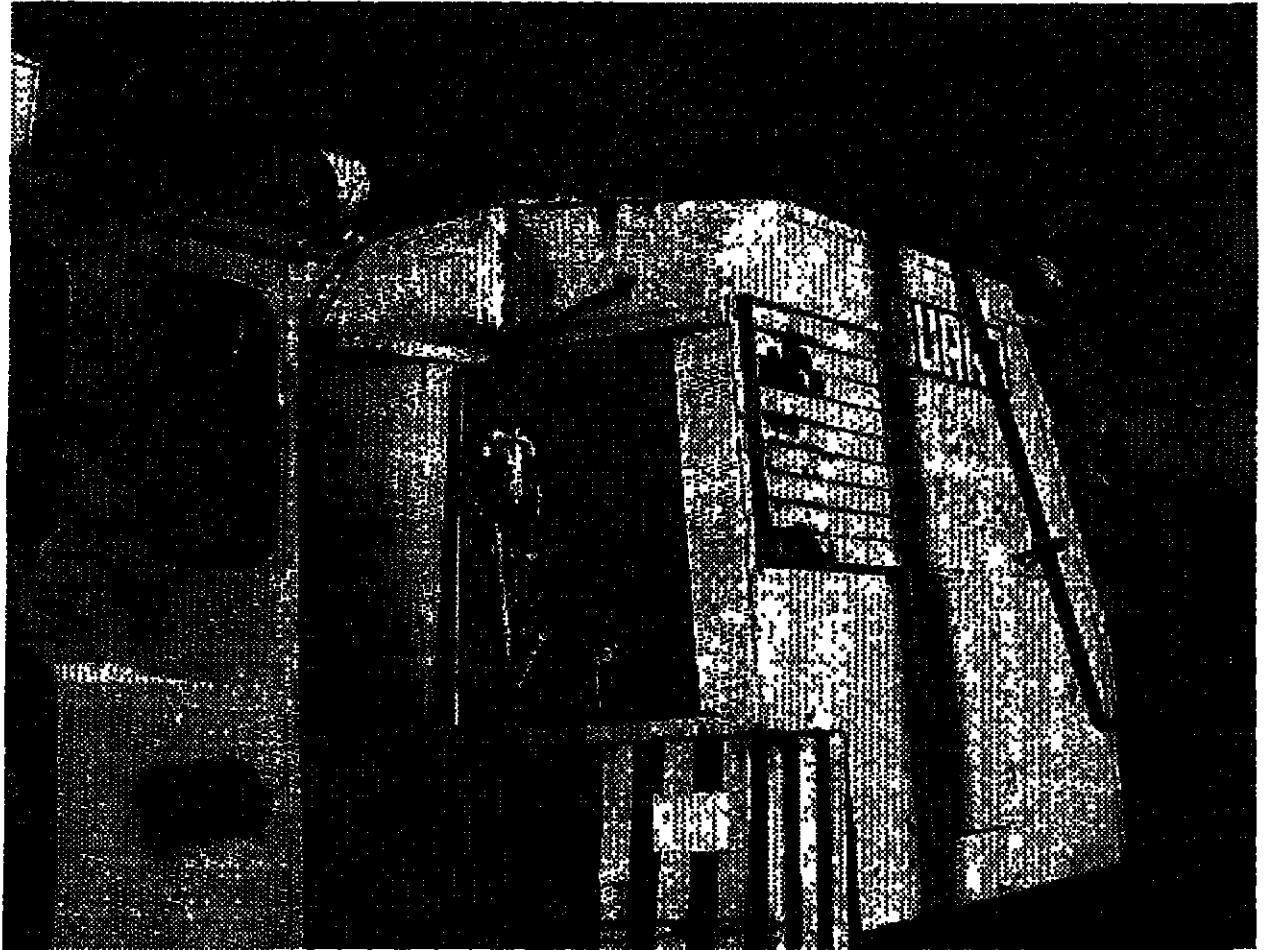




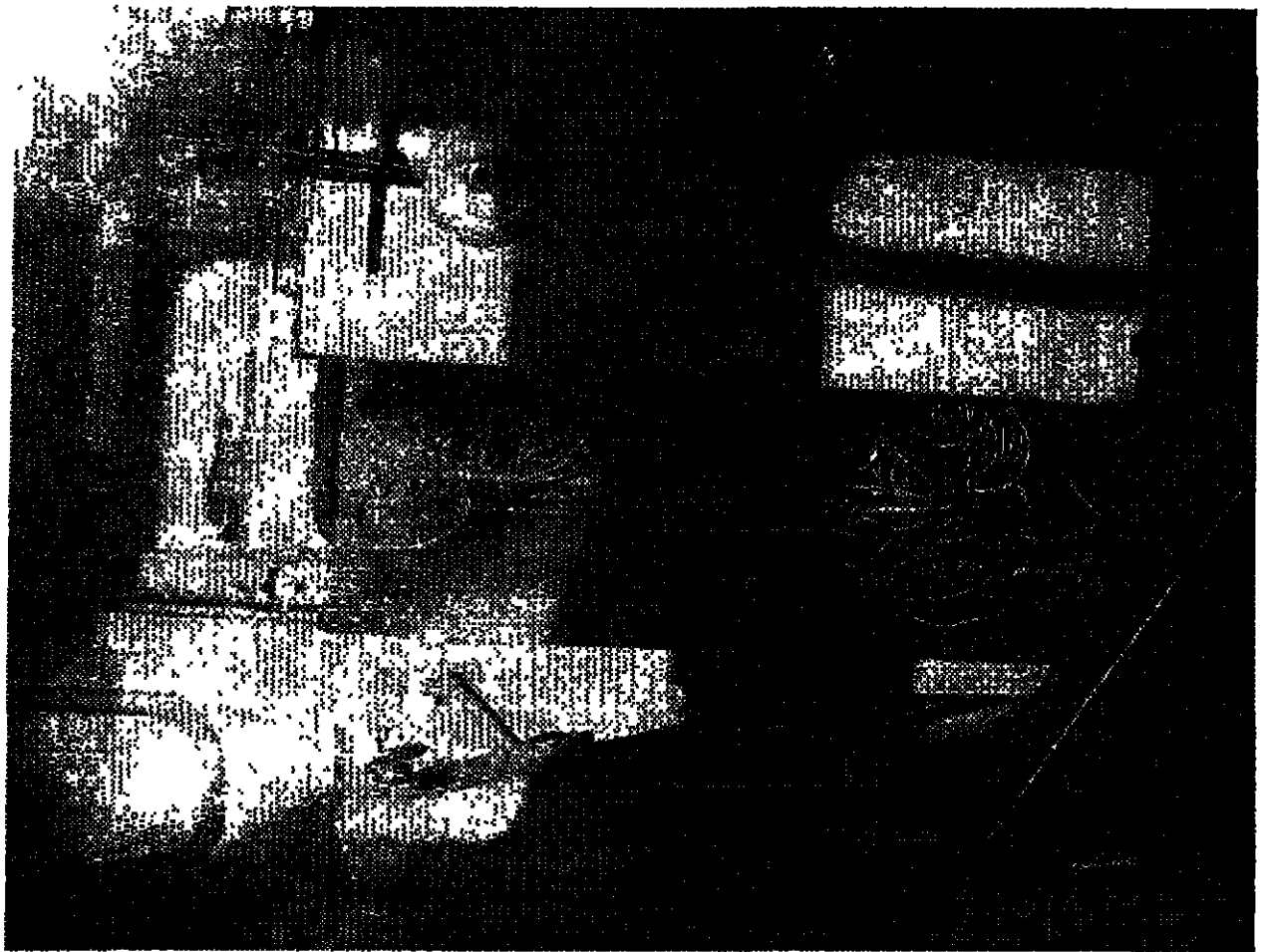










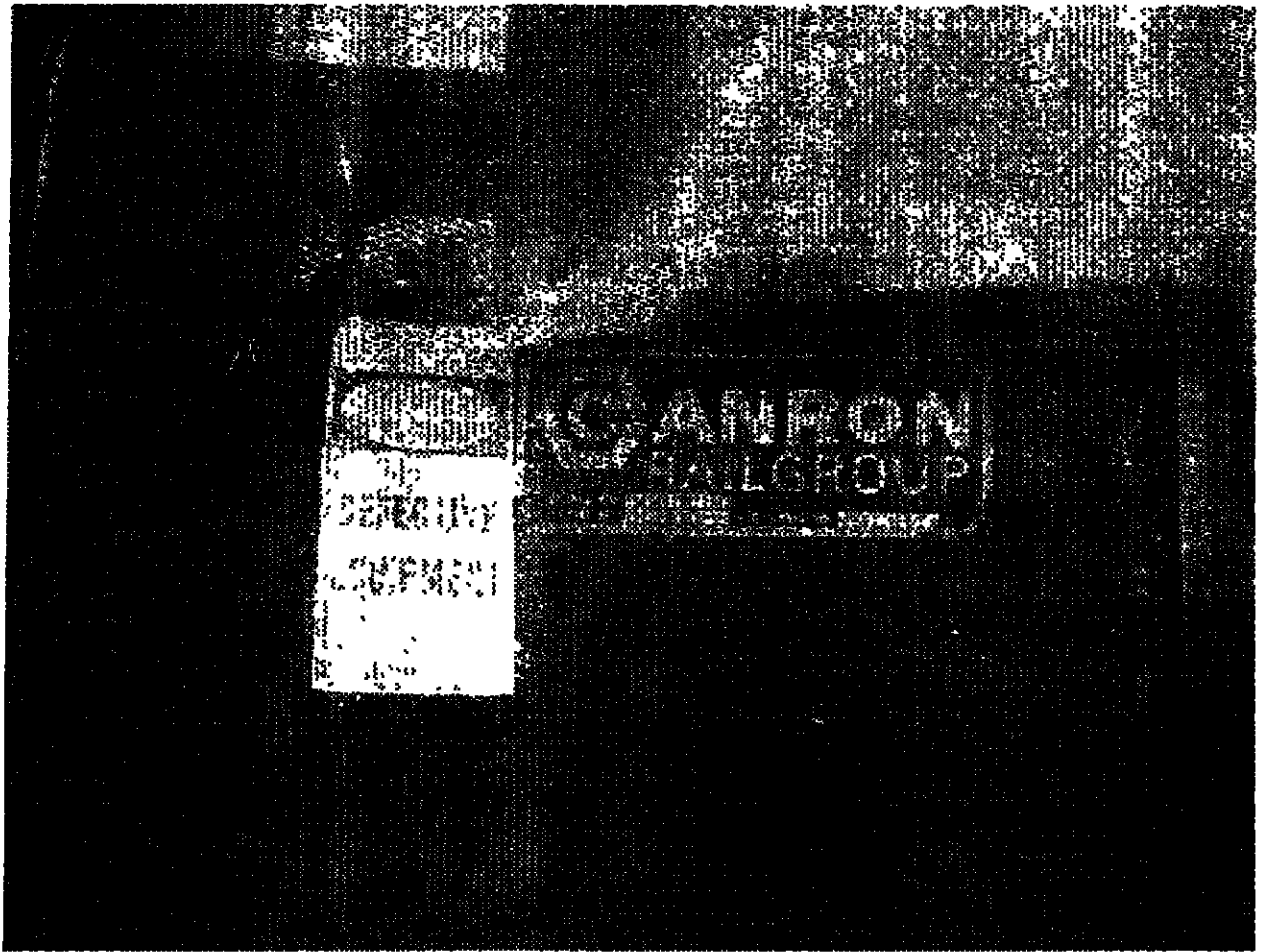




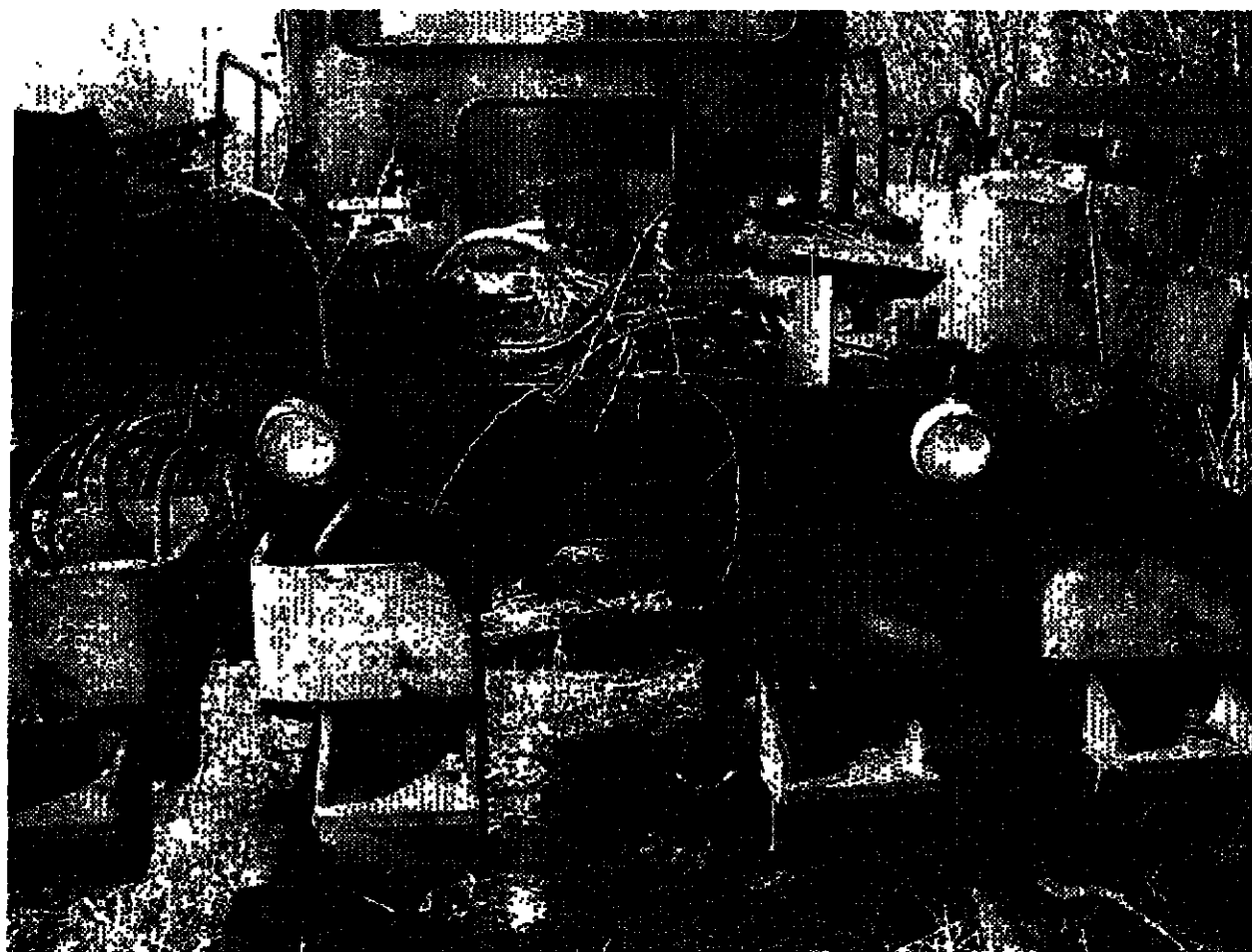




















From: Millard Richburg
To: Brown, Irwin, Fabula, George, Gunther, Dave
Date: Wed, Apr 2, 2003 3 27 PM
Subject: Re Riffin - Cockeysville ROW

I inspected the site on Tuesday April 1, 03, finding Mr Riffin's items on MTA controlled property. On Wednesday April 2, 03 I spoke with Riffin, reminding him of the 24 hour deadline for removal established by MTA. He apologized for the necessity of police intervention, and assured that he would remove all of his vehicles. He will move the 'Dresser' grader on this afternoon so that full track access is obtained. He will bring in appropriate equipment on Friday April 4 to accommodate removal of all items by close of business on Monday April 7, 2003.

Mr Riffin was advised that his failure to meet this agreement would result in criminal handling of this matter through the MTA police and the MTA Legal departments. With your discussed concurrences we will await Mr Riffin's compliance with these agreements.

>>> Dave Gunther 04/01/03 04:44PM >>>
Update .

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Please advise on the next step of action

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Thank you for your assistance. Should you have any questions, please contact me at your convenience.

George Fabula - (410) 767-3698

CC: Jones, Derek, Landes, Charles, Murrow, John ; Silverman, Ira, Taylor, Simon

From: Dave Gunther
To: Brown, Irwin, Fabula, George, Jones, Derek
Date: Mon, Apr 7, 2003 4:51 PM
Subject: Re Riffin - Cockeysville

Arrangements are being made to remove all of Mr Riffin's equipment from our property tomorrow. If Mr Riffin's crane is in the ROW and is obstructing the ability to remove his equipment from our track, then the crane will be removed also.

>>> George Fabula 04/07/03 01:02PM >>>
To all

Good afternoon! I received a phone call from John Von Bressen to discuss the Riffin situation. Mr Von Bressen stated he was clearing his leased area yesterday and Mr Riffin discuss with him about utilizing his leased area to store the freight cars. Mr. Riffin told Mr Von Bressen that he did not see how MTA could make decisions on the ROW when Norfolk Southern has an operating agreement.

Mr Von Bressen was to contact me and then call Mr Riffin back. I told Mr Von Bressen that the issue is between MTA and Mr. Riffin and no third party. No agreement would be granted. Mr. Von Bressen stated a crane is along the ROW. Could be Mr Riffins.

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I wanted to keep you updated as things progress.

Thank you,
George Fabula - (410) 767-3898

CC: Hamilton, Fletcher, Richburg, Millard