



City of Whittier

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ENTERED
Office of Proceedings
June 21, 2018
Part of
Public Record

June 21, 2018

Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 East Street, SW
Washington, DC 20423

RE: STB Docket No. AB-33-93-X Union Pacific Railroad Company – Abandonment Exemption – Whittier Junction - Colima Junction Line - in Los Angeles County, California.

Ms. Cynthia T. Brown,

This letter is filed by the City of Whittier (City) which seeks to vacate, in part, if deemed necessary by (Surface Transportation Board) STB, the Notice of Interim Trail Use (NITU) previously served in the Docket No. AB-33-93-X. The City would like to terminate interim trail use/rail banking on an approximately 658 square foot portion of the right-of-way subject to the NITU as further described herein. The STB may decide that a vacation of the NITU in this particular case is not necessary due to the fact that the subject property is extra-width property that in no way affects the length of the trail or potential resumption of rail service.

On previous occasions the STB has formally granted the City's request to terminate the NITU so that the City may dispose of extra-width portions of the right-of-way that are not needed for the resumption of the rail service over the subject line.

The City now seeks to sell an additional approximately 658 square foot strip of extra-width property to adjacent landowners. In connection with the pending sale of the extra-width property, the City has decided, if necessary, to terminate interim trail use on the extra width parcel.

The extra-width property to be sold will involve an approximately 658 square foot strip of land located along the western edge of the subject line right-of-way near MP 3.07 at Whittier Boulevard and Santa Fe Springs Road (Exhibit A provides a legal description of said property). Use of the extra-width property by the adjacent landowners will not disrupt the continuity of the subject line for rail restart purposes as it is located outside of the 25 feet of centerline protection requirement for rail banking.

Engineers have surveyed the property and verified that the subject property is situated 30.9 feet from centerline at its closest point (Exhibit B details a survey showing the property and its 30.9 foot distance from the Centerline). The extra-width property also sits 15+ feet below the abandoned rail line that ran at this location (Exhibit C shows an aerial of the location of the subject property and Exhibit D shows an elevation of the previously mentioned railway bridge. The 'x' on Exhibits C and D show the exact same location for reference purposes).

City staff and the proposed purchaser of the property have already advised and discussed the land sale proposal with Union Pacific, the former owner of the land, and Union Pacific has provided no objection to the sale of the property. Union Pacific will be filing a concurrent letter confirming that they do not object to the sale.

Furthermore, the undersigned hereby certifies that on the aforementioned date I have caused to be served copies of this letter upon the following Parties of Record in this proceeding, by U.S. Certified Mail with Return Receipt Requested and via E-mail.

The Burlington Northern And Santa Fe Railway Company
Attn: Roper, Michael E
500 Lou Menk Drive
Fort Worth, TX 76161-2828
Tel: (817) 352-2353
Fax: (817) 352-2397
michael.roper@bnsf.com

Union Pacific Railroad Company
101 North Wacker Drive Rm 1920
Chicago, IL 60606-1718

Union Pacific Railroad Company
Attn: Jeremy Berman, General Attorney
1400 Douglas Street, Stop 1580
Omaha, NE 68179
Tel: (402) 544-4735
Fax: (402) 501-0129
jmberman@up.com

In conclusion, the City respectfully requests that the STB acknowledge their acceptance of the proposed land transfer and any necessary vacation of the NITU to the extent necessary, over the 658 square feet of property located on the Western boundary of the Subject Line near MP 3.07 at Whittier Blvd and Santa Fe Springs Road on or before August 1, 2018. The NITU will remain effective for, and the City will continue interim trail use over, all remaining portions of the subject line.

Sincerely,



Jeffrey W. Collier
City Manager

LEGAL DESCRIPTION

A PORTION OF LOT 1 OF THE RESURVEY OF THE GUNN AND HAZZARD'S PLAT OF THE CULLEN TRACT, AS PER MAP RECORDED IN BOOK 34, PAGE 64 MISCELLANEOUS RECORDS BEING A PORTION OF THE LOS ANGELES AND SALT LAKE RAILROAD COMPANY LAND, AS DESCRIBED IN THE DEED RECORDED IN BOOK 6478 PAGE 267 OF DEEDS, BOTH IN THE CITY OF WHITTIER RECORDED IN THE OFFICE OF THE COUNTY RECORDERS OFFICE OF LOS ANGELES COUNTY, STATE OF CALIFORNIA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF THE LOS ANGELES AND SALT LAKE CITY RAILROAD COMPANY RIGHT WAY WITH ITS INTERSECTION OF THE SOUTH LINE OF WHITTIER BOULEVARD PER DEED TO THE STATE OF CALIFORNIA, RECORDED DECEMBER 8, 1955 AS INSTRUMENT NO. 1673, IN BOOK 49732 PAGE 61 OF OFFICIAL RECORDS OF SAID COUNTY, SAID POINT ALSO BEING THE NORTHEAST CORNER OF A PORTION OF LOT 1 OF AFOREMENTIONED GUNN AND HAZZARD'S PLAT ALSO AS SHOWN ON RECORD OF SURVEY RECORDED, IN BOOK 241 PAGE 10, SAID POINT BEING ON A 2811.92 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY, TO WHICH A RADIAL LINE BEARS NORTH 62°15'12" EAST;
 THENCE SOUTHWESTERLY ALONG SAID CURVE 14.53 FEET THROUGH A CENTRAL ANGLE OF 00°17'46" TO A POINT ON THE SOUTHERLY LINE OF WHITTIER BOULEVARD PER DEED RECORDED JULY 27, 1956 BOOK 5186 PAGE 267 OF OFFICIAL RECORDS AND THE TRUE POINT OF BEGINNING, TO WHICH A RADIAL LINE BEARS NORTH 62°32'58" EAST, SAID POINT BEING ON A NON TANGENT 973.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY, TO WHICH A RADIAL LINE BEARS NORTH 20°52'12" EAST; THENCE SOUTHEASTERLY ALONG SAID CURVE OF SAID SOUTH LINE 29.07 FEET THROUGH A CENTRAL ANGLE OF 01°42'42", TO WHICH A RADIAL LINE BEARS NORTH 22°34'55" EAST; THEN LEAVING SAID SOUTH LINE SOUTH 4°35'31" EAST, 51.10 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF OF THE LOS ANGELES AND SALT LAKE CITY RAILROAD COMPANY RIGHT WAY SAID POINT BEING ON A NON TANGENT 2811.92 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY, TO WHICH A RADIAL LINE BEARS NORTH 63°57'26" EAST;
 THENCE NORTHWESTERLY ALONG SAID CURVE OF SAID SOUTHWESTERLY LINE 69.09 FEET THROUGH A CENTRAL ANGLE OF 01°24'28" TO THE TRUE POINT OF BEGINNING, TO WHICH A RADIAL LINE BEARS NORTH 62°32'58" EAST.

CONTAINING 658.00 SQUARE FEET OF LAND MORE OR LESS

ALL AS PARTICULAR SHOWN ON PLAT ATTACHED HERETO AND BY THE PREFERENCE MADE A PART HEREOF.

SHEET 1 OF 2	LEGAL DESCRIPTION	 CONSULTING, INC. CIVIL ENGINEERING LAND PLANNING & SURVEYING	6 ORCHARD, SUITE 200 LAKEFOREST, CA 92630 T. 949.963.8000 F. 949.963.805 WWW.CVC-INC.NET
JOB NO. CLRW-002			
BY: JV			
DATE: 03-13-2018			
SCALE: N.A.			
INGRESS/EGRESS PROPERTY			

EXHIBIT B.

PLAT

LEGEND:

P.O.B. | POINT OF BEGINNING
T.P.O.B. | TRUE POINT OF BEGINNING



(IN FEET)
1 inch = 50 ft.



SANTA FE SPRINGS RD

VARIABLE
WIDTH

PORTION OF INSTRUMENT
NO. 1673, BOOK 49732,
PAGE 161

L=31.41'
R=71.00
 $\Delta=25^{\circ}20'41''$

L=25.02'
R=71.00
 $\Delta=20^{\circ}11'27''$

L=36.23'
R=388.00
 $\Delta=5^{\circ}20'58''$

N62°15'12"E (R)
R=2811.92
 $\Delta=0^{\circ}17'46''$
L=14.53'

P.O.B.
T.P.O.B.
N20°52'12"E (R)
L=29.07'
R=973.00
 $\Delta=1^{\circ}42'42''$

N62°32'58"E (R)
L=69.09'
R=2811.92
 $\Delta=0^{\circ}17'46''$

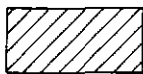
N22°34'55"E (R)
S4°35'31"E
51.10'

N63°57'26"E (R)
50.0'

50.0'

L.A. & SALT LAKE RAILROAD
RIGHT OF WAY

PORTION OF LOT 1
OF A RESURVEY OF
GUNN & HAZARD'S PLAT
OF CULLEN TRACT
BOOK 34, PAGE 64, OF MISC. RECORDS



DENOTES AREA OF
EASEMENT

SHEET 2 OF 2

JOB NO. CLRW-002

BY: JV

DATE: 03-13-2018

SCALE: 1"=50'

PLAT

INGRESS/EGRESS
PROPERTY



CONSULTING, INC.
CIVIL ENGINEERING
LAND PLANNING & SURVEYING

6 ORCHARD, SUITE 200
LAKEFOREST, CA 92630
T. 949.963.800
F. 949.963.805
WWW.CVC-INC.NET

City of Whittier Land - EXHIBIT C

Outline of location of land to be purchased from the city of Whittier



Google Earth

© 2018 Europa Technologies
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City of Whittier Land - EXHIBIT D



Google Earth

@ USFWS
@ 2018 Google
@ 2018 INEGI
@ 2018 Europa Technologies