

I am writing to oppose the extension of the NITU issued in 2008 by the Surface Transportation Board to Illinois Department of Natural Resources. This issue has been ongoing for approximately 14 years. According to EP749 and 749-1, the NITU holder has four years from issuance to complete the trail use agreement. An additional year extension was granted due to Covid circumstances, expiring on April 15, 2022.

The Union Pacific Railroad is entering into an agreement to sell property that it does not own. Claims arising from the NITU issued in AB 33-262X are still pending and have not been settled despite the case being filed in 2013.

Additionally, parts of the rail line easement have been identified by Union Pacific as a nuisance property. Union Pacific has not been a good steward of the easements granted them, despite substantial assets and the ability to correct them. as evidenced by at least eleven police reports in the past two years. Union Pacific Railroad has been made aware of these issues and has agreed to take corrective action but has failed to do so. The Village of Hanna City and trail proponents were made aware of these issues in emails on November 4, 2020, November 17, 2020 and November 21, 2022. An extension beyond the current 1 year COVID related extension will cause further harm to the reversionary property owners.

I ask for the NITU in AB 33 262 be terminated per The Surface Transportation Board rule EP749 and 749-1.

All Parties of Record have been served via email on 03/21/2022.

Sincerely,

*Tim Menefee*

Tim Menefee

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