

February 25, 2020

Fellow Constituents,

The Southeastern Pennsylvania Transportation Authority (SEPTA), an agency and instrumentality of the Commonwealth of Pennsylvania created under 74 Pa.C.S. § 1711, et seq., is the owner of the railroad right-of-way known as the Newtown Branch (Rail Line Code #0325).

Ownership of the Newtown Branch was deeded to SEPTA by CONRAIL in 1976 and recorded for the section of the Newtown Branch located within Bucks County in deed book D2385. As part of the acquisition and transfer process, the federal government also maintains an interest in the Newtown Branch and its utilization is subject to Federal Transit Administration approval.

While the Newtown Branch has been inactive for several years, it has never been abandoned. Since the inception of SEPTA's ownership of the Newtown Branch right-of-way, SEPTA was and continues to be the property owner responsible and fully capable for the defense of its ownership rights and title thereto.

As the owner of the Newtown Branch, SEPTA is granted the right, under the National Trails System Act, 16 U.S.C. § 1247(d), to negotiate with a State, municipality, or private group that is prepared to assume financial and managerial responsibility for the right-of-way for interim trail use. Interim trail use "shall not be treated, for any purposes of any law or rule of law, as an abandonment of the use of such rights-of-way for railroad purposes." 16 U.S.C. § 1247(d) (**emphasis added**). The lease between SEPTA and Bucks County contains a provision allowing for SEPTA to recapture the Newtown Branch for transportation purposes.

One of the stated purposes and findings of the National Trails System Act is to protect and preserve America's interest in a stable and vital railroad system should its reactivation be needed in the event of a National Emergency. Many historians credit America's railroad system and ability to efficiently transport goods as instrumental to America's success during the great wars. SEPTA is humbled to play the role of owner and protector of the Newtown Branch right-of-way and is steadfast in its commitment to protecting and preserving this national asset.

Sincerely,



Leo Byrne,
Director of Real Estate