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News release: Armstrong Trail Update

The Allegheny Valley Land Trust's (AVLT) railbanking of the rail corridor for the Armstrong Trail has been supported by a Superior Court of Pennsylvania decision on June 25, 2007.

The Superior Court of Pennsylvania has reversed the 2005 Judge Carson Brown decision in the lawsuit that was filed by adjacent property owners against the AVLT. The Superior Court has found that the trial court had erred in ruling that Conrail had abandoned the rail corridor that comprises the Armstrong Trail and numerous arguments advanced by the adjacent landowners "have no merit". The Court has remanded the matter back to Judge Brown for further proceedings in the case with instructions that he must proceed in a matter that is not inconsistent with the Superior Court.

AVLT and numerous supporters of the Armstrong Trail are very pleased to learn that the Superior Court of Pennsylvania has determined AVLT is a "qualified private organization" able to purchase the property from the railroad and preserve the railroad corridor for the resumption of future railroad service. The Court determined AVLT has met the necessary requirements to rail-bank the corridor, and as the Pennsylvania Supreme Court held in **Buffalo Township v. Jones**, no approval from the ICC or STB was necessary to accomplish the trail conversion.

The Court went on to find that, "Since approximately 2000, AVLT has been in negotiations with Rosebud Mining Company to reinstate rail service to haul coal along nine miles of the Rail corridor." Now that the Court has determined that the rail corridor has been preserved by AVLT for future railroad use, this economic development project can move forward in a cooperative fashion. The order and opinion further stated that when a railroad transfers a rail corridor to a qualified organization "abandonment under Pennsylvania law may not be found".

The Allegheny Valley Land Trust, The Armstrong Rails to Trails Association, and many other Armstrong Trail advocates now look forward to linking with other interested trails to establish one continuous trail from Lake Erie to Pittsburgh. This trail will be patterned after the 150 mile "Great Allegheny Passage" that connects Pittsburgh, PA with Cumberland, MD and the 180 mile C&O Canal Towpath to Washington, D.C.

Additional information concerning the Armstrong Trail along with a full copy of the Superior Court decision can be viewed at the Armstrong Trail website www.armstrongtrail.org . The website's email can also be used to direct comments and questions to AVLT.

Trail users are reminded to stay on the Armstrong Trail when using developed sections of the corridor and not trespass or otherwise disturb the adjacent residents along undeveloped section of the Trail.

Allegheny Valley Land Trust is dedicated to its Mission Statement and will continue its perseverance to protect the railroad corridor through cooperative projects with adjacent land owners, trail advocates, railroad companies, government agencies, elected officials, municipalities and others.

The Allegheny Valley Land Trust is a 501-c-3 nonprofit organization with an office in Kittanning, PA. AVLT Mission Statement declares "AVLT will protect and convert railroad corridors into trails for public use, thereby providing opportunities for commuters and outdoor recreational activities. AVLT projects will maintain the integrity of these corridors for future transportation use while acting as an economic stimulus for the area communities."

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