

Lauren Hollenbeck

From: Chris@planningsolutionsinc.com
Sent: Wednesday, February 5, 2020 4:23 PM
To: Lauren Hollenbeck; Anita Ashton
Subject: Haley Short Plat FW: Permit No. CX 17008 - Short Plat

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Lauren & Anita,

See below from BNSF's property management company. The applicant's current crossing agreement allows for access to any lot he owns. Once the lot is created and if title changes hands the new owner would need to get their own crossing/access agreement.

Let me know if you need anything else on this.

Thanks,
Chris Baumann
Planning Solutions, Inc
Office (360) 750-9000 / Cell (360) 718-0522

From: Jung, Blake <Blake.Jung@am.jll.com>
Sent: Wednesday, February 05, 2020 2:43 PM
To: Chris@planningsolutionsinc.com
Subject: RE: Permit No. CX 17008 - Short Plat

Chris,

The agreements aren't specific to the property but rather the user utilizing the crossing to access the property. To my knowledge, the current agreement has no term and therefore utilization of the crossing is allowed to access any property owned by the permit hold across the crossing. If the kids lot is sold, ownership would change and the new owners would then need to gain an agreement for utilization of the crossing.

Thanks,

Blake W. Jung
Manager, Permits – Private Crossings & Environmental Access
JLL Rail Practice Group – Proud Partners of BNSF Since 2001
4200 Buckingham Road, Suite 110
Fort Worth, Texas 76155
Direct: (817) 2302651
Customer Service: (817) 230-2649

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Lauren Hollenbeck

From: Chris@planningsolutionsinc.com
Sent: Thursday, February 6, 2020 9:53 AM
To: Lauren Hollenbeck; Anita Ashton
Subject: FW: Permit No. CX 17008 - Short Plat

Below is a response from BNSF's property management company with more explanation.

Chris Baumann
Planning Solutions, Inc
Office (360) 750-9000 / Cell (360) 718-0522

From: Jung, Blake <Blake.Jung@am.jll.com>
Sent: Thursday, February 06, 2020 8:37 AM
To: Chris@planningsolutionsinc.com
Subject: Permit No. CX 17008 - Short Plat

Good Morning,

Thank you for your inquiry into the Private Crossing Application Process and I've attached the Private Crossing Application for your file. BNSF requires an individual to be under a Private Crossing Agreement for utilization of any BNSF Private Crossing and a completed Private Crossing Agreement provides that individual permission from BNSF. Please note, BNSF Private Crossing Agreements are specific to the individual applying and not necessarily the individual who retains ownership. In short, an individual could submit an application for use of BNSF's Private Crossing but only lease a parcel without fully retaining ownership.

The current matter at hand is regarding The Anderson Private Crossing Agreement and I would like to provide a response regarding that agreement. The active agreement provides permission from BNSF for Dale & Leta Anderson to utilize the crossing. Through discussions, it seems The Andersons are splitting a parcel currently owned but will still retain ownership of both parcels after completion. The Anderson's use of BNSF's Private Crossing for access to the parcels still remains the same and no update is required. If the split parcel is sold to an individual in the future, that individual would need to complete a Private Crossing Application and submit to BNSF to gain approval for utilization of the BNSF Private Crossing. The Andersons would still retain the current agreement, as to gain access to the retained ownership but the individual purchasing would need to go through the process of obtaining an agreement from BNSF for utilization of that crossing. Reviewing the location, it seems this crossing is utilized by residents and has multiple users.

Thanks,

Blake W. Jung
Manager, Permits – Private Crossings & Environmental Access
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