

GREAT RIVERS ENVIRONMENTAL LAW CENTER

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For Immediate Release

November 21, 2005

**TRAIL USERS FILE LAWSUIT – REPRESENTED BY GREAT RIVERS  
ENVIRONMENTAL LAW CENTER**

Three users of the Katy Trail, challenging the efforts of Governor Blunt's Department of Natural Resources to give to Union Pacific Railroad Company the Boonville Lift Bridge – a part of the Katy Trail - filed a lawsuit today in Cole County Circuit Court. Union Pacific Railroad intends to dismantle the historic Bridge for purposes that include selling part of the steel. Estimates are that Union Pacific will realize millions of dollars by taking down the Bridge.

Trail user and environmental/conservation organizations are concerned that, in taking down the Bridge, the agreement that created the Katy Trail may be jeopardized, and the Katy Trail property would revert to the heirs of the original landowners. Their assertion is that any "severance" or "gap" in the Katy Trail's corridor may negate the 1987 agreement with the MKT Railroad Company, which has since been acquired by Union Pacific. "Organizations like NARPO [The National Association of Reversionary Property Owners] could seize upon the dismantling of the Bridge and claim that the Katy Trail has reverted to the adjoining property owners," said Ken Midkiff, a member of the Sierra Club and one of the petitioners in the suit.

At its most recent meeting, the Board of Directors of Great Rivers Environmental Law Center named the preservation and protection of the Katy Trail as a top priority. The Katy Trail is a natural asset that belongs to the citizens of the State, made possible by a generous \$2.2 million gift from Edward (Ted) and Pat Jones.

Protecting the Katy Trail is consistent with Great Rivers' efforts to preserve parkland and open space. Great Rivers' General Counsel, who filed the suit, said that the Blunt Administration is seeking to disqualify the Attorney General from challenging the Bridge give-away. The previous Administration rejected the Union Pacific's efforts to obtain the Bridge.

Another petitioner, James Wilson, Chairman of Great Rivers' Board, indicated that resort to the Courts was the only way to reverse what appears to be a political decision resulting in a corporate give-away. Petitioner Jeff Smith, who teaches public policy at the University of Missouri-St. Louis, noted, "This is a stark departure from the conservationist ethos of the prior administration. Indeed, it is yet another example of Governor Blunt's auctioning off policy-making to the highest corporate bidder, in this case Union Pacific."

The web address for Great Rivers Environmental Law Center is [www.greatriverslaw.org](http://www.greatriverslaw.org).

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