

**HOUSE CONCURRENT RESOLUTION NO. 3058**

Introduced by

Representatives Brandenburg, Kretschmar

Senator Erbele

1 A concurrent resolution directing the Legislative Council to study the manner in which railroads  
2 have obtained right of way and the procedures for disposition of that right of way upon  
3 abandonment or sale.

4 **WHEREAS**, state and federal law on right of way is complex, leaving the citizens of this  
5 state uncertain as to proper transfers and the rights of the citizens relating to this property; and

6 **WHEREAS**, owners of property adjacent to railroad rights of way have a significant  
7 interest in reacquiring or purchasing the railroad right-of-way property when the property is  
8 abandoned or otherwise for sale; and

9 **WHEREAS**, landowners and others having an interest in property adjacent to railroad  
10 rights of way need clarity with respect to the procedures involved when railroads abandon or  
11 otherwise seek to dispose of railroad right of way;

12 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES**  
13 **OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

14 That the Legislative Council study the manner in which railroads have obtained right of  
15 way and the procedures for disposition of that right of way upon abandonment or sale; and

16 **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and  
17 recommendations, together with any legislation required to implement the recommendations, to  
18 the Sixty-first Legislative Assembly.