

January 10, 2005

EI-1330

Ms. Victoria Rutson, Chief
SEA Section
Surface Transportation Board
1925 K Street S W
Washington, D.C. 20423

received
1/11/05

Re: FD 34284
Vulcan Materials/SGR project
Medina County, TX

Dear Ms Rutson:

Enclosed is a map that Ms. Rini Ghosh asked for at the December 2, public meeting. It is a map of the covenant that covers over 9500 acres of land. Approximately 60 parcels of land are in this covenant, which places a deed restriction on the land prohibiting any rail line of any description, or conveyor belt system, from being placed on the property.

Vulcan has stated that they have all the land that they need for the rail, except for 0.5 of a mile. This is not true, as you can see from the map. Even some of the areas not shaded in (not part of the covenant) are not available to them. The owners have expressed to us that, while not desiring to be in the covenant, they do not want a rail on their land, and are not willing to sell.

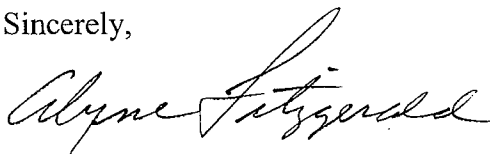
Approximately 2.3 miles of the proposed route is in this covenant, and not available to Vulcan. They will only get it through condemnation.

This is an extreme abuse of the eminent domain laws, and Vulcan should not be able to condemn land for their own profit.

We are asking our U. S. Congressman, Henry Bonilla, to submit this to you for us.

Thank you for your consideration.

Sincerely,



Alyne Fitzgerald

Encl:

Map

RESTRICTIONS

In no case shall the Restricted Properties, or any part or portions thereof, ever be used for, nor shall there ever be placed thereon, that type of structure or improvement commonly known as a "railroad", "rail line", "spur" or "siding", or "railroad tracks" or "rails" "rail or railroad trestle" or "conveyor belt system" of any kind or nature whatsoever or any type of structure or transport action system which resembles, even remotely, that type of structure or improvement commonly known as a "railroad", "rail line", "railroad tracks" or "rails", "rail or railroad trestle" or "conveyor belt system" of any kind or nature whatsoever.

