

208238

LEONARD, STREET AND DEINARD

PROFESSIONAL ASSOCIATION

June 24, 2003

Via Facsimile and U.S. Mail
The Honorable Vernon Williams
Secretary, Surface Transportation Board
1925 K Street NW, Room 711
Washington D.C. 20423-00001



Diane P. Gerth
612-335-1463
diane.gerth@leonard.com

Re: Delaware & Hudson Railroad Company, Inc. – Abandonment of Trackage Located in Albany County, New York (U.S. Postal Zip Codes 12202, 12077, 12054, and 12186) STB Docket No. AB-156 (Sub. No. 23X)

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Dear Mr. Williams:

This letter is in response to an inquiry by your office concerning the recent request of Albany County for the imposition of a Public Use condition and a Trail Use condition on the abandonment of the Delaware & Hudson Albany Main/Voorheesville running track.

Please be advised that Delaware & Hudson has no objection to the imposition of either of the conditions, but would again respectfully request that it be allowed to dispose of rail materials located along the corridor during the time the parties are negotiating a possible sale of the line for either trail or public use. In its request, Albany County indicated that it would have no objection to removal of the tracks, ties, and signal equipment. As mentioned earlier, Delaware & Hudson has no intention of removing any of the bridges or culverts on the line, but the track, ties and other rail related structures are valuable recyclable commodities. A public use condition that allows the railroad to engage in limited salvage activities would allow the removal and reuse of materials in an expedient manner.

If there are any questions relating to this request, please do not hesitate to contact me.

Very truly yours,

LEONARD, STREET AND DEINARD
PROFESSIONAL ASSOCIATION

DIANE P. GERTH
DPG/kaw

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Page 2

cc: Steve Fisk
Mark Fitzsimmons