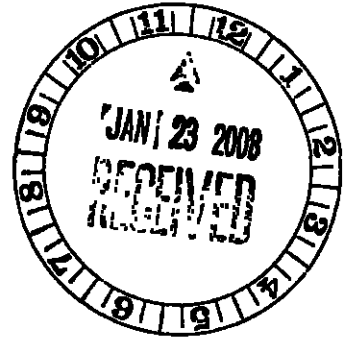


1/15/2008



Vernon A. Williams
Secretary
Surface Transportation Board
395 E Street SW
Washington, DC 20423-0001

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Office of Public Affairs
JAN 23 2008
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Public Record

Re. STB Docket No AB-1014, Denver & Rio Grande Railway Historical
Foundation—Adverse Abandonment—In Mineral County, CO

221341

Dear Secretary Williams:

Please consider this letter my comments in support of the application for adverse abandonment filed by the City of Creede.

I have been a resident of Creede since 2001 and became a business owner in Creede in 2005.

My address is: 113 West 5th Street P.O. Box 765, Creede, Co. 81130

The City of Creede lies in a tight canyon which poses significant challenges to the ability of the City to accommodate potential future growth. The existing right-of-way within the City of Creede is able to accommodate both freight and passenger rail traffic and was established during an era when the railroad was the primary means of transportation; it served as the main artery between Creede, it's neighbors and the rest of the United States. In relationship to the very small size of the town the footprint of the right-of-way is quite large due to the different functions that the right-of-way in town is able to serve; a siding and an engine "run around" and a main line.

My understanding is that the last train to enter the City of Creede was sometime in 1971, with sporadic trains still providing freight service to the area through the early 1980's by using a wye located a mile or so to the south of the City instead of entering the City limits. Though there has been no rail service in the City of Creede for 36 years, the Surface Transportation Board continues to maintain jurisdiction over the subject section of railroad right of way. Because of the size and nature of this right-of-way, underlying publicly owned land is unable to be utilized for anything other than railroad operations. The right-of-way also burdens the titles of a number of historic buildings along the town's main street.

Times have changed since this railroad right-of-way was established and it no longer seems to be in the public interest for the STB to maintain this right of way; abandonment of the right-of-way will allow the people of Creede to determine what the best use of this land will be as Creede continues to work toward developing an economy that will make it flourish for the next 100 years. Some of the public land which is encumbered by this right-of-way lies in the commercial heart of Creede; making this land available for redevelopment might allow for economic development opportunities in a place which very much needs it. Because the City of

Creede owns much of the affected land, the ways in which it might be utilized in the future will be determined by the people who live here.

Since the railroad right-of-way outside the city limits would be unaffected by a ruling in favor of adverse abandonment of the right-of-way within the City of Creede, the possibility of future rail service to the immediate Creede area would remain. Another possible outcome should the STB rule in favor of adverse abandonment is that the City of Creede could allow for parts of the existing right-of-way to remain, though the size of the right-of-way could be modified to allow for rail service to the center of town without burdening such a large amount of land.

I've enclosed ten copies of this letter and caused copies to be mailed to the parties to this proceeding. A certificate of service is attached to my comments.

Sincerely,

Avery Augur



CERTIFICATE OF SERVICE

I hereby certify that I have caused a true and correct copy of my comments in STB Docket No. AB-1014 to be served upon the following persons by first class mail this 15th Day of January, 2008

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City Manager
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