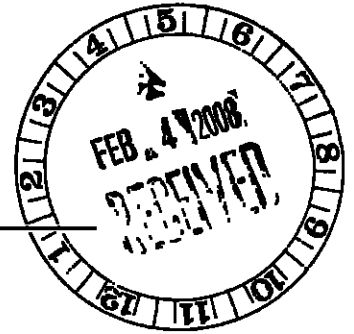


**BEFORE THE
SURFACE TRANSPORTATION BOARD**



STB DOCKET NO. AB-103 (Sub- No. 21X)

**KANSAS CITY SOUTHERN RAILWAY COMPANY
ABANDONMENT EXEMPTION
LINE IN WARREN COUNTY, MS**

221529

ERRATA

1. On January 25, 2008, Raymond B. English and James Riffin ("E&R"), filed a Request to Establish Conditions and Compensation for Financial Assistance ("Request"). Regretfully, that Request contained some errors of omission, which E&R would respectfully request permission from the Board to correct.

2. On the evening of Tuesday, January 22, 2008, David Reeves informed Riffin that KCSR was unwilling to accept E&R's offer. [David Reeves is a staff attorney for the Kansas City Southern Railway Company ("KCSR"), and is the individual with whom Riffin was negotiating regarding the purchase of the Line that is the subject of this proceeding]. Since E&R's Request to Set Terms had to be filed no later than Friday, January 25, 2008, that gave E&R only 48 hours within which to prepare their Request. [The Request had to be finished by Thursday, January 24, 2008, in order to have sufficient time to print the requisite number of copies, then have the Request hand-delivered to the Board and to Mr. Mullins, counsel for KCSR.] Riffin finished typing the Request at 4 am on Friday, January 25, 2008. Due to the late hour, Riffin inadvertently failed to include a signature block for Raymond English, and inadvertently failed to provide the Board with Riffin's Verified Statement.

3. Attached to this Errata, is Riffin's Verified Statement and a replacement page 22, which does contain a signature block for both Mr. English and Mr. Riffin. E&R would ask leave from the Board to late-file Riffin's Verified Statement and to substitute the attached replacement page 22 for the page 22 that was filed with the Request.

**ENTERED
Office of Proceedings**

1

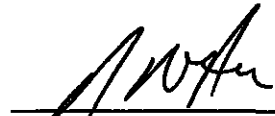
FEB 05 2008

**Part of
Public Record**

4. Starting with ¶8 of E&R's request, E&R misstated the total number of acres the Line contains, and the value of the realty as expressed in the PSA. The PSA states the City of Vicksburg is willing to purchase the realty, with the improvements thereon, for \$4,500 per acre. E&R misstated the number of acres the Line contains (55 acres). The Line actually contains approximately **51.5 acres**. (4.25 miles by 100 ft wide = 2,244,000 SF or 51.51 acres). 51.51 acres at \$4,500.00 per acre equates to **\$231,795**. Wherever E&R gave a value for the realty as being \$247,500, please change the number to \$231,795. Wherever E&R indicated the Line contains 55 acres, please change the number to 51.5 acres.

Respectfully submitted,


Raymond B. English


James Riffin

CERTIFICATE OF SERVICE

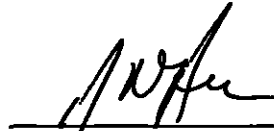
I hereby certify that on this 4th day of February, 2008, a copy of the foregoing Errata was e-mailed and was mailed, postage prepaid, to **William A. Mullins, Baker & Miller PLLC**, Ste 300, 2401 Pennsylvania Ave, N.W., Washington, DC 20037, attorney for Kansas City Southern Railway Company, and was mailed via first class mail, postage prepaid, to **Craig Richey**, 315 W. 3rd Street, Pittsburg, KS 66762, attorney for Vicksburg Southern Railroad, Inc.


James Riffin

57. Riffin would further argue that he has the **right** to purchase the Remainder portion of the Line **with Rail Material on it**, since but for the fact that the rail materials had been unlawfully removed, the Remainder portion of the Line would have rail material on it. Furthermore, Riffin would argue, the Board has the **obligation** to order KCSR to replace all rail material unlawfully removed from the Remainder portion of the Line.

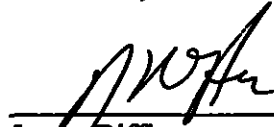
Respectfully submitted,


Raymond B. English


James Riffin

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of January, 2008, a copy of the foregoing Request to Establish Conditions and Compensation for Financial Assistance, was **hand delivered at 1730 hours to William A. Mullins, Baker & Miller PLLC, Ste 300, 2401 Pennsylvania Ave, N.W., Washington, DC 20037, attorney for Kansas City Southern Railway Company, and was mailed via first class mail, postage prepaid, to Craig Richey, 315 W. 3rd Street, Pittsburg, KS 66762, attorney for Vicksburg Southern Railroad, Inc.**


James Riffin

VERIFIED STATEMENT OF JAMES RIFFIN

1. I am over the age of eighteen and am competent to testify to the matters stated in this Verified Statement.

2. In this Verified Statement, whenever the word "Line" is used, it refers to the line of railroad that lies between MP 225.6 and MP 229.85, is situated in Warren County, Mississippi, and which is the subject of a proceeding before the Surface Transportation Board entitled: *Kansas City Southern Railway Company – Abandonment Exemption – Line in Warren County, MS*, STB Docket No. AB 103 (Sub-No.21X).

3. During the months of October and December, 2007, I spoke with Nancy Thomas, general counsel for the City of Vicksburg. During my conversations with Ms. Thomas, I indicated Raymond B. English had a desire to purchase that portion of the Line which lies between MP 225.6 and MP 227.5. I then asked her if the City of Vicksburg would still have a desire to purchase that portion of the Line that lies between MP 227.5 and MP 229.85, if Mr. English were to purchase that portion of the Line that lies between MP 225.6 and MP 227.5. During both conversations, Ms. Thomas stated the City of Vicksburg would only exercise its purchase rights if it could purchase the entire Line, and only if the Line was no longer used for railroad purposes.

4. I have examined a number of deeds which relate to the Line. Approximately half of the deeds I have consulted, indicate the legal interest being conveyed was that of an easement for railroad purposes, rather than a fee simple interest.

5. I consulted various highway maps and ascertained it is approximately 500 miles from Vicksburg, Mississippi to Houston, Texas, and it is approximately 200 miles from Vicksburg, Mississippi to the State of Alabama.

6. I have personal knowledge regarding the cost to move goods via motor carrier, since I have a commercial driver's license and have my own truck tractors and a number of semi-trailers. Furthermore, I have spoken with representatives of a number of Motor Carriers, such as Yellow Freight, and asked what their tariffs are. Most motor carriers are currently charging around \$3 per mile when hauling a load, providing they can back-haul a load. This figure is subject to a fuel surcharge, which varies as the price of diesel fuel varies. In the event the motor carrier is unlikely to back-haul a load, most motor carriers charge \$5 per mile one-way. Most motor carriers can carry approximately 22 tons without exceeding the maximum gross vehicle weight of 80,000 pounds. Typical tandem-axle truck tractors weigh about 18,000 pounds, and typical semi-trailers weigh about 18,000 pounds, for a total dead load of about 36,000 pounds.

7. I have personally removed both welded and jointed rail. I have personally loaded, transported and unloaded, rail, other track material, concrete and wood ties, bridge steel, railroad maintenance-of-way equipment, heavy construction equipment, and other heavy, bulky goods,

onto semi-trailers. To date, the heaviest load I have carried weighed about 80,000 pounds (a gross vehicle weight of about 140,000 pounds), and the longest load I have carried was over 100 feet long (for a total vehicle length of about 140 feet).

8. I personally own, and have personally used, abrasive saws. My largest saw has a capacity of 18 inches. I personally own, and have personally used, AC , DC and MIG welding units, and a plasma arc cutting unit. My largest welder has a capacity of 800 amps. I personally own, and I am proficient at operating, hydraulic excavators, backhoes, track and wheel loaders, motor grader, bull dozer, hydraulic cranes, single and dual drum compactors, Bob Cats and dump trucks. I have, and know how to use, a Leica total station which is accurate to 0.25 seconds. (Used for surveying.)

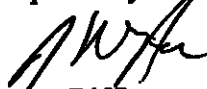
9. I have personal knowledge of the cost to rent or purchase heavy construction equipment, and the cost of operating heavy construction equipment, for I have been involved in construction projects for over 30 years.

10. I have personal knowledge of commercial real estate, including the cost to purchase or lease commercial real estate, whether improved or not, for I have been bought, sold, and leased (both as a tenant and a landlord) commercial real estate for over 30 years.

11. I have personal knowledge of present value calculations, for I have a MBA in Finance.

12. I have personal knowledge of the National Pollution Discharge Elimination System regulations found at 40 CFR 122, Stormwater Pollution Prevention Plans, and Mississippi's Environmental Regulations implementing 40 CFR 122. I have both a JD degree and a LLM degree from the University of Pennsylvania. Due to my legal training and personal construction experiences, I have the capability of reading and understanding complicated environmental regulations. I have personally installed, and removed, silt fences, both standard and reinforced, construction entrances / exits, and sediment separation tanks.

Respectfully submitted,


James Riffin

VERIFICATION

I, James Riffin, verify under penalty of perjury under the laws of the United States that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this Verified Statement.

Executed on January 23, 2008.

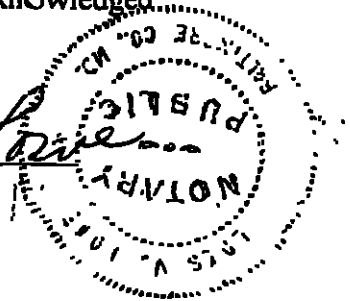

James Riffin

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, that on this 23rd Day of January, 2008, before me, a Notary Public of said State, personally appeared James Riffin, known to me or satisfactorily proven to be the person whose name is subscribed to the within Verified Statement, and who acknowledged that he executed the same, for the purposes therein contained

AS WITNESS my hand and notarial seal.

Lois V. Lowe
Notary Public



My commission expires: _____

