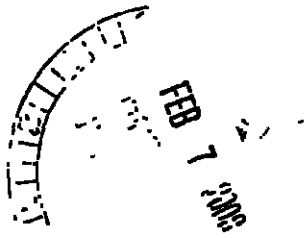


221556



January 27, 2008

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

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

Dear Secretary Williams:

My name is J. B. Alexander and my wife and I have resided full-time in the City of Creede since 1994. I own a home within the city limits, but have no interest in any local business.

I am writing in support of the City's application for adverse abandonment for the following reasons.

There is no need for the ROW within the city limits of Creede, since future rail freight, if any, would undoubtedly be loaded and unloaded south of town, just as it was in the past when there was legitimate rail-freight business in this area. As a matter of fact the previous owner of the railway removed the tracks in the south part of town several years ago.

In the event that an intrastate "tourist train" operation were to be started up, it would not fall under STB jurisdiction.

Mr. Shank, the current owner of the ROW in question, is using the shield of "Federal Jurisdiction" as an excuse to ignore an agreement between the railroad and the State of Colorado. By this agreement, the ROW in the south part of town (section 36) was terminated years ago by virtue of disuse.

The only thing that has come to the citizens of Creede as a result of Mr. Shank obtaining this ROW, is unnecessary and willful damage to streets and other public facilities, along with the harassment of citizens and businesses by his illegal attempts to collect rent on land that he does not own.

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

Thank you for the opportunity to comment on this issue.

Sincerely,

J. B. Alexander

ENTERED
Office of Proceedings

FEB 7 - 2008

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Public Record

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 29 Day of January, 2008

Clyde Dooley
City Manager
City of Creede
PO Box 457
Creede, CO 81130

Ronald M. Johnson
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Donald H. Shank
Denver & Rio Grande Railway Historical Foundation
20 North Broadway
Monte Vista, CO 81144

Office of the Governor of Colorado
Bill Ritter, Governor
136 State Capitol
Denver, CO 80203-1792

Colorado Public Utilities Commission
Doug Dean, Director
1560 Broadway, Suite 250
Denver, CO 80202


J. B. Alexander