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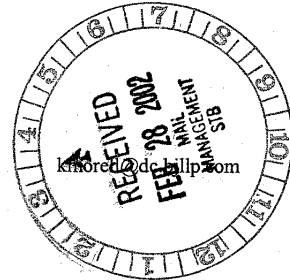
KARL MORELL

ENTERED  
Office of the Secretary

MAR 01 2002

Part of  
Public Record

February 28, 2002



The Honorable Vernon Williams  
Surface Transportation Board  
1925 K Street NW  
Suite 715  
Washington, DC 20423-001

Re: STB Docket No. AB-406 (Sub-No. 14X), Central Kansas Railway  
L.L.C. -- Abandonment Exemption -- In Sedgwick County, Kansas

Dear Secretary Williams:

It has come to the attention of Central Kansas Railway L.L.C. ("CKR") that the Board may not yet have received the letter dated November 13, 2001 from the Sedgwick County Board of County Commissioners ("Sedgwick County") informing the Board that Sedgwick County and CKR had consummated a trail use/rail banking agreement on October 31, 2001 for the portion of CKR's rail line located between Mileposts 8.62 and 9.62. Ten copies of that letter are hereby being forwarded to the Board.

By decision dated April 10, 2001, the Board granted CKR authority to abandon its 16-mile rail line located between Milepost 3.5, in Wichita, KS, and Milepost 19.5, in Garden Plain, KS. According to CKR's records, the current status of the trail use/rail banking requests for the rail line is as follows: The segment of the rail line located between Mileposts 3.5 and 4.53 has no trail use requests outstanding. At this time, CKR expects to consummate the abandonment of this segment by April 10, 2002. With respect to the segment of rail line located between Mileposts 4.53 and 8.62, CKR and the City of Wichita consummated a trail use/rail banking agreement on October 23, 2001. The City notified the Board of the agreement by letter dated October 31, 2001. With respect to the segment of rail line located between Mileposts 8.62 and 9.62, CKR and Sedgwick County consummated a trail use/rail banking agreement on October 31, 2001. A copy of Sedgwick County's letter to the Board is attached.

With respect to the segment of the rail line located between Mileposts 9.62 and 11.62, the Board currently has pending before it a request, dated December 18, 2001, for the issuance of a NITU by the City of Wichita. By letter dated January 28,

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The Honorable Vernon Williams  
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2002, CKR notified the Board that it was willing to negotiate for trail use with the City of Wichita. With respect to the segment of rail line located between Mileposts 11.62 and 15.6, the Board currently has pending before it a request, dated December 21, 2001, for the issuance of a NITU by the City of Goddard. By letter dated December 28, 2001, CKR notified the Board that it was willing to negotiate for trail use with the City of Goddard.

At this time, there is no NITU nor any pending requests for a NITU as to the remaining portion of the rail line located between Mileposts 15.6 and 19.5. CKR, however, has been informed that the City of Garden Plain is contemplating the filing of a request for a NITU. If such a request is filed before CKR consummates the abandonment of this rail segment, CKR will agree to negotiate for trail use with the City of Garden Plain.

If you have any questions concerning this matter, please call me.

Sincerely,

A handwritten signature in black ink, appearing to read "Karl Morell", written in a cursive style.

Karl Morell

KM:KM

02/26/02 TUE 15:54 FAX 3033935047  
02/26/02 14:50 FAX 315 880 3190

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CO COUNSELOR

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SEDGWICK COUNTY, KANSAS

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November 13, 2001

The Honorable Vernon Williams  
Surface Transportation Board  
1925 K Street, N.W., Suite 700  
Washington, DC 20423-0001

Re: STB Docket No. AB-406 (Sub-No. 14X), Central Kansas Railway,  
L.L.C. - Abandonment Exemption -- In Sedgwick County, KS

Dear Secretary Williams:

By decision served April 10, 2001, the Surface Transportation Board ("Board") granted Central Kansas Railway, L.L.C. ("CKR") authority to abandon its rail line located between milepost 19.5, near Garden Plain, and milepost 3.5, in Wichita, KS. On May 24, 2001, Sedgwick County, KS ("County") filed a request for issuance of a notice of interim trail use ("NITU") for the portion of the rail line located between milepost 8.62, near 119<sup>th</sup> Street in Wichita, and milepost 9.62, near 135<sup>th</sup> Street near Wichita. By decision served June 15, 2001, the Board issued the requested NITU.

On October 31, 2001, the County and CKR consummated a trail use/railbanking agreement with regard to the portion of the line located between mileposts 8.62 and 9.62.

If you have any questions regarding this matter, please contact me.

Sincerely,

Carolyn McGinn  
Chair

CMcG/jc

Attachment