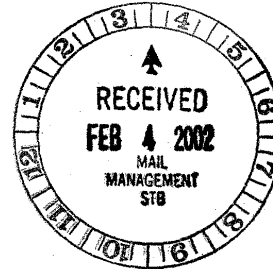


FILED

FEB 04 2002



201683

SURFACE
TRANSPORTATION BOARD
CITY OF
WICHITA

December 18, 2001

The Honorable Vernon Williams
Secretary
Surface Transportation Board
1925 K Street, N.W., Suite 715
Washington, DC 20423-0001

ENTERED
Office of the Secretary

FEB 05 2002

Part of
Public Record

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

Dear Secretary Williams:

The City of Wichita submits this letter pursuant to 49 C.F.R. 1152.29 requesting the issuance of a Notice of Interim Trail Use ("NITU") in the captioned proceeding. Specifically, the City of Wichita is requesting an NITU for the following Central Kansas Railway, L.L.C. ("CKR") rights-of-way near Wichita, Kansas.

The property extends from railroad milepost 9.62 near 135th Street, to railroad milepost 11.62 near 167th Street, a distance of 2.0 miles, in Sedgwick County, Kansas. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-406 (Sub No. 14X).

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY:

In order to establish interim trail use and rail banking under Section 8(d) of the National Trails System Act, 16 U.S.C. § 1247(d) and 49 C.F.R. 1152.29, the City of Wichita is willing to assume full responsibility for the management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability in which case it need only indemnify CKR against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the right-of-way described in the first paragraph of this letter.

A map depicting the right-of-way is attached.

The City of Wichita acknowledges that the use of the rights-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reco

FILING FEE WAIVED

City Manager's Office

City Hall • 13th Floor • 455 N. Main • Wichita, Kansas 67202-1667

T 316.268.4351 • F 316.268.4519

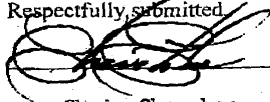
FEB. -04'02 (MON) 16:08 PLANNING DEPT.

TEL:268 4390

P.003

By my signature below, I certify service upon Central Kansas Railway, L.L.C., at 252 Clayton Street, 4th Floor, Denver, Colorado, 80206, by U.S. Mail; postage prepaid, first class, this 18th day of December 2001.

Respectfully submitted,



Chris Cherches

On behalf of the City of Wichita.

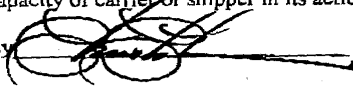
City of Wichita
455 N. Main
Wichita, KS 67202

Request for Waiver of Filing Fees.

The City of Wichita requests that filing fees be waived under 49 CFR 1002.2(f)(27) and Surface Transportation Board Decision STB Ex Parte No. 542 (Sub-No.6), for the requested Notice of Interim Trail Use for Central Kansas Railway, L.L.C. Abandonment Exemption - STB Docket No. AB-406 (Sub No. 14X).

The City of Wichita is a local government entity within the State of Kansas, acting in the public interest. The City of Wichita does not own, or propose to own a carrier, nor is it acting in the capacity of carrier or shipper in its actions before the Board.

By


Chris Cherches

On behalf of the City of Wichita

City of Wichita
455 N. Main
Wichita, KS 67202

Proposed CKR Railbank Segment

