



205861



July 16, 2002

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

RE: STB DOCKET NO. AB-563 (Sub-No. 1X), Kansas Eastern Railroad, Inc. --
Abandonment Exemption-- In Butler and Greenwood Counties, KS

Dear Secretary Williams:

On January 15, 2002, the Surface Transportation Board approved Butler County's request for the issuance of a NTTU to allow Kansas Eastern Railroad, Inc. (KER) to negotiate with Butler County for interim trail use/ rail banking for the right of way located between milepost 471.0 and milepost 476.4 and between milepost 476.65 and milepost 483.0 a distance of 11.75 miles for which the ATA had terminated trail use.

Butler County hereby notifies the Board that on July 11, 2002, KER and Butler County consummated a trail use/rail banking agreement for those same portions of the right-of-way as listed above.

If you have any questions or require additional information concerning this matter, please contact me.

By my signature below, I certify service upon KER c/o Karl Morell, Ball Janik LLP, 1455 F. St. N.W., suite 225 Washington, DC 20005, by U.S. Mail, postage prepaid, first class, this 16th day of July 2002.

Respectfully submitted,

Randy Doll, Chairman
Butler County Commissioner

Randy Doll, 1st District
1157 Ginkgo, Andover, KS 67002

Bill Shriver, 2nd District
4 Taylor Dr., Augusta, Kansas

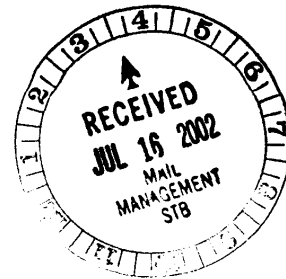
Will Carpenter, 3rd District
6965 SW 18th, El Dorado, Kansas

Butler County Courthouse, 205 West Central, El Dorado, Kansas 67042 • 316-322-4300

ENTERED
Office of Proceedings

JUL 17 2002

Part of
Public Record

BALL JANIK LLP
ATTORNEYS1455 F STREET, NW, SUITE 225
WASHINGTON, D.C. 20005TELEPHONE 202-638-3307
FACSIMILE 202-783-6947**TELECOPY TRANSMISSION FORM**

SEND TO: The Honorable Vernon A. Williams DATE: 07/16/02
COMPANY: Surface Transportation Board
FROM: Karl Morell
CLIENT NO:
TELECOPY NO: (202) 565-9004
VERIFICATION NO:
OPERATOR: pam

NUMBER OF PAGES TRANSMITTED (INCLUDING COVER SHEET): 2

COMMENTS

ENTERED
Office of Proceedings
JUL 17 2002
Part of
Public Record

CONFIDENTIALITY NOTICE

THIS COMMUNICATION MAY CONTAIN INFORMATION THAT IS PRIVILEGED AND/OR CONFIDENTIAL. IT IS INTENDED ONLY FOR THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF YOU ARE NEITHER THE INTENDED RECIPIENT NOR AN AGENT OR EMPLOYEE RESPONSIBLE FOR DELIVERING THE DOCUMENT TO THE INTENDED RECIPIENT, YOU MAY NOT READ, DISSEMINATE, COPY OR DISTRIBUTE THIS INFORMATION. IF YOU RECEIVE THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY.