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KARL MORELL

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December 12, 2002

**ENTERED
Office of Proceedings**

DEC 13 2002

**Part of
Public Record**

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

Re: STB Docket No. AB-839 (Sub-No. 1X), Kiowa, Hardtner and Pacific
Railroad Company – Abandonment Exemption -- In Barber County,
Kansas

Dear Secretary Williams:

This is in response to the request dated December 9, 2002, by V and S Railway, Inc. ("V and S"), for issuance of a Notice of Interim Trail Use ("NITU"), under the National Trails System Act, 16 U.S.C. § 1247(d), for the 9.93-mile rail line authorized for abandonment in this proceeding.

Kiowa, Hardtner and Pacific Railroad Company ("KHP") hereby notifies the Board that KHP has not consummated the abandonment of the line and is willing to negotiate for trail use with V and S.

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

Sincerely,

Karl Morell