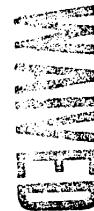
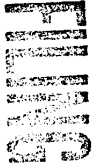
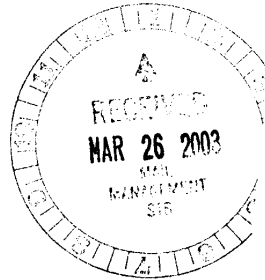


207464



March 21, 2003

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

ENTERED
Office of Proceedings

MAR 26 2003

Part of
Public Record

Re: Burlington Northern Santa Fe Railway Company Abandonment Exemption—In the Wichita, Kansas, Trackage and between Wichita and Valley Center, Kansas. STB Docket No. AB-6 (Sub No. 403X).

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 Burlington Northern Santa Fe rights-of-way near Wichita, Kansas.

The property extends from railroad milepost 494.22 at the Butler County/Sedgwick County line, westward to railroad milepost 504.00 near Hydraulic Street, in downtown Wichita, Kansas, a distance of 9.78 miles, in Wichita, Kansas, and Sedgwick County, Kansas. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-6 (Sub No. 403X).

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 BNSF against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned and operated by the Burlington Northern Santa Fe Railway Company with respect to that portion of the right-of-way in Sedgwick County, Kansas, and described in the preceding 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 reconstruction and reactivation of the right-of-way for rail service. A copy of this statement is being served on the railroad on the same date it is being served on the Board.

City Manager's Office

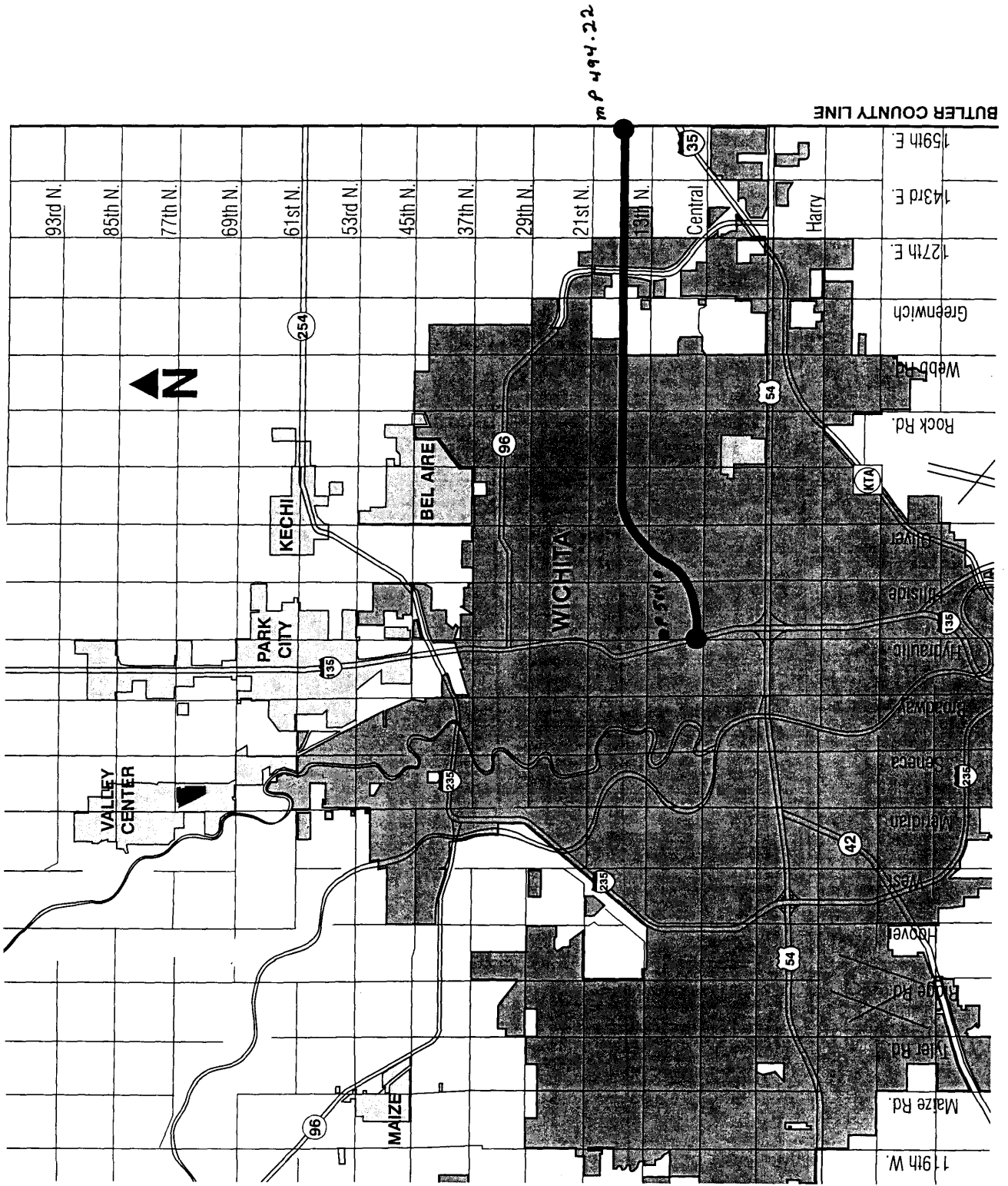
City Hall • 13th Floor • 455 North Main • Wichita, Kansas 67202-1615

T 316.268.4351 F 316.268.4519

www.wichitagov.org

FEB 26 2003

CITY OF
TRAIL ABANDONMENT



By my signature below, I certify service upon Burlington Northern Santa Fe Railway Company, at 2600 Lou Menk Drive, 2nd Floor, Fort Worth, Texas 76131, by U.S. Mail; postage prepaid, first class, this 21st day of March, 2003.

Respectfully submitted,



Chris Cherches

On behalf of the City of Wichita.

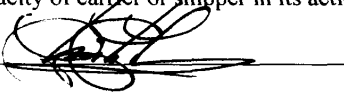
City of Wichita
455 N. Main
Wichita, KS 67202

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-6 (Sub No. 403X).

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