

MUNICIPALITY
OF EATON, CO
Eaton, CO 80615.

MUNICIPALITY
OF SEVERANCE, CO
Severance, CO 80546

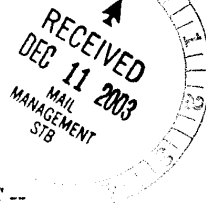
MUNICIPALITY
OF WINDSOR, CO
Windsor, CO 80550

November 25, 2003

209594

Vernon A. Williams, Secretary
Surface Transportation Board
Case Control Unit, Suite 713
1925 K Street, N.W.
Washington, DC 20423-0001

FILING FEE WAIVED



Re: STB Docket No. AB-857X, *Great Western Railway of Colorado, LLC --
Abandonment Exemption -- in Weld County, CO*

Dear Mr. Williams:

The municipalities of Eaton, Severance and Windsor, Colorado hereby petition for reconsideration of the Board's decision served November 10, 2003 in the above proceeding for the purpose of requesting a condition for railbanking and interim trail use under the National Trails System Act. The above-named municipalities will be referred to hereafter as the "trail proponents".

The trail proponents seek a condition for railbanking and interim trail use rather than an outright abandonment authorization for the entire rail line covered by the above proceeding, i.e., between Milepost 30.8 near Windsor and Milepost 42.5 near Eaton, a distance of 11.7 miles, in Weld County, Colorado.

Pursuant to 49 C.F.R. § 1152.29(a)(3), the trail proponents submit the following in support of the requested condition:

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and railbanking under section 8(d) of the National Trails System Act, 16 U.S.C. § 1247(d), and 49 C.F.R. § 1152.29, the trail proponents identified above are willing to assume full responsibility for 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 the railroad 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 by and operated by Great Western Railway of Colorado, LLC (GWRC).

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Public Record

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November 25, 2003
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The property, known as GWRC's Eaton Subdivision, extends from Milepost No. 30.8 near Windsor to Milepost 42.5 near Eaton, a distance of 11.7 miles in Weld County, Colorado. The right-of-way is part of a line of railroad proposed for abandonment in Docket No. AB-857X.

A map of the property depicting the right-of-way is attached. (Eaton Subdivision is circled on the map).

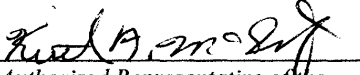
The trail proponents acknowledge that use of the right-of-way is subject to the user's continuing to meet their responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

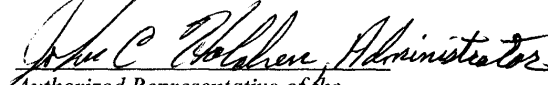
A copy of this statement is being served on the representative of GWRC on the same date that it is being served on the Board.

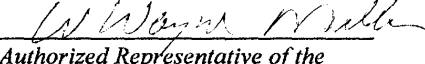
The \$150 filing fee should be waived inasmuch as the municipalities are exempt from the filing fee as governmental entities.

Ten copies accompany the original of this request.

Very truly yours,


Authorized Representative of the
Municipality of Eaton, CO


Authorized Representative of the
Municipality of Severance, CO


Authorized Representative of the
Municipality of Windsor, CO

TMcf:kl:enc:wp11517\trstb1

cc: Karl Morell, Esq.
Ball, Janik
1455 F Street, N.W., Suite 225
Washington, DC 20005