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KARL MORELL

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Public Record

September 30, 2004

The Honorable Vernon 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:

This is in response to the request dated August 30, 2004, by Butler County, Kansas ("Butler County"), for issuance of interim trail use ("NITU"), under the National Trails System Act, 16 U.S.C. § 1247(d), for the rail line located between milepost 471.0, near Leon, and milepost 438.5, at Severy (the "Line").

Kansas Eastern Railroad, Inc. ("KER") hereby notifies the Board that KER has not consummated the abandonment of the Line and is willing to negotiate for trail use with Butler County.

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

Sincerely,

Karl Morell

cc: Chairman Will Carpenter

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