

LAW OFFICES
FRITZ R. KAHN, P.C.
EIGHTH FLOOR
1920 N STREET, N.W.
WASHINGTON, D.C. 20036-1601

JM306

(202) 263-4152
FAX (202) 331-8330
e-mail: xiccgc@worldnet.att.net

ORIGINAL



July 11, 2005,

VIA HAND DELIVERY - RETURN COPY

Hon. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, NW (7th fl.)
Washington, DC 20423-0001

ENTERED
Office of Proceedings

JUL 11 2005

Part of
Public Record

Dear Secretary Williams:

This refers to STB Docket No. AB-70 (Sub-No. 5X), Florida East Coast Railway, L.L.C.-Abandonment Exemption-In Brevard County, FL, and to the two-year out-of-service class exemption notice published at 70 Fed. Reg. 35155 on June 16, 2005.

On June 27, 2005, Hust Brothers, Inc., filed and served its Notice of Intent to File Offer of Financial Assistance, a copy of which is attached. Among other things, the Notice, pursuant to 49 C.F.R. 1152.27(a), asked the railroad to provide Hust Brothers, Inc., with "copies of the most recent report on the physical condition of the line, the carrier's estimate of the net liquidation value of the line, with supporting data, and the minimum purchase price which the railroad seeks," none of which was included in the exemption notice. To date, the railroad has not furnished the requested information.

Pursuant to 49 C.F.R. 1152.27(c)(2)(ii)(C), Hust Brothers, Inc., respectfully requests that 30-day period for submitting its offer of financial assistance be tolled until August 15, 2005, and that the railroad in the meantime, but in no event later than August 1, 2005, be required to produce the requested information so that Hust Brothers, Inc., will have a reasonable opportunity to analyze and appraise it in advance of preparing its offer of financial assistance.

Ten copies of this letter are enclosed to permit your circulation of it. An additional copy is enclosed for you to stamp to acknowledge your receipt of it and to return to me via the messenger.

I certify that I this day have served a copy of this letter upon the Florida East Coast

Hon. Vernon A. Williams

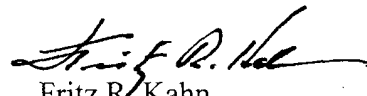
July 11, 2005

Page Two

Railway, L.L.C., by mailing, by prepaid first-class mail, and facsimile transmitting copies of it to its representative, Ms. Marlene Hammock

If you have any question concerning the foregoing which you believe I may be able to answer or if I otherwise can be of assistance, please let me know.

Sincerely yours,



Fritz R. Kahn

enc.

cc: Ms. Marlene Hammock

LAW OFFICES
FRITZ R. KAHN, P.C.
EIGHTH FLOOR
1920 N STREET, N.W.
WASHINGTON, D.C. 20036-1601

(202) 263-4152
FAX (202) 331-8330
e-mail: xicgc@worldnet.att.net

FILE COPY



June 27, 2005

VIA HAND DELIVERY - RETURN COPY

Hon. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, NW (7th fl.)
Washington, DC 20423-0001

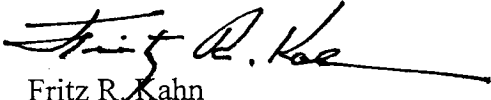
Dear Secretary Williams:

Enclosed for filing in Docket No. AB-70 (Sub-No. 5X), Florida East Coast Railway L.L.C.,—Abandonment Exemption—In Brevard County, FL, are the original and ten copies of the Notice of Intent to File Offer of Financial Assistance of Hust Brothers, Inc., of Marysville, California.

An additional copy of the Notice is enclosed for you to stamp to acknowledge your receipt of it and to return to me via the messenger.

If you have any question concerning the foregoing which you believe I may be able to answer or if I otherwise can be of assistance, please let me know.

Sincerely yours,


Fritz R. Kahn

enc.

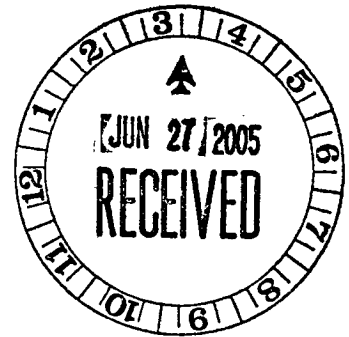
Cc: Ms. Marlene Hammock

FILE COPY

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C.

STB Docket No. AB-70 (Sub-No. 5X)

FLORIDA EAST COAST RAILWAY, L.L.C
-ABANDONMENT EXEMPTION-
IN BREVARD COUNTY, FL



NOTICE OF INTENT TO FILE
OFFER OF FINANCIAL ASSISTANCE

Fritz R. Kahn
Fritz R. Kahn, P.C.
1920 N Street, NW (8th fl.)
Washington, DC 20036-1601
Tel.: (202) 263-4152

Attorney for

HUST BROTHERS, INC.

Due and dated: June 27, 2005

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C.

STB Docket No. AB-70 (Sub-No. 5X)

FLORIDA EAST COAST RAILWAY, L.L.C
-ABANDONMENT EXEMPTION-
IN BREVARD COUNTY, FL

NOTICE OF INTENT TO FILE
OFFER OF FINANCIAL ASSISTANCE

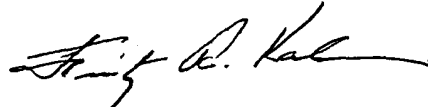
Hust Brothers, Inc., of Marysville, California, pursuant to 49 U.S.C. 10904(c) and 49 C.F.R. 1152.27(c)(2)(I), hereby formally expresses its intent to file an offer of financial assistance by purchasing the 9.8-mile line of railroad proposed to be abandoned extending between Milepost TB 0.0 in Titusville and Milepost TB 9.8 in Aurantia in Brevard County, Florida.

By copy of this Notice, Hust Brothers, Inc., pursuant to 49 C.F.R. 1152.27(a), asks the Florida East Coast Railway, L.L.C., to provide it with copies of the most recent report on the physical condition of the line, the carrier's estimate of the net liquidation value of the line, with supporting data, and the minimum purchase price which the railroad seeks.

Respectfully submitted,

HUST BROTHERS, INC.

By its attorney,



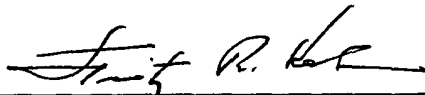
Fritz R. Kahn
Fritz R. Kahn, P.C.
1920 N Street, NW (8th fl.)
Washington, DC 20036-1601
Tel.: (202) 263-4152

Due and dated: June 27, 2005

CERTIFICATE OF SERVICE

I certify that I this day served a copy of the foregoing Notice upon the Florida East Coast Railway, L.L.C., by mailing a copy by prepaid first-class mail to its representative, Ms. Marlene Hammock.

Dated at Washington, DC, this 27th day of June 2005.



Fritz R. Kahn