

American Trails Association

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JAN 26 2004

Part of
Public Record

January 15, 2004

FILED

JAN 26 2004

TRAIL / RAIL / RAILROAD

The Honorable Vernon Williams
Surface Transportation Board
1925 K Street, N.W., Suite 700
Washington, DC 20423-0001

209941

Re: STB Docket No. AB-603 (Sub-No. 1X), V and S Railway, Inc. --
Abandonment Exemption -- In Barber County, KS

Dear Secretary Williams:

Attached please find a request for issuance of a Notice of Interim Trail Use ("NITU") on behalf of American Trails Association, Inc., providing for a 180-day period for negotiation of rail banking and interim trail use of the following rail line: the 20-mile line located between milepost 21, at Medicine Lodge, and milepost 41.0, at Sun City in Barber County, KS.

Enclosed with this request for NITU is a check for \$150 to cover the filing fee.

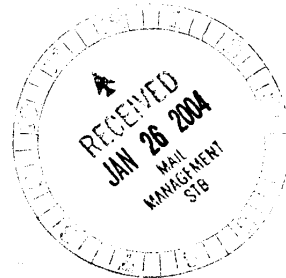
Ten copies of this request for NITU accompany the original. Please time and date stamp the extra copy of the request and return it with our messenger.

Sincerely,

FILED
JAN 26 2004
SURFACE
TRANSPORTATION BOARD

Steven Van Wagenen
Steven Van Wagenen
Assistant Vice President
American Trails Association

cc: Karl Morell



**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, American Trails Association, Inc., is 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 V and S Railway, Inc. ("VSR"), identified below.

The VSR rail line is as follows: the 20-mile rail line between milepost 21, at Medicine Lodge, and milepost 41.0 at Sun City, in Barber County, KS. The right-of-way is the subject of an exemption for abandonment in STB Docket No. AB-603 (Sub-No. 1X).

American Trails Association, Inc., acknowledges that use of the right-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 map depicting the right-of-way is attached. The right-of-way to be rail banked and used on an interim basis for a trail is colored in yellow. A copy of this statement is being served on the railroad company on the same date it is being served on the Surface Transportation Board. By my signature below, I certify service upon Karl Morell, Attorney for VSR by U.S. Mail, postage prepaid, this January 15th, 2004.



Steven Van Wagenen
Assistant Vice President