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ATTORNEYS AT LAW

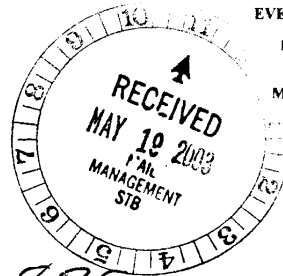
THOMAS DEE FRASIER, P.C.
(1924-2001)
JAMES E. FRASIER, P.C.
STEVEN R. HICKMAN
JOHN W. FLIPPO
EVERETT R. BENNETT, JR.
J. L. FRANKS
FRANK W. FRASIER
GEORGE M. MILES
PATRICK S. PARR
MICHAEL A. SHIFLET
JOHN BOGATKO

14 May 2003

FAX 202/565-9004

FAX & MAIL

Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001



207839

*In re: South Kansas and Oklahoma Railroad, Inc.
Abandonment SDT Docket No. AB-471*

Sub No. 4X

Dear Sir/Madam:

Enclosed herein please find our Petition in Intervention in the above entitled cause. As always your help and cooperation is sincerely appreciated.

Sincerely,

FRASIER, FRASIER & HICKMAN, LLP


By: Everett R. Bennett, Jr.

ERB/ss

Enclosure

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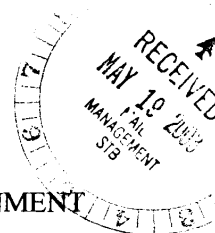
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Received
to Public Room

SURFACE TRANSPORTATION BOARD

STB DOCKET NO. AB-471 *Sub No. 4X*

SOUTH KANSAS AND OKLAHOMA RAILROAD, INC. -- ABANDONMENT



PETITION IN INTERVENTION

COME NOW, ALFRED E. MULLEN and MARILYN S. MULLEN, TONYA ANNETTE MAHAN, JACK O. JONES, DONNA SUE JONES, WILLIAM L. CRAIN, and LEONARD EASKEY, hereinafter referred to as Petitioners, by and through their attorneys of records, Frasier, Frasier & Hickman, LLP, and for their Petition in Intervention would state as follows:

That prior to October of 2000, South Kansas and Oklahoma Railroad Company (SK&O) filed notice of exemption under 49 CFR 1152 Sub Part F, Exempt Abandonments to abandon a 35 mile line of railroad between mile post 153.0 near Tulsa, and mile post 188.0 near Barnsdall in Osage and Tulsa Counties, Oklahoma.

That the Petitioners are parties in interest in that they are all property owners outside of Skiatook, Oklahoma adjacent to the corridor seeking abandonment.

That in November of 2000, the Trust for Public Lands filed their request to negotiate with SK&O for the rights of the corridor in question. Since said time, the Board has continuously granted extensions of time to TPL to extend the negotiating period which is currently set to expire May 19, 2003. Under the National Trail System Act, 16 U.S.C. §

1247, the Board may grant extensions up to 180 days and the continuous extensions are interfering with the Petitioners property rights and represents a denial of due process.

That it has been well over 2 ½ years since SK&O sought abandonment of the line in question, and as a result of these delays, the Petitioners have been subjected to numerous harms.

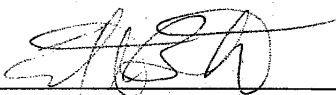
That during the interim of the negotiating period, your Petitioners have suffered trespass, destruction of personal property, and the section of the corridor in question adjacent to the Petitioners has been unkept, un-mowed and in a state of disrepair which is hazardous to the health, safety and welfare of the Respondents and their inhabitants.

That it is hereby the request of the Petitioners that the Surface Transportation Board deny any further extensions of time to negotiate to TPL or any other entity in that those actions continue to subject these Petitioners to numerous harms by the Board not allowing SK&O to abandon the line in question as should have been accomplished by November 7, 2000.

WHEREFORE, premises considered, Petitioners hereby request leave to intervene and further request that the Surface Transportation Board hereby deny any further extensions of time to TPL or any other organization and hereby declare the line in question abandoned by SK&O.

Respectfully submitted,

FRASIER, FRASIER & HICKMAN, LLP

By: 

Everett R. Bennett, Jr., OBA #11224
1700 Southwest Boulevard
P.O. Box 799
Tulsa, OK 74101-0799
(918) 584-4724, Fax No.: (918) 583-5637
E-mail address: frasier@tulsa.com

CERTIFICATE OF MAILING

I hereby certify that on the 13 day of MAY, 2003, a true and correct copy of the above and foregoing was deposited in the United States mail with the proper postage affixed thereto:

Gregory A. Calvert
ROBINETT & OSMOND
624 S. Boston Ave., Ste. 900
Tulsa, OK 74119


Everett R. Bennett, Jr.