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October 28, 2002

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K St., NW, Rm 711
Washington, DC 20423

Re: STB Docket No. AB-471 (Sub-No. 6X), South Kansas and Oklahoma
Railroad Company – Abandonment Exemption – Within the city of
Pittsburg in Crawford County, Kansas

Dear Mr. Williams:

This comment should be treated as a protest or a petition for reconsideration in the above-captioned proceeding. This comment is filed on behalf of the City of Pittsburg, which is a government agency interested in transportation and recreation, which is hereinafter referred to as "Commenter".

While not taking a position on the merits of this abandonment, Commenter request issuance of a Public Use Condition as well as a Certificate or Notice of Interim Trail Use rather than an outright abandonment authorization between milepost 134.3 and milepost 134.7.

A. Public Use Condition

Commenter requests the STB to find that this property is suitable for other public use, specifically trail use, and to place the following conditions on the abandonment:

1. An order prohibiting the carrier from disposing of the corridor, other than the tracks, ties and signal equipment, except of public use on reasonable terms. The justification for this condition is that the rail corridor in question will be a City Park, as well as a portion of a citywide pedestrian/bicycle trail and would make an excellent recreational trail. In addition, the corridor provides important greenspace. The time period sought is 180 days from the effective

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date of the abandonment authorization. Commenter needs this much time because we have not had an opportunity to complete a trial plan.

2. An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts and tunnels. The justification for this condition is that these structures have considerable value for recreational trail purposes. The time period request is 180 days from the effective date of abandonment authorization for the same reason as indicated above.

B. Interim Trail Use

The railroad right-of-way in this proceeding is suitable for railbanking. In addition to the public use conditions sought above, Commenter also makes the following request:

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, City of Pittsburg is willing to assume full responsibility for management of, for any legal liability arising out of the transfer of use of, and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by South Kansas and Oklahoma Railroad Company and operated by Watco Companies, Inc.

The property extends from railroad milepost 134.3 near the corner Second Street and Walnut to railroad milepost 134.7 near corner of Second Street and Joplin distance of .4 miles in Crawford County, Kansas. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-471 (Sub-No. 6X).

A map depicting the right-of-way is attached.

The City of Pittsburg 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.

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By my signature below, I certify service upon Watco Companies, Inc., 315 W. 3rd Street, Pittsburg, Kansas by U.S. Mail, postage prepaid, first class, this 28th day of 2002.

Respectfully submitted,

THE CITY OF PITTSBURG


John Van Gorden
Acting City Manager

CITY OF THE CITY OF CHICAGO STATE OF ILLINOIS
 SCALE: 1"=20' DATE: 7-24-95 AND
 DIVISION STREET SUBDIV. 1
 M. P. 1.00 LINE SEGMENTED TO 100' LONG
 GRANTER CHICAGO
 PURPOSE RECONSTRUCTION
 DRAWING NO. BN 6726