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VIA ELECTRONIC FILING

Cynthia T. Brown  
 Chief, Section of Administration  
 Office of Proceedings  
 Surface Transportation Board  
 395 E Street SW  
 Washington, DC 20024

February 24, 2011

Re: Western Kentucky Railway, LLC  
 - Exempt Abandonment -  
 Webster, Union, Caldwell and Crittenden Counties, Kentucky  
 STB Docket No. AB-449 (Sub-No. 3X)

Dear Ms. Brown:

I writing to respond on behalf of the applicant Western Kentucky Railway, LLC ("WKRL") to the letter filed with the Board by Union County, Kentucky ("Union County") seeking public use and trail use conditions for the portion of the abandonment lines in Union County.

WKRL hereby advises the Board that it is willing to negotiate with Union County for interim trail use and railbanking of the lines in Union County. WKRL takes no position on the request for a public use condition, although it does not believe that one is necessary since, as noted above, WKRL is willing to negotiate with the respect to the proposed trail use.

WKRL understands that Webster County has submitted or will be submitting a request for trail use conditions for the portion of the abandonment lines in Webster County although WKRL has not yet received it. If the Webster County request is submitted timely, and if it meets the Board's regulations including a Statement of Willingness to Assume Financial Responsibility, then WKRL advises the Board that it will be willing to negotiate with Union County for interim trail use and railbanking of the lines in Webster County.<sup>1</sup>

Any order of the Board imposing conditions should make clear that any restriction on disposition applies *only* to the real property and potential trail related structures (such as bridges, culverts and tunnels), and *does not* prohibit WKRL from salvaging the tracks, ties, signal equipment or other track materials. (The Union county request is consistent with this request. See Union County letter dated February 7, 2011, ¶¶ A.1, 2.)

<sup>1</sup> After discussions with Lexington-Fayette Urban County Government and further review of the available maps, it appears that, although WKRL may continue to own property in Crittenden and Caldwell Counties, the lines being abandoned in this proceeding are located only in Union and Webster Counties.

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Please let me know if there are any questions about this response. Thank you for your assistance.

Respectfully,

Eric M. Hocky

EMH/c

cc: Rich Davis, STB (by fax)  
Jody Jenkins, Judge/Executive, Union County  
Bruce W. Moore, County Attorney, Union County  
Keith Lovan, Lexington-Fayette Urban County Government (by email)  
WKRL (by email)