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Freeborn & Peters LLP

May 6, 2004

VIA FEDERAL EXPRESS
Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001



Re: Surface Transportation Board Docket No. AB-6 (Sub-No. 409X); The Burlington Northern and Santa Fe Railway Company Abandonment from Superior, Nebraska to Reynolds, Nebraska

Attorneys at Law

311 South Wacker Drive
Suite 3000
Chicago, Illinois
60606-6677
Tel 312.360.6000

Brian Nettles
Paralegal
Direct 312.360.6336
Fax 312.360.6596
bnettl@
freebornpeters.com

Dear Secretary Williams:

Enclosed are ten copies plus the original affidavit of publication from the Fairbury Journal News and the Belleville Telescope.

Sincerely,

Brian Nettles

Chicago

Springfield

/bn
Enclosures

ENTERED
Office of Proceedings

MAY 10 2004

Part of
Public Record

PROOF OF PUBLICATION

STATE OF KANSAS, COUNTY OF REPUBLIC, ss

Mark L. Miller, of lawful age, being first duly sworn, on oath says:

That he is the Editor of The Belleville Telescope, which is a weekly newspaper printed and published in the City of Belleville, in Republic County, Kansas.

That said newspaper is and has been published at least weekly fifty (50) times a year and has been so published for a period of more than five years prior to the first publication of the attached legal or official notice.

That said newspaper has a general paid circulation on a daily, weekly, monthly or yearly basis in said County; that it is not a trade, religious or fraternal publication; and it is entered at the post office of Belleville, Kansas, as Second Class mail matter.

That the attached legal or official notice was published in the regular and entire issue of said newspaper on each of the following dates:

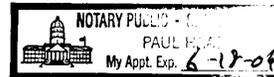
- 1st publication on the 1st day of April, 2004,
- 2nd publication on the
- 3rd publication on the
- 4th publication on the
- 5th publication on the


 Affiant.

Subscribed and sworn to before me this 2 day of April 2004.


 Notary Public.

My Commission expires: June 18, 2004



Publication Fee	\$ 42.33
Notary Fee	\$ 1.00
Additional copies	\$
Total	\$ 43.33

LEGAL

(First published in The Belleville Telescope, Thursday, April 1, 2004)1t

NOTICE OF INTENT TO ABANDON

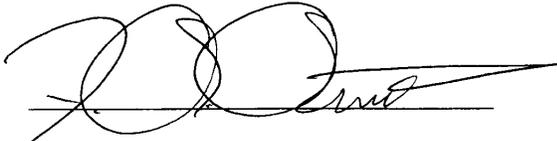
The Burlington Northern and Santa Fe Railway Company gives notice that on or after April 7, 2004, it intends to file with the Surface Transportation Board, Washington, DC 20423, a petition for exemption under 49 U.S.C. 10502(a) and 49 C.F.R. §11121, et seq., from the requirements of 49 U.S.C. 10903, for abandonment permitting the abandonment of 39.95 miles of railroad line between railroad Milepost 127.83 near Reynolds, Jefferson County, Nebraska and Milepost 167.78 near Superior, Nuckolls County, Nebraska, which line segment traverses through United States Postal Zip Codes 68429, 68375, 68327, 68325, 68959, 66935, 66964, 68943 and 68978. The proceeding will be docketed as No. AB-6 (Sub No. 409X).

The Board's Section of Environmental Analyses (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 60 days after the filing of the petition for abandonment exemption. Comments on environmental and energy matters should be filed no later than 30 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquires regarding environmental matters by writing to the Section of Environmental Analysis, Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001 or by calling that office at 202-565-1538.

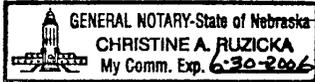
Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 K Street, N.W., Washington, DC 20423-0001 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicants' representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Services at 202-565-1592. Copies of any comments or requests for conditions should be served on the applicant's representative Michael Smith, Freeborn & Peters, 311 S. Wacker Drive, Suite 3000, Chicago, Illinois 60606-6677 - telephone (312) 360-6724.

PROOF OF PUBLICATION
THE FAIRBURY JOURNAL-NEWS.

STATE OF NEBRASKA, Jefferson County, ss.
F. A. Arnold being first duly sworn on oath deposes and says that he is **Publisher** of **THE FAIRBURY JOURNAL-NEWS** that he has actual knowledge of the facts hereinafter set forth; that the printed notice hereto attached was published in *The Fairbury Journal-News* once each week, ~~_____ successive weeks on the same day of each week; that the first publication was on _____, 2004; and the last publication was on March 26, 2004;~~ that said *The Fairbury Journal-News* is printed and published and has a general circulation in Jefferson County, Nebraska; that it has a bona fide circulation in excess of 300 copies weekly and has been published within said county for 52 successive weeks prior to the publication of this notice; and that it is a legal newspaper under the statutes of the State of Nebraska.



Subscribed and sworn to before me this 2 day of April, 2004.


Notary Public

My commission expires June 30, 2006.
Publication fee 69 lines of 8 point type 1 times
\$ 31.95

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