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ORIGINAL



214256

June 28, 2005

VIA HAND DELIVERY - RETURN COPY

Hon. Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, NW (7<sup>th</sup> fl.)  
Washington, DC 20423-0001

ENTERED  
Office of Proceedings  
JUN 28 2005  
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Public Record

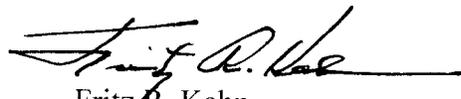
Dear Secretary Williams:

Enclosed for filing in STB Docket No. AB-6 (Sub-No. 428X), BNSF Railway Company—Abandonment Exemption—In Colfax County, NM, are the original and ten copies of the Notice of Intent to File Offer of Financial Assistance of Hust Brothers, Inc.

An additional copy of the Notice is enclosed for you to stamp to acknowledge your receipt of it and to return to me via the messenger.

If you have any question concerning the foregoing which you believe I may be able to answer or if I otherwise can be of assistance, please let me know.

Sincerely yours,

  
Fritz R. Kahn

enc.  
Cc: Michael A. Smith, Esq.

BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, D.C.

ORIGINAL

STB Docket No. AB-6 (Sub-No. 428X)

BNSF RAILWAY COMPANY  
-ABANDONMENT EXEMPTION-  
IN COLFAX COUNTY, NM

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NOTICE OF INTENT TO FILE  
OFFER OF FINANCIAL ASSISTANCE

Fritz R. Kahn  
Fritz R. Kahn, P.C.  
1920 N Street, NW (8<sup>th</sup> fl.)  
Washington, DC 20036-1601  
Tel.: (202) 263-4152

Attorney for

HUST BROTHERS, INC.

Dated: June 28, 2005

BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, D.C.

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STB Docket No. AB-6 (Sub-No. 428X)

BNSF RAILWAY COMPANY  
-ABANDONMENT EXEMPTION-  
IN COLFAX COUNTY, NM

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NOTICE OF INTENT TO FILE  
OFFER OF FINANCIAL ASSISTANCE

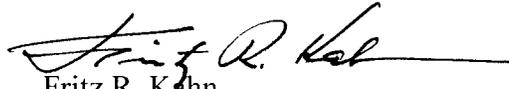
Hust Brothers, Inc., of Marysville, California, pursuant to 49 U.S.C. 10904(c) and 49 C.F.R. 1152.27(c)(2)(i), hereby formally expresses its intent to file an offer of financial assistance by purchasing the 36.90-mile line of railroad proposed to be abandoned extending between Milepost M.P. 0.00 near French and Milepost M.P. 36.90 near York Canyon in Colfax County, New Mexico.

By copy of this Notice, Hust Brothers, Inc., pursuant to 49 C.F.R. 1152.27(a), asks the BNSF Railway Company to provide it with copies of the most recent report on the physical condition of the line, the carrier's estimate of the net liquidation value of the line, with supporting data, and the minimum purchase price which the railroad seeks.

Respectfully submitted,

HUST BROTHERS, INC.

By its attorney,



Fritz R. Kahn  
Fritz R. Kahn, P.C.  
1920 N Street, NW (8<sup>th</sup> fl.)  
Washington, DC 20036-1601  
Tel.: (202) 263-4152

Dated: June 28, 2005

CERTIFICATE OF SERVICE

I certify that I this day served a copy of the foregoing Notice upon the BNSF Railway Company by mailing a copy by prepaid first-class mail and facsimile transmitting a copy to its representative, Michael Smith, Esq.

Dated at Washington, DC, this 28<sup>th</sup> day of June 2005.

  
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Fritz R. Kahn