

**FILED**

**SEP 26 2008**

**SURFACE  
TRANSPORTATION BOARD**

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September 26, 2008

The Honorable Anne Quinlan  
Acting Secretary  
Surface Transportation Board  
395 E Street, S W  
Washington, DC 20423-0001

**ENTERED**  
Office of Proceedings  
**SEP 26 2008**  
Part of  
Public Record

Re STB Docket No. AB-471 (Sub-No 3X), South Kansas and Oklahoma Railroad, Inc – Abandonment Exemption -- In Cherokee and Allen Counties, KS

Dear Acting Secretary Quinlan:

By decision and notice of interim trail use or abandonment (“NITU”), served on January 24, 2008, the Board reopened this proceeding and authorized a 180-day period for Sunflower Recreational Trails, Inc (“SRT”), to negotiate an interim trail use/rail banking agreement with South Kansas and Oklahoma Railroad, Inc (“SKO”), for the right-of-way located between milepost 110 5 and milepost 117 0 (the “Line”) The negotiating period expired on July 22, 2008

SKO hereby requests the Board to extend the NITU negotiating period for an additional 180 days Although the negotiating period has expired, SKO has not consummated the abandonment of the Line and the parties are continuing to negotiate an agreement.

Where, as here, the carrier has not consummated abandonment and the parties are willing to continue trail use negotiations, the Board retains jurisdiction and the NITU negotiating period may be extended

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**If you have any questions concerning this matter, please call me**

**Sincerely,**

A handwritten signature in black ink that reads "Karl Morell". The signature is written in a cursive, flowing style.

**Karl Morell**

**cc Thomas F McFarland, Esq**