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February 11, 2003

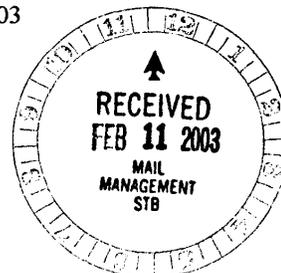
HAND DELIVERY - RETURN COPY

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

ENTERED
Office of Proceedings

FEB 11 2003

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Dear Secretary Williams:

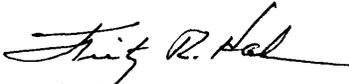
207212-33996 This refers to STB Finance Docket No. 33995, SF&L Railway, Inc.--Acquisition and Operation Exemption--Toledo, Peoria and Western Railway Corporation, STB Finance Docket No. 207211-33996, Kern W. Schumacher and Morris H. Kulmer--Continuance in Control Exemption--SF&L Railway, Inc., and Docket No. AB-448 (Sub-No. 2X), SF&L Railway, Inc.--Abandonment Exemption--In Hancock, McDonough, Fulton and Peoria Counties, IL, and to the original and ten copies of the letter, dated February 10, 2003, from Mr. Morris H. Kulmer, President of SF&L Railway, Inc., a copy of which is attached for your convenience. 207213

I certify that I this day have served copies of Mr. Kulmer's letter upon each of the parties by facsimile transmitting copies of the letter to their counsel.

Additional copies off this letter and of the Petition are enclosed for you to stamp to acknowledge your receipt of them and to return to me via the messenger.

If you have any question concerning this filing, please let me know.

Sincerely yours,


Fritz R. Kahn

enc.

cc: Gordon P. MacDougall, Esq.
Louis E. Gitomer, Esq.
William A. Mullins, Esq.
Daniel R. Elliott, III, Esq.
Michael J. Van Wagenen, Esq.

SF&L Railway, Inc.

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(801) 977-6346 / (801) 977-9387 Fax

February 10, 2003

Honorable Vernon A. Williams
Secretary
Surface Transportation Board
Washington, DC 20423



RE: Finance Docket No. 33995, *SF&L Railway, Inc.—Acquisition and Operation Exemption—Toledo, Peoria and Western Railway Corporation between La Harpe and Peoria, IL*
Finance Docket No. 33996, *Kern W. Schumacher and Morris H. Kulmer—Continuance in Control—SF&L Railway, Inc.*
Docket No. AB-448 (Sub-No. 2X), *SF&L Railway, Inc.—Abandonment Exemption—in Hancock, McDonough, Fulton and Peoria Counties, IL*

Dear Secretary Williams:

SF&L Railway, Inc., Kern W. Schumacher, and Morris H. Kulmer (“Petitioners”) have withdrawn with prejudice the Petitions for Review and Motion for Stay Pending Review filed with the United States Tenth Circuit Court of Appeals.

Petitioners have transferred the rail line between La Harpe, milepost 194.5, and Peoria, milepost 123.0, to the Toledo, Peoria and Western Railway Corporation (“TP&W”). Petitioners have no further claims against TP&W. Petitioners potential claims arising from the then pending court litigation were the basis for the conditions imposed on the TP&W in the decision in the above-entitled matters that was served on February 6, 2003. Since those claims no longer exist, Petitioners respectfully request the Surface Transportation Board to remove the conditions imposed on TP&W in the February 6, 2003 decision. I am authorized to state that TP&W concurs in this request.

Enclosed for filing are the original and ten copies of this letter. Please time and date stamp the extra copy of this letter and return it with our messenger. If you have any questions, please contact me.

Respectfully submitted,
SF&L Railway, Inc.

By: 
Its: President

Enclosures