

HELM FINANCIAL CORPORATION

One Embarcadero Center • San Francisco, CA 94111

415/398-4510

VIA AIR COURIER

1--242A013

RECORDATION NO. 17012-C
FILED 1425

AUG 30 1991 2 30 PM

INTERSTATE COMMERCE COMMISSION

August 28, 1991

Ms. Mildred Lee
Recordation Unit
Interstate Commerce Commission
12th and Constitution Avenue, N.W.
Washington, DC 20423

Dear Ms. Lee:

On behalf of Helm Financial Corporation, I submit for filing and recording under 49 U.S.C. Section 11303(a) and the regulations promulgated thereunder, four (4) executed counterparts of a document, entitled Termination of Lease, executed as of August 27, 1991 which should be included as part of the filing recorded on September 19, 1990 at 2:30 p.m., Recordation No. 17012 as the next available recordation number 17012-C.

The executing party to the enclosed Partial Termination of Lease is:

Helm Financial Corporation
One Embarcadero Center
Suite 3500
San Francisco, CA 94111

The Termination terminates the lease of the open top hoppers listed in Annex A to the Use Agreement dated as of August 24, 1990 between the Lessor and Wheeling & Lake Erie Railway Company (the "Lease") filed under I.C.C. Recordation No. 17012.

The equipment covered is listed in the Lease.

A short summary of the document to appear in the ICC Index is as follows:

"Termination of Lease."

AUG 30 2 16 PM '91
MOTOR OPERATING UNIT

Enclosed is a check in the amount of fifteen dollars (\$15.00) in payment of the filing fee. Once the filing has been made, please return to bearer the stamped counterparts of the Termination of Lease not needed for your files, together with fee receipt, the letter from the ICC acknowledging the filing, and the two extra copies of this transmittal letter.

Sincerely,

Karen Rahnasto

Karen Rahnasto

Fleet Operations Administrator

KS:po
enclosures

RECORDATION NO 17012-C FILED 1425

TERMINATION OF LEASE

AUG 30 1991 - 2 30 PM

INTERSTATE COMMERCE COMMISSION

THIS TERMINATION OF USE AGREEMENT, dated as of August 24, 1990, by Helm Financial Corporation, a California corporation ("Helm").

1. Recitals: ("Helm") entered into a Use Agreement dated as of August 24, 1990 (the "Lease") with Wheeling & Lake Erie Railway Company with respect to certain open top hoppers described in Annex A to the Lease (the "Units"). The Lease is on file at the Interstate Commerce Commission ("ICC") under Recordation Number 17012 filed on September 19, 1990 at 2:30 PM and subsequent Addendums under recordation numbers 17012-A and 17012-B filed on February 25, 1991 at 10:10 AM.

The Lease was terminated on July 1, 1991. The purpose of this Termination of Lease is to provide a formal termination document for filing with the ICC.

2. Termination: The Lease is hereby formally terminated.

IN WITNESS WHEREOF, ("Helm"), pursuant to due authority, has executed this Termination of Lease as of the date first written above.

HELM FINANCIAL CORPORATION

By: *DOR ED*
Title: *Executive Vice President*
Date: 8/28/91