

**RAILCAR, Ltd.**  
Suite 303  
1819 Peachtree Road, N E  
Atlanta, Georgia 30309-1847  
  
(404) 355-6734  
Fax (404) 352-8814

17061  
RECORDED NO. \_\_\_\_\_ FILED 1425  
OCT 18 1990 -2 45 PM  
INTERSTATE COMMERCE COMMISSION



October 12, 1990

Interstate Commerce Commission  
12th and Constitution Ave., N.W.  
Washington, DC 20423

0-291A018

Attn: Ms. Mildred Lee  
Room 2303

Re: Lease Agreement by and between Railcar, Ltd. and Raitex, Inc.

Dear Ms. Lee:

Enclosed herewith are three (3) originally executed and notarized copies of a Summary Lease Agreement by and between Railcar, Ltd., a Georgia corporation as Lessor, and Raitex, Inc., a Texas corporation as Lessee. The Lease is for ~~fifteen~~ (12) 100-ton 64'6" flatcars bearing the reporting marks and car numbers SCRF 301 - 312, inclusive.

The address of the parties are as follows:

Railcar, Ltd. — LESSOR  
1819 Peachtree Road, N. E., Suite 303  
Atlanta, Georgia 30309

Raitex, Inc. — LESSEE  
4040 Broadway, Suite 200  
San Antonio, TX 78209

OCT 18 1990

I would appreciate your recording the enclosed Summary Lease Agreement and returning three (3) copies to me. A check for the filing fee in the amount of \$15.00 is enclosed.

Thank you for your assistance.

Very truly yours,

  
James A. Day  
Vice President - Finance

JAD/twc

enclosures:

cc: Contract File

0229X

**Interstate Commerce Commission**  
Washington, D.C. 20423

OFFICE OF THE SECRETARY

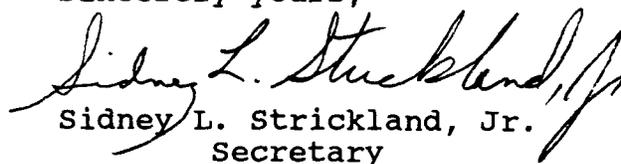
10/18/90

James A. Day-Vice President-Finance  
RAILCAR, LTD.  
1819 Peachtree Rd.N.E. Ste. 303  
Atlanta, Georgia 30309-1847

Dear Sirs:

The enclosed document(s) was recorded pursuant to the provisions of Section 11303 of the Interstate Commerce Act, 49 U.S.C. 11303, on 10/18/90 at 2:45PM , and assigned recordation number(s). 17061.

Sincerely yours,

  
Sidney L. Strickland, Jr.  
Secretary

OCT 18 1990 -2 45 PM

LEASE AGREEMENT

INTERSTATE COMMERCE COMMISSION

1. This Lease Agreement is made and entered into as of September 10, 1990, by and between RAILCAR, LTD., and RAILTEX, INC., a Texas corporation.

2. Railcar, Ltd. agrees to lease to Railtex, Inc. and Railtex, Inc. agrees to and hereby lease from Railcar Ltd., the following:

Twelve (12) 100-ton 64'6" flatcars, having AAR Mechanical Designation FMS. and bearing the reporting marks SCRF 301-312.

3. The address of the parties are as follows:

Railcar, Ltd. (Lessor)  
1819 Peachtree Road, N.E., Suite 303  
Atlanta, Georgia 30309-1847

Railtex, Inc.  
4040 Broadway, Suite 200  
San Antonio, Texas 78209

4. The term of this Lease Agreement is three (3) years commencing on the first day of the month following the month in which the last Car is delivered.

5. The terms and provisions of this Lease Agreement, are more particularly set forth in a Lease Agreement of even date by and between Railtex, Inc. and Railcar, Ltd.

IN WITNESS WHEREOF, the parties hereto have caused this Lease Agreement to be executed as of the day and year first above written.

Railcar, Ltd.  
(LESSOR)

By: Willy L. Pierce  
Wils L. Pierce, President

[CORPORATE SEAL]

Railtex, Inc.  
(LESSEE)

By: R.P. Valentine  
Title:

[CORPORATE SEAL]

STATE OF GEORGIA )  
                          ) ss  
COUNTY OF FULTON )

On this 3rd day of October, 1990, before me personally appeared Wilds L. Pierce, to me personally known, who being by me duly sworn says that he is President of the Railcar, Ltd., and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and they acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Joyce E. Cornelius  
Notary Public

Notary Public, Clayton County, Georgia  
My Commission Expires May 30, 1992.....

STATE OF Texas )  
                          ) ss  
COUNTY OF Bexar )

On this 9th day of October, 1990, before me personally appeared D. P. Valentine, to me personally known, who being by me duly sworn says that he is Vice President of Railtex, Inc., that the seal affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and they acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Anne M. Leonard  
Notary Public

