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15857-A

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January 12, 1990

Honorable Noretta R. McGee  
Secretary  
Interstate Commerce Commission  
Washington, D.C. 20423

RECORDATION NO. 15857 A FILED 1425

JAN 12 1990 - 11 20 AM

INTERSTATE COMMERCE COMMISSION

Dear Ms. McGee:

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, five (5) executed counterparts of a document entitled Termination of Locomotive Lease Agreement, executed as of January 10, 1990, which should be included as part of the filing recorded on October 7, 1988 at 1:55 p.m., Recordation No. 15857, as the next available recordation number being 15857-A.

The executing party to the enclosed Termination is:

Helm Financial Corporation - Lessor  
One Embarcadero Center, Suite 3500  
San Francisco, California 94111

The Termination terminates the lease of the locomotives listed in Schedule A to the Locomotive Lease Agreement dated as of September 26, 1988 between the Lessor and Montana Rail Link (the "Lease") filed under the I.C.C. Recordation No. 15857.

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 of Railroad Equipment."

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 not needed for your files, together with the fee receipt, the letter from the ICC acknowledging the filing, and the two extra copies of this transmittal letter.

Very truly yours,

*Miriam D. Starc*  
Miriam D. Starc

*C. Quinley*

JAN 12 1990 -11 20 AM

## TERMINATION OF LOCOMOTIVE LEASE AGREEMENT INTERSTATE COMMERCE COMMISSION

THIS TERMINATION OF LOCOMOTIVE LEASE AGREEMENT, dated as of January 10, 1990, by Helm Financial Corporation, a California corporation ("Helm").

1. **Recitals:** Helm entered into a Locomotive Lease Agreement dated as of September 26, 1988 (the "Lease") with Montana Rail Link with respect to certain locomotives described in Schedule A to the Lease (the "Locomotives"). The Lease is on file at the Interstate Commerce Commission ("ICC") under Recordation Number 15857 filed on October 7, 1988 at 1:55 p.m.

The Lease was terminated on January 31, 1989. The purpose of this Termination of Locomotive Lease Agreement 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 Locomotive Lease Agreement as of the date first written above.

HELM FINANCIAL CORPORATION

By: 

Title: Executive Vice President

STATE OF California,  
COUNTY OF San Francisco SS:

On this 10<sup>th</sup> day of January, 1990, before me personally came David R. Eckles, to me known, who, being by me duly sworn, did depose and say that he is Executive Vice President of Helm Financial Corporation, and he acknowledged to me that he executed the within instrument by order of the Board of Directors of said corporation and that such Termination was the free act and deed of said corporation in its capacity aforesaid.

Karen Staudenmaier  
NOTARY PUBLIC

My commission expires:

July 26, 1993

[Notarial Seal]

