

# HELM FINANCIAL CORPORATION

One Embarcadero Center • San Francisco, CA 94111

415/398-4510

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VIA AIR COURIER

RECORDATION NO

FILED  
16524-A

OCT 28 '97

10-28 AM

October 23, 1997

Mr. Vernon Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, D.C. 20423-0001

RE: Termination of Lease of Railroad Equipment dated as of August 21, 1989 by  
Helm Financial Corporation ("**Lease Termination**")

Dear Mr. Williams:

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 the following document:

Two (2) fully-executed originals of the above-referenced Lease Termination.

In connection with the recording of the Lease Termination, please note the following information:

Name and Address of Lessor: Helm Financial Corporation  
One Embarcadero Center, Suite 3700  
San Francisco, CA 94111

Name and Address of Lessee: Cleancoal Terminal Company  
333 W. Vine Street, Suite 1230  
Lexington, Kentucky 40507

Equipment: Sixteen (16) railcars as fully described in Schedule A to the Lease Termination attached hereto.

Previous STB Filing: Lease of Railroad Equipment filed on September 18, 1989 at 9:45 a.m. under Recordation No. 16524.

Please file the Lease Termination as a supplementary document and return one (1) endorsed original to my attention. A check covering the filing fee of twenty-four dollars (\$24.00) is enclosed.

Sincerely,



Eric W. Stoll  
Document Administrator

/es  
Enclosures (2)

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TERMINATION OF LEASE

THIS TERMINATION OF LEASE OF RAILROAD EQUIPMENT ("Termination") is dated as of September 4, 1997 by HELM FINANCIAL CORPORATION, a California corporation ("Lessor").

1. Recitals. Lessor entered into the Lease of Railroad Equipment dated as of August 21, 1989 ("Lease") with Cleancoal Terminal Company, a Delaware corporation, with respect to the forty (40) railcars described in Schedule A attached hereto. The Lease is on file at the Surface Transportation Board of the Department of Transportation (f.k.a. the Interstate Commerce Commission) ("STB") under STB Recordation No. 16524 filed on September 18, 1989 at 9:45 a.m.

The Lease was terminated on September 28, 1990. The purpose of this Termination of Lease is to provide a formal termination document for filing with the STB.

2. Termination. The Lease is hereby formally terminated.

IN WITNESS WHEREOF, Lessor, pursuant to due corporate authority, has caused this Termination of Lease to be signed in its corporate name as of the date first above written.

HELM FINANCIAL CORPORATION

By: John F. Dains

Print Name: John F. Dains

Title: Senior Vice President & CFO

STATE OF CALIFORNIA            )  
  ) S.S.  
COUNTY OF SAN FRANCISCO    )

On Oct. 22, 1997, before me, Emma S Ortega - Notary Public  
personally appeared John F. Dains, Senior Vice President and Chief  
Financial Officer of HELM FINANCIAL CORPORATION,

personally known to me -OR-

— proved to me on the basis of satisfactory evidence to be the person(s)  
whose name(s) is/are subscribed to the within instrument and  
acknowledged to me that he/she/they executed the same in his/her/their  
authorized capacity(ies), and that by his/her/their signature(s) on  
the instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

Witness my hand and official seal.

Emma Susan Ortega  
SIGNATURE OF THE NOTARY

[Notarial Seal]



SCHEDULE A

Description of the Units:

Sixteen (16), 3,600 cubic foot, 100-ton, roller bearing, open top coal gondola railcars built by Ortner Freight Car Company in 1971.

Unit Numbers:

HLMX 824-839.

Description of the Units:

Twenty-four (24), 3,600 cubic foot, 100-ton, roller bearing, open top coal hopper railcars built by Greenville Steel Car in 1976.

Unit Numbers:

HLMX 40075-40098.