

# HELM FINANCIAL CORPORATION

One Embarcadero Center • San Francisco, CA 94111  
415/398-4510 FAX 415/398-4816

August 14, 2002

RECORDATION NO. 20633-A FILED

AUG 19 '02 12-43 PM

SURFACE TRANSPORTATION BOARD



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

RE: Termination of Net Lease Agreement dated as of July 25, 2002 by Helm Financial Corporation  
("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 Termination.

In connection with the recording of the 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: Cobre Mining Company  
625 Silver SW, Suite 100  
Albuquerque, NM 87102

Equipment: 44 Open Top Coal Hopper Railcars  
COBX 11800-11859 (Not Inclusive)

Please record this Termination as a supplemental agreement to STB Recordation No. 20633 filed on April 15, 1997 at 10:43 AM. The filing fee of \$30.00 is included in our enclosed Check No. 1493 in the amount of \$480.00.

Summary: Termination of Net Lease Agreement dated as of July 25, 2002 by Helm Financial Corporation for 44 open top coal hopper railcars, COBX 11800-11859 (Not Inclusive), to be filed as a supplemental agreement. Please file this Termination as a supplemental agreement to STB Recordation No. 20633.

Yours truly,

Sharon L. Van Fossan  
Supervisor Contract Administration

/svf  
Enclosures (2)

**TERMINATION OF NET LEASE AGREEMENT**

**THIS TERMINATION OF NET LEASE AGREEMENT ("Termination")** is dated July 25, 2002 by **HELM FINANCIAL CORPORATION**, a California corporation ("**Lessor**").

1. **Recitals.** Lessor entered into the Net Lease Agreement dated as of December 12, 1996 ("**Lease**") with **Cobre Mining Company**, a New Mexico corporation, with respect to the forty-four (44) railcars more fully described in Schedule A attached hereto. The Lease is on file at the Surface Transportation Board ("**STB**") of the Department of Transportation, under STB Recordation No. **20633** filed on April 15, 1997 at 10:43 AM.

The Lease was terminated as of November 16, 2001. 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.

**LESSOR**

**HELM FINANCIAL CORPORATION**

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AUG 19 '02 12-4 3 PM

**SURFACE TRANSPORTATION BOARD**

By: Barbara W. Wilson  
Name: Barbara W. Wilson  
Title: Senior Vice President and CFO

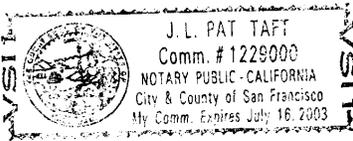
STATE OF CALIFORNIA )  
 ) S.S.  
COUNTY OF SAN FRANCISCO )

On July 16th, 2002, before me, J. L. Pat Taft, personally  
appeared Barbara W. Wilson, Senior Vice President and Chief Financial  
Officer of **HELM FINANCIAL CORPORATION**,

X 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~~s~~, 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.

J.L. Pat Taft  
SIGNATURE OF THE NOTARY

[Notarial Seal]

**SCHEDULE A**

**To the Termination of Net Lease Agreement  
dated July 25, 2002**

**THE UNITS**

**Equipment Description:** Forty-four (44), 100-ton, 1790 cubic foot capacity, two-compartment open top hopper railcars with 45-degree slope sheets. Built by Bethlehem Steel in 1978.

**Unit Numbers:**

COBX      11800, 11801, 11802, 11803, 11805, 11806, 11807, 11808, 11811,  
11812, 11813, 11814, 11816, 11817, 11821, 11822, 11823, 11824,  
11825, 11828, 11830, 11831, 11832, 11833, 11834, 11836, 11837,  
11838, 11839, 11842, 11844, 11845, 11846, 11847, 11849, 11850,  
11851, 11852, 11853, 11854, 11855, 11856, 11858, 11859.