



The David J. Joseph Company

June 15, 2004

Mr. Vernon Williams  
Recordations Unit  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, DC 20423-0006

RECORDATION NO. 23696-B FILED

JUN 18 '04 10:44 AM

SURFACE TRANSPORTATION BOARD

JUN 17 2004  
RECEIVED

Dear Mr. Williams:

Please find enclosed, two (2) originals of a Release of Lien of Lease Agreement dated June 11, 2004 between the following two parties:

South Branch Valley Railroad  
120 Water Plant Drive  
Moorefield, WV 26836

The David J. Joseph Company  
300 Pike Street  
Cincinnati, OH 45202

Please see Exhibit A attached hereto for the equipment involved in this transaction.

This filing is to appear in index as follows: Release of Lien of Lease Agreement dated June 11, 2004 related to two (2) locomotives bearing reporting marks JTPX 1344 and JTPX 1351.

Please file this agreement as a secondary document under Recordation Number 23696-A, replacing the Release of Lien of Lease Agreement dated May 24, 2004 with Recordation Number 23696-A. The filing fee in the amount of \$30.00 is included in the enclosed check. Please return a stamped, recorded original to my attention.

Should you have any questions or need further information, please do not hesitate to contact me at (513) 419-6062.

Sincerely,

The David J. Joseph Company

Julie M. Woodard  
Documentation Coordinator

Enclosures

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RELEASE OF LIEN  
OF  
LEASE AGREEMENT

SURFACE TRANSPORTATION BOARD

This Release of Lease Agreement Lien (the "Release") dated June 11, 2004, releases the lien created by that certain Lease Agreement dated as of July 25, 2001 (the "Lease"), bearing Recordation No. 23696 dated October 5, 2001, between DJJ Transportation Services, Inc. (n/k/a The David J. Joseph Company), as Lessor ("Lessor") and South Branch Valley Railroad, as Lessee ("Lessee"), with respect to 2 locomotives as reflected in Exhibit A attached hereto (hereinafter, the "Equipment").

WHEREAS, Lessor and Lessee executed the Lease relating to the Equipment. Such Lease has expired;

WHEREAS, all interest of the Lessor and Lessee, their successors and assigns, in the Equipment arising pursuant to the Equipment and the Lease has been terminated; and

WHEREAS, Lessor filed a Release of Lien of Lease Agreement dated May 24, 2004 receiving Recordation No. 23696-A; and

WHEREAS, this Release of Lien of Lease Agreement dated June 11, 2004, shall replace Recordation No. 23696-A;

NOW, THEREFORE, in consideration of the premises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Lessor submits the following:

1. Units are no longer in service with Lessee.
2. All interest of the Lessor and Lessee, their successors and assigns, in the Equipment arising pursuant to the Lease has been terminated.
3. The Lessee and Lessor hereby release any lien created by or arising out of the Equipment or the Lease.
4. This Release dated June 11, 2004, shall replace the Release of Lien of Lease Agreement dated May 24, 2004, Recordation No. 23696-A;

In witness whereof, the Lessor and Lessee have caused this Release to be duly executed by their authorized officers as of the 11<sup>th</sup> day of June, 2004.

THE DAVID J. JOSEPH COMPANY  
(f/k/a DJJ TRANSPORTATION SERVICES, INC.)

By: Linda M. Baughman

Name: Linda M. Baughman

Title: Assistant Corporate Secretary

SOUTH BRANCH VALLEY RAILROAD

By: John J. Philbrick

Name: John J. Philbrick

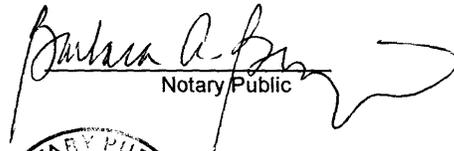
Title: Superintendent

STATE OF OHIO )  
 ) SS:  
COUNTY OF HAMILTON )

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of June, 2004, by Linda M. Braughman, the Asst. Corporate Secretary of The David J. Joseph Company (f/k/a DJJ Transportation Services, Inc.), a Delaware corporation, on behalf of the corporation.

My Commission expires:

February 20, 2006

  
Notary Public



BARBARA A. BRZEZICKI  
Notary Public, State of Ohio  
My Commission Expires  
February 20, 2006

STATE OF West Virginia )  
 ) SS:  
COUNTY OF Hardy )

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of June, 2004, by John J. Philbrick, the Superintendent of South Branch Valley Railroad, a corporation, on behalf of the corporation.

My Commission expires:

July 26 2010

  
Notary Public



**EXHIBIT A**

Two (2) locomotives bearing reporting marks as follows:

JTPX 1344  
JTPX 1351