

SPENCER FANE

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ATTORNEYS & COUNSELORS AT LAW

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File No. 4321905-296

September 11, 2006

VIA FEDERAL EXPRESS

Recordation Department
Service Transportation Board
1925 K. Street N.W., Room 715
Washington, DC 20423-0001

RECORDATION NO. 18796-C FILED

SEP 14 '06

4-39 PM

SURFACE TRANSPORTATION BOARD

Re: Documents for Recordation

Dear Recordation Department:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. § 11301 are duplicate originals of a Release dated August 21, 2006, a secondary document. The primary document to which this is connected is recorded under Recordation Numbers 18796-A and 18796.

Debtor: Herzog Contracting Corp.
600 South Riverside Road
St. Joseph, Missouri 65645

Secured Party: CIT Group/Equipment Financing, Inc.
1560 West Fountainhead Parkway
Tempe, Arizona 85282

Included in the property covered by the before-said Release is rolling stock. A fee of \$34.00 is enclosed. Please return the original and any extra copies not needed by the Board for recordation to the undersigned.

Very truly yours,

Betsy Morgan Garvin
Betsy Morgan Garvin

BMG/jim
Enclosures
cc: Mr. Charles J. Wolf

1000 Walnut Street, Suite 1400
Kansas City, Missouri 64106-2140
(816) 474-8100 www.spencerfane.com Fax (816) 474-3216

WA 868124.2

Kara S. Pinegar
Customer Service Manager

CIT/Equipment Financing, Inc.
1560 W. Fountainhead Parkway
Tempe, AZ 85282

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kara.pinegar@cit.com
www.cit.com



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SURFACE TRANSPORTATION BOARD

August 21, 2006

Secretary
Service Transportation Board
1925 K Street NW
Washington D.C., 20423

RE: Herzog Contracting Corp

Gentlemen:

Please terminate our security interest in rail cars on Herzog Contracting Corp Document Numbers 18796-A and 18796.

We no longer have any interest in these rail cars as their note has been paid.

Thank you in advance for your cooperation in this matter.

Sincerely,


KARA PINEGAR

The CIT Group/Equipment Financing, Inc.
Customer Service
800-634-4289 ext. 3472