

Sean Dougherty  
AVP, Contracts  
CIT Rail



January 23, 2009

Secretary  
Surface Transportation Board  
Washington, D.C. 20423

RECORDATION NO 27622-B FILED

JAN 23 2009

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SURFACE TRANSPORTATION BOARD

**RE: ETHL01004**

Dear Secretary,

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) is a Memorandum of Lease Agreement dated as July 7, 2008, a primary document as defined in the Board's Rules for the Recordation of Documents.

The enclosed document relates to the Memorandum of Lease Agreement.

**Lessee:** ETHANOL PRODUCTS, LLC  
9530 E. 37<sup>th</sup> N  
Wichita, KS 67226

**Lessor:** The CIT Group/Equipment Financing, Inc.  
30 South Wacker Drive, Suite 3000  
Chicago, IL 60606

A description of the railroad equipment covered by the enclosed document is: Railcars within the series CTCX 731640 thru CTCX 732610 (not inclusive) and DBUX 302987 and 302993 more particularly set forth in the equipment schedule attached to this document.

A short summary of the document to appear in the index is: Memorandum of Railcar Lease.

Kindly return stamped copies of the enclosed document to the undersigned.

Best regards,

/s

Sean Dougherty  
AVP, Contracts  
CIT Rail

Enclosures

CIT RAIL  
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Suite 3000  
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## MEMORANDUM OF RAILCAR LEASE

SURFACE TRANSPORTATION BOARD

THIS MEMORANDUM OF RAILCAR LEASE dated as of this 1 day of JULY, 2008, is made by THE CIT GROUP/EQUIPMENT FINANCING, INC., a Delaware corporation, with an address at 30 So. Wacker Dr., Ste. 3000, Chicago, IL 60606 (the "Lessor"), and ETHANOL PRODUCTS, LLC, a South Dakota limited liability company, with an address at 9530 E. 37<sup>th</sup> N., Wichita, KS 67226 (the "Lessee" and, together with the Lessor, the "Parties").

## KNOW ALL PERSONS BY THESE PRESENTS THAT:

WHEREAS, the Lessor and the Lessee entered into that certain Master Railcar Lease (the "Lease") dated as of Feb 28, 2008 covering certain equipment described therein and with respect to which a Memorandum of Railcar Lease was filed with the Surface Transportation Board ("STB") on Sept. 10, 2008 and given Recordation Number 27622.

WHEREAS, the Parties have entered in to an additional Schedule under the Lease and wish to show for the public record the existence of the aforesaid Schedule, the respective interests therein of the Parties and a description of the equipment (the "Equipment") as set for the in Schedule A hereto, and accordingly the Parties have caused this Memorandum to be executed by their respective duly authorized officers, as of the date first above written.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each of the Parties hereto, by this instrument the Lessor hereby leases and confirms the lease of the Equipment to the Lessee in accordance with the terms and conditions of the Lease, and the Lessee confirms and accepts such terms and conditions, which are incorporated by reference as if fully set forth herein.

I certify that I hold the title set forth below, that this instrument was signed on behalf of the Lessor by authority of its Board of Directors and that I acknowledge that the execution of the foregoing instrument was the free act and deed of the Lessor. I further declare under penalty of perjury that the foregoing is true and correct.

THE CIT GROUP/EQUIPMENT FINANCING, INC.

By: JM Keusling  
 Name: JM KEUSLING  
 Title: SVP - Leasing

I certify that I hold the title set forth below, that this instrument was signed on behalf of the Lessee by authority of its Board of Directors and that I acknowledge that the execution of the foregoing instrument was the free act and deed of the Lessee. I further declare under penalty of perjury that the foregoing is true and correct.

ETHANOL PRODUCTS, LLC

By: C. H. N. U.  
 Name: CHRISTIAN METCALVEIN  
 Title: RAIL MANAGER

# Schedule A

**Number of Cars** \_\_\_\_\_ **Equipment Description** \_\_\_\_\_  
 100 28,000 through 31,000 gallon capacity tank cars, non colled, non insulated

ETHL 01004

1	CTCX	731640	53	CTCX	732243
2	CTCX	731641	54	CTCX	732244
3	CTCX	731642	55	CTCX	732245
4	CTCX	731643	56	CTCX	732246
5	CTCX	731644	57	CTCX	732247
6	CTCX	731645	58	CTCX	732248
7	CTCX	731649	59	CTCX	732249
8	CTCX	732198	60	CTCX	732528
9	CTCX	732199	61	CTCX	732530
10	CTCX	732200	62	CTCX	732547
11	CTCX	732201	63	CTCX	732548
12	CTCX	732202	64	CTCX	732549
13	CTCX	732203	65	CTCX	732550
14	CTCX	732204	66	CTCX	732551
15	CTCX	732205	67	CTCX	732552
16	CTCX	732206	68	CTCX	732553
17	CTCX	732207	69	CTCX	732554
18	CTCX	732208	70	CTCX	732555
19	CTCX	732209	71	CTCX	732556
20	CTCX	732210	72	CTCX	732557
21	CTCX	732211	73	CTCX	732558
22	CTCX	732212	74	CTCX	732559
23	CTCX	732213	75	CTCX	732560
24	CTCX	732214	76	CTCX	732561
25	CTCX	732215	77	CTCX	732562
26	CTCX	732216	78	CTCX	732563
27	CTCX	732217	79	CTCX	732564
28	CTCX	732218	80	CTCX	732565
29	CTCX	732219	81	CTCX	732566
30	CTCX	732220	82	CTCX	732567
31	CTCX	732221	83	CTCX	732568
32	CTCX	732222	84	CTCX	732569
33	CTCX	732223	85	CTCX	732570
34	CTCX	732224	86	CTCX	732571
35	CTCX	732225	87	CTCX	732572
36	CTCX	732226	88	CTCX	732573
37	CTCX	732227	89	CTCX	732574
38	CTCX	732228	90	CTCX	732575
39	CTCX	732229	91	CTCX	732576
40	CTCX	732230	92	CTCX	732577
41	CTCX	732231	93	CTCX	732579
42	CTCX	732232	94	CTCX	732580
43	CTCX	732233	95	CTCX	732581
44	CTCX	732234	96	CTCX	732602
45	CTCX	732235	97	CTCX	732608
46	CTCX	732236	98	CTCX	732610
47	CTCX	732237	99	DBUX	302987
48	CTCX	732238	100	DBUX	302993
49	CTCX	732239			
50	CTCX	732240			
51	CTCX	732241			
52	CTCX	732242			