

RECORDATION NO 21459-A FILED

SEP 24 03

10-12 AM

SURFACE TRANSPORTATION BOARD

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ELIAS C. ALVORD (1942)  
ELLSWORTH C. ALVORD (1964)

OF COUNSEL  
URBAN A. LESTER

September 23, 2003

Mr. Vernon A. Williams  
Secretary  
Surface Transportation Board  
Washington, D.C. 20423

Dear Mr. Williams:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) are two (2) copies of a General Release and Discharge, dated September 4, 2003, a secondary document as defined in the Board's Rules for the Recordation of Documents.

The enclosed document relates to the General Security Agreement previously filed with the Board under Recordation Number 21459.

The name and address of the party to the enclosed document are:

[Debtor: Pivotal Enterprises Corporation  
400, 900 - 6<sup>th</sup> Avenue S.W.  
Calgary, Alberta T2P3K2  
Canada]

Secured Party: First Treasury Financial Inc.  
811 14<sup>th</sup> Street NW  
Suite 217  
Calgary, Alberta T2N 2A4  
Canada

Mr. Vernon A. Williams  
September 23, 2003  
Page Two

A description of the railroad equipment covered by the enclosed document is:

Fifty seven (57) tank railcars bearing PIVX reporting marks (formerly PLMX) and road numbers 32800-32826, 32828, 32829, 32900-32916, 32918-32922 and 32924-32929.

A short summary of the document to appear in the index follows:

General Release and Discharge

Also enclosed is a check in the amount of \$30.00 payable to the order of the Surface Transportation Board covering the required recordation fee.

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

Very truly yours,



Robert W. Alvord

RWA/anr  
Enclosures

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SURFACE TRANSPORTATION BOARD

### GENERAL RELEASE AND DISCHARGE

THIS GENERAL RELEASE AND DISCHARGE is made as of September 04, 2003.

TO: National Bank of Canada ("NBC")

AND TO: Pivotal Enterprises Corporation ("Pivotal")  
Plains Marketing Canada, L.P.

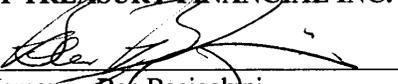
IN CONSIDERATION of the sum of FIVE DOLLARS (\$5.00) now paid by each of the above addressees to FIRST TREASURY FINANCIAL INC. (the "Lender") and other good and valuable consideration (the receipt and sufficiency of which is hereby conclusively acknowledged), the Lender hereby agrees as follows:

1. The Lender hereby acknowledges that all amounts due and owing to it by Pivotal pursuant to the Loan Agreement made the 10<sup>th</sup> day of June, 1998 between Pivotal and the Lender and all other obligations thereunder have been satisfied and hereby releases NBC of all obligations whatsoever to the Lender and howsoever arising pursuant to the First Treasury Investment Memorandum dated March 19, 1998, the National Bank of Canada Approval and Participation Agreement dated April 22, 1998 and subsequent amendment dated May 27, 1998.
2. The Lender hereby releases, surrenders and forever discharges all mortgages, charges, pledges, hypothecs, assignments by way of security and other security interests which the Lender now has against any and all of the property and assets of Pivotal.
3. The Lender hereby irrevocably authorizes NBC, its solicitors and agents, for and on its behalf, at the cost of Pivotal, to register, record and file all such financing change statements, discharges, statutory discharges, instruments and other documents and take and do all other actions, steps and things as may be necessary for the purpose of the effective discharging the property and assets of Pivotal from the security interests of the Lender or for the purpose of evidencing, establishing or recording the foregoing release and discharge.

4. The Lender hereby agrees to execute and deliver, at the expense of Pivotal, all such other documentation as may be reasonably requested by any of the addressees in order to give full effect to the terms hereof.

**IN WITNESS WHEREOF** the Lender has duly executed this General Release and Discharge as of the date first above written.

**FIRST TREASURY FINANCIAL INC.**

Per:   
Name: Ben Bacigalupi  
Title: Authorized Signing Officer

SCHEDULE I

Fifty-seven (57) tank railcars bearing P IVX reporting marks and road numbers 32800-32826, 32828, 32829, 32900-32916, 32918-32922 and 32924-32929.

**CERTIFICATION**

I, Robert W. Alvord, attorney licensed to practice in the State of New York and the District of Columbia, do hereby certify under penalty of perjury that I have compared the attached copy with the original thereof and have found the copy to be complete and identical in all respects to the original document.

Dated: \_\_\_\_\_

1/23/03



\_\_\_\_\_  
Robert W. Alvord