



The David J. Joseph Company



RECORDATION NO. 22790-C FILED

MAY 27 '05

11-36 AM

May 25, 2005

SURFACE TRANSPORTATION BOARD

Mr. Vernon Williams
Recordations Unit
Surface Transportation Board
1925 K Street, N.W., Suite 715
Washington, DC 20423-0006

Dear Mr. Williams:

Please find enclosed, two (2) originals of the Release of Lien dated May 24, 2005 between the following two parties:

Assignor: Nevada Industrial Switching, Inc.
P.O. Box 5739
Mesa, AZ 85211-5739

Assignee: The David J. Joseph Company
(f/k/a DJJ Transportation Services, Inc. and
Joseph Transportation Services, Inc.)
300 Pike Street
Cincinnati, OH 45202

This filing is to appear in index as follows: Release of Lien dated May 24, 2005 related to fourteen (14) locomotives bearing reporting marks as attached hereto in Exhibit A.

Please file this agreement as a secondary document under Recordation Number 22790-C as it relates to documents previously filed with the Surface Transportation Board under Recordation Numbers 22790, 22790-A and 22790-B. The filing fee in the amount of \$33.00 is included in the enclosed check. Please return the original to my attention.

Should you have any questions or need further information, please do not hesitate to contact me at (513) 419-6082.

Sincerely,

Barbara A. Brzezicki
Contract Manager

Enclosures

RELEASE OF LIEN

SURFACE TRANSPORTATION BOARD

This Release of Lien ("Release") is executed as of May 24, 2005, by The David J. Joseph Company (f/k/a The DJJ Transportation Services and Joseph Transportation Services, Inc.), a Delaware Corporation ("DJJ").

WHEREAS, that certain Memorandum of Assignment and Assumption Agreement dated September 1, 1999 (the "Memorandum") between Nevada Industrial Switching, Inc., ("Assignor") and The David J. Joseph Company ("Assignee"), was recorded with the Surface Transportation Board on February 28, 2000 under Recordation No. 22790 with respect to the fourteen (14) locomotive (the "Equipment") listed on Exhibit A attached hereto; and

WHEREAS, that certain Memorandum of Railroad Equipment Lease Agreement dated October dated October 9, 2002, between ECDC Environmental L.C. ("Lessee"), and The David J. Joseph Company ("Lessor"), was recorded with the Surface Transportation Board on December 2, 2002 under Recordation No. 22790-A;

WHEREAS, that certain Bill of Sale dated September 1, 1999, between Nevada Industrial Switching, Inc. ("Seller") and The David J. Joseph Company ("Buyer"), was recorded with the Surface Transportation Board on June 14, 2004 under Recordation No. 22790-B;

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 Assignee submits the following:

1. The Memorandum of Assignment and Assumption Agreement, the Memorandum of Railroad Equipment Lease Agreement are hereby terminated, thereby releasing all rights, interests or claims to, and all liens and encumbrances upon the Equipment and by any person or entity, and that such Equipment may be sold, leased or otherwise transferred by The David J. Joseph Company.

IN WITNESS WHEREOF, Assignee has caused this Release to be duly executed by its authorized officer as of the date and year first above written.

WITNESS:

THE DAVID J. JOSEPH COMPANY

By:

Name: Everett N. Martin

Title: Assistant Secretary

STATE OF OHIO)
) SS:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this 24th day of May, 2005, by Everett N. Martin the Assistant Secretary of The David J. Joseph Company, a Delaware corporation, on behalf of the corporation.

My Commission expires:

February 20, 2006

Barbara A. Brzezicki

Notary Public



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

EXHIBIT A

EQUIPMENT

Fourteen (14) units bearing reporting marks:

NIS 202	NIS 1263
NIS 1992	NIS 1268
NIS 201	NIS 7019
NIS 2584	NIS 1819
NIS 1270	NIS 477
ECDC / NIS 4355	NIS 3186
ECDC / NIS 4431	
NIS 1261	