

# FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP

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April 7, 2006

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

RECORDATION NO 19626-X FILED

APR 10 '06

12-14 PM



Dear Mr. Williams:

SURFACE TRANSPORTATION BOARD

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a), are two original copies of **Partial Release** (Solvay Polymers Equipment Trust 1995) dated as of January 1, 2006, a secondary document as defined in the Board's Rules for Recordation of Documents.

The enclosed document relates to the Solvay Polymers Equipment Trust 1995 documents which were previously filed with the Board under Recordation Number 19626.

The names and addresses of the parties to the enclosed document are:

Indenture Trustee      U.S. Bank National Association  
225 Asylum Street, 23<sup>rd</sup> Floor  
Hartford, Connecticut 06103

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

One hundred (100) Center Flow® covered hopper railcars of 5,800 cubic foot capacity bearing ELTX reporting marks and road numbers 4000 through 4045, 4047 through 4076, and 4078 through 4099, together with all parts, appurtenances and other equipment or property attached to said units of railroad equipment.

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

This document removes railcar ELTX 4077 from the Trust Indenture and Security Agreement (Solvay Polymers Equipment Trust 1995) dated as of September 1, 1995, as amended, due to the destruction of railcar ELTX 4077 in a casualty event.

Also enclosed is a check in the amount of \$33.00 payable to the order of the U.S. Surface Transportation Board covering the required recordation fee.

45739277.1/10304885 (ELTX 4077)

Mr. Vernon A. Williams  
April 7, 2006  
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Kindly return a stamped copy of the enclosed document to the undersigned.

Very truly yours,

A handwritten signature in cursive script that reads "Nina Skinner".

Nina Bianchi Skinner

NBS/ak  
Enclosures

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PARTIAL RELEASE  
(Solvay Polymers Equipment Trust 1995)

RECORDATION NO. 19626-7 FILED

APR 10 '06

12-14 PM

SURFACE TRANSPORTATION BOARD

Dated as of January 1, 2006

of

**U.S. BANK NATIONAL ASSOCIATION,**  
not in its individual capacity but solely as trustee  
under the Trust Indenture and Security Agreement  
(Solvay Polymers Equipment Trust 1995),  
dated as of September 1, 1995, between  
Owner Trustee and Indenture Trustee  
**Indenture Trustee**

**ELTX 4077**

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FILED WITH THE UNITED STATES SURFACE TRANSPORTATION BOARD  
PURSUANT TO 49 U.S.C. SECTION 11301 ON \_\_\_\_\_, 2006, AT \_\_\_\_\_ .M.  
RECORDATION NUMBER 19626-\_\_\_ AND DEPOSITED WITH THE OFFICE OF THE  
REGISTRAR GENERAL OF CANADA PURSUANT TO SECTION 105 OF THE CANADA  
TRANSPORTATION ACT ON \_\_\_\_\_, 2006, AT \_\_\_\_\_ .M.

## PARTIAL RELEASE

(Solvay Polymers Equipment Trust 1995)

THIS PARTIAL RELEASE (Solvay Polymers Equipment Trust 1995) dated as of January 1, 2006 (this "**Partial Release**"), of U.S. BANK NATIONAL ASSOCIATION, a national banking association ("**Indenture Trustee**"), successor to State Street Bank and Trust Company, successor to Shawmut Bank Connecticut, National Association, not in its individual capacity, but solely as trustee under the Trust Indenture and Security Agreement (Solvay Polymers Equipment Trust 1995), dated as of September 1, 1995 (including all supplements thereto, the "**Indenture**"), between Owner Trustee and Indenture Trustee.

### WITNESSETH:

WHEREAS, the Indenture was filed with the Surface Transportation Board (formerly the Interstate Commerce Commission) (the "**STB**") pursuant to 49 U.S.C. Section 11303 on September 29, 1995, and deposited with The Office of the Registrar General of Canada (the "**Registrar**") pursuant to Section 90 of the Railway Act of Canada on September 29, 1995;

WHEREAS, Indenture Supplement No. 1 (Solvay Polymers Equipment Trust 1995) by the Owner Trustee in favor of the Indenture Trustee was filed with the STB on September 29, 1995, and deposited with Registrar on September 29, 1995;

WHEREAS, Indenture Supplement No. 2 (Solvay Polymers Equipment Trust 1995) by the Owner Trustee in favor of the Indenture Trustee was filed with the STB on July 10, 1996, and deposited with Registrar on July 10, 1996;

WHEREAS, Indenture Supplement No. 3 (Solvay Polymers Equipment Trust 1995) by the Owner Trustee in favor of the Indenture Trustee was filed with the STB on September 27, 1996, and deposited with the Registrar on September 27, 1996;

WHEREAS, Indenture Supplement No. 4 (Solvay Polymers Equipment Trust 1995) by the Owner Trustee in favor of the Indenture Trustee was filed with the STB on November 2, 1999, and deposited with the Registrar on November 5, 1999;

WHEREAS, the Partial Release dated as of August 1, 2001 was filed with the STB on September 6, 2001 and deposited with the Registrar on September 10, 2001;

WHEREAS, the Partial Release dated as of March 10, 2004 was filed with the STB on April 22, 2004 and deposited with the Registrar on May 7, 2004;

WHEREAS, the Item of Equipment described in Schedule I hereto (the "**Lost Equipment**") suffered an Event of Loss;

WHEREAS, Innovene Polyethylene North America, a Delaware general partnership ("**Lessee**") has paid the Stipulated Loss Value and adjusted rent with respect to the Lost Equipment and has otherwise fulfilled its SLV Obligations, as defined in the Lease, with respect thereto; and

WHEREAS, pursuant to Sections 2.14(a)(i) and 10.01(a) of the Indenture and Section 28(c) of the Lease, the Indenture Trustee is required to release the Items of Lost Equipment from the Lien of the Indenture;

NOW, THEREFORE, the Indenture Trustee does agree and stipulate as follows, intending to be legally bound:

1. Capitalized terms used but not otherwise defined herein (including those used in the foregoing recitals) shall have the meanings specified in Schedule X to the Participation Agreement, dated as of September 1, 1995, among General Electric Capital Corporation, Wilmington Trust Company, in its individual capacity and as trustee under the Trust Agreement that creates the trust identified under the title hereof, the Lessee, and others, as such Schedule X existed on the Closing Date and as such Schedule X shall have been amended to and including the date hereof, which Schedule X shall for all purposes constitute a part of this Partial Release.

2. The Indenture Trustee acknowledges receipt from the Lessee of the amount of \$63,035.64 constituting the Stipulated Loss Value of the Lost Equipment and receipt of the amount of \$413,349.07 constituting the adjusted rent for the Lost Equipment.

3. Effective as of January 1, 2006, the Item of Lost Equipment is released from the Lien of the Indenture, and Indenture Trustee releases any and all claims in or to said Item of Lost Equipment.

4. Indenture Trustee hereby authorizes Lessee to file, in all applicable jurisdictions, an appropriate Uniform Commercial Code instrument of partial release with respect to the Item of Lost Equipment.

5. THIS PARTIAL RELEASE SHALL IN ALL RESPECTS BE GOVERNED BY, AND CONSTRUED IN ACCORDANCE WITH, THE LAW OF THE STATE OF NEW YORK, INCLUDING ALL MATTERS OF CONSTRUCTION, VALIDITY AND PERFORMANCE. This Partial Release may be executed by Indenture Trustee in separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute but one and the same instrument.

IN WITNESS WHEREOF, Indenture Trustee has caused this Partial Release to be duly executed by one of its officers thereunto duly authorized on the day and year first above written.

U.S. BANK NATIONAL ASSOCIATION,  
not in its individual capacity but solely as  
Indenture Trustee

By: Crystal Deperry  
Name: **Crystal Deperry**  
Title: Trust Officer



## SCHEDULE I TO PARTIAL RELEASE

### Description of Lost Equipment

One Center Flow® covered hopper rail car of 5,800 cubic foot capacity, initialed ELTX and numbered 4077, together with all parts, appurtenances and other equipment or property attached to said unit of railroad equipment.