



The David J. Joseph Company



RECORDATION NO. 22800-A FILED

JUL 26 '06

2-49 PM

SURFACE TRANSPORTATION BOARD

July 24, 2006

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 of Railroad Equipment Lease dated July 21, 2006 between the following two parties:

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

Lessee: Nittany & Bald Eagle Railroad Company  
356 Priestly Avenue  
Northumberland, PA 17857

This filing is to appear in index as follows: Release of Lien of Railroad Equipment Lease dated July 21, 2006 related to twelve (12) railcars bearing reporting marks NBER 9400 – NBER 9430, sporadic.

Please file this agreement as a secondary document under Recordation Number 22800-A as it relates to documents previously filed with the Surface Transportation Board under Recordation Numbers 22800. Enclosed is the filing fee in the amount of \$34.00. Please return a stamped 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

JUL 26 '06

2-49 PM

**RELEASE OF LIEN  
OF  
RAILROAD EQUIPMENT LEASE**

**SURFACE TRANSPORTATION BOARD**

This Release of Lien of Railroad Equipment Lease (the "Release") releases the lien created by that certain Railroad Equipment Lease dated as of February 1, 2000 (the "Lease"), bearing Recordation No. 22800 between The David J. Joseph Company (f/k/a Joseph Transportation Services, Inc.), as Lessor ("Lessor") and Nittany & Bald Eagle Railroad Company, as Lessee ("Lessee"), (such Lease hereinafter referred to as the "Lease") with respect to twelve (12) railcars bearing reporting marks described in Exhibit A attached hereto (hereinafter, the "Equipment").

WHEREAS, Lessor and Lessee executed the Lease relating to the Equipment. Such Lease has expired; and

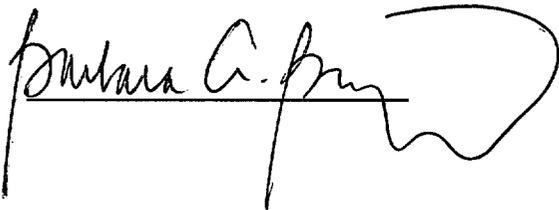
NOW, THEREFORE, in consideration of the premises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Lessor submits the following:

1. Lessee and Lessor have agreed to terminate the Lease between the parties.
2. This Release shall be recorded with the Surface Transportation Board so as to record the release of the lien(s) against the Equipment constituted by the Lease.

In witness whereof, the Lessor has caused this Release to be duly executed by its authorized officer as of the 21<sup>st</sup> day of July, 2006.

WITNESS:

**THE DAVID J. JOSEPH COMPANY**

  
\_\_\_\_\_

By:   
\_\_\_\_\_

Name: Jere R. McIntyre

Title: Vice President & Treasurer

STATE OF OHIO            )  
                                  ) SS:  
COUNTY OF HAMILTON )

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of July, 2006, by Jere R. McIntyre, the Vice President and Treasurer of The David J. Joseph Company, a Delaware corporation.

My Commission expires:

2-20-11

  
Notary Public



**BARBARA A. BRZEICKI**  
Notary Public, State of Ohio  
My Commission Expires 02-20-11

**EXHIBIT A**

**DESCRIPTION OF EQUIPMENT**

Twelve (12), open top hopper railcars bearing reporting marks:

NBER 9400  
NBER 9404  
NBER 9406  
NBER 9412  
NBER 9413  
NBER 9414  
NBER 9416  
NBER 9417  
NBER 9420  
NBER 9423  
NBER 9427  
NBER 9430