

RECORDATION NO.

25227-C  
FILED

JUL 31 '06

1:45 PM

SURFACE TRANSPORTATION BOARD

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ELIAS C. ALVORD (1942)  
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OF COUNSEL  
URBAN A. LESTER

July 31, 2006

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 Notice of Partial Termination of Lease, dated as of July 31, 2006, a secondary document as defined in the Board's Rules for the Recordation of Documents.

The enclosed document relates to the Memorandum of Master Equipment Lease Agreement previously filed with the Board under Recordation Number 25227.

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

Lessor: Banc of America Leasing & Capital LLC  
(successor in interest to Fleet Capital Corporation)  
One Financial Plaza  
Providence, RI 02901

[Lessee: The Andersons, Inc.  
480 West Dussel Drive  
Maumee, OH 43537]

Mr. Vernon A. Williams  
July 31, 2006  
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A description of the railroad equipment covered by the enclosed document is:

1 railcar TERMINATED: AEX 5784.

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

Notice of Partial Termination of Lease.

Also enclosed is a check in the amount of \$34.00 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,

A handwritten signature in black ink, appearing to read "Alvord", with a long horizontal stroke extending to the right.

Robert W. Alvord

RWA/sem  
Enclosures

JUL 31 '06

1-45 PM

NOTICE OF PARTIAL TERMINATION OF LEASE

SURFACE TRANSPORTATION BOARD

The undersigned, BANC OF AMERICA LEASING & CAPITAL LLC (successor in interest to Fleet Capital Corporation), Lessor, publishes this notice that the Master Equipment Lease Agreement originally entered into on September 27, 2004 (the "Master Lease") by Fleet Capital Corporation, as Lessor, and The Andersons, Inc., as Lessee, as subsequently amended or modified (the "Lease"), as it applies to the certain railcar AEX 005784, is hereby terminated except with respect to those obligations, if any, of Lessor and Lessee under the Lease which expressly survive any termination thereof.

The Master Lease was originally filed with the Surface Transportation Board on September 29, 2004 at 2:23 p.m. under Recordation Number 25227.

As of this 31<sup>st</sup> day of July, 2006, the Lease remains in effect as to the remaining railcars not identified hereinabove.

BANC OF AMERICA LEASING & CAPITAL LLC, Lessor

By: Patricia Smith-Discu

Name: Patricia Smith-Discu

Title: Vice President

STATE OF )

COUNTY OF )

ss.

On this 31 day of July, 2006, before me appeared Patricia Smith-Discu to me personally known, who, being duly sworn did say that he/she is the Vice-President of BANC OF AMERICA LEASING & CAPITAL LLC, and that said instrument was signed on behalf said corporation by authority of its board of directors and he/she acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Denise C. Simpson  
NOTARY PUBLIC

My Commission Expires: 03/25/2010



**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:

7/31/06



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Robert W. Alvord