

RECORDATION NO. 26162-9 FILED

DEC 20 '06 -4 0 5 PM

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SURFACE TRANSPORTATION BOARD

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OF COUNSEL  
URBAN A. LESTER

December 14, 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 Partial Termination and Release of Security Interest, dated as of December 14, 2006, a secondary document as defined in the Board's Rules for the Recordation of Documents.

The enclosed document relates to the Memorandum of Security Agreement previously filed with the Board under Recordation Number 26162.

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

Secured Party/  
Assignee: Bank of America, N.A.  
600 Peachtree Street, N.E.  
Atlanta, Georgia 30308

[Debtor/Assignor: Infinity Rai, LLC  
817 West Peachtree Street, Suite M110  
Atlanta, GA 30308]

Mr. Vernon A. Williams  
December 14, 2006  
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A description of the railroad equipment covered by the enclosed document is:

25 railcars within the series AGR 143220 - AGR 143364 as more particularly set forth in the equipment schedule attached to the document.

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

Partial Termination and Release of Security Interest.

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,



Robert W. Alvord

RWA/sem  
Enclosures

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## Partial Termination and Release of Security Interests

SURFACE TRANSPORTATION BOARD

For valued received, Bank of America, N.A. ("Secured Party"); only with respect to the railroad equipment described in Schedule 1 attached hereto (the "Released Rail Cars"), terminates and releases any and all rights and interests of Secured Party with respect to the Released Rail Cars, including without limitation any security interests in the Released Rail Cars pursuant to the Security Agreement dated as of January 30, 2006, between Infinity Rail, LLC, as debtor, and Bank of America, N.A., as secured party, as amended.

A memorandum of Secured Party's rights and interests with respect to the Released Rail Cars under the above-referenced Security Agreement was recorded with the Surface Transportation Board on January 31, 2006, at 12:10 p.m. under Recordation No. 26162. To the extent (but only to the extent) relating to the Released Rail Cars, Secured Party releases and terminates its rights and interests covered by that memorandum.

EXECUTED as of December 14, 2006.

BANK OF AMERICA, N.A.

By: Michael J. RomanoName: Michael J. RomanoTitle: Senior Vice President

State of Georgia, County of Fulton

On December 14, 2006, before me personally appeared Michael J. Romano, to me personally known, who being by me duly sworn says that he is Sr. Vice President of Bank of America, N.A., and that, as such officer, being duly authorized to do so, he executed the foregoing instrument on behalf of said bank.

Sherry Squire  
Notary Public

My commission expires:

4-28-07

[NOTARIAL SEAL]

**Schedule I**

**Released Rail Cars**

The following items, wherever located, now owned or hereafter acquired or arising, and all proceeds and products thereof, whether derived from voluntary or involuntary disposition or otherwise, and all accessions thereto:

(a) the rail cars described below, by type, reporting marks and road numbers (the "Released Rail Cars");

(b) all rights of Infinity Rail, LLC under and to any and all refurbishment, renovation or other improvement contracts with respect to the Released Rail Cars; and

(c) all general intangibles, chattel paper, insurance proceeds, insurance refund claims, tort claims, documents, and instruments in each case to the extent relating to the Released Rail Cars, together with all income therefrom, increases thereunder and proceeds thereof.

Released Rail Cars:

[listed on the following page]

Schedule 1 (continued)

Quantity and Description of Released Cars

Group	Quantity	Car Type
D	25 [the remaining 135 are not being released]	70-ton Boxcars

Reporting marks and road numbers:

Unit Count	Current Mark	Current Number	Future Mark	Future Number	Comments
1	AGR	143220	ATW	143220	
2	AGR	143229	ATW	143229	
3	AGR	143234	ATW	143234	
4	AGR	143242	ATW	143242	
5	AGR	143249	ATW	143249	
6	AGR	143260	ATW	143260	
7	AGR	143265	ATW	143265	
8	AGR	143271	ATW	143271	
9	AGR	143272	ATW	143272	has been remarked, so ATW is now the "current" mark
10	AGR	143275	ATW	143275	has been remarked, so ATW is now the "current" mark
11	AGR	143281	ATW	143281	has been remarked, so ATW is now the "current" mark
12	AGR	143289	ATW	143289	
13	AGR	143291	ATW	143291	
14	AGR	143302	ATW	143302	
15	AGR	143310	ATW	143310	
16	AGR	143312	ATW	143312	
17	AGR	143327	ATW	143327	
18	AGR	143330	ATW	143330	
19	AGR	143331	ATW	143331	
20	AGR	143333	ATW	143333	
21	AGR	143337	ATW	143337	
22	AGR	143347	ATW	143347	
23	AGR	143348	ATW	143348	
24	AGR	143359	ATW	143359	has been remarked, so ATW is now the "current" mark
25	AGR	143364	ATW	143364	

**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:

12/14/06



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