

RECORDATION NO. 22320-LL FILED

JUN 29 '07 -8 25 AM

SURFACE TRANSPORTATION BOARD

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ELIAS C. ALVORD (1942)  
ELLSWORTH C. ALVORD (1964)

June 29, 2007

Mr. Vernon A. Williams  
Secretary  
Surface Transportation Board  
395 "E" Street, S.W.  
Washington, D.C. 20423-0001

Dear Mr. Williams:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) are two (2) copies of a Termination of Lease dated as of June 28, 2007, a secondary document as defined in the Board's Rules for the Recordation of Documents.

The enclosed document relates to Memoranda of Lease Agreement being filed with the Board within Recordation Number 22320.

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

Lessor: The CIT Group/Equipment Financing, Inc.  
505 Fifth Avenue  
New York, New York 10017

[Lessee: J.R. Simplot Company  
323 Lafond Street  
Caldwell, Idaho 83605]

The CIT Group/Equipment Financing, Inc.  
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A description of the railroad equipment covered by the enclosed document is:

75 cars, 29 within the series JRSX 10120 - JRSX 10173 and 46 within the series JRSX 11101 - JRSX 11177 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:

Termination of Lease.

Also enclosed is a check in the amount of \$35.00 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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**TERMINATION OF LEASE**

**SURFACE TRANSPORTATION BOARD**

The CIT Group/Equipment Financing, Inc., a Delaware corporation ("CIT"), is the successor lessor under that certain Master Lease Agreement dated August 17, 1999 (the "Master Lease") and that certain Replacement Schedule No. 1000101112 dated as of December 28, 1999 (the "Schedule"; the Schedule and the Master Lease as it relates to the Schedule, collectively, the "Lease") between Banc One Leasing Corporation ("Banc One") (to which CIT is successor in interest), as lessor, and J.R. Simplot Company, as lessee (the "Lessee"), with respect to the lease by CIT to the Lessee of seventy-five (75) railcars identified on Exhibit A hereto (the "Cars").

The following Memoranda of Lease Agreement relating to the Cars between Banc One and Lessee and certain other railroad equipment were duly filed with the Surface Transportation Board on the dates and recorded under the recordation numbers shown below:

<u>Dated</u>	<u>Filing Date</u>	<u>Recordation Number</u>
September 7, 1999	September 9, 1999	22320-B
September 27, 1999	September 29, 1999	22320-D
October 19, 1999	October 25, 1999	22320-F
November 3, 1999	November 9, 1999	22320-H
November 11, 1999	November 29, 1999	22320-I
November 29, 1999	December 1, 1999	22320-J
November 24, 1999	December 3, 1999	22320-K
December 13, 1999	December 16, 1999	2320-L
December 23, 1999	December 29, 1999	22320-M
December 23, 1999	December 29, 1999	22320-N

An Assignment and Assumption Agreement and Bill of Sale between CIT and Banc One were duly filed and recorded with the Surface Transportation Board on June 26, 2003 under Recordation Number 22320-AA.

This Termination of Lease acknowledges for the public record that the Lease has terminated and that CIT has no further interest in the Lease.

This Termination of Lease shall not impair or terminate any of the rights and obligations of the parties under the Lease that expressly survive its termination.

Dated this 29<sup>th</sup> day of Jun, 2007.

*I certify that I hold the title set forth below, that this instrument was signed on behalf of CIT by authority of its board of directors and that I acknowledge that the execution of the foregoing instrument was the free act and deed of CIT. I further declare under penalty of perjury that the foregoing is true and correct.*

THE CIT GROUP/EQUIPMENT FINANCING, INC.

By: Catherine Strylitz  
 Name: Catherine Strylitz  
 Title: Vice President

**EXHIBIT A**

**Forty-six (46) Union Tank 111A100W1 tank cars with rubber linings and the following numbers:**

**JRSX 11101, 11104, 11107, 11112, 11113, 11120, 11125, 11126, 11127, 11128, 11138, 11142-11174, 11177**

**Twenty nine (29) Trinity industries rail cars with Smith Corrosion installed rubber liners and the following numbers:**

**JRSX 10120, 10131, 10132, 10133, 10139, 10140, 10141, 10142, 10144, 10145, 10146, 10147, 10148, 10150-10159, 10161, 10162, 10163, 10164, 10165, 10173**