

DEC 14 '08

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SURFACE TRANSPORTATION BOARD



January 14, 2008

Mr. Vernon Williams
Recordations Unit
Surface Transportation Board
1925 K Street, N.W., Suite 715
Washington, DC 20423-0006

Dear Mr. Williams:

Please find attached, one (1) copy of the Partial Release of Lien of Agreement dated January 11, 2008 between the following parties:

Gulf & Ohio Railways, Inc.
401 Henley Street
Knoxville, TN 37902

The David J. Joseph Company
300 Pike Street
Cincinnati, OH 45202

This filing is to appear in the index as follows: Partial Release of Lien of Agreement dated January 11, 2008 related to five (5) railcars bearing reporting marks: TKEN 92, 93, 94, 95, 97.

Please file this as a secondary document under Recordation Number 24823-A as it relates to documents previously filed with the Surface Transportation Board under Recordation Number 24823. The filing fee in the amount of \$35.00 can be charged to our account.

Should you have any questions or need further information, please do not hesitate to contact me at (513) 419-6062.

Sincerely,

THE DAVID J. JOSEPH COMPANY

Julie Woodard
Documentation Coordinator

Enclosures

**PARTIAL RELEASE OF LIEN
OF
AGREEMENT**

SURFACE TRANSPORTATION BOARD

This Partial Release of Lien of Agreement (the "Release") releases the lien created by that certain Agreement dated as of January 29, 2004 (the "Agreement"), bearing Recordation No. 24823 and recorded on February 24, 2004 between The David J. Joseph Company, as Lessor ("Lessor") and Gulf & Ohio Railways, Inc., as Lessee ("Lessee"), with respect to five (5) railcars (hereinafter, the "Equipment").

WHEREAS, there has been a partial return of Equipment from the Lessee to the Lessor, and by such act, all interest of the Lessee, its successors and assigns, in the Equipment arising pursuant to the Agreement has been terminated on the Equipment bearing reporting marks: TKEN 92, TKEN 93, TKEN 94, TKEN 95, and TKEN 97 ("Returned Equipment").

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 has returned the Returned Equipment to Lessor.
2. All interest of the Lessee, its successors and assigns, in the Returned Equipment arising pursuant to the Agreement has been terminated.
3. The Lessor hereby releases any lien created by or arising out of the Agreement with regard to the Returned Equipment.
4. This Release shall be recorded with the Surface Transportation Board under Recordation No. 24823-A so as to record the partial release of the lien against the Returned Equipment constituted by the Agreement bearing reporting marks: TKEN 92, TKEN 93, TKEN 94, TKEN 95, and TKEN 97.

In witness whereof, the Lessor has caused this Release to be duly executed by its authorized officer as of the 11th day of January, 2008.

WITNESS:

Angela D. Watts

THE DAVID J. JOSEPH COMPANY

By: James H. Goetz

Name: James H. Goetz
Executive VP & CFO

Title: _____

STATE OF OHIO)
) SS:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this 11th day of January, 2008, by James H Goetz, the VP & CFO of The David J. Joseph Company, a Delaware corporation, on behalf of the corporation.


Notary Public

My Commission has no expiration.

ANGELA DENISE WATTS
Attorney at Law
Notary Public, State of Ohio
My Commission Has No Expiration
Date Section 147 03 O.R.C