

RECORDATION NO 20988-C FILED

APR 29 '08

4-14 PM

SURFACE TRANSPORTATION BOARD



VIA UPS 2<sup>nd</sup> DAY AIR

April 25, 2008

## FIRST UNION RAIL

One O'Hare Centre  
6250 River Road, Suite 5000  
Rosemont, IL 60018

Tel 847.318 7575  
Fax 847.318.7588  
www.firstunionrail.com

Ms. Anne K. Quinlan  
Surface Transportation Board  
395 E Street S.W., Suite 100  
Washington, D. C. 20024  
Attn: Recordation of Railroad Equipment

**Re: Memorandum of Lease Agreement**

Dear Ms. Quinlan:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) are two (2) originals and one (1) copy of a Memorandum of Lease Agreement dated February 28, 2008, a secondary document as defined in the Board's Rules for the Recordation of Documents. The enclosed document relates to the Lease Agreement which was duly filed with the Surface Transportation Board under Recordation Number 20988.

The names and addresses of the parties to the enclosed document are:

Lessor: First Union Rail Corporation  
One O'Hare Centre  
6250 River Road, Suite 5000  
Rosemont, IL 60018

Lessee: Italgrani Elevator Company  
7900 Van Buren St.  
St. Louis, MO 63111

A description of the railroad equipment covered by the enclosed document is eight (8) 5660 cu. ft. capacity, new covered hopper cars, with FURX marks (see Exhibit A for car numbers).

A short summary of the document to appear in the index follows: Memorandum 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 one (1) stamped original of the enclosed document to the undersigned along with the additional copies.

If you have any questions regarding the above-referenced matter, please contact me at (847) 384-5397. Thank you for your cooperation in this matter.

Very truly yours,

A handwritten signature in cursive script that reads 'Marcia Dunne'.

Marcia Dunne  
Rail Documentation Specialist

Enclosures  
(IFAL011)

ASSGN. NO.: ITAL011

APR 29 '08

4:14 PM

MEMORANDUM OF LEASE

SURFACE TRANSPORTATION BOARD

THIS MEMORANDUM OF LEASE (the "Memorandum") is made and entered into as of this the 28<sup>th</sup> day of February, 2008, by and between First Union Rail Corporation ("Lessor"), a North Carolina corporation, and Italgani Elevator Company ("Lessee"), a Missouri corporation.

WITNESSETH:

The undersigned Lessor and Lessee have entered into that certain Lease Agreement (the "Lease"), dated as of December 3, 2004, whereby Lessor has agreed to lease to Lessee certain railcars pursuant to Rider No. 4 to the Lease (the "Rider"), as described in more particular on Exhibit A attached hereto, effective as of January 29, 2008, and subject to the terms, conditions and provisions of the above-mentioned Lease and Rider.

IN WITNESS WHEREOF, the parties hereto have each caused this Memorandum to be duly executed under seal by their respective officers duly authorized as of the date and year first above written.

LESSOR:

FIRST UNION RAIL CORPORATION

By: Richard F. Seymour

Name: RICHARD F. SEYMOUR  
VICE PRESIDENT SALES & MARKETING

Title: \_\_\_\_\_

ATTEST:

By: Susan Grokulsky

Name: SUSAN GROKULSKY  
ASST. DIRECTOR OF

Title: DOCUMENTATION

Executed on this 28<sup>th</sup> day of February, 2008

[CORPORATE SEAL]

STATE OF ILLINOIS

COUNTY OF COOK

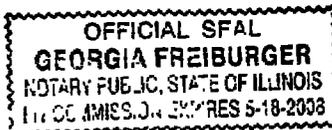
I, GEORGIA FREIBURGER, a Notary Public of the County and State aforesaid, certify that RICHARD F SEYMOUR personally appeared before me this day and acknowledged his/her due execution of the foregoing Memorandum of Lease.

WITNESS my hand and official stamp or seal, this 28<sup>th</sup> day of February, 2008.

Georgia Freiburger  
Notary Public

My Commission Expires:

5-2008  
(Notary Public)



**LESSEE:**

ITALGRANI ELEVATOR COMPANY

ATTEST:

By: *Lisa M. Scharf*

Name: LISA M. SCHARF

Title: TRANSPORTATION MANAGER

By: *James M. Meyer*

Name: JAMES M. MEYER

Title: PRESIDENT

Executed on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

[CORPORATE SEAL]

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I, Kathryn A. Bucher, a Notary Public of the County and State aforesaid, certify that James A. Meyer personally appeared before me this day and acknowledged his/her due execution of the foregoing Memorandum of Lease.

WITNESS my hand and official stamp or seal, this 12<sup>th</sup> day of Feb, 2008.

*Kathryn A. Bucher*  
Notary Public

Commission Expires:

3-24-11  
(Notary Public)

KATHRYN A. BUCHER  
Notary Public - Notary Seal  
STATE OF MISSOURI  
St. Louis County  
My Commission Expires March 24, 2011  
Commission # 97422442

**EXHIBIT A**  
**to**  
**MEMORANDUM OF LEASE**

NUMBER OF CARS:           Eight (8)

DESCRIPTION OF CARS:    New, 5660 cubic foot capacity, Pressure Differential Covered  
Hopper Cars, 286 GRL, Trinity built (Car Type: C614).

CAR NUMBERS:

FURX	893559
FURX	893563
FURX	893565
FURX	893566
FURX	893567
FURX	893568
FURX	893569
FURX	893571