

RECORDATION NO. 27560 FILED

JUL 09 '08 -2 00 PM

SURFACE TRANSPORTATION BOARD

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

July 9, 2008

Anne K. Quinlan, Esq.  
Acting Secretary  
Surface Transportation Board  
395 "E" Street, S.W.  
Washington, D.C. 20423-0001

Dear Ms. Quinlan:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) are two (2) copies of a Memorandum of Lease Agreement (Equipment Schedule No. 001), dated as of July 27, 2007, a primary document as defined in the Board's Rules for the Recordation of Documents.

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

Lessor:	Fifth Third Bank 38 Fountain Square Plaza Cincinnati, Ohio 45263
Lessee:	R.E.L.A.M., Inc. 7695 Bond Street Glenwillow, Ohio 44139

Anne K. Quinlan, Esq.  
July 9, 2008  
Page 2

A description of the railroad equipment covered by the enclosed document is:

2 Harsco 6700S Tampers: serial numbers 153462 and 153500.

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

Memorandum of Lease Agreement (Equipment Schedule No. 001).

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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**MEMORANDUM OF LEASE AGREEMENT**

(Equipment Schedule No. 001)

Dated as of July 31, 2007

between

**FIFTH THIRD BANK,**  
Lessor

and

**R.E.L.A.M., INC.**

Lessee

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Filed with the Surface Transportation Board pursuant to  
49 U.S.C. § 11301 on \_\_\_\_\_, 2007, at \_\_\_\_:\_\_\_\_.M  
Recordation Number \_\_\_\_\_

**MEMORANDUM OF LEASE AGREEMENT**

**THIS MEMORANDUM OF LEASE AGREEMENT** dated as of July 27, 2007, is made by and between R.E.L.A.M., Inc., an Ohio corporation ("Lessee"), and FIFTH THIRD BANK, an Ohio corporation ("Lessor").

**WITNESSETH**

1. Pursuant to a Master Equipment Lease Agreement, dated July 27, 2007, together with Equipment Schedule - No. 001 dated July 27 2007 (collectively, the "Lease Agreement"), Lessor has agreed to lease to Lessee, and the Lessee has agreed to lease from Lessor two (2) Harsco Track Technologies 6700S Tampers bearing the serial numbers set forth on Exhibit A attached hereto.

2. The Lease Agreement shall be effective as of the date first set forth hereinabove and shall be subject to the Base Lease Term and any Renewal Terms as defined in the Lease Agreement.

3. The Lease Agreement does not contain a hereafter acquired clause.

4. This Memorandum of Lease Agreement may be executed in duplicate originals and any number of counterparts and by different parties in separate counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute one and the same instrument.

*[Signature page follows]*

**EXHIBIT A**  
**EQUIPMENT DESCRIPTION**

**Lease:** Equipment Schedule No. 001 dated as of July 27, 2007 to Master Equipment Lease Agreement Dated as of July 27, 2007.

**Lessor:** FIFTH THIRD BANK

**Lessee:** R.E.L.A.M., Inc., an Ohio corporation

**Vendor:** Harsco Track Technologies

**Invoice No. 10206679 and 10204702**

**Two (2) Harsco 6700S Tampers with serial numbers 153462 and 153500**

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Lease Agreement to be signed and sealed by their respective corporate officers as of the date and year first above written.

Lessee:

R.E.L.A.M., INC.

By: [Signature]  
Name: D. M. HORTH  
Title: V. PRESIDENT

STATE OF OHIO )  
 ) ss.:  
COUNTY OF CUYAHOGA )

On this 26 day of JULY, 2007, before me the subscriber personally appeared D. M. HORTH, who being by me duly sworn, did depose and say: that (s)he is a V. PRESIDENT of R.E.L.A.M., Inc., an Ohio corporation, described in and which executed the foregoing instrument and that (s)he signed his/her name thereto by order of the Board of Directors of said corporation.

[Signature]  
NOTARY PUBLIC

My Commission Expires:



LINDA L. ERTEL  
Notary Public - State of Ohio  
My Commission Expires April 24, 2012

[Lessee signature page]



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: 7/9/08



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