

RECORDATION NO. 23348-J FILED

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SURFACE TRANSPORTATION BOARD



# FIRST UNION RAIL

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

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

July 10, 2008

Ms. Anne K. Quinlan  
Surface Transportation Board  
395 F. 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 June 6, 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 23348.

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

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

Lessee: GLNX Corporation  
2201 Timberloch Place  
Suite 125  
The Woodlands, TX 77380

A description of the railroad equipment covered by the enclosed document is thirty four (34) 5750 cu. ft. capacity, covered hopper cars: having FURX and NDYX 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.

Sincerely,

Marcia Dunne  
Rail Sr. Documentation Specialist

Enclosures  
(GLNX013)

ASSGN. NO.: GLNX013

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MEMORANDUM OF LEASE

SURFACE TRANSPORTATION BOARD

THIS MEMORANDUM OF LEASE (the "Memorandum") is made and entered into as of this the 6 day of June, 2008, by and between First Union Rail Corporation ("Lessor"), a North Carolina corporation, and GLNX Corporation ("Lessee"), a Texas corporation.

WITNESSETH:

The undersigned Lessor and Lessee have entered into that certain Lease Agreement (the "Lease"), dated as of April 16, 2000, whereby Lessor has agreed to lease to Lessee certain railcars pursuant to Rider No. 10 to the Lease (the "Rider"), as described in more particular on Exhibit A attached hereto, effective as of July 8, 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

ATTEST:

By:

Richard F. Seymour

Name:

RICHARD F. SEYMOUR  
VICE PRESIDENT

Title:

By: Susan Grokulska

Name: SUSAN GROKULSKY

Title: ASST. DIRECTOR OF DOCUMENTATION

Executed on this 6<sup>th</sup> day of June, 2008.

[CORPORATE SEAL]

STATE OF ILLINOIS

COUNTY OF COOK

I, Janice L. Enolva, 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.

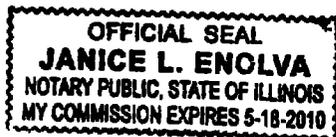
WITNESS my hand and official stamp or seal, this 6<sup>th</sup> day of JUNE, 2008.

Janice L. Enolva  
Notary Public

Commission Expires:

5-18-2010

(Notary Public)



LESSEE:

GLNX CORPORATION

ATTEST:

By: [Signature]

Name: WARNER W. ABEL, JR.

Title: PRESIDENT

By: [Signature]

Name: Jerry Sagehorn

Title: VP SALES & MKT

Executed on this 22<sup>nd</sup> day of May, 2008.

[CORPORATE SEAL]

STATE OF Texas

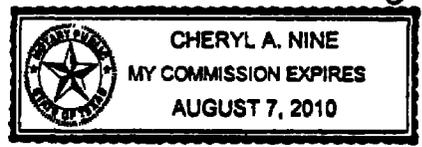
COUNTY OF Montgomery

I, Cheryl A. Nine, a Notary Public of the County and State aforesaid, certify that Warner W. Abel, Jr. 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 22<sup>nd</sup> day of May, 2008.

[Signature]  
Notary Public

Commission Expires:  
8/7/10  
(Notary Public)



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

NUMBER OF CARS:           Thirty-four (34)

DESCRIPTION OF CARS:   5250 cubic foot capacity, lined, plastic pellet covered hopper cars with one vented hatch per compartment, equipped with pneumatic gates, 263/268 GWR.

CAR NUMBERS:

FURX 877012	NDYX 876115
FURX 877034	NDYX 876136
FURX 877057	NDYX 876148
FURX 877094	NDYX 876149
FURX 877101	NDYX 876168
FURX 877134	NDYX 876171
FURX 877170	NDYX 876177
FURX 877176	NDYX 876178
FURX 877178	NDYX 876181
FURX 877180	NDYX 876189
FURX 877181	NDYX 876192
FURX 877183	NDYX 876215
FURX 877184	NDYX 876232
FURX 877185	NDYX 876280
FURX 877190	NDYX 876284
FURX 877195	NDYX 877061
FURX 877197	NDYX 877179