

AUG 15 '08

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LAW OFFICES OF  
**LOUIS E. GITOMER**

**SURFACE TRANSPORTATION BOARD**

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LOUIS E. GITOMER  
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August 15, 2008

Honorable Ann K. Quinlan  
Acting Secretary  
Surface Transportation Board  
Washington, DC 20423

Dear Acting Secretary Quinlan:

I have enclosed for e-filing the document described below, to be recorded pursuant to 49 U.S.C. § 11301.

The document is an Instrument of Lease Termination, a secondary document, dated as of July 31, 2008. The primary document to which this is connected is recorded under Recordation No. 26963. We request that this document be recorded under Recordation No. 26963-A.

The names and addresses of the parties to the Instrument of Lease Termination are:

Lessor:

GATX Rail Locomotive Group, L.L.C.  
Four Embarcadero Center, Suite 2200  
San Francisco, CA 94111

Lessee:

Escanaba & Lake Superior Railroad Co.  
1 Larkin Plaza  
Wells, MI 49894

A description of the equipment covered by the Instrument of Lease Termination consists of two SD40-2 locomotives numbered GSCX 7349 and EMDX 6306.

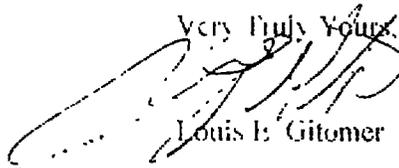
Honorable Ann K. Quinlan  
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A fee of \$41.00 is enclosed. Please return one copy by email to:

Louis E. Gitomer  
600 Baltimore Avenue, Suite 301  
Towson, MD 21204  
Lou\_Gitomer@verizon.net

A short summary of the document to appear in the index follows: an Instrument of Lease Termination between GATX Rail Locomotive Group, L.L.C., Four Embarcadero Center, Suite 2200, San Francisco, CA 94111, and Escanaba & Lake Superior Railroad Co., 1 Larkin Plaza, Wells, MI 49894, covering two SD40-2 locomotives numbered GSCX 7349 and FMDX 6306.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Louis E. Gitomer", is written over the typed name below.

Louis E. Gitomer

Enclosure

AUG 15 '08

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**SURFACE TRANSPORTATION BOARD**

INSTRUMENT OF LEASE TERMINATION (the "INSTRUMENT"), dated as of July 31, 2008 (the "Release"), between GATX Rail Locomotive Group, L.L.C. ("GATX"), formerly known as Locomotive Leasing Partners, L.L.C., and Escanaba & Lake Superior Railroad Co. ("Escanaba & Lake Superior").

## WITNESSETH

WHEREAS, a Memorandum of Lease Agreement dated as of March 26, 2007 between GATX, as lessor, and Escanaba & Lake Superior, as lessee, was recorded at the Surface Transportation Board (the "Board") on May 14, 2007 at 3:11 pm under Recordation Number 26963, for two SD40-2 locomotives numbered GSCX 7349 and EMDX 6306 (the "Locomotives") pursuant to that certain Locomotive Lease Agreement dated as of June 24, 2003 between GATX and Escanaba & Lake Superior (the "Lease");

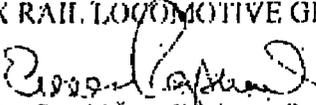
WHEREAS, GATX and Escanaba & Lake Superior desire to execute this INSTRUMENT to evidence for the public record the satisfaction and release of all of the obligations of Escanaba & Lake Superior and rights of GATX to the Locomotives under the Lease.

NOW, THEREFORE, in consideration of the premises:

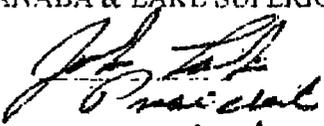
GATX and Escanaba & Lake Superior do hereby acknowledge and confirm for the public record the satisfaction and release of all rights and obligations arising under the Lease with respect to the Locomotives.

IN WITNESS WHEREOF, GATX and Escanaba & Lake Superior Railroad Co. have executed or caused this Instrument to be executed as of the date first above written.

GATX RAIL LOCOMOTIVE GROUP, L.L.C.

By:   
Its: Vice President - Business Operations

ESCANABA & LAKE SUPERIOR RAILROAD CO.

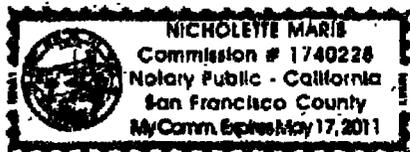
By:   
Its: President  
8/13/08

STATE OF CALIFORNIA )  
 )  
COUNTY OF SAN FRANCISCO )

On August 11, 2008 before me, Nicholette Maris, Notary Public, personally appeared Eileen Raphael, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.



*Nicholette Maris*  
\_\_\_\_\_  
Notary Public  
My Commission expires. May 17, 2011

MICHIGAN  
STATE OF NEBRASKA )  
DELTA )ss  
COUNTY OF DOUGLAS )

On this <sup>August</sup> 13 day of June 2008, before me personally appeared John Larkin, to me personally known, who being by me duly sworn, did say that he is an Authorized Officer of ~~Timon Pacific Railroad Company~~ <sup>Escanaba & Lake Superior Railroad</sup>, that the seal affixed to the foregoing instrument is the corporate seal of said corporation; that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and that he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

(Seal)  
  
Notary Public

My Commission Expires: November 10, 2010

