

ROSS, BANKS, MAY, CRON & CAVIN, P.C.  
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August 28, 2008

Secretary  
Surface Transportation Board  
395 "E" Street SW  
Washington, D.C. 20423

RECORDATION NO. 23849-A FILED

Via Overnight Delivery

AUG 29 '08

2-29 PM

Re: That certain note in the original principal amount of \$75,000.00 executed by **Louis J. Fox and Kye K. Fox** and payable to Bank of Houston ("Loan")  
Our File No. **4003-123**

Dear Secretary:

I hereby submit for filing and recording an executed original of a primary document, not previously recorded, the following Release:

Full Release of Security Agreement and Mortgage dated July 21, 2008 by Sterling Bank concerning the Security Agreement and Chattel Mortgage dated July 31, 2001 between Louis J. Fox and Kye K. Fox and Sterling Bank filed under Recordation Number 23849

Enclosed is our firm check number in the amount of \$41.00 in payment of the filing fees. The file-stamped copy of the Releases should be returned to the undersigned at the address provided below.

Thank you for your assistance and please do not hesitate to contact me at (713) 626-1200 should you have any questions or need additional information.

Very truly yours,

**ROSS, BANKS, MAY, CRON & CAVIN, P.C.**

  
Jim D. Hamilton  
For the Firm  
JDH/re

**SURFACE TRANSPORTATION BOARD**

**FULL RELEASE OF SECURITY AGREEMENT AND MORTGAGE**

This Release, dated as of July 21, 2008, is made by **Sterling Bank**.

1. Reference is made to the Security Agreement and Chattel Mortgage dated **July 31, 2001**, between **Louis J. Fox and Kye K. Fox**, as Mortgagor, and **Sterling Bank**, as Mortgagee, which was duly filed in accordance with 49 U.S.C. 11303(a), under Recordation Number **23849**, covering, among other items, the railcars described on Exhibit "A".

2. **Sterling Bank**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby releases any and all security interests, liens, claims and other encumbrances granted pursuant to said Security Agreement and Chattel Mortgage.

IN WITNESS WHEREOF, **Sterling Bank**, has caused this Release to be duly executed by its authorized officer as the day and year first above written.

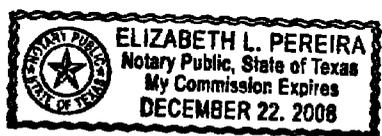
**Sterling Bank**

By: Elizabeth Green, V.P.  
Name: ELIZABETH GREEN  
Title: VICE PRESIDENT

STATE OF TEXAS                   §  
  §  
COUNTY OF HARRIS           §

On this 21<sup>ST</sup> day of JULY, 2008 before me personally appeared ELIZABETH GREEN, to me personally known, who, being duly sworn did say that <sup>SHE</sup> he is the VICE PRESIDENT of **Sterling Bank**, and that said instrument was signed on behalf of said institution, and he acknowledged that the execution of said instrument was the free act and deed of said institution.

Elizabeth L. Pereira  
NOTARY PUBLIC FOR THE STATE OF TEXAS



**EXHIBIT "A"**

**COLLATERAL**

Two (2) 34,000 gallon, pressure Railroad Tank Cars described as follows:

# PLMX 4115 (DOT #112J340W)

# PLMX 4203 (DOT #J400W)