

24561-A
RECORDATION NO. _____ FILED



FEB 13 '09 -10 57 AM

SURFACE TRANSPORTATION BOARD

February 11, 2009

Ms. Anne K. Quinlan, Esq.
Surface Transportation Board
Office of Proceedings
395 E Street, SW
Washington, DC 20423-00

Dear Ms. Quinlan:

Please find attached, one (1) copy of the Complete Release dated February 11, 2009 between the following parties:

Finger Lakes Railway Corp.
PO Box 1099
Geneva, NY 14456

The David J. Joseph Company
(f/k/a Joseph Transportation Services, Inc.)
300 Pike Street
Cincinnati, OH 45202

This filing is to appear in the index as follows: Complete Release dated February 11, 2009 related to twenty-five (25) railcars bearing reporting marks: TKEN 6000 - 6029, sporadic.

Please file this as a secondary document under Recordation Number 24561-A as it relates to documents previously filed with the Surface Transportation Board under Recordation Number 24561. The filing fee in the amount of \$41.00 can be charged to our account.

Should you have any questions or need further information, please do not hesitate to contact me at (513) 419-6082.

Sincerely,

Barbara A. Brzezicki
Contract Manager

Enclosures

Rail Equipment Group

300 Pike Street
Cincinnati, OH 45202-4214
Phone (513) 419-6200
Fax (513) 419-6221

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COMPLETE RELEASE

SURFACE TRANSPORTATION BOARD

This Complete Release (the "Release") releases the lien created by that certain Agreement dated as of May 1, 2003 (the "Agreement") between The David J. Joseph Company (f/k/a Joseph Transportation Services, Inc.) as Lessor ("Joseph") and Finger Lakes Railway Corp., as Lessee ("Lessee"), with respect to twenty-five (25) railcars (hereinafter, the "Railcars").

WHEREAS, Joseph and Lessee memorialized the Agreement of record by filing a Memorandum of Railroad Equipment Lease Agreement dated as of May 1, 2003 ("Memorandum of Lease") with the Surface Transportation Board (the "STB"); and

WHEREAS, the Memorandum of Lease was recorded with the STB under Recordation Number 24561;

NOW THEREFORE, in consideration of the premises and mutual covenants and agreements set forth herein and for other good and valuable consideration, the receipt of which is hereby acknowledged, Joseph acknowledges as follows:

1. The Memorandum of Lease is hereby terminated. The parties hereby releases all rights, interests or claims to, and all liens and encumbrances upon, the Railcars as given under the Memorandum of Lease.
2. The parties desire to execute this Release for purposes of memorializing of record the agreements set forth herein.
3. This Release shall be filed with the STB under Recordation No. 24561-A.

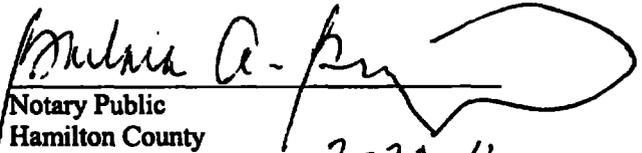
IN WITNESS WHEREOF, Joseph has caused this Release to be duly executed by its respective officer duly authorized as of the date and year first above written.

THE DAVID J. JOSEPH COMPANY

By: Kelly C. Poellein
Name: Kelly C. Poellein
Title: Vice President Finance, Brokerage

State of OHIO)
County of HAMILTON)ss

The foregoing instrument was acknowledged before me this 11th day of February, 2009 by Kelly C. Poellein, the Vice President Finance, Brokerage of The David J. Joseph Company, a Delaware corporation, on behalf of the said corporation.


Notary Public
Hamilton County
My commission expires: 2-20-11



BARBARA A. BRZEICKI
Notary Public, State of Ohio
My Commission Expires 02-20-11

EXHIBIT A

RAILCARS: (25) railcars bearing reporting marks:

**TKEN006000
TKEN006001
TKEN006002
TKEN006003
TKEN006004
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