

FIRST UNION RAIL

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

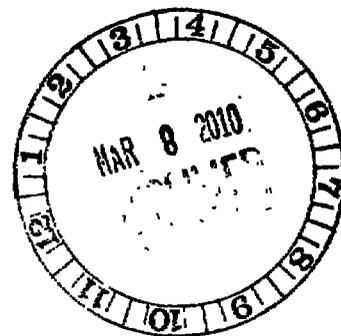
Tel 847.318.7575
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RECORDATION NO. 29127 FILED

MAR 08 '10

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SURFACE TRANSPORTATION BOARD



VIA UPS 2nd DAY AIR

March 4, 2010

Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W., Suite 100
Washington, DC 20423-0001
Re: Documents for Rail Recordation

Re: Memorandum of Lease Agreement

Dear Section Chief:

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 December 11, 2009 a primary document as defined in the Board's Rules for the Recordation of Documents. Please file this Memorandum of Lease as a primary document since a Master Lease has not been filed with the Surface Transportation Board. The names and addresses of the parties to the enclosed document are:

| | | | |
|---------|------------------------------|---------|-------------------------|
| Lessor: | First Union Rail Corporation | Lessee: | Danimer Scientific, LLC |
| | One O'Hare Centre | | 1301 Colquitt Highway |
| | 6250 River Road, Suite 5000 | | Bainbridge, GA 39817 |
| | Rosemont, IL 60018 | | |

A description of the railroad equipment covered by the enclosed document is for eight (8) 5851 cu. ft. capacity, lined covered hopper cars, having FURX 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 \$41.00 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,

A handwritten signature in black ink, appearing to read "Marcia Dunne".

Marcia Dunne
Senior Documentation Specialist

Enclosure

(DASC001)

ASSGN. NO.: DASC 001

MAR 08 '10

5-11 PM

MEMORANDUM OF LEASE

SURFACE TRANSPORTATION BOARD

THIS MEMORANDUM OF LEASE (the "Memorandum") is made and entered into as of this the 11th day of DECEMBER, 2009, by and between First Union Rail Corporation ("Lessor"), a North Carolina corporation, and DaniMer Scientific, LLC ("Lessee"), a Georgia corporation.

WITNESSETH:

The undersigned Lessor and Lessee have entered into that certain Lease Agreement (the "Lease"), dated as of DECEMBER 11, 2009, whereby Lessor has agreed to lease to Lessee certain railcars pursuant to Rider No. 1 to the Lease (the "Rider"), as described in more particular on Exhibit A attached hereto, effective as of DECEMBER 11, 2009, 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

By: Richard F. Seymour

Name: RICHARD F. SEYMOUR
VICE PRESIDENT RAIL

Title: _____

ATTEST:

By: Susan Grokulska

Name: SUSAN GROKULSKY
ASSISTANT DIRECTOR

Title: OF DOCUMENTATION

Executed on this 4th day of January, 2010.

[CORPORATE SEAL]

STATE OF ILLINOIS

COUNTY OF COOK

I, GEORGIA FREIBURGER, 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 4th day of January, 2010

[Signature]
Notary Public

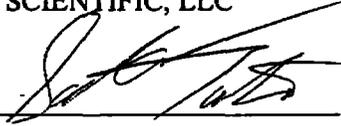
My Commission Expires:

6-2012
(Notary Public)



LESSEE:

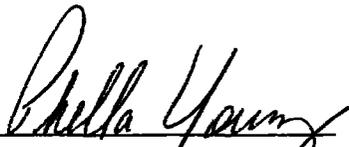
DANIMER SCIENTIFIC, LLC

By: 

Name: SCOTT TUTTEN

Title: SR. VICE-PRESIDENT

ATTEST:

By: 

Name: Phella Young

Title: MFG. COORDINATOR

Executed on this 11th day of DECEMBER, 2009.

[CORPORATE SEAL]

STATE OF GEORGIA

COUNTY OF DECATUR

I, Patricia Eenigenburg, a Notary Public of the County and State aforesaid, certify that Scott Tutten 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 11th day of December, 2009.

Commission Expires:

Jan. 7, 2013
(Notary Public)

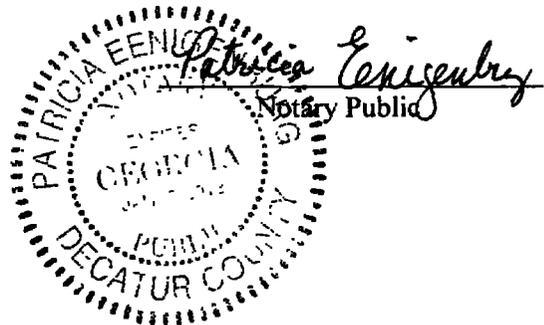


EXHIBIT A
to
MEMORANDUM OF LEASE

NUMBER OF CARS: Eight (8)

DESCRIPTION OF CARS: 5851 cu. ft. capacity lined plastic pellet covered hopper Cars with
pneumatic gates and round hatch covers and 286,000 GRL.

CAR NUMBERS:

FURX 870030
FURX 870082
FURX 870103
FURX 870144
FURX 870388
FURX 870403
FURX 870530
FURX 870531