

RECORDATION NO. 21895-B FILED

NOV 15 '10 -3 35 PM

**SURFACE TRANSPORTATION BOARD**

ALVORD AND ALVORD  
ATTORNEYS AT LAW  
1050 SEVENTEENTH STREET, N W  
SUITE 301  
WASHINGTON, D C  
20036  
  
(202) 393-2266  
FAX (202) 393-2156  
E-MAIL alvordlaw@aol.com

ELIAS C. ALVORD (1942)  
ELLSWORTH C. ALVORD (1964)

November 15, 2010

Chief  
Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 "E" Street, S.W.  
Washington, D.C. 20423

Dear Section Chief:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) are two (2) copies of a Memorandum of Partial Release of Trust Indenture, Assignment of Lease and Security Agreement, dated as of November 15, 2010, a secondary document as defined in the Board's Rules for the Recordation of Documents.

The enclosed document relates to the Memorandum of Trust Indenture, Assignment of Lease and Security Agreement previously filed with the Commission under Recordation Number 21895-A.

The name and address of the party to the enclosed document are:

Indenture Trustee: Manufacturers and Traders Trust Company  
(successor to The First National Bank of  
Maryland)  
25 South Charles Street  
Baltimore, Maryland 21202

[Owner Trustee: Wells Fargo Bank Northwest, National  
Association  
299 South Main Street, 12th Floor  
Salt Lake City, Utah 84111]

Chief, Section of Administration  
November 15, 2010  
Page 2

A description of the railroad equipment covered by the enclosed document is:

35 tank cars: MLBX 28361 - MLBX 28395.

A short summary of the document to appear in the index is:

Memorandum of Partial Release of Trust Indenture, Assignment of Lease and Security Agreement.

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 stamped copies of the enclosed document to the undersigned.

Very truly yours,



Robert W. Alvord

RWA/bhs  
Enclosures

NOV 15 '10 -3 35 PM

**MEMORANDUM OF  
PARTIAL RELEASE OF TRUST INDENTURE, SURFACE TRANSPORTATION BOARD  
ASSIGNMENT OF LEASE AND SECURITY AGREEMENT**

**(Surface Transportation Board)**

THIS MEMORANDUM OF PARTIAL RELEASE OF TRUST INDENTURE, ASSIGNMENT OF LEASE AND SECURITY AGREEMENT (this "Partial Release") is dated as of this 15<sup>th</sup> day of November, 2010, by MANUFACTURERS AND TRADERS TRUST COMPANY (as successor in interest to The First National Bank of Maryland) (not in its individual capacity, but solely as Indenture Trustee, the "Indenture Trustee"), having a place of business at 25 South Charles Street, 11<sup>th</sup> Floor, MD2-CS58, Baltimore, Maryland 21202.

The Indenture Trustee, as successor indenture trustee, and Wells Fargo Bank Northwest, National Association (successor to the First Security Bank, National Association) (not in its individual capacity but solely as Owner Trustee, the "Debtor"), are parties to that certain Trust Indenture, Assignment of Lease and Security Agreement dated as of December 1, 1998 (collectively, the "Indenture").

The Indenture Trustee, as successor indenture trustee, and the Debtor, as successor debtor, are also parties to that certain Memorandum of Trust Indenture, Assignment of Lease and Security Agreement dated as of December 1, 1998, bearing Surface Transportation Board Recordation No. 21895-A, filed December 23, 1998 (the "Memorandum").

NOW, THEREFORE, in consideration of the premises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Secured Party hereto submits the following:

1. The Indenture Trustee releases any lien against the railcars described in Exhibit A attached hereto and made a part hereof (collectively, the "Released Railcars") created by or arising out of the Indenture and the Memorandum.
2. This Partial Release does not affect any right of the Indenture Trustee to, or the lien of the Indenture Trustee evidenced by the Memorandum on, any of the remaining railcars subject to the Indenture and the Memorandum.
3. This Partial Release shall be recorded with the Surface Transportation Board so as to record the release of the lien against the Released Railcars constituted by the Indenture and the Memorandum.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the Indenture Trustee has caused this Partial Release to be duly executed under seal as of the date first above written.

WITNESS:

MANUFACTURERS AND TRADERS  
TRUST COMPANY

*Nancy E. Stegner*

By: *Artis Cummings* (SEAL)  
Artis Cummings, CCTS  
Banking Officer

STATE OF MARYLAND, COUNTY/CITY OF Baltimore, TO WIT:

On this 1<sup>st</sup> day of November, 2010, before me personally appeared ARTIS CUMMINGS, to me personally known, who being by me duly sworn, says that she is the duly authorized Banking Officer of MANUFACTURERS AND TRADERS TRUST COMPANY, that said instrument was signed on behalf of said banking corporation, by authority of its Board of Directors, and that she acknowledged that the execution of the foregoing instruments was the free act and deed of said banking corporation.

IN WITNESS WHEREOF I have set my hand and seal.

*Debra K. Bryant*  
Notary Public

(SEAL)

My Commission Expires:

4/1/2014

**Exhibit A**

**DESCRIPTION OF RELEASED RAILCARS**

AAR Class 211A100W1 tank cars manufactured by Trinity Industries, Inc. bearing the following road marks and numbers:

MBLX	28361
MBLX	28362
MBLX	28363
MBLX	28364
MBLX	28365
MBLX	28366
MBLX	28367
MBLX	28368
MBLX	28369
MBLX	28370
MBLX	28371
MBLX	28372
MBLX	28373
MBLX	28374
MBLX	28375
MBLX	28376
MBLX	28377
MBLX	28378
MBLX	28379
MBLX	28380
MBLX	28381
MBLX	28382
MBLX	28383
MBLX	28384
MBLX	28385
MBLX	28386
MBLX	28387
MBLX	28388
MBLX	28389
MBLX	28390
MBLX	28391
MBLX	28392
MBLX	28393
MBLX	28394
MBLX	28395

CERTIFICATION

I, Robert W. Alvord, attorney licensed to practice in the State of New York and the District of Columbia, do hereby certify under penalty of perjury that I have compared the attached copy with the original thereof and have found the copy to be complete and identical in all respects to the original document.

Dated:

11/15/10



\_\_\_\_\_  
Robert W. Alvord