

RECORDATION NO. 27592-A FILED

MAR 30 '12 -10 56 AM

SURFACE TRANSPORTATION BOARD



Houston Harbaugh  
ATTORNEYS AT LAW

**COPY**

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File # 24446-3

March 27, 2012

**VIA FEDERAL EXPRESS**

Cynthia Brown, Section Chief  
Office of Proceedings  
Surface Transportation Board  
395 E Street SW  
Washington, DC 20423

**RE: Secondary Document for Recordation – Full Termination of Lease of Locomotive Lease Agreement between National Railway Equipment Co. and Allegheny Valley Railroad Company dated July 23, 2008 – Recordation Number 27592 for Locomotive EMD Model GP-11, Number NREX 8749**

Dear Chief Brown:

Enclosed for recordation with the Surface Transportation Board (the “STB”) is one (1) original and two (2) copies of a fully executed Full Termination of Lease (the “Termination”) to terminate that certain Locomotive Lease Agreement between National Railway Equipment Co., as the Lessor, and Allegheny Valley Railroad Company, as the Lessee, dated July 23, 2008. Also enclosed is a check in the amount of \$41.00 for the filing fee.

The enclosed Termination is to be recorded pursuant to Section 11301 of Title 49 of the U.S. Code. The Termination is a secondary document, connected to that certain Lease Agreement as filed with the STB at Recordation Number 27592, filed August 6, 2008 at 3:50 p.m.

Kindly process the enclosed Release for filing and return the original and one (1) filed copy of the Termination to our offices in the enclosed, self-addressed, stamped envelope provided.

For indexing purposes, the Release may be indexed as follows:

**Secondary Document for Recordation – Full Termination of Lease**  
**Primary Document: Locomotive Lease Agreement dated July 23, 2008**

Three Gateway Center • 401 Liberty Avenue 22nd Floor • Pittsburgh PA 15222-1005

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**Primary Document Recordation Number/Date:** 27592, August 6, 2008 at 3:50 pm  
**Lessor:** National Railway Equipment Co.  
**Lessee:** Allegheny Valley Railroad Company  
**Equipment for Release:** National Railway Equipment Co. EMD Model GP-11, Number NREX 8749.

If you should have any questions regarding this filing, please contact me at (412) 288-5003 or at the e-mail address set forth above. You may also contact Danielle N. Hykes, Esq. at (412) 288-2262 or at [hykesdn@hh-law.com](mailto:hykesdn@hh-law.com).

Thank you for your attention to this matter.

Very truly yours,



Lisa M. Jaras  
Paralegal to Danielle N. Hykes, Esq.

cc: Mr. Russell A. Peterson (via email)  
Ms. Amy Smith (via email)  
Danielle N. Hykes, Esq. (via email)

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FULL TERMINATION OF LEASE

**COPY**

**SURFACE TRANSPORTATION BOARD**

The undersigned, acting in the capacity as set forth below and on behalf of NATIONAL RAILWAY EQUIPMENT CO. (the "Lessor"), publishes this notice that the certain Locomotive Lease Agreement dated as of July 23, 2008 (together with all riders, schedules and other attachments and any amendments thereto, collectively, the "Lease"), between the Lessor and ALLEGHENY VALLEY RAILROAD COMPANY (the "Lessee") for the lease of certain locomotive(s), has been terminated, in full, with respect to the railroad equipment under the Lease including, but not limited to, the railroad equipment set forth in Exhibit A.

A Memorandum of Lease was duly filed with the Surface Transportation Board under Recordation Number 27592 on August 6, 2008 at 3:50 p.m.

Dated this 19<sup>th</sup> day of March, 2012.

NATIONAL RAILWAY EQUIPMENT CO.

By: *James M. Wurtz, Jr.*

Name: JAMES M. WURTZ, JR.

Title: VP MARKETING & SALES

State/Commonwealth of Illinois )  
County of Cook )

ss:

On this 19<sup>th</sup> day of March, 2012, before me a Notary Public in and for said County and State, personally appeared JAMES M. WURTZ JR., who acknowledged himself/herself to be a duly authorized officer of NATIONAL RAILWAY EQUIPMENT CO., and that, as such officer, being authorized to do so, he/she executed the foregoing instrument for the purposes therein contained.



*Susan Smentek*  
NOTARY PUBLIC

My Commission expires: 9-26-2015

EXHIBIT A

<u>Manufacturer and/or Vendor Name</u>	<u>Equipment Description</u>
National Railway Equipment Co.	One EMD model GP – 11 General Purpose Locomotive, bearing road number NREX 8749