

RECORDATION NO 27970-B FILED
May 31, 2012 03:38 PM
SURFACE TRANSPORTATION BOARD

LAW OFFICES OF
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May 31, 2012

Ms. Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D. C. 20423

Dear Ms. Brown:

I have enclosed for e-filing the document described below, to be recorded pursuant to 49 U.S.C. § 11301.

The document is a Lease Termination, a secondary document, dated as of May 30, 2012. The primary document to which this is connected is Recordation No. 27970. We request that this document be recorded under Recordation No. 27970-B.

The names and addresses of the parties to the Lease Termination are:

Lessor:

General Electric Capital Corporation
4 North Park Drive, Suite 500
Hunt Valley MD 21030

Lessee:

DAK Americas LLC
6324 Fairview Road
Charlotte, NC 28210

A description of the equipment covered by the Lease Termination consists of 96 covered hopper cars numbered DAKX 45177-45184, inclusive, 45186-45252, inclusive, and 45254-45274, inclusive.

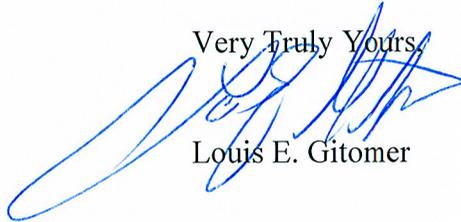
Ms. Cynthia T. Brown
May 31, 2012
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A fee of \$41.00 is enclosed. Please return one copy by email to:

Louis E. Gitomer
600 Baltimore Avenue, Suite 301
Towson, MD 21204
Lou_Gitomer@verizon.net

A short summary of the document to appear in the index follows: a Lease Termination between General Electric Capital Corporation, 4 North Park Drive, Suite 500, Hunt Valley MD 21030, and DAK Americas LLC, 6324 Fairview Road, Charlotte, NC 28210, covering 96 covered hopper cars numbered DAKX 45177-45184, inclusive, 45186-45252, inclusive, and 45254-45274, inclusive.

Very Truly Yours,



Louis E. Gitomer

Enclosure

LEASE TERMINATION

This Lease Termination dated as of May 30, 2012 is between General Electric Capital Corporation, as Lessor ("Lessor"), and DAK Americas LLC, as Lessee ("Lessee").

WHEREAS, Lessor and Lessee entered a Memorandum of Lease Agreement dated as of June 11, 2009, as it relates to that certain Rail Equipment Net Leasing Agreement dated as of May 28, 2009 (the "Lease") between Banc of America Leasing & Capital, LLC ("BALC"), as lessor, and DAK Americas LLC, as lessee, which was recorded at the Surface Transportation Board (the "Board") under Recordation No. 27970 at 9:20 am on June 12, 2009 for 96 covered hopper cars numbered DAKX 45177-45184, inclusive, 45186-45252, inclusive, and 45254-45274, inclusive (the "Equipment");

WHEREAS, BALC, as assignor, and General Electric Capital Corporation, as assignee, entered into Memorandum of Assignment of Lease dated as of June 11, 2009, as it relates to that certain Assignment and Specification of Assigned Lease Schedule to that certain Master Assignment Agreement which was recorded at the Board under Recordation No. 27970-A at 9:23 am on June 12, 2009 for the Equipment;

WHEREAS, the rights, interests and obligations of Lessor and Lessee under the Lease have been fulfilled; and

WHEREAS, Lessor and Lessee have agreed to terminate the Lease insofar as the same relates to the Equipment.

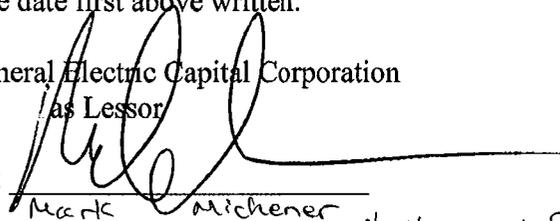
NOW, THEREFORE, in consideration of the premises, Lessor and Lessee hereby acknowledge and confirm for the public record the termination of the Lease, and all rights and obligations arising under the Lease with respect to the Equipment; provided that notwithstanding anything to the contrary contained herein, this Lease Termination shall not impair or terminate any of the rights and obligations of the parties under the Lease expressed to survive pursuant to the terms of the Lease.

This Lease Termination may be executed in separate counterparts, each of which when so executed and delivered shall be an original for all purposes, but all such counterparts shall constitute but one and the same instrument.

[Signature Page Follows]

IN WITNESS WHEREOF, Lessor and Lessee have executed or caused this Lease
Termination to be duly executed as of the date first above written.

General Electric Capital Corporation
as Lessor

By: 
Mark Michener

Its: Portfolio Manager and Authorized Signatory

DAK Americas LLC
as Lessee

By: _____

Its: _____

IN WITNESS WHEREOF, Lessor and Lessee have executed or caused this Lease Termination to be duly executed as of the date first above written.

General Electric Capital Corporation
as Lessor

By: _____

Its: _____

DAK Americas LLC
as Lessee

By: _____

Its: ~~Se. VP of Corporate Development~~
OSCAR JAVIER MONTENAYOR TREVIÑO

By: _____

Its: ~~Se. Dir. Corporate Administration~~
Alejandro Gutierrez Martinez



STATE OF MASSACHUSETTS)
) ss.
County of Suffolk)

On this ___ day of May 2012, before me appeared _____, the person who signed this instrument, who acknowledged that (s)he is the _____ of General Electric Capital Corporation and that, being duly authorized, (s)he signed such instrument as a free act on behalf of said corporation.

Notary Public

My Commission expires _____

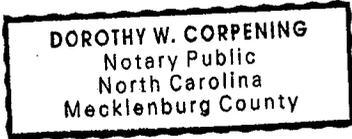
STATE OF NORTH CAROLINA)
) ss.
County of Mecklenberg)

On this 25 day of May 2012, before me appeared Alejandro Gutierrez Hernandez the person who signed this instrument, who acknowledged that (s)he is the Sr. Dir. Corporate Administration of DAK AMERICAS LLC and that, being duly authorized, (s)he signed such instrument as a free act on behalf of said corporation.

Dorothy W. Corpening

Notary Public

My Commission expires Sept 2, 2013



STATE OF NORTH CAROLINA)
) ss.
County of Mecklenberg)

On this 25 day of May 2012, before me appeared ~~Jose Javier Montoya Treviño~~ the person who signed this instrument, who acknowledged that (s)he is the ~~Se. VP. Corporate Development~~ of DAK AMERICAS LLC and that, being duly authorized, (s)he signed such instrument as a free act on behalf of said corporation.

Dorothy W. Corpening
Notary Public

My Commission expires Sept. 2, 2013

