

RECORDATION NO. 27461-D FILED

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SURFACE TRANSPORTATION BOARD



May 10, 2011

Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

Dear Section Chief:

Please find attached, one (1) copy of the Release of Lien dated April 29, 2010 between the following parties:

Wells Fargo Equipment Finance, Inc.  
733 Marquette Avenue, Suite 700  
Minneapolis, MN 55402

The David J. Joseph Company  
300 Pike Street  
Cincinnati, OH 45202

This filing is to appear in the index as follows: Release of Lien effective April 29, 2011 related to fifty-five (55) railcars bearing reporting marks: JTSX 54009 – 54065, sporadic.

Please file this as a secondary document under Recordation Number 27461-D as it relates to documents previously filed with the Surface Transportation Board under Recordation Numbers 27461 through 27461-C. 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) 419-6062.

Sincerely,

A handwritten signature in cursive script that reads 'Julie Woodard'.

Julie Woodard  
Documentation Coordinator

Enclosures

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**RELEASE**

SURFACE TRANSPORTATION BOARD

This Release is entered into as of April 29, 2011, and effective as of April 29, 2011, between The David J Joseph Company, a Delaware Corporation ("DJJ") and Wells Fargo Equipment Finance, Inc., a Minnesota corporation ("WFEFI").

WHEREAS, DJJ assumed Car Leasing Agreement 4711-97-0 as well as Rider No. 3 to Renewal No. 1 of the Car Leasing Agreement and Amendment No. 1 to Rider No. 3 (collectively, the "Lease"), with P.H. Glatfelter Company ("Lessee") for the fifty-five (55) railcars (the "Railcars") listed on Exhibit A attached hereto; and

WHEREAS, DJJ entered into a Purchase and Sale Agreement with WFEFI dated March 27, 2008 (the "Agreement"), pursuant to which (a) WFEFI purchased the Railcars; (b) DJJ assigned the Lease to which the Railcars are subject (the "Assignment"); and (c) WFEFI granted DJJ certain rights in such Railcars which operated as a lien upon such Railcars (the "Rights");

WHEREAS, DJJ, Lessee and WFEFI memorialized the Lease, Assignment, and Rights of record by filing a Memorandum of Railroad Equipment Lease Agreement dated April 15, 2008, a Memorandum of Amendment No. 1 to Railroad Equipment Lease dated March 12, 2009, a Memorandum of Assignment and Assumption Agreement, and a Memorandum of Options, Rights of First Refusal and Remarketing Rights, both dated March 27, 2008, by filing them with the Surface Transportation Board (the "STB");

WHEREAS, the Memorandum of Railroad Equipment Lease Agreement was recorded with the STB and assigned Recordation #27461, the Memorandum of Amendment No 1 was recorded with the STB and assigned Recordation # 27461-C, the Memorandum of Assignment and Assumption Agreement and the Memorandum of Options, Rights of First Refusal and Remarketing Rights were both recorded with the STB and assigned recordation numbers 27461-A and 27461-B, respectively;

WHEREAS, the Lease has expired and such Railcars have been sold by WFEFI to DJJ without an assignment of the Lease attached.

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, DJJ and WFEFI agree as follows:

1. The Memorandum of Railroad Equipment Lease Agreement, the Memorandum of Amendment No. 1, the Memorandum of Options, Rights of First Refusal and Remarketing Rights; and the Memorandum of Assignment and Assumption Agreement are hereby terminated, thereby releasing all rights, interests or claims to, and all liens and encumbrances upon, the Railcars, by any person or entity, and that such Railcars may be sold, leased or otherwise transferred.

2. This Release of Lien will be filed with the STB and receive recordation # 27461-D

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**IN WITNESS WHEREOF**, the parties hereto have each caused this Release to be duly executed by their respective officers duly authorized as of the date and year first above written.

**THE DAVID J. JOSEPH COMPANY**

By: Kelly C. Bellein  
Name: Kelly C. Bellein  
Title: VP Finance, Brokerage

**WELLS FARGO EQUIPMENT FINANCE, INC.**

By: Julie Milbrath  
Name: Julie Milbrath  
Title: Assistant Vice President

State of OHIO )  
 ) ss:  
County of HAMILTON )

The foregoing instrument was acknowledged before me this 29 day of April, 2011, by Kelly C. Poellein, the Vice President, Finance – Brokerage of The David J. Joseph Company, a Delaware corporation, on behalf of the corporation.

Julie Woodard  
Notary Public  
Hamilton County

~~My Commission has no expiration.~~



Julie M. Woodard  
Notary Public, State of Ohio  
My Commission Expires 09-24-2012

State of MINNESOTA )  
 ) ss:  
County of Hennepin )

The foregoing instrument was acknowledged before me this 29<sup>th</sup> day of April, 2011, by Julie Milbrath the Assistant Vice President of Wells Fargo Equipment Finance, Inc., a Minnesota corporation, on behalf of the corporation.



Jeanne E. Samuelson  
Notary Public

My Commission Expires:

1-31-15

**EXHIBIT A**

**DESCRIPTION OF EQUIPMENT:**

Fifty-five (55) railcars bearing reporting marks:

<b><u>Reporting Mark &amp; Number</u></b>	<b><u>Reporting Mark &amp; Number</u></b>	<b><u>Reporting Mark &amp; Number</u></b>
JTSX 54009	JTSX 54030	JTSX 54049
JTSX 54010	JTSX 54031	JTSX 54050
JTSX 54011	JTSX 54032	JTSX 54051
JTSX 54012	JTSX 54033	JTSX 54052
JTSX 54013	JTSX 54034	JTSX 54053
JTSX 54014	JTSX 54035	JTSX 54054
JTSX 54016	JTSX 54036	JTSX 54055
JTSX 54017	JTSX 54037	JTSX 54056
JTSX 54019	JTSX 54038	JTSX 54057
JTSX 54020	JTSX 54039	JTSX 54058
JTSX 54021	JTSX 54040	JTSX 54059
JTSX 54022	JTSX 54041	JTSX 54060
JTSX 54023	JTSX 54042	JTSX 54061
JTSX 54024	JTSX 54043	JTSX 54062
JTSX 54025	JTSX 54044	JTSX 54063
JTSX 54026	JTSX 54045	JTSX 54064
JTSX 54027	JTSX 54046	JTSX 54065
JTSX 54028	JTSX 54047	
JTSX 54029	JTSX 54048	