

RECORDATION NO 27394-I FILED  
July 11, 2012 04:15 PM  
SURFACE TRANSPORTATION BOARD

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OF COUNSEL  
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July 11, 2012

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 Lease Termination, dated as of June 29, 2012, a secondary document as defined in the Board's Rules for the Recordation of Documents.

The enclosed document relates to the documents previously filed with the Board under Recordation Number 27394.

The names and addresses of the parties to the enclosed document are:

Lessor: Banc of America Leasing & Capital, LLC  
One Financial Plaza  
Providence, RI 02903

[Lessee: Garnet of Maryland, Inc.  
8077 Brock Bridge Road  
Jessup, MD 20794]

Chief  
Section of Administration  
July 11, 2012  
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A description of the railroad equipment covered by the enclosed document is:

80 gondola railcars: USWX 8100 – USWX 8179.

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

Memorandum of Lease Termination.

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,

A handwritten signature in black ink, appearing to read 'EML', with a long horizontal flourish extending to the right.

Edward M. Luria

EML/sem  
Enclosures

MEMORANDUM OF LEASE TERMINATION ("Memorandum"), dated as of June 29, 2012, by and between BANC OF AMERICA LEASING & CAPITAL, LLC ("Lessor") and GARNET OF MARYLAND, INC. ("Borrower"). Capitalized terms used herein which are not defined herein shall have their respective meanings ascribed thereto as set forth in the Lease (defined below).

WHEREAS, Lessor and Lessee entered into that certain (a) Lease Agreement dated as of October 22, 2007 (as amended, modified and/or supplemented from time to time, the "Master Lease") (b) Schedule No. 1 to the Master Lease dated as of February 28, 2008 ("Schedule No. 1" such Schedule No. 1 and the Master Lease, to the extent incorporated therein, the "Lease Agreement No. 1"), (c) Schedule No. 2 to the Master Lease dated as of March 3, 2008 ("Schedule No. 2" such Schedule No. 2 and the Master Lease, to the extent incorporated therein, the "Lease Agreement No. 2"), (d) Schedule No. 3 to the Master Lease dated as of March 11, 2008 ("Schedule No. 3" such Schedule No. 3 and the Master Lease, to the extent incorporated therein, the "Lease Agreement No. 3") and (e) Schedule No. 4 to the Master Lease dated as of March 18, 2008 ("Schedule No. 4" such Schedule No. 4 and the Master Lease, to the extent incorporated therein, the "Lease Agreement No. 4" and together with Lease Agreement No. 1, Lease Agreement No. 2 and Lease Agreement No. 3, collectively, the "Lease") with respect to the equipment described on Exhibit A hereto (the "Equipment");

WHEREAS, the Master Lease and Lease Agreement No. 1 were duly filed and recorded with the Surface Transportation Board ("STB") on February 29, 2008 under Recordation Number 27394, Lease Agreement No. 2 was duly filed with the STB on March 13, 2008 under Recordation Number 27394-B, Lease Agreement No. 3 was duly filed with the STB on March 21, 2008 under Recordation Number 27394-E and Lease Agreement No. 4 on March 27, 2008 under Recordation Number 27394-F.

WHEREAS, effective as of the June 28, 2012, the Lease was terminated with respect to the Equipment; and

WHEREAS, the Lessor and Lessee wish to show for the public record the existence of the termination of the Lease.

NOW, THEREFORE, to accomplish the foregoing, this document constitutes a release of all interests, claims, liens, or encumbrances over the Equipment covered by the Lease and identified in the filings made under Recordation Numbers 27394, 27394-B, 27394-E and 27394-F. The Lessor and Lessee are filing this Memorandum with the STB pursuant to 49 USC Section 11301(a).

This Memorandum may be executed in any number of counterparts, each executed counterpart constituting an original but all together only one such memorandum.

BANC OF AMERICA LEASING & CAPITAL,  
LLC, as Lessor

By: David F. Buccolo  
Name: David F. Buccolo  
Title: Director

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1129

State of California

County of San Francisco

On June 29, 2012 before me, Lori Kerfus, Notary Public

personally appeared David F. Buccolo

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Lori Kerfus

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Memo of Termination

Document Date: Number of Pages:

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:

Corporate Officer - Title(s):

Individual

Partner - Limited General

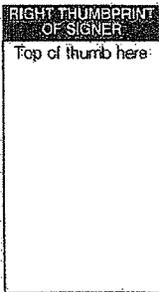
Attorney in Fact

Trustee

Guardian or Conservator

Other:

Signer Is Representing:



Signer's Name:

Corporate Officer - Title(s):

Individual

Partner - Limited General

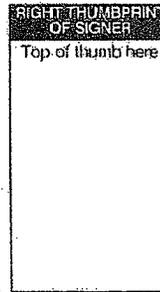
Attorney in Fact

Trustee

Guardian or Conservator

Other:

Signer Is Representing:



This Memorandum may be executed in any number of counterparts, each executed counterpart constituting an original but all together only one such memorandum.

GARNET OF MARYLAND, INC., as Lessee

By: Robert C. Biggs  
Name: Robert C. Biggs  
Title: Vice President



**EXHIBIT A to  
Memorandum**

**DESCRIPTION OF EQUIPMENT**

Eighty (80) 8700 Cubic Foot Gondola Railcars with the following reporting marks and numbers:

USWX 8100-8179, inclusive

CERTIFICATION

I, Edward M. Luria, an attorney licensed to practice in the District of Columbia, the State of Delaware and the Commonwealth of Pennsylvania, 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: 7/11/12

Edward M Luria  
Edward M. Luria