

RECORDATION NO 23619-G

FILED

September 6, 2012 04:51 PM

LAW OFFICES OF  
**LOUIS E. GITOMER, LLC.**  
SURFACE TRANSPORTATION BOARD

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September 6, 2012

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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 Termination, a secondary document, dated as of August 30, 2012. The primary document to which this is connected is recorded under Recordation Number 23619. We request that this document be recorded under Recordation Number 23619-G.

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

Lessor:

Midwest Railcar Corporation  
3 Professional Park Drive, Suite B  
Maryville, IL 62062

Lessee:

Alabama & Gulf Coast Railway, LLC  
224 N Mount Pleasant Avenue  
Monroeville AL 36461

A description of the equipment covered by the Termination consists of 20 gondola cars numbered AGR 119712, 119756, 119781, 119806, 119823, 119841, 119890, 119956, 119961, 174200, 174206, 174255, 174267, 174288, 585556, 585568, 585575, 586026, 586155, 586202, and 586254.

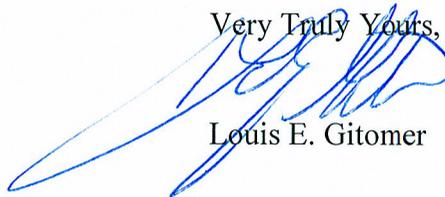
Ms. Cynthia T. Brown  
September 6, 2012  
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A fee of \$42.00 is enclosed. Please return one copy by email to:

Louis E. Gitomer  
600 Baltimore Avenue, Suite 301  
Towson, MD 21204  
Lou@lgrailaw.com

A short summary of the document to appear in the index follows: a Termination by Midwest Railcar Corporation, 3 Professional Park Drive, Suite B, Maryville, IL 62062, and Alabama & Gulf Coast Railway, LLC, 224 N Mount Pleasant Avenue, Monroeville AL 36461, covering 20 gondola cars numbered AGR 119712, 119756, 119781, 119806, 119823, 119841, 119890, 119956, 119961, 174200, 174206, 174255, 174267, 174288, 585556, 585568, 585575, 586026, 586155, 586202, and 586254.

Very Truly Yours,



Louis E. Gitomer

Enclosure

**TERMINATION**

This Termination, dated as of August 30, 2012, is between Midwest Railcar Corporation ("Midwest"), as lessor, and Alabama & Gulf Coast Railway, LLC ("Alabama"), as lessee.

**WHEREAS**, Midwest and Alabama entered that certain Railcar Lease dated as of June 25, 2001 (the "Lease") for 21 gondola cars numbered AGR 119712, 119756, 119781, 119806, 119823, 119841, 119890, 119956, 119961, 174200, 174206, 174255, 174267, 174288, 585556, 585568, 585575, 586026, 586155, 586202, and 586254 (the "Lien Equipment"); and

**WHEREAS**, a Memorandum of Lease dated as of June 25, 2001 (the "Memorandum") between Midwest, as lessor, and Alabama, as lessee, was recorded at the Surface Transportation Board on August 17, 2001 at 1:12 pm under Recordation No. 23619- A for the Lien Equipment; and

**WHEREAS**, the duties and obligations of the parties to the Lease and Memorandum with respect to the Lien Equipment have been satisfied and discharged.

**NOW, THEREFORE**, in consideration of the promises and covenants in the documents set forth above by reference, and for other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and the authority to issue and execute this document, intending to be legally bound, Midwest and Alabama hereby terminate and cancel the Lease and Memorandum with respect to the Lien Equipment as of the date herein first written above; provided that this termination does not apply to provisions of the Lease and Memorandum stated to survive such termination.

This 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.

**IN WITNESS WHEREOF**, the parties hereto have caused this Termination to be duly executed as of the date hereinabove first written.

Midwest Railcar Corporation,  
as lessor

Alabama & Gulf Coast Railway, LLC  
as lessee

By: Jim Sparks

By: \_\_\_\_\_

Name: Jim Sparks

Name: \_\_\_\_\_

Title: SVP - Operations

Title: \_\_\_\_\_

IN WITNESS WHEREOF, the parties hereto have caused this Termination to be duly executed as of the date hereinabove first written.

Midwest Railcar Corporation,  
as lessor

Alabama & Gulf Coast Railway, LLC  
as lessee

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: JAMES SHEDDEN

Title: \_\_\_\_\_

Title: VP-MARKETING

STATE OF ILLINOIS        )  
  ) ss.  
County of Madison        )

On this 30<sup>th</sup> day of August 2012, before me, KARYN F. WARD, the undersigned Notary Public, personally appeared Jon Sparks personally known to me to be the person who executed the within instrument as Sr. V.P. - Operations on behalf of the Midwest Railcar Corporation, and acknowledged to me that the corporation executed it.

Karyn F. Ward  
Notary Public for ILLINOIS  
My Commission expires 5/13/14



STATE OF ~~ALABAMA~~ <sup>Florida</sup> )  
County of ~~Monroe~~ <sup>Duval</sup> ) ss.

On this 30 day of August 2012, before me, Bonnie D. Hatfield, the undersigned Notary Public, personally appeared James Shetelbine personally known to me to be the person who executed the within instrument as Vice President Mobility on behalf of Alabama & Gulf Coast Railway, LLC, and acknowledged to me that the corporation executed it.

Bonnie D. Hatfield  
Notary Public for Florida  
My Commission expires 10-30-2015

