

RECORDATION NO 26929-C

FILED

September 6, 2012 04:55 PM

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

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September 6, 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 an Instrument of Lease Termination, a secondary document, dated as of September 5, 2012. The primary document to which this is connected is recorded under Recordation Number 26929. We request that this document be recorded under Recordation Number 26929-C

The name and address of the party to the Instrument of Lease Termination is:

Lessor:

GATX Rail Locomotive Group, L.L.C.
Four Embarcadero Center
Suite 2100
San Francisco, CA 94111

A description of the equipment covered by the Instrument of Lease Termination consists of two SD40-2 locomotives numbered GSCX 7358 and 7359.

A fee of \$4200 is enclosed. Please return one copy by email to:

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

Ms. Cynthia T. Brown
September 6, 2012
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A short summary of the document to appear in the index follows: an Instrument of Lease Termination by GATX Rail Locomotive Group, L.L.C., Four Embarcadero Center, Suite 2100, San Francisco, CA 94111, covering two SD40-2 locomotives numbered GSCX 7358 and 7359.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read "Louis E. Gitomer", is written over the typed name. The signature is stylized and somewhat illegible due to the cursive nature of the handwriting.

Louis E. Gitomer

Enclosure

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INSTRUMENT OF LEASE TERMINATION (the "INSTRUMENT"), dated as of September 5, 2012 (the "Release"),

WITNESSETH

WHEREAS, a Memorandum of Lease Agreement dated as of March 26, 2007 between GATX as lessor, and TGS as lessee, was recorded at the Surface Transportation Board (the "Board") on May 23, 2007 at 3:14 pm under Recordation Number 26929-A for two SD40-2 locomotives numbered GSCX7358 and 7359 (the "Locomotives"); pursuant to that certain Locomotive Lease Agreement dated as of August 1, 2004 between GATX and TGS (the "Lease");

WHEREAS, GATX desire to execute this INSTRUMENT to evidence for the public record the satisfaction and release of all of the obligations of TGS under the Lease.

NOW, THEREFORE, in consideration of the premises:

GATX does hereby acknowledge and confirm for the public record the satisfaction and release of all rights and obligations arising under the Lease with respect to the Locomotives.

IN WITNESS WHEREOF, GATX have executed or caused this Instrument to be executed as of the date first above written.

GATX RAIL LOCOMOTIVE GROUP, L.L.C.

By: 

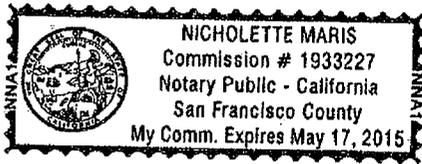
Its: Vice President – Business Operations

STATE OF CALIFORNIA)
)
COUNTY OF SAN FRANCISCO)

On September 5 , 2012, before me, Nicholette Maris, Notary Public, personally appeared Eileen Raphael, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person 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.



Nicholette Maris
Notary Public
My Commission expires: May 17, 2015