

SEP 25 '12 -3 10 PM

SURFACE TRANSPORTATION BOARD



September 25, 2012

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

Dear Chief

Please find attached one (1) copy of the Complete Release of Lien of Memorandum of Assignment and Assumption Agreement dated September 25, 2012.

This filing is to appear in the index as follows. Complete Release of Lien of Memorandum of Assignment and Assumption Agreement dated September 25, 2012 related to eight (8) locomotives bearing reporting marks 7513, 1295, 4509, 8306, 140, 7548, 7556, 1613

Please file this as a secondary document under Recordation Number 23397-C as it relates to documents previously filed with the Surface Transportation Board under Recordation Numbers 23397 through 23397-B. The filing fee in the amount of \$42.00 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  
Contract Manager

SEP 25 '12 -3 10 PM

**COMPLETE RELEASE OF LIEN  
OF  
MEMORANDUM OF ASSIGNMENT AND ASSUMPTION AGREEMENT**

SURFACE TRANSPORTATION BOARD

This Complete Release of Lien of Memorandum of Assignment and Assumption Agreement (the "Release") releases the lien created by that certain Memorandum of Assignment and Assumption Agreement dated as of January 30, 2001 bearing Recordation No. 23397, between The David J Joseph Company (f/k/a Joseph Transportation Services, Inc) as Assignee ("Assignee") and P.T. Railroad Services, Ltd., as Assignor ("Assignor"), and as amended by that certain Memorandum of Locomotive Equipment Lease Amendment No. 1 dated as of August 1, 2002 bearing Recordation No. 23397-A, between The David J Joseph Company (f/k/a Joseph Transportation Services, Inc.) as Lessor ("Lessor") and Portland Bulk Terminals, LLC, as Lessee ("Lessee"), (collectively referred to as the "Assignment") with respect to the eight (8) locomotives as shown in Exhibit A attached hereto (hereinafter, the "Equipment").

WHEREAS, Assignor and Assignee executed the Assignment relating to the Equipment Such Assignment is deemed terminated as of September 25, 2012

WHEREAS, this Release pertains to all documents comprising the Assignment

WHEREAS, this Release should be filed as a secondary document and receive Recordation No 23397-C

NOW, THEREFORE, in consideration of the premises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Lessor submits the following:

- 1 The Assignee hereby releases any liens created by or arising out of the Assignment.
- 2 This Release shall be recorded with the Surface Transportation Board so as to record the release of the lien against the Equipment constituted by the Assignment

In witness whereof, the Assignee has caused this Release to be duly executed by its authorized officer as of this 25<sup>th</sup> day of September, 2012.

**THE DAVID J. JOSEPH COMPANY**

By: Kelly C. Poellen

Name. Kelly C. Poellen

Title: Vice President Finance, Brokerage

STATE OF OHIO            )  
                                      ) **SS:**  
COUNTY OF HAMILTON    )

The foregoing Release of Lien of Memorandum of Assignment and Assumption Agreement was acknowledged before me this 25<sup>th</sup> day of September, 2012, by Kelly C Poellen, the Vice President Finance, Brokerage of The David J. Joseph Company, a Delaware corporation, on behalf of the corporation.

*Julie M Woodard*  
\_\_\_\_\_  
Notary Public

My Commission expires:  
9-24-17



Julie M. Woodard  
Notary Public, State of Ohio  
My Commission Expires 09-24-2017

**RELEASE OF LIEN  
EXHIBIT A**

Eight (8) locomotives bearing reporting marks.

7513 (1959 EMD BUILT GP-10, 1850 H P.)  
1295 (1966 EMD BUILT SW-1200, 1200 H P.)  
4509 (EMD GP-16, 1850 H P.)  
8306 (EMD GP-10, 1850 H P.)  
140 (EMD SW-1200, 1200 H.P )  
7548 (1959 EMD BUILT GP-10, 1850 H.P.)  
7556 (1959 EMD BUILT GP-10, 1850 H.P.)  
JTPX 1613