

RECORDATION NO. 22719-E FILED

FEB 22 '13 -1 58 PM

... SURFACE TRANSPORTATION BOARD

## FIRST UNION RAIL

One O'hare Centre  
6250 River Road, Suite 5000  
Rosemont, IL 60018-4214

Tel 847 318.7575  
Fax 847.318 7588  
www.firstunionrail.com

VIA UPS NEXT DAY AIR

February 21, 2013

Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E St, S W, Suite 100  
Washington, DC 20423-0001

Re: Memorandum of Lease Termination

Dear Section Chief:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) are three (3) originals of a Memorandum of Lease Termination dated February 19, 2013, a secondary document as defined in the Board's Rules for the Recordation of Documents. The enclosed document relates to the Lease Agreement which was duly filed with the Surface Transportation Board on January 14, 2000 at 4:39 p.m. and on July 17, 2001 at 4:45 p.m. under Recordation Numbers 22719 and 22719-A respectively.

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

Lessor: First Union Rail Corporation  
One O'Hare Centre  
6250 River Road, Suite 5000  
Rosemont, IL 60018

Lessee: I & M Rail Link, LLC  
1910 East Kimberly Road  
Davenport, IA 52807

A description of the railroad equipment covered by the enclosed document is for fifty-six (56) gondola cars having NOKL marks (see Exhibit A for car numbers).

A short summary of the document to appear in the index follows. Memorandum of Lease Termination

Also enclosed is a check in the amount of \$42.00 payable to the order of the Surface Transportation Board covering the required recordation fee. Kindly return one (1) stamped original of the enclosed document to the undersigned along with the additional copies.

If you have any questions regarding the above-referenced matter, please contact me at (847) 384-5397. Thank you for your cooperation in this matter.

Sincerely,



Marcia Dunne  
Senior Documentation Specialist

Enclosures

(IMRI.003, 004)

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## MEMORANDUM OF LEASE TERMINATION SURFACE TRANSPORTATION BOARD

THIS MEMORANDUM OF LEASE TERMINATION (the "Memorandum") dated as of February 19, 2013 is made by First Union Rail Corporation (the "Lessor"), a North Carolina corporation, and pertains to that certain Lease Agreement dated as of April 30, 1997 (the "Lease"), between Lessor and I & M Rail Link, LLC (the "Lessee"), a Delaware corporation

**W I T N E S S E T H:**

WHEREAS, Lessor and Lessee entered into the Lease whereby Lessor has agreed to lease to Lessee certain railcars (the "Equipment") as more particularly described in on Exhibit A attached hereto; and,

WHEREAS, Lessor and Lessee entered into certain Memorandum of Lease, evidencing the above-described Lease of such Equipment, which was filed at the Surface Transportation Board on January 14, 2000 at 4 39 p m. with primary recordation number 22719; and on July 17, 2001 at 4:45 p m. having recordation number 22719-A

WHEREAS, certain Equipment has been released and is no longer covered under the Lease; and,

NOW, THEREFORE, the Lessor desires to clarify the public record state as follows

1. This Notice serves as notice that the Equipment listed on the attached Exhibit A as evidenced by the Memorandum of Lease filed with the Surface Transportation Board has been terminated in all respects.
2. All of the interests of the Lessee, its successors and assigns, in the Equipment listed on Exhibit A arising pursuant to the Lease have been terminated
3. Lessor wishes to record this Notice of Termination of Lease and Termination of Memorandum of Lease so as to release the lien with respect to the Equipment.

IN WITNESS WHEREOF, the party hereto has caused this Memorandum to be duly executed by their respective officers duly authorized as of the date and year first above written (and the undersigned declares under penalty of perjury that he or she holds the title indicated below and that the execution of this Memorandum was the free act and deed of its corporation)

LESSOR:

FIRST UNION RAIL CORPORATION

Name Rick Grossman

Title Vice President - Equipment

Signature: 

**EXHIBIT A**  
**TO**  
**MEMORANDUM OF LEASE TERMINATION**

**NUMBER OF CARS:** Fifty six (56)

**DESCRIPTION OF CARS:** Gondola Cars

| <b>CAR NUMBERS</b> |             |             |
|--------------------|-------------|-------------|
|                    | NOKL 310814 | NOKL 311074 |
|                    | NOKL 310819 | NOKL 311081 |
|                    | NOKL 310831 | NOKL 311087 |
|                    | NOKL 310855 | NOKL 311089 |
|                    | NOKL 310863 | NOKL 311096 |
|                    | NOKL 310900 | NOKL 311103 |
|                    | NOKL 310903 | NOKL 311107 |
|                    | NOKL 310912 | NOKL 311117 |
|                    | NOKL 310921 | NOKL 311125 |
|                    | NOKL 310922 | NOKL 311126 |
|                    | NOKL 310946 | NOKL 311130 |
|                    | NOKL 310949 | NOKL 311144 |
|                    | NOKL 310952 | NOKL 311148 |
|                    | NOKL 310953 | NOKL 311178 |
|                    | NOKL 310956 | NOKL 311190 |
|                    | NOKL 310962 | NOKL 311191 |
|                    | NOKL 310976 | NOKL 311201 |
|                    | NOKL 310990 | NOKL 311207 |
|                    | NOKL 310991 | NOKL 311220 |
|                    | NOKL 310992 | NOKL 311236 |
|                    | NOKL 311017 | NOKL 311250 |
|                    | NOKL 311024 | NOKL 311256 |
|                    | NOKL 311028 | NOKL 311262 |
|                    | NOKL 311033 | NOKL 311266 |
|                    | NOKL 311036 | NOKL 311272 |
|                    | NOKL 311044 | NOKL 311274 |
|                    | NOKL 311053 | NOKL 311288 |
|                    | NOKL 311054 | NOKL 311294 |