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SURFACE TRANSPORTATION BOARD

FIRST UNION RAIL

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April 29, 2013

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

RE: Memorandum of Partial Lease Termination

Dear Section Chief:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 111301(a) are three (3) originals of a Memorandum of Partial Lease Termination dated April 29, 2013, a secondary document as defined in the Board's Rules for the Recordation of Documents. The enclosed document relates to the Memorandum of Lease evidencing such leased equipment which was duly filed at the Surface Transportation Board on February 26, 2009 under Recordation Number 25664-G. The names and address of the parties to the enclosed document are:

Lessor: First Union Rail Corporation
1 Place ville Marie, Suite 2022
Montreal, Quebec H3B 2C4
CANADA

Lessee: Tolko Industries, Ltd.
3203-30th Avenue
Vernon, BC V3T 6M1
CANADA

The enclosed document is for twenty-five (25) bulkhead flat cars having FURX marks (see Exhibit A for car numbers) which have been terminated in all respects and are no longer covered under the lease.

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

Also enclosed is a check in the amount of \$42.00 payable to the order of the Surface Transportation Board covering the recordation fee. Kindly return two (2) stamped originals to the undersigned.

If you have any questions regarding this matter, please contact me at the number shown above. Thank you for your cooperation.

Regards,



Danielle Lord
Sales Assistant
Encl.

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ASSN. NO. TOLK017

SURFACE TRANSPORTATION BOARD

MEMORANDUM OF PARTIAL LEASE TERMINATION

THIS MEMORANDUM OF PARTIAL TERMINATION OF LEASE (the "Memorandum") dated as of April 29, 2013, is made by the Montreal branch of First Union Rail Corporation (the "Lessor"), a North Carolina corporation, and pertains to that certain Lease Agreement dated May 27, 2005 (the "Lease"), between Lessor and Tolko Industries, Ltd. (the "Lessee"), a Canadian 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 on Exhibit A attached hereto; and,

WHEREAS, Lessor and Lessee entered into that certain Memorandum of Lease dated as of April 15, 2008, evidencing the above-described Lease of such Equipment, which was filed at the Surface Transportation Board on February 26, 2009 with secondary recordation number 25664-G.

WHEREAS, the Lease between Lessor and Lessee has been partially terminated; and

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

1. This Notice serves as notice that the Lease between Lessor and Lessee relating to the Equipment and evidenced by the Memorandum of Lease filed with the Surface Transportation Board has been terminated in all respects.
2. Lessor wishes to record this Memorandum of Partial Lease Termination so as to release the lien with respect to the Equipment.

IN WITNESS WHEREOF, the Lessor has caused this Memorandum to be executed by its duly authorized officer as of the 29th day of April, 2013 (and the undersigned declares under penalty of perjury that 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: Susan A. Barrie

Title: Regional Vice President, Sales

Signature: 

EXHIBIT A to MEMORANDUM OF PARTIAL TERMINATION OF LEASE

NUMBER OF CARS: Twenty-five (25).

DESCRIPTION OF CARS: Bulkhead Flat Cars.

CAR NUMBERS: FURX 701200 to FURX 701224, inclusive.