

May 03, 2013 11:50 AM

SURFACE TRANSPORTATION BOARD

LAW OFFICES OF
LOUIS E. GITOMER, LLC.

LOUIS E. GITOMER
Lou@lgraillaw.com

600 BALTIMORE AVENUE, SUITE 301
TOWSON, MARYLAND 21204-4022
(410) 296-2250 • (202) 466-6532
FAX (410) 332-0885

May 3, 2013

MELANIE B. YASBIN
Melanie@lgraillaw.com
410-296-2225

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 Partial Lease Termination, a secondary document, dated as of April 4, 2013. The primary document to which this is connected is recorded under Recordation No. 25535. We request that this document be recorded under Recordation No. 25535-B.

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

Lessor:

Banc of America Leasing and Capital, LLC
One Financial Plaza – 8th Floor
Providence, RI 02903

Lessee:

Orion Engineered Carbons LLC
4501 Magnolia Cove Drive, Suite 106
Kingwood, TX 77345

A description of the equipment covered by the Partial Lease Termination consists of 125 covered hopper cars numbered DCBX00 2079 and ECQX00 5116, 8021, 8039, 8055, 8061, 8071, 4708, 4716, 4724, 4725, 4726, 4774, 4775, 4776, 4778, 4783, 4792, 4800, 4804, 4809, 4813, 4814, 4815, 4820, 4821, 4824, 4826, 4828, 4839, 4841, 4846, 4847, 4849, 4850, ECQX0 57550, 46391, 46392, 46394, 46399, 46400, 46406, 46410, 46412, 46414-46417, inclusive, 46419, 46420, 46421, 57425, 57427-57430, inclusive, 57432, 57433, 57434, 57436, 57437, 57439, 57440, 57442-57445, inclusive, 57447-57459, inclusive, 57461, 57462, 57463, 57465-57471, inclusive, 57473-57479, inclusive, 57481, 57482, 57484, 57485, 57486, 57490-57493, inclusive, 57495, 57497, 57499, 57502, 57503, 72701, 72702, 72704-72706, inclusive, 72708, 72710, 73711, 72713, 72714, 72716, 72717, 72719, 72721, 72725, 72730, 72731, 72733, 72736, and 72741.

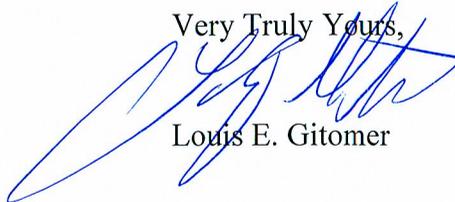
Ms. Cynthia T. Brown
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A fee of \$42.00 is enclosed. Please return one copy by email to:

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

A short summary of the document to appear in the index follows: a Partial Lease Termination between Banc of America Leasing and Capital, LLC, One Financial Plaza – 8th Floor, Providence, RI 02903, and Orion Engineered Carbons LLC, 4501 Magnolia Cove Drive, Suite 106, Kingwood, TX 77345, covering 125 covered hopper cars numbered DCBX00 2079 and ECQX00 5116, 8021, 8039, 8055, 8061, 8071, 4708, 4716, 4724, 4725, 4726, 4774, 4775, 4776, 4778, 4783, 4792, 4800, 4804, 4809, 4813, 4814, 4815, 4820, 4821, 4824, 4826, 4828, 4839, 4841, 4846, 4847, 4849, 4850, ECQX0 57550, 46391, 46392, 46394, 46399, 46400, 46406, 46410, 46412, 46414-46417, inclusive, 46419, 46420, 46421, 57425, 57427-57430, inclusive, 57432, 57433, 57434, 57436, 57437, 57439, 57440, 57442-57445, inclusive, 57447-57459, inclusive, 57461, 57462, 57463, 57465-57471, inclusive, 57473-57479, inclusive, 57481, 57482, 57484, 57485, 57486, 57490-57493, inclusive, 57495, 57497, 57499, 57502, 57503, 72701, 72702, 72704-72706, inclusive, 72708, 72710, 73711, 72713, 72714, 72716, 72717, 72719, 72721, 72725, 72730, 72731, 72733, 72736, and 72741.

Very Truly Yours,



Louis E. Gitomer

Enclosure

PARTIAL LEASE TERMINATION

This Partial Lease Termination dated as of April 4, 2013 is between Banc of America Leasing & Capital, LLC, successor by merger to LaSalle National Leasing Corporation, as Lessor, and Orion Engineered Carbons LLC, formerly known as Evonik Carbon Black LLC, successor by conversion to Degussa Engineered Carbons, L.P., as Lessee.

WHEREAS, Lessor and Lessee entered a Memorandum of Lease dated as of March 28, 2005 (the "Lease"), which was recorded at the Surface Transportation Board on April 5, 2005 at 3:33 pm under Recordation No. 25535 and registered on April 6, 2005 at 11:28 am pursuant to the Canada Transportation Act;

WHEREAS, The rights, interests and obligations of Lessor and Lessee under the Lease with respect to the 125 covered hopper cars numbered DCBX00 2079 and ECQX00 5116, 8021, 8039, 8055, 8061, 8071, 4708, 4716, 4724, 4725, 4726, 4774, 4775, 4776, 4778, 4783, 4792, 4800, 4804, 4809, 4813, 4814, 4815, 4820, 4821, 4824, 4826, 4828, 4839, 4841, 4846, 4847, 4849, 4850, ECQX0 57550, 46391, 46392, 46394, 46399, 46400, 46406, 46410, 46412, 46414-46417, inclusive, 46419, 46420, 46421, 57425, 57427-57430, inclusive, 57432, 57433, 57434, 57436, 57437, 57439, 57440, 57442-57445, inclusive, 57447-57459, inclusive, 57461, 57462, 57463, 57465-57471, inclusive, 57473-57479, inclusive, 57481, 57482, 57484, 57485, 57486, 57490-57493, inclusive, 57495, 57497, 57499, 57502, 57503, 72701, 72702, 72704-72706, inclusive, 72708, 72710, 73711, 72713, 72714, 72716, 72717, 72719, 72721, 72725, 72730, 72731, 72733, 72736, and 72741 (the "Cars") have been fulfilled; and

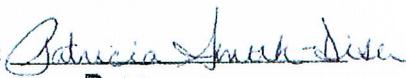
WHEREAS, Lessor and Lessee have agreed to terminate the Lease with respect to the Cars.

NOW, THEREFORE, in consideration of the premises, Lessor and Lessee hereby acknowledge and confirm for the public record the termination of the Lease with respect to the Cars, and all rights and obligations arising under the Lease with respect to the Cars.

This Partial Lease 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, Lessor and Lessee have executed or caused this Partial Lease Termination to be duly executed as of the date first above written.

Banc of America Leasing & Capital, LLC
as Lessor

By: 
Patricia Smith-Disu
Its: Vice President

Orion Engineered Carbons LLC
as Lessee

By: Mark S. P.

Its: Sr. VP/GM Americas

STATE OF)
) ss.
County of Providence)

On this 3rd day of April 2013, before me appeared Patricia Smith-Dise, the person who signed this instrument, who acknowledged that (s)he is the Vice President of Banc of America Leasing & Capital, LLC and that, being duly authorized, (s)he signed such instrument as a free act on behalf of said corporation.

C. O. Stevenson
Notary Public

My Commission expires 8/20/13

STATE OF TEXAS)
) ss.
County of HARRIS)

On this 02 day of ~~April~~ ^{MAY} 2013, before me appeared MARK E. LEIGH, the person who signed this instrument, who acknowledged that (s)he is the SR. VPRGM, AMERICAS of Orion Engineered Carbons LLC and that, being duly authorized, (s)he signed such instrument as a free act on behalf of said corporation.



K. Reka Miller
Notary Public

My Commission expires MARCH 06, 2017