

GREENBRIER
LEASING COMPANY LLC

RECORDATION NO. W132 FILED

APR 30 '12 -3 07 PM

~~SURFACE TRANSPORTATION BOARD~~

Greenbrier Leasing Company LLC

One Centerpointe Drive Suite 200
Lake Oswego Oregon 97035
503 684 7000 Fax 503 684 7553

April 27, 2012



VIA FEDERAL EXPRESS

Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

Re: Recordation of Documents - Watercraft

Dear Section Chief:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301 are three (3) originals and two (2) photocopies of a Memorandum of Barcoast Charter dated as of November 11, 2011, a primary document as defined in the Rules for the Recordation of Documents, 49 C.F.R. Section 1177. Also enclosed is a check for \$41 payable to the order of the Surface Transportation Board covering the required recordation fee.

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

Owner/Lessor: Greenbrier Leasing Company LLC
One Centerpointe Drive, Suite 200
Lake Oswego, Oregon 97035

Charterer/Lessee: The Dutra Group
1000 Point San Pedro Road
San Rafael, CA 94901

A description of the equipment covered by the enclosed document is:

U.S. flag split hulled dump barge "KS 10", official number 1236484.

Please return stamped copies of the enclosed document not needed for your files to:

Sheri Clarke Grether
Greenbrier Leasing Company LLC
One Centerpointe Drive, Suite 200
Lake Oswego, OR 97035

Section Chief
Surface Transportation Board
April 27, 2012
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A short summary of the enclosed document to appear in the Board's Index is:

Memorandum of Bareboat Charter dated as of November 11, 2011, between Greenbrier Leasing Company LLC, as Owner and lessor, and The Dutra Group, as Charterer and lessee, covering the U.S. flag split hulled dump barge "KS 10", official number 1236484.

If you have any questions, please do not hesitate to call.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sheri Grether".

Sheri Clarke Grether
Senior Paralegal

SCG:ms
Enclosures

RECORDED BY W132 FILED

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SURFACE TRANSPORTATION BOARD

MEMORANDUM OF BAREBOAT CHARTER

between

GREENBRIER LEASING COMPANY LLC,

as Owner

and

THE DUTRA GROUP,

as Charterer

Filed with the Surface Transportation Board pursuant to
49 U.S.C. Section 11301 on _____, 20__, at ____ a.m./p.m.
Recordation Number _____

MEMORANDUM OF BAREBOAT CHARTER

This Memorandum of Bareboat Charter is made and entered into as of November 11, 2011 by and between GREENBRIER LEASING COMPANY LLC ("Owner"), an Oregon limited liability company, and THE DUTRA GROUP, a California corporation, as charterer ("Charterer").

WITNESSETH:

1. Pursuant to a Bareboat Charter dated as of November 11, 2011 (the "Charter"), Owner has agreed to furnish to Charterer, and Charterer has agreed to lease from Owner, the hopper barge KS 10, Official Number 1236484 (the "Vessel").
2. The Vessel is being leased to Charterer on the terms and subject to the conditions set forth more fully in the Charter, including Charterer's grant of a security interest and lien in favor of Owner in all of Charterer's right, title and interest in the Charter and the Vessel, together with all boilers, engines, machinery, masts, rigging, boats, anchors, cables chains, tackle, apparel, furniture, fittings and equipment of the Vessel and all other appurtenances thereunto appertaining or belonging, whether now owned or hereafter acquired, whether on board or not, and whether installed by Charterer or others and all additions, improvements and replacements hereafter made in or to said Vessel, renewals and replacements thereto made at any time during the term of the Charter, or to or of such equipment and appurtenances, whether on board or removed.
3. This Memorandum is being filed for recordation at the Surface Transportation Board as evidence of the Charter and the interests created thereby pursuant to 49 U.S.C. Section 11301(a).
4. This Memorandum may be executed in counterparts.

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum to be signed and delivered by their respective officers as of the date and year first above written.

"Owner"

GREENBRIER LEASING COMPANY LLC

By: J.T. Sharp

Name: J.T. Sharp

Title: President

"Charterer"

THE DUTRA GROUP

By: Bill T. Dutra

Name: Bill T. Dutra

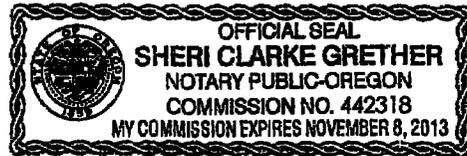
Title: CEO

STATE OF OREGON)
)
COUNTY OF CLACKAMAS_____) ss

On April 23, 2012 before me, Sheri Clarke Grether, Notary Public for Oregon, personally appeared J. T. Sharp, personally known to me or 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 he/~~she~~ executed the same in his/~~her~~ authorized capacity, and that by his/~~her~~ signature on the instrument ~~the person,~~ or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Sheri Clarke Grether



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

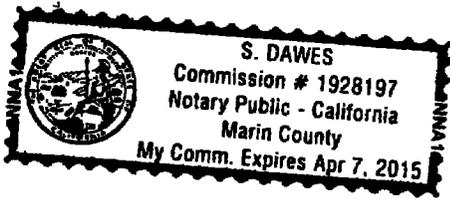
State of California

County of Marin

On 4/19/12 before me, S. DAWES
Date Here Insert Name and Title of the Officer

personally appeared Bill T. Dutra
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is/are~~ subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(ies); and that by ~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) 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.

Signature: [Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____

Corporate Officer — Title(s): _____ Corporate Officer — Title(s): _____

Individual Individual

Partner — Limited General Partner — Limited General

Attorney in Fact Attorney in Fact

Trustee Trustee

Guardian or Conservator Guardian or Conservator

Other: _____ Other: _____

Signer Is Representing: _____ Signer Is Representing: _____

