



# Toledo, Peoria & Western Railway

A RailAmerica Company



## **Freight Tariff TPW-4400-L** (Cancels FT TPW 4400-K and all supplements)

NAMING  
LOCAL & PROPORTIONAL RATES  
ON CARLOADS OF FERTILIZERS BETWEEN STATIONS  
OF  
THE TOLEDO, PEORIA & WESTERN RAILWAY

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This tariff applies on interstate traffic and intrastate traffic in the States of Illinois and Indiana

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### NOTICE

The provisions herein will, if effective, not have a negative impact on the quality of the human environment or energy consumption

Governed, except as otherwise noted, by the Uniform Freight Classification (UFC), as provided in Item 5

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Issued: MARCH 25, 2009

Effective: APRIL 15, 2009

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Issued By:  
Toledo, Peoria & Western Railway  
1990 East Washington Street  
East Peoria, IL 61611

| ITEM  | APPLICATION OF RULES AND ACCESSORIAL CHARGES   |  |
|---|--|--|
| 10  | This Tariff, unless otherwise noted, is governed by all rules and charges of FT TPW 6000 series, FT TPW 8000 series, FT TPW 9002 series and FT TPW 9300 series.  |  |
| ITEM  | PAYMENT AND CREDIT TERMS   |  |
| 90  | <p>All charges under this tariff must be prepaid, unless a satisfactory line of credit is established with TPW. Charges for services rendered under terms of this tariff will accrue against the customer located on the TPW, unless other arrangements have been made with TPW prior to performance of service. An Application for Credit Form is appended to this tariff.</p> <p>All payments for services covered herein are due and payable within fifteen (15) days following the Freight Bill date. The rules applicable to payments and credit terms are in accordance with those found in 49 CFR 1320. Payments received after the expiration of the credit period shall be subject to a service charge of one and one-half percent (1 1/2%) per month (or fraction thereof) of the outstanding balance.</p> |  |
| ITEM  | LIST OF DRY FERTILIZERS  |  |
| 200   | Rates named in this Tariff making reference to this Item will apply on straight carloads of the following commodities only:  |  |
| STCC  | COMMODITY  |  |
| 28-125-34<br>28-125-36<br>28-125-52<br>28-125-67<br>28-181-70<br>28-191-31<br>28-191-48<br>28-191-49<br>28-191-55<br>28-199-10<br>28-712-35<br>28-712-36<br>28-712-40<br>28-712-44<br>28-712-50<br>28-712-51<br>28-714-30<br>28-714-40<br>28-719-15 | Potassium Chloride<br>Potassium Nitrate<br>Potassium Sulfate<br>Potassium-Magnesium Sulfate<br>Urea, Other than Liquor or Liquid<br>Ammonium Nitrate, Explosive Grade<br>Diammonium Phosphate, Feed Grade<br>Ammonium Phosphate<br>Ammonium Sulphate<br>Dicalcium Phosphate, Feed Grade<br>Diammonium Phosphate<br>Monoammonium Phosphate<br>Phosphate, Defluorinated<br>Ammonium Nitrate<br>Superphosphate (Acid Phosphate), other than Ammoniated<br>Superphosphate (Acid Phosphate), Ammoniated<br>Fertilizing Compounds, Dry<br>Nitrate of Soda Potash<br>Fertilizers and Fertilizer Materials, Prepared   |  |

| <b>LIST OF LIQUID FERTILIZERS – GROUP 1</b> |   |
|---|---|
| <b>ITEM</b>                                 |   |
| <b>205 (A)</b>                              | Rates named in this Tariff making reference to this Item will apply on straight carloads of the following commodities only. |
| <b>STCC</b>                                 | <b>COMMODITY</b>  |
| 28-191-10                                   | Ammoniacal Liquor, NEC  |
| 28-191-11                                   | Aqua Ammonia, NEC   |
| 28-191-73                                   | Ammonium Thiosulphate Solution  |
| 28-713-09                                   | Ammonium sulfate solution   |
| 28-713-13                                   | Nitrogen Fertilizer Solution, Not Ammoniated  |
| 28-713-15                                   | Nitrogen Fertilizer Solution, Ammoniated  |
| 28-714-31                                   | Fertilizing Compounds   |
| 28-714-51                                   | Ammonium Polyphosphate Solution   |
| <b>LIST OF LIQUID FERTILIZERS – GROUP 2</b> |   |
| <b>ITEM</b>                                 |   |
| <b>210 (A)</b>                              | Rates named in this Tariff making reference to this Item will apply on straight carloads of the following commodities only. |
| <b>STCC</b>                                 | <b>COMMODITY</b>  |
| 28-194-54                                   | Phosphoric Acid   |
| 28-713-10                                   | Ammonium Nitrate, Liquid  |
| 28-714-50                                   | Phosphatic Fertilizer Solution  |
| <b>LIST OF LIQUID FERTILIZERS – GROUP 3</b> |   |
| <b>ITEM</b>                                 |   |
| <b>211 (A)</b>                              | Rates named in this Tariff making reference to this Item will apply on straight carloads of the following commodities only. |
| <b>STCC</b>                                 | <b>COMMODITY</b>  |
| 28-198-15                                   | Ammonia, Anhydrous  |
| 28-128-15                                   | Chlorine Gas, Liquefied   |

| ITEM       | STATION LIST                                   |   |      |
|------------|--|---|------|
| 300<br>(A) | Stations are listed alphabetically by state. . |   |      |
| STATE      |  |   |      |
| IL         | STATION  | INTERCHANGE WITH                                    | ZONE |
|            | Chatsworth                                     | BLOL  | 2    |
|            | Chenoa   | UP  | 2    |
|            | Crescent City                                  |   | 3    |
|            | Cruger   |   | 2    |
|            | East Peoria                                    | NS  | 1    |
|            | El Paso  |   | 2    |
|            | Eureka   |   | 2    |
|            | Fairbury                                       |   | 2    |
|            | Farmdale                                       | NS  | 1    |
|            | Forrest  |   | 2    |
|            | Gilman   | CN  | 2    |
|            | Gridley  |   | 2    |
|            | Hollis   | KJRY  | 1    |
|            | La Hogue                                       |   | 2    |
|            | Mapleton                                       |   | 1    |
|            | Meadows  |   | 2    |
|            | Peoria   | TZPR, via TZPR – CIRY, BNSF, CN, IAIS, IMRR, NS, UP | 1    |
|            | Piper City                                     |   | 2    |
|            | Secor  |   | 2    |
|            | Sheldon  | KBSR  | 3    |
| Sommer     | UP   | 1   |      |
| Washington |  | 1   |      |
| Watseka    | UP, CSX  | 3   |      |
| Webster    | KBSR   | 3   |      |
| Weston     |  | 2   |      |

|   |   |                |                         |             |
|---|---|----------------|-------------------------|-------------|
| <b>STATION LIST</b>                     |   |                |                         |             |
| <b>ITEM</b><br><b>300</b><br><b>(A)</b> | Stations are listed alphabetically by state.  |                |                         |             |
| <b>STATE</b>                            |   | <b>STATION</b> | <b>INTERCHANGE WITH</b> | <b>ZONE</b> |
| <b>IN</b>                               |   | Burnettsville  |                         | 4           |
|   |   | Goodland       |                         | 3           |
|   |   | Idaville       |                         | 4           |
|   |   | Kentland       |                         | 3           |
|   |   | Logansport     | LER, NS, WSRY           | 4           |
|   |   | Monticello     |                         | 4           |
|   |   | Perkins        |                         | 3           |
|   |   | Remington      |                         | 3           |
|   |   | Reynolds       | CSX                     | 3           |
|   |   | Wolcott        |                         | 3           |
| <b>RATE INDEX</b>                       |   |                |                         |             |
| <b>ITEM</b><br><b>400</b>               | <p>Unless otherwise provided, TPW will not absorb any switch charges at origin or destination. All switch charges will be in addition to these rates.</p> <p>Reverse application of rates applies only on rejected cars returning to the point of origin.</p> <p>Railroad Rate applies to shipments in railroad supplied cars or shipper supplied full mileage cars.</p> <p>Private Rate applies to shipments in shipper owned or leased equipment, provided TPW pays no mileage allowance.</p> |                |                         |             |

| ITEM        | DRY FERTILIZER RATES  |                                  |                                  |
|-------------|---|----------------------------------|----------------------------------|
| 405         | The rates in this Item apply to shipments of the commodities listed in Item 200 between the station zones listed in Item 300. |                                  |                                  |
| ORIGIN ZONE | DESTINATION ZONE  | PRIVATE RATE                     | RAILROAD RATE                    |
| 1           | 1<br>2<br>3<br>4  | \$460<br>\$715<br>\$820<br>\$875 | \$560<br>\$815<br>\$920<br>\$975 |
| ORIGIN ZONE | DESTINATION ZONE  | PRIVATE RATE                     | RAILROAD RATE                    |
| 2           | 1<br>2<br>3<br>4  | \$715<br>\$460<br>\$460<br>\$820 | \$815<br>\$560<br>\$560<br>\$920 |
| ORIGIN ZONE | DESTINATION ZONE  | PRIVATE RATE                     | RAILROAD RATE                    |
| 3           | 1<br>2<br>3<br>4  | \$820<br>\$460<br>\$460<br>\$550 | \$920<br>\$560<br>\$560<br>\$650 |
| ORIGIN ZONE | DESTINATION ZONE  | PRIVATE RATE                     | RAILROAD RATE                    |
| 4           | 1<br>2<br>3<br>4  | \$875<br>\$820<br>\$550<br>\$460 | \$975<br>\$920<br>\$650<br>\$560 |

| ITEM        | LIQUID FERTILIZER RATES   |                                    |  |  |
|-------------|---|------------------------------------|--|--|
| 410<br>(A)  | The rates in this Item apply to shipments of the commodities listed in Item 205, 210 and 211; and the station zones listed in Item 300 when shipped in privately owned or leased tank cars, not paying mileage. |                                    |  |  |
| ORIGIN ZONE | DESTINATION ZONE  | GROUP 1 RATE                       | GROUP 2 RATE                           | GROUP 3 RATE                             |
| 1           | 1<br>2<br>3<br>4  | \$485<br>\$830<br>\$935<br>\$1,015 | \$850<br>\$1,150<br>\$1,250<br>\$1,325 | \$2,000<br>\$2,522<br>\$2,741<br>\$2,905 |
| ORIGIN ZONE | DESTINATION ZONE  | GROUP 1 RATE                       | GROUP 2 RATE                           | GROUP 3 RATE                             |
| 2           | 1<br>2<br>3<br>4  | \$830<br>\$485<br>\$485<br>\$935   | \$1,150<br>\$850<br>\$850<br>\$1,250   | \$2,522<br>\$2,000<br>\$2,000<br>\$2,741 |
| ORIGIN ZONE | DESTINATION ZONE  | GROUP 1 RATE                       | GROUP 2 RATE                           | GROUP 3 RATE                             |
| 3           | 1<br>2<br>3<br>4  | \$935<br>\$485<br>\$485<br>\$620   | \$1,250<br>\$850<br>\$850<br>\$975     | \$2,741<br>\$2,000<br>\$2,000<br>\$2,294 |
| ORIGIN ZONE | DESTINATION ZONE  | GROUP 1 RATE                       | GROUP 2 RATE                           | GROUP RATE                               |
| 4           | 1<br>2<br>3<br>4  | \$1,010<br>\$935<br>\$620<br>\$485 | \$1,325<br>\$1,250<br>\$975<br>\$850   | \$2,905<br>\$2,741<br>\$2,294<br>\$2,000 |

| ITEM<br>411<br>(C) | EXPLANATION OF ABBREVIATIONS  |      |  |      |                                      |      |  |      |                          |    |                           |     |                    |      |                                |    |          |      |                                   |    |         |      |   |      |                         |     |   |     |                          |    |                  |      |  |      |                           |    |                        |      |                          |
|--------------------|---|------|--|------|--------------------------------------|------|--|------|--------------------------|----|---------------------------|-----|--------------------|------|--------------------------------|----|----------|------|-----------------------------------|----|---------|------|---|------|-------------------------|-----|---|-----|--------------------------|----|------------------|------|--|------|---------------------------|----|------------------------|------|--------------------------|
|                    | <table> <tr> <td data-bbox="321 485 399 512">BLOL</td> <td data-bbox="578 485 1159 512">Bloomer Shippers Connecting Railroad Company</td> </tr> <tr> <td data-bbox="321 525 399 552">BNSF</td> <td data-bbox="578 525 1029 552">Burlington Northern Santa Fe Railway</td> </tr> <tr> <td data-bbox="321 564 399 592">CERA</td> <td data-bbox="578 564 1073 592">Central Railroad Company of Indianapolis</td> </tr> <tr> <td data-bbox="321 604 399 632">CIRY</td> <td data-bbox="578 604 857 632">Central Illinois Railway</td> </tr> <tr> <td data-bbox="321 644 363 672">CN</td> <td data-bbox="578 644 899 672">Canadian National Railway</td> </tr> <tr> <td data-bbox="321 684 380 711">CSX</td> <td data-bbox="578 684 813 711">CSX Transportation</td> </tr> <tr> <td data-bbox="321 724 380 751">IAIS</td> <td data-bbox="578 724 935 751">Iowa Interstate Railroad, LTD.</td> </tr> <tr> <td data-bbox="321 764 350 791">IL</td> <td data-bbox="578 764 659 791">Illinois</td> </tr> <tr> <td data-bbox="321 804 399 831">IMRR</td> <td data-bbox="578 804 963 831">Illinois &amp; Midland Railroad, Inc.</td> </tr> <tr> <td data-bbox="321 844 350 871">IN</td> <td data-bbox="578 844 667 871">Indiana</td> </tr> <tr> <td data-bbox="321 884 399 911">KBSR</td> <td data-bbox="578 884 1232 911">Kankakee, Beaverville and Southern Railroad Company</td> </tr> <tr> <td data-bbox="321 924 399 951">KJRY</td> <td data-bbox="578 924 878 951">Keokuk Junction Railway</td> </tr> <tr> <td data-bbox="321 963 380 991">LER</td> <td data-bbox="578 963 1097 991">Logansport &amp; Eel River Short-Line Co., Inc.</td> </tr> <tr> <td data-bbox="321 1003 380 1031">NEC</td> <td data-bbox="578 1003 873 1031">Not Elsewhere Classified</td> </tr> <tr> <td data-bbox="321 1043 363 1071">NS</td> <td data-bbox="578 1043 781 1071">Norfolk Southern</td> </tr> <tr> <td data-bbox="321 1083 399 1110">STCC</td> <td data-bbox="578 1083 1073 1110">Standard Transportation Commodity Code</td> </tr> <tr> <td data-bbox="321 1123 399 1150">TZPR</td> <td data-bbox="578 1123 889 1150">Tazwell &amp; Peoria Railroad</td> </tr> <tr> <td data-bbox="321 1163 363 1190">UP</td> <td data-bbox="578 1163 846 1190">Union Pacific Railroad</td> </tr> <tr> <td data-bbox="321 1203 407 1230">WSRY</td> <td data-bbox="578 1203 906 1230">Winamac Southern Railway</td> </tr> </table> | BLOL | Bloomer Shippers Connecting Railroad Company | BNSF | Burlington Northern Santa Fe Railway | CERA | Central Railroad Company of Indianapolis | CIRY | Central Illinois Railway | CN | Canadian National Railway | CSX | CSX Transportation | IAIS | Iowa Interstate Railroad, LTD. | IL | Illinois | IMRR | Illinois & Midland Railroad, Inc. | IN | Indiana | KBSR | Kankakee, Beaverville and Southern Railroad Company | KJRY | Keokuk Junction Railway | LER | Logansport & Eel River Short-Line Co., Inc. | NEC | Not Elsewhere Classified | NS | Norfolk Southern | STCC | Standard Transportation Commodity Code | TZPR | Tazwell & Peoria Railroad | UP | Union Pacific Railroad | WSRY | Winamac Southern Railway |
| BLOL               | Bloomer Shippers Connecting Railroad Company  |      |  |      |                                      |      |  |      |                          |    |                           |     |                    |      |                                |    |          |      |                                   |    |         |      |   |      |                         |     |   |     |                          |    |                  |      |  |      |                           |    |                        |      |                          |
| BNSF               | Burlington Northern Santa Fe Railway  |      |  |      |                                      |      |  |      |                          |    |                           |     |                    |      |                                |    |          |      |                                   |    |         |      |   |      |                         |     |   |     |                          |    |                  |      |  |      |                           |    |                        |      |                          |
| CERA               | Central Railroad Company of Indianapolis  |      |  |      |                                      |      |  |      |                          |    |                           |     |                    |      |                                |    |          |      |                                   |    |         |      |   |      |                         |     |   |     |                          |    |                  |      |  |      |                           |    |                        |      |                          |
| CIRY               | Central Illinois Railway  |      |  |      |                                      |      |  |      |                          |    |                           |     |                    |      |                                |    |          |      |                                   |    |         |      |   |      |                         |     |   |     |                          |    |                  |      |  |      |                           |    |                        |      |                          |
| CN                 | Canadian National Railway   |      |  |      |                                      |      |  |      |                          |    |                           |     |                    |      |                                |    |          |      |                                   |    |         |      |   |      |                         |     |   |     |                          |    |                  |      |  |      |                           |    |                        |      |                          |
| CSX                | CSX Transportation  |      |  |      |                                      |      |  |      |                          |    |                           |     |                    |      |                                |    |          |      |                                   |    |         |      |   |      |                         |     |   |     |                          |    |                  |      |  |      |                           |    |                        |      |                          |
| IAIS               | Iowa Interstate Railroad, LTD.  |      |  |      |                                      |      |  |      |                          |    |                           |     |                    |      |                                |    |          |      |                                   |    |         |      |   |      |                         |     |   |     |                          |    |                  |      |  |      |                           |    |                        |      |                          |
| IL                 | Illinois  |      |  |      |                                      |      |  |      |                          |    |                           |     |                    |      |                                |    |          |      |                                   |    |         |      |   |      |                         |     |   |     |                          |    |                  |      |  |      |                           |    |                        |      |                          |
| IMRR               | Illinois & Midland Railroad, Inc.   |      |  |      |                                      |      |  |      |                          |    |                           |     |                    |      |                                |    |          |      |                                   |    |         |      |   |      |                         |     |   |     |                          |    |                  |      |  |      |                           |    |                        |      |                          |
| IN                 | Indiana   |      |  |      |                                      |      |  |      |                          |    |                           |     |                    |      |                                |    |          |      |                                   |    |         |      |   |      |                         |     |   |     |                          |    |                  |      |  |      |                           |    |                        |      |                          |
| KBSR               | Kankakee, Beaverville and Southern Railroad Company   |      |  |      |                                      |      |  |      |                          |    |                           |     |                    |      |                                |    |          |      |                                   |    |         |      |   |      |                         |     |   |     |                          |    |                  |      |  |      |                           |    |                        |      |                          |
| KJRY               | Keokuk Junction Railway   |      |  |      |                                      |      |  |      |                          |    |                           |     |                    |      |                                |    |          |      |                                   |    |         |      |   |      |                         |     |   |     |                          |    |                  |      |  |      |                           |    |                        |      |                          |
| LER                | Logansport & Eel River Short-Line Co., Inc.   |      |  |      |                                      |      |  |      |                          |    |                           |     |                    |      |                                |    |          |      |                                   |    |         |      |   |      |                         |     |   |     |                          |    |                  |      |  |      |                           |    |                        |      |                          |
| NEC                | Not Elsewhere Classified  |      |  |      |                                      |      |  |      |                          |    |                           |     |                    |      |                                |    |          |      |                                   |    |         |      |   |      |                         |     |   |     |                          |    |                  |      |  |      |                           |    |                        |      |                          |
| NS                 | Norfolk Southern  |      |  |      |                                      |      |  |      |                          |    |                           |     |                    |      |                                |    |          |      |                                   |    |         |      |   |      |                         |     |   |     |                          |    |                  |      |  |      |                           |    |                        |      |                          |
| STCC               | Standard Transportation Commodity Code  |      |  |      |                                      |      |  |      |                          |    |                           |     |                    |      |                                |    |          |      |                                   |    |         |      |   |      |                         |     |   |     |                          |    |                  |      |  |      |                           |    |                        |      |                          |
| TZPR               | Tazwell & Peoria Railroad   |      |  |      |                                      |      |  |      |                          |    |                           |     |                    |      |                                |    |          |      |                                   |    |         |      |   |      |                         |     |   |     |                          |    |                  |      |  |      |                           |    |                        |      |                          |
| UP                 | Union Pacific Railroad  |      |  |      |                                      |      |  |      |                          |    |                           |     |                    |      |                                |    |          |      |                                   |    |         |      |   |      |                         |     |   |     |                          |    |                  |      |  |      |                           |    |                        |      |                          |
| WSRY               | Winamac Southern Railway  |      |  |      |                                      |      |  |      |                          |    |                           |     |                    |      |                                |    |          |      |                                   |    |         |      |   |      |                         |     |   |     |                          |    |                  |      |  |      |                           |    |                        |      |                          |

# Toledo, Peoria & Western Railway

1990 East Washington St. East Peoria, IL 61611 • 561-226-6809 • Fax 561-241-5397 •

Email Address: [astephens@railamerica.com](mailto:astephens@railamerica.com)

## Application for Credit

Line of Credit Requested \$ \_\_\_\_\_ Present Balance \$ \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_

Company Name \_\_\_\_\_ Phone \_\_\_\_\_  
(Area code & number)

D/B/A \_\_\_\_\_ For Past \_\_\_\_\_ Years

Address \_\_\_\_\_  
(Street) (City) (State) (Zip)

Former Business Address (If Applicable) \_\_\_\_\_

Federal Tax I D Number \_\_\_\_\_

**OWNERSHIP:**  Sole Owner  Partnership  Corporation

Date Started/Incorporation Date \_\_\_\_\_ Have you ever operated under a different name? Yes \_\_\_ No \_\_\_

If yes, give name and address \_\_\_\_\_

### TRADE REFERENCES: (Minimum of 3)

Name \_\_\_\_\_ Address \_\_\_\_\_ Phone \_\_\_\_\_ Acct. No. \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_ Phone \_\_\_\_\_ Acct. No. \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_ Phone \_\_\_\_\_ Acct. No. \_\_\_\_\_

**BANK REFERENCE:**  Checking  Savings  Loan

Name \_\_\_\_\_ Dept. \_\_\_\_\_ Acct. No. \_\_\_\_\_

Mailing Address \_\_\_\_\_ Phone No. \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

TYPE OF BUSINESS: \_\_\_\_\_  
TAX EXEMPTION #: \_\_\_\_\_ STATE ISSUED: \_\_\_\_\_

**ADDITIONAL INFORMATION TO BE  
COMPLETED ON NEXT PAGE**



A RailAmerica Company

# Toledo, Peoria & Western Railway

1990 East Washington St. East Peoria, IL 61611 • 561-226-6809 • Fax 561-241-5397 •

Email Address: [astephens@railamerica.com](mailto:astephens@railamerica.com)

**OUR TERMS ARE NET 15 DAYS FROM DATE OF INVOICE. APPLICANT'S SIGNATURE ATTESTS FINANCIAL RESPONSIBILITY, ABILITY, AND WILLINGNESS TO PAY OUR INVOICES IN ACCORDANCE TO TERMS. A SERVICE CHARGE OF 1 1/2% PER MONTH, WHICH IS AN ANNUAL RATE IF 18%, WILL ACCRUE 30 DAYS AFTER INVOICE DATE.**

**I AUTHORIZE YOU TO CONTACT REFERENCES AND TO OBTAIN INFORMATION FROM OUTSIDE RESOURCES THAT MAY BE NEEDED TO OBTAIN CREDIT.**

**THE APPLICATION HAS BEEN CAREFULLY PREPARED BY THE UNDERSIGNED AND IS TO MY KNOWLEDGE COMPLETE, ACCURATE, AND TRUTHFUL.**

**IF MY ACCOUNT IS ACCEPTED, I AGREE TO PAY ACCORDING TO YOUR TERMS OF SALE. I FURTHER AGREE TO PAY ALL COLLECTION COSTS AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES INCURRED BY YOU IN COLLECTING OR ATTEMPTING TO COLLECT SUCH ACCOUNT.**

\_\_\_\_\_  
FIRM NAME

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
TITLE

## INDIVIDUAL PERSONAL GUARANTEE

Date \_\_\_\_\_

I, \_\_\_\_\_, residing at \_\_\_\_\_

For and in consideration of your extending credit at my request to \_\_\_\_\_

(Name of Company)

(herein referred to as the "Company"), of which I am \_\_\_\_\_, hereby personally guarantee to you the

(Title)

payment at \_\_\_\_\_ in the State of \_\_\_\_\_ of any obligation of the Company and hereby agree to bind myself to pay you on demand any sum which may become due to you by the Company whenever the Company shall fail to pay the same. It is understood that this guaranty shall be a continuing and irrevocable guaranty and indemnity for such indebtedness of the Company. I do waive notice of default, non-payment, and notice thereof and consent to any modification of renewal of the credit agreement hereby guaranteed.

WITNESS \_\_\_\_\_ GUARANTOR \_\_\_\_\_ DATE \_\_\_\_\_

(Signature)

(Signature)

ADDRESS \_\_\_\_\_

## JOINT PERSONAL GUARANTEE

Date \_\_\_\_\_

We, \_\_\_\_\_ and \_\_\_\_\_ his/her \_\_\_\_\_ residing at

\_\_\_\_\_, for and in consideration of your extending credit at my request to

\_\_\_\_\_ (herein after referred to as the "Company"), of which \_\_\_\_\_

(Name of Company)

(Name)

is \_\_\_\_\_, hereby personally guarantee to you the payment at \_\_\_\_\_

(Title)

in the State of \_\_\_\_\_ of any obligation of the Company and we hereby agree to bind ourselves to pay you on demand any sum which may become due to you by the Company whenever the Company shall fail to pay the same. It is understood that this guaranty shall be a continuing and irrevocable guaranty and indemnity for such indebtedness of the Company. We do hereby waive notice of default, non-payment and notice thereof and consent to any modification or renewal of the credit agreement hereby guaranteed.

WITNESS \_\_\_\_\_ GUARANTOR \_\_\_\_\_ DATE \_\_\_\_\_

(Signature)

(Signature)

WITNESS \_\_\_\_\_ GUARANTOR \_\_\_\_\_ DATE \_\_\_\_\_

(Signature)

(Signature)



A RailAmerica Company