



**NOTICE OF INTENT TO TERMINATE**

Telephone (303) 398-0400, Fax (866) 351-9503

**IF YOU ARE AN EXISTING TENANT WHO IS FORMALLY REQUESTING TO TERMINATE YOUR CONTRACT, USE THIS FORM TO SUBMIT YOUR REQUEST. IF YOU NEED TO ASSIGN OR MODIFY YOUR EXISTING CONTRACT, DO NOT USE THIS FORM. YOU MUST ATTACH, AS PART OF THIS REQUEST, AN EXHIBIT OF THE PROPERTY AND YOUR CURRENT INSURANCE POLICY. IF YOU HAVE AN OUTSTANDING BALANCE DUE, YOU MUST ATTACH YOUR PAYMENT TO THIS FORM. SEND THE PACKAGE TO THE ADDRESS PROVIDED BELOW. [NOTE: TRACK LEASES, INDUSTRY TRACK AGREEMENTS, GRADE CROSSING AGREEMENTS, RIGHT OF ENTRY AGREEMENTS, AND SOME UTILITY AGREEMENTS ARE NON-ASSIGNABLE AND WILL NEED TO BE TERMINATED AND RE-WRITTEN]**

**PLEASE INITIAL HERE TO INDICATE YOU UNDERSTAND THIS POLICY: \_\_\_\_\_**

Date: \_\_\_\_\_

Contract Type: Lease \_\_\_ License \_\_\_ Permit \_\_\_ Agreement \_\_\_

Contract Number: \_\_\_\_\_

Railroad: \_\_\_\_\_

Property Use:

- Sidetrack \_\_\_      Storage \_\_\_      Beautification \_\_\_      Ingress/Egress \_\_\_
- Private Parking \_\_\_      Public Parking \_\_\_      Cell Tower \_\_\_      Signboard \_\_\_
- Farming \_\_\_      Mobile Structure \_\_\_      Permanent Structure \_\_\_      Sidewalk \_\_\_
- Private Crossing \_\_\_      Public Crossing \_\_\_      Wire Line Crossing \_\_\_      Pipe Line Crossing \_\_\_
- Wire Type? \_\_\_\_\_      Pipe Type? \_\_\_\_\_
- Under/Over? \_\_\_\_\_      Under/Over? \_\_\_\_\_
- kV? \_\_\_\_\_      Commodity? \_\_\_\_\_
- Pole Type? \_\_\_\_\_      Diameter? \_\_\_\_\_

Other Property Use: \_\_\_\_\_

The primary reason for my/our termination is:

- Moving to a new location \_\_\_
- Business closure \_\_\_
- Roadway closure \_\_\_
- Antiquated utility line \_\_\_
- Other \_\_\_\_\_

According to the terms set forth in Contract Number \_\_\_\_\_, I/we, \_\_\_\_\_, am/are providing \_\_\_\_\_ days' notice of my/our intent to terminate. The Property is located at or near (milepost/address/cross streets/latitude and longitude) \_\_\_\_\_ and is also depicted on the attached Exhibit. The precise day I/we will vacate said Property is \_\_\_\_\_, 201\_\_.

I/we understand and agree that the following terms and conditions, which may or may not be specified in my/our Contract, must be met prior to vacating the Property:

- The Property will be left in the same or better condition as when rented, barring normal wear and tear. Any additional cleaning or remediation will completely be my/our responsibility. I/We understand that the giving of this notice does not relieve me/us of any liability that I/we have under the present Contract.
- The Railroad must have the ability to inspect the Property as part of the request to terminate. If the Railroad determines the need for remediation, the termination request may be delayed until the Property is deemed to be satisfactorily remediated.
- Any outstanding rental payments must be submitted with this notice. If the Railroad determines there is a proration, that amount will be refunded within 90 days after the Property is vacated.
- My/Our current insurance policy must accompany this request to terminate. The insurance policy must remain in effect until a minimum of six months after the property is vacated.
- I/we have attached an exhibit depicting the precise area I/we are requesting to vacate.

I/we agree to send this notice, a copy of my/our current insurance policy, an exhibit of the Property, and any outstanding balance due to:

**OmniTRAX Inc.  
C/O AR Real Estate Department  
252 Clayton Street  
Denver, CO 80206**

(Check(s) can be made payable to OmniTRAX Inc.)

Date: \_\_\_\_\_ LIST CHECK NUMBER(S): \_\_\_\_\_

Signature: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Title: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Fax No: \_\_\_\_\_

Forwarding Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Email Address: \_\_\_\_\_