

PORTER, WRIGHT, MORRIS & ARTHUR

37 WEST BROAD STREET

W. GLOVER PORTER 1890-1969

LAWRENCE D. STANLEY
JOSEPH S. PLATT
EARL F. MORRIS
HOWARD N. BULLOCK
RUDOLPH JANATA
WILLIAM G. PORTER, JR.
WILLIAM E. ARTHUR
SAMUEL H. PORTER
ROBERT J. NORDSTROM
HARRY WRIGHT, III
THOMAS E. CAVENDISH
J. RALSTON WERUM
JOHN A. DUNKEL
RICHARD HEER OMAN
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WARREN H. MORSE
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DAVID M. SELGER
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WILLIAM P. BOARDMAN
GEORGE M. HAUSWIRTH
J. JEFFREY McNEALEY
JOHN B. ROHYANS
CHARLES C. WARNER
A. MICHAEL KNAPP
MARK K. MERKLE, JR.
JACK R. PIGMAN
S. RONALD COOK, JR.
JAMES S. OLIPHANT
KLAUS M. ZIERMAIER
DAVID L. ROBBINS

COLUMBUS, OHIO 43215

TELEPHONE

227-2026

800 HIGH STREET

WORTHINGTON, OHIO 43085

(614) 224-4125

January 6, 1978

ALLAN E. ROTH
TERRANCE M. MILLER
JAMES E. HUGHES
GERALD ROGER POST
BARRY R. ROBINSON
THOMAS R. SANT
CRAIG D. BARCLAY
CURTIS A. LOVELAND
MARY JANE GOLDTHWAITE
MICHAEL T. RADCLIFFE
JOHN A. KOEGEL
JOHN T. BILLICK
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ROBERT L. TRIERWEILER
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OF COUNSEL

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H. BARTLEY ARNOLD
EDMUND D. DOYLE

HAMILTON S. HEDGES
RUSSELL G. SAXBY
ALBERT L. CLOVIS
PAUL P. SOMERS

RECORDATION NO. 8756-A
JAN 18 1978 - 11 22 AM
COMMERCIAL COMMERCE COMMISSION
RECEIVED
JAN 18 11 16 AM '78
CERTIFICATION UNIT

Mrs. Lee
Interstate Commerce Commission
Room 1227
12th & Constitution Avenues
Washington, D.C. 20423

Dear Mrs. Lee:

Re: Mortgage of Railroad Rolling Stock Termination Statement

Please find enclosed the original of a Mortgage Termination Statement in connection with a mortgage of railroad rolling stock taken out by Sumitomo-Shoji America, Inc. on rolling stock of South-East Coal Company.

Please record this Mortgage Termination Statement with your records and send to me some reflection of that recordation.

I am enclosing a check in the amount of \$10.00, representing your filing fee charge.

If you have any questions regarding the enclosed, please feel free to contact me.

Very truly yours,

John A. Koegel
John A. Koegel

JAK:rg
Encl.

8-018A030
Date JAN 18 1978
Fee \$ 10-

ICC Washington, D. C

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November 23, 1977

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PAUL P. SOMERS

Secretary
Interstate Commerce Commission
Washington, DC 20423

Dear Sir:

Re: Release of Mortgage of Railroad Rolling Stock

Presently on file with your office, recordation number 8756, filed and recorded on March 23, 1977, is a Mortgage of and Grant of a Security Interest in Railroad Rolling Stock. This mortgage was entered into between South-East Coal Company as mortgagor and Sumitomo Shoji America, Inc. as mortgagee.

The debt for which this mortgage was granted for security has now been paid, and I would like to have the mortgage filed of record with your office formally released or satisfied of record.

Could you please forward to me whatever forms you may have available which I could get executed evidencing the release of or satisfaction of this mortgage.

If you have any questions regarding the enclosed request, please feel free to contact me.

Very truly yours,


John A. Koegel

JAK:rg

Interstate Commerce Commission
Washington, D.C. 20423

1/18/78

OFFICE OF THE SECRETARY

John A. Koegel
Porter, Wright, Morris & Arthur
37 West Broad Street
Columbus, Ohio 43215

Dear Sir:

The enclosed document(s) was recorded pursuant to the provisions of Section 20(c) of the Interstate Commerce Act, 49 U.S.C. 20(c), on 1/18/78 at 11:20am and assigned recordation number(s) 8756-A.

Sincerely yours,


H.G. Homme, Jr.
Acting Secretary

Enclosure(s)

SE-30-T
(6/77)

JAN 18 1978 - 11 20 AM

MORTGAGE TERMINATION STATEMENT

INTERSTATE COMMERCE COMMISSION

December 29, 1977

Termination statement delivered by Sumitomo Shoji America, Inc. ("Mortgagee") to South-East Coal Company ("Mortgagor").

RECITAL

A. On March 10, 1977, Mortgagee and Mortgagor signed a Mortgage of and Grant of a Security Interest in Railroad Rolling Stock (the "Mortgage") which was recorded pursuant to the provisions of Section 20(c) of the Interstate Commerce Act, 49 U.S.C. 20(c), on March 23, 1977 at 9:35 A.M. and assigned recordation number 8756.

B. The indebtedness of Mortgagor to Mortgagee, repayment of which indebtedness was secured by the Mortgage, having been duly satisfied by Mortgagor, Mortgagee desires by submitting this Mortgage Termination Statement to release and terminate the Mortgage.

AGREEMENT

Mortgagee hereby releases and terminates the Mortgage and certifies that Mortgagee no longer claims a mortgage or security interest under the Mortgage, filed on March 23, 1977 at 9:35 A.M. and bearing the recordation number 8756.

IN WITNESS WHEREOF, through its duly authorized officer, has executed this Mortgage Termination Statement the day and year first above written.

Signed and acknowledged in the presence of:

[Signature]
[Signature]

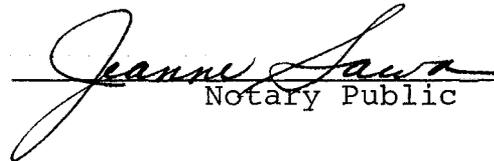
Sumitomo Shoji America, Inc.,
a New York corporation

By: [Signature]
Hiroshi Matsushita
Senior Vice President & General Mgr.

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

I do hereby certify that on the 29 day of December, 1977, before me, the subscriber, a notary public in and for said County, personally appeared Hiroshi Matsushita, to me personally known, who being duly sworn, says that he is the Senior Vice President of Sumitomo Shoji America, Inc., that the seal affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation for the purposes therein stated.

(SEAL)



Notary Public

This instrument prepared by:
John A. Koegel
37 West Broad Street
Columbus, Ohio 43215
(614) 227-2026