

CITY NATIONAL BANK & TRUST COMPANY • COLUMBUS, OHIO

CNB

9-143A-14

COMMERCIAL LOAN DEPARTMENT

May 17, 1979

Date **MAY 22 1979**

RECORDATION NO. 9976 Filed 1485 Fee \$ 10.00

MAY 22 1979 - 5 09 PM I.C.C. Washington, D. C.

INTERSTATE COMMERCE COMMISSION

Secretary
Interstate Commerce Commission
Washington, D. C. 20423

Re: Termination/Release of Mortgage
of Railroad Rolling Stock

Dear Sir:

The undersigned, being a duly authorized officer of The City National Bank & Trust Company of Columbus, Columbus, Ohio, hereby files an original and two counterparts of a Release of Mortgage of Railroad Rolling Stock and requests that the Release be recorded with the Commission pursuant to 49 U.S.C. Paragraph 11303(a).

The names and addresses of the parties to the transaction are as follows:

South-East Coal Company
Irvine, Kentucky 40336

South-East Coal Sales Company
88 East Broad Street
Columbus, Ohio 43215

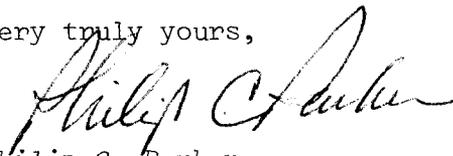
The City National Bank & Trust
Company of Columbus
100 East Broad Street
Columbus, Ohio 43215

RECEIVED
MAY 22 4 59 PM '79
I.C.C.
FEE OPERATION BR

A check in the amount of \$10 in payment of the recordation is enclosed. Upon recordation, the Release of Mortgage of Railroad Rolling Stock and appropriate accompanying documents should be returned to

Jack R. Pigman, Jr., Esq.
Porter, Wright, Morris & Arthur
37 West Broad Street
Columbus, Ohio 43215

Very truly yours,



Philip C. Parker
Assistant Vice President

PCP:dmm
Enclosures

cc: Jack R. Pigman, Jr., Esq.
L. M. McCorkle, Jr., Esq.

MAY 22 1979 - 5 00 PM

INTERSTATE COMMERCE COMMISSION

RELEASE OF MORTGAGE OF
RAILROAD ROLLING STOCK

THE CITY NATIONAL BANK & TRUST COMPANY OF COLUMBUS ("Mortgagee"), concerning the Mortgage identified herein to which Mortgagor and SOUTH-EAST COAL COMPANY and SOUTH-EAST COAL SALES COMPANY (collectively, "Mortgagor") are parties, hereby Recites and Agrees as follows:

Recitals

1. On December 28, 1978, Mortgagor and Mortgagee executed a Mortgage of Railroad Rolling Stock ("the Mortgage") which was recorded in compliance with the provisions of the Interstate Commerce Act, 49 U.S.C. § 20(c) [§ 11303(a)] on December 29, 1978, at 1:15 P.M. and assigned recordation number 9976.

2. Pursuant to agreement under which the indebtedness represented by the Mortgage is to be refinanced, the Mortgage is to be, and Mortgagor desires that it be, terminated.

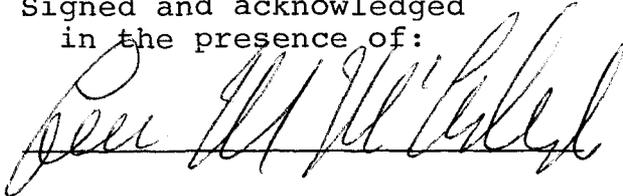
Agreement

3. Mortgagee hereby releases and terminates the Mortgage and certifies that the Mortgage, filed on December 29, 1978, at 1:15 P.M., and bearing recordation number 9976, be released and terminated of record with the Interstate Commerce Commission.

IN WITNESS WHEREOF, Mortgagor has caused this

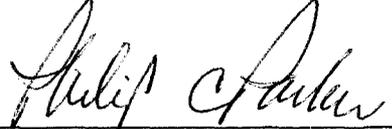
Release to be duly executed by its duly authorized officer
this 17th day of May, 1979.

Signed and acknowledged
in the presence of:



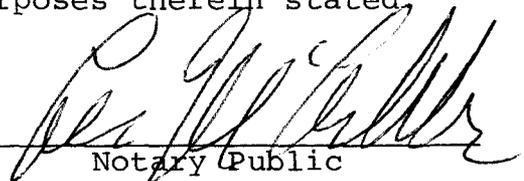


THE CITY NATIONAL BANK &
TRUST COMPANY OF COLUMBUS,
Columbus, Ohio

By 
Philip C. Parker
Assistant Vice President

STATE OF OHIO,
COUNTY OF FRANKLIN, ss:

On this 17th day of May, 1979, before me personally
appeared Philip C. Parker, to me personally known, and being
by me duly sworn, says that he is the Assistant Vice President
of The City National Bank & Trust Company of Columbus, that
said instrument was signed on behalf of said association 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 association for the purposes therein stated.


Notary Public

My Commission Expires _____

(SEAL)

LEON M. McCORKLE, Jr., Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
MY COMMISSION HAS NO EXPIRATION DATE
SECTION 147.03 R. C.