

Fruit Growers Express Company

1101 Vermont Avenue • Washington District of Columbia 20005

Robert W. Polster
Corporate Counsel & Secretary
202 628 0928

Cable FGECARS
Telex-89-2670

June 12, 1979

275-1A
JUN 12 1979

Date JUN 12 1979

Fee \$ *10.00*

CC Washington, D. C.

Mr. H. Gordon Homme, Jr., Secretary
Interstate Commerce Commission
Washington, D. C. 20423

Dear Mr. Homme:

Enclosed for filing and recording under Section 20c of the Interstate Commerce Act are five original executed counterparts of the Supplemental Agreements to the below-listed equipment trust covering replacement for cars destroyed:

<u>Equipment Trust</u>	<u>Recordation No.</u>	<u>Date of Supplement</u>
1971, Series TT	6075	June 8, 1979

Also enclosed is this company's check in the amount of \$10. to cover filing and recording fees.

Kindly return our copies of the above, containing appropriate data.

Sincerely,

Robert W. Polster

Enclosure

Carroll Stimpert

JUN 12 5 01 PM '79
FEE OF RECORDATION SR.
10.00

6/12/79

Interstate Commerce Commission
Washington, D.C. 20423

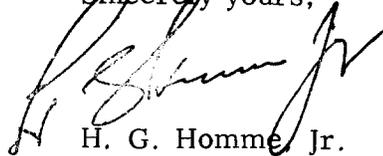
OFFICE OF THE SECRETARY

Robert W. Polster
Corporate Counsel & Secretary
Fruit Grower Express Company
1101 Vermont Ave., N.W.
Washington, D.C. 20005

Dear Sir:

The enclosed document(s) was recorded pursuant to the provisions of Section 11303 of the Interstate Commerce Act, 49 U.S.C. 11303, on 6/12/79 at 2:05pm, and assigned recordation number(s). 6075-11

Sincerely yours,



H. G. Homme Jr.
Secretary

Enclosure(s)

SE-30
(3/79)

2025 A

**FRUIT GROWERS EXPRESS COMPANY
EQUIPMENT TRUST OF 1971**

SERIES TT

Supplemental Agreement

Dated as of June 8, 1979

THE RIGGS NATIONAL BANK OF WASHINGTON, D. C., *Trustee*

with

FRUIT GROWERS EXPRESS COMPANY

SUPPLEMENTAL AGREEMENT, made as of the 8th day of June, 1979, between THE RIGGS NATIONAL BANK OF WASHINGTON, D. C., a national banking association organized and existing under the laws of the United States of America, Trustee (hereinafter called "Trustee"), party of the first part, and FRUIT GROWERS EXPRESS COMPANY, a corporation duly organized and existing under the laws of the State of Delaware (hereinafter called "Express Company"), party of the second part,

WITNESSETH:

WHEAREAS, the Trustee and the Express Company entered into a certain Agreement dated as of the 15th day of March, 1971, whereunder the Express Company agreed to sell and deliver to the Trustee 300 railroad refrigerator cars, estimated by the Express Company to cost \$7,425,000, and as of the same date also entered into a certain Lease whereunder the Trustee let and leased the aforesaid refrigerator cars, described in the leasing clause, to the Express Company, said Agreement and Lease constituting Fruit Growers Express Company Equipment Trust of 1971, Series TT, and

WHEREAS, refrigerator cars FG CX 12283, 12329, 12398, 12520, 12566, previously delivered to the Trustee under said Trust have been destroyed, and the Express Company has sold and delivered to the Trustee in replacement thereof railroad refrigerator cars of equal or greater value and of as good material, character and construction as the refrigerator car so destroyed, and

WHEREAS, the Trustee has redelivered said refrigerator cars to the Express Company and the Express Company has accepted the same, and it is desired to supplement the record of said Lease by adding thereto a description of said replacement cars,

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

FIRST. The Trustee has let and leased and by these presents doth let and lease to the Express Company for the term, for the rent and upon the terms and conditions and covenants set forth in said Lease the following railroad equipment:

9 Class "A" 50' 70-ton all steel insulated bunkerless refrigerator cars, Association of American Railroads Mechanical Designation "RBL", bearing letters and road numbers RBNX 90097, 90222, 90223, 90224, 91193, 99726, 99727, SCL 590594 and SOU 798097.

SECOND. The recitals herein are made by the Express Company and not by the Trustee.

THIRD. This Supplemental Agreement shall not be construed as in any way amending said Agreement and Lease together constituting Fruit Growers Express Company Equipment Trust of 1971, Series TT, and said Agreement and Lease shall remain and be in full force and effect in accordance with their terms.

FOURTH. The Express Company hereby constitutes and appoints C. S. Hill, its President, to be its Attorney to execute and acknowledge this instrument in its name and as and for its corporate act and deed.

IN WITNESS WHEREOF, THE RIGGS NATIONAL BANK OF WASHINGTON, D. C., Trustee, party of the first part, and FRUIT GROWERS EXPRESS COMPANY, party of the second part, have caused there presents to be signed in their respective corporate names and their respective corporate seals to be hereunto affixed and duly attested by their respective officers thereunto duly authorized as of the day and year first above written.

THE RIGGS NATIONAL BANK
OF WASHINGTON, D. C.,
Trustee,

By

M. J. Aquilino
Sr. Vice President

Attest:

J. H. Anderson
Trust Officer

In the presence of:

(Seal)

Elayne K. Coleman
Frances B. Wood

Witnesses

FRUIT GROWERS EXPRESS COMPANY

By

C. S. Hill

(Seal)

Attest:

C. S Hill
President

W. J. P. [Signature]
Asst. Secretary

In the presence of:

Frances L. Milton
El Dorado Hampton

Witnesses.

DISTRICT OF COLUMBIA, }
CITY OF WASHINGTON, } ss.:

On this *12th* day of *June*, 1979, before me personally appeared *M. J. Aquilino*, to me known, who being by me duly sworn, did depose and say that he resides at *565 Seac Lane, Silver Spring, Md.*; that he is a Vice President of THE RIGGS NATIONAL BANK OF WASHINGTON, D. C., one of the corporations described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporation's seal; that it was so affixed by authority of the Board of Directors of said corporation; and that he signed his name thereto by like authority.

Notary Public

Paul J. Little

My Commission Expires Nov. 14, 1981

(Notarial Seal)

DISTRICT OF COLUMBIA, }
CITY OF WASHINGTON, }

ss.:

On the *8th* day of *June*, 1979, before me personally came C. S. Hill, to me known, who being by me duly sworn, did depose and say that he resides at 581 President Point Drive, Annapolis, Md.; that he is President of FRUIT GROWERS EXPRESS COMPANY, the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by authority of the Board of Directors of said corporation; and that he signed his name thereto by like authority.

Fred R. Helerberg
Notary Public
My Commission Expires January 1, 1982

(Notarial Seal)