

# ITEL

## Transportation Services Group

April 23, 1979

RECORDATION NO. *10282-A* Filed 1425

9-115A091

APR 25 1979 -1 50 PM

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Fee \$ *70.*

ICC Washington, D. C.

Honorable H.G. Homme  
Acting Secretary  
Interstate Commerce Commission  
Washington, D.C. 20423

INTERSTATE COMMERCE COMMISSION

Dear Sir:

Enclosed for filing with and recording by the Interstate Commerce Commission are six originals of a Release & Assignment dated as of April 27, 1979, between FMC Corporation, 4700 Northwest Front Avenue, Box 3616, Portland, Oregon 97208, and ITEL Corporation, acting through its Rail Division, Two Embarcadero Center, San Francisco, California 94111.

The Release covers the following equipment:

125 50'6", XM, 70-ton boxcars numbered NOPB 3975-4099,  
both inclusive.

Also enclosed is this Company's check in the sum of \$10.00, payable to the Interstate Commerce Commission, being the prescribed fee for filing and recording the foregoing Release & Assignment.

Please return all additional copies of the enclosed counterparts not required by the Interstate Commerce Commission to David Schwartz, Esq., of Sullivan & Worcester, who will be delivering this letter on our behalf.

Sincerely,

Paul M. Willard  
Counsel

PMW:msb  
Enclosures

*Carol J. Harris*

FEE OPERATION BR  
I.C.C.

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RELEASE AND ASSIGNMENT

In consideration of \$4,711,835.00, and other valuable consideration, FMC Corporation, a Delaware corporation (the "Builder"), the Builder under a Conditional Sale Agreement dated as of April 2, 1979 (the "Conditional Sale Agreement") with ITEL Corporation, Rail Division, a Delaware corporation ("ITEL") recorded on April 13, 1979 with the Interstate Commerce Commission as recordation # 10282, hereby releases and discharges ITEL from any and all liability or other obligation which ITEL may have under the Conditional Sale Agreement. Further, the Builder hereby assigns to ITEL, One Hundred Twenty Five (125) box cars numbered NOPB 3975 thru NOPB 4099 inclusive, which cars are covered by the Conditional Sale Agreement.

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DATED: April 27, 1979

FMC CORPORATION

APR 25 1979 -1 50 PM

INTERSTATE COMMERCE COMMISSION  
by William R. Galbraith  
William R. Galbraith  
Division Vice President

(Corporate Seal)

ATTEST:

W. Gilbert  
Assistant Secretary

STATE OF OREGON  
COUNTY OF MULTNOMAH SS:

On April 27, 1979 before me personally appeared William R. Galbraith, to me personally known, who being by me duly sworn, says that he is the Division Vice President of FMC Corporation Marine and Rail Equipment Division, that the seal affixed to the foregoing instrument is the corporate seal of that corporation, that said instrument was signed and sealed on behalf of that corporation by authority of its Board of Directors, and he acknowledged that the execution of that instrument was the free act and deed of that corporation.

Barbara A. Masson  
Notary Public

My Commission Expires March 20, 1982.