

RECORDATION NO. 9720-^A Filed 1425

DEC 21 1978 - 9 00 AM

INTERSTATE COMMERCE COMMISSION

C-355A-12

ITEL
CORPORATION
RAIL DIVISION

NO.

Date DEC 21 1978

Fee \$ 10.00

ICC Washington, D. C.

December 18, 1978

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

Dear Sir:

Enclosed for filing with and recording by the Interstate Commerce Commission are five (5) originals of the Release and Assignments between FMC Corporation, 4700 Northwest Front Avenue, Post Office Box 3616, Portland, Oregon 97208 and Itel Corporation, acting through its Rail Division, Two Embarcadero Center, San Francisco, California 94111. This Release and Assignment covers the following railroad equipment: 200 70-ton, 50'6" Boxcars numbered MTW 4400-4599, covered by the Conditional Sale Agreement dated Sept 25, 1978 & recorded at the ICC Sept 28, 1978 under Recordation No 9720.

Also enclosed is this company's check in the sum of \$10 payable to the Interstate Commerce Commission, being the prescribed fee for filing and recording the foregoing document.

Very truly yours,



Ruth Meyler
Associate/Legal Services
Itel Transportation Services Group

RM:tae
Enclosures

TWO EMBARCADERO CENTER
SAN FRANCISCO
CALIFORNIA 94111
(415) 955-9090
TELEX 34-234

RECEIVED
I.C.C.
FEE OPERATION BR.

DEC 21 8 56 AM '78

RECEIVED

Counterpart of H.G. Homme

RELEASE AND ASSIGNMENT

DEC 21 1978-9 00 AM

INTERSTATE COMMERCE COMMISSION

In consideration of \$7,200,200.00 and other valuable consideration, FMC Corporation, a Delaware corporation (the "Builder"), the Builder under a Conditional Sale Agreement dated as of 25 September 1978 (the "Conditional Sale Agreement") with Itel Corporation, Rail Division, a Delaware corporation ("Itel") recorded on 28 September 1978 with the Interstate Commerce Commission as recordation #9720, 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 all of the Builder's right, title and interest in and to 200 general service boxcars, number MTW 4400 through and including MTW 4599, which cars are covered by the Conditional Sale Agreement.

Dated: October 25, 1978

FMC CORPORATION

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 25 October 1978, 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 S. Masson
 Notary Public

My Commission Expires March 20, 1982