

ITEL
CORPORATION
RAIL DIVISION

3-CORPORATION

Date **DEC 28 1978**
Fee \$**10.00**
ICC Washington, D. C.

DEC 28 12 05 PM '78
I.C.C.
FEE OFFICE/STATION D.C.

December 22, 1978

RECORDATION NO. **9757-A** Filed 1425

DEC 28 1978 - 12 10 PM
INTERSTATE COMMERCE COMMISSION

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 ACF Industries, Incorporated, 750 Third Avenue, New York, New York 10017 and ITEL Corporation, acting through its Rail Division, Two Embarcadero Center, San Francisco, California 94111. This Release and Assignment covers the following railroad equipment: 300 60'10", XM, 100-ton Boxcars numbered PW 60001-60300. *Covered by The Conditional Sale Agreement No. 9757-A under file number No 9757-A*

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.

Sincerely,



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

Handwritten vertical text on the left margin, possibly a file number or reference: 9757-A

RELEASE AND DISCHARGE

RECORDATION NO. 97

DEC 28 1978 -]
INTERSTATE COMMERCE

This Release and Discharge dated December 13, 1978 from ACF INDUSTRIES, INCORPORATED (the "Vendor") whose principal office is at 750 Third Avenue, New York, New York, to ITEL CORPORATION - RAIL DIVISION (the "Vendee"), whose principal office is at Two Embarcadero Center, San Francisco, California 94111.

WITNESSETH:

WHEREAS, the Vendee by a Conditional Sale Agreement (the "Conditional Sale Agreement") granted a security interest to the Vendor in certain railroad equipment (the "Collateral"), more particularly described in Schedule A attached hereto as security for the payment of the purchase price of the Collateral; and

WHEREAS, the Conditional Sale Agreement has been filed and recorded by the Interstate Commerce Commission on October 12, 1978 at 1:55 P.M. pursuant to the provisions of Section 20c of the Interstate Commerce Act and has been assigned Recordation No. 9757; and

WHEREAS, the purchase price of the Collateral and all other sums secured by the Conditional Sale Agreement have been paid in full;

NOW, THEREFORE, in consideration of the premises and of the sum of \$1.00 and other good and valuable consideration, the receipt whereof is hereby acknowledged and in pursuance of the terms and provisions of the Conditional Sale Agreement, the Vendor hereby releases and relinquishes any and all right, title, claim or demand of the Vendor in and to the Collateral arising by, through or under the Conditional Sale Agreement and further authorizes the Release and Discharge to be filed with and recorded by the Interstate Commerce Commission pursuant to Section 20c of the Interstate Commerce Act in order to discharge the Conditional Sale Agreement and to satisfy the same of record.

IN WITNESS WHEREOF the Vendor has caused this agreement to be executed all as of the date and year first above written.

ACF INDUSTRIES, INCORPORATED

By *[Signature]*

Its SECRETARY

(Corporate Seal)

Attest:

[Signature]
Assistant Secretary

STATE OF NEW YORK)
)ss:
COUNTY OF NEW YORK)

On this ^{12th} day of December, 1978, before me personally appeared **E. C. HALL**, to me personally known, who being by me duly sworn, says he is **SECRETARY** of ACF INDUSTRIES, INCORPORATED, that one of the seals 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.

(SEAL)

My commission expires:



Notary Public

EDWIN F. MEYER
NOTARY PUBLIC, State of New York
No. 30-7917803
Qualified in Nassau County
Certificate filed in New York County
Commission Expires March 30, 1980

DESCRIPTION OF COLLATERAL

300 - 100 Ton 60' 10" Box Cars Bearing
Identifying Numbers PW 60001-
60300 both inclusive.

SCHEDULE A
(to Release and Discharge)