

RECORDATION NO. 9821-A Filed 1425

DEC 21 1978 - 9 00 AM

INTERSTATE COMMERCE COMMISSION

ITEL
CORPORATION
RAIL DIVISION

U-255A 212

No.
Date DEC 21 1978
Fee \$ 10.00

ICC Washington, D. C.

December 18, 1978

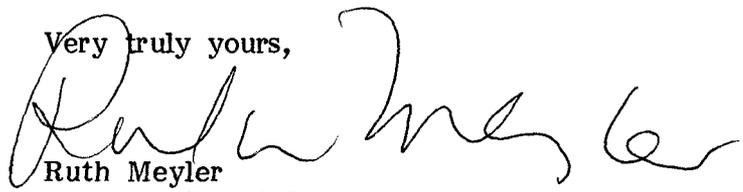
Honorable H. G. Homme
Acting Secretary
Interstate Commerce Commission
Washington, D. C. 20423

Dear Sir:

Enclosed for filing with and recording by the Interstate Commerce Commission are five (5) originals of the Release and Assignments between 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: 102 100-ton, 60'10" boxcars numbered ASAB 8100-8201, covered by the Conditional Sale Agreement recorded at the U.S. D.C. No. 6, 1978 under Recordation No. 9821.

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

DEC 21 1978
FEE OF \$10.00
U-255A 212

Counterpart to H. G. Homme

RELEASE AND DISCHARGE

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 November 6, 1978 at 1:20 P.M. pursuant to the provisions of Section 20c of the Interstate Commerce Act and has been assigned Recordation No. 9821; 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.

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INTERSTATE COMMERCE COMMISSION

ACF INDUSTRIES, INCORPORATED

By *[Signature]*

Its SECRETARY

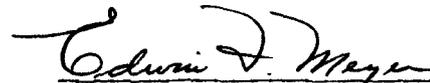
(Corporate Seal)

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.



Notary Public

(SEAL)

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

My commission expires:

DESCRIPTION OF COLLATERAL

102- 60' 10" , XM, 100-Ton Box Cars
Bearing Identifying Numbers
ASAB 8100 - 8201, both inclusive.

SCHEDULE A
(to Release and Discharge)