

RECORDATION NO. 4494-1 Filed 1425

JUN 28 1979 - 2 50 PM

INTERSTATE COMMERCE COMMISSION

NO. 9-224279

Date JUN 28 1979

Fee \$10

ICC Washington, D. C.

ITEL

Transportation Services Group

Two Embarcadero Center
San Francisco, California 94111
(415) 955-0266
Cable ITELCONT
Telex domestic 340867
international 278559
470332

Edward P. Schneider
Vice President and Treasurer

June 26, 1979

The Acting Secretary
Interstate Commerce Commission
Washington, D.C. 20423

Dear Sir:

Will you please record, as provided in 49 U.S.C. S 11303, the Release and Assignment dated as of March 23, 1979, releasing and assigning certain rights under a Conditional Sale Agreement dated as of December 29, 1978, between the parties set forth below. Six counterpart originals of the document are enclosed with this letter of transmittal, along with a check with includes the \$10 filing fee for this document.

The information required for such recordation by order of the Interstate Commerce Commission is as follows:

The names and addresses of the parties to the transaction:

- Vendor - FMC Corporation
Marine & Rail Equipment Division
4700 Northwest Front Avenue
Portland, Oregon 97208
- Purchaser - ITEL Corporation
Two Embarcadero Center
San Francisco, California 94111

Description of the Equipment:

<u>No. of Units</u>	<u>Road Numbers</u>	<u>Description</u>	<u>A.A.R. Mechanical Designation</u>
1	MDW 6099	56", 100-ton	XM

Our copy to Edward P. Schneider

JUN 28 1979
RECEIVED
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE



Transportation Services Group

The Conditional Sale Agreement dated as of December 29, 1978, was filed with the Interstate Commerce Commission at 11:55 AM on January 4, 1979, and assigned recordation number 9999.

Five counterpart originals of the document being recorded should be stamped and returned to the person delivering the letter.

Very truly yours,

A handwritten signature in black ink that reads 'Edward P. Schneider'. The signature is written in a cursive style with a long, sweeping underline.

Edward P. Schneider
Vice President, Treasurer
Itel Corporation
Transportation Services Group

EPS/elj
Enclosures

RELEASE AND ASSIGNMENT

RECORDATION NY 1997 Filed 1425

JUN 28 1979 -2 50 PM

INTERSTATE COMMERCE COMMISSION

In consideration of \$45,452.80, and other valuable consideration, FMC Corporation, a Delaware corporation (the "Builder"), the Builder under a Conditional Sale Agreement dated as of December 29, 1978 (the "Conditional Sale Agreement") with Itel Corporation, Rail Division, a Delaware corporation ("Itel") recorded on January 4, 1979 with the Interstate Commerce Commission as recordation #9999, 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 boxcar numbered MDW 6099 which car is covered by the Conditional Sale Agreement.

Dated: March 23, 1979

FMC CORPORATION

by William R. Galbraith
William R. Galbraith
Division Vice President

(Corporate Seal)

ATTEST:

Mc. Robert
Assistant Secretary

STATE OF OREGON
COUNTY OF MULTNOMAH SS:

On March 23, 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 S. Mason
Notary Public

My Commission Expires March 20, 1982