



**CGTX INC.**

SIÈGE SOCIAL-16<sup>e</sup> ÉTAGE 1600, BOUL. DORCHESTER OUEST MONTRÉAL (QUÉBEC) H3H 1P9  
HEAD OFFICE-16<sup>th</sup> FLOOR 1600 DORCHESTER BLVD. WEST MONTRÉAL (QUÉBEC) H3H 1P9

CASE POSTALE 70, SUCCURSALE A, MONTRÉAL (QUÉBEC) H3C 2R6  
P. O. BOX 70, STATION A, MONTRÉAL (QUÉBEC) H3C 2R6

RECORDATION NO. 11042-A Filed 1425

2-288AN31

OCT 15 1982 - 11 45 AM

October 12, 1982

INTERSTATE COMMERCE COMMISSION

Secretary  
Interstate Commerce Commission  
Washington, D.C. 20423  
U.S.A.

No.                       
Date **OCT 15 1982**  
Fee \$ 10.00  
ICC Washington, D. C.

Dear Sirs:

In accordance with the provisions of 49 U.S.C. Section 11303 (a) and the Rules and Regulations of the Interstate Commerce Commission thereunder, we submit herewith for recordation three counterparts of a Supplemental Deed of Trust and Mortgage, dated as of October 1, 1982, between CGTX INC. and Montreal Trust Company, as trustee.

The names and addresses of the parties to the transaction are as follows:

CGTX INC.  
16th Floor  
1600 Dorchester Blvd. West  
Montreal, Quebec  
Canada

Montreal Trust Company  
1 Place Ville Marie  
Montreal, Quebec  
Canada

The equipment covered by the Supplemental Deed of Trust and Mortgage is rolling stock and is particularly described in Exhibit A hereto.

The Supplemental Deed of Trust and Mortgage has been executed and delivered in connection with the Deed of Trust and Mortgage, dated as of October 15, 1979, which was filed with the ICC on November 13, 1979 at 11:45 a.m. and assigned recordation No. 11042.

.../2

OCT 15 9 37 AM '82

*J. Kenneth Blomberg*  
*[Signature]*

Ltr. to Secretary of I.C.C.

Enclosed is a check to cover the recordation fee.

You are hereby authorized to deliver two executed copies of the Supplemental Deed of Trust and Mortgage, with filing data noted thereon following recordation thereof, to the representative of Messrs. Dewey, Ballantine, Bushby, Palmer & Wood who is delivering this letter and said enclosures to you.

Yours truly,



JOHN G. BUCKLEY  
Vice-President and Treasurer

Enclosures

EXHIBIT A

<u>No. of Cars</u>	<u>Description</u>	<u>Average Cost per Car</u>	<u>Total Cost</u>	<u>Depreciated Value at June 30/82</u>
5	20,000 USG, Class DOT 111A100W1 tank cars, for vegetable oil service, 100 ton trucks, initialled CGTX and numbered 20341 to 20344 inclusive and 20348	\$59,455	\$297,274	\$286,244

**Interstate Commerce Commission**  
Washington, D.C. 20423

10/15/82

OFFICE OF THE SECRETARY

**John G. Buckley**  
**Vice President & Treasurer**  
**CGTX, Inc.**  
**16th Fl. 1600 Dorchester Blvd.**  
**West Montreal(Quebec) H3H 1P9**

Dear Sir:

The enclosed document (s) was recorded pursuant to the provisions of Section 11303 of the Interstate Commerce Act, 49 U.S.C. 11303, on 10/15/82 at 11:45am , and assigned re-  
recording number (s). 11042-A

Sincerely yours,

*Agatha L. Mergenovich*  
Agatha L. Mergenovich  
Secretary

Enclosure (s)

OCT 15 1982 11 45 AM

## INTERSTATE COMMERCE COMMISSION

This Supplemental Deed of Trust and Mortgage dated as of the first day of October, A.D. 1982.

BETWEEN: CGTX INC., (formerly Canadian General Transit Company, Limited and hereinafter called the "Company"), a company duly incorporated under the laws of Canada, having its head office in the City of Montreal in the Province of Quebec.

PARTY OF THE FIRST PART

AND: MONTREAL TRUST COMPANY, (hereinafter called the "Trustee"), a company duly incorporated under the laws of the Province of Quebec having its head office in the City of Montreal.

PARTY OF THE SECOND PART

WITNESSETH:

WHEREAS under a Deed of Trust and Mortgage and correlated Trust Deed of Hypothec, Mortgage and Pledge both bearing formal date of October 15, 1979 (the "Trust Deeds") between the Company and the Trustee, there were created and issued \$15,000,000 aggregate principal amount of 10 7/8% First Mortgage Sinking Fund Equipment Notes due October 15, 1999 (the "Notes") of the Company of which \$13,500,000 aggregate principal amount are outstanding at the date hereof; and

WHEREAS under the provisions of the Trust Deeds the Company is bound to maintain subject to the charges of the Trust Deeds certain mortgaged premises consisting of railway car equipment (the "equipment") and further to subject to the charges of the Trust Deeds such equipment as may be acquired in replacement of any part of the mortgaged premises which shall be lost or destroyed; and

WHEREAS certain equipment has been destroyed and the Company has acquired other equipment in replacement thereof and the parties have agreed to subject such replacement equipment to the charges of the Trust Deeds; and

WHEREAS the Trust Deed was registered:

under the Canada Corporations Act on November 30, 1979;

under the Corporation Securities Registration Act of Nova Scotia on November 9, 1979 under number 8232A;

under the Corporation Securities Registration Act of New Brunswick on November 13, 1979 under number 4840;

under the Corporation Securities Registration Act of Prince Edward Island on November 13, 1979 under number 1258;

in the registry office for the Registration Division of Montreal in the Province of Quebec on November 9, 1979 under number 3027343;

under the Corporation Securities Registration Act of Ontario on November 19, 1979 under number 44374;

under the Personal Property Act of Manitoba on November 13, 1979 under number 791113 - 104594;

under the Corporation Securities Registration Act of Saskatchewan on November 20, 1979 under number 12681;

under the Companies Act of Alberta on November 15, 1979;

under the Company Act of British Columbia on November 20, 1979;

under the Interstate Commerce Act on November 13, 1979 under number 11042.

NOW THEREFORE THIS FIRST SUPPLEMENTAL TRUST DEED WITNESSETH:

Section 1.01 The Company declares that the equipment lost or destroyed, the value thereof determined as in the Trust Deeds provided, and the compensation received by the Company therefor is as follows:

<u>EQUIPMENT LOST</u>	<u>ORIGINAL COST</u>	<u>DEPRECIATED VALUE</u>	<u>COMPEN-SATION</u>
CGTX 29558	\$ 33,828	\$ 27,965	\$ 34,026
CGTX 29562	33,828	27,965	34,026
CGTX 14467	37,266	30,434	37,269
CGTX 14473	37,266	28,322	48,570
CGTX 14466	37,266	27,577	49,004
CP 389303	38,022	33,460	40,153
CP 389310	38,022	33,460	40,153
	<u>\$255,498</u>	<u>\$209,183</u>	<u>\$283,201</u>

Section 1.02 The Trust Deeds are amended by adding to the Second Schedule thereof the following equipment, all of which is subject to the hypothec, mortgage, charge, cession and transfer of the Trust Deeds:

<u>No. of Cars</u>	<u>Description</u>	<u>Average Cost per Car</u>	<u>Total Cost</u>	<u>Depreciated Value at June 30/82</u>
5	20,000 USG, Class DOT 111A100W1 tank cars, for vegetable oil service, 100 ton trucks, initialled CGTX and numbered 20341 to 20344 inclusive and 20348	\$59,455	\$297,274	\$286,244

Section 1.03 This Deed is declared to be supplemental to the Trust Deeds and is to form part thereof and shall have the same effect as though incorporated in the Trust Deeds. The Trust Deeds are part of these presents and are by this reference, included herein with the same effect as

though at length set forth herein. In these presents, unless there is something in the context inconsistent therewith, the expressions used shall have the same meaning as corresponding expressions used in the Trust Deeds and all the provisions of the Trust Deeds except only insofar as may be inconsistent with the express provisions of these presents, shall apply to and have effect in connection with this Deed.

Section 1.04 Contemporaneously or substantially contemporaneously with the execution of this Supplemental Deed of Trust and Mortgage, the Company has, in conformity with the laws of the Province of Quebec, in which a part of the mortgaged premises may from time to time be situate, signed and executed in notarial form a Supplemental Trust Deed of Hypothec, Mortgage, Pledge and Charge, hypothecating, mortgaging, pledging and charging as and by way of a fixed charge in favour of the Trustee, the mortgaged premises hereby affected as security for the Notes, such Supplemental Trust Deed of Hypothec, Mortgage, Pledge and Charge being substantially of the same tenor and effect as this Supplemental Deed of Trust and Mortgage, both the said Deeds constituting and to be read as one instrument.

Section 1.05 This Supplemental Deed of Trust and Mortgage may be executed in counterparts, either on different dates or simultaneously, as the case may be, each of which so executed shall be deemed to be an original and such counterparts together shall constitute one and the same instrument.

Section 1.06 This Supplemental Deed of Trust and Mortgage is written in English only at the express request of the Company.

IN WITNESS WHEREOF the Parties hereto have duly executed this Supplemental Deed of Trust and Mortgage.

Signed, Sealed and Delivered in the Presence of:

*J. The Buckley*

CGTX INC.

*Robert Thompson*  
Chairman of the Board

*T. R. Flett*  
Secretary

MONTREAL TRUST COMPANY

*[Signature]*  
Assistant Manager  
Corporate Trust  
Department

*[Signature]*

*[Signature]*  
Corporate Trust Officer

PROVINCE OF QUEBEC  
DISTRICT OF MONTREAL

AFFIDAVIT

I, John G. Buckley, of the City of Pointe Claire in the District of Montreal and therein residing at 143 Monterrey Avenue, being duly sworn do depose and say:

1. That I am the Vice-President and Treasurer of CGTX INC., one of the parties to the annexed Supplemental Deed of Trust and Mortgage, am aware of the circumstances connected with the transaction and have a personal knowledge of the facts herein deposed to;

2. That I was personally present and did see the said Deed signed, sealed, executed and delivered by the said Company by A.W. McKenzie and T.S.G. Flett, the Chairman of the Board and Secretary respectively of the said Company, and the corporate seal of the said Company thereto affixed;

3. That I know the said A.W. McKenzie and T.S.G. Flett and know them to be respectively the Chairman of the Board and Secretary of the said Company duly authorized to execute the said Deed and that the signatures purporting to be their signatures opposite the corporate seal of the said Company at the foot of the said Deed were made by them respectively in my presence and are of the proper handwriting of the said A.W. McKenzie and T.S.G. Flett;

4. That the seal affixed to the said Deed is the corporate seal of the said Company;

5. That I am a subscribing witness to the said Deed and that the name "John Buckley" subscribed as a witness to the execution of the said Deed is of the proper handwriting of me, this deponent;

6. That the said Deed was executed by CGTX INC. at the City of Montreal, in the Province of Quebec, on the twelfth day of October, 1982.

John Buckley

SWORN TO BEFORE ME at  
the City of Montreal  
this twelfth day of  
October, 1982.

R. P. Pellerin  
A Notary Public in and  
for the Province of Quebec

R. P. Pellerin



PROVINCE OF QUEBEC  
DISTRICT OF MONTREAL

AFFIDAVIT

I, T.G. Didus, of the City of Brossard in the District of Montreal, and therein residing at 8260 Oregon being duly sworn do depose and say:

1. That I am a Corporate Trust Officer of Montreal Trust Company, one of the parties to the annexed Supplemental Deed of Trust and Mortgage, am aware of the circumstances connected with the transaction, and have personal knowledge of the facts herein deposed to;

2. That I was personally present and did see the said Deed signed, sealed, executed and delivered by the said Company by E.N. Varga, Assistant Manager, Corporate Trust Department and W.J. Common, Corporate Trust Officer, of the said Company and the corporate seal of the said Company thereto affixed;

3. That I know the said E.N. Varga and W.J. Common and know them to be respectively the Assistant Manager, Corporate Trust Department and Corporate Trust Officer of the said Company duly authorized to execute the said Deed and the signatures purporting to be their signatures opposite the corporate seal of the said Company at the foot of the said Deed were made by them respectively in my presence and are of the proper handwriting of the said E.N. Varga and W.J. Common;

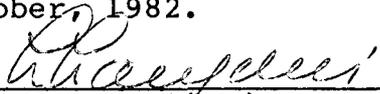
4. That the seal affixed to the said Deed is the corporate seal of the said Company;

5. That I am subscribing witness to the said Deed and that the name "T. Didus" subscribed as a witness to the execution of the said Deed is of the proper handwriting of me, this deponent;

6. That the said Deed was executed by CGTX INC. at the City of Montreal, in the Province of Quebec, on the twelfth day of October, 1982.

  
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SWORN TO BEFORE ME at  
the City of Montreal  
this twelfth day of  
October, 1982.

  
\_\_\_\_\_  
A Notary Public in and  
for the Province of Quebec  




CANADA  
PROVINCE OF QUEBEC

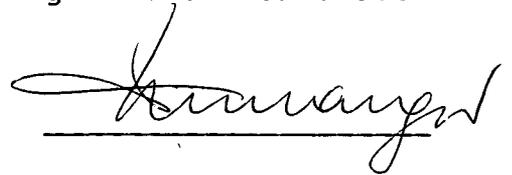
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AFFIDAVIT OF BONA FIDES

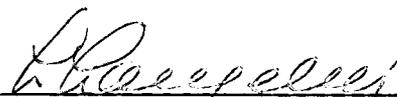
I, E.N. Varga, of the City of Montreal in the Province of Quebec and therein residing at 3475 St-Urbain Street, MAKE OATH AND SAY:

1. That I am an officer holding the office of Assistant Manager, Corporate Trust Department, of MONTREAL TRUST COMPANY, the Trustee named in the annexed Supplemental Deed of Trust and Mortgage, made by CGTX INC. to the said MONTREAL TRUST COMPANY, and I am aware of the circumstances connected with the transaction and have a personal knowledge of the facts and matters hereinafter deposed to.

2. That the said Deed, being an instrument containing a specific charge of chattels, was executed in good faith and for the express purpose of securing payment of the Notes referred to therein and not for the mere purpose of protecting the chattels therein mentioned against the creditors of CGTX INC. or preventing such creditors from obtaining payment of any claim against the said CGTX INC.

  
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SWORN TO BEFORE ME at the City of Montreal in the Province of Quebec, this twelfth day of October, 1982.

  
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A Notary Public in and for the Province of Quebec

