

9-031A014

\$13

12643-D

LAW OFFICES

ALVORD AND ALVORD

200 WORLD CENTER BUILDING

918 SIXTEENTH STREET, N.W.

WASHINGTON, D.C.

20006-2973

(202) 393-2266

OF COUNSEL
URBAN A. LESTER

CABLE ADDRESS
"ALVORD"

TELEX
440367 A AND A

TELEFAX
(202) 393-2156

ELIAS C. ALVORD (1942)
ELLSWORTH C. ALVORD (1964)

ROBERT W. ALVORD*
CHARLES T. KAPPLER
JOHN H. DOYLE*
GEORGE JOHN KETO*
RICHARD N. BAGENSTOS
JAMES C. MARTIN, JR.*

* ALSO ADMITTED IN NEW YORK
* ALSO ADMITTED IN OHIO
* ALSO ADMITTED IN MARYLAND

No.
Date JAN 31 1989
Fee \$ 13.00
ICC Washington, D.C.

January 31, 1989

RECORDATION NO. 12643-D FOR FILE

JAN 31 1989 1 03 PM

INTERSTATE COMMERCE COMMISSION

100 OFFICE OF
REC'D
JAN 31 1 00 PM '89
MOTOR CARRIER UNIT

Ms. Noreta R. McGee
Secretary
Interstate Commerce Commission
Washington, D.C. 20423

Dear Ms. McGee:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11303(a) are two (2) fully executed original copies of a Termination Agreement and Release dated as of January 26, 1989, a secondary document as defined in the Commission's Rules for the Recordation of Documents, 49 C.F.R. Section 1177.

The enclosed document relates to a Chattel Mortgage and Security Agreement dated December 22, 1980 between Western Rail Leasing Corporation and Greycas, Inc., which was duly filed and recorded on December 22, 1980 and assigned Recordation Number 12643.

The names and addresses of the parties executing the enclosed document are:

Western Rail Leasing Corporation
2 Embarcadero Center, Suite 2940
San Francisco, California 94111

Greycas, Inc.
Greyhound Tower
Phoenix, Arizona 85077

A description of the railroad equipment covered by the enclosed document is:

Fifty (50) covered hopper cars marked and numbered WRTX 3011 through WRTX 3060, both inclusive.

Handwritten signatures and notes on the left margin, including "C. Alvord" and "C. Alvord" written vertically.

Ms. Noreta R. McGee
Secretary
Interstate Commerce Commission
January 31, 1989
Page Two

Also enclosed is a check in the amount of \$13 payable to the order of the Interstate Commerce Commission covering the required recordation fee.

Kindly return a stamped copy of the enclosed document to Charles T. Kappler, Esq., Alvord and Alvord, 918 Sixteenth Street, N.W., Washington, D.C. 20006.

A short summary of the enclosed secondary document to appear in the Commission's Index is:

Termination Agreement and Release dated as of January 26, 1989 executed by Western Rail Leasing Corporation and Greycas, Inc. covering 50 covered hopper cars, WRTX 3011 - WRTX 3060.

Very truly yours,

Charles T. Kappler

Enclosures

RECORDATION NO. 12643-2 PAGE TWO

TERMINATION AGREEMENT AND RELEASE JAN 31 1989 - 1 05 PM

INTERSTATE COMMERCE COMMISSION

WHEREAS, Western Rail Leasing Corporation ("Western"), and Greycas, Inc. ("Greycas") are party to a Chattel Mortgage, Assignment and Security Agreement (the "Agreement") dated as of December 22, 1980 covering fifty (50) covered hopper cars bearing reporting marks and numbers WRTX 3011 through WRTX 3060 (the "Cars").

WHEREAS, the Agreement was filed with the Interstate Commerce Commission on December 22, 1980 and bears Recordation Numbers 12643, 12643-A through 12643-C; and

WHEREAS, Greycas and Western desire to terminate the Agreement and Greycas desires to release the lien, assignment and security interest created pursuant to the Agreement;

NOW THEREFORE, in consideration of the mutual covenants contained herein and for other valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree:

1. Termination. The Agreement is terminated and the cars are released from the liens, assignment and security interest created thereunder.

2. Filing. The parties consent to the filing of this Agreement and any other necessary documents with the Interstate Commerce Commission (and, if necessary, with any other regulatory or governmental entity) to effect a release of all liens of record existing against the Cars.

3. Counterparts. The Agreement may be executed in any number of counterparts and by different parties hereto in separate counterparts, each of which when so executed shall be deemed to be an original and all of which when taken together shall constitute one and the same agreement.

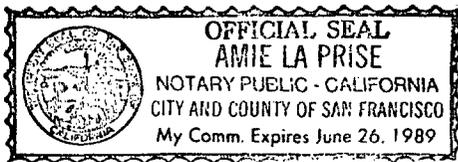
IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of January 26, 1989.

WESTERN RAIL LEASING CORPORATION
By: Charles J. Smith Vice President
Title

GREYCAS INC.
By: Thomas H. Kaurer Asst Sec
Title

STATE OF)
) SS
COUNTY OF)

On this 26th day of January, 1989 before me personally appeared Charles T. Franklin to me personally known who being by me duly sworn, says that he is the V.P. of RailWestern Rail Leasing Corp, a California corporation, 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.



Amie La Prise
Notary Public

(SEAL)

My Commission Expires: 6/26/89

STATE OF ARIZONA)
) SS
COUNTY OF MARICOPA)

On this 26th day of January, 1989 before me personally appeared Thomas H. Kaiser to me personally known who being by me duly sworn, says that he is Assistant Secretary of Greycas, Inc., a Arizona corporation, 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 of 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.

Diane R. Lilly
Notary Public

(SEAL)

My Commission Expires: 7-31-92