

10271-C
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LAW OFFICES

ALVORD AND ALVORD

200 WORLD CENTER BUILDING

918 SIXTEENTH STREET, N.W.

WASHINGTON, D.C.

20006-2973

(202) 393-2266

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

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

*ALSO ADMITTED IN NEW YORK
*ALSO ADMITTED IN MARYLAND

OF COUNSEL
URBAN A. LESTER

CABLE ADDRESS
"ALVORD"

TELEX
440367 A AND A

TELEFAX
(202) 393-2156

RECORDATION NO. 10271-C FILED 1989

June 23, 1989

JUN 26 1989 - 10 30 AM

INTERSTATE COMMERCE COMMISSION

Ms. Noretta 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 copies of a Termination Agreement and Release dated as of May 1, 1989, a secondary document as defined in the Commission's Rules for the Recordation of Documents, 49 C.F.R. Section 1177.1.

The enclosed document relates to a Lease Agreement - Number 1 ("First Lease"), a Lease Agreement - Number 2 ("Second Lease") and a Lease Agreement - Number 4 ("Fourth Lease"), each dated as of October 27, 1978, which were filed and recorded on April 9, 1979 under Recordation Numbers 10271, 10271-A and 10271-B, respectively.

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

Columbus & Greenville Railway Company
P.O. Box 6000
Columbus, Mississippi 39701

Emons Industries, Inc.
96 South George Street
York, Pennsylvania

A description of the railroad equipment covered by the enclosed document relating to the foregoing Leases is:

First Lease - 100 boxcars bearing road numbers
CAGY 22000 - CAGY 22099.

JUN 26 10 12 AM '89
NOTOR OPERATING UNIT

C. T. Kappler

Ms. Noreta R. McGee
Secretary
Interstate Commerce Commission
June 26, 1989
Page Two

Second Lease - 100 boxcars bearing road numbers
CAGY 22100 - CAGY 22199.

Fourth Lease - 100 boxcars bearing road numbers
CAGY 22300 - CAGY 22399.

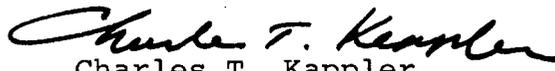
Also enclosed is a check in the amount of \$13 payable
to the order of the Interstate Commerce Commission covering the
required recordation fee.

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
May 1, 1989 executed by Emons Industries, Inc.
and Columbus & Greenville Railway Company
covering 300 boxcars bearing road numbers CAGY
22000 - 22199 and CAGY 22300 - 22399.

Very truly yours,


Charles T. Kappler

Enclosures

RECORDED 10271-C

TERMINATION AGREEMENT AND RELEASE JUN 26 1989 10:20 AM

INTERSTATE COMMERCE COMMISSION

WHEREAS, EMONS INDUSTRIES, INC., a New York corporation ("Lessor") with an office at 96 South George Street, York, Pennsylvania and COLUMBUS & GREENVILLE RAILWAY COMPANY, a Mississippi corporation ("Lessee") are parties to a Lease Agreement - Number 1 (the "First Lease") dated as of October 27, 1978, covering one hundred (100) boxcars bearing road numbers CAGY-22000 through CAGY-22099, which First Lease was filed with the Interstate Commerce Commission (the "ICC") on April 9, 1979 under Recordation No. 10271;

WHEREAS, Lessor and Lessee are parties to a Lease Agreement - Number 2 (the "Second Lease") dated as of October 27, 1978, covering one hundred (100) boxcars bearing road numbers CAGY-22100 through CAGY-22199, which Second Lease was filed with the ICC on April 9, 1979 under Recordation No. 10271-A;

WHEREAS, Lessor and Lessee are parties to a Lease Agreement - Number 3 (the "Third Lease") dated as of October 27, 1978, covering one hundred (100) boxcars bearing road numbers CAGY-22200 through CAGY-22299, which Third Lease was filed with the ICC on April 2, 1979 under Recordation No. 10243;

WHEREAS, Lessor and Lessee are parties to a Lease Agreement - Number 4 (the "Fourth Lease") dated as of October 27, 1978, covering one hundred (100) boxcars bearing road numbers CAGY-22300 through CAGY-22399, which Fourth Lease was filed with the ICC on April 9, 1979 under Recordation No. 10271-B;

WHEREAS, Lessor and Lessee desire to ratify and record the prior termination of the First Lease, the Second Lease, the Third

Lease and the Fourth Lease (collectively the "Leases") and to release the liens created pursuant thereto.

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 Leases are 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 Termination and Release 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. This 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 this 1st day of May, 1989.

WITNESS:

By: Franklin Duckworth

COLUMBUS & GREENVILLE RAILWAY COMPANY

By: H. Lynn Gibson

Title: V.P. - TREASURER / C.F.O.

WITNESS:

By: George M. Yatchew

EMONS INDUSTRIES, INC

By: James W. White

Title: Controller

STATE OF Mississippi)
COUNTY OF Lewis) ss.

On this 21st day of June, 1989, before me personally appeared, W. Lynas Gibson, to me personally known, who being by me duly sworn, says that (s)he is the V.P. Treasurer of COLUMBUS & GREENVILLE RAILWAY COMPANY, that said instrument was signed on behalf of said corporation by authority of its Board of Directors, and (s)he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Sworn to and Subscribed
before me this 21 day of
June, 1989.

Donna R. D. Dole
Notary Public

STATE OF Pennsylvania)
COUNTY OF York) ss.

On this 17th day of May, 1989, before me personally appeared, Joseph W. Wilko, to me personally known, who being by me duly sworn, says that he is the Controller of EMONS INDUSTRIES, INC., that said instrument was signed 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.

Sworn to and Subscribed
before me this 17th day of
May, 1989.

Annmarie Wileczek
Notary Public

