



LOUISVILLE & NASHVILLE RAILROAD COMPANY

908 W. BROADWAY • LOUISVILLE, KENTUCKY 40203 TELEPHONE (502) 587-5235

LAW DEPARTMENT

June 4, 1981

DAVID M. YEARWOOD  
GENERAL ATTORNEY

Ms. Agatha L. Mergenovich  
Secretary  
Interstate Commerce Commission  
Washington, D. C. 20423

1-150A122  
No. JUN 8 1981  
Date..... JUN 8 1981-3 15 PM  
Fee \$10.00  
JUN 8 1981-3 15 PM  
INTERSTATE COMMERCE COMMISSION  
ICC Washington, D. C.

Dear Madam Secretary:

There is transmitted to you herewith for filing and recordation, pursuant to 49 U.S.C. Section 11303, five duly executed counterparts of an Agreement dated as of May 15, 1981 by and between Fruit Growers Express Company, whose address is 1625 K Street, N.W., Washington, D. C. 20006 and Louisville and Nashville Railroad Company, whose address is 908 West Broadway, Louisville, Kentucky 40203.

By this Agreement, the parties acknowledged the cancellation and termination of that Agreement dated as of February 11, 1981, which was filed and recorded with the Interstate Commerce Commission on February 8, 1981 and assigned Recordation No. 12936.

This letter of transmittal is signed by an officer of Louisville and Nashville Railroad Company who has knowledge of the matters set forth herein.

Attached hereto is a draft in the amount of \$10.00 payable to the Interstate Commerce Commission covering the recordation fee for said Agreement.

After recordation, please return the recorded counterparts of the Agreement to:

RECEIVED  
JUN 8 3 05 PM '81  
FEE DEPOSITED ON

Ms. Agatha L. Mergenovich -2-

June 4, 1981

Mr. David M. Yearwood  
General Attorney  
Louisville and Nashville Railroad Company  
P. O. Box 32290  
Louisville, Kentucky 40232.

Respectfully yours,

Louisville and Nashville Railroad Company

By David M. Yearwood  
David M. Yearwood  
General Attorney

Interstate Commerce Commission  
Washington, D.C. 20423

6/9/81

OFFICE OF THE SECRETARY

David M. Yearwood, Atty.  
LAN RR. Co.  
908 W. Broadway  
Louisville, KY. 40203

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 6/8/81 at 3:15pm, and assigned re-  
recording number(s). 12936-B

Sincerely yours,

*Agatha L. Mergenovich*  
Agatha L. Mergenovich  
Secretary

Enclosure(s)

SE-30  
(7/79)

RECORDATION NO. 12936-B Filed 1425

AGREEMENT

JUN 8 1981 - 3 15 PM

INTERSTATE COMMERCE COMMISSION

THIS AGREEMENT, dated as of May 15, 1981, by and between FRUIT GROWERS EXPRESS COMPANY, a Delaware corporation ("FGE"), and LOUISVILLE AND NASHVILLE RAILROAD COMPANY, a Kentucky corporation ("L&N").

WITNESSETH:

WHEREAS, the parties hereto have entered into an Agreement dated as of February 11, 1981 covering 50 transfer cabooses;

WHEREAS, said Agreement was filed and recorded with the Interstate Commerce Commission on February 8, 1981 and assigned Recordation No. 12936;

WHEREAS, the parties hereto have entered into an Amendment dated as of March 16, 1981 to said Agreement;

WHEREAS, said Amendment Agreement was filed and recorded with the Interstate Commerce Commission on March 23, 1981 and assigned Recordation No. 12936-A; and

WHEREAS, the parties desire to execute this Agreement to evidence the cancellation and termination of said Agreement, as amended.

NOW, THEREFORE, in consideration of the premises,  
the parties hereto do hereby agree as follows:

1. The Agreement dated as of February 11, 1981,  
as amended by the Amendment Agreement dated as of March  
23, 1981, is hereby cancelled and terminated as of the  
date hereof.

2. This Agreement may be executed in any number of  
counterparts, each of which is executed shall be deemed  
to be an original.

FRUIT GROWERS EXPRESS COMPANY

By Walter Adams  
Vice President

(Corporate Seal)

Attest:

T. W. P. Bates  
Secretary

LOUISVILLE AND NASHVILLE RAILROAD COMPANY

By W. I. Johnson  
Director of Purchases

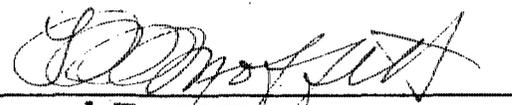
(Corporate Seal)

Attest:

David M. Jeannard  
Attesting Officer

DISTRICT OF COLUMBIA )  
 ) SS:  
CITY OF WASHINGTON )

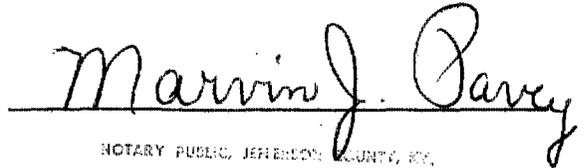
On this 15<sup>TH</sup> day of May, 1981, before me personally appeared WALTER A. DAHL to me personally known, who, being by me duly sworn, says that he is a Vice President of FRUIT GROWERS EXPRESS COMPANY, that one of the seals affixed to the foregoing instrument is the corporate seal of said corporation, 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.

  
L. W. MOFFETT, Notary Public  
City of Washington, District of Columbia  
My Commission Expires October 14, 1982

(Notarial Seal)

COMMONWEALTH OF KENTUCKY )  
 ) SS:  
COUNTY OF JEFFERSON )

On this            day of May, 1981, before me personally appeared W. I. Johnson to me personally known, who, being by me duly sworn, says that he is Director of Purchases of LOUISVILLE AND NASHVILLE RAILROAD COMPANY, 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, JEFFERSON COUNTY, KY.  
MY COMMISSION EXPIRES MARCH 12, 1982

(Notarial Seal)