

KAVINOKY & COOK

NATHAN NISENBAUM  
HOWARD R. COHEN  
ROBERT E. DWYER  
THOMAS L. WILLIAMS  
LISTED ATTORNEYS  
NOT ADMITTED  
TO PRACTICE IN NEW YORK

ATTORNEYS AT LAW  
MORRIS PLAN BUILDING  
110 E. WASHINGTON STREET  
INDIANAPOLIS, INDIANA

120 DELAWARE AVENUE  
BUFFALO, NEW YORK 14202  
(716) 856-9234

A FIRM INCLUDING  
PROFESSIONAL  
CORPORATIONS  
Filed & Recorded

(317) 632-8300 APR 29 1987 2-35 PM

April 27, 1987

INTERSTATE COMMERCE COMMISSION

7-119A033

No.

Date APR 29 1987

Fee \$ 10.00

ICC Washington, D. C.

APR 29 2 32 PM '87  
ICC OFFICE OF  
THE SECRETARY

VIA FEDERAL EXPRESS

Secretary,  
Interstate Commerce Commission  
Twelfth & Constitution Avenues, N.W.  
Washington, D.C. 20423

Dear Secretary:

I have enclosed an original and one copy of the document described below, to be recorded pursuant to Section 11303 of Title 49 of the U.S. Code.

This document is a Release of Locomotive Lease Agreement, a secondary document, dated April 27, 1987.

The primary document to which this is connected is recorded under Recordation Number 14833.

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

Lessor: Indianapolis Morris Plan Corporation  
110 East Washington Street  
Indianapolis, Indiana 46204

Lessee: Kyle Railroad Company  
Third and Railroad Avenue  
P.O. Box 566  
Phillipsburg, Kansas 67661

A description of the equipment covered by the document follows:

General Motors (Electro Motive Division) GP40, 3000H.P. Diesel Electric Locomotives, current Unit Numbers 3517, 3518, 3525, 3520 and 3524.

A fee of \$10.00 is enclosed. Please return the original and any extra copies not needed by the Commission for recordation to Kavinsky & Cook, 110 East Washington Street, Indianapolis, Indiana 46204, Attention: Nathan Nisenbaum, Esquire.

**KAVINOKY & COOK**

Secretary,  
Interstate Commerce Commission  
April 27, 1987  
Page 2

A short summary of the document to appear in the index follows:

Release of Locomotive Lease Agreement dated April 27, 1987, by Indianapolis Morris Plan Corporation, 110 East Washington Street, Indianapolis, Indiana 46204, Lessor, releasing a Locomotive Lease Agreement with Kyle Railroad Company, Third and Railroad Avenue, P.O. Box 566, Phillipsburg, Kansas 67661, Lessee, dated September 20, 1985, and covering 5 General Motors (Electro Motive Division) GP40, 3000H.P. Diesel Electric Locomotives, Locomotives Numbers 3517, 3518, 3525, 3520 and 3524.

Very truly yours,



Nathan Nisenbaum, Attorney  
for Indianapolis Morris Plan  
Corporation, Lessor

/krg  
3555Z-166Z(1)  
Enclosure

RECORDATION NO. 4833 Filed & Recorded

APR 29 1987 2-3 - KAVINOKY & COOK

NATHAN NISENBAUM

HOWARD R. COHEN  
ROBERT E. DWYER  
THOMAS L. WILLIAMS

LISTED ATTORNEYS  
NOT ADMITTED  
TO PRACTICE IN NEW YORK

INTERSTATE COMMERCE COMMISSION ATTORNEYS AT LAW

MORRIS PLAN BUILDING CORPORATION  
110 E. WASHINGTON STREET  
INDIANAPOLIS, INDIANA 46204

RECORDATION NO. 5806 Filed & Recorded

120 DELAWARE AVENUE  
BUFFALO, NEW YORK 14202  
(716) 856-9234  
A FIRM INCLUDING  
PROFESSIONAL  
CORPORATIONS

APR 29 1987 2-3 5 PM

RECORDATION NO. Filed & Recorded

(317) 632-8300 INTERSTATE COMMERCE COMMISSION

APR 29 1987 2-3 5 PM - April 28, 1987

VIA FEDERAL EXPRESS

RECORDATION NO. 5806-K Filed & Recorded

APR 29 1987 2-3 5 PM

Secretary,  
Interstate Commerce Commission  
Twelfth & Constitution Avenues,  
Washington, D.C. 20423

INTERSTATE COMMERCE COMMISSION

Dear Secretary:

I am enclosing herein the following:

1. Letter to the Interstate Commerce Commission concerning Release of Locomotive Lease Agreement together with the following:

a. Release of Locomotive Lease Agreement, in duplicate, dated April 27, 1987.

b. Check from Indianapolis Morris Plan Corporation #694078 in the sum of \$10.00.

2. Letter to the Interstate Commerce Commission concerning Release of Collateral Assignment of Lease and Agreement together with the following:

a. Release of Collateral Assignment of Lease and Agreement, in duplicate, dated April 27, 1987.

b. Check from Indianapolis Morris Plan Corporation #694077 in the sum of \$10.00.

3. Letter to the Interstate Commerce Commission concerning Release of Chattel Mortgage together with the following:

a. Release of Chattel Mortgage, in duplicate, dated April 27, 1987.

b. Check from Indianapolis Morris Plan Corporation #694079 in the sum of \$10.00.

APR 29 2 30 PM '87  
100 OFFICE OF THE SECRETARY

KAJINOKY & COOK

Secretary,  
Interstate Commerce Commission  
April 28, 1987  
Page 2

I am, also, enclosing herein a self-addressed Federal Express envelope for your convenience in returning the copies of the releases to me with the recording data marked thereon.

Your prompt attention to this matter will be greatly appreciated.

Sincerely,

A handwritten signature in cursive script, appearing to read "Nathan Nisenbaum".

Nathan Nisenbaum

/krg  
3555Z-166Z(7)  
Enclosures

RECORDATION NO. 14833-A Filed & Recorded

APR 29 1987 2:25 PM

RELEASE OF LOCOMOTIVE LEASE AGREEMENT

INTERSTATE COMMERCE COMMISSION

The undersigned, Indianapolis Morris Plan Corporation, of 110 East Washington Street, City of Indianapolis, County of Marion, State of Indiana, hereby certifies that the Locomotive Lease Agreement dated September 20, 1985, executed by Indianapolis Morris Plan Corporation, as Lessor, and Kyle Railroad Company, as Lessee, and recorded pursuant to the provisions of Section 11303 of the Interstate Commerce Act, 49 U.S.C. 11303, on November 12, 1985, at 4:15 p.m. and assigned Recordation Number 14833, covering the following described equipment:

General Motors (Electro Motive Division) GP40, 3000H.P. Diesel Electric Locomotives, current Unit Numbers 3517, 3518, 3525, 3520 and 3524

has expired and terminated and is of no further force and effect.

IN WITNESS WHEREOF, the undersigned has executed these presents at Indianapolis, Indiana on April 27, 1987.

INDIANAPOLIS MORRIS PLAN CORPORATION

By: Michael E. Lewis  
Michael E. Lewis, Senior Vice President

STATE OF INDIANA )  
                          ) SS:  
COUNTY OF MARION)

On this 27th day of April, 1987, before me personally appeared, Michael E. Lewis, to me personally known, who being by me duly sworn, says that he is the Senior Vice President of Indianapolis Morris Plan Corporation, that the seal 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 by-laws, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Kimberly R. Garner  
Notary Public

Residing in MARION County,  
State of INDIANA

My commission expires:  
7/20/87

KIMBERLY R. GARNER  
Printed Name