

RECORDATION NO. 13589 **CAPITAL NATIONAL BANK** FILED 1425 *B* RECORDATION NO. 13589 - A FILED 1425

MAR - 8 1982 - 3 10 PM

MAR - 8 1982 - 3 10 PM

INTERSTATE COMMERCE COMMISSION

INTERSTATE COMMERCE COMMISSION

P.O. Box 550
Austin, Texas 78789
(512) 476-6611

RECORDATION NO. 13589 *C* FILED 1425

2-057A052

MAR 8 1982 3 10 PM

MAR 8 1982

October 17, 1981

Date.....

Fee \$ 100.00

INTERSTATE COMMERCE COMMISSION

ICC Washington, D. C.

RECORDATION NO. 13589 FILED 1425

MAR 8 1982 3 10 PM

INTERSTATE COMMERCE COMMISSION

Secretary of the Interstate
Commerce Commission
Washington, D. C. 20423

Dear Sir:

Enclosed for filing pursuant to 49 U.S.C. 20c and 49 C.F.R. 116 are the following documents:

- (1) Three certified counterparts of a Management Agreement and Bill of Sale dated June 6, 1978 between Richmond Leasing Company, 1700 West Loop South, Houston, Texas 77027 and Robert M. Johnson in C/o Rotan Mosle Inc., 1500 South Tower Pennzoil Place, Houston Texas 77002;
- (2) Three copies of the letter from Robert M. Johnson in C/o Rotan Mosle Inc., 1500 South Tower Pennzoil Place, Houston, Texas 77002, to Richmond Leasing Company, 1700 West Loop South, Houston, Texas 77027 regarding the sale of his tank car #RT MX 12528 to Glen A. Welsch, 911 Ivy Wall, Houston, Texas 77079 and three Certified counterparts of a letter from Glen A. Welsch, 911 Ivy Wall, Houston, Texas 77079 to Robert M. Johnson in C/o Rotan Mosle Inc., 1500 South Tower Pennzoil Place, Houston, Texas 77002 agreeing to purchase tank car #RT MX 12528;
- (3) One original and two certified counterparts of a Collateral Assignment between Glen A. Welsch, 911 Ivy Wall, Houston, Texas 77079 and the Capital National Bank in Austin, 700 Lavaca, Austin, Texas 78701 and
- (4) 1 Original and two certified copies of Security Agreement between Glen A. Welsch of 911 Ivy Wall, Houston, Texas 77079 and the Capital National Bank in Austin, 700 Lavaca, Austin, Texas 78701.



•Page 2

Secretary of the Interstate
Commerce Commission
October 17, 1981

The documents shown in (1) and (3) above are being submitted for filing concurrently in accordance with 49 U.S.C. 1116, 3 (d) (2). Accordingly, a cashier's check in the amount of \$100 is enclosed as the filing fee for all three documents.

The rolling stock involved in the transaction is described as follows:

One (1) general purpose 23,500 gallon capacity, exterior coiled and insulated class DOT111A100W3 railroad tank car, bearing serial no. RIMX 12528.

After the documents have been filed, please return the originals to Jan N. Berend, Banking Officer, The Capital National Bank in Austin, P. O. Box 550, Austin, Texas 78789.

Thank you for your cooperation.

Very truly yours,



Jan N. Berend
Banking Officer

JNB/md

Enclosures

RECORDATION NO. 13589-A

MAR - 8 1982 - 3 10 PM

INTERSTATE COMMERCE COMMISSION

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF HARRIS X
STATE OF TEXAS X

BILL OF SALE

THIS AGREEMENT ("Agreement") dated as of the 17th day of June 1981, is by and between Robert M. Johnson, an individual residing in Houston, Harris County, Texas (hereinafter called "Seller"), and Glenn Andrew Welsch, an individual residing in Houston, Harris County, Texas (hereinafter called "Buyer").

In consideration of TEN AND NO/100 DOLLARS (\$10.00) in hand paid and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, Seller does hereby sell and convey to Buyer that one (1) certain general purpose 23,500 gallon capacity, exterior coiled and insulated class DOT111A100W3 railroad tank car bearing serial no. RTMX 12528 ("Car"), which Car was manufactured by Richmond Tank Car Company, a corporation organized and existing under the laws of the State of Delaware ("RTC").

Seller hereby warrants that, pursuant to that certain Bill of Sale dated October 23, 1978, executed by RTC, he has title to the Car, and that the Car is free from all liens and encumbrances granted or created by Seller, and Seller further agrees to forever warrant and defend such title to the Car unto Buyer, his successors and assigns, against all lawful claims. SELLER MAKES NO OTHER WARRANTY AS TO TITLE, AND SELLER BY THIS AGREEMENT UNDERTAKES TO SELL AND CONVEY TO BUYER ONLY SUCH RIGHT, TITLE AND INTEREST IN AND TO THE CAR AS OBTAINED BY SELLER FROM RTC BY THAT CERTAIN BILL OF SALE EXECUTED ON BEHALF OF RTC ON OCTOBER 23, 1978.

The Car is sold and conveyed by Seller and accepted by Buyer AS IS, WHERE IS; and SELLER MAKES NO REPRESENTATION OF WARRANTY, EXPRESS OR IMPLIED, OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OF MATERIALS OR WORKMANSHIP OF THE CAR, OR OTHERWISE. Buyer acknowledges that he has had a reasonable opportunity to inspect and examine the Car, and Buyer accepts the Car as sold and conveyed by Seller by and through this Agreement.


Robert M. Johnson

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Robert M. Johnson, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 17th
day of June, 1981.

L. Gloria M. Perry
Notary Public in and for
Harris County, T E X A S
Gloria M. Perry
(Printed Name)
1/10/85
(Commission Expires)

BILL OF SALE

THIS AGREEMENT dated this 23rd day of ..October.., 1978, is by and between Richmond Tank Car Company, a corporation organized and existing under the laws of the State of Delaware (hereinafter called "Seller"), and ...Robert M. Johnson. (hereinafter called "Buyer").

In consideration of \$10.00 in hand paid and other good and valuable consideration, the receipt of all of which is hereby acknowledged, Seller does hereby sell and convey to Buyer the railroad cars described in Exhibit A attached hereto and made a part hereof for all purposes, which cars were manufactured by Seller.

Seller hereby warrants that it has title to the described property and that the described property is free from all liens and encumbrances, and Seller further agrees to forever warrant and defend the title to the described property unto Buyer, its successors and assigns, against all lawful claims.

RICHMOND TANK CAR COMPANY

By *[Signature]*
Vice President

(SEAL)

ATTEST:

[Signature]
Secretary (Assistant)

THE STATE OF TEXAS }
COUNTY OF HARRIS }

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appearedJim Herring..... of Richmond Tank Car Company, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of Richmond Tank Car Company, a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this *23rd* day of *October*, 197*8*

[Signature]
Notary Public in and for
Harris County, TEXAS

(SEAL)

EXHIBIT A

ROBERT M. JOHNSON

QUANTITY

TYPE

CAR NUMBERS

5

23,500 Gallon Capacity
100 Ton Tank Cars

RTMX 12526
thru 12528,
12630 & 12631

RECORDATION NO. 13589

MAR - 8 1982 - 3 10 PM

INTERSTATE COMMERCE COMMISSION

SEPT 30, 1981

That all attached copies of the Management Agreement, Security Agreement, Collateral Assignment and Bill of Sale are true and certified copies of the original documents.

DEBTOR:

Glenn Andrew Welsch
Glenn Andrew Welsch

SECURED PARTY:

THE CAPITAL NATIONAL BANK IN AUSTIN

By Jan Noble Berend
Jan Noble Berend - Banking Officer

STATE OF TEXAS
COUNTY OF Harris

Before me, the undersigned authority, on this day personally appeared Glenn Andrew Welsch, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the 30 day of Sept., 1981.

JEAN REAVES
Notary Public In and for the State of Texas
My Commission expires February 28, 1985

Jan Reaves
Notary Public, Travis County, Texas

Feb. 28 1985
My Commission Expires

Type of Print Name

ROTAN MOSLE
Investment Services

RECORDATION NO. 13589 Filed 4/25

MAR 8 1982 3:10 PM

INTERSTATE COMMERCE COMMISSION

Mr. Jim R. Herring
Vice President - Finance
Richmond Leasing Company
1700 West Loop South
Houston, Texas 77027

Dear Mr. Herring:

I have entered into a transaction, as of June 16, 1981, to sell my five railroad tank cars to the following individuals:

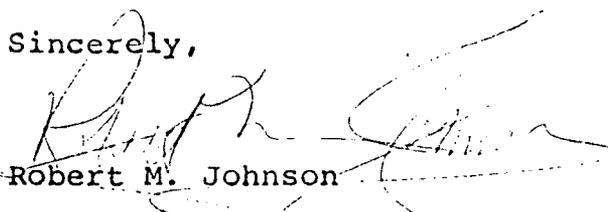
<u>Quantity</u>	<u>Purchaser</u>	<u>Car No.</u>
3	Margaret McKee LUND	RTMX 12526, RTMX 12630, RTMX 12631
1	Glenn Albert Welsch	RTMX 12527
1	Glenn Andrew Welsch	RTMX 12528

Therefore, effective June 16, 1981, I wish to assign to the above persons my rights under the Management Agreement with you dated June 6, 1978, a copy of which is enclosed.

It is my understanding that upon acceptance of this assignment by all parties concerned, I will then be relieved of all obligations and liabilities under the Management Agreement and Richmond will look to the assignees to fulfill whatever responsibilities were previously incumbent upon me.

Further, I should have one final check due from you covering the period April 1, 1981 to June 15, 1981, and all lease payments received subsequent to that date will be payable to the above individuals.

Sincerely,


Robert M. Johnson

Enclosure

AGREED TO AND ACCEPTED BY:

Jim F. Herring
Vice President - Finance
Richmond Leasing Company

Margaret McKee LUND

Glenn Albert Welsch

Glenn Andrew Welsch

Glenn Andrew Welsch

RECORDATION NO. 13589 ^A

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INTERSTATE COMMERCE COMMISSION

SEPT. 30, 1981

That all attached copies of the Management Agreement, Security Agreement, Collateral Assignment and Bill of Sale are true and certified copies of the original documents.

DEBTOR:

Glenn Andrew Welsch
Glenn Andrew Welsch

SECURED PARTY:

THE CAPITAL NATIONAL BANK IN AUSTIN

By Jan Noble Berend
Jan Noble Berend - Banking Officer

STATE OF TEXAS
COUNTY OF Harris

Before me, the undersigned authority, on this day personally appeared Glenn Andrew Welsch, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the 30 day of Sept., 1981.

JEAN REAVES
Notary Public In and for the State of Texas
My Commission expires February 28, 1985

Jan Reaves
Notary Public, Travis County, Texas
Feb. 28, 1985
My Commission Expires

Type of Print Name