

810

14258-8

LAW OFFICES

ALVORD AND ALVORD

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

200 WORLD CENTER BUILDING

918 SIXTEENTH STREET, N.W.

WASHINGTON, D.C.

20006-2973

OF COUNSEL
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JOHN L. INGOLDSBY
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CABLE ADDRESS
"ALVORD"

TELEPHONE
AREA CODE 202
393-2266

ROBERT W. ALVORD*
CARL C. DAVIS*
CHARLES T. KAPPLER
JOHN H. DOYLE*
GEORGE JOHN KETO*
MILTON C. GRACE*
JAMES C. MARTIN, JR.*

*NOT A MEMBER OF D.C. BAR
*ALSO ADMITTED IN NEW YORK
*ALSO ADMITTED IN OHIO
*ALSO ADMITTED IN MARYLAND

RECORDATION NO. 14258-B Filed & Recorded

DEC 4 1986 11-20 PM

December 4, 1986

INTERSTATE COMMERCE COMMISSION

6-388A071

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

No.
Date DEC 4 1986
Fee \$ 10.00

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REC 4 11 18 AM '86
HOTEL... UNIT

Dear Ms. McGee:

ICC Washington, D.C.

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11303(a) is a (Partial) Release of Mortgage dated July 30, 1986, a secondary document as defined in the Commission's Rules for the Recordation of Documents.

The enclosed (Partial) Release relates to a First Mortgage Trust Indenture dated January 1, 1984 from Delaware and Hudson Railway Company to State Bank of Albany, as Trustee, which was duly filed and recorded on January 24, 1984 and assigned Recordation Number 14258.

The name and address of the party executing the enclosed document is:

Norstar Bank of Upstate NY, as Trustee
(formerly State Bank of Albany)
69 State Street
Albany, New York 12201

A description of the railroad equipment covered by the enclosed document is set forth on Schedule A attached hereto and made a part hereof.

Also enclosed is a check in the amount of \$10 payable to the order of the Interstate Commerce Commission covering the required recordation fee.

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

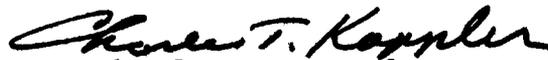
Handwritten signature/initials on the left margin.

Ms. Noreta R. McGee
Secretary
Interstate Commerce Commission
December 4, 1986
Page Two

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

(Partial) Release of Mortgage dated July 30, 1986
executed by Norstar Bank of Upstate NY (formerly
State Bank of Albany), as Trustee, covering open-
top and covered hopper cars and gondola cars.

Very truly yours,


Charles T. Kappler

Enclosures

SCHEDULE A

140 Covered Hopper Cars bearing the following Delaware and Hudson Railway Company (D&H) numbers:

3400 through 3401, inclusive
3403 through 3428, inclusive
3430 through 3440, inclusive
3443 through 3451, inclusive

12101 through 12121, inclusive
12123 through 12146, inclusive
12148 through 12152, inclusive
12154 through 12156, inclusive
12158
12160 through 12171, inclusive
12173 through 12192, inclusive
12194
12196 through 12200, inclusive

180 Gondola Cars bearing the following Delaware and Hudson Railway Company (D&H) numbers:

14102 through 14112, inclusive
14114 through 14122, inclusive
14125 through 14137, inclusive
14140 through 14143, inclusive
14145 through 14147, inclusive
14149 through 14151, inclusive
14153 through 14165, inclusive
14167 through 14189, inclusive
14191 through 14215, inclusive
14217 through 14221, inclusive
14223 through 14244, inclusive
14246 through 14249, inclusive
14300 through 14301, inclusive
14304 through 14310, inclusive
14312 through 14336, inclusive
14338 through 14339, inclusive
14341 through 14349, inclusive

282 Open Hopper Cars bearing the following Delaware and Hudson Railway Company (D&H) numbers:

241 through 243, inclusive
245 through 248, inclusive
251 through 257, inclusive
259 through 269, inclusive
271 through 281, inclusive
284
286
288 through 289, inclusive
293 through 295, inclusive
297 through 308, inclusive
310
312 through 320, inclusive
322
325 through 335, inclusive
337 through 344, inclusive
346 through 351, inclusive
353 through 357, inclusive
359
361 through 362, inclusive
364 through 365, inclusive

1001 through 1005, inclusive
1007 through 1008, inclusive
1010 through 1011, inclusive
1013 through 1023, inclusive
1025 through 1049, inclusive
1051 through 1052, inclusive
1054
1056 through 1064, inclusive
1066 through 1075, inclusive
1077 through 1078, inclusive
1080 through 1085, inclusive
1087 through 1089, inclusive
1091 through 1101, inclusive
1103 through 1124, inclusive
1126 through 1143, inclusive
1145 through 1147, inclusive
1149 through 1175, inclusive
1177 through 1192, inclusive
1194 through 1195, inclusive
1197 through 1200, inclusive

Interstate Commerce Commission
Washington, D.C. 20423

12/4/86

OFFICE OF THE SECRETARY

Charles T. Kappler
Alvord & Alvord
918 16th St. N.W.
Washington, D.C. 20006

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 12/4/86 at 11:20am, and assigned re-
recording number(s). 14258-B

Sincerely yours,

Noreta R. McGee
Secretary

Enclosure(s)

SE-30
(7/79)

RECORDATION NO. 10258-B Filed & Recorded

DEC 4 1986 11-20 PM

INTERSTATE COMMERCE COMMISSION

Partial

RELEASE OF MORTGAGE

THIS INDENTURE made this 30th day of July, 1986,

BETWEEN:

NORSTAR BANK OF UPSTATE NY, with
offices at 69 State Street,
Albany, New York 12201 (NORSTAR)

and

DELAWARE AND HUDSON RAILWAY COMPANY,
a Delaware corporation with an office
at Fifth Street, Watervliet, New York
12189 (D&H).

WHEREAS, DELAWARE AND HUDSON RAILWAY COMPANY (D&H)
executed its First Mortgage Trust Indenture to State Bank of
Albany, as Trustee, dated January 1, 1984 (the Indenture) to
secure Bonds of D&H which Indenture has been supplemented by
Supplemental Indentures dated January 18, 1984 of D&H, which
Indenture, as so supplemented mortgages with other property,
certain railroad equipment (Equipment) to NORSTAR BANK OF
UPSTATE NY, formerly known as State Bank of Albany
(NORSTAR); and

WHEREAS, DELAWARE AND HUDSON RAILWAY COMPANY by bill of
sale dated July 30, 1986 is selling the above mentioned
Equipment to Boston and Maine Corporation, and to that end
and for that purpose DELAWARE AND HUDSON RAILWAY COMPANY has
requested NORSTAR, Trustee under the above Indenture, to
execute and deliver a release of said Equipment from the
lien of said Indenture.

NOW, THEREFORE, NORSTAR, as Trustee under said
Indenture, in consideration of the premises and of One
Dollar (\$1.00) to it paid, does hereby release from the lien
of said Indenture the Equipment and all of D&H's right,
title, and interest therein, being the same equipment
described in Schedule A, attached hereto and made a part

hereof, to the end that such Equipment shall be free from the lien of said Indenture and discharged from any claim thereunder, it being understood, however, that nothing herein or in anything which may be affected hereby shall disturb or be construed as disturbing or otherwise affecting the Indenture or the lien and operation thereof upon the remaining property subject thereto, except as expressly stated herein.

The representations made herein are made by DELAWARE AND HUDSON RAILWAY COMPANY solely and not by the Trustee, and this instrument is executed and delivered by the Trustee without any warranty on its part and without recourse to it in any event.

IN WITNESS WHEREOF, NORSTAR BANK OF UPSTATE NY has caused its corporate seal to be hereunto affixed and these presents to be signed by its duly authorized officer the day and year first above written.

IN PRESENCE OF:

NORSTAR BANK OF UPSTATE NY,
as Trustee

Barbara L. Sobin
Assistant Trust Officer

By

James D. Hattie
VICE PRESIDENT AND SENIOR TRUST OFFICER

STATE OF NEW YORK)
) SS.:
COUNTY OF Albany)

On the 31st day of July 1986, before me personally came James H. Hatter, to me personally known, who, being by me duly sworn, did depose and say that he resides at 1657 Rt. 9 - Clifton Park, N.Y. 12065 that he is the Vice President & Senior Trust Officer of NORSTAR BANK OF UPSTATE NY, the corporation described in and which executed the foregoing instrument, as Trustee; that he knows the seal of said corporation; that the seal affixed to said Instrument is such corporate seal; that it was so affixed by authority of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Victor A. Lord, Jr.
Notary Public - State of New York

VICTOR A. LORD, JR.
Notary Public, State of New York
Qualified in Albany County
My Commission Expires March 30, 1987

SCHEDULE A

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