

STEPTOE & JOHNSON

1250 CONNECTICUT AVENUE  
WASHINGTON, D. C. 20036

CHERYL A. SKIGIN  
(202) 862-2053

June 9, 1980

11736-A  
I.C.C.  
FREE OPERATION DR.

RECEIVED  
JUN 9 11 41 AM '80

Ms. Agatha Mergenovich, Secretary  
Interstate Commerce Commission  
Room 2215 - Office of the Secretary  
Washington, DC 20423

No. 0-161A103  
Date JUN 9 1980  
Fee \$ 10.00  
JCC Washington, D. C.

Dear Ms. Mergenovich:

Enclosed for filing and recordation pursuant to the provisions of 49 U.S.C. § 11303 are several copies of the following document:

Release and Discharge dated as of June 9, 1980 between ACF Industries, Incorporated and Brae Corporation

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

Manufacturer: ACF Industries, Incorporated  
750 Third Avenue  
New York, NY  
Vendee: Brae Corporation  
Three Embarcadero Center  
San Francisco, CA 94111

In view of the fact that this document relates to the Agreement dated as of April 21, 1980 between ACF Industries and Brae Corporation filed on April 29, 1980 and assigned recordation number 11736, it is requested that it be assigned the next available letter designation which is believed to be A.

A check payable to the Interstate Commerce Commission in the amount of \$10.00 has been included to cover the filing fee.

Please return to the person presenting this letter your acknowledgement, fee receipt, the enclosed copies of this letter and any copies of the documents not required for recordation, all stamped to indicate appropriate filing information.

Very truly yours,

*Cheryl A. Skigin*  
Cheryl A. Skigin

mbm  
Enclosures

*Countersigned - Cheryl A. Skigin*

**Interstate Commerce Commission**  
Washington, D.C. 20423

6/9/80

OFFICE OF THE SECRETARY

**Cheryl A. Skigin**  
**Steptoe & Johnson**  
**1250 Conn. Ave.**  
**Wash. D.C. 20036**

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 **6/9/80** at **11:45am**, and assigned re-  
recording number(s). **11736--A Released**

Sincerely yours,

*Agatha L. Mergenovich*  
Agatha L. Mergenovich  
Secretary

Enclosure(s)

SE-30  
(7/79)

RELEASE AND DISCHARGE

This Release and Discharge dated as of June 9, 1980 from ACF INDUSTRIES, INCORPORATED (the "Manufacturer") whose principal office is at 750 Third Avenue, New York, New York, to BRAE CORPORATION (the "Vendee"), whose principal office is at 3 Embarcadero Center, San Francisco, California 94111.

RECORDED NO. 11736-A

W I T N E S S E T H :

WHEREAS, the Vendee by an Agreement (the "Agreement") granted a security interest to the Manufacturer in certain railroad equipment (the "Collateral"), more particularly described in Schedule A attached hereto as security for the payment of the purchase price of the Collateral; and

WHEREAS, the Agreement has been filed and recorded by the Interstate Commerce Commission on April 29, 1980 at 12:45 P.M. pursuant to the provisions of Section 49USC11303 and the regulations thereunder and has been assigned Recordation No. 11736; and

WHEREAS, the purchase price of the Collateral and all other sums secured by the Agreement have been paid in full;

NOW, THEREFORE, in consideration of the premises and of the sum of \$1.00 and other good and valuable consideration, the receipt whereof is hereby acknowledged and in pursuance of the terms and provisions of the Agreement, the Manufacturer hereby releases and relinquishes any and all right, title, claim or demand of the Manufacturer in and to the Collateral arising by, through or under the Agreement and further authorizes the Release and Discharge to be filed with and recorded by the Interstate Commerce Commission pursuant to Section 49USC11303 and the regulations thereunder in order to discharge the Agreement and to satisfy the same of record.

IN WITNESS WHEREOF the Manufacturer has caused this Agreement to be executed all as of the date and year first above written.

ACF INDUSTRIES, INCORPORATED

By *[Signature]*  
Its Treasurer

(Corporate Seal)

Manufacturer

Attest:

*[Signature]*

ASSISTANT SECRETARY

DESCRIPTION OF COLLATERAL

100 - 70-Ton 50' Box Cars, lettered and numbered:  
75 Cars POTB 151 through 225, inclusive.  
25 Cars IAT 1000 through 1024, inclusive.

SCHEDULE A  
(to Release and Discharge)

STATE OF NEW YORK )  
 ) ss:  
COUNTY OF NEW YORK )

On this 6th day of June, 1980, before me personally appeared H. A. Borst, to me personally known, who being by me duly sworn, says he is Treasurer of ACF INDUSTRIES, INCORPORATED, 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.

Anthony M. Romanello  
Notary Public

(SEAL)

ANTHONY M. ROMANELLO  
Notary Public, State of New York  
No. 31-4703607  
Qualified in New York County  
My commission expires: Commission Expires March 30, 1981