

TAFT, STETTINIUS & HOLLISTER

3

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CINCINNATI, OHIO 45202

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WASHINGTON, D.C. 20006  
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COVINGTON, KENTUCKY 41011  
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RECORDATION # 10218

3/1/1989 - 11:35 AM

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OF COUNSEL: JOHN W. HUDSON  
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\*WASHINGTON, D.C. OFFICE  
\*\*COLUMBUS, OHIO OFFICE  
\*\*\*COVINGTON, KENTUCKY OFFICE

February 22, 1989

Date 3/1/89 - 060A008  
13

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Ms. Noreta R. McGee, Secretary  
Interstate Commerce Commission  
12th Street & Constitution Avenue, N.W.  
Washington, D. C. 20423

Dear Ms. McGee:

I have enclosed herewith 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 Bill of Sale, a primary document, dated December 30, 1988. We request that this document be cross-indexed to documents recorded under Recordation Nos. 12128 and 14696.

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

BUYER: The David J. Joseph Company  
300 Pike Street  
Cincinnati, Ohio 45202

SELLER: The Pittsburgh & Lake Erie Railroad Company  
Commerce Center  
4 Station Square  
Pittsburgh, Pennsylvania 15219

CC Washington, D. C.

Ms. Noreta R. McGee, Secretary  
February 22, 1989  
Page 2

A description of the equipment covered by the enclosed document is set forth in Appendix A hereto.

A fee of \$13.00 is enclosed. Please return the original executed copy of the enclosed document to:

Philip F. Schultz, Esq.  
Taft, Stettinius & Hollister  
1800 Star Bank Center  
Cincinnati, Ohio 45202

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

Bill of Sale from the Pittsburgh & Lake Erie Railroad Company, Commerce Center, 4 Station Square, Pittsburgh, Pennsylvania 15219 to The David J. Joseph Company, 300 Pike Street, Cincinnati, Ohio 45202 dated December 30, 1988 and covering ten (10) gondolas.

Please call me if you should have any questions.

Yours truly,



Philip F. Schultz  
Attorney for  
The David J. Joseph Company

PFS/ch/wpc/5040d  
Enclosures

SGL-3-Y  
LARRY/SHP

APPENDIX A

10 Gondolas

PLE	15033
PLE	15078
PLE	15094
PLE	15107
PLE	15123
PLE	15130
PLE	15143
PLE	15154
PLE	15167
PLE	15240

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

3/2/89

OFFICE OF THE SECRETARY

Philip F. Schultz, Esq.  
Taft, Stettinius & Hollister  
1800 Star Bank Center  
Cincinnati, Ohio 45202

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 3/1/89 at 11:35am, and assigned recordation number(s).

16218  
16219  
16220  
1622  
16222  
16223  
16224  
16225

Sincerely yours,



Secretary

Enclosure(s)

16218

RECORDATION NO \_\_\_\_\_ FILED 1428

3/1 1989 -11 35 AM

CERTIFICATE OF NOTARY

INTERSTATE COMMERCE COMMISSION

The undersigned, a notary public in and for the County of Hamilton, State of Ohio, hereby certifies that the copy of the Bill of Sale attached hereto has been carefully compared with the original and is complete and identical in all respects to the original document.



\_\_\_\_\_  
Notary Public

JEFFREY MARKS, Attorney at Law  
NOTARY PUBLIC, STATE OF OHIO  
My Commission has no expiration  
date, Section 147.03 R. C.

RECORDATION NO. 16218 FILED 1420

MAR 1 1989 - 11 35 AM

INTERSTATE COMMERCE COMMISSION

BILL OF SALE

For and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, THE PITTSBURGH AND LAKE ERIE RAILROAD COMPANY (the "Company") does hereby sell, assign and transfer unto THE DAVID J. JOSEPH COMPANY ("Buyer"), and its successors and assigns, all of the Company's right, title, and interest in and to the units of railroad rolling stock described in Appendix A hereto (the "Equipment").

The Company hereby warrants to Buyer, and Buyer's successors and assigns, as follows:

1. That the Company is the lawful owner of the Equipment and has good, valid and marketable title thereto, free and clear of any charge, lien, encumbrance or other claim or interest of any nature whatsoever;
2. That the Company has full power and authority to sell and convey the Equipment; and
3. That the Company has not executed any other Bill of Sale or other instrument which by its terms purports to transfer title to the Equipment, or any interest therein, to any other person or entity.

The Company further agrees to forever warrant and defend the title to the Equipment unto Buyer, its successors and assigns, against all lawful claims.

THE FOREGOING WARRANTIES ARE EXCLUSIVE AND IN LIEU OF ALL OTHER REPRESENTATIONS AND WARRANTIES OF THE COMPANY, WHETHER WRITTEN, ORAL OR IMPLIED, AND THE COMPANY SHALL NOT, BY VIRTUE OF HAVING SOLD THE EQUIPMENT HERewith, BE DEEMED TO HAVE MADE ANY REPRESENTATION OR WARRANTY AS TO THE MERCHANTABILITY, FITNESS, OPERABILITY, DESIGN OR CONDITION OF, OR AS TO THE QUALITY OF THE MATERIAL OR WORKMANSHIP IN, THE EQUIPMENT, EXCEPT AS SPECIFICALLY SET FORTH HEREIN.

IN WITNESS WHEREOF, the undersigned has executed this Bill of Sale as of the 30th day of December, 1988.

WITNESS:

THE PITTSBURGH AND LAKE ERIE RAILROAD COMPANY

J. R. Holloway  
Susan Lichtenfeld

By: Gordon E. Neuenschwander  
Gordon E. Neuenschwander  
Its President

COMMONWEALTH OF PENNSYLVANIA )  
 )SS.  
COUNTY OF ALLEGHENY )

On this 30th day of December, 1988, before me, the subscriber, John D. Hartman, a Notary Public, duly commissioned, qualified and acting, within and for said County and State, appeared in person the within named Gordon E. Neuenschwander to me personally known, who stated and acknowledged that he is the President of The Pittsburgh and Lake Erie Railroad Company, a Delaware corporation, and duly authorized by authority of the board of directors or by-laws of said corporation in his capacity as such officer to execute and acknowledge the foregoing instrument for and in the name and on behalf of said corporation and further stated and acknowledged that he has so signed, executed and delivered the foregoing instrument as the free and voluntary act and deed of said corporation, for the consideration, uses and purposes therein mentioned and set forth and desired that the same might be recorded as such.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 30th day of December, 1988.



Notary Public

JOHN D. HARTMAN, NOTARY PUBLIC  
PITTSBURGH, ALLEGHENY COUNTY

MY COMMISSION EXPIRES JUNE 20, 1989

~~Member, Pennsylvania Association of Notaries~~

My commission expires:

SGL-3-Y  
LARRY/SHP

APPENDIX A

10 Gondolas

PLE	15033
PLE	15078
PLE	15094
PLE	15107
PLE	15123
PLE	15130
PLE	15143
PLE	15154
PLE	15167
PLE	15240