

TRENAM, SIMMONS, KEMKER, SCHARF, BARKIN, FRYE & O'NEILL

PROFESSIONAL ASSOCIATION

ATTORNEYS AT LAW

(6)

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RECORDATION NO. 16272-1
FILED 10/11/89

OCT 11 1989 - 10 05 PM

TER'S DIRECT LINE

INTERSTATE COMMERCE COMMISSION

October 5, 1989

9--284A007

Interstate Commerce Commission
Attn: Ms. Mildred Lee
Room 2303
12th and Constitution Avenue N.W.
Washington, D.C. 20423

Re: Our File No. 87-6022

Dear Ms. Lee:

We have enclosed two originals of the document described below, to be recorded pursuant to Section 11303 of Title 49 of the U.S. Code.

The document is an *Cy release* Affidavit, a secondary document, dated October 5, 1989.

The primary document to which this is connected is recorded under Recordation Number 16272.

The name and address of the party to the document is as follows:

Affiant: Nellye I. Friedman
P.O. Box 617
Tampa, Florida 33601

A description of the property covered by the Affidavit is enclosed with this letter as Exhibit A.

1102 SEP 11 1989
60. WJ 55 C 11 1989

Interstate Commerce Commission
Ms. Mildred Lee
October 5, 1989
Page 2.

A check payable to the Interstate Commerce Commission in the amount of \$15.00 is enclosed to cover the filing fee. Please return one original and any extra copies not needed by the Commission for recordation to Anthony Arena at the address listed on this letterhead.

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

The Affidavit was executed by Nellye I. Friedman on October 5, 1989. The Affidavit states that a Security Agreement was entered into between Nellye I. Friedman (the "Secured Party") and Herbert J. Friedman (the "Debtor") and was filed with the Interstate Commerce Commission on April 7, 1989 under Recordation Number 16272. The Affidavit further provides that all loans secured by the Security Agreement have been paid in full, and that Nellye I. Friedman no longer claims a security interest under the Security Agreement filed under Recordation Number 16272.

If you have any questions in connection with the filing of this document, please call.

Sincerely,

Anthony S. Arena
Anthony S. Arena

ASA/meq
Enclosures

cc: Nellye I. and Herbert J. Friedman

Interstate Commerce Commission
Washington, D.C. 20423

OFFICE OF THE SECRETARY

10/11/89

Nellye I. Friedman
P.O. Box 617
Tampa, Florida 33601

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 10/11/89 at 10:05^{am}, and assigned recordation number(s). 16272-A

Sincerely yours,



Noreta R. McGee
Secretary

Enclosure(s)

TRENAM, SIMMONS, KEMKER, SCHARF, BARKIN, FRYE & O'NEILL

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WRITER'S DIRECT LINE

January 11, 1990

Ms. Mildred Lee
Interstate Commerce Commission
Room 2303
12th and Constitution Avenue, N.W.
Washington, D.C. 20423

Ref: Our File No. 87-6022

Dear Ms. Lee:

On October 5, 1989, we sent you a letter requesting that certain documents be recorded (copy enclosed). It was our understanding that we would receive a copy of the filed documents or some confirmation indicating that those documents were filed. To this date, we have not received any confirmation of that prior recording. Please review this filing, and send us a confirmation that the filing was actually made along with the Recordation Number.

If you have any questions, please call.

Sincerely,

Anthony S. Arena
Anthony S. Arena

ASA:meq

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Interstate Commerce Commission
Ms. Mildred Lee
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If you have any questions in connection with the filing of this document, please call.

Sincerely,

Anthony S. Arena
Anthony S. Arena

ASA/meq
Enclosures

cc: Nellye I. and Herbert J. Friedman

6

AFFIDAVIT
Nellye I. Friedman

RECORDATION NO 16272-A FILED 1425

OCT 11 1989 - 10 05 PM

INTERSTATE COMMERCE COMMISSION

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

BEFORE ME, the undersigned Notary Public, personally appeared Nellye I. Friedman who, after being duly cautioned and sworn, deposes and says:

1. On March 31, 1989, a Security Agreement was entered into between Nellye I. Friedman (the "Secured Party") and Herbert J. Friedman (the "Debtor").

2. The Security Agreement provided that certain property (including, without limitation, five rail tank cars and a partnership interest more fully described in Exhibit A to this Affidavit) would secure all loans made by Nellye I. Friedman to Herbert J. Friedman, including, without limitation, a certain \$68,000 loan evidenced by a promissory note executed by the Debtor dated March 31, 1989.

3. The Security Agreement was filed with the Interstate Commerce Commission on April 7, 1989 under Recordation Number 16272.

4. As of the date of this Affidavit, all loans secured by the Security Agreement have been paid in full.

5. Nellye I. Friedmann no longer claims a security interest under the Security Agreement filed under Recordation Number 16272.

6. FURTHER AFFIANT SAYETH NOT.

Nellye I. Friedman

Nellye I. Friedman

SWORN TO AND SUBSCRIBED before me this 5th day of October, 1989, by Nellye I. Friedman.

M. Elizabeth Quirk

Notary Public

My Commission Expires:

Notary Public, State of Florida
My Commission Exp. June 21, 1993
Bonded thru PICHARD Ins. Agency

EXHIBIT A

Description of Collateral

1. All of Debtor's right, title and interest in the five rail tank cars as described below (including, without limitation, any and all proceeds thereof and goodwill).

One 100 ton roller bearing
DOT 111A100W1
21,000 gallons
N/I, IC Tank Car
Lettered - RUSX
Numbered - 46
Lot Number 18-15304

Four 100 ton roller bearing
DOT 111A100W1
21,000 gallons
N/I, IC Tank Cars
Lettered - RUSX
Numbered - 47-50
Lot Number 18-15304

2. All of the Debtor's right, title and interest in that certain Car Owner's Pool No. 4 administered by United States Rail Services, Inc. The Debtor is listed as partner number 11 of Car Owner's Pool No. 4. The mailing address of Car Owner's Pool No. 4 follows:

Car Owner's Pool No. 4
(c/o United States Rail Services, Inc.)
633 Battery Street
Attn: Income Tax Department
San Francisco, CA 94111