WILMER, CUTLER & PICKERING
1666 K STREET, N. W.
WASHINGTON, D. C. 20006

CABLE ADDRESS: WICRING WASH., D. C.
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EUROPEAN OFFICE
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TELEPHONE 01-236-2401
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CABLE ADDRESS: WICRING LONDON

ALLEN H. HARRISON, JR.
DIRECT LINE (202)
872-6093

RECORDATION NO. 14351-F Filed 1425
AUG 23 1984 -1 25 PM
INTERSTATE COMMERCE COMMISSION

4-236A122
No.
AUG 23 1984
Date .....
Fee $ ....10.00....
ICC Washington, D. C.

August 23, 1984

Dear Mr. Bayne:

On behalf of National Westminster Bank USA, as Agent, Mortgagee, I submit for filing and recording, under 49 U.S.C. § 11303(a) and the regulations promulgated thereunder, the enclosed three executed counterparts of a Partial Release.

The enclosed Partial Release is a secondary document that releases the units of rolling stock listed in Schedule I thereto from the "thereafter acquired" clause of paragraph "FIRST" of that certain Chattel Mortgagee dated as of June 28, 1984 between ACF Industries, Incorporated, Mortgagor, and National Westminster Bank USA, Agent, Mortgagee, filed and recorded with the Interstate Commerce Commission at 1:25 p.m. on June 27, 1984 under Recordation No. 14351. The enclosed Partial Release should be recorded under the next available letter under Recordation No. 14351, which we believe will be 14351-F.

The party to the Partial Release is:

National Westminster Bank USA, Agent, Mortgagee
175 Water Street
New York, New York 10038

The equipment covered in the Partial Release is the rolling stock listed in Schedule I attached thereto, consisting of sixteen 100-ton, 5000 cubic feet, covered hopper cars, DBCX 334-349.

Enclosed is our firm's check in the amount of $10.00 to cover the filing fee for the Partial Release.

A short summary of the document to appear in the Index is as follows:

"Release of 16 covered hopper cars, DBCX334-349 from the "thereafter acquired" clause of the Chattel Mortgage"

ICC OFFICE OF THE SECRETARY
AUG 28 1 50 PM '84
MOTOR OPERATING UNIT

Once the filing has been made, please return to bearer the stamped counterparts of the Partial Release not required for filing purposes, together with the fee receipt, the letter from the ICC acknowledging the filing, and the two extra copies of this letter of transmittal.

Very truly yours,

Allen H. Harrison, Jr.
Attorney for National
Westminster Bank USA,
Agent, Mortgagee, for
the purpose of this
filing

Honorable James H. Bayne
Secretary
Interstate Commerce Commission
Washington, D.C. 20423

Enclosures

AHH/iw

Interstate Commerce Commission
Washington, D.C. 20423

OFFICE OF THE SECRETARY
Allen H. Harrison, Jr.
Wilmer, Cutler & Pickering
1666 K Street, N. W.
Washington, D. C. 20006

August 23, 1984

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 8/23/84 at 1:55PM and assigned re-recordation number(s). 14351-F

Sincerely yours,

James H. Bayne

Secretary

Enclosure(s)

SE-30
(7/79)

RECORDATION NO. 14351-F Filed 1425
AUG 23 1984 · 1 15 PM
INTERSTATE COMMERCE COMMISSION

PARTIAL RELEASE

WHEREAS, that certain Chattel Mortgage dated as of June 28, 1984, by and between ACF Industries, Incorporated, Mortgagor (the "Mortgagor") and National Westminster Bank USA, as Agent, Mortgagee (the "Mortgagee"), was recorded with the Interstate Commerce Commission at 1:25 P.M., June 27, 1984 under Recordation No. 14351; and

WHEREAS, the said Chattel Mortgage, by its terms, encumbered in paragraph "FIRST" thereof, all thereafter acquired rolling stock of the Mortgagor, as well as the specific units of rolling stock described listed in Schedule A annexed to such Chattel Mortgage; and

WHEREAS, the Mortgagor has newly manufactured for Badische Corp., 16 units of 100 ton 5000 cu. ft. 10 PSI in-transit covered hopper cars as listed in Schedule I attached hereto, which units are not among the units listed in Schedule A to the said Chattel Mortgage, but would be included as thereafter acquired rolling stock by the terms of the said Chattel Mortgage; and

WHEREAS, it is the intent of the Mortgagor and the Mortgagee that the units listed in Schedule I attached hereto are not to be included in or subjected to the said Chattel Mortgage as thereafter acquired rolling stock,

THEREFORE,

KNOW ALL MEN BY THESE PRESENTS, that the Mortgagee, in consideration of $1.00 and other good and valuable consideration,

the receipt of which is hereby acknowledged, does hereby release, convey and quit-claim unto the Mortgagor and its successors and assigns all right, title and interest, claim, or demand whatsoever which the Mortgagee may have acquired in, to, or under said 16 units of 100 ton 5000 cu. ft. 10 PSI in-transit covered hopper cars listed in Schedule I attached hereto, arising through or by the aforesaid Chattel Mortgage.

IN WITNESS WHEREOF, the Mortgagee has caused these presents to be signed by its duly authorized officer, and to be affixed with its corporate seal this 22 day of August, 1984.

(SEAL)

NATIONAL WESTMINSTER BANK USA,
As Agent, Mortgagee

By _____

Its Vice President

Attest:

_____

Its ASSISTANT TREASURER

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

On the 22 day of August, 1984, before me personally appeared Robert J. Mitchell, to me personally known, who being by me duly sworn, did depose and say that he is a Vice President of NATIONAL WESTMINSTER BANK USA, that the seal affixed to the foregoing instrument is the corporate seal of said national banking association, that said instrument was signed and sealed on behalf of said national banking association 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 national banking association.

Shephard W. Melzer
Notary Public

SHEPHARD W. MELZER
Notary Public, State of New York
No. 30-7893875
Qualified in Nassau County
Certificate Filed in New York County
Commission Expires March 30, 1986

SCHEDULE I TO PARTIAL RELEASE

Car Nos.	Description	Customer
DBCX 334 through 349, both inclusive	100 ton 5000 cu. ft. 10 PSI in-transit covered hopper cars	Badische Corp.