

  
**Citizens Fidelity Energy Company**

LOUISVILLE, KENTUCKY 40296

REGISTRATION NO. 9833-A Filed 1425

August 6, 1986

AUG 21 1986 - 1 15 PM

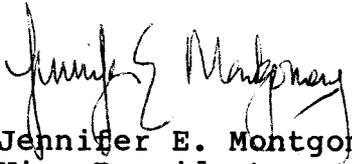
INTERSTATE COMMERCE COMMISSION

Interstate Commerce Commission  
Twelfth Street & Constitution Ave., N.W.  
Washington, DC 20423  
Attention: Room 2303

Re: Blue Diamond Mining, Inc.

Enclosed is a Partial Deed of Release for 18 Rail Cars  
previously held by Citizens Fidelity under the Mortgage and  
Security Agreement referenced in the Release.

Sincerely,

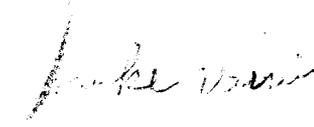


Jennifer E. Montgomery  
Vice President

Enc.

JEM/tg

302 500 4850



Interstate Commerce Commission  
Washington, D.C. 20423

8/22/86

OFFICE OF THE SECRETARY

Jennifer E. Montgomery  
Vice President  
Citizens Fidelity Energy Co.  
500 West Jefferson Street  
Louisville, Kentucky 40202

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 8/21/86 at 1:15pm, and assigned re-  
recording number(s). 9833-A

Sincerely yours,

*Noreta R. McGee*  
Secretary

Enclosure(s)

SE-30  
(7/79)

PARTIAL DEED OF RELEASE

RECORDATION NO. 9833-A Filed 1425

AUG 21 1986 - 1 15 PM

INTERSTATE COMMERCE COMMISSION

THIS PARTIAL DEED OF RELEASE made and entered into this 6th day of August, 1986 by and between Blue Diamond Mining, Inc., a Delaware Corporation ("Blue Diamond"), Blue Diamond Coal Company, a Delaware Corporation ("Guarantor") and Citizens Fidelity Bank and Trust Company (d/b/a Citizens Fidelity Energy Company), a Kentucky banking corporation with its principal office and place of business at 500 West Jefferson Street, Louisville, Kentucky 40202 ("Bank").

WITNESSETH:

That whereas Blue Diamond and Guarantor, respectively, executed the Mortgage and Security Agreement dated the 18th day of December, 1978 and filed with the Interstate Commerce Commission, Recordation Number 9933, Filed 1425, December 22, 1978, 2:00 p.m. to Bank, and said Mortgage has been PARTIALLY paid off or otherwise satisfied pursuant to that certain note dated the 26th day of December 1978 by and between Blue Diamond, Guarantor and Bank.

Now, therefore, in consideration of the promises and the payments, or other PARTIAL satisfaction of said mortgage, Bank does hereby release the following described and only the described collateral:

18 used BDMX Hopper Rail Cars, 100 Ton Capacity, Car Numbers as Follows:

- |          |          |          |
|----------|----------|----------|
| BDMX 100 | BDMX 120 | BDMX 145 |
| BDMX 101 | BDMX 126 | BDMX 146 |
| BDMX 103 | BDMX 129 | BDMX 147 |
| BDMX 105 | BDMX 134 | BDMX 151 |
| BDMX 107 | BDMX 140 | EDMX 158 |
| BDMX 119 | BDMX 142 | BDMX 163 |

IN TESTIMONY WHEREOF, Witness the signatures of Bank, this, the day and year first herein written.

State of Kentucky  
County of Jefferson

CITIZENS FIDELITY BANK &  
TRUST CO.

Jennifer E. Montgomery,  
Assistant Vice President  
came before me this 6th  
day of August, 1986.

BY: Jennifer E. Montgomery  
TITLE: Assistant Vice  
President

*Tonee L. Guy*

Tonee L. Guy Notary Public  
State at Large Commission Expires 3/30/88