

# ITEL

RECORDATION NO. 9941 C Filed 1425

MAR 17 1980 - 3 15 PM

**Rail Division** INTERSTATE COMMERCE COMMISSION

Two Embarcadero Center  
San Francisco, California 94111  
(415) 955-9090  
Telex 34234

March 14, 1980

File First

Ms. Agatha Mergenovich, Secretary  
Interstate Commerce Commission  
Washington, D.C. 20423

No 0-077A135

Date MAR 17 1980

Fee \$ 20.00

ICC Washington, D. C.

RECEIVED  
MAR 17 3 05 PM '80  
I.C.C. OPERATION B.R.  
FREE OPERATION B.R.

*Mrs Lee -  
Can you please  
check the next  
letter will be  
in 9941.*

Re: Itel Corporation  
Equipment Trust 1978 Series 3  
Equipment Trust Agreement dated as of November 1, 1978  
10% Trust Certificates due December 1, 1994

Dear Ms. Mergenovich:

Pursuant to 49 U.S.C. Section 11303(a) and the Interstate Commerce Commission's rules and regulations thereunder, I enclose herewith, on behalf of Itel Corporation, for filing and recordation, as an additional filing under Recordation No. 9941, three (3) executed counterparts of the following document:

Notice of Termination, executed by Itel Corporation on March 5, 1980, with Exhibit A attached thereto (this Notice of Termination evidences the termination of the lease filed under Recordation No. 9941).

The name and address of the party to the aforementioned document is:

Itel Corporation, Rail Division  
Two Embarcadero Center, 24th Floor  
San Francisco, California 94111

Please cross-index the above-referenced Notice of Termination with the following document, which is filed under Recordation No. 9932:

Equipment Trust Agreement, dated as of November 1, 1978, between Citibank, N.A. as Trustee and Itel Corporation.

*Copy to Whelan  
C. D. [Signature]*

Agatha Mergenovich, Secretary  
Interstate Commerce Commission  
Page 2

The equipment covered by the enclosed Notice of Termination is one hundred (100) flatcars (A.A.R. mechanical designation FC; 70-ton, flush-deck flatcars for trailer and container service; length: 89' 4") formerly, and until remarked, marked ERES 250000 through and including ERES 250099, to be remarked to COER 250000 to and including COER 250099.

Enclosed also is a check for \$20.00 for the required recordation (\$10.00) and cross-indexing (\$10.00) fees.

Please stamp all counterparts of the enclosed document with your official recording stamp. You will wish to retain one (1) counterpart of the documents for your files; it is requested that the remaining two (2) counterparts be delivered to the bearer of this letter.

Sincerely,



David V. Biesemeyer  
Senior Counsel

DVB:jmz

encls.

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

3/17/80

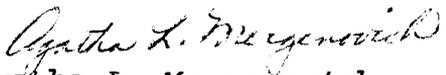
OFFICE OF THE SECRETARY

**David V. Biesemeyer**  
**Senior Counsel**  
**Itel Corp.**  
**Two Embarcadero Center**  
**San Francisco, Calif. 94111**

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 **3/17/80** at **3:15pm**, and assigned re-  
recording number(s). **9932-E, 9936-C, 9941-C**

Sincerely yours,

  
Agatha L. Mergenovich  
Secretary

Enclosure(s)



**ITEL**

**Rail Division**

Two Embarcadero Center  
San Francisco, California 94111  
(415) 955-9090  
Telex 34-234

September 7, 1979

Mr. Craig Burroughs  
ERIE WESTERN RAILWAY COMPANY  
1507 Railway Exchange Building  
80 East Jackson Boulevard  
Chicago, IL 60604

Dear Mr. Burroughs:

The Erie Western Railway Company is no longer a designated operator of certain trackage between Hammond, Indiana and the Ohio-Indiana state line, therefore, the Erie Western Railway Company is in default of Section 8. A. (vi) of said Lease Agreement referred to below. The Erie Western Railway Company has also breached and is in default of 8. A. (i) of said Lease Agreement referred to below.

Due to the occurrence of the above-referenced Events of Default the Lease Agreement between the Erie Western Railway Company and ITEL CORPORATION, Rail Intermodal Division dated as of September 20, 1978 is hereby terminated.

Our Accounting Department shows that you have \$357,742.24 in outstanding rental due as of July 31, 1979. We now demand immediate payment by certified or cashier's check of \$357,742.24.

Per Section 8. B., the termination of the Agreement does not release the Erie Western Railway Company from any obligation to pay to ITEL Rail any and all rent or other sum that may then be due or accrued.

Effective immediately, ITEL Rail will dispatch all car numbers bearing series numbers ERES 250000-250099 to a location designated for restenciling.

Sincerely,

ITEL CORPORATION  
Rail Division



Allen S. Peterson  
Vice-President, Marketing

ASP/mw

HAND DELIVERED