

2550 Golf Road  
Rolling Meadows, IL 60008

9009-B

Telephone: 312/640-7000

**EVANS** / **EVANS RAILCAR**  
PRODUCTS COMPANY LEASING COMPANY  
DIVISION

RECORDATION NO. 9009-B FILED 2435  
OCT 12 1983 - 12 40 PM

October 10, 1983

Secretary  
Interstate Commerce Commission  
Washington, D.C.

No. 3-285-070  
OCT 12 1983  
Date.....  
Fee \$ 10.00  
ICC Washington, D. C.

Dear Secretary:

Pursuant to 49 U.S.C. § 11303 and the rules and regulations promulgated thereunder, as amended, we hand you herewith for filing two fully-executed counterparts of that certain Release Agreement dated as of August 15, 1983. The parties to the Release Agreement are as follows:

Releasor: Continental Illinois National Bank & Trust Company of Chicago  
230 South LaSalle Street  
Chicago, Illinois 60693

Releasee: Evans Railcar Leasing Company  
The East Tower, Suite 1000  
2550 Golf Road  
Rolling Meadows, Illinois 60008

The enclosed Release Agreement relates to that certain Security Agreement dated August 1, 1977 which was recorded with the Interstate Commerce Commission as ICC Recordation No. 9009. Accordingly, the Release Agreement should be filed as a subfiling under that number.

Enclosed herewith is Rosenthal and Schanfield check No. 30469 in the amount of \$10.00 in payment of applicable recording fees.

Since these documents are being delivered to you by hand, we would appreciate if you would return to the bearer duly stamped counterparts of the Release Agreement not required to be kept by you, or, if it is not possible to return them to the bearer, send them to: Mr. I. Walter Deitch, Rosenthal and Schanfield, Suite 4620, 55 East Monroe Street, Chicago, Illinois 60603.

Very truly yours,

EVANS RAILCAR LEASING COMPANY

*I. Walter Deitch*  
Assistant Secretary

OCT 12 12 32 PM '83

RECEIVED

*Counterspart 12 - C.T. Rosenthal*

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

OFFICE OF THE SECRETARY

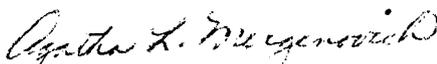
I. Walter Deitch  
Rosenthal and Schanfield  
Suite 4620  
55 East Monroe Street  
Chicago, Illinois 60603

October 12, 1983

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 10/12/83 at 1:40PM and assigned re-  
recording number(s). 9009-B, & 14059-B

Sincerely yours,

  
Agatha L. Mergenovich  
Secretary

Enclosure(s)

RECORDATION NO. 9009-B Filed 1425

OCT 12 1983 - 12 40 PM

INTERSTATE COMMERCE COMMISSION

RELEASE AGREEMENT

RELEASE AGREEMENT dated this 15th day of August, 1983, and between Continental Illinois National Bank & Trust Company of Chicago (the "Bank") and Evans Railcar Leasing Company ("Evans"), by name change successor in interest to United States Railway Leasing Company and United States Railway Equipment Company.

W I T N E S S E T H:

WHEREAS, the Bank and Evans entered into a Loan Agreement dated as of 8/1/77 ("Loan Agreement") Issue AM, whereby Evans became indebted to the Bank in the amount of \$1,300,000, as evidenced by a Mortgage Note ("Note"); and

WHEREAS, to secure payment of principal and interest on the Note, Evans granted the Bank a Security Agreement dated as of August 1, 1967 ("Security Agreement"), ICC recordation #9009 in certain railroad equipment ("Equipment") and railcar leases ("Leases") as outlined in Schedule 1 attached hereto; and

WHEREAS, Evans has fully paid its obligations with respect to the Loan Agreement and desires and is entitled to a release of the Bank's Security Interest in the Equipment;

NOW, THEREFORE, the parties hereto agree as follows:

1. The Bank acknowledges that Evans has fully paid its obligations with respect to the Loan Agreement. Accordingly, the Bank hereby releases its Security Agreement and any other rights which it may have in the Equipment and Leases.

2. The Loan Agreement and Security Agreement dated August 1, 1977 are hereby terminated and neither party thereto shall have any further obligations thereunder except for the obligations under this Release Agreement.

IN WITNESS WHEREOF, the parties thereto have executed this Release Agreement as of the day and year first above written.

[CORPORATE SEAL]

ATTEST:

Thomas L. Scherbeck

[CORPORATE SEAL]

ATTEST:

[Signature]

OPERATIONS OFFICER

EVANS RAILCAR LEASING COMPANY

By [Signature]  
Vice President

CONTINENTAL ILLINOIS NATIONAL BANK AND TRUST COMPANY OF CHICAGO

By [Signature]  
Exec. Vice President

**SCHEDULE I**

**DESCRIPTION OF EQUIPMENT AND LEASES**

<u>Type of Cars</u>	<u>No. of Cars</u>	<u>Car Reporting Marks (Both Inclusive)</u>	<u>Lessee</u>	<u>Date of Lease</u>	<u>Lease Term (Yrs.)</u>	<u>Net Book Value as of 3-31-77</u>
70 ton roller bearing box cars with 10' sliding doors and Hydra-cushion underframe	96	BM 900-999*	Boston and Maine Corporation	7/1/68	15	\$ 985,380
70 ton roller bearing box cars with 10' sliding doors, Hydra-cushion underframe and DF equipment	54	BM 800-857**	Boston and Maine Corporation	9/25/68	15	569,032
	<u>150</u>					<u>\$1,545,412</u>

\* Except BM 903, 915, 972 and 988

\*\* Except BM 800, 824, 826 and 831

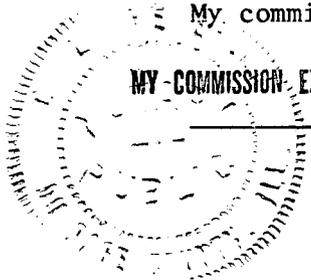
STATE OF *Illinois*  
COUNTY OF *Cook*

On this *8* day of *April*, 1983, before me personally appeared *Hollis W. Rockmeyer*, to me personally known, who being by me duly sworn, says that he is the *Executive Vice President* of Continental Illinois National Bank & Trust Company of Chicago that the seal affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation 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 corporation.

My commission expires:

**MY COMMISSION EXPIRES NOVEMBER 17, 1985**

*M. D. Peterson*  
\_\_\_\_\_  
Notary Public



STATE OF ILLINOIS

COUNTY OF COOK

On this *29<sup>th</sup>* day of *August*, 1983, before me personally appeared *Paul R. Deak*, to me personally known, who being by me duly sworn, says that he is the *Vice President* of Evans Railcar Leasing Company, that the seal affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation 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 corporation.

My commission expires:

*2-4-85*

*Susan E Muehlfelder*  
Notary Public