

MISSOURI-KANSAS-TEXAS RAILROAD COMPANY

LAW DEPARTMENT
701 COMMERCE STREET
DALLAS, TEXAS 75202

7621-A
RECORDATION NO. 7621-A
Filed 1425

NOV 5 1984 - 2 10 PM

214-651-6740

INTERSTATE COMMERCE COMMISSION

In reply refer to: 410.043-12

No. 4-310A098

November 2, 1984

Date NOV 5 1984

Fee \$ 10.00

ICC Washington, D.C.

ARTHUR M. ALBIN
General Counsel

Mr. James Bayne
Secretary
Interstate Commerce Commission
12th and Constitution Ave., N.W.
Washington, D.C. 20423

Re: Conditional Sale Agreement and Agreement and Assignment dated as of August 30, 1974, between General Motors Corporation (Electro-Motive Div.), Missouri-Kansas-Texas Railroad Company, and Mercantile Trust Company National Association covering 4 Diesel Electric Locomotives

Dear Mr. Bayne:

I have enclosed an original and four (4) counterparts of the document described below, to be recorded pursuant to Section 11303 of Title 49 of the U.S. Code.

This document is a Release, a secondary document, dated as of the 29th day of October, 1984.

The primary document to which this is connected is a Conditional Sale Agreement and Agreement and Assignment dated as of August 30, 1974, recorded under Recordation No. 7621.

The names and addresses of the parties to the document are as follows:

Purchaser:

Missouri-Kansas-Texas Railroad Company
701 Commerce Street
Dallas, TX 75202

Seller (Assignee):

Mercantile Trust Company National Association
P. O. Box 524
St. Louis, MO 63166

A description of the equipment covered by the document follows:

Four (4) Model GP 38-2 Diesel Electric Locomotives bearing MKT road numbers 314 to 317, both inclusive.

A cashier's check in the amount of \$10.00 is enclosed for the filing fee. Please return all counterparts not needed by the Commission for recordation, stamped to show recordation, to the undersigned for distribution to the parties.

ICC OFFICE OF THE SECRETARY
NOV 5 2 01 PM '84
MOTOR VEHICLE UNIT

MISSOURI-KANSAS-TEXAS RAILROAD COMPANY
LAW DEPARTMENT

Mr. James H. Bayne

- 2 -

November 2, 1984

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

Release dated as of October 29, 1984, by Mercantile Trust Company National Association, releasing its interest under Conditional Sale Agreement and Agreement and Assignment dated as of August 30, 1974, covering Four (4) Model GP 38-2 Diesel Electric Locomotives bearing MKT road numbers 314 to 317, both inclusive.

I certify that I have knowledge of the foregoing.

Yours very truly,



Arthur M. Albin,
General Counsel

AMA:vas
Enclosures

Interstate Commerce Commission
Washington, D.C. 20423

11/5/84

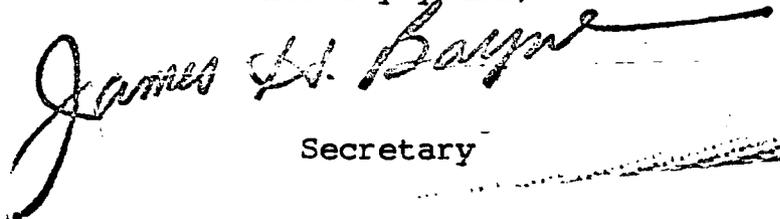
OFFICE OF THE SECRETARY

Arthur M. Albin
Missouri-Kansas Texas RR. Co .
701 Commerce St.
Dallas, Texas 75202

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 11/5/84 at 2:10pm and assigned re-
recording number(s). 7621-A

Sincerely yours,

A handwritten signature in cursive script, reading "James H. Bayne", with a long horizontal flourish extending to the right.

Secretary

Enclosure(s)

RECORDATION NO. 7621-A Filed 1425

NOV 5 1984 -2 10 PM

R E L E A S E

INTERSTATE COMMERCE COMMISSION

WHEREAS, GENERAL MOTORS CORPORATION (ELECTRO-MOTIVE DIVISION), a Delaware corporation, as manufacturer (hereinafter called "Manufacturer"), did execute and enter into that certain Conditional Sale Agreement with MISSOURI-KANSAS-TEXAS RAILROAD COMPANY, as purchaser (hereinafter called "Railroad"), dated as of the 30th day of August, 1974, and by Agreement and Assignment of even date by and between the Manufacturer, the Railroad, and MERCANTILE TRUST COMPANY NATIONAL ASSOCIATION (hereinafter called the "Bank"), as assignee, the Manufacturer did assign to the Bank all its right, title and interest in and to the Four Model GP38-2 Diesel Electric Locomotives bearing Railroad's road numbers 314 through 317, both inclusive, covered by the Conditional Sale Agreement; and

WHEREAS, said Conditional Sale Agreement and Agreement and Assignment was filed with the Interstate Commerce Commission on August 30, 1974, and assigned Recordation No. 7621; and

WHEREAS, Railroad has fully complied with all the terms and conditions set forth therein and has paid to Bank all sums of money required of it to be paid;

NOW, THEREFORE, in consideration of the premises and the full compliance by Railroad with the terms and provisions of said Agreement and Assignment, the Bank does hereby release and surrender all its right, title, lien, and interest in and to Locomotive Unit Nos. 314 through 317; subject, however, to the Bank retaining any rights it may have to be indemnified as provided in said Agreement and Assignment.

IN WITNESS WHEREOF, the parties have duly executed this Release as of the 29th day of October, 1984.

MERCANTILE TRUST COMPANY NATIONAL ASSOCIATION

By: Mark Allenspach
Vice President Banking Officer

MISSOURI-KANSAS-TEXAS RAILROAD COMPANY

By: Garland R. ...
Executive Vice President-Financial

STATE OF MISSOURI)
)
CITY OF ST. LOUIS)

Before me, the undersigned, a Notary Public in and for said City and State, on this day personally appeared Mark Allenpach, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said MERCANTILE TRUST COMPANY NATIONAL ASSOCIATION, a national banking association, and that he has executed the same as the act of such association for the purposes and consideration therein expressed, and in the capacity therein stated.

Lois L. Lorich
LOIS L. LORCH
Notary Public in and for the City of
St. Louis, Missouri

My Commission expires: JUL 2 1988.

THE STATE OF TEXAS:

Before me, the undersigned, a Notary Public in and for said State, on this day personally appeared Karl R. Ziebarth, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said MISSOURI-KANSAS-TEXAS RAILROAD COMPANY, a corporation, and that he has executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 20th day of Sept., 1984.

Virginia A. Schoeneberger
Virginia A. Schoeneberger
Notary Public in and for the State of
Texas

My Commission expires: March 24, 1986.