



CSX RAIL TRANSPORT
Law Department

RECORDATION NO. 7182-A FILE 1500

NOV 18 1988 12 05 PM

INTERSTATE COMMERCE COMMISSION

500 Water Street
Jacksonville, FL 32202
(904) 359-3100
Writer's direct telephone line:

(904) 359-3673

November 14, 1988

8 323A031

Secretary
Interstate Commerce Commission
12th & Constitution, NW
Washington, DC 20423

No. NOV 18 1988

Date

Fee \$ 13.00

ICC Washington, D.C.

Dear Secretary:

I have enclosed four counterparts of the document described below, to be recorded pursuant to Section 11303 of Title 49 of the U. S. Code.

This document is an Instrument of Satisfaction and Release dated November 1, 1988, a secondary document. The primary document to which this release is connected is recorded under Recordation No. 7182.

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

First Alabama Bank
(formerly The First National
Bank of Montgomery)
P. O. Box 511
Montgomery, Alabama 36134

CSX Transportation, Inc.
(successor to Seaboard Coast
Line Railroad Company and Louisville
and Nashville Railroad Company)
500 Water Street
Jacksonville, Florida 32202

NOV 18 11 56 AM '88
MOTOR OPERATING UNIT
OFFICE OF THE SECRETARY

A fee check in the amount of \$13 is also enclosed. Please return all counterparts not required by the Commission for recordation to:

Mr. David M. Yearwood
Senior Counsel
CSX Transportation, Inc.
500 Water Street

November 14, 1988
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Jacksonville, Florida 32202

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

General release.

Very truly yours,


David M. Yearwood
Senior Counsel

DMY/cra

W/Enclosures

Interstate Commerce Commission
Washington, D.C. 20423

11/18/83

OFFICE OF THE SECRETARY

David M. Yearwood
Senior Counsel
CSX Transportation ,Inc
500 Water Street
Jacksonville,Florida 32202

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 11/18/88 at 12:05pm , and assigned recordation number(s). 7182-A

Sincerely yours,

Narita L. McLee

Secretary

Enclosure(s)

RECORDATION NO. 7182-A
FILING DATE

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INTERSTATE COMMERCE COMMISSION

INSTRUMENT OF SATISFACTION AND RELEASE dated as of November 1, 1988 by and between THE FIRST NATIONAL BANK OF MONTGOMERY (the "Bank") and CSX TRANSPORTATION, INC., a Virginia corporation (the "Railroad") (successor to Seaboard Coast Line Railroad Company ("SCL") and Louisville and Nashville Railroad Company ("L&N")).

WITNESSETH:

WHEREAS, by a Conditional Sale Agreement, dated as of May 1, 1973, (the "Conditional Sale Agreement") between ACF Industries, Incorporated (the "Seller") and SCL and L&N, the Seller agreed to construct, sell and deliver to SCL and L&N, jointly and severally, on the terms and conditions therein set forth, the equipment described therein (the "cars");

WHEREAS, by an Agreement and Assignment, dated as of May 1, 1973 (the "Assignment"), the Seller sold, assigned, transferred and set over to the Bank, its successors and assigns, all its rights, titles and interests in and to the cars and the Conditional Sale Agreement;

WHEREAS, the Conditional Sale Agreement and Assignment were filed and recorded with the Interstate Commerce Commission on October 17, 1973, and assigned Recordation No. 7182;

WHEREAS, Section 3 of the Conditional Sale Agreement provides that when the Railroad has paid the full

Purchase Price of the cars, together with interest, and performed all of its obligations under the Conditional Sale Agreement, title to the cars shall pass to and vest in the Railroad, and the Railroad will be entitled to receive, upon request, an instrument whereby the Bank transfers its title and interest in and to the cars to the Railroad; and

WHEREAS, the Railroad has made all payments and performed all of its obligations under the Conditional Sale Agreement and is therefore entitled to receive an instrument evidencing such transfer of title to the cars to the Railroad.

NOW, THEREFORE, in consideration of the mutual promises herein, and of Ten Dollars (\$10.00) paid to it by the Railroad, receipt of which is hereby acknowledged, the Bank does hereby (1) acknowledge satisfaction of all payments and obligations required of the Railroad under the Conditional Sale Agreement, and (2) transfer all its right, title and interest in and to the cars to the Railroad.

The Railroad does hereby release and discharge the Bank from any and all liability arising under the Conditional Sale Agreement and Assignment.

The Railroad will cause this instrument to be filed and recorded with the Interstate Commerce Commission pursuant to 49 U.S.C. Section 11303, and will furnish a recorded counterpart thereof to the Bank.

This instrument shall be executed in several counterparts, each of which so executed shall be deemed to be an original and such counterparts together shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the Bank and the Railroad have caused this instrument to be signed in their respective corporate names and their respective corporate seals to be hereunto affixed and attested by their respective officers as of the day and year first above written.

FIRST ALABAMA BANK, formerly
THE FIRST NATIONAL BANK OF MONTGOMERY

By *Donald D. Miller*
Senior Vice President

ATTEST:

Charles B. George
Vice President

CSX TRANSPORTATION, INC.

By *B. H. Slungis*
Vice President-CSX Rail Transport

ATTEST:

David M. Yeansood
Assistant Secretary



STATE OF ALABAMA)
) SS:
COUNTY OF MONTGOMERY)

On this 1st day of November, 1988, before me personally appeared Kay K. Miller, to me personally known, who being by me duly sworn, says that she is Senior Vice President of First Alabama Bank, that one of the seals 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.

Thadew North
Notary Public

My Commission expires: 9-18-89.

NOTARIAL SEAL

STATE OF FLORIDA)
) SS:
COUNTY OF DUVAL)

On this 3rd day of October, 1988, before me personally appeared B. A. Schwinger, to me personally known, who, being by me duly sworn, says that he is a Vice President-CSX Rail Transport of CSX Transportation, Inc., that one of the seals 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.

Cathy L. Hudson

Notary Public
NOTARY PUBLIC, STATE OF FLORIDA
My commission expires Jan. 26, 1992
~~Bonded thru Patterson - Becht Agency~~

My Commission expires: _____.

NOTARIAL SEAL

