

#10
11421-A

LAW OFFICES
ALVORD AND ALVORD

ELIAS C. ALVORD (1942)
ELLSWORTH C. ALVORD (1964)

ROBERT W. ALVORD
ALBERT H. GREENE
CARL C. DAVIS*
CHARLES T. KAPPLER
JOHN H. DOYLE
MILTON C. GRACE*
GEORGE JOHN KETO**
RICHARD N. BAGENSTOS

* NOT A MEMBER OF D.C. BAR
**ALSO A MEMBER OF OHIO BAR

200 WORLD CENTER BUILDING RECORDATION NO. 11421-A
918 SIXTEENTH STREET, N.W.
WASHINGTON, D.C. APR 2 1981 - 2 25 PM
20006

OF COUNSEL
JESS LARSON
JOHN L. INGOLDSBY
URBAN A. LESTER

April 2, 1981 INTERSTATE COMMERCE COMMISSION

ABLE ADDRESS
"ALVORD"
TELEPHONE
AREA CODE 202
393-2266

No. 1-091A080

APR 2 - 1981

10.00

TELEX
440348 CDAA UI

FEE OPERATION BR.

APR 2 2 19 PM '81

RECEIVED

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

Dear Madam:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. §11303(a) and the regulations thereunder are four counterparts of a first Lease Amendment dated as of April 1, 1981 ("Document").

The Document amends a Lease of Railroad Equipment dated as of January 22, 1980 ("Original Lease") which was duly filed and recorded at 11:15 a.m. on January 24, 1980 and assigned Recordation Number 11421.

The Document makes the following changes in Schedule A to the Original Lease:

- a. Adds serial numbers MPA 31080 through MPA 31099, both inclusive; and
- b. Deletes serial numbers MPA 37905 through MPA 37917, inclusive; MPA 37926 through MPA 37999, inclusive; MPA 7905 through MPA 7913, inclusive; MPA 7916; MPA 7918 through MPA 7999, inclusive.

The names and addresses of the parties to the Document are:

Lessor: Emons Industries, Inc.
490 East Market Street
York, Pennsylvania 17403

C. Kappler

Ms. Agatha L. Mergenovich
April 2, 1981
Page Two

Lessee: Maryland and Pennsylvania Railroad
Company
490 East Market Street
York, Pennsylvania 17403

The undersigned is agent for the Lessor for the purpose of submitting the Document for recordation and has knowledge of the matters set forth therein.

Please return the stamped copies of the Document to Charles T. Kappler, Esq., Alvord and Alvord, 918 16th Street, N.W., Suite 200, Washington, D.C. 20006 or to the bearer hereof.

Also enclosed is a remittance in the amount of \$10.00 in payment of the required recordation fee.

Very truly yours,


Charles T. Kappler

Enclosures

Interstate Commerce Commission
Washington, D.C. 20423

4/2/81

OFFICE OF THE SECRETARY

Charles T. Kappler, Esq.
Alvord & Alvord
918 16th Street, N.W. Suite 200
Washington, D.C. 20006

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 4/2/81 at 2:25pm, and assigned re-
recording number(s). 11222-A & 11421-A

Sincerely yours,

Agatha L. Mergenovich
Agatha L. Mergenovich
Secretary

Enclosure(s)

SE-30
(7/79)

RECORDATION NO. 11421A FILED 1425

APR 2 1981 - 2 25 PM

FIRST LEASE AMENDMENT

INTERSTATE COMMERCE COMMISSION

FIRST LEASE AMENDMENT dated as of April 1, 1981 between EMONS INDUSTRIES, INC. (the "Lessor") and MARYLAND AND PENNSYLVANIA RAILROAD COMPANY (the "Lessee").

The Lessor and the Lessee are parties to a certain Lease of Railroad Equipment dated as of January 22, 1980 (the "Lease"), which Lease was filed with the Interstate Commerce Commission on January , 1980 under Recordation Number 11421. Lessor and Lessee desire to amend a certain schedule to the Lease. Both parties hereto are willing to do so upon the terms and conditions hereof. Accordingly, the parties hereto agree as follows:

§1. Amendments. Schedule A to the Lease is amended by (i) adding the serial numbers MPA 31080 through 31099 inclusive to such schedule and (ii) deleting the following serial numbers from such schedule:

- MPA 37905 through MPA 37917, inclusive;
- MPA 37926 through MPA 37999, inclusive;
- MPA 7905 through MPA 7913; inclusive,
- MPA 7916; MPA 7918 through MPA 7999, inclusive.

§2. Continuation. Except as amended as provided in §1 hereof, the Lease remains in full force and effect.

§3. Counterparts. This Amendment may be executed in any number of counterparts all of which taken together constitute one and the same amendatory instrument and any of the parties hereto may execute this Amendment by signing any such counterparts.

§4. Governing Law. This Amendment shall be governed by and construed in accordance with the law of the State of New York.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in their respective corporate names by officers thereunto duly authorized, and their respective corporate seals to be affixed and duly attested, all as of the date first above written.

(Corporate Seal)

Attest:

By

R. H. Miller, Secy

EMONS INDUSTRIES, INC.

By

R. H. Gossman
Title: *Chairman*

(Corporate Seal)

Attest:

By

R. H. Miller, Secy

MARYLAND AND PENNSYLVANIA
RAILROAD COMPANY

By

R. H. Gossman
Title: *Chairman*

STATE OF PENNA.)
)
) SS.:
COUNTY OF YORK)

On this ^{1st} day of April, 1981, before me personally appeared Robert Grassma, to me personally known, who, being by me duly sworn, says that he is: Chairman of Maryland and Pennsylvania Railroad Company, 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.

Edyee Horvathovic
Notary Public

MY COMMISSION EXPIRES
JANUARY 31, 1985
YORK, YORK COUNTY, PA

STATE OF PENNA.)
)
) SS.:
COUNTY OF YORK)

On this ^{1st} day of April, 1981, before me personally appeared Robert Grassma, to me personally known, who, being by me duly sworn, says that he is Chairman of Emons Industries, 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.

Edyee Horvathovic
Notary Public

MY COMMISSION EXPIRES
JANUARY 31, 1985
YORK, YORK COUNTY, PA