

0100473025

January 3, 1995

Vernon A. Williams
Secretary
Interstate Commerce Commission
12th Street & Constitution Ave.,
Washington, D.C. 20423

RECORDATION NO. 10226-A

JAN 4 1995 2:20 PM

INTERSTATE COMMERCE COMMISSION

LICENSING BRANCH

JAN 4 2 16 PM '95

RECEIVED
OFFICE OF THE
SECRETARY

Dear Mr. Williams:

I have enclosed an original and one certified true copy of the document described below, to be recorded pursuant to Section 11303 of Title 49 of the U.S. Code.

This document is a Termination of Lease, a secondary document, dated effective January 1, 1995.

The primary document to which this is connected is recorded under Recordation No. 10226.

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

Lessor: Bank One, Chicago, N A, successor in interest of
First National Bank and Trust Company of
Evanston, as Trustee under Western Fuels Trust
No. 79-1
800 Davis Street
Evanston, Illinois 60204

Lessee: Western Fuels Association, Inc.
1625 M Street, N.W.
Washington, D.C. 20036

A description of the equipment covered by the document follows:

242 High Side Gondolas (steel rotary dump coal cars), manufactured by Ortner Freight Car Company, and numbered WFAX 79000 to WFAX 79241, both inclusive.

A filing/recording fee of \$21.00 is enclosed. Please return the original and any extra copies not needed by the Commission for recordation to: Timothy K. Shuba, Shea & Gardner, 1800 Massachusetts Ave., N.W., Washington, D.C. 20036.

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

Counterpart - [Signature]

Vernon A. Williams
January 3, 1995
Page 2

Termination of Lease by Bank One, Chicago, N A, successor in interest of First National Bank and Trust Company of Evanston, as Trustee under Western Fuels Trust No. 79-1 (the "Trustee"), and Western Fuels Association, Inc. ("Western Fuels") with regard to the Equipment Lease dated as of January 1, 1979 between the Trustee, as Lessor, and Western Fuels, as Lessee, with Recordation No. 10226, dated effective January 1, 1995 and covering 242 high side gondolas (steel rotary dump coal cars), manufactured by Ortner Freight Car Company, and numbered WFA 79000 to WFA 79241, both inclusive.

Very truly yours,

WESTERN FUELS ASSOCIATION, INC.

By Robert P. Morgan
Its Manager of Administration

Interstate Commerce Commission

Washington, D.C. 20423

1/4/95

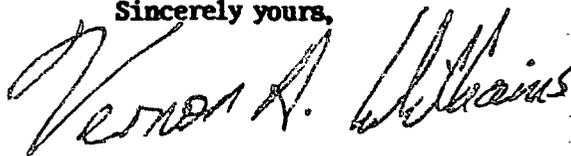
OFFICE OF THE SECRETARY

Timothy K. Shuba
Shea & Gardner
1880 Massachusetts Avenue, NW
Washington, DC 20036

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 1/4/95 at 2:20PM, and assigned recordation number(s) 10226-A and 10227-A.

Sincerely yours,



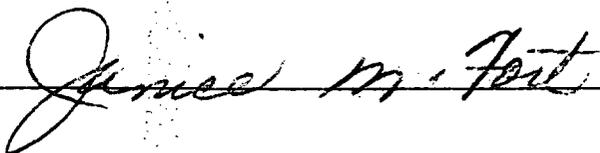
Vernon A. Williams
Secretary

Enclosure(s)

(0100473025)

\$ 42.00 The amount indicated at the left has been received in payment of a fee in connection with a document filed on the date shown. This receipt is issued for the amount paid and in no way indicates acknowledgment that the fee paid is correct. This is accepted subject to review of the document which has been assigned the transaction number corresponding to the one typed on this receipt. In the event of an error or any questions concerning this fee, you will receive a notification after the Commission has had an opportunity to examine your document.

Signature



RECORDATION NO. 10226-A

CERTIFIED TRUE COPY

JAN 4 1995 - 2 20 PM

TERMINATION OF LEASE

INTERSTATE COMMERCE COMMISSION

THIS TERMINATION OF LEASE is executed effective January 1, 1995 by and between Bank One, Chicago, N A, successor in interest of First National Bank and Trust Company of Evanston, as Trustee under Western Fuels Trust No. 79-1 (hereinafter the "Trustee"), and Western Fuels Association, Inc. a Wyoming corporation (hereinafter "Western Fuels").

IN CONSIDERATION of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Trustee and Western Fuels hereby acknowledge and agree that the Equipment Lease dated as of January 1, 1979 between the Trustee, as Lessor, and Western Fuels, as Lessee, for the lease of 242 High Side Gondola "Coalveyor" Railcars manufactured by Ortner Freight Car Company, and numbered WFAX 79000-79017 (inclusive), WFAX 79019-79045 (inclusive), WFAX 79047-79055 (inclusive), WFAX 79058-79080 (inclusive), WFAX 79082, WFAX 79085-79102 (inclusive), WFAX 79104, WFAX 79106-79115 (inclusive), WFAX 79118-79125 (inclusive), WFAX 79127-79133 (inclusive), WFAX 79135-79157 (inclusive), WFAX 79159-79162 (inclusive), WFAX 79164-79177 (inclusive), WFAX 79179-79188 (inclusive), WFAX 79190-79199 (inclusive), WFAX 79201, WFAX 79203, WFAX 79206-79238 (inclusive), WFAX 79240-79241 (inclusive), WFAX 85242-85248 (inclusive), and WFAX 87249-87263 (inclusive), has been terminated in accordance with its terms effective January 1, 1995.

IN WITNESS WHEREOF, the Trustee and Western Fuels have executed this Termination of Lease to be effective as of January 1, 1995.

(SEAL)

BANK ONE, CHICAGO, N A, not individually but solely as Trustee under Western Fuels Trust No. 79-1

By Charles W. Tranel
Its VICE PRESIDENT and TRUST OFFICER
Date signed: December 20, 1994

(SEAL)

WESTERN FUELS ASSOCIATION, INC.

By [Signature]
Its Mgr of Finance & Admin
Date signed: 12/20/94

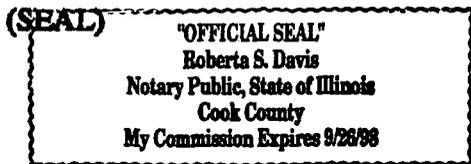
WESTERN FUELS ASSOCIATION, INC.

By [Signature]
Its Mgr. Finance & Admin
Date signed: 1/3/95

BDJ177445

STATE OF ILLINOIS)
)SS.
COUNTY OF Cook)

On this 22nd day of December, 1994, before me personally appeared CHARLES W. TRAMEL, to me personally known, who being by me duly sworn, says that she/he is the VICE PRESIDENT and TRUST OFFICER of Bank One, Chicago, N A, that the seal (if any) affixed to the foregoing instrument is the corporate seal of said Bank, that said instrument was signed and sealed (if applicable) on behalf of said Bank by authority of its Board of Directors, and she/he acknowledged that the execution of the foregoing instrument was the free act and deed of said Bank.



Roberta S. Davis
Notary Public
My commission expires: 9-26-98

DISTRICT OF COLUMBIA)
)SS.
~~COUNTY OF~~ Washington)

On this 22nd day of December, 1994, before me personally appeared Robert Norregard, to me personally known, who being by me duly sworn, says that he is the Manager of Finance of Western Fuels Association, Inc., that the seal (if any) affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed (if applicable) 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.



Diane L. Brooks
Notary Public
My commission expires: _____

DIANE L. BROOKS
Notary Public District of Columbia
My Commission Expires June 14, 1999

DISTRICT OF COLUMBIA)
) SS.
WASHINGTON)

On this 3rd day of January, 1995, before me personally appeared Robert Worrance, to me personally known, who being by me duly sworn, says that he is the MANAGER OF FINANCE of Western Fuels Association, Inc., that the seal (if any) affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed (if applicable) 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.

(SEAL)

Diane L. Brooks
Notary Public
My commission expires: June 14, 1999

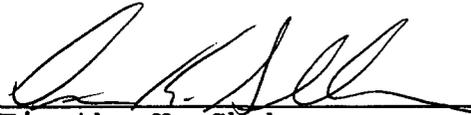
DIANE L. BROOKS
Notary Public District of Columbia
My Commission Expires June 14, 1999

CERTIFICATE

Pursuant to the requirements of 49 U.S.C. § 11303 and 49 C.F.R. § 1177.3, I, Timothy K. Shuba, am herewith filing that certain Termination of Lease, effective as of January 1, 1995, between Bank One, Chicago, N.A., not individually but solely as Trustee under Western Fuels Trust No. 79-1, Lessor, and Western Fuels Association, Inc., Lessee (the "Termination of Lease"). I hereby certify that I have compared the foregoing copy of the Termination of Lease to the original thereof and that I have found the foregoing copy to be complete and identical in all respects to the original Termination of Lease.

I declare under penalty of perjury that the foregoing is true and correct.

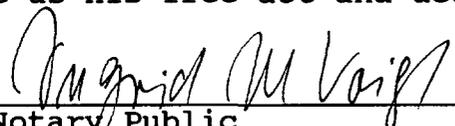
IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of January, 1995.



Timothy K. Shuba

Washington, D.C.

On this 3rd day of January, 1995, before me personally appeared Timothy K. Shuba, to me known to be the person described in and who executed the foregoing Certificate, and he declared under penalty of perjury that the Certificate is true and correct and that he executed the certificate as his free act and deed.



Notary Public

My commission expires:

April 30, 1996