

1-007A019

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RECORDATION NO 12662 FILED 148

JAN 7 1991 -9 15 AM

INTERSTATE COMMERCE COMMISSION

January 2, 1991

Ms. Noretta R. McGee  
Interstate Commerce Commission  
12th Street and Constitution Avenue, N.W.  
Washington, D.C. 20423

Dear Ms. McGee:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11303(a) are one original and three photostatic copies of, a Release of Lien dated December 21, 1990, relating to a Security Agreement, dated December 24, 1980 between William G. Kerr and Key Bank, N.A., a national banking association ("Agreement") duly recorded and filed with the Interstate Commerce Commission pursuant to 49 U.S.C. Section 11303(a) on December 24, 1980, under Recordation Number 12662, and relating to the Amended Security Agreement dated January 31, 1989, between William G. Kerr and Key Bank, N.A., a national banking association ("Amended Agreement"), duly recorded and filed with the Interstate Commerce Commission pursuant to 49 U.S.C. 11303(a) on March 23, 1989, under Recordation Number 12662-A (collectively the "Agreements"), which Agreements are primary documents as defined in the Commission's Rules for Recordation of Documents.

The name and address of parties to the enclosed Release of Lien is:

KeyBank, N.A., a national banking association  
60 State Street  
Albany, New York 12207

A description of the rail cars covered by the Release of Lien is, set forth on Appendix A attached thereto.

A check in the amount of \$15.00 payable to the order of the Interstate Commerce Commission is enclosed to cover the required recordation fee of the Release of Lien.

Ms. Noretta R. McGee  
January 2, 1991  
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Kindly return the three photostatic copies of the Release of Lien in the envelope provided to Kelley W. White, Ross & Hardies, 150 North Michigan Avenue, Suite 2500, Chicago, IL 60601.

Following is a short summary of the enclosed document and the primary documents to which it relates:

Document to be Produced.

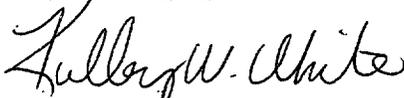
Release of Lien, dated December 21, 1990 between William G. Kerr and Key Bank N.A., releasing its lien on the five (5) used 100-ton covered hopper rail cars described on Appendix A attached thereto.

Primary Document Already Recorded.

Security Agreement dated December 24, 1980 between William G. Kerr and Key Bank, N.A., covering five (5) used 100-ton covered hopper rail cars described therein, duly recorded and filed, with the Interstate Commerce Commission, pursuant to 49 U.S.C. Section 11303(a) on December 24, 1980 under Recordation Number 12662, as amended by the Amended Security Agreement, dated January 31, 1989, between William G. Kerr and Key Bank, N.A., duly recorded and filed with the Interstate Commerce Commission on March 23, 1989, under Recordation Number 12662-A.

Please call me at the telephone number above in Chicago if you have any questions.

Very truly yours,

  
Kelley W. White

KWW/pm

cc: Robert W. Kleinman  
Susan G. Lichtenfeld

12662 B

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INTERSTATE COMMERCE COMMISSION

RELEASE OF RAILCAR LIEN

KNOW ALL MEN BY THESE PRESENTS THAT:

WHEREAS, William G. Kerr, c/o Donna Darling, Kerr Enterprises, P.O. Box 18423, Oklahoma City, Oklahoma 73154 ("WGK"), has heretofore executed and delivered its security Agreement dated as of December 24, 1980 (the "Security Agreement") to KEY BANK, N.A., a national banking association (the "Bank"), and

WHEREAS, the Security Agreement was duly recorded and filed with the Interstate Commerce Commission pursuant to 49 U.S.C. ss11303 on December 24, 1980, under Recordation Number 12662; and as extended by modification dated January 31, 1989, and filed on March 23, 1989 under Recordation Number 12662-A.

WHEREAS, WGK has requested the Bank to release its lien in the property of WGK which was created under the Security Agreement and has complied with all conditions of the Security Agreement precedent to such release.

NOW THEREFORE, the Bank, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, receipt whereof is hereby acknowledged, and pursuant to the authority vested by the Security Agreement in the Bank, does hereby RELEASE, REMISE, CONVEY AND QUIT CLAIM unto WGK, its successors and assigns, all of the right, title, lien, interest, claim or demand whatsoever which the Bank has or may have acquired under, through or by virtue of the Security Agreement, including, but not limited to, all of its right, title, lien and interest in and to the property described in Appendix A Hereto.

IN WITNESS WHEREOF, the Bank has caused this instrument to be duly executed and delivered by its duly authorized officer as of this 2<sup>nd</sup> day of December, 1990.

KEY BANK, N.A.  
By: [Signature]  
Title: [Signature]

APPENDIX A

GWIX 30021  
GNWR 30022  
GNWR 30023  
GWIX 30024  
GWIX 30025

STATE of New York )  
 ) SS:  
COUNTY of ALBANY )

On this 21 day of December, 1990, before me, the subscriber, Joseph V. Arnold, a Notary Public, duly commissioned, qualified and acting, within and for said County and State, appeared in person within the named Michael D. Carroll to me personally known, who stated and acknowledged that he is a Loan Officer, of Key Bank, N.A. a national banking association, and duly authorized by authority of the board of directors or the by-laws of said association in his capacity as such officer to execute and acknowledge the foregoing instrument for and in the name and on behalf of said association and further stated and acknowledged that he has so signed, executed and delivered the foregoing instrument as the free and voluntary act and deed of said association, for the consideration, uses and purposes therein mentioned and set forth and desired that the same might be recorded as such.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 21 day of December, 1990

Joseph V. Arnold  
Notary Public

{Seal}

My commission expires: 3-30-92

Notary Public, State of New York  
The Notary Public Seal  
My Commission Expires Mar 30, 1992