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LILES, DAVISON, STEVENSON & DAVIS

A Professional Corporation

Attorneys at Law

GERALD L. LILES
JEFFREY B. DAVISON
STEVEN L. STEVENSON
TIMOTHY J. DAVIS*
CLIFFORD P. BLACK, JR.

1018 West St. Maartens Drive, Suite 200

(Former Wyeth Mansion)

St. Joseph, Missouri 64506

Telephone (816) 364-4044

Telecopier (816) 364-6396

November 5, 1993

*Admitted in Nebraska and Missouri
All Others Admitted in Missouri

Savannah Office:

414 Court Street
Savannah, MO 64485
(816) 324-4800

(Toll Free from St. Joseph)

Reply to:

St. Joseph Office
 Savannah Office

10619
NOV 8 1993-3 40 PM
INTERSTATE COMMERCE COMMISSION

VIA UPS

0100037032

LICENSING BRANCH

NOV 8 3 34 PM '93

RECEIVED
OFFICE OF THE
SECRETARY

Interstate Commerce Commission
Room 222
12th and Constitutional Avenue, N.W.
Washington, DC 20423

Dear Sir/Madam:

On behalf of Herzog Contracting Corp., I submit for filing and recording under 49 U.S.C. §11303(a) and the regulations promulgated thereunder, an executed Termination of Equipment Lease.

The executing parties of the enclosed Termination of Equipment Lease are:

Connell Leasing Company (Owner/Lessor)
a division of the Connell Company
45 Cardinal Drive, Westfield, NJ 07092

Missouri Public Service (Lessee)
a division of the Utilicorp United, Inc.
(formerly Missouri Public Service Company)
10700 East 350 Highway, Kansas City, MO 64138

The said Termination, terminates and cancels of record that certain Equipment Lease, dated as of April 2, 1979, and recorded with the Interstate Commerce Commission on July 9, 1979 under recordation number 10619 and should be recorded under the next available letter under recordation number 10619 which we believe to be 10619-B.

The units of equipment covered by the termination are all units identified in the aforesaid Equipment Lease recorded under recordation number 10619.

A short summary of the Termination to Appear in the ICC index is as follows:

"Complete Termination of Lease under 10619"

Enclosed is a check in the amount of Eighteen Dollars (\$18.00) in payment of the filing fees.

Interstate Commerce Commission
Page 2
November 5, 1993

Once the filing has been made, please return to this office a file-stamped copy of the Termination of Equipment Lease, together with the fee receipt, the letter from the ICC acknowledging the filing, and a file-stamped copy of this letter of transmittal.

Yours very truly,

LILES, DAVISON, STEVENSON, & DAVIS
A Professional Corporation

BY:



Jeff Davison
ATTORNEY FOR HERZOG CONTRACTING CORP
for the Purpose of this Filing

JD/rp
Enc.
(11593:ljdatrik)

cc: Connell Leasing Company (w/our enc)
Missouri Public Service (w/our enc)

NOV 8 1993 3:40 AM

TERMINATION OF EQUIPMENT LEASE

INTERSTATE COMMERCE COMMISSION

This Termination of Equipment Lease dated as of this 28th day of October, 1993, between Connell Leasing Company, a division of the Connell Company, a New Jersey corporation (the Lessor), and Missouri Public Service, a division of UtiliCorp United Inc., a Delaware corporation (formerly Missouri Public Service Company, a Missouri corporation) (the Lessee).

WITNESSETH:

WHEREAS, the Lessor leased certain equipment to the Lessee pursuant to an Equipment Lease dated as of April 2, 1979, as amended (the *Equipment Lease*); and

WHEREAS, the equipment leased by the Lessor to the Lessee pursuant to the Equipment Lease consisted of thirty-five 4,000 cubic foot coal hoppers with the identification marks MPSX 1086 to MPSX 1120, both inclusive; and

WHEREAS, the term of the Equipment Lease had been extended, but the parties now desire to terminate the Equipment Lease;

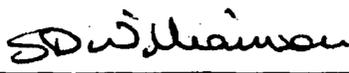
NOW, THEREFORE, in consideration of the foregoing premises and intending to be legally bound, the parties hereby agree as follows:

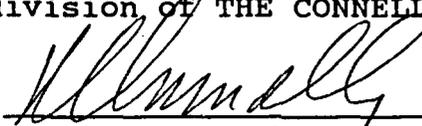
The Equipment Lease is hereby terminated as of this 28th day of October, 1993: provided, however, that as to obligations of the Lessee incurred prior to said termination of the Equipment Lease, the following provisions of the Equipment Lease shall survive termination of the Equipment Lease: Section 6.2 (indemnities), Section 8 (regarding maintenance), Section 9 (regarding removal of liens), and the second sentence of Section 13 (regarding the Equipment being in compliance with laws, etc. upon return).

IN WITNESS WHEREOF, the parties hereto have caused this Termination of Equipment Lease to be executed by their respective officers thereunder duly authorized and the corporate seals to be hereto affixed as of the day and year first above written.

Attest:

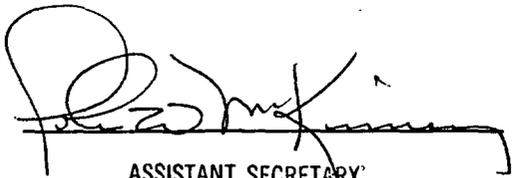
CONNELL LEASING COMPANY,
a division of THE CONNELL COMPANY



By: 

Attest:

MISSOURI PUBLIC SERVICE,
a division of UTILICORP UNITED INC.
(formerly Missouri Public Service Company)


ASSISTANT SECRETARY

By: 
John C. Browning
Vice President-Production

STATE OF NEW JERSEY)
)
COUNTY OF UNION) SS

On this 4th day of November, 1993, before me personally appeared R. C. Connolly, to me personally known, who being by me duly sworn, says that he is the Exec. VP of CONNELL LEASING COMPANY, a division of THE CONNELL 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.

Virginia Anter
Notary Public
VIRGINIA ANTER
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires May 11, 1994

[Notarial Seal]

My Commission expires: _____

STATE OF MISSOURI)
)
COUNTY OF JACKSON) SS

On this 2nd day of November, 1993, before me personally appeared John C. Browning to me personally known, who being by me duly sworn, says that he is the Vice President of MISSOURI PUBLIC SERVICE, a division of UTILICORP UNITED 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.

Catherine L. Thurman
Notary Public

CATHERINE L. THURMAN
Notary Public - State of Missouri
Commissioned in Jackson County
My Commission Expires May 22, 1994

[Notarial Seal]

My Commission expires: May 22, 1994

Interstate Commerce Commission
Washington, D.C. 20423

11/10/93

OFFICE OF THE SECRETARY

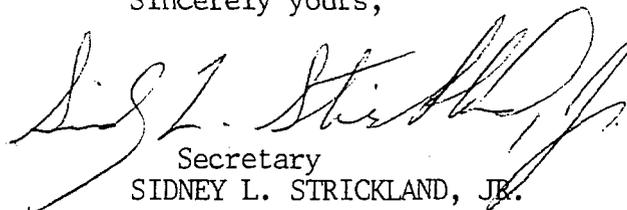
Jeffrey B. Davison
Liles, Davison Stevenson & Davis
1018 West St Maartens Drive Suite 200
St. Joseph, Missouri 64505

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 11/8/93 at 3:40pm, and assigned
recording number(s). 10619-B

Sincerely yours,



Secretary
SIDNEY L. STRICKLAND, JR.

Enclosure(s)

276-12