

# First Security Bank

March 9, 1992

6865-E  
RECORDED & INDEXED

Interstate Commerce Commission  
Office of Recordation  
12th & Constitution Ave., N.W.  
Washington, D.C. 20423

MAR 13 1992 -9 22 AM

INTERSTATE COMMERCE COMMISSION

ATTN: Mildred Lee - Room 2303

Re: Release of Recordation No. 6865-D

Dear Ms. Lee:

On August 4, 1989, a letter was sent to you by C.S. Cummings of First Security Bank of Idaho, N.A. ("First Security Bank") requesting that a certain Assignment and Assumption Agreement ("Assignment") dated September 1, 1988 be recorded. The original Assignment was enclosed with that letter.

It has since been brought to the attention of First Security Bank that some of the equipment described in the letter and Assignment did not belong to First Security Bank and therefore could not be assigned by First Security Bank. In addition, the primary document referred to in the letter (under Recordation Number 6865-C), and to which the Assignment related, is a Lease of Equipment in which First Security Bank had no interest.

Accordingly, First Security Bank hereby requests that the Assignment, which was assigned Recordation No. 6865-D, be released. A filing fee made payable to the Interstate Commerce Commission in the amount of \$16.00 is enclosed. Also enclosed for your reference is the original Assignment with the original Interstate Commerce Commission recordation information, an additional copy of the Assignment, and a copy of Mr. Cummings' August 4, 1989 letter.

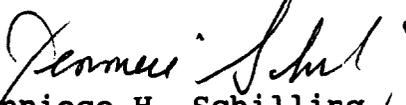
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MOTOR OPERATING UNIT

Interstate Commerce Commission  
March 9, 1992  
Page 2

Thank you for your assistance. If you have any questions or need additional documentation, please call Ellen Toscano at (801) 350-3068.

Very truly yours,

First Security Bank of Idaho, N.A.

  
Jenniece H. Schilling  
Authorized Representative

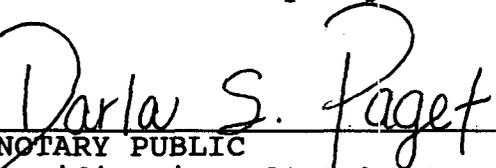
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Enclosure

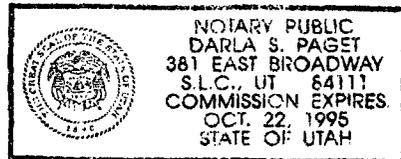
cc: Ellen Toscano  
Thomas Pawlicky

STATE OF UTAH                    )  
  ) ss.  
COUNTY OF SALT LAKE        )

On the 9th day of March, 1992 personally appeared before me Jenniece H. Schilling, who being by me duly sworn, did say that she is an Authorized Representative of First Security Bank of Idaho, N.A., and that said instrument was duly signed on behalf of said association.

  
\_\_\_\_\_  
NOTARY PUBLIC  
Residing in Salt Lake County, Utah

My commission expires:  
10-22-95



**First  
Security  
Bank**

2-073A002

March 9, 1992

Interstate Commerce Commission  
Office of Recordation  
12th & Constitution Ave., N.W.  
Washington, D.C. 20423

ATTN: Mildred Lee - Room 2303

Re: Release of Recordation No. 6865-D

Dear Ms. Lee:

On August 4, 1989, a letter was sent to you by C.S. Cummings of First Security Bank of Idaho, N.A. ("First Security Bank") requesting that a certain Assignment and Assumption Agreement ("Assignment") dated September 1, 1988 be recorded. The original Assignment was enclosed with that letter.

It has since been brought to the attention of First Security Bank that some of the equipment described in the letter and Assignment did not belong to First Security Bank and therefore could not be assigned by First Security Bank. In addition, the primary document referred to in the letter (under Recordation Number 6865-C), and to which the Assignment related, is a Lease of Equipment in which First Security Bank had no interest.

Accordingly, First Security Bank hereby requests that the Assignment, which was assigned Recordation No. 6865-D, be released. A filing fee made payable to the Interstate Commerce Commission in the amount of \$16.00 is enclosed. Also enclosed for your reference is the original Assignment with the original Interstate Commerce Commission recordation information, an additional copy of the Assignment, and a copy of Mr. Cummings' August 4, 1989 letter.

26 MAR 9 1992

6865-E  
RECEIVED  
MAR 13 1992 -9 20 AM  
Released

6865-17  
RECORDATION NO. FILED 1435

INTERSTATE COMMERCE COMMISSION

ASSIGNMENT AND ASSUMPTION AGREEMENT

AUG 21 1989 -12 20 PM

INTERSTATE COMMERCE COMMISSION

This Assignment and Assumption Agreement, executed this 1st day of September, 1988 and effective February 29, 1988, is by and between First Security Bank of Idaho, N.A. (hereinafter "Assignor") and First Security Leasing Company of Nevada (hereinafter "Assignee").

W I T N E S S E T H:

Assignor hereby grants, transfers, assigns and delegates to Assignee, effective February 29, 1988, all of its right, title, interest and obligations in and to or with respect to that certain Owner Trust Agreement No. 3 dated as of November 1, 1972 between Assignor and First Security Bank of Utah, N.A. (successor in interest to First Security State Bank) as Trustee ("Trustee"), that certain Estate Percentage (as defined in the Trust Agreement), and any other documents relating to such Trust Agreement or Estate Percentage to which Assignor is a party and which are now in effect, together with any rents or payments received thereunder or any increases in said rents or payments, to wit: Owner Trust Agreement No. 3, lease of seven hundred and forty (740) box cars pursuant to that certain Lease of Equipment No. 3 dated as of November 1, 1972 between Owner as Lessor and Canadian National Railroad Company as Lessee.

Assignee hereby confirms that it shall be deemed a party to the Trust Agreement and shall be bound by all of the terms of and undertake all of the obligations of Assignor under the Trust Agreement and any other documents relating thereto to which Assignor is a party and which are now in effect.

This Assignment and Assumption Agreement shall inure to the benefit of the successors and assigns of Assignee and shall bind Assignee's legal representatives, successors and assigns.

IN WITNESS WHEREOF, Assignor and Assignee have duly executed this Assignment and Assumption Agreement on the day and year first above written.

ASSIGNOR: First Security Bank of Idaho, N.A.

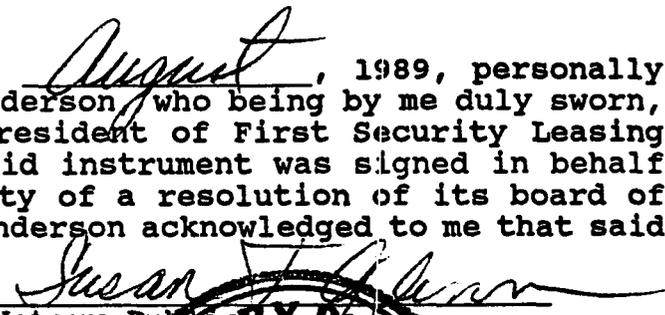
By: [Signature]  
Its: Authorized Representative

ASSIGNEE: First Security Leasing Company of Nevada

By: [Signature]  
Its: [Signature]

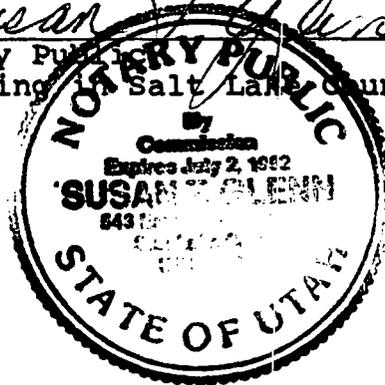
STATE OF UTAH )  
 ) ss.  
COUNTY OF SALT LAKE )

On the 4<sup>th</sup> day of August, 1989, personally appeared before me EksAyn A. Anderson, who being by me duly sworn, did say that he is the Vice-President of First Security Leasing Company of Nevada, and that said instrument was signed in behalf of said corporation by authority of a resolution of its board of directors, and said EksAyn A. Anderson acknowledged to me that said corporation executed the same.

  
Notary Public  
Residing in Salt Lake County, Utah

My Commission Expires:

7-2-92



STATE OF UTAH )  
 ) ss.  
COUNTY OF SALT LAKE )

On the 4<sup>th</sup> day of August, 1989, personally appeared before me C. S. Cummings, who being by me duly sworn, did say that he is an Authorized Representative of First Security Bank of Idaho, N.A., and that said instrument was signed in behalf of said corporation by authority of a resolution of its board of directors, and said C. S. Cummings acknowledged to me that said corporation executed the same.

  
Notary Public  
Residing in Salt Lake County, Utah

My Commission Expires:

7-2-92

