

#15
NEW NUMBER

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ALVORD AND ALVORD

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February 13, 1990

Ms. Noretta R. McGee
Secretary
INTERSTATE COMMERCE COMMISSION
Washington, D. C. 20423

0-044A077
RECORDATION NO. 16760
FEB 13 1990

FEB 13 1990 -2 10 PM

Dear Ms. McGee:

INTERSTATE COMMERCE COMMISSION

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11303(a) are two fully executed copies of a Memorandum of a Lease Agreement, No. 0069682, dated as of February 9, 1990, a primary document as defined in the Commission's Rules for the Recordation of Documents, 49 C.F.R. Section 1177.

The names and addresses of the parties to the enclosed document are:

Lessor: PITNEY BOWES CREDIT CORPORATION
201 Merritt Seven
Norwalk, Connecticut 06856-5151

Lessee: CONSOLIDATION COAL COMPANY
Consol Plaza
1800 Washington Road
Pittsburgh, Pennsylvania 15241

A description of the railroad equipment covered by the enclosed document is: Two hundred forty (240) open top hopper coal rail cars manufactured by Trinity Industries, bearing ACCX reporting marks and road numbers 90001 through 90240, both inclusive.

Also enclosed is a check in the amount of \$15 payable to the order of the Interstate Commerce Commission covering the required recordation fee.

C. T. Kappler
Counterparts

Ms. Noreta McGee
February 13, 1990
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Kindly return a stamped copy of the enclosed document to Charles T. Kappler, Esq., Alvord and Alvord, 918 Sixteenth Street, N.W., Suite 200, Washington, D. C. 20006.

A short summary of the enclosed primary document to appear in the Commission's Index is:

Memorandum of a Lease Agreement, Number 0069682, dated as of February 9, 1990 between Pitney Bowes Credit Corporation, Lessor, and Consolidation Coal Company, Lessee, covering 240 open top hopper coal rail cars, ACCX 90001 - ACCX 90240, both inclusive.

Very truly yours,


Charles T. Kappler

CTK/bvs

Enclosures

10760

RECORDATION NO. _____ FILED 1488

FEB 13 1990 -2 10 PM

INTERSTATE COMMERCE COMMISSION

MEMORANDUM OF LEASE

Number 0069682

Dated as of February 9, 1990

Between

PITNEY BOWES CREDIT CORPORATION ("LESSOR")

and

CONSOLIDATION COAL COMPANY ("LESSEE")

RIDER "A"
to
LEASE AGREEMENT

NO: 0069682

DATED AS OF: February 9, 1990__

BETWEEN: Pitney Bowes Credit Corporation and
Consolidation Coal Company

CAR NUMBERS: ACCX 90,001 thru and including ACCX 90,240

CAR OWNERS MARKS: Title to these cars are subject to
documents filed with the Interstate
Commerce Commission

CLASS OF CAR: 5-POCKET, 105 TON, 4,000 cubic foot,
aluminum body, steel underframe mechanized
rapid discharge II open top hopper coal
rail cars manufactured by Trinity
Industries

NUMBER OF CARS: Two hundred forty (240)

TERM OF LEASE: Lease Schedules attached to Master
Equipment Lease Agreement Number 0069682

Memorandum of a Lease Agreement, No. 0069682, made and entered into as of February 9, 1990 by and between PITNEY BOWES CREDIT CORPORATION, a Delaware corporation ("Lessor") and CONSOLIDATION COAL COMPANY a Delaware corporation ("Lessee").

WITNESSETH:

1. Lessor has agreed to furnish to the Lessee, and the Lessee has agreed to Lease from Lessor the railroad cars shown on Rider "A" attached hereto and such additional Riders as may be added hereto from time to time by agreement of the parties and signed by their duly authorized representatives.

2. The Lease Agreement shall be effective as of the date first set forth hereinabove and shall expire upon expiration of the rental term of the last car, or cars, covered thereunder. The rental term for each car shall be as shown in the Rider covering such car.

In Witness Whereof, the parties hereto have caused this instrument to be signed and sealed by their respective corporate officers and duly attested as of the date and year first above written.

(CORPORATE SEAL)

PITNEY BOWES CREDIT CORPORATION
("Lessor")

By: [Signature]
Region Credit Manager

ATTEST:

Assistant/Secretary

CONSOLIDATION COAL COMPANY
("Lessee")

By: [Signature]
Vice President and Treasurer

ATTEST:

[Signature]
Assistant/Secretary



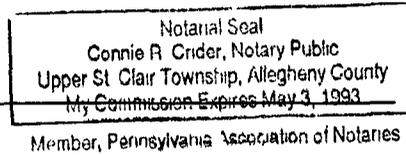
STATE OF PENNSYLVANIA)
) SS
COUNTY OF ALLEGHENY)

On this 9th day of February, 1990, before me personally appeared Robert R. O'Connor, to me personally known, who being by me duly sworn, says that he is the Region Credit Manager of Pitney Bowes Credit Corporation, that said instrument was signed on behalf of said corporation by authority of the Board of Directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Connie R. Crider
Signature of Notary Public

(SEAL)

My Commission Expires



STATE OF PENNSYLVANIA)
) SS
COUNTY OF ALLEGHENY)

On this 9th day of February, 1990, before me personally appeared Michael F. Nemser, to me personally known who being by me duly sworn, says that he is Vice President and Treasurer of Consolidation Coal Company, a Delaware corporation, that the seal affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation of 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.

Connie R. Crider
Notary Public

My Commission Expires:

