

2-050A075



February 19, 1992

17049-A  
RECORDED

Mr. Sidney L. Strickland, Jr.  
Secretary  
Interstate Commerce Commission  
12th Street and Constitution Avenue, N.W.  
Washington, DC 20423

FEB 19 1992 -3 20 PM

INTERSTATE COMMERCE COMMISSION

FEB 19 3 13 PM '92  
NOTED 11:30 AM

Re: Documents for Recordation for  
the partial termination of ICC  
File No. 17049, Recorded October  
4, 1989.

Dear Mr. Strickland:

Enclosed please find four originals of the document described below, to be recorded pursuant to Section 11303 of Title 49 of the U.S. Code. This document is a partial termination of the Interim User Agreement between General Motors Corporation (Elector-Motive Division) and National Railroad Passenger Corporation ("Amtrak") dated September 5, 1990, recordation number 17049.

The document terminates and releases the lien constituted by the Interim User Agreement only with respect to locomotive #450. The Interim User Agreement with respect to locomotive #451 remains in full force and effect.

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

Lessor: General Motors Locomotive Group  
Electro-Motive Division  
LaGrange, Illinois 60525

Lessee: National Railroad Passenger Corporation  
400 North Capitol Street, N.W.  
Washington, DC 20001

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

Interim User Agreement Termination (partial) of the Interim User Agreement with Recordation No. 17049, dated September 5, with respect to locomotive #450 manufactured by General Motors Corporation (Electro-Motive Division).

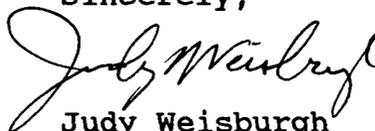
*Counterparts - [Signature]*

Mr. Sidney L. Strickland, Jr.  
Interstate Commerce Commission  
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A fee of sixteen dollars is enclosed. Please return the original and any extra copies not needed by the Commission for recordation to the person delivering same stamped with the appropriate recordation number.

The undersigned is one of the attorneys for Amtrak.

Sincerely,

A handwritten signature in cursive script, appearing to read "Judy Weisburgh".

Judy Weisburgh  
Associate General Counsel

Interstate Commerce Commission  
Washington, D.C. 20423

2/19/92

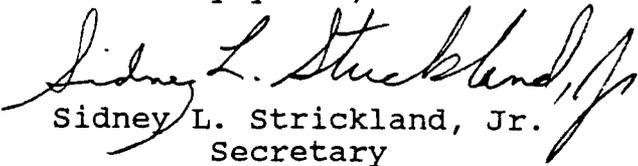
OFFICE OF THE SECRETARY

Judy Weisburgh-  
Associate General Counsel  
Amtrak  
National Railroad Passenger Corporation  
400 N. Capitol Street  
Washington, DC 20001

Dear sirs:

The enclosed document(s) was recorded pursuant to the provisions of Section 11303 of the Interstate Commerce Act, 49 U.S.C. 11303, on 2/19/92 at 3:20PM , and assigned recordation number(s). 17049-A.

Sincerely yours,

  
Sidney L. Strickland, Jr.  
Secretary

17049-A  
FEB 19 1992

FEB 19 1992 -3 50 PM

INTERIM USER AGREEMENT TERMINATION  
INTERSTATE COMMERCE COMMISSION

(PARTIAL)

This terminates the Interim User Agreement, dated September 5, 1990, between National Railroad Passenger Corporation ("Railroad"), a corporation organized under the Rail Passenger Service Act and the laws of the District of Columbia, and Electro-Motive Division, General Motors Corporation ("EMD"), a Delaware corporation, only with respect to the following locomotives: 450 (hereinafter referred to as "Terminated Equipment"). The Interim User Agreement and the hereinafter described recordation with the Interstate Commerce Commission ("ICC") with respect to Locomotives 451 continues in full force and effect.

WHEREAS, Railroad and EMD executed an Interim Lease Agreement, dated September 5, 1990, relating to the equipment described in Exhibit A hereto ("Locomotives");

WHEREAS, the Interim User Agreement was duly filed for recordation with the Interstate Commerce Commission ("ICC") pursuant to 49 U.S.C. Section 11303, as recorded on October 4, 1989 (sic) at 9:40am, Recordation No. 17049.

WHEREAS, the parties hereto desire to terminate and cancel the Interim User Agreement with respect to the Terminated Equipment and to record this termination and cancellation;

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt of which is acknowledged, Railroad and EMD agree as follows:

1. Railroad and EMD hereby terminate and cancel the Interim User Agreement, effective February 13, 1992 with respect to the Terminated Equipment;
2. The parties agree to record this Agreement with the ICC so as to release the lien against the Terminated Equipment constituted by the Interim User Agreement;
3. The parties agree that the Interim User Agreement and the above mentioned recordation with the ICC shall continue in full force and effect with respect to Locomotives 451;

4. This Agreement may be executed by the parties in one or more counterparts (or upon separate signature pages bound together in one or more counterparts) shall together constitute but one and same instrument.

IN WITNESS WHEREOF, Railroad and EMD have each caused this Termination Agreement to be duly executed by their authorized officers as of the day and year first above written.

**NATIONAL RAILROAD PASSENGER CORPORATION**

By: Char W. Hayward

Title: VP F&A

**ELECTRO-MOTIVE DIVISION  
GENERAL MOTORS CORPORATION**

By: [Signature]

Title: ASSISTANT SECRETARY

State of Illinois )  
County of Cook ) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, before me personally appeared Keith A. McCannless, to me personally known, who, being by me duly sworn, did say that he is an Assistant Secretary of Electro-Motive Division, General Motors Corporation, that the instrument was signed on behalf of such 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 such corporation.

  
\_\_\_\_\_  
Notary Public

My commission expires:  
\_\_\_\_\_



State of District of Columbia )  
County of Columbia ) ss.

On this 10th day of February, 1992, before me personally appeared Charles W. Hayward, to me personally known, who, being by me duly sworn, did say that he is a VICE PRESIDENT - FINANCE of NATIONAL RAILROAD PASSENGER COMP., that the instrument was signed on behalf of such 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 such corporation.

  
\_\_\_\_\_  
Notary Public

My commission expires:  
1-1-95