

**Nixon, Hargrave, Devans & Doyle**

**Attorneys and Counselors at Law**

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

1600 MAIN PLACE TOWER

BUFFALO, NEW YORK 14202

(716) 853-8100

FAX (716) 853-8109

CLINTON SQUARE  
POST OFFICE BOX 1051  
ROCHESTER, NEW YORK 14603  
(716) 263-1000

SUITE 800  
ONE THOMAS CIRCLE  
WASHINGTON, D C 20005  
(202) 457-5300

(716) 263-1712

ONE KEYCORP PLAZA  
ALBANY, NEW YORK 12207  
(518) 427-2650

990 STEWART AVENUE  
GARDEN CITY, NEW YORK 11530  
(516) 832-7500

30 ROCKEFELLER PLAZA  
NEW YORK, NEW YORK 10112  
(212) 603-3000

May 27, 1994

RECORDATION NO. 17053  
FILED 1425

MAY 31 1994 - 11 05 AM

INTERSTATE COMMERCE COMMISSION

Sidney L. Stickland, Jr.  
Secretary  
Interstate Commerce Commission  
Washington, D.C. 20423

Dear Sir:

I have enclosed an original and one counterpart of the document described below, to be recorded pursuant to Section 11303 of Title 49 of the U.S. Code.

This document is an Assignment of Mortgage, a secondary document, dated as of May 1, 1994.

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

Assignor: Chemical Bank  
Bridgewater Place  
500 Plum Street  
Syracuse, New York 13204

Assignee: Manufacturers and Traders Trust Company  
One Fountain Plaza  
Buffalo, New York 14203

The primary document to which this is connected is recorded under Recordation No 17053.

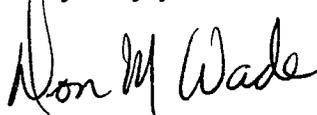
We request that this Assignment of Mortgage be cross-indexed.

A fee of \$18.00 is enclosed. Please return the original and any extra copies not needed by the Commission for recordation to Don M. Wade, Nixon, Hargrave, Devans & Doyle, P.O. Box 1051, Rochester, New York 14603.

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

The secondary document is an Assignment of Mortgage given by Chemical Bank ("Assignor"), having an office at Bridgewater Place, 500 Plum Street, Syracuse, New York 13204 to Manufacturers and Traders Trust Company ("Assignee"), having an office at One Fountain Plaza, Buffalo, New York 14203, dated as of May 1, 1994. This document assigns a certain Mortgage given by The New York, Susquehanna and Western Railway Corporation and Broome County Industrial Development Agency, County of Chenango, Industrial Development Agency, Madison County Industrial Development Agency, Cortland County Industrial Development Agency, Oneida County Industrial Development Agency and Onondaga County Industrial Development Agency to Chemical Bank to secure the principal sum of \$11,000,000, dated as of September 27, 1990 and filed at Recordation No. 17053.

Very truly yours,



Don M. Wade  
Attorney for Manufacturers and  
Traders Trust Company

DMW/saw  
Enclosure

RECORDATION NO. 170530  
FILED 142  
MAY 31 1994 - 11 05 AM  
INTERSTATE COMMERCE COMMISSION

I, Charles P. Jacobs, have compared the attached copy of the Assignment of Mortgages dated as of May 1, 1994 with the original, and have found the copy to be complete and identical in all respects to the original document.

  
\_\_\_\_\_  
Charles P. Jacobs

CHARLES P JACOBS  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires July 31, 1994 94

RECORDATION NO. 17053-8  
FILED 1425

MAY 31 1994 -11 05 AM

INTERSTATE COMMERCE COMMISSION

(N.Y. IDA Property)

CHEMICAL BANK

to

MANUFACTURERS AND TRADERS TRUST COMPANY

---

ASSIGNMENT OF MORTGAGE

---

Dated as of May 1, 1994

---

After Recording Please Return to:

Nixon, Hargrave, Devans & Doyle  
1600 Main Place Tower  
Buffalo, New York 14202

ASSIGNMENT OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, that CHEMICAL BANK, a New York banking corporation having its principal office at Bridgewater Place, 500 Plum Street, Syracuse, New York 13204 ("Assignor"), in consideration of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration paid by MANUFACTURERS AND TRADERS TRUST COMPANY, a New York banking corporation having its principal banking office at One M & T Plaza, Buffalo, New York 14240 ("Assignee"), the receipt of which is hereby acknowledged, hereby assigns unto Assignee the mortgage or mortgages described in SCHEDULE "A" attached hereto (collectively, the "Mortgage") covering certain real property located within Broome County, Chenango County, Madison County, Cortland County, Oneida County and Onondaga County, New York;

TOGETHER WITH the notes, bonds or other obligations described in the Mortgage (collectively, the "Note"), and the moneys due and to grow due thereon with the interest;

TO HAVE AND TO HOLD the same unto Assignee and to its successors and assigns forever.

Except for the representations with respect to the Mortgage and the Note contained in a certain Mortgagee's Estoppel Letter from Assignor to Assignee, dated May 27, 1994, this Assignment is made without recourse, representation or warranty to Assignor or to its successors or assigns in any case or event or for any purpose whatsoever.

IN WITNESS WHEREOF, Assignor has caused this Assignment to be duly executed this 26 day of May, 1994.

CHEMICAL BANK

By: \_\_\_\_\_

  
Scott Geller  
Vice President



SCHEDULE "A"

List of Mortgages Being Assigned

Mortgage given by The New York, Susquehanna and Western Railway Corporation and Broome County Industrial Development Agency, County of Chenango, Industrial Development Agency, Madison County Industrial Development Agency, Cortland County Industrial Development Agency, Oneida County Industrial Development Agency and Onondaga County Industrial Development Agency to Chemical Bank to secure the principal sum of \$11,000,000, dated as of September 27, 1990 and recorded in the Broome County Clerk's Office on October 1, 1990 in Liber 2117 of Mortgages, page 708 and in the Chenango County Clerk's Office on October 1, 1990 in Liber 667 of Mortgages, page 8 and in the Madison County Clerk's Office on June 3, 1991 in Liber 797 of Mortgages, page 22, in the Cortland County Clerk's Office on October 11, 1991 in Liber 479 of Mortgages, page 56, in the Oneida County Clerk's Office on May 13, 1991 in Liber 2489 of Mortgages, page 69 and in the Onondaga County Clerk's Office on April 26, 1991 in Liber 5848 of Mortgages, page 136.