

**RAILCAR, Ltd.**  
Suite 315  
1819 Peachtree Road, N.E.  
Atlanta, Georgia 30309-1847

(404) 352-6799  
Fax (404) 352-6798

• **18412**  
CORPORATION NO. FILED-483

SEP 27 1993 10 20 AM

INTERSTATE COMMERCE COMMISSION

# RAILCAR

September 23, 1993

3-270A004

Interstate Commerce Commission  
12th and Constitution Ave., N.W.  
Washington, DC 20423

Attn: Ms. Mildred Lee  
Room 2303

Re: Bill of Sale by and between Railcar, Ltd. and City of Lakeland, Florida.

Dear Ms. Lee:

Enclosed herewith is one (1) originally executed copy and two (2) certified copies of a Bill of Sale by and among Railcar, Ltd., a Georgia corporation as Purchaser, and City of Lakeland, a Florida Municipal Corporation, as Seller. The Bill of Sale is for eighteen (18) rapid discharge hopper cars bearing the reporting marks LAKX and car numbers in the series 81000 to 81150.

The address of the parties are as follows:

Railcar, Ltd.  
1819 Peachtree Road, N. E., Suite 303  
Atlanta, Georgia 30309

City of Lakeland  
City Hall  
228 South Massachusetts Ave.  
Lakeland, FL 33801

LICENSING BRANCH

SEP 27 10 15 AM '93

RECEIVED  
OFFICE OF THE  
SECRETARY

I would appreciate your recording the enclosed Bill of Sale and returning two (2) copies

to me. A check for the filing fee in the amount of \$16.00 is enclosed.

Thank you for your assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kevin F. O'Gara, Jr.", written in a cursive style.

Kevin F. O'Gara, Jr.  
Director - Fleet Management

enclosures  
cc: Contract File

0801Q

**Interstate Commerce Commission**  
Washington, D.C. 20423

9/29/93

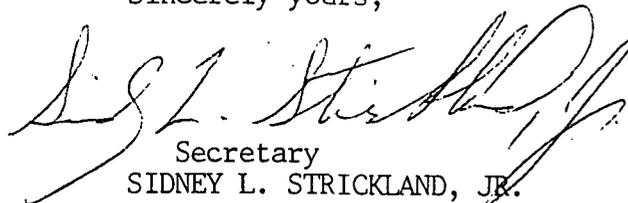
OFFICE OF THE SECRETARY

Kevin F O'Gara, Jr.  
Director-Fleet Management  
Railcar Ltd  
1819 Peachtree Road, N.E.  
Atlanta, Georgia 30309-1847

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 **9/27/93** at **10:20am**, and assigned recordation number(s). **18412**

Sincerely yours,

  
Secretary  
SIDNEY L. STRICKLAND, JR.

Enclosure(s)

9/29/93

SEP 27 1993 10 20 AM

EXHIBIT "C"

INTERSTATE COMMERCE COMMISSION

BILL OF SALE

PURSUANT TO THAT CERTAIN PURCHASE AND SALE AGREEMENT DATED August 24, 1993, BY AND AMONG CITY OF LAKE LAND (SELLER) AND RAILCAR LTD. (PURCHASER), IN CONSIDERATION OF THE PAYMENT OF \$10.00 AND OTHER GOOD AND VALUABLE CONSIDERATION, THE RECEIPT AND ADEQUACY OF WHICH ARE HEREBY ACKNOWLEDGED, THE SELLER HEREBY SELLS, ASSIGNS, CONVEYS AND TRANSFERS TO THE PURCHASER ALL OF THE SELLER'S RIGHTS, TITLE, AND INTEREST IN THE ORTNER RAPID DISCHARGE RAIL CARS LISTED AND DESCRIBED HEREIN, TO HAVE AND TO HOLD THE SAME UNTO PURCHASER, ITS SUCCESSORS AND ASSIGNS FOREVER.

ORTNER RAPID DISCHARGE CARS HEREIN SOLD, AT THE DATE OF THIS BILL OF SALE, ARE 3600 CUBIC FEET, ORTNER BUILT, STEEL, OPEN TOP, BOTTOM DUMP RAIL CARS BEARING THE FOLLOWING IDENTIFYING LETTERS, NUMBERS AND MARKINGS AS FOLLOWS:

<u>CAR NUMBER</u>		<u>CAR NUMBER</u>
LAKX 81147	LAKX 81129	LAKX 81159
LAKX 81097	LAKX 81098	LAKX 81051
LAKX 81034	LAKX 81074	LAKX 81002
LAKX 81090	LAKX 81165	LAKX 81110
LAKX 81136	LAKX 81089	LAKX 81166
LAKX 81042	LAKX 81120	LAKX 81046

THE SELLER HEREBY WARRANTS TO PURCHASER, PURCHASER'S SUCCESSORS AND ASSIGNS, AS FOLLOWS:

1. THE SELLER IS THE LAWFUL OWNER OF THE CARS AND HAS GOOD, VALID AND MARKETABLE TITLE THERETO, FREE AND CLEAR OF ANY LIABILITY, CHARGE, LIEN, ENCUMBRANCE OR OTHER CLAIM OF INTEREST OF ANY NATURE WHATSOEVER;
2. THE SELLER HAS FULL POWER AND AUTHORITY TO SELL AND CONVEY THE CARS TO THE PURCHASER; AND
3. THE SELLER HAS NOT EXECUTED ANY OTHER BILL OF SALE OR OTHER INSTRUMENT WHICH BY ITS TERMS PURPORTS TO TRANSFER TITLE TO THE CARS, OR ANY INTEREST THEREIN, TO ANY OTHER PERSON OR ENTITY.

SELLER FURTHER AGREES TO WARRANT AND DEFEND THE TITLE OF THE CARS TO THE PURCHASER, ITS SUCCESSORS AND ASSIGNS, AGAINST ALL LAWFUL CLAIMS OF ANY PERSON WHATSOEVER.

DATE: August 24, 1993

CITY OF LAKELAND, FLORIDA

ATTEST:

BY: Paula Kay Hoffer  
PAULA KAY HOFFER,  
CITY CLERK

BY: Ralph L. Fletcher  
RALPH L. FLETCHER,  
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

BY: Joseph P. Mawhinney  
JOSEPH P. MAWHINNEY,  
CITY ATTORNEY