



The David J. Joseph Company

October 12, 1995

RECORDATION NO. 17803-E FILED 1025  
OCT 13 1995 -10 05 AM  
INTERSTATE COMMERCE COMMISSION

Ms. Mildred Lee  
Interstate Commerce Commission  
12th & Constitution Ave., N.W.  
Room 2303  
Washington, DC 20423

Dear Ms. Lee:

Enclosed is an original and one copy of the Release of Lien of Memorandum of Assignment and Assumption Agreement dated as of October 6, 1995, between the following parties:

Assignor: The Fifth Third Leasing Company  
38 Fountain Square Plaza  
Cincinnati, OH 45263

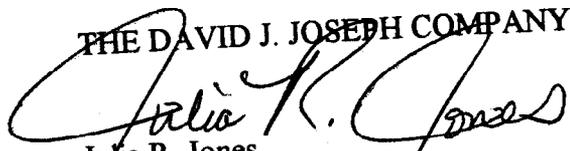
Assignee: The David J. Joseph Company  
300 Pike Street  
Cincinnati, OH 45202

The lease to which this document is connected to is recorded under Recordation No. 17803; and the Memorandum of Assignment and Assumption Agreement is recorded under Recordation No. 17803-B.

The Equipment involved in this transaction is as follows: FLIX 2000-FLIX 2499, sporadic.

Please file this agreement as a secondary document. The amount of \$21.00 is included in the enclosed check.

Sincerely,

THE DAVID J. JOSEPH COMPANY  
  
Julia R. Jones  
Documentation Assistant

Enclosures

Railroad Equipment Leasing  
and Marketing Division

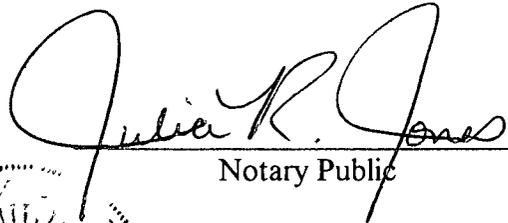
300 Pike Street  
Cincinnati, Ohio 45202-4214  
(513) 621-8770  
FAX (513) 345-4433

Mail Address:  
P.O. Box 1078  
Cincinnati, Ohio 45201-1078

*Counter parts - [Signature]*

**CERTIFICATE**

The undersigned, Julia Jones, a notary public in and for the County of Hamilton, State of Ohio, hereby certifies that the copy of the document attached hereto has been compared with the original and that the undersigned has found the copy to be complete and identical in all respects to the original document

  
Notary Public



**JULIA R. JONES**  
Notary Public, State of Ohio  
My Commission Expires Feb. 27, 2000.

RECORDATION NO. 17803-E FILED 1428

OCT 13 1995 -10 05 AM

INTERSTATE COMMERCE COMMISSION

**RELEASE OF LIEN  
OF  
MEMORANDUM OF ASSIGNMENT AND ASSUMPTION AGREEMENT**

This Release of Lien of Memorandum of Assignment and Assumption Agreement (this "Release") releases that certain Memorandum of Assignment and Assumption Agreement dated as of January 12, 1995 (the "Agreement"), bearing Recordation No 17803-B, between The Fifth Third Leasing Company, as assignor ("Assignor") and The David J Joseph Company, as assignee ("Assignee"), with respect to 472 Covered Hoppers, FLIX 2000-2499, sporadic, as the same have been reduced from time to time ("Equipment")

WHEREAS, Assignor and Assignee executed the Agreement relating to the Equipment; and

WHEREAS, Assignor and Assignee desire to cancel the Agreement and to record such cancellation with the Interstate Commerce Commission ("ICC");

NOW, THEREFORE, in consideration of the premises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Assignor and Assignee agree as follows

1. Assignor and Assignee have, as of the date hereof cancelled the Agreement.

2. The parties agree to record this Release with the ICC so as to release any lien created by or arising out of the Agreement.

3. This Release may be executed in any number of counterparts (or upon separate signature pages bound together in one or more counterparts) which shall together constitute one and the same instrument

In witness whereof, the Assignor and Assignee have each caused this Release to be duly executed by their authorized officers as of the 6th day of October, 1995.

WITNESS:

Kimm Norton  
Conne Norton

THE FIFTH THIRD LEASING COMPANY  
(ASSIGNOR)

By: David J DeBrunner  
Name David J DeBrunner  
Title: Assistant Vice President

WITNESS:

Linda M. Traughman  
Cynthia Wachsmeyer

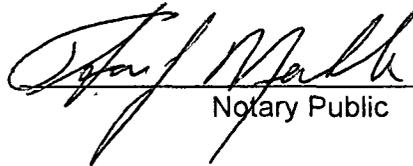
THE DAVID J. JOSEPH COMPANY  
(ASSIGNEE)

By: D. F. McMillan  
Name: Douglas F. McMillan  
Title: Vice President

STATE OF OHIO )  
 ) SS:  
COUNTY OF HAMILTON )

On this 10 day of October, 1995, before the undersigned, Thomas J. Menke, a Notary Public, duly commissioned, qualified and acting, within and for said County and State, appeared in person the within named David J. DeBrunner to me personally known, who stated and acknowledged that he is the Assistant Vice President of The Fifth Third Leasing Company, an Ohio corporation, and duly authorized by authority of the Board of Directors or by-laws of said corporation in his capacity as such officer to execute and acknowledge the foregoing instrument for and in the name and on behalf of said corporation and further stated and acknowledged that he has so signed, executed and delivered the foregoing instrument as the free and voluntary act and deed of said corporation, for the consideration, uses and purposes therein mentioned and set forth and desired that the same might be recorded as such.

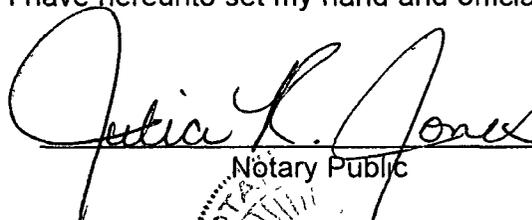
IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 10 day of October, 1995.

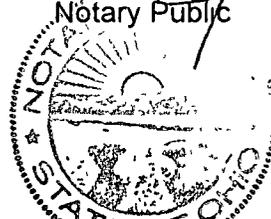
  
\_\_\_\_\_  
Notary Public

STATE OF OHIO )  
 ) SS:  
COUNTY OF HAMILTON )

On this 6th day of October, 1995, before the undersigned, Julia R. Jones, a Notary Public, duly commissioned, qualified and acting, within and for said County and State, appeared in person the within named Douglas F. McMillan to me personally known, who stated and acknowledged that he is the Vice President of The David J. Joseph Company, a Delaware corporation, and duly authorized by authority of the Board of Directors or by-laws of said corporation in his capacity as such officer to execute and acknowledge the foregoing instrument for and in the name and on behalf of said corporation and further stated and acknowledged that he has so signed, executed and delivered the foregoing instrument as the free and voluntary act and deed of said corporation, for the consideration, uses and purposes therein mentioned and set forth and desired that the same might be recorded as such.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 6th day of October, 1995

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



**JULIA R. JONES**  
Notary Public, State of Ohio  
My Commission Expires Feb. 27, 2000