OSTER
Researching Services
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0100582025

Counterparts — Mary Ann Oster

April 4, 1995

RECORDATION NO. 16028-A FILED 1425
APR 4 1995 11 00 AM
INTERSTATE COMMERCE COMMISSION

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SECRETARY
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LICENSING BRANCH

Mr. Vernon Williams
Secretary
Interstate Commerce Commission
12th & Constitution Avenue, N.W.
Washington, D.C. 20423

Dear Mr. Williams:

Enclosed for filing with the Interstate Commerce Commission is a Termination of Security Agreement dated 3/30/95 which releases the following units from lien:

9, EMD SD40-2 3000 HP Locomotives
DME 6359-6364; 6384; 6386; 6387

Please file this agreement as a secondary document to ICC Recordation #16028. The filing fee of $21 is enclosed. Thank you for your assistance.

Sincerely,

Mary Ann Oster

Mary Ann Oster
Research Consultant

Enclosures

RECORDATION NO. 16028-A

APR 4 1995

TERMINATION OF SECURITY AGREEMENT

THIS TERMINATION OF SECURITY AGREEMENT (**"Termination"**) is made as of March 30, 1995 by **THE FIRST NATIONAL BANK OF BOSTON**, a national banking association (the **"Secured Party"**), for the benefit of **HELM FINANCIAL CORPORATION**, a California corporation (the **"Debtor"**).

1. **Recitals.**

   A. Secured Party and Debtor entered into a Security Agreement dated as of November 15, 1988 (**"Agreement"**) pursuant to which the Secured Party acquired a security interest in the nine (9) SD40-2 locomotives described in Exhibit A attached hereto (the **"Units"**). The Agreement is on file at the Interstate Commerce Commission (**"ICC"**) under Recordation No. 16028 filed on November 15, 1988 at 1:15 PM.

   B. The lien on the Units has been released by the Secured Party and the Secured Party claims no security interest in said Units.

2. **Termination of Security Interest.**

   The Secured Party's security interest in the Units shall be and is hereby terminated upon the filing of this Termination with the ICC and all of the Secured Party's right, title and interest in and to the Units shall and has become null and void.

IN WITNESS THEREOF, the Secured Party, pursuant to due authority, has executed this Termination on the date indicated belows its signature.

THE FIRST NATIONAL BANK OF BOSTON

By: _____

Title: VICE PRESIDENT

Date: 3/31/95

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COMMONWEALTH OF MASSACHUSETTS)
) §
COUNTY OF SUFFOLK)

On this 31st day of March, 1995 before me, personally appeared Dexter Freeman, to me personally know, who being by me duly sworn, says that he is a Vice President of **THE FIRST NATIONAL BANK OF BOSTON**, that said instrument was signed on behalf of said association by authority of its Board of Directors; and he acknowledged that the execution of the foregoing instrument was the free act and deed of said association.

Florence Grose
Notary Public

My Commission Expires:

FLORENCE GROSE
Notary Public
My Commission Expires November 12, 1999

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EXHIBIT A

To the Termination of Security Agreement dated as of March 30, 1995 by The First National Bank of Boston for the benefit of Helm Financial Corporation

Equipment Description:

Nine (9), EMD Model, SD40-2, 3000 horsepower, diesel electric, six axle locomotives.

Unit Numbers:

DME 6359
DME 6360
DME 6361
DME 6362
DME 6363
DME 6364
DME 6384
DME 6386
DME 6387

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