

SEWELL & RIGGS
800 CAPITAL BANK PLAZA
HOUSTON, TEXAS 77002

January 9, 1984

9689-B
RECORDATION NO. 1425

JAN 16 1984 -9 15 AM

INTERSTATE COMMERCE COMMISSION

(713) 652-8700
TELEX: 77-5564

Secretary of the Interstate
Commerce Commission
12th and Constitution Avenues
Room 2303
Attention: Ms. Mildred Lee
Washington, D. C. 20423

No. 4-016A060

Date JAN 16 1984

Fee \$ 50.00

ICC Washington, D. C.

Re: Assignment of Note and Liens executed by
InterFirst Bank Fannin for the benefit of
Capital Bank, National Association

Dear Ms. Lee:

Enclosed for filing in your office please find the
original and two counterparts of the above referenced instru-
ment and our firm check in the amount of \$50.00 as fee for
recordation for same.

Please return the original document to Sewell & Riggs,
800 Capital Bank Plaza, Houston, Texas 77002, Attention:
Judy Qadim'asil.

If you have any questions or comments, please call the
undersigned or Robert Bramlette collect at (713) 6528700 or
Harry Allcott of Capital Bank, National Association at (713)
651-1100.

Very truly yours,

Judy Qadim'asil

Judy Qadim'asil
Legal Assistant

JQ:sns
Enclosures as stated

cc: Mr. Harry Allcott
Loan Officer
Executive and Professional
Metropolitan Division
Capital Bank, N. A.
P. O. Box 500
Houston, Texas 77001

CERTIFIED MAIL NO. P455-043-064
RETURN RECEIPT REQUESTED

RECEIVED
JAN 16 9 10 AM '84
I.C.C.
FEE OPERATION BR.

Interstate Commerce Commission
Washington, D.C. 20423

1/16/84

OFFICE OF THE SECRETARY

Judy Qadim'asil
Legal Assist.
Sewell & Riggs
800 Capital Bank Plaza
Houston, Texas 77002

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 1/16/84^{at} 9:15am and assigned re-
recording number(s). 9689-B

Sincerely yours,



JAMES H. BAYNE

Secretary

Enclosure(s)

SE-30
(7/79)

JAN 16 1984 -9 15 AM

ASSIGNMENT OF NOTE AND LIENS

INTERSTATE COMMERCE COMMISSION

WHEREAS, pursuant to that certain Security Agreement and Chattel Mortgage dated August 29, 1978, and filed with the Interstate Commerce Commission ("ICC") on September 12, 1978, under Recordation No. 9689, and that certain Security Agreement-Assignment of Accounts dated August 29, 1978, and filed with the ICC on September 12, 1978, under Recordation No. 9689-A (collectively called the "Security Agreements"), SHORTHORN INVESTMENT COMPANY, a Texas partnership ("SHORTHORN") granted and conveyed to INTERFIRST BANK FANNIN ("INTERFIRST BANK") a security interest in and to the following property (the "Property"), to secure payment of the note or notes described in said Security Agreements:

Five (5) Railroad Tank Cars described as follows:

DOT111A100W3 23,500 Gallon Nominal Capacity, Insulated and Exterior Coils 100 Ton Truck capacity, Serial Nos. RTMX 12436, 12437, 12438, 12439 and 12440.

WHEREAS, INTERFIRST has been satisfied in full with regard to the note or notes described in the Security Agreements by payment from CAPITAL BANK, NATIONAL ASSOCIATION ("CAPITAL BANK"); and

WHEREAS, CAPITAL BANK has requested INTERFIRST BANK to assign its interest in the Security Agreements and the Property to the said CAPITAL BANK;

NOW THEREFORE, in consideration of the payment by CAPITAL BANK of the theretofore unpaid principal balance and accrued interest on the note or notes secured by the Security Agreements, INTERFIRST BANK does hereby GRANT, ASSIGN, and CONVEY to CAPITAL BANK, having its principal offices at 333 Clay Street, Houston, Texas, all its rights, title and interest in the Security Agreements and the Property, as described therein and further agrees that CAPITAL BANK shall

be fully subrogated to the interest of INTERFIRST BANK in and to the Property and shall succeed to all the rights and remedies of INTERFIRST BANK with regards to the Property.

EXECUTED this 30th day of November, 1983.

INTERFIRST BANK FANNIN

By: *Phillip D. Scott*
Name: Phillip D. Scott
Title: Asst. Vice President

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 30 day of November, 1983, by Phillip D. Scott of InterFirst Bank Fannin, on behalf of InterFirst Bank Fannin.

Kathryn A. Watson
Notary Public In and For
The State of Texas
KATHRYN A. WATSON
Notary Public in and for the State of TEXAS
My Commission expires May 3, 1986
Printed Name of Notary

My Commission Expires: _____

(SEAL)