

STATE OF NEW YORK
STATE TAX COMMISSION

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In the Matter of the Application
of

INDUSTRIAL TECTONICS AMERICAN BEARING
DIVISION, INC.

for Release of Lien on certain Assets
formerly owned by

AMERICAN BALL BEARING CORPORATION
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STATE OF NEW YORK)
COUNTY OF ALBANY) SS.:

WHEREAS, on November 16, 1964 Industrial Tectonics American Bearing Division, Inc. a New York corporation (herein called "American Bearing Division") entered into a contract with American Ball Bearing Corporation, a New York corporation, for the purchase of the operating assets of said corporation for the sum of \$550,000 payable in cash and promissory notes in the amount of \$539,998 and certain other consideration; and

WHEREAS, the assets to be purchased under said contract were subject to certain liens for unpaid taxes, interest and penalties held by the State Tax Commission and certain prior liens for unpaid taxes, interest and penalties held by the Internal Revenue Service; and

WHEREAS, in consideration of the payment of \$50,000 in cash to the State Tax Commission on December 10, 1964, the date on which such assets were purchased and an

STATE OF NEW YORK
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In the Matter of the Application
of

AMERICAN TRADING COMPANY, INC.
DIVISION, INC.

For Release of Lien on certain assets
formerly owned by
AMERICAN TRADING COMPANY, INC.

STATE OF NEW YORK
COUNTY OF ALBANY

WHEREAS, on November 15, 1935, Industrial Factory
American Trading Company, Inc., a New York corporation
(hereinafter referred to as "the corporation") executed and
filed with the State Tax Commission a New York
corporate return for the year 1934, in which it claimed
a deduction for the purchase of the corporate assets of
the corporation for the sum of \$100,000.00 and in said
return it stated that the assets were purchased from
Industrial Factory, Inc., a New York corporation, and
that the purchase price was \$100,000.00.

WHEREAS, the assets so purchased under said
contract were subject to a lien for unpaid taxes
interest and penalties held by the State Tax Commission, and
certain other items for unpaid taxes, interest and penalties
held by the Industrial Revenue Service, and

WHEREAS, in consideration of the payment of
\$10,000.00 in cash to the State Tax Commission on January 15,
1936, the date on which such taxes were paid, and

agreement to pay the principal of and interest on said notes to the State Tax Commission for application to the indebtedness of American Ball Bearing Corporation and Leo L. Lowy after the claims of the Internal Revenue Service had been paid by the application of \$500,000 of the cash portion of said purchase price and payment of principal and interest on said notes the State Tax Commission released its lien against inventories and receivables of American Ball Bearing Corporation; and

WHEREAS, after application of a tax loss carryback for the year 1963 but before application of any tax loss carryback for the year 1964, the indebtedness of American Ball Bearing Corporation and Leo L. Lowy to the State Tax Commission for taxes, interest and penalties accrued prior to December 10, 1964 is respectively \$32,095.92 and \$166,695.90; and

WHEREAS, the unpaid principal amount of the notes is the sum of \$229,288.37 and the amount owed to the Internal Revenue Service secured by said notes is the sum of \$20,040.95; and

WHEREAS, it appeared that American Bearing Division could only pay such unpaid principal due on the notes in the event it secured a loan from Walter E. Haller & Company, Inc. secured by a first and prior lien on the machinery and equipment which had been purchased from American Ball Bearing Corporation and on which the State retained a lien; and

WHEREAS, it appeared that upon payment of such notes by American Bearing Division the State Tax Commission would receive an amount in excess of \$209,000; and

agreement to pay the principal of and interest on said notes
to the State Tax Commission for application to the Federal
Bureau of Investigation and the Internal Revenue Service
after the filing of the Internal Revenue Service has been
made by the application of \$100,000 of the cash portion of
said investment and payment of principal on interest on
said notes the State Tax Commission released its lien against
investments and receipts of Western Mail Building Company
national and

WHEREAS, after application of a certain amount
for the year 1933, the balance application of the year 1934
collected for the year 1934, the indebtedness of Western
Mail Building Company and the State Tax
Commission for taxes, interest and penalties accrued with
to December 31, 1934 is respectively \$100,000.00 and
\$100,000.00 and

WHEREAS, the unpaid principal amount of the notes
is the sum of \$100,000.00 and the amount paid to the
Internal Revenue Service by said notes is the sum of
\$10,000.00 and

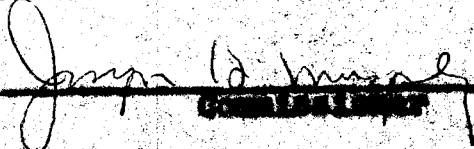
WHEREAS, it is provided in the Internal Revenue
Division that any such unpaid principal due on the
notes in the event of default by the Western Mail Building
Company, the State Tax Commission, the Internal Revenue Service
and the equipment which has been furnished from
Western Mail Building Company and in which the State
Commission has a lien and

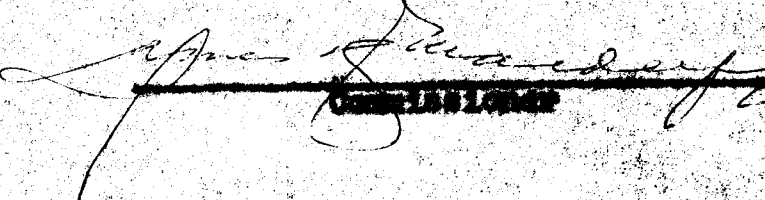
WHEREAS, it is provided that upon payment of the
notes by Western Mail Building Company the State Tax Commission
would receive an amount in excess of \$10,000.00 and

WHEREAS, in consideration of an agreement by the State to release the aforementioned lien concurrently with the execution of these presents American Bearing Division is paying the State Tax the sum of \$209,247.42 plus accrued interest on such notes from February 28, 1967.

ACCORDINGLY, pursuant to the provisions of Section 171 of the Tax Law, the State Tax Commission does hereby grant, release and discharge from the lien of a warrant filed by the State Tax Commission in the Clerk's office of Kings County on November 27, 1964 against American Ball Bearing Corporation and from any lien for franchise taxes of American Ball Bearing Corporation for the year 1964 and prior years arising by operation of law pursuant to Article 9-A of the Tax Law and any right, title and interest it may have under said liens all properties owned by Industrial Teutonic American Bearing Division, Inc., a New York corporation, in consideration of the payment to it of \$209,247.42 plus interest on the outstanding principal amount of said notes at 6% per annum from February 28, 1967.

Dated: March 13, 1967


COMMISSIONER


COMMISSIONER

COMMISSIONER

CONFIDENTIAL

1. The first of these is the fact that the
2. Government has not been able to secure the
3. necessary funds to carry out its policy.
4. The second is the fact that the Government
5. has not been able to secure the necessary
6. funds to carry out its policy.

The first of these is the fact that the
 Government has been unable to secure
 the necessary funds to carry out its
 policy of non-interference in the
 internal affairs of the country.
 The second is the fact that the
 Government has been unable to secure
 the necessary funds to carry out its
 policy of non-interference in the
 internal affairs of the country.
 The third is the fact that the
 Government has been unable to secure
 the necessary funds to carry out its
 policy of non-interference in the
 internal affairs of the country.

THE UNIVERSITY OF CHICAGO

THE NATIONAL ARCHIVES
COLLECTIONS