



Wells Fargo Rail  
9377 W. Higgins Rd.  
Suite 600  
Rosemont, IL 60018

wellsfargo.com

RECORDATION NO. 25718-A  
FILED SEPTEMBER 28, 2016 1:28 PM  
SURFACE TRANSPORTATION BOARD

September 28, 2016

Chief Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W., Suite 100  
Washington, DC 20423-0001  
Attn: Recordation of Railroad Equipment

**Re: Memorandum of Lease Termination**

Dear Section Chief:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) please find one (1) originally executed Memorandum of Lease Termination dated September 28, 2016, a secondary document as defined in the Board's Rules for the Recordation of Documents. The enclosed document relates to the Memorandum of Lease, evidencing such Equipment duly filed with the Surface Transportation Board on July 21, 2005, under primary recordation number **25718**.

The names and addresses of the parties to the enclosed document are:

Lessor: Wells Fargo Rail Corporation  
f/k/a First Union Rail Corporation  
9377 W. Higgins Rd, Suite 600  
Rosemont, IL 60018

Lessee: R. C. Smith Companies, Ltd.  
1572 FM 1485 Road  
Conroe, TX 77301

The enclosed document is for sixty-three (63) 2494 cu. ft. capacity gondola cars marked: FURX 315700 – FURX 315714, FURX 315764 – FURX 315793, FURX 320527, FURX 320531, FURX 320533 – FURX 320534, FURX 320540 – FURX 320541, FURX 320550, FURX 320552, FURX 320556 – FURX 320557, FURX 320562, FURX 320566, FURX 320569, FURX 320572, FURX 320574 and FURX 320577 – FURX 320579, which has been terminated in all respects and is no longer covered under the Lease.

A short summary of the document to appear in the index follows:      Memorandum of Lease Termination

Please accept this E-filing and invoice Wells Fargo Rail Corporation's account number 22860 in the amount of \$45.00 covering the required recordation fee. Kindly return one (1) stamped original of the enclosed document to the undersigned.

If you have any questions regarding the above-referenced matter, please contact me at (847) 384-5397. Thank you for your cooperation in this matter.

Sincerely,

Marcia Dunne  
Manager Contract Administration

Enclosures  
(RCSM001)

Together we'll go far



**MEMORANDUM OF LEASE TERMINATION**

**THIS MEMORANDUM OF LEASE TERMINATION** (the "Memorandum") dated as September 28, 2016 is made by Wells Fargo Rail Corporation, f/k/a First Union Rail Corporation (the "Lessor"), a North Carolina corporation, and pertains to that certain Lease Agreement dated as of March 25, 2005 (collectively, the "Lease"), between Lessor and R. C. Smith Companies, Ltd. (the "Lessee"), a Texas corporation.

**WITNESSETH:**

**WHEREAS**, Lessor and Lessee entered into the Lease whereby Lessor has agreed to lease to Lessee certain railcars (the "Equipment") as more particularly described in on Exhibit A attached hereto; and,

**WHEREAS**, Lessor and Lessee entered into certain Memorandum of Lease, evidencing the above-described Lease of such Equipment, which was filed at the Surface Transportation Board on July 21, 2005 having primary recordation number 25718.

**WHEREAS**, certain Equipment has been released and is no longer covered under the Lease; and,

**NOW, THEREFORE**, the Lessor desires to clarify the public record state as follows:

1. This Notice serves as notice that the Equipment listed on the attached Exhibit A as evidenced by the Memorandum of Lease filed with the Surface Transportation Board, have been terminated in all respects.
2. All of the interest of the Lessee, its successors and assigns, in the Equipment listed on Exhibit A arising pursuant to the Lease has been terminated.
3. Lessor wishes to record this Notice of Termination of Lease and Termination of Memorandum of Lease so as to release the lien with respect to the Equipment.

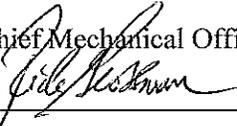
**IN WITNESS WHEREOF**, Wells Fargo Rail Corporation, as Lessor, has caused this Memorandum of Lease Termination to be duly executed by their respective officer duly authorized as of the date and year first above written (and the undersigned declares under penalty of perjury that he or she holds the title indicated below and that the execution of this Memorandum was the free act and deed of its corporation).

**LESSOR:**

WELLS FARGO RAIL CORPORATION

Name: Rick Grossman

Title: Chief Mechanical Officer

Signature: 

**EXHIBIT A  
TO  
MEMORANDUM OF LEASE TERMINATION**

NUMBER OF CARS:           Sixty-three (63)

DESCRIPTION OF CARS:    52' 6" 2494 cu. ft. capacity 268 GRL gondolas with 5' sides

CAR NUMBERS:

FURX	315700	FURX	315781
FURX	315701	FURX	315782
FURX	315702	FURX	315783
FURX	315703	FURX	315784
FURX	315704	FURX	315785
FURX	315705	FURX	315786
FURX	315706	FURX	315787
FURX	315707	FURX	315788
FURX	315708	FURX	315789
FURX	315709	FURX	315790
FURX	315710	FURX	315791
FURX	315711	FURX	315792
FURX	315712	FURX	315793
FURX	315713	FURX	320527
FURX	315714	FURX	320531
FURX	315764	FURX	320533
FURX	315765	FURX	320534
FURX	315766	FURX	320540
FURX	315767	FURX	320541
FURX	315768	FURX	320550
FURX	315769	FURX	320552
FURX	315770	FURX	320556
FURX	315771	FURX	320557
FURX	315772	FURX	320562
FURX	315773	FURX	320566
FURX	315774	FURX	320569
FURX	315775	FURX	320572
FURX	315776	FURX	320574
FURX	315777	FURX	320577
FURX	315778	FURX	320578
FURX	315779	FURX	320579
FURX	315780		