

FIRST UNION RAIL

One O'Hare Centre
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Rosemont, IL 60018

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December 22, 2015

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 December 22, 2015, a secondary document as defined in the Board's Rules for the Recordation of Documents. The enclosed document relates to the Memorandum of Lease dated as of May 14, 1997, evidencing such Equipment which was duly filed with the Surface Transportation Board on July 29, 1997 under primary recordation number 20791.

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

Lessor: First Union Rail Corporation
One O'Hare Centre
6250 N River Road, Suite 5000
Rosemont, IL 60018

Lessee: Dakota, Missouri Valley & Western Railroad, Inc.
1131 S. 22nd St
Bismarck, ND 58504

The enclosed document is for two hundred (200) covered hopper railcars having IMRL marks, (see Exhibit A for unit numbers) which have been terminated in all respects and are 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 our account number 22860 in the amount of \$43.00 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

(DMVW001)

MEMORANDUM OF LEASE TERMINATION

THIS MEMORANDUM OF LEASE TERMINATION (the "Memorandum") dated as of December 22, 2015 is made by First Union Rail Corporation (the "Lessor"), a North Carolina corporation, and pertains to that certain Lease Agreement dated as of March 28, 1997, and Rider No 1 (collectively, the "Lease"), between Lessor and Dakota, Missouri Valley and Western Railroad, Inc. (the "Lessee").

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 on Exhibit A attached hereto; and,

WHEREAS, Lessor and Lessee entered into that certain Memorandum of Lease dated as of May 14, 1997, evidencing the above described Lease of such Equipment, which was filed at the Surface Transportation Board on July 29, 1997 with primary recordation number 20791.

WHEREAS, the Lease between Lessor and Lessee has been terminated; and

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

1. This Notice serves as notice that the Lease between Lessor and Lessee relating to the Equipment and evidenced by the Memorandum of Lease filed with the Surface Transportation Board, has been terminated in all respects.
2. 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, the Lessor has caused this Memorandum to be executed by its duly authorized officer as of the 22nd day of December, 2015 (and the undersigned declares under penalty of perjury that he holds the title indicated below and that the execution of this Memorandum was the free act and deed of its corporation).

LESSOR:

FIRST UNION RAIL CORPORATION

Name: RICHARD F. SEYMOUR
Title: VICE PRESIDENT SALES & MARKETING

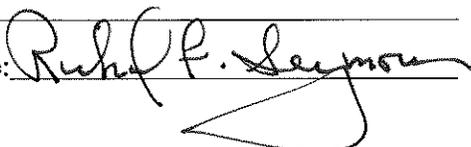
Signature: 

EXHIBIT A
to
MEMORANDUM OF TERMINATION OF LEASE

NUMBER OF CARS: Two Hundred (200)

DESCRIPTION OF CARS: Covered Hopper Railcars

CAR NUMBERS: IMRL 815227 - IMRL 830187, n.i.

IMRL	815242
IMRL	815386
IMRL	815251
IMRL	815480
IMRL	815390
IMRL	815227
IMRL	815453
IMRL	815415
IMRL	815457
IMRL	815462
IMRL	815474
IMRL	815317
IMRL	825345
IMRL	821483
IMRL	821484
IMRL	821489
IMRL	820801
IMRL	820802
IMRL	820805
IMRL	820808
IMRL	820812
IMRL	820818
IMRL	820822
IMRL	820828
IMRL	820833
IMRL	820834
IMRL	820840
IMRL	820848
IMRL	820850
IMRL	820869
IMRL	822211
IMRL	821707
IMRL	821717
IMRL	822064
IMRL	822065
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IMRL	822096
IMRL	822100
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IMRL	816525
IMRL	816526
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IMRL	818195
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