



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

wellsfargo.com

RECORDATION NO. 21638-A
FILED AUGUST 18, 2016 3:44 PM
SURFACE TRANSPORTATION BOARD

August 18, 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 August 18, 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 September 11, 1998 under primary **recordation number 21638**.

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: Dakota Minnesota & Eastern Railroad Corp.
337 22nd Ave., South, PO Box 178
Brookings, SD 57006

The enclosed document is for seventy-one (71) covered hopper cars (see Exhibit A for car numbers), which has 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 Wells Fargo Rail Corporation's 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

(DME002/A-B)

Together we'll go far



MEMORANDUM OF LEASE TERMINATION

THIS MEMORANDUM OF LEASE TERMINATION (the "Memorandum") dated as August 18, 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 June 23, 1998 (collectively, the "Lease"), between Lessor and Dakota Minnesota & Eastern Railroad Corp. (the "Lessee"), a Delaware corporation.

W I T N E S S E T H:

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 September 11, 1998 with primary recordation number 21638 (Rider No. 2).

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, has 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**

RIDER NO. 2

NUMBER OF CARS: Seventy-one (71)

DESCRIPTION OF CARS: 4750 cu. ft. covered hopper cars

CAR NUMBERS:

Car initial (29)	Car number (29)
DME	000001
DME	000002
DME	000003
DME	000004
DME	000006
DME	000007
DME	000008
DME	000010
DME	005023
DME	005027
DME	005030
DME	005031
DME	005032
DME	005033
DME	005034
DME	005035
DME	005037
DME	005038
DME	005039
DME	005041
DME	005042
DME	005043
DME	005044
DME	005045
DME	005046
DME	005047
DME	005048
DME	005049
DME	005050
DME	010525
DME	010534
DME	010550
DME	010649
DME	010655
DME	010656

DME	010683
DME	010701
DME	010737
DME	011131
DME	463104
DME	485010
DME	486587
DME	486589
DME	486595
DME	486600
DME	486601
DME	486605
DME	486638
DME	488040
DME	488048
DME	488061
DME	488062
DME	488067
DME	488068
DME	488075
DME	488080
DME	488083
DME	488084
DME	488092
DME	488100
DME	488103
DME	488109
DME	500002
DME	500031
DME	500076
DME	500082
DME	510020
DME	510037
DME	510072
DME	830130
Count:	70

Car initial (29)	Car number (29)
DME	005241
Count:	1