



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

wellsfargo.com

RECORDATION NO. 20436-C
FILED OCTOBER 12, 2016 2:36 PM
SURFACE TRANSPORTATION BOARD

October 12, 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 October 12, 2016, a secondary document as defined in the Board's Rules for the Recordation of Documents. The enclosed document relates to the Amendment to Memorandum of Lease Agreement, evidencing such Equipment duly filed with the Surface Transportation Board on June 10, 1998 under recordation number **20436-B**. The primary document to which this is connected are recorded under Recordation No. 20436 and also 20436-A.

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: Centex Construction Products, Inc.
3710 Rawlins
Suite 1600
Dallas, TX 75219

The enclosed document is for forty (40) centerbeam flat cars marked AGYX 5000 – AGYX 5039, inclusive 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
(EAMA001)

Together we'll go far



MEMORANDUM OF LEASE TERMINATION

THIS MEMORANDUM OF LEASE TERMINATION (the "Memorandum") dated as October 12, 2016 is made by Wells Fargo Rail Corporation, f/k/a First Union Rail Corporation (the "Lessor"), a North Carolina corporation, as successor in interest to First Union Commercial Corporation and pertains to that certain Lease Agreement dated as of January 31, 1995 (the "Lease"), between Lessor and Centex Construction Products, Inc. (the "Lessee"), a Delaware corporation.

WITNESSETH:

WHEREAS, Lessor and Lessee entered into that certain Amendment to Memorandum of Lease Agreement as of June 9, 1998, by and between First Union Commercial Corporation ("Lessor"), successor by merger to Signet Leasing and Financial Corporation, and Centex Construction Products, Inc. ("Lessee") evidencing the below-described Lease of such Equipment, which was filed at the Surface Transportation Board on June 10, 1998 having **secondary recordation number 20436-B**.

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, the 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 Amendment to Memorandum of Lease Agreement 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 Memorandum of Lease Termination 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: Forty (40)

DESCRIPTION OF CARS: 73' center partition flat cars

CAR NUMBERS: AGYX 5000 – AGYX 5039, inclusive