



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

wellsfargo.com

RECORDATION NO. 22261-B
FILED DECEMBER 5, 2016 3:13 PM
SURFACE TRANSPORTATION BOARD

December 5, 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 November 30, 2016, a secondary document as defined in the Board's Rules for the Recordation of Documents. The enclosed document relates to the Memoranda of Lease, evidencing such Equipment duly filed with the Surface Transportation Board on July 23, 1999, under primary recordation number 22261 and secondary recordation number 22261-A respectively.

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, Missouri Valley and Western Railroad
1131 South 22nd Street
Bismarck, ND 58504

The enclosed document is for five (5) covered hopper cars marked NOKL 826006, NOKL 826090, NOKL 826126, NOKL 826138 and NOKL 826167, sixty (60) 4750 cu. ft. covered hopper cars marked FURX 840048 – FURX 850685, n.i. and one hundred (100) covered hopper cars marked FURX 840036 – FURX 850690, n.i. 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 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
(DMVW007, DMVW003 & DMVW005)

Together we'll go far



MEMORANDUM OF LEASE TERMINATION

THIS MEMORANDUM OF LEASE TERMINATION (the "Memorandum") dated as November 30, 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 24, 1997 (collectively, the "Lease"), between Lessor and Dakota, Missouri Valley & Western Railroad, Inc. (the "Lessee") a North Dakota 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 Memoranda of Lease, evidencing the above-described Lease of such Equipment, which were filed at the Surface Transportation Board on July 23, 1999 having **primary recordation number 22261 and secondary recordation number 22261-A**.

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 Memorandum of Lease Termination so as to release the lien with respect to the Equipment.

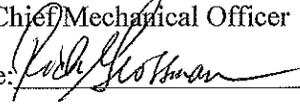
IN WITNESS WHEREOF, Wells Fargo Rail Corporation, as Lessor, has caused this Memorandum of Lease Termination to be duly executed by their respective officer duly authorized as of the date and year first above written (and the undersigned declares under penalty of perjury that he or she holds the title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

RIDER NO. 7

NUMBER OF CARS: Five (5)

DESCRIPTION OF CARS: 4750 cu. ft. Covered Hopper Cars

CAR NUMBERS: NOKL 826006 NOKL 826138
 NOKL 826090 NOKL 826167
 NOKL 826126 Count: 5

RIDER NO. 3

NUMBER OF CARS: Sixty (60)

DESCRIPTION OF CARS: 5250 cu. ft. Covered Hopper Cars

CAR NUMBERS:

FURX	840048
FURX	840060
FURX	840062
FURX	840064
FURX	840093
FURX	840106
FURX	840112
FURX	840602
FURX	840613
FURX	840624
FURX	840625
FURX	840635
FURX	840652
FURX	840656
FURX	840710
FURX	840760
FURX	840764
FURX	840765
FURX	850003
FURX	850004
FURX	850024
FURX	850028
FURX	850030
FURX	850040
FURX	850084
FURX	850102
FURX	850108
FURX	850131
FURX	850142
FURX	850158

FURX	850220
FURX	850221
FURX	850226
FURX	850242
FURX	850273
FURX	850289
FURX	850298
FURX	850317
FURX	850326
FURX	850333
FURX	850342
FURX	850360
FURX	850404
FURX	850411
FURX	850416
FURX	850433
FURX	850445
FURX	850459
FURX	850485
FURX	850509
FURX	850516
FURX	850585
FURX	850612
FURX	850629
FURX	850634
FURX	850635
FURX	850644
FURX	850650
FURX	850660
FURX	850685
Count:	60

**EXHIBIT A
TO
MEMORANDUM OF LEASE TERMINATION**

RIDER NO. 5

NUMBER OF CARS: One hundred (100)

DESCRIPTION OF CARS: Covered Hopper Cars

CAR NUMBERS:

FURX	840036	FURX	850121	FURX	850496
FURX	840045	FURX	850132	FURX	850498
FURX	840051	FURX	850146	FURX	850499
FURX	840074	FURX	850150	FURX	850506
FURX	840094	FURX	850153	FURX	850511
FURX	840095	FURX	850157	FURX	850533
FURX	840616	FURX	850163	FURX	850534
FURX	840619	FURX	850164	FURX	850540
FURX	840621	FURX	850174	FURX	850544
FURX	840644	FURX	850176	FURX	850554
FURX	840689	FURX	850181	FURX	850565
FURX	840690	FURX	850227	FURX	850575
FURX	840725	FURX	850234	FURX	850593
FURX	840728	FURX	850256	FURX	850595
FURX	840731	FURX	850267	FURX	850599
FURX	840752	FURX	850274	FURX	850603
FURX	840772	FURX	850280	FURX	850607
FURX	840773	FURX	850288	FURX	850618
FURX	840779	FURX	850295	FURX	850637
FURX	850013	FURX	850303	FURX	850640
FURX	850022	FURX	850311	FURX	850646
FURX	850026	FURX	850319	FURX	850647
FURX	850045	FURX	850332	FURX	850658
FURX	850051	FURX	850351	FURX	850675
FURX	850055	FURX	850361	FURX	850682
FURX	850060	FURX	850376	FURX	850690
FURX	850063	FURX	850385	Count:	100
FURX	850067	FURX	850388		
FURX	850074	FURX	850395		
FURX	850080	FURX	850396		
FURX	850093	FURX	850453		
FURX	850095	FURX	850460		
FURX	850103	FURX	850463		
FURX	850106	FURX	850471		
FURX	850111	FURX	850477		
FURX	850115	FURX	850483		
FURX	850116	FURX	850486		