



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

wellsfargo.com

RECORDATION NO. 28073-F
FILED NOVEMBER 29, 2016 12:25 PM
SURFACE TRANSPORTATION BOARD

November 29, 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 29, 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 November 3, 2009, under primary recordation number **28073** and secondary recordation numbers **28073-A** and **28073-B**.

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

<p>Lessor: Wells Fargo Rail Corporation f/k/a First Union Rail Corporation 9377 W. Higgins Rd, Suite 600 Rosemont, IL 60018</p>	<p>Lessee: Gavilon, LLC 11 Conagra Drive Suite 5023 Omaha, NE 68102</p>
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The enclosed document is for twenty-five (25) covered hopper cars marked NDYX 818806 – NDYX 832976, non-inclusive, twenty (20) covered hopper cars marked FURX 845403 – FURX 845595, non-inclusive and sixteen (16) covered hopper cars marked FURX 818222 – FURX 819141, non-inclusive, 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
(GALL001-003)

Together we'll go far



MEMORANDUM OF PARTIAL TERMINATION OF LEASE

THIS MEMORANDUM OF PARTIAL TERMINATION OF LEASE (the "Memorandum") dated as November 29, 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 December 18, 2008, (collectively, the "Lease"), between Lessor and Gavilon, LLC (the "Lessee"), a Delaware 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 November 3, 2009 having **primary recordation number 28073 and secondary recordation numbers 28073-A and 28073-B** respectively.

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 Memoranda 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 Memorandum of Partial Termination 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 Partial Termination of Lease 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

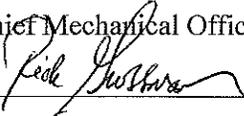
Signature:  _____

EXHIBIT A
TO
MEMORANDUM OF PARTIAL TERMINATION OF LEASE

RIDER NO. 1

NUMBER OF CARS: Twenty-five (25)

DESCRIPTION OF CARS: Covered Hopper Cars

CAR NUMBERS:

NDYX	818806	NDYX	827564
NDYX	821589	NDYX	827602
NDYX	821684	NDYX	827714
NDYX	821702	NDYX	827848
NDYX	822118	NDYX	830377
NDYX	823634	NDYX	830582
NDYX	824346	NDYX	830589
NDYX	824473	NDYX	832012
NDYX	826670	NDYX	832325
NDYX	826895	NDYX	832424
NDYX	827560	NDYX	832425
		NDYX	832433
		NDYX	832673
		NDYX	832976

RIDER NO. 2

NUMBER OF CARS: Twenty (20)

DESCRIPTION OF CARS: Covered Hopper Cars

CAR NUMBERS:

FURX	845403	FURX	845513
FURX	845408	FURX	845515
FURX	845409	FURX	845516
FURX	845420	FURX	845537
FURX	845447	FURX	845538
FURX	845465	FURX	845544
FURX	845484	FURX	845546
FURX	845489	FURX	845553
FURX	845500	FURX	845558
FURX	845508	FURX	845595

**EXHIBIT A
TO
MEMORANDUM OF PARTIAL TERMINATION OF LEASE**

RIDER NO. 3

NUMBER OF CARS: Sixteen (16)

DESCRIPTION OF CARS: Covered Hopper Cars

CAR NUMBERS:

FURX	818222	NDYX	819025
FURX	818722	NDYX	819030
FURX	818740	NDYX	819053
NDYX	818936	NDYX	819129
NDYX	818942	NDYX	819132
NDYX	818947	NDYX	819137
NDYX	818948	NDYX	819141
NDYX	818952		
NDYX	818970		