



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

wellsfargo.com

RECORDATION NO. 30068-A
FILED OCTOBER 11, 2016 2:04 PM
SURFACE TRANSPORTATION BOARD

October 11, 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 11, 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 January 18, 2012, under primary recordation number **30068**.

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: Tunnell Hill Reclamation LLC
2500 Township Rd 205 Rte 2
New Lexington, OH 43764

The enclosed document is for fifty-eight (58) gondola cars marked NDYX 314903 – NDYX 323160, n.i. 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
(TUHI001)

Together we'll go far



MEMORANDUM OF LEASE TERMINATION

THIS MEMORANDUM OF LEASE TERMINATION (the "Memorandum") dated as October 11, 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 September 27, 2011 (collectively, the "Lease"), between Lessor and Tunnell Hill Reclamation LLC (the "Lessee"), an Ohio 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 Memorandum of Lease, evidencing the above-described Lease of such Equipment, which was filed at the Surface Transportation Board on January 18, 2012 having **primary recordation number 30068**.

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

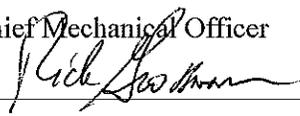
IN WITNESS WHEREOF, Wells Fargo Rail Corporation, as Lessor, has caused this Memorandum of Lease Termination to be duly executed by their respective officer duly authorized as of the date and year first above written (and the undersigned declares under penalty of perjury that he or she holds the title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

NUMBER OF CARS: Fifty-eight (58)

DESCRIPTION OF CARS: Gondola cars

CAR NUMBERS: NDYX 314903 – NDYX 314906
NDYX 314909
NDYX 314914 – NDYX 314916
NDYX 315435 – NDYX 315454
NDYX 315624 – NDYX 315633
NDYX 323005
NDYX 323008
NDYX 323012
NDYX 323018
NDYX 323020
NDYX 323022
NDYX 323024
NDYX 323032
NDYX 323038
NDYX 323050
NDYX 323054
NDYX 323068
NDYX 323098
NDYX 323103
NDYX 323122
NDYX 323130
NDYX 323133
NDYX 323137
NDYX 323144
NDYX 323160