

LAW OFFICES OF
LOUIS E. GITOMER, LLC

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January 12, 2016

MELANIE B. YASBIN
Melanie@lgraillaw.com
410-296-2205

Ms. Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D. C. 20423

Dear Ms. Brown:

I have enclosed for e-filing the document described below, to be recorded pursuant to 49 U.S.C. § 11301.

The document is a Lease Termination, a secondary document, dated as of December 31, 2015. The primary document to which this is connected is Recordation No. 30239. We request that this document be recorded under Recordation No. 30239-A.

The names and addresses of the parties to the Lease Termination are:

Lessor:

Banc of America Leasing & Capital, LLC
One Financial Plaza
Providence, RI 02903

Lessee:

DAK Americas LLC
6324 Fairview Road
Charlotte, NC 28210

A description of the equipment covered by the Lease Termination consists of 66 covered hopper cars numbered DAKX 45003, 45005, 45006, 45007, 45015, 45034, 45040, 45045, 45049, 45056, 45059, 45067, 45068, 45070, 45076, 45091, 45095, 45096, 45097, 45098, 45105, 45106, 45111, 45127, 45129, 45136, 45141, 45143, 45146, 45150, 45151, 45152, 45155, 45162, 45167, 45178, 45179, 45181, 45187, 45192, 45194, 45195, 45199, 45201, 45203, 45206, 45207, 45209, 45210, 45212, 45217, 45221, 45222, 45223, 45231, 45234, 45236, 45240, 45241, 45250, 45255, 45260, 45261, 45266, 45273, and 45274.

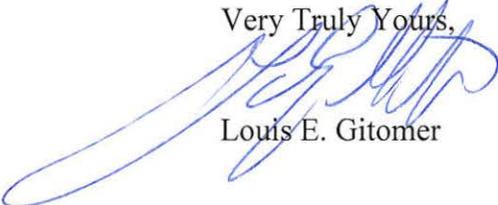
Ms. Cynthia T. Brown
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A fee of \$43.00 is enclosed. Please return one copy by email to:

Louis E. Gitomer
600 Baltimore Avenue, Suite 301
Towson, MD 21204
Lou@lgrailaw.com

A short summary of the document to appear in the index follows: a Lease Termination between Banc of America Leasing & Capital, LLC, One Financial Plaza, Providence, RI 02903, and DAK Americas LLC, 6324 Fairview Road, Charlotte, NC 28210, covering 66 covered hopper cars numbered DAKX 45003, 45005, 45006, 45007, 45015, 45034, 45040, 45045, 45049, 45056, 45059, 45067, 45068, 45070, 45076, 45091, 45095, 45096, 45097, 45098, 45105, 45106, 45111, 45127, 45129, 45136, 45141, 45143, 45146, 45150, 45151, 45152, 45155, 45162, 45167, 45178, 45179, 45181, 45187, 45192, 45194, 45195, 45199, 45201, 45203, 45206, 45207, 45209, 45210, 45212, 45217, 45221, 45222, 45223, 45231, 45234, 45236, 45240, 45241, 45250, 45255, 45260, 45261, 45266, 45273, and 45274.

Very Truly Yours,



Louis E. Gitomer

Enclosure

LEASE TERMINATION

This Lease Termination, dated as of December 31, 2015, is between Banc of America Leasing & Capital, LLC ("BALC"), as lessor, and DAK America LLC ("DAK"), as lessee.

WHEREAS, BALC and DAK entered into that certain Schedule No. 009 dated as of May 30, 2012 pursuant to that certain Rail Equipment Net Leasing Agreement No. 20120-90000 dated as of May 27, 2009 and a Memorandum of Lease Agreement dated as of May 31, 2012 (collectively the "Lease"), which was recorded at the Surface Transportation Board on May 31, 2012 at 2:43 pm under Recordation No. 30239, for the 66 railcars identified on the Attachment (the "Equipment"); and

WHEREAS, the duties and obligations of the parties to the Lease have been satisfied and discharged; and

WHEREAS, as of the date hereof, all amounts due for the Equipment under the Lease have been paid in full; and

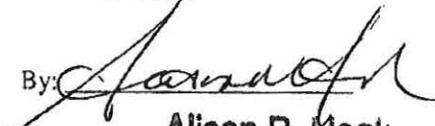
NOW, THEREFORE, in consideration of the promises and covenants in the documents set forth above by reference, and for other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and the authority to issue and execute this document, intending to be legally bound, BALC and DAK hereby terminate and cancel the Lease as of the date herein first written above; provided that this termination does not apply to provisions of the Lease stated to survive such termination.

This Lease Termination may be executed in separate counterparts, each of which when so executed and delivered shall be an original for all purposes, but all such counterparts shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have caused this Lease Termination to be duly executed as of the date hereinabove first written.

BANC OF AMERICA LEASING &
CAPITAL LLC,
as lessor

DAK AMERICAS LLC
as lessee

By: 

Name: **Alison R. Hook**
Vice President

Title: _____

By: _____

Name: _____

Title: _____

LEASE TERMINATION

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WHEREAS, the duties and obligations of the parties to the Lease have been satisfied and discharged; and

WHEREAS, as of the date hereof, all amounts due for the Equipment under the Lease have been paid in full; and

NOW, THEREFORE, in consideration of the promises and covenants in the documents set forth above by reference, and for other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and the authority to issue and execute this document, intending to be legally bound, BALC and DAK hereby terminate and cancel the Lease as of the date herein first written above; provided that this termination does not apply to provisions of the Lease stated to survive such termination.

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IN WITNESS WHEREOF, the parties hereto have caused this Lease Termination to be duly executed as of the date hereinabove first written.

BANC OF AMERICA LEASING &
CAPITAL LLC,
as lessor

DAK AMERICAS LLC
as lessee

By: _____

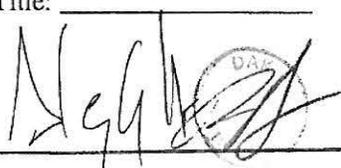
By:  _____

Name: _____

Name: **Jorge P. Young**
President & CEO

Title: _____

Title: _____

 _____

1 **Alejandro Gutierrez**
VP Corporate Administration

STATE OF Rhode Island
County of Providence) ss.

On this 21st day of December 2015, before me, the undersigned Notary Public, personally appeared Alison R. Hark personally known to me to be the person who executed the within instrument as Vice President on behalf of Banc of America Leasing & Capital, LLC and acknowledged to me that the corporation executed it.

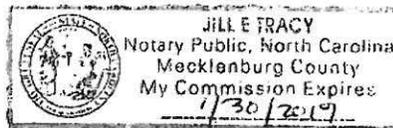
Colleen E. Quigley
Notary Public for Rhode Island
My Commission expires 8/20/17

**COLLEEN E. QUIGLEY
NOTARY PUBLIC
STATE OF RHODE ISLAND
MY COMMISSION EXPIRES AUG. 20, 2017**

STATE OF NORTH CAROLINA)
) ss.
County of MECKLENBURG)

On this 31st day of December 2015, before me, the undersigned Notary Public, personally appeared JERGE YOUNG personally known to me to be the person who executed the within instrument as PRESIDENT and CEO on behalf of the DAK Americas LLC, and acknowledged to me that the corporation executed it.

Jill E. Tracy
Notary Public for NORTH CAROLINA
My Commission expires 1/30/2019



ATTACHMENT

66 covered hopper cars numbered DAKX 45003, 45005, 45006, 45007, 45015, 45034, 45040, 45045, 45049, 45056, 45059, 45067, 45068, 45070, 45076, 45091, 45095, 45096, 45097, 45098, 45105, 45106, 45111, 45127, 45129, 45136, 45141, 45143, 45146, 45150, 45151, 45152, 45155, 45162, 45167, 45178, 45179, 45181, 45187, 45192, 45194, 45195, 45199, 45201, 45203, 45206, 45207, 45209, 45210, 45212, 45217, 45221, 45222, 45223, 45231, 45234, 45236, 45240, 45241, 45250, 45255, 45260, 45261, 45266, 45273, and 45274