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August 16, 2013

Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, SW  
Washington, D.C. 20423

Dear Section Chief:

Enclosed for recording with the Surface Transportation Board are one original and one counterpart of the document described below to be recorded pursuant to Section 11301 of Title 49 of the U.S. Code:

Memorandum of Railcar Lease Agreement dated 6/27/13

Lessor: Wells Fargo Equipment Finance, Inc.  
733 Marquette Avenue  
Minneapolis, MN 55402

Lessee: Commercial Metals Company  
6565 MacArthur Blvd.  
Irving, TX 75039

Equipment: 19, 4000 cf Gondolas  
SMIX 4045-4064, NI

Please record this agreement as a primary document. The filing fee of \$42 is enclosed. Thank you.

Sincerely,



Mary Ann Oster  
Research Consultant



# Memorandum of Railcar Lease Agreement

Wells Fargo Equipment Finance, Inc. | 733 Marquette Avenue, Suite 700 | MAC N9306-070 | Minneapolis, MN 55402

THIS MEMORANDUM OF RAILCAR LEASE AGREEMENT is made and entered into as of June 27, 2013 by and between Wells Fargo Equipment Finance, Inc., a Minnesota corporation ("Lessor") and Commercial Metals Company, a(n) Delaware corporation ("Lessee"), with reference to the following:

1. Lessor has agreed to lease to Lessee, and Lessee has agreed to lease from Lessor various railcars pursuant to one or more Schedules to the Lease to be entered into by Lessor and Lessee from time to time, all as more particularly described in that certain Master Railcar Lease Agreement dated as of June 27, 2013 between Lessor and Lessee (hereinafter referred to as the "Lease").
2. Pursuant to Schedule No(s). 89804-424 to the Lease, Lessor has agreed to lease to Lessee and Lessee has agreed to lease from Lessor Nineteen (19)4000 c.f. Gondolas railcars bearing reporting marks and numbers indicated on Schedule A hereto, all as more particularly described in the Lease.
3. The Lease shall be effective as of the execution date thereof and shall be subject to the terms of the Lease, as provided therein.

IN WITNESS WHEREOF, the parties hereto have executed or caused this Memorandum of Railcar Lease Agreement to be executed as of the date first above written.

Lessor: Wells Fargo Equipment Finance, Inc.

By: *Jacqueline P. McCaw*  
Jacqueline P. McCaw  
Title: Vice President  
Loan Administration Manager

Lessee: Commercial Metals Company

By: *Carey J. Dubois*  
Title: Carey J. Dubois  
VP & Treasurer

# Schedule A

## Description of Railcars

WELLS  
FARGO

Wells Fargo Equipment Finance, Inc. | 733 Marquette Avenue, Suite 700 | MAC N9306-070 | Minneapolis, MN 55402

Schedule No. **89804-424** dated June 27, 2013 to  
Master Railcar Lease Agreement No. **89804** dated June 27, 2013

Lessee: **Commercial Metals Company**

Nineteen (19) used 4000 c.f. Gondolas railcars bearing the following marks:

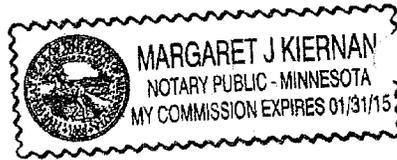
Car Mark & Number
SMIX 004045
SMIX 004046
SMIX 004047
SMIX 004048
SMIX 004049
SMIX 004050
SMIX 004051
SMIX 004052
SMIX 004053
SMIX 004054
SMIX 004055
SMIX 004056
SMIX 004057
SMIX 004058
SMIX 004059
SMIX 004060
SMIX 004062
SMIX 004063
SMIX 004064

Lessee: **Commercial Metals Company**

By 

Title **Carey J. Dubois**  
**VP & Treasurer**

STATE OF MINNESOTA  
COUNTY OF HENNEPIN



On this 16<sup>th</sup> day of Aug, 2014 before me personally appeared, Jacqueline McRae to me personally known, who being by me duly sworn, says that s/he is the VP of Wells Fargo Equipment Finance, Inc., a Minnesota corporation, that said instrument was signed on behalf of said corporation, and s/he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

[Seal]

Margaret J. Kiernan  
Notary Public

My commission expires: 1-31-2015

STATE OF Texas  
COUNTY OF Dallas

On this 27<sup>th</sup> day of June, 2008 before me personally appeared, Carey Dubois to me personally known, who being by me duly sworn, says that s/he is the VP/Treasurer of Commercial Metals Co., a(n) corporation, that said instrument was signed on behalf of said corporation, and s/he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

[Seal]

Gea Quintero-Willwerth  
Notary Public

My commission expires: 4/5/2017

