CGW (5/72)

Res. Dated 6/30/80
(MCFARLANE)

RELEASE

THIS INDENTURE OF RELEASE, made this 6th day of December, 1984, between MORGAN GUARANTY TRUST COMPANY OF NEW YORK, a corporation, as trustee under the mortgage hereinafter mentioned (hereinafter called "Trustee"), and CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY, a Delaware corporation (hereinafter called "Company"),

WITNESSETH:

WHEREAS, in connection with the merger on April 24, 1959, of J. P. Morgan & Co., Incorporated into Guaranty Trust Company of New York, the corporate name of Guaranty Trust Company was changed to Morgan Guaranty Trust Company of New York; and

WHEREAS, the CHICAGO GREAT WESTERN RAILWAY COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Illinois, by a mortgage dated as of the first day of January, 1938, recorded in the office of the Recorder of Deeds, in the County of Buchanan Delaware, and in the State of Iowa Iowa, on the 24th day of February, 1941, in Book 259 H, Miscellaneous, at page 145 1, for the consideration therein named, and to secure the payment of the principal and interest of the bonds therein specified, did convey unto the Trustee certain property, of which the property hereinafter described is a part; and

WHEREAS, the Company, the successor to CHICAGO GREAT WESTERN RAILWAY COMPANY, has requested the Trustee to release from the lien of said mortgage and all indentures supplemental thereto, the property hereinafter described in order that the Company may carry out a sale or exchange thereof, and has delivered to the Trustee the papers required by Section 3 of Article Ten of said mortgage;

NOW THEREFORE, under and by virtue of the authority granted in Article Ten of said mortgage, and in consideration of the premises, the Trustee does hereby release from the lien of said mortgage and all indentures supplemental thereto, the property situated in the Counties of Buchanan and Delaware, and the State of Iowa----------, described as follows, to wit:

FILE No. 81-1251
RECORDING FEE $ 26.00
TRANSFER FEE $
FILED FOR RECORD THE 4 DAY OF November, 1994 AT 10:17 O'CLOCK A M. BOOK 5 PAGE 61
STATE OF IOWA, DELAWARE COUNTY
Deborah L. Peyton, Recorder
Misc.

DELAWARE COUNTY

A strip of land 100 feet in width extending over and across: the West Half of the Southeast Quarter of the Northwest Quarter of the Northwest Quarter, and the West Half of the Northwest Quarter of the Northwest Quarter, of Section 28; the North Half of the Northeast Quarter of Section 29; the South Half of the South Half of Section 20; And the Southeast Quarter of Section 19, all in Township 90 North, Range 6 West of the Fifth Principal Meridian, said strip of land being 50 feet in width on each side of the center line of the main track (now removed) of the Minnesota and North Western Rail Road Company (later the Chicago Great Western Railway Company, now the Chicago and North Western Transportation Company), as said main track center line was originally located and established over and across said Sections 28, 29, 20, and 19.

ALSO:
A strip of land 100 feet in width lying Southwesterly of and adjoining said above described 100-foot wide strip of land in the West Half of the Northwest Quarter of the Northwest Quarter of said Section 28, and lying Southeasterly of a line drawn at right angles to said original main track center line at a point thereon distant 548 feet Southeasterly from the intersection thereof with the West line of said Section 28.

ALSO:
A strip of land 50 feet in width lying Northeasterly of and adjoining said above described 100-foot wide strip of land in the Southwest Quarter of the Southeast Quarter of said Section 20, and lying Northwesterly of a line drawn at right angles to said original main track center line at a point thereon distant 220 feet Southeasterly from the intersection thereof with the West line of the Southeast Quarter of said Section 20.

ALSO:
A strip of land 50 feet in width lying Northeasterly of and adjoining said above described 100-foot wide strip of land in the South Half of the Southwest Quarter of said Section 20, and lying between lines drawn at right angles to said original main track center line at points thereon distant 901 feet and 2,031 feet, respectively, Southeasterly, from the intersection thereof with the West line of said Section 20.

ALSO:
A strip of land 50 feet in width lying Northeasterly of and adjoining said above described 100-foot wide strip of land in the East Half of the Southeast Quarter of said Section 19, and lying between lines drawn at right angles to said original main track center line at points thereon distant 345 feet and 795 feet, respectively, Northwesterly, from the intersection thereof with the East line of said Section 19.

ALSO:
A strip of land 50 feet in width lying Northeasterly of and adjoining said above described 100-foot wide strip of land in the Northwest Quarter of the Southeast Quarter of said Section 19, and lying Northwesterly of a line drawn radially to said original main track center line at a point thereon distant 532.2 feet Southeasterly from the intersection thereof with the West line of the Southeast Quarter of said Section 19.

BUCHANAN COUNTY

A strip of land 100 feet in width extending over and across: the Northeast Quarter, and the North Half of the Northwest Quarter, of Section 17; the Southwest Quarter of the Southwest Quarter of Section 8; And the Southeast Quarter of the Southeast Quarter of Section 7, all in Township 90 North, Range 7 West of the Fifth Principal Meridian, said strip of land being 50 feet in width on each side of the center line of the main track (now removed) of the Minnesota and North Western Rail Road Company (later the Chicago Great Western Railway Company, now the Chicago and North Western Transportation Company), as said main track center line was originally located and established over and across said Sections 17, 8, and 7.

TO HAVE AND TO HOLD the above released property unto the Company, its successors and assigns, forever, free, clear and discharged of and from all liens and claims under and by virtue of said mortgage and any indentures supplemental thereto.

This indenture shall operate only as a release and quitclaim of the property herein specifically described; and, as to the remaining property described in said mortgage and subject to the lien thereof, including all property, rights and interests reserved to the Company in this release, said mortgage shall remain in full force and effect.

The recitals herein are made in behalf of the Company, and the Trustee assumes no responsibility therefor, except with respect to the change of the Trustee's corporate name to Morgan Guaranty Trust Company of New York.

IN WITNESS WHEREOF, the Trustee, as trustee under said mortgage, has caused these presents to be signed by a Trust Officer and its corporate seal to be affixed hereunto and attested by an Assistant Secretary on the day and year first above written.

MORGAN GUARANTY TRUST COMPANY OF NEW YORK
Trustee

By _____
J.N. CREAN Trust Officer

ATTEST:

_____
Assistant Secretary

Signed, Sealed and Delivered in the presence of:

_____

_____

STATE OF NEW YORK)
) SS.
COUNTY OF NEW YORK)

I, Sue Scalcione, a Notary Public in the State aforesaid, DO HEREBY CERTIFY that J. N. Crean, personally known to me to be a Trust Officer of Morgan Guaranty Trust Company of New York, a New York corporation, and W. M. Gaudioso, personally known to me to be an Assistant Secretary of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Trust Officer and Assistant Secretary, appeared before me this day in person, and, being by me duly sworn, severally said and acknowledged that they are a Trust Officer and an Assistant Secretary, respectively, of said corporation, that they signed and delivered said instrument as Trust Officer and Assistant Secretary of said corporation, and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said corporation, as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth, and that the seal affixed to said instrument is the corporate seal of said corporation.

GIVEN under my hand and notarial seal this 6th day of December A.D. 19 84.



Sue Scalcione
NOTARY PUBLIC
In and for the County of New York
in the State of New York

SUE SCALCIONE
Notary Public, State of New York
No. 31-4649545
Qualified in New York County
Commission Expires March 30, 1985

My Commission as such Notary Public Expires: _____

This document was prepared by Chicago and North Western Transportation Company, One North Western Center, Chicago, Illinois 60606.