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STATE OF IOWA,
MADISON COUNTY, ss.

Inst. No. 889 Filed for Record this 19 day of November 19 87 at 12:21 PM
Book 123 Page 677 Recording Fee 15.00 Mary E. Welty, Recorder, By Murley D. Henry Deputy

IND. ~~_____~~
REC. ~~_____~~
PAGE ~~_____~~

Compared

Authorization No. Res. Dated
July 10, 1984

DEED NO. 85358

THE GRANTOR, CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY, a Delaware corporation, whose principal office is located at 165 N. Canal Street, Chicago, Illinois, for the consideration of ONE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$1,500.00), conveys and quitclaims to TIM WEIL of 540 Lisbon Street, Prole, Iowa 50229, GRANTEE, all interest in the following described real estate situated in the County of Madison, and the State of Iowa, to wit:

A strip of land 100 feet in width extending over and across the Southeast Quarter of the Northeast Quarter of Section 10, Township 74 North, Range 27 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 Chicago, St. Paul and Kansas City Railway 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 Section 10.

ALSO:

A strip of land 150 feet in width extending over and across that part of the West Half of the Northwest Quarter of Section 11, Township 74 North, Range 27 West of the Fifth Principal Meridian lying Westerly of the center line of the Clanton Creek, said strip of land being 100 feet in width Northwesterly and 50 feet in width Southeasterly, respectively, measured at right angles and radially, from the center line of the main track (now removed) of the Chicago, St. Paul and Kansas City Railway 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 Section 11.

Subject to roads and highways, if any.

Excepting and Reserving, however, unto the Grantor, its lessees, licensees, successors and assigns, the right to continue to protect, maintain, operate, and use any and all existing drainage, driveways, conduits, sewers, water mains, gas lines, electric power lines, communication lines, wires and other utilities, and easements of any kind whatsoever on said premises, including the repair, reconstruction and replacement thereof.

By the acceptance of this conveyance, the Grantee, for itself and/or its heirs, successors, transferees and assigns, hereby agrees to take all steps necessary, at no expense to Grantor, to comply with any and all governmental requirements relating to land platting and use.

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This conveyance is made upon the express condition that the Grantor will not pay any taxes or special assessments which may be due or delinquent upon the real estate hereinabove described.

Further, this conveyance is made upon the express condition that the Grantor, its successors and assigns, shall have the right to enter upon the above described real estate until December 31, 1987, for the purpose of removing its ballast (rock) and appurtenances thereto from said real estate and adjoining real estate. If not so removed within said period, and following written demand by Grantee, they shall be deemed abandoned by Grantor without obligation on Grantor's part and shall thereafter be and become Grantee's property in place.

Grantor certifies that the subject property may and shall, if released from the lien of the Indenture of Mortgage and Deed of Trust, originally executed by Chicago and North Western Railway Company and The First National Bank of Chicago, Trustee, dated as of January 1, 1939, as supplemented and amended, be automatically released from (i) the liens of the Mortgage Indenture and Deed of Trust, Assignment of Leases and Rents, Security Agreement and Financing Statements A and B dated as of June 29, 1983 by Grantor and Midwestern Railroad Properties, Incorporated to Continental Illinois National Bank and Trust Company of Chicago and The First National Bank of Chicago, as Co-Agents, pursuant to clause (a) of Section 4.3 thereof, and (ii) the lien of the Consolidated Mortgage dated as of January 15, 1984, as supplemented and amended, by Grantor to American National Bank and Trust Company of Chicago, as Trustee, pursuant to Article Nine, Section 14 thereof.

DATED this 17th day of July, 1987.

Signed, Sealed and Delivered in Presence of:

Verthelia Bryant
Judith A. Simon

CHICAGO AND NORTH WESTERN
TRANSPORTATION COMPANY

By Robert W. Mickey
ROBERT W. MICKY, Vice President
Attest Lisa M. Fanelli
LISA M. FANELLI, Asst. Secretary



