

2496

Authorization No. Res. Dated  
July 10, 1984

DEED NO. 85086

IND.     
REC.     
PAGE   

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 SEVEN THOUSAND SEVEN HUNDRED AND NO/100 DOLLARS (\$7,700.00), conveys and quitclaims to CORPORATE SERVICES CO. of 409 - 5th Street, West Des Moines, Iowa, 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 Northwest Quarter and the West Half of the Southwest Quarter of Section 28, the East Half of the Southeast Quarter of Section 29, and the Northeast Quarter of Section 32, all in Township 75 North, Range 26 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 & Kansas City 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 and 32.

ALSO:

Two strips of land, each 15 feet in width, lying on each side of and adjacent to the above described 100 foot wide strip of land in the South Half of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of said Section 28, and lying between lines drawn at right angles to said original main track center line at points thereon distant 13.7 feet Southwesterly and 483 feet Northeasterly, as measured along said original main track center line, from the East-West quarter line of said Section 28.

ALSO:

A strip of land 36 feet in width lying adjacent to the Northwesterly side of the above described 100 foot wide strip of land in the Northwest Quarter of the Southwest Quarter of said Section 28, and lying between lines drawn at right angles to said original main track center line at points thereon distant 731.7 feet and 931.7 feet Southwesterly, as measured along said original main track center line, from the East-West quarter line of said Section 28.

ALSO:

A strip of land 50 feet in width lying adjacent to the Northwesterly side of the above described 100 foot wide strip of land in the East Half of the Southeast Quarter of said Section 29, and lying Northeasterly of a line drawn at right angles to said original main track center line at a point thereon distant 1,423 feet Northeasterly, as measured along said original main track center line, from the South line of said Section 29.

Together with and including all of the Grantor's right, title and interest in and to all bridges presently located on the above described real estate.

THIS 1 DAY OF June 1990

AUDITORS FEE \$ 15.00

John Walsh Auditor Subject to roads and highways, if any.

Becky McDonald Deputy Auditor

REAL ESTATE TRANSFER	
TAX PAID <u>2</u>	
\$ <u>8.25</u>	STAMP #
<u>Mary E. Walty</u>	
RECORDER	
<u>6-1-90</u>	<u>Madison</u>
CASE	COUNTY

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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, Grantee, for itself, its successors and assigns, 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.

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 August 31, 1987, for the purpose of removing its tracks and ballast (stone) from said real estate and adjoining real estate. If not so removed within said period, and following written demand by Grantee, shall be deemed abandoned by Grantor without obligation on Grantor's part and shall thereafter be and become Grantee's property.

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

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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 19th day of November, 1986.

Signed, Sealed and Delivered in Presence of:

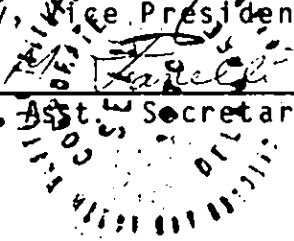
CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY

Marilyn J. Klein

By Robert W. Mickey  
Robert W. Mickey, Vice President

Arthelia Bryant

Attest Lisa M. Fanelli  
Lisa M. Fanelli, Asst. Secretary

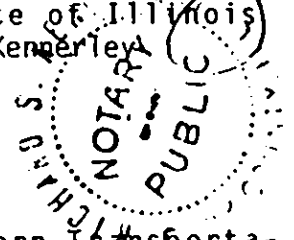


STATE OF ILLINOIS )  
                          ) SS  
COUNTY OF COOK )

I, Richard S. Kennerley, a Notary Public duly commissioned and qualified in and for the County and State aforesaid, DO HEREBY CERTIFY that Robert W. Mickey and Lisa M. Fanelli, to me personally known and known to me to be, respectively,     --     Vice President and Assistant Secretary of CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY, a Delaware corporation, and the identical persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and being first duly sworn by me, severally acknowledged to me that they are, respectively,     --     Vice President and Assistant Secretary of said corporation; that as such officers they signed, sealed and delivered said instrument in behalf of said corporation by authority and order of its Board of Directors, as the free and voluntary act and deed of said corporation, and as their own free and voluntary act; that the seal affixed to said instrument is the seal of said corporation; and that said corporation executed said instrument for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as such Notary Public, at Chicago, Illinois, this 19th of November, 1986.

Richard S. Kennerley  
Notary Public, in and for the County of Cook, In the State of Illinois  
Richard S. Kennerley



My Commission Expires: November 8, 1988

This instrument was prepared by Chicago and North Western Transportation Company, 165 North Canal Street, Chicago, Illinois 60606.

L-44-22