P-9900-G

RELEASE

THIS INDENTURE OF RELEASE, made this 28th day of August, 1978, between THE FIRST NATIONAL BANK OF CHICAGO, a National Banking Association duly organized and existing under the laws of the United States of America, 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, 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 Madison, and in the State of Iowa, on the 25th day of February, 1941, in Book 93, at page 237, 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 mortgagor under the aforesaid mortgage originally executed by 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 4, of Article Eleven of said mortgage;

NOW THEREFORE, under and by virtue of the authority granted in Article Eleven 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 County of Madison and the State of Iowa, described as follows, to wit:

Compared

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1978 SEP 15 PM 4:49
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee 12.00

That part of the Northeast Quarter of the Northwest Quarter of Section 22, Township 75 North, Range 26 West of the Fifth Principal Meridian, bounded and described as follows: Commencing at a point on the North line of Orchard Street, distant 150 feet Southeasterly, measured radially, from the center line of the main track 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 across said Section 22; thence Northeasterly parallel with said original main track center line a distance of 60 feet to the point of beginning of the parcel of land herein described; thence Southwesterly parallel with said original main track center line a distance of 100 feet; thence Westerly parallel with the North line, extended, of said Orchard Street, a distance of 110 feet, more or less, to a point distant 50 feet Southeasterly, measured radially, from the center line of the main track of the Chicago and North Western Transportation Company (formerly the Chicago Great Western Railway Company), as said main track is now located; thence Northeasterly parallel with said last described main track center line a distance of 100 feet, more or less, to a point on a line drawn parallel with the North line (extended) of said Orchard Street, through the point of beginning; thence Easterly along said last described parallel line a distance of 110 feet, more or less, to the point of beginning.

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.

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

THE FIRST NATIONAL BANK OF CHICAGO, TRUSTEE

By _____
A. R. Menard — Vice President

ATTEST:

_____
J. H. Schmeltzer — Trust Officer

Signed, sealed and delivered in the presence of:

_____
R. E. SCHUTEN

_____
R. C. Kech

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, T. Brunk a Notary Public, duly commissioned and qualified in and for the County and State aforesaid and residing therein, DO HEREBY CERTIFY that A. R. Menard and J. H. Schmeltzer to me personally known and known to me to be, respectively, a Vice President and a Trust Officer of THE FIRST NATIONAL BANK OF CHICAGO, a National Banking Association described in and which executed the within and foregoing instrument in writing, and known to me to be the identical persons whose names are subscribed to said instrument, appeared before me this day in person, and being first duly sworn by me, did severally depose and say that A. R. Menard resides IN OAK PARK, ILLINOIS and that J. H. Schmeltzer resides IN CHICAGO, ILLINOIS and they severally acknowledged to me that they are, respectively, a Vice President and a Trust Officer of said Association; that as such officers they signed, sealed and delivered said instrument in behalf of said Association by authority and order of its Board of Directors as the free and voluntary act and deed of said Association, and as their own free and voluntary act; that they know the seal of said Association; that the seal affixed to said instrument is the seal of said Association; and that said Association 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 28th day of August A.D., Nineteen Hundred and Seventy-eight.

T. Brunk NOTARY PUBLIC
in and for the County of Cook in the State of Illinois.

My Commission as such Notary Public Expires: SEP 17 1979

This document was drafted by the Chicago and North Western Transportation Company, 400 West Madison Street, Chicago, Illinois 60606.