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STATE OF IOWA, MADISON COUNTY, ss. Inst. No. 495 Filed for Record this 21 day of April 19 75 at 4:35 PM
Book 122 Page 571 Recording Fee 10.50 Mary E. Welty, Recorder, By _____ Deputy

PARTIAL RELEASE

COMPARED

THIS INDENTURE made this 8TH day of APRIL, 19 75, by and among FIRST NATIONAL CITY BANK (successor by merger to The First National Bank of the City of New York), a national banking association incorporated and existing under the laws of the United States of America, as Trustee, MORGAN GUARANTY TRUST COMPANY OF NEW YORK, a corporation organized under the laws of the State of New York, and BURLINGTON NORTHERN INC., a corporation organized under the laws of the State of Delaware, WITNESSETH:

WHEREAS, the property or real estate described in Exhibit A, attached hereto, is subject to the lien of the following described mortgages:

1. First and Refunding Mortgage of Chicago, Burlington & Quincy Railroad Company, dated February 1, 1921, to First National City Bank (successor by merger to The First National Bank of the City of New York) and Jacob M. Ford II (by succession to Frazier L. Ford), Trustees.

2. General Gold Bond Mortgage of Great Northern Railway Company, dated January 1, 1921, to First National City Bank (successor by merger to The First National Bank of the City of New York), Trustee, as supplemented.

3. Consolidated Mortgage of Burlington Northern Inc., dated March 2, 1970, to Morgan Guaranty Trust Company of New York and Jacob M. Ford II, Trustees.

WHEREAS, said mortgages were filed for record in the office of the Recorder, of Madison County, State of Iowa, as follows:

Mortgage	Book	Page
First and Refunding Mortgage, February 1, 1921	76	1
General Gold Bond Mortgage, January 1, 1921	115	175
Consolidated Mortgage, March 2, 1970	115	123

WHEREAS, by virtue of and as a result of an agreement of merger which became effective March 2, 1970, Chicago, Burlington & Quincy Railroad Company, the mortgagor named in said First and Refunding Mortgage, and Great Northern Railway Company, the mortgagor named in said General Gold Bond Mortgage, were merged into and with Great Northern Pacific & Burlington Lines, Inc., the name of which company was changed to Burlington Northern Inc., on March 2, 1970, and

WHEREAS, by Supplemental Indenture, dated March 2, 1970, to said First and Refunding Mortgage of Chicago, Burlington & Quincy Railroad Company, and by Supplemental Indenture (No. 11), dated as of March 2, 1970, to said Great Northern Railway Company General Gold Bond Mortgage, Burlington Northern Inc. has assumed

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and agreed to be bound by all the covenants and conditions of said mortgages therein agreed to be kept and performed by Chicago, Burlington & Quincy Railroad Company and Great Northern Railway Company, respectively, and has succeeded to and been substituted for Chicago, Burlington & Quincy Railroad Company and Great Northern Railway Company, respectively, in said mortgages, and

WHEREAS, by Supplemental Indenture (No. 12), dated as of March 2, 1970, to said Great Northern Railway Company General Gold Bond Mortgage, the lands, property and real estate of the former Chicago, Burlington & Quincy Railroad Company were subjected to the lien of said General Gold Bond Mortgage, and

WHEREAS, by Supplemental Indenture, dated as of March 2, 1970, to said Consolidated Mortgage, the lands, property and real estate of the former Chicago, Burlington & Quincy Railroad Company were subjected to the lien of said Consolidated Mortgage, subordinate to the prior liens of said First and Refunding Mortgage and said General Gold Bond Mortgage, and

WHEREAS, Burlington Northern Inc., duly and in accordance with the provision of said three mortgages, has made application to the Trustees thereof for the release of said property from the lien thereof;

NOW, THEREFORE, THIS INDENTURE WITNESSETH that First National City Bank, as Trustee of said First and Refunding Mortgage, and said General Gold Bond Mortgage, and Morgan Guaranty Trust Company of New York, as Trustee of said Consolidated Mortgage, in consideration of the sum of One Dollar ($1.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby forever release and discharge from the lien of said mortgages and all supplements thereto, respectively, and remise, release and quitclaim unto Burlington Northern Inc., a corporation organized and existing under the laws of the State of Delaware, all of their respective rights, title, interest, claim or demand whatsoever said First National City Bank and Morgan Guaranty Trust Company of New York may have acquired in, through, or by said Trust Mortgages, as such Trustees, in and to the property situate near St. Charles , County of Madison , and State of Iowa , more fully described in said Exhibit A, hereto attached.

TO HAVE AND TO HOLD said property or real estate unto said Burlington Northern Inc., its successors and assigns, free and clear and discharged of and from all liens and claims under said mortgages.

The recitals made herein are to be taken only as recitals made by Burlington Northern Inc. and not by any of the mortgage trustees. The reservations and exceptions, if

any, set forth in said Exhibit A are intended to be for the benefit of the mortgage trustees as well as Burlington Northern Inc. and the liens of the aforesaid mortgages on the rights and interests so reserved and excepted, if any, are not released, and nothing herein contained shall in anywise affect, alter or diminish the liens or encumbrances of the aforesaid mortgages on any of the properties covered by them respectively which are not hereby specifically released.

This release is made and accepted by said mortgage trustees without covenants or warranties, either expressed or implied in law or in equity, and shall be without recourse against such trustees or any of them in any event or in any contingency.

IN WITNESS WHEREOF, said corporate mortgage trustees have caused this indenture to be signed and acknowledged or approved by one of their respective trust officers, and have caused their respective corporate seals to be hereunto affixed, and the same to be attested by the signatures of one of their respective assistant cashiers or assistant secretaries, all as of the day and year first above written.

Signed, sealed and delivered on behalf of First National City Bank, as Trustee, in presence of:

T. F. MINORI

CARMELINA MILLS

Signed, sealed and delivered on behalf of First National City Bank, as Trustee, in presence of:

T. F. MINORI

CARMELINA MILLS

Signed, sealed and delivered on behalf of Morgan Guaranty Trust Company of New York, as Trustee, in presence of:

E. Parets

S. Russo

FIRST NATIONAL CITY BANK, as Trustee under First and Refunding Mortgage of Chicago, Burlington & Quincy Railroad Company, dated February 1, 1921

By _____ Trust Officer
RALPH E. JOHNSON

ATTEST:

_____ Assistant Cashier
CAROL CASHMAN
ASSISTANT CASHIER

FIRST NATIONAL CITY BANK, as Trustee under General Gold Bond Mortgage of Great Northern Railway Company, dated January 1, 1921

By _____ Trust Officer
RALPH E. JOHNSON

ATTEST:

_____ Assistant Cashier
CAROL CASHMAN
ASSISTANT CASHIER

MORGAN GUARANTY TRUST COMPANY OF NEW YORK, as Trustee under Consolidated Mortgage of Burlington Northern Inc., dated March 2, 1970

By _____ Trust Officer
D. G. HOPE

ATTEST:

_____ Assistant Secretary
W. W. Brewer

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

On this 8TH day of APRIL, in the year 1975, before me, ENZO L. CARBOCCI, a notary public, personally appeared RALPH E. JOHNSON, to me known to be a Trust Officer of the First National City Bank, one of the corporations which executed the foregoing instrument, and who being duly sworn did say that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and he acknowledged said instrument to be the free act and deed of said corporation.

Given under my hand and official seal this 8TH day of APRIL, 1975.

Enzo L. Carbocci

Notary Public, City, County and State of New York. My commission expires:

ENZO L. CARBOCCI
Notary Public, State of New York
No. 43-5605595
Qualified in Richmond County
Cert. filed in New York County
Term Expires March 30, 1976

NOTARY PUBLIC • ENZO L. CARBOCCI • STATE OF NEW YORK

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

On this 10TH day of April, in the year 1975, before me, LORRAINE FOWLER, a notary public, personally appeared D. G. HOPE, to me known to be a Trust Officer of Morgan Guaranty Trust Company of New York, one of the corporations which executed the foregoing instrument, and who being duly sworn did say that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and the said D. G. HOPE acknowledged said instrument to be the free act and deed of said corporation.

Given under my hand and official seal this 10TH day of April, 1975.

Lorraine Fowler

Notary Public, City, County and State of New York. My commission expires:

LORRAINE FOWLER
Notary Public, State of New York
No. 24-6368100
Qualified in Kings County
Certificate filed in New York County
Commission Expires March 30, 1976

LORRAINE FOWLER • NOTARY PUBLIC • STATE OF NEW YORK

R/W Item 34

St. Charles, Iowa - Sale of former C.B.&Q. land to J. W. Carter and Gayle H. Carter.

Exhibit "A"

All that part of the right of way of the former Chicago, Burlington & Quincy Railroad Company, which lies West of the West line of Clark Street and South of the center line of Sycamore Street, extended West, Town of St. Charles, in the Southeast Quarter of the Northeast Quarter (SE¼NE¼) of Section Twenty-three (23), Township Seventy-five (75) North, Range Twenty-six (26) West of the Fifth (5th) Principal Meridian, and which lies on both sides of the center line of said right of way.

All lying and being situate in Madison County, State of Iowa.