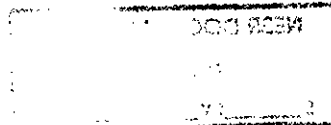




1975 530 DEED



04554 94 530-533



HW DEPT. C. S.  
UNION PACIFIC  
OMAHA

RELINQUISHMENT AND QUITCLAIM

THIS INDENTURE, Made this 12<sup>th</sup> day of April, 1994, by and between UNION PACIFIC RAILROAD COMPANY, a Utah corporation, party of the first part, and THE PERSON OR PERSONS AND/OR CORPORATION OR CORPORATIONS TRACING HIS, HER, ITS OR THEIR TITLE FROM OMAHA INDUSTRIAL FOUNDATION, a Nebraska corporation (formerly known as Committee of '52 Foundation, Inc.), party of the second part, WITNESSETH:

**RECITALS**

By Warranty Deed dated May 20, 1968, and recorded on May 29, 1968, at Book 1351, Page 652, Office of the Register of Deeds of Douglas County, Nebraska, and identified in the records of the party of the first part as C.D. No. 48797-5, Audit No. L-682, party of the first part conveyed to party of the second part certain real estate (the "Property") situated in Douglas County, State of Nebraska, described as follows:

PARCEL NO. 1:

That part of the SW 1/4 of Section 36, T 15 N, R 11 E of the 6th P.M., Douglas County, Nebraska, which lies Northeast of Union Pacific Railroad Company right-of-way, excepting that portion which is public road right-of-way. Said tract being more particularly described as follows: Commencing at the W 1/4 corner of said Section 36, thence N 89° 27' E a distance of 33 feet to the point of beginning, thence S 00° 00' E a distance of 71.75 feet to the North line of Union Pacific Railroad Company right-of-way, thence S 54° 29' E along said right-of-way line a distance of 1,797.24 feet to a point of curvature, thence along 1.58° curve to the left, with a chord distance of 1,273.00 feet and chord bearing of S 64° 36' 30" E to a point on the East line of SW 1/4 of said Section 36, thence along said East line of SW 1/4 N 00° 12' W a distance of 1,686.87 feet to the center of said Section 36, thence S 89° 27' W a distance of 2,606.97 feet along the North line of SW 1/4 of said Section 36 to the point of beginning, said tract containing 58.34 acres, more or less.

A tract of land lying in the SW 1/4 of Section 36, T 15 N, R 11 E of the 6th P.M., Douglas County, Nebraska, more particularly described as follows: Beginning at the SE corner of the SW 1/4 of said Section 36, thence N 00° 12' W along the East line of the SW 1/4 of said Section 36, a distance of 674.74 feet, to a point on a curve which is on the South line of Union Pacific Railroad Company right-of-way, thence along a 1.47° curve to the right, with a chord distance of 1,444.22 feet and chord bearing

MW SW  
NW SW  
SE SW

RECEIVED  
APR 20 10 53 AM '94  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

SE SW  
SW SW  
NW SW

04/11/94

NEBR DOC STAM  
#14 DATE 4-20-94  
SUB BY *ll*

1

4554 3615-11 0160000  
F FEE 21- R FB  
DEL. C/O COMP *ll*  
LEGAL PG SCAN *ll* FV

of N 65° 09' W., thence N. 54° 29' W along the South line of Union Pacific Railroad Company right-of-way a distance of 1,458.41 feet, thence S 29° 23' E a distance of 311.81 feet, thence S. 44° 04' E a distance of 2,591.31 feet, thence N. 89° 31' E a distance of 544.68 feet to the point of beginning, said tract containing 29.13 acres, more or less.

PARCEL NO. 2:

All that portion of the Southeast Quarter of Section 36, Township 15 North, Range 11, East of the Sixth Principal Meridian, lying south of the Union Pacific Railroad right of way, more particularly described as follows: Beginning at the Southeast corner of Section 36, T. 15 N., R. 11, E. of the 6th P.M., thence northerly along the east line of said Section 36, a distance of 570.0 feet; thence westerly along the south line of the Union Pacific Railroad right of way 1654.4 feet to a point of curvature; thence along said curve to the right (Delta 35° 52' D-1.48°) a distance of 984.7 feet to a point on the west line of the Southeast Quarter of said Section 36; thence southerly along said quarter line 702.1 feet to the Southwest corner of the Southeast Quarter, Section 36, thence easterly along the south line of Section 36, a distance of 2630.5 feet to the point of beginning, (except that part conveyed to the County of Douglas for highway purposes, containing 1.59 acres).

SWSE  
SESE

PARCEL NO. 3:

An undivided one-half ( $\frac{1}{2}$ ) interest in and to the following:

All of the North Half ( $\frac{1}{2}$ ) of Section One (1), Township Fourteen (14) North, Range Eleven (11), East of the 6th P.M., Douglas County, Nebraska, lying East of the Right-of-Way of the Union Pacific Railroad Company, except portions thereof taken for State and County Highways, containing 155.64 acres.

NE NE  
NW NE  
SW NE  
SE NE  
NE NW  
SE NW

Said Deed was made subject to certain exceptions, reservations, covenants, conditions and restrictions, including, but not limited to, the following:

"(a) The Grantee, its successors and assigns, shall not, without the prior written consent of the Grantor, construct or permit the construction of any railroad track upon the said premises, and no railroad company other than Union Pacific Railroad Company, its successors and assigns, shall be allowed to use any track now or hereafter upon, or extending to, any part of the said

premises without the permission in writing of the Grantor.

"(b) Said premises shall not be used or occupied at any time for any purpose other than for the purposes of the business of manufacturing, wholesaling, jobbing, warehousing or businesses of a kindred nature."

Party of the second part now desires to be relieved of the covenants, conditions and restrictions above quoted with respect to the Property. Party of the first part is willing to relinquish, with respect to the Property, all of its right to have said covenants, conditions and restrictions kept, observed and performed.

### RELINQUISHMENT AND QUITCLAIM

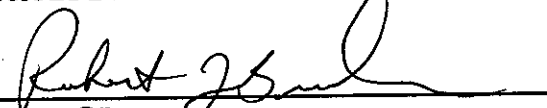
NOW, THEREFORE, party of the first part, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to it paid by party of the second part, receipt whereof is hereby confessed and acknowledged, for itself, its successors and assigns, hereby relinquishes and quitclaims to party of the second part, its successors and assigns, forever, the right of party of the first part to have said covenants, conditions and restrictions hereinabove quoted in the Recitals hereof kept, observed and performed by party of the second part or its successors and assigns, it being the intent hereof to relinquish only the right of party of the first part with respect to said covenants, conditions and restrictions, and to leave in full force and effect all other provisions of said Deed dated May 20, 1968, and all other rights reserved therein, including, but not limited to, the mineral exception and reservation contained in said Deed.

IN WITNESS WHEREOF, party of the first part has caused these presents to be signed by its Senior Assistant Vice President and attested by its Assistant Secretary, and its corporate seal to be hereunto affixed the day and year first herein written.

Attest:

UNION PACIFIC RAILROAD COMPANY

  
Assistant Secretary

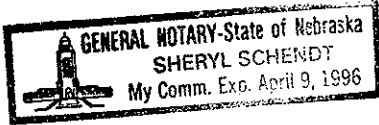
By:   
Title: SR AVP-OPS ADMIN.

(SEAL)

IMPRINTED CORPORATE SEAL  
REGISTER OF DEEDS

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged on this 12<sup>th</sup> day of April, 1994, before me, a Notary Public duly commissioned, qualified and acting, within and for the said County and State, by Robert J. Brockee and C.W. Saylor, to me personally known, who stated that they were the St Assistant Vice President and Assistant Secretary, respectively, of UNION PACIFIC RAILROAD COMPANY, a Utah corporation, and were duly authorized in their respective capacities to execute the foregoing instrument for and in the name and behalf of said corporation, and further stated and acknowledged that they had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.



Sheryl R. Schendt  
Notary Public

My Commission Expires:

4/9/96

(SEAL)