

COMPLETED

12⁵⁰/₁₀₀

Rec # 17.05

17.05

ORIGINAL 10581

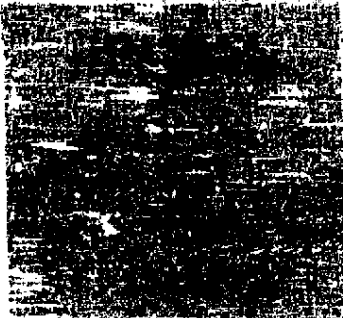
C. D. No. 50962-5

STATE OF IOWA, Pottawattamie County

Filed for recording on 7th of November

at 12:30 P.M. and recorded

in book 72 page 16694



WARRANTY DEED

Donch Peterson
D

KNOW ALL MEN BY THESE PRESENTS:

That UNION PACIFIC RAILROAD COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Utah, Grantor, in consideration of the sum of Fifteen Thousand Eight Hundred Seventy-seven Dollars and Sixty-two Cents (\$15,877.62), to it paid, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto GENERAL WOOD WORKS CO., an Oklahoma Limited Partnership, Grantee, the real estate, situate, lying and being in the County of Pottawattamie, State of Iowa, described in Exhibit A, here-to attached and hereby made a part hereof.

EXCEPTING from this grant the power wire line located upon and across the tract of land described in said Exhibit A and RESERVING unto the Grantor a PERPETUAL EASEMENT, 50 feet in width, for the operation, maintenance, repair, renewal, relocation and reconstruction of said power wire line, being 25 feet in width, measured at right angles, on each side of the following described center line:

Beginning at a point in the south line of the property described in said Exhibit A that is 256.0 feet distant westerly from the southeast corner thereof;
thence northerly, along a straight line that forms an angle of 86°25'41" from east to north with said south line of property, a distance of 91.8 feet, more or less, to a junction point;
thence continuing northerly along the extension of the last described line a distance of 25.0 feet, more or less, to a point in the north line of said property.

Also, beginning at the junction point on the hereinabove described center line;
thence westerly along a straight line that forms an angle of 86°37'02" from south to west with the last described straight line, a distance of 733.5 feet, more or less, to a point on the west line of said property that is 90.0 feet, more or less, distant northerly from the southwest corner thereof.

This deed is made SUBJECT to the following:

- (a) All taxes and all assessments, or, if payable

72-16694

COMPARED

in installments, all installments of assessments, levied upon or assessed against the premises described in said Exhibit A for the year 1972 shall be prorated as of the date of this deed between the Grantor and the Grantee, and the Grantee assumes and agrees to pay, or to reimburse the Grantor for, if paid by it, all such taxes and assessments and installments of assessments applicable to the period subsequent to the date of this deed, and assumes all taxes and all assessments and all installments of assessments for the year 1973 and subsequent years; and

(b) That certain deed dated as of April 1, 1971, from Union Pacific Railroad Company to Union Pacific Land Resources Corporation, identified in the records of the Railroad Company as C.D. No. 50982-4, whereby the Railroad Company quitclaimed to the Resources Corporation all of its right, title and interest in and to all minerals and all mineral rights in and underlying the land described in said Exhibit A.

TO HAVE AND TO HOLD, subject to the aforesaid exception, reservation and other provisions, the premises described in said Exhibit A with all the rights and appurtenances thereunto belonging, unto the said Grantee, its successors and assigns, forever, and said Union Pacific Railroad Company does hereby covenant with the said Grantee that at the making of this instrument it is well seized of the said premises as of a good and indefeasible estate in fee, and has good right to sell and convey the same, and that it will warrant and defend the title to said premises unto the said Grantee, its successors and assigns, forever, against the lawful claims of all persons whomsoever, except as herein mentioned.

AND WHEREAS, said Union Pacific Railroad Company did, on the first day of June, 1940, execute and deliver to The Chase National Bank of the City of New York a certain mortgage deed wherein and whereby said Railroad Company conveyed to said The Chase National Bank of the City of New York as Trustee for the uses and purposes therein mentioned, among other things, the land described in said Exhibit A; and

WHEREAS, said The Chase National Bank of the City of New York was, on the 31st day of March, 1955, merged into the Bank of the Manhattan Company under the name of The Chase Manhattan Bank, and thereby said The Chase Manhattan Bank became successor to said The Chase National Bank of the City of New York as Trustee of said mortgage, and on September 23, 1965, The Chase Manhattan Bank was converted into The Chase Manhattan Bank (National Association) and its name changed thereto without affecting the continuity of its business or corporate existence. Said Bank is hereinafter referred to as The Chase Manhattan Bank.

72-16695

COMPARED

NOW, THEREFORE. Know All Men By These Presents, that said THE CHASE MANHATTAN BANK, Trustee under the aforesaid mortgage deed, in consideration of the premises, does hereby REMISE, RELEASE and forever QUITCLAIM, subject, however, to the exception, reservation and other provisions aforesaid, unto said General Wood Works Co., its successors and assigns, forever, its entire right, title and interest as Trustee in and to the real estate described in said Exhibit A, to be held by the said Grantee free and exempt from all liens, encumbrances and charges of said mortgage deed of the first day of June, 1940.

This deed is executed by the Trustee without covenant or warranty, express or implied, and without recourse against it in any event.

IN WITNESS WHEREOF, the said Grantor, UNION PACIFIC RAILROAD COMPANY, and said THE CHASE MANHATTAN BANK, Trustee under said mortgage deed dated June 1, 1940, each has caused this deed to be duly executed on its part this 26th day of October 1942.

In Presence of: UNION PACIFIC RAILROAD COMPANY,
By: W. S. Cook Vice President
Attest: T. E. Whitaker
C. N. Olsen (Seal) Secretary

In Presence of: THE CHASE MANHATTAN BANK,
(National Association), Trustee,
By: H. W. Taghabue Vice President
Attest: J. J. O'Brien
[Signature] (Seal) Assistant Secretary



72-16696

COMPARET

STATE OF NEW YORK }
COUNTY OF NEW YORK } ss

On this 26th day of October, 1972,
before me, a Notary Public in and for said County, in the
State aforesaid, personally appeared W. S. Cook
to me personally known, and to me personally known to be
Vice President of UNION PACIFIC
RAILROAD COMPANY, and to be the same person whose name is
subscribed to the foregoing instrument, and who, being by me
duly sworn, did say that he is Vice President
of Union Pacific Railroad Company; that the seal affixed to
said instrument is the corporate seal of said corporation;
and that said instrument was signed and sealed on behalf of
said corporation by authority of its Board of Directors;
and the said W. S. Cook acknowledged said
instrument to be his free and voluntary act and deed, and the
free and voluntary act and deed of said corporation, by it
voluntarily executed, for the uses specified therein.

IN WITNESS WHEREOF, I have hereunto set my hand and
official seal the day and year last above written.

My commission expires March 30, 1974.

(Seal)



Elizabeth L. Vella

ELIZABETH L. VELLA
Notary Public, State of New York
No. 00-0651300
Qualified in Nassau County
Certificate Filed in N.Y. Co. Clerk's Office
Commission Expires March 30, 1974

72-16697

COMPARED

STATE OF NEW YORK }
COUNTY OF NEW YORK } 58

On this 2nd day of November, 1972,

before me, a Notary public in and for said County in the State aforesaid, personally appeared H. W. TAGLIABUE, to me personally known, and to me personally known to be a Vice President of THE CHASE MANHATTAN BANK (National Association), and to be the same person whose name is subscribed to the foregoing instrument, and who, being by me duly sworn, did say that he is a SECOND Vice President of The Chase Manhattan Bank (National Association); that the seal affixed to said instrument is the corporate seal of said corporation; and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and the said H. W. TAGLIABUE acknowledged said instrument to be his free and voluntary act and deed, and the free and voluntary act and deed of said corporation, by it voluntarily executed, for the uses specified therein.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

My commission expires MAR 30 1973.

Isabelle B. Shaw
Notary Public

(Seal)



ISABELLE B. SHAW
NOTARY PUBLIC, State of New York
No. 43-361876D
Qualified in Richmond County
Cert. filed with New York County Clerk
Commission Expires March 30, 1973

72-16698

COMPARED

C. D. No. 50982-5

EXHIBIT A

A tract of land situate in the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 35, Township 75 North, Range 44 West of the Fifth Principal Meridian, in the City of Council Bluffs, Pottawattamie County, Iowa, bounded and described as follows:

Beginning at the northwest corner of Block 13 of the Fleming and Davis Addition to the City of Council Bluffs, Iowa, which is a point on the north and south center line of said Section 35 that is 875.60 feet distant southerly from the center of said section;

thence westerly along a straight line that forms an angle of 89°59'22" from north to west with said north and south center line of Section 35, a distance of 985.86 feet;

thence northerly, at right angles, a distance of 96.21 feet;

thence northeasterly, along a straight line that forms an angle of 83°01'48" from north to east with the extension of the last described line, a distance of 45.05 feet;

thence easterly, along a line curving to the right having a radius of 1624.62 feet and which is tangent at its point of beginning to last described straight line, a distance of 202.87 feet;

thence easterly along a straight line tangent to the end of the last described curve a distance of 451.79 feet;

thence southeasterly, along a line curving to the right, having a radius of 1025.36 feet and which is tangent at its point of beginning to the last described straight line, a distance of 290.57 feet, more or less, to a point on the north and south center line of said Section 35;

thence south along said north and south center line of said Section 35, a distance of 70.26 feet to the point of beginning.

Containing an area of 2.43 acres, more or less.

72-16699