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Jeffrey D. Toberer
Kennedy, Holland Delacy & Svoboda
10306 Regency Parkway Drive
Omaha, NE 68114



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RELEASE AND RELINQUISHMENT OF
RAILROAD RIGHT OF WAY AND EASEMENT

THIS RELEASE AND RELINQUISHMENT is made this 18th day of October, 1996, by THE HILLARY CORPORATION, a Nebraska corporation, as Grantor, to UNITED STATES COLD STORAGE, INC., a corporation, as Grantee.

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W I T N E S S E T H: DEL C/O COMP
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WHEREAS, Grantor is the current owner of the described real property as shown on Exhibit "I", attached and incorporated herein by reference (Grantor's Land); and

WHEREAS, Grantee is the current owner of the described real property as shown on Exhibit "II", attached and incorporated herein by reference (Grantee's Land); and

WHEREAS, Grantor has an implied easement for railroad right of way, as defined by a Judgment of the Nebraska Supreme Court filed June 28, 1996, and reported at 250 Neb. 397, ___ N.W.2d ___ (1996), across and on Grantee's Land for the benefit of Grantor's Land; and

WHEREAS, Grantor and Grantee desire that this implied easement for railroad right of way be cancelled and nullified so that Grantee and its successors and assigns have free and unrestricted use of Grantee's Land from the implied easement for railroad right of way; and

WHEREAS, Grantor has legal power and authority to execute this Release and Relinquishment.

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby releases, quitclaims and

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relinquishes unto Grantee all of its right, title and interest in
an implied easement for railroad right of way which Grantor has and
its predecessors in interest had, over Grantee's Land, and Grantor
hereby releases, quitclaims and relinquishes all right, title and
interest in and to any and all implied easement or other interests
in Grantee's Land.

IN WITNESS WHEREOF, Grantor has signed this Release and
Relinquishment of Railroad Right of Way and Easement, the day and
year first written above.

THE HILLARY CORPORATION

By Rodney Counsell

STATE OF NEBRASKA)
)
COUNTY OF DOUGLAS)

On this 18th day of October, 1996, before me, a Notary Public
in and for Douglas County, personally came Rodney Counsell,
personally to me known to be the identical person whose name is
affixed to the above Release and Relinquishment of Easement as
Secretary of Hillary Corporation, and acknowledged the execution of
the same to be his voluntary act and deed and the voluntary act of
the Corporation.

WITNESS my hand and notarial seal at Omaha, Nebraska, in said
county, the day and year last above written.



Catherine Hines
Notary Public

NOTARIAL SEAL AFFIXED
REGISTER OF DEEDS

THE HILLARY CORPORATION,
a Nebraska Corporation

Part of Block 261, in the ORIGINAL CITY OF SOUTH OMAHA, now a part of the City of Omaha, as surveyed and lithographed in Douglas County, Nebraska, together part of vacated "G" Street, all more particularly described as follows:

Commencing at the Northwest corner of said Block 261 and Point of Beginning; thence North $89^{\circ}59'37''$ East along the South right-of-way line of "F" Street a distance of 263.98 feet; thence South $8^{\circ}25'21''$ West a distance of 417.90 feet to the North right-of-way line of "G" Street; thence South $89^{\circ}50'28''$ West along said North right-of-way of "G" Street to a point on the East right-of-way of Dahlman Avenue; thence North $8^{\circ}35'07''$ East along said East right-of-way of Dahlman Avenue a distance of 418.79 feet to the Point of Beginning;

EXCEPT that part taken for street more particularly described as follows:

Beginning at the Northwest corner of said Block 261; thence North $89^{\circ}59'37''$ East along the South right-of-way line of "F" Street a distance of 263.71 feet; thence South $8^{\circ}25'21''$ West, a distance of 32.35 feet; thence South $89^{\circ}59'37''$ West on a line 32.00 feet South of and parallel with the South right-of-way line of "F" Street, a distance of 76.74 feet; thence North $0^{\circ}00'23''$ West, a distance of 10.00 feet; thence South $89^{\circ}59'37''$ West on a line 22.00 feet South of and parallel with the South right-of-way line of "F" Street, a distance of 185.55 feet; thence North $8^{\circ}35'07''$ East on the East right-of-way line of Dahlman Avenue, a distance of 22.25 feet to the Point of Beginning.

NOTE: The North line of Block 261 is assumed to bear North $89^{\circ}59'37''$ East for this description.

NE NW

EXHIBIT "I"

UNITED STATES COLD STORAGE, INC.
a corporation

Blocks 303, 306, and vacated street, City of Omaha, formerly South Omaha, Douglas County, Nebraska, more fully described as follows:

Commencing at the Northwest corner of said Block 303 and point of beginning, said point being the intersection of the South right-of-way of "G" Street with the Easterly right-of-way of Dahlman Boulevard; thence N 90° 00' 00" E a distance of 160.30 feet along the South right-of-way of "G" Street; thence S 13° 38' 42" E a distance of 840.61 feet to a point on the Easterly right-of-way of the Burlington Northern Railroad Company; thence N 44° 10' 47" W a distance of 528.43 feet along said Railroad right-of-way; thence N 45° 4' 22" E a distance of 20.0 feet; thence N 44° 10' 28" W a distance of 143.92 feet; thence N 45° 49' 22" E a distance of 20.00 feet; thence N 45° 52' 13" W a distance of 78.96 feet to a point on the Southeasterly right-of-way of Dahlman Boulevard; thence N 44° 45' 07" E a distance of 165.80 feet along said right-of-way; thence N 8° 57' 00" E a distance of 135.77 feet along said right-of-way to the point of beginning.

NOTE: The South right-of-way of "G" Street is assumed to bear N 90° 00' 00" E for this description.

AND

A parcel of land located in the Northwest quarter of Section Four (4), Township Fourteen (14) North, Range Thirteen (13) East of the Sixth Principal Meridian, Douglas County, Nebraska and more particularly described as follows:

Commencing at the Northwest corner of Block 303, in the City of Omaha, formerly South Omaha, Nebraska, said point being the intersection of the South right-of-way of "G" Street with the Easterly right-of-way of Dahlman Boulevard; thence N 90° 00' 00" E 160.30 feet along the South right-of-way of "G" Street to the point of beginning; thence continue N 90° 00' 00" E, 122.22 feet along the South right-of-way of "G" Street; thence S 13° 26' 54" E, 412.00 feet; thence S 17° 26' 17" E, 579.59 feet; thence S 42° 19' 30" E, 44.13 feet; thence S 72° 33' 42" W, 46.18 feet to a point on the Easterly right-of-way of the Burlington Northern Railroad Company; thence N 44° 07' 34" W, 257.86 feet along said Railroad right-of-way; thence N 13° 38' 42" W, 838.70 feet to the point of beginning. Tract contains 2.79 acres.

NE NW
SE

NOTE: In this description the South right-of-way of "G" Street is assumed to bear N 90° 00' 00" E.

EXHIBIT "II"