

302 Luce St.
P.O. Box 3506

(13 lots)

QUITCLAIM DEED AND RELEASE OF EASEMENT

THIS INDENTURE made this 11th day of August, 1980,
by and between BURLINGTON NORTHERN INC., a Delaware corporation, successor in interest
and title by merger to Chicago, Burlington & Quincy Railroad Company, GRANTOR, and
THE QUAKER OATS COMPANY, a New Jersey corporation, GRANTEE,

In consideration of Ten Thousand and no/100 Dollars (\$10,000.00) and other
good and valuable consideration to GRANTOR paid by GRANTEE, the receipt whereof by
GRANTOR is hereby acknowledged, on and subject to the provisions herein stated, GRANTOR
has granted, conveyed, remised, released and quitclaimed and by these presents does
grant, convey, remise, release and forever quitclaim, without any covenants of
warranty whatsoever, unto GRANTEE, and to its successors and assigns, forever, all its
right, title, interest, estate, claim and demand whatsoever, and however and
whenever acquired, both at law and in equity of, in and to the following described
parcels of real property, situate in the County of Douglas and State of Nebraska,
to-wit:

PARCEL 1

So much of and that portion of Lots 4 and 6, Block 2, Credit Foncier Addition to the City of Omaha, Nebraska, as is located North and East of the Burlington Northern Inc.'s right of way in, over and across said Block 2.

PARCEL 2

So much of and generally that portion of vacated Fourth Street from the Northerly line of Pierce Street north to the North line of the Northwest Quarter (NW1/4) of Section 26, Township 15 North, Range 13 East, Sixth Principal Meridian, vacated by Ordinance No. 28261, in the City of Omaha, Douglas County, Nebraska, being more particularly described as follows:

Beginning at a point 4 feet South and 31 feet East of the Southeast corner of Lot 1, Block 244, in the City of Omaha; thence East 24 feet; thence South 16 feet to a point in the Easterly prolongation of the North line of Lot 8 of said Block 244; thence East 25 feet to the West line of that certain tract of land conveyed to The Quaker Oats Company by deed dated November 28, 1950 by Chicago, Burlington & Quincy Railroad Company; thence North along the West line of said Quaker Oats tract, a distance of 99.48 feet, more or less, to the South line of Section 23, Township 15 North, Range 13 East, Sixth Principal Meridian; thence West along the South line of said Section 23, a distance of 42.7 feet, more or less, to the Southeast corner of that certain tract of land conveyed to The Quaker Oats Company by deed dated August 20, 1973 from the Burlington Northern Inc.; thence South to the Southeast corner of

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that certain tract of land conveyed by Sheriff's Deed to T. T. Cook recorded February 16, 1924 in Book 488 of Deeds at page 260, records of Douglas County, Nebraska; thence in a Northwesterly direction making an angle of 84° 08' West with the Eastern boundary of said tract conveyed to T. T. Cook 6.3 feet, more or less, to the point where the said line intersects a line 31 feet East of and parallel to the East line of Lot 1, Block 244; thence South 65.75 feet, more or less, to the point of beginning.

PARCEL 3

Those certain tracts of land 20 feet in width, being 10 feet on each side of Spur Track No. 82 center line located upon and across the following described tracts:

TRACT 3-A

Those portions of Blocks 243 and 269, in the Northwest Quarter (NW1/4), Section 26, Township 15 North, Range 13 East, Sixth Principal Meridian, original City of Omaha, County of Douglas, State of Nebraska, and part of vacated streets and alleys, said right of way being 10 feet on each side of the center line, described as follows (Station numbers in this description, being measured in lengths of 100 feet each starting with assumed Station 0+00 at point of switch of Track No. 82 and Track No. 1):

Commencing at a point 35.511 feet North at right angles from the center line of Poppleton Street and 225.154 feet East at right angles from the center line of Third Street, said point being Station 3+90.5; thence Northwesterly 9.1 feet on a 7° 30' curve, I=15° and having a radius of 764.49 feet to Station 3+99.6 P.T. being a point 44.016 feet North at right angles from the center line of Poppleton Street and 220.744 feet East at right angles from the center line of Third Street; thence Northwesterly 179.3 feet making an angle of 27° 45' with the center line of Third Street to Station 5+78.9 P.C. being a point 202.694 feet North at right angles from the center line of Poppleton Street and 137.259 feet East at right angles from the center line of Third Street; thence Northwesterly 175.8 feet on a 10° curve, I=17° 35' and having a radius of 573.69 feet to Station 7+54.7 P.T. being a point 343.588 feet North at right angles from the center line of Poppleton Street and 32.844 feet East at right angles from the center line of Third Street; thence Northwesterly 4.0 feet making an angle of 45° 20' with the center line of Third Street and emerging from the property of The Quaker Oats Company at Station 7+58.7 being a point 346.4 feet North at right angles from the center line of Poppleton Street and 30.000 feet East at right angles from the center line of Third Street; thence Northwesterly 95.5 feet making an angle of 44° 40' with the

center line of Pierce Street and re-entering the property of The Quaker Oats Company at Station 8+54.2 P.C. being a point 29.417 feet North at right angles from the center line of Pierce Street and 37.97 feet West at right angles from the center line of Third Street; thence Northwesterly 100.0 feet on a 4° curve, I=4° and having a radius of 1432.69 feet to Station 9+54.2 P.T. being a point 97.190 feet North at right angles from the center line of Pierce Street and 111.501 feet West at right angles from the center line of Third Street; thence Northwesterly 110.0 feet making an angle of 40° 40' with the center line of Pierce Street to Station 10+64.2 P.C. being a point 168.872 feet North at right angles from the center line of Pierce Street and 194.938 feet West at right angles from the center line of Third Street; thence Northwesterly 160.3 feet along a 15° curve, I=35° 24" and having a radius of 383.06 feet emerging from the property of The Quaker Oats Company at Station 12+24.5 being a point 249.897 feet North at right angles from the center line of Pierce Street and 18.73 feet East at right angles from the center line of Fourth Street, containing 0.339 acre, more or less, as set forth in that certain Easement dated August 12, 1953, recorded in Book 281 of Miscellaneous, page 163, Douglas County, Nebraska.

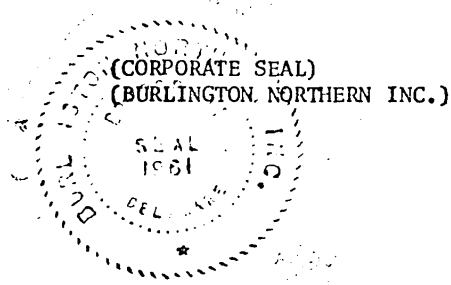
TRACT 3-B

That portion of vacated Poppleton Avenue, original City of Omaha, Nebraska, situated in Section 26, Township 15 North, Range 13 East, described as follows:

Beginning at a point on the Westerly line of the former Chicago, Burlington & Quincy Railroad Company, now Burlington Northern Inc., railroad right of way 36.6 feet South of the North line of Poppleton Avenue vacated; thence in a Northwesterly direction along a curve to the left whose radius is 764.49 to a point on the North line of Poppleton Avenue vacated, said point being 13.9 feet West of said Westerly line of said former Chicago, Burlington & Quincy Railroad Company, now Burlington Northern Inc., railroad right of way, as set forth in that certain Easement dated September 17, 1963, recorded in Book 403 of Miscellaneous, page 153, Douglas County, Nebraska.

If under emergency situations, such as train derailment, the GRANTOR'S ability to gain access to its railroad trackage or other equipment is limited, GRANTEE shall, and hereby agrees to allow GRANTOR a reasonable right of access over and across GRANTEE'S properties to remove and clear and retrieve trackage or equipment on GRANTOR'S right of way, or so much of same as may be temporarily located on GRANTEE'S properties and to restore GRANTOR'S railroad and equipment to operating condition, and in such situation GRANTOR shall reimburse GRANTEE for any and all damages incurred by GRANTEE resulting from GRANTOR'S access to GRANTEE'S properties.

In witness whereof, GRANTOR and GRANTEE have caused this instrument to be executed in duplicate by their respective corporate officers thereunto duly authorized, and their respective corporate seals to be hereunto affixed the day and year first hereinabove written.

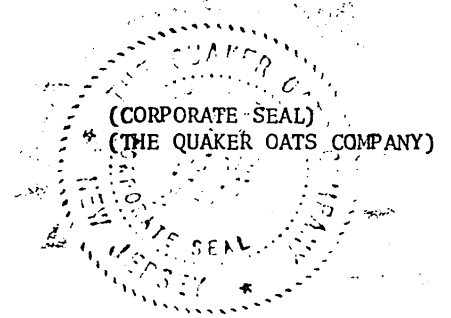


BURLINGTON NORTHERN INC.

BY *J. C. Kennedy*
Vice President

ATTEST:

BY *R. J. Morin*
Assistant Secretary



THE QUAKER OATS COMPANY

BY *Richard D. Depue* P.P.S. *unlike*
Vice President and Treasurer

ATTEST:

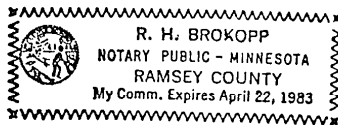
BY *Kristine M. Colwell*
Assistant Secretary

STATE OF MINNESOTA)
)ss.
COUNTY OF RAMSEY)

The foregoing instrument was acknowledged before me this 19th day of September, 1980, by J. C. Kenady, the Vice President, Industrial Development and Property Management, and R. J. Morin, an Assistant Secretary, respectively, of Burlington Northern Inc., a Delaware corporation, on behalf of the corporation.

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

R. H. Brokopp
Notary Public.



My Commission Expires:

April 22, 1983

STATE OF ILLINOIS)
)ss.
COUNTY OF COOK)

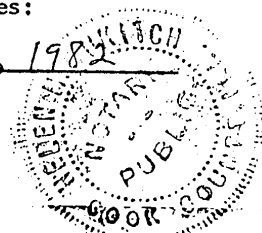
The foregoing instrument was acknowledged before me this 28th day of AUGUST, 1980, by RICHARD J. JAQUITH, the Vice President and Treasurer, and KRISTINE M. ELMLUND, the Assistant Secretary, respectively, of The Quaker Oats Company, a New Jersey corporation, on behalf of the corporation.

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

Nelson M. Wukitch
Notary Public.

My Commission Expires:

APRIL 27, 1984



29 Hand etc

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C. HAROLD OSTLER
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

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