

L.C. No. 14749
C. D. No. 36896

D E E D

from

UNION PACIFIC RAILROAD COMPANY

to

QUAKER OATS COMPANY

Dated July 2, 1951.

Covering easement for
railroad trackage
in
Douglas County, Nebraska.

3/7/51

ORIGINAL

THIS INDENTURE, Made this 2nd day of July, 1951, between UNION PACIFIC RAILROAD COMPANY, a corporation of the State of Utah, Grantor, party of the first part; and QUAKER OATS COMPANY, a corporation of the State of New Jersey, Grantee, party of the second part;

WITNESSETH, That the said party of the first part, in consideration of the sum of Two Hundred Fifty Dollars (\$250.00), the receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell and convey unto the said party of the second part, its successors and assigns, an EASEMENT for the construction, maintenance and operation of railroad trackage to serve the furfural plant of the party of the second part at Omaha, Nebraska, said easement to be over and across the following described property of the party of the first part in Douglas County, Nebraska, to wit:

A parcel of land situated in Government Lot Four (4) of Section Twenty-three (23), Township Fifteen (15) North, Range Thirteen (13) East of the Sixth Principal Meridian in the City of Omaha, Douglas County, Nebraska, described as follows:

Beginning at the point of intersection of the southerly property line of the Union Pacific Railroad Company with the westerly right of way line of the Chicago, Burlington & Quincy Railroad Company, said westerly right of way line being the westerly line of that certain strip of land 100 feet wide which was heretofore acquired from The Union Pacific Railroad Company by Omaha & Southwestern Railroad Company, predecessor of the Chicago, Burlington & Quincy Railroad Company by appraisal dated February 11, 1870, and recorded in Book 8, on Page 172 of the records of said Douglas County, said southerly property line of the Union Pacific Railroad Company being the southerly line and said southerly line produced easterly of that certain parcel of land which was heretofore conveyed by Adolf L. Meyer, et al, to Union Pacific Railroad Company by warranty deed dated February 17, 1922, and recorded in Book 459 on page 274 of the deed records of said Douglas County;

thence west along said southerly property line of the Union Pacific Railroad Company a distance of 17.25 feet;

thence northerly along a straight line a distance of 87.5 feet, more or less, to a point in said westerly right of way line of the Chicago, Burlington & Quincy Railroad Company that is 90 feet distant northerly from the point of beginning, measured along said westerly right of way line;

thence southerly along said westerly right of way line of the Chicago, Burlington & Quincy Railroad Company a distance of 90 feet to the point of beginning.

Also, a parcel of land situated in said Government Lot Four (4), in the City of Omaha, described as follows:

Beginning at a point in said southerly property line of the Union Pacific Railroad Company that is 323.7 feet distant west from said westerly right of way line of the Chicago, Burlington & Quincy Railroad Company, measured along said southerly property line, said point being 8.5 feet distant easterly, measured at right angles, from the center line of the easterly track of two proposed tracks of the Quaker Oats Company;

thence west along said southerly property line a distance of 31.27 feet to a point thereon that is 8.5 feet distant westerly, measured at right angles, from the center line of the westerly track of the two proposed tracks;

thence northerly along a straight line which forms an angle of $82^{\circ} 26'$ from west to north with said southerly property line and which is parallel with and 8.5 feet distant westerly, measured at right angles, from said center line of westerly proposed track a distance of 50.44 feet to a point;

thence east along a straight line parallel with and 50 feet distant northerly, measured at right angles, from said southerly property line a distance of 31.27 feet;

thence southerly along a straight line parallel with and 8.5 feet distant easterly, measured at right angles, from said center line of easterly proposed track a distance of 50.44 feet to the point of beginning;

together with the right of ingress and egress upon the above described land for the purpose of exercising the rights herein granted.

RESERVING, however, to Union Pacific Railroad Company, its successors and assigns, the right to construct at any and all times and to maintain, operate, repair and renew railroad tracks, signal lines, highways, pipe lines, sewer lines, drainage ditches and works, telephone, telegraph and electric power, pole and wire lines over, under and across (but in such a way as not unreasonably to interfere with the rights herein granted) the premises hereinbefore described, it being understood that the rights so reserved to Union Pacific Railroad Company, its successors and assigns, are retained along with the general right of said Railroad Company, its

successors and assigns, to the use of said premises for any purpose not inconsistent with the use by the party of the second part of said easement for the purpose herein defined.

It is expressly made a condition of this easement that if the party of the second part, its successors or assigns, shall abandon the trackage to be constructed on the premises above described, then and in that event all the rights herein granted shall cease and determine and the title to the land hereinbefore described shall be relieved of the burden of this easement; and it is further agreed that non-user of the easement hereby granted for a period of two (2) years shall be deemed an abandonment of said premises.

IN WITNESS WHEREOF, the said Union Pacific Railroad Company has caused these presents to be signed by its President and Assistant Secretary and its corporate seal to be hereunto affixed the day and year first herein written.

Witness:

UNION PACIFIC RAILROAD COMPANY,

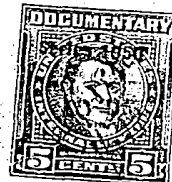
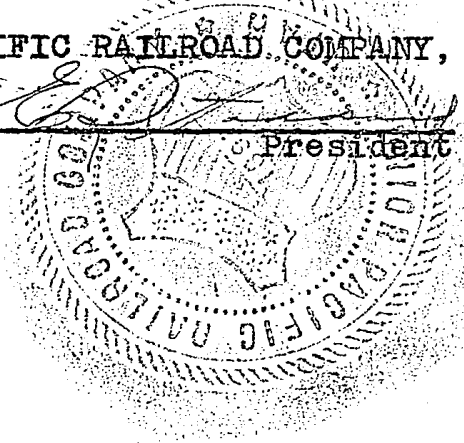
C. W. Wentz

By [Signature]
President

Attest:

[Signature]
Assistant Secretary

(Seal)



[Handwritten initials]

Comp.

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

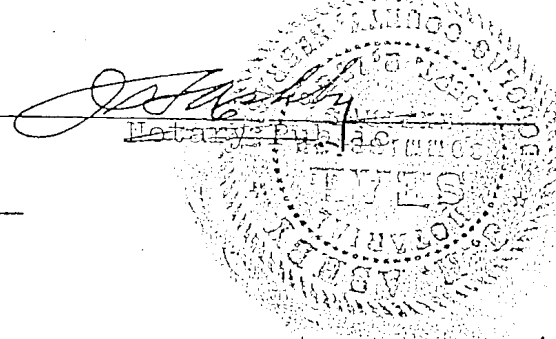
On this 2nd day of July, ¹⁹⁵¹~~1954~~,

before me, a Notary Public in and for said county in the State aforesaid, personally appeared A. E. Stoddard, to me personally known, and to me personally known to be the 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 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

A. E. Stoddard 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 September 2, 1956.



Residing at Omaha, Neb.

(Seal)

24.

4.00

ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA.
9 DAY August 1951 AT 3:26 P.M. THOMAS J. O'CONNOR, REGISTER OF DEEDS.

Comp.