

NEBRASKA DOCUMENTARY
STAMP TAX

Authorization No. Res. Dated
Aug. 5, 1980

17 1984

DEED NO. 83788

\$ 1.40 BY *[Signature]*

THE GRANTOR, CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY, a Delaware corporation, whose principal office is located at 165 N. Canal Street, Chicago, Illinois, for the consideration of EIGHT HUNDRED AND NO/100 DOLLARS (\$800.00), conveys and quitclaims to VICTOR SCHMIEDING of 4210 North 14th Street, Lincoln, Nebraska, GRANTEE, all interest in the following described real estate situated in the County of Lancaster, and the State of Nebraska, to wit:

A strip of land 100 feet in width extending over and across the Northwest Quarter of the Southeast Quarter of Section 6, Township 10 North, Range 7 East, of the Sixth Principal Meridian, said strip of land being 50 feet in width on each side of the center line of the main track (now removed) of the Fremont, Elkhorn and Missouri Valley Railroad Company (now the Chicago and North Western Transportation Company), as said main track center line was originally located and established over and across said Section 6.

Subject, however, to the right of the Grantor, its successors and assigns, to have until June 30, 1984 to operate over and enter upon said real estate herein conveyed for the purpose of removing any and all tracks, ties, ballast, culverts and bridge material, facilities and appurtenances thereto.

By the acceptance of this conveyance the Grantee for itself, its successors and assigns, hereby agrees to forever release the Grantor, its successors or assigns, from any and all obligations to furnish any driveway or other means of entry either to or from said above described real estate whether such obligations are imposed by Statute or otherwise.

Excepting and Reserving, however, unto the Grantor, its lessees, licensees, successors and assigns, the right to continue to protect, maintain, operate, and use any and all existing drainage, driveways, conduits, sewers, water mains, gas lines, electric power lines, communication lines, wires and other utilities, and easements of any kind whatsoever on said premises, including the repair, reconstruction and replacement thereof.

By the acceptance of this conveyance, Grantee, for itself, its successors and assigns, agrees to take all steps necessary, at no expense to Grantor, to comply with any and all governmental requirements relating to land platting and use.

This conveyance is made upon the express condition that the Grantor will not pay any taxes or special assessments which may be due or delinquent upon the real estate hereinabove described.

THIS CONVEYANCE is made by said Chicago and North Western Transportation Company, successor Mortgagor, free from the Mortgage Lien, in accordance with the provisions of Section 2, Article VIII of the following instrument, to wit:

Indenture of Mortgage and Deed of Trust from Chicago and North Western Railway Company to The First National Bank of Chicago, Trustee, dated January 1, 1939, and effective June 1, 1944, as supplemented and amended, recorded in the in the office of the Register of Deeds in and for Lancaster County, Nebraska, on June 7, 1944, in Book 433 of Mortgages, Page 200, as supplemented and amended.

AS FURTHER EVIDENCE of the Chicago and North Western Transportation Company's authorization to make this conveyance, it is hereby certified on behalf of the Company that the land heretofore described, and constituting part of the roadway of said Company, is no longer useful to said Company, and has been retired from use; that the aggregate fair value of all lands sold or otherwise exchanged or disposed of in accordance with the provisions of Section 2, Article VIII of said instrument above referred to, in the calendar year of 1984, as of the date hereof, including said land heretofore described, is not more than \$100,000.00.

Grantor certifies that the subject property may and shall, if released from the lien of the Indenture of Mortgage and Deed of Trust, originally executed by Chicago and North Western Railway Company and The First National Bank of Chicago, Trustee, dated as of January 1, 1939, as supplemented and amended, be automatically released from the liens of the Mortgage Indenture and Deed of Trust, Assignment of Leases and Rents, Security Agreement and Financing Statements A and B dated as

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of June 29, 1983 by Grantor and Midwestern Railroad Properties, Incorporated to Continental Illinois National Bank and Trust Company of Chicago and The First National Bank of Chicago, as Co-Agents, pursuant to clause (a) of Section 4.3 thereof.

DATED this 27th day of February, 1984.

Signed, Sealed and Delivered in Presence of:

CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY

Mary A. Clancy
Nancy T. Zurek

By Robert W. Mickey, Vice President

Attest J. S. Edwards, Asst. Secretary

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, Richard S. Kennerley, a Notary Public duly commissioned and qualified in and for the County and State aforesaid, DO HEREBY CERTIFY that Robert W. Mickey and J. S. Edwards, to me personally known and known to me to be, respectively, --- Vice President and Assistant Secretary of CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY, a Delaware corporation, and the identical persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and being first duly sworn by me, severally acknowledged to me that they are, respectively, --- Vice President and Assistant Secretary of said corporation; that as such officers they signed, sealed and delivered said instrument in behalf of said corporation by authority and order of its Board of Directors, as the free and voluntary act and deed of said corporation, and as their own free and voluntary act; that the seal affixed to said instrument is the seal of said corporation; and that said corporation executed said instrument for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as such Notary Public, at Chicago, Illinois, this 27th of February, 1984

Richard S. Kennerley
Notary Public, in and for the County of Cook, In the State of Illinois
Richard S. Kennerley

My Commission Expires: November 8, 1984

This instrument was prepared by Chicago and North Western Transportation Company, 165 North Canal Street, Chicago, Illinois 60606.

L-22-18

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LANCASTER COUNTY, NEBR.
Dan Holtz
REGISTER OF DEEDS

\$20.50

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ENTERED BY
NUMERICAL INDEX
FILED FOR RECORD AS:

INST. NO. 84- 17073

Judith Deamberg
4210 N 14
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