

C. D. No. 28179-3

QUITCLAIM DEED

from

UNION PACIFIC RAILROAD COMPANY

to

KELLOGG COMPANY

Dated August 7, 1962.

Covering parcel of land  
in  
Omaha, Douglas County, Nebraska.

ORIGINAL

KNOW ALL MEN BY THESE PRESENTS, that UNION PACIFIC RAILROAD COMPANY, a corporation of the State of Utah, Grantor, in consideration of the sum of One Thousand Four Hundred Sixty-one Dollars and Twenty-five Cents (\$1,461.25) to it duly paid, the receipt whereof is hereby acknowledged, has remised, released, and quitclaimed, and by these presents does REMISE, RELEASE, and forever QUITCLAIM to KELLOGG COMPANY, a corporation of the State of Delaware, Grantee, the following described real estate situate in the County of Douglas, State of Nebraska:

A parcel of land situate in the NE 1/4 of the SE 1/4 of Section 28, Township 15 North, Range 13 East of the Sixth Principal Meridian, in the City of Omaha, Douglas County, Nebraska, bounded and described as follows:

Beginning at the northeast corner of that certain tract of land designated as Parcel "D" in that certain Warranty Deed dated July 27, 1943, from Union Pacific Railroad Company to Miller Cereal Mills, recorded in Book 718, page 102 of Deeds of said county, said corner being a point in the south line of Center Street in said City, as now established, that is 60 feet distant south from the north line of said NE 1/4 of the SE 1/4 measured along a line drawn at right angles thereto at a point thereon that is 744.8 feet distant east from the northwest corner of said NE 1/4 of the SE 1/4, measured along said north line;

thence south at right angles to the south line of said Center Street a distance of 16.1 feet;

thence easterly along a straight line a distance of 270.0 feet to a point that is 18.88 feet distant south, measured at right angles, from said south line of Center Street;

thence northeasterly along a straight line a distance of 120.49 feet, more or less, to the point of intersection of the south line of Center Street with the northwesterly right of way line of the Union Pacific Railroad Company, which right of way line is parallel with and 100 feet distant northwesterly, measured radially, from the center line of the original main track of said Railroad Company as formerly located;

thence west along said south line of Center Street a distance of 389.0 feet, more or less, to the point of beginning;

containing an area of 5845 square feet, more or less.

EXCEPTING from this quitclaim and RESERVING unto the Grantor, its successors and assigns, forever, all minerals and

all mineral rights of every kind and character now known to exist or hereafter discovered, including, without limiting the generality of the foregoing, oil and gas and rights thereto, together with the sole, exclusive and perpetual right to explore for, remove and dispose of, said minerals by any means or methods suitable to the Grantor, its successors and assigns, but without entering upon or using the surface of the lands hereby quitclaimed, and in such manner as not to damage the surface of said lands or to interfere with the use thereof by the Grantee, its successors or assigns.

TO HAVE AND TO HOLD the above-described premises, subject to the aforesaid exceptions and reservations, unto said KELLOGG COMPANY, its successors and assigns, forever.

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 hereinbefore described; 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;

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 exceptions and reservations aforesaid, unto said KELLOGG COMPANY, its successors and assigns, forever, its entire right, title and interest as Trustee in and to the real estate described aforesaid, 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 7th day of August, 1962

In Presence of:

*Al Mathis*

UNION PACIFIC RAILROAD COMPANY,

Attest:

*C. W. Roswan*



*Frank E. Barrett*  
Vice President

Secretary

In Presence of:

THE CHASE MANHATTAN BANK,  
Trustee,

*[Signature]*

Attest:

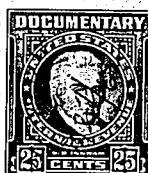
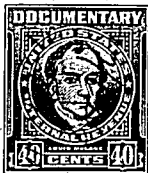
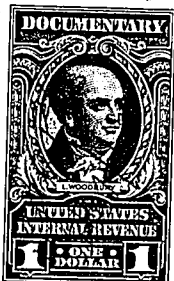
*[Signature]*

By

*[Signature]*

ASSISTANT Vice President

Assistant Secretary



STATE OF NEW YORK }  
COUNTY OF NEW YORK } ss

On this 7th day of August, 1962,

before me, a Notary Public in and for said County, in the State aforesaid, personally appeared FRANK E. BARNETT

to me personally known, and to me personally known to be Vice President of UNION PACIFIC

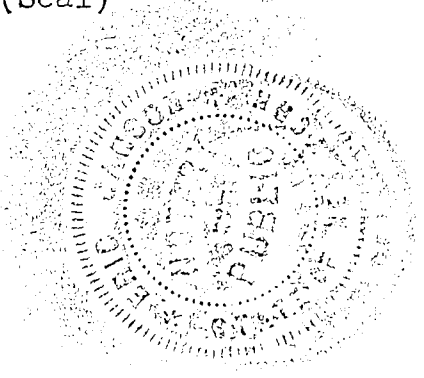
RAILROAD COMPANY, and to be the same person whose name is subscribed to the foregoing instrument, and who, being by me duly sworn, did say that he is Vice President

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 FRANK E. BARNETT 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, 1963.

(Seal)



Eric Janson

ERIC JANSON  
Notary Public, State of New York  
No. 30-1957150  
Qualified in Nassau County  
Cert. filed in N. Y. Co. Clk's Off.  
Commission Expires March 30, 1963

STATE OF NEW YORK )  
COUNTY OF NEW YORK ) ss

On this 14th day of August, 1962,

before me, a Notary Public in and for said County in the State aforesaid, personally appeared C. F. RUGE,

to me personally known, and to me personally known to be an ASSISTANT Vice President of THE CHASE MANHATTAN BANK, 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 an ASSISTANT Vice President of The Chase Manhattan Bank; 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 C. F. RUGE 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.

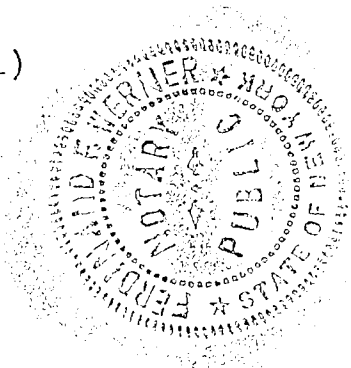
IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

My commission expires MAR 30 1963

Ferdinand J. Werner  
Notary Public

FERDINAND F. WERNER  
Notary Public, State of New York  
No. 43-4225679  
Qualified in Richmond County  
Cert. filed with New York Co. Clk.  
Commission Expires March 30, 1963

(Seal)



47  
Deed

RECEIVED

1962 AUG 29 PM 4 02

THOMAS J. O'CONNOR  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NEBR.

THE STATE OF NEBRASKA }  
Douglas County }  
Entered in Numerical Index and filed  
for Record in the office of the Register of  
Deeds of said County and recorded in  
Book 1160 of Deeds  
Page 651

*Thomas J. O'Connor*  
Register of Deeds

By \_\_\_\_\_  
Cassim Tierney Adams & Henatsch  
400 City Natl Bank  
28-15-13  
1125

28-15-13