

C. D. No. 48657

QUITCLAIM DEED

from

UNION PACIFIC RAILROAD COMPANY

to

THE SALVATION ARMY

Dated April 28, 1966.

Covering property
in
Douglas County, Nebraska.

Return: The Salvation Army
Men's Social Service Department
26th + Dewey Avenue
Attn: Brigadier Dalberg

ORIGINAL

S'1

7/26/65

THIS DEED, made this 28th day of April 1966, between UNION PACIFIC RAILROAD COMPANY, a corporation of the State of Utah, party of the first part, and THE SALVATION ARMY, a corporation of the State of Illinois, party of the second part,

WITNESSETH, That

WHEREAS, the party of the second part desires to acquire the property hereinafter described to be used for charitable purposes; and

WHEREAS, the party of the first part is willing to donate said property to the party of the second part;

NOW THEREFORE, in consideration of the premises, the party of the first part does, by these presents DONATE, REMISE, RELEASE, and QUITCLAIM unto the party of the second part, and unto its successors and assigns, all of its right, title and interest in and to the following described property situate in the County of Douglas, State of Nebraska, to wit:

Parcel No. 1

An irregular parcel of land situated in the Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}SE\frac{1}{4}$) 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 southwest 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, said corner being a point in the east line of 26th Street South in said City as now established that is 72.55 feet distant south from the north line of said Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}SE\frac{1}{4}$), measured along a line drawn at right angles thereto at a point thereon that is 661.3 feet distant east from the northwest corner of said Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}SE\frac{1}{4}$), measured along said north line;

thence easterly along the southerly line of said Parcel "D" in Warranty Deed dated July 27, 1943, which is a line curving to the right having a radius of 1242.24 feet, a distance of 75.41 feet;

thence easterly, continuing along said southerly line of said Parcel "D," which is a straight line tangent to the end of the last described curve, a distance of 8.18 feet to the southeast corner of said Parcel "D;"

thence easterly along the southerly line of that certain parcel of land heretofore conveyed by Quitclaim Deed dated August 7, 1962 from Union Pacific Railroad Company to Kellogg Company a distance of 185.43 feet to a point thereon that is 18.01 feet distant south, measured at right angles, from the south line of Center Street, in said City of Omaha, as now established;

thence south along a straight line that is parallel with and 268.92 feet distant easterly, measured at right angles, from said east line of 26th Street South a distance of 18.67 feet;

thence southwesterly along a straight line that forms an angle of $86^{\circ} 39'$ from south to west with the last described line extended a distance of 38.18 feet;

thence southwesterly along a line curving to the left having a radius of 373.13 feet, tangent at its point of beginning to the last described straight line, a distance of 47.40 feet;

thence southwesterly along a line curving to the left having a radius of 930.27 feet, tangent at its point of beginning to the end of the last described curve, a distance of 93.04 feet;

thence southwesterly along a straight line tangent to the end of the last described curve a distance of 59.43 feet;

thence southwesterly along a line curving to the right having a radius of 406.52 feet, tangent at its point of beginning to the last described straight line, a distance of 37.25 feet, more or less, to a point in said east line of 26th Street South;

thence north along said east line of 26th Street South, a distance of 29.93 feet, more or less, to the southwest corner of that certain parcel of land designated as Parcel "E" in said Warranty Deed dated July 27, 1943 from Union Pacific Railroad Company to Miller Cereal Mills;

thence northeasterly along the southerly line of said Parcel "E" which is a line curving to the left, having a radius of 581.87 feet, tangent at its point of beginning to a straight line forming an angle from north to east of $80^{\circ} 44' 21''$ with said east line of 26th Street South, a distance of 14.62 feet;

thence northeasterly continuing along said southerly line of Parcel "E," which is a straight line tangent to the end of the last described curve, a distance of 70.33 feet to the southeast corner of said Parcel "E;"

thence north along the east line of said Parcel "E" a distance of 13.18 feet to the northeast corner thereof;

thence westerly along the northerly line of said Parcel "E," which is a straight line forming an angle from north to west of $86^{\circ} 00'$ with the last described course produced northerly, a distance of 9.36 feet;

thence westerly continuing along said northerly line of Parcel "E," which is a line curving to the left having a radius of 1,225.24 feet, tangent at its point of beginning to the last described straight line, a distance of 74.23 feet to a point in said east line of 26th Street South;

thence north along said east line of 26th Street South a distance of 17.0 feet to the point of beginning.

Parcel No. 2

A strip of land 17.0 feet in width situated in the Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}SE\frac{1}{4}$) of Section 28, Township 15 North, Range 13 East of the Sixth Principal Meridian, in the City of Omaha, Douglas County, Nebraska, lying between lines that are parallel with and 72.5 feet and 89.5 feet, respectively, distant south, measured at right angles, from the north line of said Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}SE\frac{1}{4}$) of Section 28, and extending west from the west line of 26th Street South a distance of 326.3 feet.

Parcel No. 3

An irregular strip of land situated in the Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}SE\frac{1}{4}$) 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 a point in the west line of 26th Street South that is 127.86 feet distant south, measured along said west line of 26th Street South and said west line extended, from the north line of said Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}SE\frac{1}{4}$) of Section 28;

thence westerly along a straight line a distance of 43.67 feet, more or less, to a point that is 43.64 feet distant west, measured at right angles, from said west line of 26th Street South and 129.50 feet distant south, measured at right angles, from said north line of the Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}SE\frac{1}{4}$) of Section 28;

thence west along a straight line that is parallel with and 129.50 feet distant south, measured at right angles, from said north line of the Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}SE\frac{1}{4}$) of Section 28, a distance of 278.36 feet;

thence south, at right angles, a distance of 17.0 feet;

thence east along a straight line that is parallel with and 146.50 feet distant south, measured at right angles, from said north line of the Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}SE\frac{1}{4}$) of Section 28, a distance of 48.25 feet, more or less, to a point in the west line produced northerly of that certain parcel of land designated as Parcel "C" in Warranty Deed dated July 27, 1943 from Union Pacific Railroad Company to Miller Cereal Mills;

thence south, at right angles, a distance of 13.0 feet;

thence east along a straight line parallel with and 159.50 feet distant south, measured at right angles, from said north line of the Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}SE\frac{1}{4}$) of Section 28, a distance of 273.75 feet to a point on said west line of 26th Street South;

thence north along said west line of 26th Street South a distance of 31.64 feet to the point of beginning.

Parcel No. 4

A strip of land 17.0 feet in width situated in the Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}SE\frac{1}{4}$) of Section 28, Township 15 North, Range 13 East of the Sixth Principal Meridian, in the City of Omaha, Douglas County, Nebraska, lying between lines that are parallel with and 219.5 feet and 236.5 feet, respectively, distant south, measured at right angles, from the north line of said Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}SE\frac{1}{4}$) of Section 28 and extending west from the west line of 26th Street South a distance of 273.75 feet.

INCLUDING the railroad trackage located on said premises and in 26th Street South between said Parcel No. 1 and Parcels Nos. 2 and 3.

EXCEPTING from this quitclaim and RESERVING unto the party of the first part, 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 party of the first part, 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 party of the second part, its successors or assigns.

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging; TO HAVE AND TO HOLD the above-described premises, subject to the aforesaid exceptions and reservations, unto the party of the second part, 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, and on September 23, 1965, The Chase Manhattan Bank was converted into The Chase Manhattan Bank (National Association) and its name changed thereto without affecting the continuity of its business or corporate existence. Said Bank is hereinafter referred to as The Chase Manhattan Bank.

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 The Salvation Army, 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 party of the second part 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 party of the first part, 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
28th day of April, 1966.

In Presence of: UNION PACIFIC RAILROAD COMPANY,

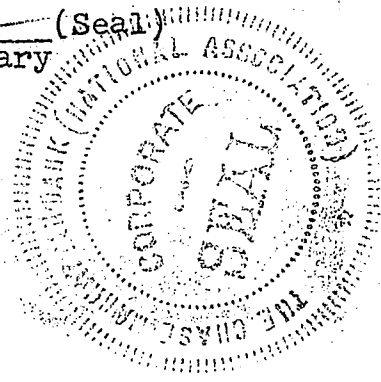
Attest: *C. N. Olson* UTAH By: *Frank E. Bennett*
Vice President

C. N. Olson (Seal)
Assistant Secretary

In Presence of: THE CHASE MANHATTAN BANK
(National Association), Trustee,

Attest: *C. F. Hertzelmann* By: *C. F. Ruge*
C. F. HERTZELMANN Vice President

E. J. Walsh (Seal)
Assistant Secretary
E. J. WALSH



STATE OF NEW YORK }
COUNTY OF NEW YORK } ss

On this 28th day of April, 1966,

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, 1968

(Seal)

Elizabeth L. Galperin
ELIZABETH L. GALPERIN
Notary Public, State of New York
No. 80-0481230
Qualified in New York County
Certificate Filed in N.Y. Co. City Office
Commission Expires March 30, 1968

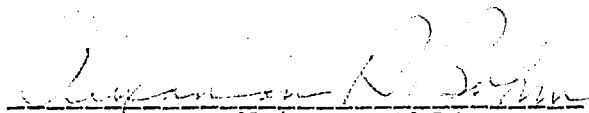
STATE OF NEW YORK)
COUNTY OF NEW YORK) ss

On this 5th day of May, 1956,

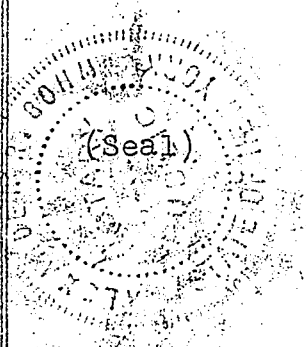
before me, a Notary public in and for said County in the State aforesaid, personally appeared C. F. Ruge, to me personally known, and to me personally known to be a Vice President of THE CHASE MANHATTAN BANK (National Association), and to be the same person whose name is subscribed to the foregoing instrument, and who, being by me duly sworn, did say that he is a Vice President of The Chase Manhattan Bank (National Association); 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 1967.


Notary Public

ALEXANDER R. BOHM
Notary Public, State of New York
No. 41-0342650
Qualified in Queens County
Certificate Filed in New York County
Commission Expires March 30, 1967



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RECEIVED

1965 JUL 12 PM 2 56

THOMAS J O'DONNOR
REGISTER OF DEEDS
DOUGLASS COUNTY, NEBR.

THE STATE OF NEBRASKA

County of _____
for the purpose of _____

Book 1292 of _____

Page 627 of _____

[Signature]
Register of Deeds

By _____

28-15-13
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