

UNION PACIFIC RAILROAD COMPANY

CONVEYANCE TO MILLER CEREAL MILLS

There was submitted with President Jeffers' telegram A-243 of July 26, 1943, recommending approval, Warranty Deed No. 504, Contract Department No. 27829, conveying to Miller Cereal Mills six parcels of land containing an area of 42,946 square feet in the Martha Street Industrial District at Omaha, Nebraska, for a consideration of \$10,736.50; free from the lien of this Company's First Mortgage.

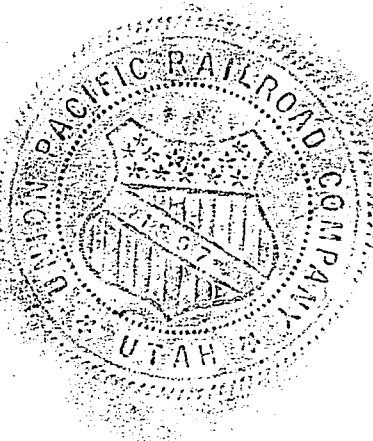
Whereupon, on motion duly made and seconded, it was

RESOLVED that the conveyance above referred to be and is hereby approved, and the officers of this Company authorized to execute and deliver the deed submitted at this meeting, and to take any other action appropriate to effect the same; and

RESOLVED that the Bankers Trust Company, as successor Trustee under this Company's First Mortgage, dated July 1, 1897, be and is hereby requested to join in the execution of the deed aforesaid.

I, E. M. KINDLER, Assistant Secretary of Union Pacific Railroad Company, do hereby certify that the above and foregoing is a true copy of preamble and resolutions duly adopted by the Executive Committee of the Board of Directors of Union Pacific Railroad Company at a regular meeting of said Executive Committee held at the office of the Company in the City and State of New York on the 27th day of July, 1943, at which a quorum was present.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Company this 27th day of July, 1943.



E. M. Kindler
Assistant Secretary.

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 Ten Thousand Seven Hundred Thirty-six Dollars and Fifty Cents (\$10,736.50), in hand paid, does hereby grant, bargain, sell, convey and confirm unto MILLER CEREAL MILLS, a corporation of the State of Nebraska, grantee, the following described real estate, situate in the City of Omaha, County of Douglas, and State of Nebraska, to wit:

PARCEL A

A piece or parcel of land situate in the Northeast Quarter of Southeast Quarter (NE 1/4 of SE 1/4) of Section Twenty-eight (28), Township Fifteen (15) North, Range Thirteen (13) East of the Sixth Principal Meridian, in the City of Omaha, Douglas County, Nebraska, described as follows, to wit:

Beginning at the point of intersection of the westerly line of that certain fifty (50) foot strip of land heretofore conveyed to the City of Omaha for street purposes, by Union Pacific Railroad Company, by Quitclaim Deed dated April 7, 1942, with the southerly line of Center Street in said City, as now established;

thence westerly along said southerly line of Center Street a distance of two hundred ninety-three and three tenths (293.3) feet to a point;

thence southerly along a straight line at right angles to said southerly line of Center Street, a distance of twelve and five tenths (12.5) feet to a point;

thence easterly along a straight line parallel with said southerly line of Center Street, a distance of two hundred ninety-three and three tenths (293.3) feet to a point in the westerly line of said fifty (50) foot strip of land hereinbefore referred to, heretofore conveyed to said City of Omaha by said Union Pacific Railroad Company by said Quitclaim Deed dated April 7, 1942;

thence northerly along the westerly line of said fifty (50) foot strip of land a distance of twelve and five tenths (12.5) feet to the point of beginning;

containing an area of three thousand six hundred sixty-six (3,666) square feet, more or less.

PARCEL B

Also, a piece or parcel of land situate in said Northeast Quarter of Southeast Quarter (NE 1/4 of SE 1/4) of Section Twenty-eight (28), described as follows, to wit:

Beginning at a point on the westerly line of said fifty (50) foot strip of land hereinbefore referred to, heretofore conveyed to said City of Omaha by said Union Pacific Railroad Company by said Quitclaim Deed dated April 7, 1942, as aforesaid, that is twenty-nine and five tenths (29.5) feet distant southerly from the southerly line of Center Street, measured along said westerly line;

thence westerly along a straight line parallel with said southerly line of Center Street a distance of three hundred sixty (360) feet to a point;

thence southerly along a straight line at right angles to the last described course, a distance of forty (40) feet to a point;

thence easterly along a straight line parallel with and sixty-nine and five tenths (69.5) feet southerly, measured at right angles, from said southerly line of Center Street, a distance of three hundred sixteen and thirty-six hundredths (316.36) feet to a point;

thence easterly along a straight line a distance of forty-three and sixty-seven hundredths (43.67) feet more or less, to a point in said westerly line of said fifty (50) foot strip of land, hereinbefore referred to, heretofore conveyed to said City of Omaha by said Union Pacific Railroad Company by said Quitclaim Deed dated April 7, 1942, as aforesaid, that is sixty-seven and eighty-six hundredths (67.86) feet distant southerly from said southerly line of Center Street, measured along said westerly line;

thence northerly along the westerly line of said fifty (50) foot strip of land a distance of thirty-eight and thirty-six hundredths (38.36) feet to the point of beginning;

containing an area of fourteen thousand three hundred sixty-four (14,364) square feet, more or less.

PARCEL C

Also, a piece or parcel of land situate in said Northeast Quarter of Southeast Quarter (NE 1/4 of SE 1/4) of Section Twenty-eight (28), described as follows, to wit:

Beginning at a point on the westerly line of said fifty (50) foot strip of land, hereinbefore referred to, heretofore conveyed to said City of Omaha by said Union Pacific Railroad Company by said Quitclaim Deed dated April 7, 1942, as aforesaid, that is ninety-nine and five tenths (99.5) feet distant southerly from the southerly line of Center Street, measured along said westerly line;

thence westerly along a straight line parallel with said southerly line of Center Street a distance of two hundred seventy-three and seventy-five hundredths (273.75) feet to a point;

thence southerly along a straight line at right angles to the last described course, a distance of sixty (60) feet to a point;

thence easterly along a straight line parallel with and one hundred fifty-nine and five tenths (159.5) feet distant southerly measured at right angles, from said southerly line of Center Street, a distance of two hundred seventy-three and seventy-five (273.75) hundredths feet to a point in the westerly line of said fifty (50) foot strip of land, hereinbefore referred to, heretofore conveyed to said City of Omaha by said Union Pacific Railroad Company, by said Quitclaim Deed dated April 7, 1942, as aforesaid;

thence northerly along the westerly line of said fifty (50) foot strip of land a distance of sixty (60) feet to the point of beginning;

containing an area of sixteen thousand four hundred twenty-five (16,425) square feet, more or less.

PARCEL D

Also, a piece or parcel of land situate in said Northeast Quarter of Southeast Quarter (NE 1/4 of SE 1/4) of Section Twenty-eight (28), described as follows, to wit:

Beginning at the point of intersection of the easterly line of said fifty (50) foot strip of land, hereinbefore referred to, heretofore conveyed to said City of Omaha by said Union Pacific Railroad Company by said quitclaim deed dated April 7, 1942, as aforesaid, with the southerly line of said Center Street as now established;

thence easterly along said southerly line of Center Street a distance of eighty-three and five tenths (83.5) feet to a point;

thence southerly along a straight line at right angles to the last described course, a distance of sixteen and one tenth (16.1) feet to a point;

thence westerly along a straight line forming an angle from north to west of eighty-six degrees (86°) with the last described course, a distance of eight and eighteen hundredths (8.18) feet to a point;

thence westerly along a line curving to the left having a radius of one thousand two hundred forty-two and twenty-four hundredths (1242.24) feet and which is tangent at its point of beginning to the last described course, a distance of seventy-five and forty-one hundredths (75.41) feet to a point in the easterly line of said fifty (50) foot strip of land, hereinbefore referred to, heretofore conveyed to said City of Omaha by said Union Pacific Railroad Company by said Quitclaim Deed dated April 7, 1942, as aforesaid;

thence northerly along the easterly line of said fifty (50) foot strip of land, a distance of twelve and fifty-five hundredths (12.55) feet to the point of beginning;

containing an area of one thousand one hundred fifty-nine (1,159) square feet, more or less.

PARCEL E

Also, a piece or parcel of land situate in said Northeast Quarter of Southeast Quarter (NE 1/4 of SE 1/4) of Section Twenty-eight (28), described as follows, to wit:

Beginning at a point on the easterly line of said fifty (50) foot strip of land, hereinbefore referred to, heretofore conveyed to said City of Omaha by said Union Pacific Railroad Company by said quitclaim deed dated April 7, 1942, as aforesaid, that is twenty-nine and fifty-five hundredths (29.55) feet distant southerly from the southerly line of Center Street as now established, measured along said easterly line;

thence southerly along the easterly line of said fifty (50) foot strip of land a distance of thirty-two and thirty-seven hundredths (32.37) feet to a point;

thence easterly along a line curving to the left having a radius of five hundred eighty-one and eighty-seven hundredths (581.87) feet and which is tangent at its point of beginning to a straight line forming an angle from north to east of eighty degrees, forty-four minutes and twenty-one seconds ($80^{\circ} 44' 21''$) with the easterly line of said fifty (50) foot strip of land, a distance of fourteen and sixty-two hundredths (14.62) feet to a point;

thence easterly along a straight line tangent to the end of the last described curve a distance of seventy-and thirty-three hundredths (70.33) feet to a point that is forty-six and thirty-two hundredths (46.32) feet distant southerly from the southerly line of Center Street, as now established, measured along a straight line at right angles thereto at a point thereon that is eighty-three and five tenths (83.5) feet distant easterly from the easterly line of said fifty (50) foot strip of land, hereinbefore referred to, heretofore conveyed to said City of Omaha by said Union Pacific Railroad Company by said Quitclaim Deed dated April 7, 1942, as aforesaid;

thence northerly along a straight line parallel with and eighty-three and five tenths (83.5) feet distant easterly, measured at right angles, from the easterly line of said fifty (50) foot strip of land, a distance of thirteen and eighteen hundredths (13.18) feet to a point;

thence westerly along a straight line forming an angle from north to west of eighty-six degrees (86°) with the last described course produced northerly, a distance of nine and thirty-six hundredths (9.36) feet to a point;

thence westerly along a line curving to the left having a radius of one thousand two hundred twenty-five

and twenty-four hundredths (1,225.24) feet and which is tangent at its point of beginning to the last described course, a distance of seventy-four and twenty-three hundredths (74.23) feet to the point of beginning;

containing an area of one thousand nine hundred forty-six (1,946) square feet, more or less.

PARCEL F

Also, a piece or parcel of land situate in said Northeast Quarter of Southeast Quarter (NE 1/4 of SE 1/4) of Section Twenty-eight (28), described as follows, to wit:

Beginning at a point on the easterly line of said fifty (50) foot strip of land hereinbefore referred to, heretofore conveyed to said City of Omaha by said Union Pacific Railroad Company by said quitclaim deed dated April 7, 1942, as aforesaid, that is ninety-one and eighty-five hundredths (91.85) feet distant southerly from the southerly line of Center Street, as now established, measured along said easterly line;

thence southerly along the easterly line of said fifty (50) foot strip of land a distance sixty-three (63.0) feet to a point;

thence easterly along a line curving to the left having a radius of four hundred ten and twenty-one hundredths (410.21) feet and which is tangent at its point of beginning to a straight line forming an angle from north to east of eighty-one degrees, twenty-two minutes and three seconds ($81^{\circ} 22' 03''$) with the easterly line of said fifty (50) foot strip of land, a distance of sixty and eighty-six hundredths (60.86) feet to a point;

thence easterly along a straight line tangent to the end of the last described curve a distance of twenty-five and thirty-four hundredths (25.34) feet to a point that is one hundred thirty-three and eighty-three hundredths (133.83) feet distant southerly from the southerly line of Center Street, as now established measured along a straight line at right angles thereto at a point thereon that is eighty-three and five tenths (83.5) feet distant easterly from the easterly line of said fifty (50) foot strip of land, hereinbefore referred to, heretofore conveyed to said City of Omaha by said Union Pacific Railroad Company by said Quitclaim Deed dated April 7, 1942, as aforesaid;

thence northerly along a straight line parallel with and eighty-three and five tenths (83.5) feet distant easterly, measured at right angles, from the easterly line of said fifty (50) foot strip of land, a distance of sixty-four and seventy-six hundredths (64.76) feet to a point;

thence westerly along a straight line forming an angle from south to west of seventy-three degrees and thirty-seven minutes ($73^{\circ} 37'$) with the last described

course, a distance of forty-nine and thirty-four hundredths (49.34) feet to a point;

thence westerly along a line curving to the right having a radius of four hundred six and fifty-two hundredths (406.52) feet and which is tangent at its point of beginning to the last described course, a distance of thirty-seven and twenty-five hundredths (37.25) feet to the point of beginning;

containing an area of five thousand three hundred eighty-six (5,386) square feet, more or less.

SUBJECT, however, to that certain easement in The City of Omaha, Nebraska, for the construction, maintenance and operation of a sewer under and across the above described Parcel F, granted by Union Pacific Railroad Company under and by virtue of a written agreement between Union Pacific Railroad Company and The City of Omaha, dated June 5, 1911.

The six (6) pieces or parcels of land hereinabove described together contain a total area of forty-two thousand nine hundred forty-six (42,946) square feet, more or less.

together with all the tenements, hereditaments, and appurtenances to the same belonging, and all the estate, title, claim or demand whatsoever of the said Union Pacific Railroad Company of, in or to the same, or any part thereof;

SUBJECT, however, to 1943 State and County and 1944 City and School taxes and all subsequent taxes and assessments levied upon or assessed against the lands hereinbefore described which taxes and assessments Miller Cereal Mills hereby assumes and agrees to pay.

TO HAVE AND TO HOLD the above described premises with the appurtenances, unto the said Miller Cereal Mills, and its successors and assigns forever, and the said Union Pacific Railroad Company for itself, its successors and assigns, does covenant with the said Miller Cereal Mills, and its successors and assigns, that it is lawfully seized of said premises, that they are free from encumbrance except as hereinbefore set out; and that it has good right and lawful authority to sell the same, and that it will and its successors and assigns shall warrant and defend the same unto the said Miller Cereal Mills, and its successors and assigns, forever, against the lawful claims of all persons whomsoever, except as aforesaid; and

WHEREAS, said Union Pacific Railroad Company did, on the first day of July, 1897, execute and deliver to The Mercantile Trust Company, of New York, a certain mortgage deed wherein said Railroad Company conveyed to said The

Mercantile Trust Company as Trustee, for the uses and purposes therein mentioned, among other things, the land hereinbefore described; and

WHEREAS, said The Mercantile Trust Company was on the 10th day of August, 1911, merged into the Bankers Trust Company, a corporation of the State of New York, pursuant to the provisions of Chapter 10 of the Laws of 1909 of the State of New York, being Chapter 2 of the Consolidated Laws of the State of New York, known as the Banking Law, and thereby said Bankers Trust Company became successor to said The Mercantile Trust Company as Trustee of said mortgage; and

WHEREAS, said Union Pacific Railroad Company, with the consent of the said Bankers Trust Company, Trustee under the mortgage aforesaid, has sold and conveyed, as above set forth, the real estate hereinbefore described, unto the said grantee, for and in consideration of the sum paid as aforesaid to Union Pacific Railroad Company by said grantee;

NOW, THEREFORE, Know All Men by These Presents, that the said BANKERS TRUST COMPANY, Trustee under the aforesaid mortgage deed, in consideration of the premises, does hereby REMISE, RELEASE and forever QUITCLAIM unto the said Miller Cereal Mills, 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 July, 1897.

This deed is executed by the Trustee without covenant or warranty, express or implied, and without recourse against it in any event.

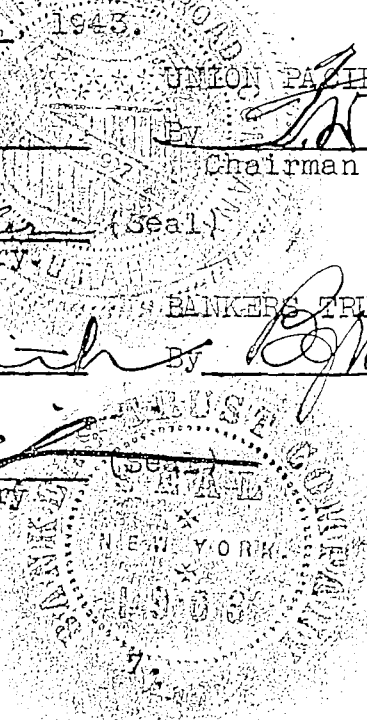
IN WITNESS WHEREOF, the grantor, Union Pacific Railroad Company, and the Bankers Trust Company, Trustee under said mortgage deed of July 1, 1897, each has caused this deed to be duly executed on its part this 27th day of July 1943.

In Presence of: UNION PACIFIC RAILROAD COMPANY, *H. W. Harske* Chairman Executive Committee.

Attest: *[Signature]* (Seal) Assistant Secretary

In Presence of: BANKERS TRUST COMPANY, Trustee, *B. Griffith* By *B. Morse* Vice President

Attest: *[Signature]* Assistant Secretary



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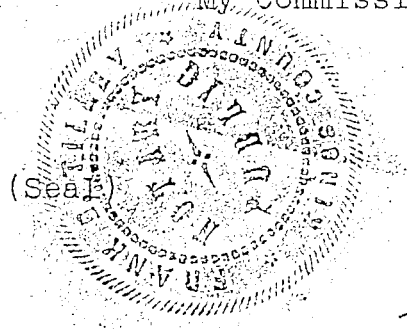
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STATE OF NEW YORK)
COUNTY OF NEW YORK) SS

On this 27th day of July, 1943,
before me, a Notary Public in and for said County, in the
State aforesaid, personally appeared F. W. CHARKE
to me personally known, and to me personally known to be
Chairman of the Executive Committee 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 the Chairman of the
Executive Committee 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
F. W. CHARKE 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 volun-
tarily 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, 1945.



Frank E. Tilley

FRANK E. TILLEY
NOTARY PUBLIC, KINGS COUNTY No. 194
CERT. FILED IN N. Y. CO. No. 63
COMMISSION EXPIRES MARCH 30, 1945

