

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 Two Thousand Five Hundred Twelve Dollars (\$2,512.00), in hand paid, does hereby grant, bargain, sell, convey and confirm unto KELLOGG COMPANY, a corporation of the State of Delaware, grantee, the following described real estate, situate in the City of Omaha, County of Douglas, and State of Nebraska, to wit:

A piece or parcel of land situate in the Northeast Quarter of the 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 northeast corner of that certain tract of land designated as Parcel "F" in that certain Warranty Deed dated July 27th, 1943, from Union Pacific Railroad Company to Miller Cereal Mills, which said point of beginning is sixty-nine and seven hundredths (69.07) feet distant southerly from the south line of Center Street, measured along a line which is parallel with and eighty-three and five-tenths (83.5) feet distant easterly, measured at right angles, from the easterly 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;

thence northeasterly along a straight line forming an angle from north to northeast of seventy-three degrees and thirty-seven minutes ($73^{\circ} 37'$) with a straight line which is parallel with and eighty-three and five-tenths (83.5) feet distant easterly, measured at right angles, from the east line of said fifty (50) foot strip of land heretofore conveyed to the City of Omaha by Union Pacific Railroad Company, by Quitclaim Deed dated April 7, 1942, as aforesaid, a distance of ten and nine-hundredths (10.09) feet to a point;

thence northeasterly along a line curving to the right having a radius of nine hundred thirty and twenty-seven hundredths (930.27) feet and which is tangent at its point of beginning to the last described course, a distance of ninety-three and four-hundredths (93.04) feet to a point;

thence northeasterly along a line curving to the right having a radius of three hundred seventy-three and thirteen hundredths (373.13) feet and which is tangent at its point of beginning to the end of the last described curve a distance of forty-seven and four-tenths (47.4) feet to a point;

thence northeasterly along a straight line tangent to the end of the last described curve a distance of thirty-eight and eighteen-hundredths (38.18) feet, more or less, to a point in a straight line which is parallel with and two hundred sixty-eight and ninety-two hundredths (268.92) 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;

thence southerly along said straight line which is parallel with and two hundred sixty-eight and ninety-two hundredths (268.92) 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, a distance of thirty-eight and fifty-two hundredths (38.52) feet to a point;

thence southwesterly along a straight line forming an angle from south to southwest of seventy-six degrees and seventeen minutes ($76^{\circ} 17'$) with the last described course produced southerly, a distance of twenty and seventy-seven hundredths (20.77) feet to a point;

thence southwesterly along a line curving to the left having a radius of eight hundred twenty-seven and fifty-two hundredths (827.52) feet and which is tangent at its point of beginning to the last described course, a distance of ninety-one and eighty-nine hundredths (91.89) feet to a point;

thence southwesterly along a straight line tangent to the end of the last described curve a distance of forty-six and thirty-five hundredths (46.35) feet to a point;

thence southwesterly along a line curving to the right having a radius of six hundred thirty-two and thirty-three hundredths (632.33) feet and which is tangent at its point of beginning to the last described course, a distance of thirty-two and fifty-three hundredths (32.53) feet to a point;

thence southwesterly along a straight line tangent to the end of the last described curve a distance of three (3) feet, more or less, to the southeast corner of said tract of land, hereinbefore referred to, designated as Parcel "F" in said warranty deed dated July 27, 1943,

from said Union Pacific Railroad Company to said Miller Cereal Mills, which said southeast corner of said tract of land is one hundred thirty-three and eighty-three hundredths (133.83) feet distant southerly from said south line of Center Street, measured along a straight line which is 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 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 tract of land, hereinbefore referred to, designated as Parcel "F" in said warranty deed dated July 27, 1943, from said Union Pacific Railroad Company to said Miller Cereal Mills, as aforesaid, which is 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 heretofore conveyed to said City of Omaha by said Union Pacific Railroad Company by said quitclaim deed dated April 7, 1942, as aforesaid, a distance of sixty-four and seventy-six hundredths (64.76) feet, more or less, to the point of beginning;

containing an area of ten thousand forty-eight (10,048) 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 land, 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.

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 1944 State and County and 1945 City and School taxes and all subsequent taxes and assessments levied upon or assessed against the land hereinbefore described which taxes and assessments Kellogg Company hereby assumes and agrees to pay.

TO HAVE AND TO HOLD the above described premises with the appurtenances, unto the said Kellogg Company, and its successors and assigns forever, and the said Union Pacific Railroad Company for itself, its successors and assigns, does covenant with the said Kellogg Company, and its succes-

sors 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 Kellogg Company, 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 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 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 28th day of December, 1943.

In Presence of:

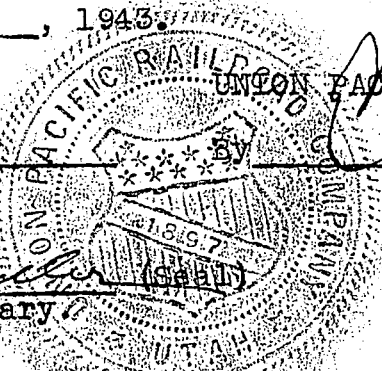
UNION PACIFIC RAILROAD COMPANY,

J. T. M. Hail

By J. Smith
Vice President

Attest:

[Signature]
Assistant Secretary



In Presence of:

BANKERS TRUST COMPANY, Trustee,

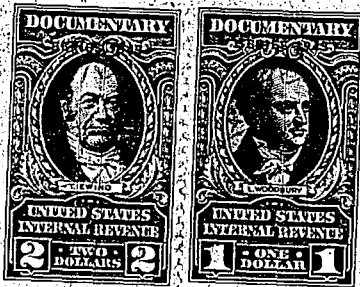
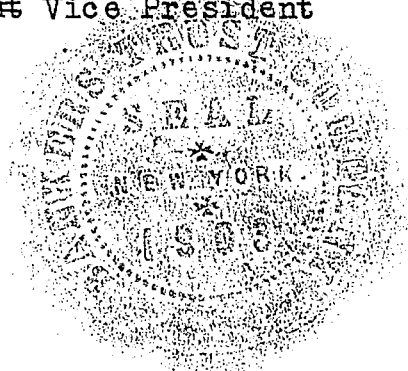
G. R. Ince

By [Signature]
Assistant Vice President

Attest:

[Signature]
Assistant Secretary.

(Seal)



STATE OF NEW YORK)
) ss
COUNTY OF NEW YORK)

On this 28th day of December, 1943,
before me, a Notary Public in and for said County, in the
State aforesaid, personally appeared E. G. SMITH
to me personally known, and to me personally known to be
a Vice President of UNION PACIFIC

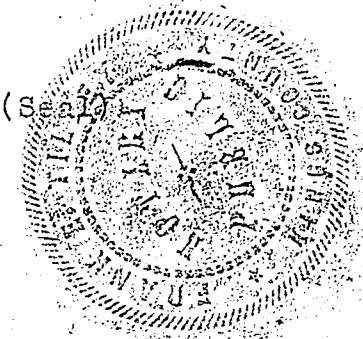
RAILROAD COMPANY, and to be the same person whose name is
subscribed to the foregoing instrument, and who, being by
me duly sworn, did say that he is a Vice President
of Union Pacific Railroad Company;

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 author-
ity of its Board of Directors; and the said _____

E. G. SMITH 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

STATE OF NEW YORK)
) ss
COUNTY OF NEW YORK)

On this 29th day of December, 1943,

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

to me personally known, and to me personally known to be a
~~Assistant~~ Vice President of the BANKERS TRUST 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 ~~Assistant~~^a Vice President of Bankers Trust 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 E. E. BEACH

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 speci-
fied therein.

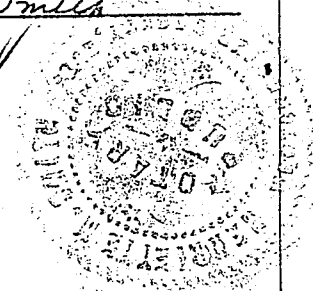
IN WITNESS WHEREOF, I have hereunto set my hand
and official seal the day and year last above written.

My commission expires March 30, 1944.

(Seal)

Henriette M. Smith

HENRIETTE M. SMITH
NOTARY PUBLIC, WESTCHESTER COUNTY
Certificates filed in
N. Y. Co. Clk's No. 2306, Reg. No. 4S-1382
Commission Expires March 30, 1944



2.
Entered in County and Index and Recorded in the Register of Deeds Office in Westchester County, New York
6 Jan. 13 44 9:44 A.M. Thomas I. O'Connor, Register of Deeds. 2.80