

No. 3848

Fee: \$62.00

Book 771

STATE OF IOWA } 88.
 TAMA COUNTY }
 Entered for taxation this 15
 day of May 2006
 Deborah Kupka Auditor
 Marcia Sawdy Deputy

REAL ESTATE TRANSFER TAX PAID	
\$.80	18 STAMP #
RECORDED 5-15-06 Tama DATE COUNTY	

Indexed & Delivered to County Auditor
 TAMA COUNTY, IOWA
 FILED FOR RECORD AT

06 MAY 15 AM 8:12
 ENTERED BOOK 771 PAGE 448

003848

RECORDED
By Marcia Sawdy, deputy
fee \$62.00

THIS DEED WAS PREPARED BY CHARLES HARRISON, CMC HEARTLAND PARTNERS, CHICAGO, ILLINOIS 60661

QUITCLAIM DEED

Indexed
 Compared

CMC HEARTLAND PARTNERS, a Delaware general partnership with an office at 330 North Jefferson Court, Suite 305, Chicago, Illinois 60661 ("Grantor"), for and in consideration of the sum of TEN DOLLARS (\$10.00), and other good and valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, does hereby CONVEY and QUITCLAIM, unto RAILROAD PROPERTIES, LLC whose address is P.O. Box 119, Centralia, WA 98531, ("Grantee"), all interest in the real estate situated and being in the County of Tama, State of Iowa, legally described on Exhibit "A" ("the Property"), attached hereto and made a part hereof:

By this Deed, Grantor intends to convey all of its right, title and interest to any and all real estate owned by it in the County of Tama, State of Iowa, which it received pursuant to a quitclaim deed recorded on 02/28/92, as document number 0441, Book 474, Page 34.

IN WITNESS WHEREOF, this instrument is executed by Grantor, this 25th day of June 20 04.

CMC HEARTLAND PARTNERS, a Delaware
 general partnership

By HTI INTERESTS, LLC, its managing
 general partner

By: Lawrence S. Adelson
 LAWRENCE S. ADELSON
 A MANAGER and AUTHORIZED SIGNATORY

ATTEST:

Richard P. Brandstatter
 RICHARD P. BRANDSTATTER
 SECRETARY

Send Tax Statements and Recorded Documents to:
 Railroad Properties, LLC
 330 N. Jefferson Court, Suite 315-B
 Chicago, IL 60661

EXHIBIT A

All real estate and other property owned by the Grantor (and all other property in which the Grantor has an interest) and which is located in the county and state set forth in the instrument to which this Exhibit is attached, including, without limitation, leaseholds, easements, mineral interests, water rights, appurtenances, licenses, ordinance and franchise rights, sidetrack agreements, crossing agreements with railroads, utility easements, poleline easements, right of way easements, joint track agreements, viaduct or road crossing easements and all other rights in and to said real estate (and said other property) including, but not limited to the following parcels:

**IA 1, Map S-36b
Parcels 93, 107**

All of the Grantor's interest in a full and complete right of way across certain lands previously released by Tama City Water Power Company located in the North Half of the Northwest Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 34, and the North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) of Section 33, all in Township 83 North, Range 15 West, Tama County, Iowa.

This conveyance is subject to general real estate taxes, and to any and all covenants, encumbrances, leaseholds, licenses, easements, restrictions, and conditions of any kind or character, including, without limitation, ordinances, codes, regulations and laws, public or private roadways and alleys, whether or not of record.

IT IS THE INTENTION OF RAILROAD PROPERTIES, LLC TO RECORD OWNERSHIP INTEREST IN THE COUNTY OF TAMA, STATE OF IOWA, AS THEY PERTAIN TO RESERVATIONS PREVIOUSLY RETAINED BY CMC HEARTLAND PARTNERS, IN BUT NOT LIMITED TO THE FOLLOWING PARCELS OF PROPERTY.

**Sale #1758
C & M Sand and Gravel Co., Inc.**

Beginning at the corner between Sections 28, 29, 32 and 33 in Township 83 North, Range 14 West of the 5th P.M., running thence due west on Section line between said Sections 29 and 32, a distance of 723 feet to a point of commencement; thence Westerly, along said line continued, a distance of 396.6 feet to a point thence Northeasterly and parallel to the center line of the main track of the Railway of said Chicago, Milwaukee & St. Paul Railway Company, and distant therefrom 200 feet, measured at right angles to said center line of Railway, a distance of 1489 feet to a point; thence East along the North boundary line of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section 29, a distance of 395.6 feet; thence Southwesterly parallel to the center line of the main track of said railway, and distant therefrom 150 feet, measured at right angles thereto, a distance of 1489 feet, more or less, to the point of commencement; excepting that parcel of land described as follows:

Begin at the point where the Northerly line of Second Avenue, produced Easterly, in the Town of Gladstone, in the County and State aforesaid, intersects the Northwesterly boundary line of the Railroad Company's station ground property; thence Southwesterly along said northwesterly boundary line 930 feet; thence southeasterly at right angles 120 feet, more or less, to a point distant 50 feet Northwesterly of, as measured at right angles to, the center line of the Railroad Company's main track; thence Northeasterly parallel to said main track 1000 feet, more or less, to the Northerly line of said Second Avenue, produced Easterly, thence Westerly 150 feet, more or less, to the point of beginning, all in Section 29, Township 83 North, Range 14 West.

Subject to an easement to the Iowa State Highway Commission, dated November 1, 1950.

Bridge No. Z-904 $\frac{1}{2}$ is not included in the premises being conveyed; the ownership of said bridge being with the State of Iowa and not with the Grantor.

**Sale #1920
Richard and Darlene Hayes**

All the Grantor's right, title and interest in the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 31, Township 83 North, Range 14 West.

Sale #1926

Darling-Delaware Company, Inc.

All that part of the right of way of the former Chicago, Milwaukee, St. Paul & Pacific Railroad Company entirely contained by the South Half of the Northeast Quarter of the Northeast Quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$) and the North Half of the Southeast Quarter of the Northeast Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 35, Township 83 North, Range 15 West, bounded and described as follows: Commencing at the center of the Northeast Quarter (NE $\frac{1}{4}$) of Section 35, thence Northerly along the Section line 160 feet, more or less, to a point where said line intersects the Southerly line of the right of way, 75 feet perpendicularly distant from the centerline of said right of way, the POB; thence Easterly 1362 feet, more or less, along a line parallel to and 75 feet perpendicularly distant from said centerline to the North/South line of Section 35; thence Northerly along the Section line 225 feet, more or less, to a point; thence 1360.5 feet, more or less, along the Southerly boundary line of Lincoln Place Subdivision, Recorded April 23, 1915, to the North/South centerline of the Northeast Quarter (NE $\frac{1}{4}$); thence Southerly to the POB.

Sale #2098

Gary and Mary Heineman

All of Grantor's interest in the former Chicago, Milwaukee, St. Paul and Pacific Railroad Company's former railroad right of way in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 35, Township 83 North, Range 16 West in Tama County, Iowa.

Sale #2110

Jerry Paustian

All of Grantor's right of way and station grounds located in the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 35, Township 83 North, Range 16 West.

Sale #2211

Lester and Lila Bru

All of CMC Real Estate Corporation's (the former Chicago, Milwaukee, St. Paul and Pacific Railroad Company) right, title and interest in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) in Section 33 and the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$), the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$), the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) and all that portion lying West of the center of Raven Creek in the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) in Section 34, all being in Township 83 North, Range 16 West of the 5th P.M.

Sale #2218

Lillian M. Thiessen

All of CMC Real Estate Corporation's (the former Chicago, Milwaukee, St. Paul & Pacific Railroad Company) 100 foot right of way in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) in Section 35 and the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$), the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) in Section 36 all being in Township 83 North, Range 16 West of the 5th Principal Meridian.

Aloha Jean Tate

Part of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 35, Township 83 North, Range 16 West, Tama County, Iowa, described as follows:

A strip of land 20 feet in width lying south of, adjacent to and parallel with the former right of way of the Chicago, Milwaukee and St. Paul Railway Company and extending Easterly from the West side of said Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) a distance of 629 feet to Station 3087+61. Being all that property as described in Book 135, at Page 545.

Sale #2304

Michael & Joleen Doyle

All Grantor's right, title and interest in the former Chicago, Milwaukee, St. Paul and Pacific Railroad Company's railroad right of way in the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) and the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$), both in Section 31, Township 83 North, Range 14 West, Tama County, Iowa.