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Carol Aliviera
DODGE COUNTY
REGISTER OF DEEDS
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CONFIRMATORY PARTIAL RELEASE (M-1A)

This CONFIRMATORY PARTIAL RELEASE (M-1A) made on MAY 26 2004 by and among U.S. BANK TRUST NATIONAL ASSOCIATION, a national banking association organized and existing under the laws of the United States of America, as Corporate Trustee (the "Corporate Trustee"), (successor to Morgan Guaranty Trust Company of New York), and Laura Roberson, successor individual trustee (together with the Corporate Trustee, the "Trustees"), under the Consolidated Mortgage dated March 2, 1970, as supplemented (the "Mortgage"), and THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY (formerly Burlington Northern Railroad Company), a corporation organized under the laws of the State of Delaware (the "Company") and IN CONFIRMATION OF AND PURSUANT TO MASTER PARTIAL RELEASE DATED May 6, 1998 AS CORRECTED AND SUPERCEDED BY THE CORRECTION MASTER PARTIAL RELEASE (M-1) DATED AS OF March 29, 1999 AND AS FURTHER REVISED BY MASTER PARTIAL RELEASE (M-1A) DATED December 16, 2003 BETWEEN U.S. BANK TRUST NATIONAL ASSOCIATION AND THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY WITNESSETH:

WHEREAS, the Company's interest in the properties described in Exhibit "A" (M-1A) hereto attached and by this reference made a part hereof (the "Properties") are subject to the lien of the Mortgage; and

WHEREAS, the Mortgage was filed for record, among other places, in the office of the Register of Deeds, County of **Dodge**, State of **Nebraska**, as a real estate mortgage, on March 3, 1970, in Book 155, Page 11; and

WHEREAS, the Company has requested release of the Properties from the lien of the Mortgage pursuant to Article Five thereof and has furnished to the Corporate Trustee certificates and opinions which comply with the provisions thereof and has deposited cash as Deposited Cash (as defined in the Mortgage) in an amount equal to the fair value of the property as certified to the Corporate Trustee.

NOW, THEREFORE, THIS CONFIRMATORY PARTIAL RELEASE (M-1A) WITNESSETH that the Corporate Trustee, in consideration of the sum of One Dollar (1.00) and other valuable consideration, does hereby forever release and discharge from the lien of the Mortgage, and all supplements thereto, all right, title and interest in and to the Properties described in said Exhibit "A" (M-1A) hereto attached.

TO HAVE AND TO HOLD said Properties unto the Company, its successors and assigns, free and clear and discharged of and from all liens and claims under said Mortgage.

The recitals made herein are recitals by the Company and not by the Trustees. The reservations and exceptions, if any, set forth in said Exhibit "A" (M-1A) are intended to be for the benefit of the Trustees and the lien of the Mortgage on any rights and interests so reserved and excepted, if any, are not released, quitclaimed or disclaimed. Nothing herein contained shall affect, alter or diminish the lien or encumbrance of the Mortgage on the Company's interest in any of the properties covered by it other than the Properties. This confirmatory release is executed by the Corporate Trustee without covenants or warranties, either expressed or implied, and without recourse against the Trustees.

IN WITNESS WHEREOF, the Corporate Trustee has caused this Confirmatory Partial Release (M-1A) to be signed and witnessed and its corporate seal to be hereunto affixed and attested by the signature of its Assistant Secretary, all as of the day and year first above written.

Signed, sealed and delivered on behalf of U. S. Bank Trust National Association, as Corporate Trustee, in presence of:

U. S. BANK TRUST NATIONAL ASSOCIATION, as Corporate Trustee

Louis Dimaso
Louis Dimaso

By Beverly A. Freney
Vice President, BEVERLY A. FRENEY

Alysia Rodriguez
Alysia Rodriguez

ATTEST. Geraldo Cruz
Assistant Secretary (Seal)

STATE OF NEW YORK)
) §
COUNTY OF NEW YORK)

On MAR 26 2004, before me the undersigned, a notary public, personally appeared BEVERLY A. FRENEY, to me known to be a Vice President of U.S. Bank Trust National Association, the corporation which executed the foregoing instrument as Corporate Trustee, and who being duly sworn did say, that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and acknowledged said instrument to be the free act and deed of said corporation.

Given under my hand and official seal on MAR 26 2004.

Patricia V. Cowart
Notary Public, State of New York
No. 01C0508536
Qualified in Kings County
Commission Expires Sept 23, 05

Patricia V. Cowart
Notary Public, City, County
and State of New York

My commission expires: _____

Fremont, Dodge County, Nebraska – Former Chicago, Burlington & Quincy Railroad Company property now Burlington Northern Inc. Consolidated property conveyed to ANT, LLC.

Exhibit "A"
(M-1A)

BNSF 1000-0636

That portion of the W½NW¼ of Section 11, Township 17 North, Range 8 East, 6th P. M., Dodge County, Nebraska, described as follows, to-wit:

Beginning at the Northwest corner of said Section 11; thence South along the West line of said Section 11 a distance of 1,813.77 feet; thence East parallel with the North line of said W½NW¼ a distance of 416.01 feet to the Northwesterly right of way line of The Burlington Northern and Santa Fe Railway Company's (formerly Chicago, Burlington & Quincy Railroad Company) 100.0 foot wide Ashland to Sioux City Main Line right of way; thence Northeasterly along said Northwesterly right of way line, being a line drawn parallel with and distant 50.0 feet Northwesterly, as measured at right angles from said Railway Company's Main Track centerline, 1.250 feet, more or less, to a line drawn parallel with and distant 200.0 feet West, as measured at right angles from the East line of said W½NW¼; thence North along the last described parallel line, and along the West line of U. S. Highway No. 77, a distance of 693.41 feet to a line drawn parallel with and distant 198.0 feet South, as measured at right angles from the North line of said W½NW¼; thence West parallel with said North line 97.0 feet to the Southwest corner of that certain one acre tract described in deed dated August 19, 1905 to the School District of the City of Fremont, Nebraska recorded in Book 42 of Deeds, page 78 in and for said County; thence North along the West line of said School District property, and the Northerly extension thereof, 198.0 feet to the North line of said W½NW¼; thence West along said North line to the Point of Beginning, **EXCEPTING THEREFROM**, the North 55.5 feet thereof; also,

PARCEL 2

That portion of the E½NW¼ of Section 11, Township 17 North, Range 8 East, 6th P. M., Dodge County, Nebraska, described as follows, to-wit:

Commencing at the Northeast corner of said E½NW¼; thence South 00° 11' 38" East (assumed bearing) along the East line of said E½NW¼ a distance of 1,367.90 feet to the True Point of Beginning; thence South 64° 29' 38" West, 1,121.68 feet to the Easterly right of way line of U. S. Highway No. 77; thence North 01° 30' 23" East, along said Easterly right of way line 170.46 feet; thence Northerly deflecting 01° 28' 32" left, a distance of 600.0 feet; thence Northerly deflecting 09° 27' 44" right, a distance of 608.28 feet; thence Northeasterly deflecting 30° 42' 41" right, a distance of 95.11 feet; thence Northeasterly on a 811.47 foot radius curve to the right, deflecting to the initial tangent being 04° 30' 20" left, subtending a central angle of 39° 31' 23", an arc distance of 559.76 feet to a point on the West line of that certain parcel of land described in Quitclaim Deed from Burlington Northern Inc. to R. C. K. Distributing, Inc. dated November 21, 1977 distant 38.89 feet from the South line of County Road; thence South along said West line 311.11 feet to the Southwest corner thereof; thence East along the South line of

said R. C. K. Distributing, Inc. property, and the Easterly extension thereof, a distance of 388 feet, more or less, to the East line of said E½NW¼; thence South along said East line 960.9 feet, more or less, to the True Point of Beginning, **EXCEPTING THEREFROM**, the East 60.0 feet thereof; also,

PARCEL 3

That portion of the W½NE¼ of Section 11, Township 17 North, Range 8 East, 6th P. M., Dodge County, Nebraska, lying Northerly of the North line of the Chicago & Northwestern Railway Company's (now Union Pacific Railroad Company) 100.0 foot wide right of way, and lying South of a line drawn parallel with and distant 809.22 feet South, as measured at right angles from the North line of said W½NE¼, **AND ALSO**, that part of the East 33.00 feet of said W½NE¼ described as follows: Commencing at the Northeast corner of said W½NE¼, thence South 00° 01' 15" West along the East line of said W½NE¼ a distance of 388.00 feet; thence South 00° 02' 16" East continuing along said East line a distance of 85.00 feet to the True Point of Beginning; thence South 00° 00' 59" West continuing along said East line a distance of 336.22 feet; thence South 89° 59' 39" West a distance of 33.00 feet to the Southeast corner of a parcel of land described in Deed Book 2000, page 6413; thence North 00° 01' 51" East along the East line of said described parcel a distance of 336.28 feet to the Northeast corner of said described parcel; thence North 89° 59' 31" East a distance of 32.92 feet to the True Point of Beginning.

PARCEL 4

That portion of the NW¼NE¼ of Section 11, Township 17 North, Range 8 East, 6th P. M., Dodge County, Nebraska, lying between two lines drawn parallel with and distant, respectively, 70.0 feet and 388.0 feet South, as measured at right angles from the North line of said NW¼NE¼, bounded on the East by the East line of said NW¼NE¼, and bounded on the West by a line drawn parallel with and distant 736.0 feet East, as measured at right angles from the West line of said NW¼NE¼.