

COMPARED

FILED FOR RECORD
POTTAWATTAMIE CO. IA.

01 JUN 19 AM 9:50

21101

INST # _____
RECORDING FEE 20⁰⁰
AUDITOR FEE 5⁰⁰
RMA FEE 1⁰⁰

JOHN SCIORTINO
RECORDER

**PREPARED
INFORMATION:**

Clifford S. Swartz, Attorney at Law, 550 39th Street, Suite 200,
Des Moines, Iowa 50312 (515) 274-1450

RETURN TO:

Clifford S. Swartz, Attorney at Law, 550 39th Street, Suite 200,
Des Moines, Iowa 50312

**ADDRESS TAX
STATEMENT:**

O & P Warehouse, L.L.C., 11129 NW 54th, Suite F, Grimes,
Iowa 50111

REAL ESTATE TRANSFER TAX PAID	
STAMP#	
\$ <u>36⁰⁰</u>	
<u>AKW</u>	
RECORDER	
<u>6-19-2001</u>	<u>Pottawattamie</u>
DATE	COUNTY

POTTAWATTAMIE COUNTY RECORDER
227 SOUTH SIXTH STREET
COUNCIL BLUFFS, IOWA 51501

Entered for Taxation **JUN 19 2001**
Marilyn Jo Drake COUNTY AUDITOR

BK 101 PG 69729

360

COMPARED

QUITCLAIM DEED

THIS INDENTURE Witnesseth that the Grantor, CHICAGO CENTRAL & PACIFIC RAILROAD COMPANY, a Delaware corporation, for and in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00) in hand paid and other valuable consideration, hereby Conveys and Quitclaims to the Grantee, O & P WAREHOUSE, L.L.C., all right, title, interest and claim in and to the following described lands and property situated in the County of Pottawattamie and State of Iowa to wit:

That part of the 38.00 foot wide Omaha Bridge & Terminal Railway Company (now Chicago Central & Pacific Railroad Company) right of way lying within the Northwest Quarter of the Southwest Quarter of Section 21, Township 75 North, Range 44 West of the 5th Principal Meridian, Pottawattamie County, Iowa, described as follows:

Commencing at the Northwest corner of Lot 1, Wingate Plaza, A Subdivision as surveyed, platted and recorded in the City of Carter Lake, Pottawattamie County, Iowa, said corner being on the East line of said Omaha Bridge & Terminal Railway Company right of way and on the South line of Avenue "H"; thence North 00 degrees 48 minutes 32 seconds West (assumed bearing) 60.00 feet on the East line of said Omaha Bridge & Terminal Railway Company right of way to the POINT OF BEGINNING, said point being on the North line of Avenue "H"; thence continuing North 00 degrees 48 minutes 32 seconds West 600.00 feet on the East line of said Omaha Bridge & Terminal Railway Company right of way to the South line of Avenue "J", said South line being 30.00 feet South of and parallel with the North line of said Northwest Quarter; thence South 89 degrees 11 minutes 28 seconds West 38.00 feet on the South line of Avenue "J" to the West line of said Omaha Bridge & Terminal Railway Company right of way; thence South 00 degrees 48 minutes 32 seconds East 600.00 feet on the West line of said Omaha Bridge & Terminal Railway Company right of way to the North line of Avenue "H"; thence North 89 degrees 11 minutes 28 seconds East 38.00 feet on the North line of Avenue "H" to the point of

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beginning. Containing 22,800 square feet (0.52 acres), more or less.

Grantor reserves for itself, its successors and assigns the right for the continued maintenance, replacement and use of all existing conduits, sewers, water mains, gas lines, electric power lines, wires, and other utilities and easements on said premises, whether or not of record, including the repair, reconstruction and replacement thereof. Grantee will not interfere with the rights herein reserved by Grantor or interfere with any facilities used pursuant thereto.

As a part of the consideration hereof, and in accepting this conveyance, the Grantee agrees and binds itself to purchase, affix and cancel any and all documentary stamps of every kind and nature in the amount prescribed by statute, and to pay any and all required transfer taxes and fees incidental to recordation of this instrument.

IN WITNESS WHEREOF, CHICAGO CENTRAL & PACIFIC COMPANY, the Grantor, has caused these presents to be signed by its Regional Manager - Real Estate U.S., he being thereunto duly authorized this 29TH day of May, 2001.

CHICAGO CENTRAL & PACIFIC RAILROAD COMPANY

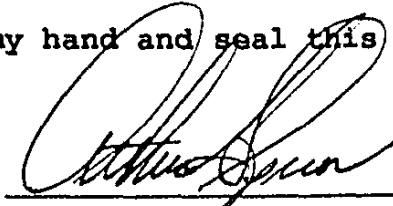
By: Paul E. Ladue
Paul E. Ladue
Regional Manager - Real Estate U.S.

COMPARED

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, the undersigned, a Notary Public, in and for said County and State aforesaid, Do Hereby Certify that Paul E. Ladue personally known to me to be the Regional Manager - Real Estate U.S. of CHICAGO CENTRAL & PACIFIC RAILROAD COMPANY, a Delaware corporation and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged under oath that as such Regional Manager - Real Estate U.S. of said corporation, he signed and delivered the said instrument as Regional Manager - Real Estate U.S., pursuant to authority given by the Board of Directors of said corporation as his free and voluntary act and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and seal this 29th day of May, 2001.



NOTARY PUBLIC

OFFICIAL SEAL
ARTHUR L SPIROS
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXP. APR. 2, 2005

This instrument was prepared by:
Chicago Central & Pacific Railroad Company
Real Estate Department
17641 S. Ashland Avenue
Homewood, Illinois 60430
(708) 206-3541

After recording, please return this document to:

Clifford S. Swartz/Brick Gentry Law Firm

550 39th Street, Suite 200

Des Moines, Iowa 50312

BK 101 PG 69732