

MATT PARROTT & SONS CO., WATERLOO, IOWA F12292

EXECUTED IN 285 COUNTERPARTS
OF WHICH THIS IS NO. 232

TRUSTEES' DEED

JOSEPH B. FLEMING and AARON COLNON,
as TRUSTEES

TO

CHICAGO, ROCK ISLAND AND PACIFIC
RAILROAD COMPANY

AS OF 12:01 A. M., JANUARY 1, 1948

Filed for record this 15 day of JanuaryA. D. 1948, at 9:00 o'clock A. M.

#222

Wilma M. WadeRegister of Deeds, Recorder, ~~or County Clerk~~

, Deputy

Fee \$2.00 *VC*

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DEED

KNOW ALL MEN BY THESE PRESENTS, that the Grantors, JOSEPH B. FLEMING and AARON COLNON, as Trustees of the estates of THE CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY COMPANY, a consolidated corporation of the States of Illinois and Iowa, THE CHICAGO, ROCK ISLAND AND GULF RAILWAY COMPANY, a corporation of the State of Texas, CHOCTAW, OKLAHOMA AND GULF RAILROAD COMPANY, a corporation incorporated under Act of Congress, ROCK ISLAND, ARKANSAS AND LOUISIANA RAILROAD COMPANY, a corporation of the States of Arkansas and Louisiana, ROCK ISLAND MEMPHIS TERMINAL RAILWAY COMPANY, a corporation of the State of Tennessee, ROCK ISLAND OMAHA TERMINAL RAILWAY COMPANY, a corporation of the State of Nebraska, ROCK ISLAND, STUTTGART AND SOUTHERN RAILWAY COMPANY, a corporation of the State of Arkansas, and ST. PAUL AND KANSAS CITY SHORT LINE RAILROAD COMPANY, a corporation of the State of Iowa, (hereinafter referred to as the "Trustees") duly appointed by the District Court for the Northern District of Illinois, Eastern Division, in proceedings for the reorganization of a railroad under Section 77 of the Bankruptcy Act, entitled "In the Matter of The Chicago, Rock Island and Pacific Railway Company, Debtor, No. 53209," in which proceedings the aforesaid corporations are debtors, having title to, and being in possession of and operating the property of such debtors in the States of Arkansas, Colorado, Illinois, Iowa, Kansas, Louisiana, Minnesota, Missouri, Nebraska, New Mexico, Oklahoma, South Dakota, Tennessee and Texas, for and in consideration of and compliance with the orders and directions of the Court in the above mentioned reorganization proceedings, have remised, released, transferred, assigned, conveyed, quitclaimed and set over, and by these presents do remise, release, transfer, assign, convey, quitclaim and set over unto the Grantee, Chicago, Rock Island and Pacific Railroad Company, a corporation of the State of Delaware (the reor-

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Fifth. All right, title and interest of the Trustees in and to securities of other corporations.

Sixth. All estate, right, title, interest, terms and remainders of terms, franchises, privileges and rights of action of whatsoever name and nature in law or in equity of the Trustees in and to all trackage, terminal or operating contracts, agreements, leases, leasehold rights, joint facilities and other rights and privileges.

Seventh. All right, title and interest of every name and nature of the Trustees in and to any and all telegraph, telephone or other communication facilities; and the rights and agreements covering the rights to the use of any and all telegraph, telephone or other communication facilities along the lines of railroad now owned or operated by the Trustees.

Eighth. Any and all rights, powers, franchises, privileges and immunities now owned or possessed by the Trustees which may be necessary for or appurtenant to the use, operation, management, maintenance, renewal, alteration or improvement of the lines of railroad or of any other property now owned by them.

Ninth. All right, title and interest of the Trustees in all cash, bills, notes or accounts receivable, contracts, shares of stock, bonds and other obligations.

Tenth. All right, title and interest of the Trustees in all choses in action, including all claims and demands and all causes of action or pending suits, together with full power, including power of substitution and revocation, for the Trustees, and in their names or in the name of the Grantee, but for the sole use of the Grantee, to ask, demand, sue for, prosecute suits for, collect, receive, compound, or give acquittances for any of the same.

ganized company under the Plan of Reorganization hereinafter referred to), all and singular the following described property, rights, privileges and franchises:

First. All of the right, title and interest of the Trustees in and to all and singular the lines of railroad now owned, operated, or leased by the Trustees, including all main lines, branch lines, yard, side, industrial, switch, connecting, terminal, passing and shop tracks and turnouts, and all undivided interests and leasehold, trackage or operating interests therein.

Second. All of the right, title and interest, legal or equitable, of the Trustees in and to all lands, tenements, hereditaments, easements, rights of way and other real property and interests in real property of whatever kind or description and wherever situated, and in and to all structures, improvements, and fixtures thereon, now owned or possessed by the Trustees.

Third. All right, title and interest of every name and nature, legal or equitable, of the Trustees in and to all mechanical equipment, machinery, tools, implements, furniture, supplies, materials, and other chattels now owned or possessed by the Trustees.

Fourth. All estate, right, title and interest of every kind and nature, legal or equitable, of the Trustees in and to all locomotives, however propelled or operated, passenger, freight, mail, express, baggage or other railway cars, work cars, buses, tractors, trailers, trucks, automobiles, and other vehicles and conveyances used for the transportation of passengers; employees, freight, mail, express, baggage and materials, including all right, title and interest now vested in them or in and to any and all such property leased to or held or possessed by the Trustees under any equipment trust agreement, conditional sale agreement, rental agreement, lease, chattel mortgage or other instrument.

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TOGETHER with all other properties of any and every kind or character whatsoever and wheresoever situated, real, personal or mixed, at the date of the execution and delivery of this instrument belonging to the Trustees; all tolls, revenues, earnings, rents, issues, profits and other income from said properties; all of the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in equity as in law, of the Trustees of, in, and to said properties and every part and parcel thereof and of, in, and to the appurtenances and franchises appertaining thereto; all additions, improvements, and betterments to or upon or in connection with said properties; and all of the lands, tenements, hereditaments, reversions, remainders, rights, privileges, immunities, and benefits appertaining to said properties or any of the same.

TO HAVE AND TO HOLD, possess, and enjoy all and singular of the foregoing unto the Grantee, its successors and assigns, to its and their own proper use and benefit forever.

This conveyance is made by the Trustees pursuant to a Plan of Reorganization of The Chicago, Rock Island and Pacific Railway Company certified by order of the Interstate Commerce Commission, dated May 1, 1944, in proceedings entitled "Chicago, Rock Island and Pacific Railway Company Reorganization, Finance Docket No. 10028," and confirmed by order of the District Court of the United States for the Northern District of Illinois, Eastern Division, entered May 23, 1947, in proceedings for the reorganization of a railroad under Section 77 of the Bankruptcy Act, entitled "In the Matter of The Chicago, Rock Island and Pacific Railway Company, Debtor, No. 53209"; and this instrument is executed in connection with and for the purpose of consummating said Plan of Reorganization and pursuant to the authorization and direction of, and subject to the terms, conditions and

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provisions of the order of consummation and final decree entered by the Court in said reorganization proceedings.

This instrument is executed by, and shall be binding upon, the Trustees, and their successors and assigns, for the uses and purposes above set forth and referred to, and as contemplated and comprehended by the aforesaid order of consummation and final decree, and, as provided therein, shall be effective as of 12:01 A. M., Central Standard Time, on the first day of January, 1948.

In order to facilitate the recording of this instrument in different counties and states, more than one counterpart hereof has been executed, and each fully executed counterpart hereof shall be of full force and effect in like manner and to like extent as if it in fact had been the sole original executed instrument.

IN WITNESS WHEREOF, Joseph B. Fleming and Aaron Colnon, as such Trustees, and not as individuals, have hereunto set their hands and seals, all as of 12:01 A. M., Central Standard Time, on the first day of January, 1948.

Joseph B. Fleming (L. S.)

Aaron Colnon (L. S.)

As Trustees of the estates of the aforesaid corporations.

In the Presence of:

Alise M. Murphy

A W Owen

And at the same time said Joseph B. Fleming and Aaron Colnon, being by me duly sworn, did severally depose and say that the estates of said corporations are under the jurisdiction and control of the District Court of the United States for the Northern District of Illinois, Eastern Division, in proceedings for the reorganization of a railroad under Section 77 of the Bankruptcy Act, entitled "In the Matter of The Chicago, Rock Island and Pacific Railway Company, Debtor, No. 53209"; that they are, and at the time of the execution and delivery of the foregoing instrument were, the duly appointed and acting Trustees and in possession of and operating said properties and vested with the right thereto as such Trustees; and that they signed, sealed, executed and delivered the foregoing instrument pursuant to the authorization and direction of the Court in said proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this 2nd day of January, A. D. 1948.

W J Gedl
Notary Public in and for said State and County.

My commission expires NOV 14 1949



STATE OF ILLINOIS }
COUNTY OF COOK } ss.

BE IT REMEMBERED and I do hereby certify that on this 2nd day of January, in the year 1948, before me, W. J. Gedl, the undersigned officer, a Notary Public in and for the State and County aforesaid, personally appeared Joseph B. Fleming and Aaron Colnon, to me personally known and known to me to be the Trustees of the estates of The Chicago, Rock Island and Pacific Railway Company, a consolidated corporation of the States of Illinois and Iowa, The Chicago, Rock Island and Gulf Railway Company, a corporation of the State of Texas, the Choctaw, Oklahoma and Gulf Railroad Company, a corporation incorporated under Act of Congress, the Rock Island, Arkansas and Louisiana Railroad Company, a corporation of the States of Arkansas and Louisiana, the Rock Island Memphis Terminal Railway Company, a corporation of the State of Tennessee, the Rock Island Omaha Terminal Railway Company, a corporation of the State of Nebraska, the Rock Island, Stuttgart and Southern Railway Company, a corporation of the State of Arkansas, and the St. Paul and Kansas City Short Line Railroad Company, a corporation of the State of Iowa, and personally known to me to be the identical persons named and described in and whose names are subscribed to and who executed the within and foregoing instrument, who, being by me duly sworn, did severally say and acknowledge to me that they executed the foregoing instrument; and said J. B. Fleming and Aaron Colnon severally acknowledged to me that they signed, sealed, executed and delivered said instrument as Trustees of the said estates, and as their free and voluntary act and deed as such Trustees, for the uses and purposes therein set forth.