

619794

P.O. Box 6113
Cleveland, Ohio

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619794

QUITCLAIM DEED

THIS INDENTURE made the 19th day of February, 1981

BETWEEN

THOMAS F. PATTON and RALPH S. TYLER, JR., Trustees of the property of the ERIE LACKAWANNA RAILWAY COMPANY, Debtor, having its principal offices in the Midland Building, Cleveland, Ohio (hereinafter referred to as "Grantor").

AND

NORFOLK AND WESTERN RAILWAY COMPANY, a Virginia Corporation, with an office at Roanoke, Virginia, 24042 (hereinafter referred to as "Grantee")

WITNESSETH

That Grantor, in consideration of Forty Five Thousand Dollars (\$45,000.00), paid by Grantee, does hereby remise, release and quitclaim unto Grantee, its successors and assigns, forever, all of Grantor's right, title and interest in and to:

All the right, title and interest of Grantor in and to Bridge 249.05 (Erie Lackawanna Railway Company designation) together with the tracks, facilities and appurtenances thereon and on the approaches thereto; which extend from Erie Lackawanna Valuation Chaining Station 13146+09 northwesterly to the most northerly limit of Tract I of the land hereinafter described, situate in the City of Hammond, Indiana, including the following property:

TRACT I

All that parcel of land situate in the City of Hammond, County of Lake and State of Indiana and being more particularly described as follows:

BEGINNING at the intersection of the southerly boundary line of Marble Street (a public road) and the westerly right-of-way line of the Erie Lackawanna Railway Company, formerly the Chicago and Erie Railway Company;

(1) Thence, easterly, along the southerly boundary of said Marble Street a distance of 40 feet, more or less, to an angle point in the center line of the eastbound main track of Erie Lackawanna Railway Company;

(2) Thence, southerly, along said center line of the eastbound main track, a distance of 320 feet, more or less, to a point in the intersection of the aforesaid center line of the eastbound main track and the southwesterly boundary line of land conveyed to the C&A Railway Company by deed dated August 3, 1882 and recorded in Book 33, Page 521, of the Lake County records, and known by the Erie Lackawanna Railway Company as Parcel No. 6 on Val. Sect. 4 Indiana/3, and con-

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
1 32 PM '81
WANDA BIELSKI, JR.
RECORDER

DULY ENTERED FOR TAXATION

MAR 3 1981

[Signature]
AUDITOR LAKE COUNTY

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stituting the former right-of-way of the C&A Railway Company;

(3) Thence, southeasterly, along the southwesterly boundary line of said Erie Lackawanna Parcel No. 6, a distance of 990.00 feet, more or less, to an angle point lying in the north shore line of the Grand Calumet River;

(4) Thence, westerly, along the southerly line of Parcel No. 8, on said Val. Sect. 4 Ind.-3 a distance of 100 feet, more or less, to an angle point;

(5) Thence, northwesterly, on a curve to the left along the boundary line constituting the westerly right-of-way line of Erie Lackawanna Railway Company and the easterly right-of-way line of Norfolk and Western Railway Company, successor of the New York, Chicago and St. Louis Railroad Company, a distance of 1,220 feet, more or less, to the place of beginning, and containing 2.45 acres, more or less.

TRACT II

All that parcel of land situate in the City of Hammond, County of Lake and State of Indiana and being more particularly described as follows:

BEGINNING at the intersection of the southerly shoreline of the Grand Calumet River and the westerly right-of-way line of the Erie Lackawanna Railway Company;

(1) Thence, easterly, along the southerly shoreline of said Grand Calumet River, a distance of 155 feet, more or less, to an angle point in the easterly right-of-way line of said Erie Lackawanna Railway Company;

(2) Thence, southerly, along the easterly right-of-way line of said railroad company, a distance of 665 feet, more or less, to its intersection with the aforesaid westerly right-of-way line of said Erie Lackawanna Railway Company, and being the easterly right-of-way line of the Norfolk and Western Railway Company;

(3) Thence, northerly, along the aforesaid westerly right-of-way line, a distance of 730 feet, more or less, to its intersection with the southerly shoreline of aforesaid Grand Calumet River, the true place of Beginning, said parcel contains 2.35 acres, more or less, being all of the lands of Erie Lackawanna Railway Company south of the Grand Calumet River and east of the Norfolk and Western Railway Company right-of-way.

Said parcels in Tract I and Tract II are all or part of the land conveyed by the following deeds recorded in Lake County:

G. H. Hammond & Company to Chicago & Atlantic Railway Company dated December 5, 1890 and recorded in Book 53, Page 107;

Hiram Smith, Trustee to Central Trust Company by deed dated December 1, 1888 and recorded in Book 19, at Page 116; and then Central Trust Company to Chicago and Erie Railroad Company by deed dated June 19, 1929 and recorded in Book 202 at Page 441;

RECORDED

M. M. Towle et us to the Chicago & Atlantic Railway Company dated August 3, 1883 and recorded in Book 33 on Page 521.

The above properties were then conveyed to Erie Railroad Company by deed dated December 23, 1941, recorded in Book 646 at page 448.

TOGETHER WITH:

The tracks, rail facilities and appurtenances located thereon.

SUBJECT TO:

- (1) Statutory and municipal requirements relating to the land and buildings;
- (2) Any state of facts disclosed by a survey or an inspection of the property;
- (3) Easements, covenants and restrictions of record, if any.

TO HAVE AND TO HOLD the property herein granted unto the Grantee and its successors and assigns, forever.

This conveyance does not include any right of ingress or egress or easement of access or otherwise, express or implied, in any lands or premises owned by the Grantor.

The Erie-Lackawanna Railroad Company is the successor-in-interest of the Erie Railroad Company and The Delaware, Lackawanna and Western Railroad Company by virtue of a Joint Agreement of Merger made as of June 24, 1959, Interstate Commerce Commission Finance Docket No. 20707.

The Erie Lackawanna Railway Company is the successor-in-interest of the Erie-Lackawanna Railroad Company by virtue of Agreement and Plan of Merger as of April 1, 1968.

Erie Lackawanna Railway Company filed its petition in the United States District Court, The Northern District of Ohio, Eastern Division, for reorganization under Section 77 of the Bankruptcy Laws of the United States and said petition was granted by Order No. 1 in Case No. 872-2838 dated and filed June 26, 1972 and Thomas F. Patton and Ralph S. Tyler, Jr., were duly appointed and qualified as Trustees of the property of Erie Lackawanna Railway Company pursuant to Orders No. 2 and 6 in said proceeding and have been and still are serving as such Trustees.

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IN WITNESS WHEREOF, Thomas F. Patton and Ralph S. Tyler, Jr., Trustees of the property of the Erie Lackawanna Railway Company have hereunto set their hands the day and year first above written, having been duly authorized so to do pursuant to Order No. 1018 .

(As to T. F. Patton)
Signed in the presence of:

THOMAS F. PATTON & RALPH S. TYLER, JR., Trustees of the Property of Erie Lackawanna Railway Company

M. M. Adams
M. J. Bester

By: Thomas F. Patton
Thomas F. Patton, Trustee

(As to R. S. Tyler, Jr.)
Signed in the presence of:

M. M. Adams
M. J. Bester

By: Ralph S. Tyler, Jr.
Ralph S. Tyler, Jr., Trustee

167619

STATE OF OHIO)
COUNTY OF CUYAHOGA)

On the 19th day of FEBRUARY, 1981, before me personally came Thomas F. Patton and Ralph S. Tyler, Jr., to me known to be the Trustees of the property of the Erie Lackawanna Railway Company appointed by the United States District Court for the Northern District of Ohio, Eastern Division, in an action entitled in re: Erie Lackawanna Railway Company, Debtor, Case No. B7262838 on the docket of said court, and the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as such Trustees for the uses and purposes therein mentioned.

Geza G. Horvath
Notary Public

GEZA G. HORVATH, Notary Public
State of Ohio - Cuyahoga County
My commission expires May 28, 1984

