

FILED

92050625

AUG 6 1992

KEY 26-2-3/ QUITCLAIM GRANT OF PERMANENT EASEMENT

Carroll N. Patton
Auctioneer, Lake County

THIS INSTRUMENT, made this 15th day of January, 1981, between THOMAS F. PATTON and RALPH S. TYLER, JR., Trustees of the Property of ERIE LACUMANNA RAILWAY COMPANY, with offices at Midland Building, Cleveland Ohio, hereinafter designated as "Grantor," and ARCO PIPE LINE COMPANY, a Delaware corporation, having its principal office at ARCO Building, in the City of Independence, County of Montgomery and State of Kansas, hereinafter designated as "Grantee."

WITNESSETH:

That Grantor, in consideration of the sum of One Thousand Two Hundred and No/100 Dollars (\$1,200.00), lawful money of the United States of America, to it in hand paid by Grantee, at or before the ensembling and delivery of these presents the receipt whereof is hereby acknowledged, has released and quit-claimed and by these presents does release and quitclaim unto Grantee, its successors and assigns, a permanent easement for the purpose of laying, maintaining, inspecting, operating, protecting, installing cathodic protection, repairing, replacing and removing an existing pipeline for the transportation of liquids, gases and/or solids, beneath the surface of the land and under the tracks within the right of way of Grantor, situated in the Saint John Township, County of Lake and State of Indiana and described as follows:

In width, 7.5 feet on the Lake County side of the following described center line:

A centerline description of a 15-foot right-of-way easement on, over and across a tract of land now or formerly owned by the Erie Railroad situated in Section 2, Township 35 North, Range 9 West, St. John Township, Lake County, Indiana, and being more particularly described as follows:

Beginning at a point which is northwesterly along the westerly right-of-way line of said railroad a distance of 1410 feet from Railroad Milepost 239, said point being the true place of beginning;

Thence continuing easterly parallel to the south line of said Section 2 and bearing 60°20' left of said right-of-way line for a distance of 114 feet and terminating on the easterly right-of-way line of said railroad.

No right of ingress or egress is granted over lands of Grantor not subject to this easement.

Grantor, on behalf of itself, its successors and assigns, agrees not to erect, construct or create any building, improvement, structure or obstruction of any kind on the above described land, and not to remove fill such that less than 3 feet of cover remains over the top of the pipeline.

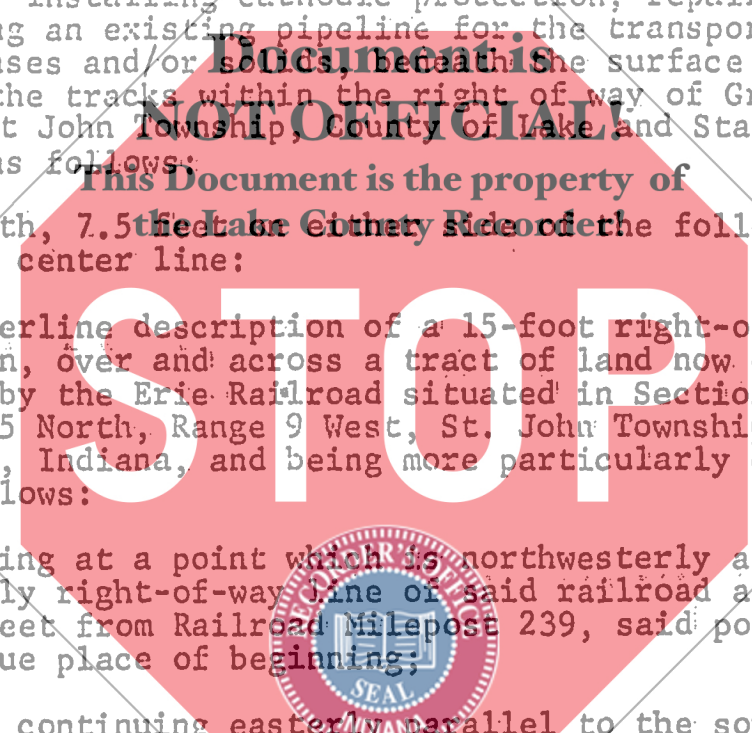
This Grant of Easement is made without covenant, warranty or representation as to title and is expressly subject to the following:

1. Statutory and municipal requirements relating to the land and buildings;
2. Any state of facts that an accurate survey and an inspection of the premises would disclose;
3. Easements, covenants and restrictions of record;

*Arco Pipe Line Co.
Arco Building
Independence Kansas 67301*

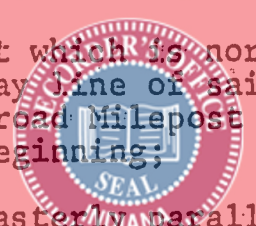
01925

Joe CK



STATE OF INDIANA
LAKE COUNTY
FILED

AUG 1 11 30 AM 1992



TO HAVE AND TO HOLD said premises unto said Grantee, its successors and assigns, forever. The rights herein granted may be assigned in whole or in part.

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. B72-2838 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.

IN WITNESS WHEREOF, the Trustees of the property of the Erie Lackawanna Railway Company have duly executed this Grant of Permanent Easement on the day and year first above written, the Erie Lackawanna Railway Company duly authorized to so act pursuant to Order No. 830 (Document No. 2474) entered by the United States District Court for the Northern District of Ohio, Eastern Division, in a case captioned, "In Proceedings for the Reorganization of a Railroad" and numbered B72-2838.

THOMAS F. PATTON & RALPH S. TYLER, JR., Trustees of the Property of the ERIE LACKAWANNA RAILWAY COMPANY

Signed and acknowledged in the presence of

A. W. Colman  *Ralph S. Tyler, Jr.*
One of the Trustees

State of Ohio }
County of Cuyahoga } ss:

On the 15th day of January, 1981, before me personally came Ralph S. Tyler, Jr., to me known to be one of 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. B72-2838 on the docket of said Court, and being one of the persons described in and who executed the foregoing instrument, and acknowledged that he executed the same as such Trustee for the uses and purposes therein mentioned.

Debbie Palmer
Notary Public

My Commission Expires:
DEBBIE PALMER
Notary Public For State of Ohio
~~My commission expires Mar. 22, 1983~~