

maintenance, operation, repair, renewal, reconstruction, and, if necessary, removal of railroad trackage along, across and within the easement area described herein .

FURTHER EXCEPTING from this deed and FURTHER RESERVING unto Grantor, its successors and assigns, all coal, oil, gas, and the minerals and mineral rights of whatever nature or description, kind or character, like or unlike, known or unknown, and whether occurring in solid, liquid, vaporous or other and different forms in, on or under the Property; provided, however, that no operation of investigating, exploring, prospecting or mining for or storing or transporting said minerals or any of them, shall be conducted or placed upon the Property.

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging unto said Grantee, its successors and assigns, forever, without any warranty, express or implied, including, without limitation, any warranty or covenant implied under the provisions of Section 5.023 of the Texas Property Code, which provisions are hereby expressly waived by Grantee.

IN WITNESS WHEREOF, the Grantor has duly executed this instrument this 31ST day of OCTOBER, 2001.

Attest:

UNION PACIFIC RAILROAD COMPANY

BQ Kubat
Assistant Secretary

By [Signature]
Title: Assistant Vice President

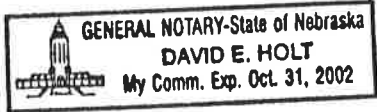
(Seal)

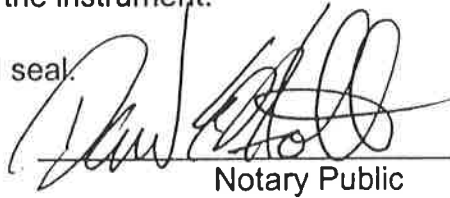
ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On OCTOBER 31, 2001, before me, a Notary Public in and for said County and State, personally appeared R.D. UTRICH and B.J. KUBAT who are the ASISTANT VICE PRESIDENT and the Assistant Secretary, respectively, of Union Pacific Railroad Company, a Delaware corporation, and who are personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to in the within instrument, and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.





Notary Public

(Seal)

UNION PACIFIC RAILROAD COMPANY

Denton, Denton County, Texas

EXHIBIT "A"

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE HIRAM SISCO SURVEY, ABSTRACT NUMBER 1184, DENTON COUNTY, TEXAS, AND BEING A PART OF A TRACT DESCRIBED IN A DEED TO TEXAS & PACIFIC RAILROAD CO., RECORDED IN VOLUME P, PAGE 434 DEED RECORDS, DENTON COUNTY, TEXAS AND BEING A PART OF A TRACT DESCRIBED IN A DEED TO THE CITY OF DENTON, RECORDED IN VOLUME 4857, PAGE 2019, REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS, AND BEING A PART OF A TRACT DESCRIBED IN A DEED TO TEXAS & PACIFIC RAILROAD CO., RECORDED IN VOLUME NORTH, PAGE 197 DEED RECORDS, DENTON COUNTY, TEXAS, AND BEING ALL OF A TRACT OF LAND DESCRIBED IN A DEED TO THE CITY OF DENTON RECORDED IN VOLUME 325, PAGE 482, DEED RECORDS, DENTON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND CONCRETE MONUMENT AT THE SOUTHEAST CORNER OF SAID TEXAS & PACIFIC RAILROAD CO. TRACT RECORDED IN VOLUME P, PAGE 434, SAME BEING THE SOUTHEAST CORNER OF A CALLED 15th TRACT, DESCRIBED IN A DEED TO TRINITY INDUSTRIES INC., RECORDED IN VOLUME 605, PAGE 588, DEED RECORDS, DENTON COUNTY, TEXAS, AND BEING AN INNER ELL CORNER OF LOT 7, JASPER ADDITION, VOLUME 75, PAGE 58 DEED RECORDS, DENTON COUNTY, TEXAS;

THENCE NORTH 89 DEGREES 52 MINUTES 28 SECONDS WEST WITH THE SOUTH LINE OF SAID TEXAS & PACIFIC RAILROAD TRACT RECORDED IN VOLUME P, PAGE 434, A DISTANCE OF 122.73 FEET TO A RAILROAD SPIKE AT THE POINT-OF- BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 89 DEGREES 52 MINUTES 28 SECONDS WEST WITH THE SOUTH LINE OF SAID TEXAS & PACIFIC RAILROAD TRACT, RECORDED IN VOLUME P, PAGE 434, A DISTANCE OF 0.84 FEET TO A 1/2 INCH IRON PIN SET WITH A YELLOW PLASTIC CAP STAMPED METROPLEX 1849, SAID PIN BEING IN THE EAST LINE OF A TRACT OF LAND DESCRIBED IN A DEED TO THE CITY OF DENTON, RECORDED IN VOLUME 4857, PAGE 2019, AND BEING A EAST LINE OF A TRACT DESCRIBED IN A DEED TO DALLAS AREA RAPID TRANSIT, RECORDED IN VOLUME 4870, PAGE 2208, REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS;

THENCE NORTH 00 DEGREES 12 MINUTES 55 SECONDS EAST WITH THE EAST LINE OF SAID CITY OF DENTON TRACT, RECORDED IN VOLUME 4857, PAGE 2019 AND A EAST LINE OF SAID DALLAS AREA RAPID TRANSIT TRACT, A DISTANCE OF 28.00 FEET TO A 1/2 INCH IRON PIN SET WITH A YELLOW PLASTIC CAP STAMPED METROPLEX 1849;

THENCE NORTH 89 DEGREES 52 MINUTES 28 SECONDS WEST WITH THE NORTH LINE OF SAID CITY OF DENTON TRACT, RECORDED IN VOLUME 4857, PAGE 2019 AND A NORTH LINE OF SAID DALLAS AREA RAPID TRANSIT TRACT, A DISTANCE OF 25.00 FEET TO A 1/2 INCH IRON PIN SET WITH A YELLOW PLASTIC CAP STAMPED METROPLEX 1849, SAID PIN BEING AN INNER ELL CORNER OF SAID DALLAS AREA RAPID TRANSIT TRACT;

THENCE NORTH 00 DEGREES 04 MINUTES 48 SECONDS EAST WITH THE EAST LINE OF SAID DALLAS AREA RAPID TRANSIT TRACT, A DISTANCE OF 346.50 FEET TO A 1/2 INCH IRON PIN

SET WITH A YELLOW PLASTIC CAP STAMPED METROPLEX 1849, SAID PIN BEING AN INNER ELL CORNER OF SAID DALLAS AREA RAPID TRANSIT TRACT;

THENCE EAST WITH A SOUTH LINE OF SAID DALLAS AREA RAPID TRANSIT TRACT, A DISTANCE OF 25.00 FEET TO A 1/2 INCH IRON PIN SET WITH A YELLOW PLASTIC CAP STAMPED METROPLEX 1849, SAID PIN BEING IN THE EAST LINE A TRACT DESCRIBED IN A DEED TO THE CITY OF DENTON, RECORD IN COUNTY CLERK'S FILE NUMBER 93-R0058485 REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS;

THENCE NORTH 00 DEGREES 04 MINUTES 48 SECONDS EAST WITH THE EAST LINE OF SAID CITY OF DENTON, RECORD IN COUNTY CLERK'S FILE NUMBER 93-R0058485, A DISTANCE OF 915.50 FEET TO A 1/2 INCH IRON PIN SET WITH A YELLOW PLASTIC CAP STAMPED METROPLEX 1849, SAID PIN BEING IN THE SOUTH RIGHT-OF WAY LINE OF HICKORY STREET;

THENCE NORTH 89 DEGREES 55 MINUTES 19 SECONDS WEST WITH THE SOUTH LINE OF HICKORY STREET, A DISTANCE OF 14.19 FEET TO A 1/2 INCH IRON PIN SET WITH A YELLOW PLASTIC CAP STAMPED METROPLEX 1849;

THENCE NORTH 00 DEGREES 17 MINUTES 54 SECONDS EAST, A DISTANCE OF 657.51 FEET TO A 1/2 INCH IRON PIN SET WITH A YELLOW PLASTIC CAP STAMPED METROPLEX 1849;

THENCE EAST, A DISTANCE OF 31.25 FEET TO A 1/2 INCH IRON PIN SET WITH A YELLOW PLASTIC CAP STAMPED METROPLEX 1849;

THENCE NORTH 01 DEGREES 02 MINUTES 36 SECONDS EAST, A DISTANCE OF 30.50 FEET TO A 1/2 INCH IRON PIN SET WITH A YELLOW PLASTIC CAP STAMPED METROPLEX 1849, SAID PIN BEING IN THE SOUTH RIGHT-OF WAY LINE OF MCKINNEY STREET;

THENCE SOUTH 84 DEGREES 46 MINUTES 42 SECONDS EAST WITH THE SOUTH RIGHT-OF WAY LINE OF SAID MCKINNEY STREET, A DISTANCE OF 89.45 FEET TO A SET PK NAIL; IN THE EAST LINE OF SAID TEXAS & PACIFIC RAILROAD TRACT, RECORDED IN VOLUME N, PAGE 197;

THENCE SOUTH 00 DEGREES 20 MINUTES 13 SECONDS EAST WITH THE EAST LINE OF SAID TEXAS & PACIFIC RAILROAD TRACT, RECORDED IN VOLUME N, PAGE 197, A DISTANCE OF 1399.03 FEET TO A 1/2 INCH IRON PIN SET WITH A YELLOW PLASTIC CAP STAMPED METROPLEX 1849 SAID PIN BEING IN THE SOUTH RIGHT-OF WAY LINE OF SYCAMORE STREET AND BEING THE NORTHEAST CORNER OF SAID 15th TRACT;

THENCE NORTH 89 DEGREES 57 MINUTES 44 SECONDS WEST WITH THE SOUTH RIGHT-OF WAY LINE OF SAID SYCAMORE STREET AND THE NORTH LINE OF SAID 15th TRACT, A DISTANCE OF 23.26 FEET TO A 1/2 INCH IRON PIN SET WITH A YELLOW PLASTIC CAP STAMPED METROPLEX 1849;

THENCE SOUTH 09 DEGREES 33 MINUTES 20 SECONDS WEST WITH THE WEST LINE OF SAID 15th TRACT, A DISTANCE OF 578.98 FEET TO THE POINT-OF-BEGINNING, AND CONTAINING IN ALL 4.697 ACRES OF LAND.

OFFICE OF REAL ESTATE
OMAHA, NEBRASKA
WRITTEN BY: JCO
187322.leg

UNION PACIFIC RAILROAD COMPANY
Denton, Denton County, Texas

EXHIBIT "B"

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE HIRAM SISCO SURVEY, ABSTRACT NUMBER 1184, DENTON COUNTY, TEXAS, AND BEING A PART OF A TRACT DESCRIBED IN A DEED TO TEXAS & PACIFIC RAILROAD CO., RECORDED IN VOLUME P, PAGE 434 DEED RECORDS, DENTON COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM A FOUND CONCRETE MONUMENT AT THE SOUTHEAST CORNER OF SAID TEXAS & PACIFIC RAILROAD CO. TRACT RECORDED IN VOLUME P, PAGE 434, SAME BEING THE SOUTHEAST CORNER OF A CALLED 15th TRACT, DESCRIBED IN A DEED TO TRINITY INDUSTRIES INC., RECORDED IN VOLUME 605, PAGE 588, DEED RECORDS, DENTON COUNTY, TEXAS, AND BEING AN INNER ELL CORNER OF LOT 7, JASPER ADDITION, VOLUME 75, PAGE 58 DEED RECORDS, DENTON COUNTY, TEXAS;

THENCE NORTH 89 DEGREES 52 MINUTES 28 SECONDS WEST WITH THE SOUTH LINE OF SAID TEXAS & PACIFIC RAILROAD TRACT RECORDED IN VOLUME P, PAGE 434, A DISTANCE OF 122.73 FEET TO A RAILROAD SPIKE;

THENCE NORTH 09 DEGREES 33 MINUTES 20 SECONDS EAST WITH THE WEST LINE OF SAID 15th TRACT, A DISTANCE OF 124.44 FEET TO THE POINT-OF-BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 10 DEGREES 09 MINUTES 31 SECONDS WEST, A DISTANCE OF 255.85 FEET;

THENCE EAST, A DISTANCE OF 24.22 FEET;

THENCE NORTH 00 DEGREES 04 MINUTES 48 SECONDS EAST, A DISTANCE OF 34.67 FEET;

THENCE SOUTH 10 DEGREES 09 MINUTES 31 SECONDS EAST, A DISTANCE OF 201.98 FEET;

THENCE SOUTH 09 DEGREES 33 MINUTES 20 SECONDS WEST, A DISTANCE OF 88.93 FEET TO THE POINT-OF-BEGINNING, AND CONTAINING IN ALL 0.148 OF AN ACRE OF LAND;

OFFICE OF REAL ESTATE
OMAHA, NEBRASKA
WRITTEN BY: JCO
187322a.leg