

CLUTTER, AADALEN & DILLNER, LLP

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Robert R. Irwin (1981)
Craig Irwin (1978)

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To Whom It May Concern:

Our office has been assisting sellers in the sale of property legally described as:

“The Southwest Quarter (SW1/4) of Section One (1), Township Five (5) South, Range Sixteen (16) East of the 6th P.M., Jackson County, Kansas, less railroad right of way.”

It is our understanding that there is an abandoned railroad line which crosses this property. It is further our understanding that all railroad ties and tracks have been removed from this property. Relying upon an affidavit from the tenant farmer that has been provided to us, the railroad has been abandoned by the Chicago Rock Island Railroad Company for more than 25 years.

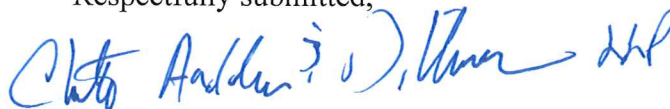
Reviewing title history from Lawyers Title of Kansas, Inc. and documents in Jackson County, Kansas, we have been unable to locate the specific document whereby the railroad abandoned this property. Apparently sometime in 1873, Central Branch Union Pacific Railroad Company received a patent to the entire quarter section from the United States of America. We did discover a condemnation of property for the Chicago, Kansas and Nebraska Railway Company on July 27, 1896. The Chicago Rock Island and Pacific Railroad Company first showed up in a sheriff's deed around the turn of the century. The title company and our office have been unable to determine how the property apparently became the property of the Chicago Rock Island and Pacific Railroad Company.

In addition to the above, the Chicago Rock Island and Pacific Railroad Company filed for bankruptcy in 1980 and was liquidated.

Based upon the facts as we know them, the railroad, through its lack of occupancy has effectively abandoned any rights of ownership.

The above is not a title opinion whereby this office make any warranties. However, it is based upon our opinion of the facts and situations as revealed to us

Respectfully submitted,



CLUTTER, AADALEN & DILLNER, LLP

MC/elh