

Eli E. Hardridge, appeared in person and Peter Deichman, the United States Probate Attorney, appeared in his official capacity and on behalf of the petitioner and the said J. J. Deaner appeared in person and by his attorney and the Court examined said petition and heard the evidence and found that said petition was duly verified by the petitioner; that it contained the name of the grantor and grantee and a description of the interest to be conveyed and of its character and extent and the roll number and quantum of blood of the grantor and of the decedent and the permanent residence of the decedent at the time of her death and the relationship of the grantor to the decedent and all of the allegations required by law and by the rules of this Court, and that all of the allegations of said petition as to family history and relationship of the allottee and the petitioner and all of its allegations regarding said lands and their value and petitioner's reason for selling said interest were true.

The Court further found that the petitioner, Eli E. Hardridge, bargained and sold to J. J. Deaner an undivided three-eighths interest in and to a certain 79.62 acres, more or less, in Tulsa County, Oklahoma, to-wit; The Northeast Quarter of the Northwest Quarter and Lot 2 and the North Half of the Northwest Quarter of the Southwest Quarter and the North Half of the North Half of the South Half of the Northwest Quarter of the Southwest Quarter of Section 12, Township 18 North, Range 12 East and the Southwest Quarter of the Southwest Quarter of the Southeast Quarter of the Southwest Quarter of Section 32, Township 18 North, Range 13 east, for the agreed consideration of \$2500.00 to be paid upon approval of deed, and that petitioner made a deed to the said J. J. Deaner for said interest, as set forth in said petition, and that as a part of the consideration for said deed and conveyance, the said J. J. Deaner agreed to execute to the petitioner a quit-claim deed to an undivided three-eighths interest in and to the surface rights in said lands, subject to the perpetual right to the use of the surface for the production and taking away of the oil, gas coal and other minerals in said land.

And thereupon the said United States Probate Attorney stated that the legal effect of said deed from the petitioner to J. J. Deaner and of said proposed quit-claim deed from J. J. Deaner to the petitioner of an undivided three-eighths interest in the surface rights would be to vest in the said J. J. Deaner an undivided three-eighths interest in and to all of the oil and gas and coal and mineral rights, rentals and royalties in and to said lands and to give to the petitioner an undivided three-eighths interest in the surface of said lands, subject to the right of the said J. J. Deaner to use the surface for the production and taking away of oil, gas, coal and other minerals, but that it would result in said interest in the surface being taxable and that it would be better for the petitioner if his said deed to J. J. Deaner be not approved and be not delivered and said proposed quit-claim deed from J. J. Deaner to the petitioner be not executed, but that in place thereof there be executed, delivered and approved a deed by petitioner to the said J. J. Deaner to an undivided three-eighths interest in and to the oil and gas and coal and mineral rights, rentals, royalties and payments in and to said lands, with right to such use of the surface as might be necessary or proper for the production and taking away of said oil, gas, coal and other minerals and that thereby the said surface rights in said land retained by the petitioner would not be subject to taxation; that said proposition of the United States Probate Attorney was satisfactory to and met with the approval of the petitioner and of the said J. J. Deaner and thereupon a deed was prepared and executed, in which the petitioner conveyed to the said J. J. Deaner an undivided three-eighths interest in and to all the oil and gas and coal and other minerals and oil and gas and coal and other mineral rights in, to and concerning said lands and in and to the oil and