

T. 28 N. R. 15 E.; Secs. 2, 3, 10, 11, 14, 16, 18, 19, 20, 21, 22, 23, 26 and 27, T. 27 N. R. 15 E.; Secs. 28, 35 and 36, T. 26 N. R. 15 E.; Secs. 28, 31, 32, 33 and 34, T. 26 N. R. 16 E., all in Nowata County, Oklahoma; the grand total pipe of which the above described lines, together with laterals and gatherin lines, consists more particularly of 131,849 feet of two-inch pipe, 271,795 feet of three-inch pipe, 17,241 feet of four-inch pipe, 1601 feet of six-inch pipe, 160 feet of four and seven-eighths inch pipe and 127 feet of ten-inch pipe.

(13) 4,000 shares of the preferred capital stock of Producers Refining Company, a Missouri Corporation, being the entire authorized and outstanding preferred capital stock of said Company, and 3,995 shares of the common capital stock of said Company out of a total authorized and outstanding common capital stock of 4,000 shares.

(14) 4,979 shares of the capital stock of Empire Pipeline Company, a Delaware corporation, out of a total authorized and outstanding capital stock of 5,000 shares.

(15) 44,991 shares of the capital stock of Empire Refineries, Inc., a Maine corporation, out of a total authorized issue of 50,000 shares of which there are outstanding 45,000 shares.

Subject, however, as to part of the property of Empire Refining Company above described to the lien of a mortgage or deed of trust made by said Company to Guaranty Trust Company of New York, as Trustee, dated February 1, 1917, under which there are outstanding \$4,284,000 principal amount of bonds.

All of the shares of capital Stock last above described have been heretofore pledged with Guaranty Trust Company of New York, as Trustee under said mortgage or deed of trust dated February 1, 1917, and the certificates for said shares of capital Stock have been delivered to said Guaranty Trust Company of New York as such Trustee. Empire Refining Company covenants that upon the satisfaction of said mortgage or deed of trust dated February 1, 1917, it will cause all the certificates of stock aforesaid then held by the Trustee under said mortgage or deed of trust to be transferred and delivered to the Trustee under this Indenture, and it hereby directs the Trustee under said mortgage or deed of trust dated February 1, 1917, to make such transfer, and it will execute and deliver to the Trustee hereunder such powers of attorney and other instruments as such Trustee may reasonably require in order to make the pledge of said shares of capital stock fully effective.

And the EMPIRE GAS AND FUEL COMPANY, a Maine Corporation, one of the parties hereto of the second part, in consideration of the premises, and to secure the payment of the principal and interest of said bonds to be issued as herein provided, and the performance by the parties of the first and second parts of the covenants and agreements contained in said bonds and in this Indenture, does hereby grant, bargain, sell and convey, assign, mortgage, pledge, transfer, set over and confirm unto THE EQUITABLE TRUST COMPANY OF NEW YORK, the party hereto of the third part, as Trustee, and to its successors and assigns forever, in trust, as herein provided, all and singular the real and personal property of said Empire Gas and Fuel Company now owned or hereafter acquired, including the following oil and gas leases with the easements and rights in the lands therein described, but subject to the rent and covenants therein contained, together with all oil, wells, casing, pipes, derricks, engines, pumps, wire, tools, appliances, buildings, tanks and other personal property used in drilling for, securing, storing and marketing oil and gas, including the following leases affecting lands located in the State of Texas: