

all that certain piece, parcel or tract of land lying and being situated in Tulsa County, Oklahoma, and being Lot #204 in Lyndale Section, containing 200 square feet, be the same more or less out of ROSE HILL BURIAL PARK as more fully appears from map of said Burial Park hereby referred to and made a part hereof. COMPARED

It is expressly agreed and understood that this conveyance is made subject to the provisions and restrictions specified in the Rules and Regulations of said Burial Park at the present time, and which are made a part of this conveyance, or which said Burial Park may hereafter make in conformity with the laws of the State of Oklahoma.

The said Grantor hereby covenants and agrees with the said grantee to set aside ten per cent of the consideration of this deed forever, in trust, and said Grantor shall forever hereafter from the income of said sum, and from the income of other funds created from a definite part of the proceeds of lot sales, from time to time, apply the income from said amounts for the perpetual care and maintenance of said ROSE HILL BURIAL PARK.

VIZ: To keep the sod in order and repair, and all places where the interments have been made in proper order, to care for trees and shrubs, and keep all the monumental work in a vertical position as long as the same may last, and in the perpetual care and improvement of avenues, fences, buildings and grounds in general.

TO HAVE AND TO HOLD the above described premises, together with all and singular, the rights and appurtenances thereto in anywise belonging unto the said Julius Huesy and R. D. Fallon, their heirs and assigns forever; and I do hereby bind myself my heirs, successors and assigns, and legal representatives, to warrant and forever defend, all and singular, the said premises unto the said Julius Huesy and B. D. Fallon their heirs and assigns, against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

Witness my hand at Tulsa, Oklahoma, this 19th day of February A. D. 1924.

John J. Harden

THE STATE OF OKLAHOMA )  
County of Tulsa )

Before me, the undersigned authority, a Notary Public in and for Tulsa County, Oklahoma, on this day personally appeared John J. Harden known to me to be the identical person who name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed, for the purposes and considerations therein expressed.

Given under my hand and seal of office this 19th day of February A. D. 1924 .

My commission expires September 19th, 1925 (SEAL) Nettie A. Cline, Notary Public  
Tulsa County, Oklahoma.

Filed for record in Tulsa County, Tulsa Oklahoma, Mar 4, 1924 at 9:40 o'clock A. M. in Book 486, page 462

By Brady Brown, Deputy (SEAL) O. C. Weaver, County Clerk

252589 C. J.

STATE OF OKLAHOMA )  
TULSA COUNTY ) SS.

A F F I D A V I T.

COMPARED

Babe McIntosh being duly sworn upon his oath deposes and says: That he is about 45 years of age; that he resides about seven miles from Broken Arrow in Wagoner County and State aforesaid; that he is a member of the Creek tribe of Indians known as a Freedman, and has resided in the Creek Nation for 45 years last past; that he was well acquainted with one Ben Franklin a Creek Freedman, and had known him for 40 years well and intimately and was well acquainted with the members of his family; that said Ben Franklin died on or about the --- day of February, 1905, about eight miles southeast of Tulsa, Oklahoma, on his allotment of land which was situated in Tulsa County, State of Oklahoma; that at the date of the death