

and valuable considerations, to him in hand paid by the said Party of the Second Part, receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell, remise, release and forever quitclaim unto the said Party of the Second Part, and to his heirs and assigns forever, an undivided one third (1/3) of all the mines, veins, or seams of coal in or under all of the lands hereinafter described, to-wit:

COMPARED  
The Southeast quarter of the Southeast quarter of the Northwest quarter and the East half of the Northeast quarter of the Southwest quarter and the southwest Quarter Quarter of the Northeast Quarter of the Southwest Quarter and the Southeast Quarter of the Southwest quarter, all in Section Thirty-three (33), Township Twenty (20), Range Thirteen (13), in Tulsa County, Oklahoma,

together with the full right and power of conducting all necessary mining operations as may be necessary or convenient for searching for, working, getting, preparing, carrying away and disposing of said mines or seams, and the coal to be gotten therefrom; PROVIDED, HOWEVER, that party of the second part shall in no manner disturb the surface of said land, nor make any opening therein, except for the purposes of light, air and water, and that no opening, in any event, shall be made in the surface of said land, unless party of the second part shall at the time of or before making any such opening for any purposes to which the same is limited hereby, to-wit: light, air and water, own the fee simple title to the surface of the land at the point where such opening is made, or shall have acquired the rights so to do from the holder or owner of the fee simple title to the surface of the land at the point where such opening is made.

It is further expressly understood and agreed by and between the parties hereto that no strip mining shall be engaged in searching for, working, getting, preparing, carrying away and disposing of, the said mines or seams, and the coal to be gotten therefrom.

This conveyance is made upon the express representation of Party of the Second Part, and relied upon by Party of the First part, that Party of the Second part, has, or will acquire before undertaking to mine said coal, his entrance or heading under the surface of said land from adjoining premises.

It is expressly understood and agreed that Party of the Second Part and his heirs, successors, and assigns, shall conduct all mining operations in conformity with the provisions of the State mining laws of the State of Oklahoma, and that the substrata under said land shall be braced as provided by said mining law, and that said bracing shall remain after the coal or any part thereof, or any subsurface of said land is removed, for the protection of the surface of the land.

In witness whereof the parties hereto have hereunto set their hands and affixed their seals on the day and year first above written.

Charles W. Brewer

Eugenia Brewer

Parties of the First Part

Alva J. Miles

Party of the Second Part.

STATE OF OKLAHOMA )  
COUNTY OF TULSA ) ss:

Before me the undersigned, a Notary Public in and for said County and State on this the 15th day of September, A. D. 1920, personally appeared Charles W. Brewer and wife, Eugenia Brewer, to me known to be the identical persons whose names are subscribed to the within and foregoing instrument, and acknowledged to me that they executed the same as their free