

State of Oklahoma, to-wit: Lot Nine (9) in Block Seventeen (17), Federal Heights Second Addition to the City of Tulsa, Oklahoma, according to the recorded plat thereof.

TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining forever.

And said parties of the first part, their heirs, executors or administrators do hereby covenant, promise and agree to and with said parties of the second part, at the delivery of these presents that they are lawfully seized in their own right of an absolute and indefeasible estate of inheritance in fee simple, of and in all and singular the above granted and described premises, with the appurtenances; that the same are free, clear, and discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and encumbrances of whatever nature and kind, EXCEPT, all coal rights in or under said land herein above described as shown by indenture dated January 2nd, 1920, same being of record in book 343, page 68 of the records of Tulsa County, Oklahoma, conveying said coal rights to Charles W. Brewer.

And that they will WARRANT AND FOREVER DEFEND the same unto the said parties of the second part their heirs and assigns, against said parties of the first part, their heirs or assigns, and all and every person or persons whomsoever, lawfully claiming or to claim the same/

In WITNESS WHEREOF, the said parties of the first part have hereunto set their hands the day and year first above written.

STATE OF OKLAHOMA,
COUNTY OF TULSA.

} SS.

Cyrus S. Avery, Ethel M. Niles,
Essie M. Avery, C. W. Brewer,
Alva J. Niles, Eugenia Brewer.

Before me, the undersigned Notary Public in and for said County and State on this 25th day of Sept. 1924, personally appeared Cyrus S. Avery, Essie M. Avery, his wife, and Alva J. Niles, Ethel M. Niles, his wife, C. W. Brewer, Eugenia Brewer, his wife personally known to me to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth. In Testimony Whereof, I have hereunto set my hand and affixed my official seal the day and year last above written.

(Seal) My commission expires March 27, 1928.

Leone Patton, Notary Public.

Filed for record in Tulsa County, Tulsa, Oklahoma on Oct. 4, 1924 at 11:45 A. M. o'clock

recorded in book 496, page 420.

By Brady Brown, Deputy.

(Seal) O. G. Weaver, County Clerk.

268870-CW.

ASSIGNMENT OF OIL AND GAS LEASE.

WHEREAS, the Secretary of the Interior has heretofore approved an oil and gas mining lease, dated March 4, 1920 entered into by and between Lizzie Swimmer, lessor, and Waite Phillips lessee, covering the following described lands in the Cherokee Nation, Oklahoma; N $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 13, T. 22N, R 13 E (80) Acres) Whereas said lease is now owned by Waite Phillips Company.

NOW, THEREFORE, for and in consideration of One (\$1.00) dollars, the receipt of which is hereby acknowledged, the said Waite Phillips Company, the assignee of, the lessee in the above-described lease, hereby bargains, sells, transfers, assigns, and conveys all its right, title and interest of the lessee in and to said lease, subject to the approval of the Secretary of the Interior to Mid-Kansas Oil & Gas Company, of Findlay, Ohio. Said assignment to be effective from date of approval hereof by the Secretary of the Interior.

IN WITNESS WHEREOF, the said lessee has hereunto set its hand and seal, this 15th day of September, 1923.

WAITE PHILLIPS COMPANY

(Corporate Seal)

By R. B. Pingle, Vice-President.

ATTEST: C. R. Payne, Asst. Secretary.

496

25