

#279776-CW.

DECLARATION OF TRUST

KNOW ALL MEN BY THESE PRESENTS: That, heretofore on December 20, 1924, Jackman A. Gill was in writing appointed as Trustee for the purpose of entering into a contract with D. H. Johnston for the proper assignment of a six-eighths interest of a lease held by the said D. H. Johnston upon the hereinafter described land, the said appointment in writing being duly signed and attached hereto; and,

WHEREAS, the said Jackman A. Gill was appointed as such Trustee to hold said assignment of said six-eighths interest of the lease on the hereinafter property until such time as the parties subscribing to said appointment and subscribing to the expenses for the drilling on said lease, had put up their proportionate part of such expenses and until the amount of such expenses should be fully determined and an assignment made by the Trustee to them of the share to each person in proportion to his holding; and,

WHEREAS, the parties for whom said Trustee is holding said assignment are Sam Oppenheim, Walter Colbert, D. H. Johnston, M. J. Smith, R. C. Lee, W. E. Hailey, Frank Turnbeaugh, R. K. Waldon, A. C. Markley and F. L. Hunnicutt; and

WHEREAS, it is the desire of the said Jackman A. Gill as such Trustee to declare to whomever concerned, the purposes of such trust and the names of the cestuis que trustent and that he is acting as Trustee only for the purpose of making the proper assignment to the cestuis que trustent according to their holdings in proportion to their investment when the same shall have been determined;

THEREFORE, the said Jackman A. Gill as such Trustee makes this declaration of trust in favor of the said cestuis que trustent as named above in regard to the assignment made by D. H. Johnston on December 26, 1924, of a six-eighths interest in and to the lease executed by Maud Anderson on November 8, 1924, to the said D. H. Johnston, covering the

SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 4, Township 18 North, Range 13 East, in Tulsa County, Oklahoma

STATE OF OKLAHOMA,)
PITTSBURG COUNTY,) SS.

Jackman A. Gill, Trustee.

Now on this 24th day of February, 1924, personally appeared before me Jackman A. Gill as Trustee, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as such Trustee as his free and voluntary act and deed and for such purposes as therein set forth. Witness my hand and official seal the day and year above written.

(Seal) My commission expires February 2, 1929.

Wilhelmina Shirmer, Notary Public.

McAlester, Okla., December 20, 1924.

We, the undersigned subscribers to a fund for the drilling of an oil well in Section Four (4), Township Eighteen (18) North, Range Thirteen (13) East, Tulsa County, hereby agree to the appointment of Jackman A. Gill as Trustee, and hereby agree for him as Trustee to enter into contract with Douglas Johnson for the proper assignment of seven eighths interest in a lease of eighty acres.

Chas. Nelson
Sam Oppenheim.
Walter Colbert

D. H. Johnston
M. J. Smith
R. C. Lee
W. E. Hailey
Frank Turnbeaugh.
~~R. K. Waldon,~~
A. C. Markley.

Filed for record in Tulsa County, Tulsa, Oklahoma on Feb. 26, 1925 at 1:00 P. M. o'clock

Recorded in Book 499, page 618 (Seal)
By Brady Brown, Deputy.

O. G. Weaver, County Clerk.

COMPARED BY
J. S. and J. S.