

STATE OF OKLAHOMA, TULSA COUNTY/ ) SS.

I, K. C. Miller, Notary Public, in and for said County in the State aforesaid, do hereby certify that J. W. Russell, Guardian of Estle I. Russell, personally known to me to be the same person whose name ... subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and official seal, this 25th, day of January, A. D. , 1909.

K. C. Miller, (SEAL) Notary Public

(NOTARIAL SEAL) Notary Public, withinand for Tulda County, Oklahoma. My commission expires  
Nov. 29, 1911.

Filed for record at Tulsa, Okla., Feb. 1, 1909, at 2 . 10 P. M.

H. C. Walkley, Register of Deeds (SEAL)

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OIL AND GAS LEASE.

AGREEMENT, Made and entered into the 25th, day of January, A. D., 1909, by and between J. W. Russell , Guardian of Leva Russell, a minor, of ..... county of Tulsa, State of Oklahoma, party of the first part, and Levi Smith, party of the second part:

WITNESSETH, That the said party of the first part, for and in consideration of the sum of One Dollar to him in hand well and truly paid by the said party of the second part, the receipt of which is hereby acknowledged, and of the covenants and agreements hereinafter contained on the part of the said party of the second part to be paid, kept and performed, has granted, demised, leased and let <sup>and by their parents, do grant, demise, lease, and let</sup> unto the said party of the second part, his heirs, administrators, executors, successors and assigns, for the sole and only purpose of mining and operating for oil and gas, and of laying pipe lines and building tanks, stations and structures thereon to take care of said products, all that certain tract of land situate in the Township of Red Fork County of Tulsa, State of Oklahoma, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of this State; bounded substantially as follows:

SW/4 of SE/4 of Sec. 22, Township Nineteen (19) N., Range Eleven (11) East. References herein had to confirmatory order of the Probate Court for Tulsa County, Oklahoma, made on Jan. 25th, 1909, herein and recorded on Feb. 1, 1909, on page 126, book 51, \_\_\_\_\_ record. Register of Deeds Office, Tulsa County, Oklahoma. Containing 40 Acres.

It is agreed that this lease shall remain in force for a term of ten years from this date and as long thereafter as oil or gas or either of them is produced from said land by the party of the second part, his heirs, administrators, executors, successors or assigns.

In consideration of the premises, the said party of the second part covenants and agrees:

1st. To deliver to the credit of the party of the first part, his heirs, administrators executors and assigns, free of cost in the pipe line to which party of the second part may connect his wells, the equal  $1/8$  part of all oil produced and saved from the leased premises:

and 2nd. To pay \$37.50 Dollars each three months in advance for the gas from each and every gas well drilled on said premises, the gas from which is marketed and used off the premises, while the gas from said well is so marketed and used.

Second party covenants and agrees to locate all wells so as to interfere as little as possible with the cultivated portions of the farm. And further, to complete a well on said premises within three (3) months from the date hereof, or pay at the rate of ten Dollars.