

RIGHT OF WAY.

THIS INDENTURE, executed in duplicate, on this the 8th, day of July 1909, by and between Robert T. Barber, as Guardian of the person and estate of Walter C. Barber, a minor, a Creek Citizen and allottee of the following described lands, situate in the County of Tulsa, State of Oklahoma, to-wit:

N $\frac{1}{2}$ of NW $\frac{1}{4}$ Section 24, Township 17, Range 12, as the party of the first part, and The Prairie Oil & Gas Company, a corporation created and existing under the laws of the State of Kansas, and duly authorized and engaged in the transportation of crude petroleum through a system of pipe lines in the State of Oklahoma, as party of the second part,

WITNESSETH: THAT, WHEREAS, the said party of the first part did on the 8th, day of July 1909, present to the County Court of Creek County in said State, a petition representing and showing that the said party of the second part is desirous of constructing a pipe line and a telegraph or telephone line over said premises, and that said party of the first part had received a proposition from said party of the second part for right of way for its said pipe line diagonally across lands, and telegraph or telephone line, in the public road or 3 ft. or less from the fence line now enclosing land, over and across said premises, the sum of Two & 75/100 Dollars (\$2.75) being 25 cents per rod, together with all damages which might arise to crops or fences, and any other damage occasioned from the laying, maintaining and operating of said pipe line and telegraph or telephone lines.

That, afterward on the 8th, day of July 1909, said petition was duly considered by said Court, and it was ordered and directed that said Guardian execute to the said The Prairie Oil and Gas Company a grant of the right of way over above described premises in the nature of an easement upon the terms and conditions of said petition.

Pursuant to the order of said Court and in consideration of Two & 75/100 (\$2.75) Dollars, the receipt of which is hereby acknowledged, I, Robert T. Barber as Guardian of the estate of said Walter C. Barber, minor, do hereby grant to the Prairie Oil & Gas Company, its successors and assigns, the right of way in the nature of an easement to lay, maintain and operate a pipe line diagonally across lands, and telegraph or telephone line in the public road or 3 ft. or less from fence line now enclosing lands, for the transportation of crude oil over and across the said premises, with ingress and egress to and from the same; the said party of the first part to fully use and enjoy the said premises except for the purpose herein granted, the party of the second part to pay any damages which may arise to crops or fences and any other damages, caused by the laying, maintaining and operating of said pipe line and telegraph or telephone line; said damages if not mutually agreed upon to be ascertained and determined by three (3) disinterested persons, one thereof to be appointed by the Grantor, one by The Prairie Oil & Gas Company, its successors or assigns, and the third by the two so appointed, and the award of such three persons shall be final and conclusive.

And it is hereby further agreed, that the said The Prairie Oil & Gas Company, its successors or assigns, may at any time lay an additional pipe line alongside of the first line, as herein provided, upon the payment of a like consideration, and subject to the same conditions; also to have the right to change the size of pipes, the damage, if any, in making such change to be determined and paid by the said The Prairie Oil & Gas Company, as in the same manner as above provided. Pipe lines to be buried 18 inches or more below the surface.

WITNESS:
J. S. Russum, F. L. Mars
Florence E. Cox

his
Robert T (X) Barber
mark guardian.