

thereof to the foregoing instrument as its President and acknowledged to me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

Witness my hand and official seal.

(seal)

Lester Gurie, Notary Public.

My commission expires June 28th, 1912.

Filed for record at Tulsa, Okla Jan. 6 1910 at 3 o'clock P.M.

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

*Fuller  
4-6-10  
COMPALED*

This contract and agreement made and entered into by and between Frank D. Fuller Fuller and W.O. Fleming, parties of the first part, and J.W. Orr, party of the second part, to-wit:

WHEREAS, said first parties have bought one Hundred Sixty (160) acres of land, except 12.36 acres right of way Frisco Railroad, described as follows:

South East  $\frac{1}{4}$  of Section 31, Township 19 North range 12 East, Tulsa Co. Okla. (Except 12.36 acres right-of-way of Frisco Railroad) for the purpose of platting and selling out a townsite to be known as Tanaha, Oklahoma, and Whereas said first parties are borrowing the sum of \$8800 of the First National Bank of Tulsa, Oklahoma.

Therefore it is mutually agreed that said first parties are to deed said land to J.W. Orr as trustee for the following purposes, to-wit:

First, to protect and pay the First National Bank any and all sums of money, which said first parties may owe at any time and out of the first proceeds of sale of said lots or land and to fully satisfy said bank at any and all times any money may become due and payable.

Second: After said lands are sold as lots or otherwise and after all money for purchase of said land has been paid and all interest, expenses incurred in selling said land, the said trustee shall pay one third ( $\frac{1}{3}$ ) of the net balance on hand to each of said first parties and retain one third ( $\frac{1}{3}$ ) of said net profits or balance as full compensation for the service of said second party.

Should differences arise between said first parties, the said trustee or second party shall act as referee and said first parties shall each agree as to any decision in such differences.

In witness whereof we have hereunto subscribed this the 1st day of Sept. 1909.

Witness to signature.

Frank D. Fuller

W.E. Gordon.

W.O. Fleming

J.W. Orr

State of Oklahoma)

County of Tulsa ( S.S.

Before me, a Notary Public, in and for said County and State, on this 6th day of January 1910, personally appeared Frank D. Fuller, to me known to be the identical person who executed the within and foregoing instrument, as one of the parties of the first part, and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.