

Power of Attorney and Appointment of Trustee, No. 195

HEALS & MORRISON, OKLAHOMA CITY, OKLA.

Robert Smith

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FROM

Andrew S. S. Smith

TO

JOSEPH J. MILAM, Trustee

STATE OF OKLAHOMA, OKLAHOMA COUNTY, ss:

This instrument was filed for record on the 18 day of August, 19 31, at 2.32 o'clock P M., and duly recorded in Miscellaneous Record No. 195 at Page 173 Fees, \$ 1.50

B. E. Corrigan, County Clerk.
By Conley, Deputy.

KNOW ALL MEN BY THESE PRESENTS:

That I, Andrew S. S. Smith

owner - of Three /6400 of one-eighth (1/8) of all the oil and gas in and under and that may be produced from the following described lands, situated in Oklahoma County, State of Oklahoma, to-wit:

Lots 4 and 5 in Block 2, Armourdale Addition to Oklahoma City, Oklahoma.

desiring to appoint an attorney in fact and trustee for the purpose of signing division and/or transfer orders, authorizing said attorney in fact to contract to sell and to sell all of the oil, gas, casinghead gas and casinghead gasoline produced from said premises belonging to the undersigned interest holders, to any pipe line company, refinery, gasoline plant or other purchaser, for such price or prices as he may deem best, under all the circumstances, and to receipt for and distribute all funds received by him from the sale of oil and gas, casinghead gas and casinghead gasoline, or either or any of them, produced by and from a well on the property aforesaid, and to authorize said attorney in fact and trustee, to deduct from such receipts any tax due thereon, any expenses incurred in the collection and distribution thereof, and also the sum of one per cent. (1%) of all funds received from the sale of oil, gas, casinghead gas, and/or casinghead gasoline, or either or any of them, as and for his services as attorney in fact and trustee;

DO HEREBY appoint and designate JOSEPH J. MILAM, of Oklahoma City, Oklahoma, my true and lawful attorney in fact and trustee, irrevocable, with full power to act as attorney in fact and trustee for me, for the above enumerated purposes and the additional purposes herein-after enumerated, hereby agreeing that this power of attorney and designation of trustee is given to the said Joseph J. Milam for the purposes above set forth, with authority to act for me or my assigns, in all matters, whatsoever pertaining to the disbursement which may be derived from production of the above described lands, the same as if I were personally present. This power of attorney being irrevocable shall be deemed a covenant running with the ownership of the interest in the oil and gas interest owned by the grantor herein and any assignee of such interest shall take the same subject to this power of attorney and designation of trustee, and the said Joseph J. Milam shall continue to be and act as attorney in fact and trustee for such assignee.

The Trustee, Joseph J. Milam, shall be under no liability whatever, by reason of acting as trustee for the proceeds of oil and/or gas, casinghead gas and casinghead gasoline, which may be produced from said lands, except for misfeasance or malfeasance in the handling and disbursing of any such funds which may come into his hands, and the said Joseph J. Milam shall not be liable for any collection or non-collection of moneys due for oil and/or gas, casinghead gas and casinghead gasoline, produced from said lands, and shall not be compelled to maintain or defend any suit regarding said funds or contracts with reference to said property, but his sole duty, obligation and liability shall consist in receiving and disbursing said funds when received by him. Said trustee shall not be liable for any moneys deposited in any bank or trust company which shall thereafter become insolvent.

In the event of the transfer or assignment by me of any portion of the interest hereinabove referred to, I agree to notify said trustee in writing, by registered letter, addressed to Joseph J. Milam, Oklahoma City, Oklahoma, of the name and address of the assignee and the interest conveyed by me, and said attorney in fact and trustee shall at all times be authorized to pay out said funds to the persons entitled thereto according to the interest holders as shown by the records of the attorney in fact and trustee, and pursuant to written notice duly given him, and shall not be liable for the mispayment of funds caused by failure to notify said attorney in fact and trustee, in writing, as aforesaid, at least fifteen (15) days prior to the regular due date of payment for oil and gas, casinghead gas and casinghead gasoline, produced and sold from said premises.

WITNESS my hand this 11th day of August, 19 31

Andrew S. S. Smith

~~City of Hamilton~~ Islands of Bermuda
~~XXXXXX~~ XXXXXXXXXX

ss:

Before me, the undersigned, a Notary Public in and for said County and State, on this 11th day of August, 19 31, personally appeared Andrew S. S. Smith

to me known to be the identical person who executed the above and foregoing instrument, 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.

WITNESS my hand and Notarial Seal the day and year last above written.

Faculty
My ~~XXXXXX~~ is for Life

(Notarial Seal)

Cecil H. Tucker

Notary Public.
Bermuda

(Bermuda Stamps 12d)