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containing 1,260.08 acres, more or less; 144

together with all rights and privileges thereunder and appurtenant thereto and in and to any and all wells, well structures and equipment situated thereon and personal property situated thereon and obtained or used in connection therewith.

TO HAVE AND TO HOLD the same unto said Assignee, its successors, legal representatives and assigns, forever, subject, however, to the terms, provisions, reservations and conditions hereof.

Assignors hereby reserve and retain unto themselves, their heirs, successors, legal representatives and assigns, an overriding royalty of three percent (3%) of all oil, gas and other hydrocarbon substances which may be produced, saved and marketed from the above described lands in, to and under said lease or any renewals, extensions or modifications thereof. Said overriding royalty shall be free and clear of all costs and expenses of development and operation of the subject lease and shall be free and clear of all production and severance taxes assessed or to be assessed thereon. No payment shall be made hereunder or shall accrue by virtue of any oil, gas or other hydrocarbon substances which may be produced from the subject lands which are used for operating, development or production purposes on the above described lands or on lands covered by any unit plan or cooperative plan of development to which the subject lease may be presently or hereafter committed, or which are inadvertently lost.

In the event the above described lands or any part thereof are or shall hereafter be incorporated in and be operated under any cooperative or unit plan of development or operation whereby the production therefrom is allocated to different portions of the land covered by any such unit plan,