AFFIDAVIT OF NONDEVELOPMENT AND NONPAYMENT OF RENTAL

FORM NO 28

7832

STATE OF Iowa }
COUNTY OF Madison } ss.

Mabel L. Piatt, being first duly sworn, deposes and says:

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1986 FEB 20 PM 1:59
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

That Mabel L. Piatt is the present owner of the

E/2NW/4 Section 35-T77N-R30W (cont.80a/c).
SW/4 (cont. 160 a/c), W/2 frl. SE/4 (cont. 90 a/c).
Section 26-T77N-R29W

of Section ..., Township ..., Range ... in Madison, Adair, County Iowa, which land is described in an oil and gas mining lease executed on 7th day of November, 1985 by Mabel L. Piatt, a single woman as lessors, and Funk Exploration, Inc., 210 West Park Avenue, Suite 1000, Oklahoma City, Oklahoma 73102 as lessee, recorded in Book 921, Page 894, in the office of the Register of Deeds of said county.

That since the date of said lease there has been no well drilled upon said land, nor any oil or gas produced therefrom, and that none of the rentals accruing under and by virtue of the terms of said lease have been paid or tendered to affiant or said lessors, or to any bank for their credit, by the lessee, or his agents or assigns, since November 7th, 1984 and further that the lessee and his assigns had actual notice that rentals were payable to affiant under said lease. Affiant states that he has not at any time executed any extension of said original lease, and that the same has expired.

Affiant further states that by reason of the noncompliance with the terms of said lease by lessee and his assigns, affiant hereby declares said lease forfeited, and will not, by acceptance of rentals, or in any other manner, recognize the same as a valid or existing lease.

EXECUTED, This 13th day of December, 1985

Mabel L. Piatt
Mabel L. Piatt

STATE OF ... }
COUNTY OF ... } ss.

..., being first duly sworn deposes and says that he is ... of the ... Bank of ... and that the records of said Bank show no rentals have been at any time deposited in, or tendered to, said Bank under terms of the oil or gas mining lease above described for the credit of the person who made the above affidavit or the lessor in said lease since

...

...

STATE OF Iowa }
COUNTY OF Dallas } ss. ACKNOWLEDGMENT FOR INDIVIDUAL

Before me, the undersigned, a Notary Public, within and for said County and State, on this 13th day of December, 1985, personally appeared Mabel L. Piatt, a single woman and ...

to me personally known to be the identical person who executed the within and foregoing instrument and acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

My commission expires FEB 5, 1986

... Notary Public