

12² WHEREAS, by deed dated the 19th day of October, 1926, recorded in Vol. 130, page 158, of the Deed Records of Fayette County, Texas, Mrs. Elise Richers, a widow, et al, granted, sold and conveyed unto The Texas Company the following described tracts of land, hereinafter called "subject land", out of the Walter F. Hamilton League in Fayette County, Texas:

All of lots or tracts Nos. Eighty-six (86), Eighty-seven (87), Eighty-eight (88) and Eighty-nine (89), and that portion of lots or tracts Nos. Eighty-five (85), and Ninety (90), lying west of the old S.A. & A.P. R.R. line, now the S.P. R.R. line, containing 176 acres of land, more or less, said lots or tracts of land being shown on map or plat of the Walter F. Hamilton League, recorded in Book Y, page 500, of the Deed Records of Fayette County, Texas, to which plat reference is here made for more particular description;

reserving unto the said Mrs. Elise Richers the royalty interests therein specified in fuller's earth and other clay-like substances and the following royalty interests in oil, gas and other minerals:

- (a) On oil or gas, a quantity equal to one-eighth (1/8) of all produced and saved, the same to be delivered at the wells or to the credit of Mrs. Elise Richers in the pipeline to which the wells may be connected; and
- (b) On any other mineral produced and marketed from said land, grantee shall pay to Mrs. Elise Richers the same royalty as is then being paid in the same field or immediate vicinity for such mineral so mined and marketed; and

WHEREAS, Texaco Inc., hereinafter called "Grantee", is the successor in interest to The Texas Company and the undersigned parties, hereinafter called "Royalty Owners", are the present owners of the royalty interests hereinabove specified, and it is desired to clarify the provisions of said deed, hereinafter called "the offset provisions", relating to the drilling of an offset well in the event that a well producing oil or gas is completed on adjoining land:

NOW, THEREFORE, in consideration of the premises, the said Royalty Owners do hereby amend and modify said deed by substituting

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