

**SUBORDINATION AGREEMENT**  
MORTGAGE LIEN

77981 Book 129

KNOW ALL MEN BY THESE PRESENTS, THAT

WHEREAS, heretofore, under date of November 11, 1959, 19

Virgil Schwartz and Myrtle Schwartz, his wife, RR 1, Baldwin, Kansas

did execute and deliver to Baldwin State Bank, Baldwin, Kansas

a mortgage covering the following described

tract of land in Douglas County, State of Kansas, to-wit:

The West Half of the Northwest Quarter (W/2 NW/4),

Section 33, Township 14 South, Range 19 East,

said mortgage being recorded in Book 123, at Page 584 of the records of said County, to secure payment of a certain indebtedness as is more fully set out in said mortgage, reference to which is here made, and

WHEREAS the present owner of said land and premises has executed an oil and gas mining lease to

Humble Oil & Refining Company

as lessee, which lease is dated June 6, 19 61, and recorded in Book 217

at Page 21 of the records of said County, covering the land above described, and desires that said lease shall be superior to said mortgage lien;

NOW, THEREFORE, the undersigned, the present holder and owner of said indebtedness and lien, for and in consideration of One Dollar (\$1.00), and other valuable consideration in hand paid, the receipt whereof is hereby acknowledged, and in order to induce the lessee to acquire said lease, does hereby agree that the said lien shall be and is hereby made subordinate, subject and inferior to said oil and gas lease, and in the event of foreclosure of said lien and the sale of said land pursuant to such foreclosure, it is agreed that the leasehold estate created by said lease shall in no wise be affected thereby. It is understood that this agreement shall in no wise affect the lien of said mortgage insofar as it covers property above described except as herein above provided.

This Agreement shall be binding on the undersigned, his heirs, successors and assigns for the benefit of the said lessee, his heirs, successors and assigns.

Executed this the 10th day of August, 19 61

Hale Steele,  
Cashier

Baldwin State Bank  
by Donald O. Nutt,  
Donald O. Nutt, Exec Vice President

**ACKNOWLEDGMENT**

STATE OF Kansas

COUNTY OF Douglas

SS.

BE IT REMEMBERED, That on this 10th day of August, A. D. 19 61

before me, a Notary Public in and for said County and State, personally appeared

Donald O. Nutt

to me personally known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as his Vice 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 use and purposes therein set forth.

In Witness Whereof, I have hereunto set my official signature and Affixed my Notarial Seal the day and year first above written.

My commission expires 5-22-65

Walter Vickers  
Notary Public

Recorded August 22, 1961 at 11:10 A. M.

Walter Vickers Register of Deeds

L-160197  
Walter Vickers