

MICROFILM

VOL 45 PAGE 601

STATE OF KANSAS SS.  
FINNEY COUNTY

This instrument was filed for Record on  
the 2 day of July  
A.D. 1982 at 4:15 o'clock P M  
and duly recorded in book 45  
Page 601 Fee \$ 6.00  
Rita Alsop  
Register of Deeds

NON-DEVELOPMENT AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, Northern Pump Company of 1915 57th Avenue, North, Minneapolis, Minnesota 55430, is the owner of a certain leasehold estate in and under the following described lease and lands situated in Finney County, State of Kansas, to wit:

An Oil and Gas Lease made and entered into on the 26th day of August, 1953 by Mamie Fye and R. L. Fye, her husband, recorded on the 3rd day of September, 1953, in Book o.g. 28 at Page 160, in the office of the Register of Deeds, Finney County, Kansas, covering and upon the South Ten (S 10) acres of the North half (N 1/2) of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) and One-half (1/2) acre lying north of the Avenue Road and in the Northeast (NE) corner of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4), all in Section Twelve (12) Township Twenty-four South (24 S) Range Thirty-three West (33 W) in Finney County, Kansas.

INDEXED ✓  
DIRECT ✓  
INDIRECT ✓

WHEREAS, Northern Pump Company, as Lessee, and as an owner of operating rights for the production of gas from lands with which the above described lands and lease have been unitized for the production of gas, has agreed that it will not conduct drilling operations for the production of oil and gas upon the surface of the following described lands in Finney County, Kansas, to wit:

Lots One (1), Two (2), Four (4) and the North Thirty-three and .08 (33.08) feet of Lot Three (3) of Block Three (3) of Westside Industrial Subdivision of Garden City, Finney County, Kansas, ✓

a portion of which lands, covered by the above-described Oil and Gas Lease, has been unitized with other lands for the production of gas by Northern Pump Company.

NOW, THEREFORE, in consideration of the premises and the sum of TEN DOLLARS (\$10.00), the receipt of which is hereby acknowledged, Northern Pump Company, its successors and assigns, hereby agrees that the above described lease and the Declaration of Consolidation of Leasehold Estate relating thereto, shall create no right in Northern Pump Company as to the surface of the last-above described lands and does further agree that it will not conduct any surface operations or lay pipelines in and on the last above described lands which would disturb the surface, except Northern Pump Company reserves the right to produce and save the oil, gas and other minerals in and under said lands together with the right to drill and extract the same therefrom by directional drilling or by unitization of said

