

ASSIGNMENT

Hwy. Agreement No. NM 77-77-030

THIS ASSIGNMENT, made as of the 2nd day of February, 1977, by NEVADA STATE HIGHWAY DEPARTMENT, ASSIGNOR, to GETTY OIL COMPANY, a corporation with offices at P.O. Box 66729, Houston, Texas, 77006, ASSIGNEE,

WITNESSETH:

WHEREAS, ASSIGNOR is the owner of a highway right-of-way and material site right-of-way on federal public lands situated in Eureka County, State of Nevada, more particularly described on Exhibit "A" attached hereto, and

WHEREAS, ASSIGNEE is the owner and operator of Oil and Gas Leases on federal lands which adjoin the rights-of-way owned by ASSIGNOR, and

WHEREAS, ASSIGNEE desires to control all federal oil and gas deposits which may underlie the lands under federal oil and gas lease to ASSIGNEE, including lands lying beneath the rights-of-way owned by ASSIGNOR,

NOW, THEREFORE, in consideration of the premises and of other valuable consideration, the receipt and sufficiency which is hereby acknowledged, ASSIGNOR does hereby assign unto ASSIGNEE any and all preference rights of ASSIGNOR which arise or may hereafter arise pursuant to the Right-of-Way Leasing Act of 1930 (Act of May 21, 1930; U.S. Code §301 et seq.) to bid for and acquire a federal oil and gas lease or leases covering all or any portion of the rights-of-way described on Exhibit "A" hereof.

This Assignment is expressly made subject to the paramount rights of ASSIGNOR to continue in exclusive surface occupancy of the federal rights-of-way granted to and held by ASSIGNOR under the Right-of-Way Act of November 9, 1921 (23 U.S. Code §18), and ASSIGNEE shall not be entitled to occupy any portion of the surface of said rights-of-way for purposes of drilling for or producing oil and/or gas without first obtaining ASSIGNOR'S prior written consent thereto.

This Assignment is further expressly made subject to the following two (2) paragraphs:

ASSIGNEE, GETTY OIL COMPANY, as an express condition of this Assignment, agrees to indemnify and hold harmless and blameless, the ASSIGNOR, its servants, employees, agents and officers free and clear from any and all claims or actions for damage to person or

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property (including death) arising out of the exercise of the preference rights granted under this assignment.

ASSIGNEE further agrees to repair and make whole, at its own expense, any and all damage caused to the material sites and/or right-of-way owned and controlled by the NEVADA STATE HIGHWAY DEPARTMENT by exercise of ASSIGNEE'S exploration, drilling or extraction of oil and gas under its lease.

IN WITNESS WHEREOF, the said ASSIGNOR has caused these presents to be executed and its seal to be hereunto affixed the day and year first above written.

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ATTEST:



John F. Clerk
Administrative Services Officer

APPROVED as to Legality and Form:

William W. Rayman
Deputy Attorney General
Asst. Chief Counsel

STATE OF NEVADA, acting by and through its
Department of Highways

By [Signature]
Deputy State Highway Engineer

APPROVED:

[Signature]
Chief Right of Way Agent

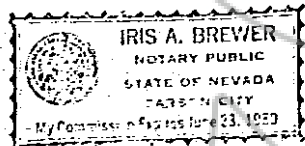
APPROVED:

[Signature]
District Engineer

STATE OF NEVADA
CARSON CITY

On this 3rd day of February, 19 77, personally appeared before me, the undersigned, a Notary Public in and for Carson City, State of Nevada, Donald J. Crosby known to me to be the Deputy State Highway Engineer of the State of Nevada who executed the foregoing instrument for the State of Nevada, acting by and through its Department of Highways, who upon oath did depose that he is the Deputy State Highway Engineer as above designated; that he is acquainted with the seal of said Department; that the seal affixed to said instrument is the seal of said Department; and that said instrument was executed for the State of Nevada on relation of its Department of Highways, freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Iris A. Brewer
Notary Public

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The terms and provisions of this Assignment are acceptable to Assignee herein.

GETTY OIL COMPANY

BY:

Title: Attorney-in-Fact

STATE OF _____

On this _____ day of _____, 19____, personally appeared before me, the undersigned, a Notary Public in and for the _____ State of _____, who acknowledged to me that the said corporation executed the above instrument.

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IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

STATE OF Texas
HARRIS
County of Harris

On this 16th day of February, 1977, personally appeared before me, the undersigned, a Notary Public in and for the County of Harris, State of Texas, T. L. ROBERTS, ATTORNEY-IN-FACT for GETTY OIL COMPANY (a Delaware Corporation) known to me to be the person described in and who executed the foregoing instrument who acknowledged to me that he executed the same freely and voluntarily and for uses and purposes thereby mentioned.

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IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Margaret Meza

MARGARET MEZA
Notary Public in and for Harris County, Texas
My Commission Expires June 1, 1979

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EXHIBIT "A"
to ASSIGNMENT from
Nevada State Highway Department
to
Getty Oil Company

Highway Right-of-Way (400 feet wide) Nev. - 003794
Nev.-011316
(as the same lies in portions of Townships 24 to
27 North, Range 51 East, and Townships 27 to 30
North, Range 52 East, MDM, in Eureka County,
Nevada)

Material Site Rights-of-Way

<u>Serial Number</u>	<u>Situated in Portions of:</u>
Nev. 001473	Section 26-25N-51E
Nev. 004119	Section 10-25N-51E
Nev. 004120	Section 3-25N-51E
Nev. 1962	Section 3-25N-51E
Nev. 004121	Sections 34 & 35-26N-51E
Nev. 3420	Sections 14 & 15-26N-51E
Nev. 004122	Section 14-26N-51E
Nev. 004123	Section 23-27N-51E
Nev. 011294	Section 12-27N-51E and Section 7-27N-52E
Nev. 045026 and Nev. 042561	Section 34-29N-52E
Nev. 058399 and Nev. 014536	Section 28-30N-52E

(all situated in Eureka County, Nevada)

62776

RECORDED AT THE REQUEST OF Department Of Highways
on March 9 19 77 at 30 mins: past 2 P.M. by
Book 58 of OFFICIAL RECORDS, page 369-372, RECORDS OF
EUREKA COUNTY, NEVADA. WILLIS A. DePAOLI Recorder
File No. 62776 Fee \$ No Fee

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