

## MINERAL DEED

Know all men by these presents that the **City of Bay City, of 301 Washington Avenue, Bay City, Michigan 48708-5837**, hereinafter called "Grantor", for and in consideration of the sum of One Thousand Two Hundred and 00/100 (\$1,200.00) Dollars and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell, convey, transfer, assign and deliver unto **Wilkinson Minerals, LLC, a Delaware limited liability company, of 33300 Egypt Lane, Suite J-300, Magnolia, Texas 77354**, hereinafter called "Grantee", all of its interest in the minerals, as defined herein, in and under and that may be produced from the following lands situated in the City of Bay City, Bay County, Michigan:

### Township 14 North, Range 5 East

Commencing at the intersection of centerline of Saginaw River and the West Line of Trumbull Dr as extended North; thence South along said West line to a point 549.73 feet North and 25 feet West of intersection of centerline of Water St and centerline of Trumbull Dr; thence West 163.80 feet; thence S0°04'W 396.80 feet; thence S09°36'10"W 144 feet to the North line of North Water St; thence West along said North line 71.37 feet; thence North 160 feet; thence Westerly, parallel to North Water St, 592 feet; thence North, parallel to Trumbull Dr, 140 feet; thence Westerly, parallel to N Water St, 175 feet to the Easterly R/W line of Truman Parkway; thence Northwesterly along said R/W line to centerline of Saginaw River; thence Easterly along said centerline to POB; and

A parcel of land in the Southwest ¼, commencing at a point 549.73 feet North along the centerline of Trumbull St extended from its intersection with the centerline of Water St and 15 feet West at right angles thereto; thence West 173.80 feet; thence South 20.00 feet; thence East 176.80 feet; thence North 20.00 feet to POB, and

Trumbull Street lying South of the Saginaw River and North of the Railroad ROW.

Insofar and only insofar as Grantor's mineral interest covers the Sylvania Sandstone formation under the herein described lands, as that formation is seen in the Dow 1-10 well, MDEGLE PN 39988. which is located in Section 10, Township 14 North, Range 05 East, between the measured depths of 4,065 feet and 4,562 feet, including the right to drill through and set casing in all formations situated above the Sylvania Sandstone.

It is agreed between Grantor and Grantee that no operations will be conducted on the surface of the herein described land.

containing 24 acres, more or less.

As used in this Deed, the word “minerals” is limited to brine and all substances produced in conjunction therewith.

Grantor conveys and quit claims said mineral interest described and granted herein.

Grantee shall indemnify, defend and hold harmless Grantor from and against any claims, costs or expenses arising from or relating to any Post-Closing Environmental Conditions, including:

- (i) any response actions required by Environmental Laws as a result of Post-Closing Environmental Conditions;
- (ii) any claims asserted for personal injury, property damage, or natural resources damages caused by any Post-Closing Environmental Condition.

For the purposes of these indemnifications, “Environmental Laws” means any and all applicable laws, rules, regulations and permits issued, promulgated or entered into by any governmental authority relating to the environment. “Post-Closing Environmental Condition” means any violation of any Environmental Law or release of a hazardous substance that occurred subsequent to closing. For purposes of this indemnifications, “Release” and “Hazardous Substance” are as defined in Part 201 of Natural Resources and Environmental Protection Act, P.A. 1994, No. 451, as amended.

This agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, successors, representatives and assigns.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed this \_\_\_\_\_ day of March, 2020.

CITY OF BAY CITY

\_\_\_\_\_  
By: Kathleen Newsham, Its Mayor

\_\_\_\_\_  
By: Tema J. Lucero, Its City Clerk

STATE OF MICHIGAN     )  
  ) ss.  
COUNTY OF BAY         )

On this \_\_\_\_ day of March, 2020, before me, a Notary Public in and for said County, appeared Kathleen Newsham and Tema J. Lucero, to me personally known, who, being duly sworn, did each for themselves, say that they are respectively the Mayor and Clerk of the City of Bay City, the municipal corporation named herein and which executes the within instrument, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Commission; and severally acknowledged said instrument to be the free act and deed of said corporation.

\_\_\_\_\_, Notary Public  
State of Michigan, County of Bay  
My Commission Expires:  
Acting in the County of Bay

**When recorded return to:**  
Jeffrey A. Smetzer, CPL  
Smetzer Land Services, Inc.  
P.O. Box 1122  
Gaylord, MI 49734-1122

**Drafted by:**  
Neil P. Wackerly, Esq., (P27812)  
ALLSOPP WACKERLY & BLOSSOM  
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