

33 3929

12221

11187

IN THE CIRCUIT COURT OF THE SEVENTH
JUDICIAL CIRCUIT IN AND FOR BREVARD
COUNTY, FLORIDA. IN CHANCERY.

541

BOOK 822 PAGE 093

No. 60C 12203.

145605

JANIS W. BURKE,

Plaintiff,)

v.)

EDWARD G. BURKE,

Defendant.)

COURT NO. 108316

STIPULATION AND AGREEMENT

This stipulation and agreement is entered into by and between Janis W. Burke, plaintiff, and Edward G. Burke, defendant, in the above styled cause.

1. The parties refer to that certain agreement entered into by and between them under date of December 5, 1960, which said agreement was subsequently ratified, approved and confirmed by the Court in its final decree of divorce entered in the above styled cause on the 3rd day of January, 1961, which said decree was recorded in Chancery Order Book 1490, at page 420.

2. That subsequent to entry into the agreement and the granting of the divorce mentioned herein above, differences arose between the parties in respect to rights and interests in certain oil and mineral properties. It was the contention of Edward G. Burke that these certain properties, vested in the name of Janis W. Burke, should have been transferred and assigned over to him as a part of the disposition of their property rights and interests. Janis W. Burke asserted ownership and refused to make such transfer and assignment. Subsequently, arguments relative to the disputed property continued between the parties and Edward G. Burke neglected to make payments under the above mentioned agreement in accordance therewith, as the result of which the plaintiff petitioned the Court for an order to show cause why Edward G. Burke should not be held in contempt of Court because he is presently \$3185.62 in arrears under the terms of said agreement.

3. The parties have now come to an understanding and have, through this stipulation and agreement, resolved their differences.

4. Janis W. Burke agrees forthwith and without delay to assign and deliver over unto Edward G. Burke all of her right, title and interest to the following described mineral deeds, royalty deeds, mineral rights and royalty transfers:

BOOK 104 PAGE 295

Entry No. 120747 Fee \$ 9.50
Recorded at Request of
Merrill Co.
Date APR 13 1967 of 9:00AM
Book 866 Page 216-220
Helen E. Bickel
Washington County Recorder

Recorded at request of
Merrill Co.
Date APR 13 1967 of 9:00AM
Book 866 Page 216-220
Helen E. Bickel
Washington County Recorder

642
154
544

#145605

14167

BOOK 557 PAGE 122

BOOK 822 PAGE 694

215
810

129717

- (1) Mineral deed - dated October 3, 1945; Grantees, Ray Ryan and Janis W. Burke, a 25/128 interest in 260 acres located in Posey County, Indiana.
- (2) Mineral deed - executed June 26, 1946; Grantees Ray Ryan and Janis W. Burke, a 1/10 interest in approximately 100 acres located in McClain County, Oklahoma.
- (3) Mineral deed - dated June 26, 1946; Grantees, Ray Ryan and Janis W. Burke, a 1/4 interest in 160 acres, located in Grady County, Oklahoma.
- (4) Mineral deed - dated June 26, 1946; Grantees, Ray Ryan and Janis W. Burke, a 5/22 interest in 110 acres located in McClain County, Oklahoma.
- (5) Mineral deed - dated September 10, 1947; Grantees, Ray Ryan and Janis W. Burke, a 15/16 interest in approximately 95 acres located in Utah County, Utah.
- (6) Mineral deed - dated October 9, 1947; Grantees, Ray Ryan and Janis W. Burke, a 1/2 of 62.02/588.08 interest in approximately 588.08 acres located in Millard County, Utah.
- (7) Mineral deed - dated October 10, 1947; Grantees, Ray Ryan and Janis W. Burke, a 5/68 interest in 34 acres located in Montrose County, Colorado.
- (8) Mineral deed - dated February 26, 1948; Grantees, Ray Ryan and Janis W. Burke, a 15/16 interest in approximately 160 acres located in Millard County, Utah, which acreage is contained within Section 22, Township 17 South.
- (9) Mineral deed - dated February 26, 1948; Grantees, Ray Ryan and Janis W. Burke, a 15/16 interest in approximately 120 acres located in Beaver County, Utah.
- (10) Mineral deed - dated February 26, 1948; Grantees, Ray Ryan and Janis W. Burke, a 15/16 interest in approximately 160 acres (Section 4, Township 16 South), located in Millard County, Utah.
- (11) Mineral deed - dated May 14, 1948; Grantees, Ray Ryan and Janis W. Burke, a 15/16 interest in approximately 80 acres (lots 13 and 14, Section 19, Township 36 South), located in Iron County, Utah.
- (12) Mineral deed - dated May 14, 1948; Grantees, Ray Ryan and Janis W. Burke, a 15/16 interest in approximately 160 acres (contained in Section 2, Township 36 South, located in Iron County, Utah.
- (13) Mineral deed - dated May 14, 1948; Grantees, Ray Ryan and Janis W. Burke, a 15/16 interest in approximately 71.38 acres located in Washington County, Utah.
- (14) Mineral deed - dated May 14, 1948; Grantees, Ray Ryan and Janis W. Burke, a 15/16 interest in 120 acres (contained within Section 32, Township 39), located in Kane County, Utah.
- (15) Mineral deed - dated May 14, 1948; Grantees, Ray Ryan and Janis W. Burke, a 15/16 interest in 134 acres located in Iron County, Utah.
- (16) Mineral deed - dated May 14, 1948; Grantees, Ray Ryan and Janis W. Burke, a 15/16 interest in 240 acres located in Iron County, Utah.
- (17) Mineral deed - dated May 14, 1948; Grantees, Ray Ryan and Janis W. Burke, a 15/16 interest in 120 acres (contained in Section 28, 29 and 33, Township 39) located in Kane County, Utah.

BOOK 104 PAGE 276

#145605 14487

BOOK 337 PAGE 123

643

BOOK 822 PAGE 655

35
546

216

29717

- (18) Mineral deed - dated June 14, 1948; Grantees, Ray Ryan and Janis W. Burke, a 15/16 interest in 60 acres located in Iron County, Utah.
- (19) Mineral deed - dated June 14, 1948; Grantees, Ray Ryan and Janis W. Burke, a 15/16 interest in approximately 200 acres located in Iron County, Utah.
- (20) Mineral deed - dated June 15, 1948; Grantees, Ray Ryan and Janis W. Burke, a 15/16 interest in approximately 160 acres located in Washington County, Utah.
- (21) Mineral deed - dated June 15, 1948; Grantees, Ray Ryan and Janis W. Burke, a 15/16 interest in 160 acres (contained in Section 34, Township 19 South), located in Millard County, Utah.
- (22) Mineral deed - dated June 15, 1948; Grantees, Ray Ryan and Janis W. Burke, a 15/16 interest in 320 acres located in Iron County, Utah.
- (23) Mineral deed - dated June 15, 1948; Grantees, Ray Ryan and Janis W. Burke, a 15/16 interest in 160 acres (contained in Section 21, Township 19 South); located in Millard County, Utah.
- (24) Royalty deed - dated May 28, 1945; Grantees, Ray Ryan and Janis W. Burke, a 2/3 interest in Ray Ryan and a 1/3 interest in Janis W. Burke, located in Adams County, Mississippi.
- (25) Royalty deed - dated October 13, 1945; Grantees, Ray Ryan and Janis W. Burke, a 16/928 interest in 928 acres located in Adams County, Mississippi.
- (26) Warranty deed - dated September 18, 1945; Grantees, Ray Ryan and Janis W. Burke, to 140 acres located in Gallatin County, Illinois.
- (27) Term mineral deed - dated November 25, 1947; Grantees, Ray Ryan and Janis W. Burke, a 5/12 interest in 120 acres, located in Hamilton County, Illinois.
- (28) Mineral right transfer - dated October 10, 1947; Grantees, Ray Ryan and Janis W. Burke, a 1/2 of 1/19 interest in approximately 1923.82 acres located in Sanpete County, Utah.
- (29) Mineral right and royalty transfer - dated October 10, 1947; Grantees Ray Ryan and Janis W. Burke, a 1/2 of 1/7 interest in approximately 709.81 acres located in Sanpete County, Utah.
- (30) Mineral deed - dated February 26, 1948; Grantees, Ray Ryan and Janis W. Burke, in equal parts, an undivided 15/16 in Section 36, Township 15 South, in approximately 160 acres located in Millard County, Utah.
- (31) Mineral deed - dated May 21, 1948; Grantee, Janis W. Burke, 15/64 interest in approximately 800 acres located in Millard County, Utah.
- (32) Overriding royalty interests - Certain oil and gas leases covering lands in Clark County, Illinois, consisting of 4 individual leases with an overriding royalty of 27/192 of 1/32 of 7/8.

Janis W. Burke certifies that the above set forth 32 parcels include all such properties which have been demanded of her by Edward G. Burke.

5. Edward G. Burke stipulates and agrees that he will not at this time or any future time raise any objection to, or in any way attack or challenge either the agreement between the parties entered into under date of December 5, 1960, or the divorce proceedings between the parties.

6. Edward G. Burke further agrees and stipulates, should he at any future time fail to promptly live up to the terms and conditions of said agreement of December 5, 1960, that the only defense which he can or will raise,

in answer to an order to show cause why he should not be held in contempt

155

BOOK 1016 PAGE 297

129717

3p

of the Court, is an assertion of his financial inability to pay through no act or fault of his own.

7. Furthermore, Edward G. Burke agrees to promptly pay to Janis W. Burke immediately upon the execution of this stipulation and agreement the sum of \$6386.62, being the amount he is presently in arrears under the terms of the aforementioned agreement.

8. At this time Janis W. Burke and Edward G. Burke ratify and re-affirm all of the terms and conditions set forth in that certain agreement dated December 5, 1960, which agreement was confirmed by the Honorable Pat Cannon in the final decree of divorce entered in the above styled cause on January 3, 1961, both stating that said agreement and this stipulation represent the entire understanding between the parties, and neither claims any other right or interest, outside said documents, from the other in any respect.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 27 day of February, 1964.

Janis W. Burke (SEAL)
Janis W. Burke

Edward G. Burke (SEAL)
Edward G. Burke

APPROVED:
PADGETT, TEASLEY & NILES
Attorneys for Janis W. Burke

By Palmer A. Niles
Palmer A. Niles

APPROVED:
Ben Cohen
Ben Cohen
Attorney for Edward G. Burke



#145005

11177

645

BOOK 022 PAGE 097

218

37

548

129717

STATE OF FLORIDA)
) SS.
COUNTY OF DADE)

I, E. B. LEATHERMAN, Clerk of the Circuit Court of the Eleventh Judicial Circuit in and for the County of Dade and State of Florida DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of a Stipulation and Agreement
FILED in my office 70th day of February, A. D. 19 64
entered in ct Book at page

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal of said Court, this 8th day of September, A. D., 19 66

E. B. LEATHERMAN
Clerk Circuit Court

By Mary J. Vance
Deputy Clerk

FILED FOR RECORD
at 9:30 o'clock P.M.
1966
Louis Rossing
Deputy County Recorder

CT. CT.
Seal

STATE OF OKLAHOMA) SS.
CRAWFORD COUNTY
THIS INSTRUMENT WAS FILED FOR RECORD
ON 11/17/66 at 11:00 A. D. 1966
in Book 104 Page 227
WALTER HOLLETT, County Clerk

STATE OF OKLAHOMA)
MCCLAIN COUNTY
FILED FOR RECORD
ON 11/17/66 at 11:00 A. D. 1966
in Book 104 Page 227
Walter Hollett
County Clerk

157

BOOK 104 PAGE 227

13225

Richard D. Smith
Recorder of Millard County, Utah

1964 9:02

1064

33-33

\$ 6.20

Ryan Oil Co.

218 South Blkly

Greenville,

Idaho

H 7 709

NO.

RECORDED AT REQUEST OF:

Ryan Oil Co.

DATE *October 11, 1964* TIME *9:02 AM*

BOOK *23* OF REC. PAGE *133* FEE *\$6.20*

RECORDER OF MILLARD COUNTY, UTAH

By *Richard D. Smith* Deputy

OFFICE OF
COUNTY RECORDER

RECORDED
INDEXED

ASSISTANT REC. CLERK

RECORDED
INDEXED

398511

EXHIBITION & AGREEMENT

John W. Burke

to

Edward G. Burke

55

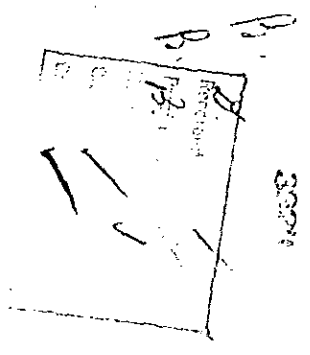
of the 1st day of August 1967

1967 and is fully

[Signature]

Recorder

4708



398511

[Handwritten mark]

$\frac{10}{3}$

Pages all 8,
11 and 12
Barnwell - Johnson