

After recording, return to:

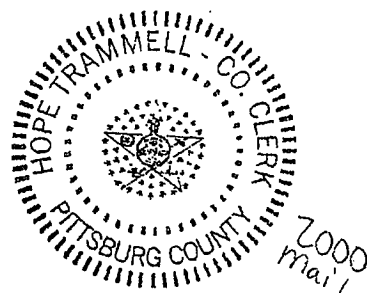
Black Mountain Energy Storage II LLC
425 Houston Street, Suite 400
Fort Worth, TX 76102

Chicago Title Oklahoma
210 Park Ave, Ste 210
Oklahoma Tower
Oklahoma City, OK 73102
File #: 710702501299

I-2026-002936 Book 2833 Pg 403
04/06/2026 1:47pm Pg 0403-0410
Fee: \$32.00 Doc: \$8,086.50
Hope Trammell - Pittsburg County Clerk
State of OK **THB**

FNTG GF# 9001222502202

SPECIAL WARRANTY DEED
(SURFACE ONLY)



Audrey Rose Kilgore and Lukas Kilgore, husband and wife ("**Grantor**"), for valuable consideration, the receipt of which is acknowledged, does hereby grant, bargain, sell, and convey unto Black Mountain Energy Storage II LLC, a Texas limited liability company ("**Grantee**"), whose mailing address is 425 Houston Street, Suite 400, Fort Worth, TX 76102, the real estate described on **Exhibit A** attached hereto (the "**Property**"), together with all the improvements and appurtenances, less and except and reserving unto Grantor all oil, gas, lignite, coal, hydrocarbon and other minerals of whatever nature in, under and that may be produced from the Property (including any existing production or mineral leases and all benefits therefrom) (the "**Mineral Estate**"), and warrant the title to the Property to be free, clear, and discharged of and from all former grants, claims, charges, taxes, judgments, mortgages, and other liens or encumbrances of any nature granted by, through, or under Grantor, but not otherwise, and further subject to, and excepting and excluding from such warranty, those matters set forth on **Exhibit B** attached hereto.

Notwithstanding anything to the contrary, Grantor hereby agrees to waive and does hereby waive any and all rights to go on or about or use the surface of the Property for the exploration, production or development of the Mineral Estate, and Grantor does hereby agree, in conducting exploration for, and production, processing, transportation, and marketing of oil, gas, or other minerals from the Property, not to use or occupy any portion of the surface of any part of the Property or place any fixtures, equipment, buildings or structures thereon; provided, however, this waiver shall be subject to all current leases of the Mineral Estate (or any portion thereof) and not be construed as waiving, releasing, or relinquishing any of Grantor's right, title or interest in and to the Mineral Estate that may be produced from the Property or the right of Grantor to explore, develop or produce such Mineral Estate by means which do not include the use of the surface of the Property, including, without limitation, directional wells drilled under any part of the Property from a site off the Property or by pooling of the Property with other lands.

To have and to hold the Property unto Grantee, and Grantee's successors and assigns, forever.

Grantee hereby expressly acknowledges that Grantee is taking the Property "AS IS, WHERE IS" and with all faults in accordance with the terms and conditions of that certain Purchase and Sale Agreement by and between the parties dated December 1, 2025, the terms and conditions of which are incorporated herein by this reference as if set forth fully herein.

The Affidavit required by 60 O.S. § 121 is attached hereto as **Exhibit C** attached hereto.

SIGNATURE PAGE TO SPECIAL WARRANTY DEED

EXECUTED and DELIVERED as of March 27, 2026.

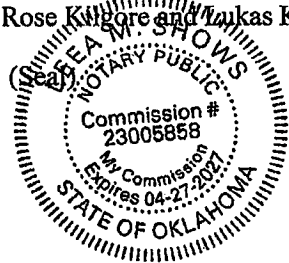
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Audrey Rose Kilgore
Audrey Rose Kilgore

Lukas Kilgore
Lukas Kilgore

STATE OF OK)
) ss:
COUNTY OF Pittsburg)

This instrument was acknowledged before me on March 27, 2026, by Audrey Rose Kilgore and Lukas Kilgore, husband and wife.



Rebecca M. Shaver
Notary Public
My Commission Expires: 4-27-2027
Commission # 23005858

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Exhibit A
LEGAL DESCRIPTION

Tract 1:

The Northeast Quarter of the Southeast Quarter of the Southwest Quarter (NE/4 SE/4 SW/4); and the Northwest Quarter of the Southwest Quarter of the Southeast Quarter (NW/4 SW/4 SE/4) of Section Fifteen (15), Township Three (3) North, Range Thirteen (13) East of the Indian Base and Meridian, Pittsburg County, State of Oklahoma.

Tract 2:

The West Half of the Southeast Quarter of the Southwest Quarter (W/2 SE/4 SW/4); and the Southeast Quarter of the Southeast Quarter of the Southwest Quarter (SE/4 SE/4 SW/4); and the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SW/4 SW/4 SE/4); and the East Half of the Southwest Quarter of the Southeast Quarter (E/2 SW/4 SE/4); and the Southeast Quarter of the Southeast Quarter (SE/4 SE/4) of Section Fifteen (15), Township Three (3) North, Range Thirteen (13) East of the Indian Base and Meridian, Pittsburg County, State of Oklahoma,

LESS AND EXCEPT:

All that tract or parcel of land being the N/2 SE/4 SE/4 of Section 15, Township 3 North, Range 13 East, Indian Meridian, Pittsburg County, Oklahoma, and being more fully described as follows: Commencing at a 3/8 inch rebar found being the SE Corner of said Section 15, Township 3 North, Range 13 East, thence running N 01°06'29" W, for a distance of 661.28 feet to a point on the east line of said Section 15, Township 3 North, Range 13 East, and the Point of Beginning; Thence leaving said section line and running S 88°50'04" W, for a distance of 1320.00 feet to a point; Thence running N 01°06'28" W, for a distance of 660.00 feet to a point; Thence running N 88°50'04" E, for a distance of 1320.00 feet to a point on the east line of said Section 15, Township 3 North, Range 13 East, said point being the NE Corner of SE Quarter of the SE Quarter of said Section 15, Township 3 North, Range 13 East; Thence running along the east line of said Section 15, Township 3 North, Range 13 East, S 01°06'28" E, for a distance of 660.00 feet to the Point of Beginning.

Tract 3:

The Northeast Quarter (NE/4); and the Northwest Quarter (NW/4); and the West Half of the Northwest Quarter of the Southwest Quarter (W/2 NW/4 SW/4) of Section Twenty-one (21), Township Three (3) North, Range Thirteen (13) East of the Indian Base and Meridian, Pittsburg County, State of Oklahoma.

Tract 4:

The Northeast Quarter of the Southwest Quarter (NE/4 SW/4); and the Southeast Quarter (SE/4); and the South Half of the Southwest Quarter (S/2 SW/4); and the East Half of the Northwest Quarter of the Southwest Quarter (E/2 NW/4 SW/4) of Section Twenty-one (21), Township Three (3) North, Range Thirteen (13) East of the Indian Base and Meridian, Pittsburg County, State of Oklahoma.

Tract 5:

The Northeast Quarter (NE/4); and the West Half (W/2); and the West Half of the Southeast Quarter (W/2 SE/4); and the North Half of the Northeast Quarter of the Southeast Quarter (N/2 NE/4 SE/4) of Section

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Twenty-two (22), Township Three (3) North, Range Thirteen (13) East of the Indian Base and Meridian, Pittsburg County, State of Oklahoma.

Tract 6:

The Northwest Quarter (NW/4) of Section Twenty-seven (27), Township Three (3) North, Range Thirteen (13) East of the Indian Base and Meridian, Pittsburg County, State of Oklahoma.

Tract 7:

The North Half of the Northeast Quarter of the Northeast Quarter (N/2 NE/4 NE/4) of Section Twenty-eight (28), Township Three (3) North, Range Thirteen (13) East of the Indian Base and Meridian, Pittsburg County, State of Oklahoma.

Tract 9:

The Northwest Quarter (NW/4); and the West Half of the Southwest Quarter (W/2 SW/4); and the North Half of the Northeast Quarter of the Southwest Quarter (N/2 NE/4 SW/4); and the Southwest Quarter of the Northeast Quarter of the Southwest Quarter (SW/4 NE/4 SW/4); and the Southeast Quarter of the Southwest Quarter (SE/4 SW/4); and the North Half of the Northwest Quarter of the Southeast Quarter (N/2 NW/4 SE/4); and the Northwest Quarter of the Northeast Quarter of the Southeast Quarter (NW/4 NE/4 SE/4); and the South Half of the Southwest Quarter of the Southeast Quarter (S/2 SW/4 SE/4); and the Southwest Quarter of the Southeast Quarter of the Northeast Quarter (SW/4 SE/4 NE/4) of Section Twenty-eight (28), Township Three (3) North, Range Thirteen (13) East of the Indian Base and Meridian, Pittsburg County, State of Oklahoma.

Tract 10:

The East Half of the Northeast Quarter (E/2 NE/4); and the East Half of the West Half of the Northeast Quarter (E/2 W/2 NE/4); and the Northwest Quarter of the Southwest Quarter of the Northeast Quarter (NW/4 SW/4 NE/4); and the Southeast Quarter (SE/4) of Section Twenty-nine (29), Township Three (3) North, Range Thirteen (13) East of the Indian Base and Meridian, Pittsburg County, State of Oklahoma.

Tract 12:

The North Half of the Northwest Quarter of the Northeast Quarter (N/2 NW/4 NE/4); and the Southwest Quarter of the Northwest Quarter of the Northeast Quarter (SW/4 NW/4 NE/4); and the Northeast Quarter of the Northwest Quarter (NE/4 NW/4); and the East Half of the Northwest Quarter of the Northwest Quarter (E/2 NW/4 NW/4); and the Northeast Quarter of the Southwest Quarter of the Northwest Quarter (NE/4 SW/4 NW/4); and the Southwest Quarter of the Southwest Quarter of the Northwest Quarter (SW/4 SW/4 NW/4); and the Northwest Quarter of the Southeast Quarter of the Northwest Quarter (NW/4 SE/4 NW/4) of Section Thirty-three (33), Township Three (3) North, Range Thirteen (13) East of the Indian Base and Meridian, Pittsburg County, State of Oklahoma.

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Exhibit B
PERMITTED EXCEPTIONS

1. Ad valorem taxes for 2026 and subsequent years, not yet due and payable.
2. Rights or claims of parties in possession not shown by the public records.
3. Easements, or claims of easements, not shown by the public records.
4. All interest in and to all oil, gas, coal, metallic ores and other minerals in and under and that may be produced from insured premises, and all rights, interests and estates of whatsoever nature incident to or growing out of said outstanding minerals.
5. Statutory Roadway Easement in favor of the State of Oklahoma across all section lines.
6. Right of Way in favor of Arkansas Louisiana Gas Company recorded in Book 131, Page 319.
7. Right of Way in favor of Arkansas Louisiana Gas Company recorded in Book 135, Page 18.
8. Right of Way in favor of Arkansas Louisiana Gas Company recorded in Book 198, Page 90.
9. Easement in favor of Skelly Oil Company recorded in Book 258, Page 229.
10. Easement in favor of Skelly Oil Company recorded in Book 258, Page 230.
11. Right of Way in favor of Arkansas Louisiana Gas Company recorded in Book 265, Page 603.
12. Right of Way in favor of Arkansas Louisiana Gas Company recorded in Book 265, Page 605.
13. Right of Way in favor of Arkansas Louisiana Gas Company recorded in Book 265, Page 607.
14. Right of Way in favor of Arkansas Louisiana Gas Company recorded in Book 265, Page 609.
15. Right of Way in favor of Public Service Company of Oklahoma recorded in Book 268, Page 30.
16. Easement in favor of Skelly Oil Company recorded in Book 271, Page 597.
17. Right of Way in favor of Public Service Company of Oklahoma recorded in Book 276, Page 345.
18. Right of Way in favor of Public Service Company of Oklahoma recorded in Book 276, Page 349.
19. Report of Commissioners recorded in Book 287, Page 39.
20. Right of Way in favor of Arkansas Louisiana Gas Company recorded in Book 471, Page 525.
21. Easement in favor of Western Farmers Electric Cooperative recorded in Book 520, Page 249.
22. Easement in favor of Western Farmers Electric Cooperative recorded in Book 520, Page 313.
23. Easement in favor of Rural Water District No. 11 recorded in Book 898, Page 96.
24. Right of Way in favor of Enogex Gas Gathering, LLC recorded in Book 995, Page 74.
25. Right of Way in favor of Enogex Gas Gathering, LLC recorded in Book 995, Page 78.
26. Right of Way in favor of Enogex Gas Gathering, LLC recorded in Book 995, Page 82.
27. Right of Way in favor of Sedna Energy, Inc. recorded in Book 1499, Page 757.
28. Right of Way in favor of Sedna Energy, Inc. recorded in Book 1499, Page 759.
29. Right of Way in favor of Enogex Gas Gathering, LLC recorded in Book 1536, Page 722.
30. Right of Way in favor of Enogex Gas Gathering, LLC recorded in Book 1536, Page 725.
31. Surface Site Easement in favor of Enogex Gas Gathering LLC recorded in Book 1553, Page 43.
32. Right of Way in favor of Sedna Energy, Inc. recorded in Book 1568, Page 387.
33. Right of Way in favor of Sedna Energy, Inc. recorded in Book 1568, Page 393.
34. Right of Way in favor of Enogex Gas Gathering, LLC recorded in Book 1581, Page 342.
35. Right of Way in favor of Enogex Gas Gathering, LLC recorded in Book 1584, Page 740.
36. Right of Way in favor of Enogex Gas Gathering, LLC recorded in Book 1584, Page 744.
37. Right of Way in favor of Enogex Gas Gathering, LLC recorded in Book 1584, Page 747.
38. Right of Way in favor of Enogex Gas Gathering, LLC recorded in Book 1604, Page 141.
39. Right of Way in favor of Enogex Gas Gathering, LLC recorded in Book 1604, Page 144.
40. Right of Way in favor of Public Service Company of Oklahoma recorded in Book 1633, Page 493.
41. Right of Way in favor of Public Service Company of Oklahoma recorded in Book 1633, Page 496.
42. Right of Way in favor of Enogex Gas Gathering, LLC recorded in Book 1687, Page 333.

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43. Right of Way in favor of Enogex Gas Gathering, LLC recorded in Book 1709, Page 339.
44. Easement in favor of XTO Energy, inc. recorded in Book 1719, Page 57.
45. Right of Way in favor of Enogex Gas Gathering, LLC recorded in Book 1725, Page 536.
46. Right of Way in favor of Enogex Gas Gathering, LLC recorded in Book 1736, Page 139.
47. Right of Way in favor of Enogex Gas Gathering, LLC recorded in Book 1744, Page 43.
48. Right of Way in favor of Enogex Gas Gathering, LLC recorded in Book 1754, Page 158.
49. Right of Way in favor of Enogex Gas Gathering, LLC recorded in Book 1786, Page 196.
50. Right of Way in favor of XTO Energy Inc. recorded in Book 1862, Page 285; Amendment to Right of Way recorded in Book 2126, Page 323.
51. Right of Way in favor of Kiamichi Electric Cooperative, Inc. recorded in Book 1888, Page 535.
52. Right of Way in favor of Enogex Gas Gathering LLC recorded in Book 2043, Page 380.
53. Right of Way in favor of Enogex Gas Gathering LLC recorded in Book 2043, Page 384.
54. Right of Way in favor of Kiamichi Electric Cooperative, Inc. recorded in Book 2522, Page 197.
55. Right of Way in favor of Kiamichi Electric Cooperative, Inc. recorded in Book 2522, Page 249.
56. Easement in favor of Rural Water District No. 11 recorded in Book 2582, Page 678.
57. Any rights, interests or claims which may exist or arise by reason of the following matters disclosed by the ALTA/NSPS Land Title Survey dated February 6, 2026, prepared by Stephen Johnson, Professional Land Surveyor No. 1351, for Centerline, under Project/Job No. 25-12-2087:
 - i. Overhead electric lines without the benefit of an easement across subject property. {shown as Tract 1 on survey}
 - ii. Fences inset and offset property lines throughout the subject property.
 - iii. Wellheads without the benefit of an easement throughout the subject property. (shown as Tract 1 on survey)
 - iv. Tank batteries and concrete pads without the benefit of an easement throughout the subject property. {shown as Tract 1 on survey}
 - v. Fence inset and offset boundary lines of easement filed Book 1553, Page 43. (shown as Tract 1 on survey)

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Exhibit C

AFFIDAVIT OF LAND OR MINERAL OWNERSHIP: BUSINESS OR TRUST

STATE OF OKLAHOMA)
)
COUNTY OF PITTSBURG) ss.

TO: THE ATTORNEY GENERAL OF THE STATE OF OKLAHOMA

Before me, the undersigned Rhett Bennett (the "Affiant"), who, having been first duly sworn, deposes and states:

I am eighteen (18) years of age or older and have personal knowledge of the statements made herein.

I am the Director of BMES II HOLDINGS LLC, a Delaware limited liability company, acting in its capacity as Sole Managing Member of Black Mountain Energy Storage II LLC, a Texas limited liability company (referred to herein as the "Entity"). I am duly authorized to record this Affidavit on behalf of the Entity, which is taking title to the real property identified in the Deed to which this Affidavit is attached (the "Property"), and to bind the Entity for the consequences of any false statements in this Affidavit.

This Affidavit is executed in accordance with and pursuant to 60 O.S. § 121, which provides in part as follows:

No alien or any person who is not a citizen of the United States shall acquire title to or own land in this state either directly or indirectly through a business entity or trust, except as hereinafter provided, but he or she shall have and enjoy in this state such rights as to personal property as are, or shall be accorded a citizen of the United States under the laws of the nation to which such alien belongs, or by the treaties of such nation with the United States, except as the same may be affected by the provisions of Section 121 et seq. of this title or the Constitution of this state. Provided, however, the requirements of this subsection shall not apply to a business entity that is engaged in regulated interstate commerce in accordance with federal law.

The Entity acquired title to the Property in compliance with the requirements of 60 O.S. § 121 and no funding source was used in the sale or transfer of the Property in violation of section 121 or any other state or federal law.

If the Entity is a trust, its grantor(s), trustees and all direct and contingent beneficiaries are United States citizens or bona fide residents of the State of Oklahoma. If the Entity is a business, its direct and indirect owner(s) is/are United States citizens(s) or bona fide residents of the State of Oklahoma.

I acknowledge and understand that making or causing to be made a false statement in this affidavit may subject me to criminal prosecution for perjury and/or subject me and/or the Entity to being

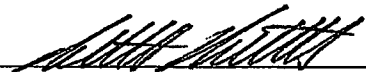
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liable for actual damages suffered or incurred by any person or other entity as a result or consequence of the making of or reliance upon such false statement.

FURTHER AFFIANT SAYETH NOT.

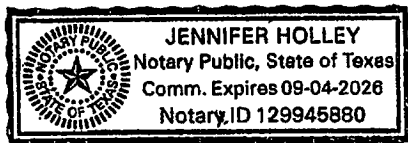
BLACK MOUNTAIN ENERGY STORAGE II LLC,
a Texas limited liability company

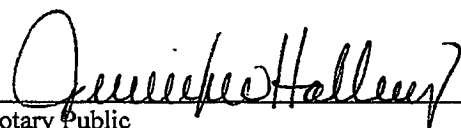
By: BMES II HOLDINGS LLC,
a Delaware limited liability company,
its sole managing member

By: 
Name: Rhett Bennett
Title: Director

STATE OF TEXAS)
) ss:
COUNTY OF TARRANT)

This instrument was acknowledged before me on April 1, 2026, by Rhett Bennett, as Director of BMES II HOLDINGS LLC, a Delaware limited liability company, acting in its capacity as Sole Managing Member of Black Mountain Energy Storage II LLC, a Texas limited liability company, on behalf of said entity.




Notary Public
My Commission Expires: 09-04-2026
Commission # 129945880