

**AFFIDAVIT OF NONCOMPLIANCE AND NONPERFORMANCE**

The undersigned, being first duty sworn according to law, depose and say that they are the owners of certain real property situated in Section \_\_\_\_\_, of \_\_\_\_\_ Township, \_\_\_\_\_ County, OH being \_\_\_\_\_ acres, more or less, set forth in the deed(s) recorded as Volume / Page # \_\_\_\_\_ / \_\_\_\_\_ and / or instrument # \_\_\_\_\_, in the \_\_\_\_\_ County, OH, record of deeds.

Affiants say further that they are the Lessors or successors in interest to the Lessors under the oil and gas lease from \_\_\_\_\_, as \_\_\_\_\_, to \_\_\_\_\_, dated \_\_\_\_\_ and recorded as Instrument # \_\_\_\_\_ in the \_\_\_\_\_ County, OH, lease records, covering \_\_\_\_\_ acres more or less, and having a primary term of \_\_\_\_\_ years.

Affiants say further that the lease and extension referred to above has been abandoned by the Lessees, their heirs, successors and assigns; that there are no producing or drilling oil and gas well or wells on said premises covered by said lease or any premises pooled with said lease; that all of the rights under said lease, and all assignments thereof, have been forfeited and are void because the terms thereof have expired and no production has been obtained from such formations and none of the rentals accruing thereunder have been paid by the Lessees, the same having had actual or constructive notice that rentals were payable to the undersigned, or assigns, under the terms of the said leases or subsequent agreements.

IN WITNESS WHEREOF the Lessors have hereunto set their hands.

LESSORS:

\_\_\_\_\_  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
Print Name: \_\_\_\_\_

**ACKNOWLEDGEMENT**

STATE OF: \_\_\_\_\_

COUNTY OF: \_\_\_\_\_

Before me, a Notary Public in and for said county and state, personally appeared the above named

\_\_\_\_\_ who acknowledged to me that \_\_\_\_\_ did execute the foregoing instrument and that the same is \_\_\_\_\_ free act and deed for the purposes herein set forth.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal at

\_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Notary

This instrument prepared by: CEDAR VALLEY ENERGY, INC., P.O. BOX 726, WOOSTER, OH 44691