DRAINAGE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT The Wyly and Fredna Brown Family Limited Partnership, LTD., 4800 East University, Odessa, Texas, 79761, hereinafter called Grantor, for and in consideration of One and No/100 Dollars ($1.00) and other good and valuable consideration from the City of Odessa, a municipal corporation located in Ector County, Texas, the receipt and sufficiency of which consideration is hereby acknowledged, has GRANTED, SOLD AND CONVEYED, and by these presents does hereby GRANT, SELL, AND CONVEY, unto the City of Odessa, for drainage easements purposes, all of that certain property located in Ector County, Texas, which property is more particularly described on attached Exhibit “A” and Exhibit “B” which exhibits are incorporated herein for descriptive purposes.

This conveyance is for drainage easement purposes and shall specifically authorize the City of Odessa, its agents and employees, to enter unto the subject property and to clear, landscape, maintain, excavate and otherwise improve the subject property for the purpose of maintaining, improving and establishing basins, berms, swales, ditches, channels and other improvements for the purpose of conveying, directing, diverting and/or holding surface runoff drainage waters.

TO HAVE AND TO HOLD the above described premises for the above mentioned purposes, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said City of Odessa, its successors and assigns, against every person whomsoever claiming to claim the same or any part thereof.

EXECUTED this the 9th day of April, A.D., 2007

THE WYLY AND FREDNA BROWN FAMILY LIMITED PARTNERSHIP, LTD

Wyly Brown

STATE OF TEXAS §
COUNTY OF ECTOR §

BEFORE ME, the undersigned authority on this day personally appeared Wyly Brown, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity stated, as the act of the partnership, for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL of office this 9th day of April, A.D., 2007.

JANIE HOWELL
Notary Public, State of Texas
My Commission Expires

Notary Public in and for the State of Texas
My Commission Expires 3-17-2008

BEGINNING at a point in the north boundary line of Faudree Road for the south corner of this tract from which point the northeast corner of Section 4, Block 41, T-2-S, T & P Ry Co Survey, Ector County, Texas, bears S63°24'57"W, 75 feet; N38°51'25"E, 3163.35 feet; and N14°45'52"W, 1407.88 feet;

THENCE N63°24'57"W, along the north boundary line of said Faudree Road, 875 feet to a point for the west corner of this tract;

THENCE N26°35'03"E, 280.17 feet to a point in the south boundary line of a 50-foot wide pipeline easement for the northwest corner of this tract;

THENCE N77°57'47"E, along the south boundary line of said Pipeline Easement, 304.52 feet to a point for the north corner of this tract;

THENCE S44°15'24"E, 541.55 feet to a point for the east corner of this tract;

THENCE S03°21'25"W, 318.3 feet to the point of beginning and containing 6.95 acres of land.

06-28576
April 6, 2007

EXHIBIT A
FIELD NOTES OF A 0.36 ACRE TRACT OF LAND BEING A PROPOSED DRAINAGE EASEMENT OUT OF SECTION 4, BLOCK 41, T-2-S, T & P RY CO SURVEY, ECTOR COUNTY, TEXAS.

BEGINNING at a point in the west boundary line of Lamplight Lane for the northeast corner of this tract from which point the northwest corner of The Estates of Shiloh, 2nd Filling, plat of which is recorded in Cabinet B, Page ______, Ector County Plat Records bears, N44°15'24"W, 103.7 feet;

THENCE S44°15'24"E, along the west boundary line of said Lamplight Lane, 59.06 feet to a point for the southeast corner of this tract;

THENCE S77°57'47"W, 237.51 feet to a point for an interior corner of this tract;

THENCE S45°44'36"W, 49.06 feet to a point in the northeast boundary line of a 6.95 acre proposed detention basin for the southwest corner of this tract;

THENCE N44°15'24"W, along the northeast boundary line of said detention basin, 90 feet to a point in the south boundary line of a 50-foot wide pipeline easement for the north corner of said 6.95 acre tract and the northwest corner of this tract;

THENCE N77°57'47"E, along the south boundary line of said pipeline easement, 295.5 feet to the point of beginning and containing 0.36 acres of land.

06-28576
April 6, 2007

EXHIBIT B
STATE OF TEXAS
COUNTY OF ECTOR

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the Volume and Page of the named RECORDS of Ector County, Texas, as stamped hereon by me.

[Signature]
Linda Haney, County Clerk
Ector County, Texas

ANY PROVISIONS CONTAINED IN ANY DOCUMENT WHICH RESTRICT THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.