

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

DRAINAGE EASEMENT

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF HIDALGO

That **DANIEC LAND & CATTLE COMPANY, INC. AND SHUMAX, LLC** both residents of Hidalgo County Texas (Grantors) for good and valuable consideration, the receipt and sufficiency for which is hereby acknowledged and accepted does hereby GRANT, BARGAIN, SELL AND CONVEY unto Hidalgo County Grantee") is successors or assigns the following described free and permanent easement and right of way upon, over, across, under and along the following described certain tract of land situated in Hidalgo County, Texas as follows, to wit:

SEE EXHIBIT A AND B ATTACHED HERETO AND INCORPORATED HEREIN AT THIS POINT FOR ALL PURPOSES.

(the "Easement") for the purpose of constructing, reconstructing, excavating, digging, maintaining, and operating a drainage pipe and other storm drain structure(s) for the disposal of accumulated and excessive rainfall and/or floodwater, (the "Facilities") together with free ingress and egress at all reasonable times to and from the Easement for the purpose of doing and performing or having performed, any and all acts and functions for the orderly constructing, reconstructing, excavating, digging maintaining, and operating the Facilities together with any and all other functions and acts incident to the constructing, reconstructing, excavating, digging, maintaining, and operating the Facilities, upon, over, under across, and along the Easement.

Grantee shall have the right of ingress, egress, entry and access in, to, through, on, over, under, across and along the Easement and where same intersect any public road or public right of way or other easement to which Grantee has the right to access and along any roads designated by Grantor, for any and all purposes necessary and/or incident to the exercise by the Grantee of the rights granted to it by this Agreement.

TO HAVE AND TO HOLD, the Easement, with the right of ingress and egress thereto, together with all and singular the rights and appurtenances thereto, any wise belonging unto the said Grantee, its successors and assigns forever; and Grantor does hereby bind itself, its successors and assigns, to warranty and to defend all and singular the Easement premises unto the Grantee, its successors and assigns against every person whomsoever lawfully claiming or to claim same or any part thereof.

Grantor represents and warrants it is the sole owner and holds fee simple title to the property on which the Easement is located. Grantor has the unrestricted rights and authority and has taken all necessary action to authorize Grantor to execute the easement and to grant to Hidalgo County the rights granted hereunder.

This easement will be binding upon and inure to the benefit of the parties hereto and their respective successors, legal representatives, and assigns. The parties intend that this easement creates a valid and present interest in the property on which the easement is located in favor of Grantee and therefore this easement will be deemed an interest in and encumbrance upon the property on which the easement

is located which will run with the property on which the easement is located. Grantee may assign all or part of its interest or rights in this Easement.

This Easement may only be modified in a separate writing signed by both parties. This Easement shall be governed by and construed under the laws of the State of Texas excluding any choice of law provisions thereof.

IN WITNESS WHEREOF, this instrument is executed on this the _____ day of _____, 2018.

Grantor:

Daniec Land & Cattle Company, Inc.

By: _____

Print Name: Paul Daniec

Title: President

Grantor:

Shumax, LLC

By: _____

Print Name: Richard Schumack

Title: Member

Grantee:

Hidalgo County

By: _____

Print Name: Ramon Garcia

Title: County Judge

ACKNOWLEDGEMENT

STATE OF TEXAS

COUNTY OF HIDALGO

This instrument was acknowledged before me on the _____ of _____, 2018 by Paul Daniec

Notary Public, State of Texas

This instrument was acknowledged before me on the ____ of _____, 2018 by Richard Schumack

Notary Public, State of Texas

CORPORATION ACKNOWLEDGEMENT

STATE OF TEXAS

COUNTY OF HIDALGO

This instrument was acknowledged before me on _____, 2018, by Ramon Garcia, County Judge of Hidalgo County , on behalf of said corporation.

Notary Public, State of Texas