

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That OWNSBY 1880 FARMS LTD., referred to collectively as, "Grantor", in consideration of \$10.00 and other good and valuable consideration paid by Collin County, Texas, does hereby grant to Collin County, Texas, its agents, contractors, successors and assigns, (such agents and assigns expressly including but not limited to Natural Resources Conservation Service of the United States Department of Agriculture and its agents, contractors, successors and assigns) hereinafter referred to as "County", a temporary construction easement for the purpose of repairing the dam structure known as the Trinity Little Elm Watershed Site 16 (otherwise known as Floodwater Retarding Structure 16LE), under the terms outlined in a Project Agreement attached hereto as Exhibit "A" along, upon and across the property located in the County of Collin, State of Texas, more fully described in Exhibit "B" attached hereto and made a part hereof for any and all purposes.

For the consideration above recited and the mutual covenants and conditions herein contained the parties further agree as follows:

GRANTOR SHALL REMOVE ALL LIVESTOCK FROM THE CONSTRUCTION AREA DURING THE PERIOD OF CONSTRUCTION.

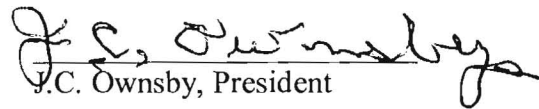
Following completion of work within the temporary construction easement area described in Exhibit "B", if Collin County, its agents, contractors, successors and assigns, has removed or damaged improvements including fences, herbage, permanent vegetation or landscaping within said easement area or otherwise on Grantor's property, County shall at its expense restore Grantor's property removed or damaged by County's activities to equal or better condition as existed previous to Collin County's, its agents, contractors, successors and assigns entry upon Grantor's property.

This temporary construction easement shall be in full force and effect at all times during the accomplishment and completion of the construction activities described above. Said temporary construction easement shall terminate and the licensed land area shall revert to the Grantor, their heirs, and assigns, and all interest conveyed herein shall cease on the 30th day of September 2011, or on the date of completion of construction of the dam repair activities described above, whichever occurs first.

IN WITNESS WHEREOF, the parties hereto have executed this instrument this 28 day of October, 2009.

Grantor
OWNSBY 1880 FARMS LTD.
A Texas Limited Partnership

By: Ownsby-Christie, Inc.
A Texas Corporation


J.C. Ownsby, President

Acknowledgement

State of Texas §
 §
County of Collin §

This instrument was acknowledged before me on October 28, 2009 by

Tammi L. Koch


Notary Public's Signature

