

1. The portion of the Property designated as Reserved for Closure Fill Material shall be preserved so that when it is time to close the facility covered by control/permit number ____ in accordance with all applicable state laws, commission rules and orders, and the permit, x yards of fill material at x price per cubic yard shall be available for use in properly closing the facility.

2. These restrictions shall be a covenant running with the land.

For additional information, contact:

Texas Railroad Commission
Technical Permitting
P O Box 12967
1701 N. Congress
Austin, Texas 78711-2967

Railroad Commission Commercial Control/Permit No.: _____

As of the date of this Notice, the record owner of fee title to the Property is [NAME] with an address of [ADDRESS]

This Restrictive Covenant may be rendered of no further force or effect only by a release executed by the Railroad Commission and filed in the same Real Property Records as those in which this Restrictive Covenant is filed.

Executed this _____ day of _____, _____.

[OWNER]

By: _____

Name: _____

Title: _____

Executed this _____ day of _____, _____.

[OPERATOR]

By: _____

Name: _____

Title: _____

Accepted as Third Party Beneficiary this _____ day of _____, _____.

Texas Railroad Commission

By: _____

Name: _____

Title: _____

SHELL CLOSURE COST RESTRICTIVE COVENANT

Revised 06/17/02

STATE OF TEXAS
() COUNTY

BEFORE ME, on this the ___ day of _____, personally appeared _____ [name] _____, [title] _____, of _____ [owner/company] _____, known to me to be the person whose name is subscribed to the foregoing instrument, and they acknowledged to me that they executed the same for the purposes and in the capacity herein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the ___ day of _____, _____.

Notary Public in and for the State of Texas,
County of _____

My Commission Expires: _____

STATE OF TEXAS
() COUNTY

BEFORE ME, on this the ___ day of _____, _____ personally appeared _____ [name] _____, [title] _____, of _____ [operator] _____, known to me to be the person whose name is subscribed to the foregoing instrument, and they acknowledged to me that they executed the same for the purposes and in the capacity herein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the ___ day of _____, _____.

Notary Public in and for the State of Texas,
County of _____

My Commission Expires: _____

STATE OF TEXAS
() COUNTY

BEFORE ME, on this the ___ day of _____, _____ personally appeared _____ [name] _____, [title] _____, of the Texas Railroad Commission, known to me to be the person whose name is subscribed to the foregoing instrument, and they acknowledged to me that they executed the same for the purposes and in the capacity herein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the ___ day of _____, _____.

Notary Public in and for the State of Texas,
County of _____

My Commission Expires: _____