

RAILROAD COMMISSION OF TEXAS  
RELEASE OF FINANCIAL ASSURANCE RESTRICTIVE COVENANT

STATE OF TEXAS                                     §  
   §  
COUNTY OF \_\_\_\_\_ §

A prior restrictive covenant was filed at *[insert deed filing reference for the prior-filed restrictive covenant]* in accordance with 16 Texas Administrative Code § 3.78(l) for the property described as follows (“Property”):

***[Insert legal description and/or a reference to an attached Exhibit A. This legal description must exactly match the legal description provided in the original restrictive covenant.]***

The prior restrictive covenant was required to ensure that the amount and source of fill material described in *[insert name of Operator]*'s closure cost estimate for the commercial facility, *[insert facility name]*, authorized by control/permit number *[insert control/ permit number]*, located on the Property, was available for use in closing the facility in accordance with all applicable State laws, rules and orders of the Railroad Commission of Texas (“RRC”), and permit conditions. However, on *[insert date]*, *[insert facility name]* met closure requirements and the control/permit number *[insert control/ permit number]* is/ are terminated. Consequently, the fill material previously required in closing the facility is no longer required.

The Environmental Permits & Support Unit (“Staff”) of the RRC has reviewed the closure reports provided by *[insert name of Operator]*, Commission District inspection reports, and all other relevant documentation, and has determined that the property no longer requires the prior restrictive covenant. At the request of *[insert name of Operator]* (the person responsible for the facility pursuant to Texas Natural Resources Code § 91.113) and *[insert name of owner]* (the property owner), Staff consents to the filing of this release of the prior restrictive covenant filed at *[insert deed filing reference for the prior-filed restrictive covenant]*. Staff consents to this release because the conditions necessitating the filing of the original restrictive covenant no longer exist and the current conditions do not warrant the restrictive covenant to be kept in force.

This release of the prior restrictive covenant affects no other matters under the Commission’s jurisdiction.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

*[insert name of Owner]*

By: \_\_\_\_\_

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

Title: \_\_\_\_\_

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

***[insert name of Operator]***

By: \_\_\_\_\_

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

Title: \_\_\_\_\_

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**Railroad Commission of Texas**

By: \_\_\_\_\_

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

Title: \_\_\_\_\_

STATE OF TEXAS  
(\_\_\_\_\_) COUNTY

BEFORE ME, on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, personally appeared ***[insert name], [insert title, if any]***, owner of the subject property, 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 consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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 \_\_\_\_\_, 20\_\_, personally appeared ***[insert name], [insert title], of [insert name 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 consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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 \_\_\_\_\_, 20\_\_, personally appeared ***insert name***, ***insert title***, of the Railroad Commission of Texas, 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 \_\_\_\_\_, 20\_\_.

Notary Public in and for the State of Texas,  
County of \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_