

**REVOCABLE LICENSE FOR LIMITED
ACCESS TO WALKER LAKE RESERVOIR**

1282384

Date: December 16, 2003

Grantor/Licensors:

Hidalgo County Irrigation District No. 6 ("HCID#6")
Organized Under Art. XVI, Sec. 59, Texas Constitution

Grantor/Licensors's Mailing Address (including County):

Hidalgo County Irrigation District No. 6
c/o General Manager
101 E. 14th Street
Mission, Texas 78753
Hidalgo County, Texas

Grantee/Licensee:

Walker Lake Homeowners Association, Inc. ("WLEOA")
Texas Non-Profit Corporation
Charter No. 01338401

Grantee/Licensee's Mailing Address (including County):

Walker Lake Homeowners Assn., Inc.
C/O President
P.O. Box 1639
La Joya, Texas 78560

Consideration for Revocable License:

1. Delivery of fee simple title of the underlying lake-bed via a warranty deed a copy of which is attached as Exhibit A to this Revocable License; and,
2. Provision of title insurance by WLEOA for the benefit of HCID#6, a copy of which is attached as Exhibit B to this Revocable License.

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Reservoir for Walker Lake Home Owner's Assn

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3. Maintenance of a policy of insurance by WLEOA with a minimum of \$5,000,000.00 coverage, naming the HCID#6 (including its officials and employees), as either a primary insured, or an additional insured, to defend and indemnify HCID#6 from any and all claims, causes, and lawsuits by any third person alleging or claiming damages arising out the use or condition of the reservoir or the waters contained therein; and,

Property Subject to License:

This is a Revocable License for Limited Access to the following property, also referred to as the Walker Lake Reservoir, fee simple title to which must belong to HCID#6 as a condition precedent to the viability and integrity of this License:

Tract I: The surface only in and to all that portion of the bed of Walker Lake, now commonly known as Palm Shores Lake, a reservoir containing in all approximately 115 acres lying with Tracts 265, 289, 314, 316, , Los Ejidos de Reynosa Viejo Grant, Hidalgo County, Texas as per map or plat thereof recorded in Volume 7, Pages 5-8, Map Records, Hidalgo County, Texas.

A portion of the shoreline of Palm Shore Lake (Tract I) is shown on the plat of The Coves Subdivision, recorded in Volume 26, Page 18, Map Records, Hidalgo County, Texas, and a portion thereof is shown on the amended plat of Palm Shores Subdivision, Unit No. 1, recorded in Volume 25, Pages 120-21, Map Records, Hidalgo County, Texas.

Tract II: An exclusive use easement in favor of HCID#6 from WLEOA on a parcel of land out of Tract 314, Los Ejidos de Reynosa Viejo Grant, as per map or plat thereof recorded in Volume 7, Pages 5-8, Map Records, Hidalgo County, Texas, said parcel being bounded on the South by the Military Telegraph Road, on the North by the shoreline of Palm Shores Lake, on the west by the Coves Subdivision, the plat of which is recorded in volume 26, Page 18, Map Records, Hidalgo County, Texas, and on the East by the existing canal of Hidalgo County Irrigation District No. 6; provided, however that loss of any use easement via condemnation proceedings by the State of Texas shall not effect the integrity of this Revocable License.

Limitations, Exceptions & Reservations to License:

- A. This License is for the benefit of, and shall inure only to, the WLROA and its dues paying members in good standing who meet the following criteria:
1. Fee simple owners of real property in the Walker Lake Subdivision; or,
 2. Leasehold tenants of real property in the Walker Lake Subdivision; or,
 3. Immediate family and guests of either of the foregoing categories of persons who are visiting or residing in one of the homes pertaining to the WLROA.
- B. This License shall be limited to the following activities:
1. Fishing, casting, or bird-watching from the shoreline of the Reservoir area;
 2. Non-motorized water craft, such as canoes, kayaks, rowboats, small sailboats, etc. during daylight hours only;
 3. Any activity not specifically identified above is, and shall continue to be, specifically prohibited by HCID#6.
- C. Persons who do not fall within one or more categories identified above shall be deemed to be trespassers on HCID#6 property and are subject to the enforcement powers of HCID#6 allowed by law, including but not limited to ejection from the premises and revocation of this License.
- D. Licensee may not sell, barter, trade, or otherwise profit from the sale of Association memberships the purpose or effect of which is to allow, provide, or otherwise confer the benefits of this License to third persons other than to Licensee and its members, as identified above.
- E. This Revocable License is non-transferrable and shall be deemed to be automatically revoked if a transfer is attempted by Licensee. Conversely, however, to the extent that this License otherwise remains effective, it shall run

with the underlying realty provided as consideration for the License and shall, to the fullest extent allowed by law, be binding on any subsequent successors in interest to the underlying realty to which this Revocable License applies, regardless of how the underlying realty is acquired.

- F. Licensee specifically understands and agrees that HCID#6 decisions related to the amount, quantity, quality, and levels of water to be retained in the Walker Lake Reservoir shall at all times remain in the sole discretion of the HCID#6 Board of Directors and its management personnel. Nothing in this License shall create, or be interpreted to create, any obligation or duty upon HCID#6 to fill, maintain, or hold water in the Walker Lake Reservoir or impair HCID#6's control over the management of water.
- G. Licensee understands and is hereby specifically on notice that the only type of water that may be held in the Reservoir is raw, untreated water. Licensor makes no representations or guarantees regarding the quantity or quality of water that may be contained in the reservoir at any given time. Beneficiaries of this License use the reservoir under the conditions granted at their own risk.
- H. Licensor reserves any and all rights, powers, authority to enforce any applicable Rules, Regulations, Statutes relating to the operation of the HCID#6 under the laws of the State of Texas, including those powers granted under the Texas Water Code and the Texas Constitution. Provided, however, that nothing in this License shall preclude the WLEOA from approaching the HCID#6 Board of Directors with any inquiries, questions, or complaints, regarding the implementation of this Revocable License.
- I. The term of this License shall be renewed from year to year upon the anniversary date of its execution, but no further formal action shall be required for renewal and it shall be automatic; provided, however, that the License may be revoked at the instance of Licensor upon any one of the following conditions:

1. Failure, breach, or lapse of consideration as specified above; provided however that the Grantee/Licensee shall be provided notice and an opportunity to cure of no less than 30 days;
 2. Breach of any one or more of the Reservations, Exceptions, and Limitations identified above;
 3. Reversion of the underlying realty to WLBOA whether by operation of law or otherwise.
- J. Because of the substantial amount of time, labor, and money that HCID#6 anticipates investing into the maintenance and operation of the Reservoir, Licensor understands and agrees that a revocation of this License, other than by abandonment of the subject property by formal action of the HCID#6 Board of Directors, in accordance with the Texas Water Code, does not automatically carry with it a reversion of title to the underlying realty to the underlying Grantor. Provided, however, that this provision will be of no further force and effect after the subject property has been in the possession, custody, and control of the District for a period of fifteen (15) years from the date that the underlying deed for the lake-bed is transferred to HCID#6.

APPROVED AS TO FORM & CONTENT:

HIDALGO COUNTY IRRIGATION DISTRICT NO. 6

BY: Thomas H. Thompson
THOMAS H. THOMPSON
HCID#6 BOARD CHAIR

STATE OF TEXAS §

COUNTY OF HIDALGO §

SWORN TO AND SUBSCRIBED TO BEFORE ME on this 23rd day of August 2003.

Norma Delgado
Notary Public, State of Texas
Commission Expires: 11/06/06



Revocable License for Limited Access to Reservoir for Walker Lake State Owner's Home

Filed for Record in
Hidalgo County, TX
by J. D. Williams, III
County Clerk
On Jan. 25, 2004 at 01:40P
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J.D. Williams, III, Deputy
Hidalgo County, Texas