

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE RECORDS: YOUR SOCIAL SECURITY NUMBER OR DRIVER'S LICENCE NUMBER.

AMENDMENT AND RATIFICATION AGREEMENT

STATE OF TEXAS}

COUNTY OF TARRANT}

WHEREAS, the City of Euless, (hereinafter referred to as "Grantor", whether one or more) is the record owner of property granting rights by a certain **Pipeline Right of Way and Easement** dated **August 18, 2008**, recorded as Document No. D208352312, of the Official Public Records of Tarrant County, Texas, (hereinafter referred to as "Original Agreement"), said real property being described as follows, to-wit:

All that certain tract or parcel of land, containing 2.82 acres of land more or less, situated in the G.W. Couch Survey, Abstract No. 278, in the City of Fort Worth, Tarrant County, Texas, and being a portion of that same tract of land described in the deed to Ross W. Smith as recorded in Volume 3638, Page 349, Deed Records Tarrant County, Texas.

WHEREAS, said Original Agreement granted the right to lay, construct, maintain, operate, alter, repair, replace or change the size of one pipeline within the right of way with all necessary and convenient valves, connections, fittings, and appurtenances for the purpose of transportation of oil, gas petroleum products or any other liquids, gases or substances which can be transported through a pipeline, and erecting, maintaining and removing cathodic protection equipment on, over, under, through and across the above described land and;

WHEREAS, said Original Agreement and the associated rights granted there under are owned by **Barnett Gathering, L.P.** (hereinafter referred to as "Grantee"), and;

WHEREAS, Grantee will construct a pipeline and above following the route as shown on Exhibit "A" and described on Exhibit "B".

NOW, THEREFORE in consideration of Ten Dollars (\$10.00) and other valuable consideration and of the rights and obligations contained herein, the parties hereto agree that:

1. Said Original Agreement is hereby amended to replace Exhibits "A, and B" of the Original Agreement mentioned above with Exhibits "A, and B" attached hereto and made a part hereof located on the above described tract of land. All other rights conveyed in the Original Agreement remain in full force and effect.
2. Grantor warrants that he/she/they is/are the owner(s) in fee simple of the property described herein above and is entitled to the payment of the consideration hereby acknowledged. Grantor further warrants that the property is subject to no encumbrances other than those of public record and agrees to indemnify and hold Grantee harmless of any form of claims of damages, which may be asserted by any unrecorded lease, or other unrecorded right.
3. It is expressly understood and agreed that Grantor and Grantee shall not be bound by any representation, covenant or other agreement not expressly herein stated.

AND, FURTHERMORE, for the same consideration, Grantor does hereby ratify, adopt, approve, and confirm unto Grantee, its successors and assigns, said Original Agreement in all of its terms and provisions, except as herein amended, and Grantor does hereby grant, convey and warrant unto Grantee a right of way in, under, over and through the lands described herein for

the purposes and rights contained in said Original Agreement, as amended herein, and affirm that same is a valid and binding agreement.

In witness whereof the undersigned have executed this agreement this _____ day of February, 2009.

Grantor(s):

City of Euless

By: _____

Printed Name: _____

Title: _____

Grantee(s):

Barnett Gathering, L.P.

By: _____

Printed Name: Edwin S. Ryan, Jr.

Title: SR. Vice President – Land Administration

STATE OF TEXAS

COUNTY OF TARRANT

This instrument was acknowledged before me on this _____ day of _____, 2009, by _____ (name), as the _____ (title) of **The City of Euless**.

Notary Public State of Texas

STATE OF TEXAS

COUNTY OF TARRANT

This instrument was acknowledged before me on this _____ day of _____, 2009, by **Edwin S. Ryan, Jr.**, as the **SR. Vice President - Land Administration** of **Barnett Gathering, LP**, a Texas limited partnership.

Notary Public State of Texas

After recording, return to;
TRACT Inc.
3417 South Hulen St., Suite 200
Fort Worth, Texas 76107
