CITY OF MIDLAND, TEXAS
AGENDA FOR CITY COUNCIL REGULAR MEETING
August 11, 2026 - 10:00 AM
300 North Loraine
Midland, Texas
Council Chamber - City Hall **FINAL AGENDA**

A quorum of the City Council intends to be physically present at the aforementioned location.

The City Council may discuss, consider, and take action on any item listed on this agenda.

OPENING ITEMS

1. Invocation - Pastor Roy Garza, Providence Presbyterian Church

2. Pledge of Allegiance

CONSENT AGENDA

3. MOTION APPROVING THE FOLLOWING MINUTES:

   3.a REGULAR SESSION OF JULY 21, 2026.

4. 2026-102 - RESOLUTION APPROVING THE PURCHASE OF DELL COMPUTER HARDWARE AND EQUIPMENT FROM DELL TECHNOLOGIES INC. THROUGH THE TEXAS DEPARTMENT OF INFORMATION RESOURCES FOR A TOTAL COST OF $300,210.51; AND AUTHORIZING PAYMENT **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

5. 064-2026 - MOTION APPROVING AN AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN TO ADVERTISE AND PUBLICIZE THE CITY OF MIDLAND FOR THE PURPOSE OF DEVELOPING NEW AND EXPANDED BUSINESS ENTERPRISES **(DISTRICT: ALL) (CITY MANAGER) (STRONG ECONOMY WITH MORE QUALITY JOBS)**

6. 2026-103 - RESOLUTION APPROVING THE TRANSFER OF A NON-COMMERCIAL SALT WATER DISPOSAL WELL PERMIT FROM ENDEAVOR ENERGY RESOURCES, L.P. TO DEEP BLUE OPERATING I LLC; SAID WELL BEING LOCATED IN SECTION 31, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS **(DISTRICT: 2) (DEVELOPMENT SERVICES - OIL AND GAS) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

7. 2026-104 - RESOLUTION AUTHORIZING THE EXECUTION OF A ROAD REPAIR AGREEMENT WITH DEEP BLUE OPERATING I LLC REGARDING A NON-COMMERCIAL SALT WATER DISPOSAL WELL LOCATED IN SECTION 31, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS **(DISTRICT: 2) (DEVELOPMENT SERVICES - OIL AND GAS) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

8. 2026-105 - RESOLUTION APPROVING THE ISSUANCE OF PERMITS TO PERMIAN DEEP ROCK OIL CO., LLC TO DRILL 20 OIL AND GAS WELLS LOCATED IN SECTION 15, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED BETWEEN 1,194

FEET AND 2,300 FEET EAST OF NORTH GARFIELD STREET AND BETWEEN 1,218 AND 1,800 FEET SOUTH OF WEST LOOP 250 NORTH) **(DISTRICT: 1) (DEVELOPMENT SERVICES - OIL AND GAS) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

9. 2026-106 - RESOLUTION AUTHORIZING THE EXECUTION OF A ROAD REPAIR AGREEMENT WITH PERMIAN DEEP ROCK OIL CO., LLC REGARDING ITS APPLICATION TO DRILL OIL AND GAS WELLS LOCATED IN SECTION 15, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS **(DISTRICT: 1) (DEVELOPMENT SERVICES - OIL AND GAS) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

10. 2026-107 - RESOLUTION AUTHORIZING THE ADOPTION OF THE CITY OF MIDLAND'S 2026-2027 ACTION PLAN TO THE CONSOLIDATED PLAN FOR COMMUNITY DEVELOPMENT AND HOUSING FUNDS FOR THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S FISCAL YEARS 2025-2029; THE CONSOLIDATED PLAN HAVING BEEN APPROVED BY RESOLUTION NUMBER 2025-110; AND AUTHORIZING THE EXECUTION OF AN APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS **(DISTRICT: ALL) (DEVELOPMENT SERVICES - COMMUNITY SERVICES) (QUALITY OF LIFE AND PLACE)**

11. 065-2026 - MOTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH MIDLAND COUNTY UNDER WHICH (1) MIDLAND COUNTY WILL UNDERTAKE A ROAD RECONSTRUCTION PROJECT INVOLVING, IN PART, PORTIONS OF GIST AVENUE AND FRANCIS AVENUE THAT ARE LOCATED WITHIN THE CITY'S BOUNDARIES AND (2) THE CITY WILL PAY TO MIDLAND COUNTY A SUM NOT TO EXCEED $616,972.70 FOR THE PORTIONS OF THE PROJECT THAT ARE LOCATED WITHIN THE CITY'S BOUNDARIES **(DISTRICT: 2) (ENGINEERING SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

12. 066-2026 - MOTION APPROPRIATING THE SUM OF $7,500,000.00 FROM THE 2025 CERTIFICATES OF OBLIGATION TO A PROJECT ACCOUNT FOR THE CONSTRUCTION OF SINCLAIR AVENUE FROM KIRKLAND DRIVE TO COUNTY ROAD 1250 **(DISTRICT: 4) (ENGINEERING SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

13. 2026-108 - RESOLUTION ADOPTING THE CITY OF MIDLAND, TEXAS' LEGISLATIVE AGENDA FOR THE TEXAS LEGISLATURE'S 90TH LEGISLATIVE SESSION **(DISTRICT: ALL) (STRATEGIC PARTNERSHIPS OFFICE) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

14. 067-2026 - MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE (26-495-026) BETWEEN THE CITY OF MIDLAND AND XRI HOLDINGS LLC; REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 11, BLOCK C-23, P.S.L. SURVEY, ABSTRACT NO. 1382, WINKLER COUNTY, COUNTY, TEXAS **(DISTRICT: NONE) (UTILITIES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

15. 068-2026 - MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE (26-329-025) WITH PLAINS ORYX PERMIAN BASIN PIPELINE LLC REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTIONS 20 AND 21, BLOCK 37, T-3-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS **(DISTRICT: NONE) (UTILITIES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

SECOND READINGS

16. 10776 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR A 35.05-ACRE TRACT OF LAND OUT OF SECTION 25, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF NORTH FAIRGROUNDS ROAD, APPROXIMATELY 650 FEET NORTH OF EAST CUTHBERT AVENUE), WHICH IS PRESENTLY ZONED MH, MANUFACTURED HOUSING DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR A MANUFACTURED HOME PARK; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); AND ORDERING PUBLICATION (FIRST READING HELD JULY 21, 2026) **(DISTRICT: 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

17. 10777 - AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR THE WEST HALF OF LOT 2 AND ALL OF LOT 3, BLOCK 9, HIGH SCHOOL ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST MICHIGAN AVENUE, APPROXIMATELY 90 FEET WEST OF NORTH B STREET), BY PERMITTING A REDUCED MINIMUM SIDE YARD SETBACK ON THE WEST SIDE OF THE PROPERTY; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION (FIRST READING HELD JULY 21, 2026) **(DISTRICT: 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

18. 10778 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR THE WEST HALF OF LOT 2 AND ALL OF LOT 3, BLOCK 9, HIGH SCHOOL ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST MICHIGAN AVENUE, APPROXIMATELY 90 FEET WEST OF NORTH B STREET), WHICH IS PRESENTLY ZONED SF-2, SINGLE-FAMILY DWELLING DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR AN ACCESSORY DWELLING UNIT; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING PUBLICATION; AND ORDERING RECORDATION BY THE CITY SECRETARY (FIRST READING HELD JULY 21, 2026) **(DISTRICT: 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

19. 10779 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR THE EAST 40 FEET OF LOT 9 AND ALL OF LOT 10, BLOCK 7, NORTH PARK HILL ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF WEST KANSAS AVENUE, APPROXIMATELY 215 FEET EAST OF NORTH F STREET), WHICH IS PRESENTLY ZONED SF-1, SINGLE-FAMILY DWELLING DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR AN ACCESSORY DWELLING UNIT; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND

SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING PUBLICATION; AND ORDERING RECORDATION BY THE CITY SECRETARY(FIRST READING HELD JULY 21, 2026) **(DISTRICT: 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

20. 10780 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 5, ARNETT'S ACRES, CITY AND COUNTY OF MIDLAND, TEXAS, FROM SF-2, SINGLE-FAMILY DWELLING DISTRICT TO 2F, TWO-FAMILY (DUPLEX) DWELLING DISTRICT (GENERALLY LOCATED ON THE EAST SIDE OF NORTH LAMESA ROAD, APPROXIMATELY 350 FEET NORTH OF EAST GOLF COURSE ROAD); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); AND ORDERING PUBLICATION (FIRST READING HELD JULY 21, 2026) **(DISTRICT: 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

21. 10781 - AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 13, BLOCK 1, SAN JACINTO PLACE EXTENSION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF SPARKS STREET, APPROXIMATELY 315 FEET SOUTH OF WEST GOLF COURSE ROAD), BY PERMITTING A REDUCED MINIMUM FRONT YARD SETBACK; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION (FIRST READING HELD JULY 21, 2026) **(DISTRICT: 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

22. 10782 - AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 49, BLOCK 2, FANNIN TERRACE ADDITION, SECTION 5 REPLAT, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF LINDA COURT, APPROXIMATELY 85 FEET SOUTH OF WEST WADLEY AVENUE), BY PERMITTING (1) A REDUCED MINIMUM REAR YARD SETBACK AND (2) A REDUCED MINIMUM BUILDING SEPARATION DISTANCE BETWEEN AN ACCESSORY BUILDING AND THE PRINCIPAL BUILDING; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION (FIRST READING HELD JULY 21, 2026) **(DISTRICT: 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

23. 10783 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR THE SOUTH 80 FEET OF LOT 19 AND ALL OF LOT 20, BLOCK 125, WILSHIRE PARK ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF THE INTERSECTION OF NORTH EISENHOWER DRIVE AND EDGEWOOD DRIVE), WHICH IS PRESENTLY ZONED SF-2, SINGLE-FAMILY DWELLING DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR AN ACCESSORY DWELLING UNIT; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING PUBLICATION; AND ORDERING RECORDATION BY THE CITY SECRETARY (FIRST READING HELD

JULY 21, 2026) **(DISTRICT: 4) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

PUBLIC HEARINGS

The City Council will hold public hearings on the following items:

24. 10784 - AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 1, BLOCK 3, BERKSHIRE PLACE, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SINCLAIR AVENUE AND NORTH N STREET), BY PERMITTING (1) A REDUCED MINIMUM SIDE YARD SETBACK ON THE WEST SIDE OF THE PROPERTY AND (2) A REDUCED MINIMUM REAR YARD SETBACK; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION **(DISTRICT: 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

25. 10785 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE TRACT 16 AND THE EAST 95 FEET OF TRACT 17, NORTH ESTATES, CITY AND COUNTY OF MIDLAND, TEXAS, FROM AE, AGRICULTURAL ESTATE DISTRICT TO SF-1, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF SOLOMON LANE AND ACORN LANE); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); AND ORDERING PUBLICATION **(DISTRICT: 1) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

PUBLIC COMMENT

26. Receive public comments where individuals may address the City Council on City related issues and projects not on the present agenda. Any deliberation of or decision by the City Council regarding the item being discussed shall be limited to a motion to place the item on the agenda for a subsequent meeting. (Please limit comments to three minutes or less.)

EXECUTIVE SESSION

27. Pursuant to Texas Government Code § 551.101, the City Council will hold an executive session, which is closed to the public, to discuss the following matters as permitted under the following sections of the Texas Government Code:

27.a **Section 551.071, Consultation with Attorney**

Discuss matters in which the duty of the attorney(s) to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code.

Discuss pending or contemplated litigation.

27.b **Section 551.072, Deliberation Regarding Real Property**

Discuss the purchase, exchange, lease, or value of real property.

27.c **Section 551.074, Personnel Matters**

Deliberate the employment, evaluation, and duties of the City Manager, City Attorney, City Secretary, Municipal Court Presiding Judge, and Municipal Court Associate Judge.

27.d **Section 551.087, Deliberation Regarding Economic Development Negotiations**

Discuss business prospects that the City seeks to have locate, stay, or expand in or near the City of Midland, Texas, and discuss possible incentives.

Respectfully Submitted

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Tommy Gonzalez
City Manager

MEETING ASSISTANCE INFORMATION: The Midland City Hall and Council Chamber are wheelchair accessible. If you need special assistance to participate in this meeting, please contact the City Secretary's Office at (432) 685-7430. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

CITY OF MIDLAND, TEXAS
MINUTES FOR CITY COUNCIL REGULAR MEETING
July 21, 2026 - 10:00 AM

The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:00 AM, July 21, 2026.

Council Members present:	John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
Council Members absent:	
Staff members present:	City Manager Tommy Gonzalez, City Attorney Nicholas Toulet-Crump, City Governance Officer/City Secretary Marcia Bentley-German, Deputy City Manager Morris Williams Jr., Deputy City Manager Jose Ortiz

OPENING ITEMS

Mayor Blong called the meeting to order at 10:00 a.m.

1. Invocation - Pastor Edward Mayberry, Community Worship Center

2. Pledge of Allegiance

CONSENT AGENDA

John Burkholder moved to Approve Consent Agenda Items 3-25, excluding items 3, 5, 6, 7, 8, 9, 13, 15, 16, 17, 21 & 24; seconded by Amy Stretcher Burkes.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: None

3. MOTION APPROVING THE FOLLOWING MINUTES:

   3.a REGULAR SESSION OF JUNE 23, 2026

Shandi Williams (Citizen) made public comment relative to minutes.

Robin Poole moved to Approve; seconded by Jack Ladd.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Brian Stubbs, Jack

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Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: None

4. 056-2026 - MOTION ACCEPTING A DONATION IN THE AMOUNT OF $19,244.00 FROM THE TEXAS J REGIONAL ADVISORY COUNCIL; SAID FUNDS SHALL BE USED FOR THE PURCHASE OF NECESSARY EQUIPMENT FOR THE MIDLAND FIRE DEPARTMENT; AND AUTHORIZING THE APPROPRIATION OF FUNDS TO THE FIRE TECHNOLOGY AND EQUIPMENT FUND UPON THE CITY OF MIDLAND'S RECEIPT OF SAID FUNDS **(DISTRICT: NONE) (FINANCE) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

5. 2026-086 - RESOLUTION AWARDING A CONTRACT TO TARKETT SPORTS CONSTRUCTION FOR THE SCHARBAUER AUXILIARY FIELDS 5 & 6 PROJECT AT A COST OF $3,874,514.05; APPROVING $387,500.00 FOR PROJECT-RELATED EXPENSES; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT **(DISTRICT: 4) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

Parks & Recreation Director Laurie Williams provided Council with a brief overview of the item.

Council discussion ensued.

Derek Smith (Citizen), spoke on this item relative to general concern.

Council Member Robin Poole and City Attorney Nicholas Toulet-Crump clarified allowable uses of Hotel/Motel funding.

Jack Ladd moved to Approve; seconded by Robin Poole.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: None

6. 2026-087 - RESOLUTION APPROVING A CONTRACT WITH FIELDTURF USA, INC., THROUGH THE EQUALIS GROUP PURCHASING PROGRAM, FOR THE PURCHASE AND INSTALLATION OF TWO AUXILIARY TURF FIELDS AT THE SCHARBAUER SPORTS COMPLEX AT A COST OF $1,732,510.00; APPROVING $173,251.00 FOR PROJECT-RELATED EXPENSES; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT **(DISTRICT: 4) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

Derek Smith (Citizen), spoke on this item relative to funding.

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Brian Stubbs moved to Approve; seconded by Jack Ladd.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Brian Stubbs, Jack Ladd, John Norman

NAY: None
ABSTAIN: None
ABSENT: None

7. 2026-088 - RESOLUTION APPROVING A CONTRACT WITH MUSCO CORPORATION DBA MUSCO SPORTS LIGHTING, LLC, THROUGH BUYBOARD, FOR THE PURCHASE AND INSTALLATION OF LIGHTING OF TWO AUXILIARY TURF FIELDS AT THE SCHARBAUER SPORTS COMPLEX AT A COST OF $408,568.00; APPROVING $41,432.00 FOR PROJECT-RELATED EXPENSES; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT **(DISTRICT: 4) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

Shandi Williams (Citizen), spoke on this item relative to general concern.

Discussion among Council and Management staff included updated lighting at Reyes, Mashburn, Nelms Park and clarification regarding maintenance at Christiansen Stadium.

Jack Ladd moved to Approve; seconded by Robin Poole.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: None

8. 2026-089 - RESOLUTION APPROVING A CONTRACT WITH RESTROOM FACILITIES LTD, THROUGH BUYBOARD, FOR THE PURCHASE AND INSTALLATION OF A MODULAR CONCESSION, STORAGE AND RESTROOM FACILITY AT THE SCHARBAUER SPORTS COMPLEX AT A COST OF $722,887.00; APPROVING $75,000.00 FOR PROJECT-RELATED EXPENSES; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT **(DISTRICT: 4) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

Derek Smith (Citizen), spoke on this item relative to general concern.

Parks & Recreation Director Laurie Williams provided Council with a brief presentation of the item.

Council Member John Burkholder provided remarks.

Robin Poole moved to Approve; seconded by Jack Ladd.

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The motion Passed by the following vote:
AYE: Robin Poole, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: John Burkholder, Amy Stretcher Burkes
ABSTAIN: None
ABSENT: None

9. 2026-090 - RESOLUTION RATIFYING AND APPROVING EMERGENCY REMOVAL SERVICES PERFORMED BY C&B MATERIALS OF TEXAS, LLC AT THE BACKDOOR RESERVOIR LOCATED AT THE WATER PURIFICATION PLANT FOR A TOTAL COST OF $356,250.00; AND AUTHORIZING PAYMENT **(DISTRICT: 1) (GENERAL SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

Council Member John Burkholder provided remarks.

Public Works Officer & Utilities Director Carl Craigo provided Council with a brief overview of the processes of this item.

John Burkholder moved to Approve; seconded by Brian Stubbs.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: None

10. 2026-091 - RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH GARVER, LLC FOR ENGINEERING SUPPORT SERVICES ASSOCIATED WITH CHEMICAL FEED IMPROVEMENTS AT THE WATER PURIFICATION PLANT FOR A TOTAL COST OF $184,941.63; AND AUTHORIZING PAYMENT **(DISTRICT: 1) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

11. 2026-092 - RESOLUTION RESCINDING THE AUTHORIZATION TO PURCHASE CERTAIN VEHICLES FOR THE GENERAL SERVICES DEPARTMENT UNDER RESOLUTION NO. 2026-055; AND RESCINDING THE RELATED AUTHORIZATION FOR PAYMENT **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

12. 057-2026 - MOTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NUMBER 1 WITH PURVIS SYSTEMS INCORPORATED REGARDING THE FIRE ALERTING SYSTEM; SAID CHANGE ORDER TO BE IN THE AMOUNT OF $0 AND TO PROVIDE FOR INSTALLATION SERVICES **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

13. 2026-093 - RESOLUTION APPROVING THE PURCHASE OF A BOOM TRUCK FROM ROBERTS TRUCK CENTER, THROUGH SOURCEWELL, AT A TOTAL COST OF $288,577.95 FOR THE SOLID WASTE DEPARTMENT; AND

DRAFT

AUTHORIZING PAYMENT **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

Shandi Williams (Citizen), spoke on this item relative to leasing.

Discussion ensued among Council and City Staff regarding leasing, costs, the lifespan of Boom Trucks and years of use.

John Burkholder moved to Approve; seconded by Jack Ladd.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: None

14. 2026-094 - RESOLUTION APPROVING THE PURCHASE OF A TYMCO MODEL 210 SWEEPER FOR THE DEPARTMENT OF AIRPORTS FROM TYMCO, INC. THROUGH THE HOUSTON-GALVESTON AREA COUNCIL FOR A TOTAL COST OF $167,136.00; AND AUTHORIZING PAYMENT **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

15. 2026-095 - RESOLUTION APPROVING A CONTRACT WITH NEXTGEN SECURITY HOLDINGS LLC FOR THE PURCHASE AND INSTALLATION OF SECURITY CAMERAS AND ACCESS CONTROL SYSTEMS FOR VARIOUS LOCATIONS FOR THE PARKS AND RECREATION DEPARTMENT THROUGH THE TEXAS DEPARTMENT OF INFORMATION RESOURCES FOR A TOTAL COST OF $258,324.30; APPROVING $38,748.70 FOR PROJECT-RELATED EXPENSES; AND AUTHORIZING PAYMENT **(DISTRICT: NONE) (GENERAL SERVICES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

Chief Information Officer Gorgees Eskander provided Council with a brief overview of the item.

Council discussion with City Staff ensued.

Shandi Williams (Citizen), spoke on this item relative to safety.

John Norman moved to Approve; seconded by John Burkholder.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: None

16. 2026-096 - RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH GARVER, LLC TO PROVIDE ENGINEERING SERVICES RELATED TO THE PROPOSED CONSTRUCTION OF AN AIRFIELD

DRAFT

MAINTENANCE EQUIPMENT BUILDING AT MIDLAND AIRPARK FOR A TOTAL COST OF $507,400.00; APPROVING $101,480.00 FOR PROJECT-RELATED EXPENSES; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT **(DISTRICT: 3) (AIRPORTS) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

Deputy Aviation Director Nicholas Krakovec provided Council with a brief overview of the item.

Robin Poole moved to Approve; seconded by John Norman.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: None

17. 058-2026 - MOTION AUTHORIZING THE EXECUTION OF AN ECONOMIC DEVELOPMENT AGREEMENT WITH THE MIDLAND DEVELOPMENT CORPORATION IN THE AMOUNT OF $3,500,000.00 PROVIDING FOR THE CONSTRUCTION OF CERTAIN ROAD INFRASTRUCTURE IMPROVEMENTS (GENERALLY LOCATED ON AND ADJACENT TO BRIARWOOD AVENUE BETWEEN AVALON DRIVE AND TROBAUGH BOULEVARD) AS AUTHORIZED BY TEXAS LOCAL GOVERNMENT CODE § 501.103; AND AUTHORIZING PAYMENT FOR SAID AGREEMENT **(DISTRICT: 4) (CITY MANAGER) (STRONG ECONOMY WITH MORE QUALITY JOBS)**

Strategic Partnerships Officer Dr. Lindsey Adams provided Council with a brief presentation of the item.

Amy Stretcher Burkes moved to Approve; seconded by John Burkholder.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: None

18. 2026-097 - RESOLUTION APPROVING THE FISCAL YEAR 2026-2027 BUDGET OF THE MIDLAND DEVELOPMENT CORPORATION, A TYPE A CORPORATION AS AUTHORIZED BY CHAPTER 504 OF THE TEXAS LOCAL GOVERNMENT CODE **(DISTRICT: ALL) (CITY MANAGER) (STRONG ECONOMY WITH MORE QUALITY JOBS)**

19. 2026-098 - RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF MIDLAND AND CUMBERLAND AND WESTERN RESOURCES, LLC (THE "OWNER") THAT REQUIRES THE OWNER (1)

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TO INSTALL AND MAINTAIN AN ART INSTALLATION ON A TRACT OF LAND LOCATED IN THE CITY'S EXTRATERRITORIAL JURISDICTION FOR WHICH THE OWNER HAS PETITIONED FOR ANNEXATION AND (2) TO POST A CASH DEPOSIT WITH THE CITY THAT SHALL BE RETURNED TO THE OWNER AFTER THE ART INSTALLATION HAS BEEN INSTALLED **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

20. 059-2026 - MOTION APPROPRIATING THE SUM OF $750,000.00 FROM THE GENERAL FUND AND TRANSFERRING IT TO A PROJECT ACCOUNT FOR THE REPAVING OF VETERANS AIRPARK LANE; AND APPROPRIATING THE SUM OF $250,000 FROM THE GENERAL FUND AND TRANSFERRING IT TO A PROJECT ACCOUNT FOR THE REPAVING OF GARFIELD STREET **(DISTRICT: 3), (DISTRICT: 1) (ENGINEERING SERVICES) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

21. 060-2026 - MOTION ACCEPTING DONATIONS IN THE AMOUNT OF $85,000.00 FROM MULTIPLE LOCAL ORGANIZATIONS; SAID FUNDS SHALL BE USED FOR THE PURCHASE OF NECESSARY EQUIPMENT FOR THE MIDLAND FIRE DEPARTMENT; AND AUTHORIZING THE APPROPRIATION OF FUNDS TO THE FIRE TECHNOLOGY AND EQUIPMENT FUND UPON THE CITY OF MIDLAND'S RECEIPT OF SAID FUNDS **(DISTRICT: NONE) (FIRE DEPARTMENT) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

Fire Chief Michael Tully provided Council with a brief overview of the item.

John Burkholder moved to Approve; seconded by Brian Stubbs.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: None

22. 2026-099 - RESOLUTION SUPERSEDING AND REPLACING RESOLUTION 2025-020; AUTHORIZING THE SUBMISSION OF APPLICATION NO. 5362301 TO THE OFFICE OF THE GOVERNOR FOR THE FISCAL YEAR 2026 STATE AND LOCAL CYBERSECURITY GRANT PROGRAM (OBJECTIVE 1 – GOVERNANCE AND PLANNING) FOR GRANT FUNDS TOTALING $24,000.00; SAID GRANT FUNDS, IF AWARDED, SHALL BE USED FOR THE CYBERSECURITY POLICY GAP ANALYSIS – PHASE 1 PROJECT; APPROVING LOCAL MATCHING FUNDS AND ADDITIONAL CITY FUNDING IN THE AMOUNT OF $6,000.00; AGREEING THAT IN THE EVENT OF LOSS OR MISUSE OF OFFICE OF THE GOVERNOR FUNDS, THE FUNDS WILL BE RETURNED IN FULL TO THE OFFICE OF THE GOVERNOR; DESIGNATING THE CITY COMPTROLLER AS THE AUTHORIZED OFFICIAL REPRESENTING THE CITY; AND AUTHORIZING THE CITY MANAGER, THE FINANCE DIRECTOR, THE CHIEF INFORMATION OFFICER, THE GRANT WRITER, AND THE AUTHORIZED OFFICIAL TO EXECUTE ALL NECESSARY

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DOCUMENTS TO ACCEPT, DENY, OR MODIFY ALL ASPECTS OF THE GRANT **(DISTRICT: ALL) (IT) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

23. 2026-100 - RESOLUTION AUTHORIZING THE ISSUANCE OF AN OPERATING CERTIFICATE FOR MIDESSA TRANSPORTATION LLC; SETTING FORTH CONDITIONS ACCOMPANYING THE CERTIFICATE; AND ESTABLISHING THE TERMS OF THE CERTIFICATE **(DISTRICT: ALL) (POLICE DEPARTMENT) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

24. 061-2026 - MOTION ACCEPTING A DONATION IN THE AMOUNT OF $180,000.00 FROM BUSTIN FOR BADGES; SAID FUNDS SHALL BE USED FOR THE PURCHASE OF NECESSARY EQUIPMENT FOR THE MIDLAND POLICE DEPARTMENT; AND AUTHORIZING THE APPROPRIATION OF $180,000.00 IN THE POLICE TECHNOLOGY AND EQUIPMENT FUND UPON THE CITY OF MIDLAND'S RECEIPT OF SAID FUNDS **(DISTRICT: ALL) (POLICE DEPARTMENT) (SET THE STANDARD FOR A SAFE AND SECURE CITY)**

Deputy Police Chief Greg Chatwell provided Council with a brief overview of the item.

Jack Ladd moved to Approve; seconded by John Norman.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: None

25. 062-2026 - MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE (26-329-019) BETWEEN THE CITY OF MIDLAND AND DEEP BLUE OPERATING I, LLC REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTIONS 9,10,12,18,19 AND 24, BLOCK 37, T-3-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS **(DISTRICT: NONE) (UTILITIES) (PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT)**

SECOND READINGS

26. 10772 - AN ORDINANCE VACATING AND ABANDONING A 0.523-ACRE PORTION OF WEST PENNSYLVANIA AVENUE RIGHT-OF-WAY LOCATED ADJACENT TO BLOCKS 151 AND 152, SOUTHERN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF THE INTERSECTION OF SOUTH MARIENFELD STREET AND WEST PENNSYLVANIA AVENUE) ON REQUEST OF ONE OR MORE ABUTTING PROPERTY OWNERS IN EXCHANGE FOR PAYMENT TO THE CITY OF THE SUM OF $45,563.76; RETAINING A NONEXCLUSIVE UTILITY EASEMENT; AND ORDERING RECORDATION BY THE CITY SECRETARY (FIRST READING HELD JUNE 23, 2026) **(DISTRICT: 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

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Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10772.

Shandi Williams (Citizen), spoke on this item relative to a waiver.

Deputy City Manager Jose Ortiz provided comments.

Chief Planning & Development Officer Elizabeth Triggs provided Council with a brief overview of the item.

Derek Smith (Citizen), spoke on this item relative to a waiver.

Council discussion ensued.

Alfred James (Citizen), spoke on this item relative to traffic.

John Norman moved to Approve; seconded by Jack Ladd.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: None

PUBLIC HEARINGS

The City Council will hold public hearings on the following items:

27. 10773 - AN ORDINANCE EXTENDING THE BOUNDARIES OF THE CITY OF MIDLAND, TEXAS, BY ADDING THERETO A CERTAIN AREA ADJOINING THE PRESENT CITY LIMITS, BEING A 4.09-ACRE TRACT OF LAND OUT OF SECTION 35, BLOCK 40, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST STATE HIGHWAY 158, APPROXIMATELY 220 FEET EAST OF BEAR DRIVE); ORDERING PUBLICATION; AND ORDERING RECORDATION BY THE CITY SECRETARY **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10773.

Chief Planning & Development Officer Elizabeth Triggs provided Council with a brief overview of the item.

Mayor Blong opened the public hearing at 11:20 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Jack Ladd moved to Approve; seconded by John Norman.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Brian Stubbs, Jack

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Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: None

28. 10774 - AN ORDINANCE ESTABLISHING THE INITIAL ZONING CLASSIFICATION OF THE AREA INDICATED AS BEING A 4.09-ACRE TRACT OF LAND OUT OF SECTION 35, BLOCK 40, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS, AS AN LR, LOCAL RETAIL DISTRICT, IN PART, AND AN RR, REGIONAL RETAIL DISTRICT, IN PART; SAID TRACT BEING GENERALLY LOCATED ON THE SOUTH SIDE OF WEST STATE HIGHWAY 158, APPROXIMATELY 220 FEET EAST OF BEAR DRIVE; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); AND ORDERING PUBLICATION **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10774.

Chief Planning & Development Officer Elizabeth Triggs provided Council with a brief overview of the item.

Mayor Pro Tem Amy Stretcher Burkes opened the public hearing at 11:21 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Jack Ladd moved to Approve; seconded by Brian Stubbs.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: Lori Blong

29. 10775 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR LOT 3A, BLOCK 25, PLANTATION HILLS, SECTION 23, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF WHITMAN DRIVE, APPROXIMATELY 350 FEET NORTH OF BLUEBIRD LANE), WHICH IS PRESENTLY ZONED AE, AGRICULTURAL ESTATE DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR AN ASSISTED LIVING / NURSING HOME; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); AND ORDERING PUBLICATION **(DISTRICT: 1) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10775.

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Chief Planning & Development Officer Elizabeth Triggs provided Council with a brief overview of the item.

Council discussion ensued.

Mayor Blong opened the public hearing at 11:28 a.m.

Rodney Woodard (Citizen), spoke in opposition of this item.

Jaron Simon (Citizen), spoke in opposition of this item.

Jack Oduro (Developer), spoke in favor of this item.

Council Member Jack Ladd made inquires.

Joseph Davis (Citizen), spoke in opposition of this item.

There being no one else wishing to speak, the public hearing was closed at 11:36 a.m.

Item died due to lack of motion. No action taken by Council.

30. 10776 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR A 35.05-ACRE TRACT OF LAND OUT OF SECTION 25, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF NORTH FAIRGROUNDS ROAD, APPROXIMATELY 650 FEET NORTH OF EAST CUTHBERT AVENUE), WHICH IS PRESENTLY ZONED MH, MANUFACTURED HOUSING DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR A MANUFACTURED HOME PARK; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); AND ORDERING PUBLICATION **(DISTRICT: 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10776.

Chief Planning & Development Officer Elizabeth Triggs provided Council with a brief overview of the item.

Council discussion ensued.

Mayor Blong opened the public hearing at 11:47 a.m.

Chase Gardaphe (Representative) provided Council with a brief overview of the item.

There being no one else wishing to speak, the public hearing was closed at 11:51 a.m.

John Norman moved to approve the ordinance with the following Amendment: That a condition

be added requiring the operator of the Establishment to -
(1) demonstrate to the City's Planning Division and Code Administration Division prior to commencing operation of the Establishment:
(a) that a 30-foot-wide paved fire apparatus access road has been constructed from North Tilden Street to the Property, which shall align with "Street D" shown on the site plan; and
(b) that the operator has obtained the appropriate title, easement, or other property interest allowing for such fire apparatus access road; and

(2) maintain such fire apparatus access road in accordance with all applicable requirements of Title VII of the City Code; seconded by Brian Stubbs.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Brian Stubbs, Jack Ladd, John Norman

NAY: None
ABSTAIN: None
ABSENT: None

31. 10777 - AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR THE WEST HALF OF LOT 2 AND ALL OF LOT 3, BLOCK 9, HIGH SCHOOL ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST MICHIGAN AVENUE, APPROXIMATELY 90 FEET WEST OF NORTH B STREET), BY PERMITTING A REDUCED MINIMUM SIDE YARD SETBACK ON THE WEST SIDE OF THE PROPERTY; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION **(DISTRICT: 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10777.

Chief Planning & Development Officer Elizabeth Triggs provided Council with a brief overview of the item.

Council discussion ensued.

Mayor Blong opened the public hearing at 11:57 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

John Norman moved to Approve; seconded by John Burkholder.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: None

32. 10778 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR THE WEST HALF OF LOT 2 AND ALL OF LOT 3, BLOCK 9, HIGH SCHOOL ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST MICHIGAN AVENUE, APPROXIMATELY 90 FEET WEST OF NORTH B STREET), WHICH IS PRESENTLY ZONED SF-2, SINGLE-FAMILY DWELLING DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR AN ACCESSORY DWELLING UNIT; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING PUBLICATION; AND ORDERING RECORDATION BY THE CITY SECRETARY **(DISTRICT: 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10778.

Chief Planning & Development Officer Elizabeth Triggs provided Council with a brief overview of the item.

Mayor Blong opened the public hearing at 11:59 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Jack Ladd moved to Approve; seconded by John Norman.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: None

33. 10779 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR THE EAST 40 FEET OF LOT 9 AND ALL OF LOT 10, BLOCK 7, NORTH PARK HILL ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF WEST KANSAS AVENUE, APPROXIMATELY 215 FEET EAST OF NORTH F STREET), WHICH IS PRESENTLY ZONED SF-1, SINGLE-FAMILY DWELLING DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR AN ACCESSORY DWELLING UNIT; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING PUBLICATION; AND ORDERING RECORDATION BY THE CITY SECRETARY **(DISTRICT: 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10779.

Chief Planning & Development Officer Elizabeth Triggs provided Council with a brief overview of

the item.

Mayor Blong opened the public hearing at 12:01 p.m. There being no one present wishing to speak, the public hearing was immediately closed.

Jack Ladd moved to Approve; seconded by Robin Poole.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: None

34. 10780 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 5, ARNETT'S ACRES, CITY AND COUNTY OF MIDLAND, TEXAS, FROM SF-2, SINGLE-FAMILY DWELLING DISTRICT TO 2F, TWO-FAMILY (DUPLEX) DWELLING DISTRICT (GENERALLY LOCATED ON THE EAST SIDE OF NORTH LAMESA ROAD, APPROXIMATELY 350 FEET NORTH OF EAST GOLF COURSE ROAD); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); AND ORDERING PUBLICATION **(DISTRICT: 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10780.

Chief Planning & Development Officer Elizabeth Triggs provided Council with a brief overview of the item.

Mayor Blong opened the public hearing at 12:03 p.m. There being no one present wishing to speak, the public hearing was immediately closed.

John Norman moved to Approve; seconded by Jack Ladd.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: None

35. 10781 - AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 13, BLOCK 1, SAN JACINTO PLACE EXTENSION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF SPARKS STREET, APPROXIMATELY 315 FEET SOUTH OF WEST GOLF COURSE ROAD), BY PERMITTING A REDUCED MINIMUM FRONT YARD SETBACK; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND

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DOLLARS ($2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION **(DISTRICT: 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10781.

Chief Planning & Development Officer Elizabeth Triggs provided Council with a brief overview of the item.

Mayor Blong opened the public hearing at 12:05 p.m.

Pam Mancha (Resident), spoke in favor of this item.

There being no one else wishing to speak, the public hearing was closed at 12:07 p.m.

Brian Stubbs moved to Approve; seconded by Jack Ladd.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: None

36. 10782 - AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 49, BLOCK 2, FANNIN TERRACE ADDITION, SECTION 5 REPLAT, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF LINDA COURT, APPROXIMATELY 85 FEET SOUTH OF WEST WADLEY AVENUE), BY PERMITTING (1) A REDUCED MINIMUM REAR YARD SETBACK AND (2) A REDUCED MINIMUM BUILDING SEPARATION DISTANCE BETWEEN AN ACCESSORY BUILDING AND THE PRINCIPAL BUILDING; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION **(DISTRICT: 3) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10782.

Chief Planning & Development Officer Elizabeth Triggs provided Council with a brief overview of the item.

Mayor Blong opened the public hearing at 12:09 p.m. There being no one present wishing to speak, the public hearing was immediately closed.

Brandon Schuman (Citizen) did not wish to speak. His support of this item is noted.

Jack Ladd moved to Approve; seconded by Robin Poole.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: None

37. 10783 - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR THE SOUTH 80 FEET OF LOT 19 AND ALL OF LOT 20, BLOCK 125, WILSHIRE PARK ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF THE INTERSECTION OF NORTH EISENHOWER DRIVE AND EDGEWOOD DRIVE), WHICH IS PRESENTLY ZONED SF-2, SINGLE-FAMILY DWELLING DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR AN ACCESSORY DWELLING UNIT; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING PUBLICATION; AND ORDERING RECORDATION BY THE CITY SECRETARY **(DISTRICT: 4) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)**

Assistant City Secretary Rachel Guentensberger read the caption of Ordinance No. 10783.

Chief Planning & Development Officer Elizabeth Triggs provided Council with a brief overview of the item.

Mayor Blong opened the public hearing at 12:11 p.m.

Amy Coleman (Resident of the property) wished not to speak unless there were questions.

Jack Ladd moved to Approve; seconded by Amy Stretcher Burkes.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Brian Stubbs, Jack Ladd, John Norman
NAY: None
ABSTAIN: None
ABSENT: None

MISCELLANEOUS

38. 063-2026 - MOTION APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND AST & SCIENCE, LLC **(DISTRICT: 4) (CITY MANAGER) (STRONG ECONOMY WITH MORE QUALITY JOBS)**

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Midland Development Corporation Director Sara Harris provided Council with a presentation of the item.

Hector Covarrubiaz (Citizen) spoke in opposition of this item.

AST Representative Caroline Castro provided Council with a brief synopsis of the

company.

The following AST Representatives were in attendance but did not wish to speak: Henry

Retamal, John Joyce and Michaelle Guzman.

Council remarks ensued.

Jack Ladd moved to Approve; seconded by Robin Poole.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Jack Ladd, John Norman
NAY: None
ABSTAIN: Brian Stubbs
ABSENT: None

39. 2026-101 - RESOLUTION AUTHORIZING THE EXECUTION OF A GROUND LEASE AGREEMENT WITH AST & SCIENCE, LLC REGARDING CERTAIN REAL PROPERTY DESCRIBED AS A 23.107-ACRE TRACT OUT OF SECTION 8, BLOCK 40, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS **(DISTRICT: 4) (AIRPORTS) (STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE)**

Deputy Aviation Director Nicholas Krakovec provided Council with a brief presentation of the item.

Hector Covarrubiaz (Citizen) did not speak but is in opposition of this item. The following

AST Representatives were in attendance but did not wish to speak: Henry Retamal, John

Joyce and Michaelle Guzman.

Jack Ladd moved to Approve; seconded by John Norman.

The motion Passed by the following vote:
AYE: John Burkholder, Amy Stretcher Burkes, Robin Poole, Lori Blong, Jack Ladd, John Norman
NAY: None
ABSTAIN: Brian Stubbs
ABSENT: None

DRAFT

STAFF PRESENTATIONS

40. Budget Update - Cost of Providing Services

City Manager Tommy Gonzalez provided Council with a brief presentation of the item. The Budget Update presentation will be available online.

41. Parks Update - Maintenance

City Manager Tommy Gonzalez provided Council with a brief presentation of the item. The Parks Maintenance presentation will be available online.

PUBLIC COMMENT

42. Receive public comments where individuals may address the City Council on City related issues and projects not on the present agenda. Any deliberation of or decision by the City Council regarding the item being discussed shall be limited to a motion to place the item on the agenda for a subsequent meeting. (Please limit comments to three minutes or less.)

Shandi Williams (Citizen) made public comments relative to several items of general concern and consequences.

Deehena Wolfe (Citizen) made public comments relative to public decorum.

Paula Morris (Citizen) made public comments relative to constitutional rights.

Rhonda Lacy (Citizen) made public comments relative to praise of Council.

Derek Smith (Citizen) made public comments relative to several areas of concern.

City Attorney Nicholas Toulet-Crump clarified comments made regarding Paula Morris.

This entire meeting may be heard and viewed online, along with the transcript, at https://midlandtx.new.swagit.com/videos/394043

EXECUTIVE SESSION

Mayor Blong recessed the City Council meeting to go into Executive Session at 1:05 p.m.

43. Pursuant to Texas Government Code § 551.101, the City Council will hold an executive session, which is closed to the public, to discuss the following matters as permitted under the following sections of the Texas Government Code:

43.a **Section 551.071, Consultation with Attorney**

Discuss matters in which the duty of the attorney(s) to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code.

Discuss pending or contemplated litigation.

DRAFT

43.b **Section 551.072, Deliberation Regarding Real Property**

Discuss the purchase, exchange, lease, or value of real property.

43.c **Section 551.074, Personnel Matters**

Deliberate the employment, evaluation, and duties of the City Manager, City Attorney, City Secretary, Municipal Court Presiding Judge, and Municipal Court Associate Judge.

43.d **Section 551.087, Deliberation Regarding Economic Development Negotiations**

Discuss business prospects that the City seeks to have locate, stay, or expand in or near the City of Midland, Texas, and discuss possible incentives.

All the business at hand having been completed, the meeting adjourned at 3:21 p.m.

PASSED AND APPROVED August 11, 2026.

_____
Lori Blong, Mayor

ATTEST:

_____
Marcia Bentley-German
City Governance Officer/City Secretary

DRAFT

City Council Meeting

Item Number: 4.
Meeting Date: August 11, 2026
To: City Council
From: Erika Munoz, Assistant General Services Director
Subject: RESOLUTION APPROVING THE PURCHASE OF DELL COMPUTER HARDWARE AND EQUIPMENT FROM DELL TECHNOLOGIES INC. THROUGH THE TEXAS DEPARTMENT OF INFORMATION RESOURCES FOR A TOTAL COST OF $300,210.51; AND AUTHORIZING PAYMENT

Purpose:
Resolution approving the purchase of Dell computers to replace 83 desktops, 73 laptops, 166 monitors, 20 docking stations, and 73 laptop bags from Dell Technologies through the Texas Department of Information Resources contract DIR-CPO-5792 for a total cost of $300,210.51.

Recommended Action:
Approve

Fiscal Impact:
Funding of $300,210.51 is available in the Tech Fund operating budget.

Strategic Priority:
PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT

Discussion:
The ITSD Department is recommending the purchase of Dell computers to replace 83 desktops, 73 laptops, 166 monitors, 20 docking stations, and 73 laptop bags from Dell Technologies through Texas Department of Information Resources contract DIR-CPO-5792. We are members of the Texas Department of Information Resources cooperative and Subchapter F, Section 271.102 of the Local Government Code provides that a local government may participate in a cooperative purchasing program and that purchasing goods or services under Subchapter F satisfies any state law requiring the local government to seek competitive bids for those purchases. Please see the attached memo from Gorgees Eskander, Chief Information Officer, for additional information.

Therefore, please consider a resolution authorizing the purchase of Dell computers to replace 83 desktops, 73 laptops, 166 monitors, 20 docking stations, and 73 laptop bags from Dell Technologies through the Texas Department of Information Resources contract DIR-CPO-5792 for a total cost of $300,210.51.

Attachments:

A. RESOLUTION W/EXH - DIR - Dell Computer Equipment Reso w Exh
B. Dell_Computers_Refresh_2026
C. US_QUOTE_3000205170818.4

Erika Munoz, General Services	Created/Initiated - 7/30/2026
Regina Stephenson, General Services	Approved - 7/30/2026
Christy Weakland, Finance	Approved - 8/4/2026
Linda Ochoa, Legal	Approved - 8/4/2026
Morris Williams, City Manager	Approved - 8/4/2026
Kathy Rauda, City Secretary	Final Approval - 8/4/2026

RESOLUTION NO. _____

RESOLUTION APPROVING THE PURCHASE OF DELL COMPUTER HARDWARE AND EQUIPMENT FROM DELL TECHNOLOGIES INC. THROUGH THE TEXAS DEPARTMENT OF INFORMATION RESOURCES FOR A TOTAL COST OF $300,210.51; AND AUTHORIZING PAYMENT

WHEREAS, the Texas Department of Information Resources ("DIR") is a cooperative purchasing agency with which the City participates with on purchases through a cooperative purchasing program in accordance with TEX. LOC. GOV'T CODE § 271.102; and

WHEREAS, Dell Technologies Inc. has submitted a total proposed cost to the City of $300,210.51 for the purchase of Dell computer hardware and equipment (the "Equipment") through the DIR, as shown on the quote that is attached hereto as Exhibit A and incorporated herein for all purposes; and

WHEREAS, the City Council finds the price proposed by Dell Technologies Inc. for said Equipment to be fair and reasonable; and

WHEREAS, the City Council finds it to be in the public interest to purchase said Equipment from Dell Technologies Inc. through the DIR;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the City Manager is hereby authorized and directed to purchase the Equipment from Dell Technologies Inc. through the DIR for a total cost of $300,250.51.

SECTION TWO. That funding for the purchase of the Equipment shall be available in the Tech Fund operating budget.

SECTION THREE. That the City Comptroller is hereby authorized and directed to pay Dell Technologies Inc. for the Equipment from funds referenced in Section Two above upon receipt of proper invoices or statements approved by the City Manager or his designee.

On motion of Council member _____, seconded by Council member _____, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the _____ day of _____, A.D., 2026, by the following vote:

Council members voting “AYE”:

Council members voting “NAY”:

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

RECOMMENDED AND APPROVED:

_____
Tommy Gonzalez, City Manager

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Regina Stephenson, General Services Director

APPROVED AS TO FORM ONLY:

_____
Nicholas Toulet, City Attorney

A quote for your consideration.

To retrieve this eQuote online, log in to your **Dell Premier Page** and search for your eQuote number under “Quotes” in the top menu bar.

Quote No.:	**3000205170818.4**
Total (USD):	**$300,210.51**
eQuote Name:	Aug Refresh - Renewed 1
eQuote Creator:	tfinley@midlandtexas.gov
Quoted On:	Jul. 27, 2026
Expires By:	Aug. 26, 2026
Company Name:	CITY OF MIDLAND
Customer Number:	1002883
Phone:	4326857505
Premier Page Name:	MIDLAND, TEXAS Contract Code.....#48ABO...DIR-SDD-890-TX
Authorized Buyer:	tfinley@midlandtexas.gov
Contract Name:	State of Texas Department of Information Resources
Contract Code:	C000001269299
Customer Agreement Number:	DIR-CPO-5792

Billing Address:
CITY OF MIDLAND
FINLEY TOREE
601 N LORAINE ST, STE 101
MIDLAND , TX 79701

Exhibit "A"

Pricing Summary

		Qty	Unit Price	Discounted Unit Price	Subtotal
1.	**P2426H w/4yr Warranty**	**166**	**$257.99**	**$117.00**	**$19,422.00**
	Premier discount		- $140.99		
2.	**Pro 5 16" (U7 365, 16GB, 512SSD, AutoPilot, RI25H2, 4yr Basic)**	**20**	**$4,030.93**	**$1,451.00**	**$29,020.00**
	Premier discount		- $2,579.93		
3.	**Pro 5 14" (U7 366H, 16GB, 512SSD, AutoPilot, RI25H2, 4yr Basic)**	**53**	**$4,354.01**	**$1,567.00**	**$83,051.00**
	Premier discount		- $2,787.01		
4.	**Dispatch: Pro Max Tower (U9K, 64GB, Dual RTX 2000, Autopilot, RI25H2, 4YR Basic)**	**6**	**$10,111.81**	**$4,731.00**	**$28,386.00**
	Premier discount		- $5,380.81		
5.	**Pro Max Tower (U9, 64GB, 2x1 TB SSD, NVidia 4000, Autopilot, RI25H2, 4YR Basic)**	**12**	**$10,434.89**	**$4,781.00**	**$57,372.00**
	Premier discount		- $5,653.89		
6.	**Pro Slim Plus (U7 265, 16GB, 512SSD, AutoPilot RI25H2, 4yr Basic)**	**60**	**$2,934.54**	**$1,147.00**	**$68,820.00**
	Premier discount		- $1,787.54		
7.	**Pro Micro Plus (U7 265, 16GB, 512SSD, AutoPilot RI25H2, 4yr Basic)**	**5**	**$3,058.61**	**$1,196.00**	**$5,980.00**
	Premier discount		- $1,862.61		
8.	**Smart Dock SD25TB5 [For Pro Max Laptops]**	**5**	**$781.24**	**$425.78**	**$2,128.90**
	Premier discount		- $355.46		
9.	**Smart Dock SD25TB4**	**15**	**$499.99**	**$272.49**	**$4,087.35**
	Premier discount		- $227.50		
10.	**Dell 14-16 EcoLoop Backpack - CP3724**	**73**	**$37.49**	**$26.62**	**$1,943.26**
	Premier discount		- $10.87		

Subtotal:	**$300,210.51**
Shipping:	**$0.00**
Estimated Tax:	**$0.00**
Total (USD):	**$300,210.51**

Shipping Address:
City of Midland
Finley Toree
601 N Loraine St, STE 101
Midland , TX 79701

Shipping Method:
FREE Standard Delivery

Product Details

	Qty	Unit Price	Subtotal

1.		**P2426H w/4yr Warranty (210-BVST)** Order Code: rcrc1267647-9135747	**166**	**$117.00**	**$19,422.00**

Module	Description	Product Code	SKU	Qty
Dell Pro P 24 Monitor - P2426H	Dell Pro P 24 Monitor - P2426H	G6UQKMH	210-BVST	1
Standard Hardware Support Service	4Y Basic Hardware Service with Advanced Exchange after remote diagnosis	G390825	814-5380,814-5382	1

		Qty	Unit Price	Subtotal
2.	**Pro 5 16" (U7 365, 16GB, 512SSD, AutoPilot, RI25H2, 4yr Basic) (210-BWBR,631-BCPQ)** Order Code: rcrc1267647-9158428	**20**	**$1,451.00**	**$29,020.00**

Module	Description	Product Code	SKU	Qty
Base	Dell Pro 5 16 (P516260) CTO Base	G5OL4VU	210-BWBR,631-BCPQ	1
Processor	Series 3 Intel® Core™ Ultra 7 365 vPro® (8 cores, up to 4.8 GHz, 49 TOPS NPU)	GGLUMA5	379-BGRK	1
Operating System	Windows 11 Pro, Copilot+ PC	G4G6QA3	619-BBGJ	1
Chassis Options	Aluminum (Top Cover, Palm-rest, Bottom Cover)	GD1S247	321-BNCH	1
Memory	16 GB: 2 x 8 GB, DDR5, 5600 MT/s, dual channel	G1SX8UY	370-BCNF	1
Base Options	Integrated Intel® Graphics, 4Xe with Intel® Core™ Ultra 7 365, vPro® CPU	GUTOF9A	338-CVQS	1
Storage	512 GB SSD	GD8J6V4	400-BVND	1
Wireless	Intel® Wi-Fi 7 BE211, Qualified against Bluetooth® Core 6.0 wireless Card	GDGSY2O	555-BNPW	1
Mobile Broadband	No Mobile Broadband Card	GR957IY	556-BBCD	1
Display	16", WUXGA (1920x1200), Non-touch, 400nit, 62.5% sRGB, Anti-Glare, 8MP+IR Cam	GSOH71C	391-BKXZ	1
Camera Hardware	8MP RGB HDR + IR Camera, 1440p at 30 fps, Presence Detection, TNR, Camera Shutter, Microphone	G4OP73U	319-BBMN	1
Keyboard	English (US) Mini-LED backlit keyboard with numeric keypad	G4D0ETW	583-BPHR	1
PalmRest	No Fingerprint Reader, No Smart Card Reader	GLTNM0F	346-BNCF	1
Systems Management	Intel® vPro® Enabled	GBTRM12	631-BCMY	1
Primary Battery	3-cell, 57 Wh, ExpressCharge Boost capable battery, 1-yr limited hardware warranty	GECBH4V	451-BDQQ	1
Power Supply	65W USB-C PECOS-Green AC Adapter	GSTV6MR	492-BFFW	1
Power Cord	E4 Power Cord 1M for US	GCOU30Q	470-BCXK	1
Shipping Material	SingleSystem Packaging (Vertical Box)	G69QDK0	340-FBDH	1
Operating System Language Pack	English, French, Spanish, Brazilian Portuguese	GALH68M	619-BBPD	1
Driver	Intel® BE211 WLAN Driver	G7EAU5O	555-BNSV	1
Mouse	No Mouse	G8043UZ	570-AADK	1
Placemat	Quick Reference Guide	GW74IDL	340-DZXG	1
Documentation	Documentation	GUX97AW	340-DNBV	1
ENERGY STAR	ENERGY STAR Qualified	G6J34SM	387-BBLW	1
Transportation from ODM to region	Standard Shipment (VS)	G1IR983	800-BBQK	1
Processor Label	Series 3 Intel® Core™ Ultra 7 vPro® Processor Label	GZD2S1A	389-FRCX	1
WWAN/Non-WWAN Accessory	Aluminum (Top Cover, Palm-rest, Bottom Cover), SODIMM, WLAN	G6L0QX5	321-BMZK	1
EPEAT	EPEAT Gold with Climate+	G3MZ1QX	379-BGNT	1
ICPS	Intel® Connectivity Performance Suite	G35M6KR	640-BBTL	1
Hard Drive Cables and Brackets	Thermal Pad 2230 SSD	GA81WXS	575-BCWP	1

FGA Module	No FGA	NOFGA	817-BBBB	1
Support Tech Sheet and Powercord	No UPC/EAN Label	G8WGTYN	389-BCGW	1
Service	4Y Basic Onsite Service after remote diagnosis with Hardware-Only Support-Disti SnS	GU9SEFD	975-3461,714-0277,714-0292,714-0313	1
Ready Image	Install Dell Ready Image	G1O7PKV	365-8303	1
Ready Image	Ready Image Version: Windows 11 25H2 Edition	G491FSP	587-BSWP	1
Ready Image	Ready Image Language: English US	G2KA1HG	382-1755	1
Ready Image	Ready Image Software: Microsoft 365	GZCBV64	382-8545	1
Windows AutoPilot	AutoPilot	G4Q6OC3	634-BRWG	1
Microsoft Office	Activate Your Microsoft 365 For A 30 Day Trial	GHKU96A	630-ABBT	1
Non-Microsoft Application Software	Dell Additional Software - Dell Pro Laptop	G3PHAG2	658-BFVB	1
Home and Small Business Security solutions	None	GD4K19S	650-AAAM	1
Operating System Recovery Options	OS-Windows Media Not Included	GLA9OQ1	620-AALW	1

		Qty	Unit Price	Subtotal
3.	**Pro 5 14" (U7 366H, 16GB, 512SSD, AutoPilot, RI25H2, 4yr Basic) (210-BWCR,631-BCPD)**	**53**	**$1,567.00**	**$83,051.00**

Order Code: rcrc1267647-9158422

Module	Description	Product Code	SKU	Qty
Base	Dell Pro 5 14 (P514260) CTO Base	G1TQJI7	210-BWCR,631-BCPD	1
Processor	Series 3 Intel® Core™ Ultra 7 366H vPro® (16 cores, up to 4.8 GHz, 50 TOPS)	GCYZT6U	379-BGRZ	1
Operating System	Windows 11 Pro, Copilot+ PC	G4G6QA3	619-BBGJ	1
Chassis Options	Aluminum (Top Cover, Palm-rest, Bottom Cover)	GLEZ7G2	321-BNBV	1
Memory	16 GB LPCAMM2, 8533 MT/s, dual-channel	GZUS6V5	370-BDPQ	1
Base Options	Integrated Intel® Graphics, 4Xe with Intel® Core™ Ultra 7 366H, vPro® CPU	GPLNFC7	338-CVVN	1
Storage	512 GB SSD	GSKOTH7	400-BVLY	1
Wireless	Intel® Wi-Fi 7 BE211, Qualified against Bluetooth® Core 6.0 wireless Card	G3I01VA	555-BNPV	1
Mobile Broadband	No Mobile Broadband Card	GR957IY	556-BBCD	1
Display	14", WUXGA (1920x1200), Non-touch, 400nit, 62.5% sRGB, Anti-Glare, 8MP+IR Cam	GO0C9KM	391-BKXD	1
Camera	8MP RGB HDR + IR Camera, 1440p at 30 fps, Presence Detection, TNR, Camera Shutter, Microphone	G4OP73U	319-BBMN	1
Keyboard	English (US) Mini-LED backlit keyboard	GOGE7HA	583-BNSL	1
PalmRest	No Fingerprint Reader, No Smart Card Reader	G7T6YO1	346-BNCK	1
Systems Management	Intel® vPro® Enabled	GYZ4WER	631-BCNB	1
Primary Battery	3-cell, 57 Wh, ExpressCharge Boost capable battery, 1-yr limited hardware warranty	G2RDIB9	451-BDQD	1
Power Supply	65W USB-C PECOS-Green AC Adapter	GSTV6MR	492-BFFW	1
Power Cord	E4 Power Cord 1M for US	GCOU30Q	470-BCXK	1
Shipping Material	SingleSystem Packaging (Vertical Box)	G31HMCE	340-DZPQ	1
Operating System Language Pack	English, French, Spanish, Brazilian Portuguese	GALH68M	619-BBPD	1
Driver	Intel® BE211 WLAN Driver	G2OTRUJ	555-BNRF	1
Mouse	No Mouse	G8043UZ	570-AADK	1
Placemat	Quick Reference Guide	G321LNF	340-DZXH	1
Documentation	Documentation	GUX97AW	340-DNBV	1
ENERGY STAR	ENERGY STAR Qualified	G6J34SM	387-BBLW	1

Transportation from ODM to region	Standard Shipment (VS)	G1IR983	800-BBQK	1
Processor Branding	Series 3 Intel® Core™ Ultra 7 vPro® Processor Label	GZD2S1A	389-FRCX	1
WWAN/Non-WWAN Accessory	Aluminum (Top, Palmrest, Bottom), LPCAMM, WLAN	GN6KG25	321-BNCG	1
EPEAT	EPEAT Gold with Climate+	G3MZ1QX	379-BGNT	1
ICPS	Intel® Connectivity Performance Suite	G35M6KR	640-BBTL	1
Hard Drive Cables and Brackets	Bracket 2230 SSD	GK87QG9	575-BCWM	1
FGA Module	No FGA	NOFGA	817-BBBB	1
Support Tech Sheet and Powercord	No UPC/EAN Label	G8WGTYN	389-BCGW	1
Speakers	Speaker included	GB8VAWJ	520-BBNX	1
Service	4Y Basic Onsite Service after remote diagnosis with Hardware-Only Support-Disti SnS	GU9SEFD	975-3461,714-0277,714-0292,714-0313	1
Windows AutoPilot	AutoPilot	G4Q6OC3	634-BRWG	1
Ready Image	Install Dell Ready Image	G1O7PKV	365-8303	1
Ready Image	Ready Image Version: Windows 11 25H2 Edition	G491FSP	587-BSWP	1
Ready Image	Ready Image Language: English US	G2KA1HG	382-1755	1
Ready Image	Ready Image Software: Microsoft 365	GZCBV64	382-8545	1
Microsoft Office	Activate Your Microsoft 365 For A 30 Day Trial	GHKU96A	630-ABBT	1
Non-Microsoft Application Software	Dell Additional Software - Dell Pro Laptop	G3PHAG2	658-BFVB	1
Home and Small Business Security solutions	None	GD4K19S	650-AAAM	1
Operating System Recovery Options	OS-Windows Media Not Included	GLA9OQ1	620-AALW	1

		Qty	Unit Price	Subtotal
4.	 **Dispatch: Pro Max Tower (U9K, 64GB, Dual RTX 2000, Autopilot, RI25H2, 4YR Basic) (210-BPSQ)** Order Code: rcrc1267647-9158432	**6**	**$4,731.00**	**$28,386.00**

Module	Description	Product Code	SKU	Qty
Dell Pro Max Tower T2 FCT2250	Dell Pro Max Tower T2 (FCT2250) CTO Base	GK6P2CL	210-BPSQ	1
Processor	Intel® Core™ Ultra 9 285K (24 cores, up to 5.7 GHz, 125 W)	GPZ7TKE	338-CSBX	1
Operating System	Windows 11 Pro	G0YF5BA	619-BBPM	1
Keyboard	Dell Pro Keyboard and Mouse - KM5221W - US English - Black	G4KLMAZ	580-BCCH	1
Mouse	Mouse included with Keyboard	GU54MYP	570-AADI	1
Graphics	Dual NVIDIA RTX PRO 2000 Blackwell Workstation Edition (70W) 16GB GDDR7, 8 mDP to DP	GQZ3KBC	490-BLSD	1
Cables - Multi select	No Additional Cable	GIX0L8M	379-BBCY	1
Memory	64GB: 2 x 32 GB, DDR5, 5600 MT/s, non-ECC	GCIA3FQ	370-BCTX	1
Storage	No Hard Drive	G2GK4IX	400-BSYT	1
2nd Hard Disk Drive	No Hard Drive	G2GK4IX	400-BSYT	1
Raid Connectivity	NO RAID	GX5Q06T	817-BBBN	1
Wireless	No Wireless LAN Card	GMI5GFT	555-BLXZ	1
Systems Management	Intel vPro Enterprise	GYM6DBG	631-BCDS	1
E-Star	ENERGY STAR Qualified	G6J34SM	387-BBLW	1
Power Cord	System Power Cord C13 (US 125V, 15A)	GPYN5HX	450-AHDU	1

Documentation/Disks	Documentation	GUX97AW	340-DNBV	1
Driver	No Wireless LAN	GW1SM6D	555-BBNI	1
Packaging	DAO Shipping Material	GVDH9FL	340-DTSS,340-CBUU	1
FGA Module	No FGA	NOFGA	817-BBBB	1
Cables and Dongles	No Accessories	GM0AKUV	461-AABV	1
Placemat	Quick Setup Guide	GRO396K	340-DTYP,389-FKHB	1
Chassis Options	Dell Pro Max Tower T2 with 1500W (80 Plus Platinum) PSU V2, DAO	GESR1FZ	321-BMHH	1
UPC Label	No UPC/EAN Label	G8WGTYN	389-BCGW	1
TPM Security	Dell Precision / Pro Max Desktops TPM	G1MEH6P	340-ACBY	1
Monitor Stands	No Stand	GK0645E	575-BBCH	1
EPEAT	EPEAT Gold with Climate+	GBU8CHM	379-BDZB	1
Network Card	No Additional Network Card Selected (Integrated NIC included)	GPQ31WV	555-BBJO	1
Operating System Language Pack	English, French, Spanish, Brazilian Portuguese	GALH68M	619-BBPD	1
Optional USB and Video Ports	No Additional Port	GH2ILWN	492-BCLP	1
Thermal Cooling	Premium CPU Air Cooler	GI4EF0Q	412-BCBJ	1
Processor Branding	Intel® Core™ Ultra 9 vPro Processor Label	GY6T9HC	389-FKKC	1
PCIe I/O Add-in-cards	Not selected in this configuration	GY2RECF	817-BBBC	1
Intel Responsiveness Technologies	Intel Rapid Storage Technology Driver	GILYRQ3	409-BCYV	1
TAA	No Federal Order	GUSA19Y	340-ACQQ	1
1st M.2 NVMe SSD	1 TB, M.2 2280, TLC PCIe Gen4, SSD, SED Ready	G1ZJ5XA	400-BSZF	1
Optical Drive	No Optical Drive	GS73AMX	429-BBCL	1
Label	DAO REGULATORY LABEL 1500W	GO3HQ0F	389-FJZR	1
Graphics Holder	T2 Graphic Card Holder	GXLJ275	490-BKWX	1
Storage configuration (Boot Drive)	Internal M.2 SSD Boot + Optional Internal M.2 SSD + cables for 3.5" internal SATA	GT8YH4V	449-BCJN	1
Fan	No Fans Included	GYH8SJ6	384-BDRW	1
Optical Software	CyberLink Media Suite Essentials for Windows OS and DVD Drive (without Media)	GWNM30Y	658-BBTV	1
Additional M.2 NVMe SSD	No Hard Drive	G2GK4IX	400-BSYT	1
Serial Port/PS2 Adapter	Not selected in this configuration	GY2RECF	817-BBBC	1
3rd Storage	No Hard Drive	G2GK4IX	400-BSYT	1
Media Card Reader	No SD Card Reader	G86J5QK	385-BBBL	1
Speakers	No Internal Speaker	GK95QLS	520-AARK	1
Standard Hardware Support Service	4Y Basic Onsite Service after remote diagnosis with Hardware-Only Support	G5LR3K9	716-2183,716-0806	1
Ready Image	Install Dell Ready Image	G1O7PKV	365-8303	1
Ready Image	Ready Image Version: Windows 11 25H2 Edition	G491FSP	587-BSWP	1
Ready Image	Ready Image Language: English US	G2KA1HG	382-1755	1
Ready Image	Ready Image Software: Microsoft 365	GZCBV64	382-8545	1
Windows AutoPilot	AutoPilot	G4Q6OC3	634-BRWG	1
Microsoft Office	Activate Your Microsoft 365 For A 30 Day Trial	GHKU96A	630-ABBT	1
Non-Microsoft Application Software	Dell Pro Max Tower T2 FCT2250	GJO89TL	658-BFVQ	1
Home and Small Business Security solutions	None	GD4K19S	650-AAAM	1

Operating System Recovery Options	OS-Windows Media Not Included	GLA9OQ1	620-AALW	1

		Qty	Unit Price	Subtotal
5.	 **Pro Max Tower (U9, 64GB, 2x1 TB SSD, NVidia 4000, Autopilot, RI25H2, 4YR Basic) (210-BPSQ)** Order Code: rcrc1267647-9158395	**12**	**$4,781.00**	**$57,372.00**

Module	Description	Product Code	SKU	Qty
Dell Pro Max Tower T2 FCT2250	Dell Pro Max Tower T2 (FCT2250) CTO Base	GK6P2CL	210-BPSQ	1
Processor	Intel® Core™ Ultra 9 285 (36 MB cache, 24 cores, 24 threads, 1.9 GHz to 5.6 GHz, 65W)	GO89UY7	338-CSCH	1
Operating System	Windows 11 Pro	G0YF5BA	619-BBPM	1
Keyboard	Dell Pro Keyboard and Mouse - KM5221W - US English - Black	G4KLMAZ	580-BCCH	1
Mouse	Mouse included with Keyboard	GU54MYP	570-AADI	1
Graphics	NVIDIA RTX PRO 4000 Blackwell Workstation Edition (145W), 24GB GDDR7 with ECC, 4DP	GRSC1QN	490-BLPJ	1
Cables - Multi select	No Additional Cable	GIX0L8M	379-BBCY	1
Memory	64GB: 2 x 32 GB, DDR5, 5600 MT/s, non-ECC	GCIA3FQ	370-BCTX	1
Storage	No Hard Drive	G2GK4IX	400-BSYT	1
2nd Hard Disk Drive	No Hard Drive	G2GK4IX	400-BSYT	1
Raid Connectivity	NO RAID	GX5Q06T	817-BBBN	1
Wireless	No Wireless LAN Card	GMI5GFT	555-BLXZ	1
Systems Management	Intel vPro Enterprise	GYM6DBG	631-BCDS	1
E-Star	ENERGY STAR Qualified	G6J34SM	387-BBLW	1
Power Cord	System Power Cord C13 (US 125V, 15A)	GPYN5HX	450-AHDU	1
Documentation/Disks	Documentation	GUX97AW	340-DNBV	1
Driver	No Wireless LAN	GW1SM6D	555-BBNI	1
Packaging	DAO Shipping Material	GVDH9FL	340-DTSS,340-CBUU	1
FGA Module	No FGA	NOFGA	817-BBBB	1
Cables and Dongles	No Accessories	GM0AKUV	461-AABV	1
Placemat	Quick Setup Guide	GRO396K	340-DTYP,389-FKHB	1
Chassis Options	Dell Pro Max Tower T2 with 1500W (80 Plus Platinum) PSU V2, DAO	GESR1FZ	321-BMHH	1
UPC Label	No UPC/EAN Label	G8WGTYN	389-BCGW	1
TPM Security	Dell Precision / Pro Max Desktops TPM	G1MEH6P	340-ACBY	1
Monitor Stands	No Stand	GK0645E	575-BBCH	1
EPEAT	EPEAT Gold with Climate+	GBU8CHM	379-BDZB	1
Network Card	No Additional Network Card Selected (Integrated NIC included)	GPQ31WV	555-BBJO	1
Operating System Language Pack	English, French, Spanish, Brazilian Portuguese	GALH68M	619-BBPD	1
Optional USB and Video Ports	No Additional Port	GH2ILWN	492-BCLP	1
Thermal Cooling	Premium CPU Air Cooler	GI4EF0Q	412-BCBJ	1
Processor Branding	Intel® Core™ Ultra 9 vPro Processor Label	GY6T9HC	389-FKKC	1
PCIe I/O Add-in-cards	Not selected in this configuration	GY2RECF	817-BBBC	1
Intel Responsiveness Technologies	Intel Rapid Storage Technology Driver	GILYRQ3	409-BCYV	1
TAA	No Federal Order	GUSA19Y	340-ACQQ	1

1st M.2 NVMe SSD	1 TB, M.2 2280, TLC PCIe Gen4, SSD, SED Ready	G1ZJ5XA	400-BSZF	1
Optical Drive	No Optical Drive	GS73AMX	429-BBCL	1
Label	DAO REGULATORY LABEL 1500W	GO3HQ0F	389-FJZR	1
Graphics Holder	T2 Graphic Card Holder	GXLJ275	490-BKWX	1
Storage configuration (Boot Drive)	Internal M.2 SSD Boot + Optional Internal M.2 SSD + cables for 3.5" internal SATA	GT8YH4V	449-BCJN	1
Fan	No Fans Included	GYH8SJ6	384-BDRW	1
Optical Software	CyberLink Media Suite Essentials for Windows OS and DVD Drive (without Media)	GWNM30Y	658-BBTV	1
Additional M.2 NVMe SSD	No Hard Drive	G2GK4IX	400-BSYT	1
Serial Port/PS2 Adapter	Not selected in this configuration	GY2RECF	817-BBBC	1
3rd Storage	No Hard Drive	G2GK4IX	400-BSYT	1
Media Card Reader	No SD Card Reader	G86J5QK	385-BBBL	1
Speakers	No Internal Speaker	GK95QLS	520-AARK	1
Standard Hardware Support Service	4Y Basic Onsite Service after remote diagnosis with Hardware-Only Support	G5LR3K9	716-2183,716-0806	1
Ready Image	Install Dell Ready Image	G1O7PKV	365-8303	1
Ready Image	Ready Image Version: Windows 11 25H2 Edition	G491FSP	587-BSWP	1
Ready Image	Ready Image Language: English US	G2KA1HG	382-1755	1
Ready Image	Ready Image Software: Microsoft 365	GZCBV64	382-8545	1
Windows AutoPilot	AutoPilot	G4Q6OC3	634-BRWG	1
Microsoft Office	Activate Your Microsoft 365 For A 30 Day Trial	GHKU96A	630-ABBT	1
Non-Microsoft Application Software	Dell Pro Max Tower T2 FCT2250	GJO89TL	658-BFVQ	1
Home and Small Business Security solutions	None	GD4K19S	650-AAAM	1
Operating System Recovery Options	OS-Windows Media Not Included	GLA9OQ1	620-AALW	1

			Qty	Unit Price	Subtotal
6.		**Pro Slim Plus (U7 265, 16GB, 512SSD, AutoPilot RI25H2, 4yr Basic) (210-BPPM)** Order Code: rcrc1267647-9158383	**60**	**$1,147.00**	**$68,820.00**

Module	Description	Product Code	SKU	Qty
Processor	Intel® Core™ Ultra 7 265 (13 TOPS NPU, 20 cores, up to 5.3GHz)	GL4ERAI	338-CRZM	1
Operating System	Windows 11 Pro	G0VA5W2	619-BBQD	1
Memory	16GB: 1 x 16GB, DDR5, up to 5600 MT/s, non-ECC	GNW6OVA	370-BCWX	1
Storage	512 GB, SSD	GE4RNXT	400-BSWY,773-BBBC	1
Additional Storage	No Additional Hard Drive	G780XKR	401-AANH	1
Graphics	Integrated Graphics	GCI0475	490-BKSX	1
Wireless	No Wireless LAN Card	GNMR3AS	555-BLXL	1
Wireless Driver	None	GQMKF4C	340-AFMQ	1
Speakers	Internal speaker	GV8NWJ4	520-BBKW	1
Additional Add-In Card	No Additional Add In Cards	GNV4J7Q	382-BBHX	1
Chassis Options	Dell Pro Slim Plus QBS1250 with 260W PSU	G23SVZI	329-BKSP	1
Keyboard	Dell Pro Keyboard and Mouse - KM5221W - US English - Black	G4KLMAZ	580-BCCH	1
Mouse	Mouse included with Keyboard	GU54MYP	570-AADI	1
Adapter	No Additional Cable	GIX0L8M	379-BBCY	1

Stands and Mounts	No Stand or Mount	GJO5ZSE	575-BBBI	1
ENERGY STAR	ENERGY STAR Qualified	G6J34SM	387-BBLW	1
Power Cord	System Power Cord (US)	GA5894N	450-AAOJ	1
Documentation	Documentation	GUX97AW	340-DNBV	1
System Monitoring Options	Watch Dog SRV	G5UVY8E	379-BFYR	1
Placemat	Quick Start Guide	G39DK1E	340-DTTZ,389-FKHG	1
EAN/UPC Labels	No UPC/EAN Label	G8WGTYN	389-BCGW	1
TPM Security	Trusted Platform Module (Discrete TPM Enabled)	GJMDKT6	329-BBJL	1
Shipping Material	Shipping Material	G2PTIW0	389-BBUU,340-DTSR	1
Label	DAO Regulatory label for 260W PSU	G2H7W5F	389-FJYR	1
Intel Responsiveness Technologies	Driver/APP for IRST	G915M7G	658-BFTS	1
Processor Label	Intel® Core™ Ultra 7 vPro Processor Label	G4ERT3G	389-FJVS	1
Transportation from ODM to region	Desktop Standard shipment	G12DH3B	800-BBIO	1
3rd Storage	No Additional Hard Drive	G780XKR	401-AANH	1
4th Storage	No Additional Hard Drive	G780XKR	401-AANH	1
Dell Pro Slim Plus QBS1250	Dell Pro Slim Plus QBS1250	G5VC81J	210-BPPM	1
Optical Drive	No Optical Drive	GENPD45	429-BBCH	1
Systems Management	Intel vPro® Enterprise	GZ09QR4	631-BCBN	1
EPEAT	EPEAT Silver with Climate+	GTZOE2H	379-BDTO	1
Add-in Cards	No Additional Add In Cards	GNV4J7Q	382-BBHX	1
Serial Port Adapter	No PCIe add-in-card	GVEYOQ7	492-BBFF	1
Network Adapters (NIC)	No Additional Network Card Selected (Integrated NIC included)	G9MQCN3	555-BBJO	1
Optional Port Modules	No Additional Port	GWFXAL0	492-BCKH	1
Additional Storage Devices - Media Reader	No Media Card Reader	GW2K1D6	379-BBHM	1
Raid Connectivity	NO RAID	GX5Q06T	817-BBBN	1
Operating System Language Pack	English, French, Spanish, Brazilian Portuguese	GALH68M	619-BBPD	1
Optical Software	No CyberLink Media Suite Essentials	GMJ62GP	632-BBBJ	1
Additional 3.5" HDD Storage	No Additional Hard Drive	G780XKR	401-AANH	1
Thermal Pad/Screw	None	GQMKF4C	340-AFMQ	1
FGA Module	No FGA	NOFGA	817-BBBB	1
TAA	No Federal Order	GUSA19Y	340-ACQQ	1
Hard Drive Cables and Brackets	No Caddy	GVNGFT3	575-BBKX	1
Standard Hardware Support Service	4Y Basic Onsite Service after remote diagnosis with Hardware-Only Support-Disti SnS	G4ZB3P0	717-8784,718-0679	1
Ready Image	Install Dell Ready Image	G1O7PKV	365-8303	1
Ready Image	Ready Image Version: Windows 11 25H2 Edition	G491FSP	587-BSWP	1
Ready Image	Ready Image Language: English US	G2KA1HG	382-1755	1
Ready Image	Ready Image Software: Microsoft 365	GZCBV64	382-8545	1
Windows AutoPilot	AutoPilot	G4Q6OC3	634-BRWG	1
Microsoft Office	Activate Your Microsoft 365 For A 30 Day Trial	GHKU96A	630-ABBT	1

Non-Microsoft Application Software	Dell Pro Slim Plus QBS1250	G1QR3A0	658-BFVK	1
Home and Small Business Security solutions	None	GD4K19S	650-AAAM	1
Operating System Recovery Options	OS-Windows Media Not Included	GLA9OQ1	620-AALW	1
External Speakers	No External Speaker	GTNM7E2	817-BBBC	1

		Qty	Unit Price	Subtotal
7.	 **Pro Micro Plus (U7 265, 16GB, 512SSD, AutoPilot RI25H2, 4yr Basic) (210-BPQG)** Order Code: rcrc1267647-9158372	**5**	**$1,196.00**	**$5,980.00**

Module	Description	Product Code	SKU	Qty
Processor	Intel® Core™ Ultra 7 265 (13 TOPS NPU, 20 cores, up to 5.3GHz)	GL4ERAI	338-CRZM	1
Operating System	Windows 11 Pro	G0VA5W2	619-BBQD	1
Memory	16 GB: 1 x 16 GB, DDR5, up to 6400 MT/s, non-ECC	G8V9FJ0	370-BCWG	1
Storage	512 GB, SSD	G0O2JSD	400-BSWY	1
Additional Storage	No Additional Hard Drive	G780XKR	401-AANH	1
Wireless	Intel® Wi-Fi 6E AX211, 2x2, 802.11ax, Bluetooth® wireless card, internal antenna	GDZFP5E	555-BLWT,555-BLWW	1
Wireless Driver	Wireless Driver, Intel® Wi-Fi 6E AX211, 2x2, 802.11ax, Bluetooth® wireless card	GJ71O4S	555-BLZP	1
Speakers	Internal Speaker	GY5CFD6	520-BBGY	1
Chassis Options	Dell Pro Micro Plus with 65W Processor	G7S4NE0	329-BKRQ	1
Keyboard	Dell Pro Keyboard and Mouse - KM5221W - US English - Black	G4KLMAZ	580-BCCH	1
Mouse	Mouse included with Keyboard	GU54MYP	570-AADI	1
Adapter	No Additional Cable	GIX0L8M	379-BBCY	1
Stands and Mounts	No Stand or Mount	GJO5ZSE	575-BBBI	1
ENERGY STAR	ENERGY STAR Qualified	G6J34SM	387-BBLW	1
Power Cord	Power Cord (US) for 180W Adapter	G1S6LHJ	450-AAZN	1
Documentation	Documentation	GUX97AW	340-DNBV	1
System Monitoring Options	Watch Dog SRV	G5UVY8E	379-BFYR	1
Placemat	Quick Start Guide	GYLK0JU	340-DTSX,389-FKHG	1
EAN/UPC Labels	No UPC/EAN Label	G8WGTYN	389-BCGW	1
TPM Security	Trusted Platform Module (Discrete TPM Enabled)	GJMDKT6	329-BBJL	1
Shipping Material	Shipping Material, MPP Cusion	G6AS8OF	340-DTXM,389-BBUU	1
Label	Regulatory Label for 180W Adapter	G0OITJD	389-FKNY	1
Intel Responsiveness Technologies	Driver/APP for IRST	G915M7G	658-BFTS	1
Processor Label	Intel® Core™ Ultra 7 vPro Processor Label	G4ERT3G	389-FJVS	1
Transportation from ODM to region	Desktop Standard shipment	G12DH3B	800-BBIO	1
Dell Pro Micro Plus QBM1250	Dell Pro Micro Plus QBM1250	G4WP29A	210-BPQG	1
Systems Management	Intel vPro® Enterprise	GUS97FV	631-BCCP	1
Serial Port Adapter	No PCIe add-in-card	GVEYOQ7	492-BBFF	1
EPEAT	EPEAT Gold with Climate+	GBU8CHM	379-BDZB	1

Optional Port Modules	No Additional Port	GWFXAL0	492-BCKH	1
Power Supply	180 Watt A/C Adapter, TCO Compliant	G4PSKQH	450-BDXJ	1
Raid Connectivity	NO RAID	GX5Q06T	817-BBBN	1
Micro Mounting Option	No Stand or Mount	GJO5ZSE	575-BBBI	1
Operating System Language Pack	English, French, Spanish, Brazilian Portuguese	GALH68M	619-BBPD	1
FGA Module	No FGA	NOFGA	817-BBBB	1
Hard Drive Cables and Brackets	1st M.2 2230 SSD Extend Bracket & Screw	GABNY7H	575-BCRQ	1
TAA	No Federal Order	GUSA19Y	340-ACQQ	1
Standard Hardware Support Service	4Y Basic Onsite Service after remote diagnosis with Hardware-Only Support-Disti SnS	G4CFSRH	717-0497,718-0813	1
Ready Image	Install Dell Ready Image	G1O7PKV	365-8303	1
Ready Image	Ready Image Version: Windows 11 25H2 Edition	G491FSP	587-BSWP	1
Ready Image	Ready Image Language: English US	G2KA1HG	382-1755	1
Ready Image	Ready Image Software: Microsoft 365	GZCBV64	382-8545	1
Windows AutoPilot	AutoPilot	G4Q6OC3	634-BRWG	1
Microsoft Office	Activate Your Microsoft 365 For A 30 Day Trial	GHKU96A	630-ABBT	1
Non-Microsoft Application Software	Dell Pro Micro Plus QBM1250	G7TX4IE	658-BFWF	1
Home and Small Business Security solutions	None	GD4K19S	650-AAAM	1
Operating System Recovery Options	OS-Windows Media Not Included	GLA9OQ1	620-AALW	1
External Speakers	No External Speaker	GTNM7E2	817-BBBC	1

		Qty	Unit Price	Subtotal
8.	 **Smart Dock SD25TB5 [For Pro Max Laptops] (210-BRQS)** Order Code: rcrc1267647-9036839	**5**	**$425.78**	**$2,128.90**

Module	Description	Product Code	SKU	Qty
Dell Pro Thunderbolt 5 Smart Dock SD25TB5	Dell Pro Thunderbolt 5 Smart Dock SD25TB5	GRK3P7V	210-BRQS	1
Service	3Y Basic Hardware Service with Advance Exchange after remote disgnosis	G0CV2TE	720-1583,720-1584	1

		Qty	Unit Price	Subtotal
9.	 **Smart Dock SD25TB4 (210-BRQK)** Order Code: rcrc1267647-9036838	**15**	**$272.49**	**$4,087.35**

Module	Description	Product Code	SKU	Qty
Dell Pro Thunderbolt 4 Smart Dock SD25TB4	Dell ProThunderbolt 4 Smart Dock SD25TB4	GHYPSC7	210-BRQK	1
Service	3Y Basic Hardware Service with Advance Exchange after remote disgnosis	G07BHJ5	718-2057,718-2058	1

Qty	Unit Price	Subtotal

10.	 **Dell 14-16 EcoLoop Backpack - CP3724 (460-BDSW)** Order Code: 460-BDSW	**73**	**$26.62**	**$1,943.26**

Module	Description	Product Code	SKU	Qty
Dell 14-16 EcoLoop Backpack - CP3724			460-BDSW	73

Need Help?

We're here to answer any of your Order Support questions. Contact Us.

CONNECT WITH DELL:

Terms of Sale

This Quote will, if Customer issues a purchase order for the quoted items that is accepted by Supplier, constitute a contract between the entity issuing this Quote ("Supplier") and the entity to whom this Quote was issued ("Customer"). Unless otherwise stated herein, pricing is valid for Fourteen days from the date of this Quote. All products, pricing, and other information are based on the latest information available and are subject to change for any reason, including but not limited to tariffs imposed by government authorities, shortages in materials or resources, increase in the cost of manufacturing or other factors beyond Supplier's reasonable control. If such changes occur, pricing may be adjusted or purchase orders may be cancelled by Supplier, even after an order has been placed. Supplier also reserves the right to cancel this Quote and Customer purchase orders arising from pricing errors and/or customer changes to Supplier's planned delivery date.Taxes and/or freight charges listed on this Quote are only estimates. The final amounts shall be stated on the relevant invoice. Additional freight charges will be applied if Customer requests expedited shipping. Please indicate any tax exemption status on your purchase order and send your tax exemption certificate to Tax_Department@dell.com or ARSalesTax@emc.com, as applicable.

Governing Terms: This Quote is subject to: (a) a separate written agreement between Customer or Customer's affiliate and Supplier or a Supplier´s affiliate to the extent that it expressly applies to the products and/or services in this Quote or, to the extent there is no such agreement, to the applicable set of Dell's Terms of Sale (available at www.dell.com/terms or www.dell.com/oemterms), or for cloud/as-a-Service offerings, the applicable cloud terms of service (identified on the Offer Specific Terms referenced below); and (b) the terms referenced herein (collectively, the "Governing Terms"). Different Governing Terms may apply to different products and services on this Quote. The Governing Terms apply to the exclusion of all terms and conditions incorporated in or referred to in any documentation submitted by Customer to Supplier.

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Offer-Specific, Third Party and Program Specific Terms: Customer's use of third-party software is subject to the license terms that accompany the software. Certain Supplier-branded and third-party products and services listed on this Quote are subject to additional, specific terms stated on www.dell.com/offeringspecificterms ("Offer Specific Terms").

In case of Resale only: Should Customer procure any products or services for resale, whether on standalone basis or as part of a solution, Customer shall include the applicable software license terms, services terms, and/or offer-specific terms in a written agreement with the end-user and provide written evidence of doing so upon receipt of request from Supplier.

In case of Financing only: If Customer intends to enter into a financing arrangement ("Financing Agreement") for the products and/or services on this Quote with Dell Financial Services LLC or other funding source pre-approved by Supplier ("FS"), Customer may issue its purchase order to Supplier or to FS. If issued to FS, Supplier will fulfill and invoice FS upon confirmation that: (a) FS intends to enter into a Financing Agreement with Customer for this order; and (b) FS agrees to procure these items from Supplier. Notwithstanding the Financing Agreement, Customer's use (and Customer's resale of and the end-user's use) of these items in the order is subject to the applicable governing agreement between Customer and Supplier, except that title shall transfer from Supplier to FS instead of to Customer. If FS notifies Supplier after shipment that Customer is no longer pursuing a Financing Agreement for these items, or if Customer fails to enter into such Financing Agreement within 120 days after shipment by Supplier, Customer shall promptly pay the Supplier invoice amounts directly to Supplier.

Customer represents that this transaction does not involve: (a) use of U.S. Government funds; (b) use by or resale to the U.S. Government; or (c) maintenance and support of the product(s) listed in this document within classified spaces. Customer further represents that this transaction does not require Supplier's compliance with any statute, regulation or information technology standard applicable to a U.S. Government procurement.

For certain products shipped to end users in California, a State Environmental Fee will be applied to Customer's invoice. Supplier encourages customers to dispose of electronic equipment properly.

Electronically linked terms and descriptions are available in hard copy upon request.

Dell Marketing LP. U.S. only. Dell Marketing LP. is located at One Dell Way, Mail Stop 8129, Round Rock, TX 78682

City Council Agenda Item

DATE: **August 11, 2026**

TO: Erika Munoz, Purchasing Manager

FROM: Gorgees Eskander, Chief Information Officer

SUBJECT: Consider a resolution approving the purchase of Dell computers to replace currently deployed user devices for a total cost of $300,210.51 from Dell Technologies via DIR-CPO-5792.

Purpose:
This item provides information on the purchase of Dell computers to replace currently deployed user devices for a total cost of $300,210.51 from Dell Technologies. This purchase is budgeted and aligns with the City's 5-year technology replacement cycle.

Discussion:
As part of the City's ongoing 5-year replacement cycle, ITSD is purchasing 156 Dell computers to refresh aging devices that are currently in use. These replacements will cover some of the systems scheduled for update between now and September 30, 2026, ensuring continued performance, reliability, and supportability across departments.

Equipment costs have gone up noticeably since last year. On the 2025 purchase, the City paid $950 for a standard desktop and $1,319 for a standard laptop. The same class of equipment on this year's quote costs $1,147 for a standard desktop and $1,567 for a standard laptop, an increase of roughly 20 percent in a single year. The main drivers are tariffs on imported hardware and higher memory and component costs. The overall effect is that the City is spending essentially the same amount on desktops and laptops as it did last year while receiving 60 fewer devices for the same dollars. Staff expect these costs to keep rising, so postponing scheduled replacements would likely mean paying more for the same equipment later.

The computers being replaced will be recycled through a certified electronics recycling vendor that picks up all retired equipment at no cost to the City. Before any device leaves

City property, ITSD removes the storage drive and destroys it in house using the department's hard drive shredder, and ITSD keeps its own record of every drive destroyed. A small number of retired units are kept in house for spare parts or as short-term loaners.

Reselling the old equipment is not practical for the City. These devices are at or past the end of their 5-year service life, are no longer covered by warranty, and in many cases cannot meet current software and security requirements, so their market value is very low. The staff time required to inventory, test, and list each device, along with the cost of running a surplus sale, would be more than anything the City could expect to recover. Certified recycling avoids those costs entirely and lets ITSD keep the drives for in house destruction rather than transferring them to a buyer.

This purchase includes 83 desktops, 73 laptops, 166 monitors, 20 docking stations, and 73 laptop bags.

The total cost of the new equipment is $300,210.51 and is fully budgeted in the ITSD Tech Fund. The purchase is made through the State of Texas Department of Information Resources cooperative contract DIR-CPO-5792.

A quote for your consideration.

To retrieve this eQuote online, log in to your **Dell Premier Page** and search for your eQuote number under “Quotes” in the top menu bar.

Quote No.:	**3000205170818.4**
Total (USD):	**$300,210.51**
eQuote Name:	Aug Refresh - Renewed 1
eQuote Creator:	tfinley@midlandtexas.gov
Quoted On:	Jul. 27, 2026
Expires By:	Aug. 26, 2026

Company Name:	CITY OF MIDLAND
Customer Number:	1002883
Phone:	4326857505
Premier Page Name:	MIDLAND, TEXAS Contract Code.....#48ABO...DIR-SDD-890-TX
Authorized Buyer:	tfinley@midlandtexas.gov

Contract Name:	State of Texas Department of Information Resources
Contract Code:	C000001269299
Customer Agreement Number:	DIR-CPO-5792

Billing Address:
CITY OF MIDLAND
FINLEY TOREE
601 N LORAINE ST, STE 101
MIDLAND , TX 79701

Pricing Summary

		Qty	Unit Price	Discounted Unit Price	Subtotal
1.	**P2426H w/4yr Warranty**	**166**	**$257.99**	**$117.00**	**$19,422.00**
	Premier discount		- $140.99		
2.	**Pro 5 16" (U7 365, 16GB, 512SSD, AutoPilot, RI25H2, 4yr Basic)**	**20**	**$4,030.93**	**$1,451.00**	**$29,020.00**
	Premier discount		- $2,579.93		
3.	**Pro 5 14" (U7 366H, 16GB, 512SSD, AutoPilot, RI25H2, 4yr Basic)**	**53**	**$4,354.01**	**$1,567.00**	**$83,051.00**
	Premier discount		- $2,787.01		
4.	**Dispatch: Pro Max Tower (U9K, 64GB, Dual RTX 2000, Autopilot, RI25H2, 4YR Basic)**	**6**	**$10,111.81**	**$4,731.00**	**$28,386.00**
	Premier discount		- $5,380.81		
5.	**Pro Max Tower (U9, 64GB, 2x1 TB SSD, NVidia 4000, Autopilot, RI25H2, 4YR Basic)**	**12**	**$10,434.89**	**$4,781.00**	**$57,372.00**
	Premier discount		- $5,653.89		
6.	**Pro Slim Plus (U7 265, 16GB, 512SSD, AutoPilot RI25H2, 4yr Basic)**	**60**	**$2,934.54**	**$1,147.00**	**$68,820.00**
	Premier discount		- $1,787.54		
7.	**Pro Micro Plus (U7 265, 16GB, 512SSD, AutoPilot RI25H2, 4yr Basic)**	**5**	**$3,058.61**	**$1,196.00**	**$5,980.00**
	Premier discount		- $1,862.61		
8.	**Smart Dock SD25TB5 [For Pro Max Laptops]**	**5**	**$781.24**	**$425.78**	**$2,128.90**
	Premier discount		- $355.46		
9.	**Smart Dock SD25TB4**	**15**	**$499.99**	**$272.49**	**$4,087.35**
	Premier discount		- $227.50		
10.	**Dell 14-16 EcoLoop Backpack - CP3724**	**73**	**$37.49**	**$26.62**	**$1,943.26**
	Premier discount		- $10.87		

Subtotal:	**$300,210.51**
Shipping:	**$0.00**
Estimated Tax:	**$0.00**
Total (USD):	**$300,210.51**

Shipping Address:
City of Midland
Finley Toree
601 N Loraine St, STE 101
Midland , TX 79701

Shipping Method:
FREE Standard Delivery

Product Details

	Qty	Unit Price	Subtotal

1.		**P2426H w/4yr Warranty (210-BVST)** Order Code: rcrc1267647-9135747	**166**	**$117.00**	**$19,422.00**

Module	Description	Product Code	SKU	Qty
Dell Pro P 24 Monitor - P2426H	Dell Pro P 24 Monitor - P2426H	G6UQKMH	210-BVST	1
Standard Hardware Support Service	4Y Basic Hardware Service with Advanced Exchange after remote diagnosis	G390825	814-5380,814-5382	1

		Qty	Unit Price	Subtotal
2.	**Pro 5 16" (U7 365, 16GB, 512SSD, AutoPilot, RI25H2, 4yr Basic) (210-BWBR,631-BCPQ)** Order Code: rcrc1267647-9158428	**20**	**$1,451.00**	**$29,020.00**

Module	Description	Product Code	SKU	Qty
Base	Dell Pro 5 16 (P516260) CTO Base	G5OL4VU	210-BWBR,631-BCPQ	1
Processor	Series 3 Intel® Core™ Ultra 7 365 vPro® (8 cores, up to 4.8 GHz, 49 TOPS NPU)	GGLUMA5	379-BGRK	1
Operating System	Windows 11 Pro, Copilot+ PC	G4G6QA3	619-BBGJ	1
Chassis Options	Aluminum (Top Cover, Palm-rest, Bottom Cover)	GD1S247	321-BNCH	1
Memory	16 GB: 2 x 8 GB, DDR5, 5600 MT/s, dual channel	G1SX8UY	370-BCNF	1
Base Options	Integrated Intel® Graphics, 4Xe with Intel® Core™ Ultra 7 365, vPro® CPU	GUTOF9A	338-CVQS	1
Storage	512 GB SSD	GD8J6V4	400-BVND	1
Wireless	Intel® Wi-Fi 7 BE211, Qualified against Bluetooth® Core 6.0 wireless Card	GDGSY2O	555-BNPW	1
Mobile Broadband	No Mobile Broadband Card	GR957IY	556-BBCD	1
Display	16", WUXGA (1920x1200), Non-touch, 400nit, 62.5% sRGB, Anti-Glare, 8MP+IR Cam	GSOH71C	391-BKXZ	1
Camera Hardware	8MP RGB HDR + IR Camera, 1440p at 30 fps, Presence Detection, TNR, Camera Shutter, Microphone	G4OP73U	319-BBMN	1
Keyboard	English (US) Mini-LED backlit keyboard with numeric keypad	G4D0ETW	583-BPHR	1
PalmRest	No Fingerprint Reader, No Smart Card Reader	GLTNM0F	346-BNCF	1
Systems Management	Intel® vPro® Enabled	GBTRM12	631-BCMY	1
Primary Battery	3-cell, 57 Wh, ExpressCharge Boost capable battery, 1-yr limited hardware warranty	GECBH4V	451-BDQQ	1
Power Supply	65W USB-C PECOS-Green AC Adapter	GSTV6MR	492-BFFW	1
Power Cord	E4 Power Cord 1M for US	GCOU30Q	470-BCXK	1
Shipping Material	SingleSystem Packaging (Vertical Box)	G69QDK0	340-FBDH	1
Operating System Language Pack	English, French, Spanish, Brazilian Portuguese	GALH68M	619-BBPD	1
Driver	Intel® BE211 WLAN Driver	G7EAU5O	555-BNSV	1
Mouse	No Mouse	G8043UZ	570-AADK	1
Placemat	Quick Reference Guide	GW74IDL	340-DZXG	1
Documentation	Documentation	GUX97AW	340-DNBV	1
ENERGY STAR	ENERGY STAR Qualified	G6J34SM	387-BBLW	1
Transportation from ODM to region	Standard Shipment (VS)	G1IR983	800-BBQK	1
Processor Label	Series 3 Intel® Core™ Ultra 7 vPro® Processor Label	GZD2S1A	389-FRCX	1
WWAN/Non-WWAN Accessory	Aluminum (Top Cover, Palm-rest, Bottom Cover), SODIMM, WLAN	G6L0QX5	321-BMZK	1
EPEAT	EPEAT Gold with Climate+	G3MZ1QX	379-BGNT	1
ICPS	Intel® Connectivity Performance Suite	G35M6KR	640-BBTL	1
Hard Drive Cables and Brackets	Thermal Pad 2230 SSD	GA81WXS	575-BCWP	1

FGA Module	No FGA	NOFGA	817-BBBB	1
Support Tech Sheet and Powercord	No UPC/EAN Label	G8WGTYN	389-BCGW	1
Service	4Y Basic Onsite Service after remote diagnosis with Hardware-Only Support-Disti SnS	GU9SEFD	975-3461,714-0277,714-0292,714-0313	1
Ready Image	Install Dell Ready Image	G1O7PKV	365-8303	1
Ready Image	Ready Image Version: Windows 11 25H2 Edition	G491FSP	587-BSWP	1
Ready Image	Ready Image Language: English US	G2KA1HG	382-1755	1
Ready Image	Ready Image Software: Microsoft 365	GZCBV64	382-8545	1
Windows AutoPilot	AutoPilot	G4Q6OC3	634-BRWG	1
Microsoft Office	Activate Your Microsoft 365 For A 30 Day Trial	GHKU96A	630-ABBT	1
Non-Microsoft Application Software	Dell Additional Software - Dell Pro Laptop	G3PHAG2	658-BFVB	1
Home and Small Business Security solutions	None	GD4K19S	650-AAAM	1
Operating System Recovery Options	OS-Windows Media Not Included	GLA9OQ1	620-AALW	1

		Qty	Unit Price	Subtotal
3.	**Pro 5 14" (U7 366H, 16GB, 512SSD, AutoPilot, RI25H2, 4yr Basic) (210-BWCR,631-BCPD)**	**53**	**$1,567.00**	**$83,051.00**

Order Code: rcrc1267647-9158422

Module	Description	Product Code	SKU	Qty
Base	Dell Pro 5 14 (P514260) CTO Base	G1TQJI7	210-BWCR,631-BCPD	1
Processor	Series 3 Intel® Core™ Ultra 7 366H vPro® (16 cores, up to 4.8 GHz, 50 TOPS)	GCYZT6U	379-BGRZ	1
Operating System	Windows 11 Pro, Copilot+ PC	G4G6QA3	619-BBGJ	1
Chassis Options	Aluminum (Top Cover, Palm-rest, Bottom Cover)	GLEZ7G2	321-BNBV	1
Memory	16 GB LPCAMM2, 8533 MT/s, dual-channel	GZUS6V5	370-BDPQ	1
Base Options	Integrated Intel® Graphics, 4Xe with Intel® Core™ Ultra 7 366H, vPro® CPU	GPLNFC7	338-CVVN	1
Storage	512 GB SSD	GSKOTH7	400-BVLY	1
Wireless	Intel® Wi-Fi 7 BE211, Qualified against Bluetooth® Core 6.0 wireless Card	G3I01VA	555-BNPV	1
Mobile Broadband	No Mobile Broadband Card	GR957IY	556-BBCD	1
Display	14", WUXGA (1920x1200), Non-touch, 400nit, 62.5% sRGB, Anti-Glare, 8MP+IR Cam	GO0C9KM	391-BKXD	1
Camera	8MP RGB HDR + IR Camera, 1440p at 30 fps, Presence Detection, TNR, Camera Shutter, Microphone	G4OP73U	319-BBMN	1
Keyboard	English (US) Mini-LED backlit keyboard	GOGE7HA	583-BNSL	1
PalmRest	No Fingerprint Reader, No Smart Card Reader	G7T6YO1	346-BNCK	1
Systems Management	Intel® vPro® Enabled	GYZ4WER	631-BCNB	1
Primary Battery	3-cell, 57 Wh, ExpressCharge Boost capable battery, 1-yr limited hardware warranty	G2RDIB9	451-BDQD	1
Power Supply	65W USB-C PECOS-Green AC Adapter	GSTV6MR	492-BFFW	1
Power Cord	E4 Power Cord 1M for US	GCOU30Q	470-BCXK	1
Shipping Material	SingleSystem Packaging (Vertical Box)	G31HMCE	340-DZPQ	1
Operating System Language Pack	English, French, Spanish, Brazilian Portuguese	GALH68M	619-BBPD	1
Driver	Intel® BE211 WLAN Driver	G2OTRUJ	555-BNRF	1
Mouse	No Mouse	G8043UZ	570-AADK	1
Placemat	Quick Reference Guide	G321LNF	340-DZXH	1
Documentation	Documentation	GUX97AW	340-DNBV	1
ENERGY STAR	ENERGY STAR Qualified	G6J34SM	387-BBLW	1

Transportation from ODM to region	Standard Shipment (VS)	G1IR983	800-BBQK	1
Processor Branding	Series 3 Intel® Core™ Ultra 7 vPro® Processor Label	GZD2S1A	389-FRCX	1
WWAN/Non-WWAN Accessory	Aluminum (Top, Palmrest, Bottom), LPCAMM, WLAN	GN6KG25	321-BNCG	1
EPEAT	EPEAT Gold with Climate+	G3MZ1QX	379-BGNT	1
ICPS	Intel® Connectivity Performance Suite	G35M6KR	640-BBTL	1
Hard Drive Cables and Brackets	Bracket 2230 SSD	GK87QG9	575-BCWM	1
FGA Module	No FGA	NOFGA	817-BBBB	1
Support Tech Sheet and Powercord	No UPC/EAN Label	G8WGTYN	389-BCGW	1
Speakers	Speaker included	GB8VAWJ	520-BBNX	1
Service	4Y Basic Onsite Service after remote diagnosis with Hardware-Only Support-Disti SnS	GU9SEFD	975-3461,714-0277,714-0292,714-0313	1
Windows AutoPilot	AutoPilot	G4Q6OC3	634-BRWG	1
Ready Image	Install Dell Ready Image	G1O7PKV	365-8303	1
Ready Image	Ready Image Version: Windows 11 25H2 Edition	G491FSP	587-BSWP	1
Ready Image	Ready Image Language: English US	G2KA1HG	382-1755	1
Ready Image	Ready Image Software: Microsoft 365	GZCBV64	382-8545	1
Microsoft Office	Activate Your Microsoft 365 For A 30 Day Trial	GHKU96A	630-ABBT	1
Non-Microsoft Application Software	Dell Additional Software - Dell Pro Laptop	G3PHAG2	658-BFVB	1
Home and Small Business Security solutions	None	GD4K19S	650-AAAM	1
Operating System Recovery Options	OS-Windows Media Not Included	GLA9OQ1	620-AALW	1

		Qty	Unit Price	Subtotal
4.	 **Dispatch: Pro Max Tower (U9K, 64GB, Dual RTX 2000, Autopilot, RI25H2, 4YR Basic) (210-BPSQ)** Order Code: rcrc1267647-9158432	**6**	**$4,731.00**	**$28,386.00**

Module	Description	Product Code	SKU	Qty
Dell Pro Max Tower T2 FCT2250	Dell Pro Max Tower T2 (FCT2250) CTO Base	GK6P2CL	210-BPSQ	1
Processor	Intel® Core™ Ultra 9 285K (24 cores, up to 5.7 GHz, 125 W)	GPZ7TKE	338-CSBX	1
Operating System	Windows 11 Pro	G0YF5BA	619-BBPM	1
Keyboard	Dell Pro Keyboard and Mouse - KM5221W - US English - Black	G4KLMAZ	580-BCCH	1
Mouse	Mouse included with Keyboard	GU54MYP	570-AADI	1
Graphics	Dual NVIDIA RTX PRO 2000 Blackwell Workstation Edition (70W) 16GB GDDR7, 8 mDP to DP	GQZ3KBC	490-BLSD	1
Cables - Multi select	No Additional Cable	GIX0L8M	379-BBCY	1
Memory	64GB: 2 x 32 GB, DDR5, 5600 MT/s, non-ECC	GCIA3FQ	370-BCTX	1
Storage	No Hard Drive	G2GK4IX	400-BSYT	1
2nd Hard Disk Drive	No Hard Drive	G2GK4IX	400-BSYT	1
Raid Connectivity	NO RAID	GX5Q06T	817-BBBN	1
Wireless	No Wireless LAN Card	GMI5GFT	555-BLXZ	1
Systems Management	Intel vPro Enterprise	GYM6DBG	631-BCDS	1
E-Star	ENERGY STAR Qualified	G6J34SM	387-BBLW	1
Power Cord	System Power Cord C13 (US 125V, 15A)	GPYN5HX	450-AHDU	1

Documentation/Disks	Documentation	GUX97AW	340-DNBV	1
Driver	No Wireless LAN	GW1SM6D	555-BBNI	1
Packaging	DAO Shipping Material	GVDH9FL	340-DTSS,340-CBUU	1
FGA Module	No FGA	NOFGA	817-BBBB	1
Cables and Dongles	No Accessories	GM0AKUV	461-AABV	1
Placemat	Quick Setup Guide	GRO396K	340-DTYP,389-FKHB	1
Chassis Options	Dell Pro Max Tower T2 with 1500W (80 Plus Platinum) PSU V2, DAO	GESR1FZ	321-BMHH	1
UPC Label	No UPC/EAN Label	G8WGTYN	389-BCGW	1
TPM Security	Dell Precision / Pro Max Desktops TPM	G1MEH6P	340-ACBY	1
Monitor Stands	No Stand	GK0645E	575-BBCH	1
EPEAT	EPEAT Gold with Climate+	GBU8CHM	379-BDZB	1
Network Card	No Additional Network Card Selected (Integrated NIC included)	GPQ31WV	555-BBJO	1
Operating System Language Pack	English, French, Spanish, Brazilian Portuguese	GALH68M	619-BBPD	1
Optional USB and Video Ports	No Additional Port	GH2ILWN	492-BCLP	1
Thermal Cooling	Premium CPU Air Cooler	GI4EF0Q	412-BCBJ	1
Processor Branding	Intel® Core™ Ultra 9 vPro Processor Label	GY6T9HC	389-FKKC	1
PCIe I/O Add-in-cards	Not selected in this configuration	GY2RECF	817-BBBC	1
Intel Responsiveness Technologies	Intel Rapid Storage Technology Driver	GILYRQ3	409-BCYV	1
TAA	No Federal Order	GUSA19Y	340-ACQQ	1
1st M.2 NVMe SSD	1 TB, M.2 2280, TLC PCIe Gen4, SSD, SED Ready	G1ZJ5XA	400-BSZF	1
Optical Drive	No Optical Drive	GS73AMX	429-BBCL	1
Label	DAO REGULATORY LABEL 1500W	GO3HQ0F	389-FJZR	1
Graphics Holder	T2 Graphic Card Holder	GXLJ275	490-BKWX	1
Storage configuration (Boot Drive)	Internal M.2 SSD Boot + Optional Internal M.2 SSD + cables for 3.5" internal SATA	GT8YH4V	449-BCJN	1
Fan	No Fans Included	GYH8SJ6	384-BDRW	1
Optical Software	CyberLink Media Suite Essentials for Windows OS and DVD Drive (without Media)	GWNM30Y	658-BBTV	1
Additional M.2 NVMe SSD	No Hard Drive	G2GK4IX	400-BSYT	1
Serial Port/PS2 Adapter	Not selected in this configuration	GY2RECF	817-BBBC	1
3rd Storage	No Hard Drive	G2GK4IX	400-BSYT	1
Media Card Reader	No SD Card Reader	G86J5QK	385-BBBL	1
Speakers	No Internal Speaker	GK95QLS	520-AARK	1
Standard Hardware Support Service	4Y Basic Onsite Service after remote diagnosis with Hardware-Only Support	G5LR3K9	716-2183,716-0806	1
Ready Image	Install Dell Ready Image	G1O7PKV	365-8303	1
Ready Image	Ready Image Version: Windows 11 25H2 Edition	G491FSP	587-BSWP	1
Ready Image	Ready Image Language: English US	G2KA1HG	382-1755	1
Ready Image	Ready Image Software: Microsoft 365	GZCBV64	382-8545	1
Windows AutoPilot	AutoPilot	G4Q6OC3	634-BRWG	1
Microsoft Office	Activate Your Microsoft 365 For A 30 Day Trial	GHKU96A	630-ABBT	1
Non-Microsoft Application Software	Dell Pro Max Tower T2 FCT2250	GJO89TL	658-BFVQ	1
Home and Small Business Security solutions	None	GD4K19S	650-AAAM	1

Operating System Recovery Options	OS-Windows Media Not Included	GLA9OQ1	620-AALW	1

			Qty	Unit Price	Subtotal
5.		**Pro Max Tower (U9, 64GB, 2x1 TB SSD, NVidia 4000, Autopilot, RI25H2, 4YR Basic) (210-BPSQ)** Order Code: rcrc1267647-9158395	**12**	**$4,781.00**	**$57,372.00**

Module	Description	Product Code	SKU	Qty
Dell Pro Max Tower T2 FCT2250	Dell Pro Max Tower T2 (FCT2250) CTO Base	GK6P2CL	210-BPSQ	1
Processor	Intel® Core™ Ultra 9 285 (36 MB cache, 24 cores, 24 threads, 1.9 GHz to 5.6 GHz, 65W)	GO89UY7	338-CSCH	1
Operating System	Windows 11 Pro	G0YF5BA	619-BBPM	1
Keyboard	Dell Pro Keyboard and Mouse - KM5221W - US English - Black	G4KLMAZ	580-BCCH	1
Mouse	Mouse included with Keyboard	GU54MYP	570-AADI	1
Graphics	NVIDIA RTX PRO 4000 Blackwell Workstation Edition (145W), 24GB GDDR7 with ECC, 4DP	GRSC1QN	490-BLPJ	1
Cables - Multi select	No Additional Cable	GIX0L8M	379-BBCY	1
Memory	64GB: 2 x 32 GB, DDR5, 5600 MT/s, non-ECC	GCIA3FQ	370-BCTX	1
Storage	No Hard Drive	G2GK4IX	400-BSYT	1
2nd Hard Disk Drive	No Hard Drive	G2GK4IX	400-BSYT	1
Raid Connectivity	NO RAID	GX5Q06T	817-BBBN	1
Wireless	No Wireless LAN Card	GMI5GFT	555-BLXZ	1
Systems Management	Intel vPro Enterprise	GYM6DBG	631-BCDS	1
E-Star	ENERGY STAR Qualified	G6J34SM	387-BBLW	1
Power Cord	System Power Cord C13 (US 125V, 15A)	GPYN5HX	450-AHDU	1
Documentation/Disks	Documentation	GUX97AW	340-DNBV	1
Driver	No Wireless LAN	GW1SM6D	555-BBNI	1
Packaging	DAO Shipping Material	GVDH9FL	340-DTSS,340-CBUU	1
FGA Module	No FGA	NOFGA	817-BBBB	1
Cables and Dongles	No Accessories	GM0AKUV	461-AABV	1
Placemat	Quick Setup Guide	GRO396K	340-DTYP,389-FKHB	1
Chassis Options	Dell Pro Max Tower T2 with 1500W (80 Plus Platinum) PSU V2, DAO	GESR1FZ	321-BMHH	1
UPC Label	No UPC/EAN Label	G8WGTYN	389-BCGW	1
TPM Security	Dell Precision / Pro Max Desktops TPM	G1MEH6P	340-ACBY	1
Monitor Stands	No Stand	GK0645E	575-BBCH	1
EPEAT	EPEAT Gold with Climate+	GBU8CHM	379-BDZB	1
Network Card	No Additional Network Card Selected (Integrated NIC included)	GPQ31WV	555-BBJO	1
Operating System Language Pack	English, French, Spanish, Brazilian Portuguese	GALH68M	619-BBPD	1
Optional USB and Video Ports	No Additional Port	GH2ILWN	492-BCLP	1
Thermal Cooling	Premium CPU Air Cooler	GI4EF0Q	412-BCBJ	1
Processor Branding	Intel® Core™ Ultra 9 vPro Processor Label	GY6T9HC	389-FKKC	1
PCIe I/O Add-in-cards	Not selected in this configuration	GY2RECF	817-BBBC	1
Intel Responsiveness Technologies	Intel Rapid Storage Technology Driver	GILYRQ3	409-BCYV	1
TAA	No Federal Order	GUSA19Y	340-ACQQ	1

1st M.2 NVMe SSD	1 TB, M.2 2280, TLC PCIe Gen4, SSD, SED Ready	G1ZJ5XA	400-BSZF	1
Optical Drive	No Optical Drive	GS73AMX	429-BBCL	1
Label	DAO REGULATORY LABEL 1500W	GO3HQ0F	389-FJZR	1
Graphics Holder	T2 Graphic Card Holder	GXLJ275	490-BKWX	1
Storage configuration (Boot Drive)	Internal M.2 SSD Boot + Optional Internal M.2 SSD + cables for 3.5" internal SATA	GT8YH4V	449-BCJN	1
Fan	No Fans Included	GYH8SJ6	384-BDRW	1
Optical Software	CyberLink Media Suite Essentials for Windows OS and DVD Drive (without Media)	GWNM30Y	658-BBTV	1
Additional M.2 NVMe SSD	No Hard Drive	G2GK4IX	400-BSYT	1
Serial Port/PS2 Adapter	Not selected in this configuration	GY2RECF	817-BBBC	1
3rd Storage	No Hard Drive	G2GK4IX	400-BSYT	1
Media Card Reader	No SD Card Reader	G86J5QK	385-BBBL	1
Speakers	No Internal Speaker	GK95QLS	520-AARK	1
Standard Hardware Support Service	4Y Basic Onsite Service after remote diagnosis with Hardware-Only Support	G5LR3K9	716-2183,716-0806	1
Ready Image	Install Dell Ready Image	G1O7PKV	365-8303	1
Ready Image	Ready Image Version: Windows 11 25H2 Edition	G491FSP	587-BSWP	1
Ready Image	Ready Image Language: English US	G2KA1HG	382-1755	1
Ready Image	Ready Image Software: Microsoft 365	GZCBV64	382-8545	1
Windows AutoPilot	AutoPilot	G4Q6OC3	634-BRWG	1
Microsoft Office	Activate Your Microsoft 365 For A 30 Day Trial	GHKU96A	630-ABBT	1
Non-Microsoft Application Software	Dell Pro Max Tower T2 FCT2250	GJO89TL	658-BFVQ	1
Home and Small Business Security solutions	None	GD4K19S	650-AAAM	1
Operating System Recovery Options	OS-Windows Media Not Included	GLA9OQ1	620-AALW	1

			Qty	Unit Price	Subtotal
6.		**Pro Slim Plus (U7 265, 16GB, 512SSD, AutoPilot RI25H2, 4yr Basic) (210-BPPM)** Order Code: rcrc1267647-9158383	**60**	**$1,147.00**	**$68,820.00**

Module	Description	Product Code	SKU	Qty
Processor	Intel® Core™ Ultra 7 265 (13 TOPS NPU, 20 cores, up to 5.3GHz)	GL4ERAI	338-CRZM	1
Operating System	Windows 11 Pro	G0VA5W2	619-BBQD	1
Memory	16GB: 1 x 16GB, DDR5, up to 5600 MT/s, non-ECC	GNW6OVA	370-BCWX	1
Storage	512 GB, SSD	GE4RNXT	400-BSWY,773-BBBC	1
Additional Storage	No Additional Hard Drive	G780XKR	401-AANH	1
Graphics	Integrated Graphics	GCI0475	490-BKSX	1
Wireless	No Wireless LAN Card	GNMR3AS	555-BLXL	1
Wireless Driver	None	GQMKF4C	340-AFMQ	1
Speakers	Internal speaker	GV8NWJ4	520-BBKW	1
Additional Add-In Card	No Additional Add In Cards	GNV4J7Q	382-BBHX	1
Chassis Options	Dell Pro Slim Plus QBS1250 with 260W PSU	G23SVZI	329-BKSP	1
Keyboard	Dell Pro Keyboard and Mouse - KM5221W - US English - Black	G4KLMAZ	580-BCCH	1
Mouse	Mouse included with Keyboard	GU54MYP	570-AADI	1
Adapter	No Additional Cable	GIX0L8M	379-BBCY	1

Stands and Mounts	No Stand or Mount	GJO5ZSE	575-BBBI	1
ENERGY STAR	ENERGY STAR Qualified	G6J34SM	387-BBLW	1
Power Cord	System Power Cord (US)	GA5894N	450-AAOJ	1
Documentation	Documentation	GUX97AW	340-DNBV	1
System Monitoring Options	Watch Dog SRV	G5UVY8E	379-BFYR	1
Placemat	Quick Start Guide	G39DK1E	340-DTTZ,389-FKHG	1
EAN/UPC Labels	No UPC/EAN Label	G8WGTYN	389-BCGW	1
TPM Security	Trusted Platform Module (Discrete TPM Enabled)	GJMDKT6	329-BBJL	1
Shipping Material	Shipping Material	G2PTIW0	389-BBUU,340-DTSR	1
Label	DAO Regulatory label for 260W PSU	G2H7W5F	389-FJYR	1
Intel Responsiveness Technologies	Driver/APP for IRST	G915M7G	658-BFTS	1
Processor Label	Intel® Core™ Ultra 7 vPro Processor Label	G4ERT3G	389-FJVS	1
Transportation from ODM to region	Desktop Standard shipment	G12DH3B	800-BBIO	1
3rd Storage	No Additional Hard Drive	G780XKR	401-AANH	1
4th Storage	No Additional Hard Drive	G780XKR	401-AANH	1
Dell Pro Slim Plus QBS1250	Dell Pro Slim Plus QBS1250	G5VC81J	210-BPPM	1
Optical Drive	No Optical Drive	GENPD45	429-BBCH	1
Systems Management	Intel vPro® Enterprise	GZ09QR4	631-BCBN	1
EPEAT	EPEAT Silver with Climate+	GTZOE2H	379-BDTO	1
Add-in Cards	No Additional Add In Cards	GNV4J7Q	382-BBHX	1
Serial Port Adapter	No PCIe add-in-card	GVEYOQ7	492-BBFF	1
Network Adapters (NIC)	No Additional Network Card Selected (Integrated NIC included)	G9MQCN3	555-BBJO	1
Optional Port Modules	No Additional Port	GWFXAL0	492-BCKH	1
Additional Storage Devices - Media Reader	No Media Card Reader	GW2K1D6	379-BBHM	1
Raid Connectivity	NO RAID	GX5Q06T	817-BBBN	1
Operating System Language Pack	English, French, Spanish, Brazilian Portuguese	GALH68M	619-BBPD	1
Optical Software	No CyberLink Media Suite Essentials	GMJ62GP	632-BBBJ	1
Additional 3.5" HDD Storage	No Additional Hard Drive	G780XKR	401-AANH	1
Thermal Pad/Screw	None	GQMKF4C	340-AFMQ	1
FGA Module	No FGA	NOFGA	817-BBBB	1
TAA	No Federal Order	GUSA19Y	340-ACQQ	1
Hard Drive Cables and Brackets	No Caddy	GVNGFT3	575-BBKX	1
Standard Hardware Support Service	4Y Basic Onsite Service after remote diagnosis with Hardware-Only Support-Disti SnS	G4ZB3P0	717-8784,718-0679	1
Ready Image	Install Dell Ready Image	G1O7PKV	365-8303	1
Ready Image	Ready Image Version: Windows 11 25H2 Edition	G491FSP	587-BSWP	1
Ready Image	Ready Image Language: English US	G2KA1HG	382-1755	1
Ready Image	Ready Image Software: Microsoft 365	GZCBV64	382-8545	1
Windows AutoPilot	AutoPilot	G4Q6OC3	634-BRWG	1
Microsoft Office	Activate Your Microsoft 365 For A 30 Day Trial	GHKU96A	630-ABBT	1

Non-Microsoft Application Software	Dell Pro Slim Plus QBS1250	G1QR3A0	658-BFVK	1
Home and Small Business Security solutions	None	GD4K19S	650-AAAM	1
Operating System Recovery Options	OS-Windows Media Not Included	GLA9OQ1	620-AALW	1
External Speakers	No External Speaker	GTNM7E2	817-BBBC	1

		Qty	Unit Price	Subtotal
7.	 **Pro Micro Plus (U7 265, 16GB, 512SSD, AutoPilot RI25H2, 4yr Basic) (210-BPQG)** Order Code: rcrc1267647-9158372	**5**	**$1,196.00**	**$5,980.00**

Module	Description	Product Code	SKU	Qty
Processor	Intel® Core™ Ultra 7 265 (13 TOPS NPU, 20 cores, up to 5.3GHz)	GL4ERAI	338-CRZM	1
Operating System	Windows 11 Pro	G0VA5W2	619-BBQD	1
Memory	16 GB: 1 x 16 GB, DDR5, up to 6400 MT/s, non-ECC	G8V9FJ0	370-BCWG	1
Storage	512 GB, SSD	G0O2JSD	400-BSWY	1
Additional Storage	No Additional Hard Drive	G780XKR	401-AANH	1
Wireless	Intel® Wi-Fi 6E AX211, 2x2, 802.11ax, Bluetooth® wireless card, internal antenna	GDZFP5E	555-BLWT,555-BLWW	1
Wireless Driver	Wireless Driver, Intel® Wi-Fi 6E AX211, 2x2, 802.11ax, Bluetooth® wireless card	GJ71O4S	555-BLZP	1
Speakers	Internal Speaker	GY5CFD6	520-BBGY	1
Chassis Options	Dell Pro Micro Plus with 65W Processor	G7S4NE0	329-BKRQ	1
Keyboard	Dell Pro Keyboard and Mouse - KM5221W - US English - Black	G4KLMAZ	580-BCCH	1
Mouse	Mouse included with Keyboard	GU54MYP	570-AADI	1
Adapter	No Additional Cable	GIX0L8M	379-BBCY	1
Stands and Mounts	No Stand or Mount	GJO5ZSE	575-BBBI	1
ENERGY STAR	ENERGY STAR Qualified	G6J34SM	387-BBLW	1
Power Cord	Power Cord (US) for 180W Adapter	G1S6LHJ	450-AAZN	1
Documentation	Documentation	GUX97AW	340-DNBV	1
System Monitoring Options	Watch Dog SRV	G5UVY8E	379-BFYR	1
Placemat	Quick Start Guide	GYLK0JU	340-DTSX,389-FKHG	1
EAN/UPC Labels	No UPC/EAN Label	G8WGTYN	389-BCGW	1
TPM Security	Trusted Platform Module (Discrete TPM Enabled)	GJMDKT6	329-BBJL	1
Shipping Material	Shipping Material, MPP Cusion	G6AS8OF	340-DTXM,389-BBUU	1
Label	Regulatory Label for 180W Adapter	G0OITJD	389-FKNY	1
Intel Responsiveness Technologies	Driver/APP for IRST	G915M7G	658-BFTS	1
Processor Label	Intel® Core™ Ultra 7 vPro Processor Label	G4ERT3G	389-FJVS	1
Transportation from ODM to region	Desktop Standard shipment	G12DH3B	800-BBIO	1
Dell Pro Micro Plus QBM1250	Dell Pro Micro Plus QBM1250	G4WP29A	210-BPQG	1
Systems Management	Intel vPro® Enterprise	GUS97FV	631-BCCP	1
Serial Port Adapter	No PCIe add-in-card	GVEYOQ7	492-BBFF	1
EPEAT	EPEAT Gold with Climate+	GBU8CHM	379-BDZB	1

Optional Port Modules	No Additional Port	GWFXAL0	492-BCKH	1
Power Supply	180 Watt A/C Adapter, TCO Compliant	G4PSKQH	450-BDXJ	1
Raid Connectivity	NO RAID	GX5Q06T	817-BBBN	1
Micro Mounting Option	No Stand or Mount	GJO5ZSE	575-BBBI	1
Operating System Language Pack	English, French, Spanish, Brazilian Portuguese	GALH68M	619-BBPD	1
FGA Module	No FGA	NOFGA	817-BBBB	1
Hard Drive Cables and Brackets	1st M.2 2230 SSD Extend Bracket & Screw	GABNY7H	575-BCRQ	1
TAA	No Federal Order	GUSA19Y	340-ACQQ	1
Standard Hardware Support Service	4Y Basic Onsite Service after remote diagnosis with Hardware-Only Support-Disti SnS	G4CFSRH	717-0497,718-0813	1
Ready Image	Install Dell Ready Image	G1O7PKV	365-8303	1
Ready Image	Ready Image Version: Windows 11 25H2 Edition	G491FSP	587-BSWP	1
Ready Image	Ready Image Language: English US	G2KA1HG	382-1755	1
Ready Image	Ready Image Software: Microsoft 365	GZCBV64	382-8545	1
Windows AutoPilot	AutoPilot	G4Q6OC3	634-BRWG	1
Microsoft Office	Activate Your Microsoft 365 For A 30 Day Trial	GHKU96A	630-ABBT	1
Non-Microsoft Application Software	Dell Pro Micro Plus QBM1250	G7TX4IE	658-BFWF	1
Home and Small Business Security solutions	None	GD4K19S	650-AAAM	1
Operating System Recovery Options	OS-Windows Media Not Included	GLA9OQ1	620-AALW	1
External Speakers	No External Speaker	GTNM7E2	817-BBBC	1

		Qty	Unit Price	Subtotal
8.	 **Smart Dock SD25TB5 [For Pro Max Laptops] (210-BRQS)** Order Code: rcrc1267647-9036839	**5**	**$425.78**	**$2,128.90**

Module	Description	Product Code	SKU	Qty
Dell Pro Thunderbolt 5 Smart Dock SD25TB5	Dell Pro Thunderbolt 5 Smart Dock SD25TB5	GRK3P7V	210-BRQS	1
Service	3Y Basic Hardware Service with Advance Exchange after remote disgnosis	G0CV2TE	720-1583,720-1584	1

		Qty	Unit Price	Subtotal
9.	 **Smart Dock SD25TB4 (210-BRQK)** Order Code: rcrc1267647-9036838	**15**	**$272.49**	**$4,087.35**

Module	Description	Product Code	SKU	Qty
Dell Pro Thunderbolt 4 Smart Dock SD25TB4	Dell ProThunderbolt 4 Smart Dock SD25TB4	GHYPSC7	210-BRQK	1
Service	3Y Basic Hardware Service with Advance Exchange after remote disgnosis	G07BHJ5	718-2057,718-2058	1

Qty	Unit Price	Subtotal

10.	 **Dell 14-16 EcoLoop Backpack - CP3724 (460-BDSW)** Order Code: 460-BDSW	73	$26.62	$1,943.26

Module	Description	Product Code	SKU	Qty
Dell 14-16 EcoLoop Backpack - CP3724			460-BDSW	73

Need Help?

We're here to answer any of your Order Support questions. Contact Us.

CONNECT WITH DELL:

Terms of Sale

This Quote will, if Customer issues a purchase order for the quoted items that is accepted by Supplier, constitute a contract between the entity issuing this Quote ("Supplier") and the entity to whom this Quote was issued ("Customer"). Unless otherwise stated herein, pricing is valid for Fourteen days from the date of this Quote. All products, pricing, and other information are based on the latest information available and are subject to change for any reason, including but not limited to tariffs imposed by government authorities, shortages in materials or resources, increase in the cost of manufacturing or other factors beyond Supplier's reasonable control. If such changes occur, pricing may be adjusted or purchase orders may be cancelled by Supplier, even after an order has been placed. Supplier also reserves the right to cancel this Quote and Customer purchase orders arising from pricing errors and/or customer changes to Supplier's planned delivery date.Taxes and/or freight charges listed on this Quote are only estimates. The final amounts shall be stated on the relevant invoice. Additional freight charges will be applied if Customer requests expedited shipping. Please indicate any tax exemption status on your purchase order and send your tax exemption certificate to Tax_Department@dell.com or ARSalesTax@emc.com, as applicable.

Governing Terms: This Quote is subject to: (a) a separate written agreement between Customer or Customer's affiliate and Supplier or a Supplier´s affiliate to the extent that it expressly applies to the products and/or services in this Quote or, to the extent there is no such agreement, to the applicable set of Dell's Terms of Sale (available at www.dell.com/terms or www.dell.com/oemterms), or for cloud/as-a-Service offerings, the applicable cloud terms of service (identified on the Offer Specific Terms referenced below); and (b) the terms referenced herein (collectively, the "Governing Terms"). Different Governing Terms may apply to different products and services on this Quote. The Governing Terms apply to the exclusion of all terms and conditions incorporated in or referred to in any documentation submitted by Customer to Supplier.

Supplier Software Licenses and Services Descriptions: Customer's use of any Supplier software is subject to the license terms accompanying the software, or in the absence of accompanying terms, the applicable terms posted on www.Dell.com/eula. Descriptions and terms for Supplier-branded standard services are stated at www.dell.com/servicecontracts/global or for certain infrastructure products at www.dellemc.com/en-us/customer-services/product-warranty-and-service-descriptions.htm.

Offer-Specific, Third Party and Program Specific Terms: Customer's use of third-party software is subject to the license terms that accompany the software. Certain Supplier-branded and third-party products and services listed on this Quote are subject to additional, specific terms stated on www.dell.com/offeringspecificterms ("Offer Specific Terms").

In case of Resale only: Should Customer procure any products or services for resale, whether on standalone basis or as part of a solution, Customer shall include the applicable software license terms, services terms, and/or offer-specific terms in a written agreement with the end-user and provide written evidence of doing so upon receipt of request from Supplier.

In case of Financing only: If Customer intends to enter into a financing arrangement ("Financing Agreement") for the products and/or services on this Quote with Dell Financial Services LLC or other funding source pre-approved by Supplier ("FS"), Customer may issue its purchase order to Supplier or to FS. If issued to FS, Supplier will fulfill and invoice FS upon confirmation that: (a) FS intends to enter into a Financing Agreement with Customer for this order; and (b) FS agrees to procure these items from Supplier. Notwithstanding the Financing Agreement, Customer's use (and Customer's resale of and the end-user's use) of these items in the order is subject to the applicable governing agreement between Customer and Supplier, except that title shall transfer from Supplier to FS instead of to Customer. If FS notifies Supplier after shipment that Customer is no longer pursuing a Financing Agreement for these items, or if Customer fails to enter into such Financing Agreement within 120 days after shipment by Supplier, Customer shall promptly pay the Supplier invoice amounts directly to Supplier.

Customer represents that this transaction does not involve: (a) use of U.S. Government funds; (b) use by or resale to the U.S. Government; or (c) maintenance and support of the product(s) listed in this document within classified spaces. Customer further represents that this transaction does not require Supplier's compliance with any statute, regulation or information technology standard applicable to a U.S. Government procurement.

For certain products shipped to end users in California, a State Environmental Fee will be applied to Customer's invoice. Supplier encourages customers to dispose of electronic equipment properly.

Electronically linked terms and descriptions are available in hard copy upon request.

Dell Marketing LP. U.S. only. Dell Marketing LP. is located at One Dell Way, Mail Stop 8129, Round Rock, TX 78682

City Council Meeting

Item Number: 5.
Meeting Date: August 11, 2026
To: City Council
From: Sara Harris, Executive Director | Midland Development Corporation
Subject: MOTION APPROVING AN AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN TO ADVERTISE AND PUBLICIZE THE CITY OF MIDLAND FOR THE PURPOSE OF DEVELOPING NEW AND EXPANDED BUSINESS ENTERPRISES

Purpose:
The Board of Directors of the Midland Development Corporation will consider at a regular meeting on August 3, 2026 a resolution authorizing the execution of an agreement with the University of Texas Permian Basin to advertise and publicize the City of Midland for the purpose of developing new and expanded business enterprises.

Recommended Action:
Approve

Fiscal Impact:
$566,701.00

Strategic Priority:
STRONG ECONOMY WITH MORE QUALITY JOBS

Discussion:
This authorizes the 2026-2027 Midland Entrepreneurial Challenge. The challenge is funded by the Midland Development Corporation through promotional funds. The MDC has partnered with UTPB for this initiative since 2017. From 2017-2025, 39 Midland businesses have received $3.7M in funding to grow their businesses. Businesses compete by presenting business plans to a panel of judges. To be eligible, a business must be located within Midland city limits. Winning businesses receive prize money on a reimbursement basis for approved expenses that align with their submitted business plan. The agreement funding includes $500,000 in prizes and $66,701 in administrative costs, including UTPB pass-through costs, staff time, and marketing, and awards banquet.

Attachments:
A. UTPB - Midland Entrepreneurial Challenge 2026-2027

Sara Harris, City Manager Created/Initiated - 7/31/2026

Jose Ortiz, City Manager	Approved - 7/31/2026
Linda Ochoa, Legal	Approved - 8/4/2026
Jose Ortiz, City Manager	Approved - 8/5/2026
Kathy Rauda, City Secretary	Final Approval - 8/5/2026

AGREEMENT

BETWEEN

THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN
AND
MIDLAND DEVELOPMENT CORPORATION

This Agreement (the "***Agreement***") is made and entered into this 11th day of August, 2026, between the University of Texas of the Permian Basin ("***UTPB***"), and the Midland Development Corporation ("***MDC***"), an economic development corporation existing under the authority of Chapter 504 of the Texas Local Government Code, regarding the Midland Entrepreneurial Challenge. UTPB and MDC are sometimes collectively referred to herein as the "***Parties***."

WITNESSETH:

WHEREAS, MDC is a governmental entity of the state of Texas and is authorized by its governing body to enter into this Agreement; and

WHEREAS, MDC is authorized to expend promotional funds in order to advertise or publicize the City of Midland for the purpose of developing new and expanded business enterprises pursuant to Section 504.105 of the Texas Local Government Code; and

WHEREAS, UTPB is a governmental entity of the state of Texas and is authorized by its governing body to enter into this Agreement; and

WHEREAS, UTPB actively promotes business development and economic growth within the City of Midland and the surrounding region for the purposes of creating jobs and developing new and expanded business enterprises in the same; and

WHEREAS, MDC's expenditure of promotional funds for the advertising and promotional services described herein will advertise and publicize the City of Midland for the purpose of developing new and expanded business enterprises, and will thereby enhance and promote economic development within the City of Midland; and

WHEREAS, it is the desire of the Parties hereto to combine their efforts for the purpose of developing new and expanded business enterprises within the City of Midland;

NOW, THEREFORE, in consideration of the covenants and conditions stated herein, and in consideration of the mutual benefits which will accrue to the Parties, as well as the general citizenry of the City of Midland, the Parties have agreed and do hereby agree as follows:

I. PURPOSE

The purpose of this Agreement is to state the terms and conditions under which UTPB shall perform advertising and promotional services for MDC for the purpose of developing new and expanded business enterprises in the City of Midland and thereby enhance and promote economic development within the City of Midland.

II. OBLIGATIONS OF THE PARTIES

A. MDC Payment. MDC agrees to provide to UTPB funds in an amount not to exceed FIVE HUNDRED THOUSAND and No/00 DOLLARS ($500,000.00), in consideration for UTPB's services described herein (the "***Service Funds***"). In addition to the Service Funds, MDC agrees to pay UTPB an amount not to exceed SIXTY-SIX THOUSAND SEVEN HUNDRED ONE and No/00 DOLLARS ($66,701.00) for any marketing and administrative costs associated with the operation and management of the Midland Entrepreneurial Challenge (the "***Administration Funds***"). MDC's payment of the Administration Funds shall not exceed a cumulative amount of FIVE HUNDRED SIXTY-SIX THOUSAND SEVEN HUNDRED ONE and No/00 DOLLARS ($566,701.00) over the term of this Agreement. MDC agrees to provide the Service Funds and Administration Funds (cumulatively referred to as the "***Funds***") subject to all conditions and restrictions contained in this Agreement. The payment of the Funds shall be on a cost-reimbursement basis, and shall be provided by MDC to UTPB upon MDC's receipt of a written request by UTPB. In conjunction with its written request for the Funds, UTPB shall submit invoices or statements demonstrating UTPB's payment of funds in support of UTPB's performance of the services described herein (the "***Supporting Documentation***"). The approval of the Supporting Documentation is subject to the sole and absolute discretion of MDC's Chairman. Notwithstanding any provision of this Agreement to the contrary, the Parties agree that it shall be in the sole and absolute discretion of MDC to reimburse UTPB for the services to be performed described herein depending on the rendered quality of said services and the quality of the Supporting Documentation, as determined by MDC.

B. UTPB Services. UTPB shall use commercially reasonable efforts to provide those promotional services described in **Exhibit A**, which is attached hereto and incorporated herein for all purposes. UTPB shall coordinate with MDC's Executive Director regarding the design, nature, content, and implementation of said services to enable the advertising and promotional activities performed hereunder to be effective and efficient in achieving the purpose of this Agreement. UTPB shall require its vendors to provide detailed outlines for any marketing strategies to include dates, times, media platforms, and proofs. Additionally, UTPB agrees to oversee the operation and management of the Midland Entrepreneurial Challenge. Regarding the Midland Entrepreneurial Challenge, UTPB shall provide those services and duties described in **Exhibit B**, which is attached hereto and incorporated herein for all purposes.

C. UTPB Report. On or before September 30, 2027, UTPB shall provide MDC with a written report containing a detailed summary of 1) UTPB's efforts to promote new and expanded business enterprises within the City of Midland; and 2) the participants, qualifications, evaluation material, and results of the Midland Entrepreneurial Challenge.

III. INDEPENDENT CONTRACTOR

UTPB shall operate hereunder as an independent contractor and not as an officer, agent, servant, or employee of MDC. UTPB shall have exclusive control of, and the exclusive right to control, the details of the work to be performed hereunder and all personnel performing the same, and shall be solely responsible for the acts and omissions of its officers, members, agents, employees or contractors. In no event shall any person participating in or performing any of UTPB's duties or responsibilities hereunder be considered an officer, agent, or employee of MDC. Further, it is specifically understood and agreed that nothing in this Agreement is intended or shall be construed as creating a "Community of Pecuniary Interest" or "An Equal Right of Control" which would give rise to vicarious liability. UTPB shall be an independent contractor under this Agreement and shall assume all of the rights, obligations and liabilities, applicable to it as such independent contractor hereunder. MDC does not have the power to direct the order in which the work is done. MDC shall not have the right to control the means, methods or details of UTPB's work. UTPB shall assume exclusive responsibility for its work.

IV. TERM OF AGREEMENT

Upon execution by the Parties, this Agreement becomes effective August 11, 2026, and shall terminate on September 30, 2028, or when terminated by mutual agreement of the Parties, or when terminated as hereinafter provided.

V. INSURANCE

UTPB shall, at all times during the term of this Agreement, maintain and keep in full force and effect insurance in the following types and minimum amounts with companies authorized to do business in the State of Texas:

Commercial General Liability (including Contractual liability):	
-Personal Injury:	$1,000,000.00 per person
	$1,000,000.00 per occurrence
-Property Damage:	$100,000.00 per occurrence
Workers' Compensation:	Statutory limits
Employers' Liability:	$500,000.00 per accident or occurrence

The Commercial General Liability shall be on a per project aggregate, including completed operations, and shall be on a claims-occurred basis. This insurance shall name MDC as an additional insured and waive subrogation in favor of MDC.

The Workers' Compensation coverage provided by UTPB shall inure to the benefit of employees injured during the course and scope of their employment by UTPB pursuant to this Agreement. The Workers' Compensation shall waive all rights of subrogation in favor of MDC.

All insurance required pursuant to this Agreement shall provide for a waiver of subrogation in favor of MDC. All insurance required pursuant to this Agreement, except for Workers' Compensation Insurance, shall name MDC as an additional insured on an occurrence basis. MDC shall be provided the notice by UTPB's insurance provider not later than thirty (30) days prior to any reduction or termination of such coverage.

UTPB shall contractually require all contractors, subcontractors, and sub-subcontractors that work on any portion of the work that is the subject of this Agreement to obtain insurance coverage that meets or exceeds the policy requirements and minimum amounts specified herein. All contractors, subcontractors, and sub-subcontractors shall obtain insurance policies that provide blanket waivers of subrogation in favor of MDC and policies that name MDC as an additional insured on an occurrence basis (except workers' compensation).

The Parties agree that, prior to the execution of the Agreement, UTPB shall provide one or more certificates of insurance specifically stating that these requirements have been met and subject to the approval of MDC. The parties also agree that this Agreement shall not become effective until the City Attorney's Office of the City of Midland, Texas, reviews and approves of all certificates of insurance required under this Agreement. MDC shall not be required to provide any insurance whatsoever pursuant to this Agreement.

UTPB certifies that the certificate of insurance provided as required herein complies with the requirements of Chapter 1811 of the Texas Insurance Code. UTPB shall not use an unapproved certificate of insurance or insert inappropriate language on a certificate. Compliance with state law is the sole responsibility of UTPB.

VI. GENERAL TERMS

A. Entire Agreement. This Agreement embodies the complete agreement of the Parties, superseding all oral or written, previous and contemporary agreements between the Parties relating to matters in this Agreement; and except as otherwise provided herein, this Agreement cannot be modified or amended without a written agreement of the Parties.

B. Termination. MDC may terminate this Agreement at will for any or no reason upon giving at least ninety (90) days' written notice to UTPB. The parties to this Agreement understand and agree that it is in MDC's sole and absolute discretion to cancel the Agreement during the term of the Agreement without penalty to MDC. UTPB has no expectation and have received no guarantees that this Agreement will not be terminated before the end of the Agreement term. The Parties have bargained for the flexibility of terminating this Agreement upon tender of the requisite notice at any time during the term of the Agreement. All work and services under the Agreement shall be suspended upon termination of the Agreement becoming effective.

C. Multiple Counterparts. This Agreement may be executed in one or more counterparts, each of which will be deemed an original.

D. Payments from Current Revenues. The payment of funds made by MDC for the performance of UTPB's services shall be paid from current revenues available to MDC.

E. Legal Construction. In case one or more of the provisions contained in this Agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions hereof and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

F. Defenses. It is agreed that, in the execution of this Agreement, neither Party waives any immunity or defense that would otherwise be available to it against third parties, or against claims arising from the exercise of governmental powers and function. This Agreement shall not be construed as a waiver regarding the issues of governmental immunity, sovereign immunity or qualified immunity.

G. Third-Party Beneficiary. MDC's approval of this Agreement does not create a third-party beneficiary. There is no third-party beneficiary to this Agreement. No person or entity who is not a Party to this Agreement shall have any third-party beneficiary or other rights hereunder.

H. Assignment. The Parties hereto shall not assign this Agreement, in whole or in part, any such assignment being void.

I. Governing Law and Venue. This Agreement shall be governed by the laws of the State of Texas. All performance and payment made pursuant to this Agreement shall be deemed to have occurred in Midland County, Texas. Exclusive, sole and mandatory venue for any claims, suits or any other action arising from or connected in any way to this Agreement or the performance of this Agreement shall be in Midland County, Texas. The obligations and undertakings of each of the Parties shall be deemed to have occurred in Midland County, Texas.

J. Release. NOTWITHSTANDING ANY OTHER PROVISION CONTAINED HEREIN, UTPB HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES MDC, MDC'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS CLAIMS, DAMAGES, OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH UTPB HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKINGS CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS, OR MDC'S NEGLIGENCE.

K. Notices. All notices to either Party required under this Agreement shall be sent by certified U.S. mail, postage prepaid, addressed to such Party at its respective address shown below. All notices shall be deemed given on the date so deposited in the mail, unless otherwise provided herein. Either Party hereto may change the address below by sending written notice of such change to the other Party.

If to UTPB:

University of Texas of the
Permian Basin

If to MDC:

Midland Development Corporation
Attn: Executive Director
200 N. Loraine Street, Suite 610

Attn: Dr. Brian Shedd
4901 E. University Blvd
Odessa, Texas 79762

Midland Texas, 79701

L. Reimbursement Payments; Miscalculations. The Parties acknowledge that the Funds paid to UTPB pursuant to Section II.A above shall be made exclusively on a reimbursement basis. Notwithstanding the foregoing, the Parties also acknowledge that an overpayment of the Funds may occur due to good-faith errors, oversights, and unforeseen circumstances beyond the control of either Party. Accordingly, within ten (10) days of receiving any notice from one Party to the other that an overpayment of the Funds is alleged to have occurred, the Parties shall use good-faith efforts to identify and confirm the amount of the Funds that were overpaid by MDC to UTPB. Upon the Parties' confirmation that Funds are in fact overpaid and the amount thereof, UTPB shall either: (i) immediately submit a written request to apply such overpaid Funds to a subsequent renewal or extension of this Agreement, which Funds shall be subject to the same terms and conditions contained herein; or (ii) repay such remaining Funds to MDC within thirty (30) days following the termination or expiration of this Agreement. If UTPB elects to submit a request to apply such remaining Funds to a subsequent renewal or extension of this Agreement, MDC may consider such request and notify UTPB of its decision within thirty (30) days of MDC's receipt of UTPB's request. If MDC refuses the request or fails to render a decision within said 30-day period, then UTPB shall be required to repay the remaining Funds to MDC within thirty (30) days following the termination or expiration of this Agreement. This Section shall survive the termination of this Agreement.

[Signature Pages Follow]

MIDLAND DEVELOPMENT
CORPORATION

_____
Brad Bullock, Chairman

ATTEST:

_____
Garrett Donnelly, Secretary

UNIVERSITY OF TEXAS OF THE PERMIAN BASIN

By: _____

Name: _____

Title: _____

THE STATE OF_____ §

§

COUNTY OF_____ §

BEFORE ME, the undersigned authority, on this __ day of_____2026, personally appeared _____ for the University of Texas of the Permian Basin, known to me to be the person and official whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of said entity, for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the_____day of _____, 2026.

_____

Notary Public, State of Texas

Promotional Services to be Provided by

The University of Texas Permian Basin

1. Branding the City of Midland for the purpose of developing new and expanded business enterprises in the new Midland Entrepreneurial Challenge website, brochure and media materials.
2. Promoting the Midland Entrepreneurial Challenge on the UTPB website.
3. Adding a link from the Midland Entrepreneurial Challenge website to the Midland Development Corporation's website.
4. Including a description and logo for the Midland Development Corporation in the Midland Entrepreneurial Challenge promotional materials, when feasible.
5. Including a reference to the Midland Entrepreneurial Challenge and the City of Midland's support of this new program in press releases and live or prerecorded media soundbites, when feasible.

Exhibit A



A Proposal for the Midland Development Corporation

MIDLAND
DEVELOPMENT CORPORATION

From the UTPB College of Business

and the

UTPB Office of Innovation & Commercialization

THE UNIVERSITY OF TEXAS
PERMIAN BASIN™
COLLEGE OF BUSINESS

UT PERMIAN BASIN™
THE OFFICE OF INNOVATION
& COMMERCIALIZATION

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Introduction to the University of Texas Permian Basin

UT Permian Basin takes great pride in being part of The University of Texas System, known for its exceptional academic success, breakthrough research, and an international reputation for excellence and innovation. It includes 14 educational institutions throughout the state, including nine universities and five health institutions. Home to over 7,000 enrolled students, UT Permian Basin benefits from the vast resources and support of the world-renowned University of Texas System yet is lean enough to foster a connected, tight-knit community while remaining financially accessible to any student. With an unwavering commitment to students, a strategic approach to designing higher education, and the resources to ensure academic success, UTPB is set to nurture the leaders who will go on to shape the future of West Texas and the nation. Each year over 250 teaching faculty deliver a highly educated and savvy workforce back into the communities of the Permian Basin and across the nation. UTPB offers 36 baccalaureate degree programs and 20 master's degree programs in the arts and sciences, business, engineering, education, and health and human performance—and the University continues to grow. Recently added chemical and electrical engineering programs offer unique internship opportunities that are attracting new students. As a regional, comprehensive institution, The University of Texas Permian Basin serves a diverse community of students from the region, the state, and beyond. Through excellence in student-centered teaching, learning, research, and public service, the University cultivates engaged citizens and impacts lives while advancing technology and the public interests of West Texas.

Overview of the UTPB College of Business

The UT Permian Basin College of Business entrepreneurship programs have fully invested in the future of entrepreneurship in our community. The LaunchPad, a student-driven entrepreneurship network, has provided tools, mentorship, and entrepreneurship opportunities for UTPB students, regardless of their chosen major or college of study. The recently renovated state-of-the-art Roden Center for Entrepreneurship includes sound, and audio recording spaces, and meeting spaces for the student entrepreneurship organizations. With revamped and reintroduced Entrepreneurship Minor and Certificate options, UTPB College of Business is meeting the needs of today's aspiring entrepreneurs, with applicable knowledge-based materials.

Mission

The College of Business at The University of Texas Permian Basin provides responsive and innovative programs enhancing the quality of life for its students, graduates, and the community. We advance business and energy industry research, economic competitiveness and diversification, while connecting students to transformative opportunities. Through excellence in teaching, the college empowers student success and facilitates outstanding

career, personal, and community outcomes, developing next-generation leaders and entrepreneurs.

Overview of the UTPB Office of Innovation & Commercialization

The UTPB Office of Innovation & Commercialization (OIC) was developed in 2021 to unify all of the innovation and commercialization activities at the university to comprehensively support the campus and community. Through the office and its partners, a variety of resources are available to support innovation development at every point along the path to commercialization and broader societal benefit. OIC is housed at the 30,000 square foot Center for Energy and Economic Diversification (CEED) building on the Midland Campus of UTPB, which just recently completed substantial renovations to develop spaces to support innovation and entrepreneurship. The CEED contains office space, coworking space, wet lab space, a makerspace, conference/event space, and a café. OIC is also co-located at the CEED with the UTPB Small Business Development Center (SBDC) and two University research labs, the Texas Water and Energy Institute (TWEI) and the Advanced Manufacturing Center (AMC).

Mission

To unify and enrich all of the innovation and commercialization activities at UTPB through its education, research, and entrepreneurship programs and to serve as a focal point for more dynamic engagement with the community and industry.

Activity Sets

Technology Transfer, Industry Collaboration, Startup Support, Product Development

Meet the Midland Entrepreneurial Challenge Team



Dr. Brian Shedd, Executive Director for the Office of Innovation & Commercialization

Prior to coming to UTPB, Brian has worked in university technology transfer roles at the University of Houston (UH), Louisiana State University (LSU) and the University of California, Los Angeles (UCLA). At UH, he was the Director for the Office of Technology Transfer & Innovation housed at the Technology Bridge, a 75-acre research park focused on commercialization of new technologies. At LSU he was the Assistant Director of the Office of Innovation & Technology Commercialization (ITC) and responsible for intellectual property protection and commercialization of all the research that takes place on the LSU campus. At LSU, he served as the lead administrator of LSU's NSF I-Corps Site Program that prepares scientists and engineers to move beyond the lab and into the market. Brian also worked at UCLA in their technology transfer office, the Office of Intellectual Property, which is now known as the Technology Development Group. During his time at UCLA, he served as a Board Member to PortTech Los Angeles, a business incubator focused on developing technologies for the Port of Los Angeles, a Leadership Council Member for the Los Angeles Cleantech Incubator, and as a lecturer in the UCLA Anderson School of Management. He is also responsible for the creation and management of BRUINcubate, the UCLA Entrepreneur Support Network, involving more than 20 different entrepreneurial support organizations located on campus.



CC Serrato, Program Coordinator for the Office of Innovation & Commercialization

CC has served in various roles at UT Permian Basin for the past 13 years and has proven to be a vital part of the mission for the university. Her current role as the Program Coordinator in the Office of Innovation & Commercialization will be to assist the department in coordinating entrepreneurship programs with education and research, and to serve as a point of contact for dynamic engagement with the community and industry. The CEED Building on the Midland campus is where you can find CC working hard to accomplish this vision!

The Midland Entrepreneurial Challenge

1.0 Introduction

The Midland Entrepreneurial Challenge continues to empower innovative ideas and strategies proven to be both community inspiring and financially lucrative. The value provided by the competition includes a detailed critique from the expertise of our judges, encapsulating the importance of developing the necessary objectives to achieve market strength. Throughout the competition entrepreneurs are forced to think critically about virtually every aspect of their business. Contestants are obligated to assess their level of detail that is often overlooked, while becoming open to new and valuable suggestions that defines both short/long-term outcomes.

1.1 Midland Economic Challenge funding

The Midland Entrepreneurial Challenge (MEC), which will be funded by the Midland Development Corporation (MDC) and partnered with the University of Texas Permian Basin (UTPB), is designed to assist entrepreneurs with expanding an existing business or starting a new one.

1.2 The Purpose

Each participant will gain a better understanding of how to develop and follow a realistic business plan and model to ensure a growing business. This undoubtedly will have a positive economic impact for Midland.

1.3 Orientations

Through several orientation seminars presented by UTPB, entrepreneurs and business owners who are interested in participating, will better understand the requirements of the competition.

1.4 The Benefits

Once qualified, all entrants will have access to business coaching, expertise, and other pertinent resources offered via UTPB. These one-on-one meetings will discuss strategy, assist with building financials, and finalize business plans before they are submitted.

1.5 Award Monies

This fiscal year, the plan includes Five Hundred Thousand Dollars ($500,000) of total available award money to be distributed with up to One Hundred Fifty Thousand Dollars ($150,000) to each of the selected winner(s) identified through the deliberation and decision of the judges.

2.0 About the Challenge

2.1 The Objective

The objective of this program is to provide another source of capital funding to business owners and entrepreneurs in Midland who might not be able to obtain the funding otherwise. The value participating in business plan process allows participants to gain a better understanding of how to develop, build and grow strong businesses that will even further strengthen Midland's economic condition and development.

2.2 Partnership

The funding will be provided by the Midland Development Corporation and the program administration, seminars, and business plan consultation will be provided by UTPB College of Business and the Office of Innovation & Commercialization.

2.3 Anticipated Local Economic Benefit

The competition is designed to foster community involvement and innovation by bringing local entrepreneurs and professionals together to continue the economic diversification of the City of Midland. The outcomes contribute to a community's identity that preserves the unique character created by a vibrant small business community. Other benefits are the increased employment while keeping tax dollars close to home and improving the city as a result.

3.0 Eligibility Requirements

These requirements must be met in order for any applicant to participate in the program and receive award money:

- ✓ The business must be headquartered in the City of Midland (within in the city limits).
- ✓ Winning businesses that receive money cannot sell or relocate the business outside of the city limits of Midland for a period of five years after receiving award money without first returning award money received through this program.
- ✓ Participants cannot be an immediate relative of administrative officials or judges or engaged in any other business partnerships with an administrative official or judge. All special circumstances will go under the review of the UTPB MEC Team, who will make the final decision.
- ✓ Participants must become a client of the UTPB SBDC by completing the 641 SBA form.
- ✓ Winning businesses must provide UTPB with economic impact data according to the Accountability section and within the deliverable deadlines outlined in the guidelines.
- ✓ Participants must have a credit score of at least 640 to participate. All special circumstances will be reviewed by the UTPB MEC Team, who will make the final decision.

- ✓ Attendance is mandatory for all seminars throughout the competition unless excused by a member of the UTPB MEC Team.
- ✓ Previous winners of the challenge cannot reenter the challenge for the same business; however, if the previous winner is in good standing with UTPB according to the Accountability section for a full three years, the winner may enter for a different business with approval from the UTPB MEC Team.
- ✓ Previous participants who were not awarded any monies may reenter the following year.
- ✓ A participant is not allowed to participate in the challenge if he or she was convicted of a felony. UTPB will conduct background checks on all participants, and the cost of the background check will be incorporated into the entry fee.
- ✓ The business owner(s) must participate in the program, not employees, consultants, or contractors.
- ✓ Businesses must have less than 15 full time equivalent (FTE) employees to participate in the program.
- ✓ Businesses must align with community priorities and enhance community relations.

4.0 Application Process

4.1 Orientation

Businesses interested in applying for the MEC program will be required to attend one of the orientation events as listed in section 6.0 Schedule of Events. Three separate orientation events will be held to ensure the maximum opportunity for participation.

4.2 Registration

After attending at least one orientation, businesses that wish to join the challenge must pay the non-refundable entry fee and return a signed confidentiality agreement through the online registration portal by the date listed in section 6.0 Schedule of Events.

4.3 Participant Limit & Priority Categories

The MEC is limited to 50 businesses who meet all the eligibility requirements as described in section 3.0. Priority registration will be given to businesses that are in any of the following industry sectors:

- Energy
- Water
- Space/Aerospace

4.4 Randomized Selection Process

Since the MEC is limited to 50 businesses, registrations will first be processed for any business that registers by the deadline and falls within any of the three priority categories (listed in Section 4.3), with the rest of the participants chosen by randomized selection until 50 total participants are reached.

4.5 Alternates

Roughly 10 additional registered companies (if available) will be chosen by randomized selection as alternates in case any of the initial 50 businesses fail to meet the eligibility criteria or drop out of the program prior to the first seminar.

5.0 Seminars

UTPB and its partners will provide a series of seminars to all of the admitted participants on a variety of topics essential to entrepreneurs and designed to increase performance and longevity. Attending these seminars will assist business owners to achieve success by providing new skills and methods of practice. The seminars selected for the MEC will include:

- Developing the Canvas
- Lending
- Business Plan Preparation
- Marketing
- Business Resources in the City of Midland
- Business Structure
- Intellectual Property
- Preparing a Presentation

These seminars are led by other successful business owners, skilled UTPB faculty and staff, and other professionals such as accountants and tax specialists. These educational offerings help small business owners tackle many of the issues associated with early-stage startups and prepare them for the rigors of the MEC competition.

6.0 Schedule of Events

Date	Time	Topic
9/8/2026	6 – 7:30 PM	Orientation
9/9/2026	6 – 7:30 PM	Orientation
9/10/2026	6 – 7:30 PM	Orientation
9/11/2026	9:00 AM	Registration Opens
9/11/2026	5:00 PM	Registration Deadline

9/14/2026	10:00 AM	Randomized Selection – 50 Businesses Notified via Email
9/22/2026	6 – 7:30 PM	SEMINAR: Developing the Canvas (SBDC)
10/1/2026		Target Deadline for Judge Recruitment
10/6/2026	6 – 7:30 PM	SEMINAR: Preparing a Business Plan, Part 1 (SBDC)
10/20/2026	6 – 7:30 PM	SEMINAR: Preparing a Business Plan, Part 2 (SBDC)
10/22/2026	9:00 PM	Deadline for Pitch Sheets
11/3/2026	6 – 7:30 PM	SEMINAR: Marketing (Armic Systems) + Past Winner Panel
11/17/2026	6 – 7:30 PM	SEMINAR: City of Midland Resources (MDC) + MEC Mixer
11/18/2026		Pitch Score Cards received from Judges
11/20/2026		Advancing Businesses Notified
12/1/2026	6 – 7:30 PM	SEMINAR: Business Structure & Intellectual Property (SBDC & OIC)
12/8/2026	9:00 PM	Business Plans Due
1/5/2027	6 – 7:30 PM	SEMINAR: Lender Seminar (Bank TBD)
1/20/2027		Business Plan Score Cards received from Judges
1/22/2027		Final Round Businesses Notified
1/26/2027	6 – 7:30 PM	SEMINAR: Preparing for the Final Presentation (UTPB)
2/2/2027	10 AM – 4 PM	Final Presentation to Judges
2/3/2027		WINNERS NOTIFIED!
TBD	7 – 9 PM	Awards Presentation *(Location: Rea Greathouse – WNPAC)*

7.0 Judging of the MEC

7.1 Selection of Judges

In an effort to select the best judges for the competition, UTPB seeks individuals that have developed and owned a major business within the Midland community. Judges should be industry-related experts, someone with a specific market niche, a previous winner, someone with a prestigious reputation, or individuals with a high-level of experience.

At a minimum, a judge should possess a background of 10 or more years of experience in business and/or qualifications consisting of the following:

- Business Owner
- Local Bank Lender
- Community Leader

No person shall serve as a judge that has any interrelationships relevant to board members of the Midland Development Corporation and all staff involved in the production of the MEC program.

7.2 Judging Criteria

The process of judging incorporates a distinctive competence to recognize a disruptive or unique business concept. Participants will be required to demonstrate a clear market need and a viable method to supply the demand. Characteristically, participants are evaluated on their ability to develop the company and manage risks. Other assessments include the ability to have a realistic potential to succeed and fully understanding the financial requirements. In addition, employment growth is considered by determining the number of full-time employees (FTEs) within three years to five years. In the business plan, judges will validate funding, cash requirements, determine cost structures and revenue streams. In the final stage, participants are evaluated on how persuasive and logical their plan is.

Initial Canvas

Category	**Points**
Viability	15
Team and Partners	15
Financial	15
Growth	15
Strategy	15
Competition	15
Dynamism	10
Total	**100**

Business Plan

Category	**Points**
Business	15
Product/Service	15
Marketing	15
Management	15
New Job Creation	15
New Revenue for the City	15
Compelling Narrative	10
Total	**100**

Final Presentation to Judges

Category	**Points**

Effective communication of the business plan, validation of funding request, and support for job creation	20
Judges' questions answered thoroughly and effectively	20
Knowledge, expertise, and ability of entrepreneur	20
Commercial viability of the venture	20
Overall effectiveness and quality of presentation	20
Total	**100**

7.3 Participant Pitfalls

These are common mistakes that participants should avoid at all costs!

- ⊗ Marketing activities with no strategic focus (ex. website development – launch and take orders with no particular strategy)
- ⊗ No competitive analysis
- ⊗ Unrealistic sales expectations
- ⊗ Financials that appear to be "pulled out of the air"
- ⊗ Lack of job creation details

7.4 Structure of the Business Plan

<u>The Business</u> • Legal structure and ownership • Industry, niche, or specialization • Key goals • Why does the business exist? • Prior entrepreneurship and management experience	<u>Product/Service</u> • Description of each product/service • What problem will it solve? • How does it benefit customers?
<u>Marketing</u> • Target market • Competitive environment • Distribution strategy • Pricing strategy • Promotion strategy • Positioning strategy	<u>Management</u> • Operation systems and process • Current employees • Job creation • Financials • Utilization of MDC funds

7.5 Structure of the Final Presentations

- ✓ Each finalist will receive a 30-minute slot in which to present. Each slot will consist of set up, presentation, question and answer with the judges, and clean up.
- ✓ The presentation order will be determined at random. All the finalists' names will be placed in order randomly and assigned a time slot.
- ✓ Only the business presenting, the judges, and the UTPB MEC Team are allowed in the room during the pitch.
- ✓ A one-hour break will be given to the judges halfway through the pitch presentations.
- ✓ After all the pitches have been presented, the judges will score each business. The scores will be averaged and ranked by the UTPB MEC Team and provided to the judges.
- ✓ The judges will determine how many of the top average scores will be declared winners and how much of the $500,000 each winner will receive.
- ✓ Judges will not award more money than is requested by a business, however, less money can be awarded.
- ✓ The finalists will be informed of the results the next business day and the winners will be invited to the awards presentation.

8.0 Basics of Receiving the Award Money

8.1 Payment method

In the event you are a recipient of the award money, the total awarded amount will be given in installments that will be distributed shortly after the completion of the challenge by UTPB and be funded by Midland Development Corporation. The winning businesses must submit a W-9 form and UTPB New Vendor form to the program coordinator for funds to be dispersed. Checks will be mailed to the address listed. In addition, winners must:

- ✓ Be able to provide proof that the business headquarters is in the city of Midland to receive money.
- ✓ Show proof of a "business account" to deposit the monies. This must be kept in a separate bank account from any personal purchases.

8.2 Award Monies

Winners will receive their awarded monies from the challenge in installments. For a winner to receive an installment, they must provide invoices that are consistent with the strategy stated in the business plan. Those invoices will be approved or rejected by the UTPB MEC Program Coordinator. If approved, a check for the total amount of the approved invoices will be distributed by UTPB and mailed to the winner's address that was submitted on the UTPB New Vender Form. If the winner changes his or her mailing address after submission

of the UTPB New Vendor Form, it is the responsibility of the winner to notify the UTPB MEC Program Coordinator of the change.

After an installment has been issued to a winner, they will not be able to request additional funds until that winner provides receipts for the past approved invoices to be audited by the UTPB MEC Program Coordinator. This process will be repeated until the total award money has been distributed.

If MEC winners wish to use the award money for equity in a loan, they must provide a copy of the loan agreement to the MEC Program Coordinator at UTPB along with payment receipts.

8.3 Installments

If a winner receives an installment and does not spend the money in a specific amount of time determined by the UTPB MEC Program Coordinator, they will be required to give the money back to UTPB for holding. If a winner spends the approved installment on anything other than the approved invoices without consent from the UTPB MEC Program Coordinator, that winner will be in violation of the terms and conditions of the challenge and all monies must be paid back to the Midland Development Corporation through UTPB, and the winner will be banned from any future business challenges in which UTPB is involved.

8.4 Financing

A challenge participant is allowed to acquire bank financing or other investor financing before the completion of the competition with the plan to pay off or make payments on those loans with the anticipated award monies from the challenge. These plans need to be addressed in the business plan and/or approved by the UTPB MEC Program Coordinator before the funds are obtained and UTPB must receive a copy of the loan documents to keep on record. University of Texas Permian Basin, Midland Development Corporation, the judges, or any other entity involved with the Midland Entrepreneurial Challenge are not responsible for repaying the loans in the event the business does not receive funds from the challenge.

8.5 Seek Accounting Advice

Award money “IS” counted as taxable income. Participants are advised to consult a CPA for accounting advice regarding the funds.

9.0 Accountability for the Winners

9.1 Annual Reporting Requirements

The award money received from the challenge must only be spent on the items articulated in the business plan. The Midland Development Corporation also wants to track the benefit to the community. So long as the winners are following these guidelines for receipt of the award monies, the MEC winners are only required to provide the following on an annual basis for five (5) years to the MEC Program Coordinator at UTPB:

- ✓ Income and balance statements (and loan payment receipts if applicable)
- ✓ Current number of employees
- ✓ Any business expansion or additional locations
- ✓ Any additional funding or financing

9.2 Reporting Requirement Deficiencies

If the winners fail to provide any of this information on an annual basis or are otherwise not following these guidelines for receiving award monies, UTPB may require the winner to submit the same information on a biannual basis in order to follow their progress more carefully.

9.3 Midland Presentation

At any time during the five (5) year period after receiving award monies from the Midland Entrepreneurial Challenge, the Midland Development Corporation Board of Directors may request a "State of your Business" presentation to the Midland Development Corporation Board of Directors monthly meeting. If a presentation is requested, the business owner(s) is highly encouraged to attend.

9.4 Violation of Terms

If the business fails to adhere to the requirements listed herein, the business will be in violation of the terms of the Midland Entrepreneurial Challenge and all monies received from the competition will have to be paid back to UTPB. If the business does not have the total amount available to reimburse at one time, a payment plan with interest will be arranged for the balance owed. The interest rate will be set at the SBA current loan rate plus prime. The length of the repayment plan will be determined by UTPB, but in no case will be longer than two years. In addition to paying back the awarded monies, all past winners that violate the terms and conditions of the competition will not be allowed to participate in any future competitions involving UTPB. Any monies recovered by UTPB under this section shall be returned to the Midland Development Corporation as soon as possible.

10.0 Marketing for the MEC

Marketing is a key piece of a successful program, which allows UTPB to promote the program broadly and recruit the best business opportunities from the City of Midland. UTPB's marketing efforts are focused on brand awareness and promotion of our community. The success of the marketing campaigns are influenced by a strong strategy outlining both short & long-term objectives, timelines, and specific channels to jumpstart awareness to increase participation.

10.1 Marketing Mediums

A variety of marketing mediums and platforms will be used including:

- Web via https://midlandentrepreneurialchallenge.com/
- Brochures
- Television
- Radio
- Newspaper
- News Releases
- Social Media
- Digital Ad Campaigns

10.2 Past Marketing Effort Engagement

Last year's program had 164 individuals signing up to attend one of the 3 orientation sessions which is the maximum number of registrations we can accommodate based on seating at the orientation venue, so the orientation sessions were completely full. This resulted in **56** registered businesses, with 50 businesses being admitted into the program and 6 making it onto the waiting list.

Below are some statistics on the marketing campaign from the previous year to demonstrate the reach that our efforts have yielded:

Social Advertising:

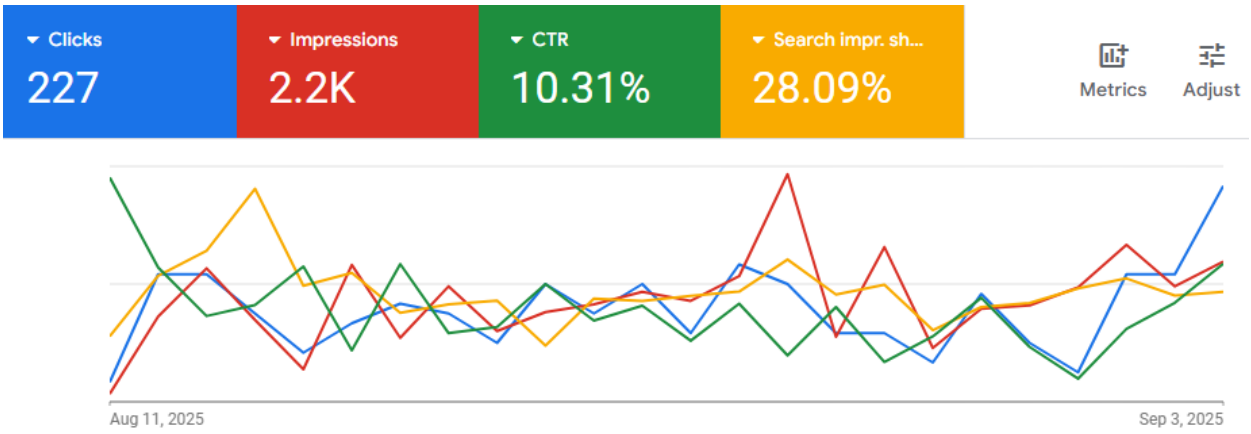
The social campaign targeted Midlanders interested in business planning, startups, small business ownership, and/or entrepreneurship.

- Link Clicks: 5,407 *(39.3% increase year-over-year)*
- Impressions: 1,160,042 *(74.1% increase)*
- People Reached: 66,929 *(16.5% decrease)*
- Reactions: 228 *(62.9% increase)*
- Comments: 6 *(no change)*
- Shares: 26 *(13.3% decrease)*
- Overall Page Engagement: 23,204 *(314.1% increase)*

Google Ads Search

Targeted people searching for the MEC, tips for starting a business, business funding, small business grants, and entrepreneurship.

- Clicks: 227 *(20.9% decrease year-over-year)*
- Impressions Delivered: 2,202 *(3.3% increase)*
- Click-Through Rate: 10.31% *(23.4% decrease)*



A survey was conducted of the businesses that attended the orientation sessions to identify which marketing channels were successful in reaching potential participants, and the majority of registrants responded they heard about the MEC through Facebook and Instagram marketing (27 responses), followed closely by Word of Mouth (23 responses).

Midland Entrepreneurial Challenge Proposal for 2026-2027

UTPB is very excited for the opportunity to once again partner with the Midland Development Corporation to support our local entrepreneurs and help grow and diversify the economy here in Midland. The community has come to know this event, and it is a time filled with anticipation and excitement. We have had an excellent set of winners each year, and take great pride in watching those business grow and become standouts in the local community. We are grateful for MDC's support of this very important program and look forward to another successful year.

Budget Overview

Award Money:	$500,000
Personnel:	$33,000
Program Operations:	$18,700
Marketing:	$6,000
Indirect Costs:	$9,001
TOTAL:	$566,701

Note this amount does not include registration fees from the participants, which will vary based on the number of participants. Registration fees are used solely for Program Operations.

Budget Justification

Award Money

The most important category in the budget is the award money which is provided to the winning participants after completing the program and being selected by the judges. The prize purse ensures we have robust interest in the program and maintains competitiveness among the applicants to ensure a high quality of business entrants.

Award Money	$500,000
TOTAL:	**$500,000**

Personnel

The UTPB MEC Team will organize and execute the entire 6-month program and ensure that every aspect of this competition meets the expectations of the Midland Development Corporation. This compensation also covers the additional months of preparation and follow up with the participants for payments. This year's MEC Team: Dr. Brian Shedd and CC Serrato will provide frequent updates to the board through the Executive Director of

the MDC and be available for any questions during the challenge. In addition, the MEC team will be in constant communication with the Small Business Development Center to confirm the contestants are meeting with their staff on a regular basis. This year we are also engaging several of the faculty members from the UTPB College of Business to provide additional consulting to the MEC participants and assist in delivering the seminars.

Dr. Brian Shedd	$10,000
CC Serrato	$15,000
Various College of Business Faculty	$8,000
TOTAL:	**$33,000**

Program Operations

The second category of program operations relates to actual program costs associated with delivery of the program. This includes any food/drink, giveaways, and costs associated with the orientation sessions and seminars. Program Operations also covers in-depth Business Consulting Support services that the businesses receive throughout the program, but specifically pertain to development of the Pitch document and the Business Plans. Also included here are all of the costs associated with the final awards presentation. The awards presentation is the culmination of the program and is a celebration of all of the hard work put into the program by the award winners, judges, and UTPB MEC Team. The awards presentation provides a chance for celebration and reflection of the commitment among our contestants, recognition of the devotion of our community judges and appreciation of the opportunity provided by Midland Development Corporation.

The requested funds for the program operations will cover a wide variety of items, including but not limited to, food, drinks, award checks, plaques for the judges, decorations, and all other items deemed necessary for a successful program as determined by the UTPB MEC Team. A rough breakdown of this category is shown below, but please note that funds may be shifted as needed at the discretion of the UTPB MEC Team.

Miscellaneous Program Expenses	$1,200
Business Consulting Support	$12,000
Awards Presentation Event Coordinator	$2,500
Awards Presentation Event Costs	$3,000
TOTAL:	**$18,700**

Marketing

We plan to utilize Armic Systems for the marketing campaign for the 2026-2027 MEC. Armic Systems has been our marketing partner for the MEC for the last 5 years. Based on the past work we have done with Armic Systems to conduct the marketing campaigns; we are realizing significant savings in the website management year to year. The estimate we received for the marketing campaign for this year is as follows:

Website Management	$1,250
Social Advertising (FB & IG)	$2,536
Google Ads	$1,350
Targeted Display Ads	$864
TOTAL:	**$6,000**

Indirect Costs

Indirect costs are essential to supporting the university infrastructure required for the successful execution of the MEC program. Indirect costs support the operation and maintenance of facilities, including office and event spaces, utilities, building maintenance, environmental health and safety services, information technology infrastructure, administration, compliance, financial management, procurement, human resources, and other institutional services that enable program activities. These costs are calculated at UTPB's off-campus indirect rate of 15.6% of the direct costs of administering the program.

Indirect Costs	$9,001
TOTAL:	**$9,001**

Previous Midland Entrepreneurial Challenge Winners

2025-2026



CONTACT CO. FLORIS FLIGHT SERVICES LOLA & TAE TALL CITY CYBER TWELVE GATE Coffee Company

- Contact Co.
- Floris Flight Services
- Lola & Tae
- Tall City Cyber
- Twelve Gate Coffee Company

2024-2025

- Flourish Speech Therapy
- Pearl Head Spa
- AnnGee's Barber Academy
- KidTown Daycare
- I'd Rather Bake

2023-2024

- MORPH Health Optimization Center
- Pachuco's
- Sable Controls
- Tall City Sneakers
- Tall City Speech

2022-2023

- Central Bites
- Midland Athletic Company
- The Tailgate
- Toya's Precious Jewels

2021-2022

- The Birth Center
- Magrym Consulting
- Midland AF
- TyPickle Pickles

2020-2021

No competition held this year

2019-2020

- Thermal Cam USA
- Topline Care Pharmacy
- Nothing Bundt Cakes
- Caprock Products DBA Kid Proof
- Four Hands Dental Academy

2018-2019

- Most Wanted Waste Disposal
- The Oilfield Photographer
- Piano Works Gallery & Clocks
- Tall City Brewing Co.
- Texland Collision

2017-2018

- Norman Elite
- Eccentric Brewery

City Council Meeting

Item Number: 6.
Meeting Date: August 11, 2026
To: City Council
From: Garrick Clayton, Oil and Gas Officer
Subject: RESOLUTION APPROVING THE TRANSFER OF A NON-COMMERCIAL SALT WATER DISPOSAL WELL PERMIT FROM ENDEAVOR ENERGY RESOURCES, L.P. TO DEEP BLUE OPERATING I LLC; SAID WELL BEING LOCATED IN SECTION 31, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS

Purpose:
Resolution approving the transfer from Endeavor Energy Resources, L.P. (“Operator”) to Deep Blue Operating I LLC. (“Transferee”) of the Elkins Atrelle SWD #1, a non-commercial salt water disposal well located in Section 31, Block 38, T-1-S, T&P RR Co. survey, City of Midland, Midland County Texas (District 2) (Development Services) (Set the standard for a safe and secure city

Recommended Action:
Approve

Fiscal Impact:
There is no cost to the City to process this application.

Strategic Priority:
SET THE STANDARD FOR A SAFE AND SECURE CITY

Discussion:
A letter requesting transfer of the Elkins Atrelle SWD #1, a non-commercial salt water disposal well from Endeavor Energy Resources, L.P. (Endeavor) to Deep Blue Operating I LLC (Deep Blue) has been received. Deep Blue has provided the necessary instruments required for transfer of the permit operated by Endeavor and agrees to be bound by the terms and conditions of the current Well Permit.

Attachments: Letter Endeavor Energy Resources, L.P. - Deep Blue Operating I LLC Request with exhibits

Attachments:
A. RESOLUTION - Endeaver to Deep Blue - Transfer Elkins Atrelle SWD #1 Reso
B. Travel Route
C. Permit Transfer Request (Elkins Atrelle SWD 1)

Liliana Morales, Development Services - Oil and Gas	Created/Initiated - 7/17/2026
Garrick Clayton, Development Services - Oil and Gas	Approved - 7/22/2026
Elizabeth Triggs, Development Services	Approved - 8/4/2026
Linda Ochoa, Legal	Approved - 8/4/2026
Jose Ortiz, City Manager	Approved - 8/5/2026
Kathy Rauda, City Secretary	Final Approval - 8/5/2026

RESOLUTION NO. _____

RESOLUTION APPROVING THE TRANSFER OF A NON-COMMERCIAL SALT WATER DISPOSAL WELL PERMIT FROM ENDEAVOR ENERGY RESOURCES, L.P. TO DEEP BLUE OPERATING I LLC; SAID WELL BEING LOCATED IN SECTION 31, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS

WHEREAS, the City of Midland has received a written request for approval of the transfer of a certain non-commercial salt water disposal well permit from Endeavor Energy Resources, L.P. ("Operator") to Deep Blue Operating I LLC ("Transferee"), the well associated with said permit being located in Section 31, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas; and

WHEREAS, the City Council finds it to be in the public interest to approve Operator's transfer of said permit to Transferee;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That Operator's transfer to Transferee of the non-commercial salt water disposal well permit for the following well is hereby approved: Elkins Atrelle SWD #1.

SECTION TWO. That all terms and conditions of said permit shall remain in full force and effect, and Transferee shall be bound by said terms and conditions.

On motion of Council member _____, seconded by Council member _____, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the _____ day of _____, A.D., 2026, by the following vote:

Council members voting "AYE":

Council members voting "NAY":

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

RECOMMENDED AND APPROVED:

_____
Tommy Gonzalez, City Manager

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, City Attorney


Elkins Atrell SWD #1
Travel Route to
Elkins Atrell SWD #1
PARKER ACRES
Chukar Ln
E Golf Course Rd
Quail Ridge Rd
Image © 2026 Airbus
© 2026 Google

DEEP BLUE

June 8, 2026

City of Midland; Oil & Gas Services
Attn: Garrick Clayton- Oil & Gas Officer
300 N. Loraine
Midland, TX 79701

RE: Request for Change of Owner and Operator
Elkins Atrelle SWD 1
API 42-461-40306
Midland County, TX

Dear Mr. Clayton,

Effective October 1st, 2025 Deep Blue Operating I LLC (Deep Blue) acquired Environmental Disposal Systems, LLC (EDS) from Diamondback Energy, Inc. pursuant to which Deep Blue became the owner and operator of certain assets located in the City of Midland on October 1st, 2025 including the Elkins Atrelle SWD 1, which was transferred from Endeavor Energy Resources, LP (EER) to EDS, EER's subsidiary, prior to Deep Blue's acquisition of EDS.

Deep Blue has the proper bonding and insurance in place to operate the well within the City Of Midland. See attached Deep Blue's certificate of insurance and letter of credit/bond.

Deep Blue respectfully requests that the Midland City Council (Council) approve the proposed transfer of operatorship and permit for the Elkins Atrelle SWD 1 listed in Exhibit A from EER to Deep Blue effective October 1st, 2025.

EER has agreed to transfer all operations and permits for the Elkins Atrelle SWD 1 to Deep Blue (subject to Council approval) as evidenced by EER's joinder in the execution and delivery of this letter. Deep Blue has agreed to assume (subject to Council approval) such operations and permits and all related obligations.

If you have any questions or need additional information, please do not hesitate to contact me at 214.793.7687 or igriesbaum@deepbluewater.com.

Thank you,

Isaac Griesbaum

DEEP BLUE

Joinder to Request for Change of Owner and Operator – Elkins Atrelle SWD 1

Endeavor Energy Resources, L.P. agrees to transfer all operations and permits pertaining to the Elkins Atrelle SWD 1 (subject to Council approval) to Deep Blue, and Deep Blue agrees to assume (subject to Council approval) such operations and permits and all related obligations, as evidenced by Deep Blue's execution and delivery of this letter.

Endeavor Energy Resources, L.P.

By: Madeleine Kenyon
Name: Madeleine Kenyon
Title: Regulatory Manager
Date: 06/04/2024

DEEP BLUE

EXHIBIT A

Well

API	Well Name & No.	Location	City Resolution No.	City Permit Date	City Status	Status
42-461-40306	Elkins Atrelle SWD 1	Section 31, Block 38, T-1-S, T&P RR CO Survey, Midland County, Texas	2022-127	9/27/2022	Approved	Disposal

LICENSE OR PERMIT BOND

BOND NO. 612428614

KNOW ALL MEN BY THESE PRESENTS:

That we, Deep Blue Operating I, LLC ,as Principal(s)

and United States Fire Insurance Company a Deleware corporation

authorized to transact surety business in the State of Texas Surety, are held and firmly

bound unto City of Midland

as Obligee, in the penal sum of Twenty Five Thousand and 00/100 ($ 25,000.00) DOLLARS, lawful money of the United States of America, for the payment of which, well and truly to be made, we bind ourselves, our heirs, legal representatives, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, Principal has applied to the Obligee for a license or permit to do business as For Oil and Gas Well Permit - Elkins Atrelle SWD 1

NOW THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, That if the said Principal(s) shall comply with all applicable Ordinances, Rules and Regulations, and any Amendments thereto, then this obligation shall be void, otherwise to remain in full force and effect.

PROVIDED, HOWEVER, That this bond shall continue in force until:

1. May 28, 2029 „ or until the expiration date of any Continuation Certificate executed by Surety, at its sole option.

OR

2. Cancelled by Surety giving _____ days written notice to Obligee and Principal of its intention to terminate its liability hereunder.

SIGNED AND SEALED THIS 28th DAY OF May 2026

Deep Blue Operating I, LLC

By: _____
Principal Scott Mitchell CEO

United States Fire Insurance Company

By: _____
Surety Kala Kelly Attorney-in-Fact

Surety Phone No. (973) 490-6600

POWER OF ATTORNEY
UNITED STATES FIRE INSURANCE COMPANY
PRINCIPAL OFFICE - MORRISTOWN, NEW JERSEY

KNOW ALL MEN BY THESE PRESENTS: That United States Fire Insurance Company, a corporation duly organized and existing under the laws of the state of Delaware, has made, constituted and appointed, and does hereby make, constitute and appoint: **Timothy F. Kelly; Robert F. Bobo; Teresa D. Kelly; Craig C. Payne; Aaron P. Clark; Kala Kelly; Tami Jones; Daisy Greathouse; Ivette Bustos; Walker Wilks; Erica Kneitz; Allison Howell; Rachel Richardson; Laura Kneitz** each, its true and lawful Attorney(s)-In-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver: Any and all bonds and undertakings of surety and other documents that the ordinary course of surety business may require, and to bind United States Fire Insurance Company thereby as fully and to the same extent as if such bonds or undertakings had been duly executed and acknowledged by the regularly elected officers of United States Fire Insurance Company at its principal office, in amounts or penalties: **One Hundred Twenty Five Million Eight Hundred Thousand Dollars ($125,800,000)**

This Power of Attorney limits the act of those named therein to the bonds and undertakings specifically named therein, and they have no authority to bind United States Fire Insurance Company except in the manner and to the extent therein stated.

This Power of Attorney is granted pursuant to Article IV of the By-Laws of United States Fire Insurance Company as now in full force and effect, and consistent with Article III thereof, which Articles provide, in pertinent part:

Article IV, Execution of Instruments - Except as the Board of Directors may authorize by resolution, the Chairman of the Board, President, any Vice-President, any Assistant Vice President, the Secretary, or any Assistant Secretary shall have power on behalf of the Corporation:

(a) to execute, affix the corporate seal manually or by facsimile to, acknowledge, verify and deliver any contracts, obligations, instruments and documents whatsoever in connection with its business including, without limiting the foregoing, any bonds, guarantees, undertakings, recognizances, powers of attorney or revocations of any powers of attorney, stipulations, policies of insurance, deeds, leases, mortgages, releases, satisfactions and agency agreements;
(b) to appoint, in writing, one or more persons for any or all of the purposes mentioned in the preceding paragraph (a), including affixing the seal of the Corporation.

Article III, Officers, Section 3.11, Facsimile Signatures. The signature of any officer authorized by the Corporation to sign any bonds, guarantees, undertakings, recognizances, stipulations, powers of attorney or revocations of any powers of attorney and policies of insurance issued by the Corporation may be printed, facsimile, lithographed or otherwise produced. In addition, if and as authorized by the Board of Directors, dividend warrants or checks, or other numerous instruments similar to one another in form, may be signed by the facsimile signature or signatures, lithographed or otherwise produced, of such officer or officers of the Corporation as from time to time may be authorized to sign such instruments on behalf of the Corporation. The Corporation may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Corporation, notwithstanding the fact that he may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, United States Fire Insurance Company has caused these presents to be signed and attested by its appropriate officer and its corporate seal hereunto affixed this 17th day of January, 2025.

UNITED STATES FIRE INSURANCE COMPANY

Matthew E. Lubin, President

State of New Jersey}
County of Morris }

On this 17th day of January, 2025, before me, a Notary public of the State of New Jersey, came the above named officer of United States Fire Insurance Company, to me personally known to be the individual and officer described herein, and acknowledged that he executed the foregoing instrument and affixed the seal of United States Fire Insurance Company thereto by the authority of his office.

ETHAN SCHWARTZ
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES 6/25/2029
COMMISSION: #50223171

Ethan Schwartz (Notary Public)

I, the undersigned officer of United States Fire Insurance Company, a Delaware corporation, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy is still in force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of United States Fire Insurance Company on the 28th day of May 20 26

UNITED STATES FIRE INSURANCE COMPANY

Michael C. Fay, Senior Vice President

*For verification of the authenticity of the Power of Attorney, please contact (phone number) or email: patricia.taber @amyntagroup.com

City Council Meeting

Item Number: 7.
Meeting Date: August 11, 2026
To: City Council
From: Garrick Clayton, Oil and Gas Officer
Subject: RESOLUTION AUTHORIZING THE EXECUTION OF A ROAD REPAIR AGREEMENT WITH DEEP BLUE OPERATING I LLC REGARDING A NON-COMMERCIAL SALT WATER DISPOSAL WELL LOCATED IN SECTION 31, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS

Purpose:
Resolution approving the execution of a Road Repair Agreement with Deep Blue Operating I LLC regarding the transfer of the Elkins Atrelle SWD #1, a non-commercial salt water disposal well located in Section 31, Block 38, T-1-S, T&P RR Co. survey, City of Midland, Midland County Texas

Recommended Action:
Direction/Informational

Fiscal Impact:
There is no cost to the City to process this agreement.

Strategic Priority:
SET THE STANDARD FOR A SAFE AND SECURE CITY

Discussion:
Deep Blue Operating I LLC intends to use portions of N County Road 1160 to access its non-commercial salt water disposal well. Operator has attached to this agreement a Bond in the amount of $25,000.00.

Attachments: Road Bond, Road Repair Agreement, Travel Route

Attachments:
A. RESOLUTION W/EXH - Deep Blue - Todd Dr - Approve Road Repair Agreement Reso w Exh
B. Road Bond (Elkins Atrelle SWD 1)
C. Road Repair Agreement 6-30-26
D. Travel Route

Liliana Morales, Development Services - Oil and Gas Created/Initiated - 7/17/2026

Garrick Clayton, Development Services - Oil and Gas	Approved - 7/22/2026
Elizabeth Triggs, Development Services	Approved - 8/4/2026
Linda Ochoa, Legal	Approved - 8/4/2026
Jose Ortiz, City Manager	Approved - 8/5/2026
Kathy Rauda, City Secretary	Final Approval - 8/5/2026

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE EXECUTION OF A ROAD REPAIR AGREEMENT WITH DEEP BLUE OPERATING I LLC REGARDING A NON-COMMERCIAL SALT WATER DISPOSAL WELL LOCATED IN SECTION 31, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS

WHEREAS, the City Council finds it to be in the public interest to authorize the execution of a road repair agreement with Deep Blue Operating I LLC ("Operator");

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

THAT the Mayor is hereby authorized and directed to execute, on behalf of the City of Midland, a road repair agreement with Operator. Said agreement shall be in a form substantially similar to that attached hereto as Exhibit A and incorporated herein for all legal purposes. For the avoidance of doubt, the approval and execution of the road repair agreement shall not constitute a permit or other approval or authorization for any oil and gas operations or the drilling of any wells.

On motion of Council member _____, seconded by Council member _____, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the _____ day of _____, A.D., 2026, by the following vote:

Council members voting "AYE":

Council members voting "NAY":

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

RECOMMENDED AND APPROVED:

_____
Tommy Gonzalez, City Manager

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, City Attorney

Road Repair Agreement

DEEP BLUE OPERATING I LLC ("Operator") intends to use portions of North County Road 1160, also known as Todd Drive (the "Roadway"), to access its Elkins Atrelle SWD #1 non-commercial salt water disposal well (the "Well"). Operator agrees that this road repair agreement (the "Agreement") shall apply only to the Well. Operator agrees to pay to the **CITY OF MIDLAND** (the "City") actual road repair costs up to a maximum amount of Twenty-Five Thousand Dollars ($25,000.00) per calendar year for damage done to the Roadway to the extent that any such damage is verifiably attributable to traffic servicing Operator or the Well. Operator will not be obligated to pay for any damage to the Roadway attributable to other parties or for damage associated with normal wear and tear. Operator will not be required to pay road repair expenses in excess of $25,000.00 per calendar year for the Well. Operator has attached to this Agreement a letter of credit, certificate of deposit, or surety bond in the amount of $25,000.00, which will serve to secure payment of any such road repair expenses associated with its use of the Roadway to access the Well. In the event that such letter of credit, certificate of deposit, or surety bond is not restored to $25,000.00 within ten (10) days after the date of the reduction of the letter of credit, certificate of deposit, or surety bond, the City may draw on and receive the remaining balance of the letter of credit, certificate of deposit, or surety bond, and the non-commercial salt water disposal well permit associated with the Well (the "Permit") shall be suspended on such date and Operator's right to operate under such Permit shall immediately cease until Operator files the required letter of credit, certificate of deposit, or surety bond.

Operator and the City agree that documentation of any road damage determined to be caused by Operator's use of the Roadway to access the Well shall be presented to Operator. If Operator does not agree, then Operator may file a written objection with the City Manager within ten (10) days of being notified of the road damage. The City Manager shall review the objections and give Operator the opportunity to be heard and present facts that Operator deems relevant. The City reserves the right, after giving ten (10) business days' written notice to Operator regarding such violation, to draw upon the letter of credit, certificate of deposit, or surety bond as outlined in Section 6-1-23(K) of the City Code of the City of Midland in order to remedy such situation. The amount drawn from the letter of credit, certificate of deposit, or surety bond shall not exceed the limits previously described by this Agreement.

AGREED TO AND ACCEPTED BY THE FOLLOWING PARTIES:

DEEP BLUE OPERATING I LLC

By: _____

Ben Smiley, Chief Operating Officer

Date: 6/30/26

CITY OF MIDLAND

By: _____

Lori Merritt Blong, Mayor

Date: _____

EXHIBIT A

CRUM & FORSTER
A FAIRFAX COMPANY

ROAD USE AGREEMENT PERFORMANCE BOND

Bond No. 612428613

KNOW ALL PERSONS BY THESE PRESENTS, That we **Deep Blue Operating I, LLC**, as Principal and **United States Fire Insurance Company**, of Delaware, authorized to do business in the State of Texas, as Surety, are held and firmly bound unto **City of Midland** as Obligee, in the maximum penal sum of Twenty Five Thousand and 00/100 Dollars ($25,000.00), lawful money of the United States of America, for which payment well and truly to be made we bind ourselves heirs, executors and assigns, jointly and severally.

WHEREAS, the Principal has entered, or is about to enter, into a written agreement with the Obligee to perform in accordance with the terms and conditions of the Road Repair Agreement (hereinafter referred to as the "Contract"), said Contract is hereby referred to and made a part hereof.

NOW, THEREFORE, the condition of this obligation is such that if the above named Principal, its successors and assigns, shall well and truly perform its obligations as set forth in the above mentioned Contract, then this Bond shall be void; otherwise to remain in full force and effect pursuant to its terms. The Bond is subject to the following express conditions:

1. Whereas, the Obligee has agreed to accept this Bond, this Bond shall be effective for the definite period of May 28, 2026 to May 28, 2027. The Bond may be extended, at the sole option of the Surety, by continuation certificate for additional periods from the expiry date hereof. However, neither: (a) the Surety's decision not to issue a continuation certificate, nor (b) the failure or inability of the Principal to file a replacement bond or other security in the event the Surety exercises its right to not renew shall itself constitute a loss to the Obligee recoverable under this Bond or any extension thereof.

2. This bond may be canceled at any time upon thirty (30) days advance written notice from the Surety to the Obligee.

3. No claim, action, suit or proceeding, except as hereinafter set forth, shall be had or maintained against the Surety on the instrument unless such claim, action, suit or proceeding is brought or instituted upon the Surety within one year from termination or expiration of the bond term.

4. Regardless of the number of years this Bond is in force or the number of continuation certificates issued, the liability of the Surety shall not be cumulative in amounts from period to period and shall in no event exceed the amount set forth above, or as amended by rider.

5. Any notice, demand, certification or request for payment, made under this Bond shall be made in writing to the Surety at suretyclaim@amyntagroup.com and a copy of said notice shall be made in writing to the Surety at the address specified below.

Amynta Surety Solutions
855 Winding Brook Drive
Glastonbury, CT 06033
Attn: Surety Claim

6. If any conflict or inconsistency exists between the Surety's obligations or undertakings as described in this Bond and as described in the underlying Contract, then the terms of this Bond shall prevail.

SIGNED, SEALED AND DATED this 28th day of May, 2026.

Deep Blue Operating I, LLC
Principal

By: _____
(Signature)
Name and Title: Scott Mitchell / CEO

United States Fire Insurance Company

By: _____
Kala Kelly, Attorney-in-Fact

POWER OF ATTORNEY
UNITED STATES FIRE INSURANCE COMPANY
PRINCIPAL OFFICE - MORRISTOWN, NEW JERSEY

KNOW ALL MEN BY THESE PRESENTS: That United States Fire Insurance Company, a corporation duly organized and existing under the laws of the state of Delaware, has made, constituted and appointed, and does hereby make, constitute and appoint: **Timothy F. Kelly; Robert F. Bobo; Teresa D. Kelly; Craig C. Payne; Aaron P. Clark; Kala Kelly; Tami Jones; Daisy Greathouse; Ivette Bustos; Walker Wilks; Erica Kneitz; Allison Howell; Rachel Richardson; Laura Kneitz** each, its true and lawful Attorney(s)-In-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver: Any and all bonds and undertakings of surety and other documents that the ordinary course of surety business may require, and to bind United States Fire Insurance Company thereby as fully and to the same extent as if such bonds or undertakings had been duly executed and acknowledged by the regularly elected officers of United States Fire Insurance Company at its principal office, in amounts or penalties: **One Hundred Twenty Five Million Eight Hundred Thousand Dollars ($125,800,000)**

This Power of Attorney limits the act of those named therein to the bonds and undertakings specifically named therein, and they have no authority to bind United States Fire Insurance Company except in the manner and to the extent therein stated.

This Power of Attorney is granted pursuant to Article IV of the By-Laws of United States Fire Insurance Company as now in full force and effect, and consistent with Article III thereof, which Articles provide, in pertinent part:

Article IV, Execution of Instruments - Except as the Board of Directors may authorize by resolution, the Chairman of the Board, President, any Vice-President, any Assistant Vice President, the Secretary, or any Assistant Secretary shall have power on behalf of the Corporation:

(a) to execute, affix the corporate seal manually or by facsimile to, acknowledge, verify and deliver any contracts, obligations, instruments and documents whatsoever in connection with its business including, without limiting the foregoing, any bonds, guarantees, undertakings, recognizances, powers of attorney or revocations of any powers of attorney, stipulations, policies of insurance, deeds, leases, mortgages, releases, satisfactions and agency agreements;
(b) to appoint, in writing, one or more persons for any or all of the purposes mentioned in the preceding paragraph (a), including affixing the seal of the Corporation.

Article III, Officers, Section 3.11, Facsimile Signatures. The signature of any officer authorized by the Corporation to sign any bonds, guarantees, undertakings, recognizances, stipulations, powers of attorney or revocations of any powers of attorney and policies of insurance issued by the Corporation may be printed, facsimile, lithographed or otherwise produced. In addition, if and as authorized by the Board of Directors, dividend warrants or checks, or other numerous instruments similar to one another in form, may be signed by the facsimile signature or signatures, lithographed or otherwise produced, of such officer or officers of the Corporation as from time to time may be authorized to sign such instruments on behalf of the Corporation. The Corporation may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Corporation, notwithstanding the fact that he may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, United States Fire Insurance Company has caused these presents to be signed and attested by its appropriate officer and its corporate seal hereunto affixed this 17th day of January, 2025.

UNITED STATES FIRE INSURANCE COMPANY

Matthew E. Lubin, President

State of New Jersey}
County of Morris }

On this 17th day of January, 2025, before me, a Notary public of the State of New Jersey, came the above named officer of United States Fire Insurance Company, to me personally known to be the individual and officer described herein, and acknowledged that he executed the foregoing instrument and affixed the seal of United States Fire Insurance Company thereto by the authority of his office.

ETHAN SCHWARTZ
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES 6/25/2029
COMMISSION: #50223171

Ethan Schwartz (Notary Public)

I, the undersigned officer of United States Fire Insurance Company, a Delaware corporation, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy is still in force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of United States Fire Insurance Company on the 28th day of May 20 26

UNITED STATES FIRE INSURANCE COMPANY

Michael C. Fay, Senior Vice President

*For verification of the authenticity of the Power of Attorney, please contact (phone number) or email: patricia.taber @amyntagroup.com

CRUM & FORSTER
A FAIRFAX COMPANY

ROAD USE AGREEMENT PERFORMANCE BOND

Bond No. 612428613

KNOW ALL PERSONS BY THESE PRESENTS, That we **Deep Blue Operating I, LLC**, as Principal and **United States Fire Insurance Company**, of Delaware, authorized to do business in the State of Texas, as Surety, are held and firmly bound unto **City of Midland** as Obligee, in the maximum penal sum of Twenty Five Thousand and 00/100 Dollars ($25,000.00), lawful money of the United States of America, for which payment well and truly to be made we bind ourselves heirs, executors and assigns, jointly and severally.

WHEREAS, the Principal has entered, or is about to enter, into a written agreement with the Obligee to perform in accordance with the terms and conditions of the Road Repair Agreement (hereinafter referred to as the "Contract"), said Contract is hereby referred to and made a part hereof.

NOW, THEREFORE, the condition of this obligation is such that if the above named Principal, its successors and assigns, shall well and truly perform its obligations as set forth in the above mentioned Contract, then this Bond shall be void; otherwise to remain in full force and effect pursuant to its terms. The Bond is subject to the following express conditions:

1. Whereas, the Obligee has agreed to accept this Bond, this Bond shall be effective for the definite period of May 28, 2026 to May 28, 2027. The Bond may be extended, at the sole option of the Surety, by continuation certificate for additional periods from the expiry date hereof. However, neither: (a) the Surety's decision not to issue a continuation certificate, nor (b) the failure or inability of the Principal to file a replacement bond or other security in the event the Surety exercises its right to not renew shall itself constitute a loss to the Obligee recoverable under this Bond or any extension thereof.

2. This bond may be canceled at any time upon thirty (30) days advance written notice from the Surety to the Obligee.

3. No claim, action, suit or proceeding, except as hereinafter set forth, shall be had or maintained against the Surety on the instrument unless such claim, action, suit or proceeding is brought or instituted upon the Surety within one year from termination or expiration of the bond term.

4. Regardless of the number of years this Bond is in force or the number of continuation certificates issued, the liability of the Surety shall not be cumulative in amounts from period to period and shall in no event exceed the amount set forth above, or as amended by rider.

5. Any notice, demand, certification or request for payment, made under this Bond shall be made in writing to the Surety at suretyclaim@amyntagroup.com and a copy of said notice shall be made in writing to the Surety at the address specified below.

Amynta Surety Solutions
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Attn: Surety Claim

6. If any conflict or inconsistency exists between the Surety's obligations or undertakings as described in this Bond and as described in the underlying Contract, then the terms of this Bond shall prevail.

SIGNED, SEALED AND DATED this 28th day of May, 2026.

Deep Blue Operating I, LLC
Principal

By: _____
(Signature)
Name and Title: Scott Mitchell / CEO

United States Fire Insurance Company

By: _____
Kala Kelly, Attorney-in-Fact

POWER OF ATTORNEY
UNITED STATES FIRE INSURANCE COMPANY
PRINCIPAL OFFICE - MORRISTOWN, NEW JERSEY

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IN WITNESS WHEREOF, United States Fire Insurance Company has caused these presents to be signed and attested by its appropriate officer and its corporate seal hereunto affixed this 17th day of January, 2025.

UNITED STATES FIRE INSURANCE COMPANY

Matthew E. Lubin, President

State of New Jersey}
County of Morris }

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ETHAN SCHWARTZ
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES 6/25/2029
COMMISSION: #50223171

Ethan Schwartz (Notary Public)

I, the undersigned officer of United States Fire Insurance Company, a Delaware corporation, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy is still in force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of United States Fire Insurance Company on the 28th day of May 20 26

UNITED STATES FIRE INSURANCE COMPANY

Michael C. Fay, Senior Vice President

*For verification of the authenticity of the Power of Attorney, please contact (phone number) or email: patricia.taber @amyntagroup.com

Road Repair Agreement

DEEP BLUE OPERATING I LLC ("Operator") intends to use portions of North County Road 1160, also known as Todd Drive (the "Roadway"), to access its Elkins Atrelle SWD #1 non-commercial salt water disposal well (the "Well"). Operator agrees that this road repair agreement (the "Agreement") shall apply only to the Well. Operator agrees to pay to the **CITY OF MIDLAND** (the "City") actual road repair costs up to a maximum amount of Twenty-Five Thousand Dollars ($25,000.00) per calendar year for damage done to the Roadway to the extent that any such damage is verifiably attributable to traffic servicing Operator or the Well. Operator will not be obligated to pay for any damage to the Roadway attributable to other parties or for damage associated with normal wear and tear. Operator will not be required to pay road repair expenses in excess of $25,000.00 per calendar year for the Well. Operator has attached to this Agreement a letter of credit, certificate of deposit, or surety bond in the amount of $25,000.00, which will serve to secure payment of any such road repair expenses associated with its use of the Roadway to access the Well. In the event that such letter of credit, certificate of deposit, or surety bond is not restored to $25,000.00 within ten (10) days after the date of the reduction of the letter of credit, certificate of deposit, or surety bond, the City may draw on and receive the remaining balance of the letter of credit, certificate of deposit, or surety bond, and the non-commercial salt water disposal well permit associated with the Well (the "Permit") shall be suspended on such date and Operator's right to operate under such Permit shall immediately cease until Operator files the required letter of credit, certificate of deposit, or surety bond.

Operator and the City agree that documentation of any road damage determined to be caused by Operator's use of the Roadway to access the Well shall be presented to Operator. If Operator does not agree, then Operator may file a written objection with the City Manager within ten (10) days of being notified of the road damage. The City Manager shall review the objections and give Operator the opportunity to be heard and present facts that Operator deems relevant. The City reserves the right, after giving ten (10) business days' written notice to Operator regarding such violation, to draw upon the letter of credit, certificate of deposit, or surety bond as outlined in Section 6-1-23(K) of the City Code of the City of Midland in order to remedy such situation. The amount drawn from the letter of credit, certificate of deposit, or surety bond shall not exceed the limits previously described by this Agreement.

AGREED TO AND ACCEPTED BY THE FOLLOWING PARTIES:

DEEP BLUE OPERATING I LLC

By: _____

Ben Smiley, Chief Operating Officer

Date: 6/30/26

CITY OF MIDLAND

By: _____

Lori Merritt Blong, Mayor

Date: _____


Elkins Atrell SWD #1
Travel Route to
Elkins Atrell SWD #1
PARKER ACRES
Chukar Ln
E Golf Course Rd
Quail Ridge Rd
Image © 2026 Airbus
© 2026 Google

City Council Meeting

Item Number: 8.
Meeting Date: August 11, 2026
To: City Council
From: Garrick Clayton, Oil and Gas Officer
Subject: RESOLUTION APPROVING THE ISSUANCE OF PERMITS TO PERMIAN DEEP ROCK OIL CO., LLC TO DRILL 20 OIL AND GAS WELLS LOCATED IN SECTION 15, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED BETWEEN 1,194 FEET AND 2,300 FEET EAST OF NORTH GARFIELD STREET AND BETWEEN 1,218 AND 1,800 FEET SOUTH OF WEST LOOP 250 NORTH)

Purpose:
Resolution approving the issuance of 20 oil and gas well permits to Permian Deep Rock Oil Co., LLC (“Operator”) for the drilling of the following oil and gas wells: CHAPARRAL 120 MIPA UNIT H120LS; CHAPARRAL 120 MIPA UNIT H120MS; CHAPARRAL 120 MIPA UNIT H120UH; CHAPARRAL 120 MIPA UNIT H120WB; CHAPARRAL H125WA; CHAPARRAL H130LS; CHAPARRAL H130SS; CHAPARRAL H130UH; CHAPARRAL H130WB; CHAPARRAL H135WA; CHAPARRAL H140LS; CHAPARRAL H140MS; CHAPARRAL H140UH; CHAPARRAL H140WB; CHAPARRAL H145WA; CHAPARRAL H150LS; CHAPARRAL H150SS; CHAPARRAL H150UH; CHAPARRAL H150WB; and CHAPARRAL H105WA; said wells being generally located between 1,194 feet and 2,300 feet east of north Garfield street and between 1,218 and 1,800 feet south of W Loop 250 N. The required 30-day public comment has passed, and the Council may consider this request. No notices of objection received.

Recommended Action:
Approve

Fiscal Impact:
There is no cost to the City to process this application.

Strategic Priority:
SET THE STANDARD FOR A SAFE AND SECURE CITY

Discussion:
The project includes a 24-foot sound barrier around the construction pad, a quiet-type fracing system, and a robust sound suppression plan, with wells to be drilled in concert and the tank battery located outside city limits to minimize neighborhood impacts.

Supporting measures include a Road Repair Agreement and additional remediation funds for

North Garfield Street, along with asphalt access and a permitted cement driveway to the site.

No objections have been received; the Oil and Gas Advisory Committee recommended approval on June 10, 2026, and staff also recommends approval. Location is in proximity to 30+ similar wells located at Airpark, permitted in 2018-2024, and will be constructed in a similar manor. 20 wells are being permitted on this pad with more potentially to follow.

Permian Deep Rock Oil Co., LLC is requesting the following variances:

(1) to allow for twenty-four-hour fracing operations.

(2) In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

(3) To landscaping to construct and develop landscaping per a SUA with Midland College.

(4) To allow for the removal of drill cuttings from the surface location.

Attachments: Applications; Location maps; Drill site map, Flow Line Location.

Attachments:

A. RESOLUTION W/EXH - Permian Deep Rock - Garfield St (20 Chaparral Wells) - Approve Permits RESO w Exh
B. CHAPARRAL 120 MIPA UNIT H120LS PERMIT APPLICATION
C. Permit Chaparral 120 MIPA Unit H120LS
D. CHAPARRAL 120 MIPA UNIT H120LS DRILL SITE
E. Chaparral 120MIPA H120LS Location Map
F. CHAPARRAL 120 MIPA UNIT H120MS PERMIT APPLICATION
G. Permit Chaparral 120 MIPA Unit H120MS
H. CHAPARRAL 120 MIPA UNIT H120MS DRILL SITE MAP
I. Chaparral 120MIPA H120MS Location Map
J. CHAPARRAL 120 MIPA UNIT H120UH PERMIT APPLICATION
K. Permit Chaparral 120 MIPA Unit H120UH
L. CHAPARRAL 120 MIPA UNIT H120UH DRILL SITE MAP
M. Chaparral 120MIPA H120UH Location Map
N. CHAPARRAL 120 MIPA UNIT H120WB PERMIT APPLICATION
O. Permit Chaparral 120 MIPA Unit H120WB
P. CHAPARRAL 120 MIPA UNIT H120WB DRILL SITE MAP
Q. Chaparral 120MIPA H120WB Location Map
R. CHAPARRAL H105WA. PERMIT APPLICATION
S. Permit Chaparral H105WA
T. CHAPARRAL H105WA DRILL SITE MAP
U. Chaparral H105WA Location Map
V. CHAPARRAL H125WA PERMIT APPLICATION
W. Permit Chaparral H125WA

X. CHAPARRAL H125WA DRILL SITE MAP
Y. Chaparral H125WA Location Map
Z. CHAPARRAL H130LS PERMIT APPLICATION
AA. Permit Chaparral H130LS
BB. CHAPARRAL H130LS DRILL SITE MAP
CC. Chaparral H130LS Location Map
DD. CHAPARRAL H130SS PERMIT APPLICATION
EE. Permit Chaparral H130SS
FF. CHAPARRAL H130SS DRILL SITE MAP
GG. Chaparral H130SS Location Map
HH. CHAPARRAL H130UH PERMIT APPLICATION
II. Permit Chaparral H130UH
JJ. CHAPARRAL H130UH DRILL SITE MAP
KK. Chaparral H130UH Location Map
LL. CHAPARRAL H130WB PERMIT APPLICATION
MM. Permit Chaparral H130WB
NN. CHAPARRAL H130WB DRILL SITE MAP
OO. Chaparral H130WB Location Map
PP. CHAPARRAL H135WA PERMIT APPLICATION
QQ. Permit Chaparral H135WA
RR. CHAPARRAL H135WA DRILL SITE MAP
SS. Chaparral H135WA Location Map
TT. CHAPARRAL H140LS PERMIT APPLICATION
UU. Permit Chaparral H140LS
VV. CHAPARRAL H140LS DRILL SITE MAP
WW. Chaparral H140LS Location Map
XX. CHAPARRAL H140MS PERMIT APPLICATION
YY. Permit Chaparral H140MS
ZZ. CHAPARRAL H140MS DRILL SITE MAP
AAA. Chaparral H140MS Location Map
BBB. CHAPARRAL H140UH PERMIT APPLICATION
CCC. Permit Chaparral H140UH
DDD. CHAPARRAL H140UH DRILL SITE MAP
EEE. Chaparral H140UH Location Map
FFF. CHAPARRAL H140WB PERMIT APPLICATION
GGG. Permit Chaparral H140WB
HHH. CHAPARRAL H140WB DRILL SITE MAP
III. Chaparral H140WB Location Map
JJJ. CHAPARRAL H145WA PERMIT APPLICATION
KKK. Permit Chaparral H145WA
LLL. CHAPARRAL H145WA DRILL SITE MAP
MMM. Chaparral H145WA Location Map
NNN. CHAPARRAL H150LS PERMIT APPLICATION
OOO. Permit Chaparral H150LS
PPP. CHAPARRAL H150LS DRILL SITE MAP
QQQ. Chaparral H150LS Location Map
RRR. CHAPARRAL H150SS PERMIT APPLICATION
SSS. Permit Chaparral H150SS
TTT. CHAPARRAL H150SS DRILL SITE MAP
UUU. Chaparral H150SS Location Map
VVV. CHAPARRAL H150UH PERMIT APPLICATION

WWW. Permit Chaparral H150UH
XXX. CHAPARRAL H150UH DRILL SITE MAP
YYY. Chaparral H150UH Location
ZZZ. CHAPARRAL H150WB PERMIT APPLICATION
AAAA. Permit Chaparral H150WB
BBBB. CHAPARRAL H150WB DRILL SITE MAP
CCCC. Chaparral H150WB Location Map
DDDD. CHAPARRAL OVERALL LOCATION MAP

Liliana Morales, Development Services - Oil and Gas	Created/Initiated - 7/17/2026
Garrick Clayton, Development Services - Oil and Gas	Approved - 7/22/2026
Elizabeth Triggs, Development Services	Approved - 8/4/2026
Linda Ochoa, Legal	Approved - 8/4/2026
Jose Ortiz, City Manager	Approved - 8/5/2026
Kathy Rauda, City Secretary	Final Approval - 8/5/2026

RESOLUTION NO. _____

RESOLUTION APPROVING THE ISSUANCE OF PERMITS TO PERMIAN DEEP ROCK OIL CO., LLC TO DRILL 20 OIL AND GAS WELLS LOCATED IN SECTION 15, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED BETWEEN 1,194 FEET AND 2,300 FEET EAST OF NORTH GARFIELD STREET AND BETWEEN 1,218 AND 1,800 FEET SOUTH OF WEST LOOP 250 NORTH)

WHEREAS, on December 8, 2009, the City Council of the City of Midland duly approved Ordinance No. 8769 which amended Title VI, "Police Regulations," Chapter 1, "General Offenses," of the City Code of Midland, Texas, so as to establish Section 23, "Oil and Gas Well Permits issued on or after January 1, 2010," which governs the granting or rejecting of Oil and Gas Well Permits; and

WHEREAS, the purpose of said section is to establish reasonable and uniform limitations, safeguards, and regulations for present and future operations related to the exploring, drilling, developing, producing, transporting and storing of oil or gas or other substances produced in association with oil and gas within the City of Midland to protect the health, safety, and general welfare of the public and the orderly development of the City of Midland; abate or prevent potential public nuisances; minimize the potential adverse impact to surface and mineral owners, protect the quality of the environment and encourage the orderly production of available mineral resources; and

WHEREAS, Section 6-1-23(C) of the City Code of Midland, Texas, makes it an offense to knowingly drill or participate in the drilling of any well or to re-enter any well within the corporate limits of the City of Midland without a permit having first been issued by the authority of the City Council; and

WHEREAS, Permian Deep Rock Oil Co., LLC ("Operator") has submitted applications to the City of Midland to drill oil and gas wells on the property described in Section Two hereof; and

WHEREAS, notice of the public hearing on this matter was provided in accordance with Section 6-1-23(H)(1) and a public hearing was held on June 23, 2026; and

WHEREAS, subsequent to said public hearing, and in accordance with Section 6-1-23(H)(1), the City Council allowed the public and Operator thirty (30) days to submit written input to the City Manager regarding Operator's applications to drill oil and gas wells on the property described in Section Two hereof; and

WHEREAS, the City Council has considered those issues set forth in Section 6-1-23(I) in determining whether to grant or deny permits to Operator to drill oil and gas wells on the property described in Section Two hereof; and

WHEREAS, the City Council finds it to be in the public interest to approve the issuance of permits to Operator to drill oil and gas wells on the property described in Section Two hereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the above recitals are hereby adopted and approved by the City Council of the City of Midland.

SECTION TWO. That the Mayor is hereby authorized and directed to execute permits, on behalf of the City of Midland, that will allow Operator to drill the following oil and gas wells:

> Chaparral 120 MIPA Unit H120LS; Chaparral 120 MIPA Unit H120MS; Chaparral 120 MIPA Unit H120UH; Chaparral 120 MIPA Unit H120WB; Chaparral H125WA; Chaparral H130LS; Chaparral H130SS; Chaparral H130UH; Chaparral H130WB; Chaparral H135WA; Chaparral H140LS; Chaparral H140MS; Chaparral H140UH; Chaparral H140WB; Chaparral H145WA; Chaparral H150LS; Chaparral H150SS; Chaparral H150UH; Chaparral H150WB; and Chaparral H105WA;

located in Section 15, Block 39, T-1-S, T&P RR Co. Survey, City of Midland, Midland County, Texas. Said permits shall be in forms substantially similar to those attached hereto as Exhibits A through T and incorporated herein for all legal purposes.

On motion of Council member _____, seconded by Council member _____, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the _____ day of _____, A.D., 2026, by the following vote:

Council members voting "AYE":

Council members voting “NAY”:

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

RECOMMENDED AND APPROVED:

_____
Tommy Gonzalez, City Manager

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, City Attorney

EXHIBIT A

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on August 11, 2026 considered the application of Permian Deep Rock Oil Co., LLC ("Operator") dated May 4, 2026, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Chaparral 120 MIPA Unit H120LS oil and gas well shall be 1,398 feet from the north line and 2,300 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from August 11, 2026 through August 11, 2027, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND THE CITY OF MIDLAND, THE CITY'S OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY OF ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF OR IN CONNECTION WITH THE WORK DONE BY OPERATOR UNDER AN OIL AND GAS WELL PERMIT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY OPERATOR'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF THE OPERATOR AND ANY OTHER PERSON OR ENTITY.

A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. Twenty-four hour hydraulic fracturing operations are permitted.

2. In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

3. Landscaping and irrigation shall conform to the surface use agreement.

4. Drill cuttings shall be removed from the surface location.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A

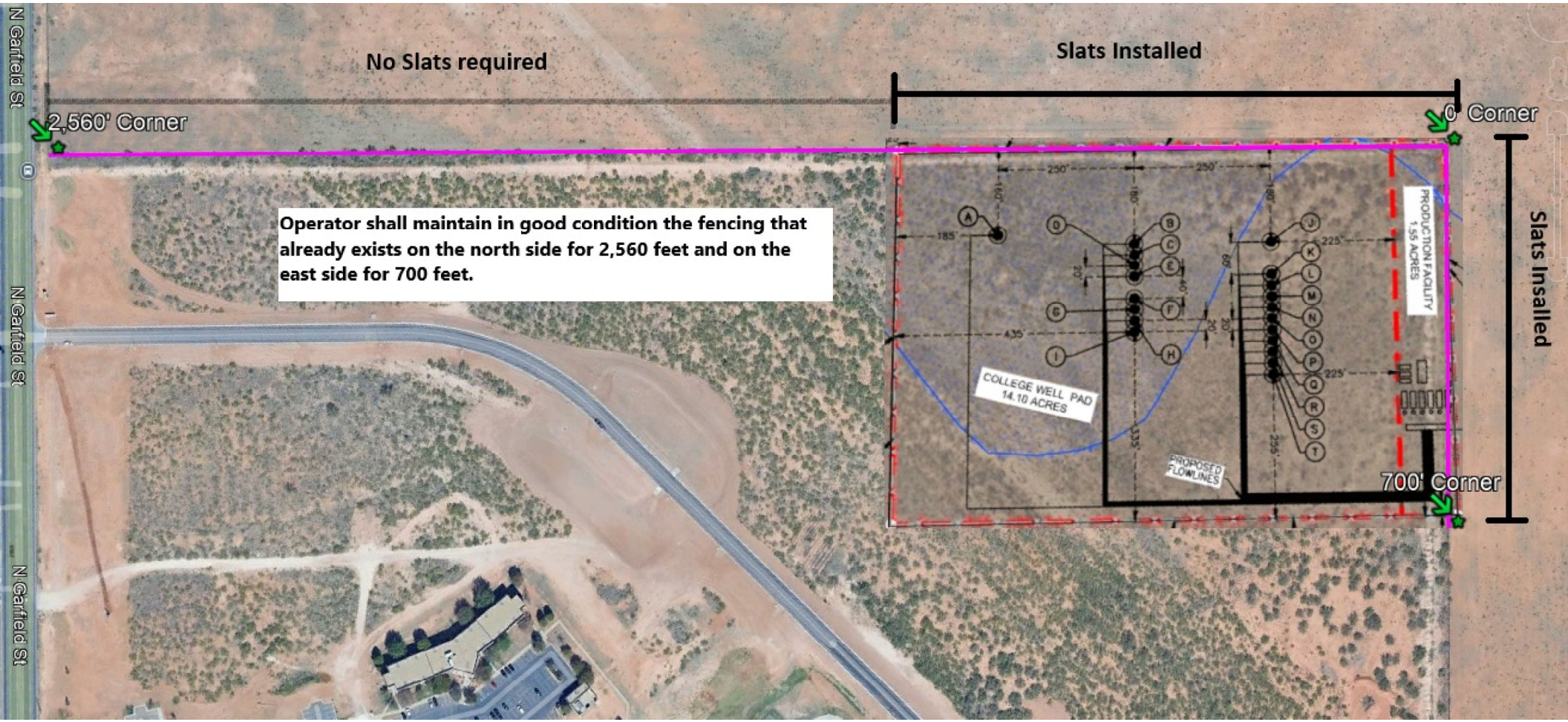
No Slats required
Slats Installed
2,560' Corner
0' Corner
Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet.
N Garfield St
N Garfield St
N Garfield St
COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
700' Corner
Slats Installed

EXHIBIT B

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on August 11, 2026 considered the application of Permian Deep Rock Oil Co., LLC ("Operator") dated May 4, 2026, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Chaparral 120 MIPA Unit H120MS oil and gas well shall be 1,438 feet from the north line and 2,300 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from August 11, 2026 through August 11, 2027, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

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Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

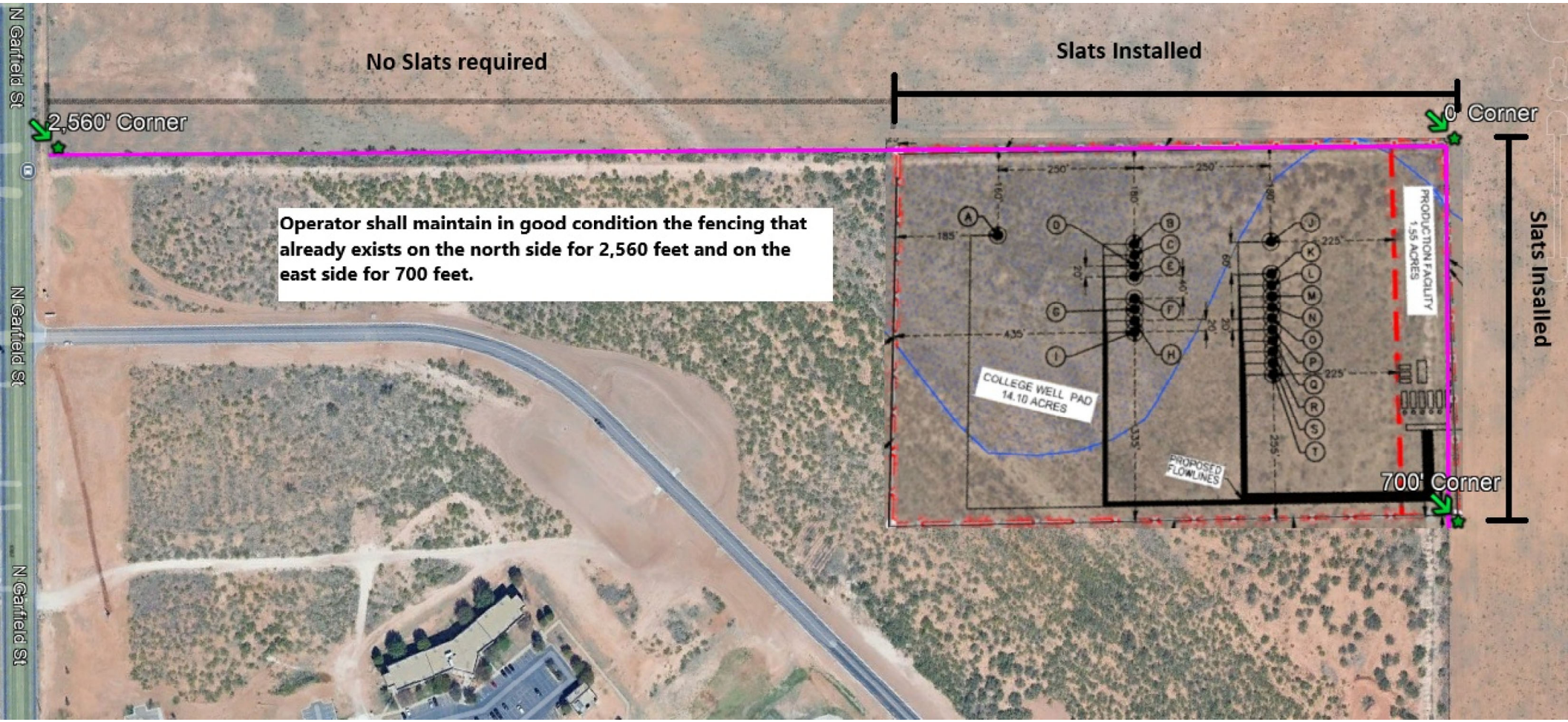
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A


No Slats required
Slats Installed
2,560' Corner
0' Corner
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N Garfield St
N Garfield St
COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
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Slats Installed

EXHIBIT C

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on August 11, 2026 considered the application of Permian Deep Rock Oil Co., LLC ("Operator") dated May 4, 2026, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Chaparral 120 MIPA Unit H120UH oil and gas well shall be 1,298 feet from the north line and 2,300 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from August 11, 2026 through August 11, 2027, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND THE CITY OF MIDLAND, THE CITY'S OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY OF ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF OR IN CONNECTION WITH THE WORK DONE BY OPERATOR UNDER AN OIL AND GAS WELL PERMIT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY OPERATOR'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF THE OPERATOR AND ANY OTHER PERSON OR ENTITY.

A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. Twenty-four hour hydraulic fracturing operations are permitted.

2. In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

3. Landscaping and irrigation shall conform to the surface use agreement.

4. Drill cuttings shall be removed from the surface location.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

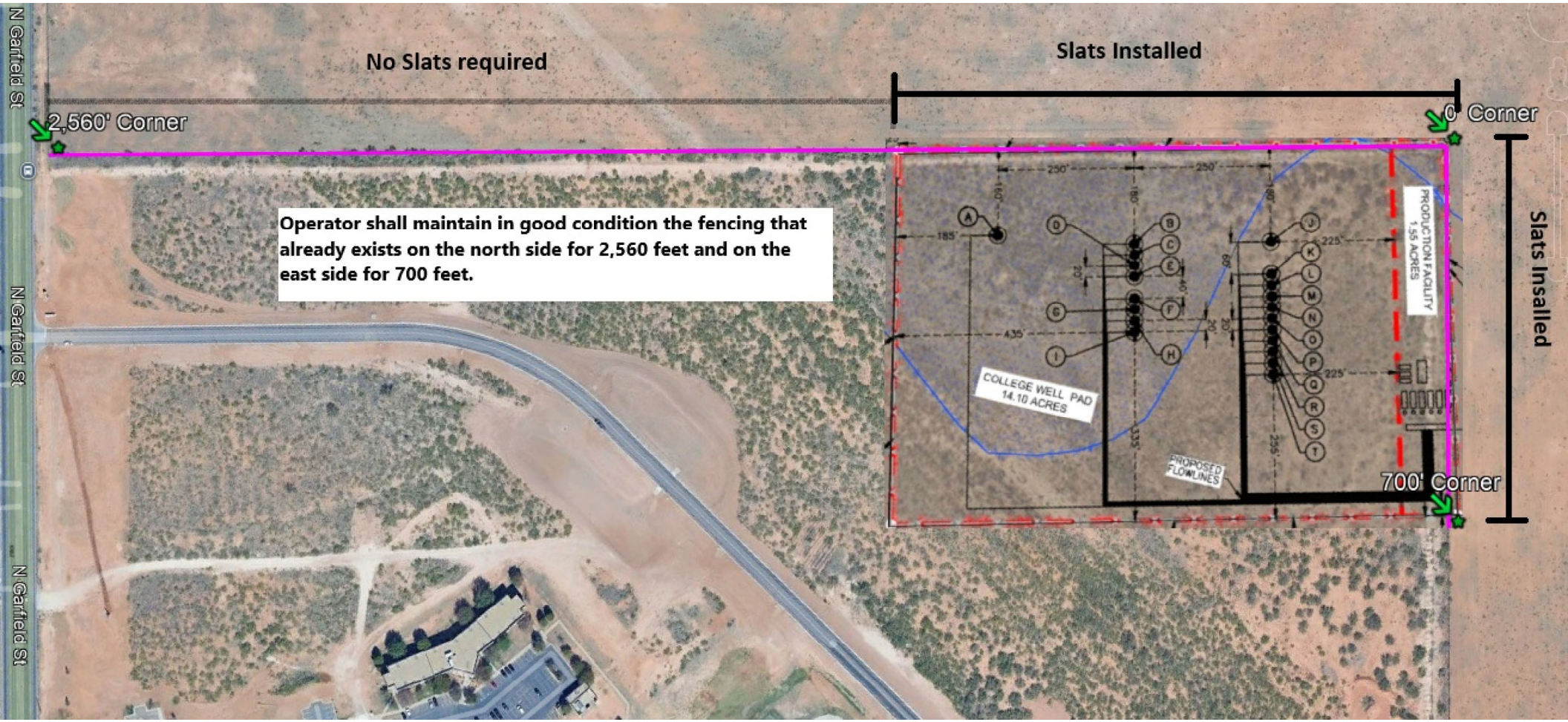
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A


No Slats required
Slats Installed
2,560' Corner
0' Corner
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N Garfield St
N Garfield St
N Garfield St
COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
700' Corner
Slats Installed

EXHIBIT D

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on August 11, 2026 considered the application of Permian Deep Rock Oil Co., LLC ("Operator") dated May 4, 2026, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

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The location of Operator's Chaparral 120 MIPA Unit H120WB oil and gas well shall be 1,338 feet from the north line and 2,300 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from August 11, 2026 through August 11, 2027, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

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This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

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A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. Twenty-four hour hydraulic fracturing operations are permitted.

2. In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

3. Landscaping and irrigation shall conform to the surface use agreement.

4. Drill cuttings shall be removed from the surface location.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

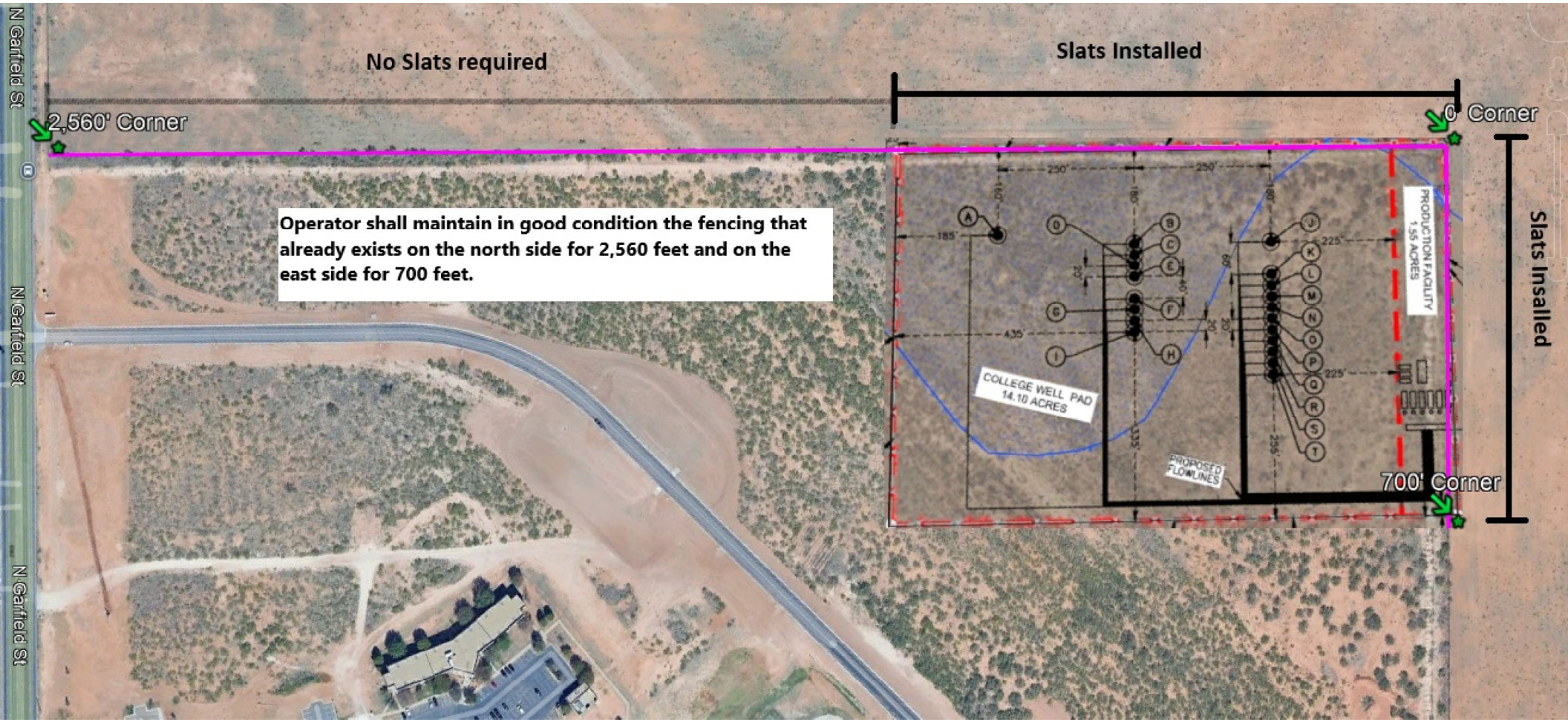
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A


No Slats required
Slats Installed
2,560' Corner
0' Corner
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N Garfield St
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COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
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EXHIBIT E

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on August 11, 2026 considered the application of Permian Deep Rock Oil Co., LLC ("Operator") dated May 4, 2026, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Chaparral H125WA oil and gas well shall be 1,218 feet from the north line and 2,300 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from August 11, 2026 through August 11, 2027, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

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If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. Twenty-four hour hydraulic fracturing operations are permitted.

2. In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

3. Landscaping and irrigation shall conform to the surface use agreement.

4. Drill cuttings shall be removed from the surface location.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

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GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

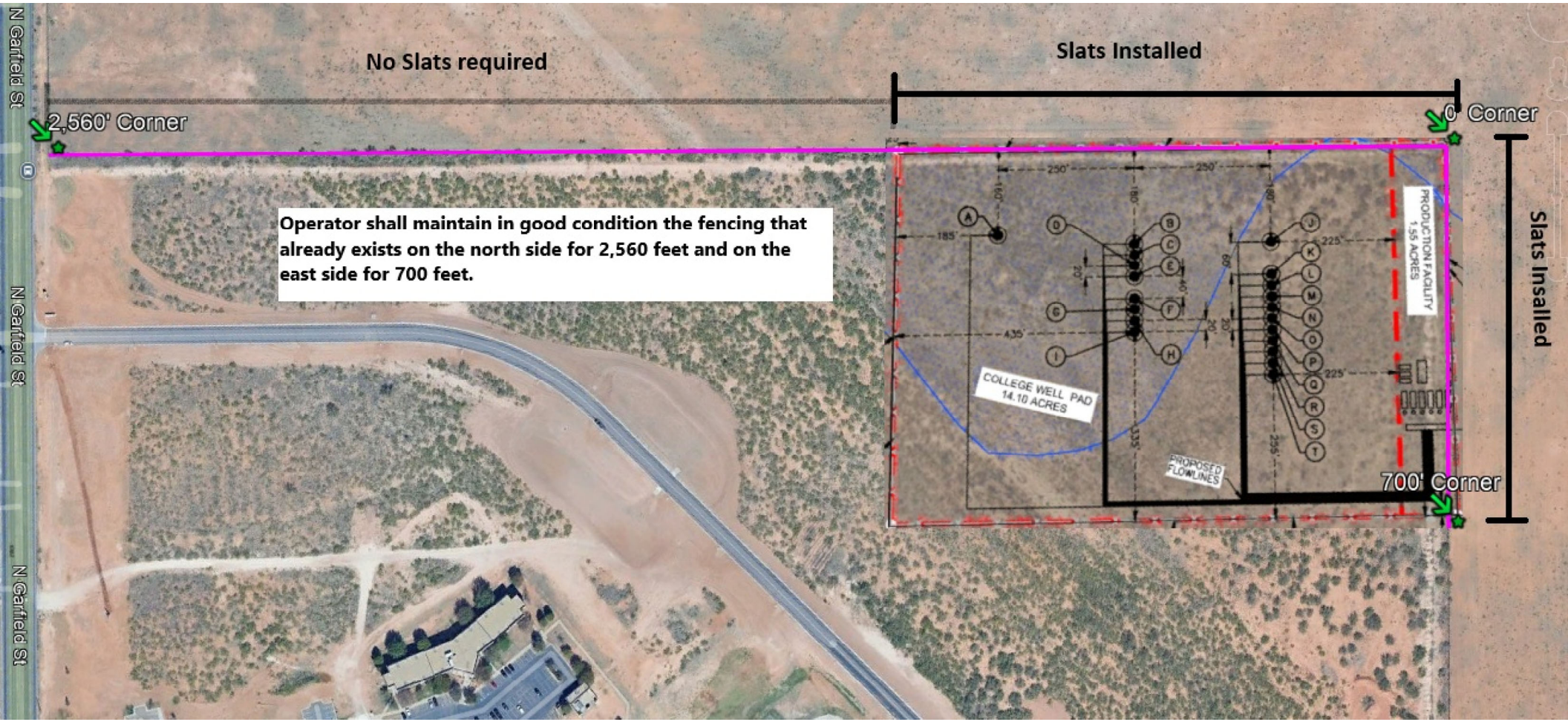
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A


No Slats required
Slats Installed
2,560' Corner
0' Corner
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N Garfield St
N Garfield St
N Garfield St
COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
700' Corner
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EXHIBIT F

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The location of Operator's Chaparral H130LS oil and gas well shall be 1,358 feet from the north line and 2,300 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

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Kyle M. Hammond

General Manager

Exhibit A

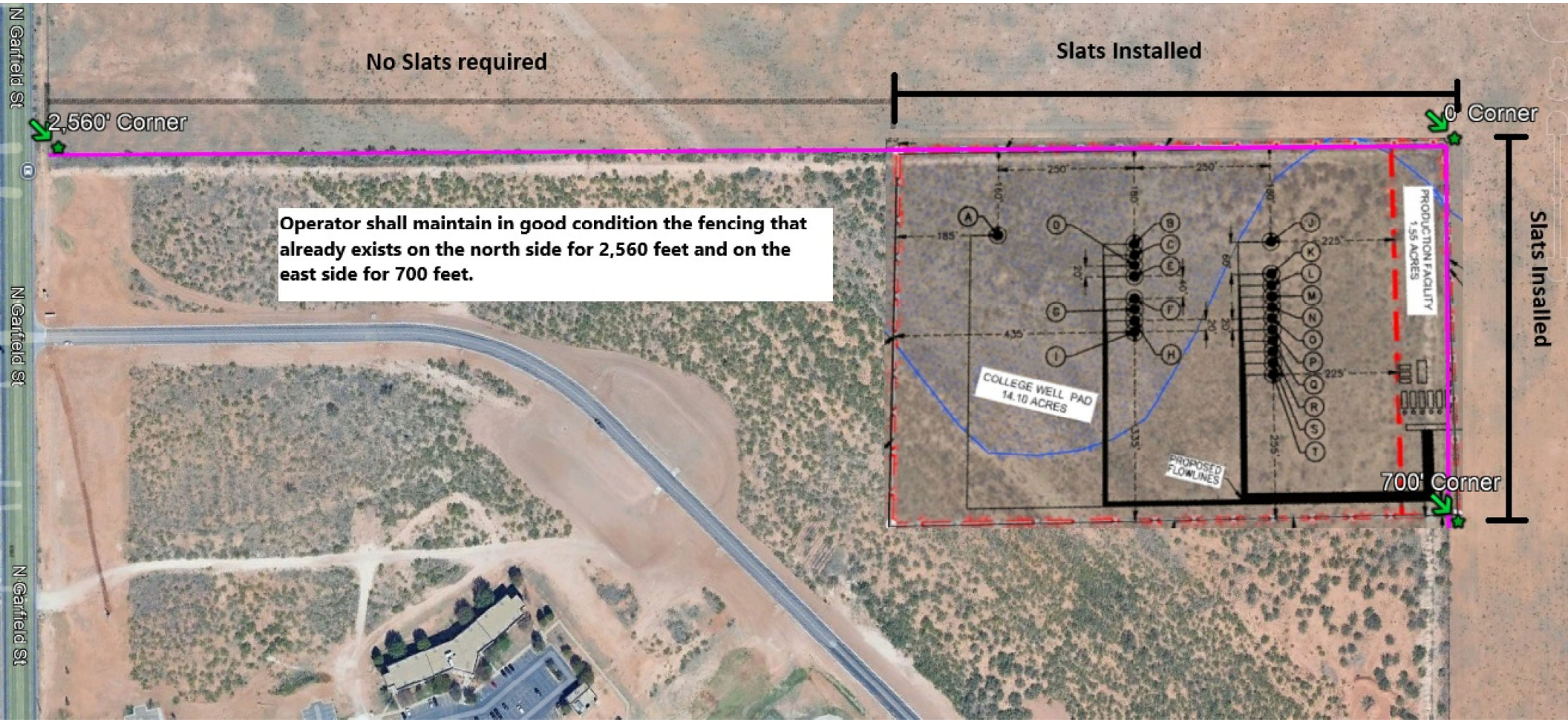

No Slats required
Slats Installed
2,560' Corner
0' Corner
Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet.
N Garfield St
N Garfield St
N Garfield St
COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
700' Corner
Slats Installed

EXHIBIT G

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on August 11, 2026 considered the application of Permian Deep Rock Oil Co., LLC ("Operator") dated May 4, 2026, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Chaparral H130SS oil and gas well shall be 1,378 feet from the north line and 2,300 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from August 11, 2026 through August 11, 2027, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND THE CITY OF MIDLAND, THE CITY'S OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY OF ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF OR IN CONNECTION WITH THE WORK DONE BY OPERATOR UNDER AN OIL AND GAS WELL PERMIT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY OPERATOR'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF THE OPERATOR AND ANY OTHER PERSON OR ENTITY.

A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. Twenty-four hour hydraulic fracturing operations are permitted.

2. In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

3. Landscaping and irrigation shall conform to the surface use agreement.

4. Drill cuttings shall be removed from the surface location.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

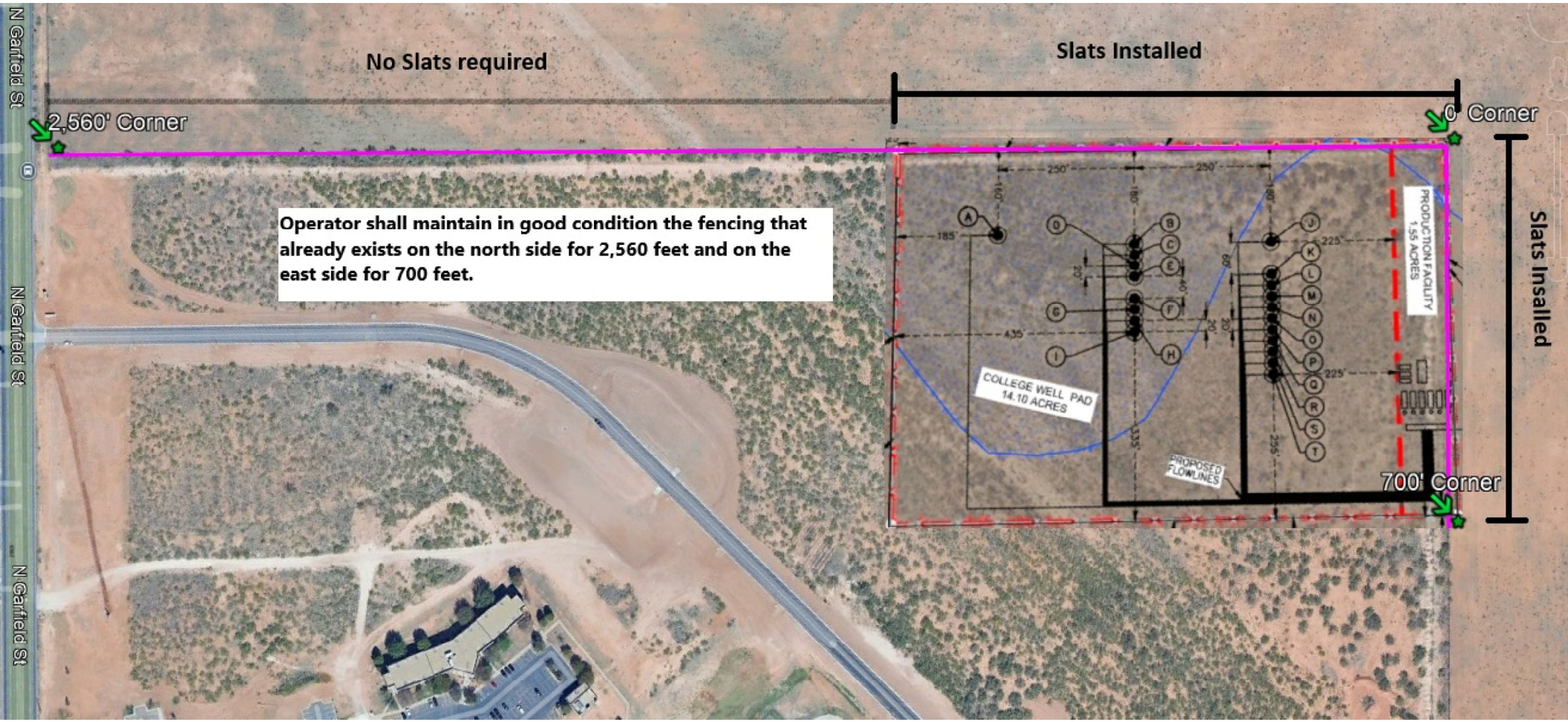
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A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0' Corner
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N Garfield St
COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
700' Corner
Slats Installed

EXHIBIT H

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on August 11, 2026 considered the application of Permian Deep Rock Oil Co., LLC ("Operator") dated May 4, 2026, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Chaparral H130UH oil and gas well shall be 1,278 feet from the north line and 2,300 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from August 11, 2026 through August 11, 2027, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

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A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. Twenty-four hour hydraulic fracturing operations are permitted.

2. In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

3. Landscaping and irrigation shall conform to the surface use agreement.

4. Drill cuttings shall be removed from the surface location.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A

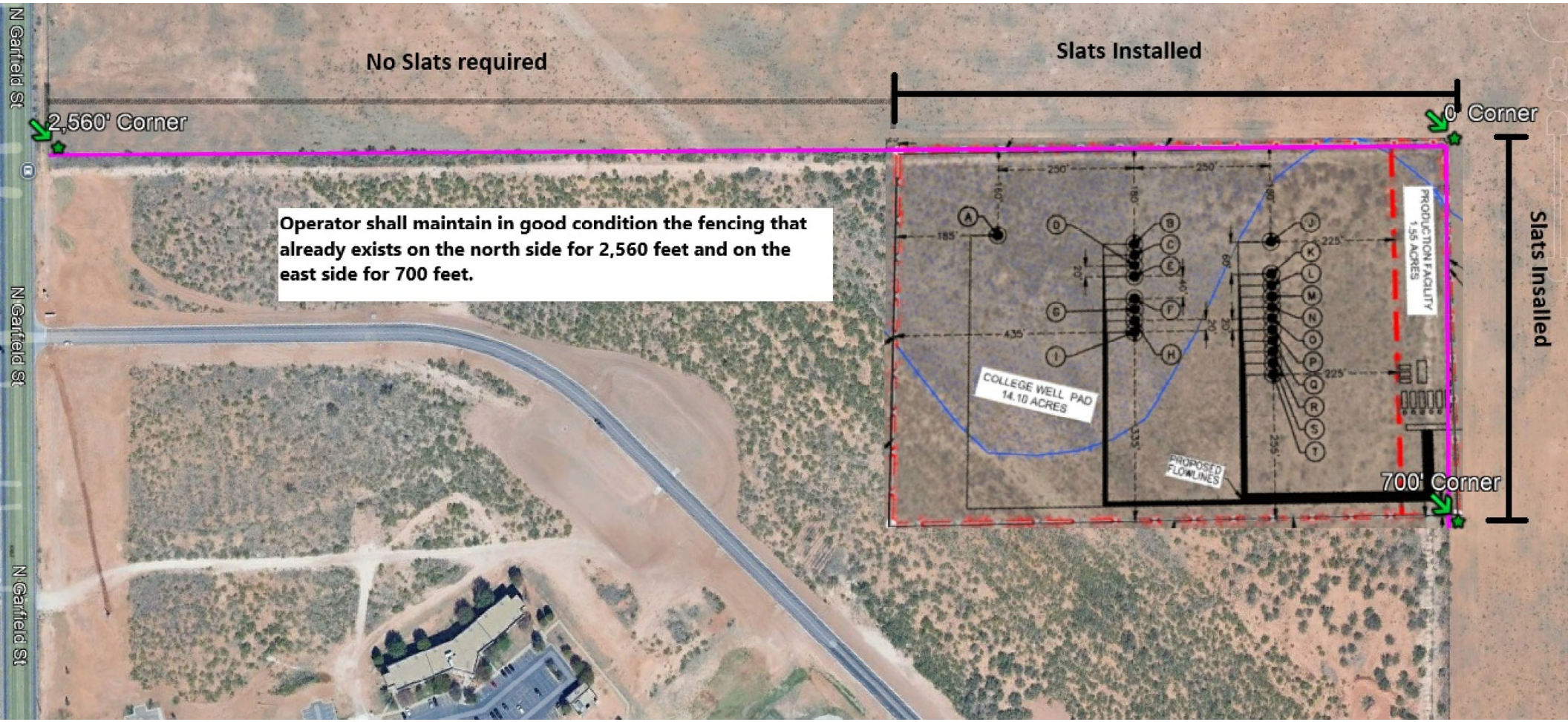
No Slats required
Slats Installed
2,560' Corner
0' Corner
Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet.
Slats Installed
700' Corner
COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
N Garfield St
N Garfield St
N Garfield St

EXHIBIT I

OIL AND GAS WELL PERMIT

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The location of Operator's Chaparral H130WB oil and gas well shall be 1,318 feet from the north line and 2,300 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from August 11, 2026 through August 11, 2027, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

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A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. Twenty-four hour hydraulic fracturing operations are permitted.

2. In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

3. Landscaping and irrigation shall conform to the surface use agreement.

4. Drill cuttings shall be removed from the surface location.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

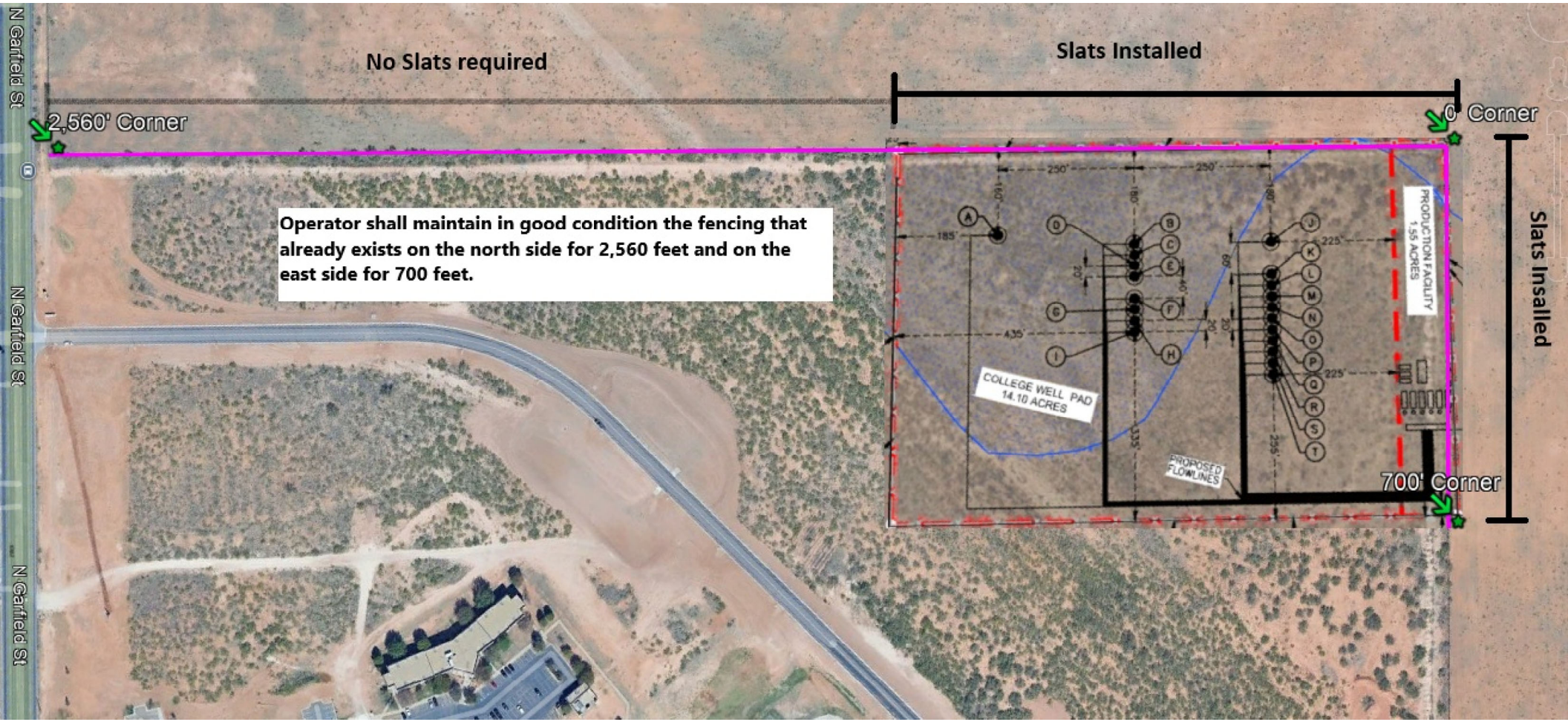
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A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N Garfield St
N Garfield St
N Garfield St
COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
700' Corner
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EXHIBIT J

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on August 11, 2026 considered the application of Permian Deep Rock Oil Co., LLC ("Operator") dated May 4, 2026, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

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The location of Operator's Chaparral H135WA oil and gas well shall be 1,418 feet from the north line and 2,300 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

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In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A

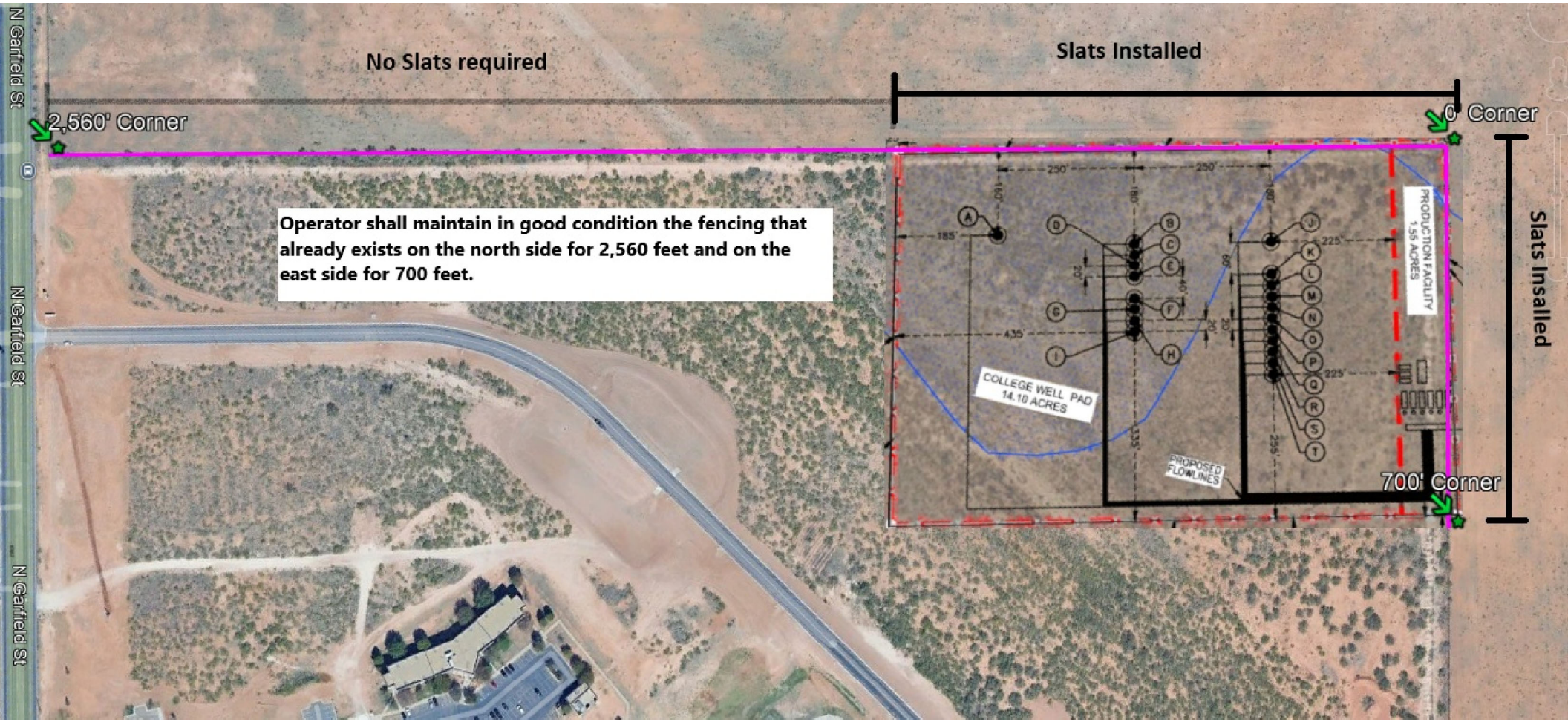
No Slats required
Slats Installed
2,560' Corner
0' Corner
Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet.
N Garfield St
N Garfield St
N Garfield St
COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
700' Corner
Slats Installed

EXHIBIT K

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on August 11, 2026 considered the application of Permian Deep Rock Oil Co., LLC ("Operator") dated May 4, 2026, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Chaparral H140LS oil and gas well shall be 1,236 feet from the north line and 2,050 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from August 11, 2026 through August 11, 2027, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND THE CITY OF MIDLAND, THE CITY'S OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY OF ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF OR IN CONNECTION WITH THE WORK DONE BY OPERATOR UNDER AN OIL AND GAS WELL PERMIT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY OPERATOR'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF THE OPERATOR AND ANY OTHER PERSON OR ENTITY.

A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. Twenty-four hour hydraulic fracturing operations are permitted.

2. In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

3. Landscaping and irrigation shall conform to the surface use agreement.

4. Drill cuttings shall be removed from the surface location.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

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CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

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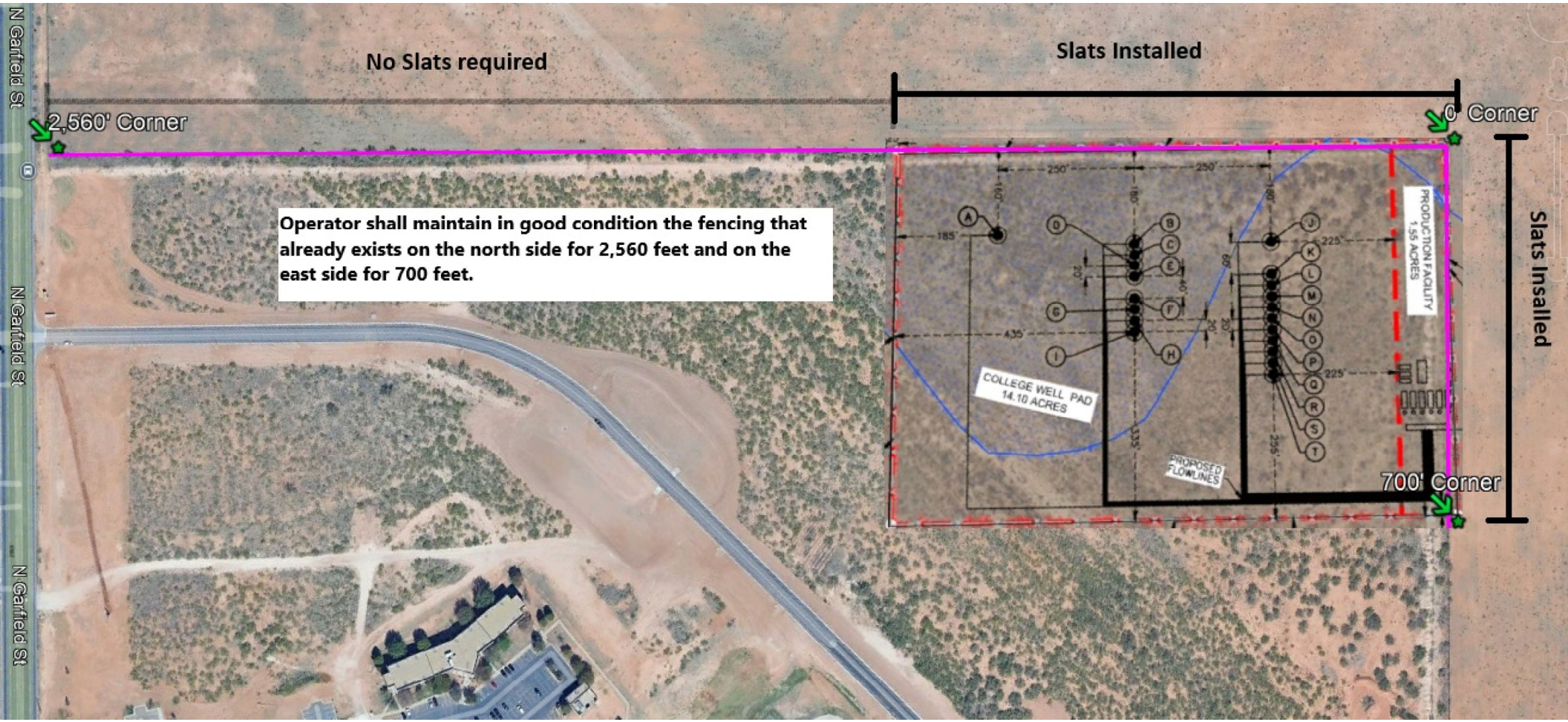
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Slats Installed
2,560' Corner
0' Corner
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N Garfield St
N Garfield St
COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
700' Corner
Slats Installed

EXHIBIT L

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on August 11, 2026 considered the application of Permian Deep Rock Oil Co., LLC ("Operator") dated May 4, 2026, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Chaparral H140MS oil and gas well shall be 1,256 feet from the north line and 2,050 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from August 11, 2026 through August 11, 2027, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

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A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. Twenty-four hour hydraulic fracturing operations are permitted.

2. In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

3. Landscaping and irrigation shall conform to the surface use agreement.

4. Drill cuttings shall be removed from the surface location.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

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GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

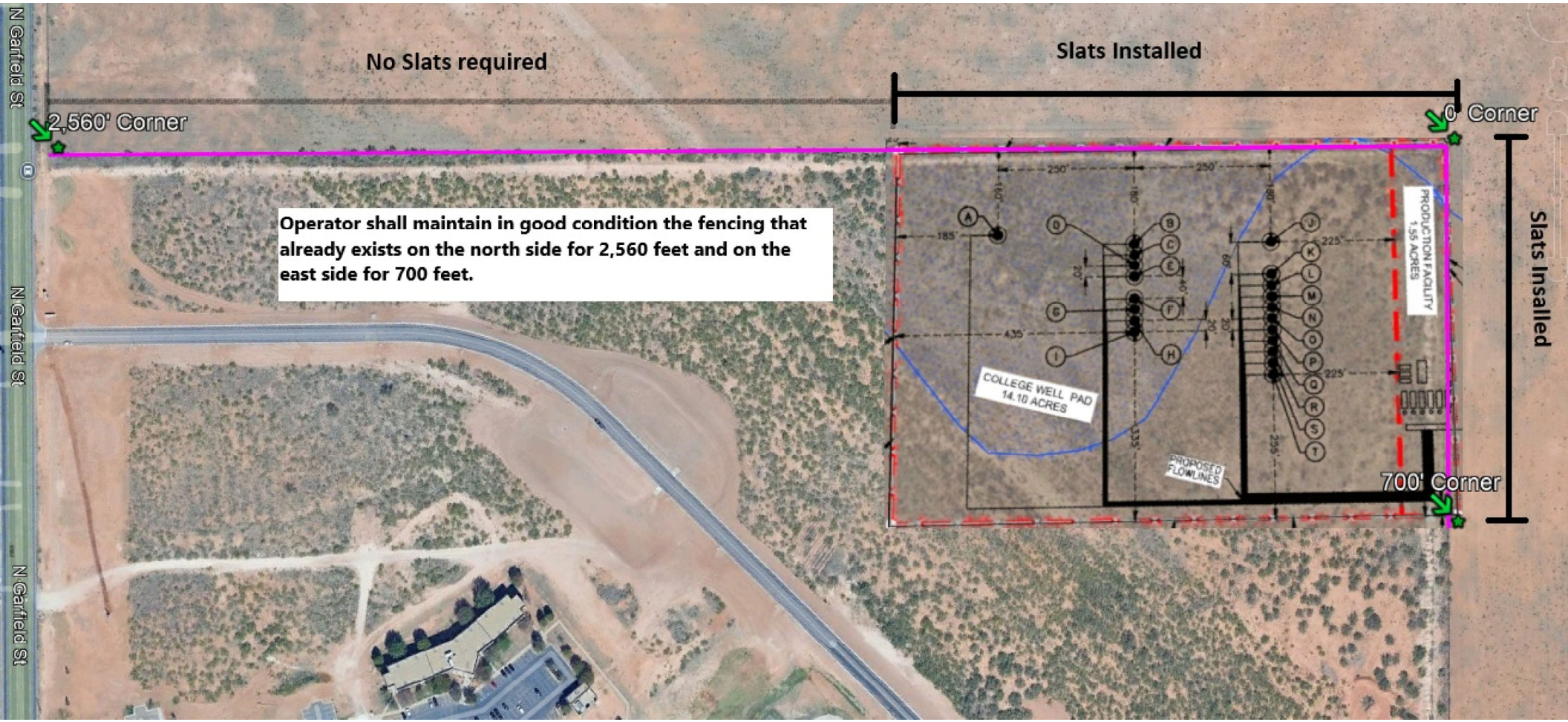
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A


No Slats required
Slats Installed
2,560' Corner
0' Corner
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N Garfield St
N Garfield St
N Garfield St
COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
700' Corner
Slats Installed

EXHIBIT M

OIL AND GAS WELL PERMIT

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The location of Operator's Chaparral H140UH oil and gas well shall be 1,458 feet from the north line and 2,300 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

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The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

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A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

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Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. Twenty-four hour hydraulic fracturing operations are permitted.

2. In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

3. Landscaping and irrigation shall conform to the surface use agreement.

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By: _____

Kyle M. Hammond

General Manager

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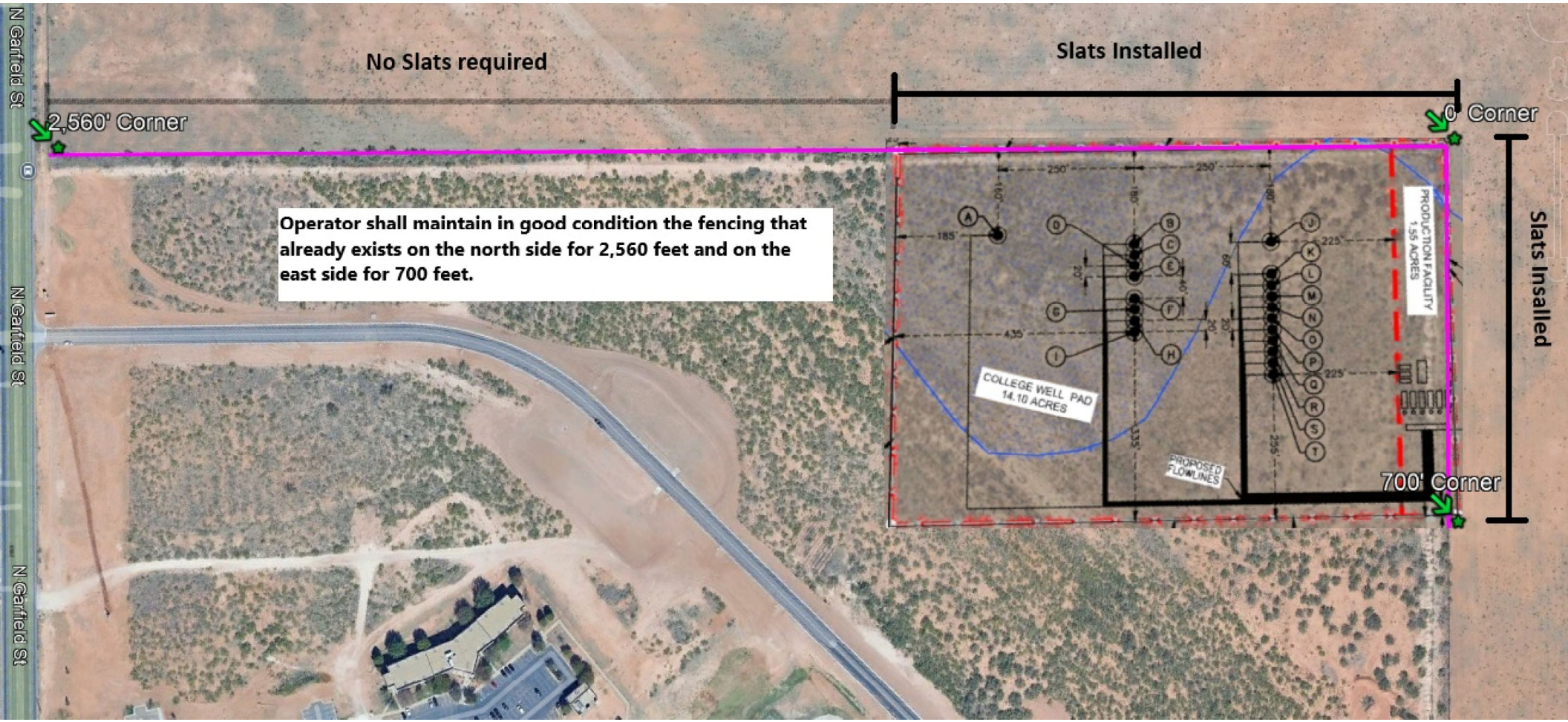
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Slats Installed
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COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
N Garfield St
N Garfield St
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EXHIBIT N

OIL AND GAS WELL PERMIT

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The location of Operator's Chaparral H140WB oil and gas well shall be 1,216 feet from the north line and 2,050 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

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2. In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

3. Landscaping and irrigation shall conform to the surface use agreement.

4. Drill cuttings shall be removed from the surface location.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

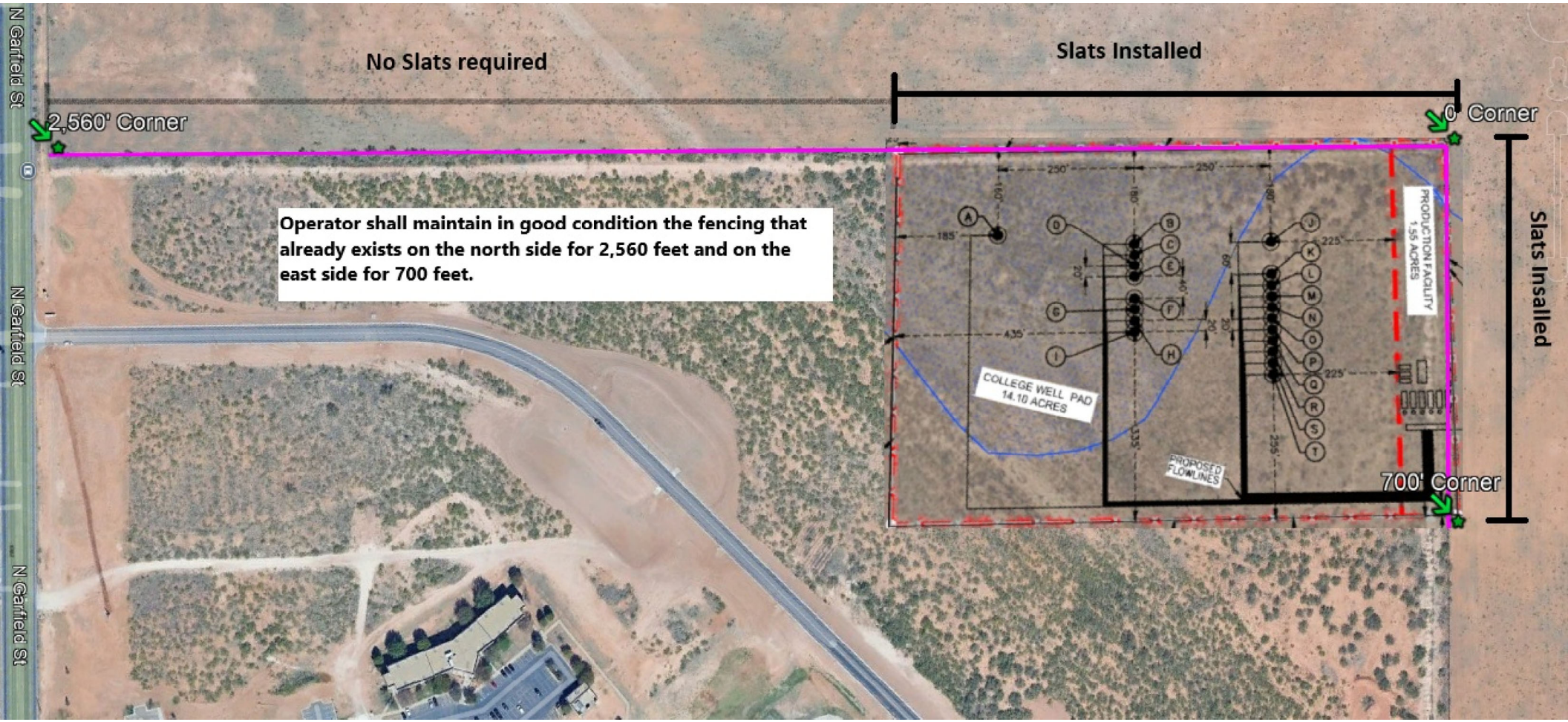
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A


No Slats required
Slats Installed
2,560' Corner
0' Corner
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N Garfield St
N Garfield St
N Garfield St
COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
700' Corner
Slats Installed

EXHIBIT O

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on August 11, 2026 considered the application of Permian Deep Rock Oil Co., LLC ("Operator") dated May 4, 2026, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Chaparral H145WA oil and gas well shall be 1,276 feet from the north line and 2,050 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from August 11, 2026 through August 11, 2027, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND THE CITY OF MIDLAND, THE CITY'S OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY OF ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF OR IN CONNECTION WITH THE WORK DONE BY OPERATOR UNDER AN OIL AND GAS WELL PERMIT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY OPERATOR'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF THE OPERATOR AND ANY OTHER PERSON OR ENTITY.

A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. Twenty-four hour hydraulic fracturing operations are permitted.

2. In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

3. Landscaping and irrigation shall conform to the surface use agreement.

4. Drill cuttings shall be removed from the surface location.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

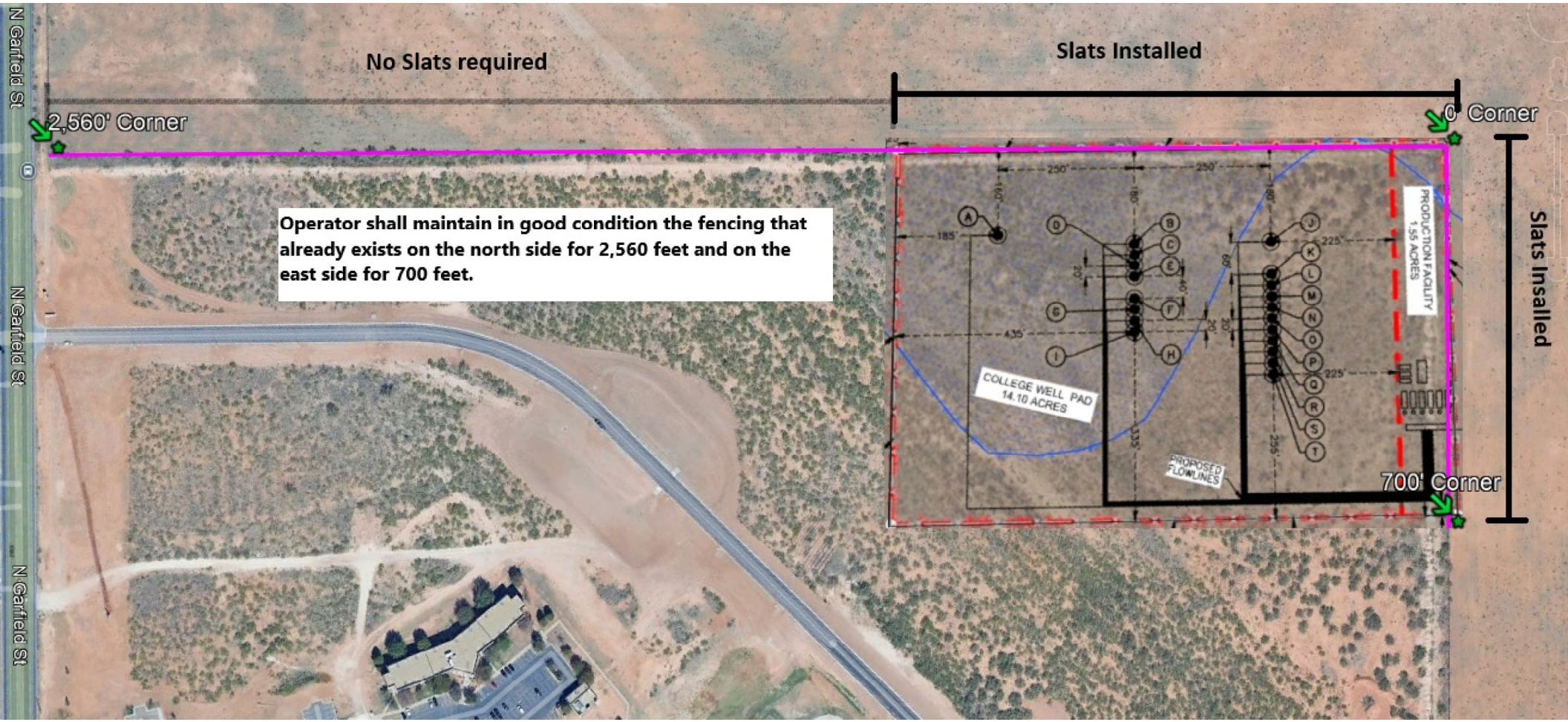
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A


No Slats required
Slats Installed
2,560' Corner
0' Corner
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N Garfield St
N Garfield St
N Garfield St
COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
700' Corner
Slats Installed

EXHIBIT P

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on August 11, 2026 considered the application of Permian Deep Rock Oil Co., LLC ("Operator") dated May 4, 2026, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Chaparral H150LS oil and gas well shall be 1,356 feet from the north line and 2,050 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from August 11, 2026 through August 11, 2027, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

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A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. Twenty-four hour hydraulic fracturing operations are permitted.

2. In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

3. Landscaping and irrigation shall conform to the surface use agreement.

4. Drill cuttings shall be removed from the surface location.

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GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

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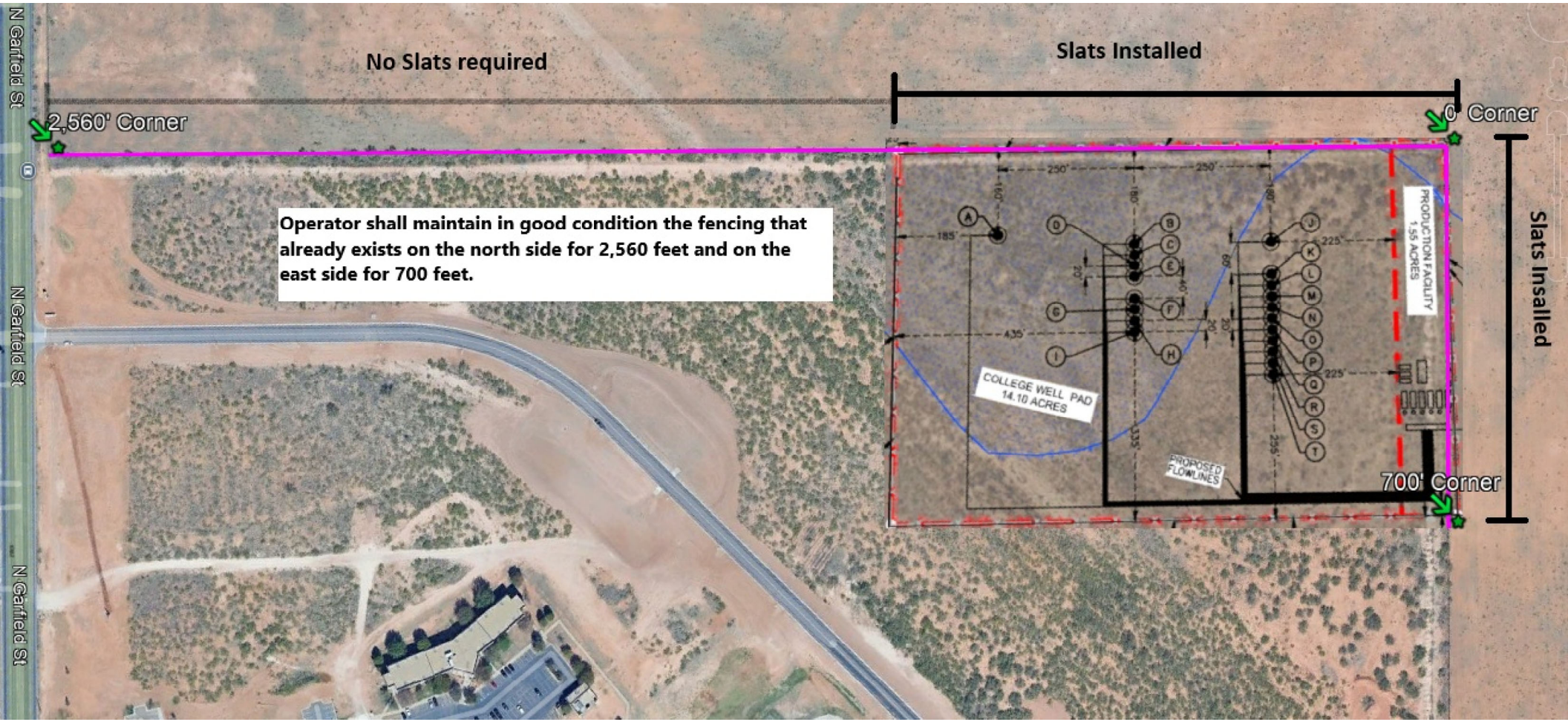
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A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N Garfield St
N Garfield St
COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
700' Corner
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EXHIBIT Q

OIL AND GAS WELL PERMIT

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The location of Operator's Chaparral H150SS oil and gas well shall be 1,376 feet from the north line and 2,050 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

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The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

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GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

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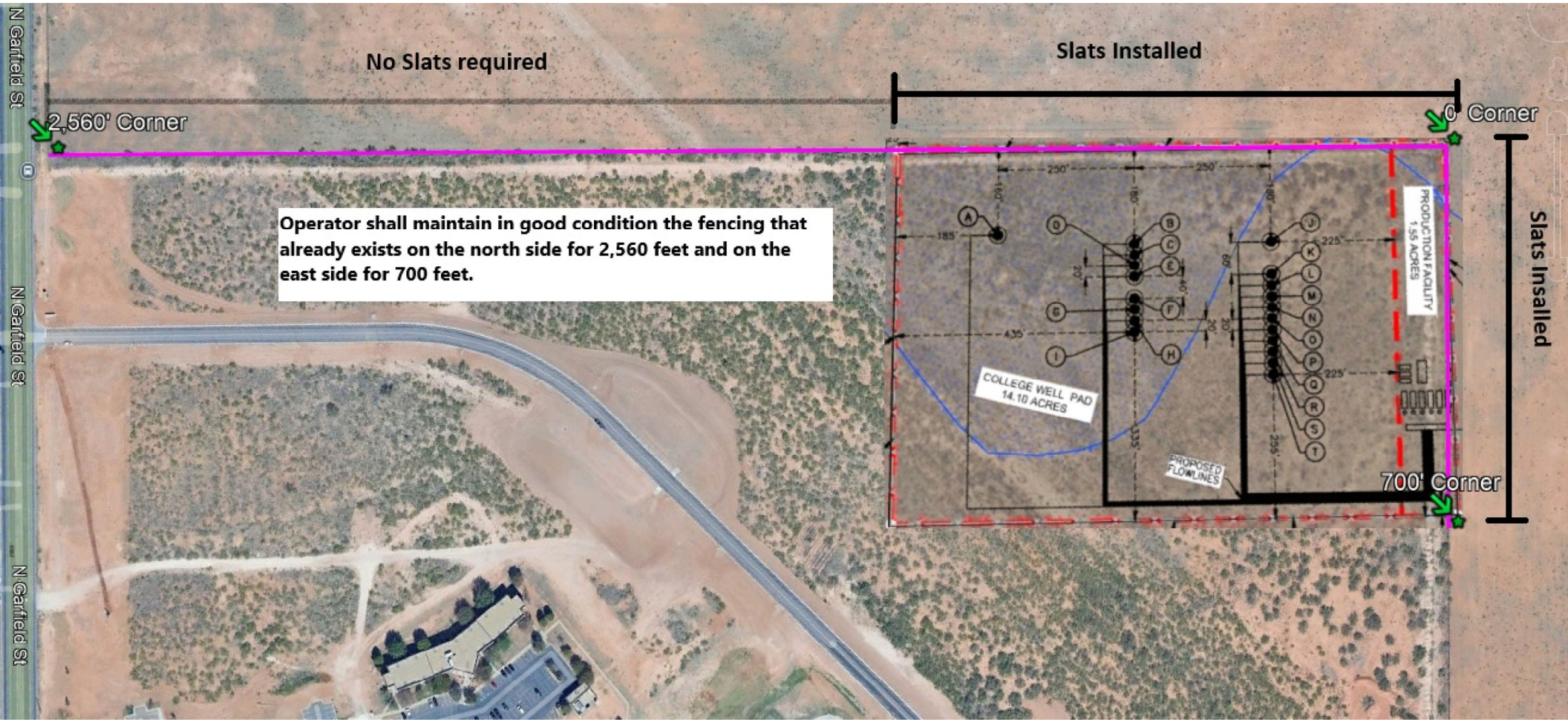
No Slats required
Slats Installed
2,560' Corner
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N Garfield St
N Garfield St
N Garfield St
COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
700' Corner
Slats Installed

EXHIBIT R

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The location of Operator's Chaparral H150UH oil and gas well shall be 1,316 feet from the north line and 2,050 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

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3. Landscaping and irrigation shall conform to the surface use agreement.

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BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

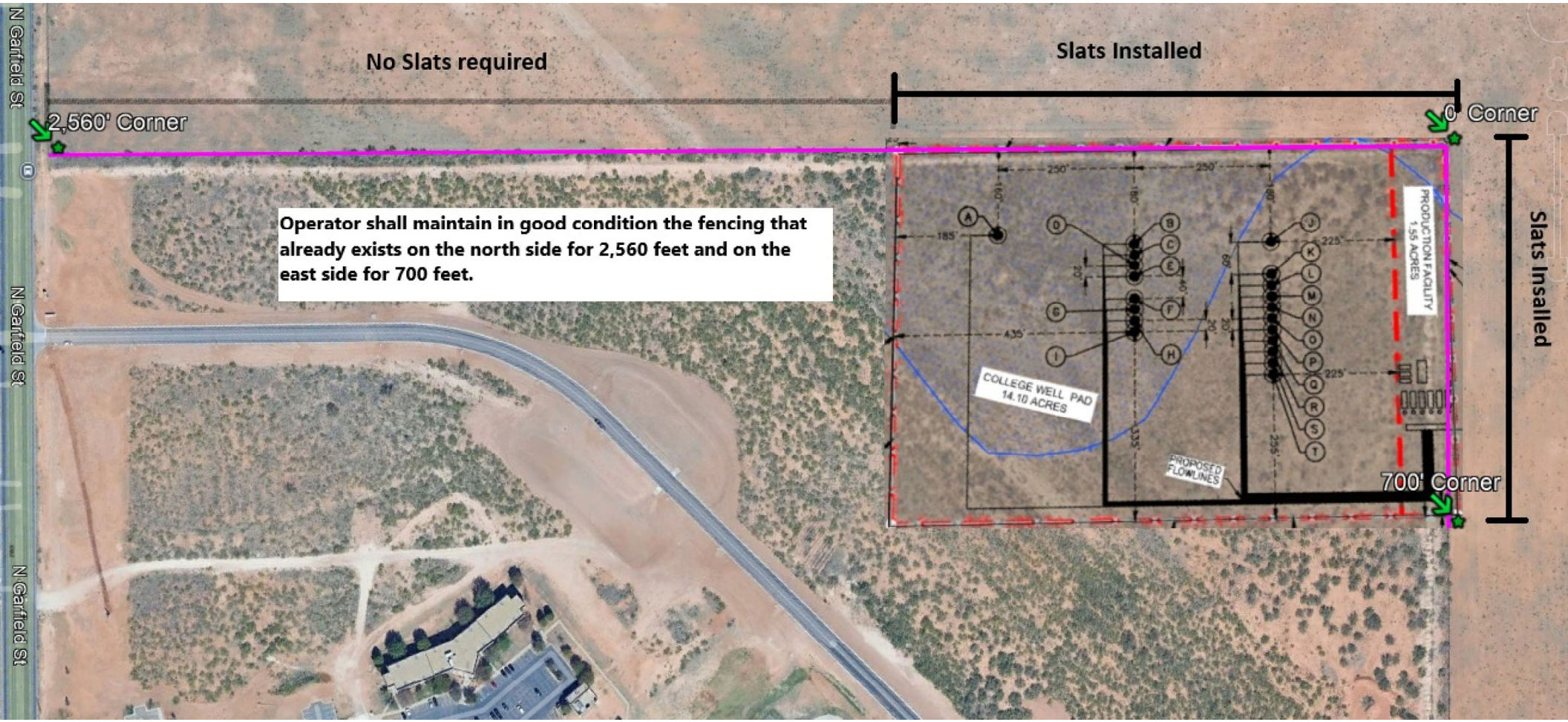
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A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This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Chaparral H150WB oil and gas well shall be 1,336 feet from the north line and 2,050 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

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General Manager

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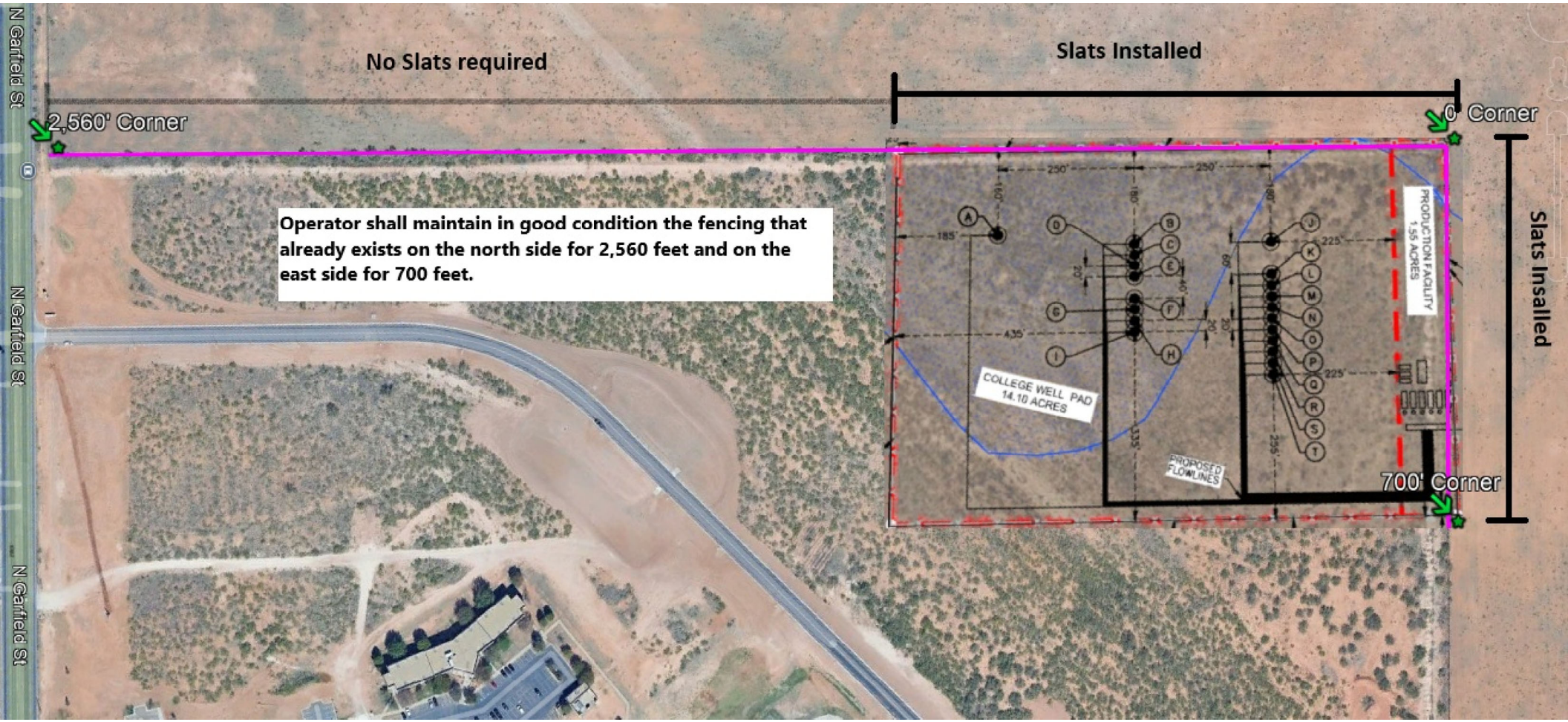
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The location of Operator's Chaparral H105WA oil and gas well shall be 1,800 feet from the north line and 1,194 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

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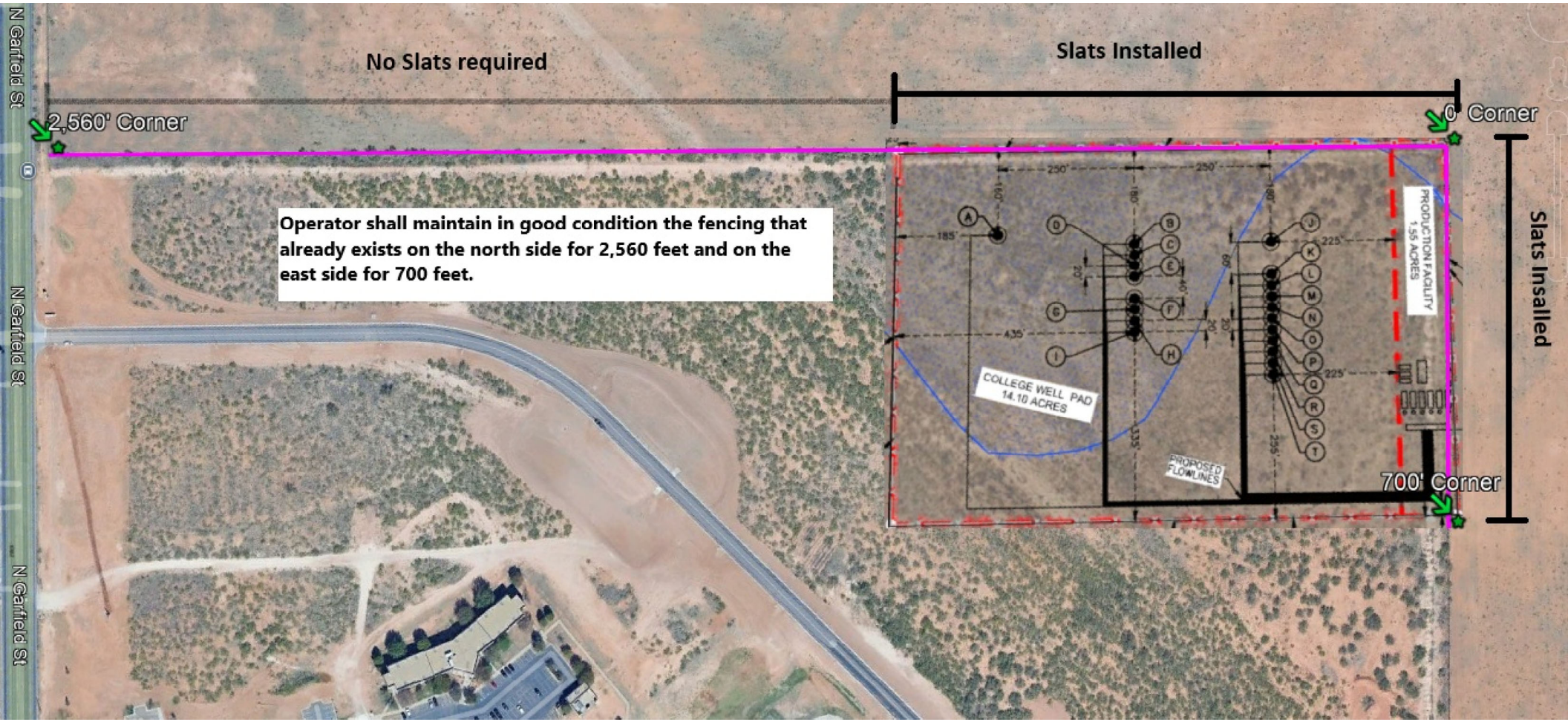
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APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
05/04/2026	Permian Deep Rock Oil Co., LLC	P.O. Box 11405 Midland, TX 79702

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
Kyle M. Hammond	500 W. Wall St. Ste 300 Midland, TX 79701	432-682-6685 Rep. Fax 432-684-4519
Fee: $4,000.00 Rec'd Yes ✓ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A:

24/7 Answering Services - No. 1 (Tele.): **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):*** See Exhibit "A"

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):

See Exhibit "A"

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** See Exhibit "B"

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1.

2.

3.

ATTACHED AS EXHIBIT C **is** List of subdivisions

See Exhibit "C"

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):
Undeveloped land on Midland College campus

See Exhibit "D"

ATTACHED AS EXHIBIT D **is** ,

Current Tax Roll from Midland Central Appraisal District), **which lists**

the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Chaparral 120 MIPA Unit H120LS

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

See Exhibit "G"

Legal Description of Proposed Well Site: SHL: 1,398' FNL & 2,300' FWL, Section 15
Block 39, T1S, T&PRR Co. Survey, Midland County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations).* [See § J(16) and (20)].**

***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

***ATTACHED AS EXHIBIT K (if applicable)* is the list of alternative locations developed in consultation with the Oil & Gas Advisory Committee. [See § J(27)].**

***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M*: Road use and repair agreement attached**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: None

(2) Operations: Oncor

Description of water source to be used during Drilling: Water is to be piped in from our water wells, drill additional water wells or truck fresh water in. All brine water will be trucked in.

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

See Exhibit "N"

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]: Trench and encapsulate per TXRRC Rule 27(c)(10)(v)

See Exhibit "O"

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* : Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by applicant are current. (See § J(29)**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

***ATTACHED AS EXHIBIT S (if applicable)* is the Drainage Plan relating to Applicant's proposed operations. [See § J(21)].**

***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

ATTACHED AS EXHIBIT V: Applicants variances

Permian Deep Rock Oil Compnay
[NAME OF COMPANY]

By _____
Its General Manager

State of Texas)

County of Midland)

Kyle Hammond, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

Estella Peña
Notary Public, State of Texas

[S E A L]

ESTELLA PENA
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 08/03/29
NOTARY ID 131233618

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A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. Twenty-four hour hydraulic fracturing operations are permitted.

2. In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

3. Landscaping and irrigation shall conform to the surface use agreement.

4. Drill cuttings shall be removed from the surface location.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

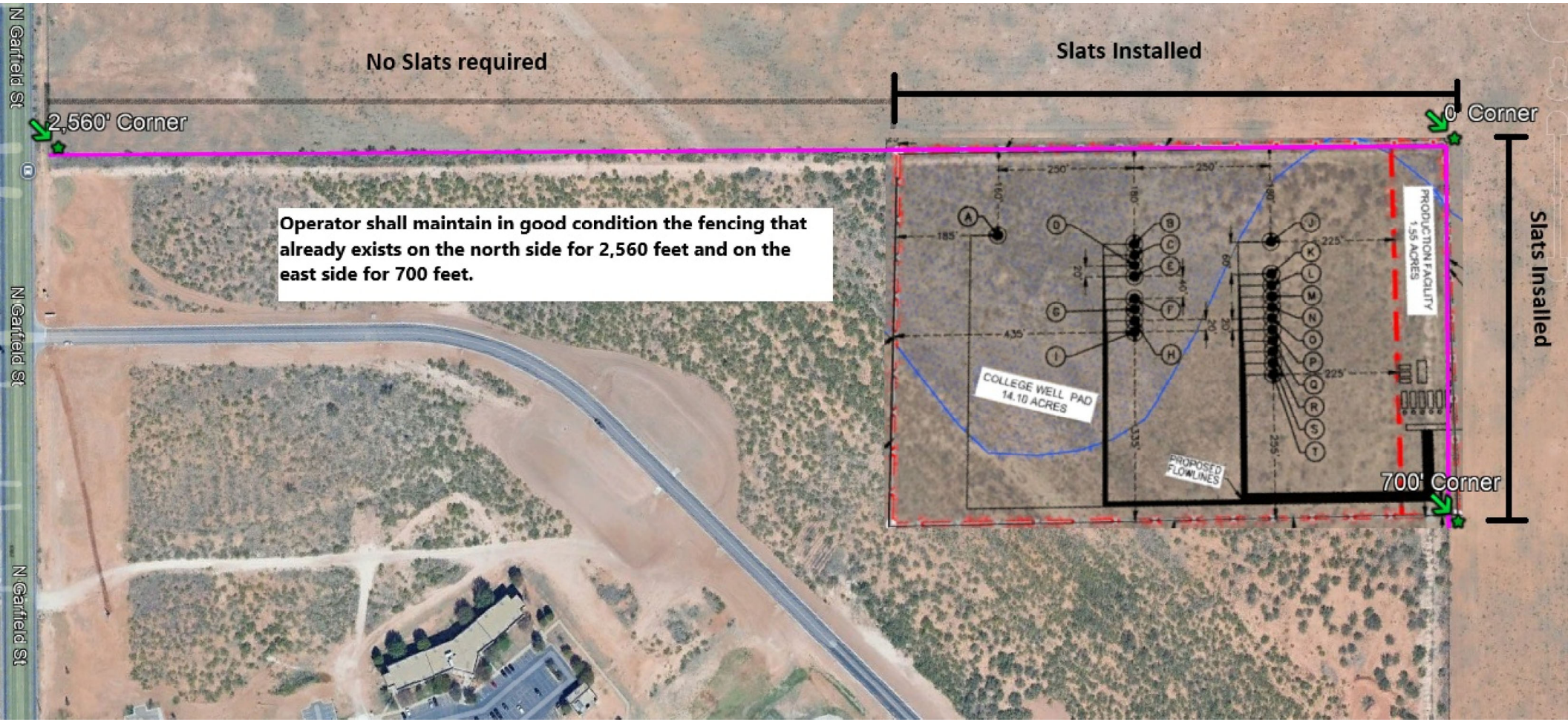
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A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700' Corner
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14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
N Garfield St
N Garfield St
N Garfield St

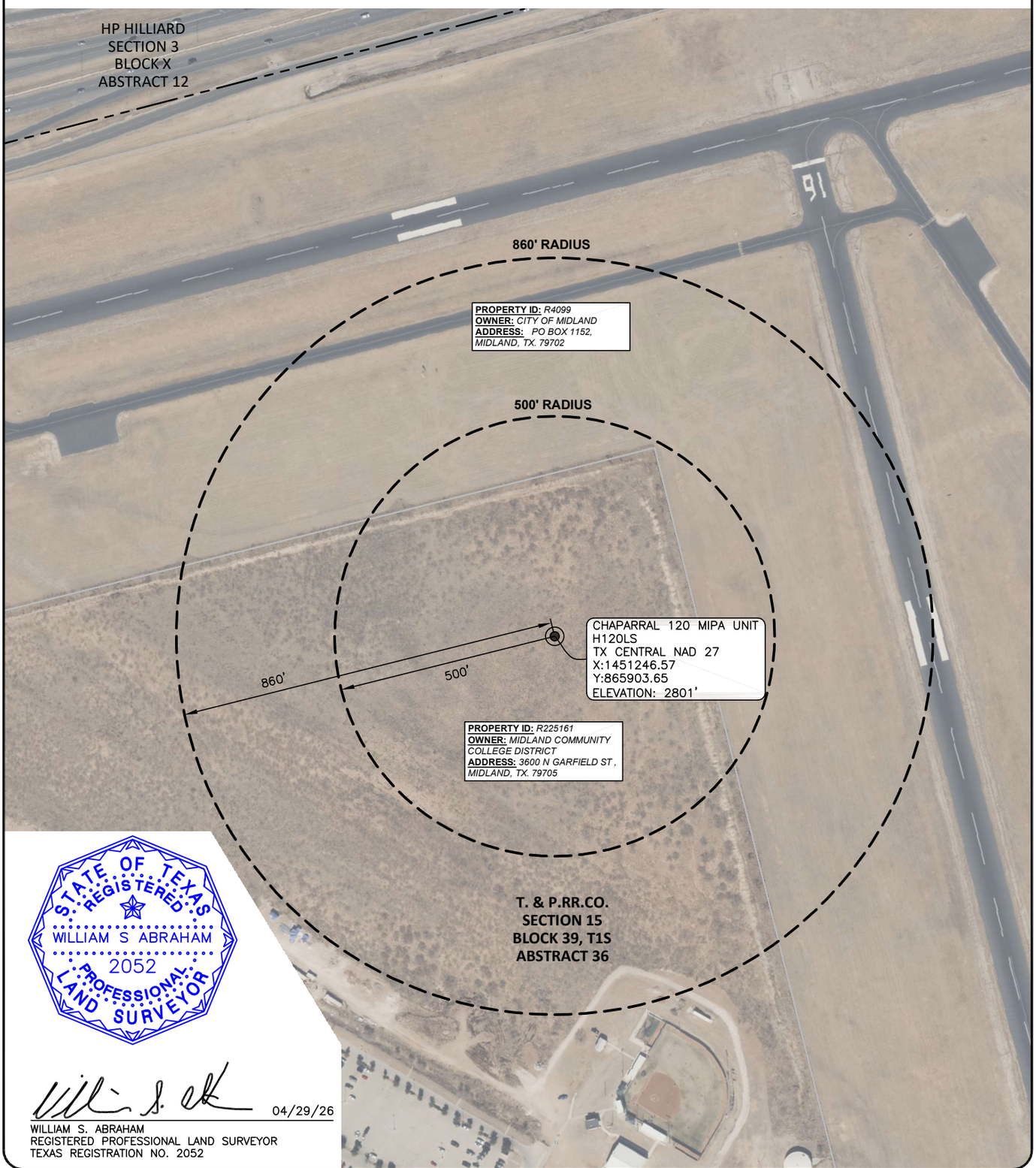
NOTES:

1.ORIGINAL DOCUMENT SIZE: 8.5" X 14"
2.THIS EXHIBIT WAS CREATED FOR THE SOLE PURPOSE OF FILING A PERMIT WITH THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS. THIS IS NOT A "BOUNDARY SURVEY".
3.THE PROPOSED WELL LOCATION WAS SURVEYED ON 04-13-2026

SYMBOL LEGEND:

FIRE HYDRANT
STORM DRAIN MANHOLE
WATER VALVE

N
W E
S
0' 150' 300'



STATE OF TEXAS
REGISTERED
WILLIAM S ABRAHAM
2052
PROFESSIONAL
LAND SURVEYOR

04/29/26
WILLIAM S. ABRAHAM
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 2052

WARNING: PLAT MAY NOT SHOW ALL CROSSINGS OF PIPELINES OR CABLES. USE TEXAS ONE CALL SYSTEM BEFORE EXCAVATION ON PROPERTY.

WELL RADIUS

PROPOSED CHAPARRAL 120 MIPA UNIT H120LS
T. & P. RR. CO. SURVEY, SECTION 15, BLOCK 39, T1S,
ABSTRACT 36, CITY OF MIDLAND,
MIDLAND COUNTY, TEXAS
WELL SECTION LINE TIES: 2,300' FSWL & 1,398 FNWL

NOTES:
1. SURVEY RECONSTRUCTION FILED IN THE OFFICE OF ATWELL, LLC.
2. ALL BEARING AND GRID COORDINATES SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF NAD 27, CENTRAL ZONE.
3. THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY.

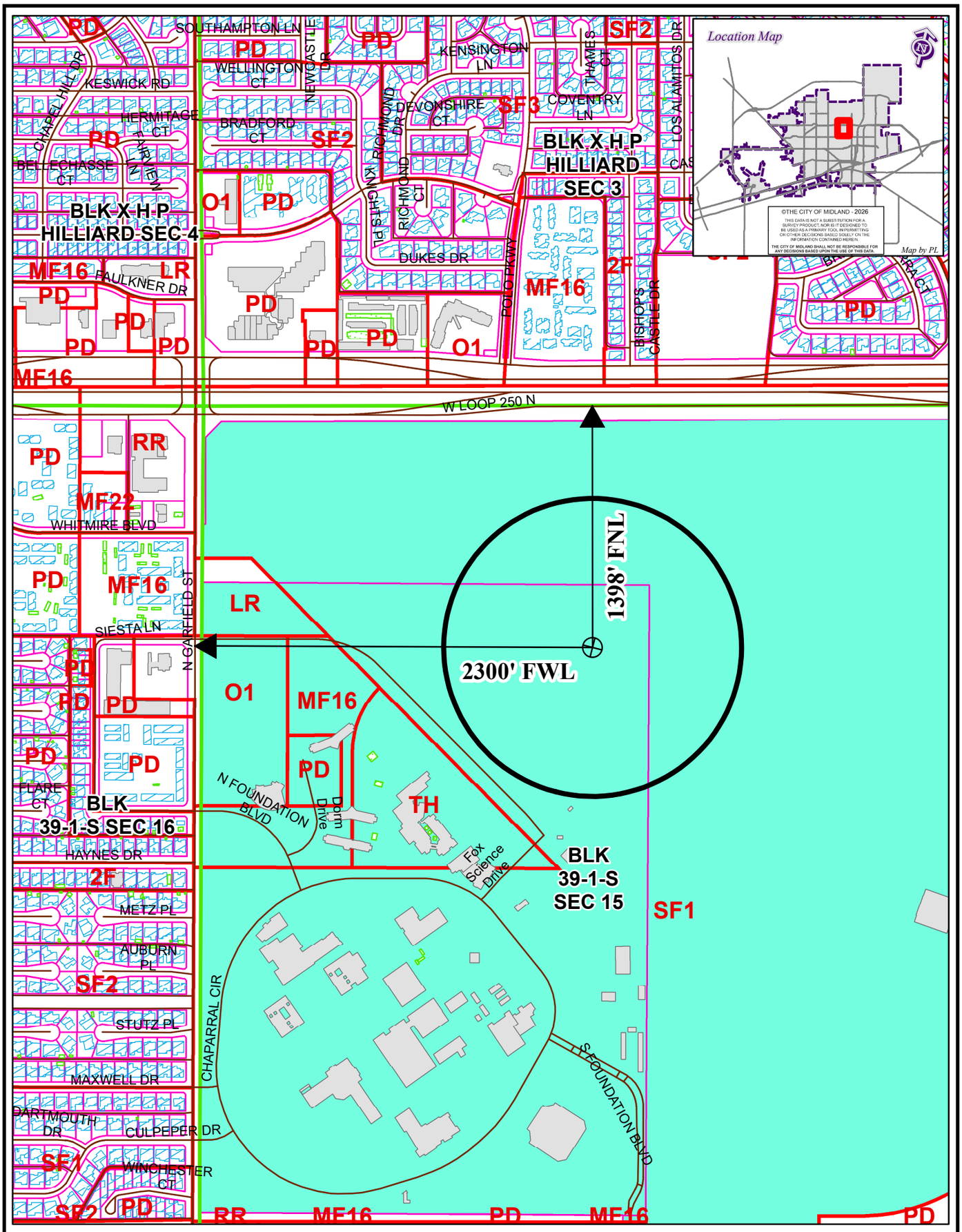
PERMIAN DEEP ROCK OIL COMPANY

ATWELL
866.850.4200 www.atwell-group.com
10100 Reunion Place, Suite 700
San Antonio, Texas 78216
TBPLS FIRM # 10194153

DRAWN	GJL	DATE	04-14-26
CHECKED	MA	DATE	04-14-26
APP'D		DATE	
SCALE	1"=300'	PAGE	2 OF 4

REV#	DATE	DESC.
1	4-24-26	CONVERT TO NAD 27

JOB NAME	WELL RADIUS
JOB NO.	26003998



LOCATION AND ZONING MAP

OIL26-000000006 **Scale: 1" = 700'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 1,398' FNL and 2,300' FWL, Section 15, Block 39, T-1-S, T&P RR CO Survey, Midland County, Texas.

Generally located 2,300 feet east of North Garfield Street and 1,398 feet south of W Loop 250 N.

Chaparral 120 MIPA Unit H120LS

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
05/04/2026	Permian Deep Rock Oil Co., LLC	P.O. Box 11405 Midland, TX 79702

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
Kyle M. Hammond	500 W. Wall St. Ste 300 Midland, TX 79701	432-682-6685 Rep. Fax 432-684-4519
Fee: $4,000.00 Rec'd Yes ✓ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A:

24/7 Answering Services - No. 1 (Tele.): **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):*** See Exhibit "A"

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):

See Exhibit "A"

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** See Exhibit "B"

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1.

2.

3.

ATTACHED AS EXHIBIT C **is** List of subdivisions

See Exhibit "C"

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):
Undeveloped land on Midland College campus

See Exhibit "D"

ATTACHED AS EXHIBIT D **is** ,

Current Tax Roll from Midland Central Appraisal District), **which lists**

the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Chaparral 120 MIPA Unit H120MS

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

See Exhibit "G"

Legal Description of Proposed Well Site: SHL: 1,438' FNL & 2,300' FWL, Section 15
Block 39, T1S, T&PRR Co. Survey, Midland County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations).* [See § J(16) and (20)].**

***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

***ATTACHED AS EXHIBIT K (if applicable)* is the list of alternative locations developed in consultation with the Oil & Gas Advisory Committee. [See § J(27)].**

***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M*: Road use and repair agreement attached**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: None

(2) Operations: Oncor

Description of water source to be used during Drilling: Water is to be piped in from our water wells, drill additional water wells or truck fresh water in. All brine water will be trucked in.

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

See Exhibit "N"

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]: Trench and encapsulate per TXRRC Rule 27(c)(10)(v)

See Exhibit "O"

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* : Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by applicant are current. (See § J(29)**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

***ATTACHED AS EXHIBIT S (if applicable)* is the Drainage Plan relating to Applicant's proposed operations. [See § J(21)].**

***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

ATTACHED AS EXHIBIT V: Applicants variances

Permian Deep Rock Oil Compnay
[NAME OF COMPANY]

By _____
Its General Manager

State of Texas)

County of Midland)

Kyle Hammond , personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

Estella Peña
Notary Public, State of Texas

[S E A L]

ESTELLA PENA
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 08/03/29
NOTARY ID 131233618

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on August 11, 2026 considered the application of Permian Deep Rock Oil Co., LLC ("Operator") dated May 4, 2026, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Chaparral 120 MIPA Unit H120MS oil and gas well shall be 1,438 feet from the north line and 2,300 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from August 11, 2026 through August 11, 2027, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

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GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

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Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

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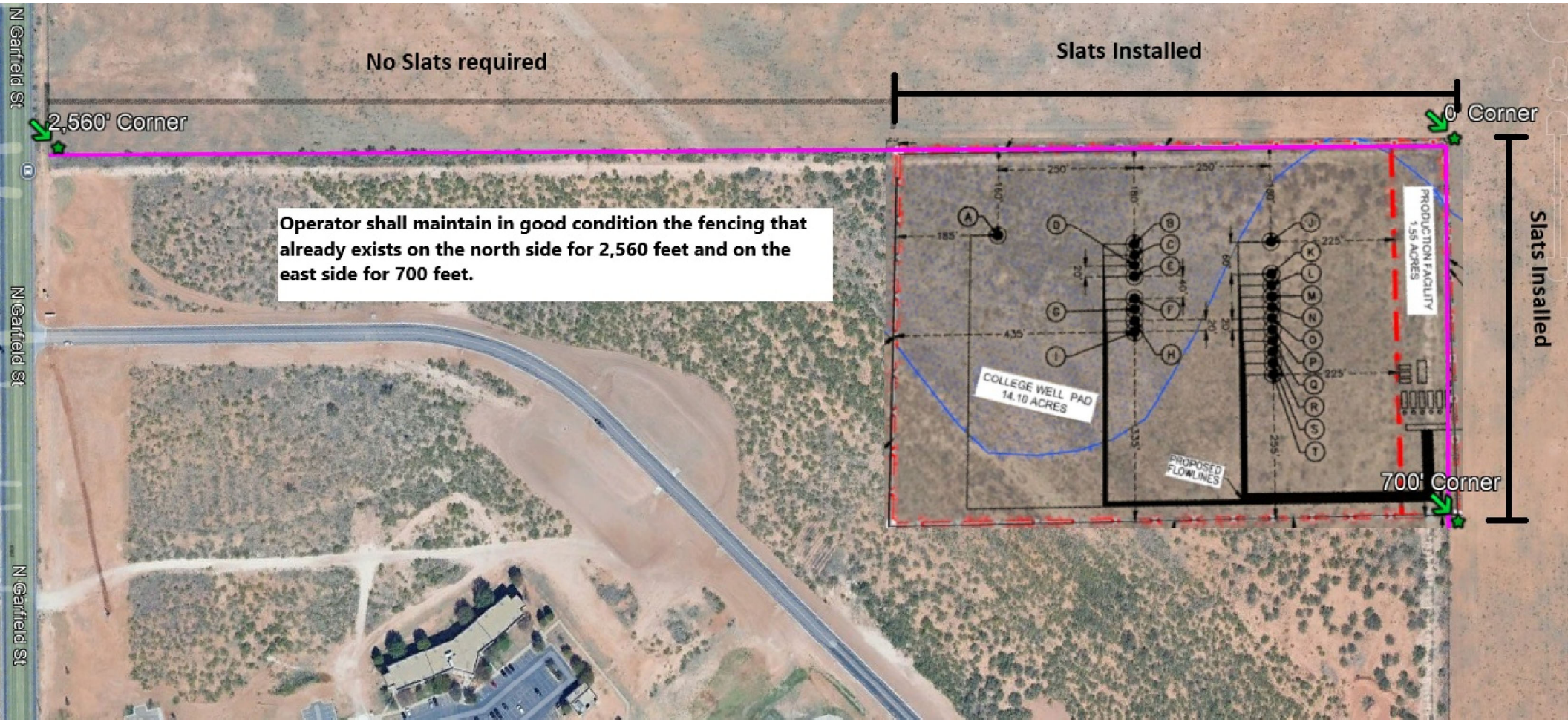
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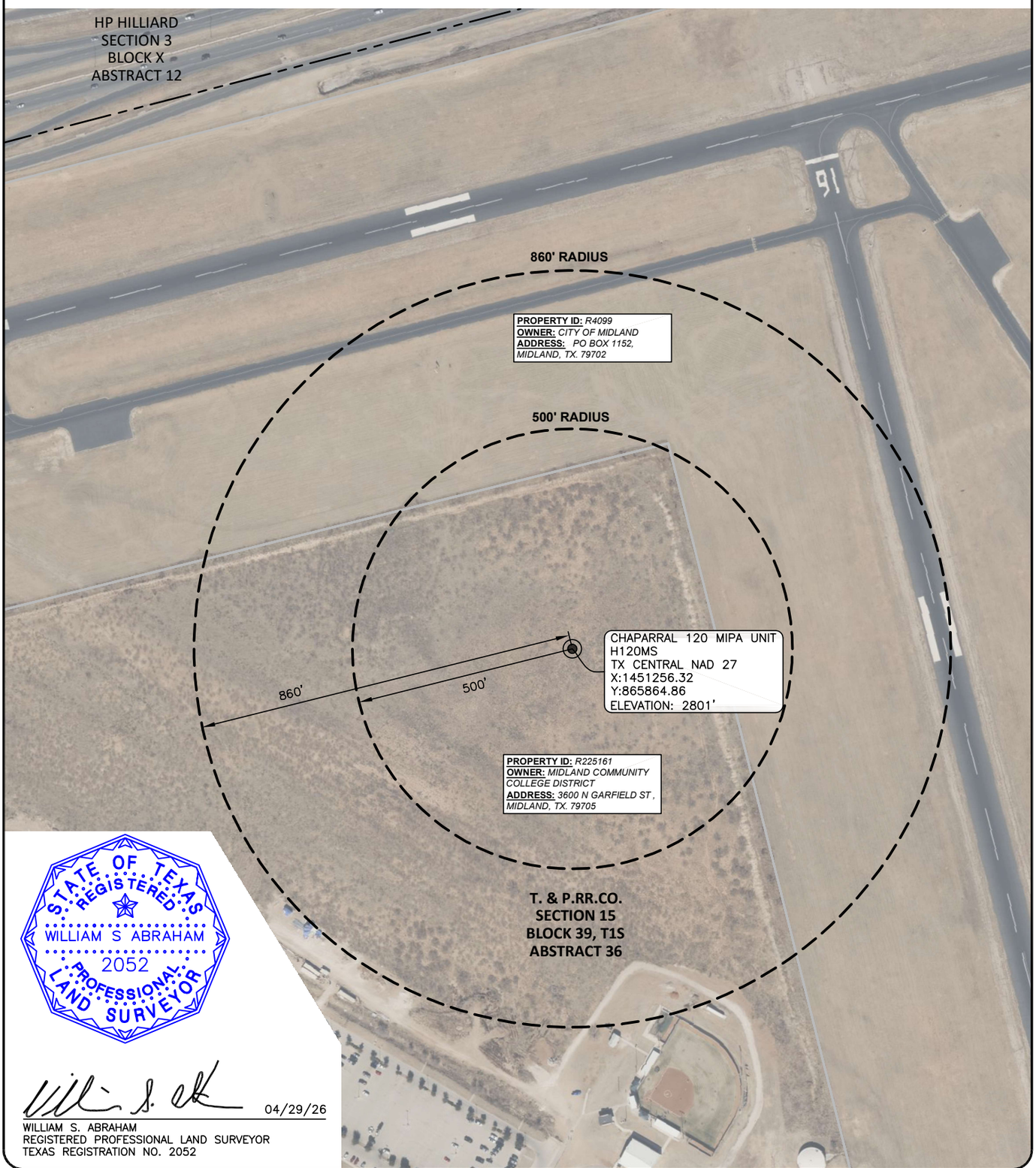

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866.850.4200 www.atwell-group.com
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DRAWN	GJL	DATE	04-14-26
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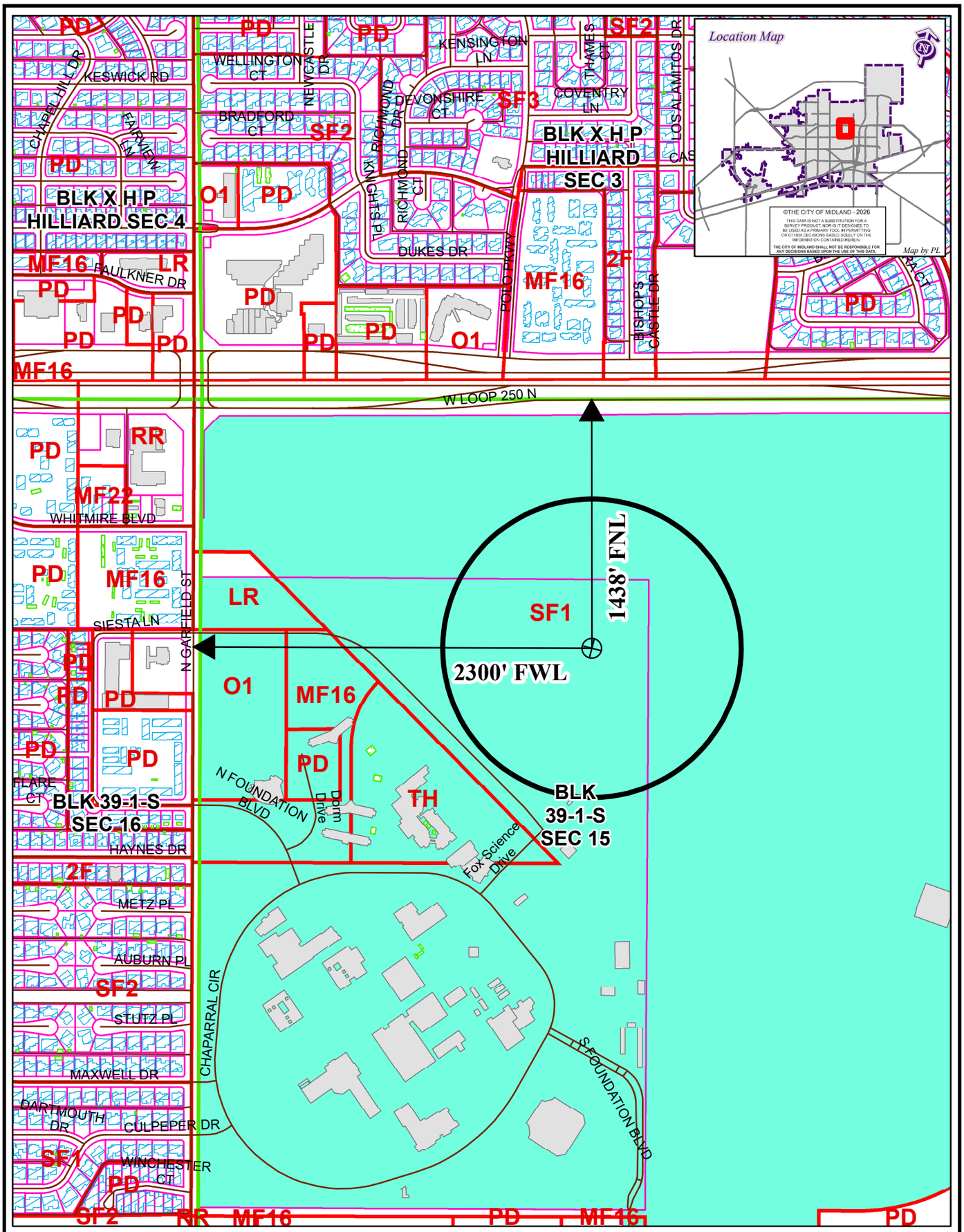

LOCATION AND ZONING MAP

OIL26-000000007 **Scale: 1" = 700'**

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Chaparral 120 MIPA Unit H120MS

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
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ZONING	ACCESSORY BLDGS	SURVEY SEC.

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APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
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Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
Kyle M. Hammond	500 W. Wall St. Ste 300 Midland, TX 79701	432-682-6685 Rep. Fax 432-684-4519
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Permit Compliance Contact (Choose 1):

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Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):

See Exhibit "A"

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Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1.

2.

3.

ATTACHED AS EXHIBIT C **is** List of subdivisions

See Exhibit "C"

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General Description of Current Surface Use (within 860 feet of proposed surface location):
Undeveloped land on Midland College campus

See Exhibit "D"

ATTACHED AS EXHIBIT D **is** ,

Current Tax Roll from Midland Central Appraisal District), **which lists**

the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Chaparral 120 MIPA Unit H120UH

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

See Exhibit "G"

Legal Description of Proposed Well Site: SHL: 1,298' FNL & 2,300' FWL, Section 15
Block 39, T1S, T&PRR Co. Survey, Midland County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations).* [See § J(16) and (20)].**

***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

***ATTACHED AS EXHIBIT K (if applicable)* is the list of alternative locations developed in consultation with the Oil & Gas Advisory Committee. [See § J(27)].**

***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M*: Road use and repair agreement attached**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: None

(2) Operations: Oncor

Description of water source to be used during Drilling: Water is to be piped in from our water wells, drill additional water wells or truck fresh water in. All brine water will be trucked in.

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

See Exhibit "N"

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]: Trench and encapsulate per TXRRC Rule 27(c)(10)(v)

See Exhibit "O"

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* : Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by applicant are current. (See § J(29)**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

***ATTACHED AS EXHIBIT S (if applicable)* is the Drainage Plan relating to Applicant's proposed operations. [See § J(21)].**

***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

ATTACHED AS EXHIBIT V: Applicants variances

Permian Deep Rock Oil Compnay
[NAME OF COMPANY]

By _____
Its General Manager

State of Texas)

County of Midland)

Kyle Hammond, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

Estella Peña
Notary Public, State of Texas

[S E A L]

ESTELLA PENA
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 08/03/29
NOTARY ID 131233618

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on August 11, 2026 considered the application of Permian Deep Rock Oil Co., LLC ("Operator") dated May 4, 2026, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Chaparral 120 MIPA Unit H120UH oil and gas well shall be 1,298 feet from the north line and 2,300 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from August 11, 2026 through August 11, 2027, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND THE CITY OF MIDLAND, THE CITY'S OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY OF ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF OR IN CONNECTION WITH THE WORK DONE BY OPERATOR UNDER AN OIL AND GAS WELL PERMIT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY OPERATOR'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF THE OPERATOR AND ANY OTHER PERSON OR ENTITY.

A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. Twenty-four hour hydraulic fracturing operations are permitted.

2. In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

3. Landscaping and irrigation shall conform to the surface use agreement.

4. Drill cuttings shall be removed from the surface location.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

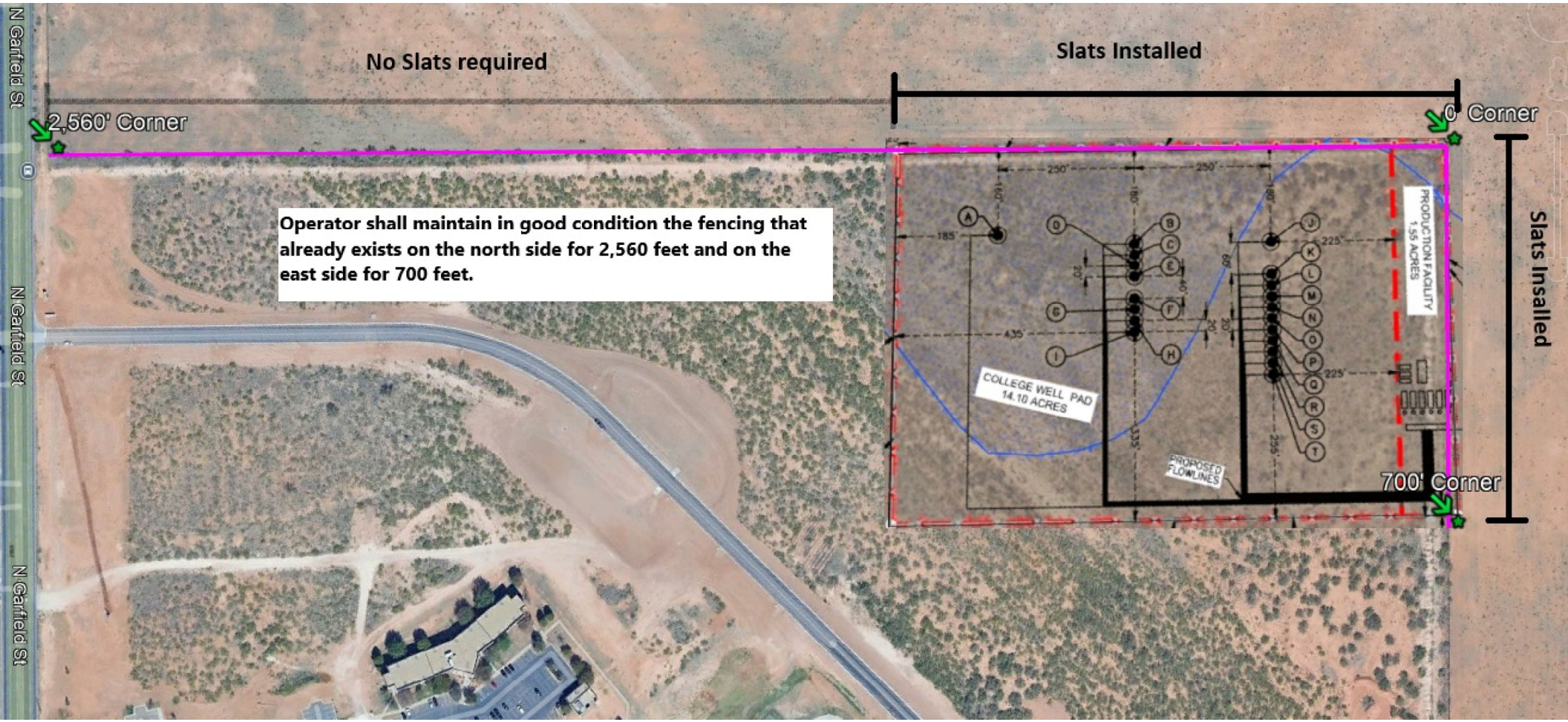
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A


No Slats required
Slats Installed
2,560' Corner
0' Corner
Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet.
N Garfield St
N Garfield St
N Garfield St
COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
700' Corner
Slats Installed

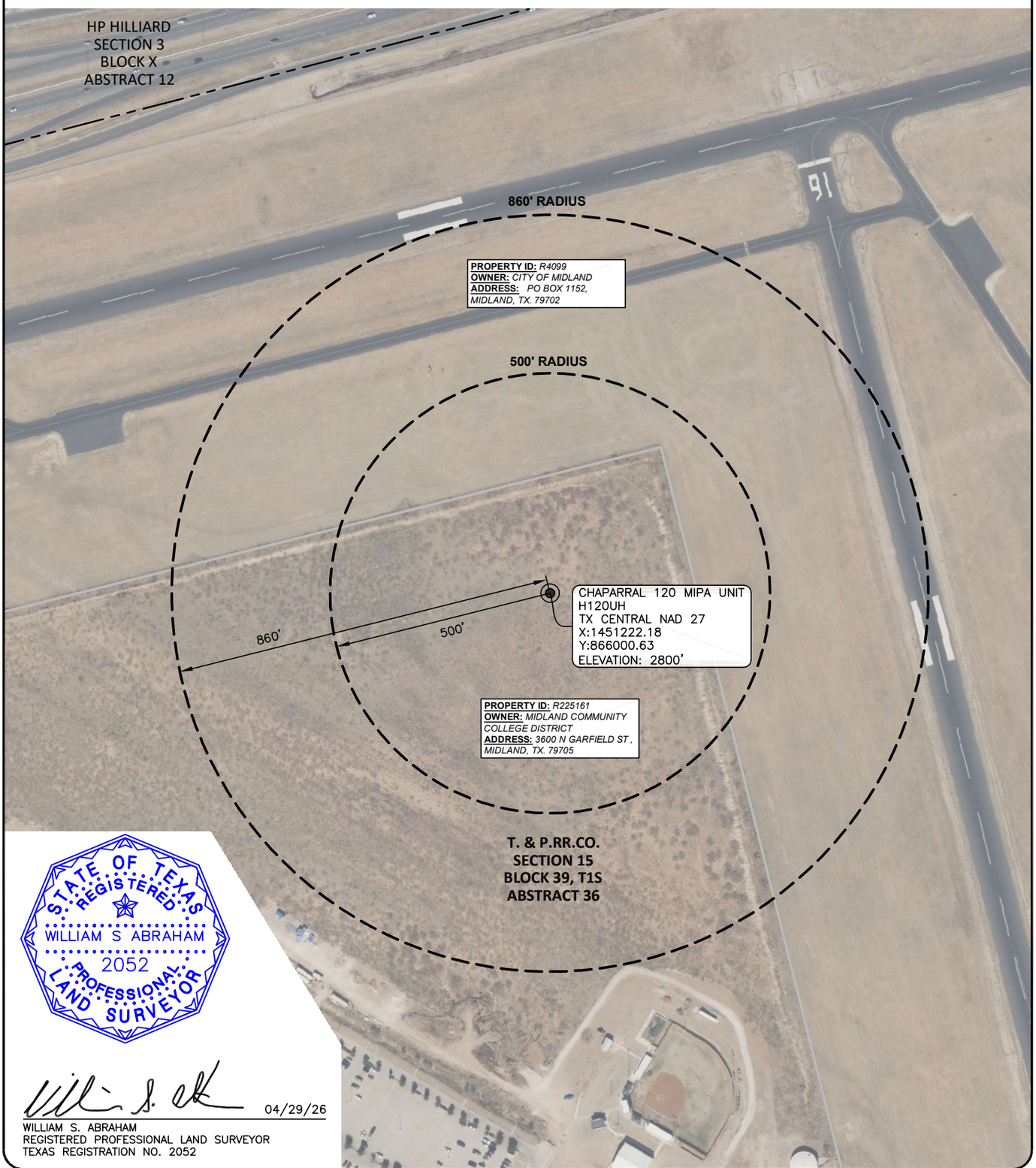
NOTES:

1.ORIGINAL DOCUMENT SIZE: 8.5" X 14"
2.THIS EXHIBIT WAS CREATED FOR THE SOLE PURPOSE OF FILING A PERMIT WITH THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS. THIS IS NOT A "BOUNDARY SURVEY".
3.THE PROPOSED WELL LOCATION WAS SURVEYED ON 04-13-2026

SYMBOL LEGEND:

FIRE HYDRANT
STORM DRAIN MANHOLE
WATER VALVE

N
W E
S
0' 150' 300'



STATE OF TEXAS
REGISTERED
WILLIAM S ABRAHAM
2052
PROFESSIONAL
LAND SURVEYOR

04/29/26
WILLIAM S. ABRAHAM
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 2052

WARNING: PLAT MAY NOT SHOW ALL CROSSINGS OF PIPELINES OR CABLES. USE TEXAS ONE CALL SYSTEM BEFORE EXCAVATION ON PROPERTY.

WELL RADIUS

PROPOSED CHAPARRAL 120 MIPA UNIT H120UH
T. & P. RR. CO. SURVEY, SECTION 15, BLOCK 39, T1S,
ABSTRACT 36, CITY OF MIDLAND,
MIDLAND COUNTY, TEXAS
WELL SECTION LINE TIES: 2,300' FSWL & 1,298 FNWL

NOTES:
1. SURVEY RECONSTRUCTION FILED IN THE OFFICE OF ATWELL, LLC.
2. ALL BEARING AND GRID COORDINATES SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF NAD 27, CENTRAL ZONE.
3. THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY.

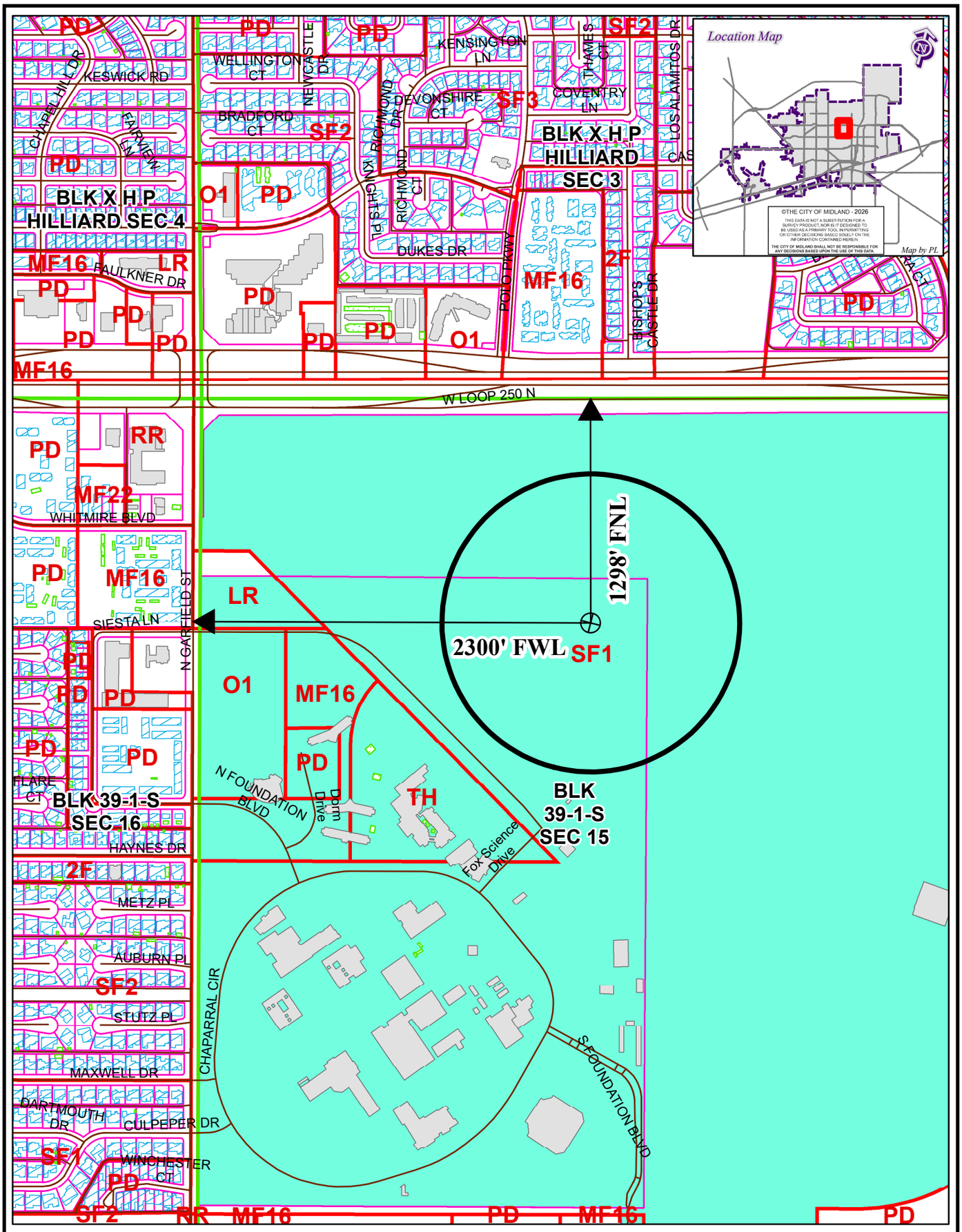
PERMIAN DEEP ROCK OIL COMPANY

ATWELL
866.850.4200 www.atwell-group.com
10100 Reunion Place, Suite 700
San Antonio, Texas 78216
TBPLS FIRM # 10194153

DRAWN	GJL	DATE	04-14-26
CHECKED	MA	DATE	04-14-26
APP'D		DATE	
SCALE	1"=300'	PAGE	2 OF 4

REV#	DATE	DESC.
1	4/24/26	CONVERT TO NAD 27

JOB NAME	WELL RADIUS
JOB NO.	26003998



LOCATION AND ZONING MAP

OIL26-000000008 **Scale: 1" = 700'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 1,298' FNL and 2,300' FWL, Section 15, Block 39, T-1-S, T&P RR CO Survey, Midland County, Texas.

Generally located 2,300 feet east of North Garfield Street and 1,298 feet south of W Loop 250 N.

Chaparral 120 MIPA Unit H120UH

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
05/04/2026	Permian Deep Rock Oil Co., LLC	P.O. Box 11405 Midland, TX 79702

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
Kyle M. Hammond	500 W. Wall St. Ste 300 Midland, TX 79701	432-682-6685 Rep. Fax 432-684-4519
Fee: $4,000.00 Rec'd Yes✓ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A:

24/7 Answering Services - No. 1 (Tele.): **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):*** See Exhibit "A"

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):

See Exhibit "A"

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** See Exhibit "B"

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1.

2.

3.

ATTACHED AS EXHIBIT C **is** List of subdivisions

See Exhibit "C"

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):
Undeveloped land on Midland College campus

See Exhibit "D"

ATTACHED AS EXHIBIT D **is** ,

Current Tax Roll from Midland Central Appraisal District), **which lists**

the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

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IV. Well & Operations Information

Proposed Well Name: Chaparral 120 MIPA Unit H120WB

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

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Legal Description of Proposed Well Site: SHL: 1,338' FNL & 2,300' FWL, Section 15
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Permian Deep Rock Oil Compnay
[NAME OF COMPANY]

By _____
Its General Manager

State of Texas)

County of Midland)

Kyle Hammond, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

Estella Peña
Notary Public, State of Texas

[S E A L]

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MY COMM. EXP. 08/03/29
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GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

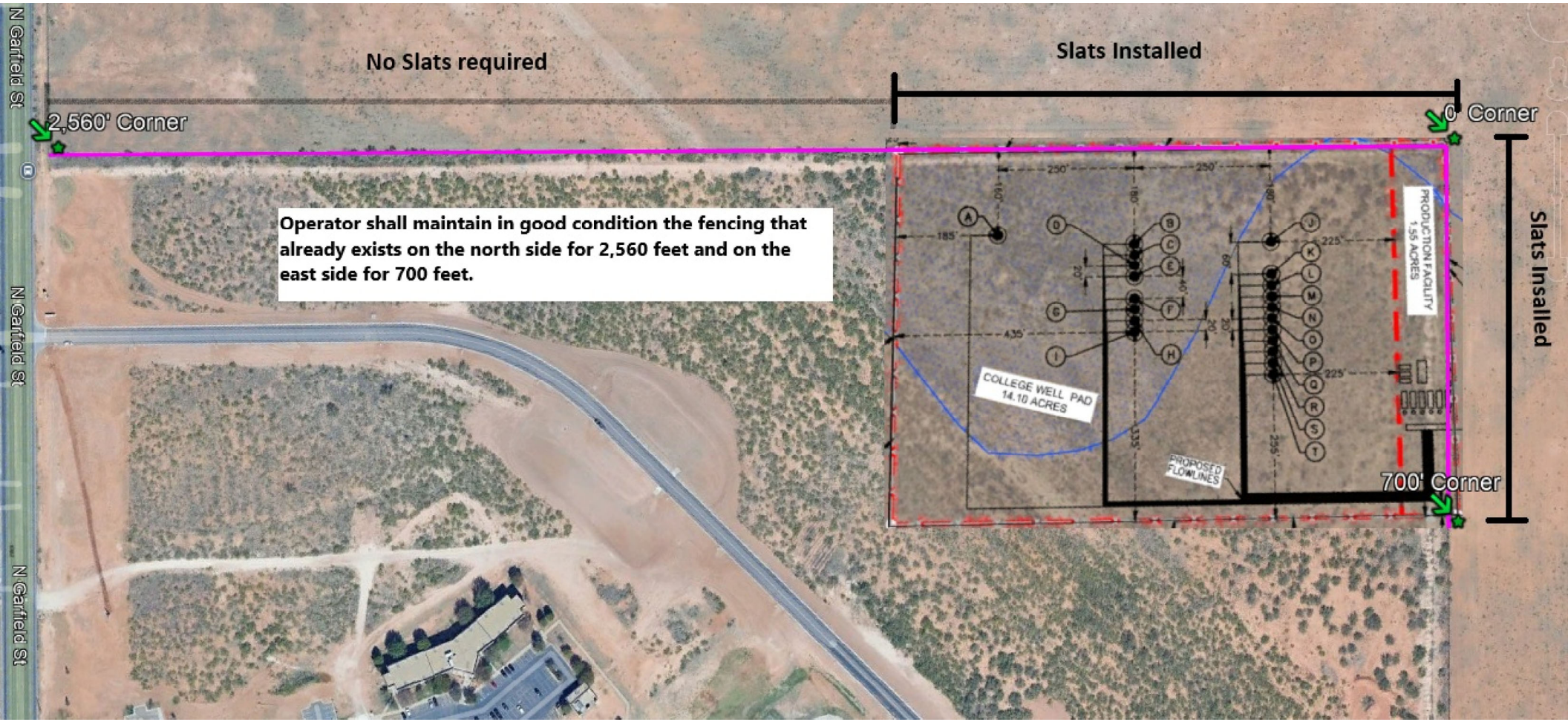
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A


No Slats required
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2,560' Corner
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Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet.
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700' Corner
COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
N Garfield St
N Garfield St
N Garfield St

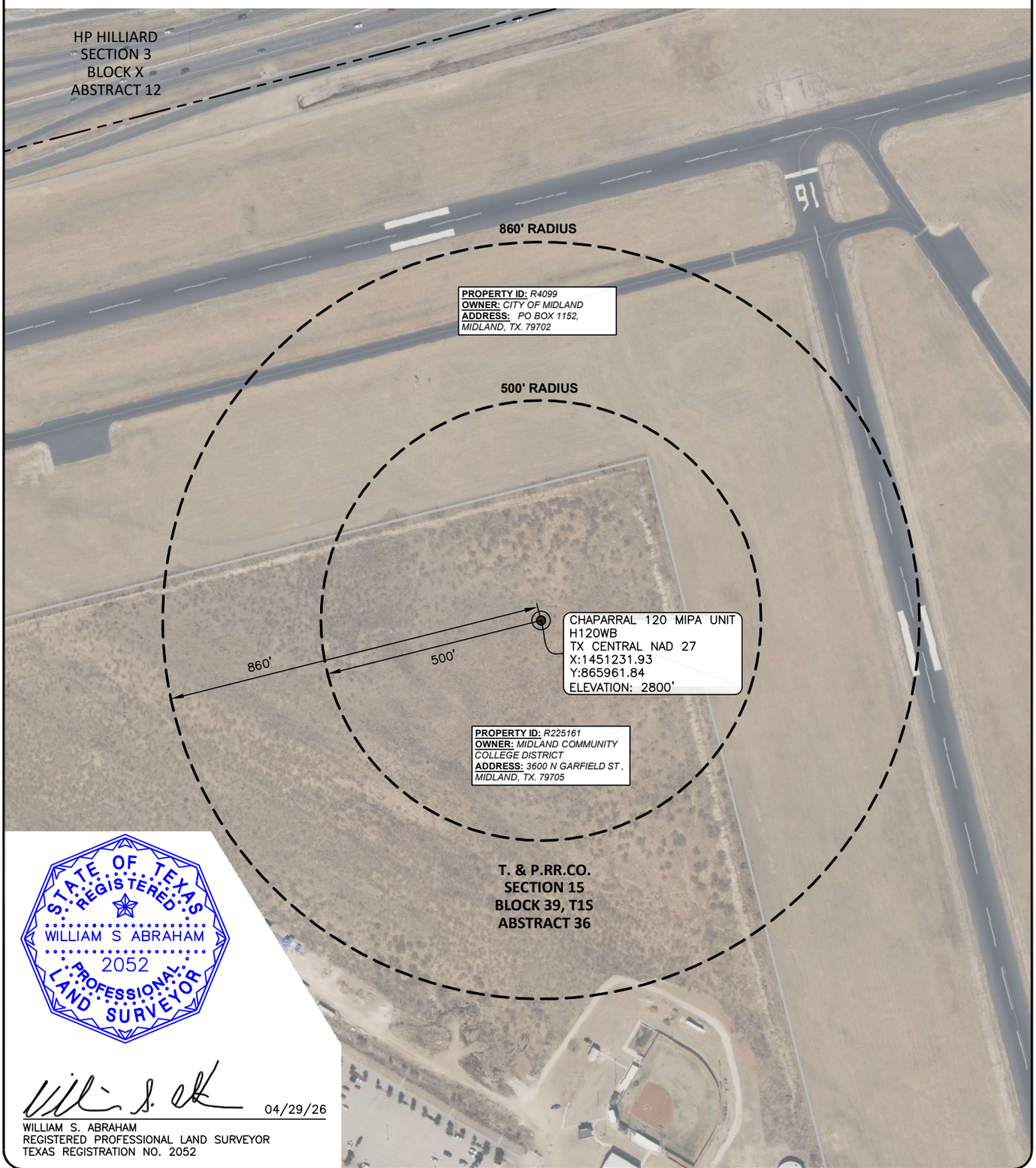
NOTES:

1.ORIGINAL DOCUMENT SIZE: 8.5" X 14"
2.THIS EXHIBIT WAS CREATED FOR THE SOLE PURPOSE OF FILING A PERMIT WITH THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS. THIS IS NOT A "BOUNDARY SURVEY".
3.THE PROPOSED WELL LOCATION WAS SURVEYED ON 04-13-2026

SYMBOL LEGEND:

FIRE HYDRANT
STORM DRAIN MANHOLE
WATER VALVE

N
W E
S
0' 150' 300'



STATE OF TEXAS REGISTERED
WILLIAM S ABRAHAM
2052
PROFESSIONAL LAND SURVEYOR

04/29/26

WILLIAM S. ABRAHAM
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 2052

WARNING: PLAT MAY NOT SHOW ALL CROSSINGS OF PIPELINES OR CABLES. USE TEXAS ONE CALL SYSTEM BEFORE EXCAVATION ON PROPERTY.

WELL RADIUS

PROPOSED CHAPARRAL 120 MIPA UNIT H120WB
T. & P. RR. CO. SURVEY, SECTION 15, BLOCK 39, T1S,
ABSTRACT 36, CITY OF MIDLAND,
MIDLAND COUNTY, TEXAS
WELL SECTION LINE TIES: 2,300' FSWL & 1,338 FNWL

NOTES:
1. SURVEY RECONSTRUCTION FILED IN THE OFFICE OF ATWELL, LLC.
2. ALL BEARING AND GRID COORDINATES SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF NAD 27, CENTRAL ZONE.
3. THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY.

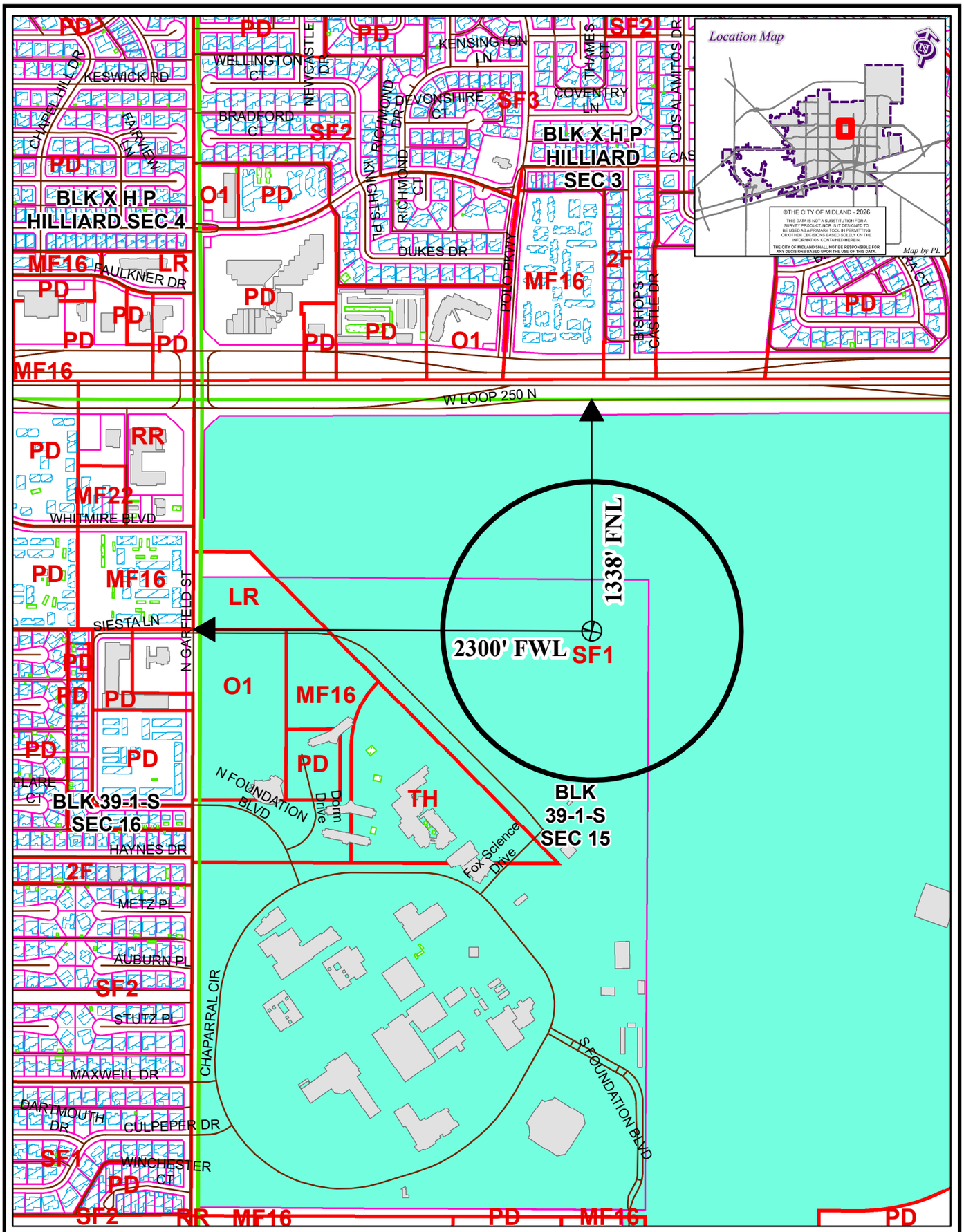
PERMIAN DEEP ROCK OIL COMPANY

ATWELL
866.850.4200 www.atwell-group.com
10100 Reunion Place, Suite 700
San Antonio, Texas 78216
TBPLS FIRM # 10194153

DRAWN	GJL	DATE	04-14-26
CHECKED	MA	DATE	04-14-26
APP'D		DATE	
SCALE	1"=300'	PAGE	2 OF 4

REV#	DATE	DESC.
1	4/24/26	CONVERT TO NAD 27

JOB NAME	WELL RADIUS
JOB NO.	26003998



LOCATION AND ZONING MAP

OIL26-000000009 **Scale: 1" = 700'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 1,338' FNL and 2,300' FWL, Section 15, Block 39, T-1-S, T&P RR CO Survey, Midland County, Texas.

Generally located 2,300 feet east of North Garfield Street and 1,338 feet south of W Loop 250 N.

Chaparral 120 MIPA Unit H120WB

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
05/04/2026	Permian Deep Rock Oil Co., LLC	P.O. Box 11405 Midland, TX 79702

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
Kyle M. Hammond	500 W. Wall St. Ste 300 Midland, TX 79701	432-682-6685 Rep. Fax 432-684-4519
Fee: $4,000.00 Rec'd Yes✓ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A:

24/7 Answering Services - No. 1 (Tele.): **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):*** See Exhibit "A"

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):

See Exhibit "A"

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** See Exhibit "B"

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1.

2.

3.

ATTACHED AS EXHIBIT C **is** List of subdivisions

See Exhibit "C"

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):
Undeveloped land on Midland College campus

See Exhibit "D"

ATTACHED AS EXHIBIT D **is** ,

Current Tax Roll from Midland Central Appraisal District), **which lists**

the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Chaparral H105WA

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

See Exhibit "G"

Legal Description of Proposed Well Site: SHL: 1,194' FNL & 1,800' FWL, Section 15
Block 39, T1S, T&PRR Co. Survey, Midland County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations).* [See § J(16) and (20)].**

***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

***ATTACHED AS EXHIBIT K (if applicable)* is the list of alternative locations developed in consultation with the Oil & Gas Advisory Committee. [See § J(27)].**

***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M*: Road use and repair agreement attached**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: None

(2) Operations: Oncor

Description of water source to be used during Drilling: Water is to be piped in from our water wells, drill additional water wells or truck fresh water in. All brine water will be trucked in.

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

See Exhibit "N"

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]: Trench and encapsulate per TXRRC Rule 27(c)(10)(v)

See Exhibit "O"

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* : Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by applicant are current. (See § J(29)**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

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***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

ATTACHED AS EXHIBIT V: Applicants variances

Permian Deep Rock Oil Compnay
[NAME OF COMPANY]

By _____
Its General Manager

State of Texas)

County of Midland)

Kyle Hammond, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

Estella Peña
Notary Public, State of Texas

[S E A L]

ESTELLA PENA
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 08/03/29
NOTARY ID 131233618

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on August 11, 2026 considered the application of Permian Deep Rock Oil Co., LLC ("Operator") dated May 4, 2026, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Chaparral H105WA oil and gas well shall be 1,800 feet from the north line and 1,194 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from August 11, 2026 through August 11, 2027, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND THE CITY OF MIDLAND, THE CITY'S OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY OF ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF OR IN CONNECTION WITH THE WORK DONE BY OPERATOR UNDER AN OIL AND GAS WELL PERMIT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY OPERATOR'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF THE OPERATOR AND ANY OTHER PERSON OR ENTITY.

A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. Twenty-four hour hydraulic fracturing operations are permitted.

2. In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

3. Landscaping and irrigation shall conform to the surface use agreement.

4. Drill cuttings shall be removed from the surface location.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

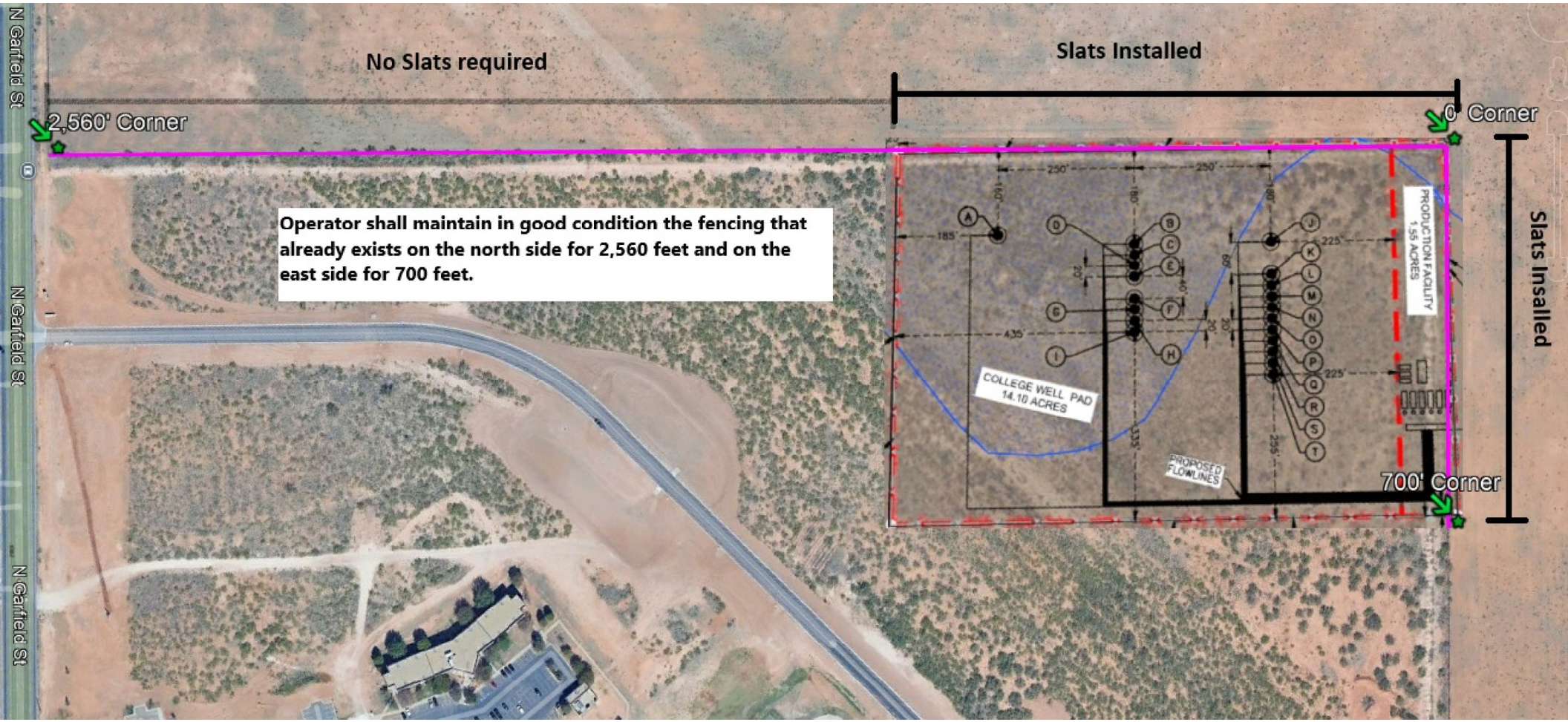
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A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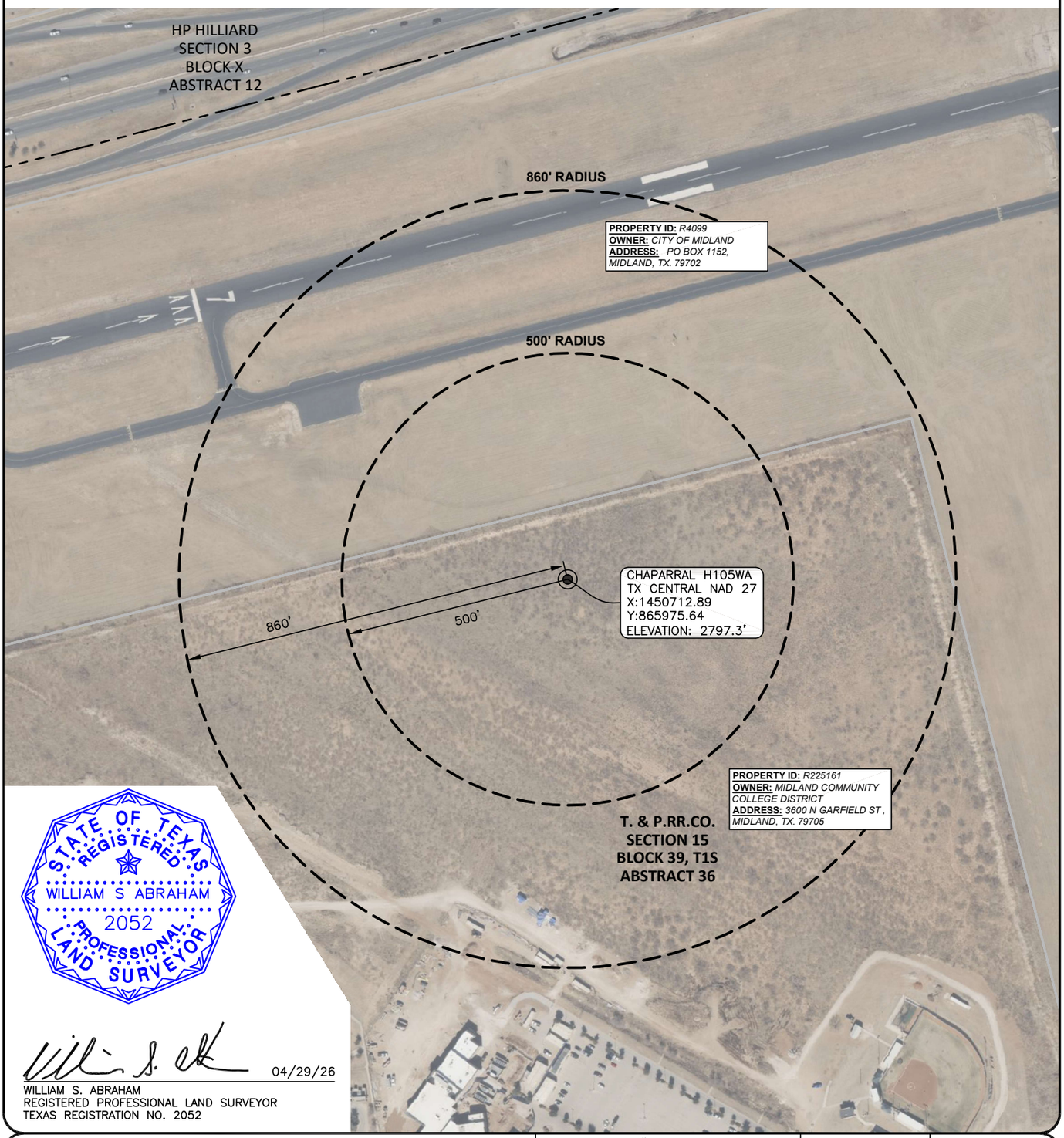

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WILLIAM S ABRAHAM
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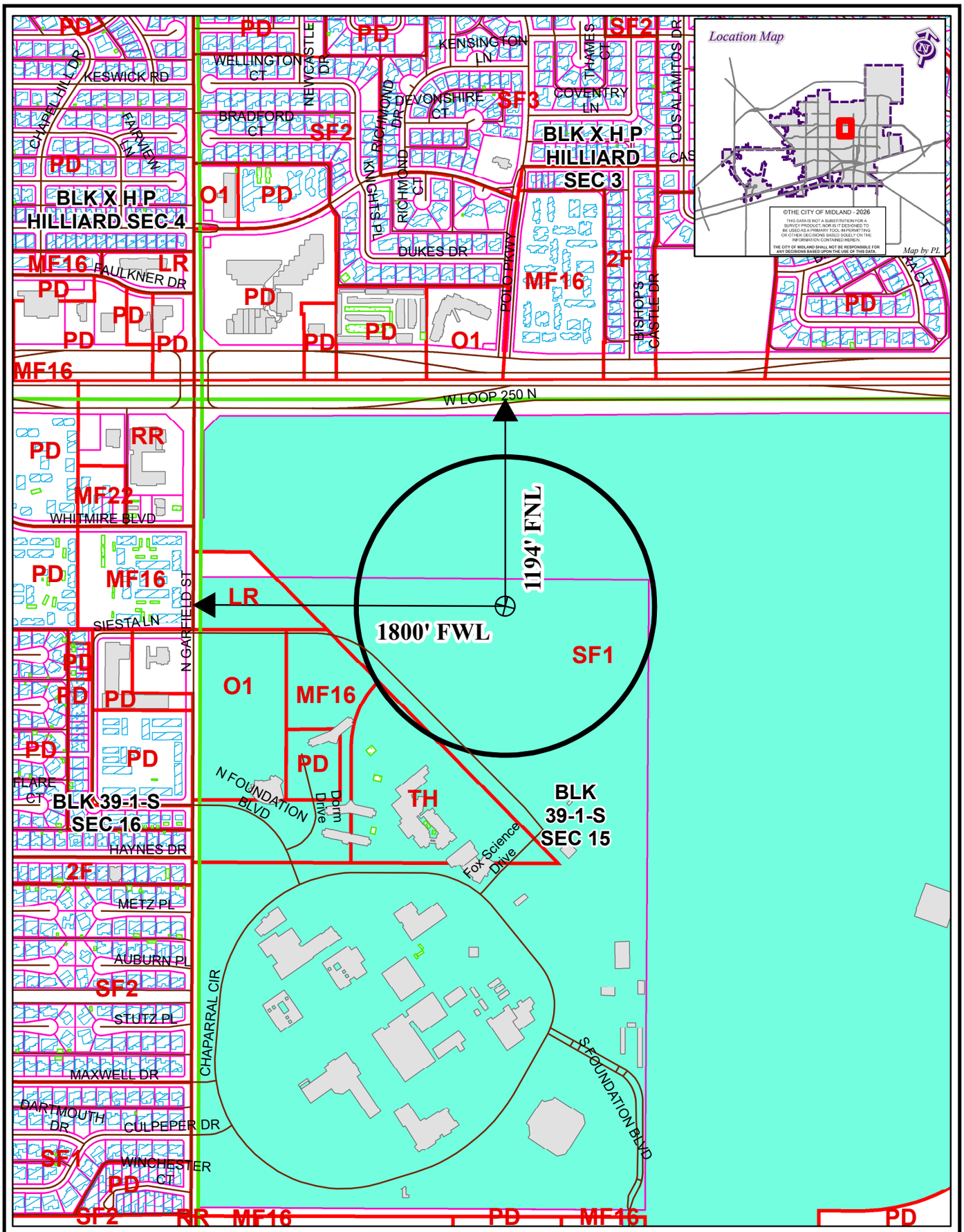

LOCATION AND ZONING MAP

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ZONING	ACCESSORY BLDGS	SURVEY SEC.

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APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

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Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

See Exhibit "G"

Legal Description of Proposed Well Site: SHL: 1,218' FNL & 2,300' FWL, Section 15
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***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

ATTACHED AS EXHIBIT V: Applicants variances

Permian Deep Rock Oil Compnay
[NAME OF COMPANY]

By _____
Its General Manager

State of Texas)

County of Midland)

Kyle Hammond, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

Estella Peña
Notary Public, State of Texas

[S E A L]

ESTELLA PENA
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 08/03/29
NOTARY ID 131233618

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on August 11, 2026 considered the application of Permian Deep Rock Oil Co., LLC ("Operator") dated May 4, 2026, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Chaparral H125WA oil and gas well shall be 1,218 feet from the north line and 2,300 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from August 11, 2026 through August 11, 2027, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND THE CITY OF MIDLAND, THE CITY'S OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY OF ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF OR IN CONNECTION WITH THE WORK DONE BY OPERATOR UNDER AN OIL AND GAS WELL PERMIT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY OPERATOR'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF THE OPERATOR AND ANY OTHER PERSON OR ENTITY.

A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. Twenty-four hour hydraulic fracturing operations are permitted.

2. In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

3. Landscaping and irrigation shall conform to the surface use agreement.

4. Drill cuttings shall be removed from the surface location.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

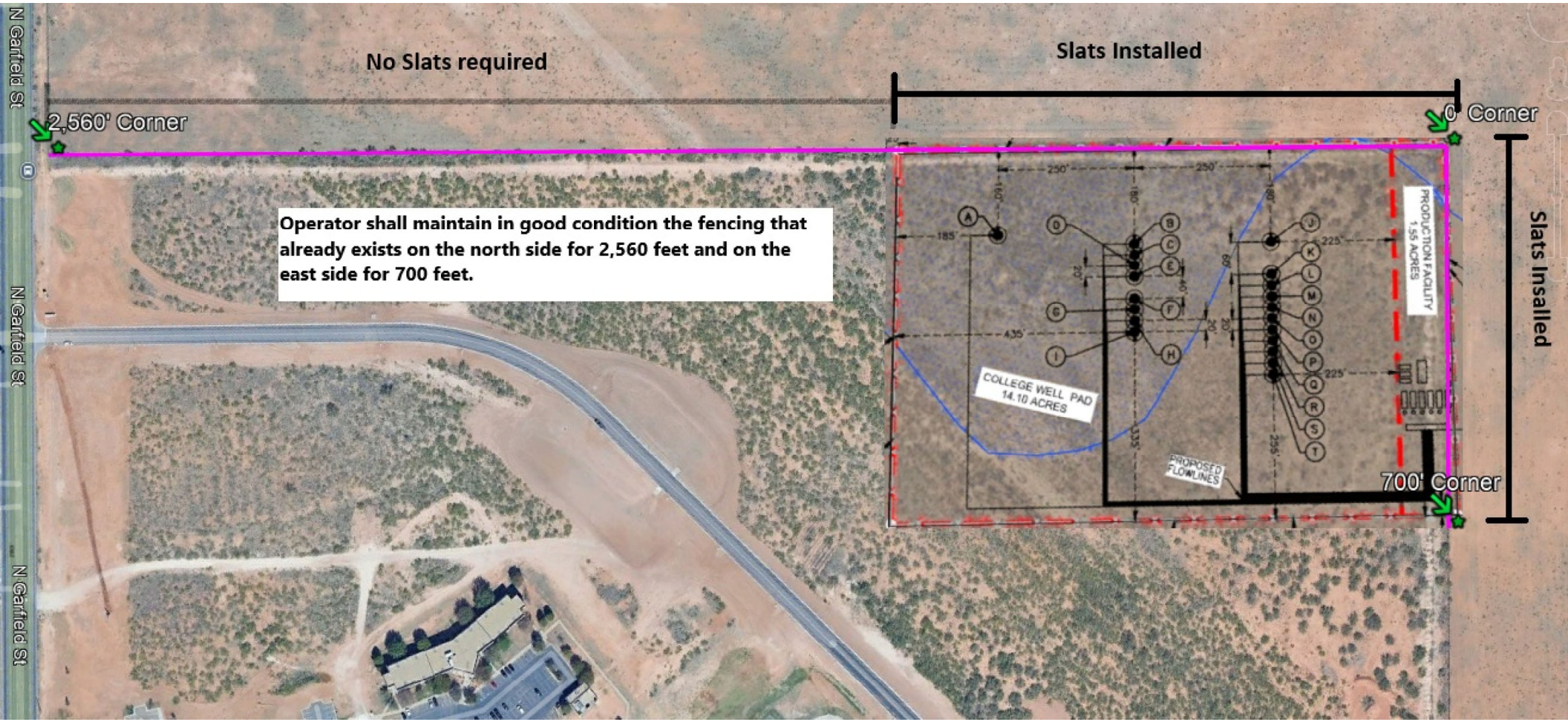
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A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2,560' Corner
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14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
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NOTES:

1.ORIGINAL DOCUMENT SIZE: 8.5" X 14"
2.THIS EXHIBIT WAS CREATED FOR THE SOLE PURPOSE OF FILING A PERMIT WITH THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS. THIS IS NOT A "BOUNDARY SURVEY".
3.THE PROPOSED WELL LOCATION WAS SURVEYED ON 04-13-2026

SYMBOL LEGEND:

FIRE HYDRANT
STORM DRAIN MANHOLE
WATER VALVE

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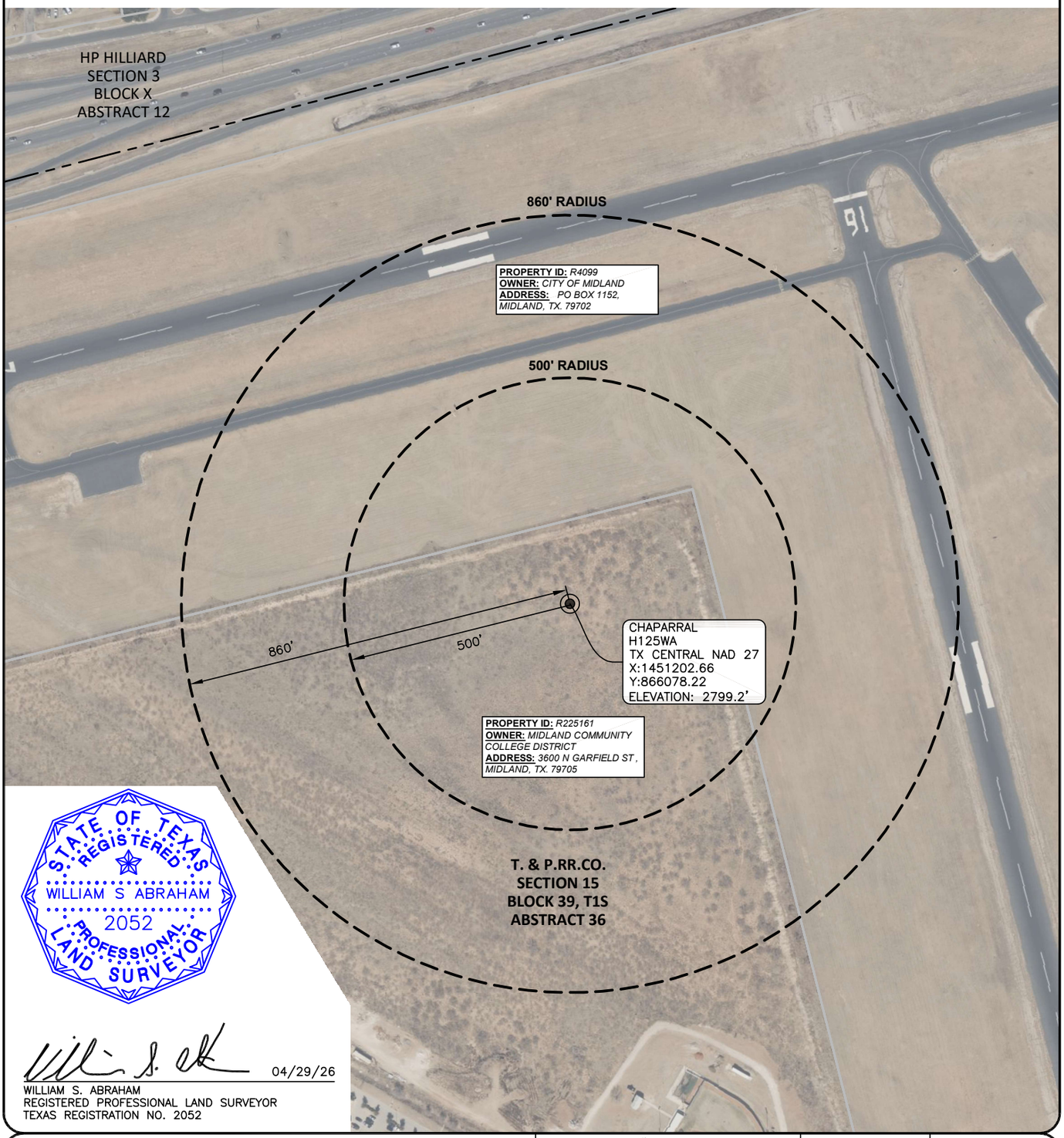
0' 150' 300'



STATE OF TEXAS
REGISTERED
WILLIAM S ABRAHAM
2052
PROFESSIONAL
LAND SURVEYOR

04/29/26
WILLIAM S. ABRAHAM
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 2052

WARNING: PLAT MAY NOT SHOW ALL CROSSINGS OF PIPELINES OR CABLES. USE TEXAS ONE CALL SYSTEM BEFORE EXCAVATION ON PROPERTY.

WELL RADIUS

PROPOSED CHAPARRAL H125WA
T. & P. RR. CO. SURVEY, SECTION 15, BLOCK 39, T1S, ABSTRACT 36, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS
WELL SECTION LINE TIES: 2,300' FSWL & 1,218 FNWL

NOTES:
1. SURVEY RECONSTRUCTION FILED IN THE OFFICE OF ATWELL, LLC.
2. ALL BEARING AND GRID COORDINATES SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF NAD 27, CENTRAL ZONE.
3. THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY.

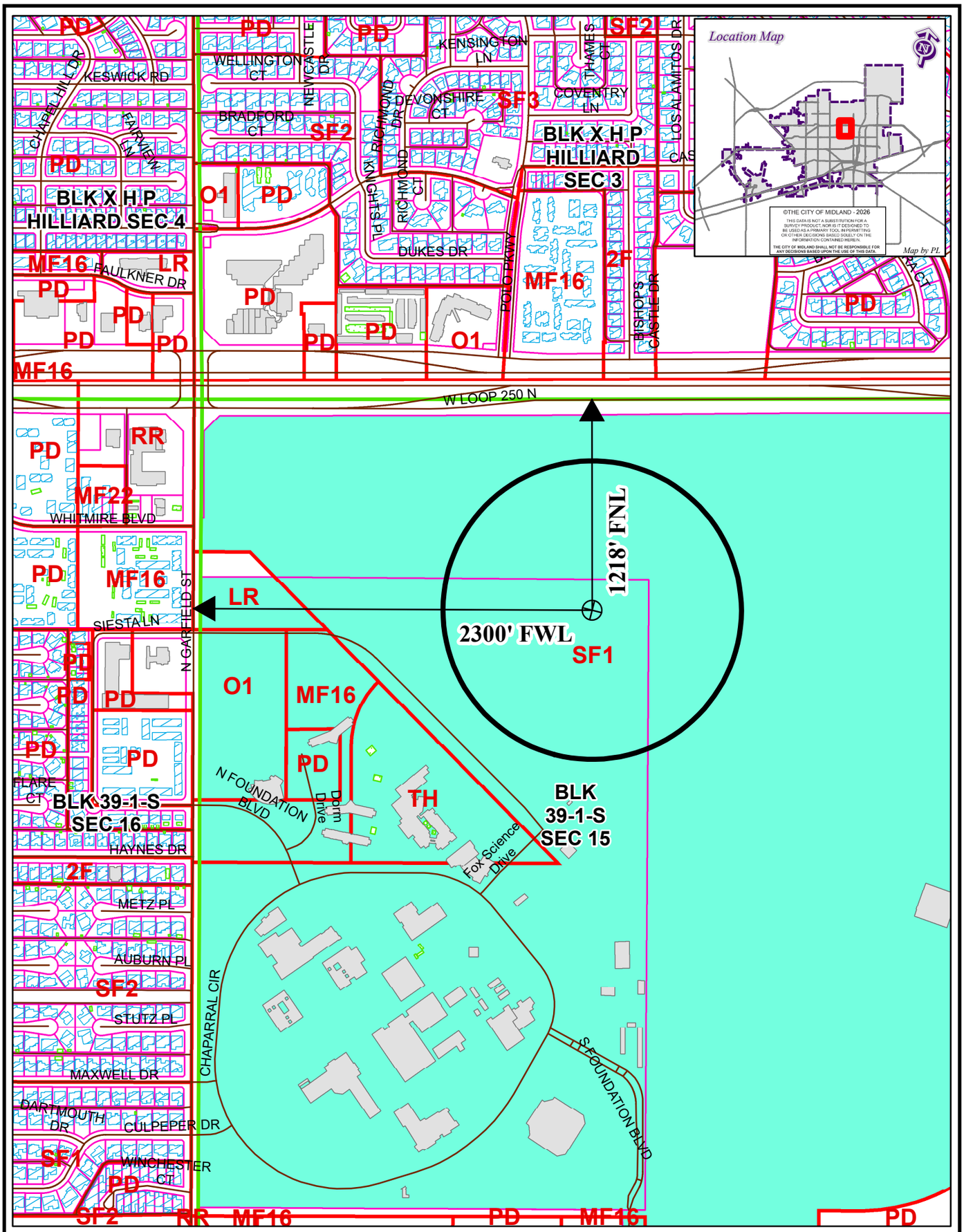
PERMIAN DEEP ROCK OIL COMPANY

ATWELL
866.850.4200 www.atwell-group.com
10100 Reunion Place, Suite 700
San Antonio, Texas 78216
TBPLS FIRM # 10194153

DRAWN	GJL	DATE	04-14-26
CHECKED	MA	DATE	04-14-26
APP'D		DATE	
SCALE	1"=300'	PAGE	2 OF 4

REV#	DATE	DESC.
1	4/24/26	CONVERT TO NAD 27

JOB NAME	WELL RADIUS
JOB NO.	26003998



LOCATION AND ZONING MAP

OIL26-000000010 **Scale: 1" = 700'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 1,218' FNL and 2,300' FWL, Section 15, Block 39, T-1-S, T&P RR CO Survey, Midland County, Texas.

Generally located 2,300 feet east of North Garfield Street and 1,218 feet south of W Loop 250 N.

Chaparral H125WA

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
05/04/2026	Permian Deep Rock Oil Co., LLC	P.O. Box 11405 Midland, TX 79702

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
Kyle M. Hammond	500 W. Wall St. Ste 300 Midland, TX 79701	432-682-6685 Rep. Fax 432-684-4519
Fee: $4,000.00 Rec'd Yes✓ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A:

24/7 Answering Services - No. 1 (Tele.): **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):*** See Exhibit "A"

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):

See Exhibit "A"

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** See Exhibit "B"

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1.

2.

3.

ATTACHED AS EXHIBIT C **is** List of subdivisions

See Exhibit "C"

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):
Undeveloped land on Midland College campus

See Exhibit "D"

ATTACHED AS EXHIBIT D **is** ,

Current Tax Roll from Midland Central Appraisal District), **which lists**

the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Chaparral H130LS

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

See Exhibit "G"

Legal Description of Proposed Well Site: SHL: 1,358' FNL & 2,300' FWL, Section 15
Block 39, T1S, T&PRR Co. Survey, Midland County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations).* [See § J(16) and (20)].**

***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

***ATTACHED AS EXHIBIT K (if applicable)* is the list of alternative locations developed in consultation with the Oil & Gas Advisory Committee. [See § J(27)].**

***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M*: Road use and repair agreement attached**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: None

(2) Operations: Oncor

Description of water source to be used during Drilling: Water is to be piped in from our water wells, drill additional water wells or truck fresh water in. All brine water will be trucked in.

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

See Exhibit "N"

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]: Trench and encapsulate per TXRRC Rule 27(c)(10)(v)

See Exhibit "O"

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* : Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by applicant are current. (See § J(29)**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

***ATTACHED AS EXHIBIT S (if applicable)* is the Drainage Plan relating to Applicant's proposed operations. [See § J(21)].**

***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

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Permian Deep Rock Oil Compnay
[NAME OF COMPANY]

By _____
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CITY OF MIDLAND, TEXAS

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General Manager

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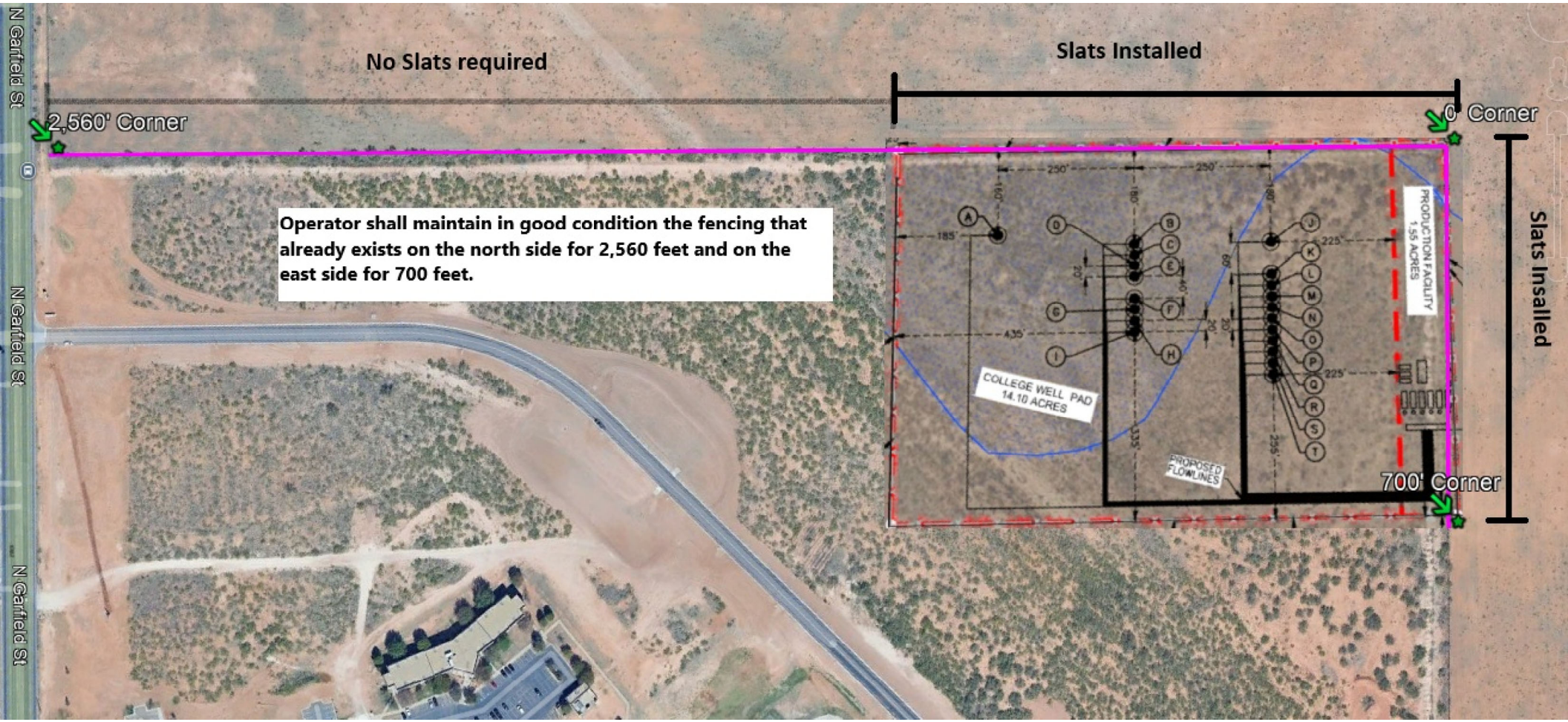
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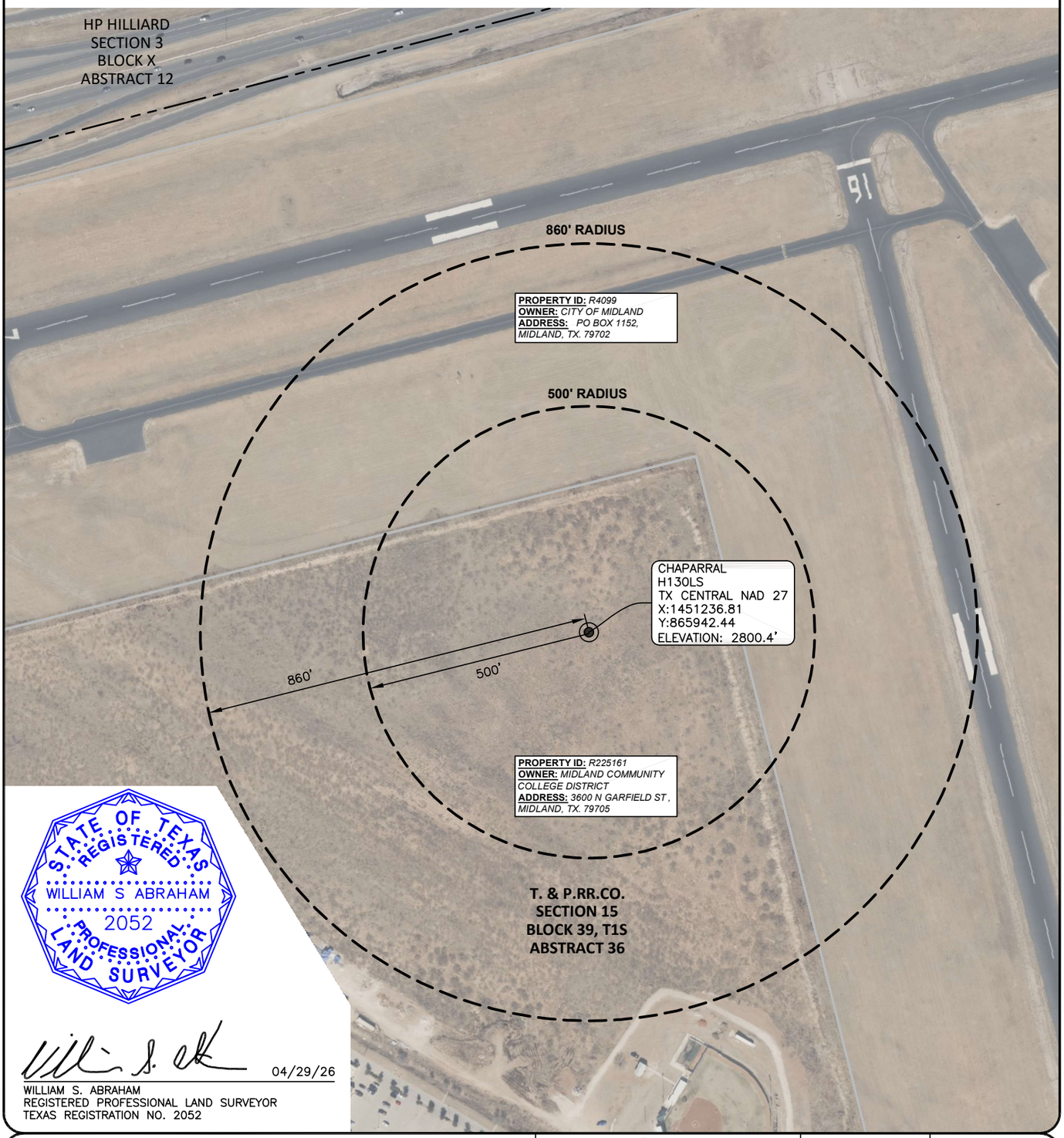

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04/29/26

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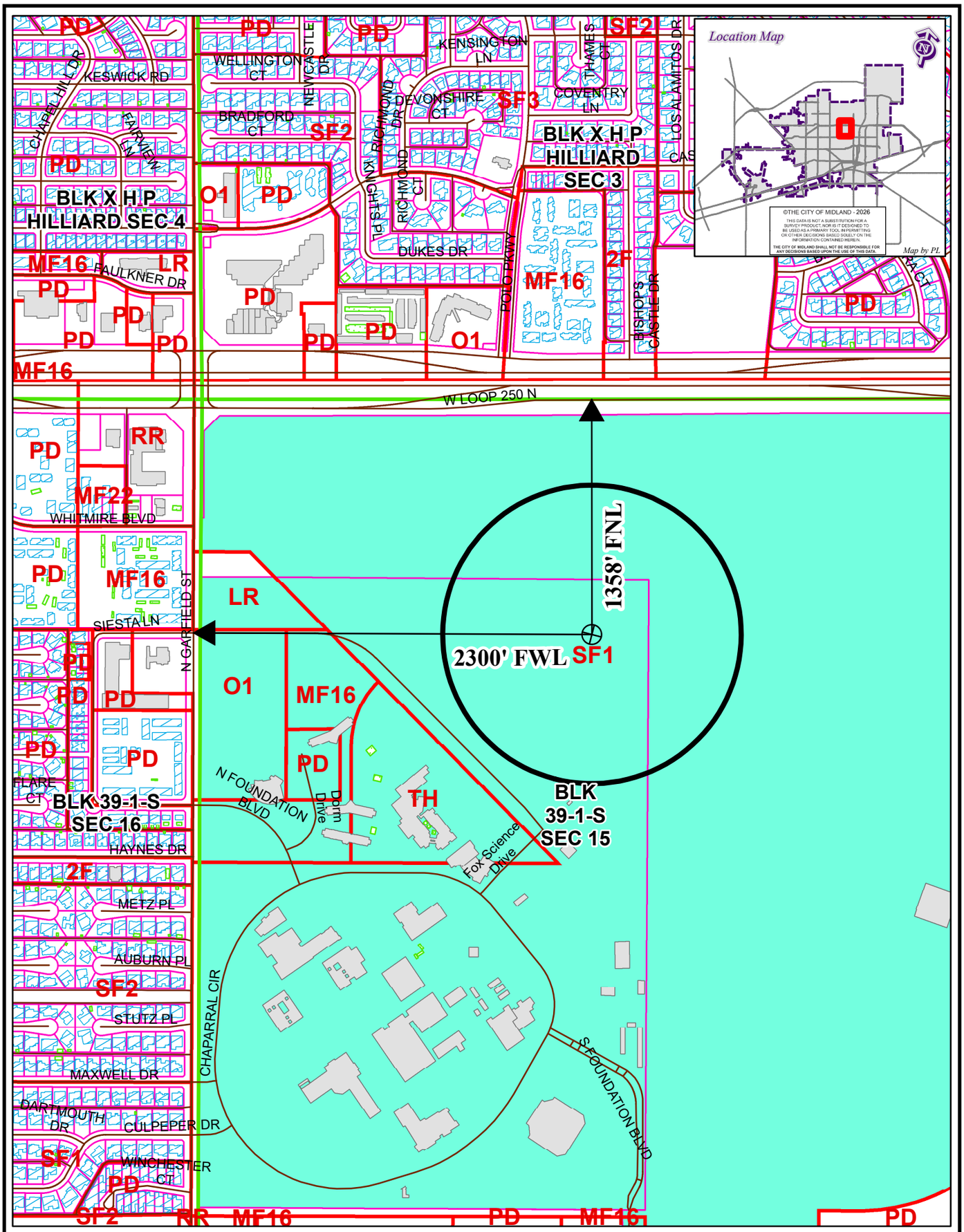
JOB NAME	WELL RADIUS
JOB NO.	26003998



LOCATION AND ZONING MAP

OIL26-000000011 **Scale: 1" = 700'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 1,358' FNL and 2,300' FWL, Section 15, Block 39, T-1-S, T&P RR CO Survey, Midland County, Texas.

Generally located 2,300 feet east of North Garfield Street and 1,358 feet south of W Loop 250 N.

Chaparral H130LS

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
05/04/2026	Permian Deep Rock Oil Co., LLC	P.O. Box 11405 Midland, TX 79702

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
Kyle M. Hammond	500 W. Wall St. Ste 300 Midland, TX 79701	432-682-6685 Rep. Fax 432-684-4519
Fee: $4,000.00 Rec'd Yes✓ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A:

24/7 Answering Services - No. 1 (Tele.): **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):*** See Exhibit "A"

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):

See Exhibit "A"

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** See Exhibit "B"

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1.

2.

3.

ATTACHED AS EXHIBIT C **is** List of subdivisions

See Exhibit "C"

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):
Undeveloped land on Midland College campus

See Exhibit "D"

ATTACHED AS EXHIBIT D **is** ,

Current Tax Roll from Midland Central Appraisal District), **which lists**

the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Chaparral H130SS

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

See Exhibit "G"

Legal Description of Proposed Well Site: SHL: 1,378' FNL & 2,300' FWL, Section 15
Block 39, T1S, T&PRR Co. Survey, Midland County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations).* [See § J(16) and (20)].**

***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

***ATTACHED AS EXHIBIT K (if applicable)* is the list of alternative locations developed in consultation with the Oil & Gas Advisory Committee. [See § J(27)].**

***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M*: Road use and repair agreement attached**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: None

(2) Operations: Oncor

Description of water source to be used during Drilling: Water is to be piped in from our water wells, drill additional water wells or truck fresh water in. All brine water will be trucked in.

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

See Exhibit "N"

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]: Trench and encapsulate per TXRRC Rule 27(c)(10)(v)

See Exhibit "O"

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* : Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by applicant are current. (See § J(29)**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

***ATTACHED AS EXHIBIT S (if applicable)* is the Drainage Plan relating to Applicant's proposed operations. [See § J(21)].**

***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

ATTACHED AS EXHIBIT V: Applicants variances

Permian Deep Rock Oil Compnay
[NAME OF COMPANY]

By _____
Its General Manager

State of Texas)

County of Midland)

Kyle Hammond , personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

Estella Peña
Notary Public, State of Texas

[S E A L]

ESTELLA PENA
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 08/03/29
NOTARY ID 131233618

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on August 11, 2026 considered the application of Permian Deep Rock Oil Co., LLC ("Operator") dated May 4, 2026, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Chaparral H130SS oil and gas well shall be 1,378 feet from the north line and 2,300 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from August 11, 2026 through August 11, 2027, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND THE CITY OF MIDLAND, THE CITY'S OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY OF ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF OR IN CONNECTION WITH THE WORK DONE BY OPERATOR UNDER AN OIL AND GAS WELL PERMIT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY OPERATOR'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF THE OPERATOR AND ANY OTHER PERSON OR ENTITY.

A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. Twenty-four hour hydraulic fracturing operations are permitted.

2. In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

3. Landscaping and irrigation shall conform to the surface use agreement.

4. Drill cuttings shall be removed from the surface location.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

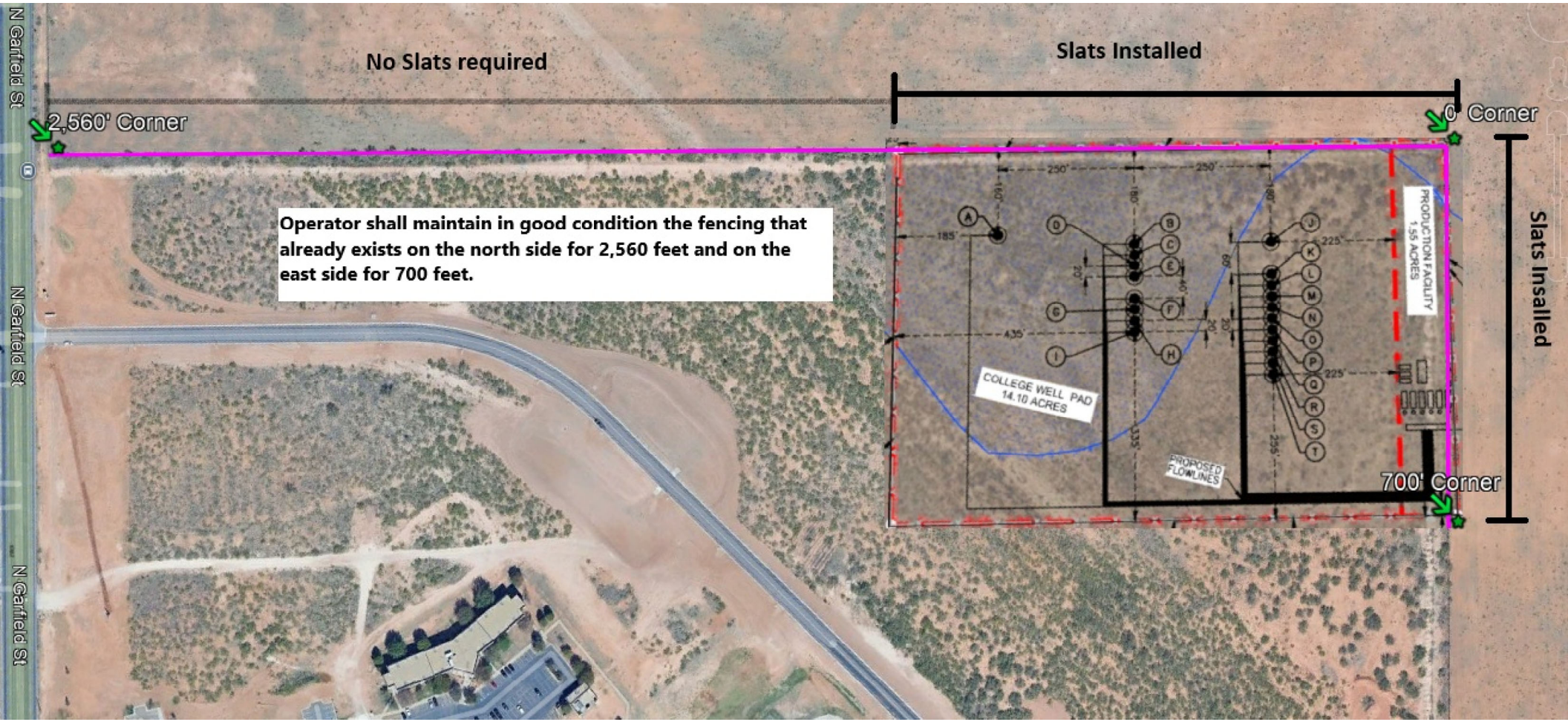
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A


No Slats required
Slats Installed
2,560' Corner
0' Corner
Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet.
N Garfield St
N Garfield St
N Garfield St
COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
700' Corner
Slats Installed

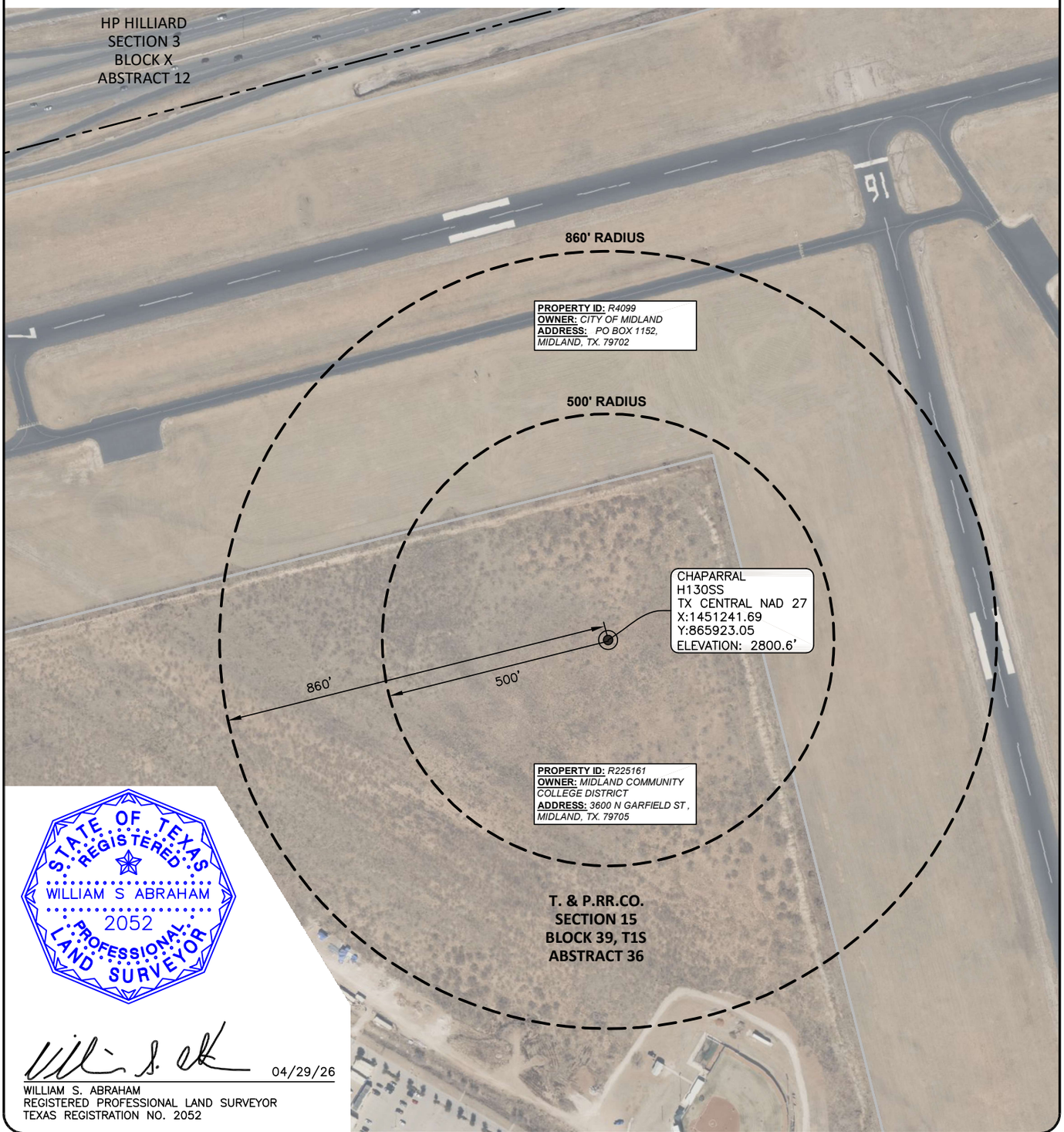
NOTES:

1.ORIGINAL DOCUMENT SIZE: 8.5" X 14"
2.THIS EXHIBIT WAS CREATED FOR THE SOLE PURPOSE OF FILING A PERMIT WITH THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS. THIS IS NOT A "BOUNDARY SURVEY".
3.THE PROPOSED WELL LOCATION WAS SURVEYED ON 04-13-2026

SYMBOL LEGEND:

FIRE HYDRANT
STORM DRAIN MANHOLE
WATER VALVE

N
W E
S
0' 150' 300'



STATE OF TEXAS
REGISTERED
WILLIAM S ABRAHAM
2052
PROFESSIONAL
LAND SURVEYOR

04/29/26

WILLIAM S. ABRAHAM
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 2052

WARNING: PLAT MAY NOT SHOW ALL CROSSINGS OF PIPELINES OR CABLES. USE TEXAS ONE CALL SYSTEM BEFORE EXCAVATION ON PROPERTY.

WELL RADIUS

PROPOSED CHAPARRAL H130SS
T. & P. RR. CO. SURVEY, SECTION 15, BLOCK 39, T1S,
ABSTRACT 36, CITY OF MIDLAND,
MIDLAND COUNTY, TEXAS
WELL SECTION LINE TIES: 2,300' FSWL & 1,378 FNWL

NOTES:
1. SURVEY RECONSTRUCTION FILED IN THE OFFICE OF ATWELL, LLC.
2. ALL BEARING AND GRID COORDINATES SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF NAD 27, CENTRAL ZONE.
3. THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY.

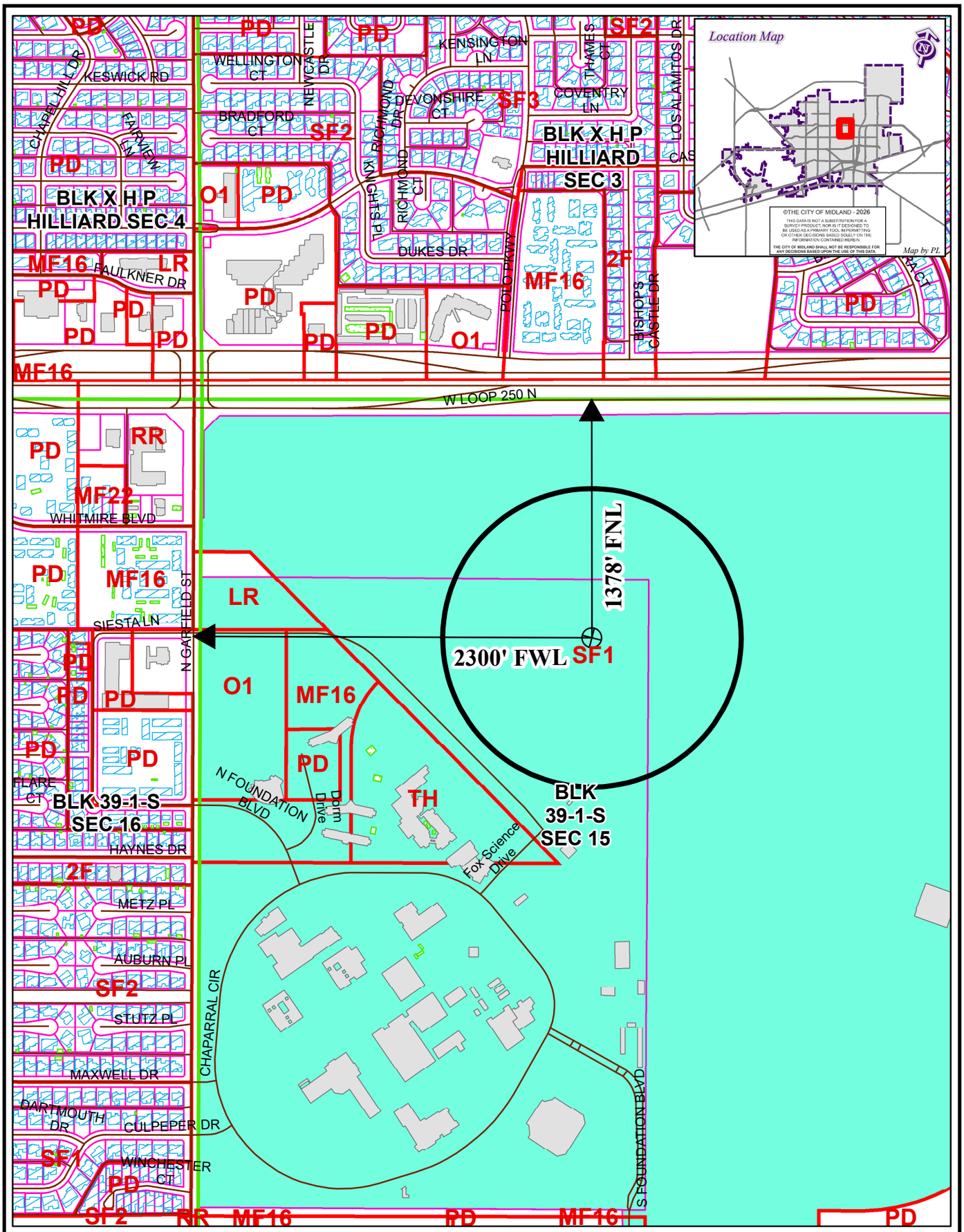
PERMIAN DEEP ROCK OIL COMPANY

ATWELL
866.850.4200 www.atwell-group.com
10100 Reunion Place, Suite 700
San Antonio, Texas 78216
TBPLS FIRM # 10194153

DRAWN	GJL	DATE	04-14-26
CHECKED	MA	DATE	04-14-26
APP'D		DATE	
SCALE	1"=300'	PAGE	2 OF 4

REV#	DATE	DESC.
1	4/24/26	CONVERT TO NAD 27

JOB NAME	WELL RADIUS
JOB NO.	26003998



LOCATION AND ZONING MAP

OIL26-000000012 **Scale: 1" = 700'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 1,378' FNL and 2,300' FWL, Section 15, Block 39, T-1-S, T&P RR CO Survey, Midland County, Texas.

Generally located 2,300 feet east of North Garfield Street and 1,378 feet south of W Loop 250 N.

Chaparral H130SS

LEGEND

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ZONING	ACCESSORY BLDGS	SURVEY SEC.

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APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
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Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
Kyle M. Hammond	500 W. Wall St. Ste 300 Midland, TX 79701	432-682-6685 Rep. Fax 432-684-4519
Fee: $4,000.00 Rec'd Yes✓ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A:

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Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

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Permian Deep Rock Oil Compnay
[NAME OF COMPANY]

By _____
Its General Manager

State of Texas)

County of Midland)

Kyle Hammond, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

Estella Peña
Notary Public, State of Texas

[S E A L]

ESTELLA PENA
NOTARY PUBLIC
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NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

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A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. Twenty-four hour hydraulic fracturing operations are permitted.

2. In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

3. Landscaping and irrigation shall conform to the surface use agreement.

4. Drill cuttings shall be removed from the surface location.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

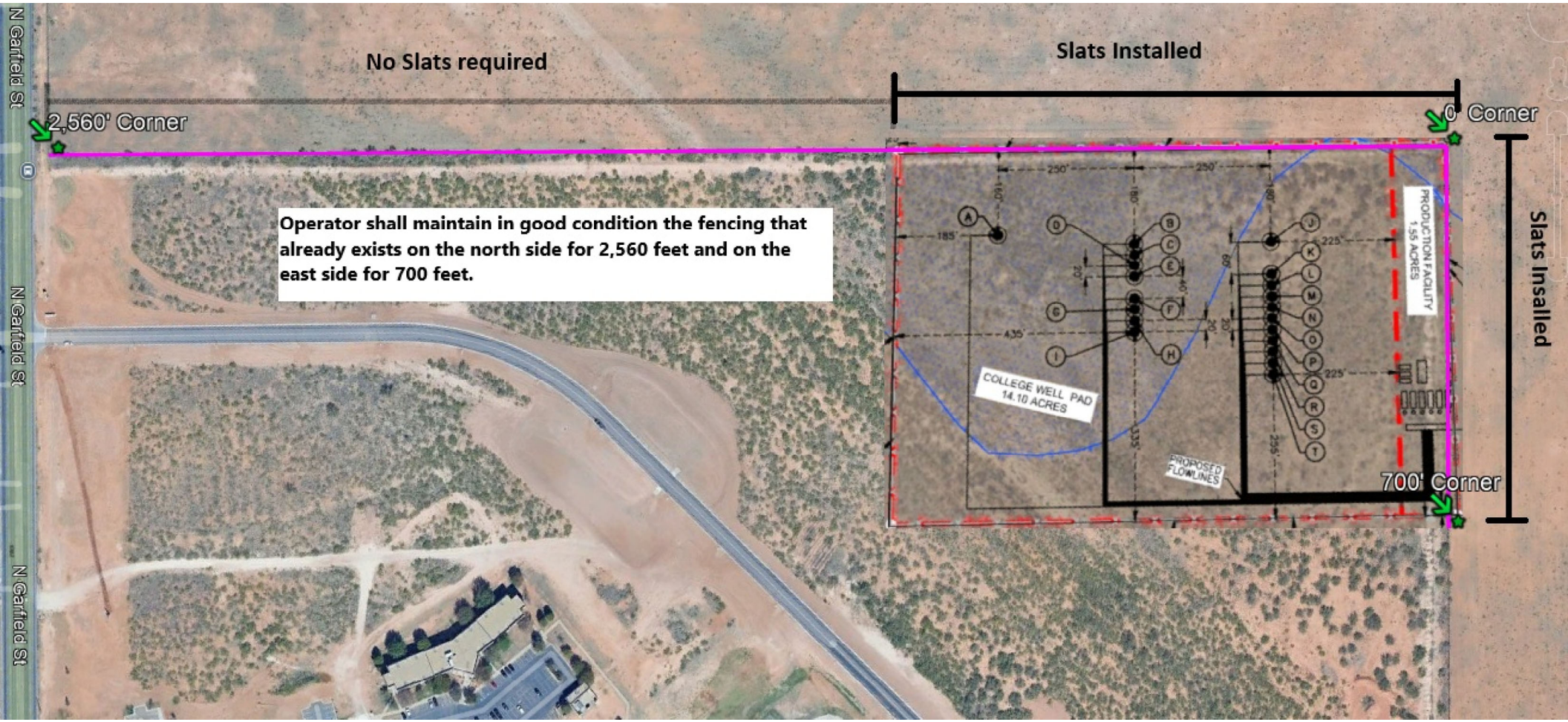
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A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Slats Installed
2,560' Corner
0' Corner
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N Garfield St
COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
700' Corner
Slats Installed

NOTES:

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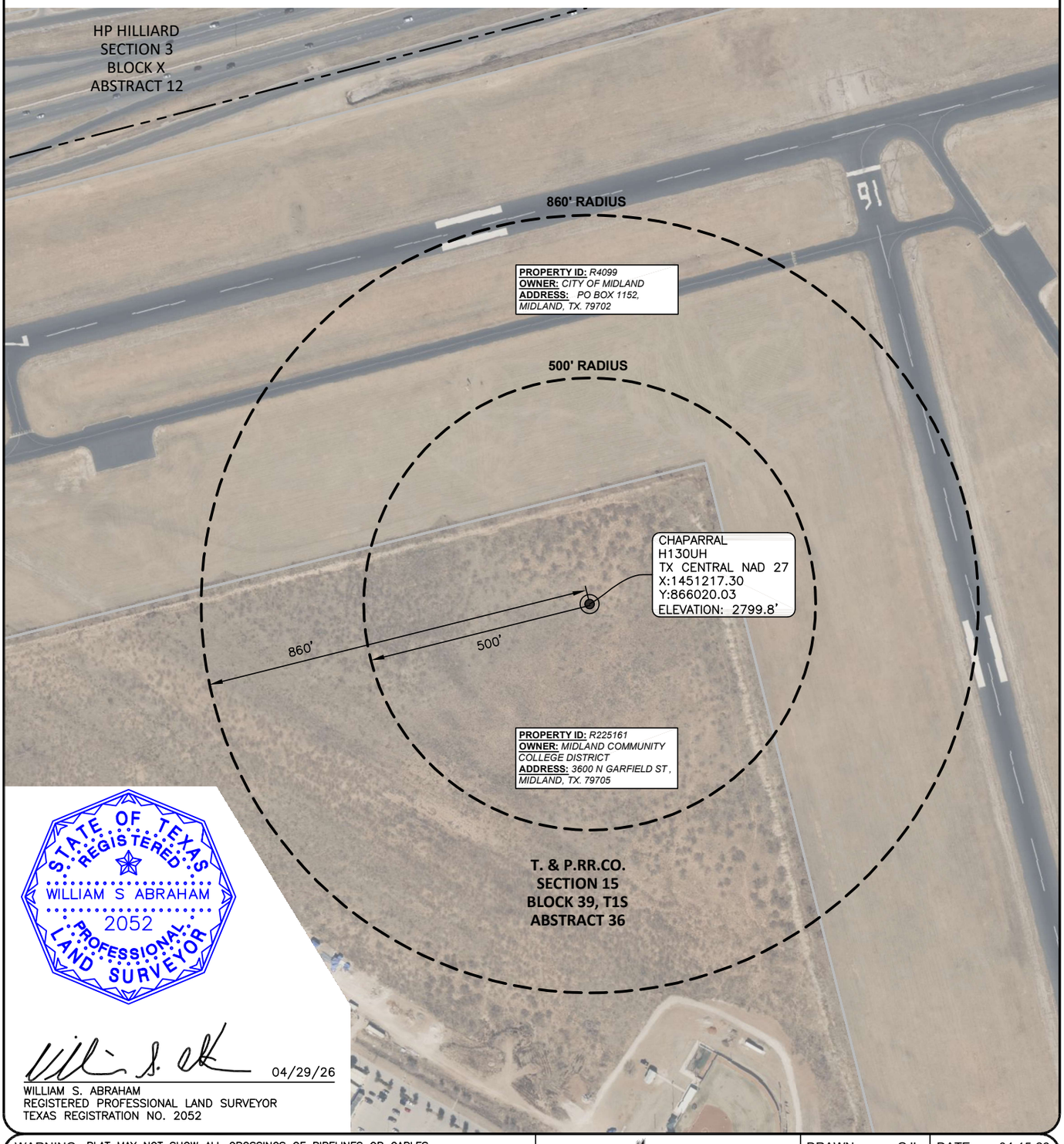
2.THIS EXHIBIT WAS CREATED FOR THE SOLE PURPOSE OF FILING A PERMIT WITH THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS. THIS IS NOT A "BOUNDARY SURVEY".
3.THE PROPOSED WELL LOCATION WAS SURVEYED ON 04-13-2026

SYMBOL LEGEND:

FIRE HYDRANT
STORM DRAIN MANHOLE
WATER VALVE

N
W E
S
0' 150' 300'



STATE OF TEXAS
REGISTERED
WILLIAM S ABRAHAM
2052
PROFESSIONAL
LAND SURVEYOR

04/29/26
WILLIAM S. ABRAHAM
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 2052

WARNING: PLAT MAY NOT SHOW ALL CROSSINGS OF PIPELINES OR CABLES. USE TEXAS ONE CALL SYSTEM BEFORE EXCAVATION ON PROPERTY.

WELL RADIUS

PROPOSED CHAPARRAL H130UH
T. & P. RR. CO. SURVEY, SECTION 15, BLOCK 39, T1S, ABSTRACT 36, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS
WELL SECTION LINE TIES: 2,300' FSWL & 1,278 FNWL

NOTES:
1. SURVEY RECONSTRUCTION FILED IN THE OFFICE OF ATWELL, LLC.
2. ALL BEARING AND GRID COORDINATES SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF NAD 27, CENTRAL ZONE.
3. THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY.

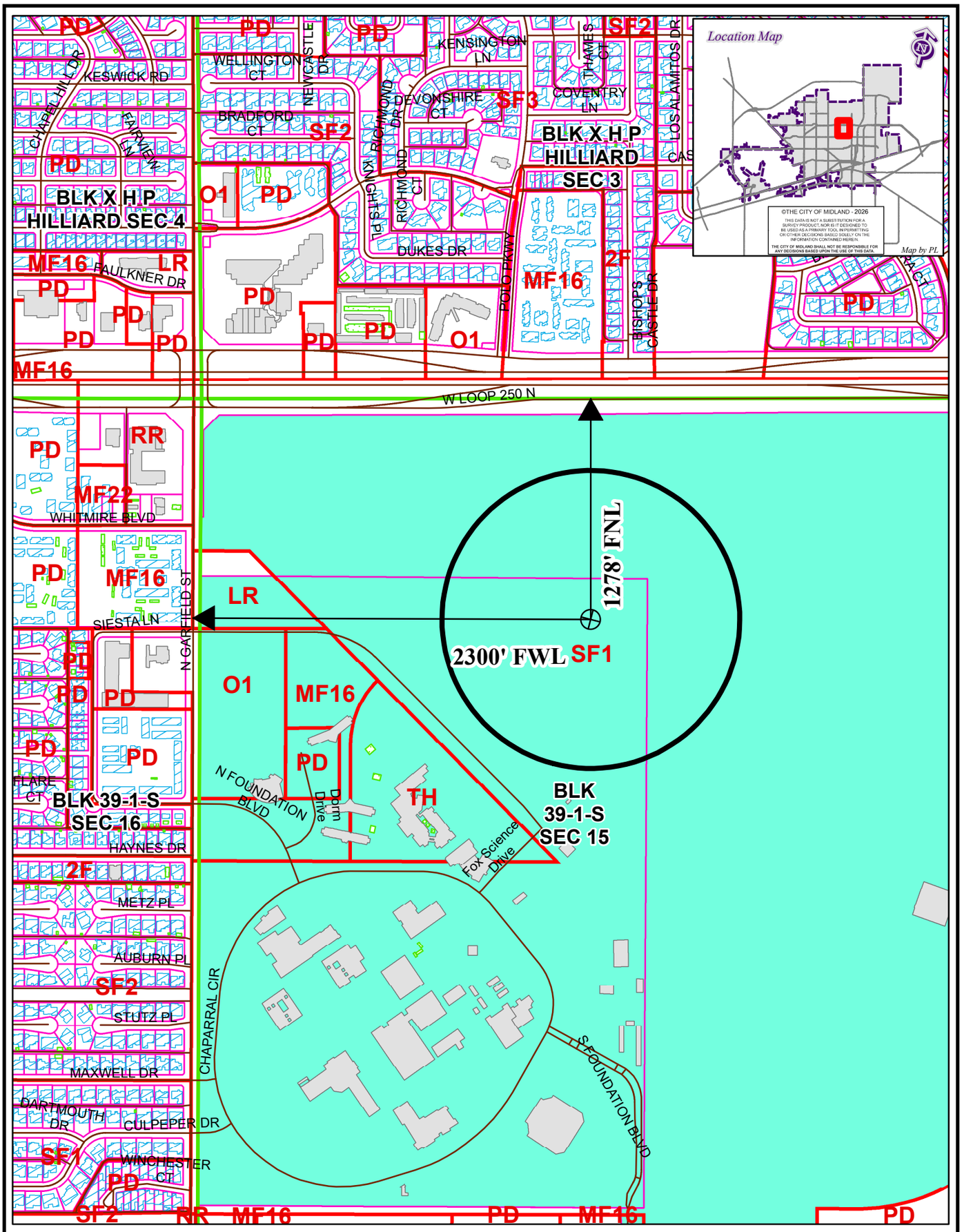
PERMIAN DEEP ROCK OIL COMPANY

ATWELL
866.850.4200 www.atwell-group.com
10100 Reunion Place, Suite 700
San Antonio, Texas 78216
TBPLS FIRM # 10194153

DRAWN	GJL	DATE	04-15-26
CHECKED	MA	DATE	04-15-26
APP'D		DATE	
SCALE	1"=300'	PAGE	2 OF 4

REV#	DATE	DESC.
1	4/24/26	CONVERT TO NAD 27

JOB NAME	WELL RADIUS
JOB NO.	26003998



LOCATION AND ZONING MAP

OIL26-000000013 **Scale: 1" = 700'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 1,278' FNL and 2,300' FWL, Section 15, Block 39, T-1-S, T&P RR CO Survey, Midland County, Texas.

Generally located 2,300 feet east of North Garfield Street and 1,278 feet south of W Loop 250 N.

Chaparral H130UH

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
05/04/2026	Permian Deep Rock Oil Co., LLC	P.O. Box 11405 Midland, TX 79702

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
Kyle M. Hammond	500 W. Wall St. Ste 300 Midland, TX 79701	432-682-6685 Rep. Fax 432-684-4519
Fee: $4,000.00 Rec'd Yes✓ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A:

24/7 Answering Services - No. 1 (Tele.): **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):*** See Exhibit "A"

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):

See Exhibit "A"

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** See Exhibit "B"

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1.

2.

3.

ATTACHED AS EXHIBIT C **is** List of subdivisions

See Exhibit "C"

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):
Undeveloped land on Midland College campus

See Exhibit "D"

ATTACHED AS EXHIBIT D **is** ,

Current Tax Roll from Midland Central Appraisal District), **which lists**

the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Chaparral H130WB

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

See Exhibit "G"

Legal Description of Proposed Well Site: SHL: 1,318' FNL & 2,300' FWL, Section 15
Block 39, T1S, T&PRR Co. Survey, Midland County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations).* [See § J(16) and (20)].**

***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

***ATTACHED AS EXHIBIT K (if applicable)* is the list of alternative locations developed in consultation with the Oil & Gas Advisory Committee. [See § J(27)].**

***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M*: Road use and repair agreement attached**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: None

(2) Operations: Oncor

Description of water source to be used during Drilling: Water is to be piped in from our water wells, drill additional water wells or truck fresh water in. All brine water will be trucked in.

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

See Exhibit "N"

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]: Trench and encapsulate per TXRRC Rule 27(c)(10)(v)

See Exhibit "O"

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* : Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by applicant are current. (See § J(29)**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

***ATTACHED AS EXHIBIT S (if applicable)* is the Drainage Plan relating to Applicant's proposed operations. [See § J(21)].**

***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

ATTACHED AS EXHIBIT V: Applicants variances

Permian Deep Rock Oil Compnay
[NAME OF COMPANY]

By _____
Its General Manager

State of Texas)

County of Midland)

Kyle Hammond, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

Estella Peña
Notary Public, State of Texas

[S E A L]

ESTELLA PENA
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 08/03/29
NOTARY ID 131233618

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on August 11, 2026 considered the application of Permian Deep Rock Oil Co., LLC ("Operator") dated May 4, 2026, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Chaparral H130WB oil and gas well shall be 1,318 feet from the north line and 2,300 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from August 11, 2026 through August 11, 2027, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

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By: _____

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General Manager

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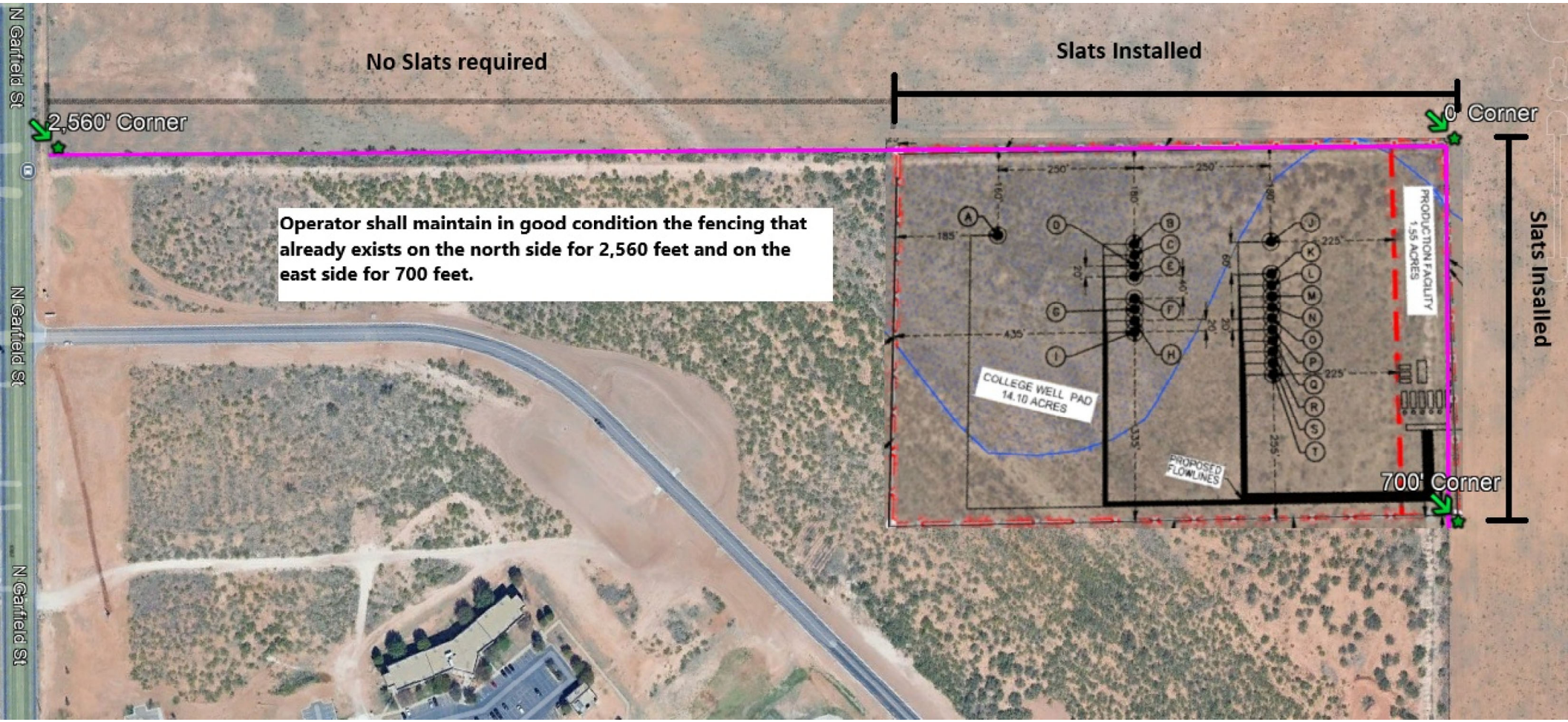
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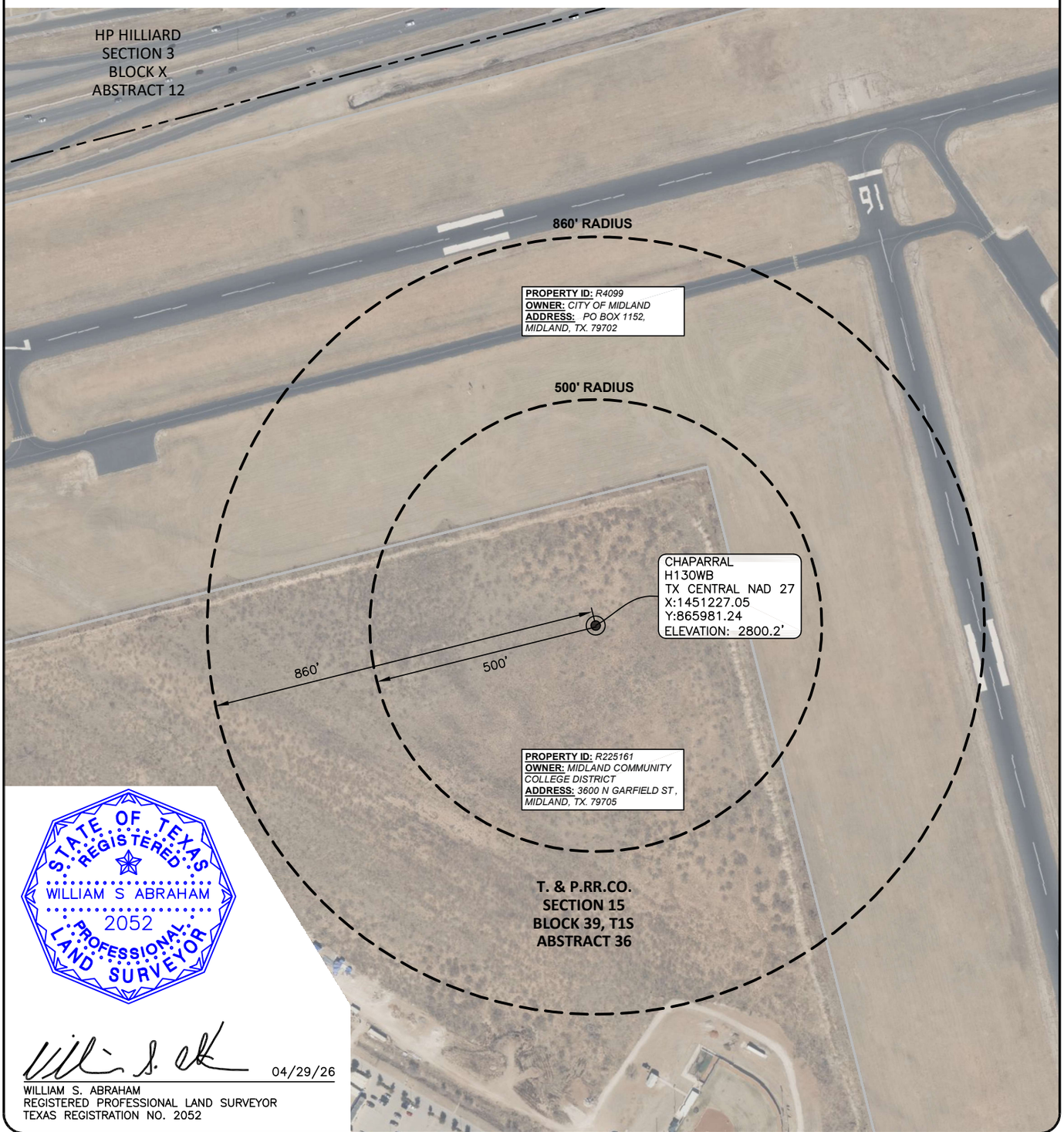

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866.850.4200 www.atwell-group.com
10100 Reunion Place, Suite 700
San Antonio, Texas 78216
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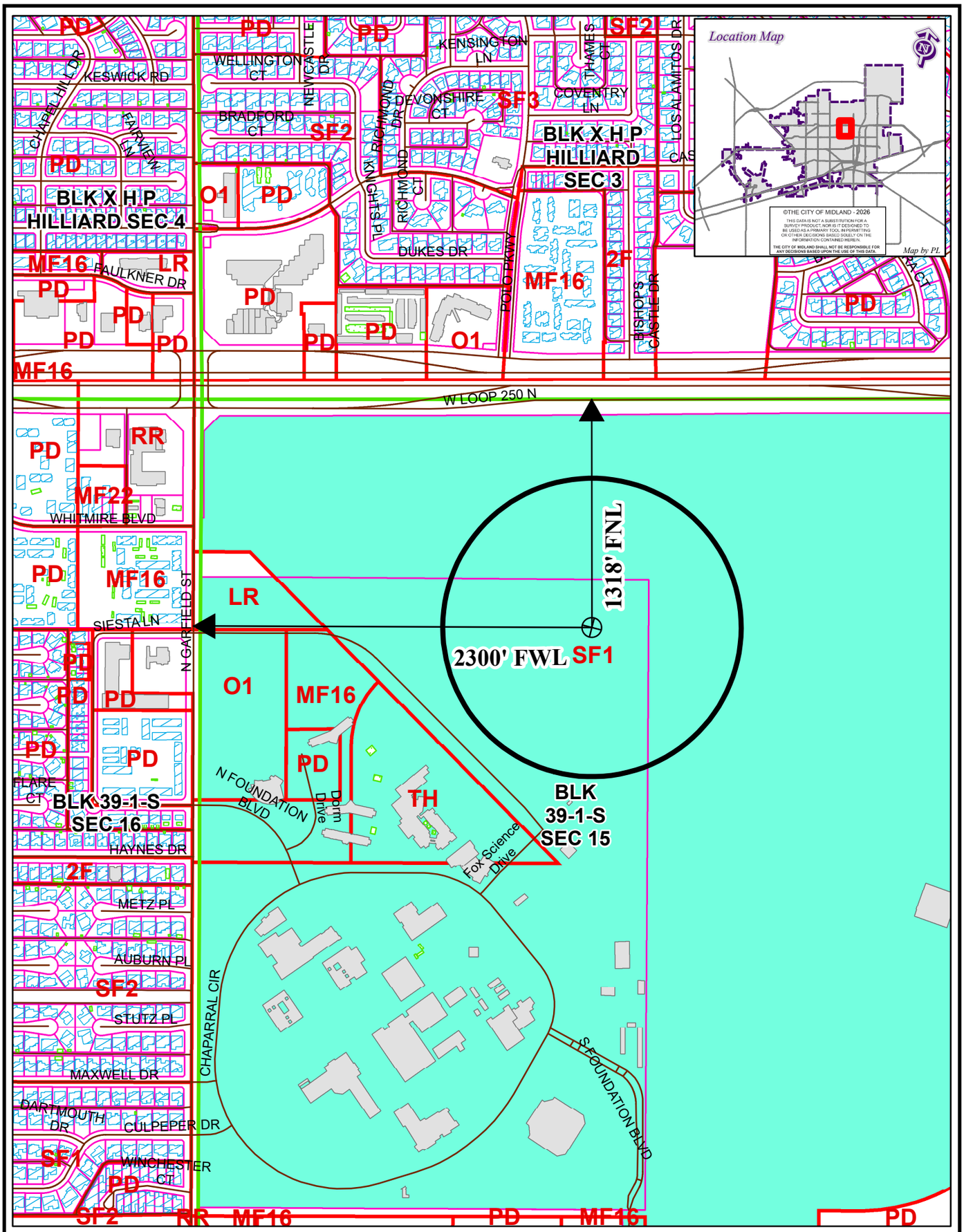

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Chaparral H130WB

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APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
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Permit Compliance Contact (Choose 1):

Option A:

24/7 Answering Services - No. 1 (Tele.): **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):*** See Exhibit "A"

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):

See Exhibit "A"

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** See Exhibit "B"

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1.

2.

3.

ATTACHED AS EXHIBIT C **is** List of subdivisions

See Exhibit "C"

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):
Undeveloped land on Midland College campus

See Exhibit "D"

ATTACHED AS EXHIBIT D **is** ,

Current Tax Roll from Midland Central Appraisal District), **which lists**

the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Chaparral H135WA

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

See Exhibit "G"

Legal Description of Proposed Well Site: SHL: 1,418' FNL & 2,300' FWL, Section 15
Block 39, T1S, T&PRR Co. Survey, Midland County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

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***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

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***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M*: Road use and repair agreement attached**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: None

(2) Operations: Oncor

Description of water source to be used during Drilling: Water is to be piped in from our water wells, drill additional water wells or truck fresh water in. All brine water will be trucked in.

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

See Exhibit "N"

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]: Trench and encapsulate per TXRRC Rule 27(c)(10)(v)

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V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* : Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by applicant are current. (See § J(29)**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

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***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

ATTACHED AS EXHIBIT V: Applicants variances

Permian Deep Rock Oil Compnay
[NAME OF COMPANY]

By _____
Its General Manager

State of Texas)

County of Midland)

Kyle Hammond, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

Estella Peña
Notary Public, State of Texas

[S E A L]

ESTELLA PENA
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 08/03/29
NOTARY ID 131233618

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on August 11, 2026 considered the application of Permian Deep Rock Oil Co., LLC ("Operator") dated May 4, 2026, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Chaparral H135WA oil and gas well shall be 1,418 feet from the north line and 2,300 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from August 11, 2026 through August 11, 2027, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND THE CITY OF MIDLAND, THE CITY'S OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY OF ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF OR IN CONNECTION WITH THE WORK DONE BY OPERATOR UNDER AN OIL AND GAS WELL PERMIT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY OPERATOR'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF THE OPERATOR AND ANY OTHER PERSON OR ENTITY.

A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. Twenty-four hour hydraulic fracturing operations are permitted.

2. In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

3. Landscaping and irrigation shall conform to the surface use agreement.

4. Drill cuttings shall be removed from the surface location.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

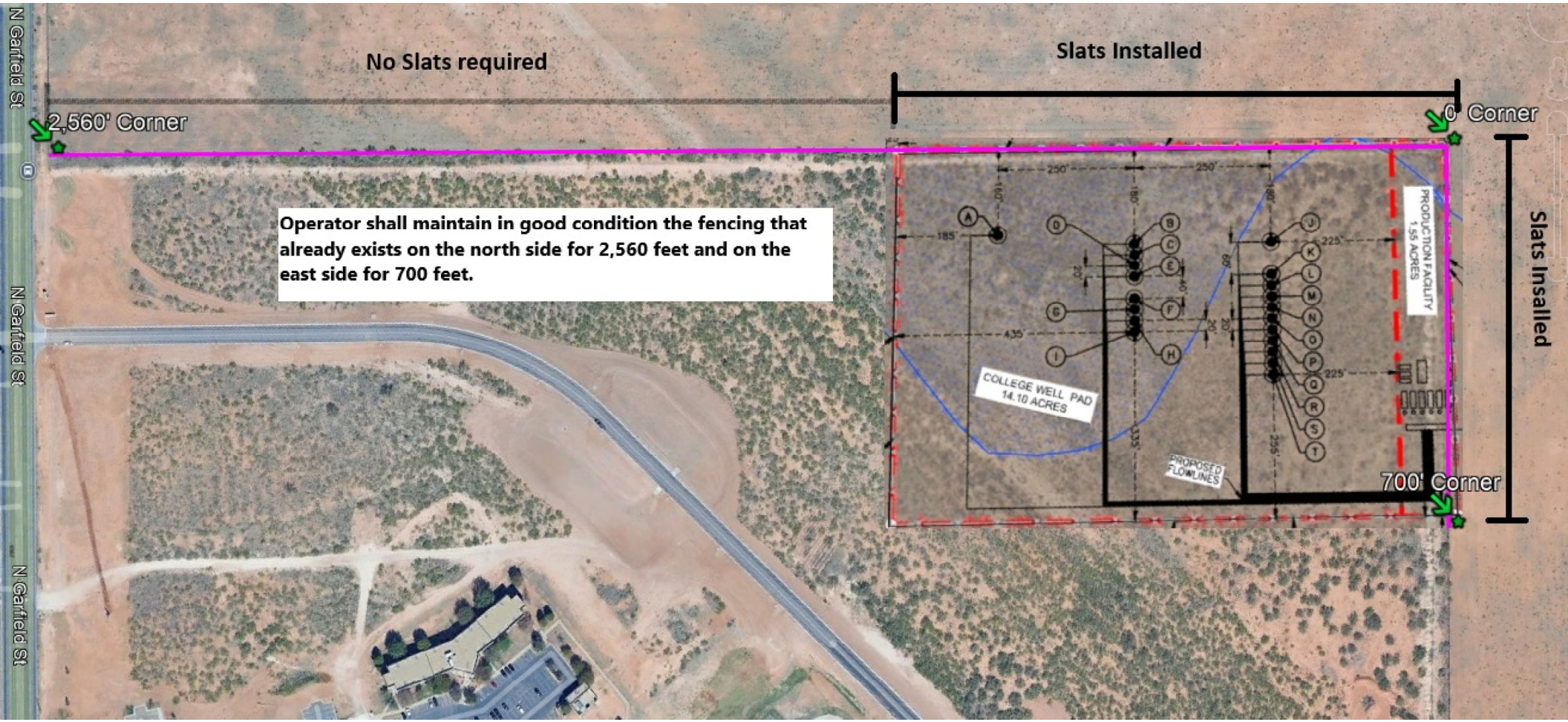
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A


No Slats required
Slats Installed
2,560' Corner
0' Corner
Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet.
N Garfield St
N Garfield St
N Garfield St
COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
700' Corner
Slats Installed

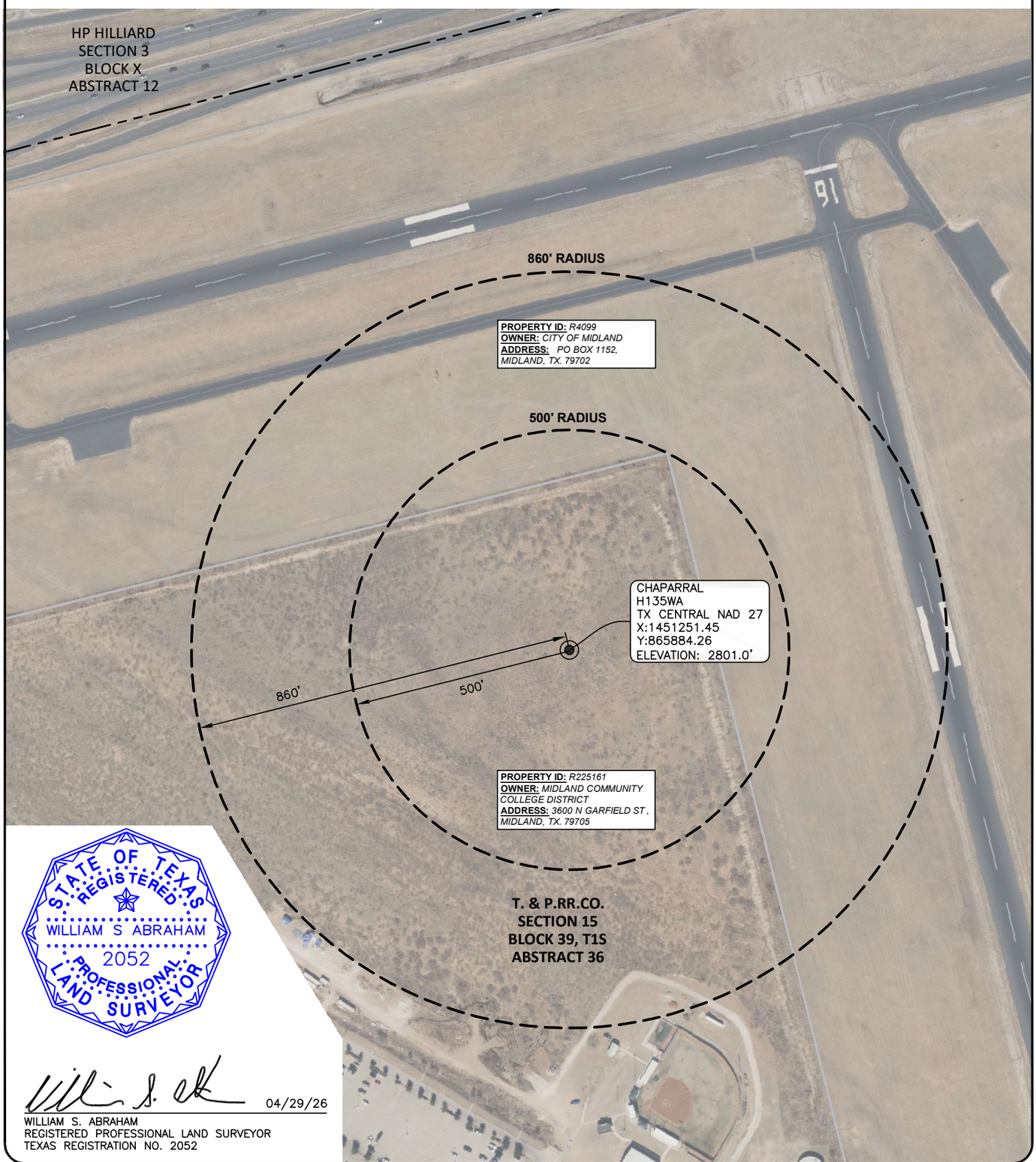
NOTES:

1.ORIGINAL DOCUMENT SIZE: 8.5" X 14"
2.THIS EXHIBIT WAS CREATED FOR THE SOLE PURPOSE OF FILING A PERMIT WITH THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS. THIS IS NOT A "BOUNDARY SURVEY".
3.THE PROPOSED WELL LOCATION WAS SURVEYED ON 04-13-2026

SYMBOL LEGEND:

FIRE HYDRANT
STORM DRAIN MANHOLE
WATER VALVE

N
W E
S
0' 150' 300'



STATE OF TEXAS
REGISTERED
WILLIAM S ABRAHAM
2052
PROFESSIONAL
LAND SURVEYOR

04/29/26
WILLIAM S. ABRAHAM
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 2052

WARNING: PLAT MAY NOT SHOW ALL CROSSINGS OF PIPELINES OR CABLES. USE TEXAS ONE CALL SYSTEM BEFORE EXCAVATION ON PROPERTY.

WELL RADIUS

PROPOSED CHAPARRAL H135WA
T. & P. RR. CO. SURVEY, SECTION 15, BLOCK 39, T1S,
ABSTRACT 36, CITY OF MIDLAND,
MIDLAND COUNTY, TEXAS
WELL SECTION LINE TIES: 2,300' FSWL & 1,418 FNWL

NOTES:
1. SURVEY RECONSTRUCTION FILED IN THE OFFICE OF ATWELL, LLC.
2. ALL BEARING AND GRID COORDINATES SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF NAD 27, CENTRAL ZONE.
3. THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY.

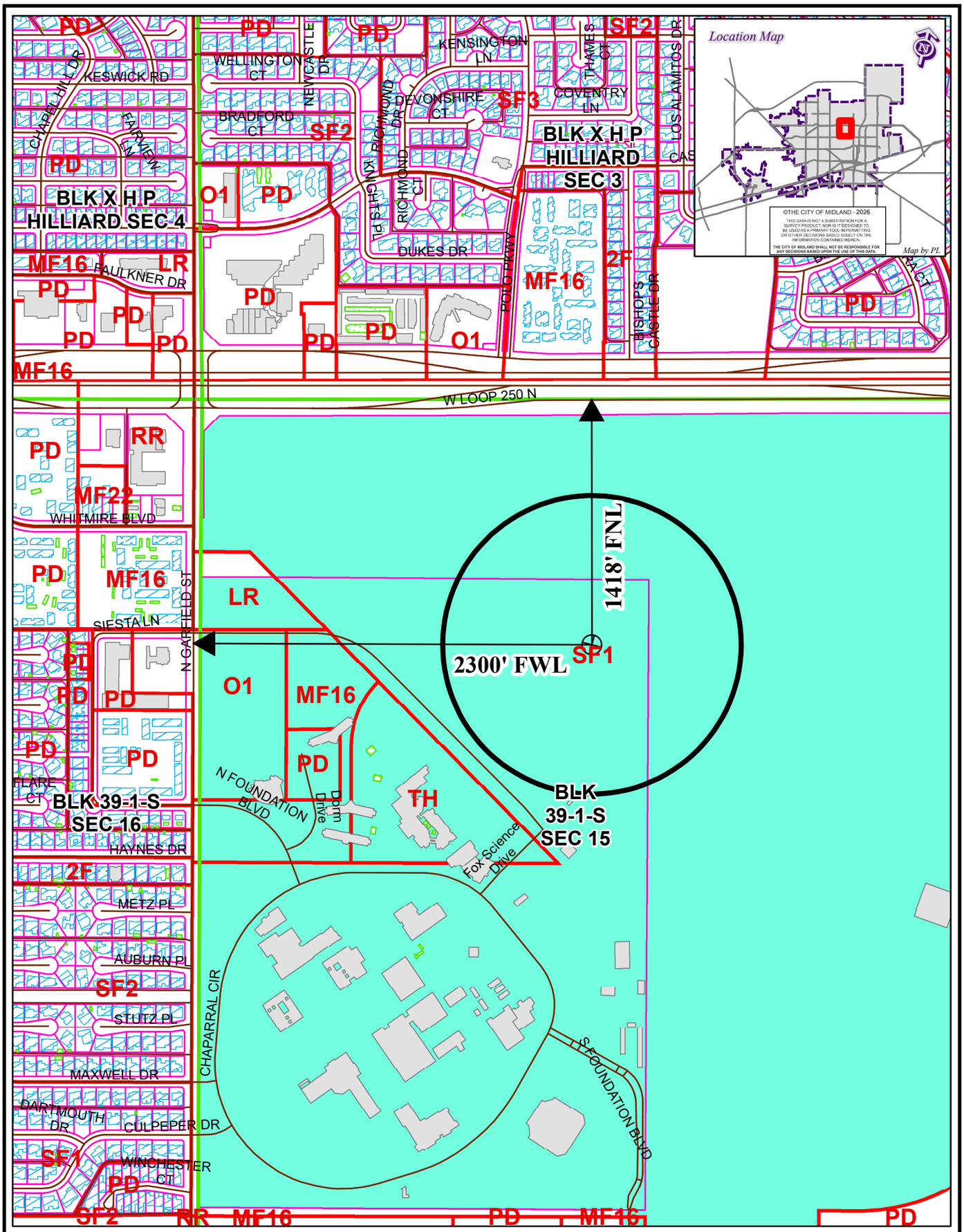
PERMIAN DEEP ROCK OIL COMPANY

ATWELL
866.850.4200 www.atwell-group.com
10100 Reunion Place, Suite 700
San Antonio, Texas 78216
TBPLS FIRM # 10194153

DRAWN	GJL	DATE	04-15-26
CHECKED	MA	DATE	04-15-26
APP'D		DATE	
SCALE	1"=300'	PAGE	2 OF 4

REV#	DATE	DESC.
1	4/24/26	CONVERT TO NAD 27

JOB NAME	WELL RADIUS
JOB NO.	26003998



LOCATION AND ZONING MAP

OIL26-000000015 **Scale: 1" = 700'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 1,418' FNL and 2,300' FWL, Section 15, Block 39, T-1-S, T&P RR CO Survey, Midland County, Texas.

Generally located 2,300 feet east of North Garfield Street and 1,418 feet south of W Loop 250 N.

Chaparral H135WA

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
05/04/2026	Permian Deep Rock Oil Co., LLC	P.O. Box 11405 Midland, TX 79702

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
Kyle M. Hammond	500 W. Wall St. Ste 300 Midland, TX 79701	432-682-6685 Rep. Fax 432-684-4519
Fee: $4,000.00 Rec'd Yes✓ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A:

24/7 Answering Services - No. 1 (Tele.): **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):*** See Exhibit "A"

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the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].

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Proposed Well Name: Chaparral H140LS

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

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Permian Deep Rock Oil Compnay
[NAME OF COMPANY]

By _____
Its General Manager

State of Texas)

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Kyle Hammond, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

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[S E A L]

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Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

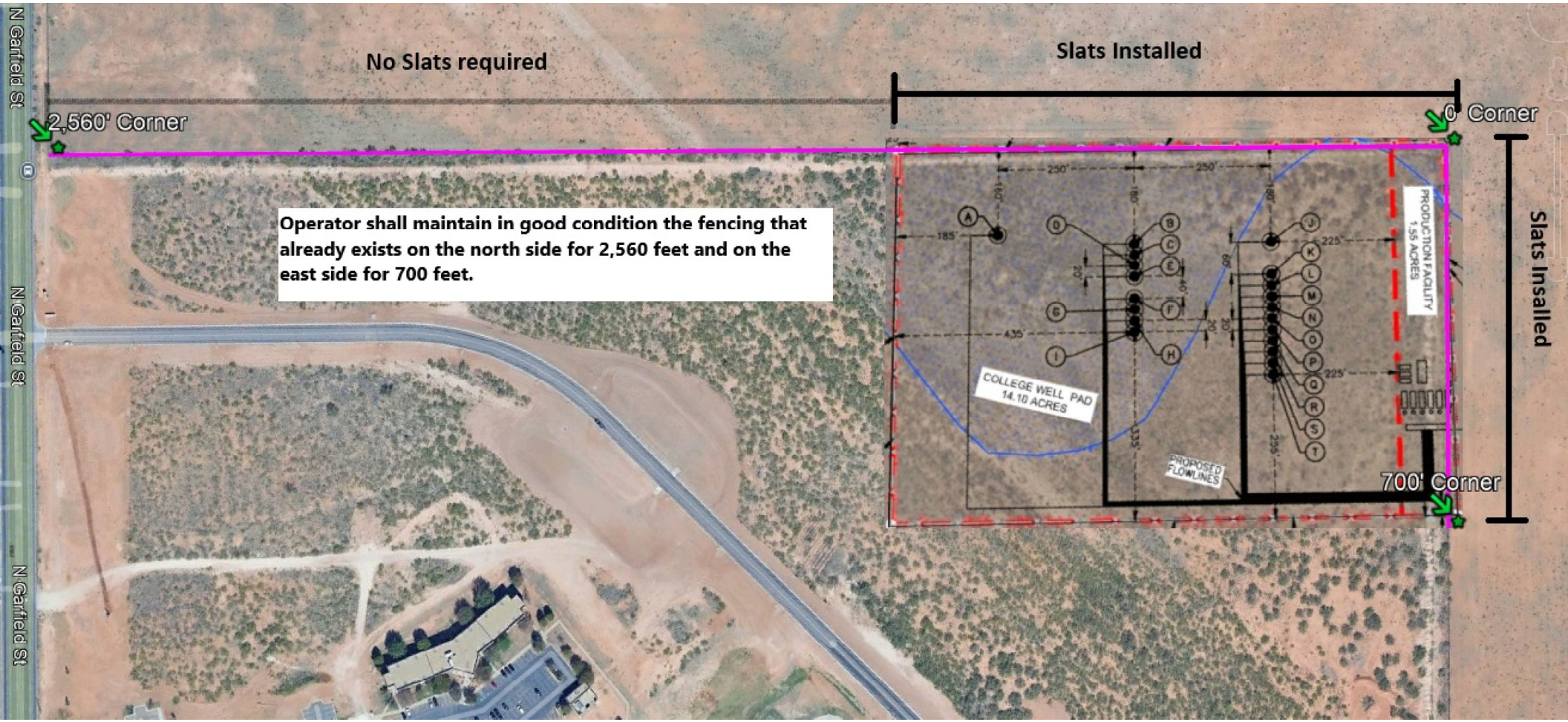
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A


No Slats required
Slats Installed
2,560' Corner
0' Corner
Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet.
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COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
700' Corner
Slats Installed

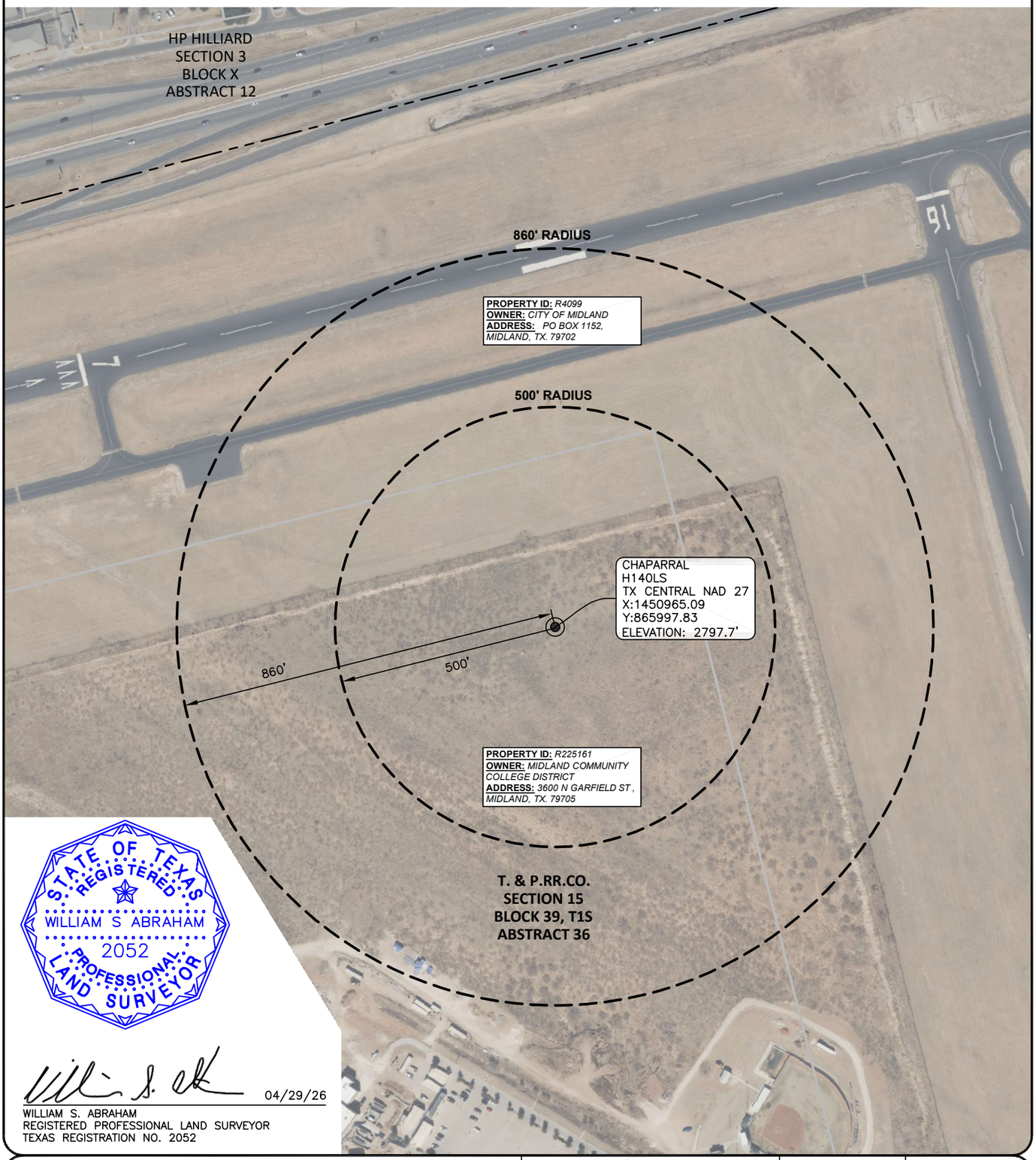
NOTES:

1.ORIGINAL DOCUMENT SIZE: 8.5" X 14"
2.THIS EXHIBIT WAS CREATED FOR THE SOLE PURPOSE OF FILING A PERMIT WITH THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS. THIS IS NOT A "BOUNDARY SURVEY".
3.THE PROPOSED WELL LOCATION WAS SURVEYED ON 04-13-2026

SYMBOL LEGEND:

FIRE HYDRANT
STORM DRAIN MANHOLE
WATER VALVE

N
W E
S
0' 150' 300'



STATE OF TEXAS
REGISTERED
WILLIAM S ABRAHAM
2052
PROFESSIONAL
LAND SURVEYOR

04/29/26

WILLIAM S. ABRAHAM
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 2052

WARNING: PLAT MAY NOT SHOW ALL CROSSINGS OF PIPELINES OR CABLES. USE TEXAS ONE CALL SYSTEM BEFORE EXCAVATION ON PROPERTY.

WELL RADIUS

PROPOSED CHAPARRAL H140LS
T. & P. RR. CO. SURVEY, SECTION 15, BLOCK 39, T1S,
ABSTRACT 36, CITY OF MIDLAND,
MIDLAND COUNTY, TEXAS
WELL SECTION LINE TIES: 2,050' FSWL & 1,236 FNWL

NOTES:
1. SURVEY RECONSTRUCTION FILED IN THE OFFICE OF ATWELL, LLC.
2. ALL BEARING AND GRID COORDINATES SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF NAD 27, CENTRAL ZONE.
3. THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY.

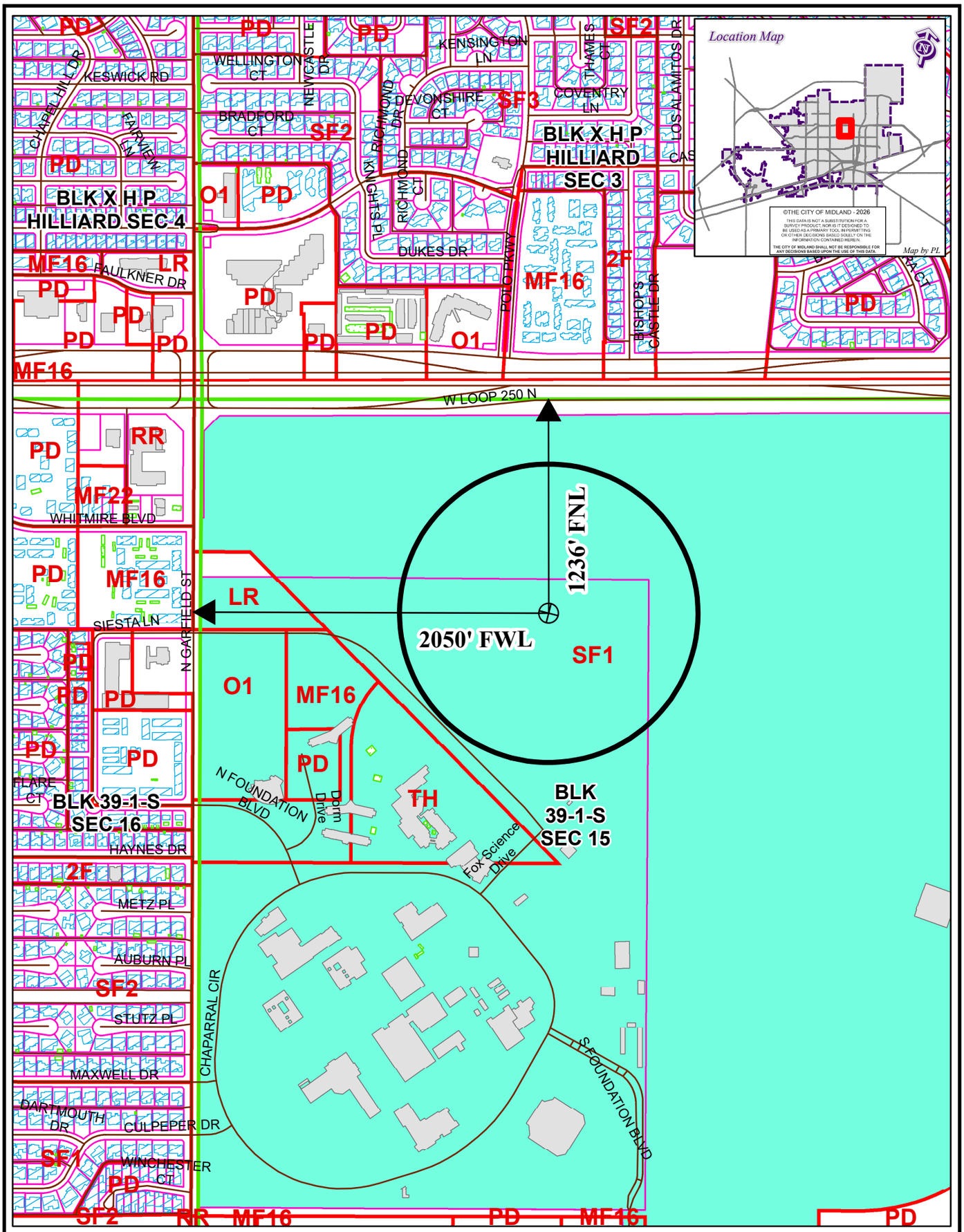
PERMIAN DEEP ROCK OIL COMPANY

ATWELL
866.850.4200 www.atwell-group.com
10100 Reunion Place, Suite 700
San Antonio, Texas 78216
TBPLS FIRM # 10194153

DRAWN	GJL	DATE	04-15-26
CHECKED	MA	DATE	04-15-26
APP'D		DATE	
SCALE	1"=300'	PAGE	2 OF 4

REV#	DATE	DESC.
1	4/24/26	CONVERT TO NAD 27

JOB NAME	WELL RADIUS
JOB NO.	26003998



LOCATION AND ZONING MAP

OIL26-000000016 **Scale: 1" = 700'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 1,236' FNL and 2,050' FWL, Section 15, Block 39, T-1-S, T&P RR CO Survey, Midland County, Texas.

Generally located 2,050 feet east of North Garfield Street and 1,236 feet south of W Loop 250 N.

Chaparral H140LS

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
05/04/2026	Permian Deep Rock Oil Co., LLC	P.O. Box 11405 Midland, TX 79702

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
Kyle M. Hammond	500 W. Wall St. Ste 300 Midland, TX 79701	432-682-6685 Rep. Fax 432-684-4519
Fee: $4,000.00 Rec'd Yes✓ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A:

24/7 Answering Services - No. 1 (Tele.): **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):*** See Exhibit "A"

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):

See Exhibit "A"

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** See Exhibit "B"

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1.

2.

3.

ATTACHED AS EXHIBIT C **is** List of subdivisions

See Exhibit "C"

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):
Undeveloped land on Midland College campus

See Exhibit "D"

ATTACHED AS EXHIBIT D **is** ,

Current Tax Roll from Midland Central Appraisal District), **which lists**

the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Chaparral H140MS

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

See Exhibit "G"

Legal Description of Proposed Well Site: SHL: 1,256' FNL & 2,050' FWL, Section 15
Block 39, T1S, T&PRR Co. Survey, Midland County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations).* [See § J(16) and (20)].**

***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

***ATTACHED AS EXHIBIT K (if applicable)* is the list of alternative locations developed in consultation with the Oil & Gas Advisory Committee. [See § J(27)].**

***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M*: Road use and repair agreement attached**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: None

(2) Operations: Oncor

Description of water source to be used during Drilling: Water is to be piped in from our water wells, drill additional water wells or truck fresh water in. All brine water will be trucked in.

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

See Exhibit "N"

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]: Trench and encapsulate per TXRRC Rule 27(c)(10)(v)

See Exhibit "O"

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* : Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by applicant are current. (See § J(29)**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

***ATTACHED AS EXHIBIT S (if applicable)* is the Drainage Plan relating to Applicant's proposed operations. [See § J(21)].**

***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

ATTACHED AS EXHIBIT V: Applicants variances

Permian Deep Rock Oil Compnay
[NAME OF COMPANY]

By _____
Its General Manager

State of Texas)

County of Midland)

Kyle Hammond, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

Estella Peña
Notary Public, State of Texas

[S E A L]

ESTELLA PENA
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 08/03/29
NOTARY ID 131233618

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on August 11, 2026 considered the application of Permian Deep Rock Oil Co., LLC ("Operator") dated May 4, 2026, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Chaparral H140MS oil and gas well shall be 1,256 feet from the north line and 2,050 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from August 11, 2026 through August 11, 2027, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND THE CITY OF MIDLAND, THE CITY'S OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY OF ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF OR IN CONNECTION WITH THE WORK DONE BY OPERATOR UNDER AN OIL AND GAS WELL PERMIT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY OPERATOR'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF THE OPERATOR AND ANY OTHER PERSON OR ENTITY.

A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. Twenty-four hour hydraulic fracturing operations are permitted.

2. In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

3. Landscaping and irrigation shall conform to the surface use agreement.

4. Drill cuttings shall be removed from the surface location.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

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Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

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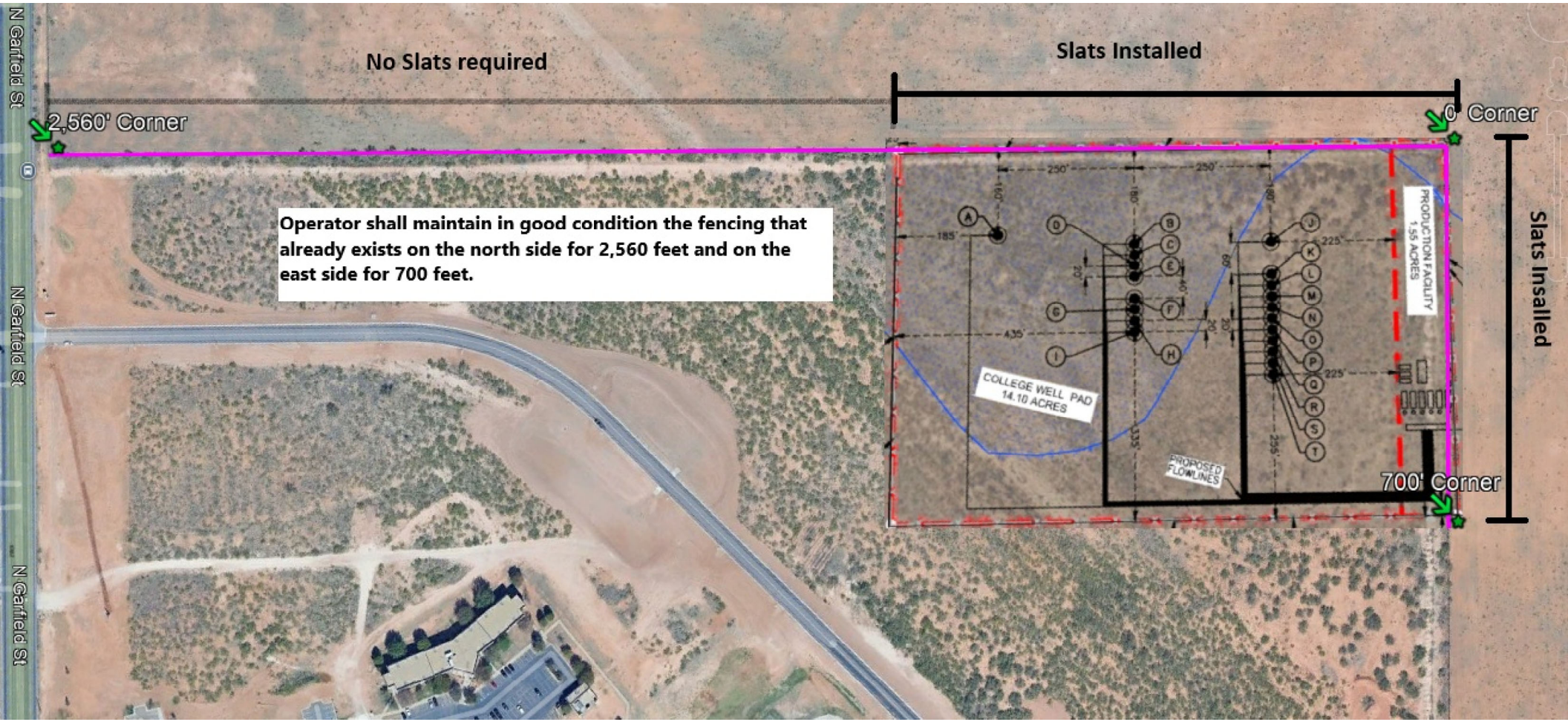
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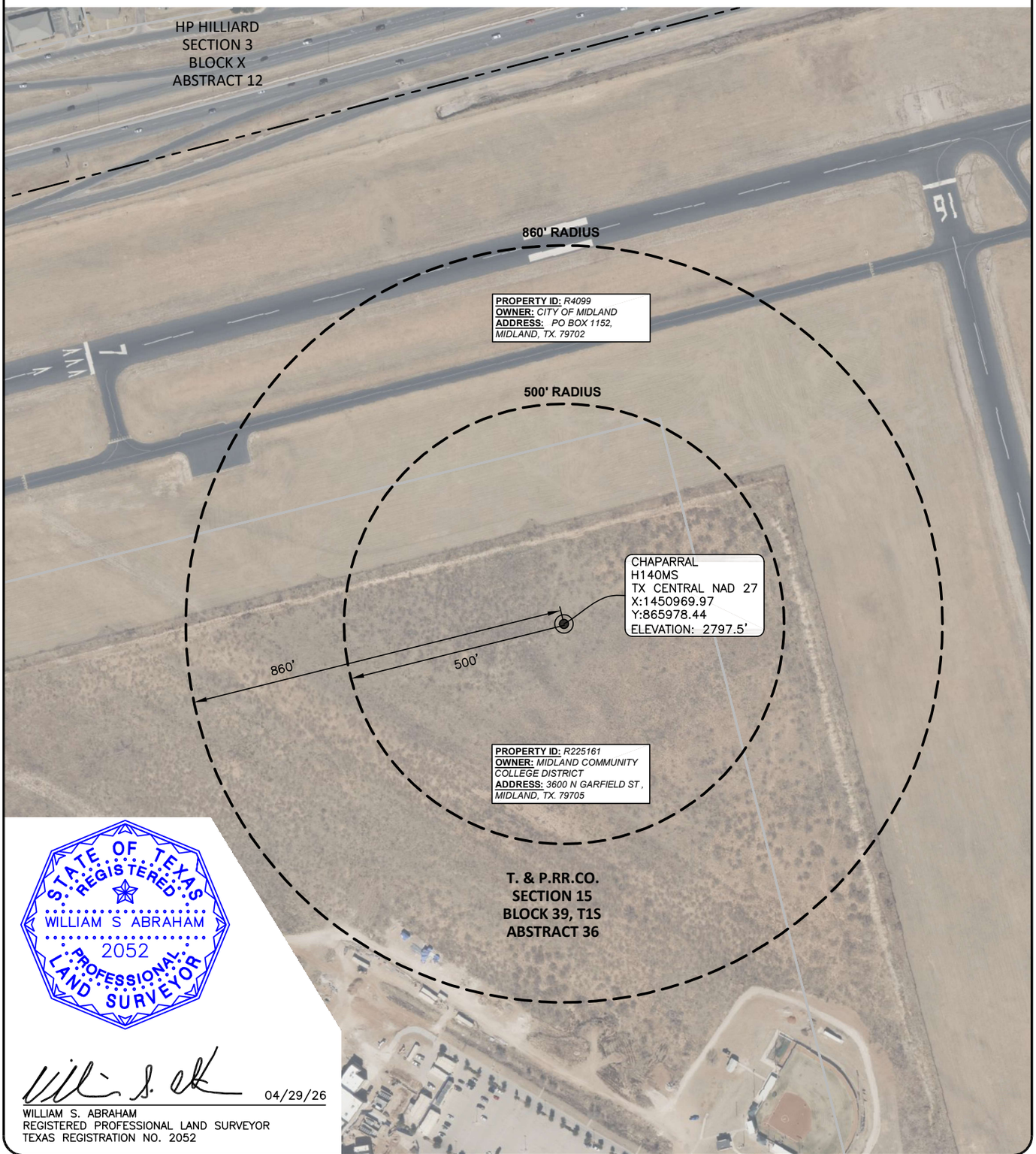

STATE OF TEXAS
REGISTERED
WILLIAM S ABRAHAM
2052
PROFESSIONAL
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04/29/26

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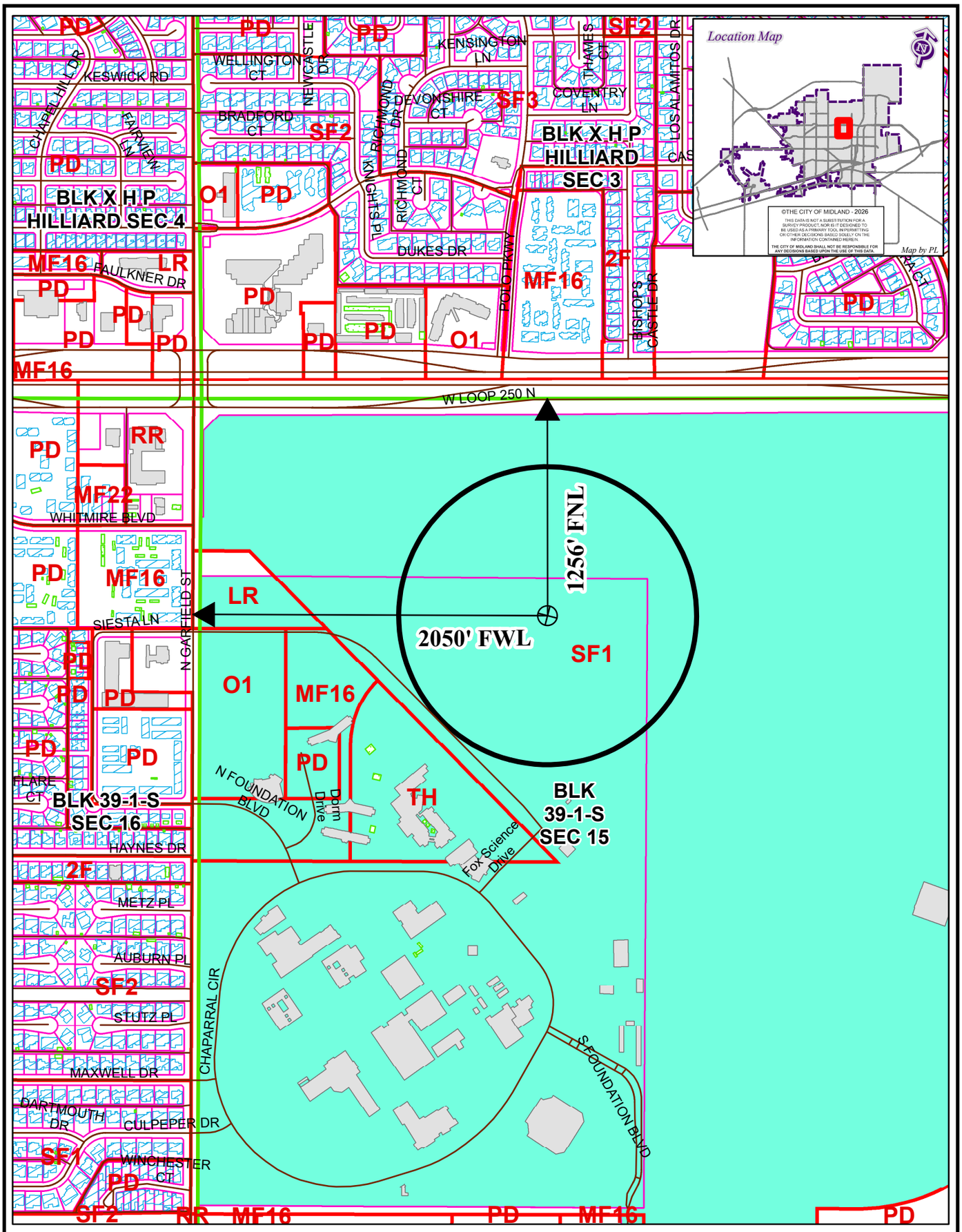

LOCATION AND ZONING MAP

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Generally located 2,050 feet east of North Garfield Street and 1,256 feet south of W Loop 250 N.

Chaparral H140MS

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
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ZONING	ACCESSORY BLDGS	SURVEY SEC.

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2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
05/04/2026	Permian Deep Rock Oil Co., LLC	P.O. Box 11405 Midland, TX 79702

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
Kyle M. Hammond	500 W. Wall St. Ste 300 Midland, TX 79701	432-682-6685 Rep. Fax 432-684-4519
Fee: $4,000.00 Rec'd Yes✓ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

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3.

ATTACHED AS EXHIBIT C **is** List of subdivisions

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General Description of Current Surface Use (within 860 feet of proposed surface location):
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IV. Well & Operations Information

Proposed Well Name: Chaparral H140UH

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

See Exhibit "G"

Legal Description of Proposed Well Site: SHL: 1,458' FNL & 2,300' FWL, Section 15
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Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]: Trench and encapsulate per TXRRC Rule 27(c)(10)(v)

See Exhibit "O"

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

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***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

***ATTACHED AS EXHIBIT S (if applicable)* is the Drainage Plan relating to Applicant's proposed operations. [See § J(21)].**

***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

ATTACHED AS EXHIBIT V: Applicants variances

Permian Deep Rock Oil Compnay
[NAME OF COMPANY]

By _____
Its General Manager

State of Texas)

County of Midland)

Kyle Hammond, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

Estella Peña
Notary Public, State of Texas

[S E A L]

ESTELLA PENA
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 08/03/29
NOTARY ID 131233618

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on August 11, 2026 considered the application of Permian Deep Rock Oil Co., LLC ("Operator") dated May 4, 2026, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Chaparral H140UH oil and gas well shall be 1,458 feet from the north line and 2,300 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from August 11, 2026 through August 11, 2027, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

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NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

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A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

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GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

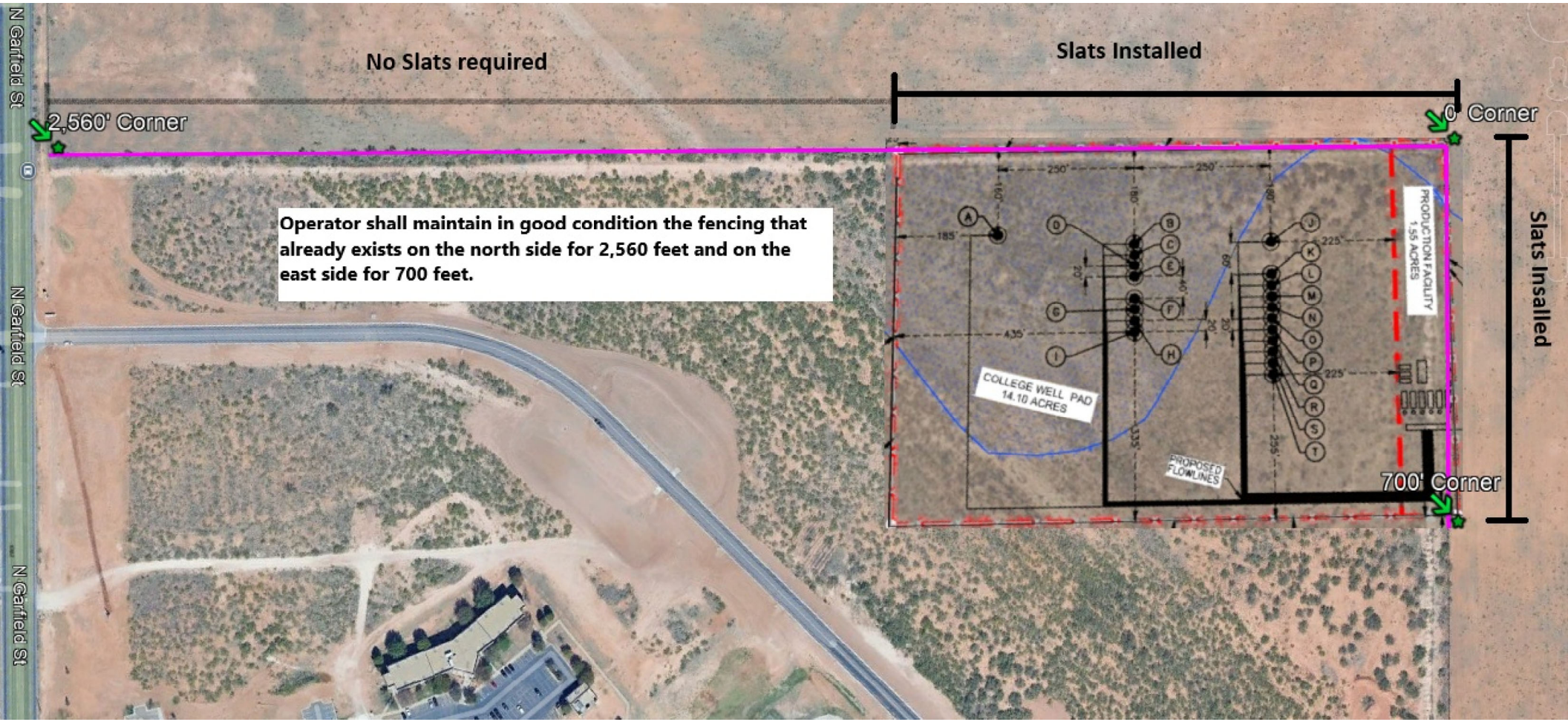
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A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2,560' Corner
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14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
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NOTES:

1.ORIGINAL DOCUMENT SIZE: 8.5" X 14"
2.THIS EXHIBIT WAS CREATED FOR THE SOLE PURPOSE OF FILING A PERMIT WITH THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS. THIS IS NOT A "BOUNDARY SURVEY".
3.THE PROPOSED WELL LOCATION WAS SURVEYED ON 04-13-2026

SYMBOL LEGEND:

FIRE HYDRANT
STORM DRAIN MANHOLE
WATER VALVE

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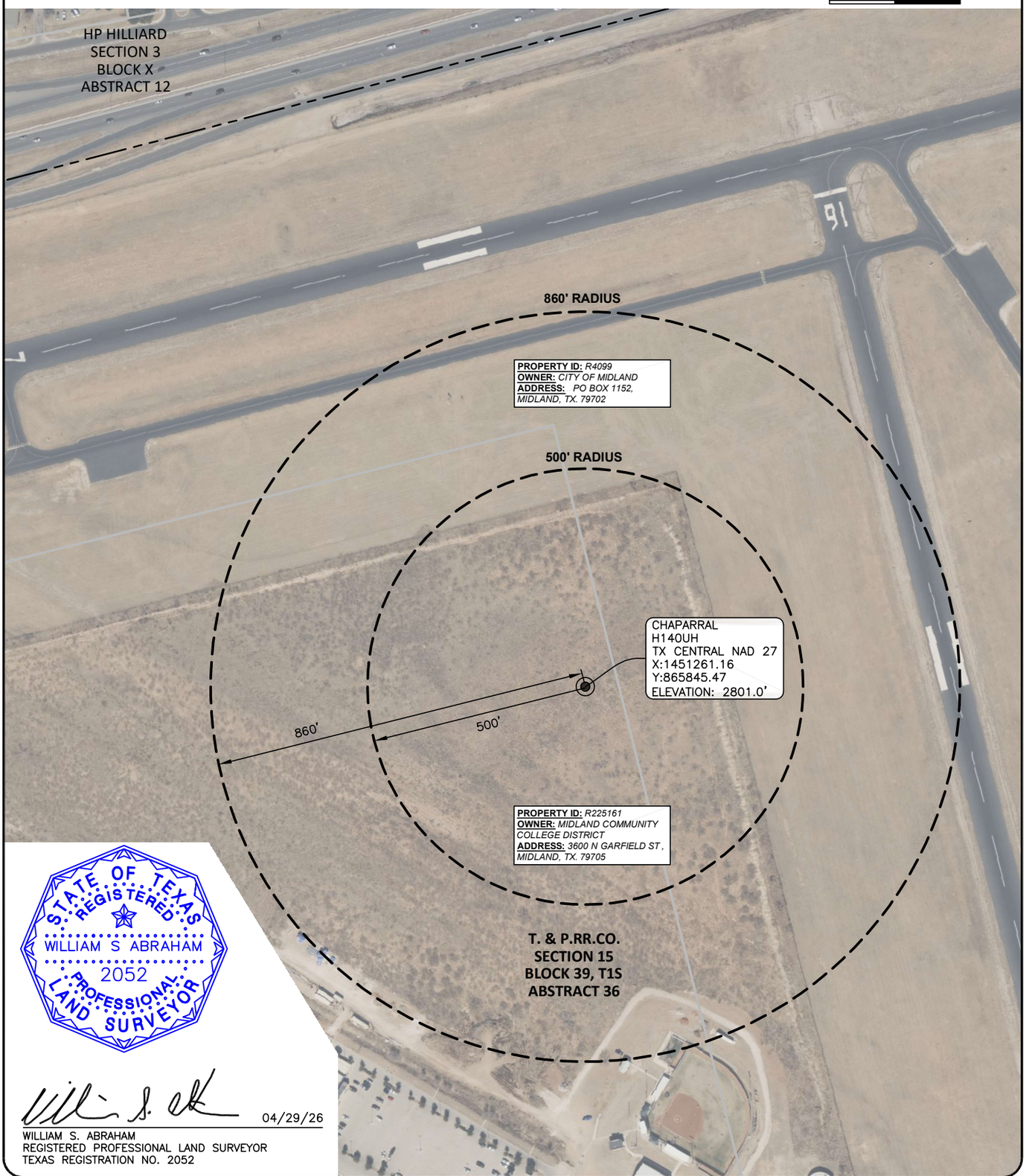
0' 150' 300'



STATE OF TEXAS
REGISTERED
WILLIAM S ABRAHAM
2052
PROFESSIONAL
LAND SURVEYOR

04/29/26

WILLIAM S. ABRAHAM
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 2052

WARNING: PLAT MAY NOT SHOW ALL CROSSINGS OF PIPELINES OR CABLES. USE TEXAS ONE CALL SYSTEM BEFORE EXCAVATION ON PROPERTY.

WELL RADIUS

PROPOSED CHAPARRAL H140UH
T. & P. RR. CO. SURVEY, SECTION 15, BLOCK 39, T1S, ABSTRACT 36, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS
WELL SECTION LINE TIES: 2,300' FSWL & 1,458 FNWL

NOTES:
1. SURVEY RECONSTRUCTION FILED IN THE OFFICE OF ATWELL, LLC.
2. ALL BEARING AND GRID COORDINATES SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF NAD 27, CENTRAL ZONE.
3. THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY.

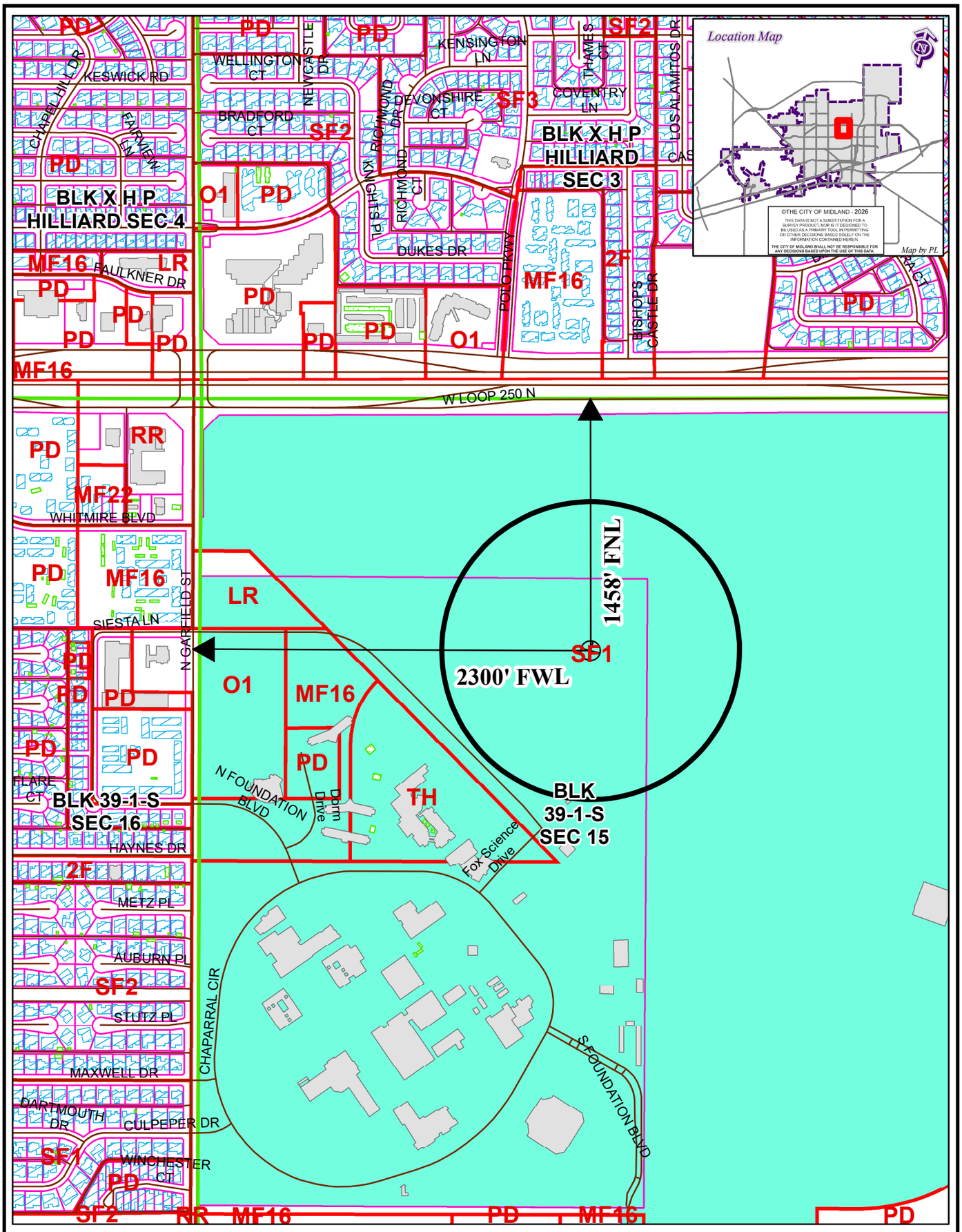
PERMIAN DEEP ROCK OIL COMPANY

ATWELL
866.850.4200 www.atwell-group.com
10100 Reunion Place, Suite 700
San Antonio, Texas 78216
TBPLS FIRM # 10194153

DRAWN	GJL	DATE	04-15-26
CHECKED	MA	DATE	04-15-26
APP'D		DATE	
SCALE	1"=300'	PAGE	2 OF 4

REV#	DATE	DESC.
1	4/24/26	CONVERT TO NAD 27

JOB NAME	WELL RADIUS
JOB NO.	26003998



LOCATION AND ZONING MAP

OIL26-000000018 **Scale: 1" = 700'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 1,458' FNL and 2,300' FWL, Section 15, Block 39, T-1-S, T&P RR CO Survey, Midland County, Texas.

Generally located 2,300 feet east of North Garfield Street and 1,458 feet south of W Loop 250 N.

Chaparral H140UH

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
05/04/2026	Permian Deep Rock Oil Co., LLC	P.O. Box 11405 Midland, TX 79702

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
Kyle M. Hammond	500 W. Wall St. Ste 300 Midland, TX 79701	432-682-6685 Rep. Fax 432-684-4519
Fee: $4,000.00 Rec'd Yes✓ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A:

24/7 Answering Services - No. 1 (Tele.): **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):*** See Exhibit "A"

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):

See Exhibit "A"

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** See Exhibit "B"

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1.

2.

3.

ATTACHED AS EXHIBIT C **is** List of subdivisions

See Exhibit "C"

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):
Undeveloped land on Midland College campus

See Exhibit "D"

ATTACHED AS EXHIBIT D **is** ,

Current Tax Roll from Midland Central Appraisal District), **which lists**

the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Chaparral H140WB

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

See Exhibit "G"

Legal Description of Proposed Well Site: SHL: 1,216' FNL & 2,050' FWL, Section 15
Block 39, T1S, T&PRR Co. Survey, Midland County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations).* [See § J(16) and (20)].**

***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

***ATTACHED AS EXHIBIT K (if applicable)* is the list of alternative locations developed in consultation with the Oil & Gas Advisory Committee. [See § J(27)].**

***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M*: Road use and repair agreement attached**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: None

(2) Operations: Oncor

Description of water source to be used during Drilling: Water is to be piped in from our water wells, drill additional water wells or truck fresh water in. All brine water will be trucked in.

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

See Exhibit "N"

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]: Trench and encapsulate per TXRRC Rule 27(c)(10)(v)

See Exhibit "O"

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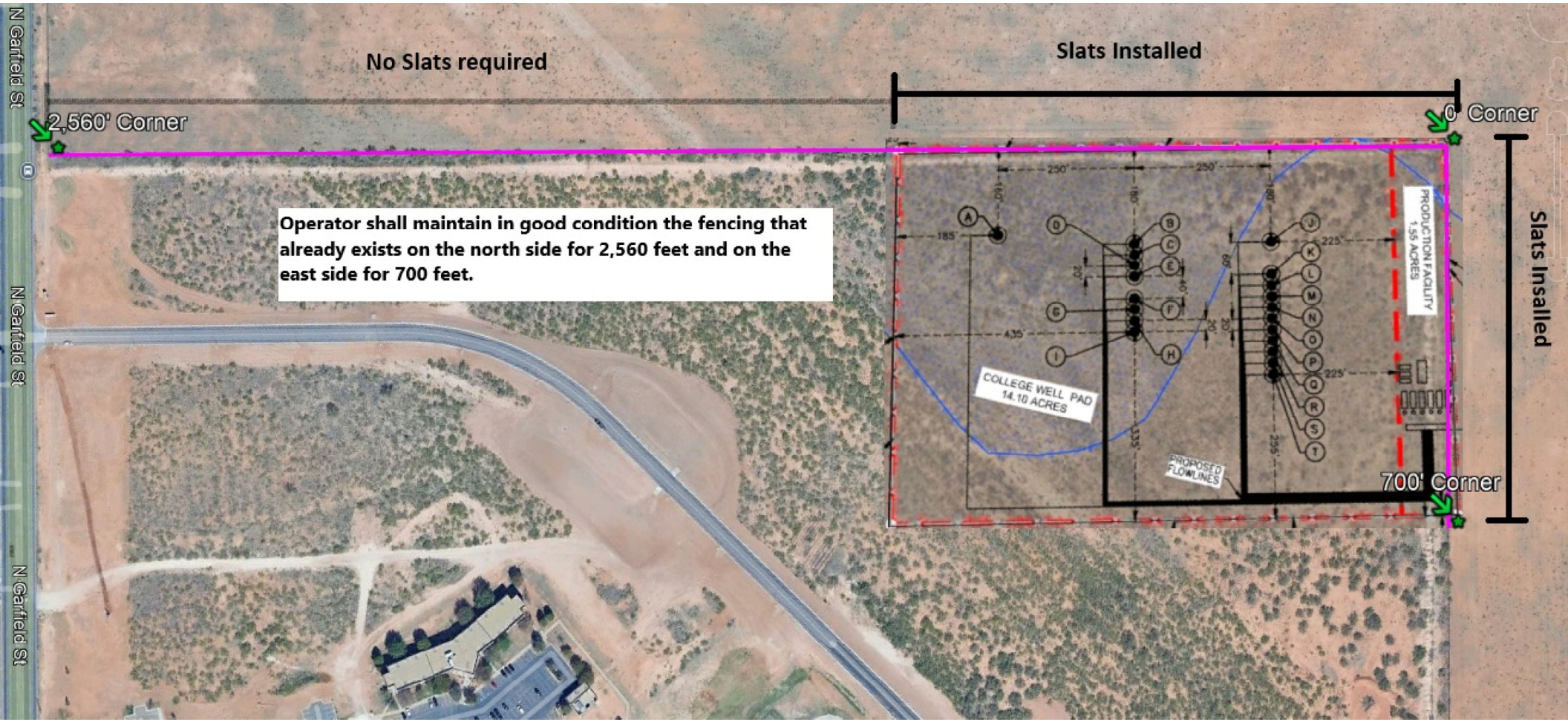
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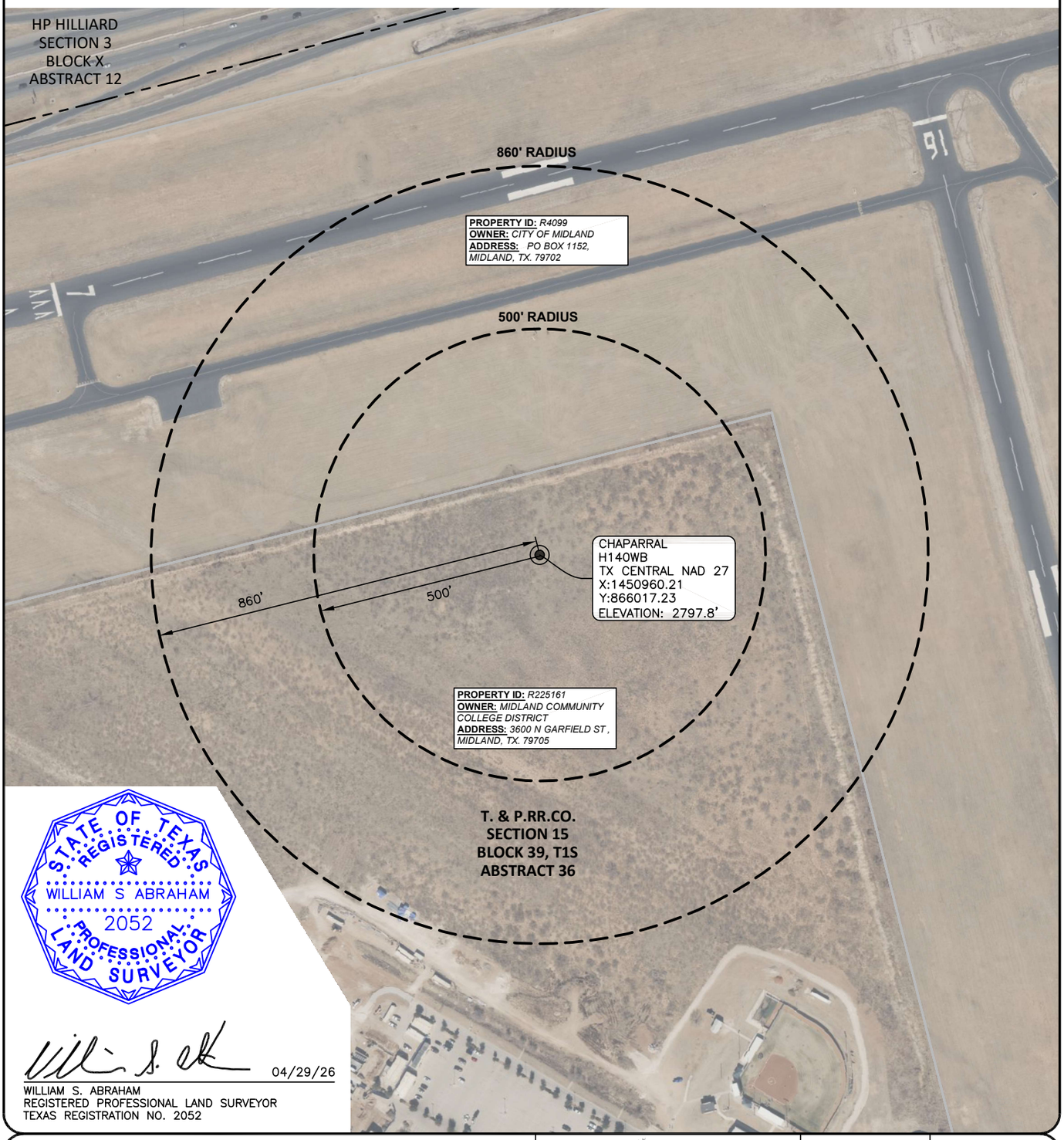

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WILLIAM S ABRAHAM
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PROFESSIONAL LAND SURVEYOR

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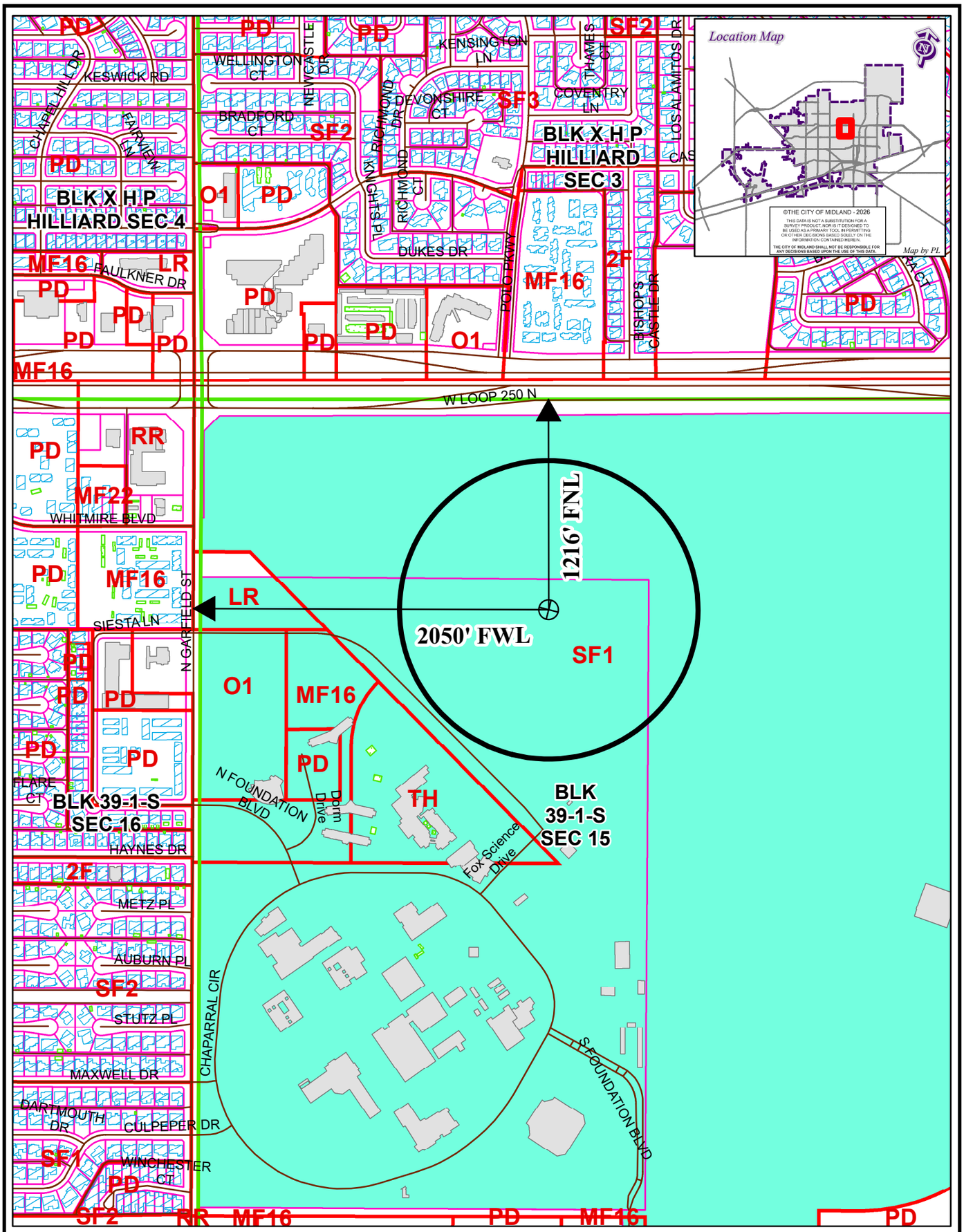
866.850.4200 www.atwell-group.com
10100 Reunion Place, Suite 700
San Antonio, Texas 78216
TBPLS FIRM # 10194153

DRAWN	GJL	DATE	04-14-26
CHECKED	MA	DATE	04-14-26
APP'D		DATE	
SCALE	1"=300'	PAGE	2 OF 4

REV#	DATE	DESC.
1	4/24/26	CONVERT TO NAD 27

JOB NAME	WELL RADIUS
JOB NO.	26003998



LOCATION AND ZONING MAP

OIL26-000000019 **Scale: 1" = 700'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 1,216' FNL and 2,050' FWL, Section 15, Block 39, T-1-S, T&P RR CO Survey, Midland County, Texas.

Generally located 2,050 feet east of North Garfield Street and 1,216 feet south of W Loop 250 N.

Chaparral H140WB

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
05/04/2026	Permian Deep Rock Oil Co., LLC	P.O. Box 11405 Midland, TX 79702

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
Kyle M. Hammond	500 W. Wall St. Ste 300 Midland, TX 79701	432-682-6685 Rep. Fax 432-684-4519
Fee: $4,000.00 Rec'd Yes✓ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A:

24/7 Answering Services - No. 1 (Tele.): **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):*** See Exhibit "A"

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):

See Exhibit "A"

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** See Exhibit "B"

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1.

2.

3.

ATTACHED AS EXHIBIT C **is** List of subdivisions

See Exhibit "C"

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):
Undeveloped land on Midland College campus

See Exhibit "D"

ATTACHED AS EXHIBIT D **is** ,

Current Tax Roll from Midland Central Appraisal District), **which lists**

the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Chaparral H145WA

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

See Exhibit "G"

Legal Description of Proposed Well Site: SHL: 1,276' FNL & 2,050' FWL, Section 15
Block 39, T1S, T&PRR Co. Survey, Midland County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations).* [See § J(16) and (20)].**

***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

***ATTACHED AS EXHIBIT K (if applicable)* is the list of alternative locations developed in consultation with the Oil & Gas Advisory Committee. [See § J(27)].**

***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M*: Road use and repair agreement attached**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: None

(2) Operations: Oncor

Description of water source to be used during Drilling: Water is to be piped in from our water wells, drill additional water wells or truck fresh water in. All brine water will be trucked in.

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

See Exhibit "N"

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]: Trench and encapsulate per TXRRC Rule 27(c)(10)(v)

See Exhibit "O"

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* : Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by applicant are current. (See § J(29)**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

***ATTACHED AS EXHIBIT S (if applicable)* is the Drainage Plan relating to Applicant's proposed operations. [See § J(21)].**

***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

ATTACHED AS EXHIBIT V: Applicants variances

Permian Deep Rock Oil Compnay
[NAME OF COMPANY]

By _____
Its General Manager

State of Texas)

County of Midland)

Kyle Hammond, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

Estella Peña
Notary Public, State of Texas

[S E A L]

ESTELLA PENA
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 08/03/29
NOTARY ID 131233618

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on August 11, 2026 considered the application of Permian Deep Rock Oil Co., LLC ("Operator") dated May 4, 2026, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Chaparral H145WA oil and gas well shall be 1,276 feet from the north line and 2,050 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from August 11, 2026 through August 11, 2027, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND THE CITY OF MIDLAND, THE CITY'S OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY OF ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF OR IN CONNECTION WITH THE WORK DONE BY OPERATOR UNDER AN OIL AND GAS WELL PERMIT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY OPERATOR'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF THE OPERATOR AND ANY OTHER PERSON OR ENTITY.

A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. Twenty-four hour hydraulic fracturing operations are permitted.

2. In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

3. Landscaping and irrigation shall conform to the surface use agreement.

4. Drill cuttings shall be removed from the surface location.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

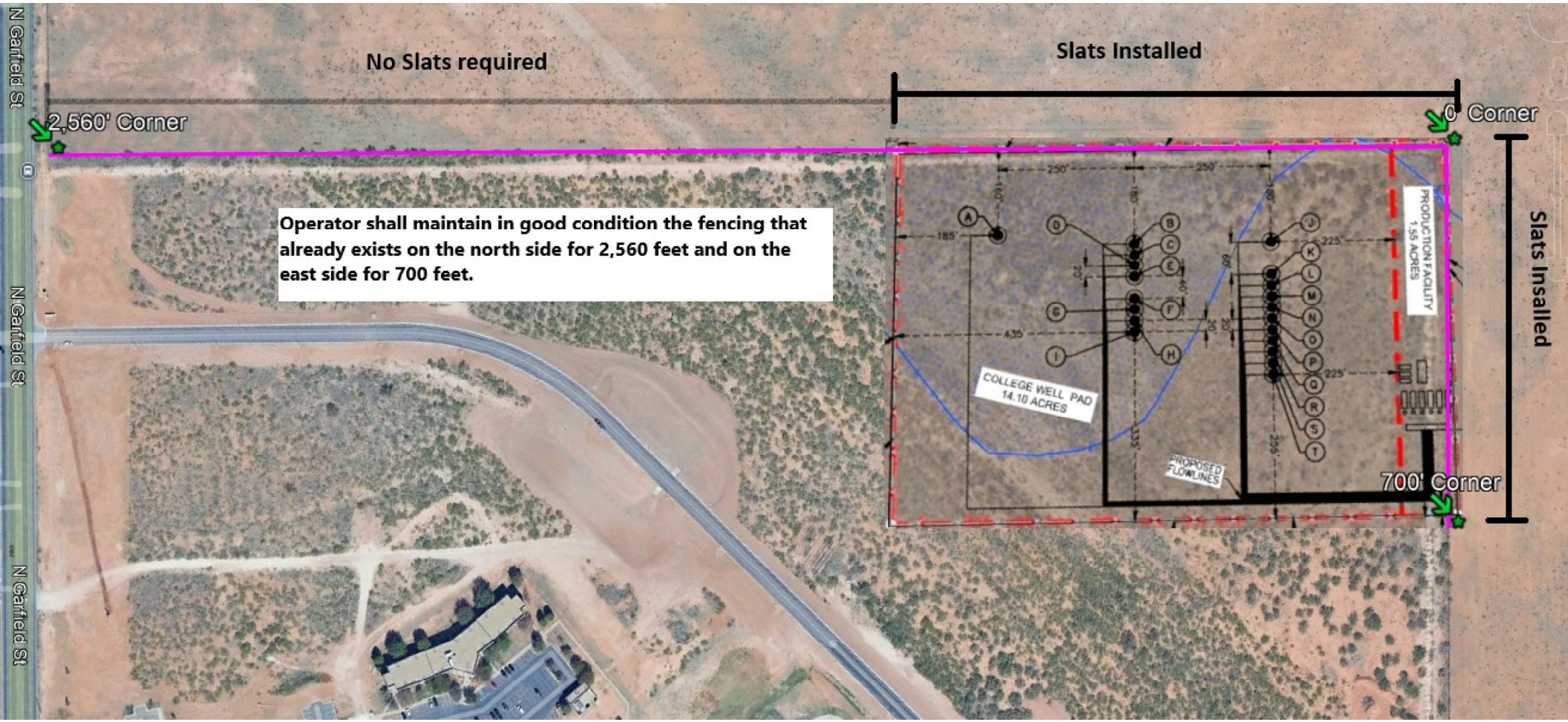
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A


No Slats required
Slats Installed
2,560' Corner
0' Corner
Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet.
N Garfield St
N Garfield St
N Garfield St
COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
700' Corner
Slats Installed

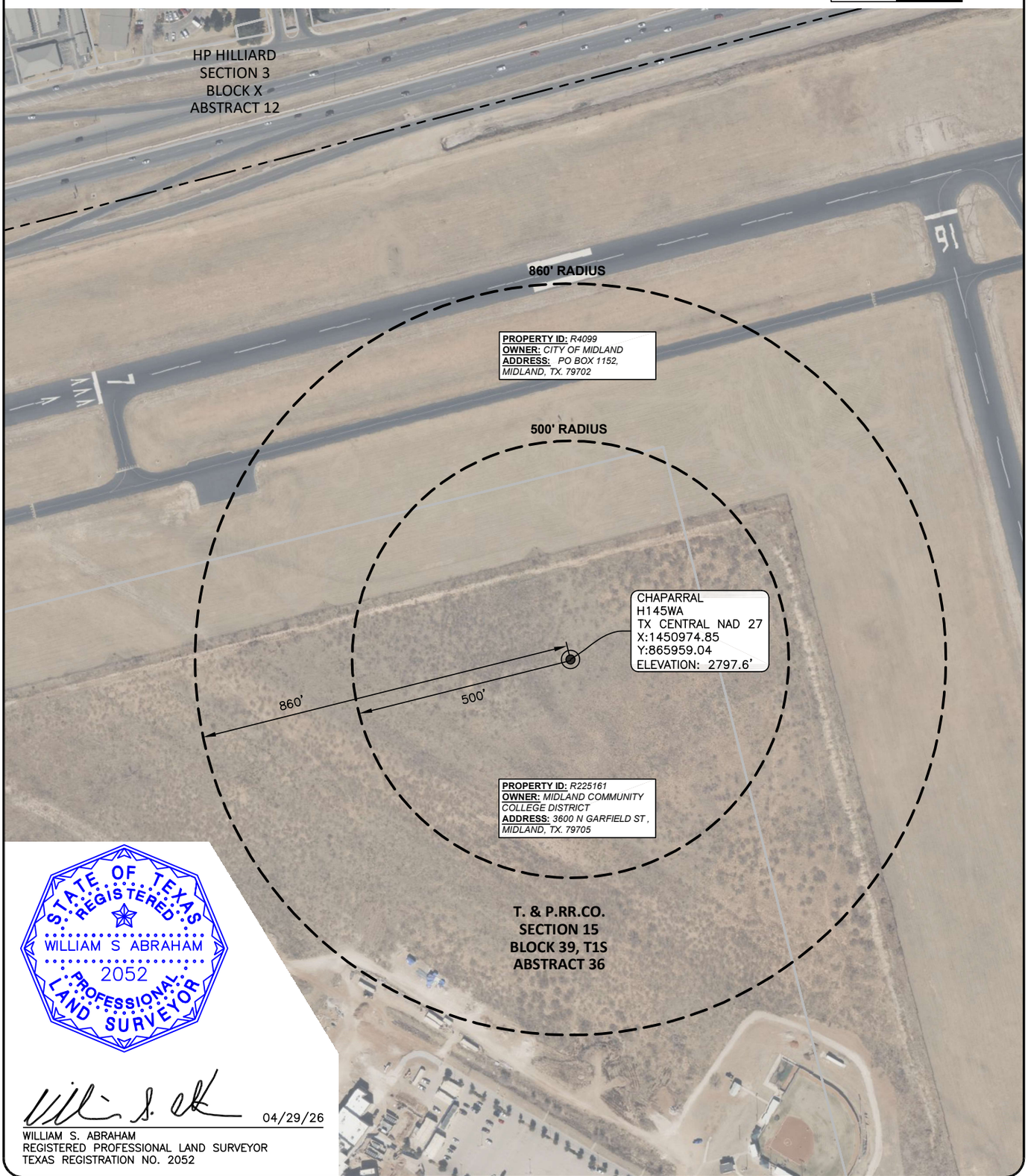
NOTES:

1.ORIGINAL DOCUMENT SIZE: 8.5" X 14"
2.THIS EXHIBIT WAS CREATED FOR THE SOLE PURPOSE OF FILING A PERMIT WITH THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS. THIS IS NOT A "BOUNDARY SURVEY".
3.THE PROPOSED WELL LOCATION WAS SURVEYED ON 04-13-2026

SYMBOL LEGEND:

FIRE HYDRANT
STORM DRAIN MANHOLE
WATER VALVE

N
W E
S
0' 150' 300'



STATE OF TEXAS
REGISTERED
WILLIAM S ABRAHAM
2052
PROFESSIONAL
LAND SURVEYOR

04/29/26

WILLIAM S. ABRAHAM
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 2052

WARNING: PLAT MAY NOT SHOW ALL CROSSINGS OF PIPELINES OR CABLES. USE TEXAS ONE CALL SYSTEM BEFORE EXCAVATION ON PROPERTY.

WELL RADIUS

PROPOSED CHAPARRAL H145WA
T. & P. RR. CO. SURVEY, SECTION 15, BLOCK 39, T1S, ABSTRACT 36, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS
WELL SECTION LINE TIES: 2,050' FSWL & 1,276 FNWL

NOTES:
1. SURVEY RECONSTRUCTION FILED IN THE OFFICE OF ATWELL, LLC.
2. ALL BEARING AND GRID COORDINATES SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF NAD 27, CENTRAL ZONE.
3. THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY.

PERMIAN DEEP ROCK OIL COMPANY

ATWELL
866.850.4200 www.atwell-group.com
10100 Reunion Place, Suite 700
San Antonio, Texas 78216
TBPLS FIRM # 10194153

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CHECKED	MA	DATE	04-15-26
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SCALE	1"=300'	PAGE	2 OF 4

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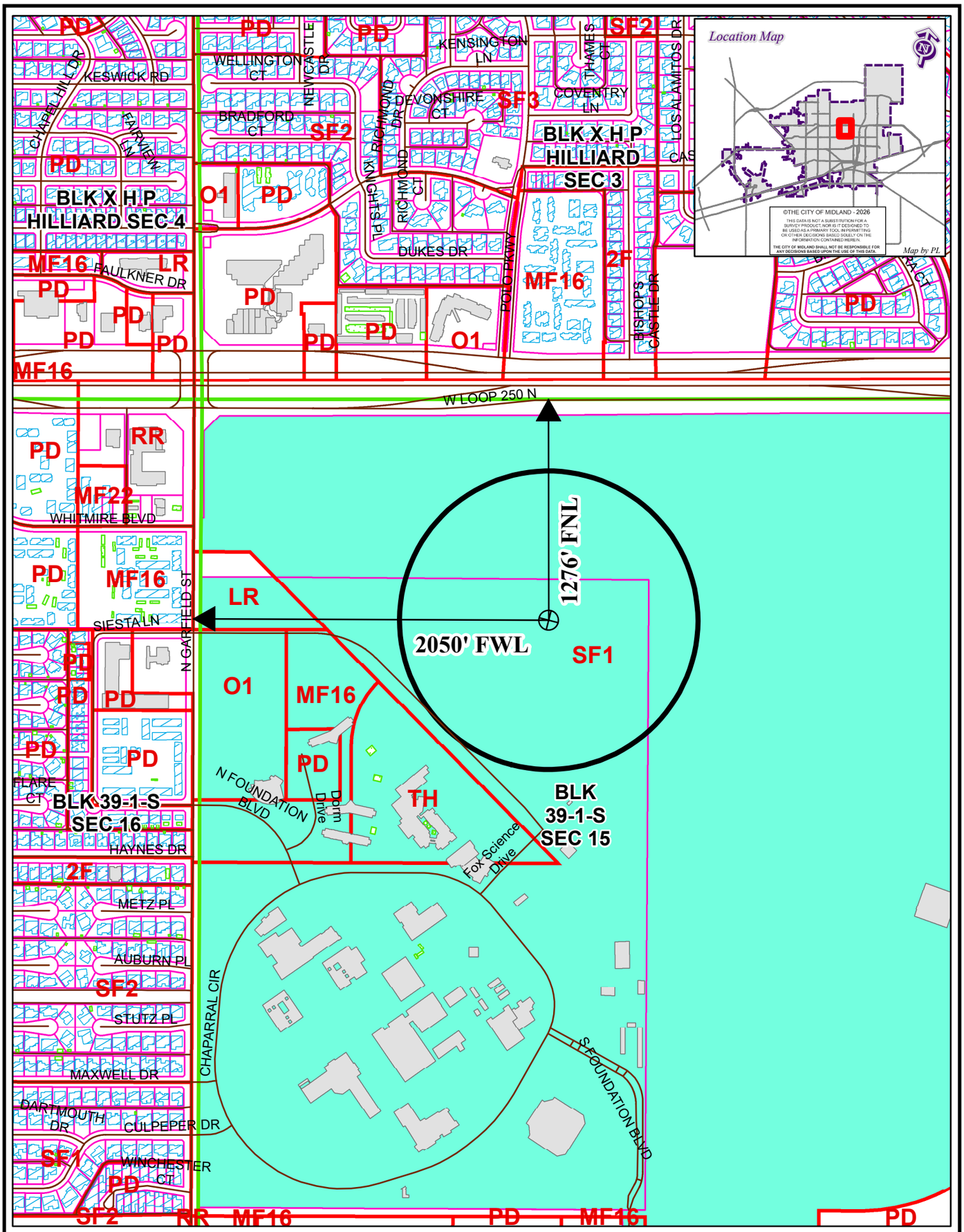

LOCATION AND ZONING MAP

OIL26-000000020 **Scale: 1" = 700'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 1,276' FNL and 2,050' FWL, Section 15, Block 39, T-1-S, T&P RR CO Survey, Midland County, Texas.

Generally located 2,050 feet east of North Garfield Street and 1,276 feet south of W Loop 250 N.

Chaparral H145WA

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ZONING	ACCESSORY BLDGS	SURVEY SEC.

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2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
05/04/2026	Permian Deep Rock Oil Co., LLC	P.O. Box 11405 Midland, TX 79702

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
Kyle M. Hammond	500 W. Wall St. Ste 300 Midland, TX 79701	432-682-6685 Rep. Fax 432-684-4519
Fee: $4,000.00 Rec'd Yes✓ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A:

24/7 Answering Services - No. 1 (Tele.): **No. 2 (Tele.):**

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IV. Well & Operations Information

Proposed Well Name: Chaparral H150LS

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

See Exhibit "G"

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ATTACHED AS EXHIBIT V: Applicants variances

Permian Deep Rock Oil Compnay
[NAME OF COMPANY]

By _____
Its General Manager

State of Texas)

County of Midland)

Kyle Hammond, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

Estella Peña
Notary Public, State of Texas

[S E A L]

ESTELLA PENA
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 08/03/29
NOTARY ID 131233618

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NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

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A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. Twenty-four hour hydraulic fracturing operations are permitted.

2. In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

3. Landscaping and irrigation shall conform to the surface use agreement.

4. Drill cuttings shall be removed from the surface location.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

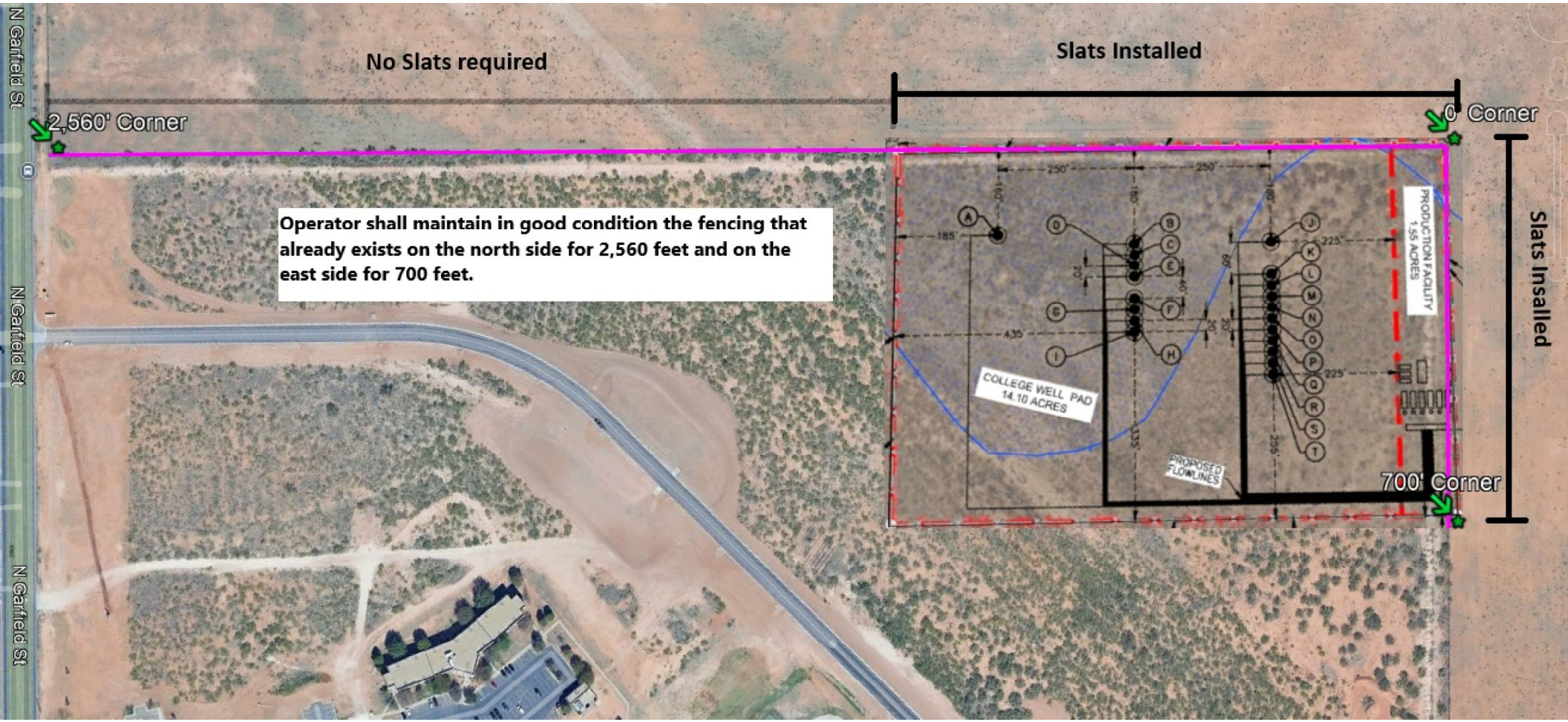
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A


No Slats required
Slats Installed
2,560' Corner
0' Corner
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N Garfield St
N Garfield St
COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
700' Corner
Slats Installed

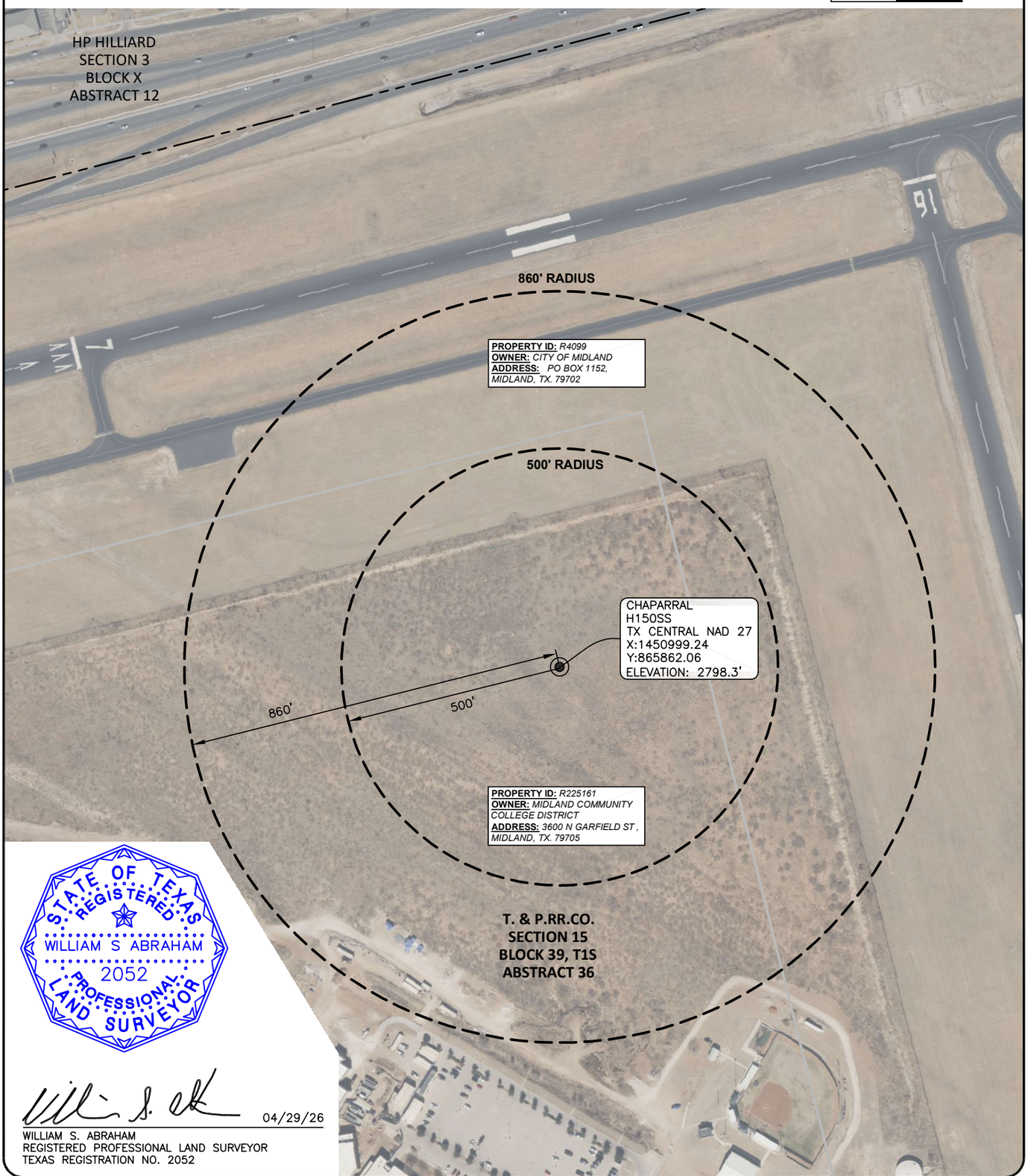
NOTES:

1.ORIGINAL DOCUMENT SIZE: 8.5" X 14"
2.THIS EXHIBIT WAS CREATED FOR THE SOLE PURPOSE OF FILING A PERMIT WITH THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS. THIS IS NOT A "BOUNDARY SURVEY".
3.THE PROPOSED WELL LOCATION WAS SURVEYED ON 04-13-2026

SYMBOL LEGEND:

FIRE HYDRANT
STORM DRAIN MANHOLE
WATER VALVE

N
W E
S
0' 150' 300'



STATE OF TEXAS
REGISTERED
WILLIAM S ABRAHAM
2052
PROFESSIONAL
LAND SURVEYOR

04/29/26

WILLIAM S. ABRAHAM
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 2052

WARNING: PLAT MAY NOT SHOW ALL CROSSINGS OF PIPELINES OR CABLES. USE TEXAS ONE CALL SYSTEM BEFORE EXCAVATION ON PROPERTY.

WELL RADIUS

PROPOSED CHAPARRAL H150SS
T. & P. RR. CO. SURVEY, SECTION 15, BLOCK 39, T1S,
ABSTRACT 36, CITY OF MIDLAND,
MIDLAND COUNTY, TEXAS
WELL SECTION LINE TIES: 2,050' FSWL & 1,376 FNWL

NOTES:
1. SURVEY RECONSTRUCTION FILED IN THE OFFICE OF ATWELL, LLC.
2. ALL BEARING AND GRID COORDINATES SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF NAD 27, CENTRAL ZONE.
3. THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY.

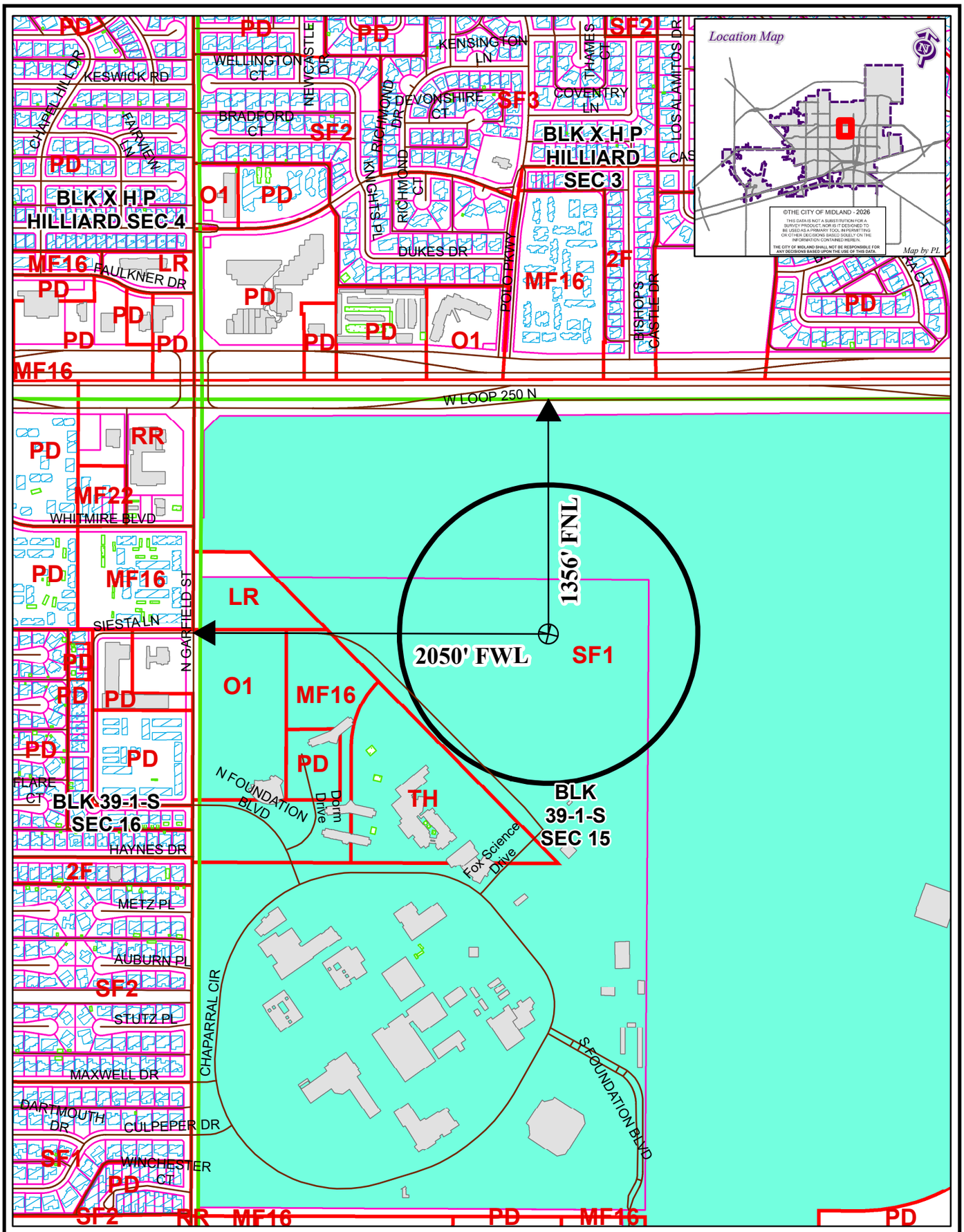
PERMIAN DEEP ROCK OIL COMPANY

ATWELL
866.850.4200 www.atwell-group.com
10100 Reunion Place, Suite 700
San Antonio, Texas 78216
TBPLS FIRM # 10194153

DRAWN	GJL	DATE	04-15-26
CHECKED	MA	DATE	04-15-26
APP'D		DATE	
SCALE	1"=300'	PAGE	2 OF 4

REV#	DATE	DESC.
1	4/24/26	CONVERT TO NAD 27

JOB NAME	WELL RADIUS
JOB NO.	26003998



LOCATION AND ZONING MAP

OIL26-000000021 **Scale: 1" = 700'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 1,356' FNL and 2,050' FWL, Section 15, Block 39, T-1-S, T&P RR CO Survey, Midland County, Texas.

Generally located 2,050 feet east of North Garfield Street and 1,356 feet south of W Loop 250 N.

Chaparral H150LS

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
05/04/2026	Permian Deep Rock Oil Co., LLC	P.O. Box 11405 Midland, TX 79702

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
Kyle M. Hammond	500 W. Wall St. Ste 300 Midland, TX 79701	432-682-6685 Rep. Fax 432-684-4519
Fee: $4,000.00 Rec'd Yes✓ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A:

24/7 Answering Services - No. 1 (Tele.): **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):*** See Exhibit "A"

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):

See Exhibit "A"

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** See Exhibit "B"

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1.

2.

3.

ATTACHED AS EXHIBIT C **is** List of subdivisions

See Exhibit "C"

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):
Undeveloped land on Midland College campus

See Exhibit "D"

ATTACHED AS EXHIBIT D **is** ,

Current Tax Roll from Midland Central Appraisal District), **which lists**

the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Chaparral H150SS

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

See Exhibit "G"

Legal Description of Proposed Well Site: SHL: 1,376' FNL & 2,050' FWL, Section 15
Block 39, T1S, T&PRR Co. Survey, Midland County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations).* [See § J(16) and (20)].**

***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

***ATTACHED AS EXHIBIT K (if applicable)* is the list of alternative locations developed in consultation with the Oil & Gas Advisory Committee. [See § J(27)].**

***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M*: Road use and repair agreement attached**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: None

(2) Operations: Oncor

Description of water source to be used during Drilling: Water is to be piped in from our water wells, drill additional water wells or truck fresh water in. All brine water will be trucked in.

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

See Exhibit "N"

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]: Trench and encapsulate per TXRRC Rule 27(c)(10)(v)

See Exhibit "O"

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* : Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by applicant are current. (See § J(29)**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

***ATTACHED AS EXHIBIT S (if applicable)* is the Drainage Plan relating to Applicant's proposed operations. [See § J(21)].**

***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

ATTACHED AS EXHIBIT V: Applicants variances

Permian Deep Rock Oil Compnay
[NAME OF COMPANY]

By _____
Its General Manager

State of Texas)

County of Midland)

Kyle Hammond, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

Estella Peña
Notary Public, State of Texas

[S E A L]

ESTELLA PENA
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 08/03/29
NOTARY ID 131233618

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on August 11, 2026 considered the application of Permian Deep Rock Oil Co., LLC ("Operator") dated May 4, 2026, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Chaparral H150SS oil and gas well shall be 1,376 feet from the north line and 2,050 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from August 11, 2026 through August 11, 2027, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

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CITY OF MIDLAND, TEXAS

BY: _____

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General Manager

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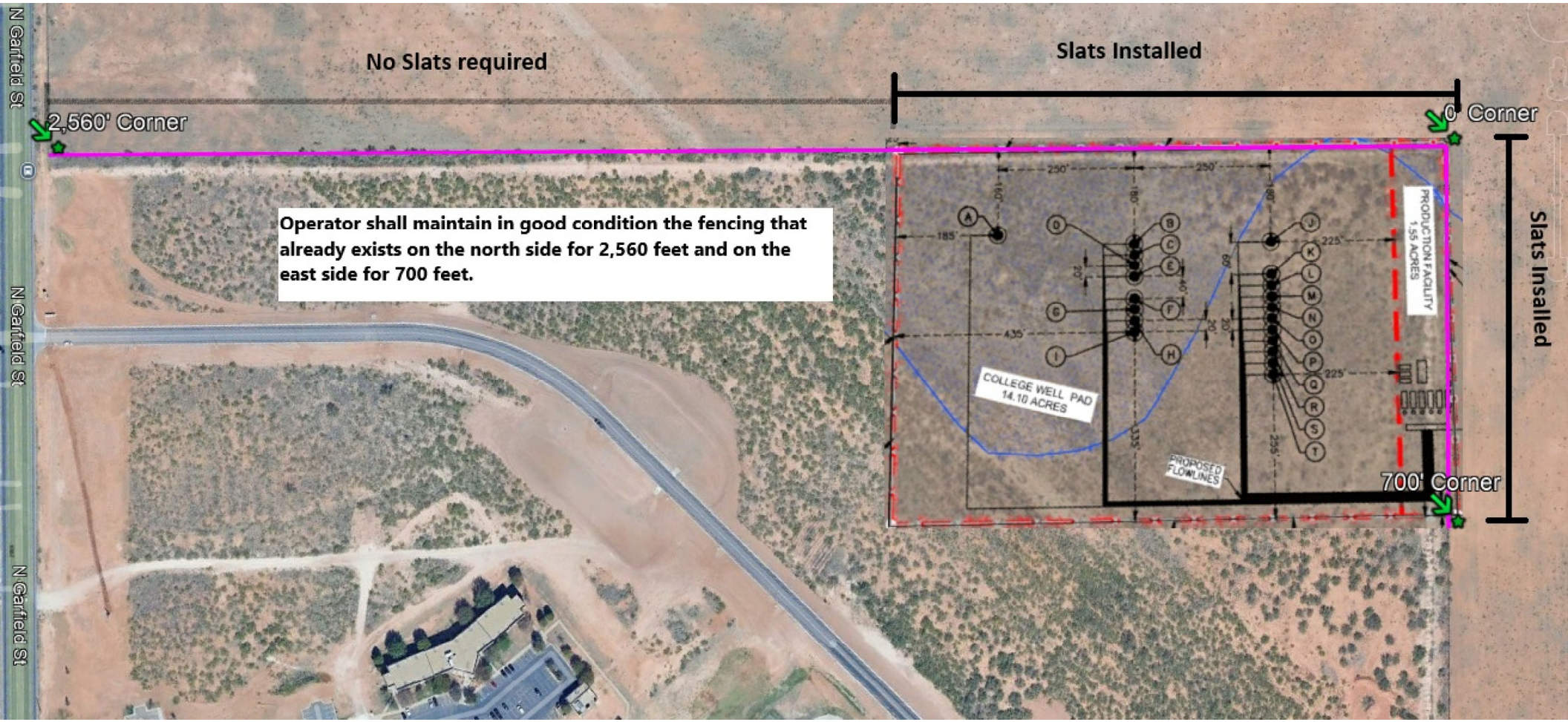
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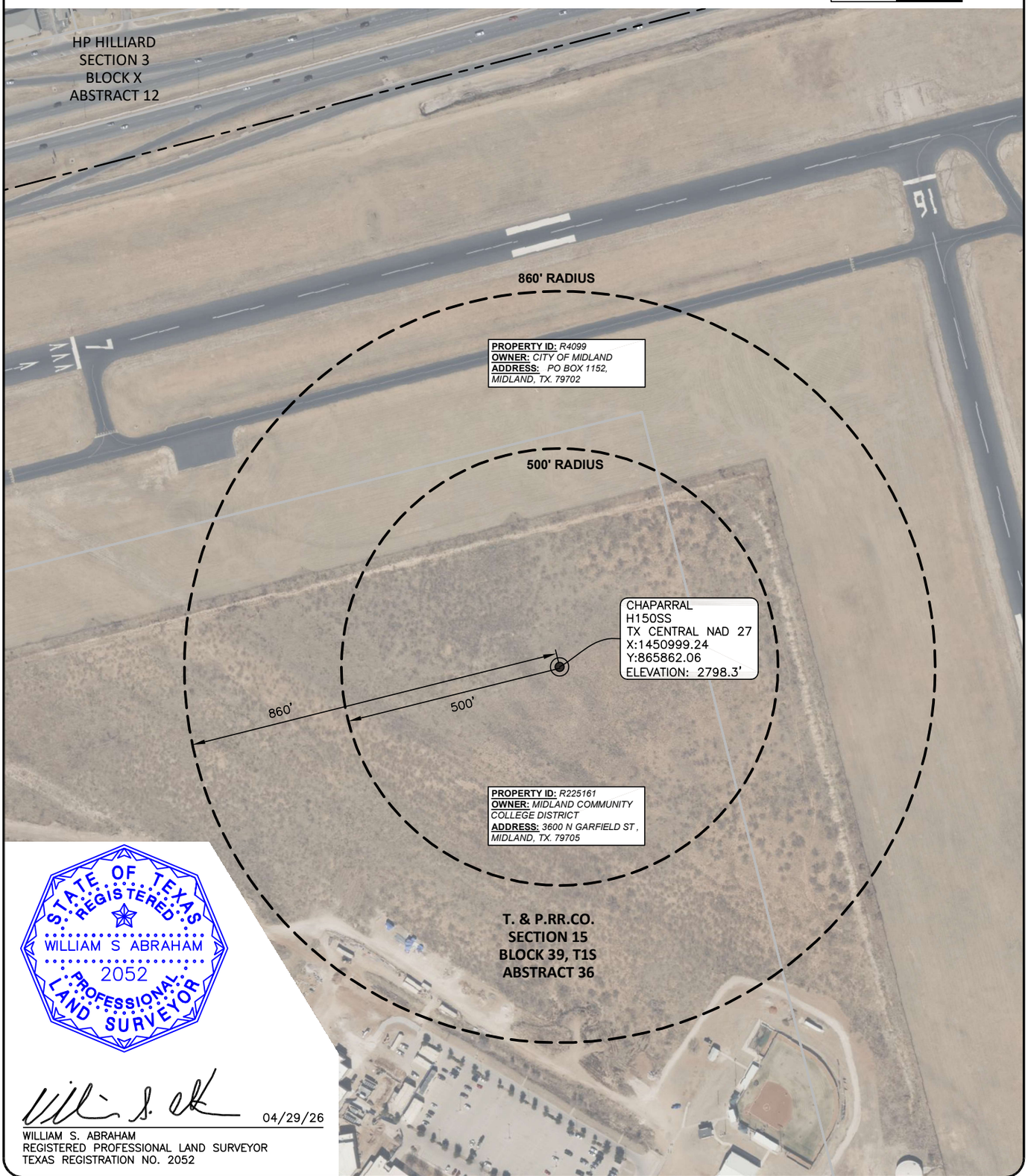

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PERMIAN DEEP ROCK OIL COMPANY

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San Antonio, Texas 78216
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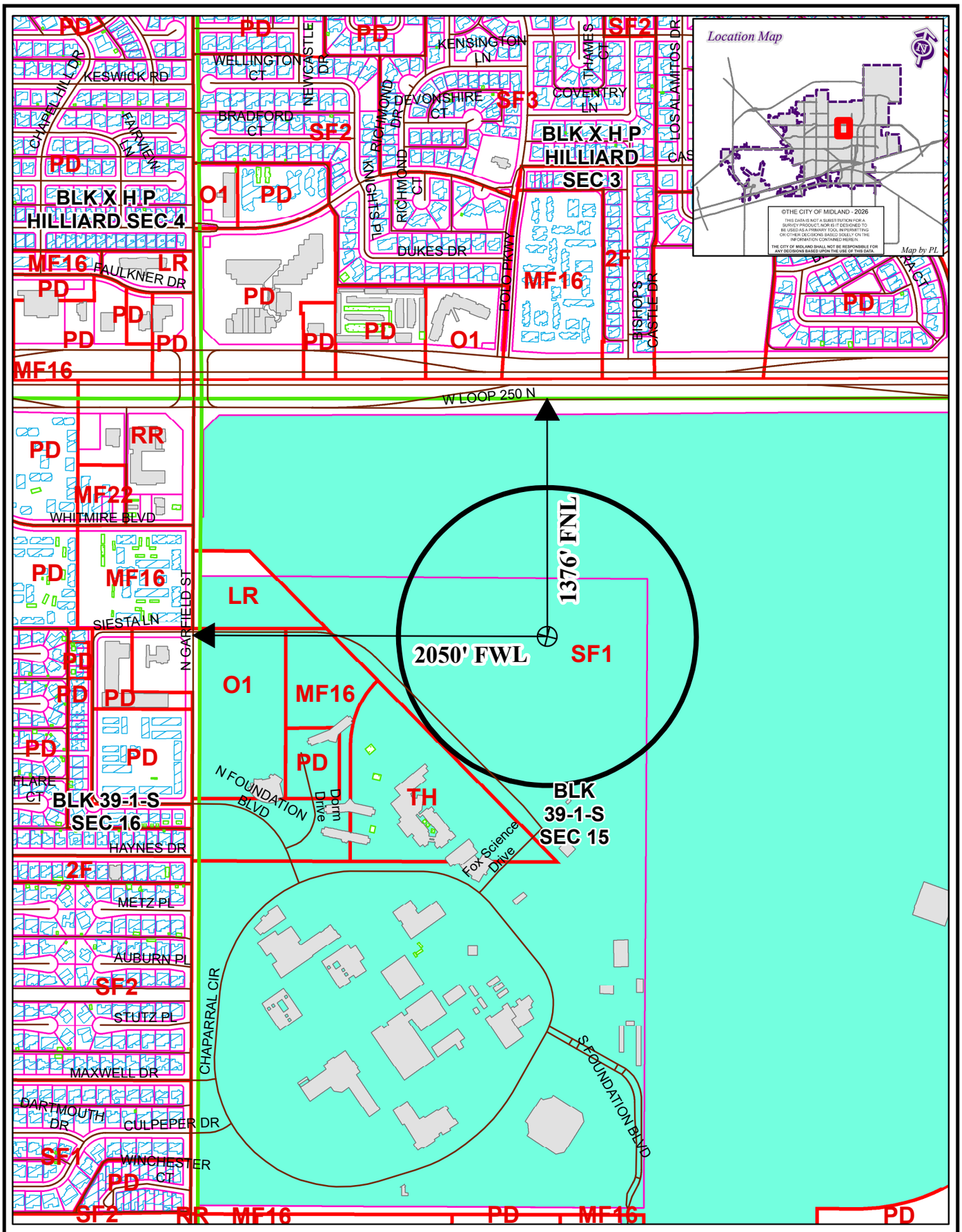

LOCATION AND ZONING MAP

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Chaparral H150SS

LEGEND

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COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
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ZONING DISTRICTS:

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PD	PLANNED DISTRICT	P	PARKING
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APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
05/04/2026	Permian Deep Rock Oil Co., LLC	P.O. Box 11405 Midland, TX 79702

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
Kyle M. Hammond	500 W. Wall St. Ste 300 Midland, TX 79701	432-682-6685 Rep. Fax 432-684-4519
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Permit Compliance Contact (Choose 1):

Option A:

24/7 Answering Services - No. 1 (Tele.): **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):*** See Exhibit "A"

Emergency Contact Representative (Name, Address, 24-Hour Tele. No.):

See Exhibit "A"

Other Permitted Wells in City ***(ATTACH EXHIBIT B*** **[see § J(26)]).** See Exhibit "B"

II. Mineral Ownership

Name(s) and Address(es) of Mineral Estate Lessors (under applicable lease):

1.

2.

3.

ATTACHED AS EXHIBIT C **is** List of subdivisions

See Exhibit "C"

III. Surface Ownership & Use

General Description of Current Surface Use (within 860 feet of proposed surface location):
Undeveloped land on Midland College campus

See Exhibit "D"

ATTACHED AS EXHIBIT D **is** ,

Current Tax Roll from Midland Central Appraisal District), **which lists**

the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].

***ATTACHED AS EXHIBIT E* is a *(map/p lat/satellite/aerial photo)* depicting all Residences, commercial structures, public buildings, all publicly dedicated Streets and alleys, Rights of Way, and permanent accessory structures surrounding the proposed Drill Site. The *(map/p lat/satellite/aerial photo)* includes two circles, as required by the Ordinance—one depicting a 500 foot radius and one depicting an 860 foot radius from the proposed well's surface location. [See § J(10)].**

***ATTACHED AS EXHIBIT F* is a copy of the notification letter(s) sent to 100 percent of the surface owners, Certified Mail, Return Receipt Requested. [See § J(36)].**

IV. Well & Operations Information

Proposed Well Name: Chaparral H150UH

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

See Exhibit "G"

Legal Description of Proposed Well Site: SHL: 1,316' FNL & 2,050' FWL, Section 15
Block 39, T1S, T&PRR Co. Survey, Midland County, Texas

***ATTACHED AS EXHIBIT G* is the Location Site Plan [See § J(9)].**

***ATTACHED AS EXHIBIT H* is the Map with the proposed transportation route(s) and road(s) for equipment, chemicals, or refuse products used or produced in the proposed oil and gas operations. [See § J(12)].**

***ATTACHED AS EXHIBIT I* is a copy of the approved Texas Railroad Commission permit to drill (Form W-1), together with all attachments *(also file copy of W-1 with City Secretary before commencement of drilling operations).* [See § J(16) and (20)].**

***ATTACHED AS EXHIBIT J* is a copy of the required TCEQ report as to depth of usable quality ground water. [See § J(17)].**

***ATTACHED AS EXHIBIT K (if applicable)* is the list of alternative locations developed in consultation with the Oil & Gas Advisory Committee. [See § J(27)].**

***ATTACHED AS EXHIBIT L* is the Fencing and Irrigation Plan. [See § J(30)].**

***ATTACHED AS EXHIBIT M*: Road use and repair agreement attached**

***ATTACHED AS EXHIBIT N* is the Concept Plan depicting the proposed Operations Site (which includes tanks, roads, power lines, and pipeline routes). [See § J(32)].**

Description of Public Utilities required during (1) drilling and (2) operations:

(1) Drilling: None

(2) Operations: Oncor

Description of water source to be used during Drilling: Water is to be piped in from our water wells, drill additional water wells or truck fresh water in. All brine water will be trucked in.

Description of all electric lines to production facilities (reference exhibits as necessary) [See § L(10)]:

See Exhibit "N"

Plan detailing construction, location, and closure of pits used for Drilling and Completion operations (attach exhibit if necessary) [See § J(35)]: Trench and encapsulate per TXRRC Rule 27(c)(10)(v)

See Exhibit "O"

V. Additional Required Exhibits

***ATTACHED AS EXHIBIT P* is the *Letter of Credit/Certificate of Deposit* in accordance with Subsection (K)(2). [See § J(18)].**

***ATTACHED AS EXHIBIT Q* : Tax certificates from Midland Central Appraisal District to be submitted indicating that all taxes on personal and real property, including minerals, owned by applicant are current. (See § J(29)**

***ATTACHED AS EXHIBIT R* is the required Insurance Certificate. [See § J(19) and § K(3)].**

***ATTACHED AS EXHIBIT S (if applicable)* is the Drainage Plan relating to Applicant's proposed operations. [See § J(21)].**

***ATTACHED AS EXHIBIT T* is Applicant's Emergency Action Response Plan. [See § J(22)].**

***ATTACHED AS EXHIBIT U* is Applicant's Hazardous Materials Management Plan, a copy of which has been submitted and is on file with the Midland Fire Department. [See § J(23)].**

ATTACHED AS EXHIBIT V: Applicants variances

Permian Deep Rock Oil Compnay
[NAME OF COMPANY]

By _____
Its General Manager

State of Texas)

County of Midland)

Kyle Hammond, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

Estella Peña
Notary Public, State of Texas

[S E A L]

ESTELLA PENA
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 08/03/29
NOTARY ID 131233618

OIL AND GAS WELL PERMIT

The City Council of the City of Midland, Texas, at its regular meeting on August 11, 2026 considered the application of Permian Deep Rock Oil Co., LLC ("Operator") dated May 4, 2026, to drill an oil and gas well inside the territorial limits of the City of Midland, Texas. The City Council of the City of Midland, Texas, by appropriate action approved the application and authorized the issuance of this permit.

This documentation hereby constitutes a permit, issued in accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), to drill an oil and gas well as requested in Operator's application that has been filed with the Oil & Gas Compliance Coordinator and is incorporated herein for all legal purposes.

The location of Operator's Chaparral H150UH oil and gas well shall be 1,316 feet from the north line and 2,050 feet from the west line, Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. The hole size, casing program, cement program and total depth of that well shall be in strict compliance with the proposed hole size, casing program, cementing program and proposed total depth found in Operator's application. Further, all operations done under this permit shall be done and accomplished in strict accordance with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), which is hereby incorporated into this permit by reference and made applicable hereto with the same force and effect as if the same were copied fully in this permit, including, but not limited to, Subsections (K) through (Z).

This permit shall be effective from August 11, 2026 through August 11, 2027, and so long thereafter as oil or gas is produced, or until such time as Operator has permanently abandoned the operations of the well or facility for which this permit is issued.

The issuance of this permit by the City of Midland does not in any way alter or modify the rights as between the surface estate owner(s) and mineral estate owner(s) if there exists a severance of the surface estate and mineral estate. This permit in no way exempts Operator from its responsibilities or obligations as to third parties. The issuance of this permit only means that Operator has, at this time, complied with Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance No. 8769) and that the Midland City Council, as a regulatory body, will allow Operator to proceed under the conditions of this permit. The issuance of this permit is intended to be only a negative pronouncement that grants no affirmative rights to the permittee to occupy the property. It is expressly provided that this permit does not authorize a trespass by the permittee as to any third party. This

permit does not in any way restrict the use of the surface estate. Securing a permit does not authorize Operator to act with impunity as to third parties, nor does it insulate Operator from the consequences of its actions with regard to those third parties. The receipt of a permit does not undertake to adjudicate property rights.

This permit granted by the City of Midland does not act to immunize Operator from civil tort liability from private parties for actions arising out of the use of the permit. This is because the permit is a "negative pronouncement" that grants no affirmative rights to the permittee. The issuance of this permit does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of State or local law or regulations. Operator has obtained a permit from the City of Midland but the consequences of acting under the permit have not been immunized. The fact that the City of Midland has issued a permit to drill an oil and gas well does not shield Operator from third party tort liability stemming from the consequences of the permitted activity.

NOTWITHSTANDING ANY OTHER PROVISION, OPERATOR HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY OF MIDLAND, CITY OF MIDLAND'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH OPERATOR HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKING CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS OR CITY OF MIDLAND'S NEGLIGENCE.

OPERATOR AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND THE CITY OF MIDLAND, THE CITY'S OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY OF ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF OR IN CONNECTION WITH THE WORK DONE BY OPERATOR UNDER AN OIL AND GAS WELL PERMIT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY OPERATOR'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF THE OPERATOR AND ANY OTHER PERSON OR ENTITY.

A right-of-way license agreement approved by a resolution of the Midland City Council is required for any oil and/or gas flowline or pipeline or any other device associated with a proposed well site that extends into, on, above, in, under, across or through any City rights-of-way, including but not limited to streets, alleys, and utility and drainage rights-of-way.

If the well that is the subject of this permit is not located within the County of Midland, Texas, Operator shall notify the Midland Central Appraisal District of the following: (1) the well's location within the territorial limits of the City of Midland; and (2) that the City of

Midland is to be included as a taxing entity. Operator shall make said notification no later than 60 days after completion of the well.

The Midland City Council, in granting this permit, also grants the following variance(s):

1. Twenty-four hour hydraulic fracturing operations are permitted.

2. In lieu of constructing a perimeter fence around this permitted well, a perimeter fence around the well pad site may be constructed, as described herein. Operator shall construct and maintain fencing on the south and west sides in compliance with a surface use agreement that Operator has executed with the surface owner. Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet, as shown in Exhibit A, which is attached hereto and incorporated herein for all purposes. All such fencing shall, at a minimum, meet the requirements of Ordinance No. 8769.

3. Landscaping and irrigation shall conform to the surface use agreement.

4. Drill cuttings shall be removed from the surface location.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

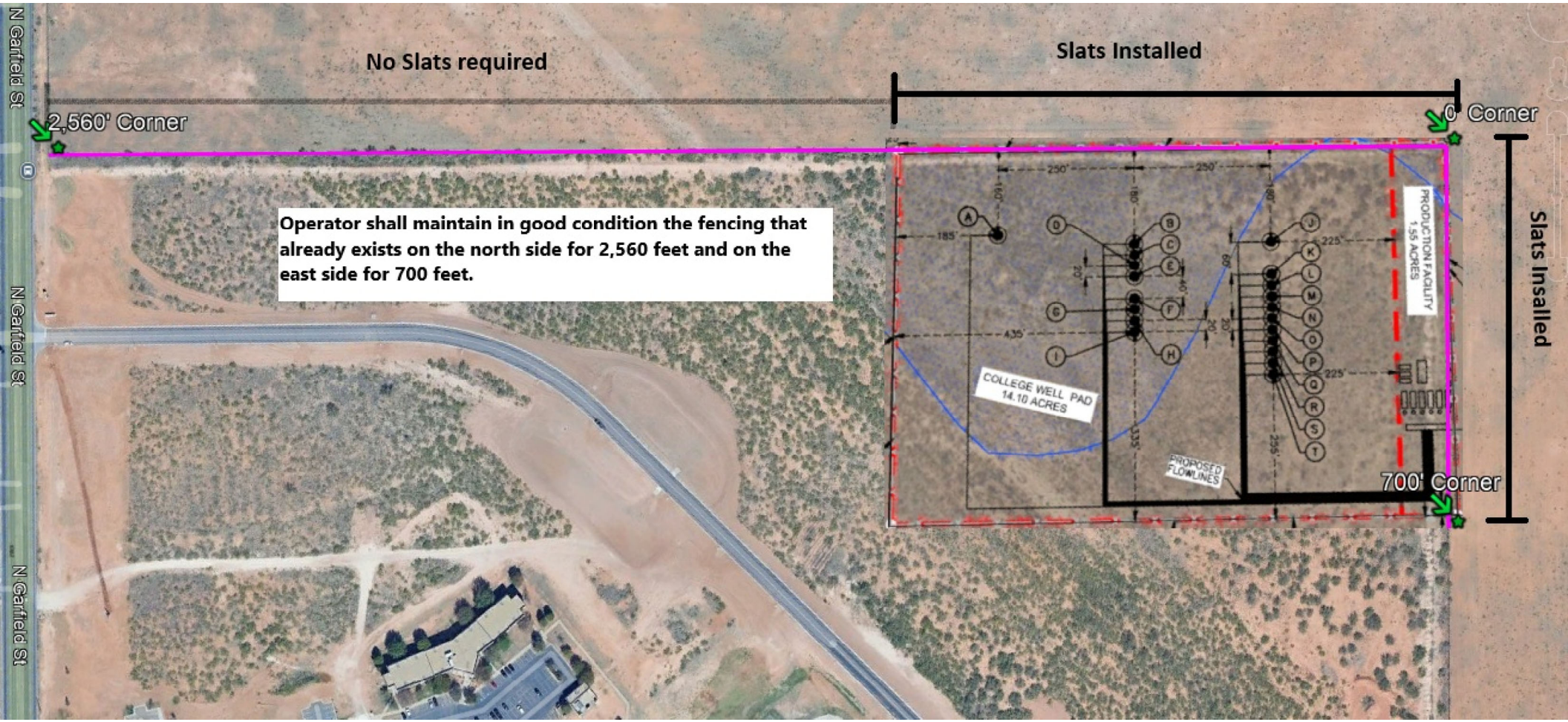
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A


No Slats required
Slats Installed
2,560' Corner
0' Corner
Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet.
N Garfield St
N Garfield St
N Garfield St
COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
700' Corner
Slats Installed

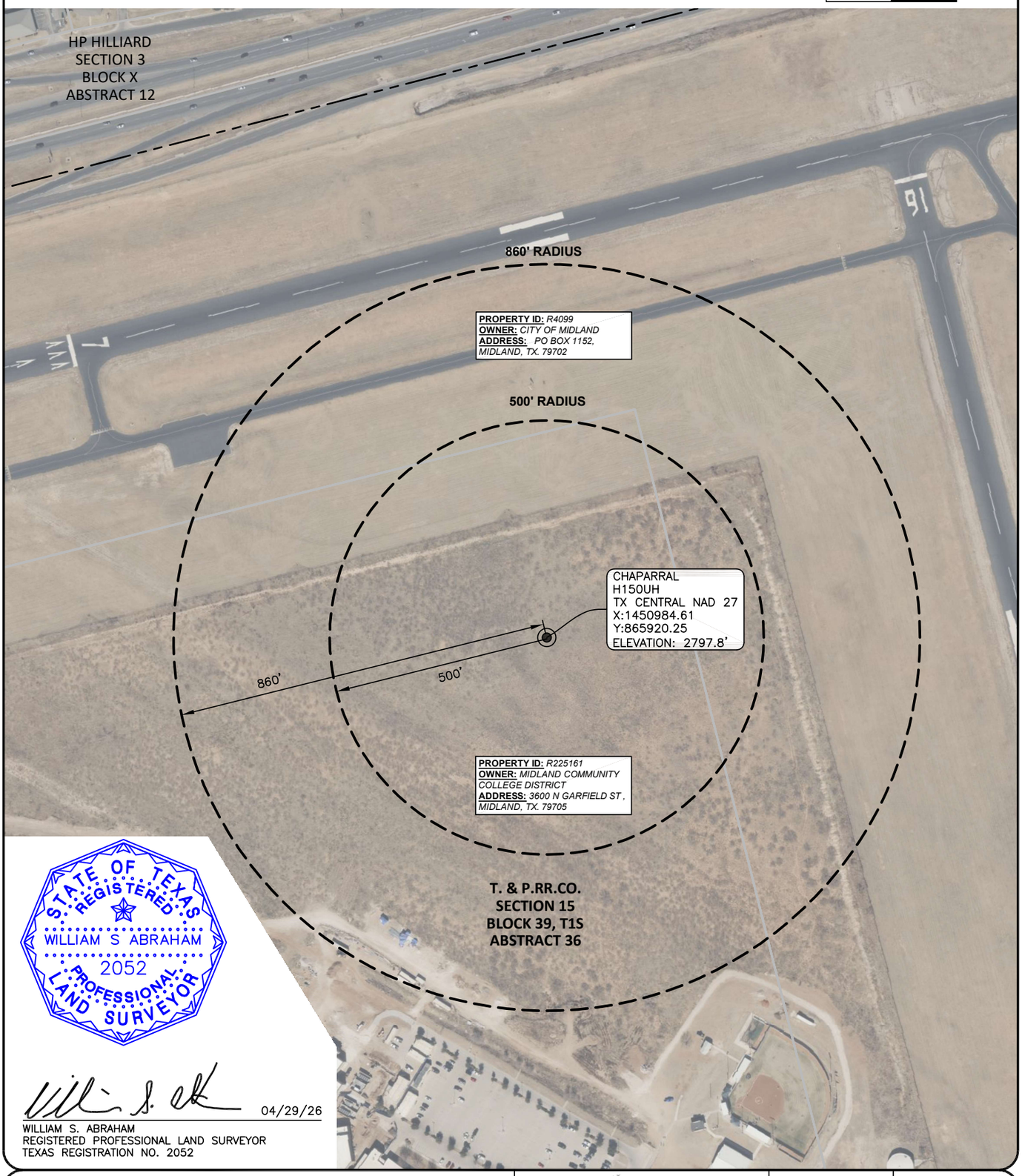
NOTES:

1.ORIGINAL DOCUMENT SIZE: 8.5" X 14"
2.THIS EXHIBIT WAS CREATED FOR THE SOLE PURPOSE OF FILING A PERMIT WITH THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS. THIS IS NOT A "BOUNDARY SURVEY".
3.THE PROPOSED WELL LOCATION WAS SURVEYED ON 04-13-2026

SYMBOL LEGEND:

FIRE HYDRANT
STORM DRAIN MANHOLE
WATER VALVE

N
W E
S
0' 150' 300'



STATE OF TEXAS
REGISTERED
WILLIAM S ABRAHAM
2052
PROFESSIONAL
LAND SURVEYOR

04/29/26

WILLIAM S. ABRAHAM
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 2052

WARNING: PLAT MAY NOT SHOW ALL CROSSINGS OF PIPELINES OR CABLES. USE TEXAS ONE CALL SYSTEM BEFORE EXCAVATION ON PROPERTY.

WELL RADIUS

PROPOSED CHAPARRAL H150UH
T. & P. RR. CO. SURVEY, SECTION 15, BLOCK 39, T1S,
ABSTRACT 36, CITY OF MIDLAND,
MIDLAND COUNTY, TEXAS
WELL SECTION LINE TIES: 2,050' FSWL & 1,316 FNWL

NOTES:
1. SURVEY RECONSTRUCTION FILED IN THE OFFICE OF ATWELL, LLC.
2. ALL BEARING AND GRID COORDINATES SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF NAD 27, CENTRAL ZONE.
3. THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY.

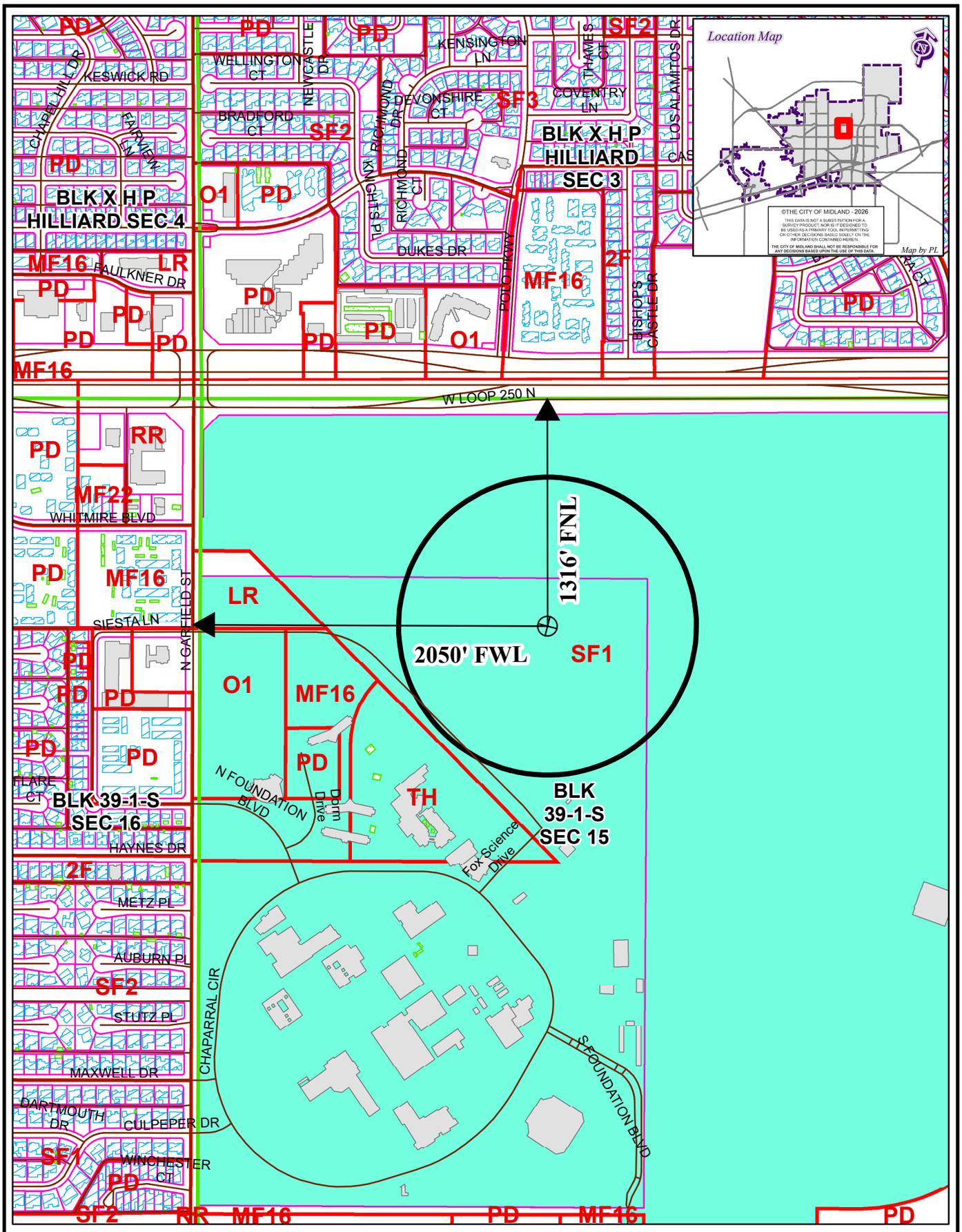
PERMIAN DEEP ROCK OIL COMPANY

ATWELL
866.850.4200 www.atwell-group.com
10100 Reunion Place, Suite 700
San Antonio, Texas 78216
TBPLS FIRM # 10194153

DRAWN	GJL	DATE	04-15-26
CHECKED	MA	DATE	04-15-26
APP'D		DATE	
SCALE	1"=300'	PAGE	2 OF 4

REV#	DATE	DESC.
1	4/24/26	CONVERT TO NAD 27

JOB NAME	WELL RADIUS
JOB NO.	26003998



LOCATION AND ZONING MAP

OIL26-000000023 **Scale: 1" = 700'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 1,316' FNL and 2,050' FWL, Section 15, Block 39, T-1-S, T&P RR CO Survey, Midland County, Texas.

Generally located 2,050 feet east of North Garfield Street and 1,316 feet south of W Loop 250 N.

Chaparral H150UH

LEGEND

CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

APPLICATION FOR OIL AND GAS PERMIT

(Pursuant to Midland City Ordinance No. 8769)

I. General Information

Date	Operator Name (must match W-1)	Operator Address
05/04/2026	Permian Deep Rock Oil Co., LLC	P.O. Box 11405 Midland, TX 79702

Representative Name	Representative Address (within Midland City Limits)	Rep. Tele.
Kyle M. Hammond	500 W. Wall St. Ste 300 Midland, TX 79701	432-682-6685 Rep. Fax 432-684-4519
Fee: $4,000.00 Rec'd Yes✓ No___	**NOTE: All attachments need to bound and put in a binder before submitting.**	**Pages 1-4**

Permit Compliance Contact (Choose 1):

Option A:

24/7 Answering Services - No. 1 (Tele.): **No. 2 (Tele.):**

Option B:

Company Compliance Representative (Name, Address, Local Telephone) ***(ATTACH STATEMENT AS EXHIBIT A):*** See Exhibit "A"

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See Exhibit "A"

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2.

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See Exhibit "D"

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the name(s) and address(es) of all surface owners within 860 feet of the surface well location. [See § J(7)].

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Proposed Well Name: Chaparral H150WB

Proposed Hole Size, Casing Program and Cementing Program (attach Exhibit as Necessary)[See § J(11) and § L(4)]:

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Permian Deep Rock Oil Compnay
[NAME OF COMPANY]

By _____
Its General Manager

State of Texas)

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Kyle Hammond, personally appeared before me, and being first duly sworn declared he/she signed the application in the capacity designated, if any, and further states that he/she has read the above application and attached exhibits and the statements therein are true and correct to the best of their knowledge.

Estella Peña
Notary Public, State of Texas

[S E A L]

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3. Landscaping and irrigation shall conform to the surface use agreement.

4. Drill cuttings shall be removed from the surface location.

Sound walls shall be used during drilling and completion operations as noted in the application.

This permit shall constitute a written contract for purposes of insurance requirements.

In addition to the requirements of this permit and the Midland City Code § 6-1-23, "Oil and Gas Well Permits Issued On or After January 1, 2010" (Ordinance 8769), including, but not limited to Subsections (K) through (Z), Operator shall develop, maintain and operate the well described herein in accordance with the conditions, limitations and safeguards contained in Operator's application for said well.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ day of August, 2026.

CITY OF MIDLAND, TEXAS

BY: _____

Lori Merritt Blong, Mayor

UNDERSTOOD AND AGREED THIS _____day of August, 2026.

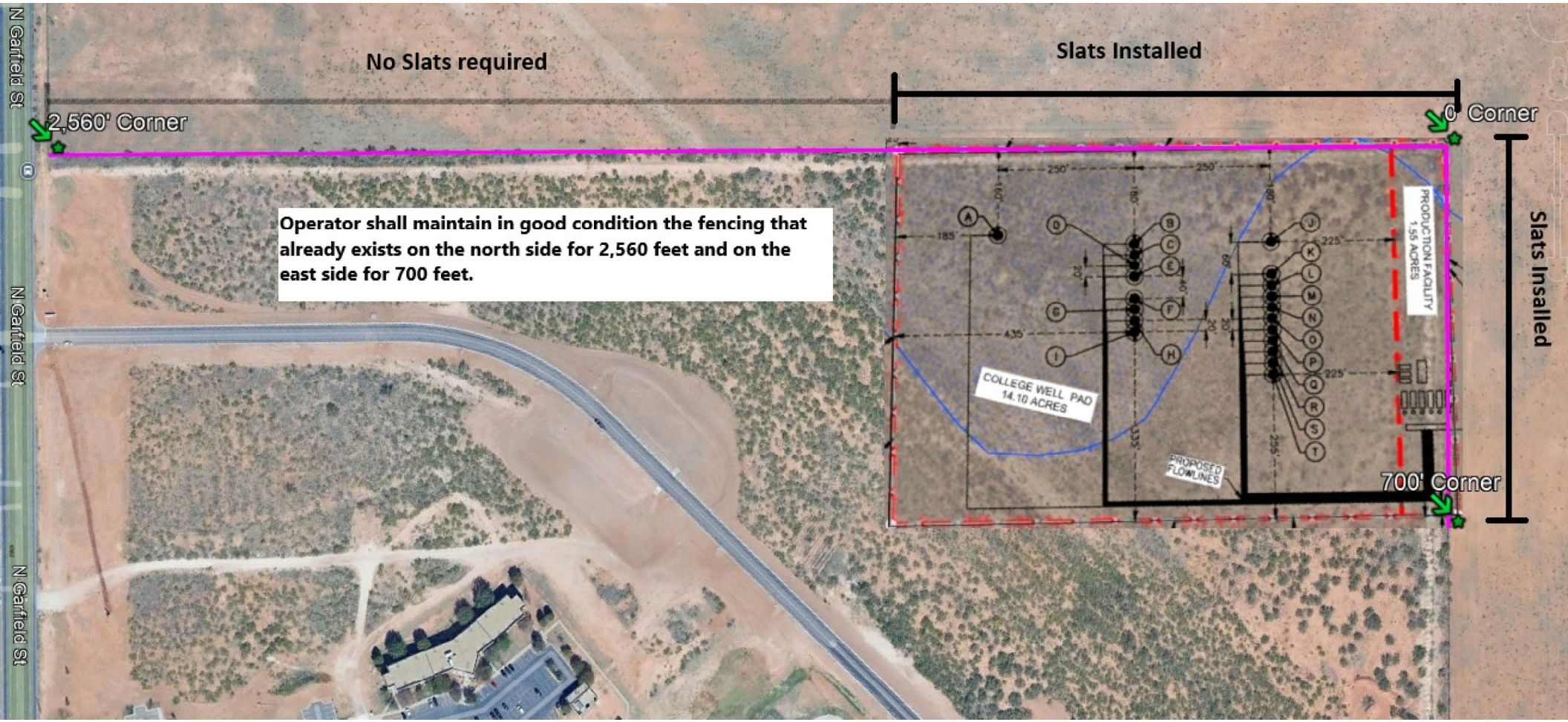
Permian Deep Rock Oil Co., LLC

By: _____

Kyle M. Hammond

General Manager

Exhibit A


No Slats required
Slats Installed
2,560' Corner
0' Corner
Operator shall maintain in good condition the fencing that already exists on the north side for 2,560 feet and on the east side for 700 feet.
Slats Installed
700' Corner
COLLEGE WELL PAD
14.10 ACRES
PRODUCTION FACILITY
1.55 ACRES
PROPOSED FLOWLINES
N Garfield St
N Garfield St
N Garfield St

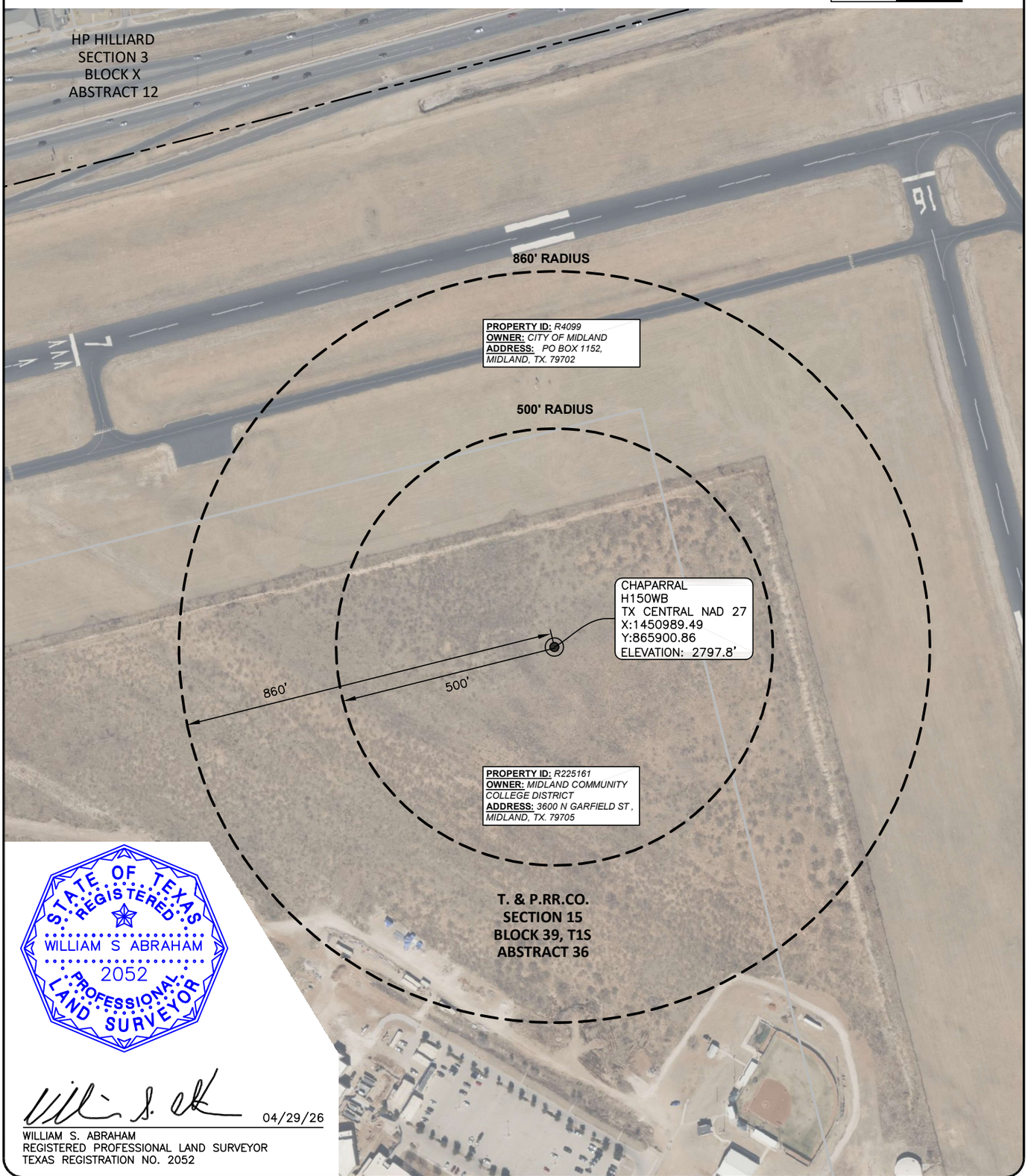
NOTES:

1.ORIGINAL DOCUMENT SIZE: 8.5" X 14"
2.THIS EXHIBIT WAS CREATED FOR THE SOLE PURPOSE OF FILING A PERMIT WITH THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS. THIS IS NOT A "BOUNDARY SURVEY".
3.THE PROPOSED WELL LOCATION WAS SURVEYED ON 04-13-2026

SYMBOL LEGEND:

FIRE HYDRANT
STORM DRAIN MANHOLE
WATER VALVE

N
W E
S
0' 150' 300'



STATE OF TEXAS
REGISTERED
WILLIAM S ABRAHAM
2052
PROFESSIONAL
LAND SURVEYOR

04/29/26

WILLIAM S. ABRAHAM
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 2052

WARNING: PLAT MAY NOT SHOW ALL CROSSINGS OF PIPELINES OR CABLES. USE TEXAS ONE CALL SYSTEM BEFORE EXCAVATION ON PROPERTY.

WELL RADIUS

PROPOSED CHAPARRAL H150WB
T. & P. RR. CO. SURVEY, SECTION 15, BLOCK 39, T1S, ABSTRACT 36, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS
WELL SECTION LINE TIES: 2,050' FSWL & 1,336 FNWL

NOTES:
1. SURVEY RECONSTRUCTION FILED IN THE OFFICE OF ATWELL, LLC.
2. ALL BEARING AND GRID COORDINATES SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF NAD 27, CENTRAL ZONE.
3. THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY.

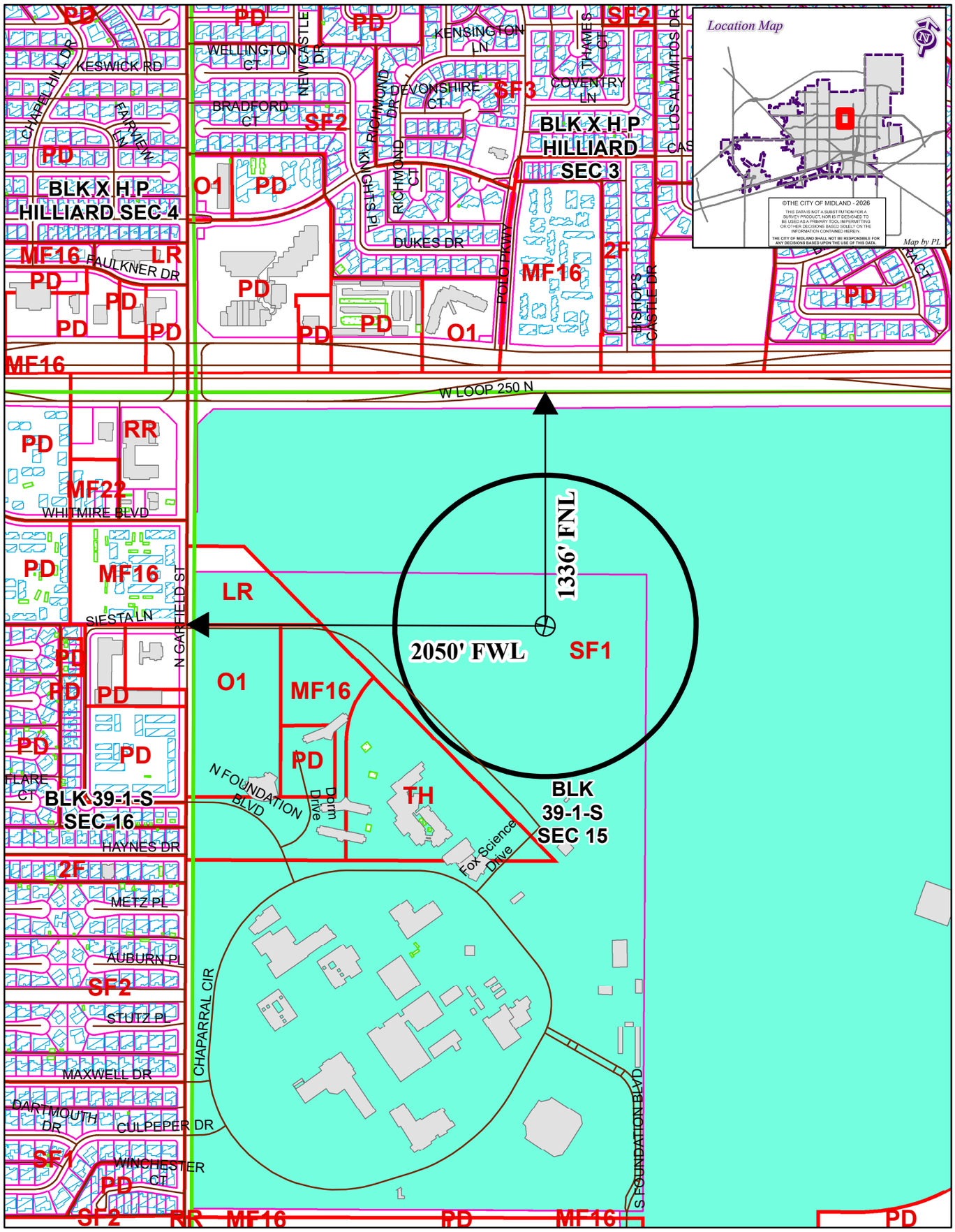
PERMIAN DEEP ROCK OIL COMPANY

ATWELL
866.850.4200 www.atwell-group.com
10100 Reunion Place, Suite 700
San Antonio, Texas 78216
TBPLS FIRM # 10194153

DRAWN	GJL	DATE	04-15-26
CHECKED	MA	DATE	04-15-26
APP'D		DATE	
SCALE	1"=300'	PAGE	2 OF 4

REV#	DATE	DESC.
1	4/24/26	CONVERT TO NAD 27

JOB NAME	WELL RADIUS
JOB NO.	26003998



LOCATION AND ZONING MAP

OIL26-000000024 **Scale: 1" = 700'**

Consider a request for a Permit to drill an Oil and Gas Well within the City Limits located 1,336' FNL and 2,050' FWL, Section 15, Block 39, T-1-S, T&P RR CO Survey, Midland County, Texas.

Generally located 2,050 feet east of North Garfield Street and 1,336 feet south of W Loop 250 N.

Chaparral H150WB

LEGEND

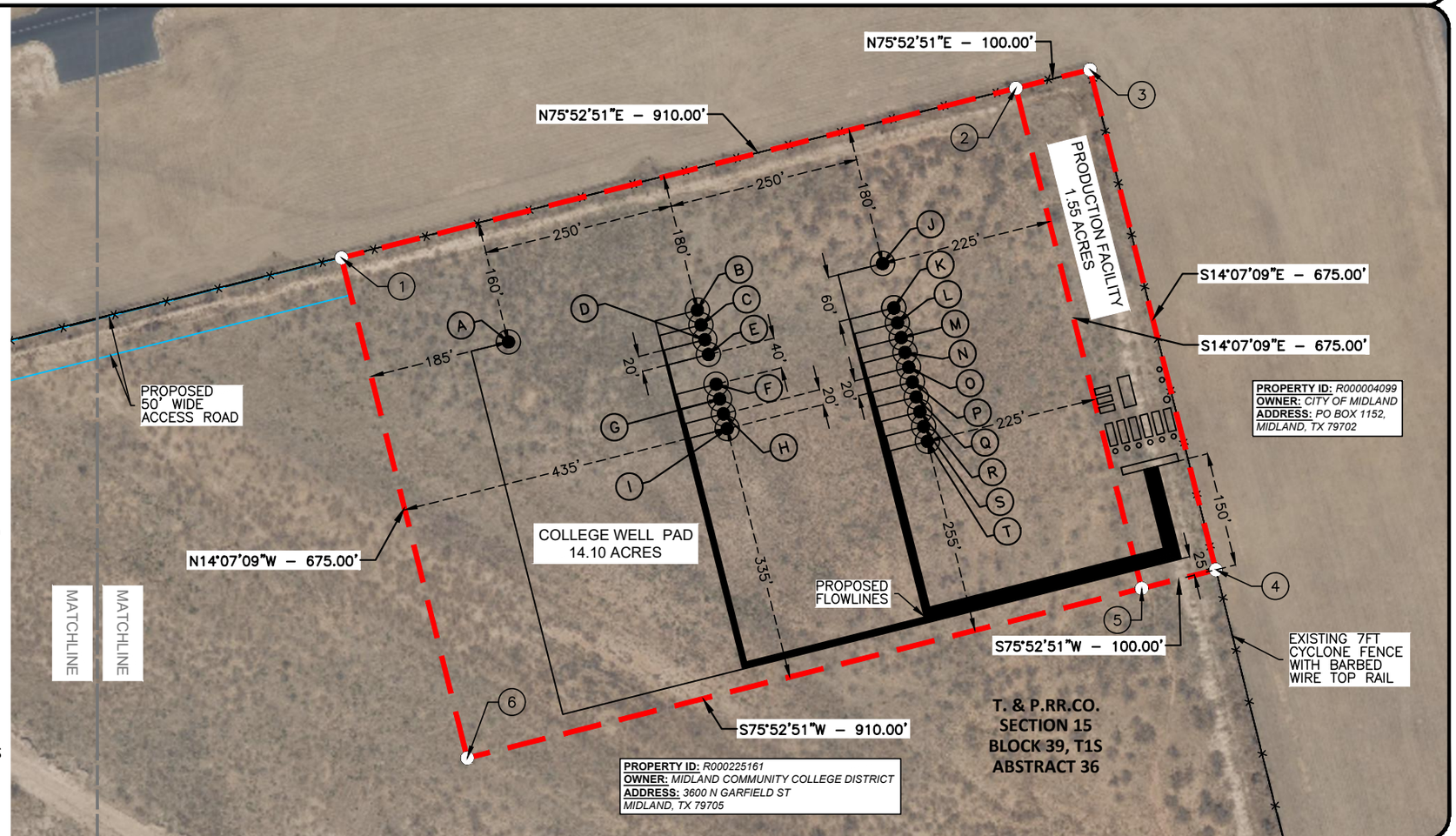
CITY PARCELS	PUBLIC BLDGS	CITY LIMITS
COUNTY PARCELS	PRIVATE BLDGS	860 FT. BUFFER
ZONING	ACCESSORY BLDGS	SURVEY SEC.

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

MIDLAND COUNTY, TEXAS

Coordinates			
Corner No.	State Plane TX–C NAD27	Geographic NAD27	Elev:
①	N: 866085.70 E: 1450494.44	Lat: 32°02'09.22" Long: 102°06'23.36"	2,798.2'
②	N: 866307.68 E: 1451376.95	Lat: 32°02'11.56" Long: 102°06'13.15"	2,798.8'
③	N: 866332.07 E: 1451473.93	Lat: 32°02'11.81" Long: 102°06'12.03"	2,798.1'
④	N: 865677.46 E: 1451638.57	Lat: 32°02'05.36" Long: 102°06'09.99"	2,801.2'
⑤	N: 865653.07 E: 1451541.60	Lat: 32°02'05.11" Long: 102°06'11.12"	2,801.5'
⑥	N: 865431.09 E: 1450659.09	Lat: 32°02'02.77" Long: 102°06'21.32"	2,798.7'



STATE OF TEXAS
REGISTERED
WILLIAM S ABRAHAM
2052
PROFESSIONAL
LAND SURVEYOR

04/24/26

WILLIAM S. ABRAHAM,
REGISTERED PROFESSIONAL LAND
SURVEYOR TEXAS REGISTRATION NO. 2052

COLLEGE WELL PAD =
TOTAL AREA OF WELL PAD

= 14.10 ACRES
= 614,250 SQ. FEET

PRODUCTION FACILITY =
TOTAL AREA OF
PRODUCTION FACILITY

= 1.55 ACRES
= 67,500 SQ. FEET

ACCESS ROAD =
TOTAL LENGTH OF ACCESS
ROAD

= 1,573.56 FEET
= 95.37 RODS

EXHIBIT "G"

COLLEGE WELL PAD
SITUATED IN
T. & P. RR. CO. SURVEY, SECTION 15, BLOCK 39,
T1S, ABSTRACT 36 OF THE CITY MIDLAND,
MIDLAND COUNTY, TEXAS.

REV. 0

DRAWING NAME
EXHIBIT "G" - COLLEGE WELL PAD

Arrington Oil & Gas Operating, LLC

ATWELL
866.850.4200 www.atwell-group.com
10100 Reunion Place, Suite 700
San Antonio, Texas 78216
TBPLS FIRM # 10194153

DRAWN	GRJ	DATE	04/15/26
CHECKED	MA	DATE	04/15/26
APP'D		DATE	
SCALE	1"=200'	PAGE	1 OF 5

REV#	DATE	DESC.

JOB NO. 26003998

N
W E
S
0' 100' 200'

LEGEND

FEMA FLOOD PANEL
PAD LINE
SURFACE HOLE LOCATION

NOTES

1. ALL BEARINGS & DISTANCES SHOWN HEREON ARE GRID BASED UPON TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM OF 1927, US SURVEY FOOT, AS DERIVED FROM AN ON THE GROUND SURVEY PERFORMED BY ATWELL, LLC ON MARCH, 2026.

City Council Meeting

Item Number: 9.
Meeting Date: August 11, 2026
To: City Council
From: Garrick Clayton, Oil and Gas Officer
Subject: RESOLUTION AUTHORIZING THE EXECUTION OF A ROAD REPAIR AGREEMENT WITH PERMIAN DEEP ROCK OIL CO., LLC REGARDING ITS APPLICATION TO DRILL OIL AND GAS WELLS LOCATED IN SECTION 15, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS

Purpose:
Resolution authorizing the execution of a road repair agreement with Permian Deep Rock Oil Co., LLC regarding its applications to drill 20 oil and gas wells; CHAPARRAL 120 MIPA UNIT H120LS; CHAPARRAL 120 MIPA UNIT HL20MS; CHAPARRAL 120 MIPA UNIT HL20UH; CHAPARRAL 120 MIPA UNIT HL20WB; CHAPARRAL H125WA; CHAPARRAL H130LS; CHAPARRAL H130SS; CHAPARRAL H130UH; CHAPARRAL H130WB; CHAPARRAL H135WA; CHAPARRAL H140LS; CHAPARRAL H140MS; CHAPARRAL H140UH; CHAPARRAL H140WB; CHAPARRALL H145WA; CHAPARRAL H150LS; CHAPARRAL H150SS; CHAPARRAL H150UH; CHAPARRAL H150WB; and CHAPARRAL H105WA; said wells being generally located between 1,194 feet and 2,300 feet east of north Garfield street and between 1,218 and 1,800 feet south of W Loop 250 N

Recommended Action:
Approve

Fiscal Impact:
There is no cost to the City to process this application.

Strategic Priority:
SET THE STANDARD FOR A SAFE AND SECURE CITY

Discussion:
Permian Deep Rock Oil Co., LLC. intends to use portions of N Garfield Street to access its oil and gas lease. Operator has attached to this agreement a Letter of Credit in the amount of $75,000.00. In addition, the operator also agrees to pay the City of Midland the sum of $250,000.00 for the purpose of repaving or reconstructing that used portion of N Garfield Street.

Attachments: Exhibit M: Letter of Credit, Road Repair Agreement, Travel Route

Attachments:

A. RESOLUTION W/EXH - Permian Deep Rock - Garfield St - Approve Road Repair Agreement Reso w Exh
B. Road Repair Agreement
C. PDR Exhibit M
D. PDR Letter of Credit
E. Travel Route

Liliana Morales, Development Services - Oil and Gas	Created/Initiated - 7/17/2026
Garrick Clayton, Development Services - Oil and Gas	Approved - 7/22/2026
Elizabeth Triggs, Development Services	Approved - 8/4/2026
Linda Ochoa, Legal	Approved - 8/4/2026
Jose Ortiz, City Manager	Approved - 8/5/2026
Kathy Rauda, City Secretary	Final Approval - 8/5/2026

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE EXECUTION OF A ROAD REPAIR AGREEMENT WITH PERMIAN DEEP ROCK OIL CO., LLC REGARDING ITS APPLICATION TO DRILL OIL AND GAS WELLS LOCATED IN SECTION 15, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS

WHEREAS, the City Council finds it to be in the public interest to authorize the execution of a road repair agreement with Continental Resources, Inc. ("Operator");

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

THAT the Mayor is hereby authorized and directed to execute, on behalf of the City of Midland, a road repair agreement with Operator. Said agreement shall be in a form substantially similar to that attached hereto as Exhibit A and incorporated herein for all legal purposes.

On motion of Council member _____, seconded by Council member _____, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the _____ day of _____, A.D., 2026, by the following vote:

Council members voting "AYE":

Council members voting "NAY":

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

RECOMMENDED AND APPROVED:

_____
Tommy Gonzalez, City Manager

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, City Attorney

EXHIBIT A

Road Repair Agreement

Permian Deep Rock Oil Company, LLC ("Operator"), intends to use portions of Garfield Street to access its oil and gas lease. Operator agrees to pay actual road repair costs up to a maximum amount of Seventy-Five Thousand and no/hundred dollars ($75,000.00) per calendar year for damage done to Garfield Street to the extent that any such damage is verifiably attributable to traffic servicing Operator. Operator will not be obligated to pay for any damage to Garfield Street attributable to other parties or for damage associated with normal wear and tear. Operator will not be required to pay road repair expenses in excess of $25,000.00 per calendar year per well not to exceed a total of $75,000.00 per calendar year for all wells it operates within the city limits in Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. Operator has attached to this agreement a letter of credit, certificate of deposit or surety bond in the amount of $75,000.00 which will serve to secure payment of any such road repair expenses. In the event such letter of credit, certificate of deposit or surety bond is not restored to $75,000.00 within ten (10) days after the date of the reduction of the letter of credit, certificate of deposit or surety bond, the City may draw and receive the remaining balance of the letter of credit, certificate of deposit or surety bond, and the Oil and Gas Well Permit shall be suspended on such date and the Operator's right to operate under Oil and Gas Well Permit shall immediately cease until the Operator files the required letter of credit, or certificate of deposit or surety bond.

Operator and the City of Midland agree that documentation of any road damage determined to be caused by Operator's use of Garfield Street to access any of the wells shall be presented to Operator. If the Operator does not agree, then Operator may file a written objection with the City Manager within ten (10) days of being notified of the road damage. The City Manager shall review the objections and give Operator the opportunity to be heard and present facts that Operator deems relevant. The City reserves the right after giving ten (10) business days written notice to the Operator regarding such violation, to draw upon the letter of cred it, certificate of deposit or surety bond as outlined in Subsection (K) General Conditions of all Oil and gas Well Permits, in order to remedy such situation under ordinance 8769, 6-1-23 "Oil & Gas Well Permits". The amount drawn from the letter of credit, certificate of deposit or surety bond shall not exceed the limits previously described by this agreement.

In addition to the obligations set forth above, Operator shall pay to the City of Midland the sum of $250,000.00 prior to Operator commencing its use of Garfield Street to access its oil and gas lease. The City of Midland shall use said sum solely for the purpose of repaving or reconstructing the portion of Garfield Street that is between Loop 250 and the location from which Operator accesses its oil and gas lease, which is an approximate length of 850 feet; provided, however, that the City of Midland shall have no obligation to commence or complete

such repaving or reconstruction by any certain date. All decisions regarding the means and manner of such repaving or reconstructing, including the selection of the treatment, shall be in the sole discretion of the City of Midland.

AGREED TO AND ACCEPTED BY THE FOLLOWING PARTIES:

PERMIAN DEEP ROCK OIL COMPANY, LLC

Date: 4-30-26

By: _____

J. Wayne Bailey, Attorney-in-Fact

City of Midland

Date: _____

By: _____

Lori Merritt Blong, Mayor

WTNB
WEST TEXAS NATIONAL BANK
EXPERTISE
FINANCIAL | ENERGY | LOCAL

DATE: December 19, 2019

IRREVOCABLE STANDBY LETTER OF CREDIT NO. 9480008

ISSUING BANK:
WEST TEXAS NATIONAL BANK
6 DESTA DRIVE, SUITE 2400
MIDLAND, TX 79705
PHONE: 432-685-6500

BENEFICIARY:
CITY OF MIDLAND, TX
ATTN: RON JENKINS
300 N. LORAINE ST, SUITE 320
MIDLAND, TX 79701

APPLICANT:
PERMIAN DEEP ROCK OIL COMPANY, LLC
500 WEST WALL STREET, SUITE 300
MIDLAND, TX 79701

AMOUNT: USD 75,000.00 (SEVENTY FIVE THOUSAND AND 00/100 UNITED STATES DOLLARS)

EXPIRY DATE: December 31, 2022

EXPIRY PLACE: MIDLAND, TX

WE HEREBY ESTABLISH OUR IRREVOCABLE STANDBY LETTER OF CREDIT IN YOUR FAVOR, FOR THE APPLICANT, FOR A SUM NOT EXCEEDING THE TOTAL AMOUNT STATED ABOVE, AVAILABLE WITH WEST TEXAS NATIONAL BANK, BY PRESENTATION OF THE FOLLOWING:

1. THIS ORIGINAL LETTER OF CREDIT AND ALL AMENDMENTS THERETO.
2. SIGHT DRAFT, DRAWN ON WEST TEXAS NATIONAL BANK, AND REFERENCING THIS LETTER OF CREDIT NUMBER.
3. BENEFICIARY'S SIGNED STATEMENT STATE ONE OF THE FOLLOWING:
    A. "THE UNDERSIGNED HEREBY CERTIFIES A VIOLATION HAS OCCURRED UNDER DRILLING ORDINANCE NO.8789, SECTION J-PERMIT APPLICATION AND FILING FEE, ITEM 31 ROAD REPAIR AGREEMENT BETWEEN PERMIAN DEEP ROCK OIL COMPANY, LLC AND THE CITY OF MIDLAND RELATED TO THE NORTHWEST QUARTER (NW/4) OF SECTION 14, BLOCK 39, T-1-S, T&P RR CO SURVEY, MIDLAND COUNTY, TEXAS AND HAS NOT BEEN REMEDIED BY PERMIAN DEEP ROCK OIL COMPANY, LLC AND THE AMOUNT DRAWN HEREUNDER REPRESENTS FUNDS DUE AND PAYABLE."

WTNB
WEST TEXAS NATIONAL BANK
EXPERTISE
FINANCIAL | ENERGY | LOCAL

B. "THE CITY OF MIDLAND, TX HAS NOT BEEN PROVIDED WITH AN AMENDMENT EXTENDING CURRENT EXPIRATION DATE OR PROVIDED WITH AN ACCEPTABLE REPLACEMENT LETTER OF CREDIT AT LEAST 120 DAYS BEFORE THE SCHEDULED EXPIRATION DATE."

PARTIAL DRAWINGS/MULTIPLE PRESENTATIONS PERMITTED.

IN THE EVENT YOU WISH TO CANCEL THIS LETTER OF CREDIT, THIS ORIGINAL LETTER OF CREDIT AND ALL AMENDMENTS HERETO MUST BE SUBMITTED TO WEST TEXAS NATIONAL BANK, 6 DESTA DRIVE, SUITE 2400, ATTN: LOAN OPERATIONS, MIDLAND, TX 79705, ACCOMPANIED BY YOUR LETTER NOTIFYING US OF YOUR INTENT TO CANCEL.

ALL DOCUMENTS ARE TO BE FORWARDED IN ONE LOT AT THE BENEFICIARY'S EXPENSE BY COURIER TO WEST TEXAS NATIONAL BANK AT THE ADDRESS EVIDENCED ABOVE.

WE ENGAGE WITH YOU THAT ANY PRESENTATION DRAWN IN COMPLIANCE WITH THE TERMS OF THIS CREDIT WILL BE DULY HONORED WHEN PRESENTED AT THIS OFFICE ON OR BEFORE THE CLOSE OF BUSINESS ON THE EXPIRY DATE, AS SET FORTH ABOVE.

EXCEPT AS FAR AS OTHERWISE EXPRESSLY STATED HEREIN, THIS STANDBY IS SUBJECT TO THE INTERNATIONAL STANDBY PRACTICES ("ISP98"), INTERNATIONAL CHAMBER OF COMMERCE PUBLICATION NO. 590, AND AS TO MATTERS NOT ADDRESSED BY THE ISP98, SHALL BE GOVERNED BY AND CONSTRUED IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS AND APPLICABLE U.S. FEDERAL LAW.

ALL PARTIES TO THIS LETTER OF CREDIT ARE ADVISED THAT THE U.S. GOVERNMENT HAS IN PLACE CERTAIN SANCTIONS AGAINST CERTAIN COUNTRIES, INDIVIDUALS, ENTITIES, AND VESSELS. WEST TEXAS NATIONAL BANK, INCLUDING ALL BRANCHES, IS/WILL BE PROHIBITED FROM ENGAGING IN TRANSACTIONS OR OTHER ACTIVITIES WITHIN THE SCOPE OF APPLICABLE SANCTIONS.

x _____

FRANK STOWERS, SENIOR VICE PRESIDENT
WEST TEXAS NATIONAL BANK

WTNB
WEST TEXAS NATIONAL BANK

Date: DECEMBER 14, 2021

AMENDMENT TO IRREVOCABLE STANDBY LETTER OF CREDIT NO. 9480008

ISSUING BANK:
WEST TEXAS NATIONAL BANK
6 DESTA DRIVE, SUITE 2400
MIDLAND, TX 79705
PHONE: 432-685-6500

BENEFICIARY:
CITY OF MIDLAND, TX
ATTN: RON JENKINS
300 N. LORAINE ST., SUITE 320
MIDLAND, TX 79701

APPLICANT:
PERMIAN DEEP ROCK OIL COMPANY, LLC
500 WEST WALL STREET, SUITE 300
MIDLAND, TX 79701

TO BENEFICIARY:

THE ISSUING BANK HEREBY AMENDS IRREVOCABLE STANDBY LETTER OF CREDIT NO. 9480008 BY INSERTING A NEW ITEM 3.C. TO READ AS FOLLOWS:

C. "THE UNDERSIGNED HEREBY CERTIFIES A VIOLATION HAS OCCURRED UNDER DRILLING ORDINANCE NO.8789, SECTION J-PERMIT APPLICATION AND FILING FEE, ITEM 31 ROAD REPAIR AGREEMENT BETWEEN PERMIAN DEEP ROCK OIL COMPANY, LLC AND THE CITY OF MIDLAND RELATED TO ALL ROADS IN THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AND HAS NOT BEEN REMEDIED BY PERMIAN DEEP ROCK OIL COMPANY, LLC AND THE AMOUNT DRAWN HEREUNDER REPRESENTS FUNDS DUE AND PAYABLE."

ISSUING BANK:
WEST TEXAS NATIONAL BANK

By: _____
Name: Marcus Dingler
Its: Vice President

West Texas National Bank™

Date: DECEMBER 23, 2025

AMENDMENT TO IRREVOCABLE STANDBY LETTER OF CREDIT NO. 9480008

ISSUING BANK:
WEST TEXAS NATIONAL BANK
6 DESTA DRIVE, SUITE 2400
MIDLAND, TX 79705
PHONE: 432-685-6500

BENEFICIARY:
CITY OF MIDLAND, TX
ATTN: RON JENKINS
300 N. LORAINE ST., SUITE 320
MIDLAND, TX 79701

APPLICANT:
PERMIAN DEEP ROCK OIL COMPANY, LLC
500 WEST WALL STREET, SUITE 300
MIDLAND, TX 79701

TO BENEFICIARY:

THE ISSUING BANK HEREBY AMENDS IRREVOCABLE STANDBY LETTER OF CREDIT NO. 9480008 BY UPDATING THE MATURITY DATE TO READ AS FOLLOWS:

EXPIRY DATE: DECEMBER 31, 2028

ISSUING BANK:
WEST TEXAS NATIONAL BANK

By:_____
Name: Marcus Dingler
Its: Senior Vice President

MEMBER FDIC EQUAL HOUSING LENDER

Road Repair Agreement

Permian Deep Rock Oil Company, LLC ("Operator"), intends to use portions of Garfield Street to access its oil and gas lease. Operator agrees to pay actual road repair costs up to a maximum amount of Seventy-Five Thousand and no/hundred dollars ($75,000.00) per calendar year for damage done to Garfield Street to the extent that any such damage is verifiably attributable to traffic servicing Operator. Operator will not be obligated to pay for any damage to Garfield Street attributable to other parties or for damage associated with normal wear and tear. Operator will not be required to pay road repair expenses in excess of $25,000.00 per calendar year per well not to exceed a total of $75,000.00 per calendar year for all wells it operates within the city limits in Section 15, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas. Operator has attached to this agreement a letter of credit, certificate of deposit or surety bond in the amount of $75,000.00 which will serve to secure payment of any such road repair expenses. In the event such letter of credit, certificate of deposit or surety bond is not restored to $75,000.00 within ten (10) days after the date of the reduction of the letter of credit, certificate of deposit or surety bond, the City may draw and receive the remaining balance of the letter of credit, certificate of deposit or surety bond, and the Oil and Gas Well Permit shall be suspended on such date and the Operator's right to operate under Oil and Gas Well Permit shall immediately cease until the Operator files the required letter of credit, or certificate of deposit or surety bond.

Operator and the City of Midland agree that documentation of any road damage determined to be caused by Operator's use of Garfield Street to access any of the wells shall be presented to Operator. If the Operator does not agree, then Operator may file a written objection with the City Manager within ten (10) days of being notified of the road damage. The City Manager shall review the objections and give Operator the opportunity to be heard and present facts that Operator deems relevant. The City reserves the right after giving ten (10) business days written notice to the Operator regarding such violation, to draw upon the letter of cred it, certificate of deposit or surety bond as outlined in Subsection (K) General Conditions of all Oil and gas Well Permits, in order to remedy such situation under ordinance 8769, 6-1-23 "Oil & Gas Well Permits". The amount drawn from the letter of credit, certificate of deposit or surety bond shall not exceed the limits previously described by this agreement.

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such repaving or reconstruction by any certain date. All decisions regarding the means and manner of such repaving or reconstructing, including the selection of the treatment, shall be in the sole discretion of the City of Midland.

AGREED TO AND ACCEPTED BY THE FOLLOWING PARTIES:

PERMIAN DEEP ROCK OIL COMPANY, LLC

Date: 4-30-26

By: _____

J. Wayne Bailey, Attorney-in-Fact

City of Midland

Date: _____

By: _____

Lori Merritt Blong, Mayor

PDR - Well Name	API	LAT	LONG
Chaparral 120 MIPA Unit H120LS	42-329-48287	32.035428	-102.104053
Chaparral 120 MIPA Unit H120MS	42-329-48286	32.035321	-102.104019
Chaparral 120 MIPA Unit H120UH	42-329-48285	32.035693	-102.104136
Chaparral 120 MIPA Unit H120WB	42-329-48284	32.035587	-102.104103
Chaparral H125WA	42-329-48292	32.035905	-102.104203
Chaparral H130LS	42-329-48290	32.035534	-102.104086
Chaparral H130SS	42-329-48291	32.035481	-102.104069
Chaparral H130UH	42-329-48289	32.038999	-102.104600
Chaparral H130WB	42-329-48288	32.035640	-102.104119
Chaparral H135WA	42-329-48297	32.035374	-102.104036
Chaparral H140LS	42-329-48295	32.035674	-102.104965
Chaparral H140MS	42-329-48296	32.035621	-102.104949
Chaparral H140UH	42-329-48294	32.035268	-102.104002
Chaparral H140WB	42-329-48293	32.035727	-102.104982
Chaparral H145WA	42-329-48302	32.035568	-102.106653
Chaparral H150LS	42-329-48300	32.035355	-102.104865
Chaparral H150SS	42-329-48301	32.035302	-102.104848
Chaparral H150UH	42-329-48299	32.035462	-102.104899
Chaparral H150WB	42-329-48298	32.035409	-102.104882
Chaparral H105WA	42-329-48327	32.035602	-102.105778

WTNB
WEST TEXAS NATIONAL BANK
EXPERTISE
FINANCIAL | ENERGY | LOCAL

DATE: December 19, 2019

IRREVOCABLE STANDBY LETTER OF CREDIT NO. 9480008

ISSUING BANK:
WEST TEXAS NATIONAL BANK
6 DESTA DRIVE, SUITE 2400
MIDLAND, TX 79705
PHONE: 432-685-6500

BENEFICIARY:
CITY OF MIDLAND, TX
ATTN: RON JENKINS
300 N. LORAINE ST, SUITE 320
MIDLAND, TX 79701

APPLICANT:
PERMIAN DEEP ROCK OIL COMPANY, LLC
500 WEST WALL STREET, SUITE 300
MIDLAND, TX 79701

AMOUNT: USD 75,000.00 (SEVENTY FIVE THOUSAND AND 00/100 UNITED STATES DOLLARS)

EXPIRY DATE: December 31, 2022

EXPIRY PLACE: MIDLAND, TX

WE HEREBY ESTABLISH OUR IRREVOCABLE STANDBY LETTER OF CREDIT IN YOUR FAVOR, FOR THE APPLICANT, FOR A SUM NOT EXCEEDING THE TOTAL AMOUNT STATED ABOVE, AVAILABLE WITH WEST TEXAS NATIONAL BANK, BY PRESENTATION OF THE FOLLOWING:

1. THIS ORIGINAL LETTER OF CREDIT AND ALL AMENDMENTS THERETO.
2. SIGHT DRAFT, DRAWN ON WEST TEXAS NATIONAL BANK, AND REFERENCING THIS LETTER OF CREDIT NUMBER.
3. BENEFICIARY'S SIGNED STATEMENT STATE ONE OF THE FOLLOWING:
    A. "THE UNDERSIGNED HEREBY CERTIFIES A VIOLATION HAS OCCURRED UNDER DRILLING ORDINANCE NO.8789, SECTION J-PERMIT APPLICATION AND FILING FEE, ITEM 31 ROAD REPAIR AGREEMENT BETWEEN PERMIAN DEEP ROCK OIL COMPANY, LLC AND THE CITY OF MIDLAND RELATED TO THE NORTHWEST QUARTER (NW/4) OF SECTION 14, BLOCK 39, T-1-S, T&P RR CO SURVEY, MIDLAND COUNTY, TEXAS AND HAS NOT BEEN REMEDIED BY PERMIAN DEEP ROCK OIL COMPANY, LLC AND THE AMOUNT DRAWN HEREUNDER REPRESENTS FUNDS DUE AND PAYABLE."

WTNB
WEST TEXAS NATIONAL BANK
EXPERTISE
FINANCIAL | ENERGY | LOCAL

B. "THE CITY OF MIDLAND, TX HAS NOT BEEN PROVIDED WITH AN AMENDMENT EXTENDING CURRENT EXPIRATION DATE OR PROVIDED WITH AN ACCEPTABLE REPLACEMENT LETTER OF CREDIT AT LEAST 120 DAYS BEFORE THE SCHEDULED EXPIRATION DATE."

PARTIAL DRAWINGS/MULTIPLE PRESENTATIONS PERMITTED.

IN THE EVENT YOU WISH TO CANCEL THIS LETTER OF CREDIT, THIS ORIGINAL LETTER OF CREDIT AND ALL AMENDMENTS HERETO MUST BE SUBMITTED TO WEST TEXAS NATIONAL BANK, 6 DESTA DRIVE, SUITE 2400, ATTN: LOAN OPERATIONS, MIDLAND, TX 79705, ACCOMPANIED BY YOUR LETTER NOTIFYING US OF YOUR INTENT TO CANCEL.

ALL DOCUMENTS ARE TO BE FORWARDED IN ONE LOT AT THE BENEFICIARY'S EXPENSE BY COURIER TO WEST TEXAS NATIONAL BANK AT THE ADDRESS EVIDENCED ABOVE.

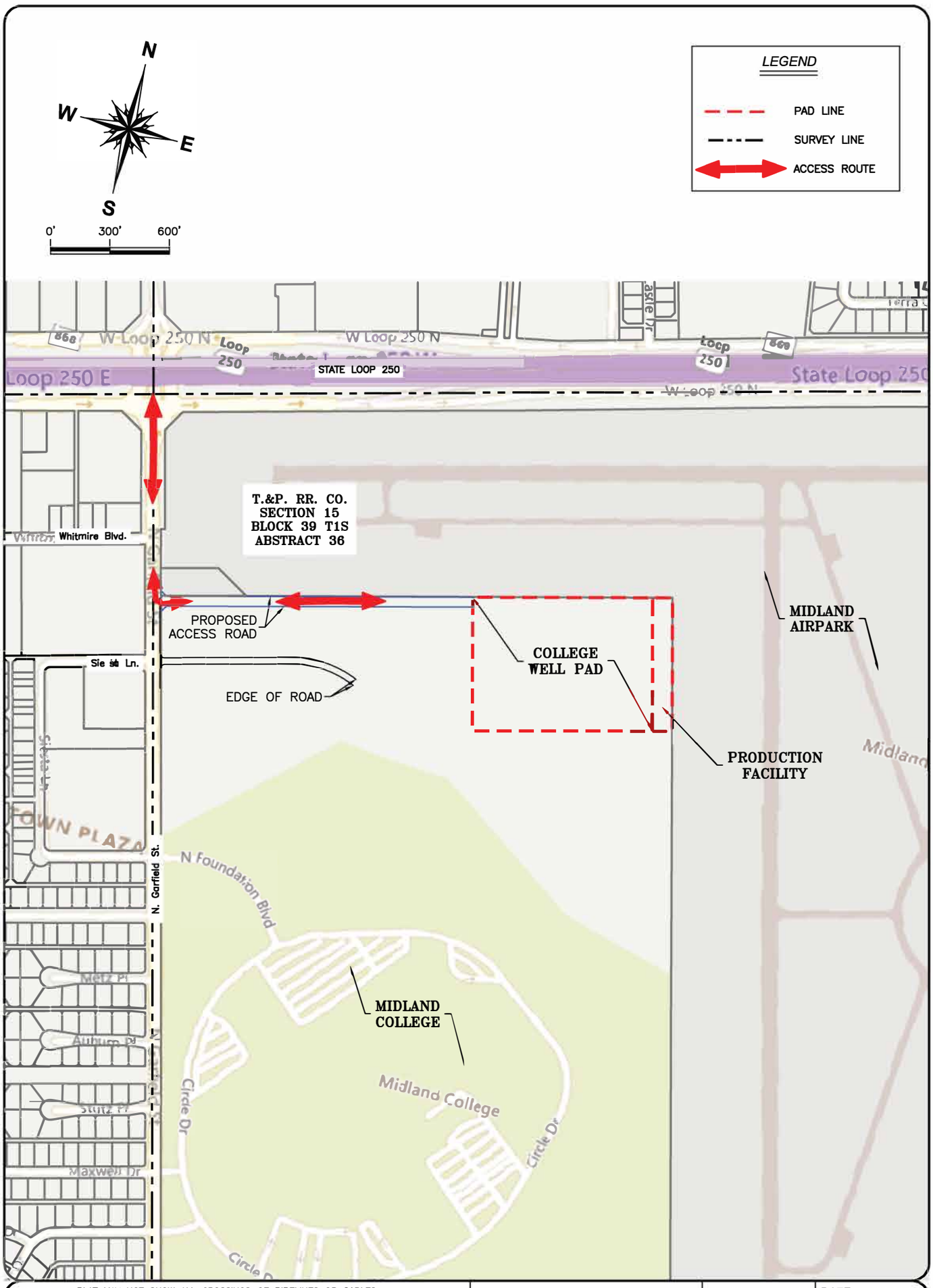
WE ENGAGE WITH YOU THAT ANY PRESENTATION DRAWN IN COMPLIANCE WITH THE TERMS OF THIS CREDIT WILL BE DULY HONORED WHEN PRESENTED AT THIS OFFICE ON OR BEFORE THE CLOSE OF BUSINESS ON THE EXPIRY DATE, AS SET FORTH ABOVE.

EXCEPT AS FAR AS OTHERWISE EXPRESSLY STATED HEREIN, THIS STANDBY IS SUBJECT TO THE INTERNATIONAL STANDBY PRACTICES ("ISP98"), INTERNATIONAL CHAMBER OF COMMERCE PUBLICATION NO. 590, AND AS TO MATTERS NOT ADDRESSED BY THE ISP98, SHALL BE GOVERNED BY AND CONSTRUED IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS AND APPLICABLE U.S. FEDERAL LAW.

ALL PARTIES TO THIS LETTER OF CREDIT ARE ADVISED THAT THE U.S. GOVERNMENT HAS IN PLACE CERTAIN SANCTIONS AGAINST CERTAIN COUNTRIES, INDIVIDUALS, ENTITIES, AND VESSELS. WEST TEXAS NATIONAL BANK, INCLUDING ALL BRANCHES, IS/WILL BE PROHIBITED FROM ENGAGING IN TRANSACTIONS OR OTHER ACTIVITIES WITHIN THE SCOPE OF APPLICABLE SANCTIONS.

x _____

FRANK STOWERS, SENIOR VICE PRESIDENT
WEST TEXAS NATIONAL BANK



WARNING: PLAT MAY NOT SHOW ALL CROSSINGS OF PIPELINES OR CABLES. USE TEXAS ONE CALL SYSTEM BEFORE EXCAVATION ON PROPERTY.

ARRINGTON OIL & GAS OPERATING, LLC

ACCESS ROUTE TO PAD SITE

LOCATED IN THE CITY OF MIDLAND, TEXAS
SITUATED IN
T. & P. RR. CO. SURVEY, SECTION 15, BLOCK 39, T1S, ABSTRACT 36
OF MIDLAND COUNTY, TEXAS.

NOTES:
1. SURVEY RECONSTRUCTION FILED IN THE OFFICE OF ATWELL, LLC.
2. ALL BEARING AND GRID COORDINATES SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1927, CENTRAL ZONE.
3. THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY.

Arrington Oil & Gas Operating, LLC

ATWELL
866.850.4200 www.atwell-group.com
10100 Reunion Place, Suite 700
San Antonio, Texas 78216
TBPLS FIRM # 10194153

DRAWN	GRJ	DATE	04-14-26
CHECKED	MA	DATE	04-14-26
APP'D		DATE	
SCALE	1"=600'	PAGE	1 OF 1

REV#	DATE	DESC.

JOB NAME	ACCESS ROUTE
JOB NO.	26003998

Date: Apr 17, 2026, 2:30pm User ID: gjohnson
File: K:\26003998 – Arrington – College Pad Midland\700-GIS Mapping\PLN-Plans\CITY PERMITS\Exhibit H\DWG\26003998-Arrington- College Pad- College Pad Access Route -Exhibit H.dwg

City Council Meeting

Item Number: 10.
Meeting Date: August 11, 2026
To: City Council
From: Isaac Garnett, Community Services Division Manager
Subject: RESOLUTION AUTHORIZING THE ADOPTION OF THE CITY OF MIDLAND'S 2026-2027 ACTION PLAN TO THE CONSOLIDATED PLAN FOR COMMUNITY DEVELOPMENT AND HOUSING FUNDS FOR THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S FISCAL YEARS 2025-2029; THE CONSOLIDATED PLAN HAVING BEEN APPROVED BY RESOLUTION NUMBER 2025-110; AND AUTHORIZING THE EXECUTION OF AN APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

Purpose:
The Consolidated Plan establishes Midland's long-range strategy for investment of its U.S. Department of Housing and Urban Development (HUD) resources and other resources linked to activities directed at community development, housing and homeless service needs. The overall goal of the Consolidated Plan is to develop viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities principally for low- and moderate-income persons. The Second-Year Action Plan describes specific priorities and objectives to be addressed and how HUD resources are to be distributed. Funding will consist of the 2026/2027 CDBG entitlement grant of $996,933, prior year funds of $230,000 and an estimated $40,000 in program income from prior Owner-Occupied Housing Major Projects. Therefore, the total CDBG budget will be $1,266,933. The Action Plan also serves as the City's application for 2026-2027 CDBG funds. To develop the Plan, we have undertaken a lengthy process allowing for citizen participation culminating in a draft plan document including the Second-Year Action Plan that underwent a 30-day public review period ending July 25, 2026 (no comments submitted). The review period was posted in the MRT and made available at several public locations. Therefore, the City can finalize and submit the plan to HUD who must receive the plan by August 16, 2026.

Recommended Action:
Approval

Fiscal Impact:
No fiscal impact on city budget.

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
The Second-Year Action Plan outlines specific priorities and objectives, detailing how HUD resources will be allocated through contracts. The Community Development Block Grant Division will fund the following programs:

• Casa de Amigos - Home Cleaning Program: $40,000
• Casa de Amigos – Senior Nutrition program: $55,000
• Salvation Army of Midland - Homeless Nutrition Programs: $45,000
• Senior Life Midland (SLM) - Meals on Wheels Weekend Program: $50,000
• West Texas Food Bank – Facility Improvement Project: $15,000
Additionally, CDBG Block Grant funds (060) will be appropriated for the following:
• OHAP Major-Down Payment Assistance: $62,383
• City of Midland Parks and Recreation Department – Garret Brown Park Sidewalks: $229,550
• City of Midland Parks and Recreation Department – MKL Center Stage upgrades: $380,000
• City of Midland Engineering Department – New York Street Sidewalks Project: $240,000
• City of Midland Development Services - Code Officer & Set Up (district 2&4): $150,000

These allocations reflect the commitment to address key community needs and support the stated objectives that align with previous Council actions.

Attachments:
A. RESOLUTION - 2026-2027 Action Plan Reso
B. PY2026 Second Year Action Plan-CDBG

Isaac Garnett, Development Services - Community Services	Created/Initiated - 7/28/2026
Elizabeth Triggs, Development Services	Approved - 8/3/2026
Christy Weakland, Finance	Approved - 8/4/2026
Linda Ochoa, Legal	Approved - 8/4/2026
Jose Ortiz, City Manager	Approved - 8/5/2026
Kathy Rauda, City Secretary	Final Approval - 8/5/2026

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE ADOPTION OF THE CITY OF MIDLAND'S 2026-2027 ACTION PLAN TO THE CONSOLIDATED PLAN FOR COMMUNITY DEVELOPMENT AND HOUSING FUNDS FOR THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S FISCAL YEARS 2025-2029; THE CONSOLIDATED PLAN HAVING BEEN APPROVED BY RESOLUTION NUMBER 2025-110; AND AUTHORIZING THE EXECUTION OF AN APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

WHEREAS, the Department of Housing and Urban Development requires the recipients of Community Development Block Grant Funds to prepare a yearly action plan to the Consolidated Plan for Community Development and Housing Funds for the United States Department of Housing and Urban Development's ("HUD") fiscal years 2025-2029; and

WHEREAS, the City Council of the City of Midland, Texas, finds it to be in the public interest to adopt the 2026-2027 Action Plan; and

WHEREAS, the City Council finds it to be in the public interest to adopt the 2026-2027 Second Year Action Plan for Community Development and Housing Funds and to submit the same for approval to the United States Department of Housing and Urban Development; and

WHEREAS, the City Council finds it to be in the public interest for the City to apply to the United States Department of Housing and Urban Development for Community Development Block Grant Funds for HUD's fiscal year 2026-2027;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the document, which is on file with the City Secretary's office referenced by the number and date of this resolution, is hereby approved and adopted as the City of Midland 2026-2027 Action Plan to the City of Midland Consolidated Plan for Community Development and Housing Funds for HUD's fiscal years 2025-2029.

SECTION TWO. That the Mayor is hereby authorized and directed to execute on behalf of the City of Midland an application, No. B-26-MC-48-0023, to the United States Department of Housing and Urban Development for Community Development Block Grant Funds in the amount of $996,933.00 for fiscal year 2026-2027, by GSA Standard Form 424 with budgetary attachments, copies of which are attached hereto and are incorporated within the City of Midland 2026-2027 Action Plan and made a part hereof for all legal purposes.

SECTION THREE. That the City will receive $996,933.00 in Community Development Block Grant Funds for fiscal year 2026-2027, $230,000.00 from the prior year's fund, and an estimated amount of $40,000.00 in program income will be received for fiscal year 2026-2027, thus resulting in a total of $1,266,933.00 in Community Development Block Grant funds that will be available in 2026-2027. That an estimated amount of $40,000.00 in program income will be received for program year 2026-2027 which will be used by the program that generates the income.

SECTION FOUR. That $230,000.00 from prior years' funding will be applied to HUD's 2026-2027 fiscal year.

SECTION FIVE. That the City will receive $996,933.00 in Community Development Block Grant Entitlement Grant Funds for the 2026-2027 program, an estimated amount of $40,000.00 in program income will be received for program year 2026-2027 which will be used by the program that generates the income, and $230,000.00 from prior years' funding, thus resulting in a total of $1,266,933.00 in Community Development Block Grant funds that will be available in 2026-2027.

On motion of Council member _____, seconded by Council member _____, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the _____ day of _____, A.D., 2026, by the following vote:

Council members voting "AYE":

Council members voting “NAY”:

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

RECOMMENDED AND APPROVED:

_____
Tommy Gonzalez, City Manager

APPROVED AS TO CONTENT
AND COMPLETENESS:

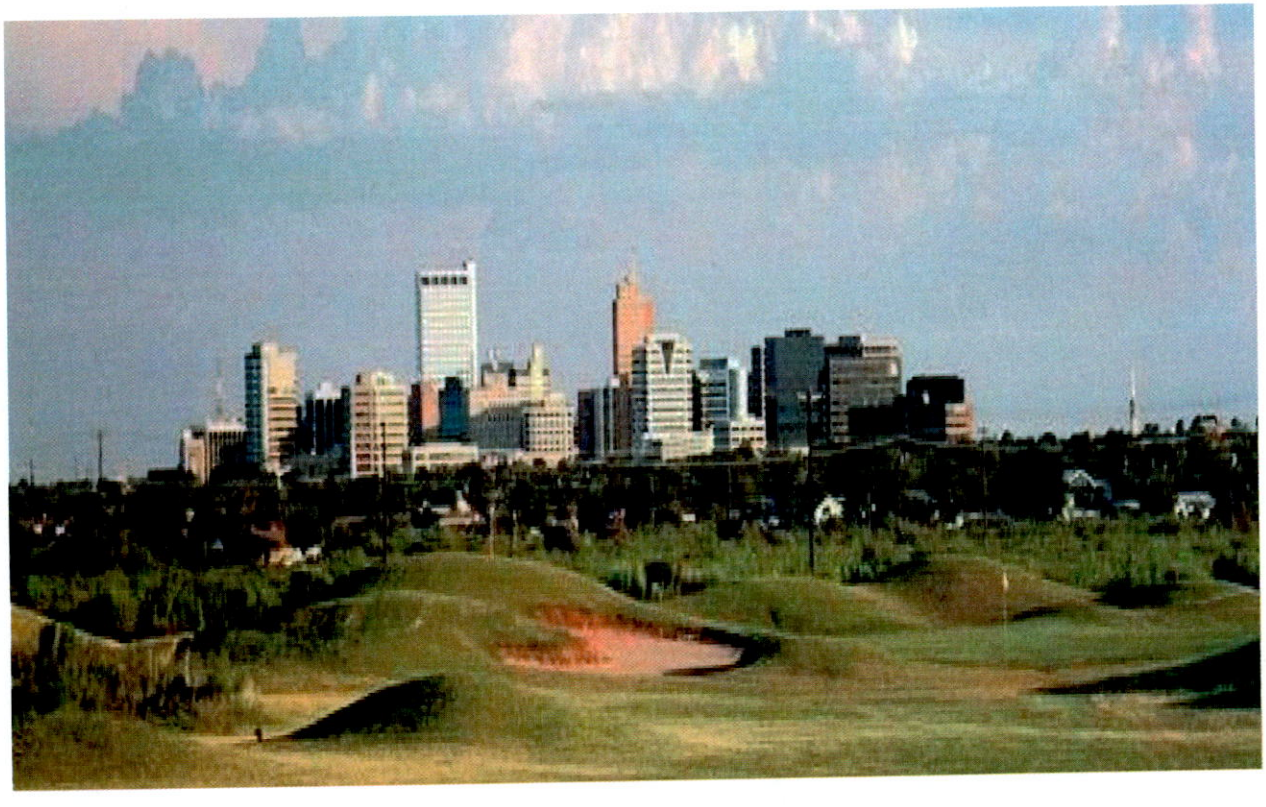
_____
Isaac Garnett, Community Development
Administrator

APPROVED AS TO FORM ONLY:

_____
Nicholas Toulet, City Attorney

City of Midland Community Development

2026-2027 Second Year Action Plan for Housing and Community Developoment



Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The Second Year Action Plan establishes Midland's the single year investment of its U.S. Department of Housing and Urban Development (HUD) resources and other resources linked to activities directed at the community development, housing and homeless service's needs. The overall goal of the Action Plan is to develop viable urban communities by providing decent housing, a suitable living environment, and expanding economic opportunities principally for low- and moderate-income persons. The Action Plan is also the means to meet the application requirements for four HUD programs. The City of Midland has only applied for and received the Community Development Block Grant (CDBG) program. The Plan covers the HUD period, beginning October 1, 2026, through September 30, 2027.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

The objectives of the 2026-2027 Action Plan are to:

1. Improve housing opportunities by creating and preserving decent, safe affordable rental and homeowner housing.
2. Expand sustainable homeownership opportunities for low- and moderate-income families.
3. Reduce homelessness by assisting individuals and families to stabilize in permanent housing after experiencing a housing crisis or homelessness by providing appropriate housing and supportive service solutions.
4. Enhance quality of life for residents by ensuring access to appropriate services.
5. Strengthen neighborhoods by investing in infrastructure, enforcement of safety codes, and public facilities that maximize impact by providing access to services.

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The CDBG office achieved many of the goals set for the period of October 1, 2025, to September 30, 2026. A review of the first strategic plan period will be presented in the 2025 CAPER available in the fall of 2026. The CDBG first-time homebuyers and homeowner repair projects has been successful for many years. The annual goals for the homebuyer's assistance, housing minor repairs, sidewalk improvements, and neighborhood parks improvements, as well as public services programs for senior citizens have been accomplished.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

In the development of the 2026-2027 Action Plan the CDBG Division held three community meetings to seek out citizen participation in the consultation process. CDBG worked with several City departments, the Midland Housing Authorities, non-profit organizations, and other stakeholders to ensure that the planning process inclusive as possible. CDBG Division solicited information from other City departments, the private sector, non-profits, neighborhood-based organizations, and residents regarding existing conditions and strategies for addressing current needs.

Opportunities for citizen input were provided throughout the planning process through

1. • Publications and Postings
2. • Public Hearings
3. • Community Meetings

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

A summary of citizen comments for the 2026-2027 Second Year Plan primarily focused on continuing the level of public good to the Midland community that has been established with prior years funding.

6. Summary of comments or views not accepted and the reasons for not accepting them

All public comments were positive in nature and accepted without any objection from city officals.

7. Summary

CDBG will continue to focus on using data-driven approaches and various citizen/stakeholder participation to validate the needs and priorities set in the Action Plan. CDBG continues to make great strides in addressing the community's needs, fulfillling the objectives of the Five Year Consolidated Plan priorities through community involvement, and evaluating past performances.

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	MIDLAND	Community Development Division

Table 1 – Responsible Agencies

Narrative (optional)

The lead agency (City of Midland) shall oversee the development of the Action Plan with specific guidence from the Community Development Division or CDBG Office. Major public and private agencies responsible for administering programs covered by this Plan is the City of Midland, local housing authorities and numerous housing and social service non-profits.

Consolidated Plan Public Contact Information

Community Development Manager City of Midland
300 N Loraine, Suite 410

P.O. Box 1152

Midland, Texas 79702

432-685-7408

AP-10 Consultation – 91.100, 91.200(b), 91.215(l)

1. Introduction

The City of Midland recognizes that partnerships with public and private entities are vital to the provision of effective services to the Midland community. Each strategy prioritized by the City of Midland is only accomplished through effective collaborations with community partners. These partners provide the expertise needed to ensure quality service provision, housing development, and neighborhood revitalization efforts. In preparation for this Action Plan, CDBG office performed extensive outreach to both residents and stakeholders. These stakeholders included people who work with low- and moderate-income persons, persons with special needs, persons of protected classes, or work in low- and moderate-income areas. Coordination and consultation with public and private agencies are important to the City of Midland when developing its Annual Action Plans. CDBG will continue to work with several City departments, both Midland Housing Authorities, major non- profit organizations, and other stakeholders to ensure that the planning process is both comprehensive and inclusive.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l))

CDBG continues to lead a community-wide effort to create subsidized affordable housing units that are linked to mainstream and social supports, including primary and behavioral health care and housing in partnership with Midland Housing Authorities. The Community Development Office has long stood, working relationships with both housing authorities in the city. All are members of the Midland Affordable Housing Alliance and participants in the Homeless Coalition as part of the "Remainder of State" for Texas. The same relationships exist with other local housing providers. Through the Homeless Coalition, the city maintains relationships with mental health providers and homeless shelter and services providers with specific responsibilities for homeless individuals and families. The City also participates in other umbrella/coalition efforts that seek to address other issues that relate to housing and public service needs.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

As a member of the Midland Homeless Coalition, the city participates in monthly meetings, annual Point-In-Time counts, and a range of support for the efforts of the individual agencies making up the Coalition.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate

outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

The strategy developed in the Midland area for homelessness prevention prioritizes people who are at-risk of homelessness and who have experienced homelessness in the past under the HEARTH Act. Activity priorities will be assisted in making referrals for homeless prevention and rapid rehousing service where available. Rapid rehousing activities will target veterans homeless, seniors, those who have major medical issues or fleeing/attempting to flee domestic violence.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

Table 2 – Agencies, groups, organizations who participated

1	**Agency/Group/Organization**	Permian Basin Community Centers
	Agency/Group/Organization Type	Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless Services-Health Services-Education Services - Victims Neighborhood Organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Contacted by email and phone to respond to community needs. Organizations are working together to serve all citizens of Midland to not duplicate efforts and save limited resources. We will continue to improve outreach into communities of low-income census tracts.

2	**Agency/Group/Organization**	Midland Affordable Housing Alliance
	Agency/Group/Organization Type	Housing Services-Elderly Persons Services-Persons with Disabilities Service-Fair Housing Neighborhood Organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Market Analysis Lead-based Paint Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Contacted by email and phone to respond to community needs. Organizations are working together to serve all citizens of Midland to not duplicate efforts and save limited resources. We will continue to improve outreach into communities of low-income census tracts and discussions held to identify needs and formulating strategies.
3	**Agency/Group/Organization**	Midland County Housing Authority
	Agency/Group/Organization Type	PHA Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth HOPWA Strategy Economic Development Anti-poverty Strategy Lead-based Paint Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	We attend various meetings during the Action Plan implementation, were key to identifying the needs of low-moderate income families and formulating strategies to address needs.

Identify any Agency Types not consulted and provide rationale for not consulting

The CDBG Divison attempted to contact and work with many organizations through various outreach techniques including meetings, e-mails, phone calls, and surveys to solicit input and participation in the planning process. CDBG believes that all critical agencies were consulted and did not intentionally fail to consult with any agency.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Permian Basin Planning Commission	The goals of the commission are consistent with the goals and objectives of the CDBG programs. Members of the commission, plan for and seek funding for regional infrastructure projects that serve low-moderate income families.

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation

Summarize citizen participation process and how it impacted goal-setting

The CDBG Division recognizes that Midland residents are the center of, and partners in, the development and execution of our Action Plan. The Citizen Participation Plan (CPP) establishes a means by which residents, public agencies, and other interested parties can actively participate in the development of the Action Plans, substantial amendments, and the Consolidated Annual Performance and Evaluation Report (CAPER). Using the CPP as a guide, this office aggressively solicited community involvement and provided residents with every opportunity to become involved in the development of priority needs for the City's 2026 Action Plan.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Public Meeting	Minorities Non-English Speaking - Specify other language: Spanish Persons with disabilities Residents of Public and Assisted Housing	Three community (Neighborhood) at different locations were conducted with attendance with a total of 36 persons were in attendance. One meeting was in the evening and two in the afternoon. Spanish facilitators were available. Attendees were asked to prioritize which goals they felt were most important to accomplish during the course of the 2026 Action Plan Year. Most respondent spoke of lack of indoor activities for seniors as well as community resources for working people.	Citizens expressed the need for improved transportation services for the poor, affordable housing for working families, educational programs, employment training, job creation and retention, increased access to senior affordable housing, housing rehabilitation, demolition and clearance, services for the Homeless, education, andsupportive services.	All comments are accepted and every effort will be made to achieve all of the objective and outcomes Speakers expressed the need for improved transportation services, greater access to fresh food, educational programs, employment training, job creation and retention, increased access to affordable housing, housing rehabilitation, demolition and clearance, services for the Homeless, education, andsupportive services.	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
2	Newspaper Ad	Minorities Non-English Speaking - Specify other language: Spanish Persons with disabilities Non-targeted/broad community Residents of Public and Assisted Housing	No responses reported to this office	No responses reported to this office	All comments are accepted to set goals and objectives.	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
3	Public Hearing	Minorities Non-English Speaking - Specify other language: Spanish Persons with disabilities Non-targeted/broad community Residents of Public and Assisted Housing	9 persons attended the two public hearings conducted by the City Council. The attendee's spoke of need for public services that help the poor, disabled, and senior's services in our community,	Citizens were in support of affordable housing programming and public services for which applications had been submitted to the city.	All comments were considered in the prioritization of needs process.	

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

The City of Midland anticapates to recieve (PY26) funds in the amount of $996,933 in CDBG funding, $230,000 in prior year funds, and $40,000 in Program Income (PI). It is anticipated that funding levels will be similar over the five years of this Consolidated Plan. These anticipated amounts are noted in the chart below. As all funding sources are subject to annual Congressional appropriations, as well as potential changes in funding distribution formulas, these figures are subject to change.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	996,933.00	40,000.00	230,000.00	1,266,933.00	3,000,000.00	PI includes estimated ($40,000) for PI activity and EN ($996,933). Remainder includes estimated future Annual Allocations.

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The federal, state, and local resources available to address the needs identified in the plan include federal formula grant funds under CDBG. The local Continuum of Care (CoC) also awards grant funds under the competitive McKinney-Vento Homeless Assistance Act. These funds may be leveraged with the City's general funds, various state and county resources, local nonprofit resources, and private foundation grants. Essential service projects will concentrate efforts to address the needs of families, children and youth in high-risk populations consistent with the identified priority needs. Use of CDBG funds will leverage other nonprofit resources and private foundation funds to assist low-income households.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The City of Midland has tracts of land located in Block 39, Sections 33, 34, 36; and a portion of Block 38, Sections 5 and 8 (Approximately: 2,600 acres) Located in the Northeast section district 2. District 2 is part of the CDBG target area and may invest CDBG dollars for affordable housing infrastructure in the future.

Discussion

The Expected Amount Available for the Remainder of ConPlan is an estimate of the funds expected to be received over the remaining three years of the Consolidated Plan. Estimates were calculated using the confirmed funding to be received during the second-year action plan of the Consolidated Plan, plus expected program income. The CDBG program income total includes an estimated $40,000 per year received through economic development activities and an additional $230,000 in prior years CDBG funding.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	COM Community Development Housing Programs	2025	2029	Affordable Housing	WASHINGTON PARK/2005 TARGET AREA Low and Moderate Income Census Tracts Greenwood Addition Southern Addition	Preserve & Develop Affordable Housing	CDBG: $62,382.00	Direct Financial Assistance to Homebuyers: 5 Households Assisted
2	Essential Senior Services	2025	2029	Non-Homeless Special Needs Support to Senior Center and Homebound Seniors.	Low and Moderate Income Census Tracts		CDBG: $190,000.00	Public service activities other than Low/Moderate Income Housing Benefit: 1000 Person Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
3	Homeless & Homeless Prevention Services	2025	2029	Homeless	Low and Moderate Income Census Tracts Greenwood Addition Southern Addition	Homeless Services	CDBG: $45,000.00	Homeless Person Overnight Shelter: 120 Persons Assisted Homelessness Prevention: 10 Persons Assisted Jobs created/retained: 3 Jobs
4	COM Parks & Recreation Equipment/Facilities Improv	2025	2029	Non-Housing Community Development	Low and Moderate Income Census Tracts	Expand & Improve Public Infrastructure	CDBG: $380,000.00	Public Facility or Infrastructur Activities other than Low/Moderate Income Housi Benefit: 500 Persons Assisted
5	COM Engineering Infrastructure Improvements	2025	2029	Non-Housing Community Development	Low and Moderate Income Census Tracts Greenwood Addition	Expand & Improve Public Infrastructure Quality of Life Amenities	CDBG: $469,550.00	Public Facility or Infrastructur Activities other than Low/Moderate Income Housi Benefit: 800 Persons Assisted Public Facility or Infrastructur Activities for Low/Moderate Income Housing Benefit: 300 Households Assisted
6	COM Code Enforcement and Compliance	2025	2029	Affordable Housing Code	Low and Moderate Income Census Tracts Greenwood Addition Southern Addition	Demolition of Substandard Buildings	CDBG: $150,000.00	Buildings Demolished: 5 Buildings Housing Code Enforcement/Foreclosed Property Care: 600 Household Housing Unit

Table 6 – Goals Summary

Goal Descriptions

1	**Goal Name**	COM Community Development Housing Programs
	Goal Description	
2	**Goal Name**	Essential Senior Services
	Goal Description	
3	**Goal Name**	Homeless & Homeless Prevention Services
	Goal Description	
4	**Goal Name**	COM Parks & Recreation Equipment/Facilities Improv
	Goal Description	
5	**Goal Name**	COM Engineering Infrastructure Improvements
	Goal Description	
6	**Goal Name**	COM Code Enforcement and Compliance
	Goal Description	

Projects

AP-35 Projects – 91.220(d)

Introduction

The proposals received for funding consideration are as follows; the following projects were recommended by the Midland City Council CDBG Committee with input from city staff for funding from the CDBG funds expected to be available for program year 2026-2027.

Projects

#	Project Name
1	Affordable Homebuyers Housing Assistance
2	Casa de Amigos Senior Lunch Program
3	MLK Parking Lot Improvements
4	COM Engineering Garret Brown Sidewalk Project
5	COM Engineering New York Ave Sidewalk Project
6	COM Development Services/Code Officer
7	Casa de Amigos Home Cleaning Program
8	Senior Life Midland Share-A-Meal Program
9	Salvation Army Nutrition & Support Services Program
10	West Texas Food Bank

Table 7 - Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Needs for improved public facilities were determined through the community input process, public hearings and discussion groups with community members, and focus groups. The greatest needs for allocations revealed a need for improvements in infrastructure (which includes streets, sidewalks, and drainage). Also parks/recreation facilities and public health services to include senior services, homeless services, mental health/developmental services. The sentiments were reiterated with two publlic hearing, assessment of neighborhoods received during the public participation process, discussion groups, and listing sessions.

AP-38 Project Summary

Project Summary Information

1	**Project Name**	Affordable Homebuyers Housing Assistance
	Target Area	Low and Moderate Income Census Tracts
	Goals Supported	COM Community Development Housing Programs
	Needs Addressed	Preserve & Develop Affordable Housing
	Funding	CDBG: $62,383.00
	Description	Direct Financial Assistance to Homebuyers: 5 Households Assisted
	Target Date	9/30/2027
	Estimate the number and type of families that will benefit from the proposed activities	Direct Financial Assistance to Homebuyers: 5 low-moderate income famillies will be Assisted.
	Location Description	Housing will be located in low-moderate income census tracts within the Midland city limits.
	Planned Activities	Direct Financial Assistance to First-time Homebuyers.
2	**Project Name**	Casa de Amigos Senior Lunch Program
	Target Area	Low and Moderate Income Census Tracts Greenwood Addition
	Goals Supported	Essential Senior Services
	Needs Addressed	Senior Public Services
	Funding	CDBG: $55,000.00
	Description	Non-Housing public service activities other than Low/Moderate Income Housing Benefit: 130 Persons assisted with hot lunches on a daily basis at 3 community centers in low-moderate income neighborhoods.
	Target Date	9/30/2027
	Estimate the number and type of families that will benefit from the proposed activities	Public service activities other than Low/Moderate Income Housing Benefit: 130 Persons Assisted
	Location Description	Low-moderate income census tracts.
	Planned Activities	Daily hot luches at neighborhood centers.
3	**Project Name**	MLK Parking Lot Improvements
	Target Area	Low and Moderate Income Census Tracts

	Goals Supported	COM Parks & Recreation Equipment/Facilities Improv
	Needs Addressed	Expand & Improve Public Facilities
	Funding	CDBG: $380,000.00
	Description	Public Infrastructure Activities other than Low/Moderate Income Housing Benefit.
	Target Date	9/30/2027
	Estimate the number and type of families that will benefit from the proposed activities	600 individuals will benefit on a weekly basis to improvments of parking area at the neighborhood center.
	Location Description	2300 butternut Lane Midland Texas 79701
	Planned Activities	Reconstruct Parking area to modern ADA and engineering standards.
4	**Project Name**	COM Engineering Garret Brown Sidewalk Project
	Target Area	Low and Moderate Income Census Tracts
	Goals Supported	COM Engineering Infrastructure Improvements
	Needs Addressed	
	Funding	CDBG: $229,500.00
	Description	Construct sidewalks around Garret Brown Park to include ADA ramps.
	Target Date	9/30/2027
	Estimate the number and type of families that will benefit from the proposed activities	100 area families will have better access to the park to enjoy activities .
	Location Description	300 S. Holly Drive Midland Texas 79703
	Planned Activities	Construct sidewalks with ADA ramps.
5	**Project Name**	COM Engineering New York Ave Sidewalk Project
	Target Area	Greenwood Addition
	Goals Supported	COM Engineering Infrastructure Improvements
	Needs Addressed	Expand & Improve Public Infrastructure
	Funding	CDBG: $240,000.00

	Description	Construct sidewalks from Fairgrounds Road to Carver Steet to include ADA ramps.
	Target Date	9/30/2027
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	Construct new sidewalk on New York Ave to Carver Street with ADA ramps.
6	**Project Name**	COM Development Services/Code Officer
	Target Area	Low and Moderate Income Census Tracts
	Goals Supported	COM Code Enforcement and Compliance
	Needs Addressed	Demolition of Substandard Buildings
	Funding	CDBG: $150,000.00
	Description	COM Code Officer-new position specifically serving Districts 2 & 4 for dilapidated housing demolition and general code compliance.
	Target Date	9/30/2027
	Estimate the number and type of families that will benefit from the proposed activities	Low-moderate income families will benefit from revitilization for neighborhood through clean up and code compaliance.
	Location Description	COM low-moderate income cencus tracts located in district 2 & 4.
	Planned Activities	Code complaince and delapidated housing demolitions.
7	**Project Name**	Casa de Amigos Home Cleaning Program
	Target Area	Low and Moderate Income Census Tracts Greenwood Addition
	Goals Supported	Essential Senior Services
	Needs Addressed	Senior Public Services
	Funding	CDBG: $40,000.00
	Description	102 Homebound seniors will get a home cleaning on a weekly basis during the program year.
	Target Date	9/30/2027

	Estimate the number and type of families that will benefit from the proposed activities	130 Seniors will recive a nutritious meal on a daily basis during the program year.
	Location Description	Low-moderate income census tracts
	Planned Activities	Weekly home cleaning for homeobund seniors.
8	**Project Name**	Senior Life Midland Share-A-Meal Program
	Target Area	Low and Moderate Income Census Tracts Greenwood Addition
	Goals Supported	Essential Senior Services
	Needs Addressed	Senior Public Services
	Funding	CDBG: $50,000.00
	Description	The Share-a-Meal Program provide weekend meals to homebound seniors in low-moderate income areas.
	Target Date	9/30/2027
	Estimate the number and type of families that will benefit from the proposed activities	800 homebound individuals will recive weekend meals that are not provided as part of the normal Melas-on-Wheels programing.
	Location Description	Activites will be performed in low-moderate income areas.
	Planned Activities	Home delivery of food to seniors in low income commumnities.
9	**Project Name**	Salvation Army Nutrition & Support Services Program
	Target Area	Low and Moderate Income Census Tracts Southern Addition
	Goals Supported	Homeless & Homeless Prevention Services
	Needs Addressed	Homeless Services
	Funding	CDBG: $45,000.00
	Description	Provide meals to homeless individuals and community members on a daily basis.
	Target Date	9/30/2027

	Estimate the number and type of families that will benefit from the proposed activities	120 individuals meals on a daily basis will particapte in this activity.
	Location Description	600 W. Wall St. Midland Texas 79701
	Planned Activities	3 meals per day for resident and community.
10	**Project Name**	West Texas Food Bank
	Target Area	Low and Moderate Income Census Tracts
	Goals Supported	COM Parks & Recreation Equipment/Facilities Improv
	Needs Addressed	Expand & Improve Public Facilities
	Funding	CDBG: $15,000.00
	Description	Facility upgrades to the Storage building for educational purposes, garden area repair for education purposes, and AC ugrade to food distribution warehouse area.
	Target Date	9/30/2027
	Estimate the number and type of families that will benefit from the proposed activities	300 youth and adults will benefit from improved facilites where educational programining takes place.
	Location Description	1601 Westcliff Drive Midland Texas 79703
	Planned Activities	Faility improvments for education programining purposes.

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

CDBG target area funding will be used primarily in city council districts 2-4 which has the greatest percentage of low-moderate income families.

Geographic Distribution

Target Area	Percentage of Funds
WASHINGTON PARK/2005 TARGET AREA	0
Low and Moderate Income Census Tracts	85
Greenwood Addition	15
Southern Addition	0

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

Concentrating resources in specific geographies is necessary to adequately address the scale of needs and achieve short and long-term improvements to identify substandard conditions such as deteriorated housing and infrastructure, access to lead-based paint free housing, reconstruction, and overall revitalization. The city elects to focus activity on the areas of high concentration of poverty, unemployment and basic needs. As well as areas where other city funds and private investments are anticipated as a basis for allocating investments geographically with the jurisdiction. The result of geographical allocation of HUD funding is an effective use of the funds to elevate and create more opportunities for areas where the needs are the greatest.

Discussion

The City's rationale for its geographic distribution of CDBG funds is based on compliance with the CDBG Primary Objective - the development of viable urban communities, by providing decent housing, a suitable living environment, and expanding economic opportunities, principally for persons of low and moderate income. Generally, CDBG supported public services are available on a citywide basis to income eligible households or persons. However, public capital improvements and other development projects are specifically directed at sites within low- and moderate-income neighborhoods.

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

The City's CDBG program for 2026-2027 will result in affordable housing through its homebuyer assistance program and affordable housing repair programs (AHRP). At this time, it is not known if additional units will be supported by the AHRP or if funds will be needed to continue the AHRP location selected for the 2026-2027 CDBG program year.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	0
Special-Needs	0
Total	0

Table 9 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	0
Rehab of Existing Units	0
Acquisition of Existing Units	5
Total	5

Table 10 - One Year Goals for Affordable Housing by Support Type

Discussion

The CDBG division will assist 5 new or existing build households with downpayment and closing cost assistiance.

AP-60 Public Housing – 91.220(h)

Introduction

The public housing development in Midland is for the elderly and disabled which is in need of upgrades due to age (1976).

Actions planned during the next year to address the needs to public housing

The City will remain receptive to assisting the PHAs, upon request, on their "resident initiative" activity and will continue to provide information on homeownership opportunities to households assisted by the PHAs. The CD Office provides its housing brochure to the PHAs for distribution at its offices, and the PHAs reciprocate.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

The City of Midland tasked the CDBG Division to be the liasion to residents and city governments advocating both orgainzations interest.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

The PHA is not designated as troubled.

Discussion

NA

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The City does not receive any funds to carry out homeless programs although we do support ESG funding for the Midland Salvation Amy with official letters in their application. Therefore, the City relies on other organizations to pursue funds to serve homeless needs. For the 2026/2027 program, the City does not anticipate using CDBG funds that will directly support programs that serve the homeless. Being an active partner in the Midland Homeless Coalition, and the Midland Affordable Housing Alliance, the city aims to work toward addressing gaps within the Midland continuum of care for the homeless and eliminating chronic homelessness. Collaborations with the United Way and local foundations are vital in efforts to ensure current funding levels are sustained and that federal/state funding opportunities are not missed to apply for shelter and transitional housing needs. The United Way of Midland has collaborated with Family Promise of Midland to achieve maintain transitional housing units to date.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The City of Midland does not receive an ESG allocation, although we are a member of the Midland Homeless Coalition to address encampments and services needed to assist individuals.

Addressing the emergency shelter and transitional housing needs of homeless persons

The City shall continue to participate in the Midland Homeless Coalition and support individual efforts of agencies comprising the Coalition

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

It is anticipated that the public service programs supported by CDBG will aid low-income individuals and families avoid becoming homeless by providing meals for them.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities,

foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

A number of non-profit social service agencies and faith-based groups also provide emergency shelter via temporary lodging at local hotels/motels or rental assistance. These groups include Casa de Amigos, Area Methodist Outreach Services, Helping Hands, First Baptist Church, St. Vincent De Paul Society, St. Andrews Presbyterian Mission and the American Red Cross. The Salvation Army also offers meals, clothing, medical, day care and furniture. Because the level of assistance (number of people that could be helped) will vary from month to month, these services are not included in the available shelter capacity for the
homeless.

Discussion

Multiple agencies within the community engage the unsheltered homeless and provide connections to services and housing. Family and Children's Services program provides outreach and services for homeless mentally ill living on the streets. Breaking Bread a nonprofit team provide an array of assertive treatments for unsheltered homeless with options to continue after being housed.

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

Public policies are meant to address the overall needs of citizens in the City. Yet, there are times where they may have a negative effect on certain aspects of the community, specifically affordable housing and residential investment. Affordable housing and public and private residential investments are key components in furthering fair housing in any community. The primary tool communities have for identifying contributing factors for these barriers to housing is an assessment of fair housing and fair housing choice. The city updated the assessment in 2025 which continue to support update and found:

• A limited supply of affordable housing and extensive cost burden, especially for extremely low- and very low- income renters, causing those renters to face significant affordability "gaps"; and

• Fair housing education is lacking and impede, and these elements must be better understood by community residents and property owners.

The city plans corresponding actions designed to strengthen the supply of affordable housing and narrow the affordability "gaps." Elements of those actions appear within this Consolidated Plan and beyond. Additionally, the City anticipates a review of public policies that may impede the development of affordable housing and improve the understanding of their consequences.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

The City shall continue to be receptive to cases supporting the objective. Favorable outcomes can be achieved when re-zoning cases, mobile home occupancy permit and sidewalk waivers are considered. The City shall also strive to reduce or waive certain development and building fees for affordable housing projects and use local funds to pay for public improvements and the disposal of site clearance debris on affordable housing sites. Services such as plating and surveying aspects can also be considered for non-profit developers. The City uses its Street Fund that is generated from each building permit for street improvements primarily within the city's low-income areas. The City shall strive to use City resources for street improvements, primarily in Midland's south and east sides. Continuation of CDBG funding for the housing improvement program contributes toward this objective. These actions also have the effect of fostering and maintaining affordable housing.

Discussion:

The City plans and corresponding actions designed to strengthen the supply of affordable housing and narrow the affordability "gaps." Elements of those actions appear within this Consolidated Plan and beyond. Additionally, the City reviewed its public policies that may impede the development of affordable housing and to improve the understanding of their consequences in program year 2025.

AP-85 Other Actions – 91.220(k)

Introduction:

The following actions will be pursued by the City towards meeting Consolidated Plan regulations on other actions.

Actions planned to address obstacles to meeting underserved needs

The CDBG housing assistance and elderly programs specifically target underserved populations. The targeting techniques include providing higher levels of assistance for lower income applicants and limiting assistance to low-income areas. The City shall encourage and assist, as appropriate, other private and/or public entities see funds for programs designed for the underserved.

Actions planned to foster and maintain affordable housing

The City shall continue to be receptive to cases supporting the objective. Favorable outcomes can be achieved when re-zoning cases, mobile home occupancy permit and sidewalk waivers are considered. The City shall also strive to reduce or waive certain development and building fees for affordable housing projects and use local funds to pay for public improvements and the disposal of site clearance debris on affordable housing sites. Services such as plating and surveying aspects can also be considered for non-profit developers.

Actions planned to reduce lead-based paint hazards

The city will implement its CDBG-aided activities consistent with the lead-based paint hazard reduction objective. Specifically, prospective households should be made aware of the potential hazard and appropriate evaluation, and reduction steps will be pursued in rehabilitation programs. Referrals to services for testing children by local health and child welfare agencies will be made as needed. Information for providers and contractors will be passed through. The City of Midland ensures that inspections for lead-based paint (LBP) hazards will occur, as required, for all funded housing activities. Proper notifications will be provided regarding lead-based paint hazards. All housing units constructed prior to 1978 will be tested for LBP by a certified LBP inspector or Risk Assessor. If LBP is detected, all covered renovations will follow HUDs Lead Safe Housing Rules and be performed by certified firms using certified renovators and other trained workers.

Actions planned to reduce the number of poverty-level families

The city will continue its overall anti-poverty strategy that revolves around economic development – using the economic development sales tax to create jobs for Midland. Other aspects of the local strategy are to continue to direct assistance programs towards the neediest households, employment- training programs and the hiring of low-income individuals on federally supported contracts. Small businesses

that hire low-income people are vendors in housing assistance programs. Adherence to HUD's Section 3 requirements is another way to help eliminate poverty.

Actions planned to develop institutional structure

Major changes to the institutional structure described in the Consolidated Plan are not anticipated in the coming year. The city will continue to support activity by the various providers and encourage them to seek other funding sources to enhance the service delivery system in Midland. City staff and/or elected officials will continue to be involved in housing and homeless concerns that seek to improve service delivery.

Actions planned to enhance coordination between public and private housing and social service agencies

The City will continue to cooperate with private housing providers and social service agencies, including participation in MAHA and the Homeless Coalition. The long-standing, good working relationship with both PHAs will be continued. The city will continue to accommodate the PHAs in their planning requirements.

Discussion:

The City shall encourage and assist, as appropriate, other private and/or public entities see funds for programs designed for the underserved.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

Introduction:

This section provides details on program specific requirements on the Community Development Block Grant that the city will receive.

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	40,000
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	**40,000**

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income.Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

Only the 2026-2027 Program year with CDBG Entitlement Grant # B-26-MC-48-0023 and program income to be received during the year is covered by this Action Plan.

Attachments

Citizen Participation Comments

amount in the budget.

Council Member John Norman pointed out there are times when cuts have to be made due to the budget; not everything can be funded.

Mayor Pro Tem Amy Stretcher Burkes pointed out that city-related projects such as sidewalks and substandard buildings have also taken away from those funds.

Mayor Blong opened the public hearing at 11:45 a.m.

The following individuals spoke in favor of their respective organizations.

Chrystal Hammons (Representative), spoke in support of Thriving United.

Shawn Ellis (Representative), spoke in support of Thriving United.

Michael Cain (Representative), spoke in support of the Salvation Army.

Devan Copeland (Representative) spoke in support of the YMCA aquatics.

Shirley Almanza (Representative) spoke in support of Breaking Bread.

Lisa McGee (Representative) spoke in support of Midland Memorial and Breaking Bread.

Michelle McClellan, (Representative) spoke in support of Midland Memorial and Breaking Bread.

Liz Harris (Representative) spoke in support of the YMCA.

Joey Hopkins (Representative) spoke in support of Habitat for Humanity.

There being no one else wishing to speak, the public hearing was closed at 12:11 p.m.

PUBLIC HEARING ONLY. NO ACTION TAKEN BY COUNCIL.

30. 2026-070 - RESOLUTION OF THE CITY COUNCIL OF MIDLAND, TEXAS, MAKING CERTAIN FINDINGS, PURSUANT TO CHAPTER 26 OF THE TEXAS PARKS AND WILDLIFE CODE, THAT THERE IS NO FEASIBLE AND PRUDENT ALTERNATIVE TO THE USE OF AN APPROXIMATE 1.928-ACRE TRACT LOCATED IN LOT 11A, BLOCK 7, HALEY HEIGHTS, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF GOODE STREET AND GRIFFIN AVENUE); MAKING CERTAIN FINDINGS REGARDING THE LEASE OF SAID PROPERTY TO BOYS & GIRLS CLUB OF THE PERMIAN BASIN; AND AUTHORIZING THE NEGOTIATION AND EXECUTION OF A LEASE AGREEMENT WITH BOYS & GIRLS CLUB OF THE PERMIAN BASIN **(DISTRICT: 2) (PARKS & RECREATION) (QUALITY OF LIFE AND PLACE)**

Parks & Recreation Director Laurie Williams gave a brief presentation of the item, noting it is time to renew the 30-year lease and holding a public hearing is a part of the renewal process.

Schaumburg dam
flood zone

SE dam complete
def - complete
unshuetan

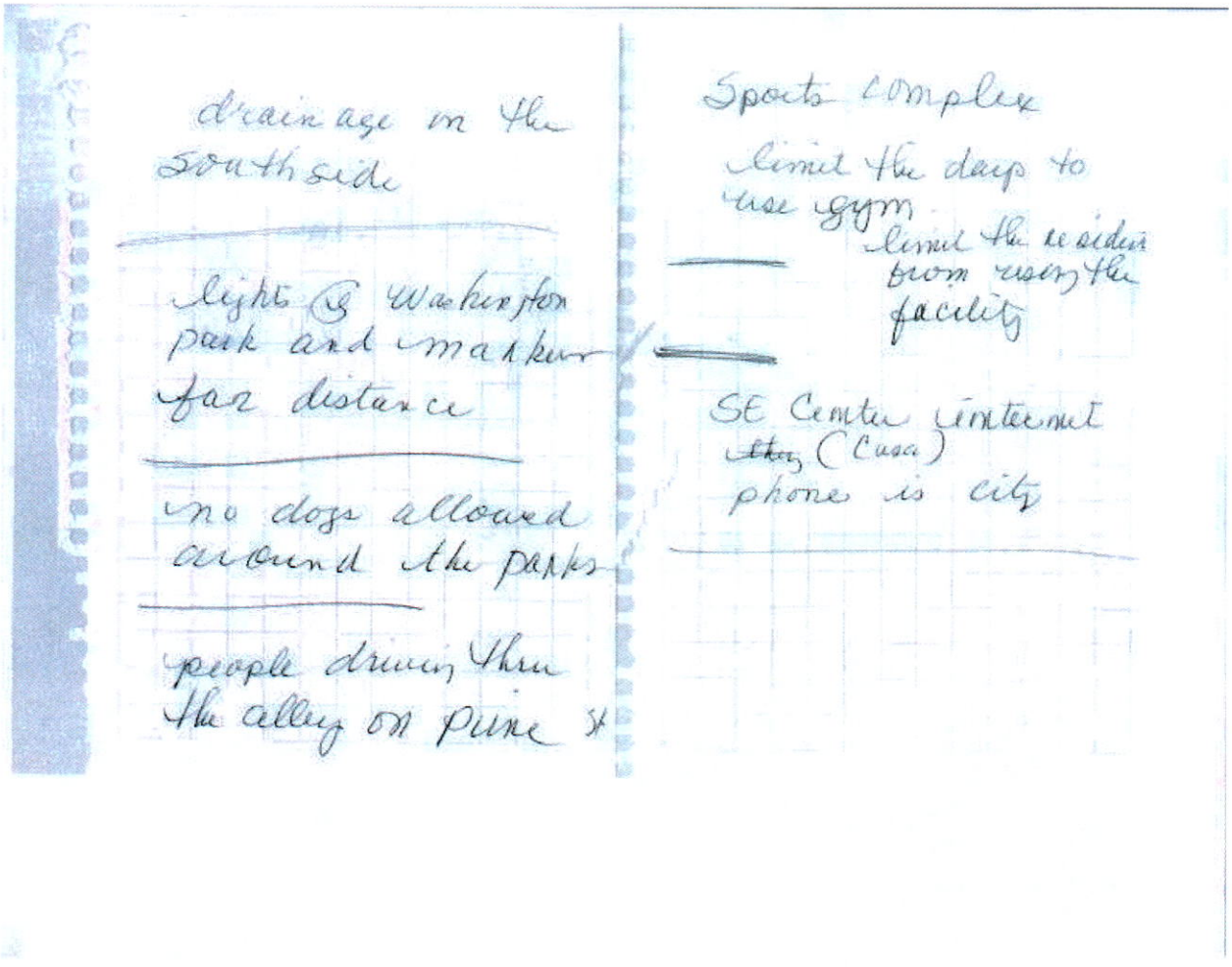
Fawlton State
Structures around
Coast Fall south

3-35-26 SE Sewer

Annoperfection
for during that
dent dam improve

Tank Comb
should be for
to store to water
tanks

Fair Ground/
Petty Center
Lights (Step light)



drainage on the southside

lights @ Washington park and markers far distance

no dogs allowed around the parks

people driving thru the alley on Pine St

Sports complex

limit the days to use gym

limit the residents from using the facility

SE Center internet ~~they~~ (Casa)

phone is city

City of Midland
Community Development
Senior Center
Casa de Amigos
3/24/26
@ 11 am

(Please Sign In)

Name	Organization/ or Address	Phone #	Email
[illegible]	JUAN LOSOYA		
BERNARDA CEPEDA	Deiny Castillo		
Maria D Gonzales	Clara M. Patiño		
Medroza	IGNACIO VALLES		
Gladys Jimenez			
Odilon Bustos			
Bertha Lara			
Gracia Costa			
Marilia L. Becerril			
Nick Sanchez			
Sylvia Sanchez			
Jose V. Martinez JR		250-3011	

Kathy Ely

City of Midland
Community Development
Senior Center
Casa de Amigos
3/24/26
@ 11 am

(Please Sign In)

Name	Organization/ or Address	Phone #	Email
Idania M Cruz Valero	Casa de Amigos	432-661-4012	
Maria Dereda	Casa de Amigos	432 270-4228	
Walter Gainley	1102 E Oak 79709	432-559-6266	
Petra Marez	938 N. Baird (Casa)	432-2415572	
Alfonso Vargas	918 (Casa) N. Weatherford	432-3239809	
Ramón Pineda.	2014 Blazing	432-250-5642	
Esther Villar	1003 WEATHERFOR		

City of Midland
Community Development
Senior Center
Casa de Amigos
3/24/26
@ 11 am

(Please Sign In)

Name	Organization/ or Address	Phone #	Email
Jesusita Hernandez	1600 English Dr		
Felix Martinez	508 E PARKER AVE	946-9175	
Efren NAVARRETE	6412 Agate	432-254-7195	
[illegible]	410 MAGNOLIA AV	432-789-0795	

Grantee Unique Appendices

Researcher studies link between heart, muscle aging

By Miriam Fauzia
STAFF WRITER

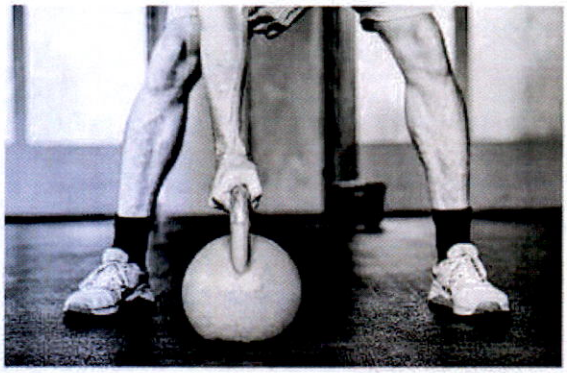
A struggling heart and weakening muscles are part of aging and are often considered to happen separately. But new research suggests they may influence each other in a condition known as cardio-sarcopenia.

One North Texas researcher is working to stop it — and recently got a big financial boost for his effort.

The Dallas-based American Heart Association this month awarded Kamal Awad, an assistant professor of research in kinesiology and bioengineering at the University of Texas at Arlington, the Career Development Award to further his work. The award provides $231,000 over the next three years.

"Cardio-sarcopenia is a pretty new term," Awad said. "What we found is that cardiac and muscle decline go hand in hand."

Cardio-sarcopenia may be triggered by a phenomenon called "inflammaging," or increased inflammation with age that impacts the entire body. This inflammaging contributes to health conditions such as heart disease and arthritis.



Courtesy of Tom Werner

Cardio-sarcopenia is the concurrent decline of both cardiac and skeletal muscle.

When comparing mice with sarcopenia against their healthy counterparts, Awad and his colleagues found unique molecular and structural changes happening in both the heart and skeletal muscle tissues. For example, in one study, Awad and his colleagues found a hormonelike substance significantly decreased in the muscles of mice with sarcopenia. When levels of this substance increased, muscle health improved.

With cardiovascular issues and sarcopenia expected to affect more older adults as life expectancy improves in the United States, Awad said finding preventions and treatments to counter cardio-sarcopenia is crucial.

Health care providers give patients combinations of supplements, he said, but there is no treatment approved by the Food and Drug Administration. That lack, he said, is why people in the field are interested in this research.

At his lab, Awad wants to investigate how exercise could mitigate cardio-sarcopenia.



Herschel Heath/UT Arlington

Kamal Awad, an assistant professor of research in kinesiology and bioengineering at the University of Texas at Arlington, was awarded $231,000 for research into cardio-sarcopenia.

Several molecules produced by the body could enhance cardiac and musculoskeletal health. One is called beta-aminoisobutyric acid, or BAIBA. In some animal studies, this natural chemical has been shown to support muscle and bone cells, and when used as a supplement maximizes health benefits animals get when exercising.

"When we exercise, our muscles secrete BAIBA, and this BAIBA has a cardio-protective function," Awad said.

He added that he hopes to test using exercise and supplementing it with BAIBA in animal models of cardio-sarcopenia. If that shows success, he and his colleagues eventually want to move to human trials.

The goal is to prevent cardio-sarcopenia, whose roots start in middle-age.

"Right now, sarcopenia hospitalization and related events cost $40 billion," Awad said. "That's a massive number. ... Starting from age 35, we lose our muscles at a rate of 3% to 8% per decade. That's why we definitely really need something."

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Garage & Estate Sales

Type	Details
OTHER	GARAGE SALE	Fri. & Sat., 8 a.m. - 2 p.m., 1401 S. County Rd. 1120 in Midland. Items include large fish tank/aquarium setup, entertainment center, women's & girl's clothing, shoes & handbags, home decor, kitchen items & much more.
OTHER	MOVING SALE	Sat. May 9 & Sun. May 10, 8 am - 2 p.m., 2803 Exeter Ave in Midland. Everything must go! Cash only.

LEGAL NOTICES mrtlegals@hearstnp.com 432-687-8888

Legals/Public Notices | Legals/Public Notices | Legals/Public Notices

REQUEST FOR PROPOSAL

Region 18 ESC is seeking proposals from qualified licensing agencies, publishers, or authorized rights holders for the use of an existing play script for educational and performance purposes. The play script must support the teaching of civics in alignment with Senate Bill 3, 87th Texas Legislature, 2nd Called Session (2021). The proposal must clearly state the terms under which Region 18 ESC may perform, reproduce, edit, shorten, adapt, or otherwise modify the script. Preference may be given to scripts for which the rights holder is willing to grant written permission for reasonable edits, adaptations, or content modifications to meet educational, audience, time, or program needs. Proposal forms and specifications may be obtained beginning April 29, 2026 from Region 18 ESC by accessing the ESC18 eBid website (https://esc18.ionwave.net). Please address any questions regarding the specifics of this RFP via the ESC18 eBid website. Proposals must be submitted via the ESC18 eBid website by 12:00 p.m., May 20, 2026. Region 18 ESC reserves the right to reject any and all proposals.

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EMPLOYMENT

. . . . . PROFESSIONAL . . . . .

We are currently hiring five labor positions and are specifically looking for candidates with carpentry & mowing backgrounds. Please call 979-884-7914 or pick up an application at 207 W. Main St. Edna.

. . . . . PROFESSIONAL . . . . .

ELS Administration, LLC dba Endurance Lift Solutions has an opening for an ESP Regional Manager in Midland, TX to direct and manage engineering and service staff to grow profits by adequately servicing all new and existing customer jobs and ensuring quality and efficiency in all processes. Travel to client worksites in the Midland City area 1-2 times per week. May telecommute from home 1-2 days per week. Email resume to Lynda.Finley@BSCAdministration.com and note that you are applying for job code 11-9041.

WEBCAST AUCTION
THURSDAY, MAY 14, 10am CT
Inspection: Wednesday, May 13, 9am-4pm • Assets in Midland, Texas
POWER SECTIONS, MOTOR COMPONENTS, MWD EQUIPMENT & RELATED COMPONENTS
M3P Leader in Directional Drilling with an In-House Mud Motor Design and Quality Measurement While Drilling (MWD) Service and Tools
224-927-5320
sales@pplgroupllc.com
ppl auctions

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Legals/Public Notices | Legals/Public Notices | Legals/Public Notices

CITY OF MIDLAND COMMUNITY DEVELOPMENT DIVISION
PUBLIC HEARING FOR THE SECOND YEAR ACTION PLAN TO THE FIVE YEAR CONSOLIDATED PLAN

The City Council of Midland, Texas will hold a Public Hearing in the CDBG Second Year Action Plan in the City Council Chambers, City Hall, 300 N Loraine, Midland, Texas, on May 12, 2026, at 10:00 am. The purpose of the public hearing and notice is to allow the public to participate in the City's 2026/2027 Community Development Division Second Year Action Plan of the Five-Year Consolidated Plan. The city anticipates receiving a grant of approximately $936,933 (CDBG) for 2026/2027 from the U.S. Department of Housing and Urban Development. The city also expects to utilize $40,000 in Program Income and prior

Legals/Public Notices | Legals/Public Notices | Legals/Public Notices

NOTICE TO CREDITORS

Notice is hereby given that original Letters of Testamentary for the Estate of Robert E. Stalvey, Deceased, were issued on May 4, 2026, in Cause No. PR26-126, pending in the County Court of Midland County, Texas, to: ROBERT DAMON STALVEY and RUSSELL P. STALVEY.

The residence of the Independent Co-Executors are: ROBERT DAMON STALVEY at 10524 Rosefinch Drive, Albuquerque, New Mexico 87114 and RUSSELL P. STALVEY at 34819 County Road D 2240, Stanton, Texas 79782; the attorney's address is:

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Other



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432-553-5915



For all your concrete needs, driveways, sidewalks, new slabs house or garage additions.
Call Danny @ 432-894-0702

Let Classifieds Work For You!
Call 432-687-8815

...... GENERAL HELP ......

PRIVATE RESIDENCE HANDYMAN OPPORTUNITY

Handyman needed to work at private residence in Midland, TX. Must be dependable and self-motivated. Hours are 9-5 Monday through Friday, plus overtime as needed. Job duties include errands, light cleaning & sweeping of outdoor areas, various duties inside, fueling and maintenance of vehicles, and helping with holiday decorations when needed. Heavy lifting is a possibility. Non-smoking environment. References, drug screen and background check required. $22.00 per hour.

Please call 432-219-8161 or email bmurry@iiin-investments.com

LEGAL NOTICES

email mrtlegals@hearstnp.com or call 432-687-8888

Legals/Public Notices

CAREER AND TECHNICAL EDUCATION
NOTIFICACIÓN PÚBLICA DE NO DISCRIMINACIÓN

Greenwood ISD ofrece programas de educación técnica y profesional en varios tipos de programas, como Ciencias Agrícolas, Negocios, Artes Culinarias, etc. La admisión a estos programas se basa en la disponibilidad de espacio de clase, el interés y la aptitud para la edad, la recomendación del maestro, etc.

Es norma de Greenwood ISD no discriminar en sus programas, servicios o actividades vocacionales por motivos de raza, color, origen nacional, sexo o impedimento, tal como lo requieren el Título VI de la Ley de Derechos Civiles de 1964, según enmendada; Título IX de las Enmiendas a la Educación de 1972; y Sección 504 de la Ley de Rehabilitación de 1973, según enmendada.

Es norma de Greenwood ISD no discriminar en sus procedimientos de empleo por motivos de raza, color, origen nacional, sexo, impedimento o edad, tal como lo requieren el Título VI de las Enmiendas en la Educación, de 1972, la ley de Discriminación por Edad, de 1975, según enmendada; y la Sección 504 de la Ley de Rehabilitación de 1973, según enmendada.

Greenwood ISD tomará medidas necesarias para asegurar que la falta de habilidad en el uso del inglés no sea una obstáculo para la admisión y participación en todos los programas educativos y vocacionales.

Para información sobre sus derechos o procedimientos de quejas, comuníquese con el Coordinador del Título IX y/o Coordinador de la Sección 504, Ariel Elliott, en 2700 FM 1379, Midland, Texas, 79706, 432-253-6877.

CAREER AND TECHNICAL EDUCATION
PUBLIC NOTIFICATION OF NON-DISCRIMINATION

Greenwood ISD offers career and technical education programs in several types of programs such as Agriculture Science, Business, Culinary Arts, etc. Admission to these programs is based on class space availability, interest and aptitude age appropriateness, teacher recommendation, etc.

It is the policy of Greenwood ISD not to discriminate on the basis of race, color, national origin, sex or handicap in its vocational programs, services or activities as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

It is the policy of Greenwood ISD not to discriminate on the basis of race, color, national origin, sex, handicap, or age in its employment practices as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975, as amended; and Section 504 of the Rehabilitation Act of 1973, as amended.

Greenwood ISD will take steps to ensure that lack of English language skills will not be a barrier to admission and participation in all educational and vocational programs.

For information about your rights or grievance procedures, contact the Title IX and the Section 504 Coordinator, Ariel Elliott, at 2700 FM 1379, Midland, Texas, 79706.

CITY OF MIDLAND COMMUNITY DEVELOPMENT DIVISION
PUBLIC HEARING FOR THE SECOND YEAR ACTION PLAN TO THE FIVE-YEAR CONSOLIDATED PLAN

The City Council of Midland, Texas will hold a **Public Hearing** to the CDBG Second Year Action Plan in the City Council Chambers, **City Hall**, 300 N Loraine, Midland, Texas, on **June 23, 2026, at 10:00 am**. The purpose of the public hearing and motion is to allow the public to participate in the City's 2026/2027 Community Development Division **Second Year Action Plan of the Five-Year Consolidated Plan**. The city anticipates receiving a grant of approximately $996,933 (CDBG) for 2026/2027 from the U.S. Department of Housing and Urban Development. The city also expects to utilize $40,000 in Program Income and prior years CDBG fund balance of $230,000 totaling $1,266,933. A minimum of 70% of CDBG funds must be allocated to projects/programs that benefit low and moderate income persons. Examples of activities eligible for CDBG funding are housing rehabilitation, sidewalks, and street improvement, park improvements code enforcement, lot clearance, economic development and public services.

For further information, call the City's Community Development Office at 432-685-7408 or 432-685-7472.

Any disabled person needing special accommodations or hearing impaired person wishing to have an interpreter should request services through the City Secretaries Department at least 48 hours prior to the scheduled meeting by contacting the City Secretary Office for the City of Midland at (432) 685-7430.

FAIR HOUSING is the Law. The HUD national Housing Discrimination Claim Hotline number is 1-800-669-9777 (TDD, 1-800-927-9275).

LEGAL NOTICE

Sealed Bid(s) will be received until 2:00 P.M., June 25, 2026, to be opened at 2:00 P.M., in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas for the following Bid(s):

Bid No 26006022 P-23 COMPASS OG Pvng & Util

If the Contract is awarded, it will be awarded to either the lowest responsible bidder, or to the bidder who provides goods or services at the best value for the City of Midland. In determining the best value for the City of Midland, the City of Midland may consider the criteria enumerated in Section 252.043 of the Texas Local Government Code. Information for Bidders, Proposal Forms, Specifications and General conditions for bidding may be obtained from the office of the Purchasing Agent, City Hall, 300 N. Loraine, Midland, Texas.

Purchasing Division
City of Midland, Texas

NOTICE OF PUBLIC AUCTION

Pursuant to Chapter 59 of the Texas Property Code, **Avid Storage** will hold a public auction of property being sold to satisfy a landlord's lien. The sale will be held online at http://www.storagetreasures.com. Competitive bids for the unit(s) will be accepted until the date and time stated below. Property will be sold to the highest bidder. Deposit for removal and cleanup may be required. Seller reserves the right to refuse any bid and to withdraw item(s) from sale. Property in each space may be sold item-by-item, in batches, or by the space. Personal property described below at the location indicated. All spaces contain household furniture unless otherwise noted.

Facility 1102: 1904 Loop 250 Frontage Rd, Midland, TX 79705, July 8, 2026, 10:00AM. Rodriguez Anthony, Dobbins Eric.

Facility 1102: 3111 Caldera Blvd, Midland, TX 79705, July 8, 2026, 10:00AM. Echols Willie, Lopez Jose, Anaya Armando, Rodriguez de leon Artemio, Rodriguez Andrew.

Facility 1103: 2504 N. Loop 250 W, Midland, TX 79705, July 8, 2026, 10:00AM. Scandell Xavier g.

Facility 1104: 5005 Andrews Hwy, Midland, TX 79703, July 8, 2026, 10:00AM. Brown Katherine, Avila Alma, Andrade Kathleen, Strickland Shylow, Lively Sandra, Gomez Roberto-flat grill, Gomez Roberto, Allen Brittany.

RAILROAD COMMISSION OF TEXAS
OIL AND GAS DIVISION

Status/Permit No. 916279

DISTRICT 7C
DATE OF ISSUANCE: Jun 12, 2026
NOTICE OF PROTEST DEADLINE: 5:00 PM, Jul 3, 2026
Address: Railroad Commission of Texas
ATTN: Drilling Permit Unit
P. O. Box 12967
Austin, Texas 78711-2967
Fax: (512) 463-6780
Email: SWR37@RRC.TEXAS.GOV

NOTICE OF APPLICATION

RAILROAD COMMISSION OF TEXAS
OIL AND GAS DIVISION

Status/Permit No. 916281

DISTRICT 7C
DATE OF ISSUANCE: Jun 12, 2026
NOTICE OF PROTEST DEADLINE: 5:00 PM, Jul 3, 2026
Address: Railroad Commission of Texas
ATTN: Drilling Permit Unit
P. O. Box 12967
Austin, Texas 78711-2967
Fax: (512) 463-6780
Email: SWR37@RRC.TEXAS.GOV

NOTICE OF APPLICATION

NOTICE IS HEREBY GIVEN that the CHEVRON U. S. A. INC., (RRC Operator No. 148113) has made application for a spacing exception permit under the provisions of Railroad Commission Statewide Rule 37 (16 Tex. Admin. Code section 3.37). Applicant seeks exception to the LEASE LINE requirement for the NEW DRILL permit in Sec. 9, Bk. 41 T5S, T&P RR CO Survey, A-490, SPRABERRY (TREND AREA) Field, UPTON County, being 29 miles SE direction from RANKIN, Texas.

PURSUANT TO THE TERMS of Railroad Commission rules and regulations, this application may be granted **WITHOUT A HEARING** if no protest to the application is received within the deadline. An affected person is entitled to protest this application. Affected persons include owners of record and the operator or lessees of record of adjacent tracts and tracts nearer to the proposed well than the minimum lease line spacing distance. If you have questions which are specific to the Application or the information set forth in this Notice, please contact the Commission's Drilling Permit Unit at (512)463-6751. If a hearing is called, the applicant has the burden to prove the need for an exception. A Protestant should be prepared to establish standing as an affected person, and to appear at the hearing either in person or by qualified representative and protest the application with cross-examination or presentation of a direct case. The rules of evidence are applicable in the hearing. If you have any questions regarding the hearing procedure, please contact the Commission's Docket Services Department at **(512)463-6848**.

IF YOU WISH TO REQUEST A HEARING ON THIS APPLICATION, AN INTENT TO APPEAR IN PROTEST MUST BE RECEIVED IN THE RAILROAD COMMISSION'S AUSTIN OFFICE AT THE ADDRESS, FAX NUMBER, OR E-MAIL ADDRESS SET OUT ABOVE BY Jul 3, 2026 at 5:00 p.m. IF NO PROTEST IS RECEIVED WITHIN SUCH TIME, YOU WILL LOSE YOUR RIGHT TO PROTEST AND THE REQUESTED PERMIT MAY BE GRANTED ADMINISTRATIVELY.

THIS NOTICE OF APPLICATION REQUIRES PUBLICATION

The location and identity of the well is as shown below:

FIELD: SPRABERRY (TREND AREA)

Lease/Unit Name	: RWT BRAZOS 9-28 UNIT
Lease/Unit Well No.	: 1525LS
Lease/Unit Acres	: 1299.45
Nearest Lease Line (ft)	: null
Nearest Well on Lease (ft)	: 100.0
Lease Lines	: 313.6 F North L, 1243.0 F West L
Survey Lines	: 313.6 F North L, 1243.0 F West L

Wellbore Profile(s): Horizontal

Lateral: TH1
Penetration Point Location
Lease Lines: 313.6 F NORTH L, 1243.0 F WEST L

Terminus Location
BH County: UPTON
Section: 28 Block: 41 T5S Abstract: 909
Survey: T&P RR CO / DAVIES, H
Lease Lines: 50.0 F SOUTH L, 993.3 F EAST L
Survey Lines: 50.0 F SOUTH L, 1704.0 F WEST L

Field Rules for ALL fields on the permit application are as follows:

SPRABERRY (TREND AREA): Special Rules 330/0, 80.0 acres.

This well is to be drilled to an approximate depth of 12000 feet.

If you have questions regarding this application, please contact the Applicant's representative, Tracie Cherry, at (432)6877575, x7575.

RAILROAD COMMISSION OF TEXAS
OIL AND GAS DIVISION

Status/Permit No. 916280

DISTRICT 7C
DATE OF ISSUANCE: Jun 12, 2026
NOTICE OF PROTEST DEADLINE: 5:00 PM, Jul 3, 2026
Address: Railroad Commission of Texas
ATTN: Drilling Permit Unit
P. O. Box 12967
Austin, Texas 78711-2967
Fax: (512) 463-6780
Email: SWR37@RRC.TEXAS.GOV

NOTICE OF APPLICATION

NOTICE IS HEREBY GIVEN that the CHEVRON U. S. A. INC., (RRC Operator No. 148113) has made application for a spacing exception permit under the provisions of Railroad Commission Statewide Rule 37 (16 Tex. Admin. Code section 3.37). Applicant seeks exception to the lease line distance requirement because the Applicant is less than the required Rule 37 lease line distance to an unleased or non-pooled interest within the subject unit for the NEW DRILL permit in Sec. 9, Bk. 41 T5S, T&P RR CO Survey, A-490, SPRABERRY (TREND AREA) Field, UPTON County, being 29 miles SE direction from RANKIN, Texas.

PURSUANT TO THE TERMS of Railroad Commission rules and regulations, this application may be granted **WITHOUT A HEARING** if no protest to the application is received within the deadline. An affected person is entitled to protest this application. Affected persons include owners of record and the operator or lessees of record of adjacent tracts and tracts nearer to the proposed well than the minimum lease line spacing distance. If you have questions which are specific to the Application or the information set forth in this Notice, please contact the Commission's Drilling Permit Unit at (512)463-6751. If a hearing is called, the applicant has the burden to prove the need for an exception. A Protestant should be prepared to establish standing as an affected person, and to appear at the hearing either in person or by qualified representative and protest the application with cross-examination or presentation of a direct case. The rules of evidence are applicable in the hearing. If you have any questions regarding the hearing procedure, please contact the Commission's Docket Services Department at **(512)463-6848**.

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OMB Number: 4040-0004
Expiration Date: 11/30/2025

Application for Federal Assistance SF-424

*1. Type of Submission:	*2. Type of Application	* If Revision, select appropriate letter(s):
☐ Preapplication	☒ New	
☒ Application	☐ Continuation	* Other (Specify)
☐ Changed/Corrected Application	☐ Revision	

*3. Date Received:	4. Applicant Identifier:

5a. Federal Entity Identifier:	*5b. Federal Award Identifier:

State Use Only:

6. Date Received by **State**:	7. **State** Application Identifier:

8. APPLICANT INFORMATION:

*a. Legal Name: CITY OF MIDLAND

*b. Employer/Taxpayer Identification Number (EIN/TIN):	*c. UEI:
75-6000608	CPZ1T3B85A64

d. Address:

*Street 1: 300 N LORAINE
Street 2:
*City: MIDLAND
County/Parish:
*State: TX
*Province:
*Country: USA: United States
*Zip / Postal Code 79701-1194

e. Organizational Unit:

Department Name:	Division Name:
DEVELOPMENT SERVICES	COMMUNITY DEVELOPMENT DIVISION

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Mr. *First Name: ISAAC
Middle Name: G
*Last Name: GARNETT
Suffix:

Title: MANAGER

Organizational Affiliation:
CITY OF MIDLAND

*Telephone Number: 432-685-7408 Fax Number:

*Email: IGARNETT@MIDLANDTEXAS.GOV

Application for Federal Assistance SF-424

***9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Pick an applicant type

Type of Applicant 3: Select Applicant Type:

Pick an applicant type

*Other (Specify)

***10. Name of Federal Agency:**

U.S. HUD

11. Catalog of Federal Domestic Assistance Number:

14.218

CFDA Title:

CDBG BLOCK GRANT

***12. Funding Opportunity Number:**

*Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

CITIES

***15. Descriptive Title of Applicant's Project:**

CDBG FUNDS WILL BE USED TO SUPPORT PROGRAMS AND PROJECTS THAT ENCOURAGE NEIGHBORHOOD REVITALIZATION IN LOW-MODERATE INCOME CENSUS TRACTS.

Attach supporting documents as specified in agency instructions.

Application for Federal Assistance SF-424

16. Congressional Districts Of:

*a. Applicant: 11 *b. Program/Project: 11

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

*a. Start Date: 10/01/2026 *b. End Date: 09/30/2027

18. Estimated Funding ($):

*a. Federal	$ 996,933
*b. Applicant	$ 0
*c. State	$ 0
*d. Local	$ 0
*e. Other	$ 230,000
*f. Program Income	$ 40,000
*g. TOTAL	$ 1,266,933

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on _____.

☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☒ c. Program is not covered by E.O. 12372.

***20. Is the Applicant Delinquent On Any Federal Debt?**

☐ Yes ☒ No

If "Yes", explain:

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Mrs. *First Name: LORI

Middle Name:

*Last Name: BLONG

Suffix:

*Title: MAYOR

*Telephone Number: 432-685-7200 Fax Number:

* Email: LBLONG@MIDLANDTEXAS.GOV

*Signature of Authorized Representative: Lori Blong *Date Signed: 06/23/2026

Applicant and Recipient Assurances and Certifications

U.S. Department of Housing and Urban Development

OMB Number: 2501-0044
Expiration Date: 2/28/2027

Instructions for the HUD 424-B Assurances and Certifications

As part of your application for HUD funding, you, as the official authorized to sign on behalf of your organization or as an individual, must provide the following assurances and certifications. The Responsible Civil Rights Official has specified this form for use for purposes of general compliance with 24 CFR §§ 1.5, 3.115, 8.50, and 146.25, as applicable. The Responsible Civil Rights Official may require specific civil rights assurances to be furnished consistent with those authorities and will specify the form on which such assurances must be made. A failure to furnish or comply with the civil rights assurances contained in this form may result in the procedures to effect compliance at 24 CFR §§ 1.8, 3.115, 8.57, or 146.39.

By submitting this form, you are stating that all assertions made in this form are true, accurate, and correct.

As the duly representative of the applicant, I certify that the applicant: [Insert below the Name and title of the Authorized Representative, name of Organization and the date of signature]:

*Authorized Representative Name:
LORI BLONG
*Title: MAYOR
*Applicant/Recipient Organization:
CITY OF MIDLAND

1. Has the legal authority to apply for Federal assistance, has the institutional, managerial and financial capability (including funds to pay the non-Federal share of program costs) to plan, manage and complete the program as described in the application and the governing body has duly authorized the submission of the application, including these assurances and certifications, and authorized me as the official representative of the application to act in connection with the application and to provide any additional information as may be required.

2. Will administer the grant in compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C 2000(d)) and implementing regulations (24 CFR part 1), which provide that no person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any program or activity that receives Federal financial assistance OR if the applicant is a Federally recognized Indian tribe or its tribally designated housing entity, is subject to the Indian Civil Rights Act (25 U.S.C. 1301-1303).

3. Will administer the grant in compliance with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), as amended, and implementing regulations at 24 CFR part 8, the American Disabilities Act (42 U.S.C. §§ 12101 et.seq.), and implementing regulations at 28 CFR part 35 or 36, as applicable, and the Age Discrimination Act of 1975 (42 U.S.C. 6101-07) as amended, and implementing regulations at 24 CFR part 146 which together provide that no person in the United States shall, on the grounds of disability or age, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives Federal financial assistance; except if the grant program authorizes or limits participation to designated populations, then the applicant will comply with the nondiscrimination requirements within the designated population.

4. Will comply with the Fair Housing Act (42 U.S.C. 3601-19), as amended, and the implementing regulations at 24 CFR part 100, which prohibit discrimination in housing on the basis of race, color, religion, sex, disability, familial status, or national origin and will affirmatively further fair housing; except an applicant which is an Indian tribe or its instrumentality which is excluded by statute from coverage does not make this certification; and further except if the grant program authorizes or limits participation to designated populations, then the applicant will comply with the nondiscrimination requirements within the designated population.

5. Will comply with all applicable Federal nondiscrimination requirements, including those listed at 24 CFR §§ 5.105(a) and 5.106 as applicable.

6. Will not use Federal funding to promote diversity, equity, and inclusion (DEI) mandates, policies, programs, or activities that violate any applicable Federal anti-discrimination laws.

7. Will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601) and implementing regulations at 49 CFR part 24 and, as applicable, Section 104(d) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(d)) and implementing regulations at 24 CFR part 42, subpart A.

8. Will comply with the environmental requirements of the National Environmental Policy Act (42 U.S.C. 4321 et.seq.) and related Federal authorities prior to the commitment or expenditure of funds for property.

9. That no Federal appropriated funds have been paid, or will be paid, by or on behalf of the applicant, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress, in connection with the awarding of this Federal grant or its extension, renewal, amendment or modification. If funds other than Federal appropriated funds have or will be paid for influencing or attempting to influence the persons listed above, I shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying. I certify that I shall require all subawards at all tiers (including sub-grants and contracts) to similarly certify and disclose accordingly. Federally recognized Indian Tribes and tribally designated housing entities (TDHEs) established by Federally-recognized Indian tribes as a result of the exercise of the tribe's sovereign power are excluded from coverage by the Byrd Amendment, but State-recognized Indian tribes and TDHEs established under State law are not excluded from the statute's coverage.

I/We, the undersigned, certify under penalty of perjury that the information provided above is true, accurate, and correct. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802; 24 CFR §28.10(b)(1)(iii)).

* Signature: Lori Blong

* Date: (mm/dd/yyyy): 06/23/2026

Public Reporting Burden Statement: The public reporting burden for this collection of information is estimated to average 0.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. Comments regarding the accuracy of this burden estimate and any suggestions for reducing this burden can be sent to: U.S. Department of Housing and Urban Development, Office of the Chief Data Officer, R, 451 7th St SW, Room 4176, Washington, DC 20410-5000. **Do not send completed HUD 424-B forms to this address.** This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid OMB control number. The Department of Housing and Urban Development is authorized to collect this information under the authority cited in the Notice of Funding Opportunity for this grant program. The information collected provides assurances and certifications for legal requirements related to the administration of this grant program. HUD will use this information to ensure compliance of its grantees. This information is required to obtain the benefit sought in the grant program. This information will not be held confidential and may be made available to the public in accordance with the Freedom of Information Act (5 U.S.C. §552).

CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing --The jurisdiction will affirmatively further fair housing.

Uniform Relocation Act and Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. It has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 42 in connection with any activity assisted with funding under the Community Development Block Grant or HOME programs.

Anti-Lobbying --To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction --The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan --The housing activities to be undertaken with Community Development Block Grant, HOME, Emergency Solutions Grant, and Housing Opportunities for Persons With AIDS funds are consistent with the strategic plan in the jurisdiction's consolidated plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 75.

Lori Blong — Signature of Authorized Official

4/23/24 — Date

Mayor — Title

Specific Community Development Block Grant Certifications

The Entitlement Community certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that that have been developed in accordance with the primary objective of the CDBG program (i.e., the development of viable urban communities, by providing decent housing and expanding economic opportunities, primarily for persons of low and moderate income) and requirements of 24 CFR Parts 91 and 570.

Following a Plan – It is following a current consolidated plan that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include CDBG-assisted activities which the grantee certifies are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available (see Optional CDBG Certification).

2. Overall Benefit. The aggregate use of CDBG funds, including Section 108 guaranteed loans, during program year(s) 2016 [a period specified by the grantee of one, two, or three specific consecutive program years], shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period.

3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

In addition, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

Compliance with Anti-discrimination laws -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.

Lead-Based Paint -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, Subparts A, B, J, K and R.

Compliance with Laws -- It will comply with applicable laws.

Lori Blong 4/23/26

Signature of Authorized Official Date

Mayor

Title

OPTIONAL Community Development Block Grant Certification

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having particular urgency as specified in 24 CFR 570.208(c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities which are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

Lori Blay — 4/23/26

Signature of Authorized Official — Date

Mayor

Title

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING CERTIFICATION:

Lobbying Certification
This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

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Type	Details
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.... INFO TECHNOLOGY ....

Occidental Petroleum Corporation has an opply in Midland, TX for a Stf SW Dev Engr. Position based in Midland, TX. Hybrid position requiring wrk I/O with the ability to telecommute on days when not I/O. Email resume w/ Ref# 9274578 to ApplyforOxyJob@oxy.com. Must be legally auth to work in the U.S. w/o sponsrshp. EOE.

LEGAL NOTICES mrtlegals@hearstnp.com 432-687-8888

Legals/Public Notices | Legals/Public Notices | Legals/Public Notices

NOTICE TO ALL PERSONS HAVING CLAIMS AGAINST THE ESTATE OF DIANNA LYNN DICKEY, DECEASED

On June 10, 2026, letters of independent administration with will annexed were issued to Johnathan Dickey as the independent executor of the estate by the County clerk of Midland County, Texas in Cause No. PR26-161. Each person who has a claim against the estate must present the claim within the period prescribed by law. A claim may be presented to the independent administrator c/o his attorney Cory R McDowell at McDowell Costello law 3300 N. A St. Bldg. 4, Midland, Texas 79705.

MRT HOMES GALLERY



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RAILROAD COMMISSION OF TEXAS
OIL AND GAS DIVISION

DISTRICT 08 Status/Permit No. 915856
DATE OF ISSUANCE: Jun 19, 2026
NOTICE OF PROTEST DEADLINE: 5:00 PM, Jul 10, 2026
Address: Railroad Commission of Texas
ATTN: Drilling Permit Unit
P. O. Box 12967
Austin, Texas 78711-2967
Fax: (512) 463-6780
Email: SWR37@RRC.TEXAS.GOV

NOTICE OF APPLICATION

NOTICE IS HEREBY GIVEN that the OXYROCK OPERATING, LLC [RRC Operator No. 102324] has made application for a spacing exception permit under the provisions of Railroad Commission Statewide Rule 37 (16 Tex. Admin. Code section 3.37). Applicant seeks exception to the LEASE LINE requirement for the AMENDED NEW DRILL permit in Sec. 37, Bk. 35 T2N, T&P RR CO Survey, A-944, SPRABERRY (TREND AREA) Field, MARTIN County, being 5.29 miles NE direction from STANTON, Texas.

PURSUANT TO THE TERMS of Railroad Commission rules and regulations, this application may be granted **WITHOUT A HEARING** if no protest to the application is received within the deadline. An affected person is entitled to protest this application. Affected persons include owners of record and the operator or lessees of record of adjacent tracts and tracts nearer to the proposed well than the minimum lease line spacing distance. If you have questions which are specific to the Application or the information set forth in this Notice, please contact the Commission's Drilling Permit Unit at (512)463-6751. If a hearing is called, the applicant has the burden to prove the need for an exception. A Protestant should be prepared to establish standing as an affected person, and to appear at the hearing either in person or by qualified representative and protest the application with cross-examination or presentation of a direct case. The rules of evidence are applicable in the hearing. If you have any questions regarding the hearing procedure, please contact the Commission's Docket Services Department at (512)463-6848.

IF YOU WISH TO REQUEST A HEARING ON THIS APPLICATION, AN INTENT TO APPEAR IN PROTEST MUST BE RECEIVED IN THE RAILROAD COMMISSION'S AUSTIN OFFICE AT THE ADDRESS, FAX NUMBER, OR E-MAIL ADDRESS SET OUT ABOVE BY Jul 10, 2026 at 5:00 p.m. IF NO PROTEST IS RECEIVED WITHIN SUCH TIME, YOU WILL LOSE YOUR RIGHT TO PROTEST AND THE REQUESTED PERMIT MAY BE GRANTED ADMINISTRATIVELY.

THIS NOTICE OF APPLICATION REQUIRES PUBLICATION

The location and identity of the well is as shown below:

FIELD: SPRABERRY (TREND AREA)

Lease/Unit Name : WRS HESPERALOE F
Lease/Unit Well No. : 1HD
Lease/Unit Acres : 455.2
Nearest Lease Line (ft) : null
Nearest Well on Lease (ft) : 25.0

Lease Lines : 2272.0 F N L, 1740.0 F E L
Survey Lines : 2272.0 F N L, 1740.0 F E L

Wellbore Profile(s): Horizontal

Lateral: TH1
Penetration Point Location
Lease Lines: 2386.0 F N L
2310.0 F E L
Terminus Location
BH County: HOWARD
Section: 1 Block: 35 T1S Abstract: 518
Survey: T&P RR CO
Lease Lines: 10.0 F S L
332.0 F W L
Survey Lines: 2630.0 F N L
2310.0 F E L

Field Rules for ALL fields on the permit application are as follows:

SPRABERRY (TREND AREA) : Special Rules 330/0, 80.0 acres.

This well is to be drilled to an approximate depth of 12000 feet.

If you have questions regarding this application, please contact the Applicant's representative, Cathy Duffield, at (713)350-4930.

RAILROAD COMMISSION OF TEXAS
OIL AND GAS DIVISION

DISTRICT 7C Status/Permit No. 916335
DATE OF ISSUANCE: Jun 16, 2026
NOTICE OF PROTEST DEADLINE: 5:00 PM, Jul 7, 2026
Address: Railroad Commission of Texas
ATTN: Drilling Permit Unit
P. O. Box 12967
Austin, Texas 78711-2967
Fax: (512) 463-6780
Email: SWR37@RRC.TEXAS.GOV

NOTICE OF APPLICATION

NOTICE IS HEREBY GIVEN that the CHEVRON U. S. A. INC. [RRC Operator No. 148113] has made application for a spacing exception permit under the provisions of Railroad Commission Statewide Rule 37 (16 Tex. Admin. Code section 3.37). Applicant seeks exception to the lease line distance requirement because the Applicant is less than the required Rule 37 lease line distance to an unleased or non-pooled interest within the subject unit for the NEW DRILL permit in Sec. 9, Bk. 41 T5S, T&P RR CO Survey, A-490, SPRABERRY (TREND AREA) Field, UPTON County, being 27.8 miles SE direction from RANKIN, Texas.

PURSUANT TO THE TERMS of Railroad Commission rules and regulations, this application may be granted **WITHOUT A HEARING** if no protest to the application is received within the deadline. An affected person is entitled to protest this application. Affected persons include owners of record and the operator or lessees of record of adjacent tracts and tracts nearer to the proposed well than the minimum lease line spacing distance. If you have questions which are specific to the Application or the information set forth in this Notice, please contact the Commission's Drilling Permit Unit at (512)463-6751. If a hearing is called, the applicant has the burden to prove the need for an exception. A Protestant should be prepared to establish standing as an affected person, and to appear at the hearing either in person or by qualified representative and protest the application with cross-examination or presentation of a direct case. The rules of evidence are applicable in the hearing. If you have any questions regarding the hearing procedure, please contact the Commission's Docket Services Department at (512)463-6848.

IF YOU WISH TO REQUEST A HEARING ON THIS APPLICATION, AN INTENT TO APPEAR IN PROTEST MUST BE RECEIVED IN THE RAILROAD COMMISSION'S AUSTIN OFFICE AT THE ADDRESS, FAX NUMBER, OR E-MAIL ADDRESS SET OUT ABOVE BY Jul 7, 2026 at 5:00 p.m. IF NO PROTEST IS RECEIVED WITHIN SUCH TIME, YOU WILL LOSE YOUR RIGHT TO PROTEST AND THE REQUESTED PERMIT MAY BE GRANTED ADMINISTRATIVELY.

THIS NOTICE OF APPLICATION REQUIRES PUBLICATION

The location and identity of the well is as shown below:

FIELD: SPRABERRY (TREND AREA)

Lease/Unit Name : RWT KATY 9-28 UNIT
Lease/Unit Well No. : 1509WB
Lease/Unit Acres : 979.28
Nearest Lease Line (ft) : null
Nearest Well on Lease (ft) : 20.0

Lease Lines : 614.0 F South L, 1175.2 F East L
Survey Lines : 614.0 F South L, 1175.2 F East L

Wellbore Profile(s): Horizontal

Lateral: TH1
Penetration Point Location
Lease Lines: 2570 F SOUTH L
807.4 F EAST L
Terminus Location
BH County: UPTON
Section: 28 Block: 41 Abstract:
Survey: T5S
Lease Lines: 50.0 F SOUTH L
594.5 F EAST L
Survey Lines: 50.0 F SOUTH L
594.5 F EAST L

Field Rules for ALL fields on the permit application are as follows:

SPRABERRY (TREND AREA) : Special Rules 330/0, 80.0 acres.

This well is to be drilled to an approximate depth of 12000 feet.

If you have questions regarding this application, please contact the Applicant's representative, Tracie Cherry, at (432)6877975, x7575.

NOTICE TO CREDITORS

Notice is hereby given that original Letters Testamentary for the Estate of Tammy R. Price, Deceased, were issued on May 12, 2026, 2026, in Cause No. PR26-126 pending in the County Court at Law, Midland County, Texas, to: Robert Andrew Price.

All persons having claims against this Estate which is currently being administered are required to present them to the undersigned within the time and in the manner prescribed by law.

c/o: Matthew T. French
French Benton, PLLC
415 W. Wall Street, Suite 1505
Midland, Texas 79701

DATED the 12th day of June 2026.

FRENCH BENTON, PLLC
415 W. WALL STREET, SUITE 1505
MIDLAND, TEXAS 79701
Phone: (432) 558-8996

By: /s/ Matthew French
Matthew T. French
State Bar No. 24085314
Matt@frenchbenton.com
J.D. Benton
State Bar No. 24097360
jd@frenchbenton.com

Attorneys for Executor
Robert Andrew Price

NOTICE

City of Midland Second Year Action Plan for 2026/2027
Community Development and Housing Funds

The City of Midland has prepared the 2026/2027 (October 1, 2026, to September 30, 2027) Action Plan to the Consolidated Plan. The Second Year Plan establishes Midland's annual strategy for investment of its U.S. Department of Housing and Urban Development (HUD), Community Development Block Grant (CDBG) resources are linked to activities directed at community development, housing, and homeless service needs.

The Action Plan may be examined on the City of Midland Website (www.midlandtexas.gov): Community Development web page. Viewing of the document may also be accessed at the following locations:

Midland County Centennial Library
2503 W. Loop 250 N

Midland County Public Library
301 W. Missouri

South East Community Center
1803 E. Indiana

Martin Luther King Jr. Community Center
2300 Butternut Lane

Casa de Amigos of Midland
1101 Garden Ln.

Midland Senior Center
3303 W. Illinois Ave Suite 18

The primary funding source is the City's 2026/2027 CDBG entitlement allocation, and program income totaling $1,266,933.

CDBG Fund Programs:

The City anticipates that 100% of funds will benefit low-moderate-income persons. The Plan includes a narrative addressing a variety of issues and required certifications. The agency responsible for development of the Plan is the Community Development Division of the City's Development Services Department.

Please direct any **written comments** to the City's Community Development Division, PO Box 1152, Midland, Texas, 79702, by **July 27, 2026.** The Midland City Council will consider approval of the plan during the regular Council meeting on August 11, 2026. The Plan will be forwarded to HUD by August 15, 2026.

For more information, contact the CDBG Office at 685-7408 or 685-7872, [illegible]@midlandtexas.gov or [illegible]@midlandtexas.gov.

Comment Period ←

NOTICE OF APPLICATION FOR SURFACE COMMINGLING

OXYROCK OPERATING, LLC is applying to the Railroad Commission to amend previously approved Commingle Permit 3895 to include the SPIKED ALOE G, SPIKED ALOE E, SPIKED ALOE, GREEN SPRANGLETOP, GREEN SPRANGLETOP E, WRS HESPERALOE F, and WRS HESPERALOE G lease in the SPRABERRY (TREND AREA) field.

Leases already included in the commingle permit are SPIKED ALOE, SPIKED ALOE E, SPIKED ALOE F, and SPIKED ALOE G. Production is from the SPRABERRY (TREND AREA) field and is commingled into the SPIKED ALOE FACILITY, located in RRC District 08 in HOWARD County.

Pursuant to Statewide Rules 26 and 27, interested parties must file objections or requests for hearing in writing to the Railroad Commission office within 21 days after publication, or the Commission may approve the application.

For questions pertaining to the application, please contact Steven Leung at 713-497-2503.

NOTICE OF APPLICATION FOR EXCEPTION TO SWR 26/27 SURFACE COMMINGLING PERMIT

Notice is hereby given that Diamondback E&P LLC (RRC P-5 #217012) has filed with the Texas Railroad Commission the following P-17 Application for the Exception to SWR 26 and/or 27 to surface commingle production from oil and gas leases: MACHO MAN 11-38 A 1LS (DP 911317), MACHO MAN 11-38 A 1MS (DP 911322), MACHO MAN 11-38 A 1WB (DP 911325), MACHO MAN 11-47 D 1JM (DP 911326), MACHO MAN 11-47 E 1WA (DP 911327), MACHO MAN 11-47 F 2JM (DP 911328), MACHO MAN 11-47 G 2LS (DP 911330), MACHO MAN 11-47 H 2MS (DP 911331), MACHO MAN 11-47 I 2WA (DP 911332), MACHO MAN 11-47 J 2WB (DP 911333), MACHO MAN 11-47 K 3LS (DP 911334), MACHO MAN 11-47 L 3WB (DP 911335), NATURE BOY 11-37 A 1LS (DP 911477), NATURE BOY 11-37 A 1MS (DP 911480), NATURE BOY 11-37 A 1WA (DP 911481), NATURE BOY 11-37 A 1WB (DP 911482), NATURE BOY 11-38 B 1JM (DP 911483), NATURE BOY 11-38 C 2WA (DP 911484), NATURE BOY 11-38 D 2MS (DP 911485), NATURE BOY 11-38 E 2WB (DP 911486), NATURE BOY 11-38 F 2LS (DP 911487), NATURE BOY 11-38 G 2JM (DP 911488), NATURE BOY 11-38 H 3WA (DP 911489) to the Stone Cold 11-2 Battery. All wells are in the Spraberry (Trend Area) field in Midland County, Texas. This application is for off lease storage, common separation, common storage and casinghead gas metering by allocation by well test. Production will be allocated by W-10 Tests. Any royalty or working interest owners who have not received written notification, please consider this your Notice of Application. If you have objections to the issuance of this permit, you may submit a letter to P-17 Department, Railroad Commission of Texas, PO Box 12967, Austin, Texas 78711. Unless the Railroad Commission receives a protest to this application, the Commission may issue a permit within 21 days following the date of last publication.

NOTICE OF APPLICATION FOR SURFACE COMMINGLING

Ovintiv USA Inc., 370 17th Street, Suite 1700, Denver, CO 80202, is applying to the Railroad Commission of Texas for a permit to commingle.

Production will be from the Davidson C 3F 301HL, Davidson C 3G 302HD, Davidson C 3G 303HF, Davidson C 3F 304HM, Davidson C 3G 305HO, Davidson C 3XX 306HG, Davidson C 3X 307HL, Davidson C 3XX 308HB, and Davidson C 3A 309HD which will produce from the Spraberry (Trend Area) field. Production will be commingled into the Davidson 39 F1LD Central Tank Battery, located in RRC District 7C in Upton County.

Pursuant to Statewide Rules 26 and 27, interested parties must file objections or requests for hearing in writing to the Railroad Commission office within 21 days after publication or the Commission may approve the application.

For questions pertaining to the application, please contact Kelli Schandel, Ovintiv USA Inc.'s representative at (720) 876-3067.

HEARST | COMMUNITY MEDIA GROUP

Midland Reporter-Telegram

ORDER CONFIRMATION

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ISAAC GARNETT
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MIDLAND, TX 79702
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Account Id: 21001546

Additional Details

Order Contact Name:	Isaac Garnett
Comments:	

Cost Summary

Gross Amount:	$ 424.56
Agency Commission:	$ 0.00
Net Amount:	$ 424.56
Sales Tax:	$ 0.00
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Campaign: 11141800

Hearst Community Media Group

Midland Reporter-Telegram

15 Smith Road, Suite 1004, Midland, TX 79705

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS

On Behalf of:
CITY OF MIDLAND COMMUNITY DEVELOPMENT
ISAAC GARNETT
PO BOX 1152
MIDLAND, TX 79702

STATE OF TEXAS COUNTY OF MIDLAND

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared, a Newspaper Representative for the Hearst Newspapers II, LLC – dba: Midland Reporter-Telegram, a newspaper published in Midland County, Texas and generally circulated in the Counties of: Midland, Ector, Howard, Crane, Glasscock, Martin, Upton, and Andrews Counties and that the publication, of which the annexed herein, or attached to, is a true and correct copy, was published to:

Legal Notices

as published in the issue(s) of:

Customer ID	Customer	Campaign ID	Publication	Pub Date
21001546	CITY OF MIDLAND COMMUNITY DEVELOPMENT	11141800	Midland Reporter-Telegram	6/27/2026

Newspaper Representative (signature)

Kevin Scannell
Newspaper Representative (print)

Sworn and subscribed to before me, this 29th day of June A.D. 2026.

Sheri Rycerz
Notary Public in and for the State of Texas

SHERI RYCERZ
Notary Public, State of Texas
Comm. Expires 01-16-2028
Notary ID 134717261

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.... INFO TECHNOLOGY ....

Occidental Petroleum Corporation has an opply in Midland, TX for a Sff SW Dev Engr Position based in Midland, TX. Hybrid position requiring wrk I/O with the ability to telecommute on days when not I/O. Email resume w/ Ref# 9274578 to ApplyforOxyJob@oxy.com. Must be legally auth to work in the U.S. w/o spnsrshp. EOE.

LEGAL NOTICES mrtlegals@hearstnp.com 432-687-8888

Legals/Public Notices | Legals/Public Notices | Legals/Public Notices

NOTICE TO ALL PERSONS HAVING CLAIMS AGAINST THE ESTATE OF DIANNA LYNN DICKEY, DECEASED

On June 10, 2026, letters of independent administration with will annexed were issued to Johnathan Dickey as the independent executor of the estate by the County clerk of Midland County, Texas in Cause No. PR26-161. Each person with has a claim against the estate must present the claim within the period prescribed by law. A claim may be presented to the independent administrator c/o his attorney Cory R McDowell at McDowell Castillo law 3300 N. A St. Bldg. 4, Midland, Texas 79705.

MRT HOMES GALLERY



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2816 NORTH TOWN........................499,500
SPACIOUS, RECENTLY UPDATED 3,073 SQUARE FOOT 4/5 BEDROOM, 3.5 BATH, 2 LIVING GRACIOUS HOME WITHIN WALKING DISTANCE OF EMERSON ELEMENTARY. NEWER HEATING AND COOLING; POOL DECK; PAINT; PLANK VINYL TILE AND WOOD VENEER AND CERAMIC TILE FLOORING; NO CARPET; KITCHEN AND WALK-IN BAR CABINETS & GRANITE; UNDER CABINET LIGHTING. DON'T MISS OUT ON SEEING THIS HOME!!
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Legals/Public Notices | Legals/Public Notices | Legals/Public Notices

RAILROAD COMMISSION OF TEXAS
OIL AND GAS DIVISION

DISTRICT 08 Status/Permit No. 915856
DATE OF ISSUANCE: Jun 10, 2026
NOTICE OF PROTEST DEADLINE: 5:00 PM, Jul 30, 2026
Address: Railroad Commission of Texas
ATTN: Drilling Permit Unit
P. O. Box 12967
Austin, Texas 78711-2967
Fax: (512) 463-6780
Email: SWR37@RRC.TEXAS.GOV

NOTICE OF APPLICATION

NOTICE IS HEREBY GIVEN that the OXYROCK OPERATING, LLC. (RRC Operator No. 102324) has made application for a spacing exception permit under the provisions of Railroad Commission Statewide Rule 37 (16 Tex. Admin. Code section 3.37). Applicant seeks exception to the LEASE LINE requirement for the AMENDED NEW DRILL permit in Sec. 37, Bk. 35 T-2N, T&P RR CO Survey, A-544, SPRABERRY (TREND AREA) Field, MARTIN County, being 8.20 miles NE direction from STANTON, Texas.

PURSUANT TO THE TERMS of Railroad Commission rules and regulations, this application may be granted WITHOUT A HEARING if no protest to the application is received within the deadline. An affected person is entitled to protest this application. Affected persons include owners of record and the operator or lessees of record of adjacent tracts and tracts nearer to the proposed well than the minimum lease line spacing distance. If you have questions which are specific to the Application or the information set forth in this Notice, please contact the Commission's Drilling Permit Unit at (512)463-6751. If a hearing is called, the applicant has the burden to prove the need for an exception. A Protestant should be prepared to establish standing as an affected person, and to appear at the hearing either in person or by qualified representative and protest the application with cross-examination or presentation of a direct case. The rules of evidence are applicable in the hearing. If you have any questions regarding the hearing procedure, please contact the Commission's Docket Services Department at (512)463-6848.

IF YOU WISH TO REQUEST A HEARING ON THIS APPLICATION, AN INTENT TO APPEAR IN PROTEST MUST BE RECEIVED IN THE RAILROAD COMMISSION'S AUSTIN OFFICE AT THE ADDRESS, FAX NUMBER, OR E-MAIL ADDRESS SET OUT ABOVE BY Jul 30, 2026 at 5:00 p.m. IF NO PROTEST IS RECEIVED WITHIN SUCH TIME, YOU WILL LOSE YOUR RIGHT TO PROTEST AND THE REQUESTED PERMIT MAY BE GRANTED ADMINISTRATIVELY.

THIS NOTICE OF APPLICATION REQUIRES PUBLICATION

The location and identity of the well is as shown below:

FIELD: SPRABERRY (TREND AREA)

Lease/Unit Name	: WRS HESPERALOE F
Lease/Unit Well No.	: 1HD
Lease/Unit Acres	: 455.2
Nearest Lease Line (ft)	: null
Nearest Well on Lease (ft)	: 25.0
Lease Lines	: 2272.0 F N L, 1740.0 F E L
Survey Lines	: 2272.0 F N L, 1740.0 F E L
Wellbore Profile(s):	Horizontal

Lateral: TH1
Penetration Point Location
Lease Lines: 2385.0 F N L, 2310.0 F E L

Terminus Location
BH County: HOWARD
Section: 1 Block: 35 T1S Abstract: 518
Survey: T&P RR CO
Lease Lines: 10.0 F S L, 332.0 F W L
Survey Lines: 2630.0 F N L, 2310.0 F E L

Field Rules for ALL fields on the permit application are as follows:

SPRABERRY (TREND AREA) : Special Rules 330/0, 80.0 acres.

This well is to be drilled to an approximate depth of 12000 feet.

If you have questions regarding this application, please contact the Applicant's representative, Cathy Eutfield, at (713)350-4930.

RAILROAD COMMISSION OF TEXAS
OIL AND GAS DIVISION

DISTRICT 7C Status/Permit No. 916335
DATE OF ISSUANCE: Jun 16, 2026
NOTICE OF PROTEST DEADLINE: 5:00 PM, Jul 7, 2026
Address: Railroad Commission of Texas
ATTN: Drilling Permit Unit
P. O. Box 12967
Austin, Texas 78711-2967
Fax: (512) 463-6780
Email: SWR37@RRC.TEXAS.GOV

NOTICE OF APPLICATION

NOTICE IS HEREBY GIVEN that the CHEVRON U. S. A. INC. (RRC Operator No. 148113) has made application for a spacing exception permit under the provisions of Railroad Commission Statewide Rule 37 (16 Tex. Admin. Code section 3.37). Applicant seeks exception to the lease line distance requirement because the Applicant is less than the required Rule 37 lease line distance to an unleased or non-pooled interest within the subject unit for the NEW DRILL permit in Sec. 9, Bk. 41 T5S, T&P RR CO Survey, A-430, SPRABERRY (TREND AREA) Field, UPTON County, being 22.8 miles SE direction from RANKIN, Texas.

PURSUANT TO THE TERMS of Railroad Commission rules and regulations, this application may be granted WITHOUT A HEARING if no protest to the application is received within the deadline. An affected person is entitled to protest this application. Affected persons include owners of record and the operator or lessees of record of adjacent tracts and tracts nearer to the proposed well than the minimum lease line spacing distance. If you have questions which are specific to the Application or the information set forth in this Notice, please contact the Commission's Drilling Permit Unit at (512)463-6751. If a hearing is called, the applicant has the burden to prove the need for an exception. A Protestant should be prepared to establish standing as an affected person, and to appear at the hearing either in person or by qualified representative and protest the application with cross-examination or presentation of a direct case. The rules of evidence are applicable in the hearing. If you have any questions regarding the hearing procedure, please contact the Commission's Docket Services Department at (512)463-6848.

IF YOU WISH TO REQUEST A HEARING ON THIS APPLICATION, AN INTENT TO APPEAR IN PROTEST MUST BE RECEIVED IN THE RAILROAD COMMISSION'S AUSTIN OFFICE AT THE ADDRESS, FAX NUMBER, OR E-MAIL ADDRESS SET OUT ABOVE BY Jul 7, 2026 at 5:00 p.m. IF NO PROTEST IS RECEIVED WITHIN SUCH TIME, YOU WILL LOSE YOUR RIGHT TO PROTEST AND THE REQUESTED PERMIT MAY BE GRANTED ADMINISTRATIVELY.

THIS NOTICE OF APPLICATION REQUIRES PUBLICATION

The location and identity of the well is as shown below:

FIELD: SPRABERRY (TREND AREA)

Lease/Unit Name	: RWT KATY 9-28 UNIT
Lease/Unit Well No.	: 1515WB
Lease/Unit Acres	: 979.28
Nearest Lease Line (ft)	: null
Nearest Well on Lease (ft)	: 20.0
Lease Lines	: 614.0 F South L, 1175.2 F East L
Survey Lines	: 514.0 F South L, 1175.2 F East L
Wellbore Profile(s):	Horizontal

Lateral: TH1
Penetration Point Location
Lease Lines: 257.8 F SOUTH L, 802.4 F EAST L

Terminus Location
BH County: UPTON
Section: 28 Block: 41 Abstract:
Survey: T5S
Lease Lines: 50.0 F SOUTH L, 594.5 F EAST L
Survey Lines: 50.0 F SOUTH L, 594.5 F EAST L

Field Rules for ALL fields on the permit application are as follows:

SPRABERRY (TREND AREA) : Special Rules 330/0, 80.0 acres.

This well is to be drilled to an approximate depth of 17000 feet.

If you have questions regarding this application, please contact the Applicant's representative, Tracie Cherry, at (432)6877575, x7575.

NOTICE TO CREDITORS

Notice is hereby given that original Letters Testamentary for the Estate of Tommy R. Price, Deceased, were issued on May 12, 2026, 2026, in Cause No. PR26-126 pending in the County Court at Law, Midland County, Texas, to: Robert Andrew Price.

All persons having claims against this Estate which is currently being administered are required to present them to the undersigned within the time and in the manner prescribed by law.

c/o: Matthew T. French
French Benton, PLLC
415 W. Wall Street, Suite 1505
Midland, Texas 79701

DATED the 12th day of June 2026.

FRENCH BENTON, PLLC
415 W. WALL STREET, SUITE 1505
MIDLAND, TEXAS 79701
Phone: (432) [illegible]

By: /s/ Matthew French
Matthew T. French
State Bar No. 24085314
Matt@frenchbenton.com
J.D. Benton
State Bar No. 24007309
jd@frenchbenton.com

Attorneys for Executor
Robert Andrew Price

NOTICE

City of Midland Second Year Action Plan for 2026/2027
Community Development and Housing Funds

The City of Midland has prepared the 2026/2027 (October 1, 2026, to September 30, 2027) Action Plan to the Consolidated Plan. The Second Year Plan establishes Midland's annual strategy for investment of its U.S. Department of Housing and Urban Development (HUD), Community Development Block Grant (CDBG) resources are linked to activities directed at community development, housing, and homeless service needs.

The Action Plan may be examined on the City of Midland Website (www.midlandtexas.gov), Community Development web page. Viewing of the document may also be accessed at the following locations:

Midland County Centennial Library
2503 W. Loop 250 N

Midland County Public Library
301 W. Missouri

South East Community Center
1803 E. Indiana

Martin Luther King Jr. Community Center
2300 Butternut Lane

Casa de Amigos of Midland
1101 Garden Ln.

Midland Senior Center
3303 W. Illinois Ave Suite 18

The primary funding source is the City's 2026/2027 CDBG entitlement allocation, and program income totaling $1,266,333.

CDBG Fund Programs:

The City anticipates that 100% of funds will benefit low-moderate-income persons. The Plan includes a narrative addressing a variety of issues and required certifications. The agency responsible for development of the Plan is the Community Development Division of the City's Development Services Department.

Please direct any written comments to the City's Community Development Division, PO Box 1152, Midland, Texas, 79702, by July 27, 2026. The Midland City Council will consider approval of the plan during the regular Council meeting on August 11, 2026. The Plan will be forwarded to HUD by August 15, 2026.

For more information, contact the CDBG Office at 685-7408 or 685-7472, cgarrett@midlandtexas.gov or wnalley@midlandtexas.gov

NOTICE OF APPLICATION FOR SURFACE COMMINGLING

OXYROCK OPERATING, LLC is applying to the Railroad Commission to amend previously approved Commingle Permit 5895 to include the SPIKED ALOE G, SPIKED ALOE E, SPIKED ALOE, GREEN SPRANGLETOP, GREEN SPRANGLETOP E, WRS HESPERALOE F, and WRS HESPERALOE G lease in the SPRABERRY (TREND AREA) field.

Leases already included in the commingle permit are SPIKED ALOE, SPIKED ALOE E, SPIKED ALOE F, and SPIKED ALOE G. Production is from the SPRABERRY (TREND AREA) field and is commingled into the SPIKED ALOE FACILITY, located in RRC District 08 in HOWARD County.

Pursuant to Statewide Rules 26 and 27, interested parties must file objections or requests for hearing in writing to the Railroad Commission office within 21 days after publication, or the Commission may approve the application.

For questions pertaining to the application, please contact Steven Leung at 713-497-2502.

NOTICE OF APPLICATION FOR SURFACE COMMINGLING

Ovintiv USA Inc., 370 17th Street, Suite 1700, Denver, CO 80202, is applying to the Railroad Commission of Texas for a permit to commingle.

Production will be from the Davidson C 3F 300HI, Davidson C 3G 302HD, Davidson C 3G 303HF, Davidson C 3I 304HM, Davidson C 3G 305HD, Davidson C 3XX 306HG, Davidson C 3X 307HL, Davidson C 3XX 308HD, and Davidson C 3A 309HD which will produce from the Spraberry (Trend Area) field. Production will be commingled into the Davidson 39 F1ID Central Tank Battery, located in RRC District 7C in Upton County.

Pursuant to Statewide Rules 26 and 27, interested parties must file objections or requests for hearing in writing to the Railroad Commission office within 21 days after publication or the Commission may approve the application.

For questions pertaining to the application, please contact Kelli Schandel, Ovintiv USA Inc.'s representative at (720) 876-3067.

NOTICE OF APPLICATION FOR EXCEPTION TO SWR 26/27 SURFACE COMMINGLING PERMIT:

Notice is hereby given that Diamondback E&P LLC (RRC P-5 #217012) has filed with the Texas Railroad Commission the following P-17 Application for the Exception to SWR 26 and/or 27 to surface commingle production from oil and gas leases: MACHO MAN 11-38 A 1LS (DP 911317), MACHO MAN 11-38 A 1MS (DP 911322), MACHO MAN 11-38 A 1WB (DP 911324), MACHO MAN 11-47 D 1JM (DP 911326), MACHO MAN 11-47 E 1WA (DP 911327), MACHO MAN 11-47 F 2JM (DP 911329), MACHO MAN 11-47 G 2LS (DP 911330), MACHO MAN 11-47 H 2MS (DP 911331), MACHO MAN 11-47 I 2WA (DP 911332), MACHO MAN 11-47 J 2WB (DP 911333), MACHO MAN 11-47 K 3LS (DP 911334), MACHO MAN 11-47 L 3WB (DP 911335), NATURE BOY 11-37 A 1LS (DP 91147), NATURE BOY 11-27 A 1MS (DP 911480), NATURE BOY 11-37 A 1WA (DP 911481), NATURE BOY 11-27 A 1WB (DP 911482), NATURE BOY 11-38 B 1JM (DP 911483), NATURE BOY 11-38 C 2WA (DP 911484), NATURE BOY 11-38 D 2MS (DP 911485), NATURE BOY 11-38 E 2WB (DP 911486), NATURE BOY 11-38 F 2LS (DP 911487), NATURE BOY 11-38 G 2JM (DP 911488), NATURE BOY 11-38 H 2WA (DP 911489) to the Stone Cold 11-2 Battery. All wells are in the Spraberry (Trend Area) field in Midland County, Texas. This application is for off lease storage, common separation, common storage and casinghead gas metering by allocation by well test. Production will be allocated by W-10 Tests. Any royalty or working interest owners who have not received written notification, please consider this your Notice of Application. If you have objections to the issuance of this permit, you may submit a letter to P-17 Department, Railroad Commission of Texas, PO Box 12967, Austin, Texas 78711. Unless the Railroad Commission receives a protest to this application, the Commission may issue a permit within 21 days following the date of last publication.

Campaign: 11141800

COPY OF ADVERTISEMENT

NOTICE

City of Midland Second Year Action Plan for 2026/2027
Community Development and Housing Funds

The City of Midland has prepared the 2026/2027 (October 1, 2026, to September 30, 2027) Action Plan to the Consolidated Plan. The Second Year Plan establishes Midland's annual strategy for investment of its U.S. Department of Housing and Urban Development (HUD). Community Development Block Grant (CDBG) resources are linked to activities directed at community development, housing, and homeless service needs.

The Action Plan may be examined on the City of Midland Website (www.midlandtexas.gov): Community Development web page. Viewing of the document may also be accessed at the following locations:

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1803 E. Indiana

Martin Luther King Jr. Community Center
2300 Butternut Lane

Casa de Amigos of Midland
1101 Garden Ln.

Midland Senior Center
3303 W. Illinois Ave Suite 18

The primary funding source is the City's 2026/2027 CDBG entitlement allocation, and program income totaling $1,266,933.

CDBG Fund Programs:

The City anticipates that 100% of funds will benefit low-moderate-income persons. The Plan includes a narrative addressing a variety of issues and required certifications. The agency responsible for development of the Plan is the Community Development Division of the City's Development Services Department.

Please direct any **written comments** to the City's Community Development Division, PO Box 1152, Midland, Texas, 79702, by **July 27, 2026**. The Midland City Council will consider approval of the plan during the regular Council meeting on August 11, 2026. The Plan will be forwarded to HUD by August 15, 2026.

For more information, contact the CDBG Office at 685-7408 or 685-7472. igarnett@midlandtexas.gov or wvalles@midlandtexas.gov

City Council Meeting

Item Number: 11.
Meeting Date: August 11, 2026
To: City Council
From: Lindsey Adams, Strategic Partnerships Officer, Gabriel McClelland, Engineering Services Director
Subject: MOTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH MIDLAND COUNTY UNDER WHICH (1) MIDLAND COUNTY WILL UNDERTAKE A ROAD RECONSTRUCTION PROJECT INVOLVING, IN PART, PORTIONS OF GIST AVENUE AND FRANCIS AVENUE THAT ARE LOCATED WITHIN THE CITY'S BOUNDARIES AND (2) THE CITY WILL PAY TO MIDLAND COUNTY A SUM NOT TO EXCEED $616,972.70 FOR THE PORTIONS OF THE PROJECT THAT ARE LOCATED WITHIN THE CITY'S BOUNDARIES

Purpose:
Midland County's road reconstruction project includes portions of Gist Avenue and Francis Avenue within the City of Midland limits. Through an interlocal partnership, the City will fund the County's reconstruction of these two segments, allowing the work to be completed as one coordinated project. This approach reduces mobilization costs, improves construction efficiency, minimizes disruptions to motorists, and extends the service life of both roadways.

Recommended Action:
Approve the interlocal agreement

Fiscal Impact:
Funding is available and will be appropriated from the 2017 Road Bond.

Strategic Priority:
STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE

Discussion:
The project includes mill-and-fill improvements on Gist Avenue from Midkiff Road to West Industrial Loop and Francis Avenue from Clark Street to Garfield Street. The City will contribute $616,972.70 for work within City limits, while Midland County will contribute $2,437,587.65 and oversee bidding, construction, and project management. Upon completion, the City will reimburse the County in accordance with the interlocal agreement.

Attachments:
None

Lindsey Adams, Engineering Services	Created/Initiated - 7/27/2026
Gabriel McClelland, Engineering Services	Approved - 7/28/2026
Christy Weakland, Finance	Approved - 8/4/2026
Linda Ochoa, Legal	Approved - 8/4/2026
Jose Ortiz, City Manager	Approved - 8/5/2026
Kathy Rauda, City Secretary	Final Approval - 8/5/2026

City Council Meeting

Item Number: 12.
Meeting Date: August 11, 2026
To: City Council
From: Gabriel McClelland, Engineering Services Director
Subject: MOTION APPROPRIATING THE SUM OF $7,500,000.00 FROM THE 2025 CERTIFICATES OF OBLIGATION TO A PROJECT ACCOUNT FOR THE CONSTRUCTION OF SINCLAIR AVENUE FROM KIRKLAND DRIVE TO COUNTY ROAD 1250

Purpose:
To establish the Sinclair Avenue Extension project account and appropriate $7,500,000 from the 2025 Certificates of Obligation for construction of Sinclair Avenue from Kirkland Street to County Road 1250.

Recommended Action:
Staff recommends approval

Fiscal Impact:
Funding is available in the 2025 Certificates of Obligation and will be appropriated for this purpose

Strategic Priority:
STRENGTHEN AND SUSTAIN OUR INFRASTRUCTURE

Discussion:
The Sinclair Avenue Extension project will construct a new roadway connection from Kirkland Street to County Road 1250. The project will improve connectivity in the area and provide roadway infrastructure needed to support continued residential and commercial growth within Council District 4. The project is anticipated to be advertised for bids in fall 2026. Approval of this item will establish the project account and appropriate $7,500,000 from the 2025 Certificates of Obligation for the project's intended purpose.

This project supports the City's strategic goal of strengthening and sustaining infrastructure.

Attachments:
A. Agenda Request Memo - Sinclair Ave. Extension Project

Natalie Burgard, Engineering Services — Created/Initiated - 7/27/2026
Gabriel McClelland, Engineering Services — Approved - 7/28/2026

Christy Weakland, Finance	Approved - 8/4/2026
Linda Ochoa, Legal	Approved - 8/4/2026
Jose Ortiz, City Manager	Approved - 8/5/2026
Kathy Rauda, City Secretary	Final Approval - 8/5/2026

INTEROFFICE MEMORANDUM

TO: City Council

FROM: Gabe McClelland, Director of Engineering Services

SUBJECT: Motion to Establish the Sinclair Avenue Extension Project Account and Appropriate $7,500,000 from the 2025 Certificates of Obligation

DATE: July 20, 2026

Approval of a motion to establish the Sinclair Avenue Extension project account and appropriate $7,500,000 from the 2025 Certificates of Obligation is requested.

The funds will be used for the construction of Sinclair Avenue from Kirkland Street to County Road 1250. The project will improve connectivity and provide roadway infrastructure to support continued residential and commercial growth in Council District 4 and TIRZ 3. The project is anticipated to be advertised for bids in fall 2026.

Approval of this item will establish the project account and appropriate the funds for their intended purpose. The project supports the City's strategic goals of strengthening the local economy and strengthening and sustaining infrastructure.

City Council Meeting

Item Number: 13.
Meeting Date: August 11, 2026
To: City Council
From: Lindsey Adams, Strategic Partnerships Officer
Subject: RESOLUTION ADOPTING THE CITY OF MIDLAND, TEXAS' LEGISLATIVE AGENDA FOR THE TEXAS LEGISLATURE'S 90TH LEGISLATIVE SESSION

Purpose:
Every two years the state legislature convenes for a regular session for 140 days to set the budget and create new laws for the State of Texas. These sessions look at priorities and issues facing the State of Texas. In January 2027, the state will convene for the 90th Legislative session. The City of Midland participates in the legislative session to ensure that local government has a voice in the state process. With thousands of bills being filed in any given session, it is important that the City sets positions on key issues that might be taken up by the state.

Recommended Action:
Approve

Fiscal Impact:
None

Strategic Priority:
PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT

Discussion:
The legislative agenda for the City of Midland serves as a guiding document outlining the city's priorities and policy positions. This will be used during the session to guide support or opposition to filed bills. Having a clear, set agenda allows us to better communicate with our delegation as well as demonstrate our stances on a variety of issues. It is standard practice across Texas for municipalities to have a council-adopted Legislative Agenda.

Attachments:
A. RESOLUTION - Adopt Agenda for 90th Legislative Session Reso

Lindsey Adams, Engineering Services	Created/Initiated - 7/28/2026
Michele Hagemann, Strategic Partnerships Office	Approved - 7/28/2026
Lindsey Adams, Engineering Services	Approved - 7/28/2026
Carl Craigo, Utilities	Approved - 7/30/2026

Linda Ochoa, Legal	Approved - 8/4/2026
Jose Ortiz, City Manager	Approved - 8/5/2026
Kathy Rauda, City Secretary	Final Approval - 8/5/2026

RESOLUTION NO. _____

RESOLUTION ADOPTING THE CITY OF MIDLAND, TEXAS' LEGISLATIVE AGENDA FOR THE TEXAS LEGISLATURE'S 90TH LEGISLATIVE SESSION

WHEREAS, the City of Midland, Texas has prepared an agenda consisting of certain initiatives, policies, and positions that it seeks to pursue, or cause to be pursued, during the Texas Legislature's 90th Legislative Session (the "Legislative Agenda"); and

WHEREAS, the City of Midland's adoption of the Legislative Agenda demonstrates its commitment to the interests of its citizenry and achieving the goals outlined in the Legislative Agenda; and

WHEREAS, the City Council finds it to be in the public interest to adopt the Legislative Agenda;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the above recitals are hereby adopted and approved for all purposes.

SECTION TWO. That the City of Midland, Texas hereby adopts the Legislative Agenda, which is incorporated herein by reference as if fully set forth herein. The Legislative Agenda shall be kept on file in the office of the City Secretary and referenced by the date and number of this resolution.

On motion of Council member _____, seconded by Council member _____, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the _____ day of _____, A.D., 2026, by the following vote:

Council members voting "AYE":

Council members voting "NAY":

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

RECOMMENDED AND APPROVED:

_____
Tommy Gonzalez, City Manager

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Lindsey Adams, Strategic Partnerships Officer

APPROVED AS TO FORM ONLY:

_____
Nicholas Toulet, City Attorney

City Council Meeting

Item Number: 14.
Meeting Date: August 11, 2026
To: City Council
From: John Simmons, Right of Way Manager
Subject: MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE (26-495-026) BETWEEN THE CITY OF MIDLAND AND XRI HOLDINGS LLC; REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 11, BLOCK C-23, P.S.L. SURVEY, ABSTRACT NO. 1382, WINKLER COUNTY, COUNTY, TEXAS

Purpose:
This License is for a 25’ wide right of way for an access road to another on an adjacent property for pipeline maintenance. This road is away from COM water infrastructure.

This Right-of-Way License is proposed for a single ten (10) year period, paid in advance. Terms are consistent with the City’s standard license for facilities of this nature.

Recommended Action:
approve

Fiscal Impact:
The following fees will be collected:

Application fee (one time): $1,000

25’ wide road (61.67 rods * $160.00 per rod) $9,867.20

Total Collected: $10,867.20

Strategic Priority:
PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT

Discussion:
This access road will allow applicant easier access to adjacent private properties to maintain existing company owned pipelines.

Certificates of Insurance (COI) with City of Midland named as additional insured and a waiver

of subrogation in favor of the City of Midland has been collected and on file.

City Secretary to record completed License Agreement

Attachments:

A. ROW - XRI executed ROW License 26-495-026
B. Exhibit A
C. Council map XRI_TBar_070126
D. COI

John Simmons, Utilities	Created/Initiated - 7/30/2026
Carl Craigo, Utilities	Approved - 7/30/2026
Linda Ochoa, Legal	Approved - 8/4/2026
Jose Ortiz, City Manager	Approved - 8/5/2026
Kathy Rauda, City Secretary	Final Approval - 8/5/2026

RIGHT OF WAY LICENSE

THE STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF MIDLAND §

Date:	August 12, 2026
Licensor:	CITY OF MIDLAND, TEXAS, a home-rule municipal corporation
Licensor's Representative:	Tommy Gonzalez, City Manager
Licensor's Mailing Address:	P.O. Box 1152 Midland, Texas 79702
Licensee:	**XRI Holdings, LLC**
Licensee's Representative:	**Nick Hines**
Licensee's Mailing Address:	15 Smith Road, Suite 5000 Midland, Texas 79705
Property:	As described in Article III below
License Number:	**26-495-026**

Licensee desires use of certain Property (as defined below) in Winkler County, Texas for purposes set forth below. Licensor hereby authorizes Licensee to act as described in this license (this "License") limited to any and all rights Licensor may have to the Property and subject to any and all validly existing encumbrances, conditions, and restrictions relating to the Property.

W I T N E S S E T H:

For and in consideration of the execution of this License and the mutual promises and covenants of the parties hereto, it is mutually promised, understood and agreed as follows:

I. Term

A. Term. This License shall be for a term of ten (10) years commencing on the date of this License (the "Commencement Date") unless terminated earlier as provided hereafter.

B. Termination. Licensor may terminate this License if Licensee fails to pay, when due, any amount owing under this License and that failure continues for sixty (60) days or, if Licensee commits any material breach or material default in performance of any obligation, prohibition, restriction, provision or covenant contained in this License, and the breach or default continues for a period of thirty (30) days after Licensor delivers notice to Licensee reasonably detailing the breach or default.

Additionally, Licensor may terminate this License at will for any or no reason upon giving at least three hundred sixty-five (365) days' written notice to Licensee. The parties to this License understand and agree that it is in Licensor's sole discretion to terminate this License during the term of this License without penalty to Licensor. Licensee has no expectation and has received no guarantees that this License will not be terminated before the end of the License term. The parties have bargained for the flexibility of terminating this License upon tender of the requisite notice at any time during the term of this License. All work and services under this License shall be suspended upon termination of this License.

Upon expiration or termination of this License, Licensee shall remove all equipment and structures associated with the undertakings contemplated by this License. After removal of all equipment and structures associated with the undertakings contemplated by this License, the surface of the Property shall be restored at the expense of Licensee to its original condition, as close thereto as may be practical, subject to the approval of Licensor upon inspection by Licensor's Representative, which approval shall not be unreasonably withheld. All of said work shall be completed within one hundred eighty (180) days after the expiration or termination of this License. All of the terms, provisions and requirements of this paragraph shall survive the expiration or termination of this License.

II. Financial Consideration

A. License Fee. A license fee in the amount of NINE THOUSAND EIGHT HUNDRED SIXTY-SEVEN and 20/100 Dollars ($9,867.20) ("License Fee") shall be due and payable on or prior to the Commencement Date. The License Fee shall be non-refundable under any circumstances.

In the event Licensor terminates this License pursuant to the provisions of Section I.B., Licensor agrees to refund to Licensee a pro rata share of the License Fee actually paid by Licensee to Licensor for that portion of the remaining term that is being terminated. For the avoidance of doubt, the amount of any refund payable to Licensee pursuant to this paragraph shall be determined net of any costs or expenses incurred by Licensor in connection with Licensee's unfulfilled obligations under this License (if any).

B. Application Fee. On or prior to the Commencement Date of this License, Licensee shall pay a non-refundable one-time fee of One Thousand and No/100 Dollars ($1,000.00) to Licensor's Representative. The fee shall be used to process the application for this License.

C. Delivery of Payment. Payment of the above fees shall be made to Licensor at the office of Licensor's Representative, Attn: Right of Way Manager, P.O. Box 1152, Midland, Texas, 79702. Payment of the above fees shall be exclusive of and in addition to all general municipal taxes of whatever nature, including but not limited to ad valorem taxes and special taxes and assessments for public improvements.

D. Late Payment. Licensee's failure to make payment of any of the above fees within thirty (30) days after such fee is due shall constitute a late payment and Licensee shall pay Licensor a late charge of five percent (5%) of such fee.

III. Use

A. Permitted Use. Licensor does hereby grant unto Licensee, the right to enter upon the Property, being twenty-five (25) feet in width of the locations with operations limited to areas as shown on **Exhibit A** attached hereto and incorporated herein for the purpose of placing, constructing, operating, repairing, maintaining, replacing and removing, thereon, along the herein described locations, an access road, not to exceed twenty-five (25) feet in width (the "Permitted Facilities"), and to have the right of ingress and egress at convenient points for such purpose (the "Property"). Neither Licensee nor any of its contractors, representatives, or agents shall operate a vehicle more than five (5) feet in excess of the locations Licensee is permitted to access under this Article III.A. For each violation of this provision, Licensee shall pay to Licensor a fee in the amount of Seven Hundred Fifty and No/100 Dollars ($750.00). Determinations of violations shall be made at the sole, reasonable discretion of Licensor. **Licensee shall provide Licensor with a complete as-built survey within sixty (60) days of completion of the Permitted Facilities described herein. The parties agree Licensee's failure to provide Licensor with a complete as-built survey within sixty (60) days of completion of the Permitted Facilities described herein may result in the termination of this License. The decision to accept a complete as-built survey after the sixty-day deadline prescribed herein, or, conversely, to terminate this License shall be in the sole and absolute discretion of Licensor.**

B. Road Repair. Licensee covenants and agrees that it will repair, at its own expense, any of Licensor's roads that Licensee, its employees, contractors, representatives, agents or assigns damage on Licensor's property, so that such roads will comply with Licensor's standard specifications.

C. Utility Repair. Licensee covenants and agrees that Licensee shall, at its own expense, repair all water lines, sewer lines, service lines, water meters and other utility lines owned by Licensor that Licensee, its employees, contractors, representatives, agents or assigns, damage so that such water lines, sewer lines, water meters and other utility lines shall comply with Licensor's standard specifications.

D. Excavation and Removal. Licensee expressly agrees, in connection with the completion of its construction of the Permitted Facilities, to leave the surface of the Property graded to the level of the surrounding land. Licensee will remove any rocks or other debris from the surface of the Property having any single dimension larger than four (4) inches. The rocks removed by reason of the construction and installation of the Permitted Facilities, having any dimension larger than twelve (12) inches shall be removed from the Property and anything less than twelve (12) inches may be used in back-filling any excavation, at Licensor's sole discretion. All topsoil will be separated during construction and uniformly spread on top of the surface at the completion of construction.

E. Pipeline Depth. Intentionally omitted.

F. Approval of Bids. Before Licensee seeks bids on any phase of the repair of public streets, alleys, water lines, sewer lines or any other public utilities, Licensee shall first obtain written approval of the specifications therefor from Licensor's Representative, which approval shall be at Licensor's Representative's sole discretion.

G. Reservation of Rights. Licensor expressly reserves the right to install, repair, or reconstruct

streets or roads and all ancillary public uses usual and customary in connection with streets and roads, expressly including but not limited to drainage facilities and related structures in the rights of way used and occupied by Licensee.

Licensor reserves the right to lay and permit to be laid, sewer, gas, water, and other pipelines or cables and conduits, and to do and permit to be done, any underground or overhead installation or improvement that may be deemed necessary or proper by the governing body of Licensor, in, on, across, along, over, under, and through any property occupied by Licensee. In permitting such work to be done, Licensor shall not be liable to Licensee for any damage so caused to Licensee's system or property, **NOR SHALL LICENSOR BE LIABLE TO LICENSEE FOR ANY DAMAGES TO LICENSEE'S PERMITTED FACILITIES OR OTHER PERMITTED FACILITIES ARISING OUT OF THE NEGLIGENCE BY LICENSOR, ITS EMPLOYEES, OFFICERS OR AGENTS, OR LICENSOR'S CONTRACTORS OR SUBCONTRACTORS**. If Licensor requires Licensee to remove, alter, change, adapt, or conform Licensee's facilities because of changes in the grade or construction of a street or in the location or manner of constructing a water pipe, sewer pipe, or other surface, underground or aboveground structure owned by Licensor, Licensee shall make the alterations or changes as soon as practicable, and in no event longer than one hundred eighty (180) days, when ordered in writing by Licensor, without claim for reimbursement for the cost of the relocation or for damages against Licensor. If these requirements impose a financial hardship upon Licensee, Licensee shall have the right to present alternative proposals for Licensor's consideration.

H. Non-exclusive. Licensor expressly reserves the full right to grant other easements or rights of way crossing or running parallel with the rights of way used by Licensee.

I. Abandonment. It is especially provided, however, that as an express condition of this License, and not as a mere covenant, in the event Licensee abandons any equipment or appurtenances associated with the undertakings contemplated by this License, or the Property ceases to be used for the purposes enumerated herein for any period of twelve (12) consecutive months, or longer, other than the time elapsing between the date hereof and construction, and upon giving Licensee one hundred and twenty (120) days' written notice, then and in that event, this License shall automatically terminate and revert to Licensor, its successors or assigns, free and clear of any right, title, or interest of Licensee.

J. Approval of Specifications. In the event Licensee desires to reconstruct, repair, alter, replace or remove any portion of the Permitted Facilities built hereunder, Licensee shall submit the plans and specifications that pertain to the rebuilding or repairs of Licensor's streets and roads and the rebuilding or repairs of any of Licensor's public utilities to Licensor's Representative for his or her prior written approval, which approval shall be at Licensor's Representative's sole discretion. In the event of emergency repairs necessary to restore service, Licensee shall notify Licensor's Representative before making any repairs if during a Licensor workday. If not on a workday, Licensee shall notify Licensor's Representative on the first workday after repairs have begun.

K. Gates and Fences. Without altering or expanding the limitations on ingress, egress and access to the Property set forth in Paragraph A. of Article III above, Licensee agrees to use existing gates and roadways where available, to enter, leave and cross the Property; provided that Licensee shall not use any road marked "Closed". Licensee and all persons entering or leaving the Property in connection with Licensee's operations hereunder shall keep all outside and interior gates securely

closed except during operations related to this License. Licensee shall keep all outside gates, and all other gates designated by Licensor, securely locked except during operations related to this License. At any gate that is to be locked, Licensor may install its own lock in addition to Licensee's lock.

Licensee agrees that Licensee shall not cut or go over any fence at any time or in connection with any operations on the Property without first obtaining Licensor's express prior consent thereto in writing. All gates or openings in fences shall be at mutually agreeable location(s) between Licensee and Licensor and shall be constructed as reasonably required by Licensor. Upon the termination of this License, at Licensor's election, gates in fences shall be left in place and shall thereafter be owned by Licensor or Licensee shall remove such gates and restore the fence to its original condition as nearly as reasonably practicable. The terms, provisions and requirements of this provision shall survive the termination or expiration of this License.

For each violation of this provision, Licensee shall pay to Licensor a fee in the amount of Seven Hundred Fifty and No/100 Dollars ($750.00). Determinations of violations shall be made at the sole, reasonable discretion of Licensor

L. Trash. Licensee shall keep the Property free of trash and debris at all times. Under no circumstances, will Licensee be allowed to bury any trash, debris or foreign material of any kind on or under the Property. Licensor shall have the right to expel and permanently ban from the Property any person observed disposing of trash on the Property. Upon the completion of any operations, all ribbons, flags, stakes and similar items shall by promptly removed from the Property. For each violation of this provision, Licensee shall pay to Licensor a fee in the amount of Seven Hundred Fifty and No/100 Dollars ($750.00). Determinations of violations shall be made at the sole, reasonable discretion of Licensor.

M. Hunting, Fishing and Alcohol Prohibited. No agent, employee, representative, contractor or subcontractor of Licensee or any other person allowed to enter the Property by Licensee shall be permitted to hunt, fish, trap, camp, picnic, ride motorcycles or four-wheelers or otherwise conduct any social gathering on the Property, nor shall any such persons be permitted to bring firearms, archery equipment, dogs, alcoholic beverages or illegal drugs on the Property at any time. Violations of this provision shall cause the violator to be regarded as a trespasser and subject to prosecution under trespass laws of the State of Texas. Licensor shall have the right to expel and permanently ban from the Property any person observed on the Property in violation of this provision. For each violation of this provision, Licensee shall pay to Licensor a fee in the amount of Seven Hundred Fifty and No/100 Dollars ($750.00). Determinations of violations shall be made at the sole, reasonable discretion of Licensor.

N. Storage of Machinery and Equipment. Licensee shall use no part of the Property to store machinery, equipment, or other property of Licensee while it is not being used.

O. Additional Reservations. Licensor reserves the right to use the surface, subsurface or airspace on, below or above the land covered by this License for any purpose allowed by law and deemed necessary or proper by Licensor and to do and permit to be done, any work in connection therewith which may be deemed necessary or proper by Licensor in, on, across, along, over, under, and through any portion of the Property. In the event of such work in connection with said purposes it shall be deemed necessary or proper by Licensor, at Licensor's sole discretion, to alter, change, or

relocate any portion of Licensee's Permitted Facilities, such alteration or change or relocation shall be commenced and completed by Licensee within one hundred eighty (180) days after being ordered in writing by Licensor pursuant to directions from Licensor without any claim for reimbursement for the cost of the alteration, change or relocation or damages against Licensor. The relocation, change, or alteration shall be at the sole cost of Licensee. Provided, however, that Licensee shall at all times be entitled to receive from appropriate governmental bodies, excluding Licensor, payment for alteration, change or relocation of its system to which it may be lawfully entitled to under applicable federal or state laws with respect to relocation payments. Without limiting the foregoing, Licensor expressly reserves the full right to grant other licenses, easements and/or rights-of-way in, on, across, along, over, under or through all or any portion of the Property. Licensor expressly reserves the right to use and grant to third parties the right to use all or any portion of the Property and the surface, subsurface or airspace on, below or above the Property for any purpose.

P. Remediation. Licensee shall be responsible for any leaks or spills resulting from its operations which may occur on the Property and Licensee shall undertake all commercially reasonable efforts to ensure leaks and spills will be properly remediated with work on the affected area commencing within seven (7) days of initial discovery of an incident and continuing in good faith to its completion. Licensee shall report all spills and leaks to Licensor or it's representatives within twenty-four (24) hours of initial discovery. Any portion of the Property affected by leaks, spills, re-entry, repairs, maintenance, or other related damages will be subject to remediation. During remediation, all contaminated soil shall be removed and replaced with fresh soil, free of contaminants, chemicals, or deleterious materials that may impair the growth of vegetation or pose risk to human health and safety. The affected area will be returned to pre-remediation grades and conditions to the extent reasonably practicable. A minimum of five inches (5") of topsoil shall be uniformly spread over the newly prepared surface and Licensee shall plant the disturbed area with the type and quantity of native grass or other reasonable landscaping designated by Licensor so that the disturbed area shall be generally restored to its original condition. Acceptance of remediation work shall be in Licensor's sole discretion and contingent upon final inspection and verification of completion by Licensor or its representatives. All contaminated soil removed from the Property will be charged at rate set forth in the then most current University of Texas System Rate and Damage Schedule published by the University of Texas System for caliche.

IV. Standard General Conditions

A. Insurance. Licensee shall at all times during the term of this License maintain and keep in full force and effect insurance in the following types and minimum amounts with companies authorized to do business in the State of Texas:

Commercial General Liability (including Contractual liability):

- Personal Injury: $1,000,000.00 per person
  $1,000,000.00 per occurrence
- Property Damage: $100,000.00 per occurrence

Business Automobile Liability: $1,000,000.00 combined single limit--
Personal Injury and Property Damage

Workers' Compensation: Statutory limits

Employers' Liability:	$1,000,000.00 per accident or occurrence
Umbrella Liability:	$10,000,000.00 each occurrence $10,000,000.00 aggregate

The Commercial General Liability shall be on an occurrence basis. This insurance shall name Licensor as an additional insured and all insurance shall waive subrogation in favor of Licensor.

The Workers' Compensation coverage provided by Licensee shall inure to the benefit of employees injured during the course and scope of their employment by Licensee pursuant to this License. The Workers' Compensation insurance shall waive all rights of subrogation against Licensor.

The Business Automobile Liability insurance provided by Licensee shall cover any auto for bodily injury and property damage, including owned vehicles, hired and non-owner vehicles, and employee non-ownership, and the amount of such policy shall be a minimum of $1,000,000.00 covering any vehicle used for the execution of the work that is the subject of this License. This insurance shall name Licensor as an additional insured and all insurance shall waive subrogation in favor of Licensor.

All insurance required pursuant to this License, except for Worker's Compensation Insurance, shall name Licensor as an additional insured. All insurance required pursuant to this License, including Worker's Compensation Insurance, shall provide for a waiver of subrogation as to Licensor. The parties agree that, prior to the execution of this License, Licensee shall provide one or more certificates of insurance showing that the requirements of this article have been met. Licensor shall determine, in its sole discretion, whether such requirements have been satisfied.

Licensor shall be provided written notice by Licensee's insurance provider not later than thirty (30) days prior to any reduction or termination of such coverage. Licensor shall not be required to provide any insurance whatsoever pursuant to this License.

Licensee shall contractually require all contractors, subcontractors, and sub-subcontractors that work on any portion of the work that is the subject of this License to obtain insurance coverage that meets or exceeds the policy requirements and minimum amounts as required herein and name the City of Midland as an additional insured (except as to Worker's Compensation Insurance). Licensee certifies that the one or more certificates of insurance provided as required herein complies with the requirements of Chapter 1811 of the Texas Insurance Code. Licensee shall not use an unapproved certificate of insurance or insert inappropriate language on a certificate. Compliance with state law is the sole responsibility of Licensee.

B. Indemnity. TO THE FULLEST EXTENT PERMITTED BY APPLICABLE LAW, LICENSEE, ITS SUCCESSORS AND ASSIGNS, AGREE TO INDEMNIFY, PROTECT, DEFEND AND HOLD HARMLESS LICENSOR AND LICENSOR'S REPRESENTATIVES, AGENTS, ATTORNEYS, EMPLOYEES, SUCCESSORS AND ASSIGNS (COLLECTIVELY, "INDEMNITEES") FOR, FROM AND AGAINST ANY AND ALL CLAIMS, LOSSES, DAMAGES, LIABILITIES, LIENS, FINES, PENALTIES, CAUSES OF ACTION, SUITS, CHARGES, JUDGMENTS, ADMINISTRATIVE

ORDERS, REMEDIATION REQUIREMENTS, ENFORCEMENT ACTIONS OF ANY KIND, PERSONAL INJURIES, PROPERTY DAMAGE, AND ALL COSTS AND EXPENSES INCURRED IN CONNECTION THEREWITH (INCLUDING, BUT NOT LIMITED TO, ATTORNEYS' FEES AND EXPENSES, INCLUDING, WITHOUT LIMITATION, ALL ATTORNEYS' FEES AND EXPENSES INCURRED IN ENFORCING THIS INDEMNITY) OF ANY NATURE, KIND OR DESCRIPTION OF ANY PERSON OR ENTITY, DIRECTLY OR INDIRECTLY ARISING OUT OF, CAUSED BY OR RESULTING FROM (IN WHOLE OR IN PART) THIS LICENSE, LICENSEE'S USE OF OR ACTIVITIES ON THE PROPERTY OR ANY OTHER PROPERTY OWNED BY LICENSOR, OR ANY ACT OR OMISSION OF LICENSEE, ANY CONTRACTOR, SUBCONTRACTOR, ANYONE DIRECTLY OR INDIRECTLY EMPLOYED BY THEM, OR ANYONE THAT THEY CONTROL OR EXERCISE CONTROL OVER (COLLECTIVELY, "LIABILITIES"), EVEN IF SUCH LIABILITIES ARISE FROM OR ARE ATTRIBUTED, IN WHOLE OR IN PART, TO THE NEGLIGENCE OF ANY INDEMNITEE. LICENSEE SHALL PROMPTLY ADVISE LICENSOR OF ANY ACTION, ADMINISTRATIVE OR LEGAL PROCEEDING OR INVESTIGATION TO WHICH THIS INDEMNIFICATION MAY APPLY, AND OF WHICH LICENSEE HAS RECEIVED NOTICE, AND LICENSEE, AT LICENSEE'S EXPENSE, SHALL ASSUME ON BEHALF OF LICENSOR (AND THE OTHER INDEMNITEES) AND CONDUCT WITH DUE DILIGENCE AND IN GOOD FAITH THE DEFENSE THEREOF WITH COUNSEL REASONABLY SATISFACTORY TO LICENSOR; PROVIDED, HOWEVER, THAT ANY INDEMNITEE SHALL HAVE THE RIGHT, AT ITS OPTION, TO BE REPRESENTED THEREIN BY COUNSEL OF ITS OWN SELECTION AND AT ITS OWN EXPENSE. IN THE EVENT OF FAILURE BY LICENSEE TO ASSUME THE DEFENSE OF LICENSOR IN ACCORDANCE WITH THIS INDEMNIFICATION, LICENSOR, AT ITS OPTION, AND WITHOUT RELIEVING LICENSEE OF ITS OBLIGATION HEREUNDER, MAY ASSUME SUCH DEFENSE, AFTER WRITTEN NOTICE THEREOF TO LICENSEE AND LICENSEE'S FAILURE TO RESPOND THERETO WITHIN TEN (10) BUSINESS DAYS AFTER RECEIPT OF SUCH NOTICE (SAID TEN (10) DAY PERIOD SHALL NOT APPLY IN ANY CASE WHERE IMMEDIATE ANSWERS, RESPONSES, OR OTHER AFFIRMATIVE ACTION IS REQUIRED TO PRESERVE THE RIGHTS OF LICENSOR) BUT ALL REASONABLE COSTS AND EXPENSES SO INCURRED BY LICENSOR IN THAT EVENT SHALL BE REIMBURSED BY LICENSEE TO LICENSOR, TOGETHER WITH INTEREST ON THE SAME FROM THE DATE ANY SUCH EXPENSE WAS PAID BY LICENSOR UNTIL REIMBURSED BY LICENSEE, AT THE RATE OF INTEREST PROVIDED TO BE PAID ON JUDGMENTS, BY THE LAWS OF THE STATE OF TEXAS.

WITHOUT LIMITING THE FOREGOING, LICENSEE AGREES THAT LICENSEE SHALL INDEMNIFY, PROTECT, DEFEND AND SAVE LICENSOR HARMLESS FROM ANY AND ALL CLAIMS, LIENS, JUDGMENTS, SUITS, CAUSES OF ACTION, AND DEMANDS OF ANY SUBCONTRACTORS, LABORERS, WORKMEN, MECHANICS, MATERIALMEN, OR FURNISHERS OF MACHINERY AND PARTS THEREOF, EQUIPMENT, POWER TOOLS, OR SUPPLIES, IN CONNECTION WITH THE CONSTRUCTION, OPERATION, REPAIR, MAINTENANCE, REPLACEMENT OR REMOVAL OF PORTIONS OR ENTIRETY OF THE PERMITTED FACILITIES DESCRIBED HEREIN.

WITHOUT LIMITING ANY OF THE FOREGOING, LICENSEE SHALL INDEMNIFY, PROTECT AND HOLD HARMLESS AND DEFEND EACH INDEMNITEE FROM ALL LIABILITIES, SUITS, ACTIONS, CLAIMS, DAMAGES, CAUSES OF ACTION, CHARGES, JUDGMENTS, PERSONAL INJURIES, ACCIDENTAL DEATH, PROPERTY DAMAGE, LOSSES AND EXPENSES OF ANY CHARACTER WHATSOEVER, INCLUDING, WITHOUT LIMITATION, ATTORNEY'S FEES, BROUGHT FOR OR ON ACCOUNT OF ANY INJURIES OR DAMAGES RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY ON ACCOUNT OF ANY NEGLIGENT ACT OF ANY INDEMNITEE, WHETHER SUCH NEGLIGENT ACT WAS THE SOLE PROXIMATE CAUSE OF THE INJURY OR DAMAGE OR A PROXIMATE CAUSE JOINTLY AND CONCURRENTLY WITH LICENSEE OR LICENSEE'S EMPLOYEES', REPRESENTATIVES', AGENTS', CONTRACTORS' OR SUBCONTRACTORS' NEGLIGENCE, IN THE EXECUTION, SUPERVISION AND OPERATIONS GROWING OUT OF OR IN ANY WAY CONNECTED WITH THE PERFORMANCE OF THIS LICENSE, INCLUDING, WITHOUT LIMITATION, SUCH NEGLIGENT ACTS ARISING FROM OR IN ANY WAY CONNECTED WITH THE PLACEMENT, CONSTRUCTION, OPERATION, REPAIR, MAINTENANCE, REPLACEMENT OR REMOVAL OF ANY PART OF LICENSEE'S PERMITTED FACILITIES ON LICENSOR'S PROPERTY. LICENSEE WILL BE REQUIRED TO PAY ANY JUDGMENT WITH COSTS WHICH MAY BE OBTAINED AGAINST LICENSOR OR ANY INDEMNITEE, INCLUDING RELATED ATTORNEY'S FEES.

WITHOUT LIMITING ANY OF THE FOREGOING, LICENSEE, ITS SUCCESSORS AND ASSIGNS, SHALL INDEMNIFY, PROTECT, DEFEND AND HOLD INDEMNITEES HARMLESS FROM AND AGAINST ALL CLAIMS, LOSSES, DAMAGES, LIABILITIES, LIENS, FINES, PENALTIES, CAUSES OF ACTION, SUITS, CHARGES, JUDGMENTS, ADMINISTRATIVE ORDERS, REMEDIATION REQUIREMENTS, ENFORCEMENT ACTIONS OF ANY KIND, PERSONAL INJURIES, PROPERTY DAMAGE, AND ALL COSTS AND EXPENSES INCURRED IN CONNECTION THEREWITH (INCLUDING, BUT NOT LIMITED TO, ATTORNEYS' FEES AND EXPENSES, INCLUDING, WITHOUT LIMITATION, ALL ATTORNEYS' FEES AND EXPENSES INCURRED IN ENFORCING THIS INDEMNITY) OF ANY NATURE, KIND OR DESCRIPTION OF ANY PERSON OR ENTITY, DIRECTLY OR INDIRECTLY ARISING OUT OF, CAUSED BY OR RESULTING FROM (IN WHOLE OR IN PART) (i) FAILURE OF LICENSEE, ANY CONTRACTOR, SUBCONTRACTOR, ANYONE DIRECTLY OR INDIRECTLY EMPLOYED BY THEM, OR ANYONE THAT THEY CONTROL OR EXERCISE CONTROL OVER (COLLECTIVELY, THE "INDEMNIFYING PARTIES"), TO COMPLY WITH ALL APPLICABLE LOCAL, FEDERAL AND/OR STATE ENVIRONMENTAL LAWS, INCLUDING BUT NOT LIMITED TO THE RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) AND THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA) (AS THEY MAY BE REAUTHORIZED AND/OR AMENDED) AND ALL OTHER LOCAL, FEDERAL AND STATE LAWS, IN CONNECTION WITH OR RELATED TO ANY INDEMNIFYING PARTY'S OPERATIONS OR ACTIVITIES ON THE PROPERTY, OR (ii) ANY INDEMNIFYING PARTY'S HANDLING, STORING, RELEASING OR TRANSPORTING OR DISPOSING OF ALL SUBSTANCES, INCLUDING BUT NOT LIMITED TO HAZARDOUS

SUBSTANCES AND HAZARDOUS WASTES, ON OR FROM THE PROPERTY OR ANY OTHER LANDS OF LICENSOR.

IT IS THE INTENTION OF THE PARTIES HERETO THAT THE PROVISIONS OF THIS INDEMNIFICATION SHALL APPLY TO AND PROTECT EACH INDEMNITEE FROM THE CONSEQUENCES OF STRICT LIABILITY IMPOSED OR THREATENED TO BE IMPOSED ON SUCH INDEMNITEE, AS WELL AS FROM THE CONSEQUENCES OF THE NEGLIGENCE OF ANY INDEMNITEE, WHETHER OR NOT THAT NEGLIGENCE IS A CONTRIBUTING OR CONCURRING CAUSE OF ANY LIABILITY INDEMNIFIED AGAINST IN THIS ARTICLE IV.B.

THE TERMS, PROVISIONS, REQUIREMENTS AND OBLIGATIONS OF THIS ARTICLE IV.B. SHALL SURVIVE TERMINATION OR EXPIRATION OF THIS LICENSE, AND SHALL NOT BE LIMITED BY OR TO DAMAGES, COMPENSATION OR BENEFITS PAYABLE UNDER INSURANCE POLICIES, WORKER'S COMPENSATION ACTS, DISABILITY BENEFIT ACTS OR OTHER EMPLOYEES' BENEFIT ACTS.

C. Assignment. The provisions of this License shall inure to the benefit of and be binding upon Licensor and Licensee and their respective successors and permitted assigns. The rights and privileges granted by Licensor under this License inure to the benefit of Licensee. No rights, privileges or obligations hereunder shall be assignable by Licensee without the express prior written consent of Licensor. Any required consent is to be evidenced by a letter written by Licensor's City Manager that fully recites the terms and conditions, if any, upon which consent is given. The granting of consent is in the sole discretion of Licensor's City Manager

D. Independent Contractor. It is expressly understood and agreed that Licensee shall perform all work described herein as an independent contractor and not as an officer, agent, servant or employee of Licensor; that Licensee shall have exclusive control of and the exclusive right to control the details of the work performed hereunder, and all persons performing the same; and shall be solely responsible for the acts and omissions of its officers, agents, employees, contractors and subcontractors; that the doctrine of respondeat superior shall not apply as between Licensor and Licensee, its officers, agents, employees, contractors and subcontractors; and that nothing herein shall be construed as creating a partnership or joint enterprise between Licensor and Licensee. No person performing any of the work described hereunder shall be considered an officer, agent, servant or employee of Licensor. Further, it is specifically understood and agreed that nothing in this License is intended or shall be construed as creating a "Community of Pecuniary Interest" or "An Equal Right of Control" which would give rise to vicarious liability. Licensee shall be an independent contractor under this License and shall assume all of the rights, obligations and liabilities applicable to it as such independent contractor hereunder. Licensor does not have the power to direct the order in which the work is done. Licensor shall not have the right to control the means, methods or details of Licensee's work. Licensee shall assume exclusive responsibility for the work. Licensee is entirely free to do the work in its own way. The provisions of this subparagraph (D.) shall not be deemed or construed as contradicting, limiting or conflicting with the provisions of subparagraph (M.) below.

E. Attorney Fees. SHOULD LICENSOR BE REQUIRED TO RESORT TO EMPLOYMENT OF ATTORNEYS TO ENFORCE THIS LICENSE, OR ANY OF ITS

RIGHTS UNDER THIS LICENSE, LICENSOR SHALL BE ENTITLED TO REIMBURSEMENT FROM LICENSEE FOR LICENSOR'S ATTORNEYS' FEES. LICENSEE SHALL REIMBURSE LICENSOR FOR LICENSOR'S ATTORNEYS' FEES INCURRED IN CONNECTION WITH THE PREPARATION AND NEGOTIATION OF THIS LICENSE. BY EXECUTING THIS LICENSE, LICENSEE AGREES TO WAIVE, AND DOES HEREBY KNOWINGLY, CONCLUSIVELY, VOLUNTARILY AND INTENTIONALLY WAIVE, ANY CLAIM IT HAS OR MAY HAVE IN THE FUTURE AGAINST LICENSOR REGARDING THE AWARD OF ATTORNEY'S FEES, WHICH ARE IN ANY WAY RELATED TO THIS LICENSE, OR THE CONSTRUCTION, INTERPRETATION, VALIDITY OR BREACH OF THIS LICENSE. WITHOUT LIMITING THE FOREGOING, LICENSEE SPECIFICALLY AGREES THAT IF LICENSEE BRINGS OR COMMENCES ANY LEGAL ACTION OR PROCEEDING RELATED TO THIS LICENSE, OR TO THE CONSTRUCTION, INTERPRETATION, VALIDITY OR BREACH OF THIS LICENSE, INCLUDING BUT NOT LIMITED TO ANY ACTION PURSUANT TO THE PROVISIONS OF THE TEXAS UNIFORM DECLARATORY JUDGMENTS ACT (TEXAS CIVIL PRACTICE AND REMEDIES CODE SECTION 37.001, ET SEQ., AS AMENDED), OR CHAPTER 271 OF THE TEXAS LOCAL GOVERNMENT CODE, LICENSEE AGREES TO ABANDON, WAIVE AND RELINQUISH ANY AND ALL RIGHTS TO THE RECOVERY OF ATTORNEY'S FEES TO WHICH LICENSEE MIGHT OTHERWISE BE ENTITLED.

LICENSEE AGREES THAT THIS IS THE VOLUNTARY AND INTENTIONAL RELINQUISHMENT AND ABANDONMENT OF A PRESENTLY EXISTING, KNOWN RIGHT. LICENSEE ACKNOWLEDGES THAT IT UNDERSTANDS ALL TERMS AND CONDITIONS OF THIS LICENSE. LICENSEE FURTHER ACKNOWLEDGES AND AGREES THAT THERE WAS AND IS NO DISPARITY OF BARGAINING POWER BETWEEN LICENSOR AND LICENSEE. THIS SECTION SHALL NOT BE CONSTRUED OR INTERPRETED AS A WAIVER OF GOVERNMENTAL IMMUNITY.

LICENSEE AND LICENSOR ARE RELYING ON THEIR OWN JUDGMENT. EACH PARTY HAD THE OPPORTUNITY TO DISCUSS THIS LICENSE WITH LEGAL COUNSEL PRIOR TO ITS EXECUTION.

F. Governing Law & Venue. All performance and payments made pursuant to this License shall be deemed to have occurred in Midland County, Texas. Exclusive venue for any claims, suits or any other action arising from or connected in any way to this License, or the performance of this License shall be in Midland County, Texas. The obligations and undertakings of each of the parties to this License shall be deemed to have been performed in Midland County, Texas. This License shall be construed, interpreted and enforced under the laws of the State of Texas. The laws of the State of Texas shall govern, construe and enforce all the rights and duties of the parties, including but not limited to tort claims and any and all other claims or disputes, arising from or relating in any way to the subject matter of this License, without regard to conflict of laws and rules that would direct application of the laws of another jurisdiction.

G. Release. NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS LICENSE, LICENSEE HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES LICENSOR, AND LICENSOR'S EMPLOYEES AND OFFICERS FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY

KIND WHATSOEVER WHICH LICENSEE HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKINGS CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS, OR LICENSOR'S NEGLIGENCE.

H. Governmental Immunity. By executing this License, Licensor is not waiving its right of governmental immunity. Licensor is retaining its immunity from suit. Licensor is not granting consent to be sued by legislative resolution or action. **THERE IS NO WAIVER OF GOVERNMENTAL IMMUNITY**.

I. Third-Party Beneficiary. Except as provided in Article IV.B. above with respect to Indemnitees, (i) Licensor's granting of this License does not create any third-party beneficiary, (ii) there is no third-party beneficiary to this License, and (iii) no person or entity who is not a party to this License shall have any third-party beneficiary or other rights hereunder.

J. Notices. Any notice or communication required in the administration of this License shall be sent by certified mail, return receipt requested, to the parties' respective mailing addresses as set forth hereinabove.

K. Notice of Alleged Breach; Statutory Prerequisite. Without limiting the provisions of Article IV.G. above, as a condition precedent to filing suit for alleged damages incurred by an alleged breach of an express or implied provision of this License, Licensee or its legal representative, shall give the City Manager, or any other reasonable official of Licensor, notice in writing (consisting of one (1) original and seven (7) copies of notice attached to a copy of this License) of such damages, duly verified, within one hundred eighty (180) days after the same has been sustained. The discovery rule does not apply to the giving of this notice. The notice shall include when, where and how the damages occurred, the apparent extent thereof, the amount of damages sustained, the amount for which Licensee will settle, the physical and mailing addresses of Licensee at the time and date the claim was presented and the physical and mailing addresses of Licensee for the six (6) months immediately preceding the occurrence of such damages, and the names and addresses of the witnesses upon whom Licensee relies to establish its claim; and a failure to so notify the City Manager or other such official of Licensor within the time and manner provided herein shall exonerate, excuse and except Licensor from any liability whatsoever. Licensor is under no obligation to provide notice to Licensee that Licensee's notice is insufficient. Licensor reserves the right to request reasonable additional information regarding the claim. Said additional information shall be supplied within thirty (30) days after receipt of notice.

The statutory prerequisites outlined herein constitute jurisdictional requirements pursuant to Section 271.154 of the Texas Local Government Code and Section 311.034 of the Texas Government Code. Notwithstanding any other provision, Licensee's failure to comply with the requirements herein shall perpetually bar Licensee's claim for damages under Chapter 271 of the Texas Local Government Code, and Section 311.034 of the Texas Government Code, regardless if Licensor has actual or constructive notice or knowledge of said claim or alleged damages. Licensee agrees that the requirements of this entire License are reasonable.

L. Consideration. The terms of this License are supported by good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties named herein.

M. Waiver of Governmental Immunity; Chapter 271, TEX. LOC. GOV'T CODE. The parties hereto agree that this License does not constitute a "Contract" for providing goods and/or services to Licensor as discussed in Subchapter I of Chapter 271 of the Texas Local Government Code, and Licensor does not waive, to the maximum extent allowed by law, any constitutional, statutory or common law right to sovereign immunity or governmental immunity from liability or suit. Licensor expressly does not consent to be sued or be liable. To the maximum extent allowed by law, nothing in this License constitutes a waiver of Licensor's governmental immunity and the parties hereto expressly agree that this License shall not constitute, nor be interpreted as a waiver of Licensor's governmental immunity under Subchapter I of Chapter 271 of the Texas Local Government Code, nor shall it constitute nor be interpreted as a waiver of Licensor's governmental immunity for the benefit of any third-party lacking privity to this License.

This License does not obligate Licensee to use the Property to construct, repair, operate, replace, or maintain Licensor's facilities or structures described herein, rather, it merely prohibits Licensee from using the Property for any other purpose. This License restricts the use of the Property to a specific purpose but does not require the use of the Property for a specific purpose. Licensee is not providing a service to Licensor. Licensee is paying Licensor for temporary rights in real property, not for a service. Any such provision shall be deemed to be a covenant against noncomplying use, not a covenant to use. Licensee's use of the Property in compliance with a restriction shall not constitute a service, and such complying use shall not operate to waive Licensor's governmental immunity.

N. Compliance. Licensee agrees that it shall comply with Texas Government Code Section 2252.908, as amended, to the extent that this statute applies to this License. Licensee agrees that it shall comply with Texas Local Government Code Section 176.006, as amended, to the extent that this statute applies to this License.

O. Texas Historical Commission Survey. Licensee agrees that it shall comply with Chapter 191 of the Texas Natural Resources Code. By executing this License, Licensee represents that it has contacted the Texas Historical Commission (the "Commission") for the purpose of determining whether the Commission will request that an archaeological survey be completed before Licensee commences operations on the Property, as contemplated herein. Licensee agrees that it shall complete or cause to be completed an archaeological survey before commencing any operations on the Property if the Commission so requests and deliver the same to Licensor. Notwithstanding any provision contained herein, in the event that any site, object, artifact, or other feature of archaeological, scientific, educational, cultural, or historical interest is encountered during the operations authorized by this License, Licensee will immediately notify Licensor and the Commission so that adequate measures may be undertaken to protect or recover such discoveries or findings, as deemed appropriate by Licensor or the Commission.

P. Waiver. No waiver of any of the provisions of this License shall be deemed or constitute a waiver of any other provisions of this License, nor shall such waiver constitute a continuing waiver unless otherwise expressly provided. Likewise, the failure of Licensor to enforce any provision of this License shall not be deemed nor shall constitute a waiver of the right of Licensor to enforce such provision.

Q. Counterpart Execution. This License may be executed in several counterparts, and any such

agreement shall be deemed an original for all intents and purposes.

R. No Release of Liability. Notwithstanding anything to the contrary contained in this License, the termination or expiration of this License shall not relieve Licensee of any liability, duty or obligation under this License, nor shall it preclude Licensor from asserting any right to specific performance, damages or any other rights or remedies to which Licensor may be entitled. Upon termination or expiration of this License for any reason, Licensee shall execute and deliver a recordable release of this License to Licensor in form and substance satisfactory to Licensor.

S. Entire Agreement. This License constitutes the entire agreement between Licensor and Licensee concerning the subject matter hereof, superseding all negotiations, prior discussions, prior licenses and prior agreements and understandings related to the subject matter hereof. This License may only be amended by written instrument executed by Licensor and Licensee.

[Signature Pages Follow]

LICENSOR:
CITY OF MIDLAND, TEXAS

By:_____
Tommy Gonzalez, City Manager

ATTEST:

_____
Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT AND COMPLETENESS:

_____
Carl Craigo, Director of Utilities

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, City Attorney

LICENSEE:
XRI HOLDINGS, LLC

By: _____
Printed Name: Nick Hines
Title: Chief Operating Officer

THE STATE OF TEXAS §
§
COUNTY OF MIDLAND §

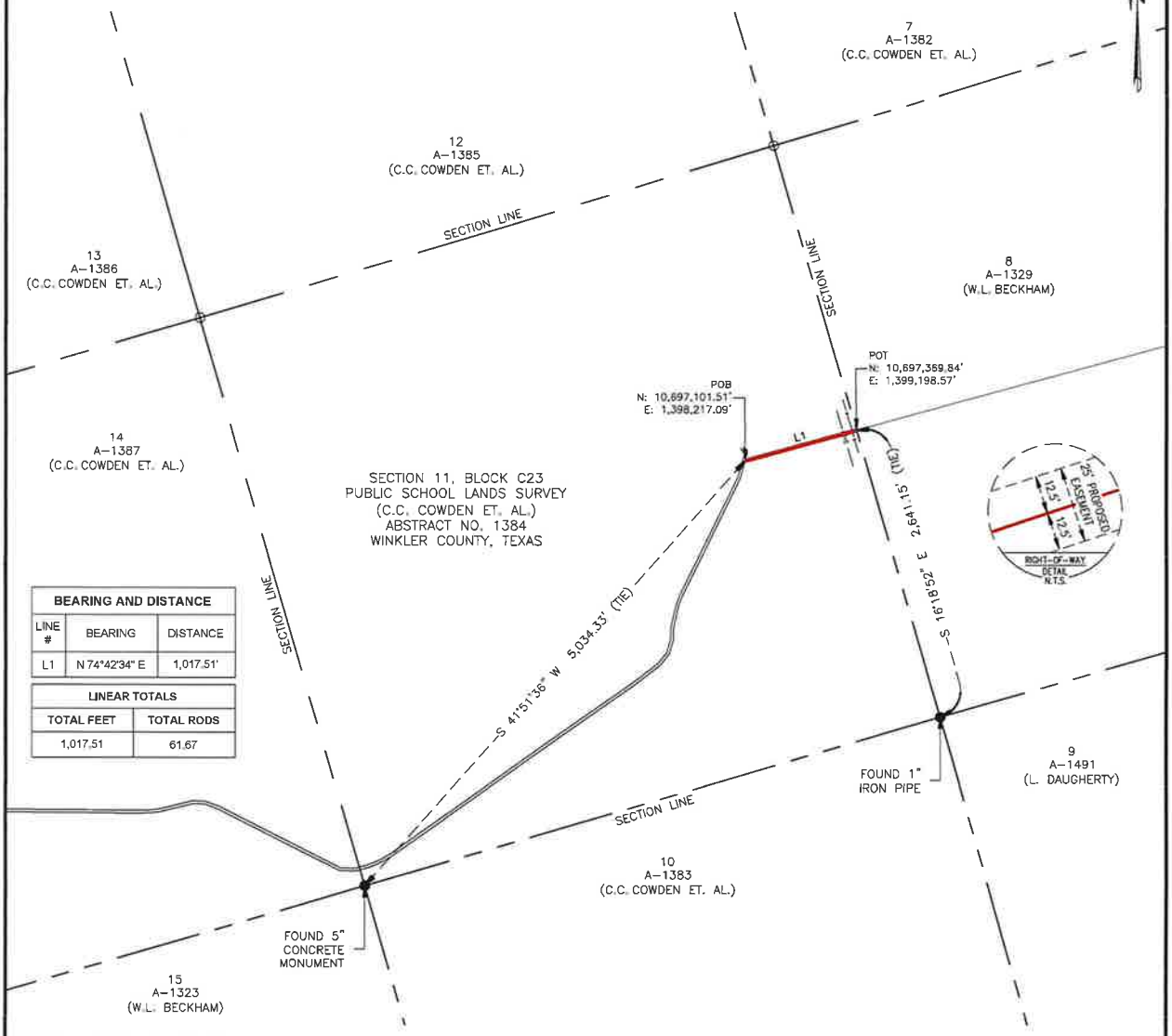
BEFORE ME, the undersigned authority, on this 28th day of July, 2026 personally appeared Nick Hines an officer of XRI Holdings, LLC known to me to be the person and official whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act and deed of said entity, for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 28th day of July, 2026.

_____
Notary Public, State of TEXAS

NOTARY PUBLIC
Willie Garcia
Exp. 8/10/2027
ID No. 128871176
STATE OF TEXAS

EXHIBIT
PROPOSED ACCESS ROAD PLAT
LEACO SWDS
SECTION 11, BLOCK C23, PUBLIC SCHOOL LANDS SURVEY, (C.C. COWDEN ET. AL.), ABSTRACT NO. 1384
WINKLER COUNTY, TEXAS



BEARING AND DISTANCE		
LINE #	BEARING	DISTANCE
L1	N 74°42'34" E	1,017.51'

LINEAR TOTALS	
TOTAL FEET	TOTAL RODS
1,017.51	61.67

25-FOOT ACCESS ROAD CENTERLINE DESCRIPTION

BEING, A TWENTY FIVE-FOOT (25') WIDE ACCESS ROAD BEING TWELVE AND HALF-FOOT (12.5') EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE, SITUATED IN **SECTION 11, BLOCK C23, PUBLIC SCHOOL LANDS SURVEY, (C.C. COWDEN ET. AL.), ABSTRACT NO. 1384**, WINKLER COUNTY, TEXAS;

BEGINNING AT A POINT HAVING COORDINATES OF **N: 10,697,101.51', E: 1,398,217.09' / LAT: 31.984124°, LONG: -103.230883°, POINT OF BEGINNING (P.O.B.)**, IN SAID SECTION 11, FROM WHICH A FOUND 5-INCH CONCRETE MONUMENT FOR THE SOUTHWEST CORNER OF SAID SECTION 11 BEARS S 41°51'36" W A DISTANCE OF 5,034.33 FEET;

THENCE N 74°42'34" E WITH SAID CENTERLINE, A DISTANCE OF 1,017.51 FEET TO THE **POINT OF TERMINATION (P.O.T.)**, HAVING COORDINATES OF **N; 10,697,369.84', E: 1,399,198.57' / LAT: 31.984931°, LONG: -103.227741°**, OF SAID TWENTY FIVE-FOOT (25') ACCESS ROAD, FROM WHICH A FOUND 1-INCH IRON PIPE FOR THE SOUTHEAST CORNER OF SAID SECTION 11 BEARS S 16°18'52" E A DISTANCE OF 2,641.15 FEET.

WHEREAS THE ABOVE DESCRIBED TWENTY FIVE-FOOT (25') ACCESS ROAD HAVING A CENTERLINE DISTANCE OF 1,017.51 LINEAR FEET, OR 61.67 RODS.

THIS CENTERLINE DESCRIPTION IS NOT MEANT TO DEPICT A BOUNDARY SURVEY.

STATE OF TEXAS
REGISTERED
ERNEST STEVEN HOLAWAY
5479
PROFESSIONAL
LAND SURVEYOR

E. STEVEN HOLAWAY Date: 06/30/2026

ERNEST STEVEN HOLAWAY R.P.L.S. NO. 5479
COOSA CONSULTING CORPORATION
PO BOX 1583, MIDLAND, TEXAS 79701
FIRM NO. 10194822

LEGEND
- SECTION LINES
- EXISTING FENCE
- EXISTING ELECTRIC
- PROPOSED CENTERLINE
- FOUND MONUMENT
- CALCULATED CORNER

1000' 0' 1000'

NOTES:
1.) THE INFORMATION IN THIS PLAT EXHIBIT IS BASED ON FIELD NOTES OR ELECTRONIC DATA OBTAINED FROM AN ACTUAL ON-THE-GROUND SURVEY CONDUCTED UNDER MY SUPERVISION. THIS PLAT EXHIBIT IS INTENDED SOLELY FOR RIGHT-OF-WAY ACQUISITION PURPOSES AND DOES NOT CONSTITUTE A COMPLETE BOUNDARY SURVEY AS DEFINED BY THE T.B.P.L.S. "PROFESSIONAL LAND SURVEYING PRACTICES ACT." ALL LANDOWNER INFORMATION, PROPERTY LINES, AND DESCRIPTIONS SHOWN ARE BASED ON DATA PROVIDED BY THE CLIENT LISTED ON THIS PLAT. THE SURVEYOR HAS NOT CONDUCTED A TITLE ABSTRACT OR INDEPENDENT VERIFICATION OF OWNERSHIP AND MAKES NO REPRESENTATION AS TO THE ACCURACY OR COMPLETENESS OF TITLE INFORMATION.
2.) COOSA CONSULTING MAKES NO GUARANTEE, EXPRESSED OR IMPLIED, REGARDING THE EXACT LOCATION OF EXISTING PIPELINES OR UNDERGROUND UTILITIES. FURTHERMORE, THERE IS NO GUARANTEE THAT ALL EXISTING PIPELINES OR UNDERGROUND UTILITIES HAVE BEEN IDENTIFIED OR LOCATED. THE INFORMATION SHOWN IS BASED ON VISIBLE EVIDENCE, AVAILABLE RECORDS, AND/OR INFORMATION PROVIDED BY OTHERS AND SHOULD BE INDEPENDENTLY VERIFIED PRIOR TO ANY EXCAVATION OR CONSTRUCTION.
3.) BEARINGS AND COORDINATES ARE GRID AS DERIVED FROM GPS OBSERVATION AND ARE BASED ON THE STATE PLANE COORDINATES FOR THE TEXAS CENTRAL ZONE 4203-NAD83

COOSA CONSULTING
PO BOX 1583, MIDLAND, TEXAS 79701
FIRM NO. 10194822

Date: 06/30/2026	Date: 06/30/2026	Scale: 1" = 1000'	DWG: 26-054984_LEACO_SWD_AR_SEC 11
Drawn: CAS	Checked: ESH	Job: 26-054984	REVISION NO. 0
DRAWING PATH: P:\Clients - Projects\XRI\26-054984_LeaCo SWDs\Drafting\ACCESS ROAD			PAGE 1 OF 1

EXHIBIT
PROPOSED ACCESS ROAD PLAT
LEACO SWDS
SECTION 11, BLOCK C23, PUBLIC SCHOOL LANDS SURVEY, (C.C. COWDEN ET. AL.), ABSTRACT NO. 1384
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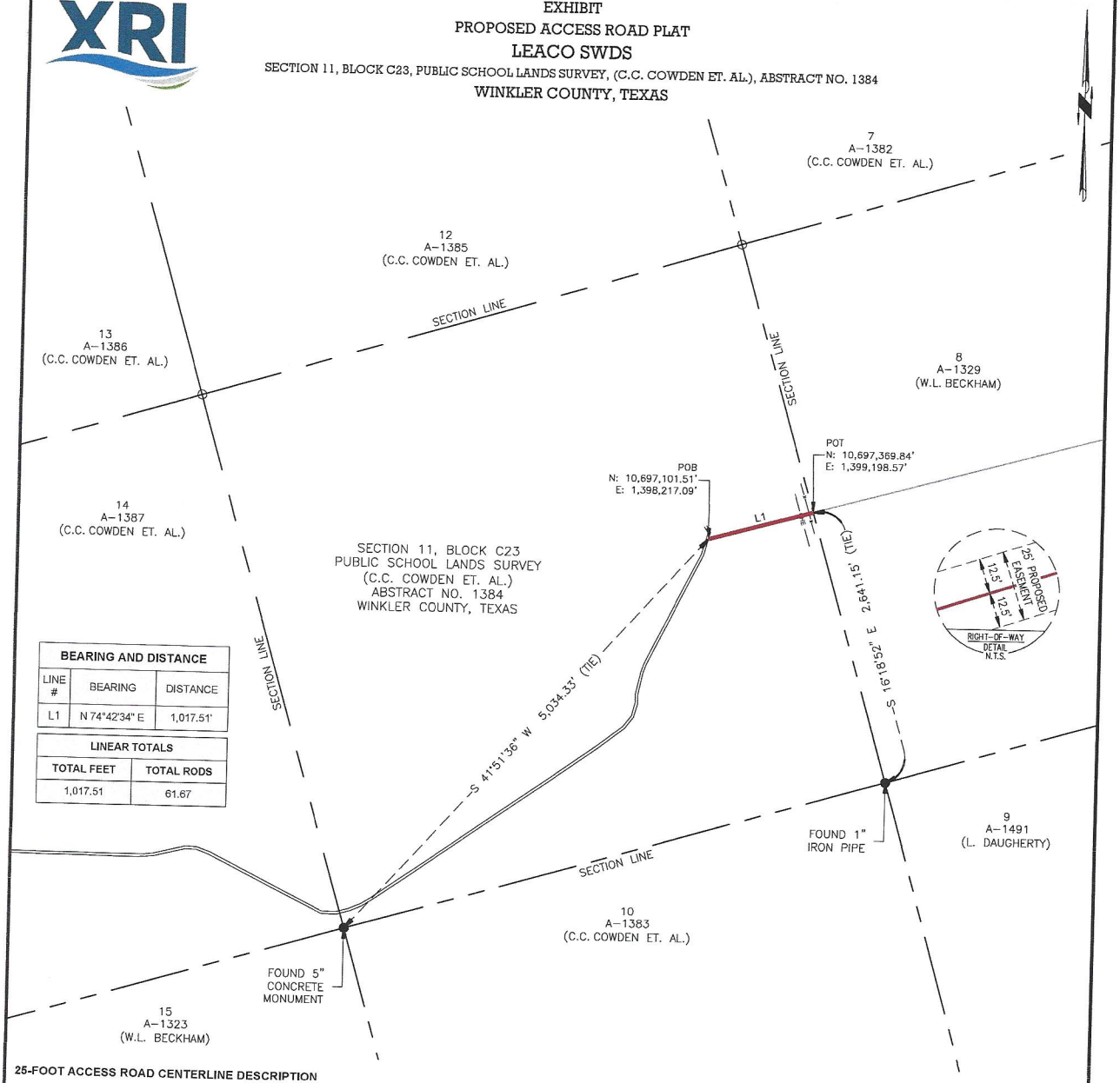

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STATE OF TEXAS
REGISTERED
ERNEST STEVEN HOLAWAY
5479
PROFESSIONAL
LAND SURVEYOR

E. STEVEN HOLAWAY Date: 06/30/2026

ERNEST STEVEN HOLAWAY R.P.L.S. NO. 5479
COOSA CONSULTING CORPORATION
PO BOX 1583, MIDLAND, TEXAS 79701
FIRM NO. 10194822

LEGEND
- SECTION LINES
- EXISTING FENCE
- OHE — OHE — EXISTING ELECTRIC
- PROPOSED CENTERLINE
- FOUND MONUMENT
- CALCULATED CORNER

1000' 0' 1000'

NOTES:
1.) THE INFORMATION IN THIS PLAT EXHIBIT IS BASED ON FIELD NOTES OR ELECTRONIC DATA OBTAINED FROM AN ACTUAL ON-THE-GROUND SURVEY CONDUCTED UNDER MY SUPERVISION, THIS PLAT EXHIBIT IS INTENDED SOLELY FOR RIGHT-OF-WAY ACQUISITION PURPOSES AND DOES NOT CONSTITUTE A COMPLETE BOUNDARY SURVEY AS DEFINED BY THE T.B.P.L.S. "PROFESSIONAL LAND SURVEYING PRACTICES ACT." ALL LANDOWNER INFORMATION, PROPERTY LINES, AND DESCRIPTIONS SHOWN ARE BASED ON DATA PROVIDED BY THE CLIENT LISTED ON THIS PLAT. THE SURVEYOR HAS NOT CONDUCTED A TITLE ABSTRACT OR INDEPENDENT VERIFICATION OF OWNERSHIP AND MAKES NO REPRESENTATION AS TO THE ACCURACY OR COMPLETENESS OF TITLE INFORMATION.
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COOSA CONSULTING
PO BOX 1583, MIDLAND, TEXAS 79701
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Date: 06/30/2026	Date: 06/30/2026	Scale: 1" = 1000'	DWG: 26-054984_LEACO_SWD_AR_SEC 11
Drawn: CAS	Checked: ESH	Job: 26-054984	REVISION NO. 0
DRAWING PATH: P:\Clients - Projects\XRI\26-054984_LeaCo SWDs\Drafting\ACCESS ROAD			PAGE 1 OF 1

SEC 13
BLK C23
PSL

SEC 12
BLK C23
PSL

SEC 7
BLK C23
PSL

SEC 14
BLK C23
PSL

SEC 11
BLK C23
PSL

SEC 8
BLK C23
PSL

Access Road
61.67 Rods (1,017.51 Feet)

LOCATION MAP

SEC 15
BLK C23
PSL

SEC 10
BLK C23
PSL

SEC 9
BLK C23
PSL

Date: 7/2/2026

- Proposed Access Road
- TBar PSC Waterline
- Survey Section
- City Owned Parcels

XRI Proposed Access Road

0 250 500 Feet

N
W E
S

©THE CITY OF MIDLAND - 2026
THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED ON THIS DATA.

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 09/26/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
McGriff, a Marsh & McLennan Agency LLC Company
2000 International Park Drive
Suite 600
Birmingham, AL 35243

CONTACT NAME:
PHONE (A/C, No, Ext): 1-800-476-2211 **FAX (A/C, No):**
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A :Zurich American Insurance Company	16535
INSURER B :Palomar Excess and Surplus Insurance Company	
INSURER C :Upland Specialty Insurance Company {16988}	16988
INSURER D :American Guarantee and Liability Insurance Company	26247
INSURER E :	
INSURER F :	

INSURED
XRI Investment Holdings LLC
XRI Holdings LLC
15 Smith Rd.
Ste 5000
Midland, TX 79705-5454

COVERAGES **CERTIFICATE NUMBER:** AWJRHXV2 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC OTHER:	X	X	GLO467917301	09/24/2025	09/24/2026	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 2,000,000 $ 300,000 $ $ 2,000,000 $ 4,000,000 $ 4,000,000
A	AUTOMOBILE LIABILITY X ANY AUTO X OWNED AUTOS ONLY X HIRED AUTOS ONLY SCHEDULED AUTOS X NON-OWNED AUTOS ONLY	X	X	BAP467916801	09/24/2025	09/24/2026	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ $ $
B	UMBRELLA LIAB X OCCUR X EXCESS LIAB CLAIMS-MADE DED RETENTION $	X	X	CEPXP25000016500	09/24/2025	09/24/2026	EACH OCCURRENCE AGGREGATE	$ 3,000,000 $ 3,000,000
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N / A	X	WC305717901	09/24/2025	09/24/2026	X PER STATUTE OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ 1,000,000 $ 1,000,000 $ 1,000,000
C D	Excess Automobile Liability Excess Liability	X	X	USXTL1090425 AEC385644201	09/24/2025	09/24/2026	Occurrence/Aggregate Occurrence/Aggregate	$ 1,000,000 $ 6,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Re: Right of Way License.
Certificate Holder is included as Additional Insured (Excluding Workers' Compensation) and Waiver of Subrogation applies, except where not permissible by law, if required by written contract, subject to policy terms, conditions, and exclusions.

CERTIFICATE HOLDER

City of Midland
300 N. Loraine
Midland, TX 79701

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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City Council Meeting

Item Number: 15.
Meeting Date: August 11, 2026
To: City Council
From: John Simmons, Right of Way Manager
Subject: MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE (26-329-025) WITH PLAINS ORYX PERMIAN BASIN PIPELINE LLC REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTIONS 20 AND 21, BLOCK 37, T-3-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS

Purpose:
This motion will provide applicant a 30-foot-wide right of way to lay a 8” steel construction Oil pipeline on City of Midland owned Sprayberry Farm where it will connect to an offsite existing pipeline and valve facility.

This Right-of-Way License is proposed for a single ten (10) year period, paid in advance. Terms are consistent with the City’s standard license for facilities of this nature.

Recommended Action:
Approve

Fiscal Impact:
The following fees will be collected:

Application fee (one time): $1,000.00 (pd)

10-Years Paid In advance:

8” pipeline (650.94 rods x $280/rod): $182,263.20

Total Collected: $183,263.20

Strategic Priority:
PROVIDE SOUND GOVERNANCE & FISCAL MANAGEMENT

Discussion:

This pipeline will connect to an existing pipeline off Sprayberry Farms and will be buried a minimum of 36” deep and will not interfere with Sprayberry Farm operations.

Certificates of Insurance (COI) with City of Midland named as additional insured and a waiver of subrogation in favor of the City of Midland has been collected and on file.

City Secretary to record completed License Agreement

Attachments:

A. ROW - Plains executed ROW License 26-329-025
B. Council Map Oryx_Spraberry_070826
C. COI
D. 10 years paid in full check

John Simmons, Utilities	Created/Initiated - 7/30/2026
Carl Craigo, Utilities	Approved - 7/30/2026
Linda Ochoa, Legal	Approved - 8/4/2026
Jose Ortiz, City Manager	Approved - 8/5/2026
Kathy Rauda, City Secretary	Final Approval - 8/5/2026

RIGHT OF WAY LICENSE

THE STATE OF TEXAS	§	
	§	KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF MIDLAND	§	

Date:	August 12, 2026
Licensor:	CITY OF MIDLAND, TEXAS, a home-rule municipal corporation
Licensor's Representative:	Tommy Gonzalez, City Manager
Licensor's Mailing Address:	P.O. Box 1152 Midland, Texas 79702
Licensee:	**Plains Oryx Permian Basin Pipeline LLC**
Licensee's Representative:	**Ryan Savoie**
Licensee's Mailing Address:	PO Box 53240 Midland, Texas 78701
Property:	As described in Article III below
License Number:	**26-329-025**

Licensee desires use of certain Property (as defined below) in Midland County, Texas for purposes set forth below. Licensor hereby authorizes Licensee to act as described in this license (this "License") limited to any and all rights Licensor may have to the Property and subject to any and all validly existing encumbrances, conditions, and restrictions relating to the Property.

W I T N E S S E T H:

For and in consideration of the execution of this License and the mutual promises and covenants of the parties hereto, it is mutually promised, understood and agreed as follows:

I. Term

A. Term. This License shall be for a term of ten (10) years commencing on the date of this License (the "Commencement Date") unless terminated earlier as provided hereafter.

B. Termination. Licensor may terminate this License if Licensee fails to pay, when due, any amount owing under this License and that failure continues for sixty (60) days or, if Licensee commits any material breach or material default in performance of any obligation, prohibition, restriction, provision or covenant contained in this License, and the breach or default continues for a period of thirty (30) days after Licensor delivers notice to Licensee reasonably detailing the breach or default.

Additionally, Licensor may terminate this License at will for any or no reason upon giving at least three hundred sixty-five (365) days' written notice to Licensee. The parties to this License understand and agree that it is in Licensor's sole discretion to terminate this License during the term of this License without penalty to Licensor. Licensee has no expectation and has received no guarantees that this License will not be terminated before the end of the License term. The parties have bargained for the flexibility of terminating this License upon tender of the requisite notice at any time during the term of this License. All work and services under this License shall be suspended upon termination of this License.

Upon expiration or termination of this License, Licensee shall remove all equipment and structures associated with the undertakings contemplated by this License. After removal of all equipment and structures associated with the undertakings contemplated by this License, the surface of the Property shall be restored at the expense of Licensee to its original condition, as close thereto as may be practical, subject to the approval of Licensor upon inspection by Licensor's Representative, which approval shall not be unreasonably withheld. All of said work shall be completed within one hundred eighty (180) days after the expiration or termination of this License. All of the terms, provisions and requirements of this paragraph shall survive the expiration or termination of this License.

II. Financial Consideration

A. License Fee. A license fee in the amount of ONE HUNDRED EIGHTY-TWO THOUSAND TWO HUNDRED SIXTY-THREE and 20/100 Dollars ($182,263.20) ("License Fee") shall be due and payable on or prior to the Commencement Date. The License Fee shall be non-refundable under any circumstances.

In the event Licensor terminates this License pursuant to the provisions of Section I.B., Licensor agrees to refund to Licensee a pro rata share of the License Fee actually paid by Licensee to Licensor for that portion of the remaining term that is being terminated. For the avoidance of doubt, the amount of any refund payable to Licensee pursuant to this paragraph shall be determined net of any costs or expenses incurred by Licensor in connection with Licensee's unfulfilled obligations under this License (if any).

B. Application Fee. On or prior to the Commencement Date of this License, Licensee shall pay a non-refundable one-time fee of One Thousand and No/100 Dollars ($1,000.00) to Licensor's Representative. The fee shall be used to process the application for this License.

C. Delivery of Payment. Payment of the above fees shall be made to Licensor at the office of Licensor's Representative, Attn: Right of Way Manager, P.O. Box 1152, Midland, Texas, 79702. Payment of the above fees shall be exclusive of and in addition to all general municipal taxes of whatever nature, including but not limited to ad valorem taxes and special taxes and assessments for public improvements.

D. Late Payment. Licensee's failure to make payment of any of the above fees within thirty (30) days after such fee is due shall constitute a late payment and Licensee shall pay Licensor a late charge of five percent (5%) of such fee.

III. Use

A. Permitted Use. Licensor does hereby grant unto Licensee, the right to enter upon the Property, being fifty (50) feet in width of the locations with operations limited to areas as shown on **Exhibit A** attached hereto and incorporated herein for the purpose of placing, constructing, operating, repairing, maintaining, replacing and removing, thereon, along the herein described locations, one (1) steel construction pipeline, not to exceed eight (8) inches in diameter, to be used solely and exclusively for the transportation of oil (the "Permitted Facilities"), and to have the right of ingress and egress at convenient points for such purpose, said construction width shall revert to thirty (30) feet after construction is completed (the "Property"). Neither Licensee nor any of its contractors, representatives, or agents shall operate a vehicle more than five (5) feet in excess of the locations Licensee is permitted to access under this Article III.A. For each violation of this provision, Licensee shall pay to Licensor a fee in the amount of Seven Hundred Fifty and No/100 Dollars ($750.00). Determinations of violations shall be made at the sole, reasonable discretion of Licensor. **Licensee shall provide Licensor with a complete as-built survey within sixty (60) days of completion of the Permitted Facilities described herein. The parties agree Licensee's failure to provide Licensor with a complete as-built survey within sixty (60) days of completion of the Permitted Facilities described herein may result in the termination of this License. The decision to accept a complete as-built survey after the sixty-day deadline prescribed herein, or, conversely, to terminate this License shall be in the sole and absolute discretion of Licensor.**

B. Road Repair. Licensee covenants and agrees that it will repair, at its own expense, any of Licensor's roads that Licensee, its employees, contractors, representatives, agents or assigns damage on Licensor's property, so that such roads will comply with Licensor's standard specifications.

C. Utility Repair. Licensee covenants and agrees that Licensee shall, at its own expense, repair all water lines, sewer lines, service lines, water meters and other utility lines owned by Licensor that Licensee, its employees, contractors, representatives, agents or assigns, damage so that such water lines, sewer lines, water meters and other utility lines shall comply with Licensor's standard specifications.

D. Excavation and Removal. Licensee expressly agrees, in connection with the completion of its construction of the Permitted Facilities, to leave the surface of the Property graded to the level of the surrounding land. Licensee will remove any rocks or other debris from the surface of the Property having any single dimension larger than four (4) inches. The rocks removed by reason of the construction and installation of the Permitted Facilities, having any dimension larger than twelve (12) inches shall be removed from the Property and anything less than twelve (12) inches may be used in back-filling any excavation, at Licensor's sole discretion. All topsoil will be separated during construction and uniformly spread on top of the surface at the completion of construction.

E. Pipeline Depth. Licensee covenants and agrees that it will bury the pipeline to be constructed hereunder no less than thirty-six (36) inches in depth. All backfill used in burying such pipeline shall be compacted to a density of ninety percent (90%), except where such pipeline crosses under a paved or traveled portion of any City of Midland right of way where such backfill shall be compacted to a density of ninety-five percent (95%). Licensor shall be afforded the opportunity to

test the density on all backfill. Notwithstanding any provision to the contrary contained herein, Licensee covenants and agrees that, at any point that Licensee's pipeline intersects with a City of Midland utility line location, the pipeline shall be bored at a depth of at least (i) nine (9) feet under all City of Midland water utility lines and (ii) two (2) feet under all City of Midland sewer utility lines. Licensee agrees that it shall comply with 30 Tex. Admin. Code § 290.44(e), as amended, to the extent applicable to this License.

F. Approval of Bids. Before Licensee seeks bids on any phase of the repair of public streets, alleys, water lines, sewer lines or any other public utilities, Licensee shall first obtain written approval of the specifications therefor from Licensor's Representative, which approval shall be at Licensor's Representative's sole discretion.

G. Reservation of Rights. Licensor expressly reserves the right to install, repair, or reconstruct streets or roads and all ancillary public uses usual and customary in connection with streets and roads, expressly including but not limited to drainage facilities and related structures in the rights of way used and occupied by Licensee.

Licensor reserves the right to lay and permit to be laid, sewer, gas, water, and other pipelines or cables and conduits, and to do and permit to be done, any underground or overhead installation or improvement that may be deemed necessary or proper by the governing body of Licensor, in, on, across, along, over, under, and through any property occupied by Licensee. In permitting such work to be done, Licensor shall not be liable to Licensee for any damage so caused to Licensee's system or property, **NOR SHALL LICENSOR BE LIABLE TO LICENSEE FOR ANY DAMAGES TO LICENSEE'S PERMITTED FACILITIES OR OTHER PERMITTED FACILITIES ARISING OUT OF THE NEGLIGENCE BY LICENSOR, ITS EMPLOYEES, OFFICERS OR AGENTS, OR LICENSOR'S CONTRACTORS OR SUBCONTRACTORS**. If Licensor requires Licensee to remove, alter, change, adapt, or conform Licensee's facilities because of changes in the grade or construction of a street or in the location or manner of constructing a water pipe, sewer pipe, or other surface, underground or aboveground structure owned by Licensor, Licensee shall make the alterations or changes as soon as practicable, and in no event longer than one hundred eighty (180) days, when ordered in writing by Licensor, without claim for reimbursement for the cost of the relocation or for damages against Licensor. If these requirements impose a financial hardship upon Licensee, Licensee shall have the right to present alternative proposals for Licensor's consideration.

H. Non-exclusive. Licensor expressly reserves the full right to grant other easements or rights of way crossing or running parallel with the rights of way used by Licensee.

I. Abandonment. It is especially provided, however, that as an express condition of this License, and not as a mere covenant, in the event Licensee abandons any equipment or appurtenances associated with the undertakings contemplated by this License, or the Property ceases to be used for the purposes enumerated herein for any period of twelve (12) consecutive months, or longer, other than the time elapsing between the date hereof and construction, and upon giving Licensee one hundred and twenty (120) days' written notice, then and in that event, this License shall automatically terminate and revert to Licensor, its successors or assigns, free and clear of any right, title, or interest of Licensee.

J. Approval of Specifications. In the event Licensee desires to reconstruct, repair, alter, replace

or remove any portion of the Permitted Facilities built hereunder, Licensee shall submit the plans and specifications that pertain to the rebuilding or repairs of Licensor's streets and roads and the rebuilding or repairs of any of Licensor's public utilities to Licensor's Representative for his or her prior written approval, which approval shall be at Licensor's Representative's sole discretion. In the event of emergency repairs necessary to restore service, Licensee shall notify Licensor's Representative before making any repairs if during a Licensor workday. If not on a workday, Licensee shall notify Licensor's Representative on the first workday after repairs have begun.

K. Gates and Fences. Without altering or expanding the limitations on ingress, egress and access to the Property set forth in Paragraph A. of Article III above, Licensee agrees to use existing gates and roadways where available, to enter, leave and cross the Property; provided that Licensee shall not use any road marked "Closed". Licensee and all persons entering or leaving the Property in connection with Licensee's operations hereunder shall keep all outside and interior gates securely closed except during operations related to this License. Licensee shall keep all outside gates, and all other gates designated by Licensor, securely locked except during operations related to this License. At any gate that is to be locked, Licensor may install its own lock in addition to Licensee's lock.

Licensee shall, at its sole cost and expense, install and maintain fencing around any above ground appurtenances related to Licensee's activities on the Property as reasonably required by Licensor to ensure the security and safety of such appurtenances. The type, height, and location of such fencing shall be subject to Licensor's prior written approval. Licensee shall promptly repair any damage to such fencing and shall remove the fencing and restore the area to its original condition, as nearly as reasonably practicable, upon the removal of the appurtenances or the termination of this License, whichever occurs first.

Licensee agrees that Licensee shall not cut or go over any fence at any time or in connection with any operations on the Property without first obtaining Licensor's express prior consent thereto in writing. All gates or openings in fences shall be at mutually agreeable location(s) between Licensee and Licensor and shall be constructed as reasonably required by Licensor. Upon the termination of this License, at Licensor's election, gates in fences shall be left in place and shall thereafter be owned by Licensor or Licensee shall remove such gates and restore the fence to its original condition as nearly as reasonably practicable. The terms, provisions and requirements of this provision shall survive the termination or expiration of this License.

For each violation of this provision, Licensee shall pay to Licensor a fee in the amount of Seven Hundred Fifty and No/100 Dollars ($750.00). Determinations of violations shall be made at the sole, reasonable discretion of Licensor

L. Trash. Licensee shall keep the Property free of trash and debris at all times. Under no circumstances, will Licensee be allowed to bury any trash, debris or foreign material of any kind on or under the Property. Licensor shall have the right to expel and permanently ban from the Property any person observed disposing of trash on the Property. Upon the completion of any operations, all ribbons, flags, stakes and similar items shall by promptly removed from the Property. For each violation of this provision, Licensee shall pay to Licensor a fee in the amount of Seven Hundred Fifty and No/100 Dollars ($750.00). Determinations of violations shall be made at the sole, reasonable discretion of Licensor.

M. Hunting, Fishing and Alcohol Prohibited. No agent, employee, representative, contractor or subcontractor of Licensee or any other person allowed to enter the Property by Licensee shall be permitted to hunt, fish, trap, camp, picnic, ride motorcycles or four-wheelers or otherwise conduct any social gathering on the Property, nor shall any such persons be permitted to bring firearms, archery equipment, dogs, alcoholic beverages or illegal drugs on the Property at any time. Violations of this provision shall cause the violator to be regarded as a trespasser and subject to prosecution under trespass laws of the State of Texas. Licensor shall have the right to expel and permanently ban from the Property any person observed on the Property in violation of this provision. For each violation of this provision, Licensee shall pay to Licensor a fee in the amount of Seven Hundred Fifty and No/100 Dollars ($750.00). Determinations of violations shall be made at the sole, reasonable discretion of Licensor.

N. Storage of Machinery and Equipment. Licensee shall use no part of the Property to store machinery, equipment, or other property of Licensee while it is not being used.

O. Additional Reservations. Licensor reserves the right to use the surface, subsurface or airspace on, below or above the land covered by this License for any purpose allowed by law and deemed necessary or proper by Licensor and to do and permit to be done, any work in connection therewith which may be deemed necessary or proper by Licensor in, on, across, along, over, under, and through any portion of the Property. In the event of such work in connection with said purposes it shall be deemed necessary or proper by Licensor, at Licensor's sole discretion, to alter, change, or relocate any portion of Licensee's Permitted Facilities, such alteration or change or relocation shall be commenced and completed by Licensee within one hundred eighty (180) days after being ordered in writing by Licensor pursuant to directions from Licensor without any claim for reimbursement for the cost of the alteration, change or relocation or damages against Licensor. The relocation, change, or alteration shall be at the sole cost of Licensee. Provided, however, that Licensee shall at all times be entitled to receive from appropriate governmental bodies, excluding Licensor, payment for alteration, change or relocation of its system to which it may be lawfully entitled to under applicable federal or state laws with respect to relocation payments. Without limiting the foregoing, Licensor expressly reserves the full right to grant other licenses, easements and/or rights-of-way in, on, across, along, over, under or through all or any portion of the Property. Licensor expressly reserves the right to use and grant to third parties the right to use all or any portion of the Property and the surface, subsurface or airspace on, below or above the Property for any purpose.

P. Remediation. Licensee shall be responsible for any leaks or spills resulting from its operations which may occur on the Property and Licensee shall undertake all commercially reasonable efforts to ensure leaks and spills will be properly remediated with work on the affected area commencing within seven (7) days of initial discovery of an incident and continuing in good faith to its completion. Licensee shall report all spills and leaks to Licensor or it's representatives within twenty-four (24) hours of initial discovery. Any portion of the Property affected by leaks, spills, re-entry, repairs, maintenance, or other related damages will be subject to remediation. During remediation, all contaminated soil shall be removed and replaced with fresh soil, free of contaminants, chemicals, or deleterious materials that may impair the growth of vegetation or pose risk to human health and safety. The affected area will be returned to pre-remediation grades and conditions to the extent reasonably practicable. A minimum of five inches (5") of topsoil shall be uniformly spread over the newly prepared surface and Licensee shall plant the disturbed area with the type and quantity of native grass or other reasonable landscaping designated by Licensor so that the disturbed area shall

be generally restored to its original condition. Acceptance of remediation work shall be in Licensor's sole discretion and contingent upon final inspection and verification of completion by Licensor or its representatives. All contaminated soil removed from the Property will be charged at rate set forth in the then most current University of Texas System Rate and Damage Schedule published by the University of Texas System for caliche.

IV. Standard General Conditions

A. Insurance. Licensee shall at all times during the term of this License maintain and keep in full force and effect insurance in the following types and minimum amounts with companies authorized to do business in the State of Texas:

Commercial General Liability (including Contractual liability):	
■ Personal Injury:	$1,000,000.00 per person $1,000,000.00 per occurrence
■ Property Damage:	$100,000.00 per occurrence
Business Automobile Liability:	$1,000,000.00 combined single limit-- Personal Injury and Property Damage
Workers' Compensation:	Statutory limits
Employers' Liability:	$1,000,000.00 per accident or occurrence
Umbrella Liability:	$10,000,000.00 each occurrence $10,000,000.00 aggregate

The Commercial General Liability shall be on an occurrence basis. This insurance shall name Licensor as an additional insured and all insurance shall waive subrogation in favor of Licensor.

The Workers' Compensation coverage provided by Licensee shall inure to the benefit of employees injured during the course and scope of their employment by Licensee pursuant to this License. The Workers' Compensation insurance shall waive all rights of subrogation against Licensor.

The Business Automobile Liability insurance provided by Licensee shall cover any auto for bodily injury and property damage, including owned vehicles, hired and non-owner vehicles, and employee non-ownership, and the amount of such policy shall be a minimum of $1,000,000.00 covering any vehicle used for the execution of the work that is the subject of this License. This insurance shall name Licensor as an additional insured and all insurance shall waive subrogation in favor of Licensor.

All insurance required pursuant to this License, except for Worker's Compensation Insurance, shall name Licensor as an additional insured. All insurance required pursuant to this License, including Worker's Compensation Insurance, shall provide for a waiver of subrogation as to Licensor. The parties agree that, prior to the execution of this License, Licensee shall provide one or more certificates of insurance showing that the requirements of this article have been met. Licensor shall determine, in its sole discretion, whether such requirements have been satisfied.

Licensor shall be provided written notice by Licensee's insurance provider not later than thirty (30) days prior to any reduction or termination of such coverage. Licensor shall not be required to provide any insurance whatsoever pursuant to this License.

Licensee shall contractually require all contractors, subcontractors, and sub-subcontractors that work on any portion of the work that is the subject of this License to obtain insurance coverage that meets or exceeds the policy requirements and minimum amounts as required herein and name the City of Midland as an additional insured (except as to Worker's Compensation Insurance). Licensee certifies that the one or more certificates of insurance provided as required herein complies with the requirements of Chapter 1811 of the Texas Insurance Code. Licensee shall not use an unapproved certificate of insurance or insert inappropriate language on a certificate. Compliance with state law is the sole responsibility of Licensee.

B. Indemnity. TO THE FULLEST EXTENT PERMITTED BY APPLICABLE LAW, LICENSEE, ITS SUCCESSORS AND ASSIGNS, AGREE TO INDEMNIFY, PROTECT, DEFEND AND HOLD HARMLESS LICENSOR AND LICENSOR'S REPRESENTATIVES, AGENTS, ATTORNEYS, EMPLOYEES, SUCCESSORS AND ASSIGNS (COLLECTIVELY, "INDEMNITEES") FOR, FROM AND AGAINST ANY AND ALL CLAIMS, LOSSES, DAMAGES, LIABILITIES, LIENS, FINES, PENALTIES, CAUSES OF ACTION, SUITS, CHARGES, JUDGMENTS, ADMINISTRATIVE ORDERS, REMEDIATION REQUIREMENTS, ENFORCEMENT ACTIONS OF ANY KIND, PERSONAL INJURIES, PROPERTY DAMAGE, AND ALL COSTS AND EXPENSES INCURRED IN CONNECTION THEREWITH (INCLUDING, BUT NOT LIMITED TO, ATTORNEYS' FEES AND EXPENSES, INCLUDING, WITHOUT LIMITATION, ALL ATTORNEYS' FEES AND EXPENSES INCURRED IN ENFORCING THIS INDEMNITY) OF ANY NATURE, KIND OR DESCRIPTION OF ANY PERSON OR ENTITY, DIRECTLY OR INDIRECTLY ARISING OUT OF, CAUSED BY OR RESULTING FROM (IN WHOLE OR IN PART) THIS LICENSE, LICENSEE'S USE OF OR ACTIVITIES ON THE PROPERTY OR ANY OTHER PROPERTY OWNED BY LICENSOR, OR ANY ACT OR OMISSION OF LICENSEE, ANY CONTRACTOR, SUBCONTRACTOR, ANYONE DIRECTLY OR INDIRECTLY EMPLOYED BY THEM, OR ANYONE THAT THEY CONTROL OR EXERCISE CONTROL OVER (COLLECTIVELY, "LIABILITIES"), EVEN IF SUCH LIABILITIES ARISE FROM OR ARE ATTRIBUTED, IN WHOLE OR IN PART, TO THE NEGLIGENCE OF ANY INDEMNITEE. LICENSEE SHALL PROMPTLY ADVISE LICENSOR OF ANY ACTION, ADMINISTRATIVE OR LEGAL PROCEEDING OR INVESTIGATION TO WHICH THIS INDEMNIFICATION MAY APPLY, AND OF WHICH LICENSEE HAS RECEIVED NOTICE, AND LICENSEE, AT LICENSEE'S EXPENSE, SHALL ASSUME ON BEHALF OF LICENSOR (AND THE OTHER INDEMNITEES) AND CONDUCT WITH DUE DILIGENCE AND IN GOOD FAITH THE DEFENSE THEREOF WITH COUNSEL REASONABLY SATISFACTORY TO LICENSOR; PROVIDED, HOWEVER, THAT ANY INDEMNITEE SHALL HAVE THE RIGHT, AT ITS OPTION, TO BE REPRESENTED THEREIN BY COUNSEL OF ITS OWN SELECTION AND AT ITS OWN EXPENSE. IN THE EVENT OF FAILURE BY LICENSEE TO ASSUME THE DEFENSE OF LICENSOR IN ACCORDANCE WITH THIS INDEMNIFICATION, LICENSOR, AT ITS OPTION, AND WITHOUT RELIEVING LICENSEE OF ITS OBLIGATION HEREUNDER, MAY ASSUME SUCH

DEFENSE, AFTER WRITTEN NOTICE THEREOF TO LICENSEE AND LICENSEE'S FAILURE TO RESPOND THERETO WITHIN TEN (10) BUSINESS DAYS AFTER RECEIPT OF SUCH NOTICE (SAID TEN (10) DAY PERIOD SHALL NOT APPLY IN ANY CASE WHERE IMMEDIATE ANSWERS, RESPONSES, OR OTHER AFFIRMATIVE ACTION IS REQUIRED TO PRESERVE THE RIGHTS OF LICENSOR) BUT ALL REASONABLE COSTS AND EXPENSES SO INCURRED BY LICENSOR IN THAT EVENT SHALL BE REIMBURSED BY LICENSEE TO LICENSOR, TOGETHER WITH INTEREST ON THE SAME FROM THE DATE ANY SUCH EXPENSE WAS PAID BY LICENSOR UNTIL REIMBURSED BY LICENSEE, AT THE RATE OF INTEREST PROVIDED TO BE PAID ON JUDGMENTS, BY THE LAWS OF THE STATE OF TEXAS.

WITHOUT LIMITING THE FOREGOING, LICENSEE AGREES THAT LICENSEE SHALL INDEMNIFY, PROTECT, DEFEND AND SAVE LICENSOR HARMLESS FROM ANY AND ALL CLAIMS, LIENS, JUDGMENTS, SUITS, CAUSES OF ACTION, AND DEMANDS OF ANY SUBCONTRACTORS, LABORERS, WORKMEN, MECHANICS, MATERIALMEN, OR FURNISHERS OF MACHINERY AND PARTS THEREOF, EQUIPMENT, POWER TOOLS, OR SUPPLIES, IN CONNECTION WITH THE CONSTRUCTION, OPERATION, REPAIR, MAINTENANCE, REPLACEMENT OR REMOVAL OF PORTIONS OR ENTIRETY OF THE PERMITTED FACILITIES DESCRIBED HEREIN.

WITHOUT LIMITING ANY OF THE FOREGOING, LICENSEE SHALL INDEMNIFY, PROTECT AND HOLD HARMLESS AND DEFEND EACH INDEMNITEE FROM ALL LIABILITIES, SUITS, ACTIONS, CLAIMS, DAMAGES, CAUSES OF ACTION, CHARGES, JUDGMENTS, PERSONAL INJURIES, ACCIDENTAL DEATH, PROPERTY DAMAGE, LOSSES AND EXPENSES OF ANY CHARACTER WHATSOEVER, INCLUDING, WITHOUT LIMITATION, ATTORNEY'S FEES, BROUGHT FOR OR ON ACCOUNT OF ANY INJURIES OR DAMAGES RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY ON ACCOUNT OF ANY NEGLIGENT ACT OF ANY INDEMNITEE, WHETHER SUCH NEGLIGENT ACT WAS THE SOLE PROXIMATE CAUSE OF THE INJURY OR DAMAGE OR A PROXIMATE CAUSE JOINTLY AND CONCURRENTLY WITH LICENSEE OR LICENSEE'S EMPLOYEES', REPRESENTATIVES', AGENTS', CONTRACTORS' OR SUBCONTRACTORS' NEGLIGENCE, IN THE EXECUTION, SUPERVISION AND OPERATIONS GROWING OUT OF OR IN ANY WAY CONNECTED WITH THE PERFORMANCE OF THIS LICENSE, INCLUDING, WITHOUT LIMITATION, SUCH NEGLIGENT ACTS ARISING FROM OR IN ANY WAY CONNECTED WITH THE PLACEMENT, CONSTRUCTION, OPERATION, REPAIR, MAINTENANCE, REPLACEMENT OR REMOVAL OF ANY PART OF LICENSEE'S PERMITTED FACILITIES ON LICENSOR'S PROPERTY. LICENSEE WILL BE REQUIRED TO PAY ANY JUDGMENT WITH COSTS WHICH MAY BE OBTAINED AGAINST LICENSOR OR ANY INDEMNITEE, INCLUDING RELATED ATTORNEY'S FEES.

WITHOUT LIMITING ANY OF THE FOREGOING, LICENSEE, ITS SUCCESSORS AND ASSIGNS, SHALL INDEMNIFY, PROTECT, DEFEND AND HOLD INDEMNITEES HARMLESS FROM AND AGAINST ALL CLAIMS, LOSSES, DAMAGES, LIABILITIES, LIENS, FINES, PENALTIES, CAUSES OF ACTION, SUITS,

CHARGES, JUDGMENTS, ADMINISTRATIVE ORDERS, REMEDIATION REQUIREMENTS, ENFORCEMENT ACTIONS OF ANY KIND, PERSONAL INJURIES, PROPERTY DAMAGE, AND ALL COSTS AND EXPENSES INCURRED IN CONNECTION THEREWITH (INCLUDING, BUT NOT LIMITED TO, ATTORNEYS' FEES AND EXPENSES, INCLUDING, WITHOUT LIMITATION, ALL ATTORNEYS' FEES AND EXPENSES INCURRED IN ENFORCING THIS INDEMNITY) OF ANY NATURE, KIND OR DESCRIPTION OF ANY PERSON OR ENTITY, DIRECTLY OR INDIRECTLY ARISING OUT OF, CAUSED BY OR RESULTING FROM (IN WHOLE OR IN PART) (i) FAILURE OF LICENSEE, ANY CONTRACTOR, SUBCONTRACTOR, ANYONE DIRECTLY OR INDIRECTLY EMPLOYED BY THEM, OR ANYONE THAT THEY CONTROL OR EXERCISE CONTROL OVER (COLLECTIVELY, THE "INDEMNIFYING PARTIES"), TO COMPLY WITH ALL APPLICABLE LOCAL, FEDERAL AND/OR STATE ENVIRONMENTAL LAWS, INCLUDING BUT NOT LIMITED TO THE RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) AND THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA) (AS THEY MAY BE REAUTHORIZED AND/OR AMENDED) AND ALL OTHER LOCAL, FEDERAL AND STATE LAWS, IN CONNECTION WITH OR RELATED TO ANY INDEMNIFYING PARTY'S OPERATIONS OR ACTIVITIES ON THE PROPERTY, OR (ii) ANY INDEMNIFYING PARTY'S HANDLING, STORING, RELEASING OR TRANSPORTING OR DISPOSING OF ALL SUBSTANCES, INCLUDING BUT NOT LIMITED TO HAZARDOUS SUBSTANCES AND HAZARDOUS WASTES, ON OR FROM THE PROPERTY OR ANY OTHER LANDS OF LICENSOR.

IT IS THE INTENTION OF THE PARTIES HERETO THAT THE PROVISIONS OF THIS INDEMNIFICATION SHALL APPLY TO AND PROTECT EACH INDEMNITEE FROM THE CONSEQUENCES OF STRICT LIABILITY IMPOSED OR THREATENED TO BE IMPOSED ON SUCH INDEMNITEE, AS WELL AS FROM THE CONSEQUENCES OF THE NEGLIGENCE OF ANY INDEMNITEE, WHETHER OR NOT THAT NEGLIGENCE IS A CONTRIBUTING OR CONCURRING CAUSE OF ANY LIABILITY INDEMNIFIED AGAINST IN THIS ARTICLE IV.B.

THE TERMS, PROVISIONS, REQUIREMENTS AND OBLIGATIONS OF THIS ARTICLE IV.B. SHALL SURVIVE TERMINATION OR EXPIRATION OF THIS LICENSE, AND SHALL NOT BE LIMITED BY OR TO DAMAGES, COMPENSATION OR BENEFITS PAYABLE UNDER INSURANCE POLICIES, WORKER'S COMPENSATION ACTS, DISABILITY BENEFIT ACTS OR OTHER EMPLOYEES' BENEFIT ACTS.

C. Assignment. The provisions of this License shall inure to the benefit of and be binding upon Licensor and Licensee and their respective successors and permitted assigns. The rights and privileges granted by Licensor under this License inure to the benefit of Licensee. No rights, privileges or obligations hereunder shall be assignable by Licensee without the express prior written consent of Licensor. Any required consent is to be evidenced by a letter written by Licensor's City Manager that fully recites the terms and conditions, if any, upon which consent is given. The granting of consent is in the sole discretion of Licensor's City Manager

D. Independent Contractor. It is expressly understood and agreed that Licensee shall perform all

work described herein as an independent contractor and not as an officer, agent, servant or employee of Licensor; that Licensee shall have exclusive control of and the exclusive right to control the details of the work performed hereunder, and all persons performing the same; and shall be solely responsible for the acts and omissions of its officers, agents, employees, contractors and subcontractors; that the doctrine of respondeat superior shall not apply as between Licensor and Licensee, its officers, agents, employees, contractors and subcontractors; and that nothing herein shall be construed as creating a partnership or joint enterprise between Licensor and Licensee. No person performing any of the work described hereunder shall be considered an officer, agent, servant or employee of Licensor. Further, it is specifically understood and agreed that nothing in this License is intended or shall be construed as creating a "Community of Pecuniary Interest" or "An Equal Right of Control" which would give rise to vicarious liability. Licensee shall be an independent contractor under this License and shall assume all of the rights, obligations and liabilities applicable to it as such independent contractor hereunder. Licensor does not have the power to direct the order in which the work is done. Licensor shall not have the right to control the means, methods or details of Licensee's work. Licensee shall assume exclusive responsibility for the work. Licensee is entirely free to do the work in its own way. The provisions of this subparagraph (D.) shall not be deemed or construed as contradicting, limiting or conflicting with the provisions of subparagraph (M.) below.

E. Attorney Fees. SHOULD LICENSOR BE REQUIRED TO RESORT TO EMPLOYMENT OF ATTORNEYS TO ENFORCE THIS LICENSE, OR ANY OF ITS RIGHTS UNDER THIS LICENSE, LICENSOR SHALL BE ENTITLED TO REIMBURSEMENT FROM LICENSEE FOR LICENSOR'S ATTORNEYS' FEES. LICENSEE SHALL REIMBURSE LICENSOR FOR LICENSOR'S ATTORNEYS' FEES INCURRED IN CONNECTION WITH THE PREPARATION AND NEGOTIATION OF THIS LICENSE. BY EXECUTING THIS LICENSE, LICENSEE AGREES TO WAIVE, AND DOES HEREBY KNOWINGLY, CONCLUSIVELY, VOLUNTARILY AND INTENTIONALLY WAIVE, ANY CLAIM IT HAS OR MAY HAVE IN THE FUTURE AGAINST LICENSOR REGARDING THE AWARD OF ATTORNEY'S FEES, WHICH ARE IN ANY WAY RELATED TO THIS LICENSE, OR THE CONSTRUCTION, INTERPRETATION, VALIDITY OR BREACH OF THIS LICENSE. WITHOUT LIMITING THE FOREGOING, LICENSEE SPECIFICALLY AGREES THAT IF LICENSEE BRINGS OR COMMENCES ANY LEGAL ACTION OR PROCEEDING RELATED TO THIS LICENSE, OR TO THE CONSTRUCTION, INTERPRETATION, VALIDITY OR BREACH OF THIS LICENSE, INCLUDING BUT NOT LIMITED TO ANY ACTION PURSUANT TO THE PROVISIONS OF THE TEXAS UNIFORM DECLARATORY JUDGMENTS ACT (TEXAS CIVIL PRACTICE AND REMEDIES CODE SECTION 37.001, ET SEQ., AS AMENDED), OR CHAPTER 271 OF THE TEXAS LOCAL GOVERNMENT CODE, LICENSEE AGREES TO ABANDON, WAIVE AND RELINQUISH ANY AND ALL RIGHTS TO THE RECOVERY OF ATTORNEY'S FEES TO WHICH LICENSEE MIGHT OTHERWISE BE ENTITLED.

LICENSEE AGREES THAT THIS IS THE VOLUNTARY AND INTENTIONAL RELINQUISHMENT AND ABANDONMENT OF A PRESENTLY EXISTING, KNOWN RIGHT. LICENSEE ACKNOWLEDGES THAT IT UNDERSTANDS ALL TERMS AND CONDITIONS OF THIS LICENSE. LICENSEE FURTHER ACKNOWLEDGES AND AGREES THAT THERE WAS AND IS NO DISPARITY OF BARGAINING POWER BETWEEN LICENSOR AND LICENSEE. THIS SECTION SHALL NOT BE

CONSTRUED OR INTERPRETED AS A WAIVER OF GOVERNMENTAL IMMUNITY.

LICENSEE AND LICENSOR ARE RELYING ON THEIR OWN JUDGMENT. EACH PARTY HAD THE OPPORTUNITY TO DISCUSS THIS LICENSE WITH LEGAL COUNSEL PRIOR TO ITS EXECUTION.

F. Governing Law & Venue. All performance and payments made pursuant to this License shall be deemed to have occurred in Midland County, Texas. Exclusive venue for any claims, suits or any other action arising from or connected in any way to this License, or the performance of this License shall be in Midland County, Texas. The obligations and undertakings of each of the parties to this License shall be deemed to have been performed in Midland County, Texas. This License shall be construed, interpreted and enforced under the laws of the State of Texas. The laws of the State of Texas shall govern, construe and enforce all the rights and duties of the parties, including but not limited to tort claims and any and all other claims or disputes, arising from or relating in any way to the subject matter of this License, without regard to conflict of laws and rules that would direct application of the laws of another jurisdiction.

G. Release. NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS LICENSE, LICENSEE HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES LICENSOR, AND LICENSOR'S EMPLOYEES AND OFFICERS FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH LICENSEE HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKINGS CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS, OR LICENSOR'S NEGLIGENCE.

H. Governmental Immunity. By executing this License, Licensor is not waiving its right of governmental immunity. Licensor is retaining its immunity from suit. Licensor is not granting consent to be sued by legislative resolution or action. **THERE IS NO WAIVER OF GOVERNMENTAL IMMUNITY.**

I. Third-Party Beneficiary. Except as provided in Article IV.B. above with respect to Indemnitees, (i) Licensor's granting of this License does not create any third-party beneficiary, (ii) there is no third-party beneficiary to this License, and (iii) no person or entity who is not a party to this License shall have any third-party beneficiary or other rights hereunder.

J. Notices. Any notice or communication required in the administration of this License shall be sent by certified mail, return receipt requested, to the parties' respective mailing addresses as set forth hereinabove.

K. Notice of Alleged Breach; Statutory Prerequisite. Without limiting the provisions of Article IV.G. above, as a condition precedent to filing suit for alleged damages incurred by an alleged breach of an express or implied provision of this License, Licensee or its legal representative, shall give the City Manager, or any other reasonable official of Licensor, notice in writing (consisting of one (1) original and seven (7) copies of notice attached to a copy of this License) of such damages, duly verified, within one hundred eighty (180) days after the same has been sustained. The discovery rule does not apply to the giving of this notice. The notice shall include when, where and how the damages occurred, the apparent extent thereof, the amount of damages sustained, the

amount for which Licensee will settle, the physical and mailing addresses of Licensee at the time and date the claim was presented and the physical and mailing addresses of Licensee for the six (6) months immediately preceding the occurrence of such damages, and the names and addresses of the witnesses upon whom Licensee relies to establish its claim; and a failure to so notify the City Manager or other such official of Licensor within the time and manner provided herein shall exonerate, excuse and except Licensor from any liability whatsoever. Licensor is under no obligation to provide notice to Licensee that Licensee's notice is insufficient. Licensor reserves the right to request reasonable additional information regarding the claim. Said additional information shall be supplied within thirty (30) days after receipt of notice.

The statutory prerequisites outlined herein constitute jurisdictional requirements pursuant to Section 271.154 of the Texas Local Government Code and Section 311.034 of the Texas Government Code. Notwithstanding any other provision, Licensee's failure to comply with the requirements herein shall perpetually bar Licensee's claim for damages under Chapter 271 of the Texas Local Government Code, and Section 311.034 of the Texas Government Code, regardless if Licensor has actual or constructive notice or knowledge of said claim or alleged damages. Licensee agrees that the requirements of this entire License are reasonable.

L. Consideration. The terms of this License are supported by good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties named herein.

M. Waiver of Governmental Immunity; Chapter 271, TEX. LOC. GOV'T CODE. The parties hereto agree that this License does not constitute a "Contract" for providing goods and/or services to Licensor as discussed in Subchapter I of Chapter 271 of the Texas Local Government Code, and Licensor does not waive, to the maximum extent allowed by law, any constitutional, statutory or common law right to sovereign immunity or governmental immunity from liability or suit. Licensor expressly does not consent to be sued or be liable. To the maximum extent allowed by law, nothing in this License constitutes a waiver of Licensor's governmental immunity and the parties hereto expressly agree that this License shall not constitute, nor be interpreted as a waiver of Licensor's governmental immunity under Subchapter I of Chapter 271 of the Texas Local Government Code, nor shall it constitute nor be interpreted as a waiver of Licensor's governmental immunity for the benefit of any third-party lacking privity to this License.

This License does not obligate Licensee to use the Property to construct, repair, operate, replace, or maintain Licensor's facilities or structures described herein, rather, it merely prohibits Licensee from using the Property for any other purpose. This License restricts the use of the Property to a specific purpose but does not require the use of the Property for a specific purpose. Licensee is not providing a service to Licensor. Licensee is paying Licensor for temporary rights in real property, not for a service. Any such provision shall be deemed to be a covenant against noncomplying use, not a covenant to use. Licensee's use of the Property in compliance with a restriction shall not constitute a service, and such complying use shall not operate to waive Licensor's governmental immunity.

N. Compliance. Licensee agrees that it shall comply with Texas Government Code Section 2252.908, as amended, to the extent that this statute applies to this License. Licensee agrees that it shall comply with Texas Local Government Code Section 176.006, as amended, to the extent that this statute applies to this License.

O. Texas Historical Commission Survey. Licensee agrees that it shall comply with Chapter 191 of the Texas Natural Resources Code. By executing this License, Licensee represents that it has contacted the Texas Historical Commission (the "Commission") for the purpose of determining whether the Commission will request that an archaeological survey be completed before Licensee commences operations on the Property, as contemplated herein. Licensee agrees that it shall complete or cause to be completed an archaeological survey before commencing any operations on the Property if the Commission so requests and deliver the same to Licensor. Notwithstanding any provision contained herein, in the event that any site, object, artifact, or other feature of archaeological, scientific, educational, cultural, or historical interest is encountered during the operations authorized by this License, Licensee will immediately notify Licensor and the Commission so that adequate measures may be undertaken to protect or recover such discoveries or findings, as deemed appropriate by Licensor or the Commission.

P. Waiver. No waiver of any of the provisions of this License shall be deemed or constitute a waiver of any other provisions of this License, nor shall such waiver constitute a continuing waiver unless otherwise expressly provided. Likewise, the failure of Licensor to enforce any provision of this License shall not be deemed nor shall constitute a waiver of the right of Licensor to enforce such provision.

Q. Counterpart Execution. This License may be executed in several counterparts, and any such agreement shall be deemed an original for all intents and purposes.

R. No Release of Liability. Notwithstanding anything to the contrary contained in this License, the termination or expiration of this License shall not relieve Licensee of any liability, duty or obligation under this License, nor shall it preclude Licensor from asserting any right to specific performance, damages or any other rights or remedies to which Licensor may be entitled. Upon termination or expiration of this License for any reason, Licensee shall execute and deliver a recordable release of this License to Licensor in form and substance satisfactory to Licensor.

S. Entire Agreement. This License constitutes the entire agreement between Licensor and Licensee concerning the subject matter hereof, superseding all negotiations, prior discussions, prior licenses and prior agreements and understandings related to the subject matter hereof. This License may only be amended by written instrument executed by Licensor and Licensee.

[Signature Pages Follow]

LICENSOR:
CITY OF MIDLAND, TEXAS

By:_____
Tommy Gonzalez, City Manager

ATTEST:

_____
Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT AND COMPLETENESS:

_____
Carl Craigo, Director of Utilities

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, City Attorney

LICENSEE:
PLAINS ORYX PERMIAN BASIN PIPELINE LLC

By: Ryan Savoie
Printed Name: Ryan Savoie
Title: Director, Land & Office Services

THE STATE OF Texas §
§
COUNTY OF Harris §

BEFORE ME, the undersigned authority, on this 28th day of July, 2026 personally appeared Ryan Savoie an officer of Plains Oryx Permian Basin Pipeline LLC known to me to be the person and official whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act and deed of said entity, for the purposes and consideration therein expressed, and in the capacity therein stated.

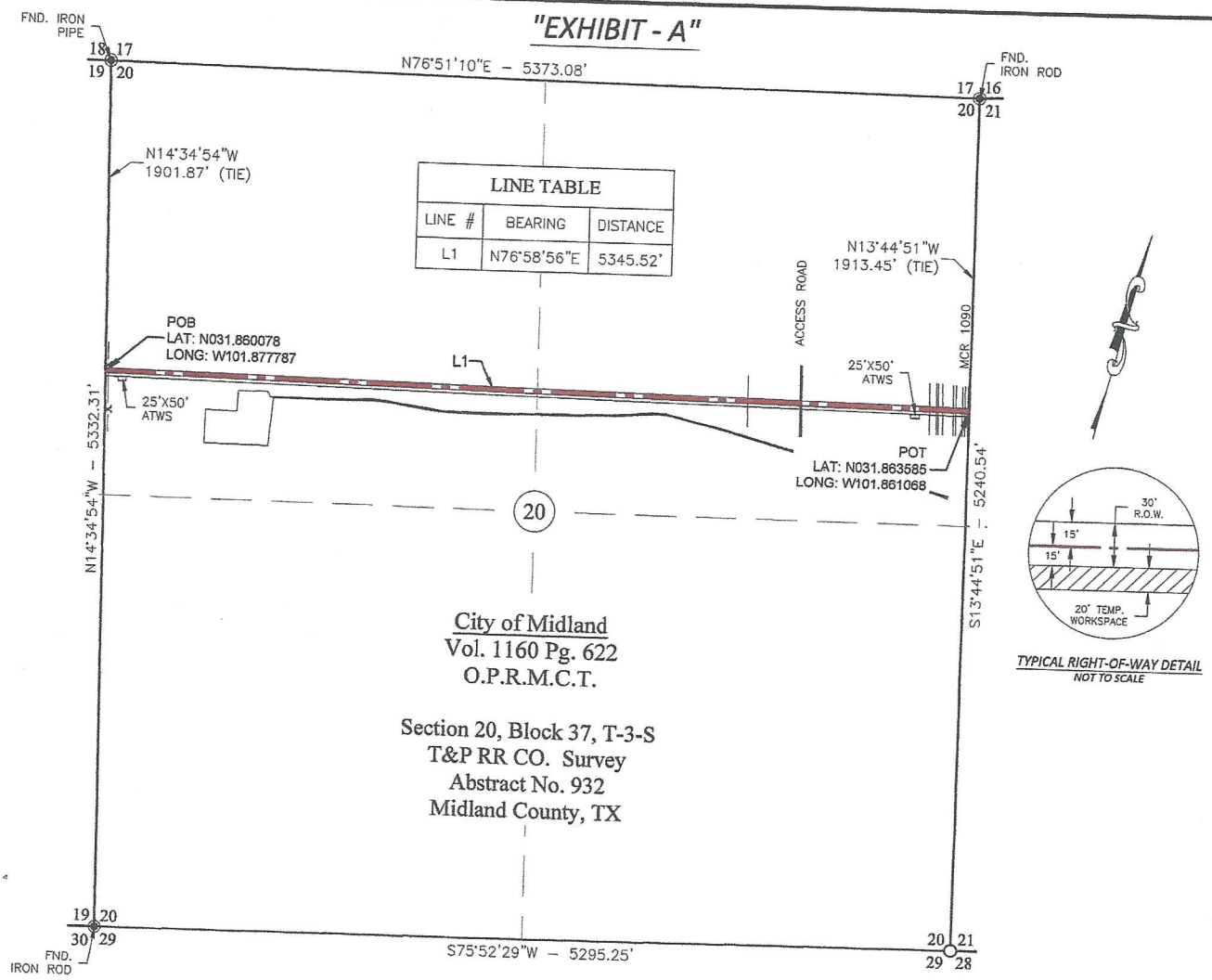
GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 28th day of July, 2026.

Susan Alston
Notary Public, State of Texas

SUSAN ALSTON
Notary ID #11704122
My Commission Expires
August 8, 2027

"EXHIBIT - A"

W.O. NUMBER: ---



LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N76°58'56"E	5345.52'

TYPICAL RIGHT-OF-WAY DETAIL
NOT TO SCALE

PIPELINE RIGHT-OF-WAY TOTALS		
CENTERLINE	5345.52 FT.	323.97 RODS
	RIGHT-OF-WAY	3.68 ACRES
	TEMP. WORKSPACE	2.45 ACRES
	TOTAL	6.13 ACRES

LEGEND

○	DENOTES CALCULATED CORNER BASED ON GLO
◉	DENOTES FOUND MONUMENT AS NOTED
△	DENOTES POINT OF INTERSECTION
– – –	DENOTES PROPOSED CENTERLINE
//——//	DENOTES EXISTING PIPELINE
E——E	DENOTES EXISTING ELECTRIC LINE
X——X	DENOTES EXISTING FENCE LINE
———	DENOTES TRACT LINE
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS of MIDLAND COUNTY TEXAS
T&P RR CO. SURVEY	TEXAS AND PACIFIC RAILROAD COMPANY SURVEY

1000 0 1000 2000 FEET

THIS PLAT ACCOMPANIES A DESCRIPTION OF EVEN DATE.

NOTES:

1) *COORDINATES, BEARINGS AND DISTANCES SHOWN HERON ARE LAMBERT GRID AND CONFORM TO THE STATE PLANE COORDINATE SYSTEM "TEXAS CENTRAL ZONE", NORTH AMERICAN DATUM OF 1983. DISTANCES, COORDINATES, AND BEARINGS SHOWN ARE GRID VALUES.*

2) *OWNERSHIP PROVIDED BY CLIENT'S AGENT.*

3) *THIS EXHIBIT IS NOT A LAND SURVEY PLAT, OR A BOUNDARY SURVEY PLAT. ALL OF THE POSITIONS SHOWN HEREON HAVE NOT BEEN VERIFIED AS BEING ACTUAL SECTION, QUARTER, OR PROPERTY CORNERS.*

Avery LAND SERVICES

Avery Land Services LLC
3323 N. Midland Drive Suite 133 PMB 1050 ◆ Midland, TX 92078
TX FIRM NO. 10194805

TX-MD-006.000

PLAINS ORYX PERMIAN

DL Hutt Fee 38-45H 8" Connection

PROPOSED PIPELINE RIGHT-OF-WAY
CITY OF MIDLAND
SECTION 20, BLOCK 37, T-3-S, T&P RR CO. SURVEY
MIDLAND COUNTY, TEXAS

Survey Date: June, 2026	*Drawn By:* EBM	*Chk'd By:* SWD
Date: June 16, 2026	SCALE: 1":1000'	SHEET 1 OF 2

TX-MD-006.000 Sec 20.dwg - 7/1/26 - REV 1

"EXHIBIT - A"

W.O. NUMBER: ----

PIPELINE RIGHT-OF-WAY DESCRIPTION

A 30–foot wide strip of land for a right–of–way, together with a 20–foot wide temporary work space, all situated in part of Section 20, Block 37, T–3–S, T&P RR CO. Survey, Midland County, Texas, and crossing that certain tract or parcel described in deed to City of Midland, in Vol. 1160 Pg. 622, Official Public Records, of Midland County, Texas, the 30–foot wide right–of–way being 15.0 feet to the right and left of the following described centerline, and the 20–foot wide temporary work space being 15.0 feet to the right and conterminous with the right edge of the right–of–way, with all side lines extending and shortening to intersect boundary lines and points of intersection:

Beginning at a point, from which a found iron pipe marking the NW corner of said Section 20, same being the NE corner of Section 19, Block 37, T–3–S, T&P RR CO. Survey, Midland County, Texas, bears North 14°34'54" West, 1901.87 feet;

Thence crossing said Section 20 in a easterly direction the following courses:

North 76°58'56" East, a distance of 5345.52 feet to the end of this centerline, from which a found iron rod marking the NE corner of said Section 20, bears North 13°44'51" West, 1913.45 feet, for reference, and containing 3.68 acres in the right–of–way, 2.45 acres in the temporary work space, and being a total length of 5345.52 feet (323.97 rods or 1.01 miles) more or less.

Note:

Coordinates, Bearings and Distances shown heron are Lambert Grid and conform to the State Plane Coordinate System "Texas Central Zone", North American datum of 1983. Distances, Coordinates, and Bearings are grid values. Ownership provided by client's agent.

PIPELINE RIGHT-OF-WAY TOTALS		
CENTERLINE	5345.52 FT.	323.97 RODS
	RIGHT-OF-WAY	3.68 ACRES
	TEMP. WORKSPACE	2.45 ACRES
	TOTAL	6.13 ACRES

I hereby certify that this plat and description are a true and correct representation of a survey made on the ground under my direct supervision and all facts are as shown herein.

STATE OF TEXAS
REGISTERED
6/16/2026
STANLEY DRANNON
6507
PROFESSIONAL
LAND SURVEYOR

6/16/2026

Stanley Drannon
Registered Professional Land Surveyor
Texas Registration No. 6507

THIS DESCRIPTION ACCOMPANIES A PLAT OF EVEN DATE.

Avery LAND SERVICES

Avery Land Services LLC
3323 N. Midland Drive Suite 133 PMB 1050 ◆ Midland, TX 92078
TX FIRM NO. 10194805

TX-MD-006.000

PLAINS ORYX PERMIAN

DL Hutt Fee 38-45H 8" Connection

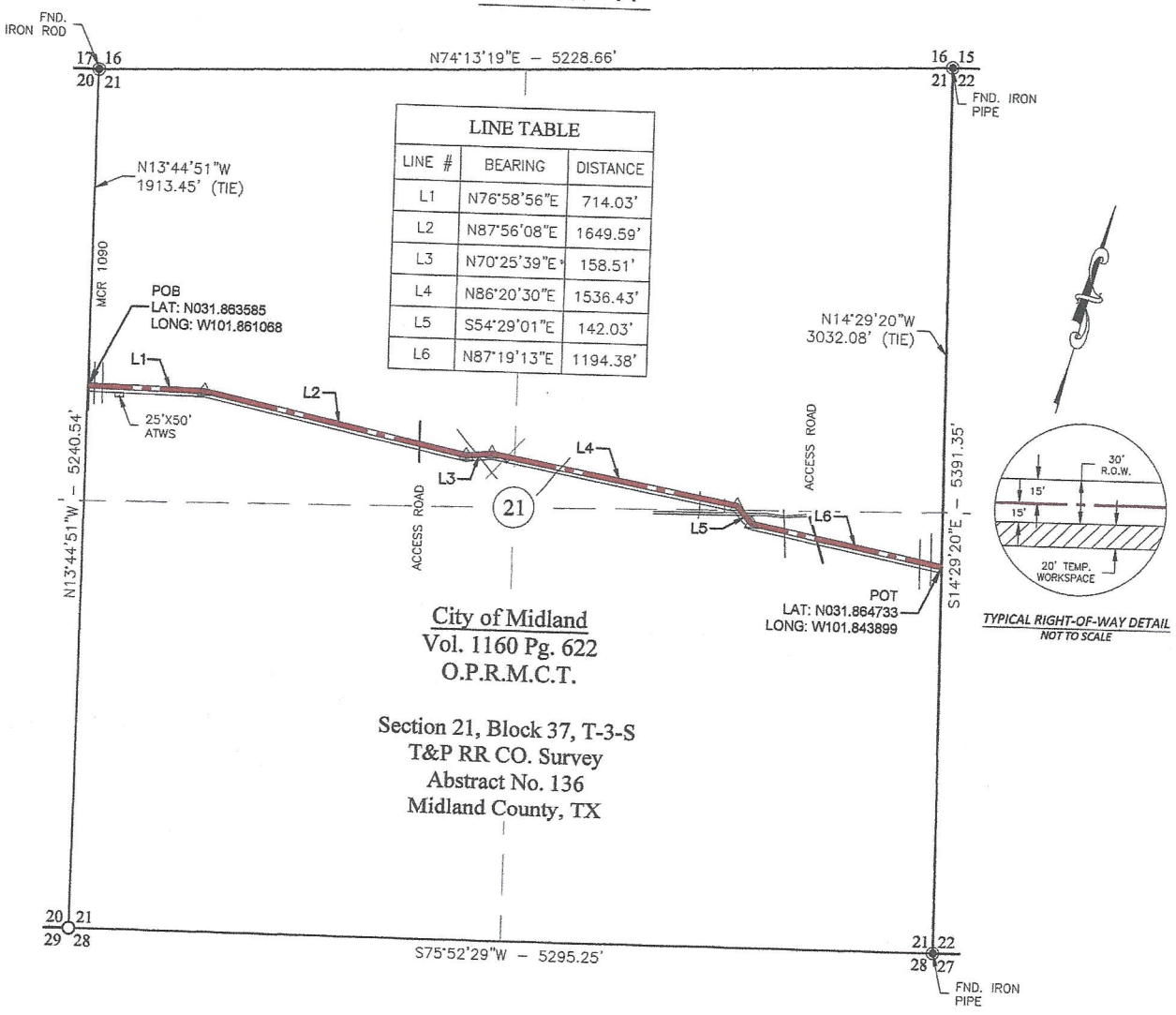
PROPOSED PIPELINE RIGHT-OF-WAY
CITY OF MIDLAND
SECTION 20, BLOCK 37, T-3-S, T&P RR CO. SURVEY
MIDLAND COUNTY, TEXAS

Survey Date: June, 2026	Drawn By: EBM	Chk'd By: SWD
Date: June 16, 2026	SCALE: 1":1000'	SHEET 2 OF 2

TX-MD-006.000 Sec 20.dwg - 7/1/26 - REV 1

"EXHIBIT - A"

W.O. NUMBER: ----



LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N76°58'56"E	714.03'
L2	N87°56'08"E	1649.59'
L3	N70°25'39"E	158.51'
L4	N86°20'30"E	1536.43'
L5	S54°29'01"E	142.03'
L6	N87°19'13"E	1194.38'

TYPICAL RIGHT-OF-WAY DETAIL
NOT TO SCALE

City of Midland
Vol. 1160 Pg. 622
O.P.R.M.C.T.

Section 21, Block 37, T-3-S
T&P RR CO. Survey
Abstract No. 136
Midland County, TX

PIPELINE RIGHT-OF-WAY TOTALS		
CENTERLINE	5394.97 FT.	326.97 RODS
	RIGHT-OF-WAY	3.72 ACRES
	TEMP. WORKSPACE	2.48 ACRES
	TOTAL	6.20 ACRES

LEGEND

○	DENOTES CALCULATED CORNER BASED ON GLO
◉	DENOTES FOUND MONUMENT AS NOTED
△	DENOTES POINT OF INTERSECTION
———	DENOTES PROPOSED CENTERLINE
//——//	DENOTES EXISTING PIPELINE
E——E	DENOTES EXISTING ELECTRIC LINE
X——X	DENOTES EXISTING FENCE LINE
- - - -	DENOTES TRACT LINE
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS of MIDLAND COUNTY TEXAS
T&P RR CO. SURVEY	TEXAS AND PACIFIC RAILROAD COMPANY SURVEY

1000 0 1000 2000 FEET

THIS PLAT ACCOMPANIES A DESCRIPTION OF EVEN DATE.

NOTES:

1) *COORDINATES, BEARINGS AND DISTANCES SHOWN HERON ARE LAMBERT GRID AND CONFORM TO THE STATE PLANE COORDINATE SYSTEM "TEXAS CENTRAL ZONE", NORTH AMERICAN DATUM OF 1983. DISTANCES, COORDINATES, AND BEARINGS SHOWN ARE GRID VALUES.*

2) *OWNERSHIP PROVIDED BY CLIENT'S AGENT.*

3) *THIS EXHIBIT IS NOT A LAND SURVEY PLAT, OR A BOUNDARY SURVEY PLAT. ALL OF THE POSITIONS SHOWN HEREON HAVE NOT BEEN VERIFIED AS BEING ACTUAL SECTION, QUARTER, OR PROPERTY CORNERS.*

Avery LAND SERVICES

Avery Land Services LLC
3323 N. Midland Drive Suite 133 PMB 1050 ❖ Midland, TX 92078
TX FIRM NO. 10194805

TX-MD-007.000

PLAINS ORYX PERMIAN

DL Hutt Fee 38-45H 8" Connection

PROPOSED PIPELINE RIGHT-OF-WAY
CITY OF MIDLAND
SECTION 21, BLOCK 37, T-3-S, T&P RR CO. SURVEY
MIDLAND COUNTY, TEXAS

Survey Date: June, 2026	*Drawn By:* EBM	*Chk'd By:* SWD
Date: July 1, 2026	SCALE: 1":1000'	SHEET 1 OF 2

TX-MD-007.000 Sec 21.dwg - 7/1/26 - REV 0

"EXHIBIT - A"

W.O. NUMBER: ----

PIPELINE RIGHT-OF-WAY DESCRIPTION

A 30–foot wide strip of land for a right–of–way, together with a 20–foot wide temporary work space, all situated in part of Section 21, Block 37, T–3–S, T&P RR CO. Survey, Midland County, Texas, and crossing that certain tract or parcel described in deed to City of Midland, in Vol. 1160 Pg. 622, Official Public Records, of Midland County, Texas, the 30–foot wide right–of–way being 15.0 feet to the right and left of the following described centerline, and the 20–foot wide temporary work space being 15.0 feet to the right and conterminous with the right edge of the right–of–way, with all side lines extending and shortening to intersect boundary lines and points of intersection:

Beginning at a point, from which a found iron rod marking the NW corner of said Section 21, same being the NE corner of Section 20, Block 37, T–3–S, T&P RR CO. Survey, Midland County, Texas, bears North 13°44'51" West, 1913.45 feet;

Thence crossing said Section 21 in a easterly direction the following courses:

North 76°58'56" East, a distance of 714.03 feet;
North 87°56'08" East, a distance of 1649.59 feet;
North 70°25'39" East, a distance of 158.51 feet;
North 86°20'30" East, a distance of 1536.43 feet;
South 54°29'01" East, a distance of 142.03 feet;

North 87°19'13" East, a distance of 1194.38 feet to the end of this centerline, from which a found iron pipe marking the NE corner of said Section 21, bears North 14°29'20" West, 3032.08 feet, for reference, and containing 3.72 acres in the right–of–way, 2.48 acres in the temporary work space, and being a total length of 5394.97 feet (326.97 rods or 1.02 miles) more or less.

Note:

Coordinates, Bearings and Distances shown heron are Lambert Grid and conform to the State Plane Coordinate System "Texas Central Zone", North American datum of 1983. Distances, Coordinates, and Bearings are grid values. Ownership provided by client's agent.

PIPELINE RIGHT-OF-WAY TOTALS		
CENTERLINE	5394.97 FT.	326.97 RODS
	RIGHT-OF-WAY	3.72 ACRES
	TEMP. WORKSPACE	2.48 ACRES
	TOTAL	6.20 ACRES

I hereby certify that this plat and description are a true and correct representation of a survey made on the ground under my direct supervision and all facts are as shown herein.

STATE OF TEXAS
REGISTERED
7/1/2026
STANLEY DRANNON
6507
PROFESSIONAL
LAND SURVEYOR

7/1/2026

Stanley Drannon
Registered Professional Land Surveyor
Texas Registration No. 6507

THIS DESCRIPTION ACCOMPANIES A PLAT OF EVEN DATE.

Avery LAND SERVICES

Avery Land Services LLC
3323 N. Midland Drive Suite 133 PMB 1050 ◆ Midland, TX 92078
TX FIRM NO. 10194805

TX-MD-007.000

PLAINS ORYX PERMIAN

DL Hutt Fee 38-45H 8" Connection

PROPOSED PIPELINE RIGHT-OF-WAY
CITY OF MIDLAND
SECTION 21, BLOCK 37, T-3-S, T&P RR CO. SURVEY
MIDLAND COUNTY, TEXAS

Survey Date: June, 2026	Drawn By: EBM	Chk'd By: SWD
Date: July 1, 2026	SCALE: 1":1000'	SHEET 2 OF 2

TX-MD-007.000 Sec 21.dwg - 7/1/26 - REV 0

BLK 37-3-S SEC 18

BLK 37-3-S SEC 17

BLK 37-3-S SEC 16

BLK 37-3-S SEC 15

Proposed Pipeline
650.94 Rods (10,740.49 Feet)

BLK 37-3-S SEC 19

BLK 37-3-S SEC 20

BLK 37-3-S SEC 21

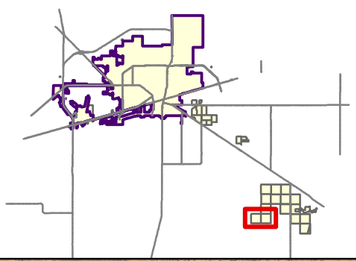
BLK 37-3-S SEC 22

BLK 37-3-S SEC 29

BLK 37-3-S SEC 28

BLK 37-3-S SEC 27

LOCATION MAP



Date: 7/8/2026

Proposed ROW
Survey Section

Plains Oryx Permian Proposed ROW in Spraberry

0 250 500 Feet

©THE CITY OF MIDLAND - 2026
THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED ON THIS DATA.

CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY): 04/22/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Aon Risk Services Southwest, Inc.
Houston TX Office
1300 Post Oak Blvd., Suite 1400
Houston TX 77056 USA

CONTACT NAME:
PHONE (A/C. No. Ext): (866) 283-7122
FAX (A/C. No.): (800) 363-0105
E-MAIL ADDRESS:

INSURED
Plains Oryx Permian Basin LLC,
Plains Oryx Permian Basin Pipeline LLC
333 Clay Street, Suite 1600
Houston TX 77002 USA

INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A:	Ironshore Specialty Insurance Company	25445
INSURER B:	Old Republic Insurance Company	24147
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

COVERAGES **CERTIFICATE NUMBER:** 570119556627 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

Limits shown are as requested

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
B	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE / X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY / PRO-JECT / LOC OTHER:	Y	Y	MWZY31886525 SIR applies per policy terms & conditions	11/01/2025	11/01/2026	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$15,000,000 $500,000 $5,000 $15,000,000 $15,000,000 $15,000,000
B	AUTOMOBILE LIABILITY X ANY AUTO OWNED AUTOS ONLY / SCHEDULED AUTOS HIRED AUTOS ONLY / NON-OWNED AUTOS ONLY	Y		MWTB 318866 25 SIR applies per policy terms & conditions	11/01/2025	11/01/2026	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$15,000,000
	UMBRELLA LIAB / OCCUR EXCESS LIAB / CLAIMS-MADE DED / RETENTION						EACH OCCURRENCE AGGREGATE	
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR / PARTNER / EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N: N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		MWC31886325 SIR applies per policy terms & conditions	11/01/2025	11/01/2026	X PER STATUTE / OTH-ER E.L. EACH ACCIDENT E.L. DISEASE-EA EMPLOYEE E.L. DISEASE-POLICY LIMIT	$2,000,000 $2,000,000 $2,000,000
A	Environmental Site Liability			ISPILLSCBNZB005 Claims Made Coverage	11/01/2025	11/01/2026	Each Event Limit Aggregate Limit	$10,000,000 $10,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Pollution policy contains both gradual and Sudden & Accidental Pollution Discharge, for any Pollution discovered in 30 days or less. The City of Midland is included as Additional Insured in accordance with the policy provisions of the General Liability and Automobile Liability policies. A Waiver of Subrogation is granted in favor of The City Of Midland in accordance with the policy provisions of the General Liability policy.

CERTIFICATE HOLDER

The City of Midland
PO Box 1152
Midland TX 79702 USA

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Aon Risk Services Southwest Inc.

Holder Identifier :

Certificate No : 570119556627

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AGENCY CUSTOMER ID: 440000000289

LOC #:

ADDITIONAL REMARKS SCHEDULE

AGENCY	NAMED INSURED
Aon Risk Services Southwest, Inc.	Plains Oryx Permian Basin LLC,
POLICY NUMBER	
See Certificate Number: 570119556627	
CARRIER / NAIC CODE	EFFECTIVE DATE:
See Certificate Number: 570119556627	

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: ACORD 25 FORM TITLE: Certificate of Liability Insurance

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER	
INSURER	
INSURER	
INSURER	

ADDITIONAL POLICIES If a policy below does not include limit information, refer to the corresponding policy on the ACORD certificate form for policy limits.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS	
	OTHER							
B	Excess Workers Compensation			MWXS31886425 Statutory XS - ND, OH SIR applies per policy terms & conditions	11/01/2025	11/01/2026	Retention	$2,000,000

ACORD 101 (2008/01)

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PLAINS

November 1, 2025

To Whom It May Concern:

Plains All American Pipeline, L.P. self-insures for the policy limits between the primary General Liability and Primary Auto policies and the Excess Liability policy for the November 1, 2025 to November 1, 2026 term.

Sharon Spurlin
Senior Vice President & Treasurer
Plains All American Pipeline, L.P.

333 Clay Street, Suite 1600 (77002) | P.O. Box 4648 | Houston, Texas 77210-4648 | (713) 646-4100

FORM PPLP-05

Pay to the order of:

Plains Oryx Permian Basin LLC
333 Clay Street, Suite 1600 • Houston, TX 77002

52-153
112 ME

90001805

City of Midland
PO Box 1152
Midland, Texas 79702

STREET
CITY STATE ZIP CODE
PHONE NUMBER

DATE July 28, 2026

MATCH AMOUNT IN WORDS WITH NUMBERS
$ 182,263.20

Pay:

VOID AFTER 180 DAYS

THE AMOUNT IN NUMBERS MUST MATCH THE AMOUNT IN WORDS

One Hundred Eighty Two Thousand Two Hundred Sixty Three Dollars and Twenty Cents DOLLARS

PAYABLE THRU
Bank of America

Plains Oryx Permian Basin LLC

By _____
AUTHORIZED SIGNATURE

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK HOLD AT ANGLE TO VIEW

⑈90001805⑈ ⑆011201539⑆ 00222026979 9⑈

A.F.E./ ACCT. CODE	UNIT NO. / C.C.	CHECK NUMBER	Plains Oryx Permian Basin LLC	1099 REPORTING STATUS	
		90001805			NON-REPORTING
CHECK DATE	CHECK AMOUNT		INVOICE NUMBER		100% REPORTABLE
				IF REPORTABLE INDICATE TYPE OF PAYMENT	INTEREST
PROJECT LOCATION			TAXPAYER I.D. NUMBER		RENTS
OPERATOR			_ _ _ _ _ _ _ _ _		SERVICES
CITY			OR		NON-EMPLOYEE COMP.
STATE			_ _ _ _ _ _ _ _ _		PRIZES, AWARDS, OR DAMAGES
DESCRIPTION					

DLH3845H-TX-MD-006.000, TX-MD-007.000 City of Midland_License Plains Oryx ~~Permian Basin Pipeline LL Payment for ROW License with the City of Midland~~ Texas $182,263.20

Alston

FORM PPLP-05

City Council Meeting

Item Number: 16.
Meeting Date: August 11, 2026
To: City Council
From: Beatriz Quezada, Planner
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR A 35.05-ACRE TRACT OF LAND OUT OF SECTION 25, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF NORTH FAIRGROUNDS ROAD, APPROXIMATELY 650 FEET NORTH OF EAST CUTHBERT AVENUE), WHICH IS PRESENTLY ZONED MH, MANUFACTURED HOUSING DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR A MANUFACTURED HOME PARK; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); AND ORDERING PUBLICATION (FIRST READING HELD JULY 21, 2026)

Purpose:
The applicant, Chase Gardaphe, is requesting a Specific Use Permit without Term, for a Manufactured Home Park.

Recommended Action:
Directional/Informational

Fiscal Impact:
None

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
Surrounding Zoning and Land Use:

The subject property is currently vacant and zoned MH, Manufactured Housing District. The property to the north is zoned C, Commercial District, and contains a senior living apartment facility. To the east are the City's Animal Shelter, which is zoned TP, Technology Park District, and a manufactured home park zoned AE, Agricultural Estate District. Properties to the south are developed with commercial facilities and are zoned C, Commercial District. To the west

there is vacant land, which is zoned PD, Planned Development District for a Housing Development.

Analysis:

The subject property recently underwent a zoning change from PD, Planned Development District for a Housing Development, to MH, Manufactured Housing District. Applicant Chase Gardaphe is requesting approval of a Specific Use Designation (SUD), without term, to allow the operation of a Manufactured Home Park.

Section 11-1-4.04 of the Midland City Code establishes development standards for Manufactured Home Parks, including maximum density, minimum space sizes, parking requirements, storage requirements, recreation areas, and street design standards.

The property has existing SUD for a Manufactured Home Park which was approved in 2019. However, a portion of the property has since been sold and is no longer being developed in accordance with the approved site plan. Therefore, a new SUD is required for the development to proceed.

The proposed site plan includes 263 manufactured home spaces of varying dimensions. The applicant has stated that the park will consist exclusively of single-wide and double-wide manufactured homes, with no more than one manufactured home permitted on each space. By comparison, the previously approved SUD allowed 284 spaces and permitted up to three manufactured homes on certain individual spaces.

The most significant change relates to density. City Code permits a maximum density of seven manufactured homes per acre, while the existing SUD permits up to 12 units per acre. The applicant is proposing a maximum density of eight units per acre. Although this remains one unit per acre above the density otherwise permitted by City Code, it represents a reduction from the density currently authorized under the existing SUD. As proposed, the development would be approximately 33 percent less dense than what is presently entitled on the property.

Should the SUD be approved, the applicant will be required to obtain and maintain a Type I Manufactured Home Park License as required by Section 11-1-4.04 of the Midland City Code prior to operation of the park.

The property is designated as Urban-Medium (U-M) by Tall City Tomorrow. The U-M designation calls for a mix of housing types along with commercial, office, and service uses. With the intent of the mix housing to include single-family dwelling and town homes. The surrounding use does support the proposed use, as there is a manufactured home park east of the subject property.

This project has been circulated to all City departments for review. Below are the department comments.

Fire: (Approved)

No comments or objections.

Engineering: (Approved)

No objection. [For Applicant's Information Only.].

Transportation: (Approved)

No objection. [For the Applicant's information only.]

Building Code: (Approved)

No objections.

Planning:

Should this request be approved, staff recommends that it be subject to the following conditions:

Conditions:

A. **The development of the Establishment shall significantly conform to the provided Site Plan, which is attached hereto as Exhibit B and incorporated herein.**

B. **The maximum capacity shall not exceed 263 manufactured home units.**

C. **The maximum density shall not exceed eight manufacturer home units per acre.**

D. **That the Establishment's front yard setback shall be at least 10 feet from property line.**

E. **That each manufactured home unit shall be located at least 10 feet from each other manufactured home unit.**

F. **The trash dumpsters shall be appropriately screened and of an adequate quantity to handle the refuse generated by the Establishment's occupants.**

G. **That the width of each internal street shall be a minimum of 26 feet.**

H. **Internal sidewalks shall not be required.**

I. **That storage facilities for each manufactured home space shall not be required.**

J. **That the internal streets, play areas, food truck court, and office space shall be illuminated in accordance with applicable Midland City Code requirements, and the lighting shall be maintained in a working condition.**

K. **That a manager or responsible attendant shall be in charge of keeping the Establishment, its facilities, and equipment in a clean, orderly, and sanitary condition, and said manager or attendant shall be answerable, with the licensee, for any violation of the provisions of the Midland City Code.**

L. **That the operator of the Establishment is required to maintain a current Type I license and pay the annual license fees associated with such license.**

M. **That the development and management of the Establishment, unless otherwise stated herein, shall conform to the applicable regulations of Sections 5-5-1 through 5-5-15 of the Midland City Code.**

N. **That the landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.**

Letters of Objection:

As of July 10, 2026, staff has not received any letters of objection.

Attachments:

A. AMENDED ORDINANCE - SUDwo-26-0052.One Stonegate (Chase Gardaphe) - Manufactured Home Park AMENDED
B. SUDwo-26-0052, Combined Files
C. CC - - Stone Bridge Mobile Home Park SUD

Rachel Guentensberger, City Secretary
Kathy Rauda, City Secretary

Created/Initiated - 7/22/2026
Final Approval - 7/22/2026

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR A 35.05-ACRE TRACT OF LAND OUT OF SECTION 25, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF NORTH FAIRGROUNDS ROAD, APPROXIMATELY 650 FEET NORTH OF EAST CUTHBERT AVENUE), WHICH IS PRESENTLY ZONED MH, MANUFACTURED HOUSING DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR A MANUFACTURED HOME PARK; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); AND ORDERING PUBLICATION

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, Texas, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after holding due hearings affording a full and fair hearing to all of the property owners generally, and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body of the City of Midland finds that the public convenience will be best served by granting a Specific Use Designation Without Term for a 35.05-acre tract of land out of Section 25, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (the "Property"), said Property being more specifically described by metes and bounds in Exhibit A, which is attached hereto and incorporated herein, as set out hereinafter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to grant the Property a Specific Use Designation Without Term for a manufactured home park (the "Establishment"), together with the uses permitted in the present MH, Manufactured Housing District.

SECTION TWO. That the Property shall be subject to the following conditions and restrictions:

A. That the development of the Establishment shall significantly conform to the site plan, which is attached hereto as Exhibit B and incorporated herein.

B. That the maximum capacity shall not exceed 263 manufactured home units.

C. That the maximum density shall not exceed eight manufactured home units per acre.

D. That the Establishment's front yard setback shall be at least 10 feet from the front property line.

E. That each manufactured home unit shall be located at least 10 feet from each other manufactured home unit.

F. That the trash dumpsters shall be appropriately screened and of an adequate quantity to handle the refuse generated by the Establishment's occupants.

G. That the width of each internal street shall be a minimum of 26 feet.

H. That internal sidewalks shall not be required.

I. That storage facilities for each manufactured home space shall not be required.

J. That the internal streets, play areas, food truck court, and office space shall be illuminated in accordance with applicable Midland City Code requirements, and the lighting shall be maintained in a working condition.

K. That a manager or responsible attendant shall be in charge of keeping the Establishment, its facilities, and equipment in a clean, orderly, and sanitary condition, and said manager or attendant shall be answerable, with the licensee, for any violation of the provisions of the Midland City Code.

L. That the operator of the Establishment is required to maintain a current Type I license and pay the annual license fees associated with such license.

M. That the development and management of the Establishment, unless otherwise stated herein, shall conform to the applicable regulations of Sections 5-5-1 through 5-5-15 of the Midland City Code.

N. That the landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.

O. That the operator of the Establishment shall:

(1) demonstrate to the City's Planning Division and Code Administration Division prior to commencing operation of the Establishment:

(a) that a 30-foot-wide paved fire apparatus access road has been constructed from North Tilden Street to the Property, which shall align with "Street D" shown on the site plan; and

(b) that the operator has obtained the appropriate title, easement, or other property interest allowing for such fire apparatus access road; and

(2) maintain such fire apparatus access road in accordance with all applicable requirements of Title VII of the City Code.

Although the construction and maintenance of the fire apparatus access road are conditions of operating the Establishment, this ordinance in no way exempts the operator of the Establishment from its responsibilities or obligations to third parties. This ordinance and any related City approvals do not purport to adjudicate property rights. This ordinance and any related approvals do not authorize a trespass by the operator as to any third party, any injury to persons or property, or an invasion of others' property rights.

SECTION THREE. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances, inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION SIX. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2026; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting “AYE”:

Council members voting “NAY”:

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2026, at a regular meeting of the City Council:

Council members voting “AYE”:

Council members voting “NAY”:

PASSED AND APPROVED THIS _____ day of _____, A.D., 2026.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, City Attorney

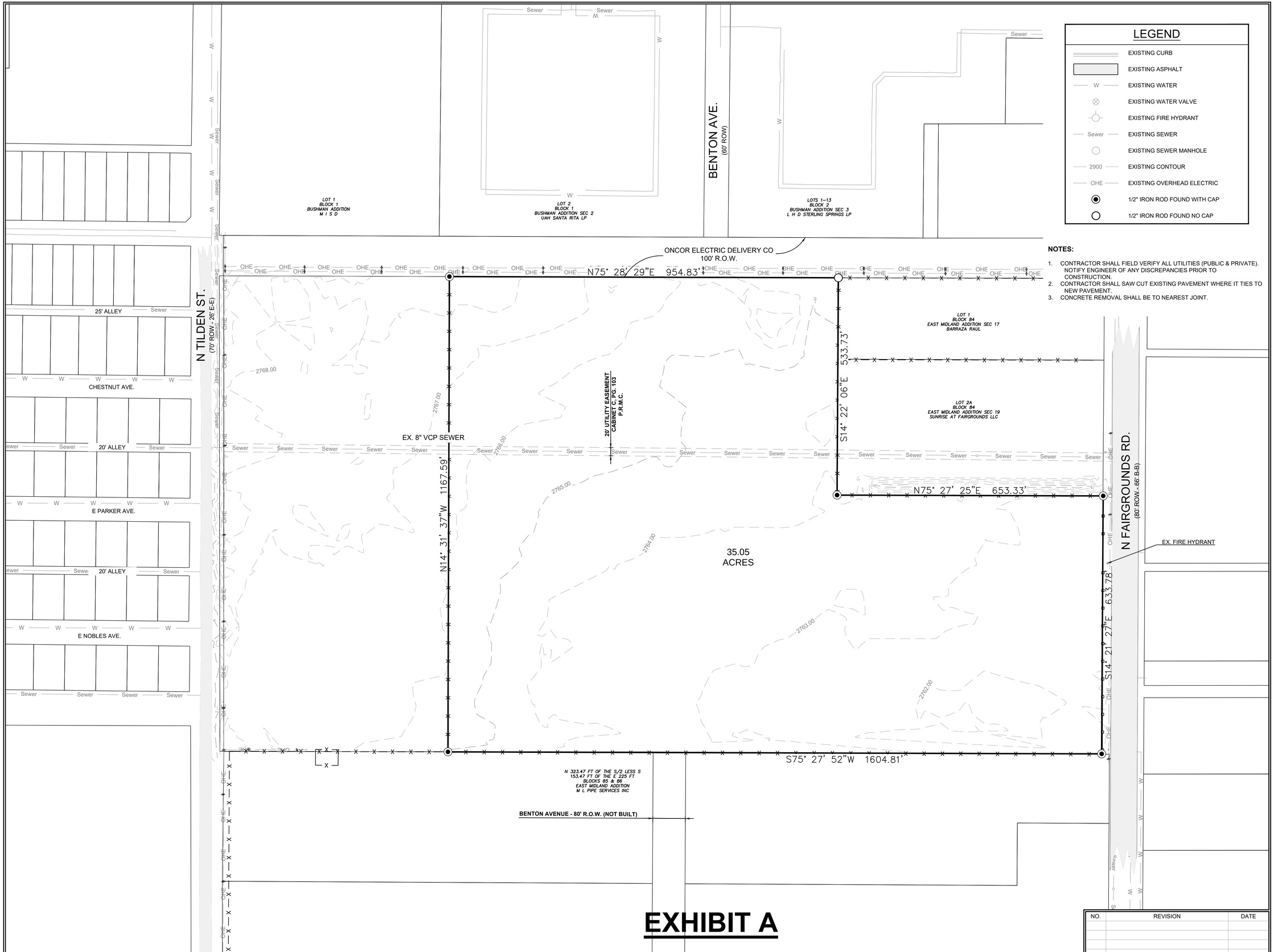

EXHIBIT A

LEGEND

- EXISTING CURB
- EXISTING ASPHALT
- W — EXISTING WATER
- EXISTING WATER VALVE
- EXISTING FIRE HYDRANT
- Sewer — EXISTING SEWER
- EXISTING SEWER MANHOLE
- 2900 — EXISTING CONTOUR
- OHE — EXISTING OVERHEAD ELECTRIC
- 1/2" IRON ROD FOUND WITH CAP
- 1/2" IRON ROD FOUND NO CAP

NOTES:

1. CONTRACTOR SHALL FIELD VERIFY ALL UTILITIES (PUBLIC & PRIVATE). NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.
2. CONTRACTOR SHALL SAW CUT EXISTING PAVEMENT WHERE IT TIES TO NEW PAVEMENT.
3. CONCRETE REMOVAL SHALL BE TO NEAREST JOINT.

GRAPHIC SCALE
0 100' 200'
(IN FEET)
1 inch = 100 ft.

NEWTON ENGINEERING, PC
2500 E. 8th St.
Odessa, Texas 79761
(432) 935-0707
4501A Santa Rosa Dr.
Midland, Texas 79707
(432) 770-0499
F-13856

STONE BRIDGE MOBILE HOME PARK
MIDLAND, TX

EXISTING CONDITIONS

STATE OF TEXAS
JOHN M. NEWTON
102292
LICENSED
PROFESSIONAL ENGINEER
8-3-2021

NO.	REVISION	DATE

Project No.	18-ME0416
Date:	AUG 2021
Drawn By:	CBD
Checked By:	JMN
Scale:	

Sheet: 03

CONCRETE PAVING NOTES:

1. ALL EXTERIOR CONCRETE TO BE 3000 psi 5.5 SACK CONCRETE REINFORCED WITH #4 REINFORCING BARS ON 18" CENTERS BOTH WAYS UNLESS NOTED OR DETAILED OTHERWISE, A WATER TO CEMENT RATIO OF LESS THAN 0.40, 4% AIR ENTRAINMENT, 3/4" COURSE LIMESTONE AGGREGATE VOLUME = 0.64 PER VOLUME OF CONCRETE.
2. 1/2 " PREFORMED EXPANSION JOINT MATERIAL SHALL BE PLACED AT INTERVALS NOT TO EXCEED THIRTY (30') FEET IN THE PAVING, SIDEWALK, AND IN THE CURB AND GUTTER OR AS DIRECTED BY THE ENGINEER. SCORING JOINTS (DUMMY JOINTS) SHALL BE PLACED IN SIDEWALKS AND CURB AND GUTTERS WITH JOINTING TOOLS AT INTERVALS NOT TO EXCEED TEN (10') FEET. SCORING JOINTS (DUMMY JOINTS) SHALL BE PLACED IN PAVING WITH JOINTING TOOLS AT INTERVALS NOT TO EXCEED TEN (10') FEET.
3. SAND CUSHION SHALL BE WETTED AND FORMS OILED PRIOR TO PLACING ANY CONCRETE.
4. NO REINFORCING BARS WILL BE CLOSER THAN THREE (3") INCHES TO EDGE OF CONCRETE.

ASPHALT PAVING NOTES:

1. TYPE D HMAC MATERIAL AND PLACEMENT TO CONFORM TO TXDOT SPECIFICATIONS ITEM 340
2. FLEX BASE MATERIAL AND PLACEMENT TO CONFORM TO CITY OF MIDLAND STANDARD SPECIFICATIONS
3. ALL SUBGRADE MATERIAL AND PACEMENT TO CONFORM TO THE CITY OF MIDLAND STANDARD SPECIFICATIONS
4. PAVEMENT MARKINGS TO BE WHITE 4" WIDE TRAFFIC MARKING PAINT CONFORMING TO TXDOT SPECIFICATIONS ITEM 662 .

MATERIAL USED FOR FILL:

1. ALL MATERIAL USED FOR FILL SHALL BE FREE FROM VEGETATION OR OTHER OBJECTIONABLE MATERIAL. THE MATERIAL SHALL HAVE NO ROCK OR LUMPS LARGER THAN 2".
2. ALL MATERIAL USED FOR FILL SHALL HAVE A PLASTICITY INDEX<10 AND LIQUID LIMIT <30.

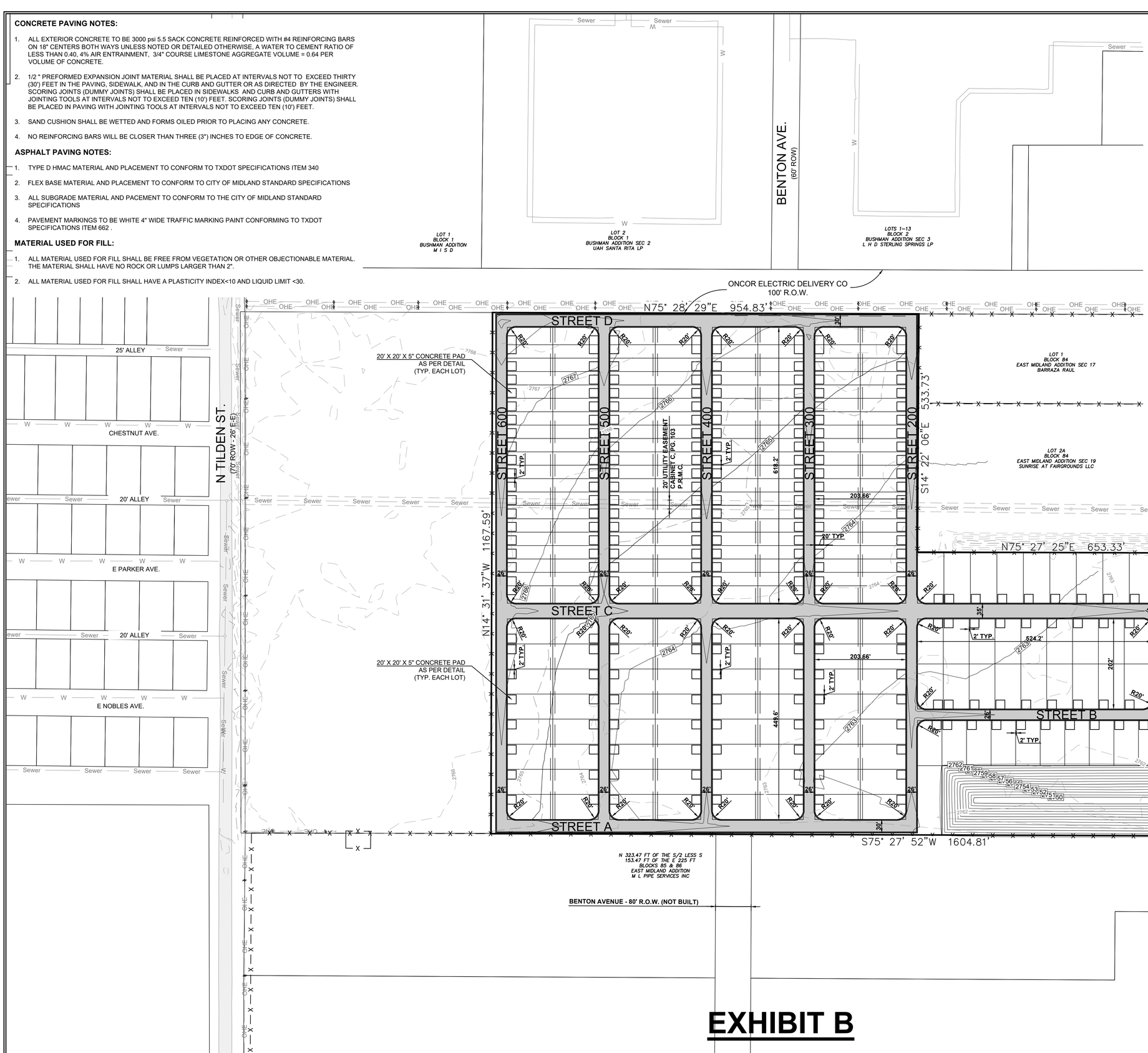

EXHIBIT B

LEGEND

- EXISTING CURB
- EXISTING ASPHALT
- EXISTING CONCRETE
- OHE — EXISTING OVERHEAD ELECTRIC
- EXISTING POWER POLE
- EXISTING GUY WIRE
- FO — EXISTING FIBER OPTIC
- GAS — EXISTING GAS
- W — EXISTING WATER
- EXISTING WATER TAP
- EXISTING WATER VALVE
- Sewer — EXISTING SEWER
- EXISTING SEWER MANHOLE
- 2900 — EXISTING CONTOUR
- PROPOSED ASPHALT
- PROPOSED CONCRETE
- 2900 — DESIGN CONTOUR
- PROPOSED FENCE

GRAPHIC SCALE
0 100' 200'
(IN FEET)
1 inch = 100 ft.

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F-13856

STONE BRIDGE MOBILE HOME PARK
MIDLAND, TX

PAVING & GRADING SITE PLAN

NO.	REVISION	DATE

Project No.	18-ME0416
Date:	AUG 2021
Drawn By:	CBD
Checked By:	JMN
Scale:	

Sheet: 04

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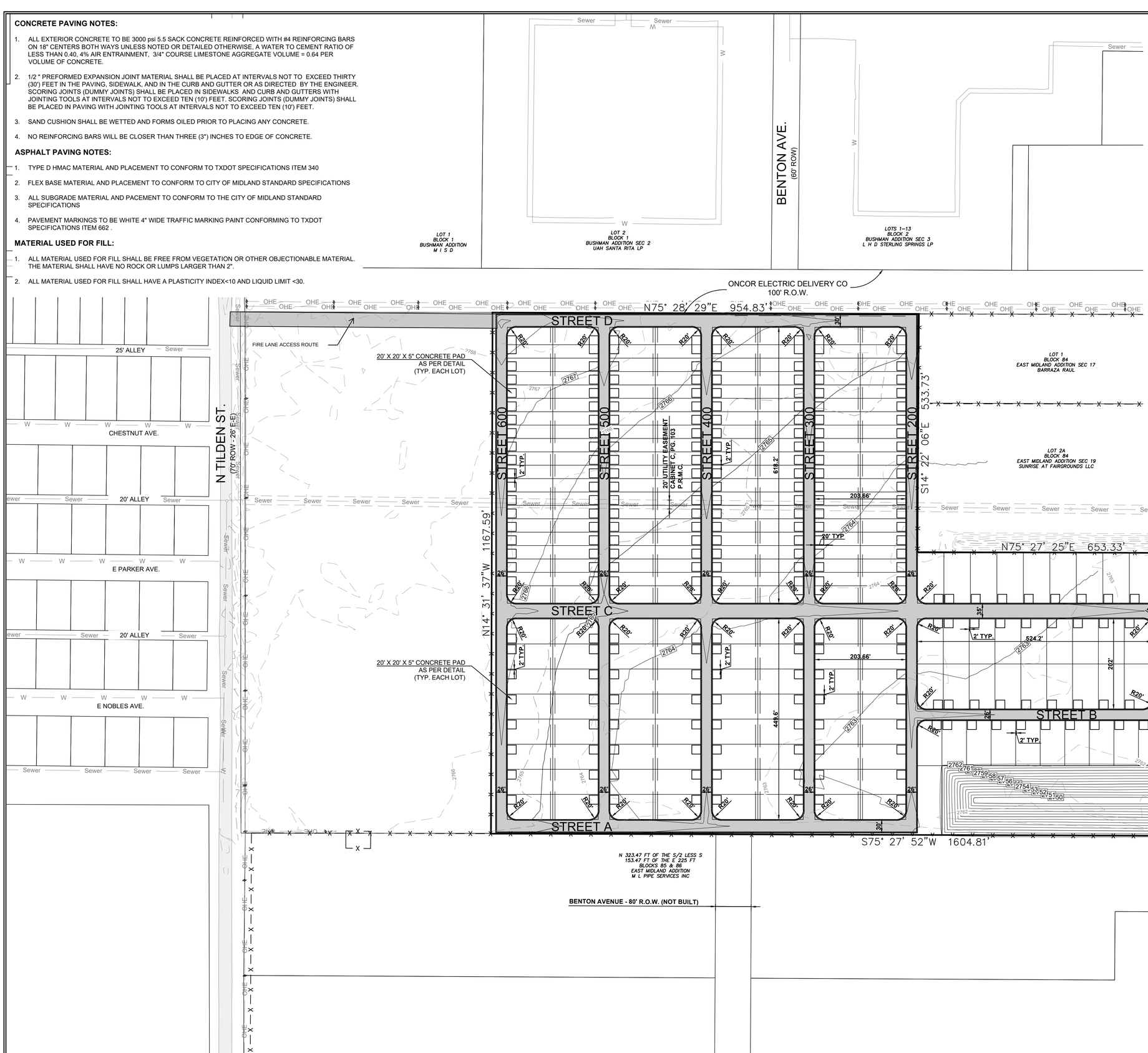

LEGEND

- EXISTING CURB
- EXISTING ASPHALT
- EXISTING CONCRETE
- OHE — EXISTING OVERHEAD ELECTRIC
- EXISTING POWER POLE
- EXISTING GUY WIRE
- FO — EXISTING FIBER OPTIC
- GAS — EXISTING GAS
- W — EXISTING WATER
- EXISTING WATER TAP
- EXISTING WATER VALVE
- Sewer — EXISTING SEWER
- EXISTING SEWER MANHOLE
- 2900 — EXISTING CONTOUR
- PROPOSED ASPHALT
- PROPOSED CONCRETE
- 2900 — DESIGN CONTOUR
- PROPOSED FENCE

GRAPHIC SCALE
0 100' 200'
(IN FEET)
1 inch = 100 ft.

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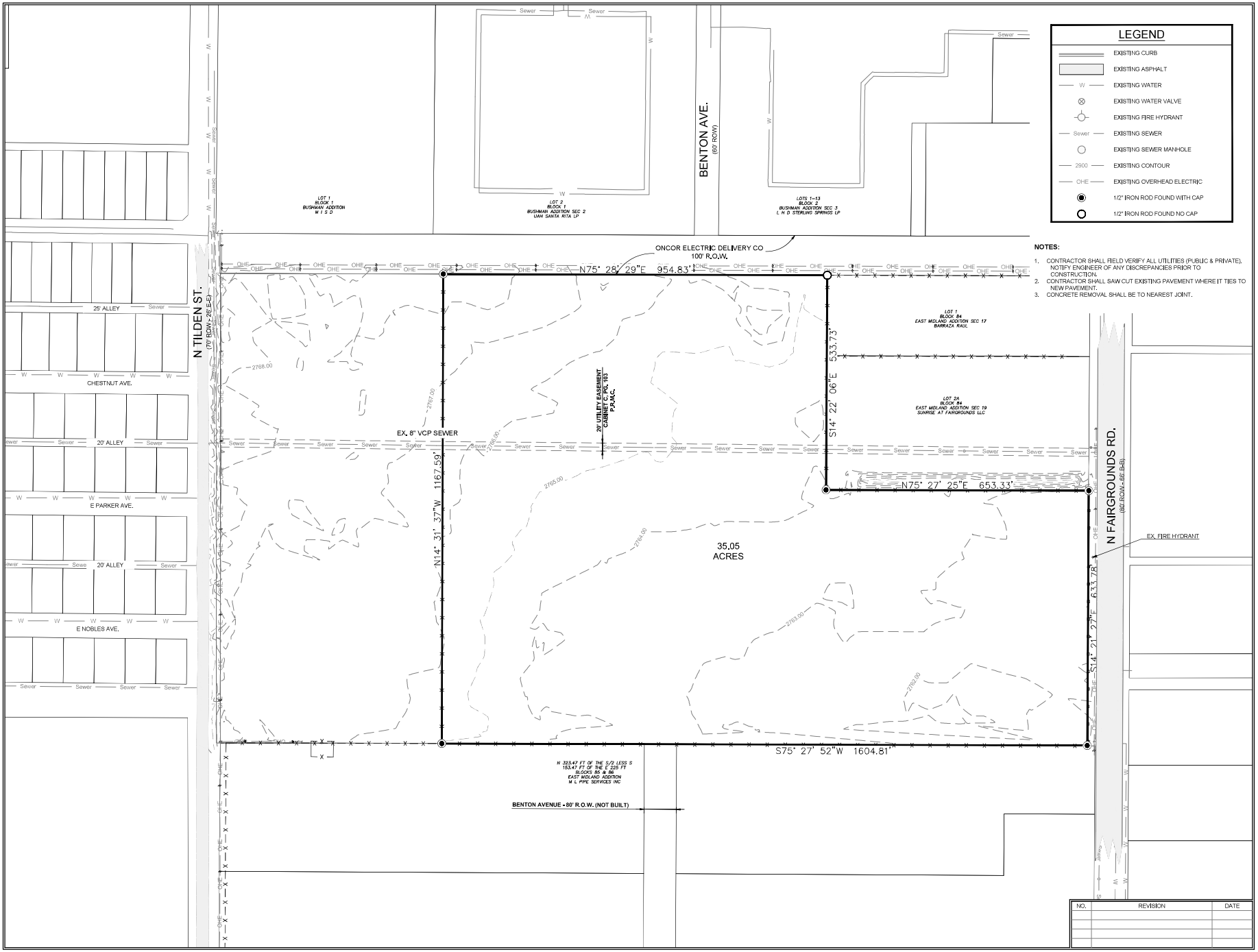
STONE BRIDGE MOBILE HOME PARK
MIDLAND, TX

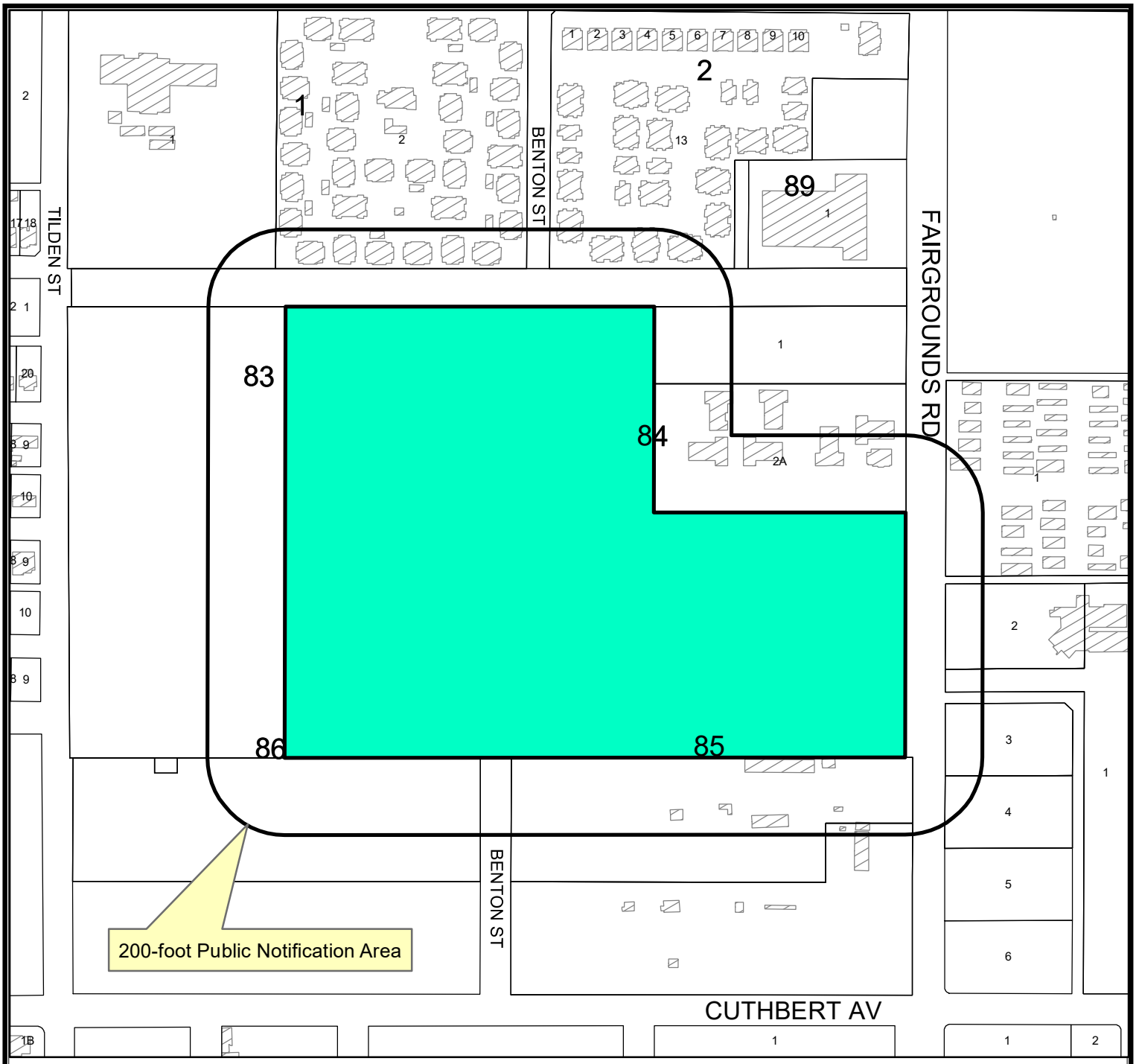
PAVING & GRADING SITE PLAN

NO.	REVISION	DATE

Project No. 18-ME0416
Date: AUG 2021
Drawn By: CBD
Checked By: JMN
Scale:

Sheet: 04


LEGEND
EXISTING CURB
EXISTING ASPHALT
EXISTING WATER
EXISTING WATER VALVE
EXISTING FIRE HYDRANT
EXISTING SEWER
EXISTING SEWER MANHOLE
EXISTING CONTOUR
EXISTING OVERHEAD ELECTRIC
1/2" IRON ROD FOUND WITH CAP
1/2" IRON ROD FOUND NO CAP
NOTES:
1. CONTRACTOR SHALL FIELD VERIFY ALL UTILITIES (PUBLIC & PRIVATE). NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.
2. CONTRACTOR SHALL SAW CUT EXISTING PAVEMENT WHERE IT TIES TO NEW PAVEMENT.
3. CONCRETE REMOVAL SHALL BE TO NEAREST JOINT.
BENTON AVE.
(60' ROW)
N TILDEN ST.
(70' ROW - 26' E-E)
N FAIRGROUNDS RD.
(80' ROW - 66' B-B)
ONCOR ELECTRIC DELIVERY CO
100' R.O.W.
N75° 28' 29"E 954.83'
S14° 22' 06"E 533.73'
N75° 27' 25"E 653.33'
S14° 21' 27"E 633.78'
S75° 27' 52"W 1604.81'
N14° 31' 37"W 1167.59'
EX. 8" VCP SEWER
20' UTILITY EASEMENT
CABINET C, PG. 103
P.R.M.C.
35.05
ACRES
EX. FIRE HYDRANT
BENTON AVENUE - 80' R.O.W. (NOT BUILT)
25' ALLEY
CHESTNUT AVE.
20' ALLEY
E PARKER AVE.
20' ALLEY
E NOBLES AVE.
LOT 1
BLOCK 1
BUSHMAN ADDITION
M I S D
LOT 2
BLOCK 1
BUSHMAN ADDITION SEC 2
UAH SANTA RITA LP
LOTS 1-13
BLOCK 2
BUSHMAN ADDITION SEC 3
L H D STERLING SPRINGS LP
LOT 1
BLOCK 84
EAST MIDLAND ADDITION SEC 17
BARRAZA RAUL
LOT 2A
BLOCK 84
EAST MIDLAND ADDITION SEC 19
SUNRISE AT FAIRGROUNDS LLC
N 323.47 FT OF THE S/2 LESS S
153.47 FT OF THE E 225 FT
BLOCKS 85 & 86
EAST MIDLAND ADDITION
M L PIPE SERVICES INC
GRAPHIC SCALE
0 100' 200'
(IN FEET)
1 inch = 100 ft.
NEWTON ENGINEERING, PC
4501A Santa Rosa Dr.
Midland, Texas 79707
(432) 770-0499
F-13856
2500 E. 8th St.
Odessa, Texas 79761
(432) 935-0707
STONE BRIDGE MOBILE HOME PARK
MIDLAND, TX
EXISTING CONDITIONS
STATE OF TEXAS
JOHN M. NEWTON
102292
LICENSED
PROFESSIONAL ENGINEER
8-3-2021
NO.
REVISION
DATE
Project No. 18-ME0416
Date: AUG 2021
Drawn By: CBD
Checked By: JMN
Scale:
Sheet:
03



Location Map

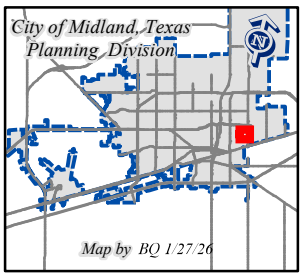
SUDwo-26-0052 **Scale: 1" = 800'**

Consider a request by Chase Gardaphe for a Specific Use Designation without Term for a Manufactured Home Park on a 35.05-acre tract of land out of Section 25, Block 39, T-1-S, T&P RR Co Survey, City and County of Midland, Texas.

Generally located on the west side of North Fairgrounds Road, approximately 650 feet north of East Cuthbert Avenue. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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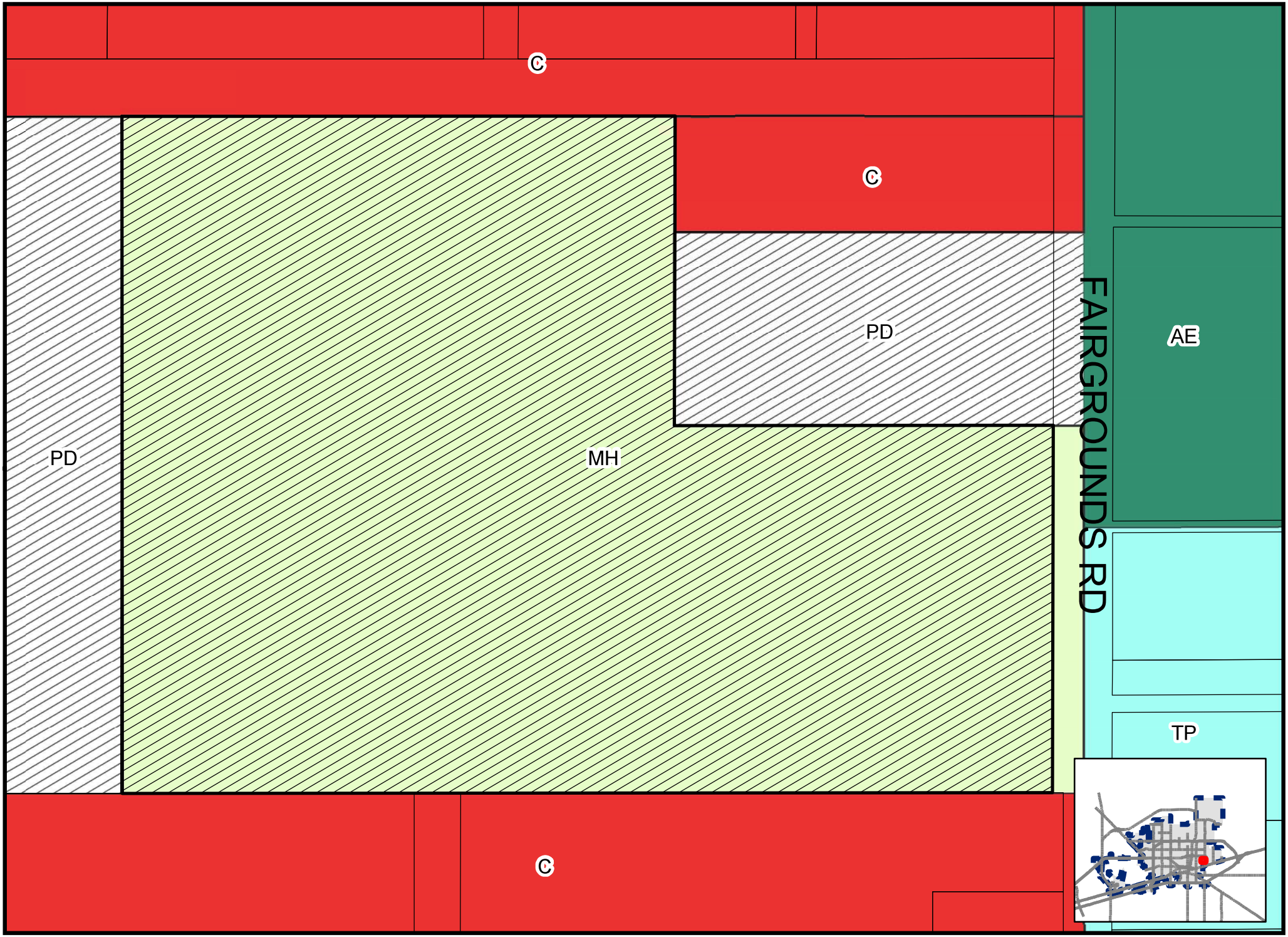

Map by BQ 5/8/26

SUDwo-26-0052

Scale: 1" = 2,000'

ZONING MAP

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TILDEN ST
FAIRGROUNDS RD
83
84
85
86





Approved vs Proposed Chase Site Plan

0 125 250 500
Feet

Chase Property

Proposed Site Plan

Previous Approved Site Plan

Previous SUD

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Produced By: City of Midland
Data Source: City of Midland GIS
Production Date: 6/22/26
Datum: NAD1983


MIDLAND
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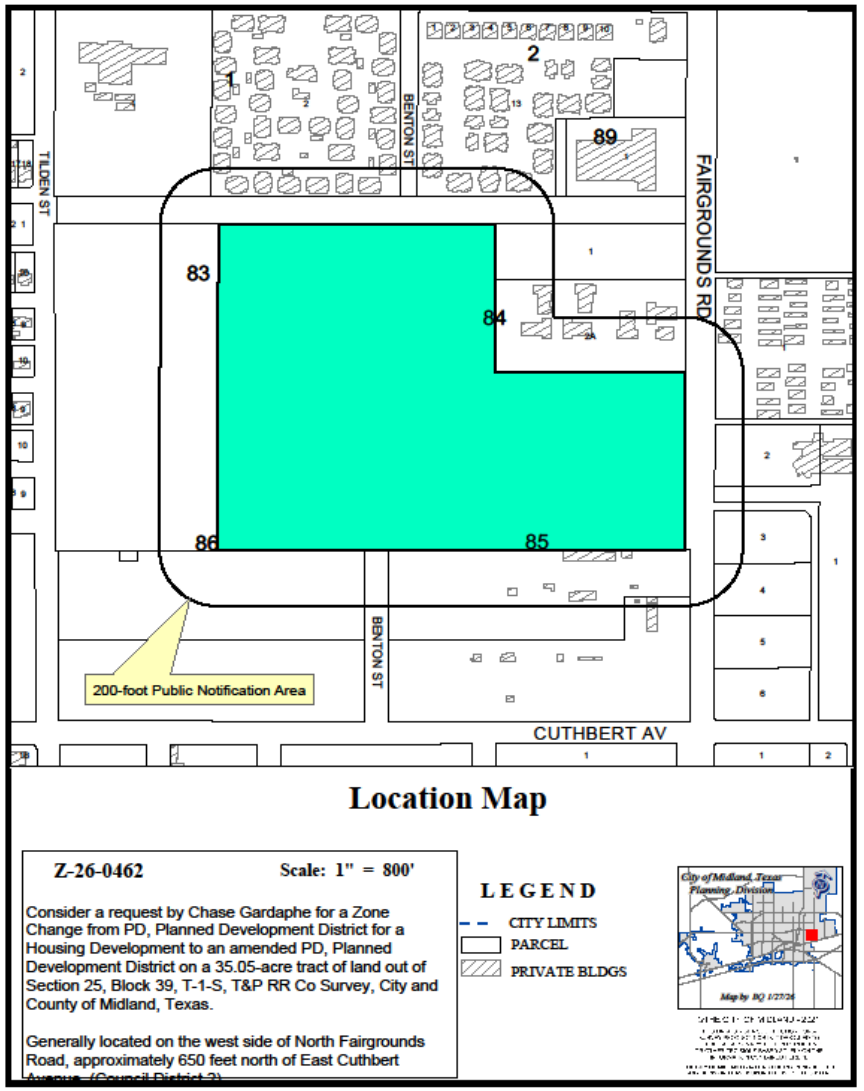
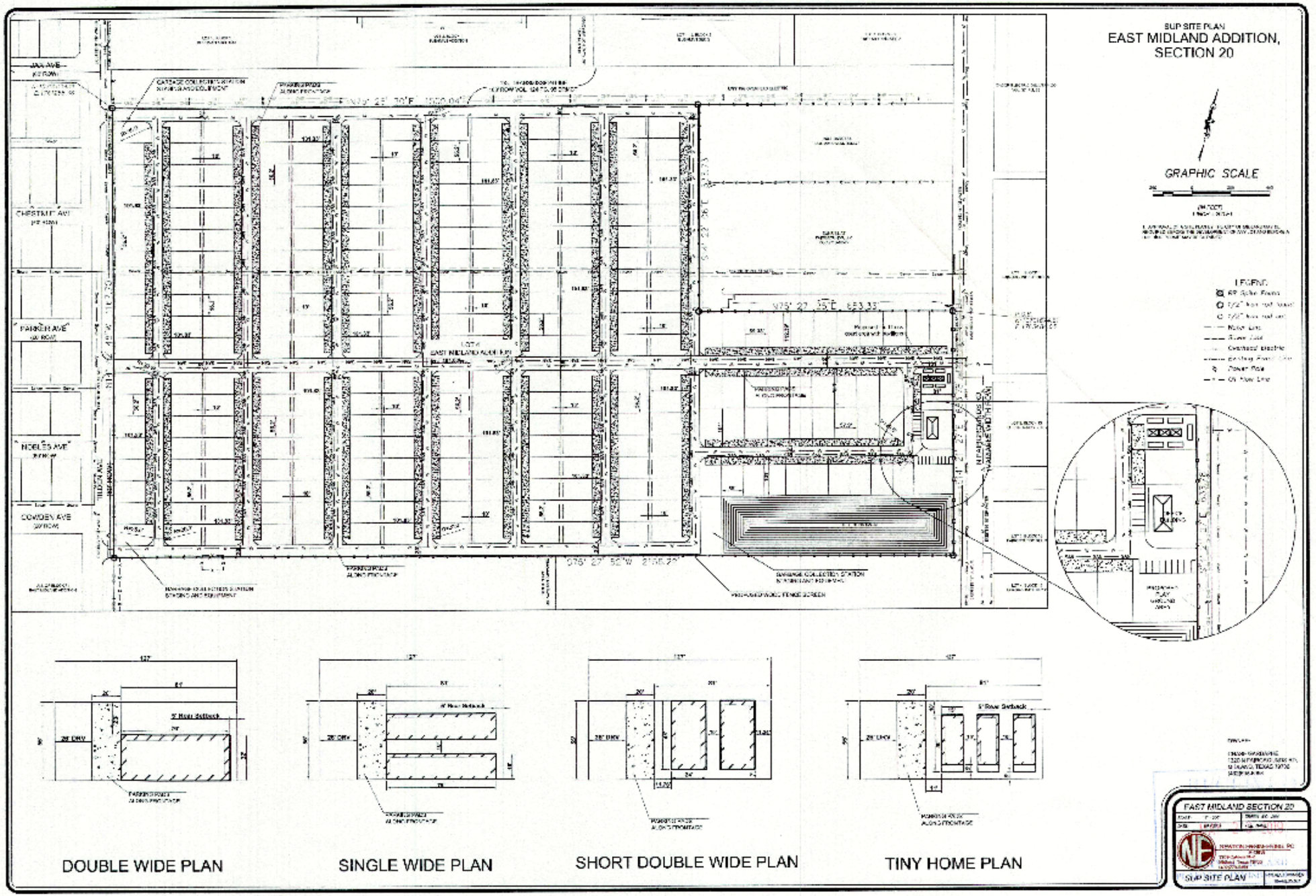
ITEM
SPECIFIC USE DESIGNATION
STONE BRIDGE MOBILE HOME PARK
Visit Our Website
MIDLANDTEXAS.GOV

APPLICATION SUMMARY

- **Applicant/Property Owner:** Chase Gardaphe
- **Location:** Generally located on the west side of North Fairgrounds Road, approximately 650 feet north of East Cuthbert Avenue. (District 2)
- **Reason for Request:** To update the existing SUD

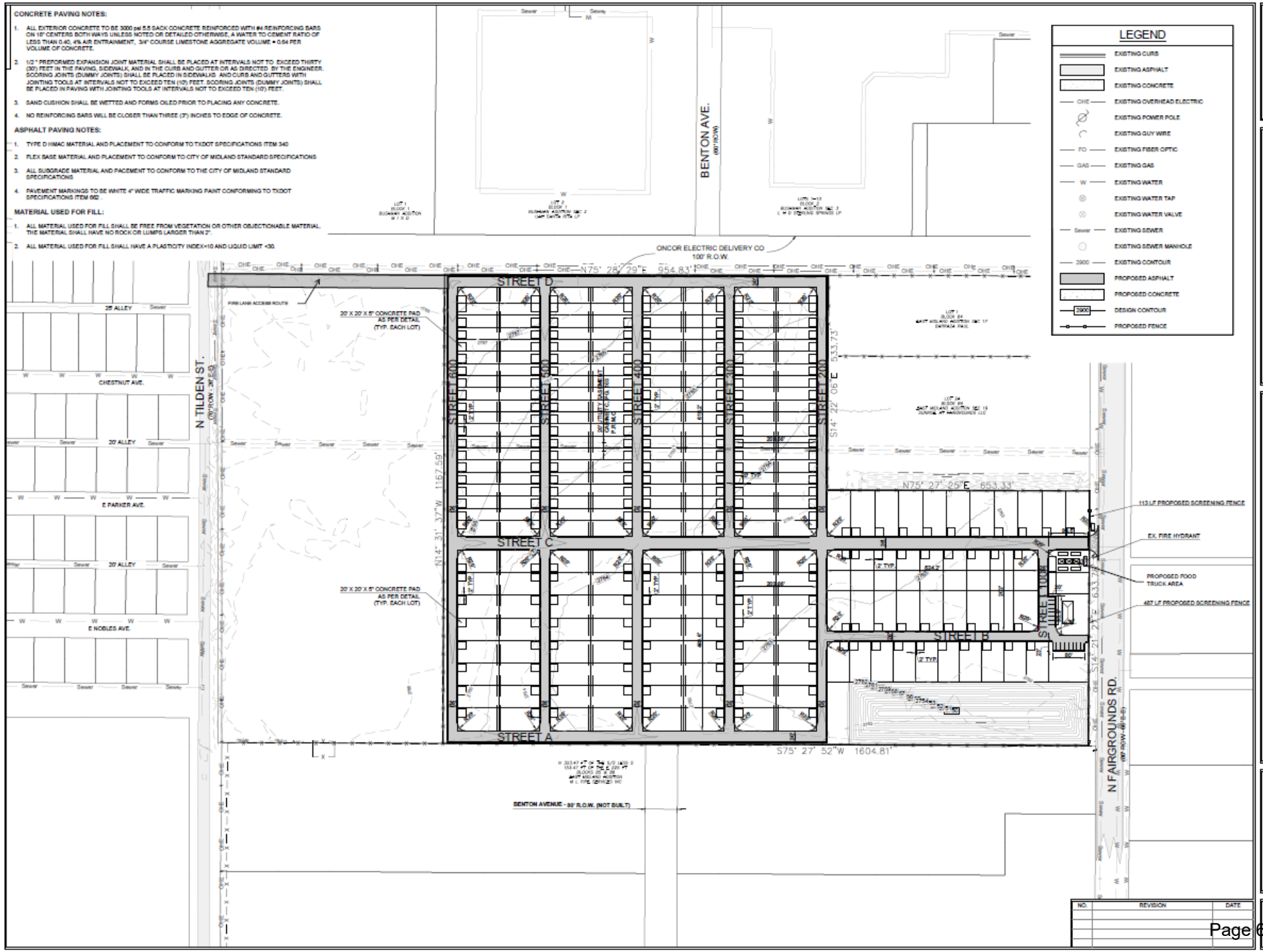


2019


SUP SITE PLAN
EAST MIDLAND ADDITION, SECTION 20
GRAPHIC SCALE
LEGEND
CHESTNUT AVE
PARKER AVE
NOBLES AVE
COWDEN AVE
DOUBLE WIDE PLAN
SINGLE WIDE PLAN
SHORT DOUBLE WIDE PLAN
TINY HOME PLAN
EAST MIDLAND SECTION 20
SUP SITE PLAN

3

2026



CONCRETE PAVING NOTES:
1. ALL EXTERIOR CONCRETE TO BE 3000 psi 5.5 SACK CONCRETE REINFORCED WITH #4 REINFORCING BARS ON 18" CENTERS BOTH WAYS UNLESS NOTED OR DETAILED OTHERWISE. A WATER TO CEMENT RATIO OF LESS THAN 0.40, 4% AIR ENTRAINMENT, 3/4" COURSE LIMESTONE AGGREGATE VOLUME = 0.64 PER VOLUME OF CONCRETE.
2. 1/2" PREFORMED EXPANSION JOINT MATERIAL SHALL BE PLACED AT INTERVALS NOT TO EXCEED THIRTY (30') FEET IN THE PAVING, SIDEWALK, AND IN THE CURB AND GUTTER OR AS DIRECTED BY THE ENGINEER. SCORING JOINTS (DUMMY JOINTS) SHALL BE PLACED IN SIDEWALKS AND CURB AND GUTTERS WITH JOINTING TOOLS AT INTERVALS NOT TO EXCEED TEN (10') FEET. SCORING JOINTS (DUMMY JOINTS) SHALL BE PLACED IN PAVING WITH JOINTING TOOLS AT INTERVALS NOT TO EXCEED TEN (10') FEET.
3. SAND CUSHION SHALL BE WETTED AND FORMS OILED PRIOR TO PLACING ANY CONCRETE.
4. NO REINFORCING BARS WILL BE CLOSER THAN THREE (3") INCHES TO EDGE OF CONCRETE.
ASPHALT PAVING NOTES:
1. TYPE D HMAC MATERIAL AND PLACEMENT TO CONFORM TO TXDOT SPECIFICATIONS ITEM 340
2. FLEX BASE MATERIAL AND PLACEMENT TO CONFORM TO CITY OF MIDLAND STANDARD SPECIFICATIONS
3. ALL SUBGRADE MATERIAL AND PACEMENT TO CONFORM TO THE CITY OF MIDLAND STANDARD SPECIFICATIONS
4. PAVEMENT MARKINGS TO BE WHITE 4" WIDE TRAFFIC MARKING PAINT CONFORMING TO TXDOT SPECIFICATIONS ITEM 662 .
MATERIAL USED FOR FILL:
1. ALL MATERIAL USED FOR FILL SHALL BE FREE FROM VEGETATION OR OTHER OBJECTIONABLE MATERIAL. THE MATERIAL SHALL HAVE NO ROCK OR LUMPS LARGER THAN 2".
2. ALL MATERIAL USED FOR FILL SHALL HAVE A PLASTICITY INDEX<10 AND LIQUID LIMIT <30.
LEGEND
EXISTING CURB
EXISTING ASPHALT
EXISTING CONCRETE
EXISTING OVERHEAD ELECTRIC
EXISTING POWER POLE
EXISTING GUY WIRE
EXISTING FIBER OPTIC
EXISTING GAS
EXISTING WATER
EXISTING WATER TAP
EXISTING WATER VALVE
EXISTING SEWER
EXISTING SEWER MANHOLE
EXISTING CONTOUR
PROPOSED ASPHALT
PROPOSED CONCRETE
DESIGN CONTOUR
PROPOSED FENCE
BENTON AVE.
ONCOR ELECTRIC DELIVERY CO
100' R.O.W.
N TILDEN ST.
N FAIRGROUNDS RD.
STREET A
STREET B
STREET C
STREET D
STREET 600
STREET 500
STREET 400
STREET 300
STREET 200
STREET 100
20' X 20' X 5" CONCRETE PAD AS PER DETAIL (TYP. EACH LOT)
113 LF PROPOSED SCREENING FENCE
EX. FIRE HYDRANT
PROPOSED FOOD TRUCK AREA
487 LF PROPOSED SCREENING FENCE
BENTON AVENUE - 80' R.O.W. (NOT BUILT)
GRAPHIC SCALE
NEWTON ENGINEERING, PC
STONE BRIDGE MOBILE HOME PARK
MIDLAND, TX
PAVING & GRADING SITE PLAN
Project No. 18-MED416
Date: AUG 2021
Drawn By: CBD
Sheet 04

4



Approved vs Proposed Chase Site Plan

0 125 250 500
Feet

Chase Property
Proposed Site Plan
Previous Approved Site Plan
Previous SUD

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Data Source: City of Midland GIS
Production Date: 6/22/26
Datum: NAD1983

5

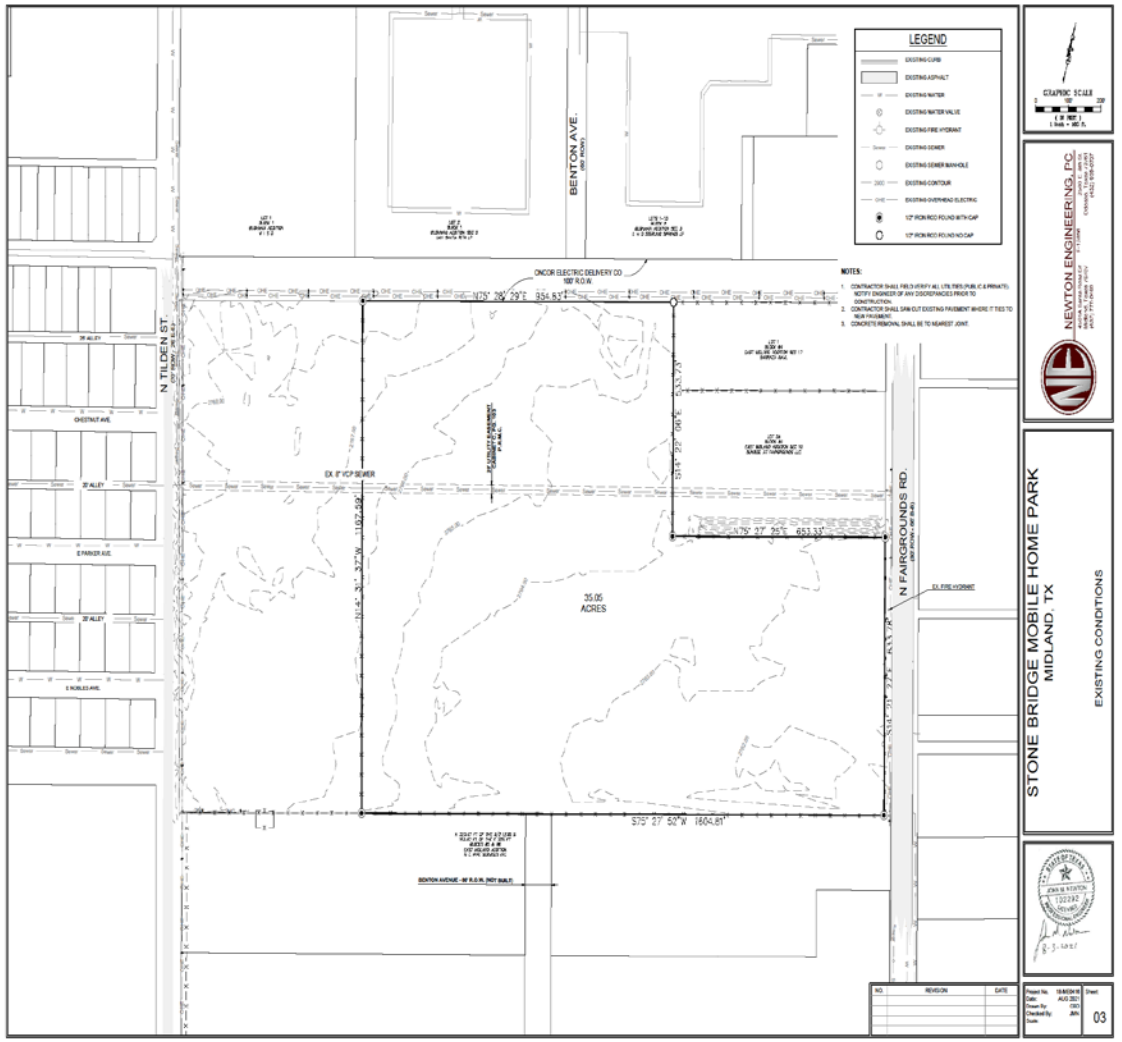
2019 SUD VS 2026 SUD

49.85 acres	35.05 acres
284 spaces	263 spaces
Max of 600 units	Max of 263 units
Density of 12 units per acre	Density of 8 units per acre



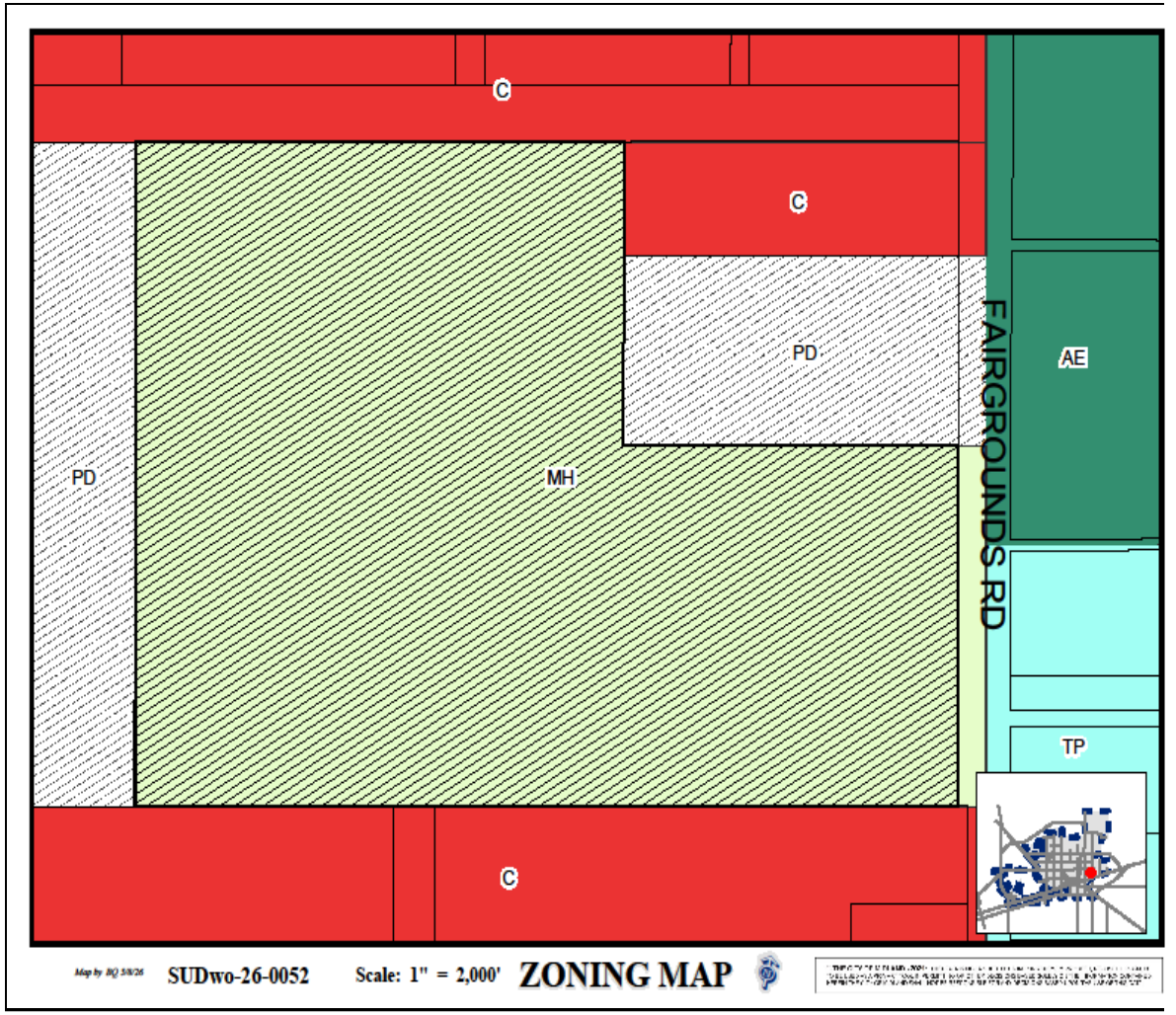
DETAILS OF REQUEST

- 263 total spaces
  - 160 spaces: ~30' × 101’
  - 18 spaces: ~58' × 101’
  - 11 spaces: ~59' × 112’
  - 64 spaces: ~56' × 101’
  - 10 spaces: ~55' × 101'



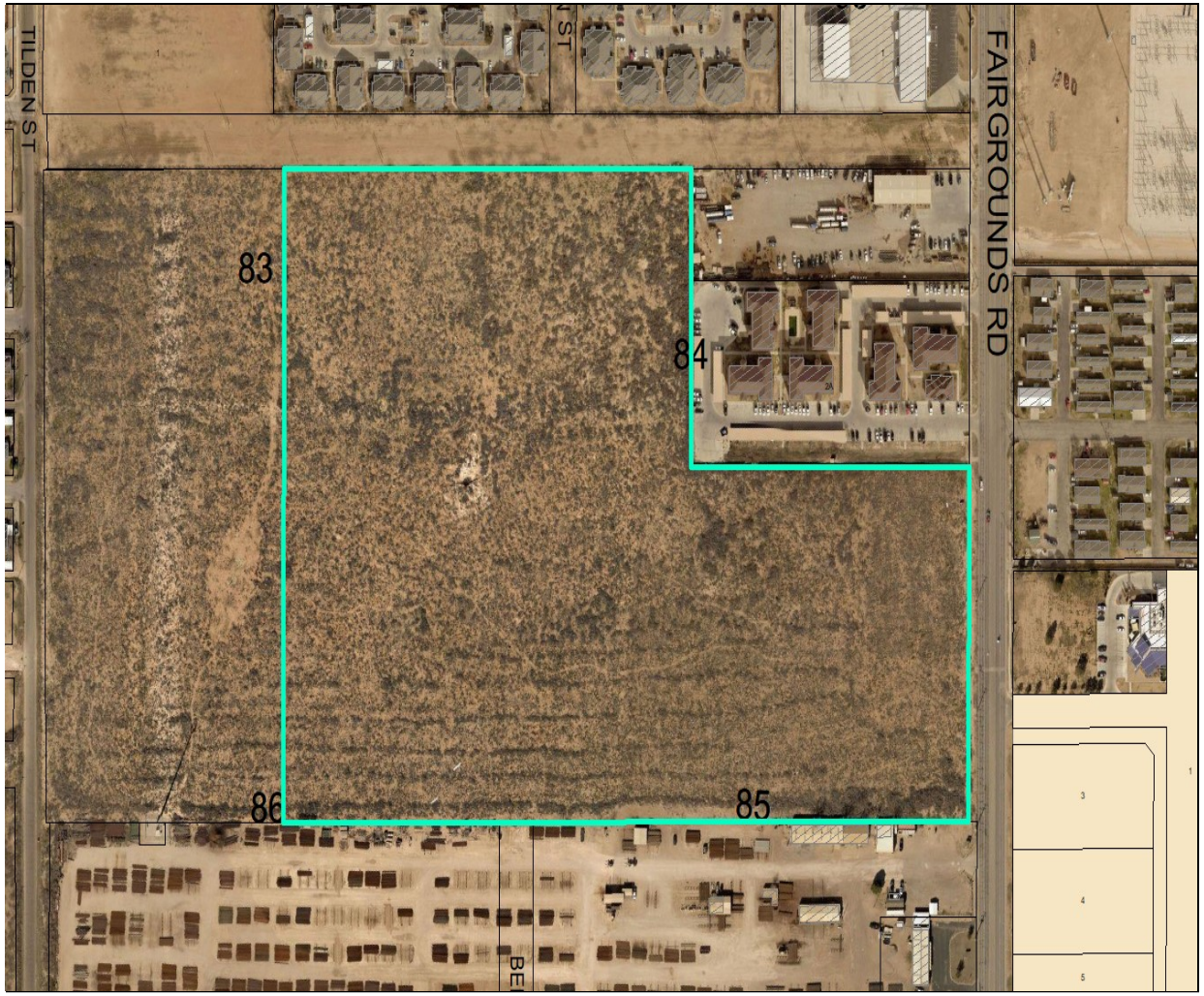
ZONING

- **Current Zoning:** MH, Manufactured Housing District
- **Surrounding Zoning:**
  - **North/South:** C, Commercial District
  - **East:** AE, Agricultural Estate District & TP, Technology Park District
  - **West:** PD, Planned Development for a Housing Development



LAND USE

- **Current Use:** Vacant
- **Surrounding Uses:**
  - **North:** Senior Living Apartment
  - **South:** Commercial
  - **East:** Animal Control Shelter & Manufacture Home Park
  - **West:** Vacant
- **Proposed Use:** Manufactured Home Park



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On North Fairgrounds, Looking West

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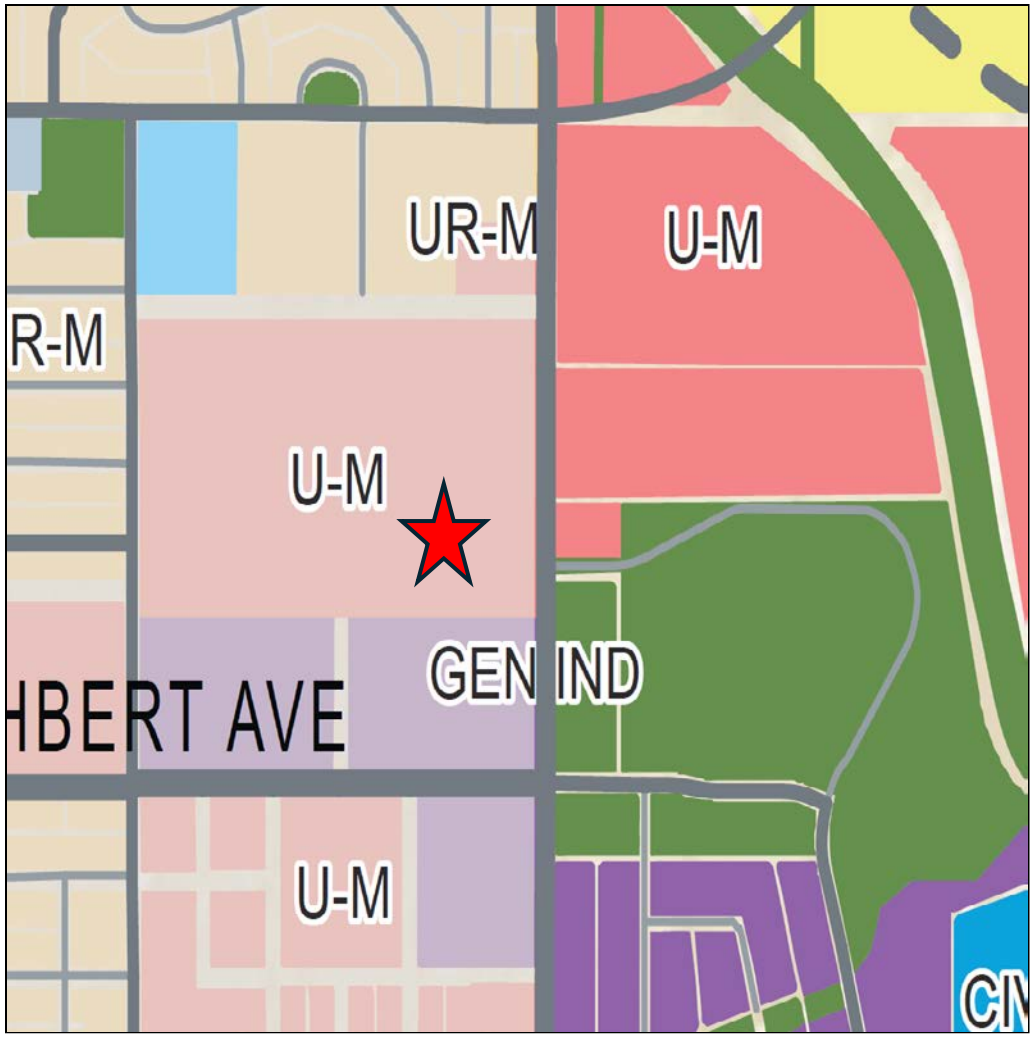
COMPREHENSIVE PLAN

- **Land Use Designation:** Urban-Medium (U-M)
- **Supported Uses:** A mix of housing types along with commercial, office, and service uses



RELATED ITEMS

- A zone change was recently approved to change the zoning of the property to MH, Manufactured Housing District.



12

STAFF'S REPORT

- No objections were received.
- Should this request be approved, staff recommends it be subject to the following conditions:

A. The development of the Establishment shall significantly conform to provided Site Plan, which is attached hereto as Exhibit B and incorporated herein.

B. The maximum capacity shall not exceed 263 manufactured home units.

C. The maximum density shall not exceed eight manufacturer home units per acre.



STAFF'S REPORT

D. That the Establishment's front yard setback shall be at least 10 feet from property line.

E. That each manufactured home unit shall be located at least 10 feet from each other manufactured home unit.

F. The trash dumpsters shall be appropriately screened and of an adequate quantity to handle the refuse generated by the Establishment's occupants.

G. That the width of each internal street shall be a minimum of 26 feet.

H. Internal sidewalks shall not be required.



STAFF'S REPORT

I. That storage facilities for each manufactured home space shall not be required.

J. That the internal streets, play areas, food truck court, and office space shall be illuminated in accordance with applicable Midland City Code requirements, and the lighting shall be maintained in a working condition.

K. That a manager or responsible attendant shall be in charge of keeping the Establishment, its facilities, and equipment in a clean, orderly, and sanitary condition, and said manager or attendant shall be answerable, with the licensee, for any violation of the provisions of the Midland City Code.



STAFF'S REPORT

L. That the operator of the Establishment is required to maintain a current Type I license and pay the annual license fees associated with such license.

M. That the development and management of the Establishment, unless otherwise stated herein, shall conform to the applicable regulations of Sections 5-5-1 through 5-5-15 of the Midland City Code.

N. That the landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.

16



MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.



City Council Meeting

Item Number: 17.
Meeting Date: August 11, 2026
To: City Council
From: Lori Elliott, Planner
Subject: AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR THE WEST HALF OF LOT 2 AND ALL OF LOT 3, BLOCK 9, HIGH SCHOOL ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST MICHIGAN AVENUE, APPROXIMATELY 90 FEET WEST OF NORTH B STREET), BY PERMITTING A REDUCED MINIMUM SIDE YARD SETBACK ON THE WEST SIDE OF THE PROPERTY; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION (FIRST READING HELD JULY 21, 2026)

Purpose:
Katelyn Williams is requesting a Special Exception from the City of Midland Zoning Ordinance, Section 4.09– Accessory Buildings and Uses, to permit a reduced minimum side yard setback on the west side of the property to allow for an accessory dwelling unit at a property located at 905 West Michigan Avenue.

Recommended Action:
Approve

Fiscal Impact:
None

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:

The subject property is zoned SF-2, Single-Family Dwelling District. Per Section 4.09 – Accessory Buildings and Uses, the minimum setback requirement is five feet (5') for a residentially-zoned property that is between 7,500 square feet and 21,999 square feet. This property is approximately 10,500 square feet and therefore has a required side yard setback of five feet (5'). The applicant would like to reduce the side yard setback to zero feet (0') to allow for the creation of an accessory dwelling unit.

The applicant is requesting this special exception to create a mother-in-law suite from the existing detached garage located at 905 West Michigan Avenue. However, given the required side yard setback, it is not currently possible to do so. With a reduced side setback of 0 feet (0'), the accessory building would be brought into conformance.

This request has been circulated to all pertinent City departments for review. Below are the departments' comments.

Fire: (Approved)

No fire code concerns identified at this time; all applicable building, fire, and life safety code requirements shall be met prior to occupancy.

Engineering: (Approved)

No objection. [For Applicant's Information Only.]

Building: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2023 NEC requirements, the 2015 International Fire Codes, local city ordinances, planning/zoning requirements, established setbacks, Health department regulations, oil and gas considerations, and floodplain requirements if necessary. Please also be mindful of fire separation distances, which do not rely on property lines but building separations for fire safety reasons. Code versions are subject to change depending on the time of new code editions adopted in the City of Midland and date of permit application.

Transportation: (Approved)

No objection. [For the Applicant's information only.]

Planning (Approved):

The 5-foot minimum side yard setback for the accessory building on this property does not allow for the applicant's request to create an accessory dwelling unit from the existing enclosed garage. Granting this special exception would reduce the side yard setback to zero feet (0') and therefore allow for the applicant to create the mother-in-law suite while also coming into conformance.

Staff recommends approval of this request, subject to the following conditions:

Conditions:

A. That the minimum side yard setback on the west side of the Property shall be zero feet (0').

B. That the reduced minimum side yard setback allowed by this ordinance shall apply only to the "Existing Detached Garage" in the site plan, which is attached hereto as Exhibit A and incorporated herein.

Letters of Objection:

Staff has received no letters of objection as of July 10, 2026.

Attachments:

A. ORD w EXH - E-26-0162.Katelyn Williams - Red Side Yard Setback Ord w Exh
B. E-26-0162, 905 W Michigan, Combined
C. CC - - 905 W Michigan Ave, Special Exception

Rachel Guentensberger, City Secretary Created/Initiated - 7/21/2026

ORDINANCE NO. _____

AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR THE WEST HALF OF LOT 2 AND ALL OF LOT 3, BLOCK 9, HIGH SCHOOL ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST MICHIGAN AVENUE, APPROXIMATELY 90 FEET WEST OF NORTH B STREET), BY PERMITTING A REDUCED MINIMUM SIDE YARD SETBACK ON THE WEST SIDE OF THE PROPERTY; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION

WHEREAS, the City Council modified the authority of the Board of Adjustment in Title XI, Chapter 1, Section 7 ("Section 11-1-7") of the Midland City Code; and

WHEREAS, Section 11-1-7 provides for the consideration of requests for special exceptions to the Midland Zoning Ordinance; and

WHEREAS, the Council finds that satisfactory evidence has been presented that the use to be authorized by the granting of the special exception will not be detrimental to the health, safety, comfort and welfare of the occupants of the land area near the tract on which the use to be allowed by special exception will be located; and

WHEREAS, the Council finds that it is clearly and specifically authorized by the terms of Section 11-1-7 to grant such a special exception, and said exception will be in harmony with the general purposes and intent of the zoning provisions of the Midland City Code; and

WHEREAS, after a full and fair public hearing at which all parties in interest were offered an opportunity to be heard, all pursuant to law, the Council finds it to be in the public interest to grant a special exception to the Zoning Ordinance, pursuant to Section 11-1-7, for the purposes herein stated, subject to special conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That a special exception is hereby granted for the property described as the west half of Lot 2 and all of Lot 3, Block 9, High School Addition, City and County of Midland, Texas (the "Property"). Said special exception shall allow a reduced minimum side yard setback on the west side of the Property.

SECTION TWO. Said special exception is subject to the following special conditions:

A. That the minimum side yard setback on the west side of the Property shall be zero feet (0').

B. That the reduced minimum side yard setback allowed by this ordinance shall apply only to the "Existing Detached Garage" shown in the site plan, which is attached hereto as Exhibit A and incorporated herein.

SECTION THREE. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION SIX. The City Secretary is hereby authorized and directed to file this ordinance with the Office of the County Clerk for purposes of recordation.

SECTION SEVEN. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2026; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting "AYE":

Council members voting "NAY":

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2026, at a regular meeting of the City Council:

Council members voting "AYE":

Council members voting "NAY":

PASSED AND APPROVED THIS _____ day of _____, A.D., 2026.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

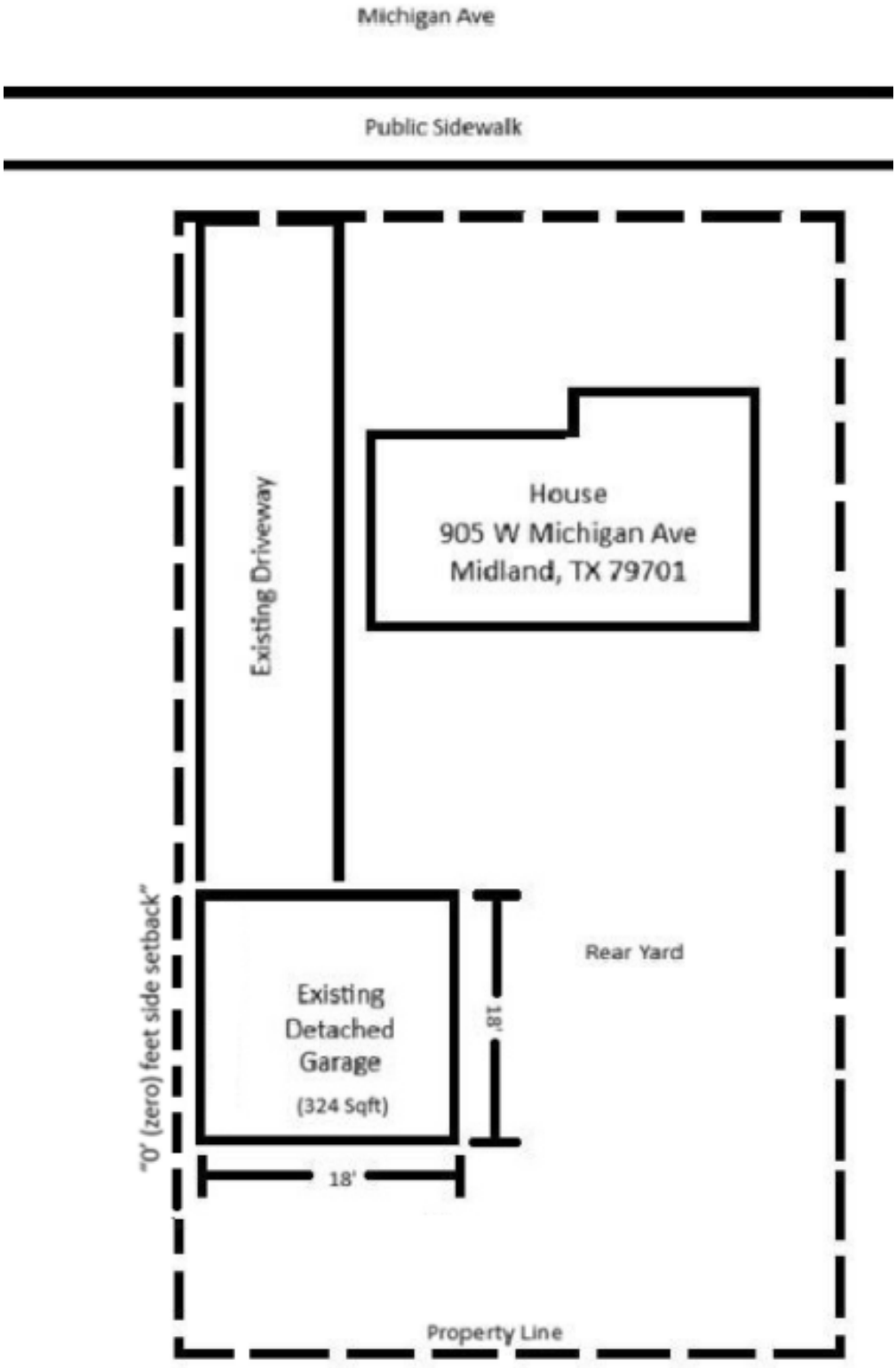
APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, City Attorney

EXHIBIT A

SITE PLAN:
905 W Michigan Ave Midland, Tx 79701

Existing Detached Garage - 324 sqft
Zero feet Setback - 0'
The plan is to convert the existing detached garage into a mother-in-law suite.
The square feet of the detached garage will remain the same.



SITE PLAN:
905 W Michigan Ave Midland, Tx 79701

Existing Detached Garage - 324 sqft
Zero feet Setback - 0'
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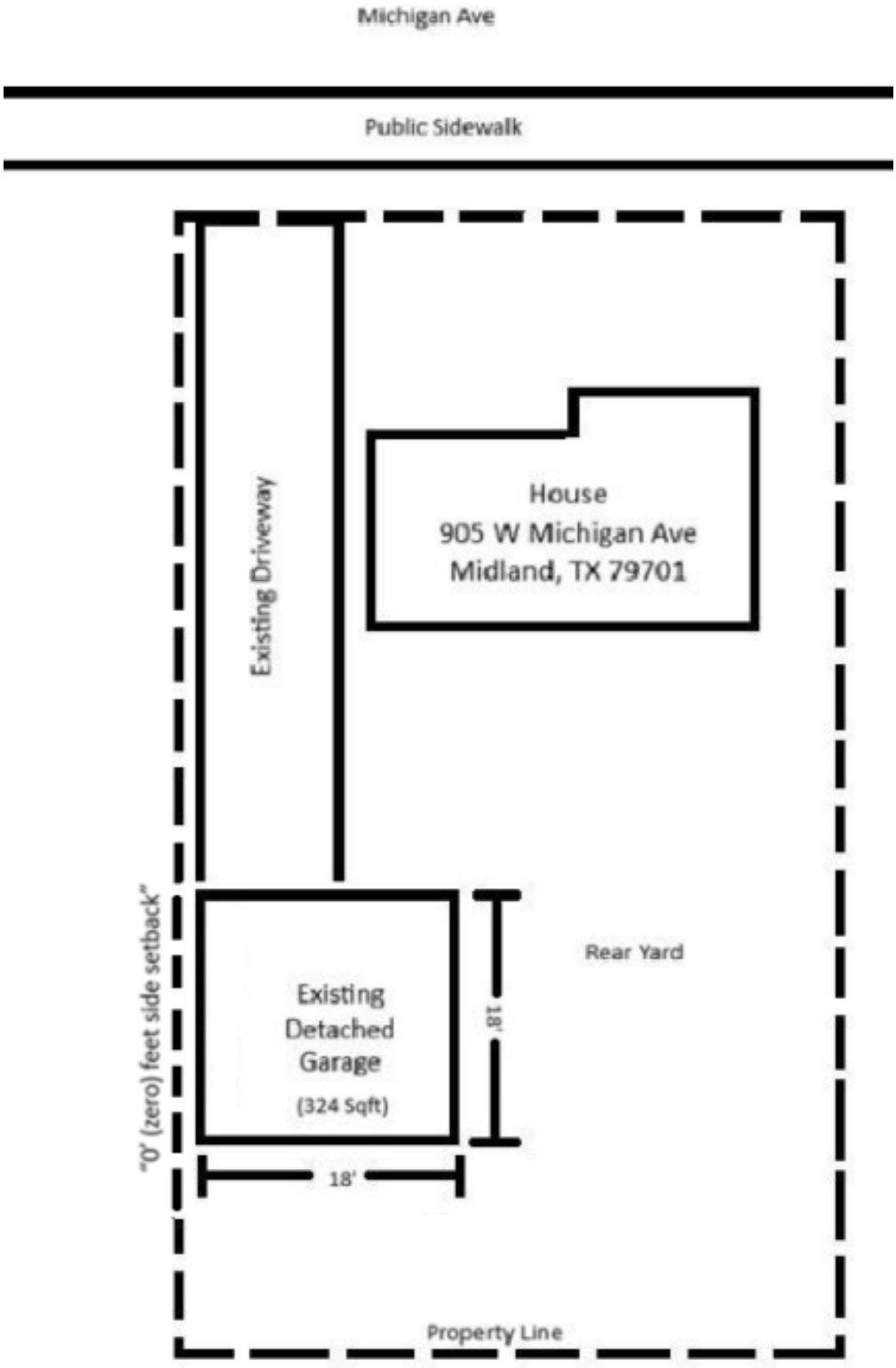
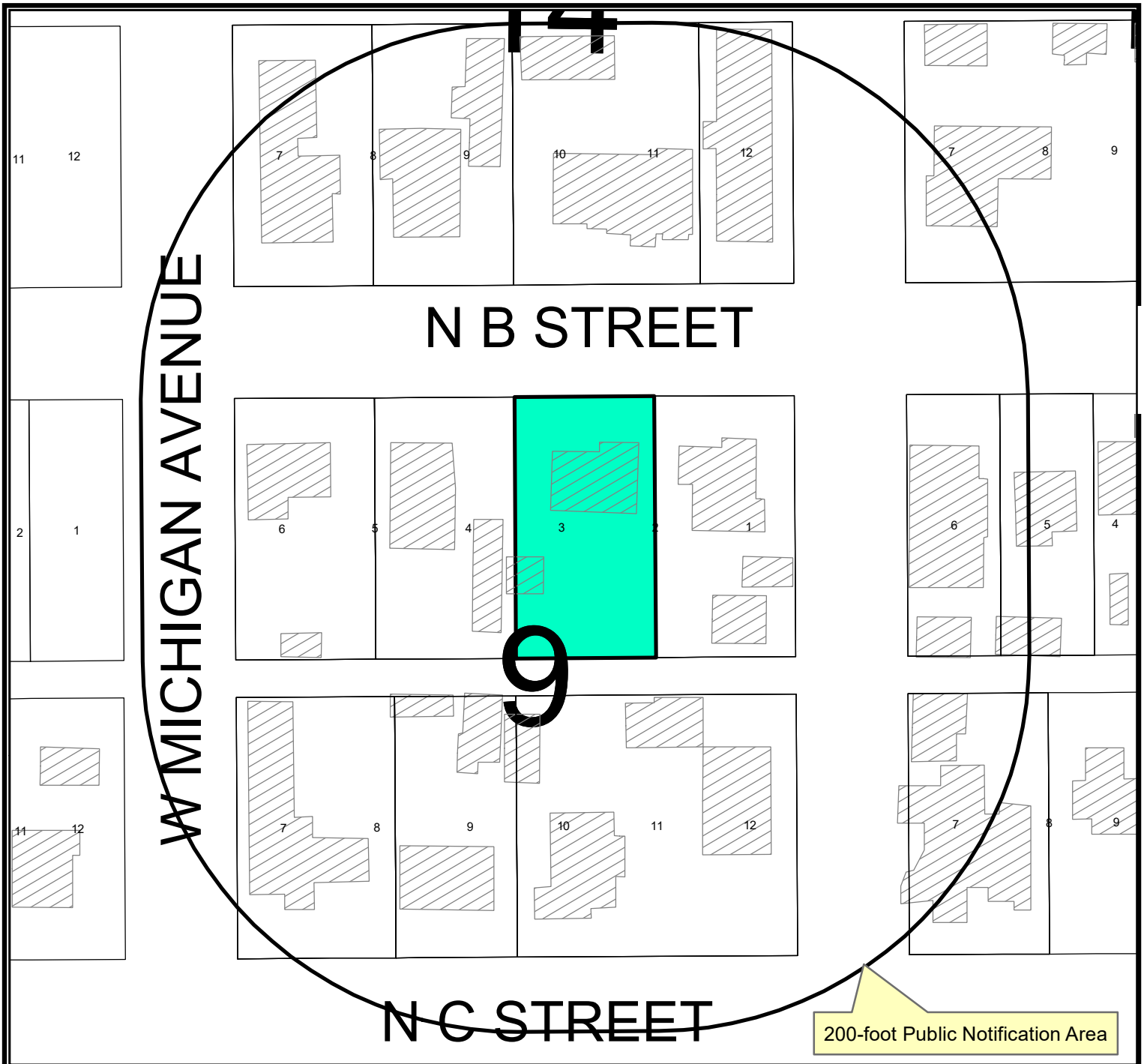




Location Map

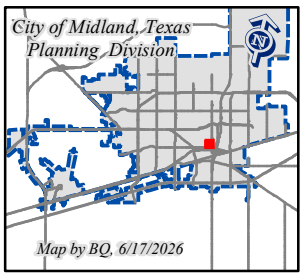
SUDwo-26-0055 **Scale: 1" = 500'**

Consider a request by Katelyn Williams for a Specific Use Designation without Term for an Accessory Dwelling Unit on the west half of Lot 2 and all of Lot 3, Block 9, High School Addition, City and County of Midland, Texas.

Generally located on the south side of West Michigan Avenue, approximately 90 feet west of North B Street. (Council District 3)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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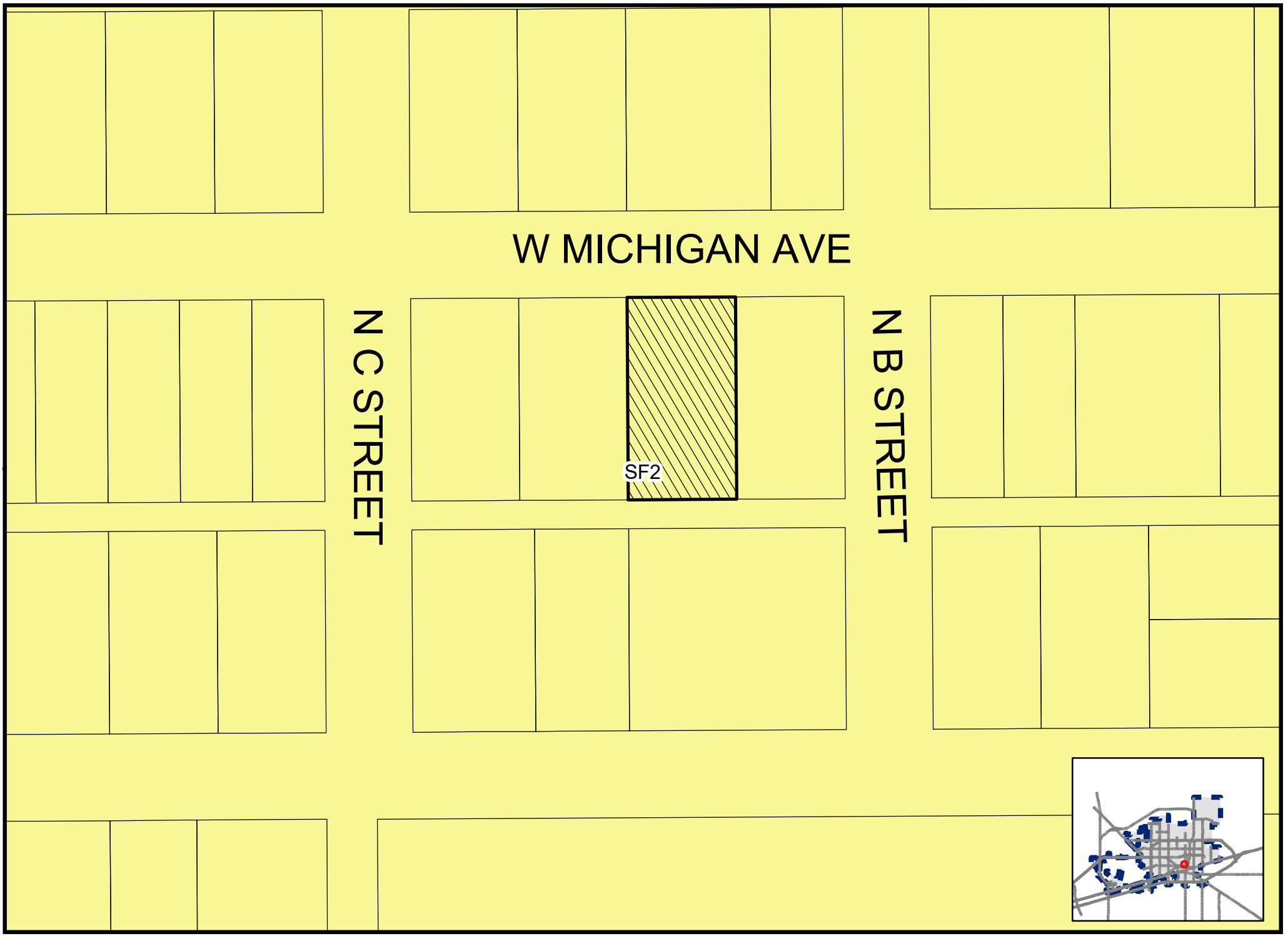

Map by LE, 6/10/2026

E-26-0162

Scale: 1" = 600'

ZONING MAP

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RIGHT LANE
ONLY
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SPECIAL EXCEPTION
905 WEST MICHIGAN AVENUE
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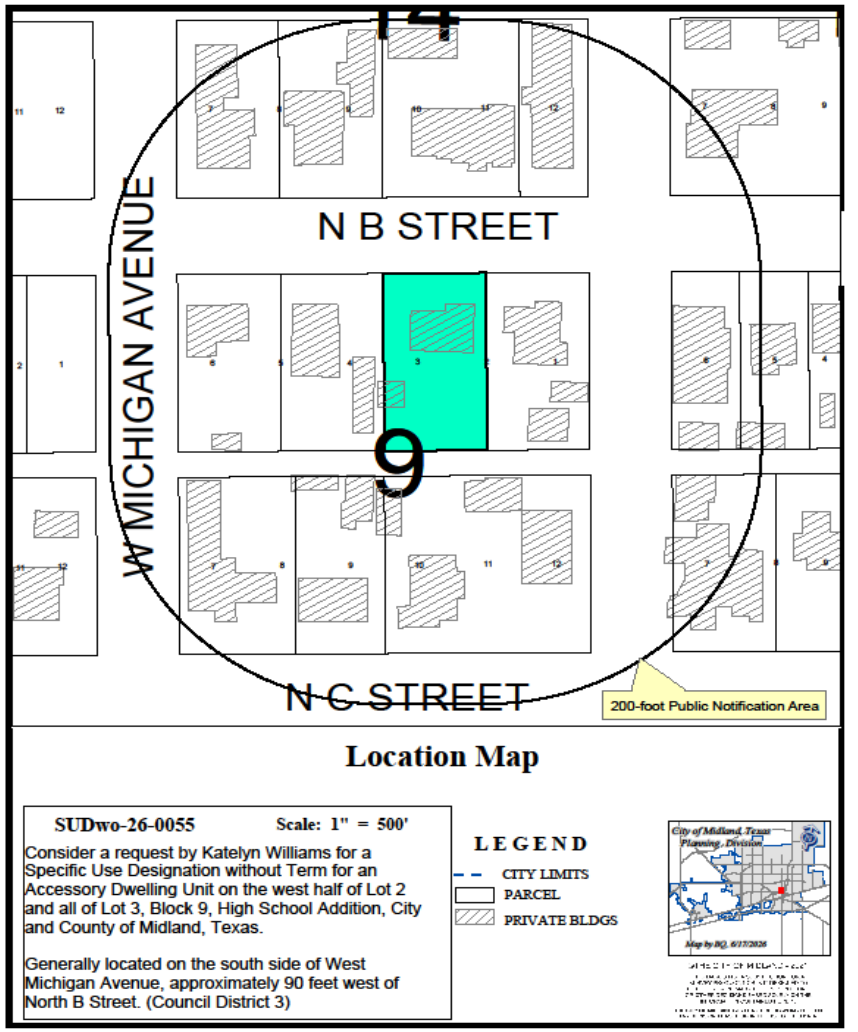
APPLICATION SUMMARY

- **Property Owner:** Katelyn Williams
- **Location:** 905 West Michigan Avenue (District 3)
- **Reason for Request:** variance requested for a reduced minimum side yard setback for garage conversion to accessory dwelling unit; to bring into conformance

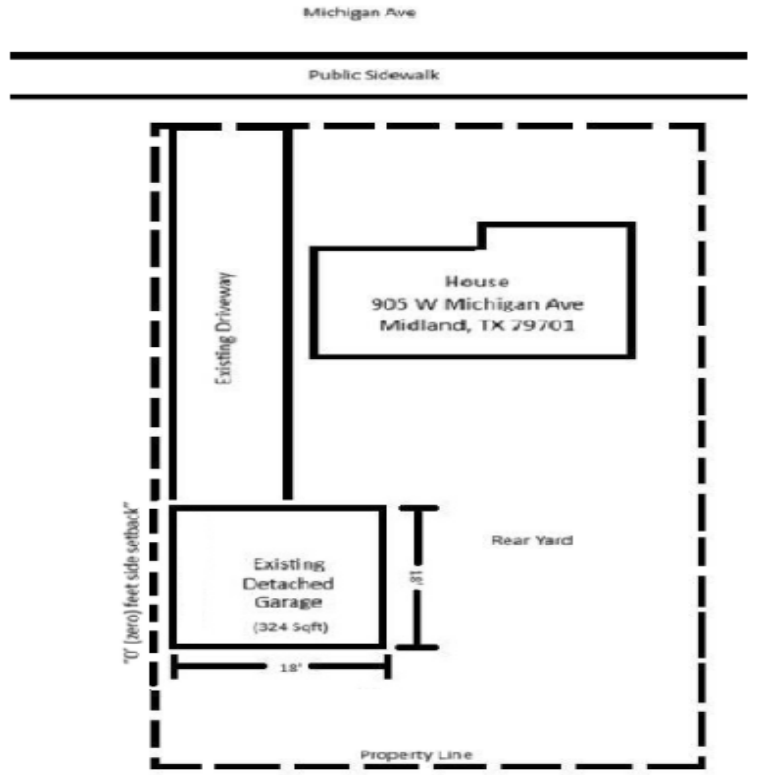


DETAILS OF REQUEST

- **Code Requirement:** Minimum side yard setback required for a residentially-zoned property that is between 7,500 square feet and 21,999 square feet is 5 feet (5’)
- **Variance Requested:** To reduce the minimum side yard setback to zero feet (0’)

SITE PLAN:
905 W Michigan Ave Midland, Tx 79701

Existing Detached Garage - 324 sqft
Zero feet Setback - 0’
The plan is to convert the existing detached garage into a mother-in-law suite.
The square feet of the detached garage will remain the same.



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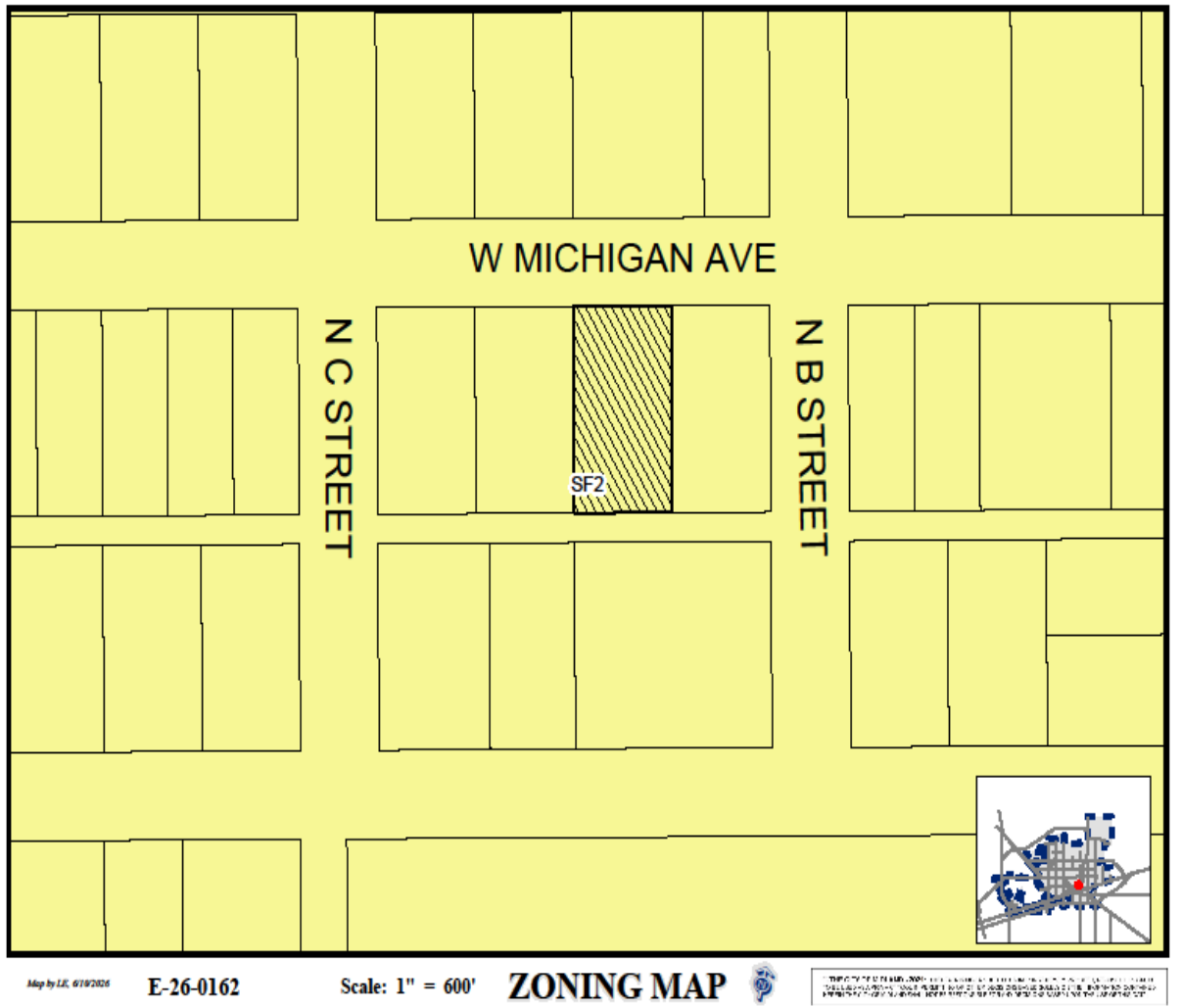
ZONING

- **Current Zoning:** SF-2, Single-Family Dwelling District
- **Surrounding Zoning:**
  - **North/South/East/West:** SF-2, Single-Family Dwelling District



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LAND USE

- **Current Use:** Single-family home
- **Surrounding Uses:**
  - **North/South/East/West:** Single-family homes





On West Michigan Avenue, Looking South

6

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RELATED ITEMS

- A request for a Specific Use Designation without term permit (SUDw/o) has also been submitted for this property, in order to approve the Accessory Dwelling Unit (ADU).



STAFF'S RECOMMENDATION

- No objections were received.
- Staff recommends approval of this request with the following conditions:

A. That the minimum side yard setback on the west side of the Property shall be zero feet (0').

B. That the reduced minimum side yard setback allowed by this ordinance shall apply only to the "Existing Detached Garage" in the site plan, which is attached hereto as Exhibit A and incorporated herein.



MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.



City Council Meeting

Item Number: 18.
Meeting Date: August 11, 2026
To: City Council
From: Beatriz Quezada, Planner
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR THE WEST HALF OF LOT 2 AND ALL OF LOT 3, BLOCK 9, HIGH SCHOOL ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST MICHIGAN AVENUE, APPROXIMATELY 90 FEET WEST OF NORTH B STREET), WHICH IS PRESENTLY ZONED SF-2, SINGLE-FAMILY DWELLING DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR AN ACCESSORY DWELLING UNIT; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING PUBLICATION; AND ORDERING RECORDATION BY THE CITY SECRETARY (FIRST READING HELD JULY 21, 2026)

Purpose:
The applicant, Katelyn Williams, is requesting a Specific Use Permit without Term, for an accessory dwelling unit at 905 West Michigan Avenue.

Recommended Action:
Approve

Fiscal Impact:
None

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
Current Zoning:

SF-2, Single-Family Dwelling District

Surrounding Zoning and Land Use:

The subject property is zoned for residential use and is surrounded by an established residential neighborhood within the SF-2, Single-Family Dwelling District.

Analysis:

The subject property is located at 905 West Michigan is currently has a single-family dwelling residence with a detached garage. The applicant, Katelyn Williams, is requesting to update the garage into an accessory dwelling unit to be used as guest space for when the applicant has family over. The primary dwelling units is approximately 1,355 square feet and the detached garage is approximately 324 square feet.

The design plan attached hereto as Exhibit “B” shows the garage showing the floor plan of what the garage would look like once it gets upgraded into an accessory dwelling unit. It shows full restroom, a kitchen and living space.

Per City of Midland Zoning Ordinance, Section 4.03, Use Chart, an accessory dwelling unit is permitted in this zoning district upon approval of a specific use designation
The Accessory Dwelling Unit needs to comply with the standards listed in Section 4.09 Accessory Building and Uses, Section C of the Zoning Ordinances.

C. Accessory Dwelling Units and Use Limitations

a. Accessory Dwelling Units shall not be leased or rented.

b. The living area of an Accessory Dwelling Unit shall not exceed 1,000 square feet or 30 percent of the area of the principal residence, whichever is less.

c. Only one Accessory Dwelling Unit shall be allowed on any individual tract of land.

d. A mobile home, travel trailer, or recreational vehicle shall not be used as a detached Accessory Dwelling Unit.

e. The total number of people who live on the property, including the principal residence and the Accessory Dwelling that, shall not exceed that of a “Family” as defined in the zoning ordinance.

Additionally, the applicant submitted a special exception for the property for having a zero (0’) side setback.
The property is designated as Urban Residential – Low (UR-L). The UR-L designation calls for single-family detached homes. This request is compatible with the Tall City Tomorrow Plan,

Chapter 3, An Integrated Land Use Vision, Principle 4, “Land use policies and regulations should support diverse housing choices.” (Tall City Tomorrow, Page 47).

This project has been circulated to all City departments for review. Below are the department comments.

Fire: (Approved)

No fire code concerns identified at this time; all applicable building, fire, and life safety code requirements shall be met prior to occupancy.

Engineering: (Approved)

No objection. [For Applicant’s Information Only.]

Transportation: (Approved)

No objection. [For the Applicant’s information only.]

Building Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2023 NEC requirements, the 2015 International Fire Codes, local city ordinances, planning/zoning requirements, established setbacks, Health department regulations, oil and gas considerations, and floodplain requirements if necessary. Fire separations also must be adhered to regarding the separation of structures to prevent flame spread. This is separate from setbacks and is dictated by the 2018 International Residential Code. Code versions are subject to change depending on the time of new code editions adopted in the City of Midland and date of permit application.

Planning:

This request meets all requirements; therefore, staff recommends approval of the request for the Specific Use Designation without Term for an Accessory Dwelling Unit, subject to the conditions below.

Conditions:

A. **That the use and development of the Unit shall significantly conform to the site plan, which is attached hereto as Exhibit A and incorporated herein for all purposes, said Unit being the building identified in Exhibit A as an “Existing Detached Garage.”**

B. **The total number of people, who live on the Property, including the principal residence and the Unit, shall not exceed that of a “family”, as such term is defined in Section 11-1-2.01 of the City Code.**

C. **That the floor area of the Unit shall not exceed 324 square feet.**

D. **That the Unit shall not be leased or rented as a separate dwelling unit and shall not be used for any commercial purpose.**

E. **That the Unit shall meet all requirements of the Fire Department and the Code Administration Division.**

F. **That the owner of the Property, or an authorized representative thereof, shall obtain a Certificate of Occupancy prior to using the Unit to ensure that the conditions of this Specific Use Designation Without Term are satisfied.**

G. **That the Secretary is hereby authorized and directed to file a certified copy of this Ordinance with the County Clerk of Midland County, Texas, for purposes of recording in the Official Records of Midland County, Texas as notice to any subsequent purchaser of this property that the Unit shall not be leased or rented as a separate dwelling unit or used for any commercial purpose.**

Letters of Objection:

As of July 10, 2026, staff has received one letter of objection.

Attachments:
A. ORD w EXH - SUDwo-26-0055.Katelyn Williams - Accessory Dwelling Unit Ord w Exh
B. SUDwo-26-0055, Combined Files
C. CC - - 905 W Michigan Ave AUD

Rachel Guentensberger, City Secretary Created/Initiated - 7/21/2026

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR THE WEST HALF OF LOT 2 AND ALL OF LOT 3, BLOCK 9, HIGH SCHOOL ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST MICHIGAN AVENUE, APPROXIMATELY 90 FEET WEST OF NORTH B STREET), WHICH IS PRESENTLY ZONED SF-2, SINGLE-FAMILY DWELLING DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR AN ACCESSORY DWELLING UNIT; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING PUBLICATION; AND ORDERING RECORDATION BY THE CITY SECRETARY

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, Texas, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after holding due hearings affording a full and fair hearing to all of the property owners generally, and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body of the City of Midland finds that the public convenience will be best served by granting a Specific Use Designation Without Term for the west half of Lot 2 and all of Lot 3, Block 9, High School Addition, City and County of Midland, Texas (the "Property"), as set out hereinafter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to grant the Property a Specific Use Designation Without Term for an accessory dwelling unit (the "Unit"), together with the uses permitted in the present SF-2, Single-Family Dwelling District.

SECTION TWO. That the Property shall be subject to the following conditions and restrictions:

A. That the use and development of the Property for the Unit shall significantly conform to the site plan, which is attached hereto as Exhibit A and incorporated herein for all purposes, said Unit being the building identified in Exhibit A as an "Existing Detached Garage."

B. That the total number of people who live on the Property, including the principal residence and the Unit, shall not exceed that of a "family", as such term is defined in Section 11-1-2.01 of the City Code.

C. That the floor area of the Unit shall not exceed 324 square feet.

D. That the Unit shall not be leased or rented as a separate dwelling unit and shall not be used for any commercial purpose.

E. That the Unit shall meet all requirements of the Fire Department and the Code Administration Division.

F. That the owner of the Property, or an authorized representative thereof, shall obtain a Certificate of Occupancy prior to using the Unit to ensure that the conditions of this Specific Use Designation Without Term are satisfied.

G. That the City Secretary is hereby authorized and directed to file a certified copy of this Ordinance with the County Clerk of Midland County, Texas, for purposes of recording in the Official Records of Midland County, Texas, as notice to any subsequent purchaser of this property that the Unit shall not be leased or rented as a separate dwelling unit or used for any commercial purpose.

SECTION THREE. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances, inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION SIX. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2026; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting "AYE":

Council members voting "NAY":

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2026, at a regular meeting of the City Council:

Council members voting "AYE":

Council members voting "NAY":

PASSED AND APPROVED THIS _____ day of _____, A.D., 2026.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

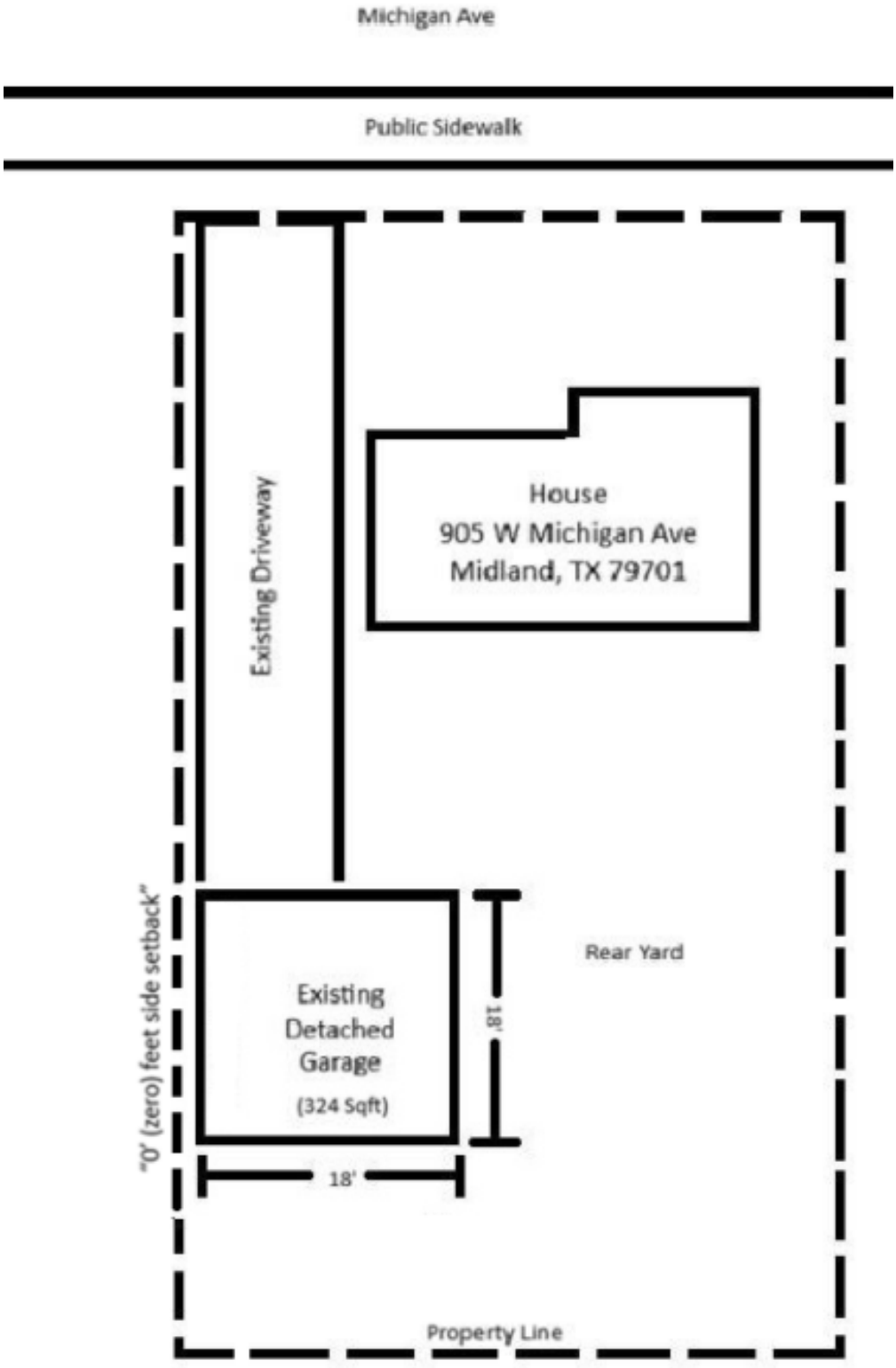
APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, City Attorney

EXHIBIT A

SITE PLAN:
905 W Michigan Ave Midland, Tx 79701

Existing Detached Garage - 324 sqft
Zero feet Setback - 0'
The plan is to convert the existing detached garage into a mother-in-law suite.
The square feet of the detached garage will remain the same.



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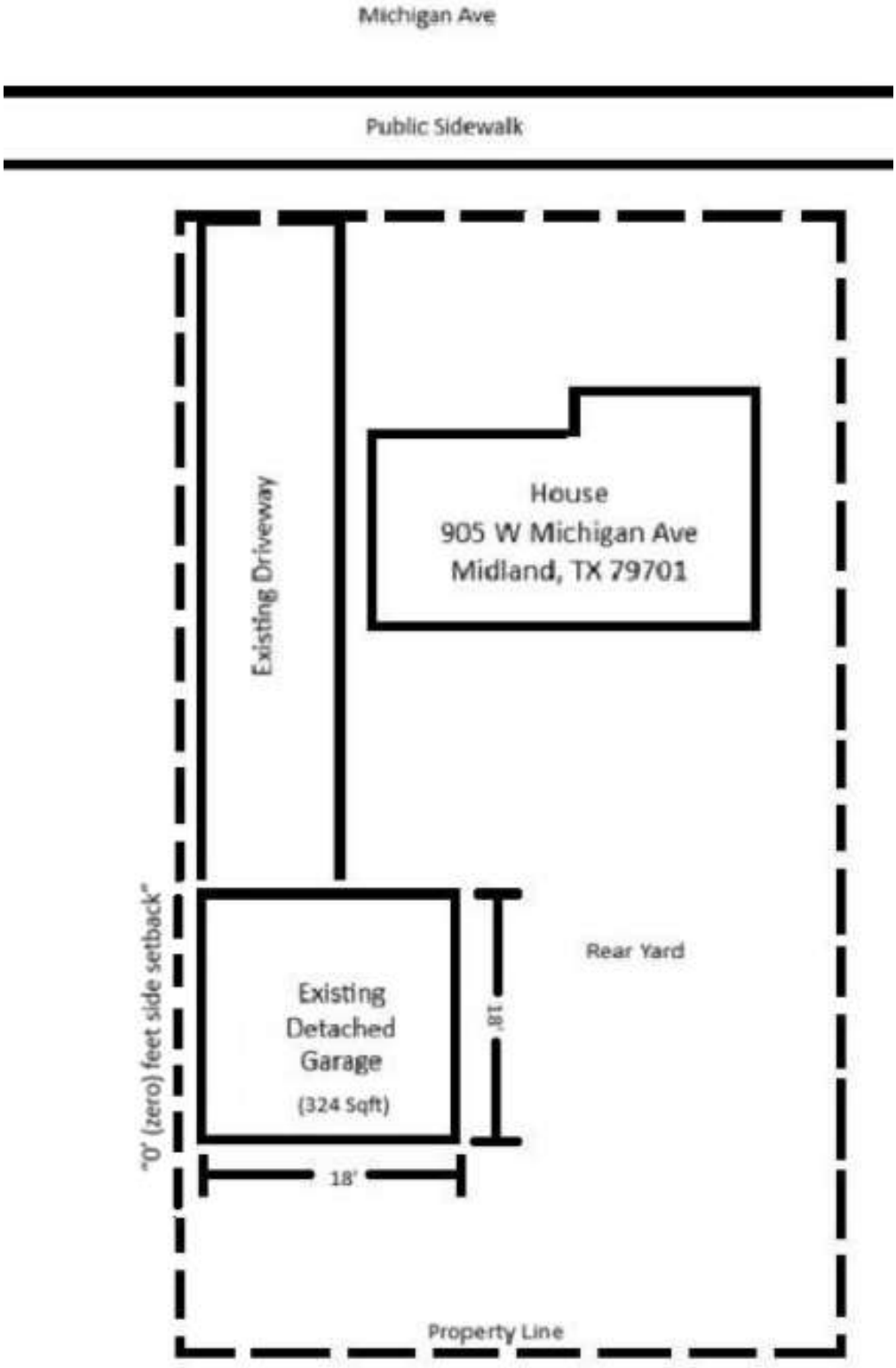
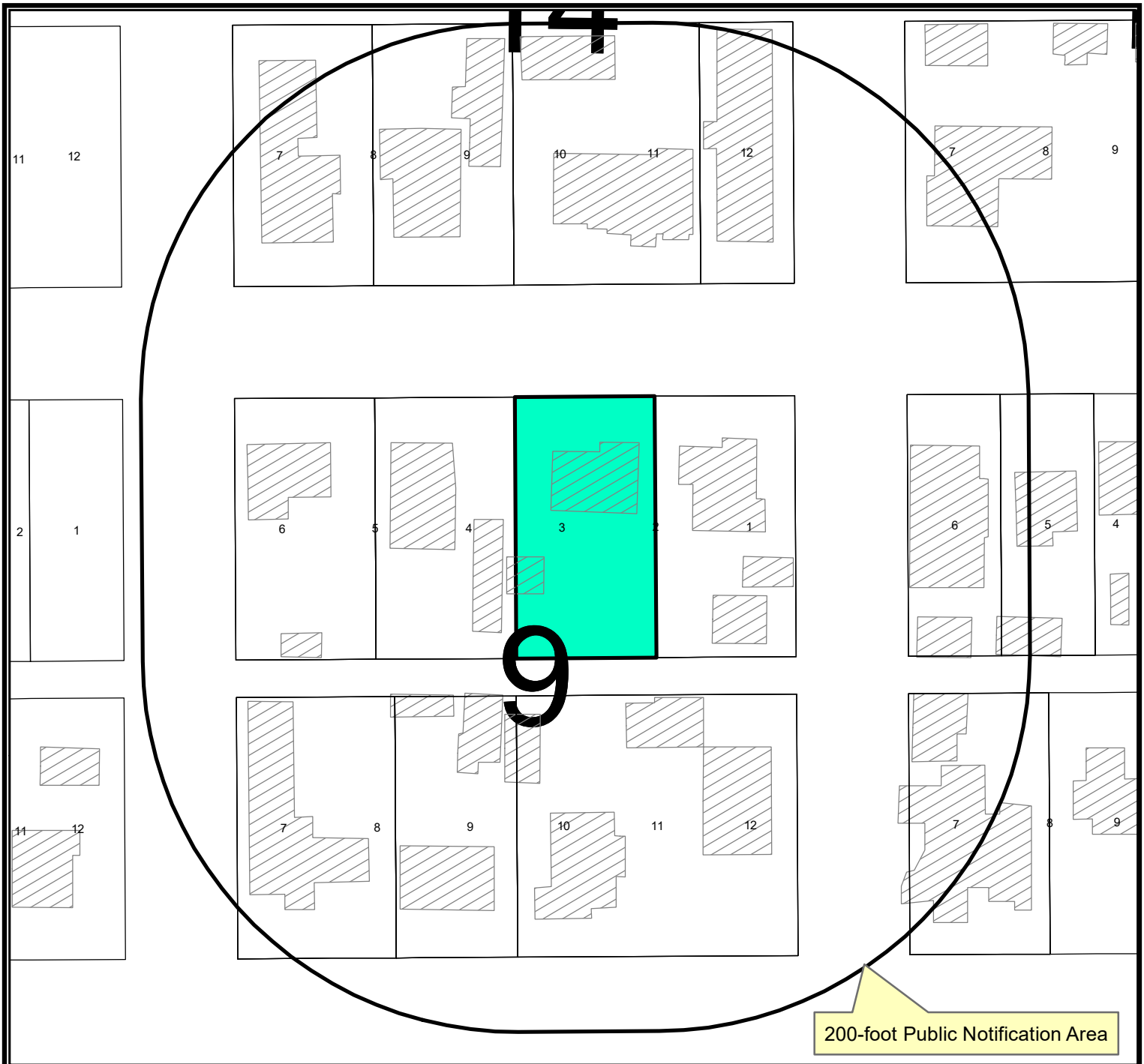




Location Map

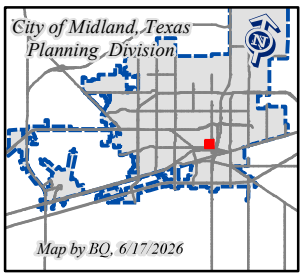
SUDwo-26-0055 **Scale: 1" = 500'**

Consider a request by Katelyn Williams for a Specific Use Designation without Term for an Accessory Dwelling Unit on the west half of Lot 2 and all of Lot 3, Block 9, High School Addition, City and County of Midland, Texas.

Generally located on the south side of West Michigan Avenue, approximately 90 feet west of North B Street. (Council District 3)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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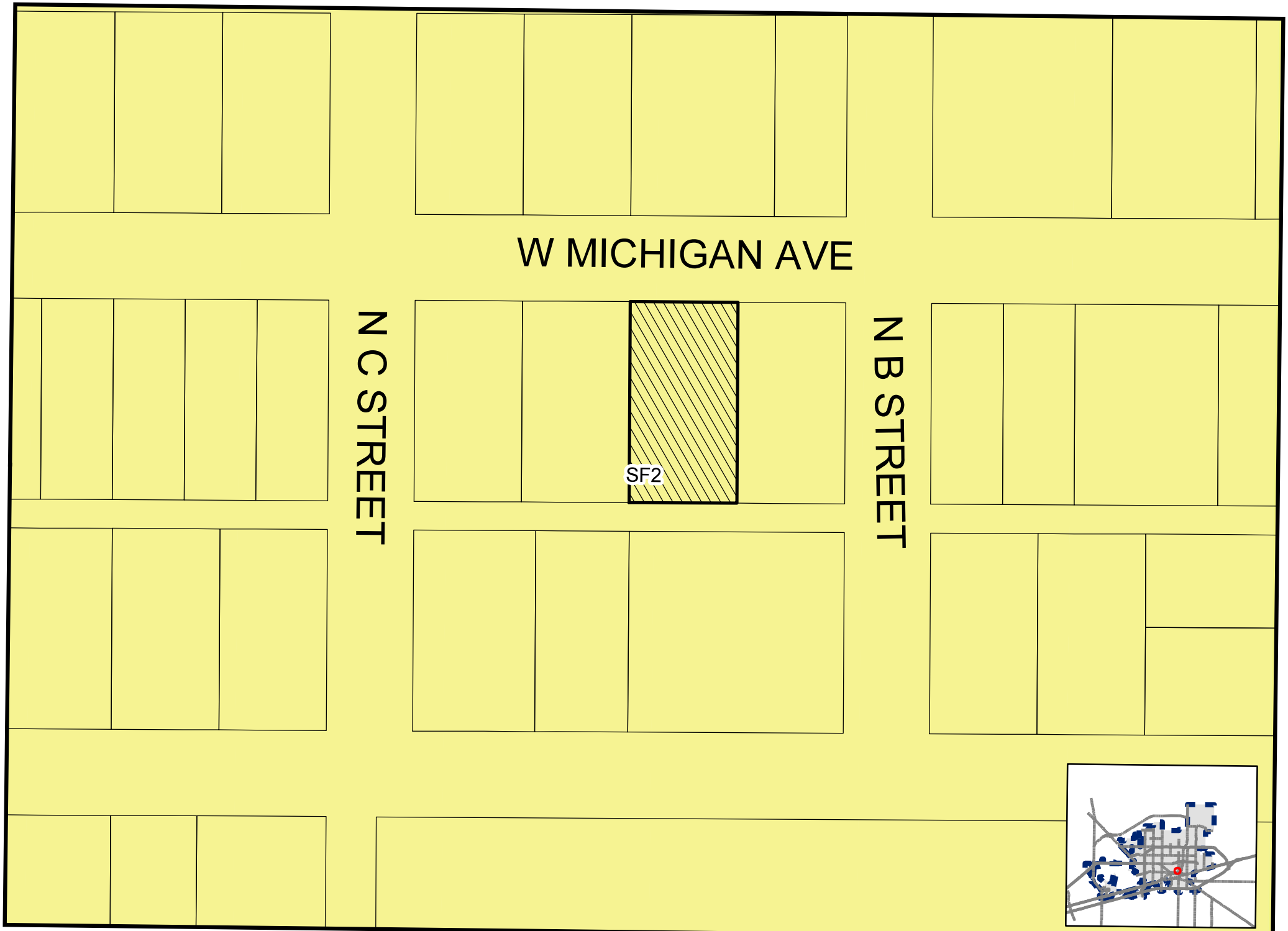

Map by LE, 6/10/2026

SUDwo-26-0055

Scale: 1" = 600'

ZONING MAP

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N B STREET
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RIGHT LANE
ONLY
905


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SPECIFIC USE DESIGNATION
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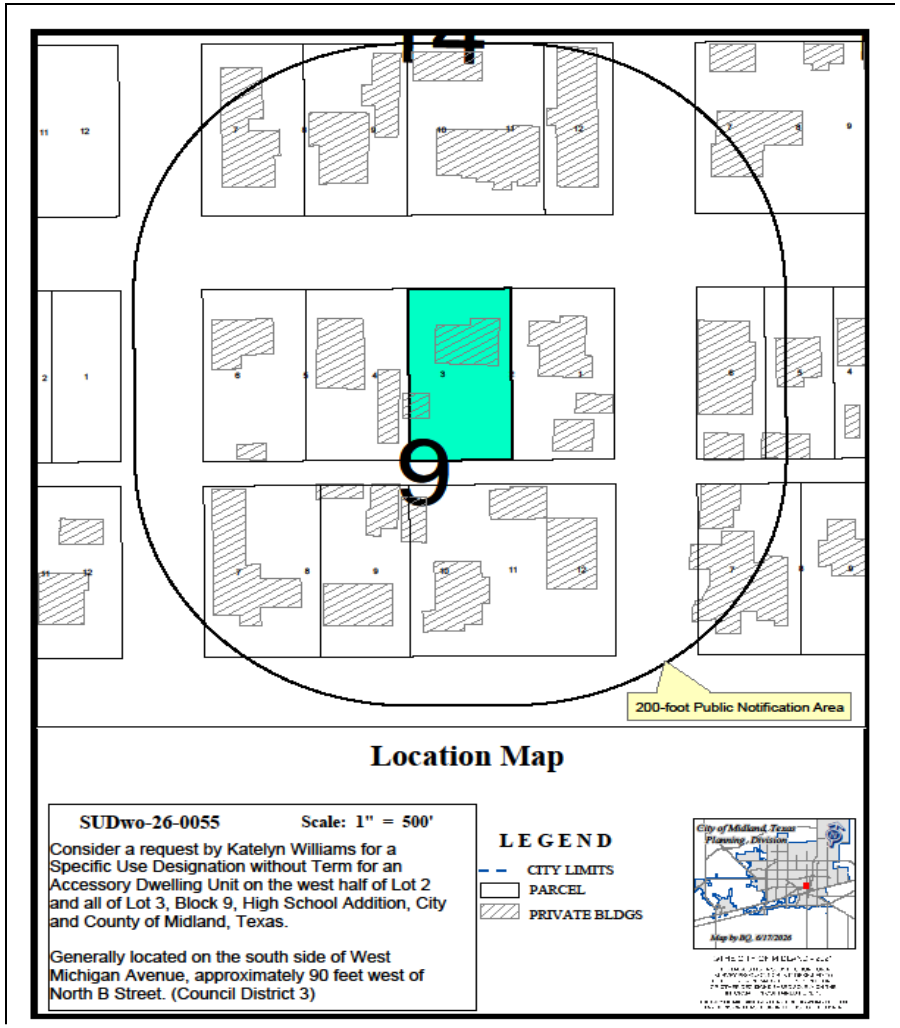
APPLICATION SUMMARY

- **Property Owner:** Katelyn Williams
- **Location:** 905 West Michigan Avenue (Council District 3)
- **Reason for Request:** To be able to upgrade the garage to an accessory dwelling unit

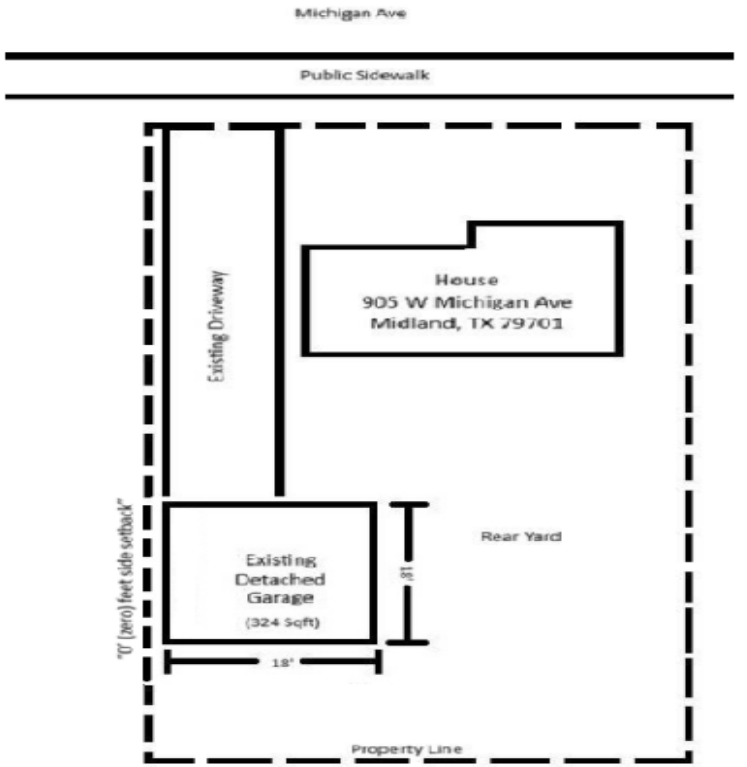


DETAILS OF REQUEST

- Property owner is requesting to convert her detached garage into a mother-in-law suite to provide friends and family with a space to stay when visiting

SITE PLAN:
905 W Michigan Ave Midland, Tx 79701

Existing Detached Garage - 324 sqft
Zero feet Setback - 0'
The plan is to convert the existing detached garage into a mother-in-law suite.
The square feet of the detached garage will remain the same.



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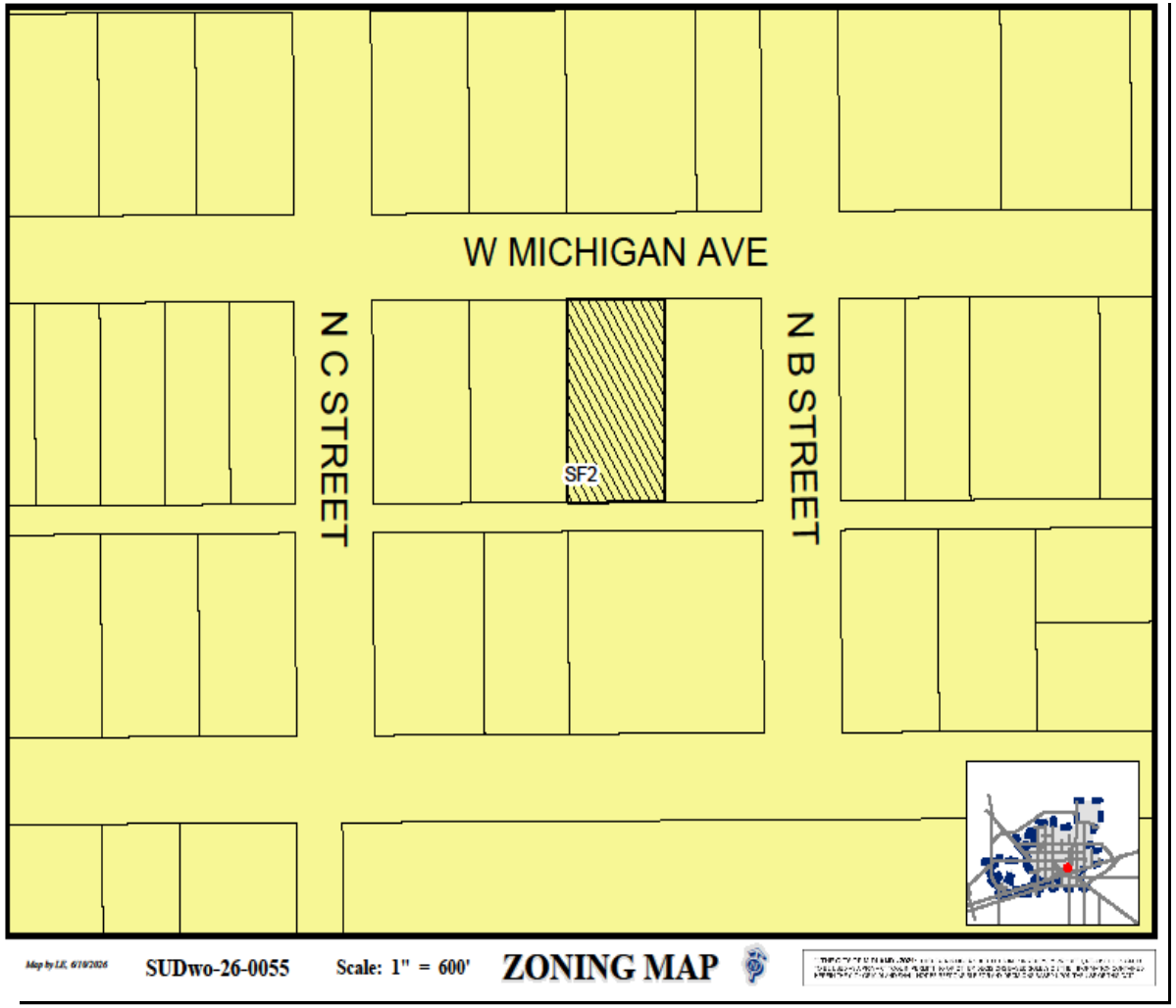
ZONING

- **Current Zoning:** SF-2, Single-Family Dwelling District
- **Surrounding Zoning:**
  - **North/South/East/West:** SF-2, Single-Family Dwelling District



LAND USE

- **Current Use:** Residential
- **Surrounding Uses:**
  - **North/South/West/East:** Residential



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On West Michigan, Looking South

6

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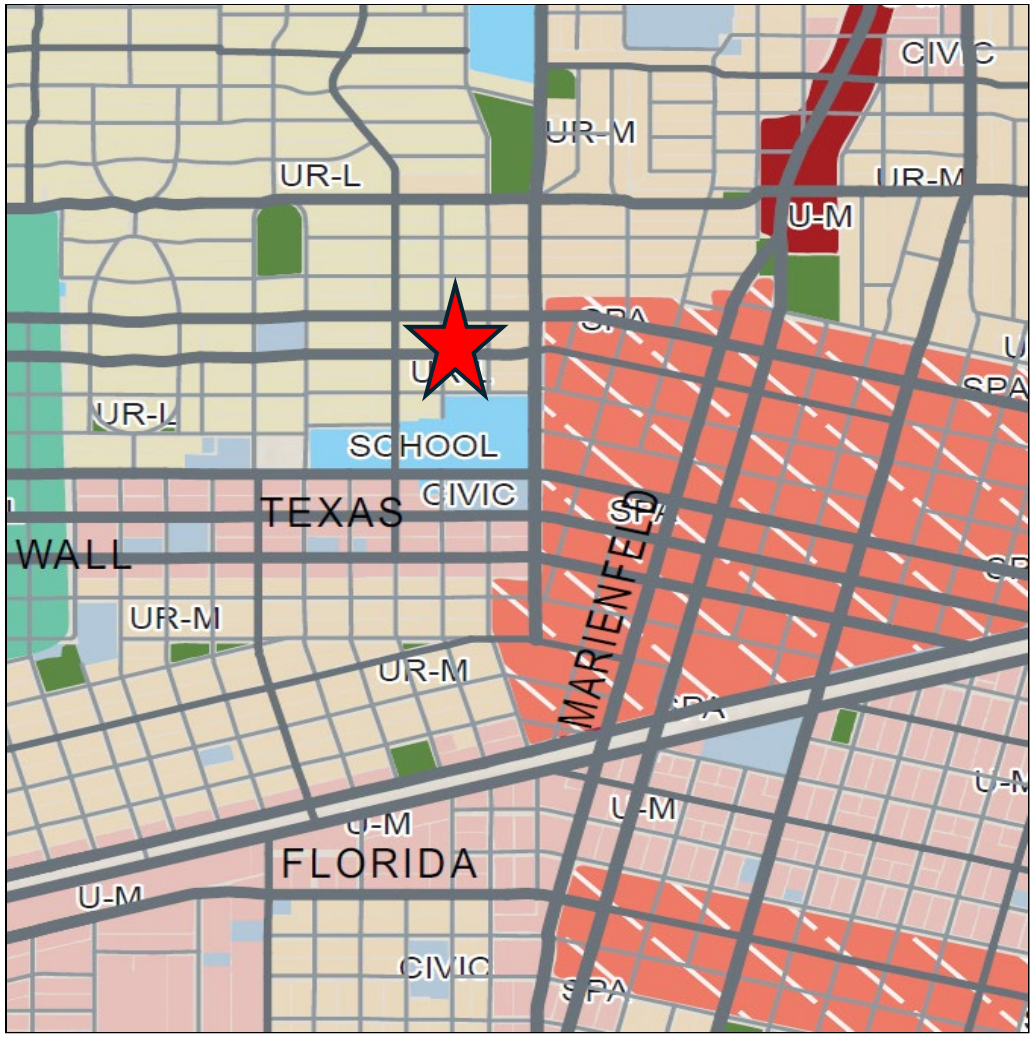
COMPREHENSIVE PLAN

- **Land Use Designation:** Urban Residential – Low (UR – L)
- **Supported Uses:** Neighborhoods emphasizing single-family detached homes
- The request is compatible with the *Tall City Tomorrow Comprehensive Plan.*



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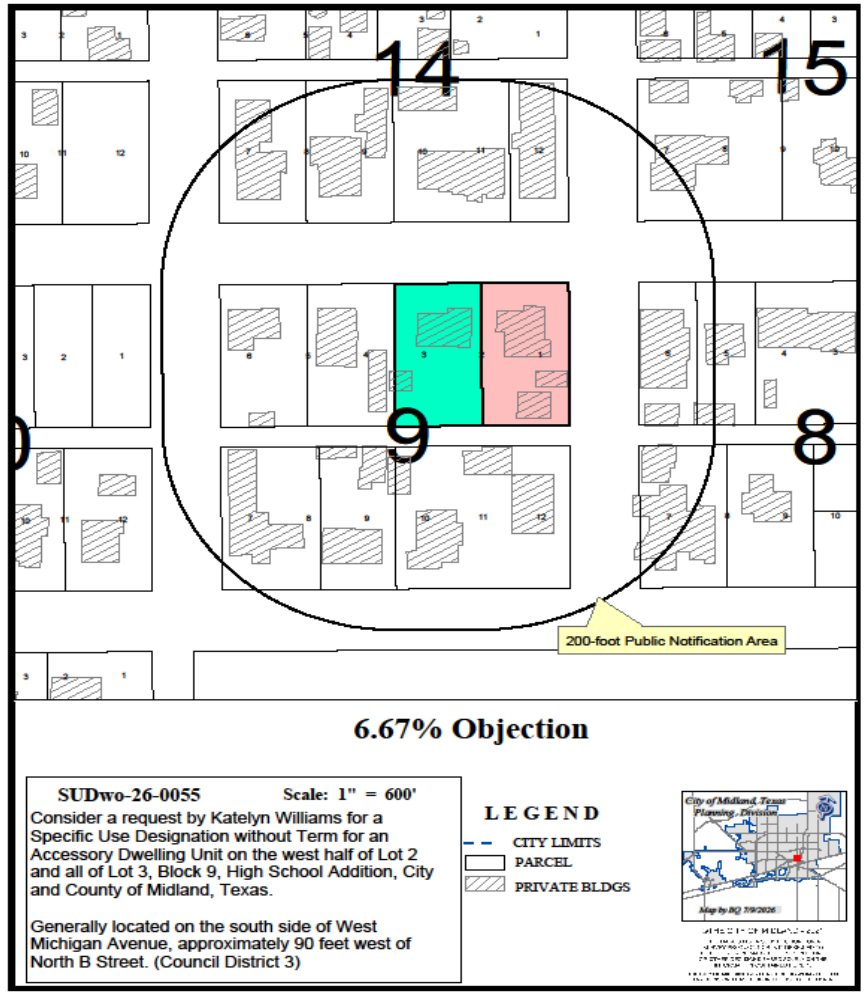
OBJECTIONS

- 1 objection has been received resulting in a 6.67% objection percentage. Supermajority vote is not required for approval.
- The protestor voiced concerns about property damage caused by a fire hydrant



STAFF'S RECOMMENDATION

- One objection was received.
- Staff recommends approval of this request with the following conditions:

A. That the use and development of the Unit shall significantly conform to the site plan, which is attached hereto as Exhibit A and incorporated herein for all purposes, said Unit being the building identified in Exhibit A as an "Existing Detached Garage."



STAFF'S RECOMMENDATION

B. The total number of people, who live on the Property, including the principal residence and the Unit, shall not exceed that of a "family", as such term is defined in Section 11-1-2.01 of the City Code.

C. That the floor area of the Unit shall not exceed 324 square feet.

D. That the Unit shall not be leased or rented as a separate dwelling unit and shall not be used for any commercial purpose.



STAFF'S RECOMMENDATION

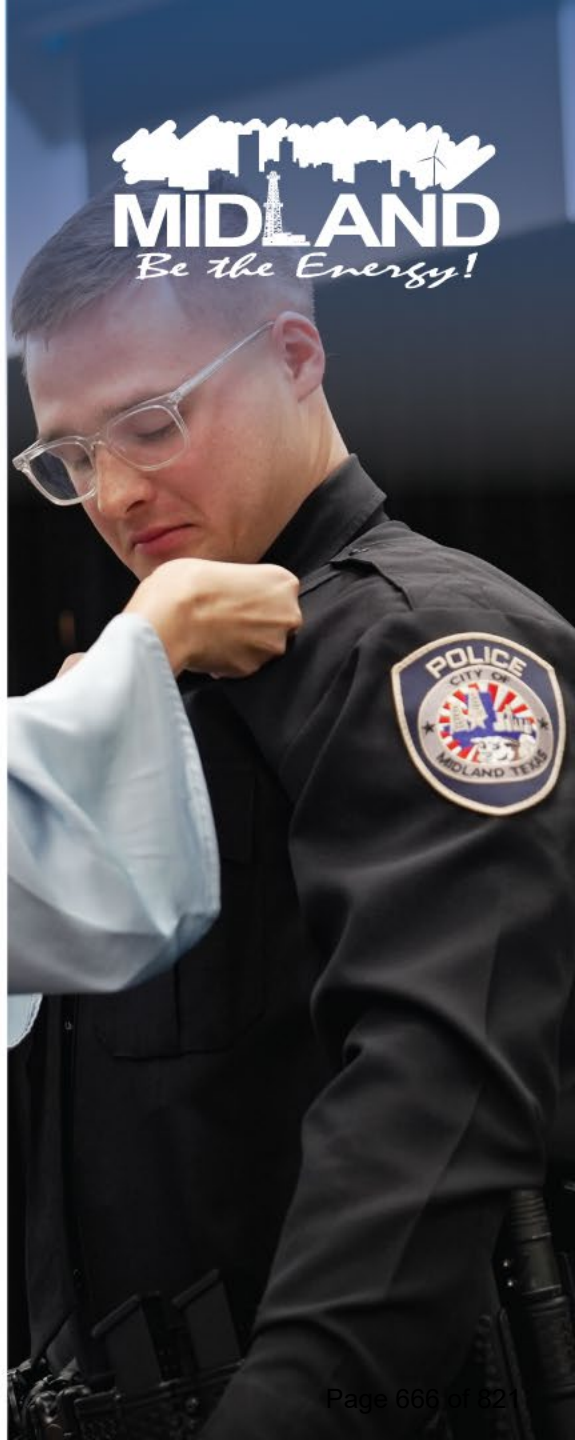
E. That the Unit shall meet all requirements of the Fire Department and the Code Administration Division.

F. That the owner of the Property, or an authorized representative thereof, shall obtain a Certificate of Occupancy prior to using the Unit to ensure that the conditions of this Specific Use Designation Without Term are satisfied.



STAFF'S RECOMMENDATION

G. That the Secretary is hereby authorized and directed to file a certified copy of this Ordinance with the County Clerk of Midland County, Texas, for purposes of recording in the Official Records of Midland County, Texas as notice to any subsequent purchaser of this property that the Unit shall not be leased or rented as a separate dwelling unit or used for any commercial purpose.



12

MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.



City Council Meeting

Item Number: 19.
Meeting Date: August 11, 2026
To: City Council
From: Lori Elliott, Planner
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR THE EAST 40 FEET OF LOT 9 AND ALL OF LOT 10, BLOCK 7, NORTH PARK HILL ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF WEST KANSAS AVENUE, APPROXIMATELY 215 FEET EAST OF NORTH F STREET), WHICH IS PRESENTLY ZONED SF-1, SINGLE-FAMILY DWELLING DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR AN ACCESSORY DWELLING UNIT; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING PUBLICATION; AND ORDERING RECORDATION BY THE CITY SECRETARY(FIRST READING HELD JULY 21, 2026)

Purpose:
Clifford Mitchell is requesting a Specific Use Designation without Term for an Accessory Dwelling Unit (ADU) on a property located at 1204 West Kansas Avenue in Council District 3.

Recommended Action:
Approve

Fiscal Impact:
None

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:

Surrounding Zoning and Land Use:

Properties to the north/south/east/west: SF-1, Single-Family Dwelling District. All surrounding properties are comprised of single-family homes.
Analysis:

The property is located at 1204 West Kansas Avenue, and the property owner is seeking approval to construct a Mother-In-Law suite in the rear yard. The property is zoned SF-1, Single-Family Dwelling District, which allows for the construction of an Accessory Dwelling Unit with a Specific Use Designation without Term. Per the definition of Accessory Dwelling Unit as defined in Section 11-1-2.01.71:

Living quarters either attached or detached from the principal residence and used as an Accessory Use without renting or leasing as a residence by either guests or persons employed to provide domestic services to the occupants of the principal residence. [11-1-2]

The Accessory Dwelling Unit needs to comply with the standards as listed in Section 4.09 Accessory Building and Uses, Section C of the Zoning Ordinances.

C. Accessory Dwelling Units and Use Limitations

a. Accessory Dwelling Units shall not be leased or rented.

b. The living area of an Accessory Dwelling Unit shall not exceed 1,000 square feet or 30 percent of the area of the principal residence, whichever is less.

c. Only one Accessory Dwelling Unit shall be allowed on any individual tract of land.

d. A mobile home, travel trailer, or recreational vehicle shall not be used as a detached Accessory Dwelling Unit.

e. The total number of people who live on the property, including the principal residence and the Accessory Dwelling that, shall not exceed that of a “Family” as defined in the zoning ordinance.

This project has been circulated to all City departments for review. Below are the department comments.

Fire: (Approved)

No fire code concerns identified at this time; all applicable building, fire, and life safety code requirements shall be met prior to occupancy.

Engineering: (Approved)

No objection. [For Applicant’s Information Only.]

Transportation: (Approved)

No objection. [For the Applicant’s information only.]

Building Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2023 NEC requirements, the 2015 International Fire Codes, local city ordinances, planning/zoning requirements, established setbacks, Health department

regulations, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on the time of new code editions adopted in the City of Midland and date of permit application.

Planning:

This request meets all requirements; therefore, staff recommends approval of the request for the Specific Use Designation without Term for an Accessory Dwelling Unit, subject to the following conditions:

Conditions:

A. That the use and development of the property for the Unit shall significantly conform to the site plan, which is attached hereto as Exhibit A and incorporated herein for all purposes, said Unit being the building identified in Exhibit A as a "new 20' x 30' adu with 10' deep covered porch".

B. That the use and development of the Property for the Unit shall significantly conform to the elevation drawings, which are attached hereto as Exhibit B and incorporated herein for all purposes.

C. That the total number of people who live on the Property, including the principal residence and the Unit, shall not exceed that of a "family", as such term is defined in Section 11-1-2.01 of the City Code.

D. That the floor area of the Unit shall not exceed 600 square feet.

E. That vehicular access from the alley is hereby permitted.

F. That the Unit shall not be leased or rented as a separate dwelling unit and shall not be used for any commercial purpose.

G. That the Unit shall meet all requirements of the Fire Department and the Code Administration Division.

H. That the owner of the Property, or an authorized representative thereof, shall obtain a Certificate of Occupancy prior to using the Unit to ensure that the conditions of the Specific Use Designation Without Term are satisfied.

I. That the City Secretary is hereby authorized and directed to file a certified copy of this Ordinance with the County Clerk of Midland County, Texas, for purposes of recording in the Official Records of Midland County, Texas, as notice to any subsequent purchaser of this property that the Unit shall not be leased or rented as a separate dwelling unit or used for any commercial purpose.

Letters of Objection:

As of July 10, 2026, staff has received no letters of objection.

Attachments:

A. ORD w EXH - SUDwo-26-0054.Clifford Mitchell - Accessory Dwelling Unit Ord w Exh
B. SUDwo-26-0054, 1204 W Kansas Ave, Combined
C. CC - -1204 W Kansas ADU

Rachel Guentensberger, City Secretary Created/Initiated - 7/21/2026

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR THE EAST 40 FEET OF LOT 9 AND ALL OF LOT 10, BLOCK 7, NORTH PARK HILL ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF WEST KANSAS AVENUE, APPROXIMATELY 215 FEET EAST OF NORTH F STREET), WHICH IS PRESENTLY ZONED SF-1, SINGLE-FAMILY DWELLING DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR AN ACCESSORY DWELLING UNIT; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING PUBLICATION; AND ORDERING RECORDATION BY THE CITY SECRETARY

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, Texas, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after holding due hearings affording a full and fair hearing to all of the property owners generally, and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body of the City of Midland finds that the public convenience will be best served by granting a Specific Use Designation Without Term for the east 40 feet of Lot 9 and all of Lot 10, Block 7, North Park Hill Addition, City and County of Midland, Texas (the "Property"), as set out hereinafter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to grant the Property a Specific Use Designation Without Term for an accessory dwelling unit (the "Unit"), together with the uses permitted in the present SF-1, Single-Family Dwelling District.

SECTION TWO. That the Property shall be subject to the following conditions and restrictions:

A. That the use and development of the Property for the Unit shall significantly conform to the site plan, which is attached hereto as Exhibit A and incorporated herein for all purposes, said Unit being the building identified in Exhibit A as a "new 20'x30' adu with 10' deep covered porch."

B. That the use and development of the Property for the Unit shall significantly conform to the elevation drawings, which are attached hereto as Exhibit B and incorporated herein for all purposes.

C. That the total number of people who live on the Property, including the principal residence and the Unit, shall not exceed that of a "family", as such term is defined in Section 11-1-2.01 of the City Code.

D. That the floor area of the Unit shall not exceed 600 square feet.

E. That vehicular access from the alley is hereby permitted.

F. That the Unit shall not be leased or rented as a separate dwelling unit and shall not be used for any commercial purpose.

G. That the Unit shall meet all requirements of the Fire Department and the Code Administration Division.

H. That the owner of the Property, or an authorized representative thereof, shall obtain a Certificate of Occupancy prior to using the Unit to ensure that the conditions of this Specific Use Designation Without Term are satisfied.

I. That the City Secretary is hereby authorized and directed to file a certified copy of this Ordinance with the County Clerk of Midland County, Texas, for purposes of recording in the Official Records of Midland County, Texas, as notice to any subsequent purchaser of this property that the Unit shall not be leased or rented as a separate dwelling unit or used for any commercial purpose.

SECTION THREE. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances, inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION SIX. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2026; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting "AYE":

Council members voting "NAY":

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2026, at a regular meeting of the City Council:

Council members voting "AYE":

Council members voting "NAY":

PASSED AND APPROVED THIS _____ day of _____, A.D., 2026.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

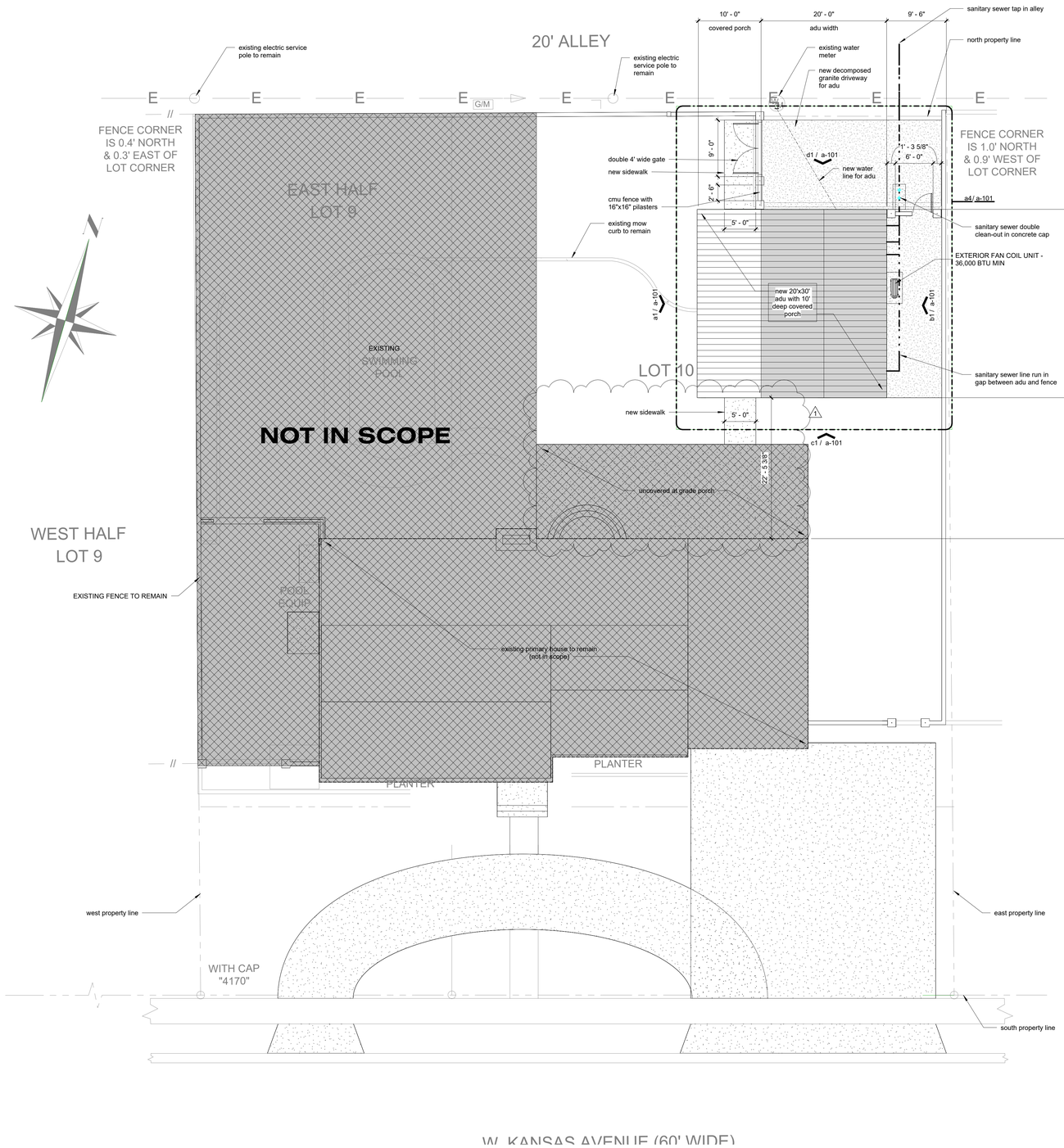
APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, City Attorney

EXHIBIT A



a2 overall site plan
1/8" = 1'-0"

project north
true north

0 4' 8' 16'

XX/XX/XXXX

auxilliary dwelling unit

CLIENT
cliff mitchell

1204 w. kansas ave., midland, tx 79701

PROJECT NO.
1204.26

KEY PLAN

#	DATE	DESCRIPTION
1	07/02/2026	Revision 001
-	05/18/2026	issued for permit

overall site plan

as101

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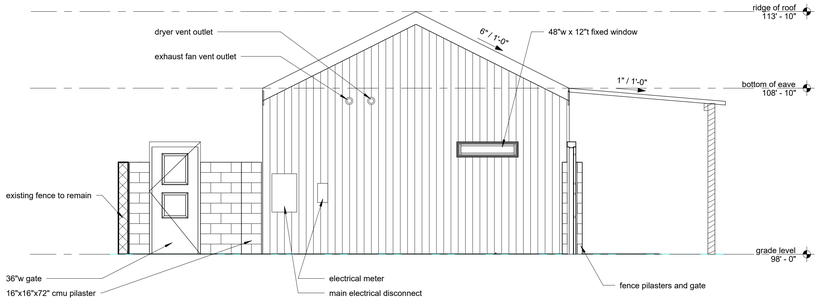
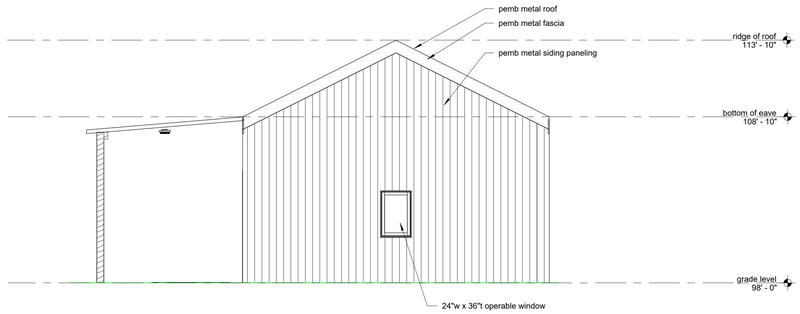
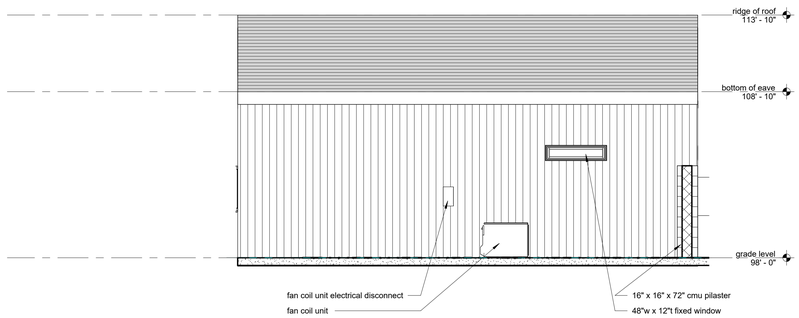
EXHIBIT B



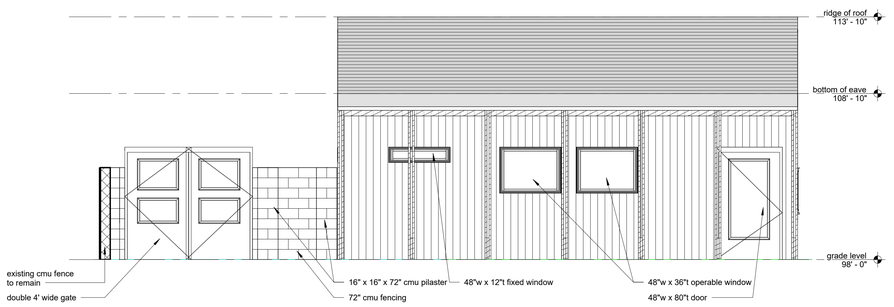
d1 exterior elevation - north
1/4" = 1'-0"



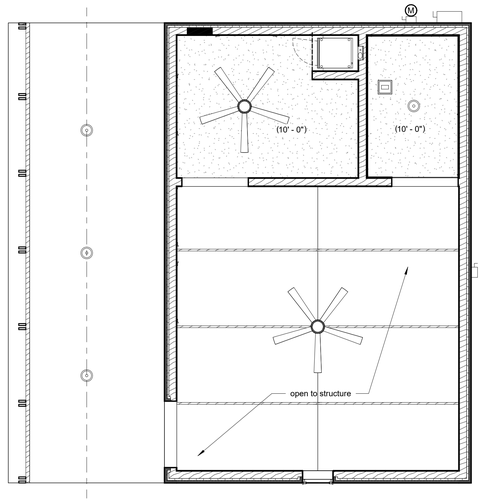
c1 exterior elevation - south
1/4" = 1'-0"



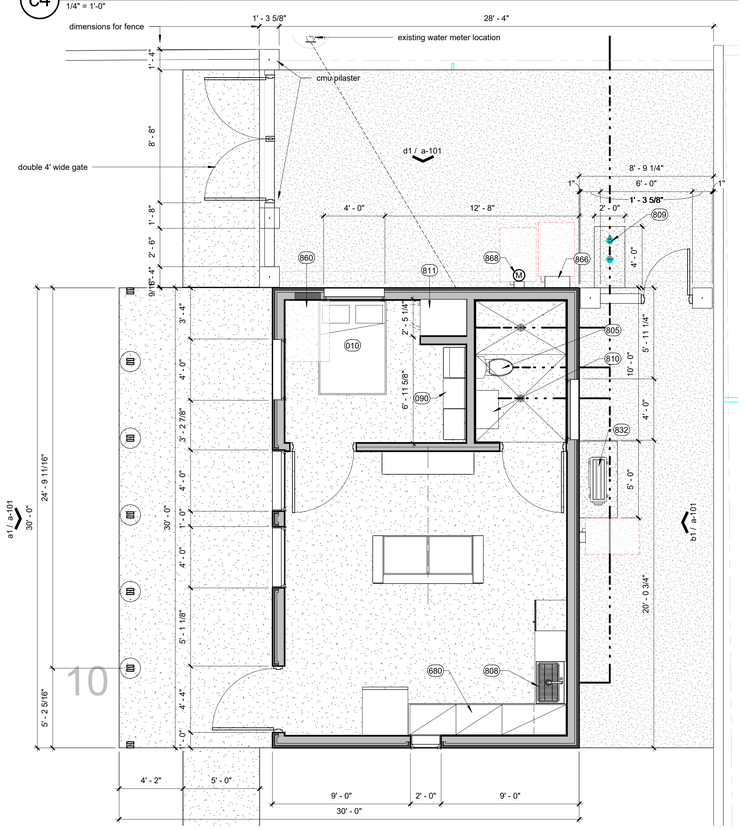
b1 exterior elevation - east
1/4" = 1'-0"



a1 exterior elevation - west
1/4" = 1'-0"



c4 reflected ceiling plan - adu
1/4" = 1'-0"



a4 adu floor plan
1/4" = 1'-0"

GENERAL NOTES

A. ALL DIMENSIONS ARE TO FACE OF STUD, CMU, OR CENTERLINE OF STRUCTURE
B. ALL NEW WALLS TO BE 3 5/8" METAL STUDS UNLESS NOTED OTHERWISE CONTRACTOR SHALL VERIFY ALL DIMENSIONS
C. GENERAL CONTRACTOR SHALL VERIFY AND CLARIFY ALL DIMENSIONAL DISCREPANCIES FROM THIS OR ANY PLAN, SECTION, OR ELEVATION W/ THE ARCHITECT PRIOR TO CONSTRUCTION
D. UNLESS OTHERWISE NOTED, ALL WALLS TO EXTEND MINIMUM OF 6" ABOVE FINISHED CEILING HEIGHT BRACE TO STRUCTURE ABOVE
E. REFER TO SHEET G-003 FOR TYPICAL MOUNTING LOCATIONS FOR TOILET ROOM ACCESSORIES
F. PROVIDE BLOCKING WHERE UPPER MILLWORK CABINETS ARE NOTED

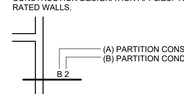
KEY NOTES

AS INDICATED BY: (#)

010 FULL BED
090 RAIL MOUNTED CLOSET ORGANIZATION SYSTEM
680 MILLWORK - BASE CABINET
805 FLOOR MOUNTED WATER CLOSET - REF PLUMBING
808 KITCHEN SINK - REF PLUMBING
809 EXTERIOR DOUBLE CLEANOUT, CAST IRON CLEANOUT WITH ROUND ADJUSTABLE SCORIATED SECURED CAST IRON TOP, GASKET SEAL IRON PLUG WITH RECESSED SOCKET INSTALL IN MINIMUM 24" X 12" X 4" REINFORCED CONCRETE PAD WITH BEVELED EDGES - REF PLUMBING
810 ROOF DRAIN LEADER - REF PLUMBING
811 THROUGH ROOF VENT PIPE - REF PLUMBING
832 EXTERIOR FAN COIL UNIT - 36,000 BTU MIN
860 REF ELECT
866 MOUNT 200AMP/2P, SERVICE RATED DISCONNECT, 150AMP FUSES ADJACENT TO ONCOR KWH METER - FIELD VERIFY FOR PROPER WORKSPACE CLEARANCE - REFER TO ELECTRIC RISER DIAGRAM FOR MORE INFORMATION
868 NEW KW METER FOR SERVICE - COORDINATE WITH ONCOR ELECTRIC DELIVERY FOR ALL REQUIREMENTS

PARTITION LEGEND

THE FOLLOWING PARTITION GRAPHIC SYMBOL AND TWO PART NOTATION SYSTEM IS USED IN THE CONSTRUCTION DOCUMENTS FOR THIS PROJECT. NOTE: THE PARTITION CONSTRUCTION WILL MAINTAIN ITS DESIGNATION TO THE POINT OF AN INTERSECTION WALL. IF NO CHANGE IN DESIGNATION IS SHOWN BEYOND THE INTERSECTION, THE PREVIOUS PARTITION CONSTRUCTION DESIGNATION APPLIES. REFER TO CODE PLAN G-005 FOR RATED WALLS.



(A) PARTITION CONSTRUCTION

A. METAL STUDS - GYPSUM BOARD ONE SIDE
B. METAL STUDS - GYPSUM BOARD EACH SIDE
C. METAL STUDS - 2 LAYERS OF GYPSUM BOARD ON EACH SIDE
D. CMU
E. CMU - GYPSUM BOARD ON HAT CHANNELS
F. CONCRETE
G. SHAFT WALL SYSTEM - GYPSUM BOARD ON FINISHED SIDE
H. SHAFT WALL SYSTEM - 2 LAYERS OF GYPSUM BOARD ON EACH SIDE
I. CMU/SHAFT WALL SYSTEM - GYPSUM BOARD ON FINISHED SIDE, REFER DETAIL ??/A-???

(B) PARTITION CONDITION

1. RATED ASSEMBLY EXTENDS TO STRUCTURE ABOVE (SEE DEFINITION BELOW). PROVIDE UL APPROVED FIRE RATED HEAD OF WALL ASSEMBLY TO MATCH RATING OF WALL. WALL HEIGHTS EXCEEDING STUD MANUFACTURER'S MAXIMUM (LIMITING) SPAN USING 5PSF LATERAL LOADING SHALL BE BRACED TO STRUCTURE ABOVE. (LAY-IN CEILINGS ARE NOT ACCEPTABLE BRACING, HARD CEILINGS ARE ACCEPTABLE).
2. RATED ASSEMBLY EXTENDS TO STRUCTURE ABOVE (SEE DEFINITION BELOW). PROVIDE UL APPROVED FIRE RATED HEAD OF WALL ASSEMBLY TO MATCH RATING OF WALL. WALL HEIGHTS EXCEEDING STUD MANUFACTURER'S MAXIMUM (LIMITING) SPAN USING 5PSF LATERAL LOADING SHALL BE BRACED TO STRUCTURE ABOVE. (LAY-IN CEILINGS ARE NOT ACCEPTABLE BRACING, HARD CEILINGS ARE ACCEPTABLE). WALL CAVITY IS FULLY INSULATED WITH SOUND ATTENUATION BATTS. INSTALL ACOUSTICAL SEALANT AT TOP AND BOTTOM OF WALLS (BOTH SIDES) AND ALL PENETRATIONS PER MANUFACTURER'S INSTRUCTIONS.
3. COMPLETE ASSEMBLY EXTENDS TO STRUCTURE ABOVE. WALL CAVITY IS FULLY INSULATED WITH SOUND ATTENUATION BATTS. INSTALL ACOUSTICAL SEALANT AT TOP AND BOTTOM OF WALLS (BOTH SIDES) AND ALL PENETRATIONS PER MANUFACTURER'S INSTRUCTIONS.
4. COMPLETE ASSEMBLY EXTENDS TO AND IS BRACED TO STRUCTURE ABOVE.
5. ASSEMBLY EXTENDS 4" MINIMUM ABOVE HIGHEST ADJACENT CEILING AND IS BRACED EACH WAY TO STRUCTURE ABOVE.
6. EXTEND RATED ASSEMBLY THROUGH THE ROOF. METAL STUD WALLS EXTEND TO 4" MINIMUM ABOVE HIGHEST ADJACENT CEILING.

"STRUCTURE ABOVE" (AS NOTED IN THE PARTITION CONDITIONS) IS DEFINED AS THE UNDERSIDE OF ONE OR MORE OF THE FOLLOWING:

* COMPOSITE FLOOR SLAB
* STAIR TREADS/RISERS
* METAL ROOF DECK
* STEEL BEAMS

TERMINATE METAL STUDS AT "STRUCTURE ABOVE" WITH DEFLECTION TRACK REQUIRED FOR WALL CONDITION SCHEDULED.

(NOTE: IN NO CASE SHALL THE BOTTOM OF STEEL JOISTS BE CONSIDERED BOTTOM OF STRUCTURE ABOVE.)

(NOTE: ALL INTERIOR WALLS ARE "B3" UNLESS NOTED OTHERWISE.)

EDITOR NOTE: USE THE DEFAULT NOTE ABOVE TO SCHEDULE THE MOST COMMON TYPE OF WALL PARTITION USED ON THE PROJECT SO THAT YOU DON'T HAVE TO PUT THE WALL TYPE MARK ON EVER WALL (DELETE THIS NOTE).

XX/XX/XXXX

auxilliary dwelling unit

CLIENT
cliff mitchell

1204 w. kansas ave., midland, tx 79701

PROJECT NO.
1204.26

KEY PLAN

#	DATE	DESCRIPTION
-	05/18/2026	issued for permit

adu floor plan

a-101

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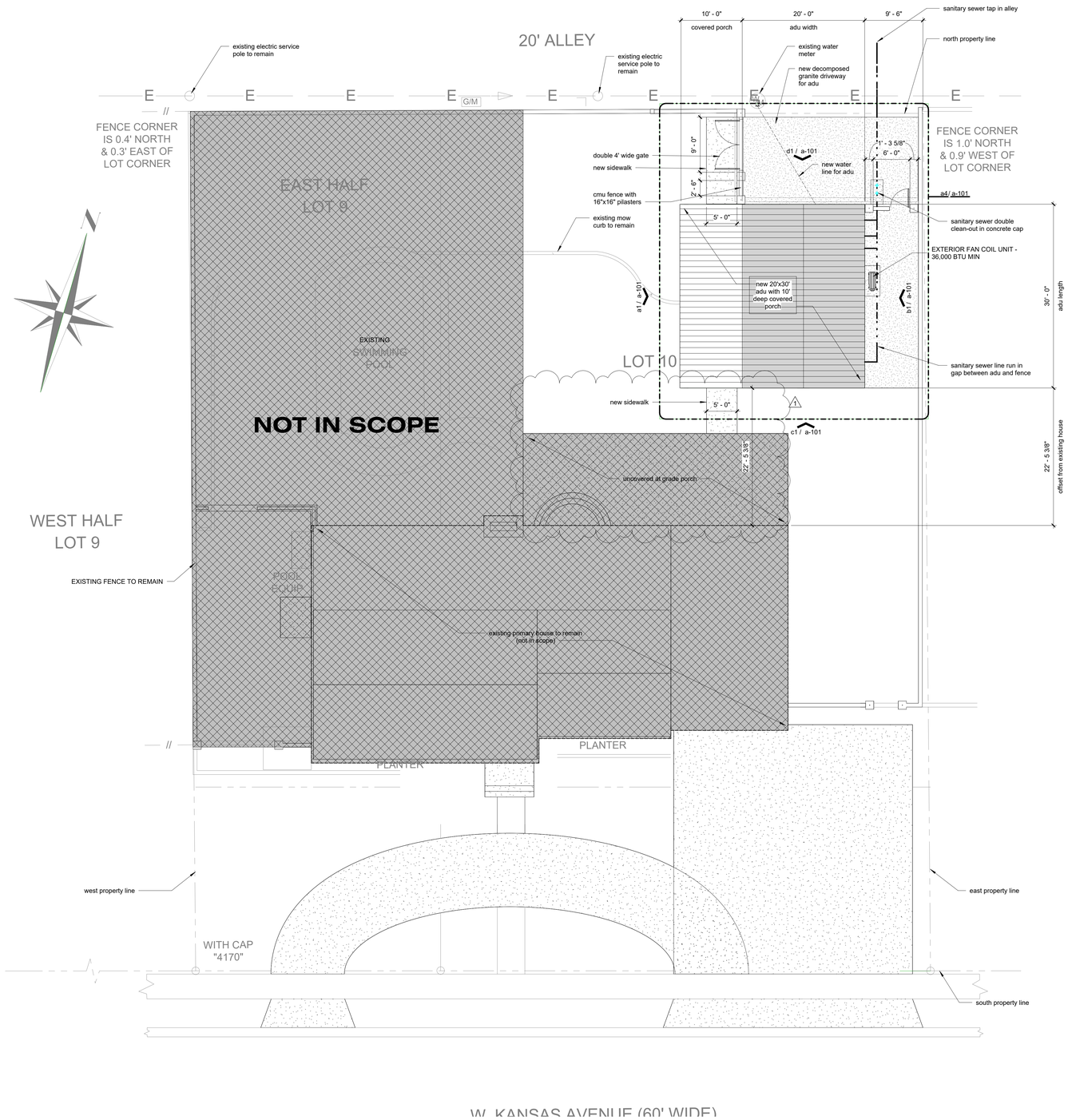

a2 overall site plan
1/8" = 1'-0"

project north
true north

0 4' 8' 16'

XX/XX/XXXX

auxilliary dwelling unit

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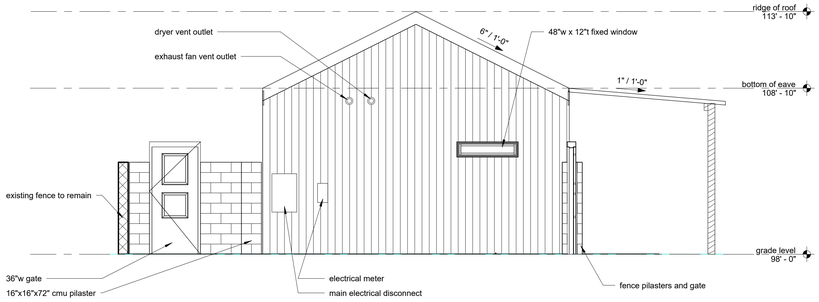
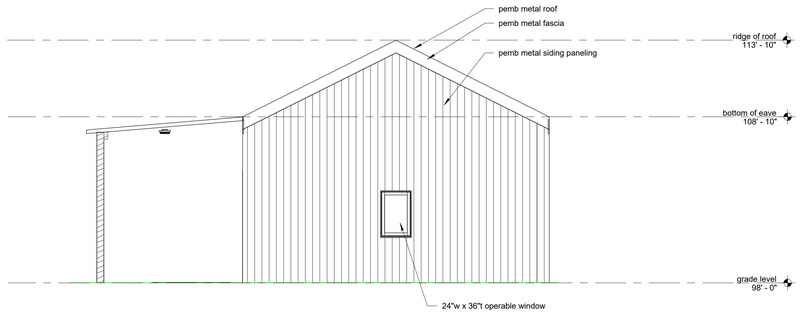
overall site plan

as101

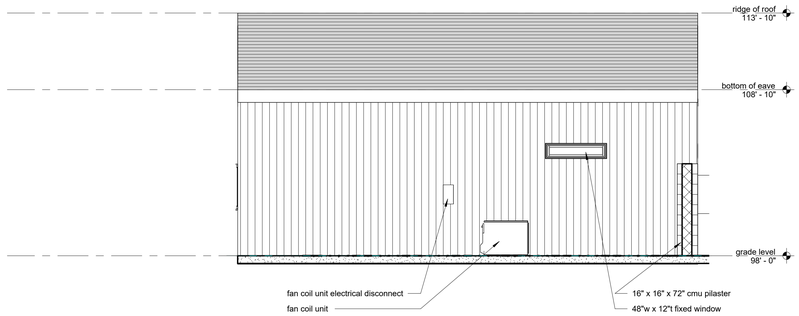
REVIT - v24 7/2/2026 4:15:33 PM



d1 exterior elevation - north
1/4" = 1'-0"



c1 exterior elevation - south
1/4" = 1'-0"



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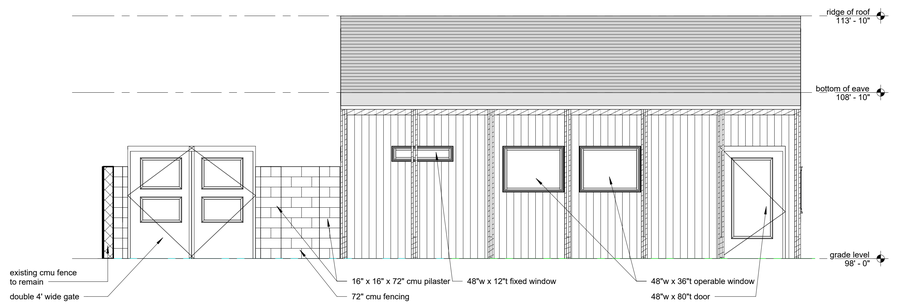

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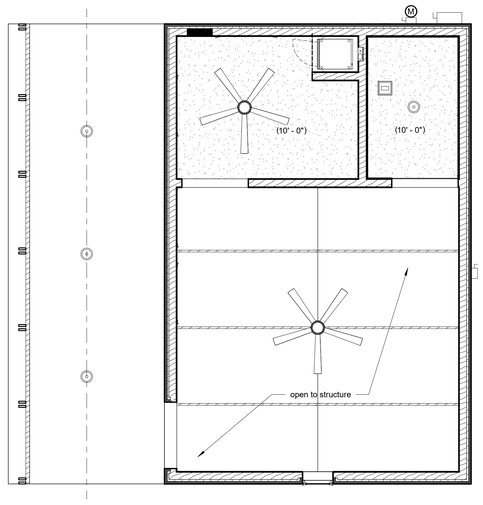
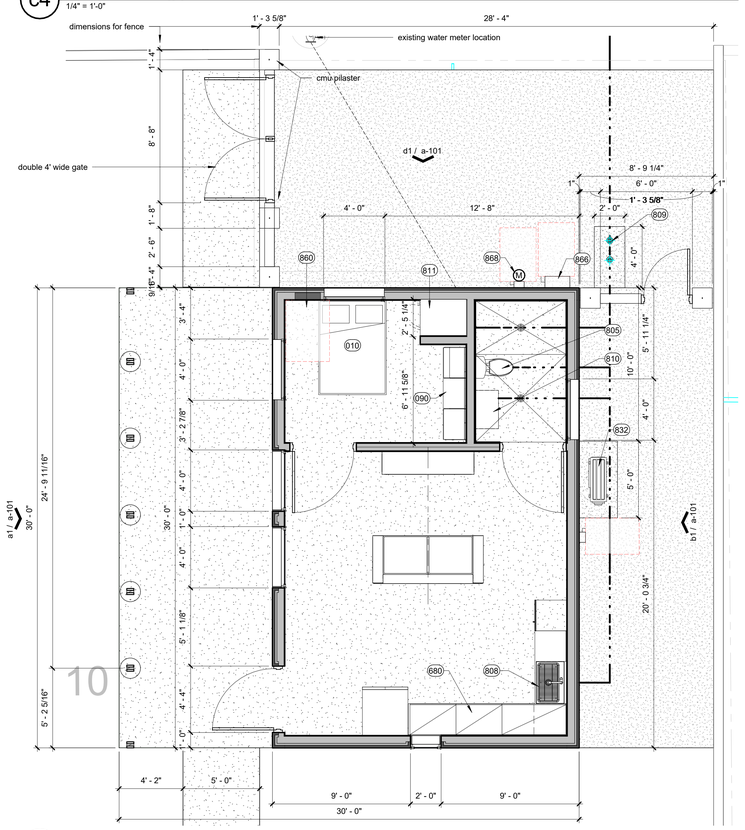
1/4" = 1'-0"



c4 reflected ceiling plan - adu
1/4" = 1'-0"



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KEY NOTES

AS INDICATED BY: (#)

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809 EXTERIOR DOUBLE CLEANOUT, CAST IRON CLEANOUT WITH ROUND ADJUSTABLE SCORIATED SECURED CAST IRON TOP, GASKET SEAL IRON PLUG WITH RECESSED SOCKET INSTALL IN MINIMUM 24" X 12" X 4" REINFORCED CONCRETE PAD WITH BEVELED EDGES - REF PLUMBING
810 ROOF DRAIN LEADER - REF PLUMBING
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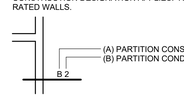
866 MOUNT 200AMP/2P, SERVICE RATED DISCONNECT, 150AMP FUSES ADJACENT TO ONCOR KWH METER - FIELD VERIFY FOR PROPER WORKSPACE CLEARANCE - REFER TO ELECTRIC RISER DIAGRAM FOR MORE INFORMATION
868 NEW KW METER FOR SERVICE - COORDINATE WITH ONCOR ELECTRIC DELIVERY FOR ALL REQUIREMENTS

PARTITION LEGEND

THE FOLLOWING PARTITION GRAPHIC SYMBOL AND TWO PART NOTATION SYSTEM IS USED IN THE CONSTRUCTION DOCUMENTS FOR THIS PROJECT. NOTE: THE PARTITION CONSTRUCTION WILL MAINTAIN ITS DESIGNATION TO THE POINT OF AN INTERSECTION WALL. IF NO CHANGE IN DESIGNATION IS SHOWN BEYOND THE INTERSECTION, THE PREVIOUS PARTITION CONSTRUCTION DESIGNATION APPLIES. REFER TO CODE PLAN G-005 FOR RATED WALLS.



(A) PARTITION CONSTRUCTION

A. METAL STUDS - GYPSUM BOARD ONE SIDE
B. METAL STUDS - GYPSUM BOARD EACH SIDE
C. METAL STUDS - 2 LAYERS OF GYPSUM BOARD ON EACH SIDE
D. CMU
E. CMU - GYPSUM BOARD ON HAT CHANNELS
F. CONCRETE
G. SHAFT WALL SYSTEM - GYPSUM BOARD ON FINISHED SIDE
H. SHAFT WALL SYSTEM - 2 LAYERS OF GYPSUM BOARD ON EACH SIDE
I. CMU/SHAFT WALL SYSTEM - GYPSUM BOARD ON FINISHED SIDE, REFER DETAIL ??/A-???

(B) PARTITION CONDITION

1. RATED ASSEMBLY EXTENDS TO STRUCTURE ABOVE (SEE DEFINITION BELOW). PROVIDE UL APPROVED FIRE RATED HEAD OF WALL ASSEMBLY TO MATCH RATING OF WALL. WALL HEIGHTS EXCEEDING STUD MANUFACTURER'S MAXIMUM (LIMITING) SPAN USING 5PSF LATERAL LOADING SHALL BE BRACED TO STRUCTURE ABOVE. (LAY-IN CEILINGS ARE NOT ACCEPTABLE BRACING, HARD CEILINGS ARE ACCEPTABLE).
2. RATED ASSEMBLY EXTENDS TO STRUCTURE ABOVE (SEE DEFINITION BELOW). PROVIDE UL APPROVED FIRE RATED HEAD OF WALL ASSEMBLY TO MATCH RATING OF WALL. WALL HEIGHTS EXCEEDING STUD MANUFACTURER'S MAXIMUM (LIMITING) SPAN USING 5PSF LATERAL LOADING SHALL BE BRACED TO STRUCTURE ABOVE. (LAY-IN CEILINGS ARE NOT ACCEPTABLE BRACING, HARD CEILINGS ARE ACCEPTABLE). WALL CAVITY IS FULLY INSULATED WITH SOUND ATTENUATION BATTS. INSTALL ACOUSTICAL SEALANT AT TOP AND BOTTOM OF WALLS (BOTH SIDES) AND ALL PENETRATIONS PER MANUFACTURER'S INSTRUCTIONS.
3. COMPLETE ASSEMBLY EXTENDS TO STRUCTURE ABOVE. WALL CAVITY IS FULLY INSULATED WITH SOUND ATTENUATION BATTS. INSTALL ACOUSTICAL SEALANT AT TOP AND BOTTOM OF WALLS (BOTH SIDES) AND ALL PENETRATIONS PER MANUFACTURER'S INSTRUCTIONS.
4. COMPLETE ASSEMBLY EXTENDS TO AND IS BRACED TO STRUCTURE ABOVE.
5. ASSEMBLY EXTENDS 4" MINIMUM ABOVE HIGHEST ADJACENT CEILING AND IS BRACED EACH WAY TO STRUCTURE ABOVE.
6. EXTEND RATED ASSEMBLY THROUGH THE ROOF. METAL STUD WALLS EXTEND TO 4" MINIMUM ABOVE HIGHEST ADJACENT CEILING.

"STRUCTURE ABOVE" (AS NOTED IN THE PARTITION CONDITIONS) IS DEFINED AS THE UNDERSIDE OF ONE OR MORE OF THE FOLLOWING:

* COMPOSITE FLOOR SLAB
* STAIR TREADS/RISERS
* METAL ROOF DECK
* STEEL BEAMS

TERMINATE METAL STUDS AT "STRUCTURE ABOVE" WITH DEFLECTION TRACK REQUIRED FOR WALL CONDITION SCHEDULED.

(NOTE: IN NO CASE SHALL THE BOTTOM OF STEEL JOISTS BE CONSIDERED BOTTOM OF STRUCTURE ABOVE.)

(NOTE: ALL INTERIOR WALLS ARE "B3" UNLESS NOTED OTHERWISE.)

EDITOR NOTE: USE THE DEFAULT NOTE ABOVE TO SCHEDULE THE MOST COMMON TYPE OF WALL PARTITION USED ON THE PROJECT SO THAT YOU DON'T HAVE TO PUT THE WALL TYPE MARK ON EVER WALL (DELETE THIS NOTE).

XX/XX/XXXX

auxilliary dwelling unit

CLIENT
cliff mitchell

1204 w. kansas ave., midland, tx 79701

PROJECT NO.
1204.26

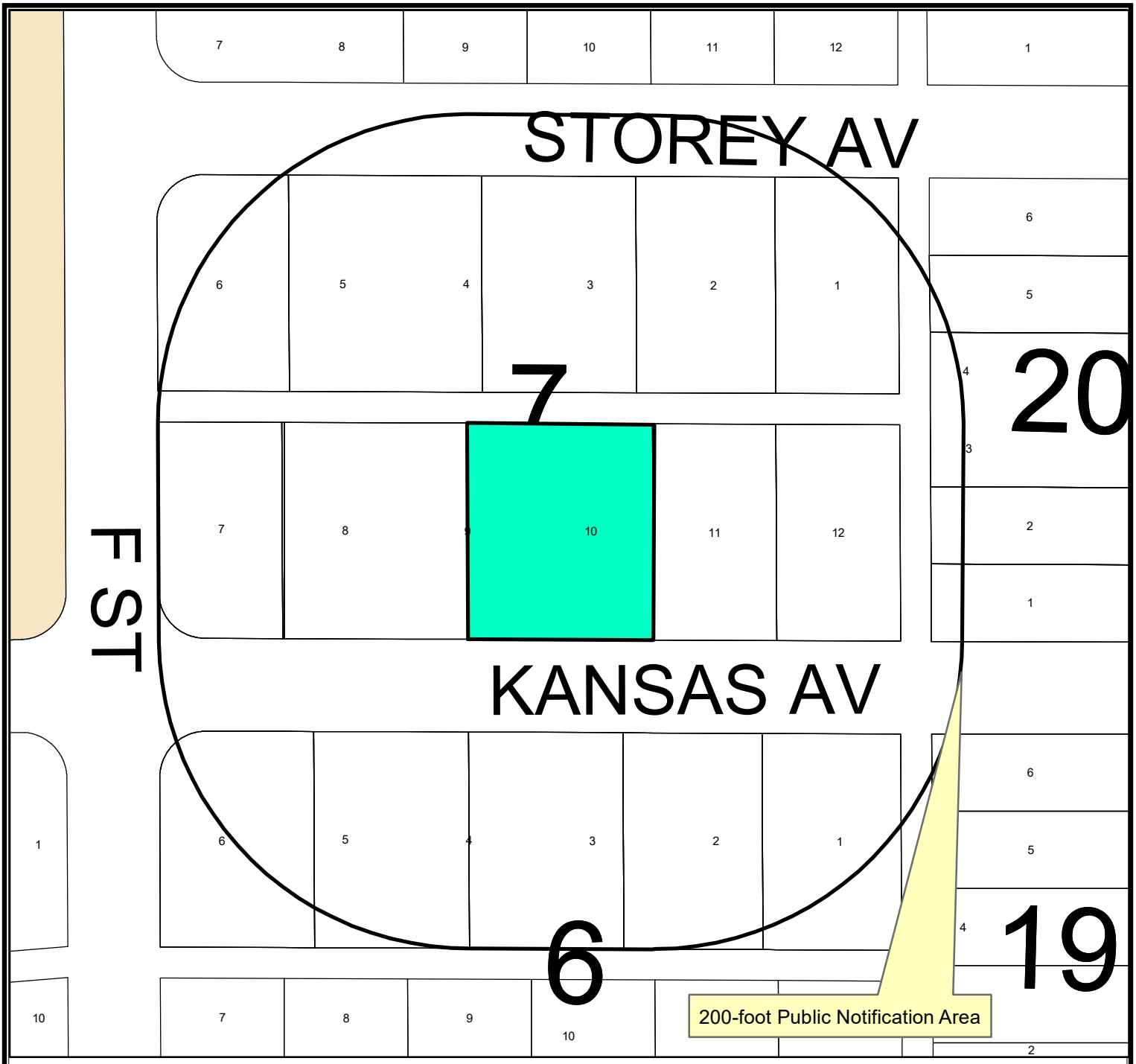
KEY PLAN

#	DATE	DESCRIPTION
-	05/18/2026	issued for permit

adu floor plan

a-101

REVIT v21 5/17/2026 10:45:57 PM



Location Map

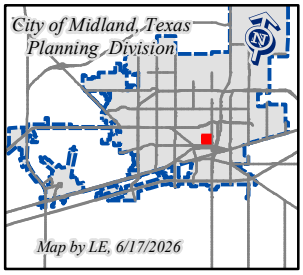
SUDwo-26-0054 **Scale: 1" = 600'**

Consider a request by Clifford Mitchell for a Specific Use Designation without Term for an Accessory Dwelling Unit on the east 40 feet of Lot 9 and all of Lot 10, Block 7, North Park Hill Addition, City and County of Midland, Texas.

Generally located on the north side of West Kansas Avenue, approximately 215 feet east of North F Street. (Council District 3)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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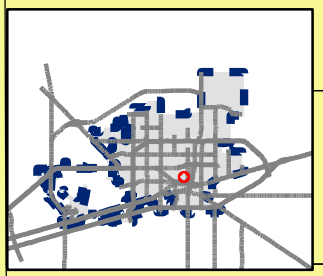
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.

SF1

SF2

KANSAS AV



Map by LE, 6/17/2026

SUDwo-26-0054

Scale: 1" = 400'

ZONING MAP

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STOREY AV
7
EST
KANSAS AV




MIDLAND
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ITEM
SPECIFIC USE DESIGNATION
1204 WEST KANSAS AVENUE
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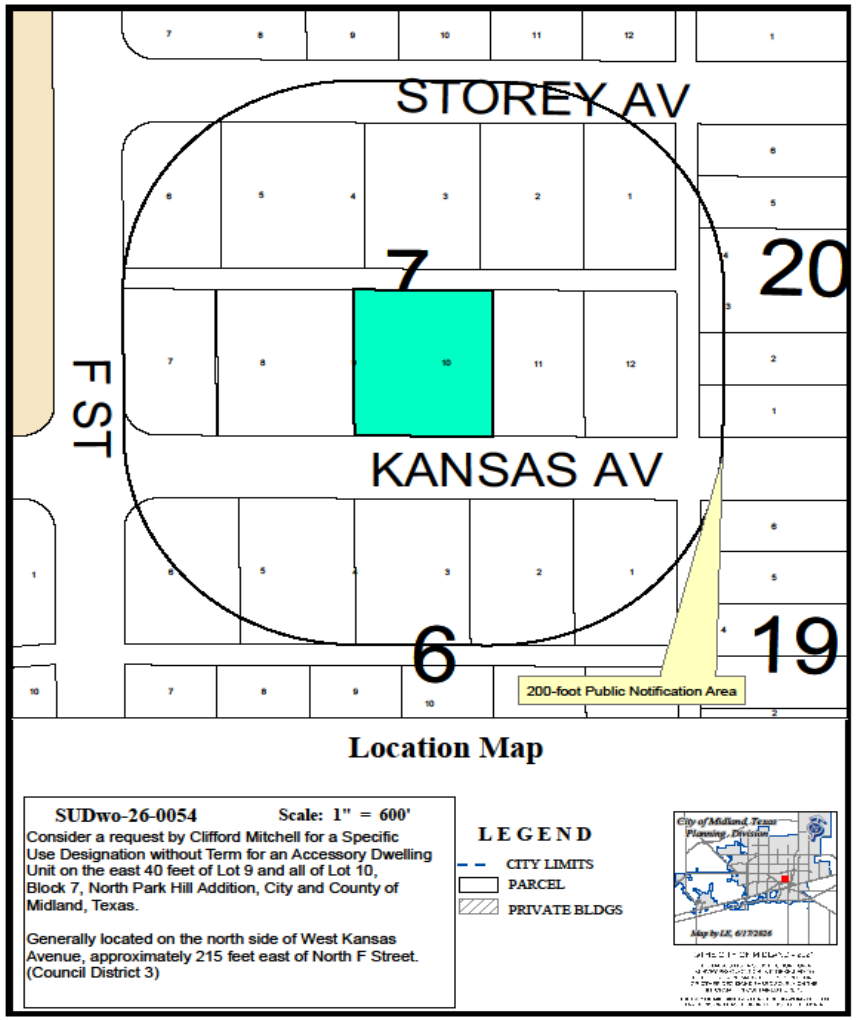
MIDLANDTEXAS.GOV

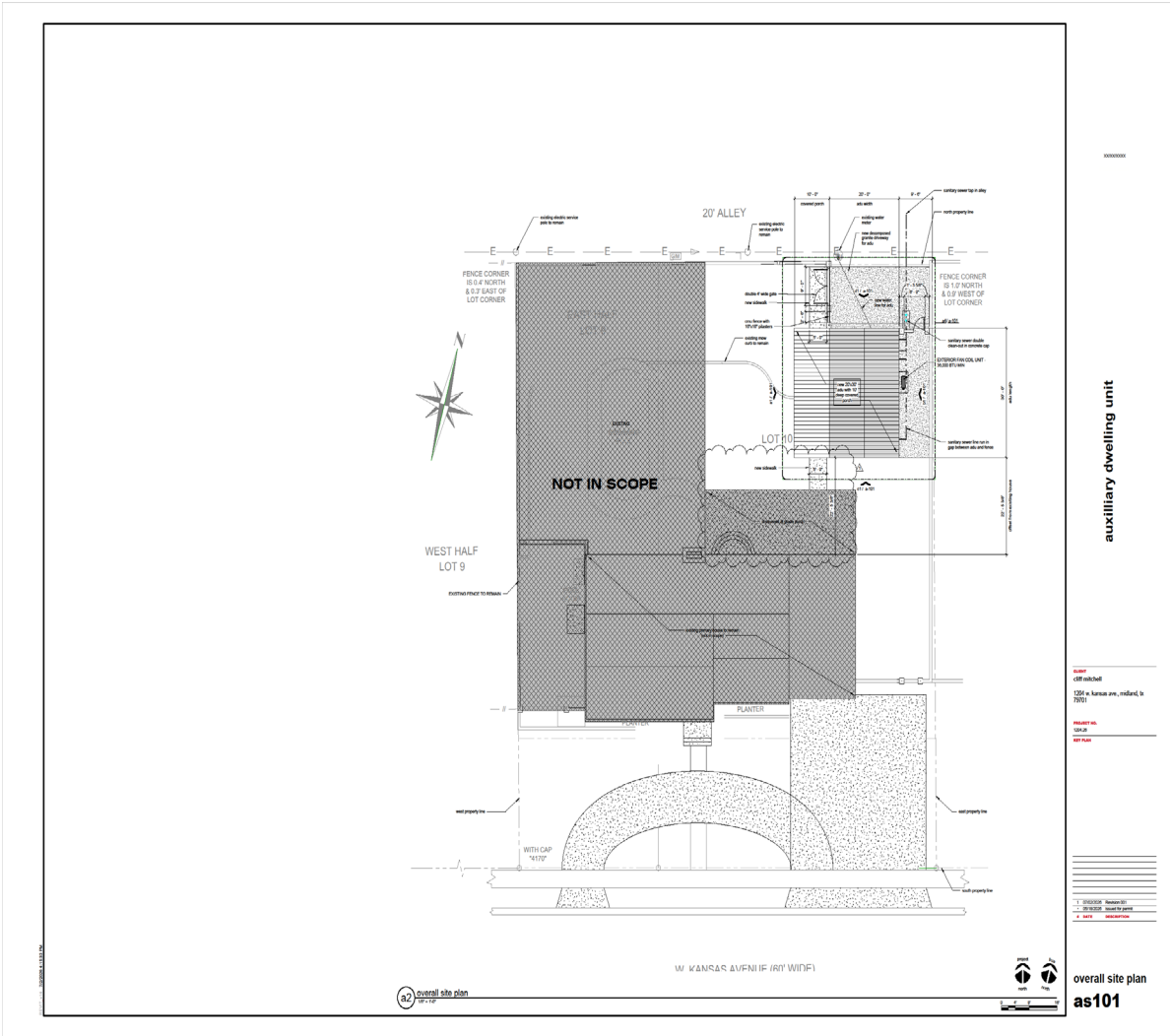
APPLICATION SUMMARY

- **Property Owner:** Clifford Mitchell
- **Location:** 1204 West Kansas Avenue in Council District 3
- **Reason for Request:** To construct an accessory dwelling unit



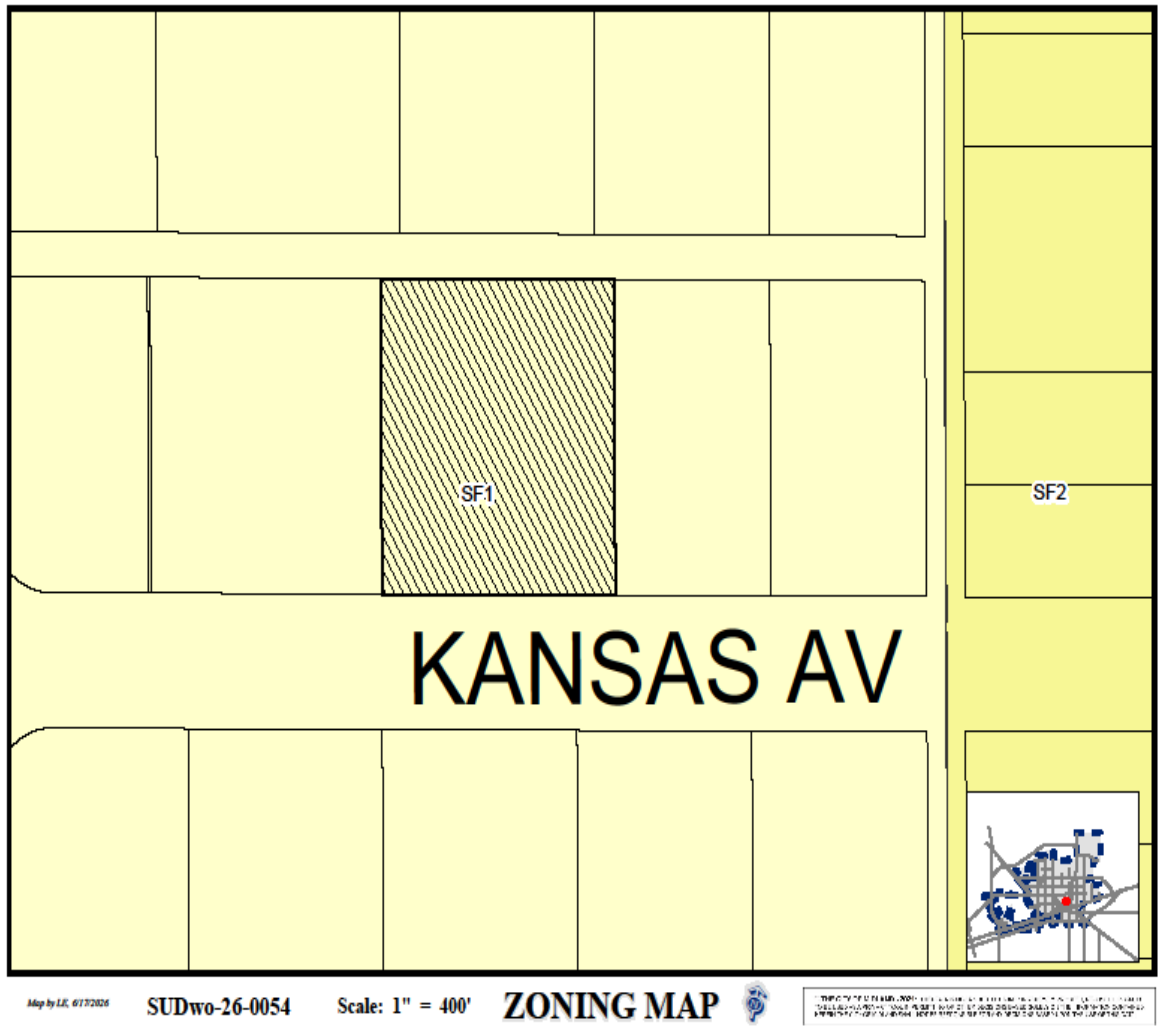
DETAILS OF REQUEST

- Property owner is requesting to construct a mother-in-law suite to provide friends and family with a space to stay when visiting



ZONING

- **Current Zoning:** SF-1, Single-Family Dwelling District
- **Surrounding Zoning:**
- **North/South/East/West:** SF-1, Single-Family Dwelling District
- The use of an SUD for construction of an Accessory Dwelling Unit is allowed in this zoning.



MIDLAND
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LAND USE

- **Current Use:** Residential
- **Surrounding Uses:**
  - **North/South/West/East:** Residential





On West Kansas Avenue, Looking North

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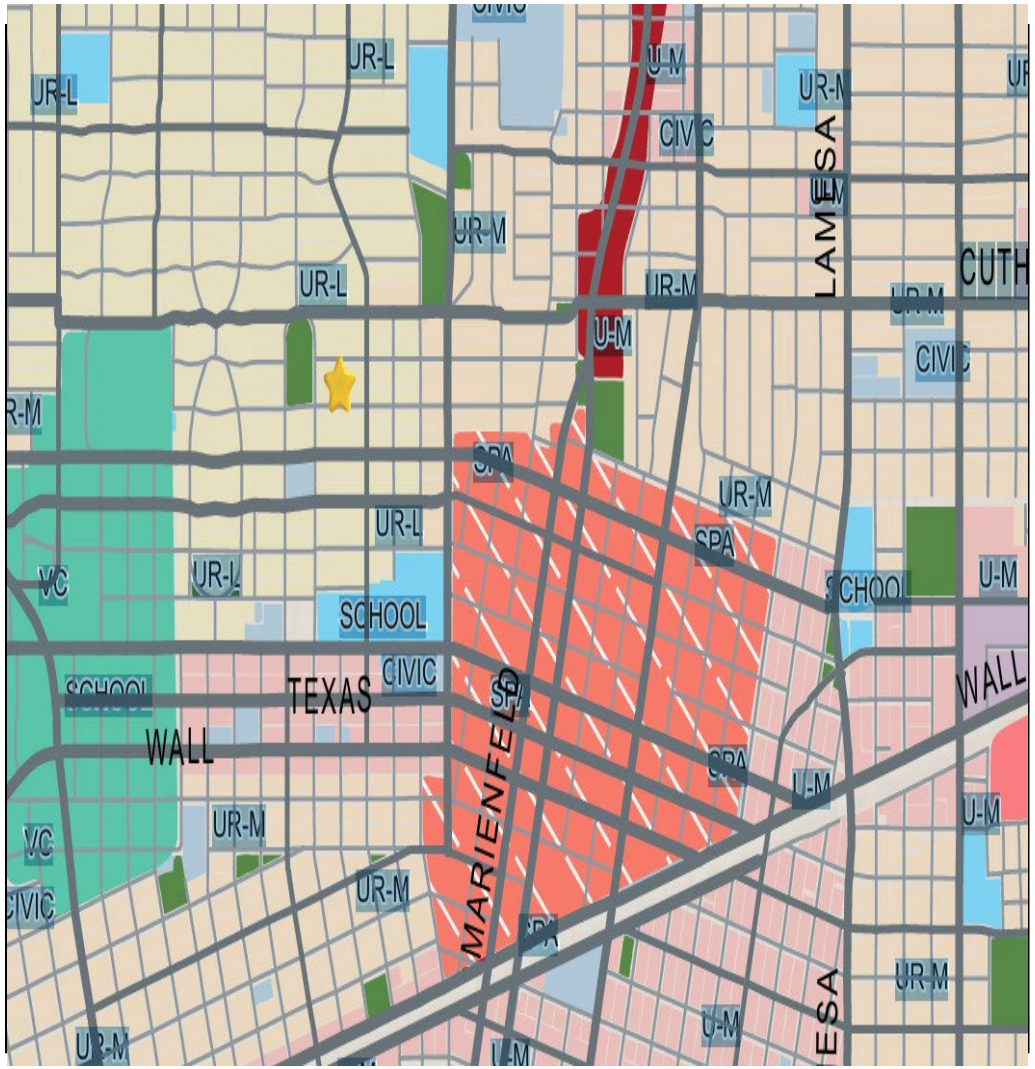
COMPREHENSIVE PLAN

- **Land Use Designation:** Urban Residential – Low (UR – L)
- **Supported Uses:** Neighborhoods emphasizing single-family detached homes
- The request is compatible with the *Tall City Tomorrow Comprehensive Plan.*



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STAFF'S RECOMMENDATION

- No objections were received.
- Staff recommends approval of this request with the following conditions:

A. That the use and development of the property or the Unit shall significantly conform to the site plan, which is attached hereto as Exhibit A and incorporated herein for all purposes, said Unit being the building identified in Exhibit A as a "new 20' x 30' adu with 10' deep covered porch".



STAFF'S RECOMMENDATION

B. That the use and development of the Property for the Unit shall significantly conform to the elevation drawings, which are attached hereto as Exhibit B and incorporated herein for all purposes.

C. That the total number of people who live on the property, including the principal residence and the Unit, shall not exceed that of a "family" as defined in Section 11-1-2.01 of the City Code.

D. That the floor area of the Unit shall not exceed 600 square feet.



STAFF'S RECOMMENDATION

E. That vehicular access from the alley is hereby permitted.

F. That the Unit shall not be leased or rented as a separate dwelling unit and shall not be used for any commercial purpose.

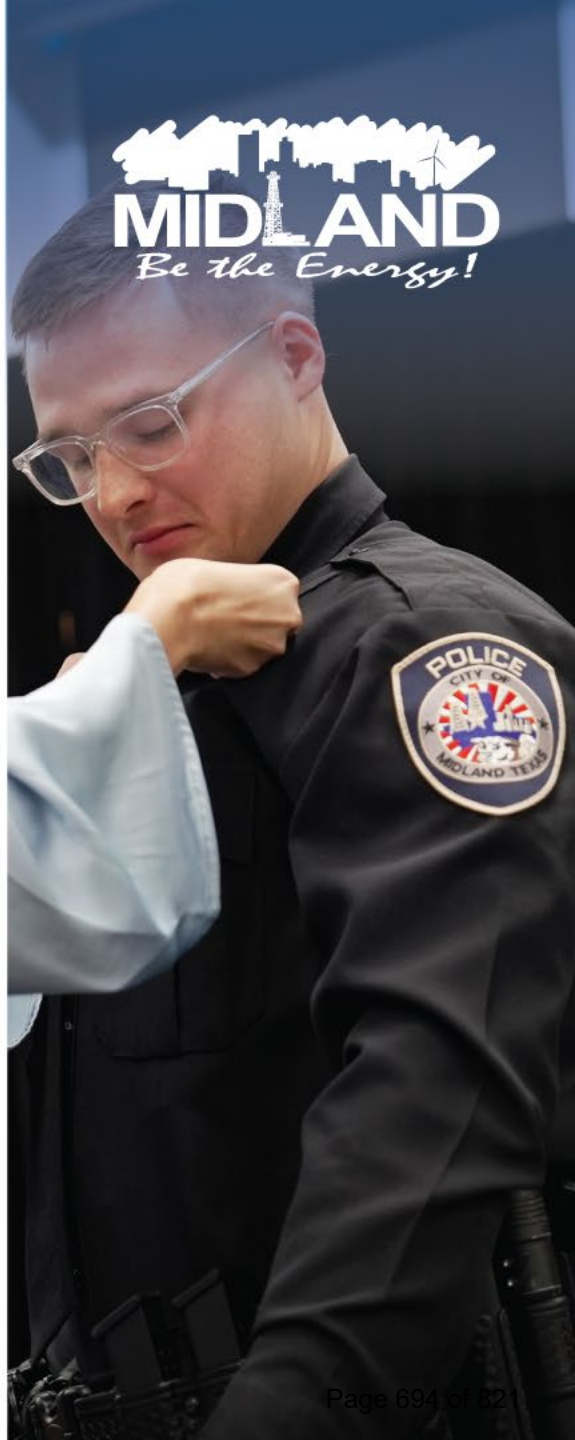


STAFF'S RECOMMENDATION

G. That the Unit shall meet all requirements of the Fire Department and the Code Administration Division.

H. That the owner of the Property, or an authorized representative thereof, shall obtain a Certificate of Occupancy prior to using the Unit to ensure that the conditions of the Specific Use Designation Without Term are satisfied.

I. That the City Secretary is hereby authorized and directed to file a certified copy of this Ordinance with the County Clerk of Midland County, Texas, for purposes of recording in the Official Records of Midland County, Texas, as notice to any subsequent purchaser of this property that the Unit shall not be leased or rented as a separate dwelling unit or used for any commercial purpose.



MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.



City Council Meeting

Item Number: 20.
Meeting Date: August 11, 2026
To: City Council
From: Beatriz Quezada, Planner
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 5, ARNETT'S ACRES, CITY AND COUNTY OF MIDLAND, TEXAS, FROM SF-2, SINGLE-FAMILY DWELLING DISTRICT TO 2F, TWO-FAMILY (DUPLEX) DWELLING DISTRICT (GENERALLY LOCATED ON THE EAST SIDE OF NORTH LAMESA ROAD, APPROXIMATELY 350 FEET NORTH OF EAST GOLF COURSE ROAD); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); AND ORDERING PUBLICATION (FIRST READING HELD JULY 21, 2026)

Purpose:
The applicant, Eduardo L. Aleman, is requesting to rezone the property located at 2002 N Lamesa to be able to develop duplex to provide additional housing opportunities for the community.

Recommended Action:
Approve

Fiscal Impact:
None

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
Current Zoning:

SF-2, Single-Family Dwelling District

Surrounding Zoning and Land Use:

The subject property is located at 2002 North Lamesa Road. The property is zoned SF-2, Single-Family Dwelling District. The surrounding properties to the north, south, west and east are also zoned SF-2, Single-Family Dwelling District. The use of the property is currently vacant land. The surrounding near the north, south, east and west are currently residential.

Analysis:

The property is located at 2002 North Lamesa Road. The property is currently zoned SF-2, Single-Family Dwelling District and the applicant is requesting rezoned the property into 2F, Two-Family Dwelling (Duplex) District to be able to build a duplex on the property. The applicant is also in the process of replatting the property into two lots to be able to do so.

The zone change would have to be approved first before the final plat can be considered by the Planning and Zoning Commission.

This request is consistent with the Tall City Tomorrow Comprehensive Plan, Chapter 3, which designates this area as Urban Residential – Medium (UR-M). The UR-M district emphasizes single-family detached, single-attached and townhouses.

This proposed zone change has been circulated to the respective City departments for internal review, and their comments, conditions, and requirements are as follows:

Fire: (Approved)

The Fire Department has reviewed the proposed zoning change and has no objection at this time. This review is limited to the zoning request only and does not constitute approval of future site development, construction, or occupancy. All future development shall comply with the 2015 International Fire Code (IFC), local amendments, and all applicable fire and life safety requirements, including but not limited to fire apparatus access (IFC §503), water supply and fire flow (IFC §507), fire hydrant placement (IFC §507.5), fire protection systems (IFC §903), and emergency responder access, which will be reviewed during the site plan, civil plan, and building permit review process.

Building Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2023 NEC requirements, the 2015 International Fire Codes, local city ordinances, planning/zoning requirements, established setbacks, Health department regulations, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on the time of new code editions adopted in the City of Midland and date of permit application.

Engineering: (Approved)

No objections to zone change. [For Applicant’s Information Only.]
Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For Applicant’s Information Only.]

Transportation: (Approved)

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For the Applicant’s information only.]
No objection to zone change. [For the Applicant’s information only.]

Planning:

The preliminary plat for Arnett's Acres, Section 2, was approved by the Planning and Zoning Commission on June 6, 2026.

Staff recommends the approval of this request for a zone change of SF-2, Single-Family Dwelling District to 2F, Two-Family Dwelling District.

Letters of Objection:

As of July 10, staff has not received any letters of objection for this request.

Attachments:

A. ORD w EXH - Z-26-0483.SF-2 to 2F
B. Z-26-0483, Combined Files
C. CC - - 2002 N Lamesa Rd SF-2 to 2F

Rachel Guentensberger, City Secretary Created/Initiated - 7/21/2026

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 5, ARNETT'S ACRES, CITY AND COUNTY OF MIDLAND, TEXAS, FROM SF-2, SINGLE-FAMILY DWELLING DISTRICT TO 2F, TWO-FAMILY (DUPLEX) DWELLING DISTRICT (GENERALLY LOCATED ON THE EAST SIDE OF NORTH LAMESA ROAD, APPROXIMATELY 350 FEET NORTH OF EAST GOLF COURSE ROAD); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); AND ORDERING PUBLICATION

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body finds that the public health, safety and general welfare will be best served by rezoning Lot 5, Arnett's Acres, City and County of Midland, Texas (the "Property"), to 2F, Two-Family (Duplex) Dwelling District, as set out hereinafter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to rezone the Property from SF-2, Single-Family Dwelling District to 2F, Two-Family (Duplex) Dwelling District.

SECTION TWO. That the definitions given in the zoning regulations contained in the City Code of the City of Midland, Texas, shall be applicable to such of those terms as are used herein.

SECTION THREE. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances

inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION SIX. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2026; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting “AYE”:

Council members voting “NAY”:

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2026, at a regular meeting of the City Council:

Council members voting “AYE”:

Council members voting “NAY”:

PASSED AND APPROVED THIS _____ day of _____, A.D., 2026.

_____
Lori Merritt Blong, Mayor

ATTEST:

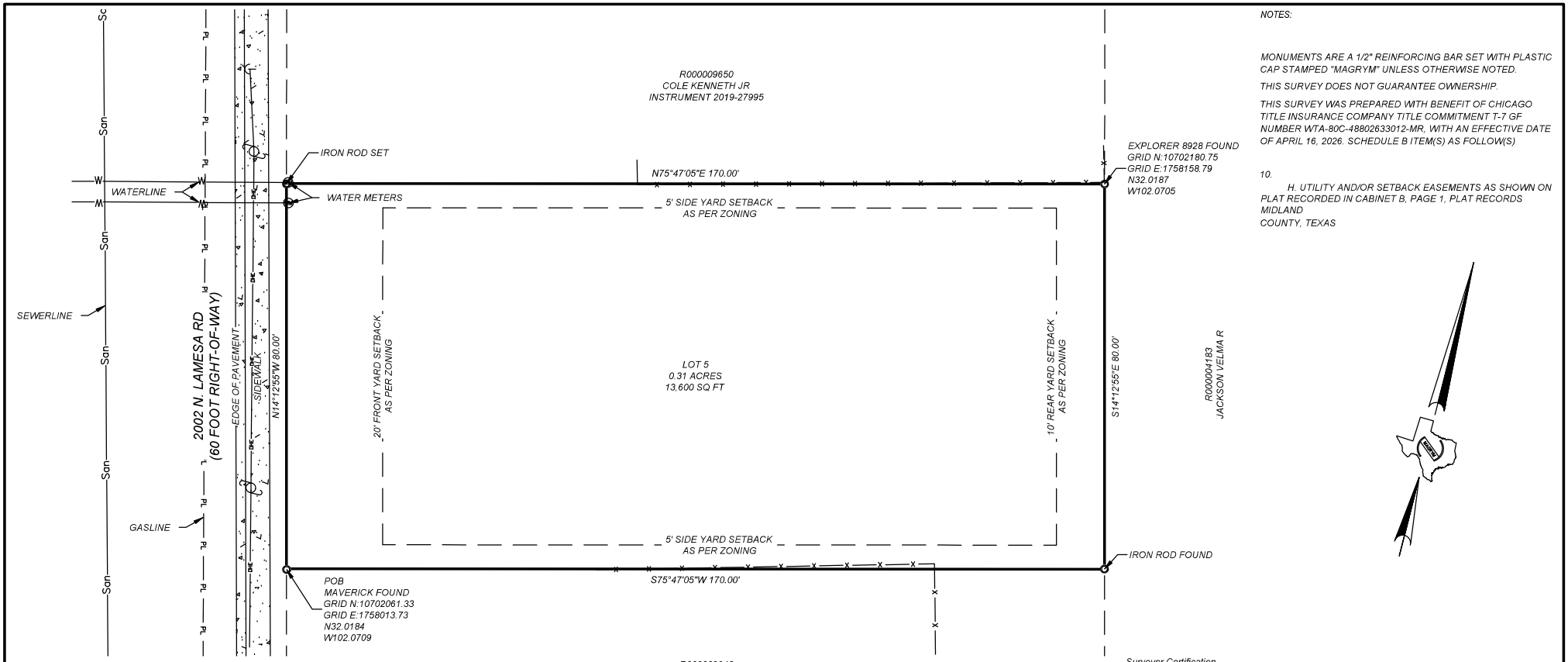
_____
Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, City Attorney



NOTES:

MONUMENTS ARE A 1/2" REINFORCING BAR SET WITH PLASTIC CAP STAMPED "MAGRYM" UNLESS OTHERWISE NOTED.

THIS SURVEY DOES NOT GUARANTEE OWNERSHIP.

THIS SURVEY WAS PREPARED WITH BENEFIT OF CHICAGO TITLE INSURANCE COMPANY TITLE COMMITMENT T-7 GF NUMBER WTA-80C-48802633012-MR, WITH AN EFFECTIVE DATE OF APRIL 16, 2026. SCHEDULE B ITEM(S) AS FOLLOW(S)

10.
H. UTILITY AND/OR SETBACK EASEMENTS AS SHOWN ON PLAT RECORDED IN CABINET B, PAGE 1, PLAT RECORDS MIDLAND
COUNTY, TEXAS

LEGEND:

- FENCE LINE
- OVERHEAD ELECTRIC
- UTILITY POLE
- WIRE GUY ANCHOR
- ELECTRIC METER
- AIR CONDITIONER
- MONUMENT AS DESCRIBED
- PROPERTY LINE
- ADJOINING PROPERTIES

Surveyor Certification

TO THE LIENHOLDERS, TIERRA PLANA LLC
(OWNER) OF THE PREMISES AND TO THE ISSUING TITLE INSURANCE UNDERWRITER:
THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON
AND THAT THERE ARE NO KNOWN DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, EASEMENTS OR RIGHTS-OF-WAY, EXCEPT AS SHOWN HEREON.

DATED THIS 16TH DAY OF APRIL, 2026

RJ DAUM
TEXAS RPLS 4826

STATE OF TEXAS
REGISTERED
RJ DAUM
4826
PROFESSIONAL
LAND SURVEYOR

MAGRYM
TX FIRM# 10149500
Magrym Consulting, Inc.
110 W Louisiana Ave, Ste. 314
Midland, TX 79701
(432) 684-5548
www.magrym.com

SURVEY
LOT 5, ARNETT ACRES
AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS
AS PER PLAT OF RECORD IN VOLUME 130, PAGE 294, NOW
RECORDED IN CABINET B, PAGE 1,
PLAT RECORDS MIDLAND COUNTY, TEXAS.

JOB NO: 26-335
PROJECT: 26-335
SCALE: 1" = 20'
REVISIONS



Location Map

Z-26-0483 **Scale: 1" = 100'**

Consider a request by Eduardo L. Aleman for a Zone Change from SF-2, Single-Family Dwelling District, to 2F, Two-Family Dwelling (Duplex) District on Lot 5, Arnett's Acres, City and County of Midland, Texas.

Generally located on the east side of North Lamesa Road, approximately 350 feet north of East Golf Course Road. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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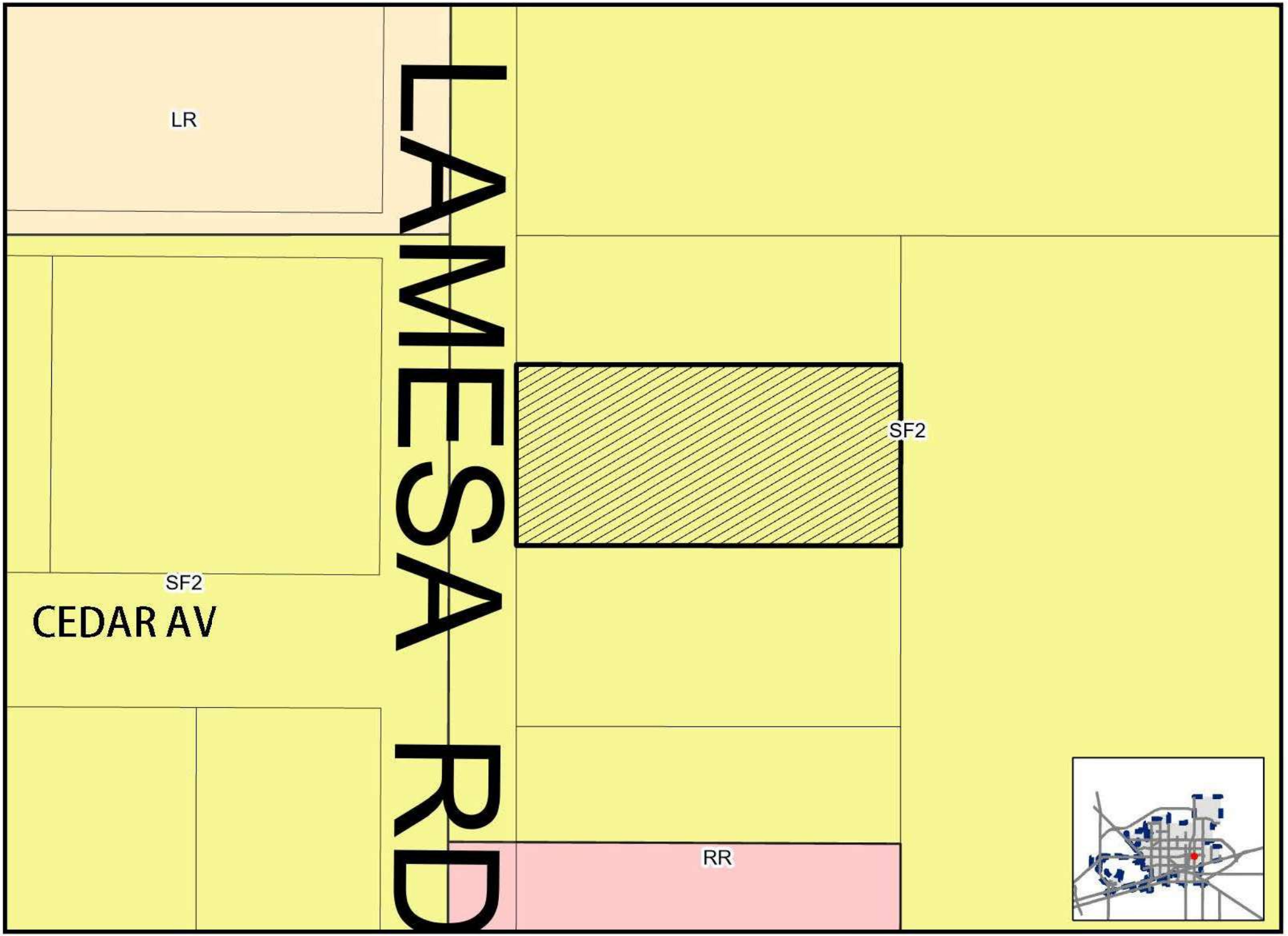

Created: 5/26/2026

Z-26-0483

Scale: 1" = 53 '

ZONING MAP

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23A
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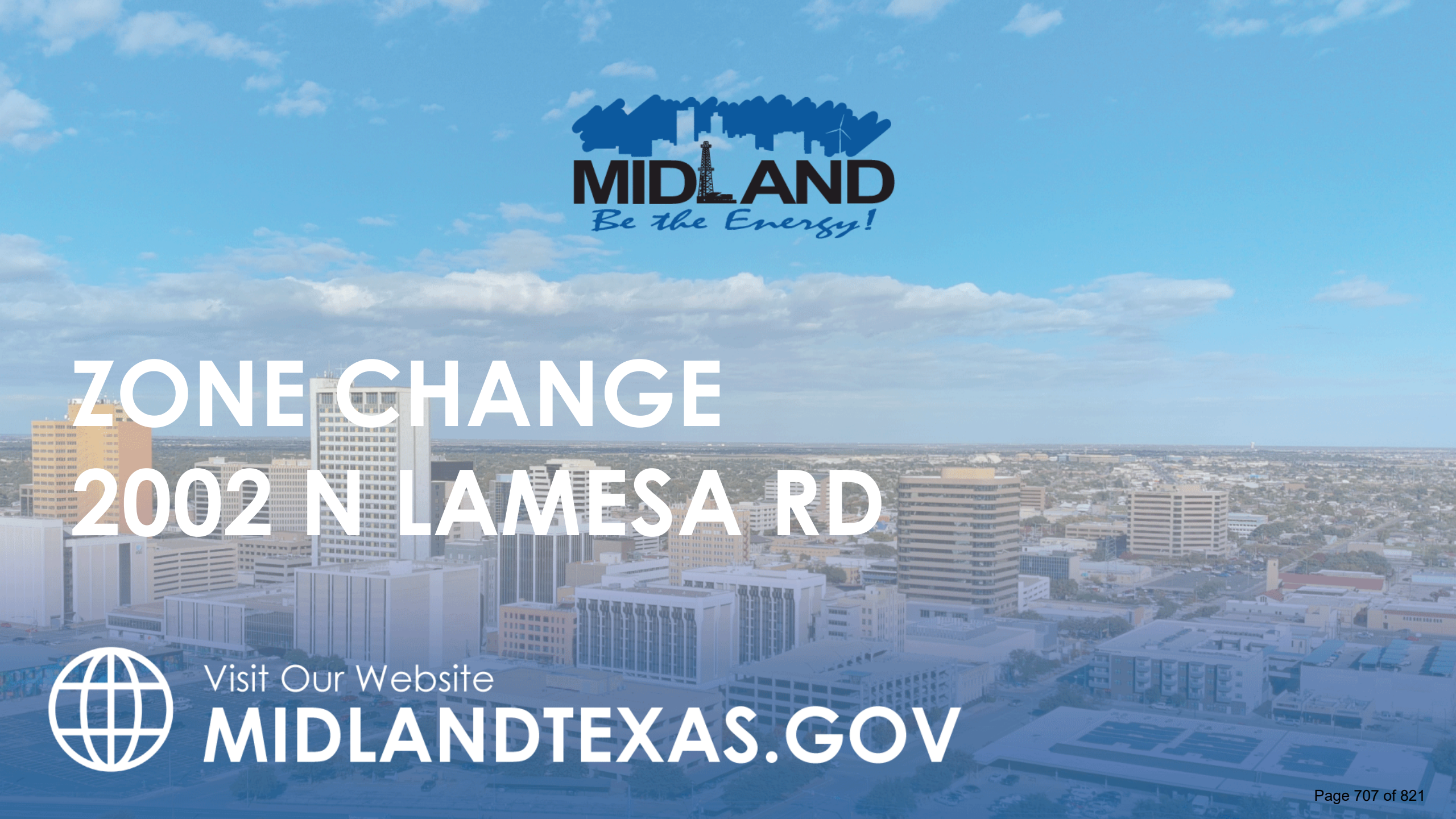
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ZONE CHANGE
2002 N LAMESA RD
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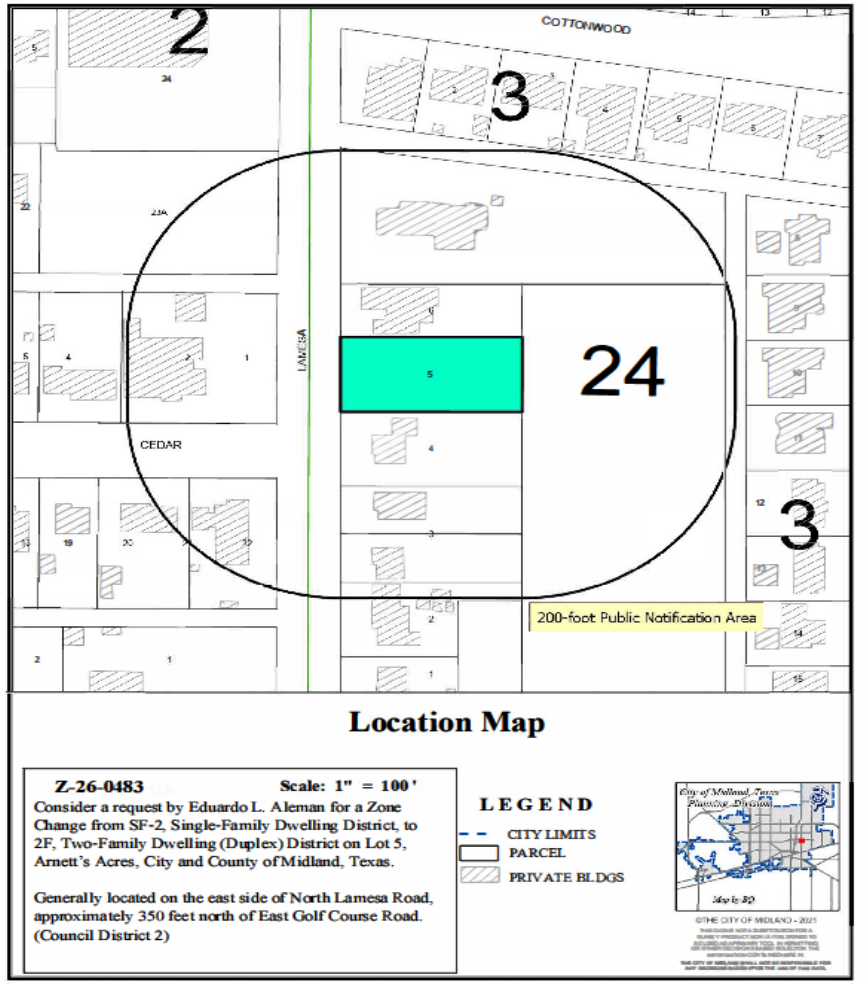
MIDLANDTEXAS.GOV

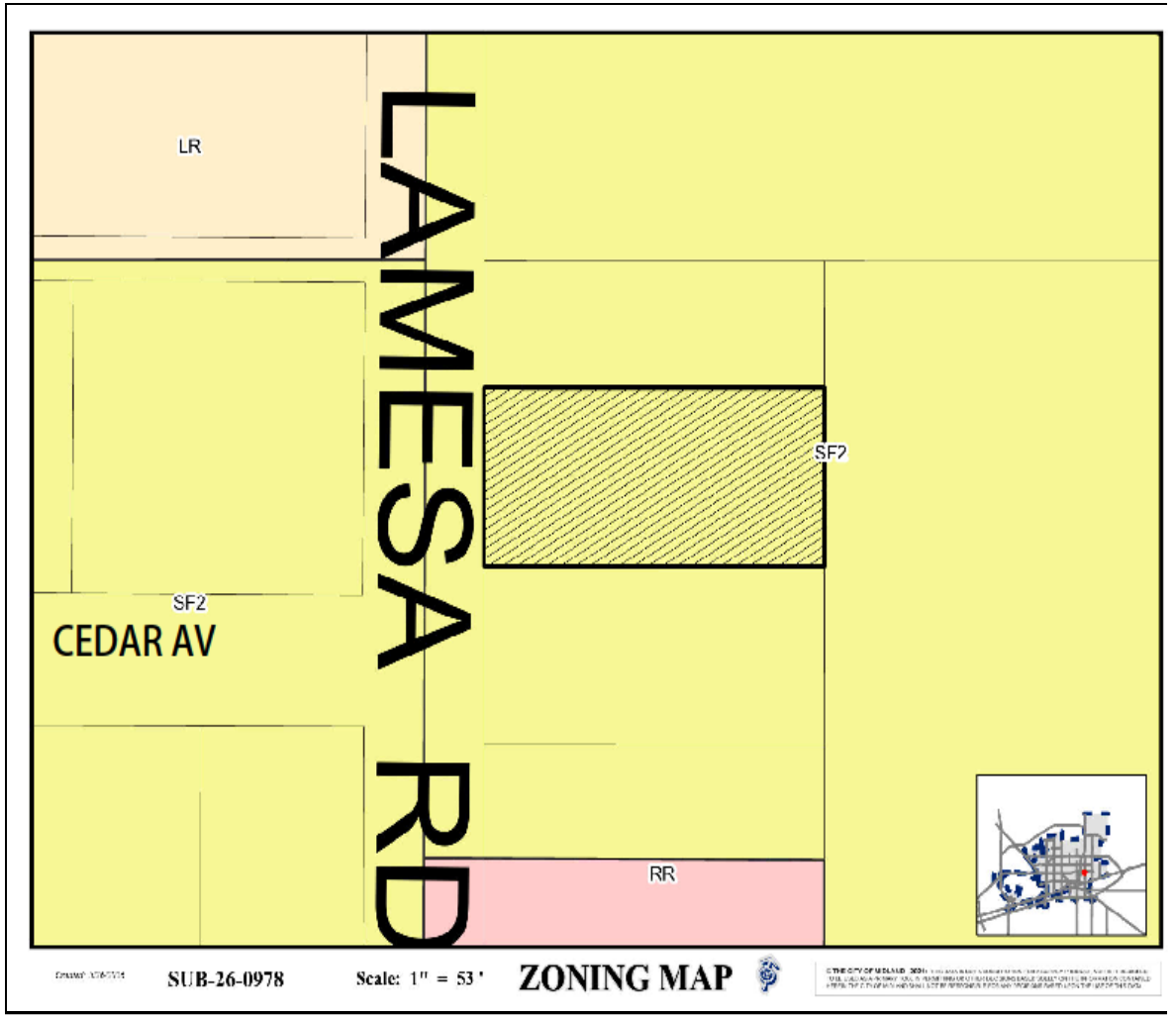
APPLICATION SUMMARY

- **Applicant:** Eduardo Aleman
- **Property Owner:** Tierra Plana, LLC
- **Location:** 2002 North Lamesa Road (Council District 2)
- **Reason for Request:** For the development of a residential dwelling unit



ZONING

- **Current Zoning:** SF-2, Single-Family Dwelling District
- **Surrounding Zoning:**
  - **North/South/West/East:** SF-2, Single-Family Dwelling District
- Proposed Zoning: 2F, Two-Family Dwelling (Duplex) District



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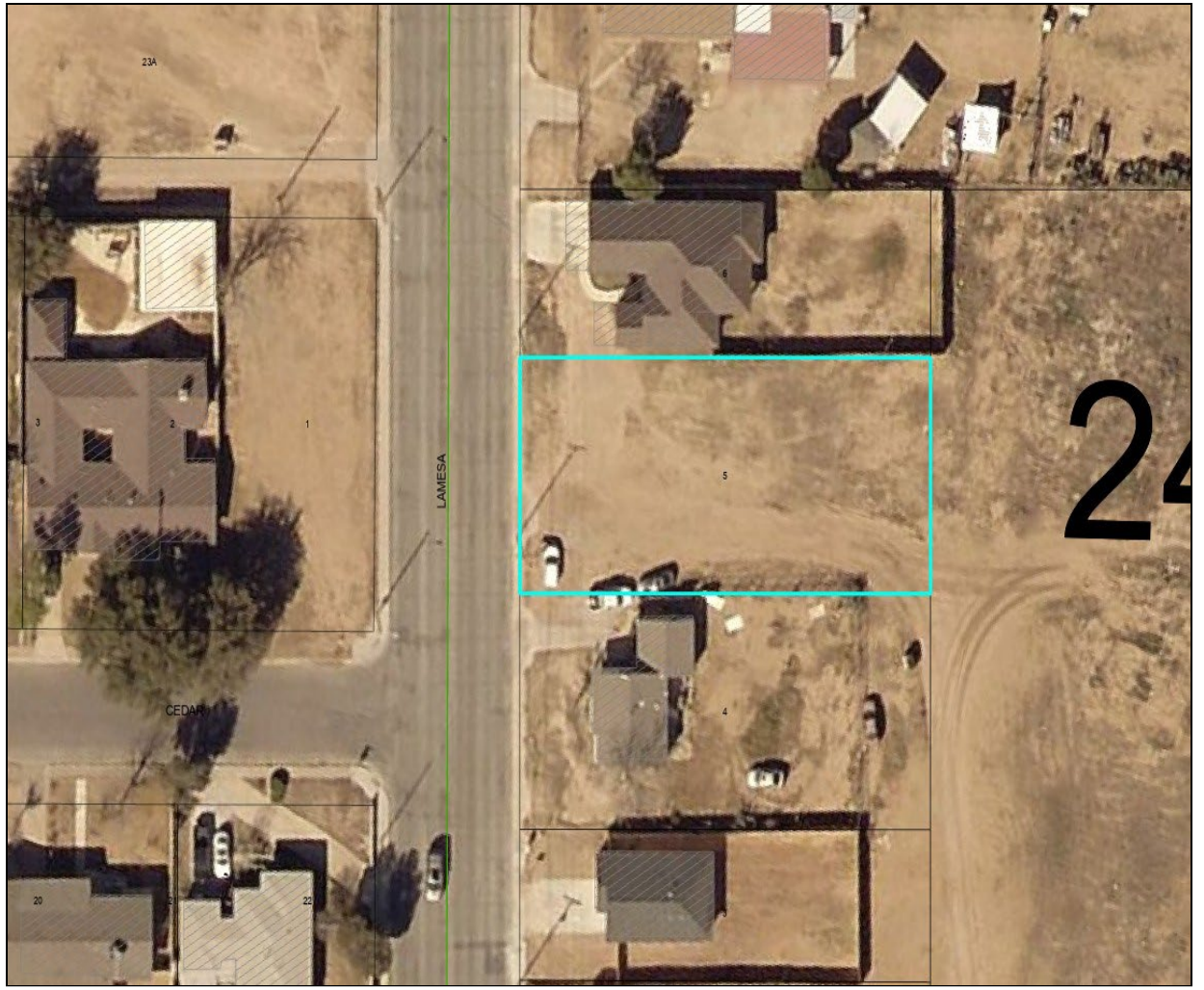
LAND USE

- **Current Use:** Vacant land
- **Surrounding Uses:**
  - **North/South/West:** Residential
  - **East:** Vacant land
  - **Proposed Use:** Residential





On North Lamesa Road, Looking East

COMPREHENSIVE PLAN

- **Land Use Designation:** Urban Residential - Medium (UR-M)
- **Supported Uses:** Emphasizing a mix of housing styles including single-family detached, single-attached and townhouses.
- The request is compatible with the Tall City Tomorrow Comprehensive Plan.



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RELATED ITEMS

- A preliminary plat to subdivided the property into two lots was approved on June 6, 2026.



STAFF'S RECOMMENDATION

- No objections were received.
- The Planning and Zoning Commission approved this item on July 6, 2026.
- Staff recommends approval of this request.



MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.



City Council Meeting

Item Number: 21.
Meeting Date: August 11, 2026
To: City Council
From: Lori Elliott, Planner
Subject: AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 13, BLOCK 1, SAN JACINTO PLACE EXTENSION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF SPARKS STREET, APPROXIMATELY 315 FEET SOUTH OF WEST GOLF COURSE ROAD), BY PERMITTING A REDUCED MINIMUM FRONT YARD SETBACK; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION (FIRST READING HELD JULY 21, 2026)

Purpose:
Pam Mancha is requesting a Special Exception from the City of Midland Zoning Ordinance, Section 4.09 – Accessory Buildings and Uses, to permit a reduced minimum front yard setback for the property at 1600 Sparks Street, in order to construct a carport.

Recommended Action:
Directional/Informational

Fiscal Impact:
None

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:

The subject property is zoned SF-1, Single- Family Dwelling District. Per Section 4.09 – Accessory Buildings and Uses, the minimum front yard setback is 25 feet for SF-1, thus creating the necessity to request a variance from the code. The proposed carport will be attached to the primary dwelling and is not expected to create any public safety concerns, nor materially impact adjacent properties. Similar carports and associated variances are not present in the immediate area.

This request has been circulated to all pertinent City departments for review. Below are the

departments' comments.

Fire: (Approved)

The Fire Department has no comments regarding this request. The proposed residential carport associated with an existing single-family residence does not appear to impact the Fire Department's access or require review under the Fire Department's land-use authority.

Building: (Approved with conditions)

All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2023 NEC requirements, the 2015 International Fire Codes, local city ordinances, planning/zoning requirements, established setbacks, Health department regulations, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on the time of new code editions adopted in the City of Midland and date of permit application. No more than one single family home can exist on this lot, if a new home is erected, the existing home must be removed.

Engineering: (Approved)

No objection. [For Applicant's Information Only.]

Transportation: (Approved)

No objection. [For the Applicant's information only.

Planning (Informational)

Should Council approve the request, staff recommends it be subject to the following conditions:

Condition:

A. That the minimum front yard setback shall be seven feet (7').

B. That the reduced minimum front yard setback allowed by this ordinance shall apply only to the "Proposed Carport" shown in the site plan, which is attached hereto as Exhibit A and incorporated herein.

Letters of Objection:

Staff has received no letters of objection as of July 10, 2026.

Attachments:

A. ORD w EXH - E-26-0163.Pam Mancha - Red Min Front Yard Setback Ord w Exh
B. E-26-0163, 1600 Sparks St, Combined
C. CC - - 1600 Sparks Street Special Exception

Rachel Guentensberger, City Secretary Created/Initiated - 7/21/2026

ORDINANCE NO. _____

AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 13, BLOCK 1, SAN JACINTO PLACE EXTENSION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF SPARKS STREET, APPROXIMATELY 315 FEET SOUTH OF WEST GOLF COURSE ROAD), BY PERMITTING A REDUCED MINIMUM FRONT YARD SETBACK; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION

WHEREAS, the City Council modified the authority of the Board of Adjustment in Title XI, Chapter 1, Section 7 ("Section 11-1-7") of the Midland City Code; and

WHEREAS, Section 11-1-7 provides for the consideration of requests for special exceptions to the Midland Zoning Ordinance; and

WHEREAS, the Council finds that satisfactory evidence has been presented that the use to be authorized by the granting of the special exception will not be detrimental to the health, safety, comfort and welfare of the occupants of the land area near the tract on which the use to be allowed by special exception will be located; and

WHEREAS, the Council finds that it is clearly and specifically authorized by the terms of Section 11-1-7 to grant such a special exception, and said exception will be in harmony with the general purposes and intent of the zoning provisions of the Midland City Code; and

WHEREAS, after a full and fair public hearing at which all parties in interest were offered an opportunity to be heard, all pursuant to law, the Council finds it to be in the public interest to grant a special exception to the Zoning Ordinance, pursuant to Section 11-1-7, for the purposes herein stated, subject to special conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That a special exception is hereby granted for the property described as Lot 13, Block 1, San Jacinto Place Extension, City and County of Midland, Texas. Said special exception shall allow a reduced minimum front yard setback.

SECTION TWO. Said special exception is subject to the following special conditions:

A. That the minimum front yard setback shall be seven feet (7').

B. That the reduced minimum front yard setback allowed by this ordinance shall apply only to the "Proposed Carport" shown in the site plan, which is attached hereto as Exhibit A and incorporated herein.

SECTION THREE. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION SIX. The City Secretary is hereby authorized and directed to file this ordinance with the Office of the County Clerk for purposes of recordation.

SECTION SEVEN. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2026; and passed to second reading

on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting “AYE”:

Council members voting “NAY”:

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2026, at a regular meeting of the City Council:

Council members voting “AYE”:

Council members voting “NAY”:

PASSED AND APPROVED THIS _____ day of _____, A.D., 2026.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

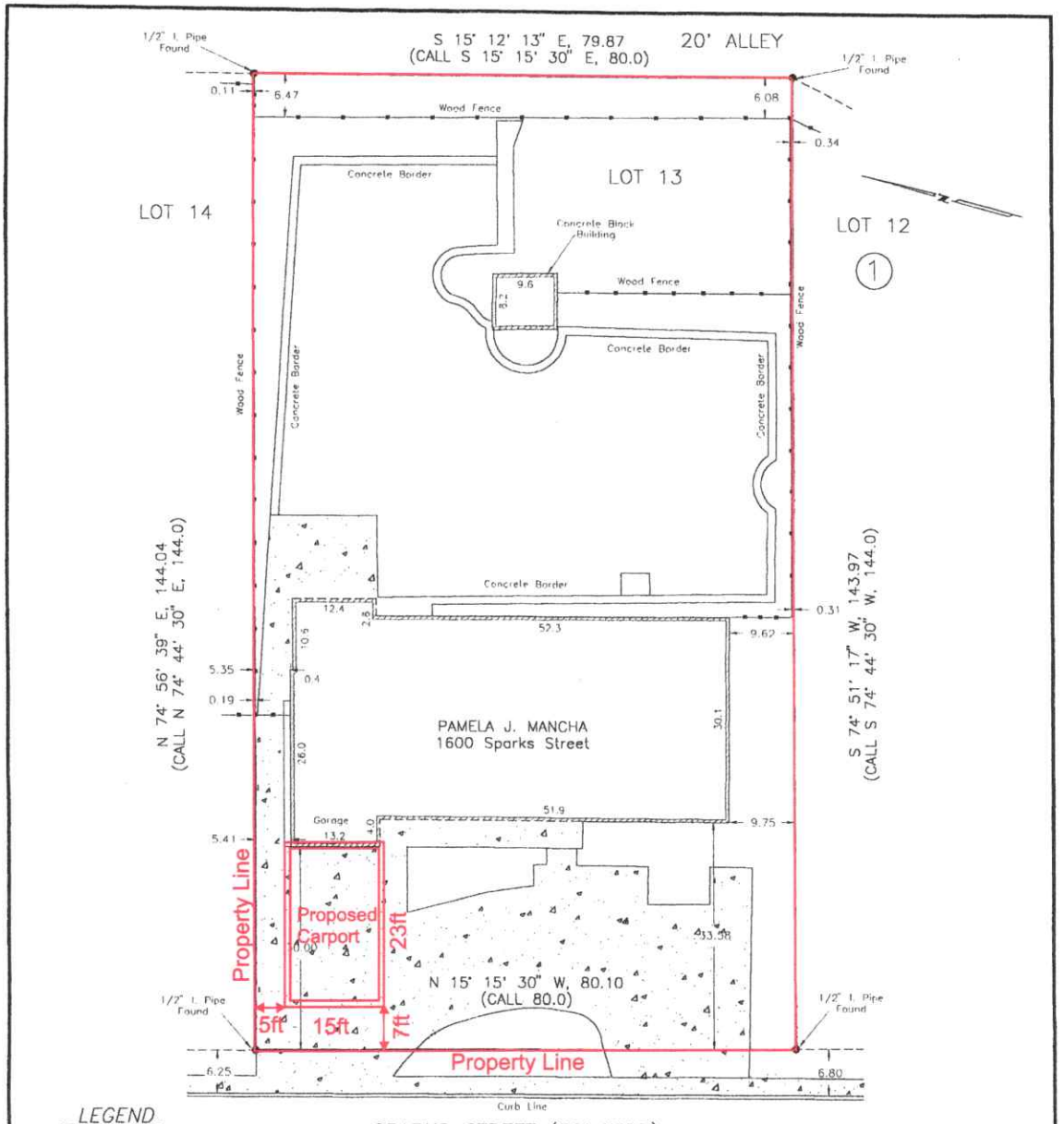
_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, City Attorney

EXHIBIT A

SITE PLAN



LEGEND

- SET 1/2" I.R. W/CAP "RPLS 4170"
- FND. 1/2" I.R.
- GUY ANCHOR WIRE
- WATER METER
- G/M GAS METER
- OVERHEAD ELECTRIC POLE
- FH FIRE HYDRANT

PLAT OF
LOT 13, BLOCK 1,
SAN JACINTO EXTENSION,
AN ADDITION TO THE CITY OF MIDLAND,
MIDLAND COUNTY, TEXAS

ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN CABINET B, PAGE 133, PLAT RECORDS, MIDLAND COUNTY, TEXAS

CENSUS TRACT: 5

THIS TRACT IS IN FLOOD ZONE "X" AS SHOWN ON THE FLOOD INSURANCE RATE MAP, DATED SEPTEMBER, 1992, PROVIDED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD MAP NUMBER 48329C0101 D

TO THE LIENHOLDERS AND/OR THE OWNER OF THE PREMISES SURVEYED AND TO THE ISSUING TITLE INSURANCE UNDERWRITER. THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON AND IS CORRECT, AND THAT THERE ARE NO VISIBLE DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, EASEMENTS OR RIGHTS OF WAY, EXCEPT AS SHOWN HEREON, AND THIS SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY.

DATED THIS THE 8th DAY OF AUGUST, 1998.

Bruce R Pennell

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4170
DATE: 8/10/98

BASIS OF BEARINGS:
WEST LINE OF LOT 13, BLOCK 1,

BEARINGS AND DISTANCES SHOWN INSIDE ( ) INDICATE RECORD

20 10 0 20

SCALE: 1" = 20'

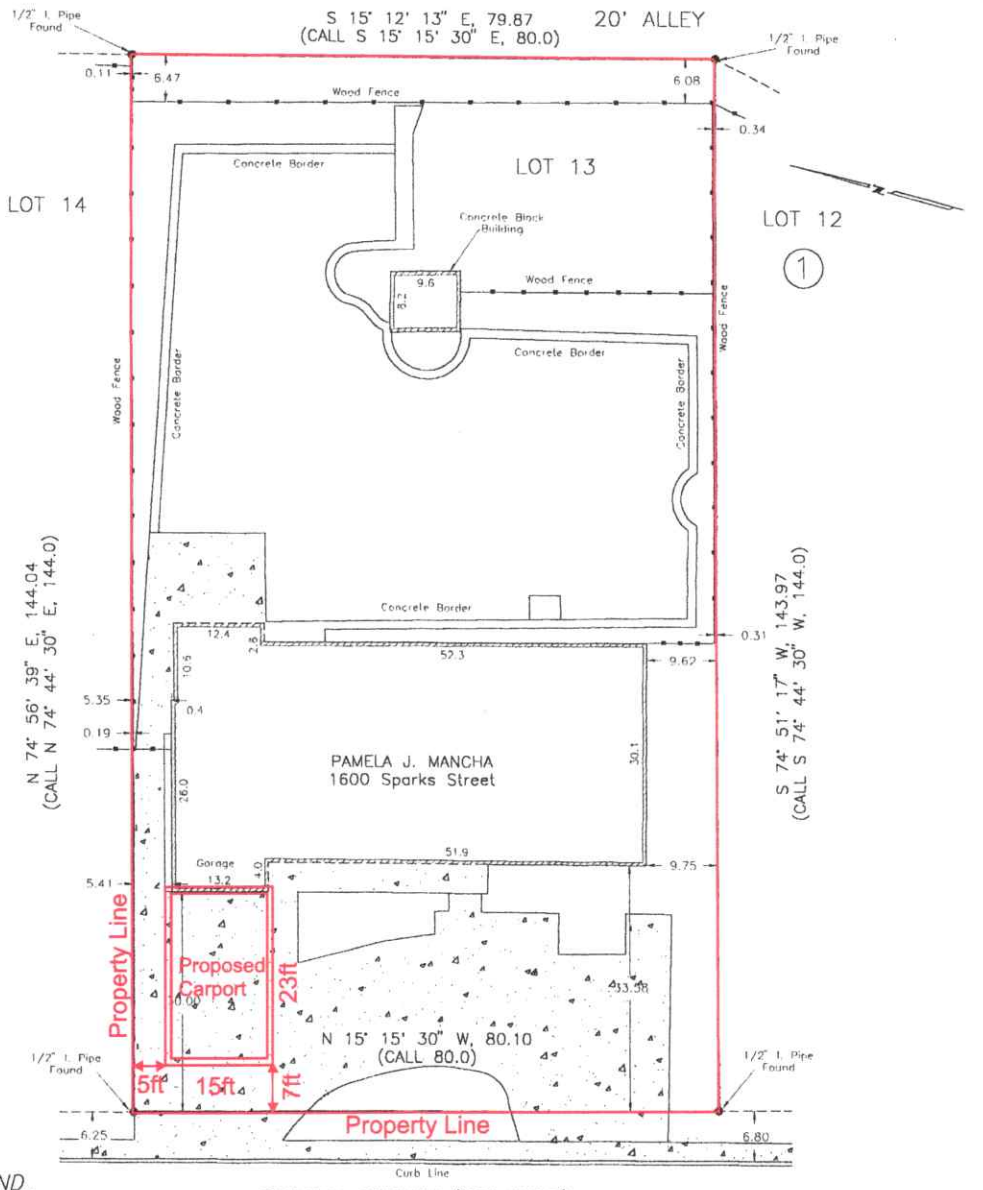
STATE OF TEXAS REGISTERED BRUCE R. PENNELL 4170 PROFESSIONAL LAND SURVEYOR

BRP ENTERPRISES, INC.
P.O. BOX 51622
MIDLAND, TEXAS 79710
VOICE: (915)570-6256 FAX: (915)682-3262

CAD FILE: 1600SPAR | DATA FILE 1600SPAR | SURVEYOR AEF

June 18, 2026

SITE PLAN



LEGEND

- SET 1/2" I.R. W/CAP "RPLS 4170"
- FND. 1/2" I.R.
- GUY ANCHOR WIRE
- WATER METER
- G/M GAS METER
- OVERHEAD ELECTRIC POLE
- FH FIRE HYDRANT

PLAT OF
LOT 13, BLOCK 1,
SAN JACINTO EXTENSION,
AN ADDITION TO THE CITY OF MIDLAND,
MIDLAND COUNTY, TEXAS

ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN CABINET B, PAGE 133, PLAT RECORDS, MIDLAND COUNTY, TEXAS

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DATED THIS THE 8th DAY OF AUGUST, 1998.

Bruce R Pennell

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4170
DATE: 8/10/98

BASIS OF BEARINGS:
WEST LINE OF LOT 13, BLOCK 1,

BEARINGS AND DISTANCES SHOWN INSIDE ( ) INDICATE RECORD

20 10 0 20

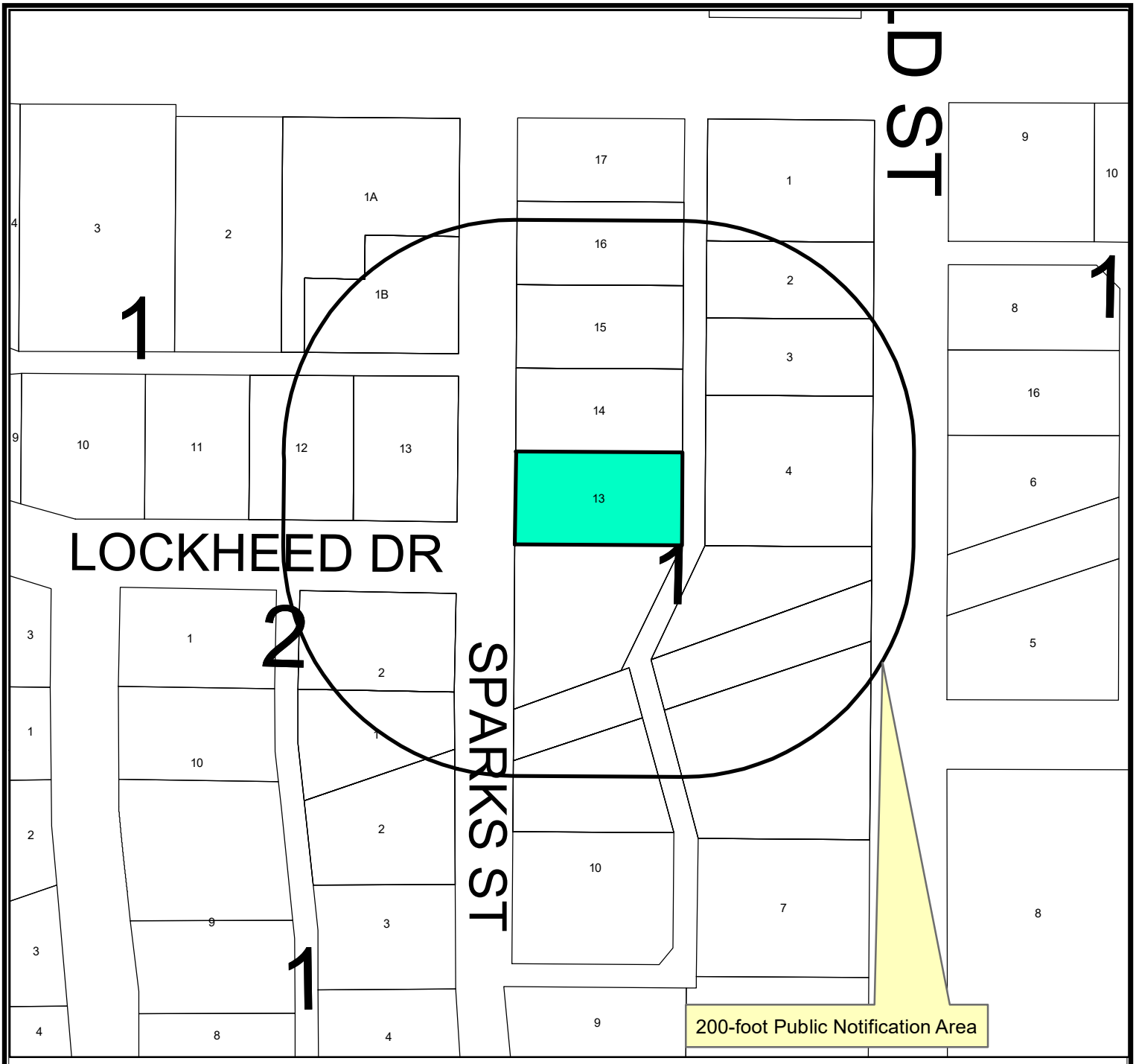
SCALE: 1" = 20'

STATE OF TEXAS REGISTERED ☆ BRUCE R. PENNELL 4170 PROFESSIONAL LAND SURVEYOR

BRP ENTERPRISES, INC.
P.O. BOX 51622
MIDLAND, TEXAS 79710
VOICE: (915)570-6256 FAX: (915)682-3262

CAD FILE: 1600SPAR | DATA FILE 1600SPAR | SURVEYOR AEF

June 18, 2026



Location Map

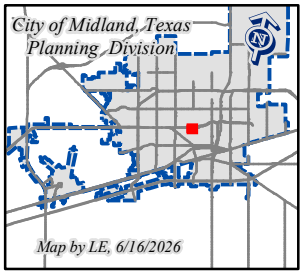
E-26-0163 **Scale: 1" = 800'**

Consider a request by Pam Mancha for a Special Exception from the City of Midland Zoning Ordinance, Section 4.09 – Accessory Buildings and Uses, to allow for a reduced minimum front yard setback on Lot 13, Block 1, San Jacinto Place Extension, City and County of Midland, Texas.

Generally located on the east side of Sparks Street, approximately 315 feet south of West Golf Course Road. (Council District 3)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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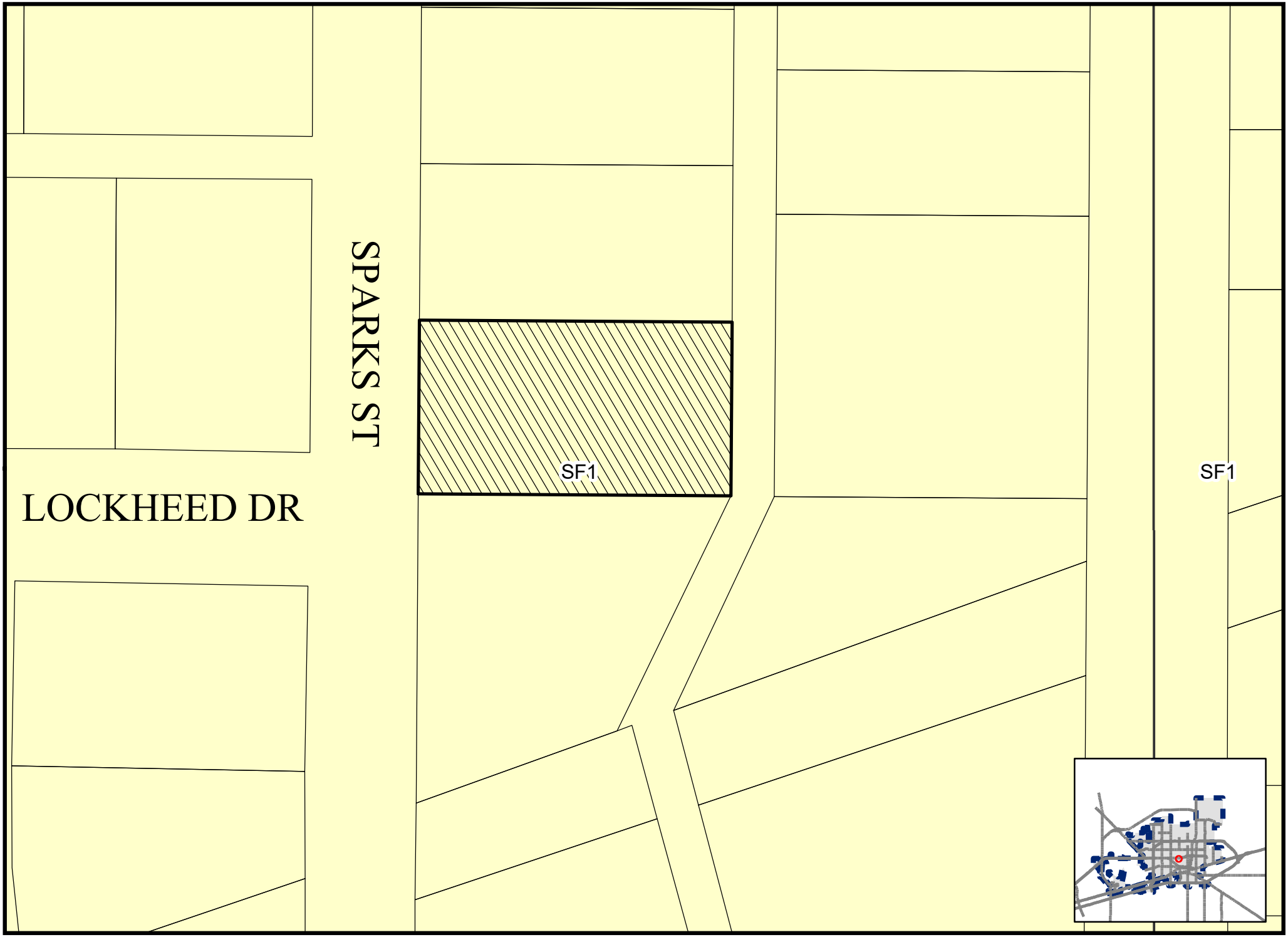

Map by LE, 6/16/2026

E-26-0163

Scale: 1" = 400'

ZONING MAP

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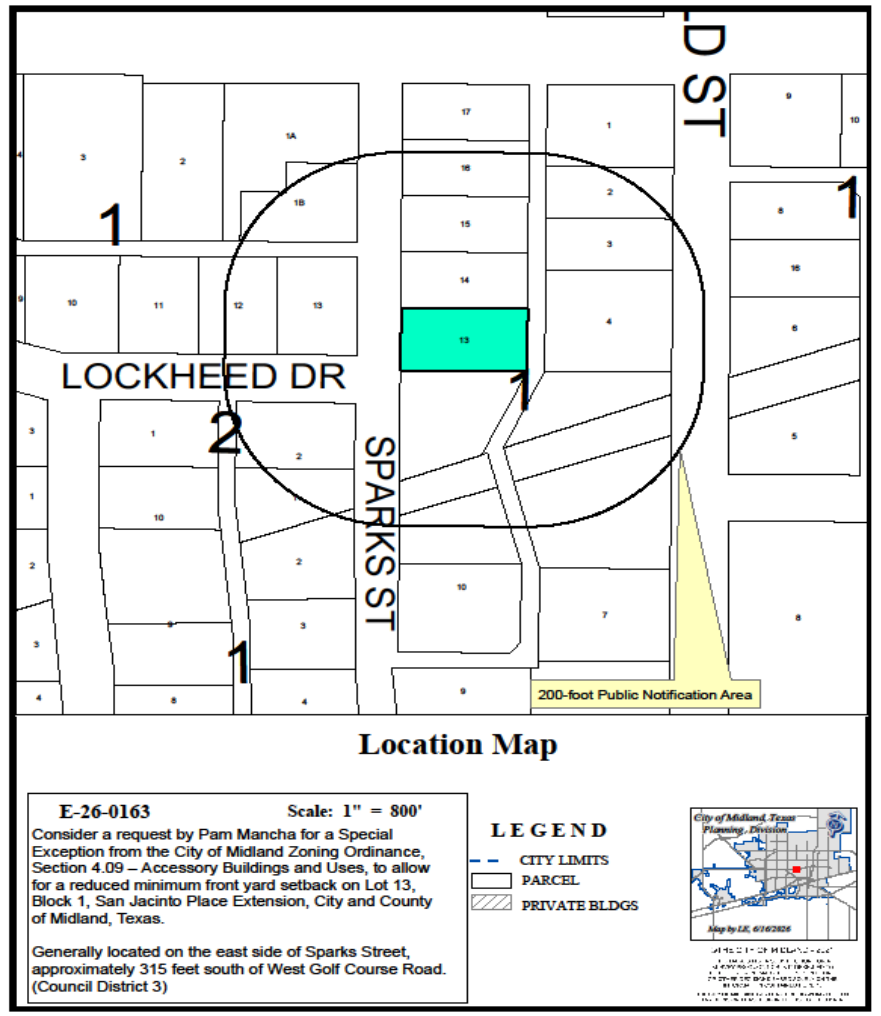
LOCKHEED DR
SPARKS ST
1
2




MIDLAND
Be the Energy!
SPECIAL EXCEPTION
1600 SPARKS STREET
Visit Our Website
MIDLANDTEXAS.GOV

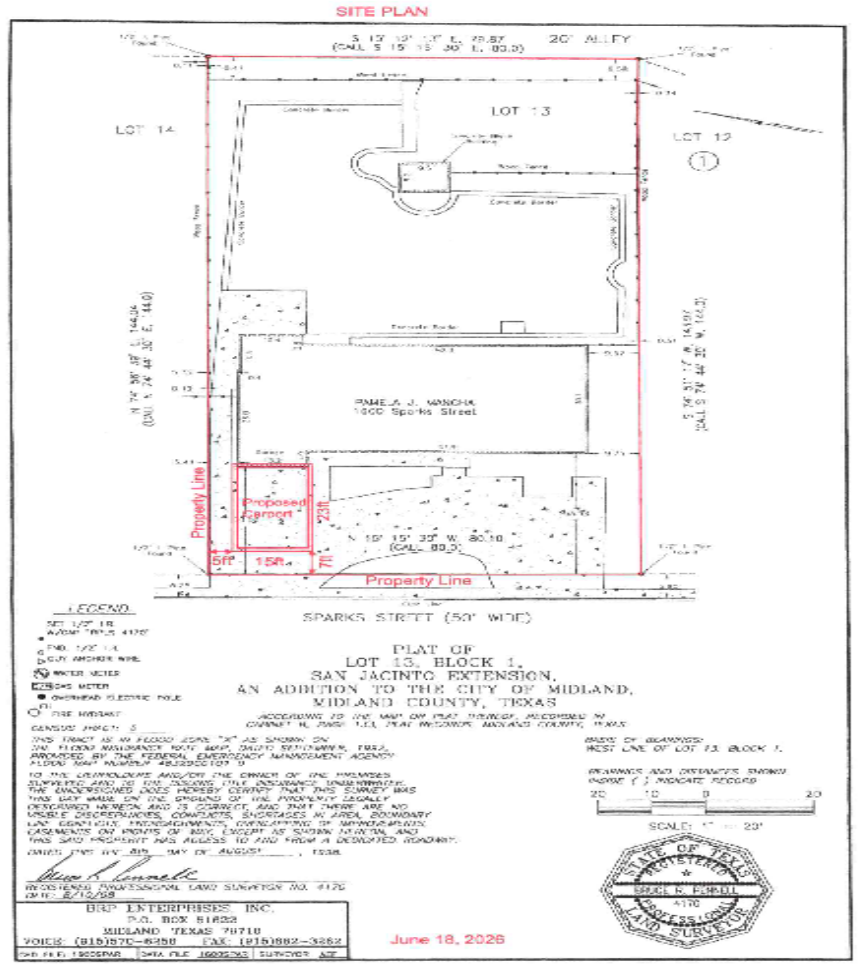
APPLICATION SUMMARY

- **Applicant/Property Owner:** Pam Mancha
- **Location:** 1600 Sparks Street in District 3
- **Reason for Request:** to allow for a reduced minimum front yard setback for the construction of a carport



DETAILS OF REQUEST

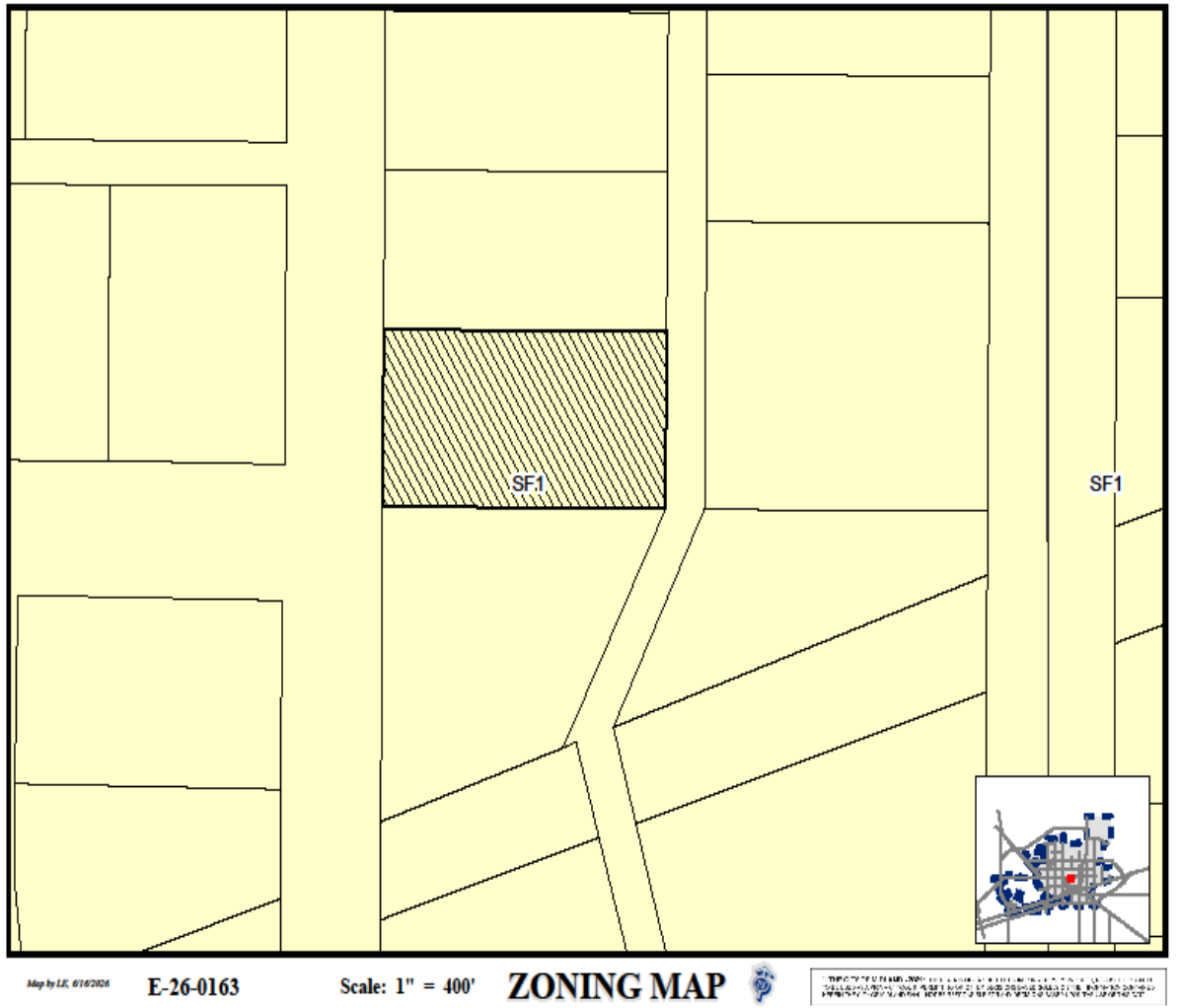
- **Code Requirement:** The Residential Zoning District Dimensional Regulations Chart requires a 25-foot front yard setback in the SF-1, Single-Family Dwelling District
- **Variance Requested:** The applicant is requesting a front yard setback of 7 feet.



3

ZONING

- **Current Zoning:** SF-1, Single-Family Dwelling District
- **Surrounding Zoning:**
  - **North/South/East/West:** SF-1, Single-Family Dwelling District



MIDLAND
Be the Energy!

LAND USE

- **Current Use:** Single family home
- **Surrounding Uses:**
  - **North/South/East/West:** Single family residences
- **Proposed Use:** Single family home with a carport



MIDLAND
Be the Energy!



On Sparks Street, Looking East

6

MIDLAND
Be the Energy!

STAFF'S RECOMMENDATION

- No objections were received.
- Staff recommends approval of this request with the following conditions:

A. That the minimum front yard setback shall be seven (7') feet.

B. That the reduced minimum front yard setback allowed by this ordinance shall apply only to the "Proposed Carport" shown in the site plan, which is attached hereto as Exhibit A and incorporated herein.



MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.



City Council Meeting

Item Number: 22.
Meeting Date: August 11, 2026
To: City Council
From: Angelina Bettanini, Planner II
Subject: AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 49, BLOCK 2, FANNIN TERRACE ADDITION, SECTION 5 REPLAT, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF LINDA COURT, APPROXIMATELY 85 FEET SOUTH OF WEST WADLEY AVENUE), BY PERMITTING (1) A REDUCED MINIMUM REAR YARD SETBACK AND (2) A REDUCED MINIMUM BUILDING SEPARATION DISTANCE BETWEEN AN ACCESSORY BUILDING AND THE PRINCIPAL BUILDING; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION (FIRST READING HELD JULY 21, 2026)

Purpose:
Brandon Schumann is requesting a Special Exception from the City of Midland Zoning Ordinance, Section 4.09 – Accessory Buildings and Uses, to permit a reduced minimum rear yard setback and a reduced minimum building separation distance for the property at 4 Linda Court, in order to construct an accessory building at the rear of the property.

Recommended Action:
Approve

Fiscal Impact:
None.

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
The subject property is zoned SF-1, Single-Family Dwelling District. Per Section 4.09 – Accessory Buildings and Uses, the minimum required rear setback is 5’. Per Section 4.09 (B)(3) any Accessory Building that is not a part of the principal building shall be separated from the principal building by a minimum of 10 feet. The applicant is requestion to reduce this to 8 feet of distance between the principal dwelling and the proposed structure.
There are multiple nearby properties enjoying the privileges of reduced setbacks. Based off the

multiple surrounding lots in this area that also do not meet the minimum setback requirement, the proposed structure would not affect the character of the neighborhood. The subject property is currently a single-family home, and the applicant intends to add an accessory building to the rear of the property.

This request has been circulated to all pertinent City departments for review. Below are the departments' comments.

Fire: (Approved)

No comments or objections.

Building: (Approved)

Setback from alley is acceptable with variance as long as the side yard setbacks remain a minimum of 5 feet. However, the separation from the main structure also poses a potential fire hazard as described by the 2018 International Residential Code Section R302. The required fire separation is 10 feet away due to the need for a 1-hour fire rating. This can be addressed by erecting a fire rated wall between the structures, adding fire sprinklers to the main structure of the home, using a rated fire coating or cover on all combustible materials such as wood and composite elements, or adjust the setback between the two structures to allow the 10 feet required separation.

Engineering: (Approved)

No objection. [For Applicant's Information Only.]
Our staff has examined the FEMA flood map and it appears that this property lies entirely within Zone AH, which is a Special Flood Hazard Area subject to inundation by the 1% annual chance flood. With fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding, such as crawlspaces and garages with floors below the BFE, shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:(a)A minimum of two openings on separate walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.(b)The bottom of all openings shall be no higher than one foot above grade.(c)Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters. An elevation certificate based off of construction drawings will be required to get a building permit to show compliance to the 1 foot of freeboard above the base flood elevation or the above mentioned flood openings. An elevation certificate based off of finish construction will be required for the Certificate of Occupancy. [For Applicant's Information Only.]

Transportation: (Approved)

No objection. [For the Applicant's information only.]

Planning (Approved with conditions):

Staff recommends approval of this request as it won't affect the safety, comfort and welfare of

the occupants in the area who are enjoying the same privileges of reduced minimum setbacks subject to the following conditions.

Conditions:

A. That the reduced minimum rear yard setback and the reduced minimum building separation distance described herein shall apply only to the building identified as the "Proposed New Building" in the site plan, which is attached hereto as Exhibit A and incorporated herein.
B. That the minimum rear yard setback shall be zero feet (0').
C. That the building identified as "Proposed New Addition" in the site plan shall be separated from the principal building by a minimum of eight feet (8').

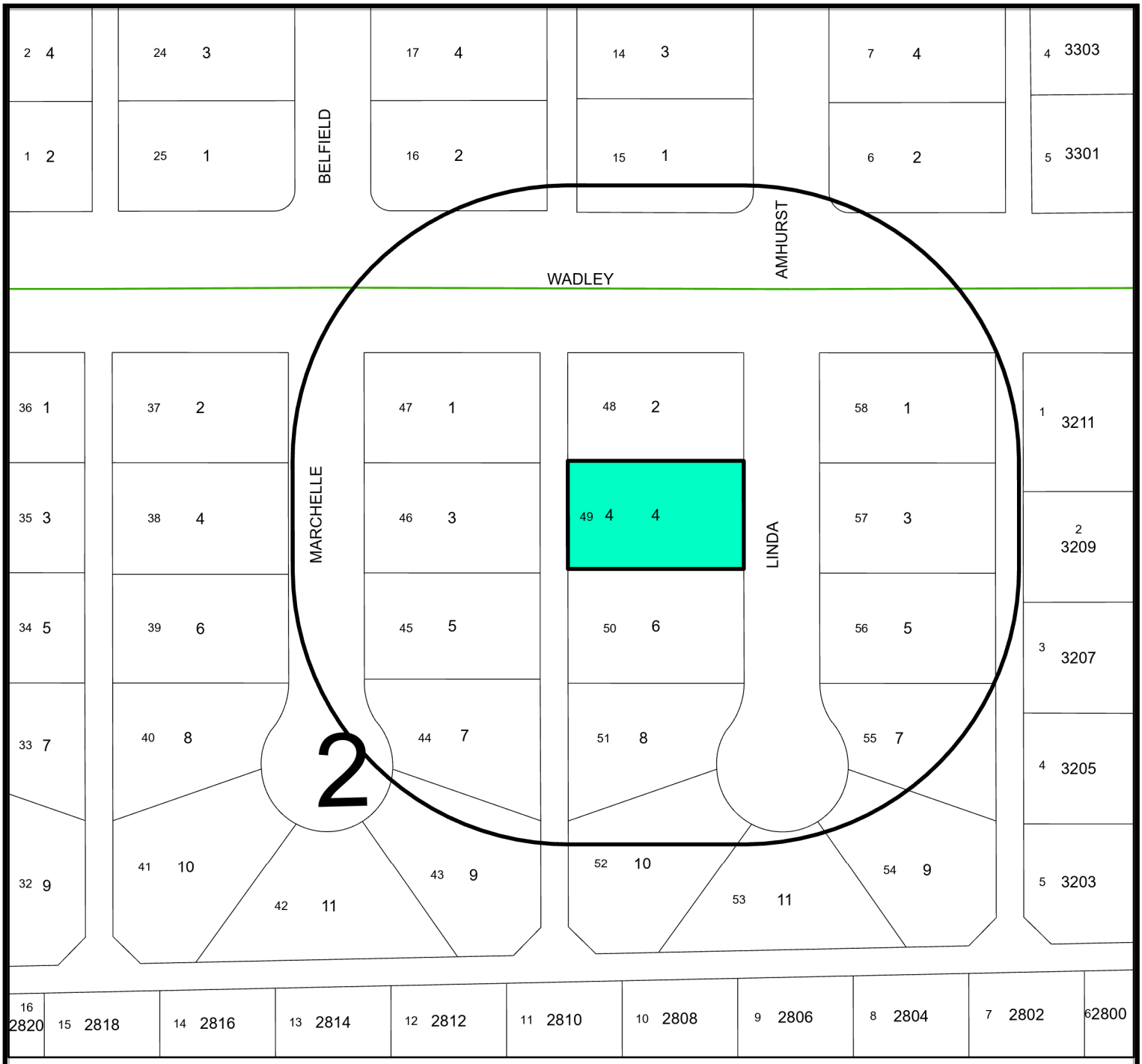
Letters of Objection:

Staff has not received any letters of objection as of July 10, 2026.

Attachments:
A. E-26-0161, Combined Docs
B. ORD W EXH - E-26-0161.Brandon Schumann - Red Min Rear Yard Setback & Bldg Separation
C. CC - - E-26-0161, Special Exception

Rachel Guentensberger, City Secretary Created/Initiated - 7/21/2026


N
4 LINDA CT
18.7
18.9
RESIDENCE
37.2
128.0
66.3
25.0
20.4
YARD
EXISTING BLOCK FENCE
21.4
5' o/s
40.0
CONC DRIVEWAY
OH DOOR
24.0
Proposed New Building
78.5'
20' ALLEY
PROPOSED 24'x40' METAL BLDG.
12' HEIGHT W/ GUTTERS DRAIN INTO YARD, NOT ALLEY
OVERHED DOOR TO DRIVE WAY
NO ALLEY ENTRY TO BLDG.
- SETBACK LINES
- PROPERTY LINES



Location Map

E-26-0161 **Scale: 1" = 104 '**

Consider a request by Brandon Schumann for a Special Exception from the City of Midland Zoning Ordinance, Section 4.09 – Accessory Buildings and Uses, to permit (1) a reduced minimum rear yard setback, and (2) a reduced minimum building separation distance on Lot 49, Block 2, Fannin Terrace Addition, Section 5 Replat, City and County of Midland, Texas.

Generally located on the west side of Linda Court, approximately 85 feet south of West Wadley Avenue. (Council District 3)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS

City of Midland, Texas
Planning Division

Map by AB

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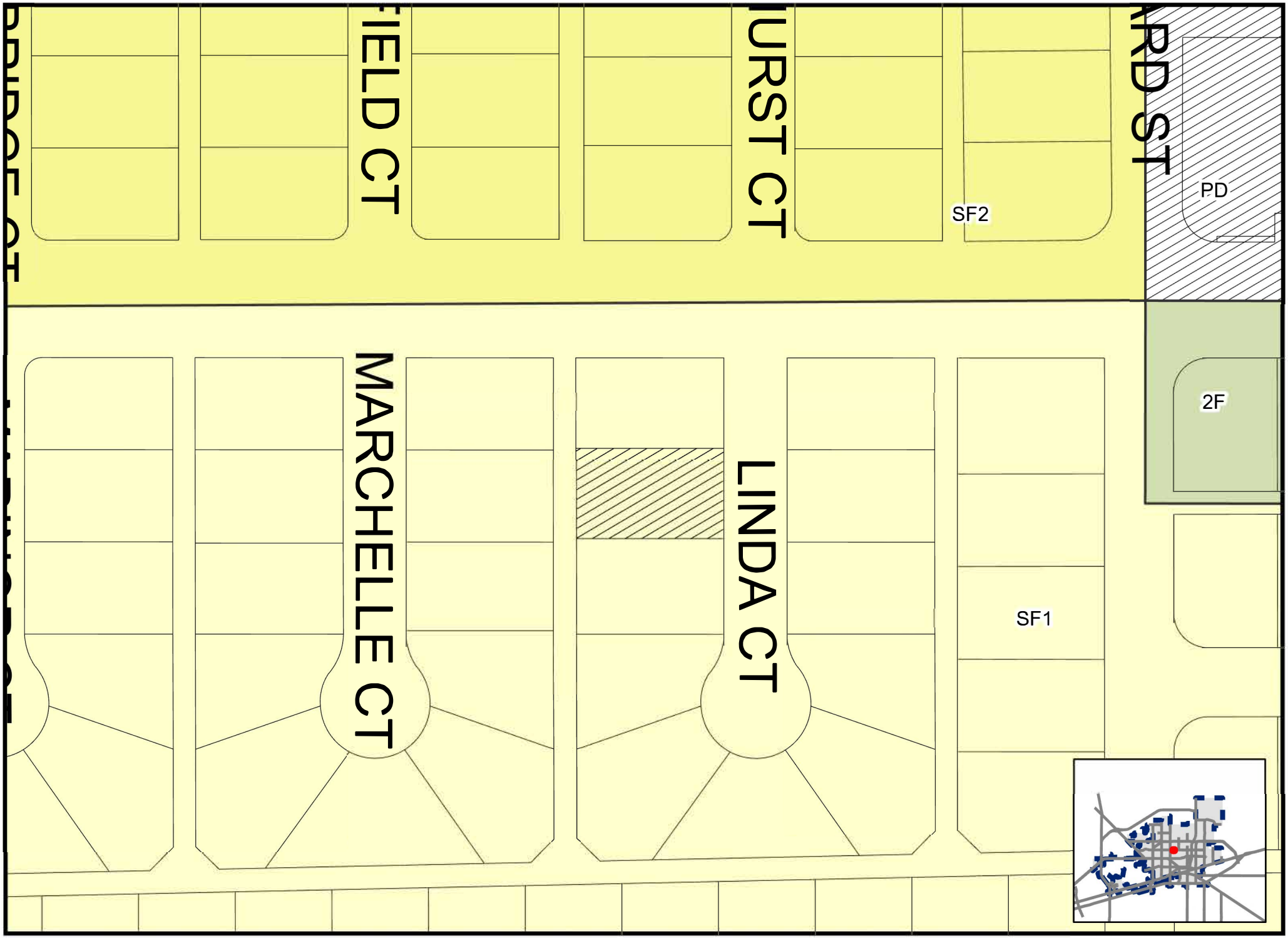
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



Created: 6/16/2026

E-26-0161

Scale: 1" = 104 '

ZONING MAP

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WADLEY
MARGUERITE
LINDA
2
3211
3209
3207
3205
3203


CHEVROLET
05-25

ORDINANCE NO. _____

AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 49, BLOCK 2, FANNIN TERRACE ADDITION, SECTION 5 REPLAT, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF LINDA COURT, APPROXIMATELY 85 FEET SOUTH OF WEST WADLEY AVENUE), BY PERMITTING (1) A REDUCED MINIMUM REAR YARD SETBACK AND (2) A REDUCED MINIMUM BUILDING SEPARATION DISTANCE BETWEEN AN ACCESSORY BUILDING AND THE PRINCIPAL BUILDING; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION

WHEREAS, the City Council modified the authority of the Board of Adjustment in Title XI, Chapter 1, Section 7 ("Section 11-1-7") of the Midland City Code; and

WHEREAS, Section 11-1-7 provides for the consideration of requests for special exceptions to the Midland Zoning Ordinance; and

WHEREAS, the Council finds that satisfactory evidence has been presented that the use to be authorized by the granting of the special exception will not be detrimental to the health, safety, comfort and welfare of the occupants of the land area near the tract on which the use to be allowed by special exception will be located; and

WHEREAS, the Council finds that it is clearly and specifically authorized by the terms of Section 11-1-7 to grant such a special exception, and said exception will be in harmony with the general purposes and intent of the zoning provisions of the Midland City Code; and

WHEREAS, after a full and fair public hearing at which all parties in interest were offered an opportunity to be heard, all pursuant to law, the Council finds it to be in the public interest to grant a special exception to the Zoning Ordinance, pursuant to Section 11-1-7, for the purposes herein stated, subject to special conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That a special exception is hereby granted for the property described as Lot 49, Block 2, Fannin Terrace Addition, Section 5 Replat, City and County of Midland, Texas. Said special exception shall allow (1) a reduced minimum rear yard setback and (2) a reduced minimum building separation distance between an accessory building and the principal building.

SECTION TWO. Said special exception is subject to the following special conditions:

A. That the reduced minimum rear yard setback and the reduced minimum building separation distance described herein shall apply only to the building identified as the "Proposed New Building" in the site plan, which is attached hereto as Exhibit A and incorporated herein.

B. That the minimum rear yard setback shall be zero feet (0').

C. That the building identified as "Proposed New Addition" in the site plan shall be separated from the principal building by a minimum of eight feet (8').

SECTION THREE. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION SIX. The City Secretary is hereby authorized and directed to file this ordinance with the Office of the County Clerk for purposes of recordation.

SECTION SEVEN. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2026; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting "AYE":

Council members voting "NAY":

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2026, at a regular meeting of the City Council:

Council members voting "AYE":

Council members voting "NAY":

PASSED AND APPROVED THIS _____ day of _____, A.D., 2026.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

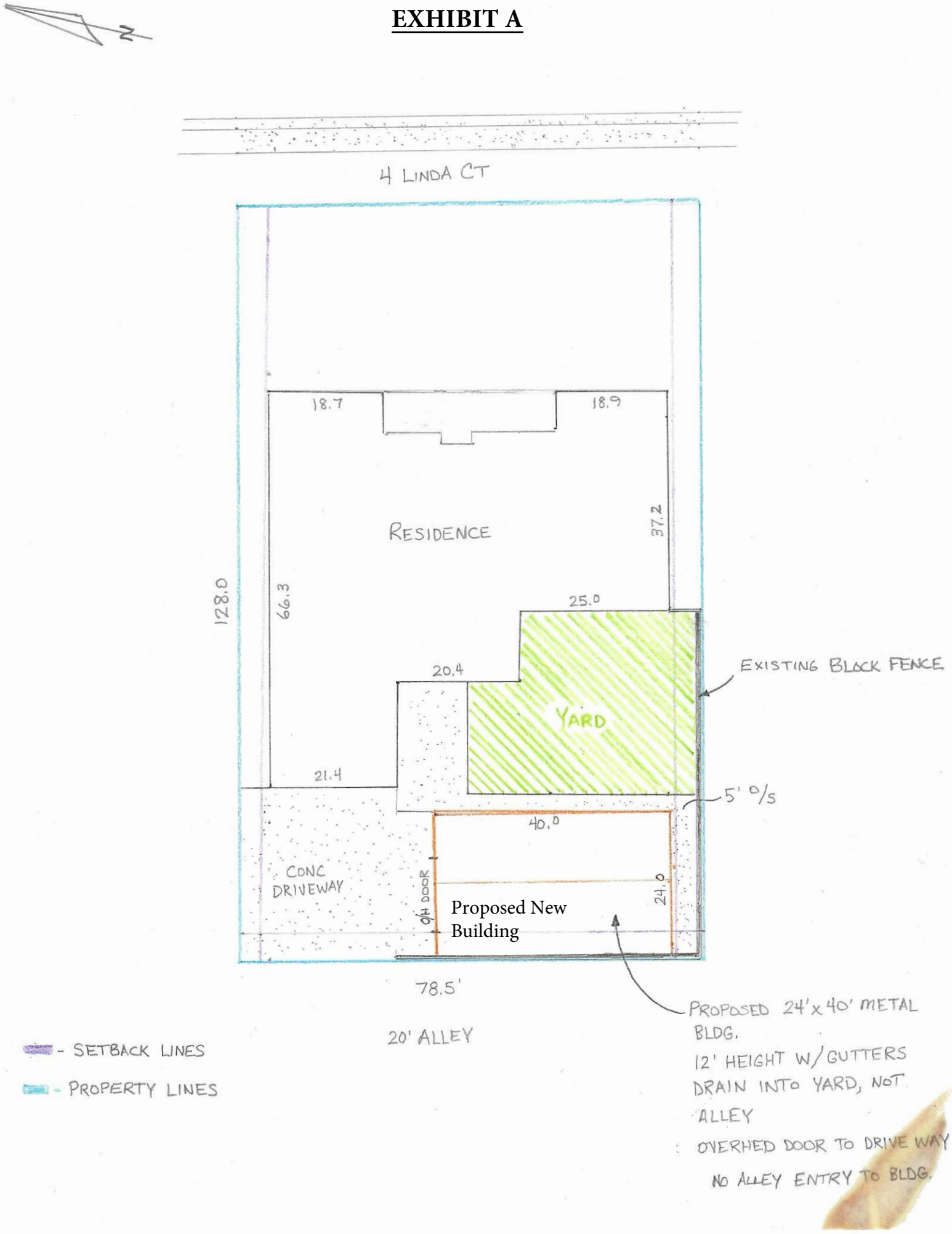
APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, City Attorney

EXHIBIT A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18.9
RESIDENCE
37.2
128.0
66.3
25.0
20.4
YARD
EXISTING BLOCK FENCE
21.4
5' o/s
40.0
CONC DRIVEWAY
9' OH DOOR
24.0
Proposed New Building
78.5'
20' ALLEY
PROPOSED 24'x40' METAL BLDG.
12' HEIGHT W/ GUTTERS
DRAIN INTO YARD, NOT ALLEY
OVERHED DOOR TO DRIVE WAY
NO ALLEY ENTRY TO BLDG.
- SETBACK LINES
- PROPERTY LINES


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ITEM
SPECIAL EXCEPTION
4 LINDA COURT
Visit Our Website
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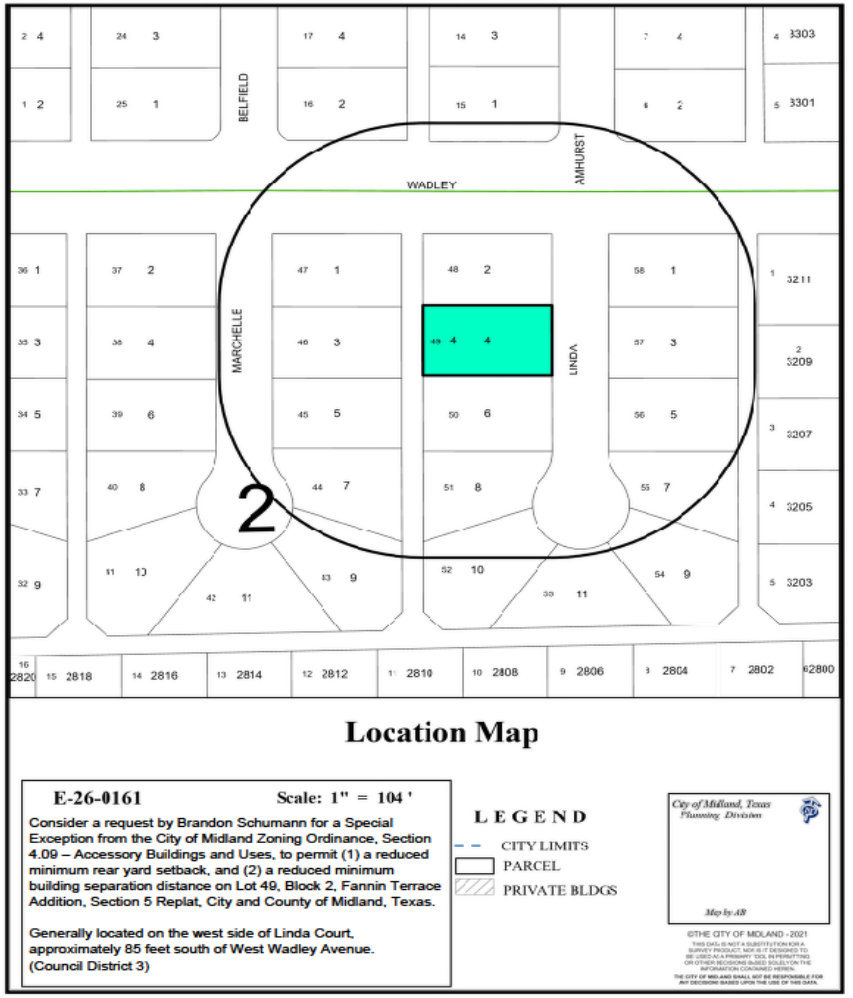
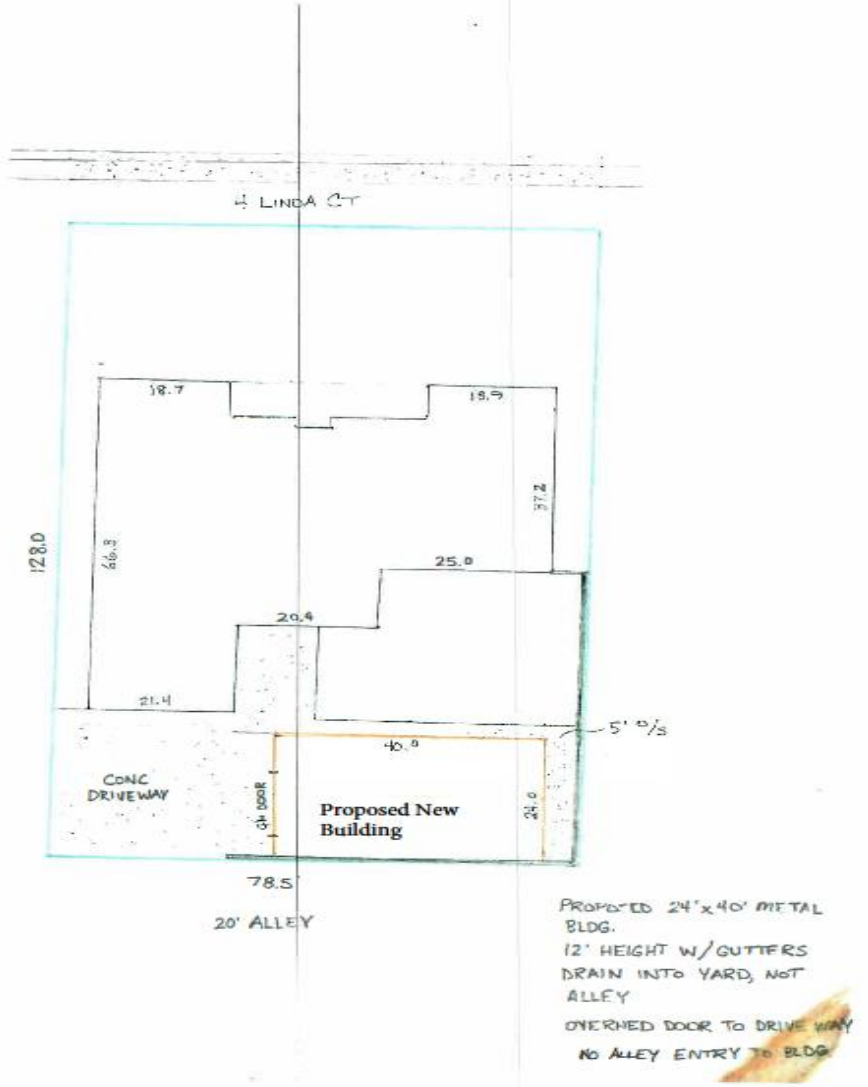
APPLICATION SUMMARY

- **Applicant/Property Owner:** Brandon Schumann
- **Location:** 4 Linda Ct (Council District 3)
- **Reason for Request:** For a reduced minimum rear setback and building separation distance



DETAILS OF REQUEST

- **Code Requirement:** The minimum side setbacks for the SF-2, Single-Family Dwelling District is 5 feet per Section 5.04-Residential Zoning District Dimensional Regulations Chart and a minimum building separation of 10 feet.
- **Variance Requested:** 5 feet setback and 2 feet separation



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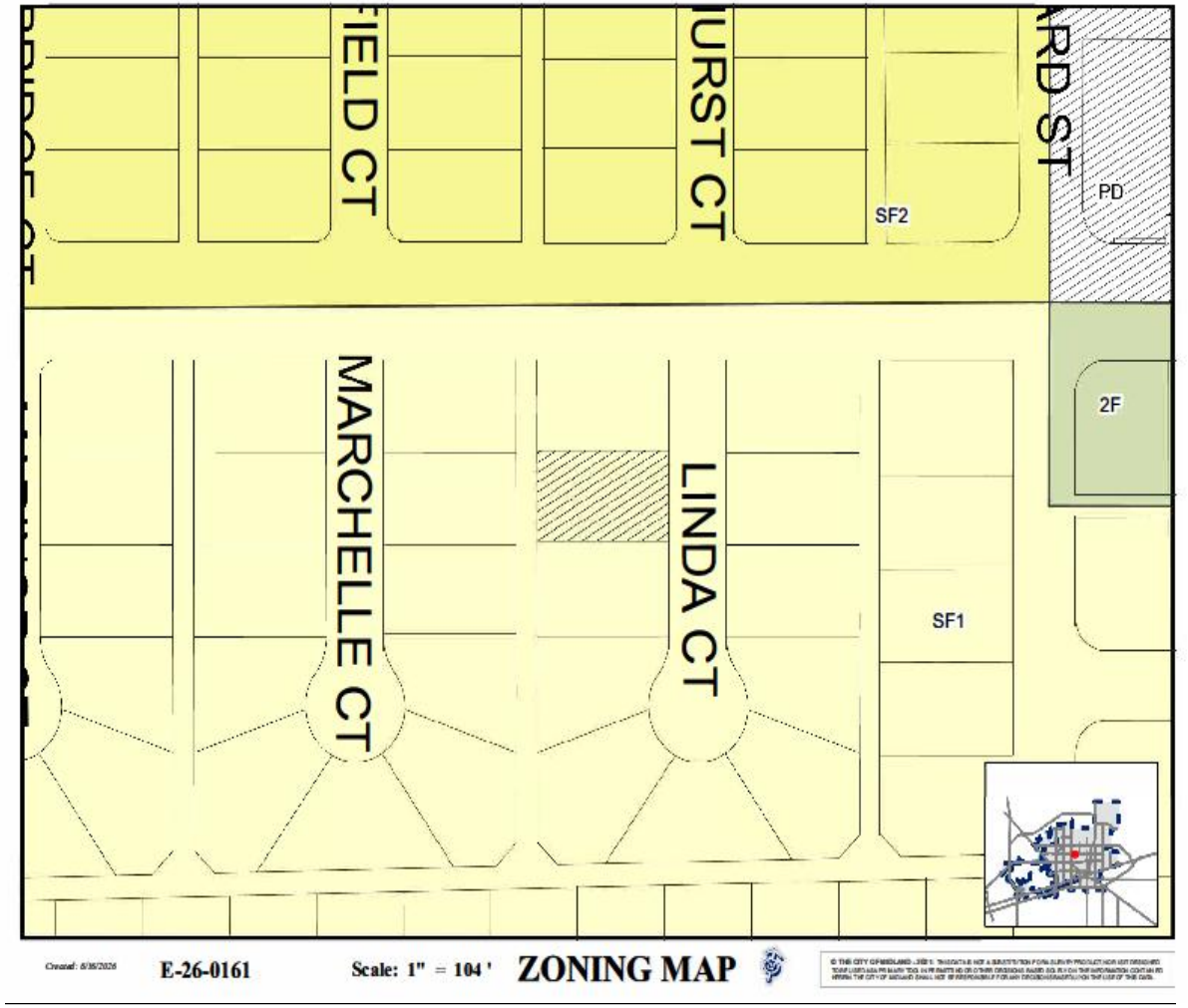
ZONING

- **Current Zoning:** SF-1. Single-Family Dwelling District
- **Surrounding Zoning:**
  - **Nort/East/South/West:** SF-1, Single-Family Dwelling District



LAND USE

- **Current Use:** Single-Family Housing
- **Surrounding Uses:**
  - **North/South/East/West:** Single-Family Housing
- **Proposed Use:** Single-Family Housing



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On Linda Court, Looking West

6

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STAFF'S RECOMMENDATION

- No objections were received.
- Staff **recommends approval** of this request with the following conditions:

A. That the reduced minimum rear yard setback and the reduced minimum building separation distance described herein shall apply only to the building identified as the "Proposed New Building" in the site plan, which is attached hereto as Exhibit A and incorporated herein.
B. That the minimum rear yard setback shall be zero feet (0').
C. That the building identified as "Proposed New Addition" in the site plan shall be separated from the principal building by a minimum of eight feet (8').



MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.



City Council Meeting

Item Number: 23.
Meeting Date: August 11, 2026
To: City Council
From: Angelina Bettanini, Planner II
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR THE SOUTH 80 FEET OF LOT 19 AND ALL OF LOT 20, BLOCK 125, WILSHIRE PARK ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF THE INTERSECTION OF NORTH EISENHOWER DRIVE AND EDGEWOOD DRIVE), WHICH IS PRESENTLY ZONED SF-2, SINGLE-FAMILY DWELLING DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR AN ACCESSORY DWELLING UNIT; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING PUBLICATION; AND ORDERING RECORDATION BY THE CITY SECRETARY (FIRST READING HELD JULY 21, 2026)

Purpose:
The applicant, Amy Coleman, is requesting a Specific Use Permit without Term, for an accessory dwelling unit at 201 North Eisenehower.

Recommended Action:
Approve

Fiscal Impact:
None

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
Current Zoning:

SF-2, Single-Family Dwelling District

Surrounding Zoning and Land Use:

The subject property is zoned for residential use and is surrounded by an established residential neighborhood within the SF-2, Single-Family Dwelling District.
Analysis:
The subject property is located at 201 North Eisenhower currently has a single-family dwelling residence with an existing accessory building. The applicant, Amy Coleman , is requesting to add onto and convert the accessory structure into an accessory dwelling unit to be used for her mother. The total building footprint for the accessory dwelling unit is approximately 800 square feet.
Per City of Midland Zoning Ordinance, Section 4.03, Use Chart, an accessory dwelling unit is permitted in this zoning district upon approval of a specific use designation
The Accessory Dwelling Unit needs to comply with the standards listed in Section 4.09 Accessory Building and Uses, Section C of the Zoning Ordinances.

C. Accessory Dwelling Units and Use Limitations

a. Accessory Dwelling Units shall not be leased or rented.

b. The living area of an Accessory Dwelling Unit shall not exceed 1,000 square feet or 30 percent of the area of the principal residence, whichever is less.

c. Only one Accessory Dwelling Unit shall be allowed on any individual tract of land.

d. A mobile home, travel trailer, or recreational vehicle shall not be used as a detached Accessory Dwelling Unit.

e. The total number of people who live on the property, including the principal residence and the Accessory Dwelling that, shall not exceed that of a “Family” as defined in the zoning ordinance.

The property is designated as Urban Residential – Medium (UR-M). The UR-M designation calls for a mix of housing styles including single-family detached, single-family attached, and townhouses. This request is compatible with the Tall City Tomorrow Plan, Chapter 3, An Integrated Land Use Vision, Principle 4, “Land use policies and regulations should support diverse housing choices.” (Tall City Tomorrow, Page 47).
This project has been circulated to all City departments for review. Below are the department comments.

Fire: (Approved)

No fire code concerns identified at this time; all applicable building, fire, and life safety code requirements shall be met prior to occupancy.

Engineering: (Approved)

No objection. [For Applicant's Information Only.]

Transportation: (Approved)

No objection. [For the Applicant's information only.]

Building Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2023 NEC requirements, the 2015 International Fire Codes, local city ordinances, planning/zoning requirements, established setbacks, Health department regulations, oil and gas considerations, and floodplain requirements if necessary. Fire separations also must be adhered to regarding the separation of structures to prevent flame spread. This is separate from setbacks and is dictated by the 2018 International Residential Code. Code versions are subject to change depending on the time of new code editions adopted in the City of Midland and date of permit application.

Planning:

This request meets all requirements. Therefore, staff recommends approval of the request for the Specific Use Designation without Term for an Accessory Dwelling Unit, subject to the conditions below.

Conditions:

A. That the use and development of the Property for the Unit shall significantly conform to the site plan, which is attached hereto as Exhibit A and incorporated herein for all purposes, said Unit being the building identified in Exhibit A as an "ADU."

B. That the total number of people who live on the Property, including the principal residence and the Unit, shall not exceed that of a "family", as such term is
defined in Section 11-1-2.01 of the City Code.

C. That the floor area of the Unit shall not exceed 800 square feet.

D. That the Unit shall not be leased or rented as a separate dwelling unit and shall not be used for any commercial purpose.

E. That the Unit shall meet all requirements of the Fire Department and the Code Administration Division.

F. That the owner of the Property, or an authorized representative thereof, shall obtain a Certificate of Occupancy prior to using the Unit to ensure that the conditions of this Specific Use Designation Without Term are satisfied.

G. That the City Secretary is hereby authorized and directed to file a certified copy of this Ordinance with the County Clerk of Midland County, Texas, for purposes of recording in the Official Records of Midland County, Texas, as notice to any subsequent purchaser of this

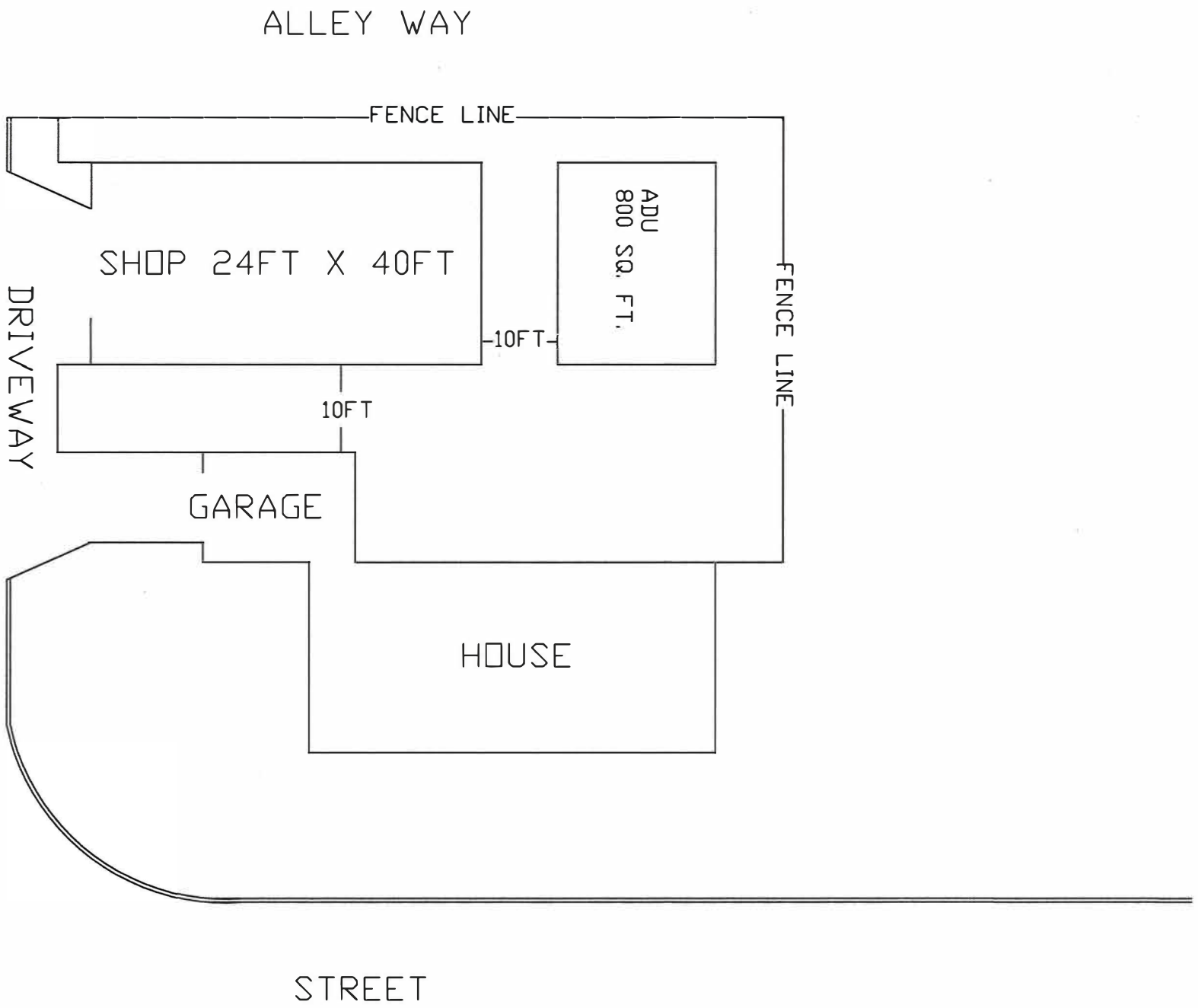
property that the Unit shall not be leased or rented as a separate dwelling unit or used for any commercial purpose.

Letters of Objection:

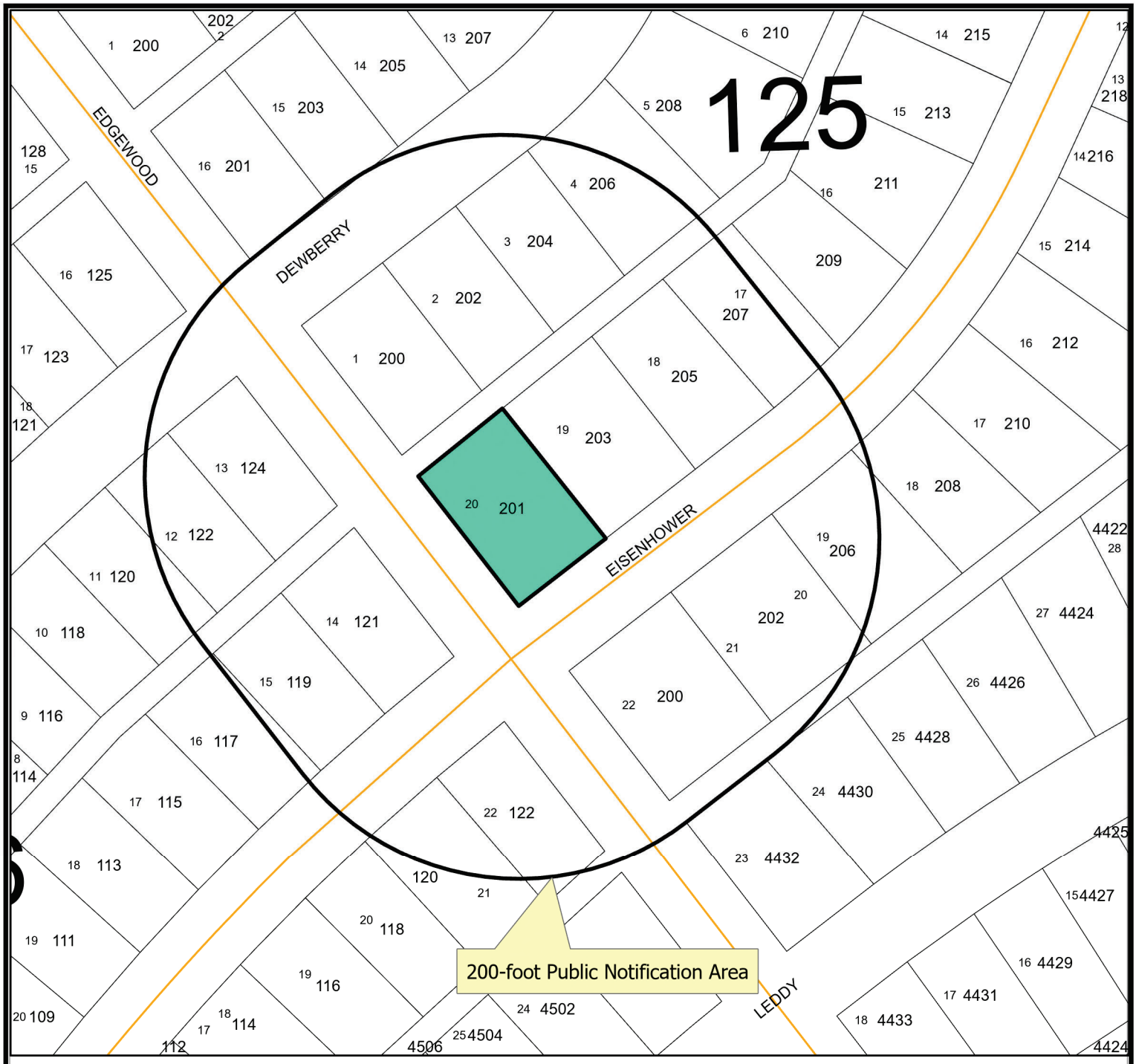
As of July 10, 2026, staff has received no letters of objection.

Attachments:
A. SUDwo-26-0056, Combined Docs
B. ORD w EXH - SUDwo-26-0056.Amy Coleman - Accessory Dwelling Unit Ord w Exh
C. CC - - 201 N Eisenhower AUD

Rachel Guentensberger, City Secretary Created/Initiated - 7/21/2026



201 N EISENHOWER



Location Map

SUDwo-26-0056 **Scale: 1" = 104 '**

Consider a request by Amy Coleman for a Specific Use Designation without Term for an Accessory Dwelling Unit on the south 80 feet of Lot 19 and all of Lot 20, Block 125, Willshire Park Addition, City and County of Midland, Texas.

Generally located on the northwest corner of the intersection of North Eisenhower Drive and Edgewood Drive. (Council District 4)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS

City of Midland, Texas
Planning Division

Map by AB

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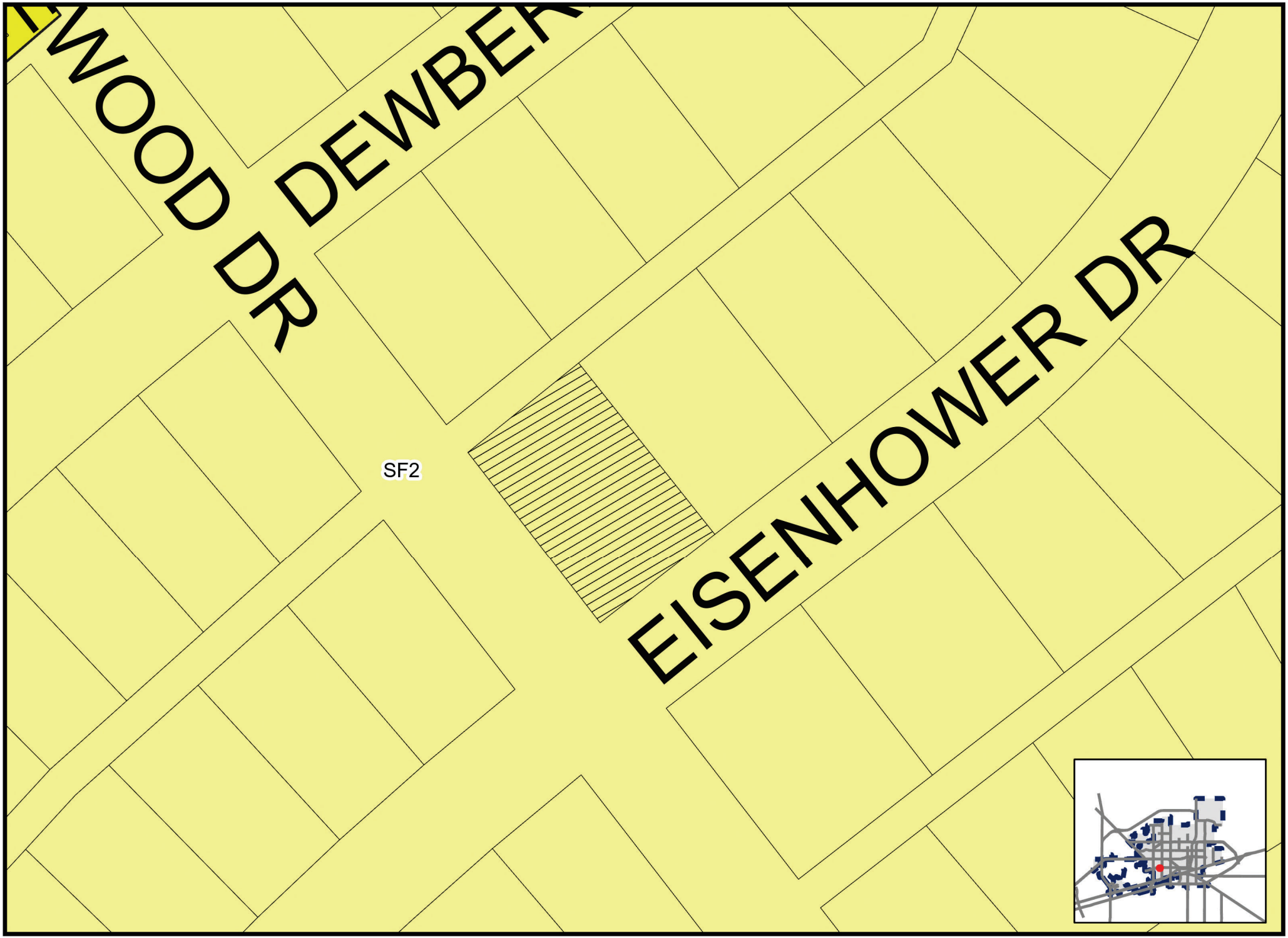
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



Created: 6/16/2026

SUDwo-26-0056

Scale: 1" = 67 '

ZONING MAP

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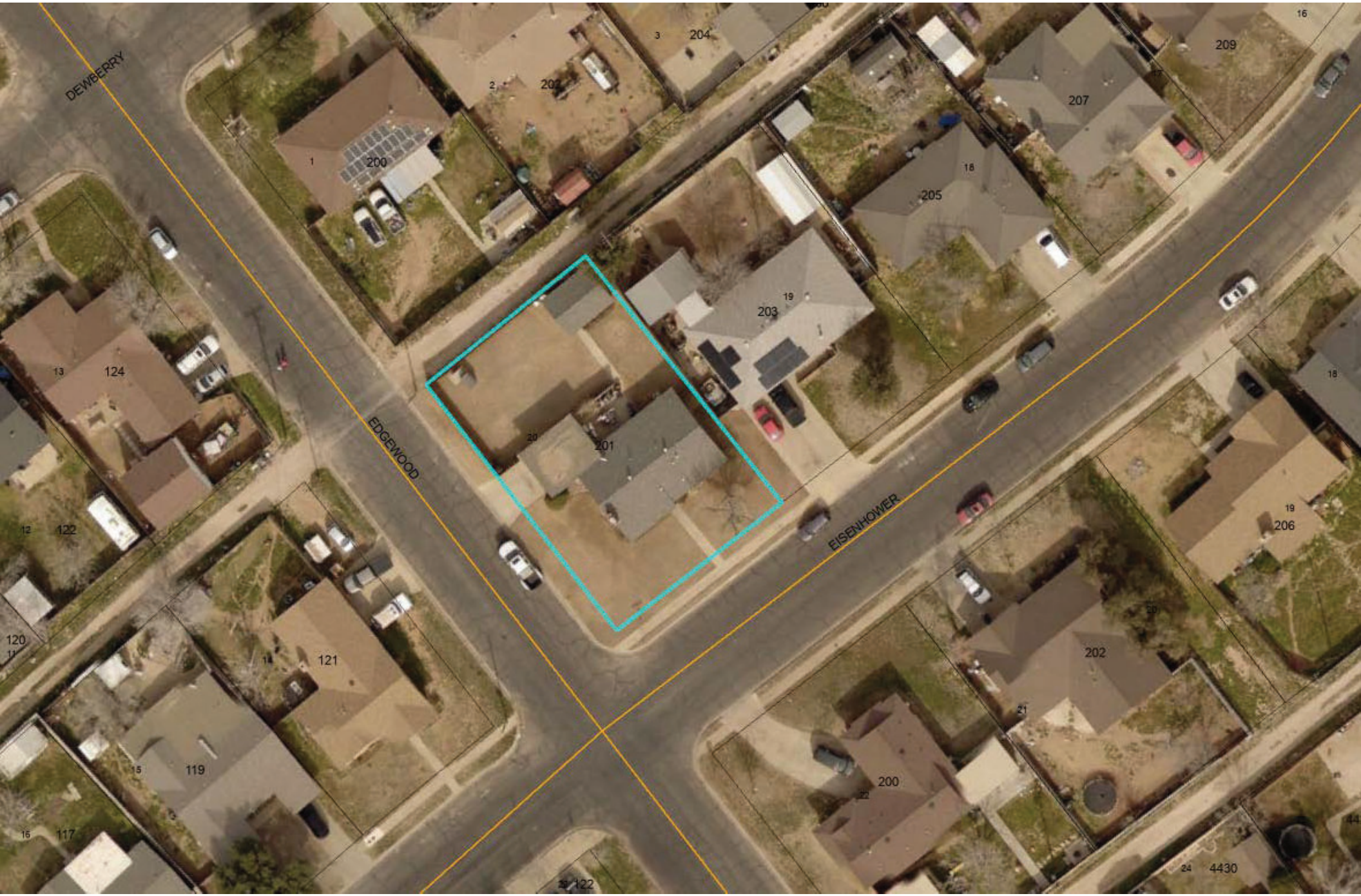
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201

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR THE SOUTH 80 FEET OF LOT 19 AND ALL OF LOT 20, BLOCK 125, WILSHIRE PARK ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF THE INTERSECTION OF NORTH EISENHOWER DRIVE AND EDGEWOOD DRIVE), WHICH IS PRESENTLY ZONED SF-2, SINGLE-FAMILY DWELLING DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR AN ACCESSORY DWELLING UNIT; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING PUBLICATION; AND ORDERING RECORDATION BY THE CITY SECRETARY

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, Texas, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after holding due hearings affording a full and fair hearing to all of the property owners generally, and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body of the City of Midland finds that the public convenience will be best served by granting a Specific Use Designation Without Term for the south 80 feet of Lot 19 and all of Lot 20, Block 125, Wilshire Park Addition, City and County of Midland, Texas (the "Property"), as set out hereinafter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to grant the Property a Specific Use Designation Without Term for an accessory dwelling unit (the "Unit"), together with the uses permitted in the present SF-2, Single-Family Dwelling District.

SECTION TWO. That the Property shall be subject to the following conditions and restrictions:

A. That the use and development of the Property for the Unit shall significantly conform to the site plan, which is attached hereto as Exhibit A and incorporated herein for all purposes, said Unit being the building identified in Exhibit A as an "ADU."

B. That the total number of people who live on the Property, including the principal residence and the Unit, shall not exceed that of a "family", as such term is defined in Section 11-1-2.01 of the City Code.

C. That the floor area of the Unit shall not exceed 800 square feet.

D. That the Unit shall not be leased or rented as a separate dwelling unit and shall not be used for any commercial purpose.

E. That the Unit shall meet all requirements of the Fire Department and the Code Administration Division.

F. That the owner of the Property, or an authorized representative thereof, shall obtain a Certificate of Occupancy prior to using the Unit to ensure that the conditions of this Specific Use Designation Without Term are satisfied.

G. That the City Secretary is hereby authorized and directed to file a certified copy of this Ordinance with the County Clerk of Midland County, Texas, for purposes of recording in the Official Records of Midland County, Texas, as notice to any subsequent purchaser of this property that the Unit shall not be leased or rented as a separate dwelling unit or used for any commercial purpose.

SECTION THREE. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances, inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION SIX. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2026; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting "AYE":

Council members voting "NAY":

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2026, at a regular meeting of the City Council:

Council members voting "AYE":

Council members voting "NAY":

PASSED AND APPROVED THIS _____ day of _____, A.D., 2026.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

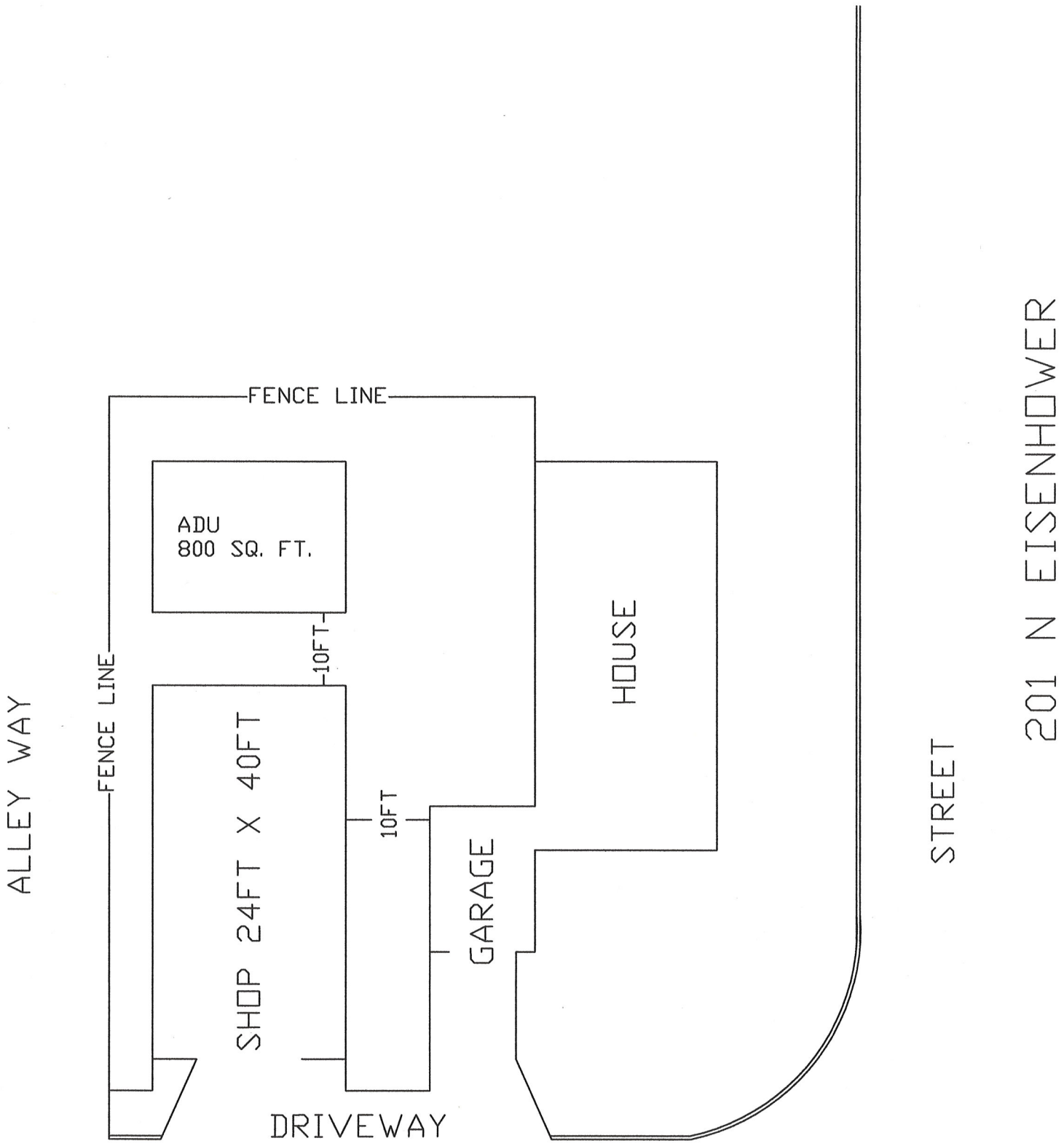
APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, City Attorney

EXHIBIT A


FENCE LINE
ADU
800 SQ. FT.
10FT
FENCE LINE
SHOP 24FT X 40FT
10FT
GARAGE
HOUSE
ALLEY WAY
DRIVEWAY
STREET
201 N EISENHOWER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ITEM
SPECIFIC USE DESIGNATION
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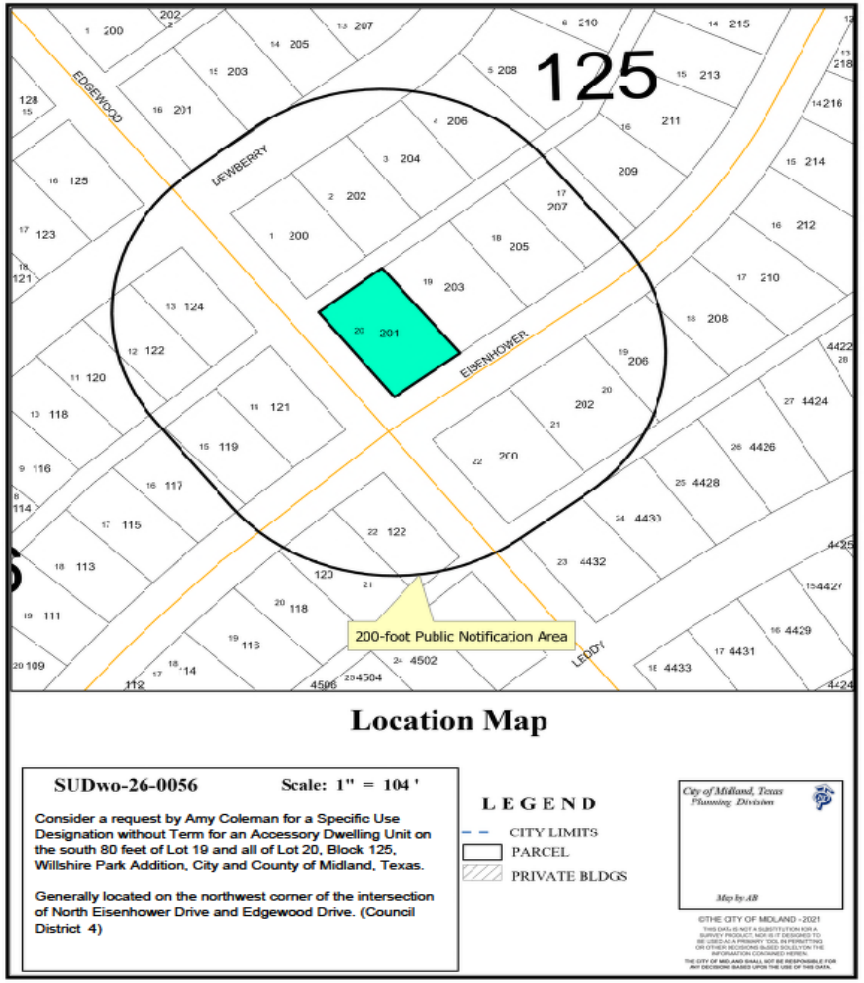
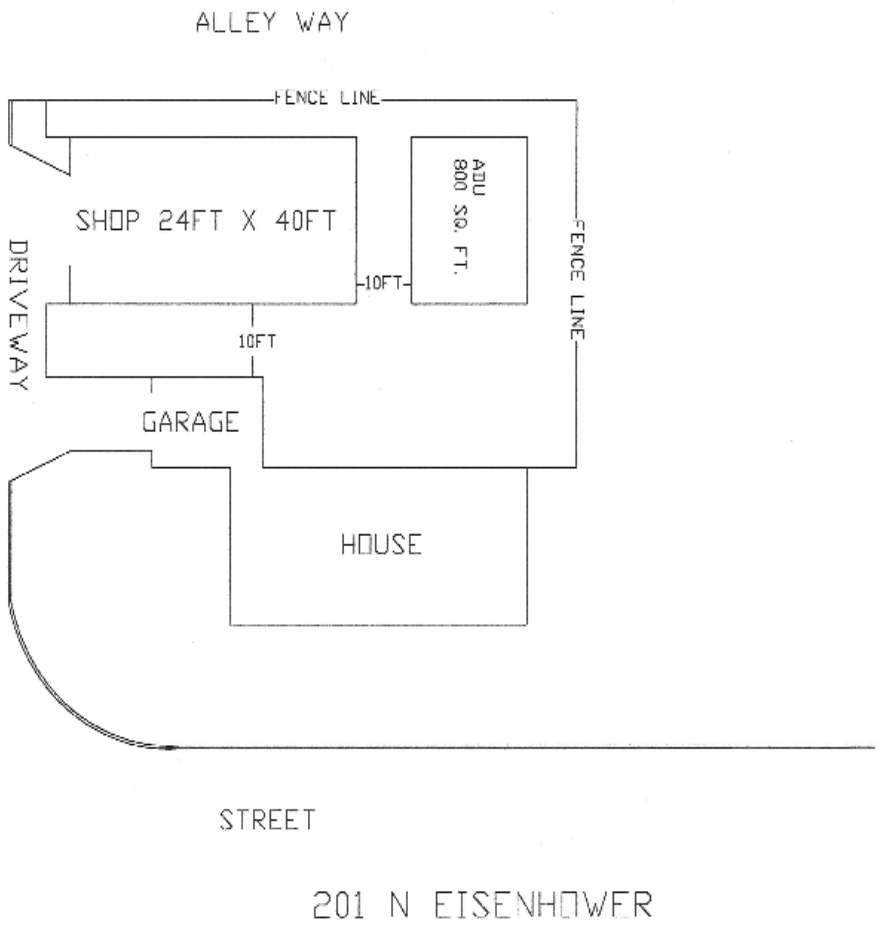
APPLICATION SUMMARY

- **Property Owner:** Amy Coleman
- **Location:** 201 North Eisenhower Drive (Council District 4)
- **Reason for Request:** To be able to upgrade the accessory building to an accessory dwelling unit



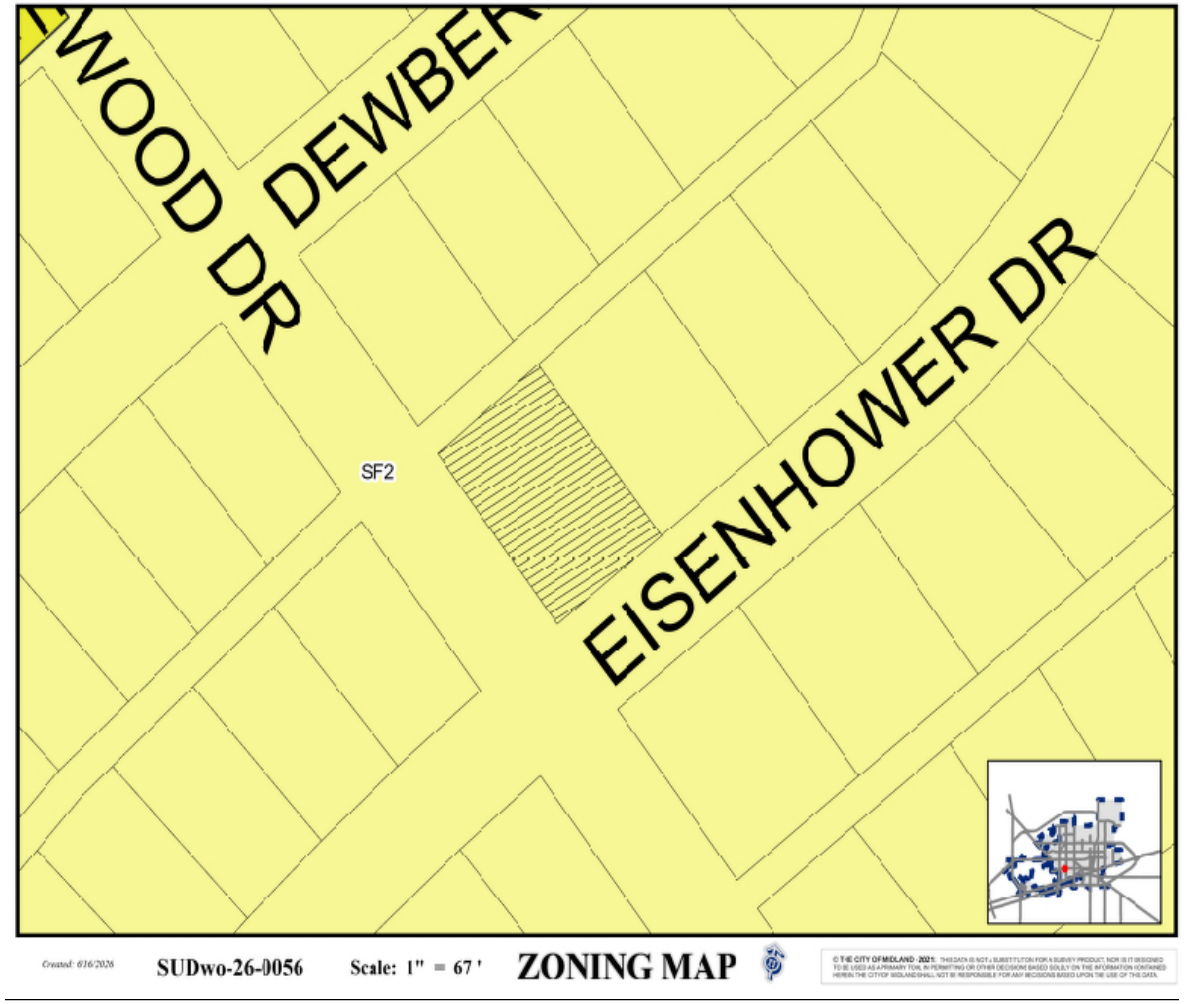
DETAILS OF REQUEST

- Property owner is requesting to convert her detached accessory structure into a mother-in-law suite to provide a space for family requiring care.



ZONING

- **Current Zoning:** SF-2, Single-Family Dwelling District
  Surrounding Zoning:
  - **North/East/South/West:** SF-2, Single- Family Dwelling District



LAND USE

- **Current Use:** Residential
- **Surrounding Uses:**
  - **North/South/West/East:** Residential





On North Eisenhower, Looking West

6

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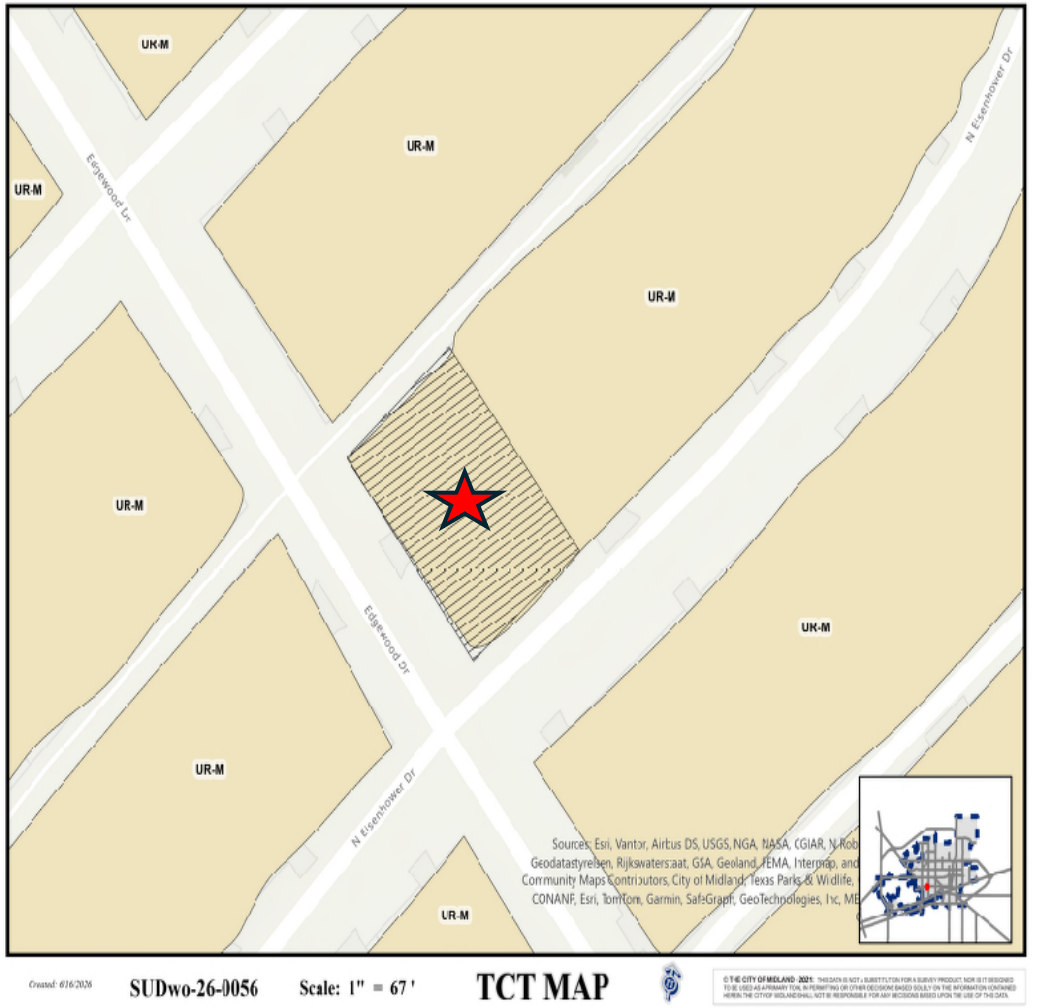
COMPREHENSIVE PLAN

- **Land Use Designation:** Urban Residential – Medium (UR-M)
- **Supported Uses:** A mix of housing styles including single-family detached, single-family attached, and townhouses.
- The request is compatible with the *Tall City Tomorrow Comprehensive Plan.*



STAFF'S RECOMMENDATION

- No objections were received.
- Staff recommends approval of this request with the following conditions:

A. That the use and development of the Property for the Specific Use Designation shall significantly conform to the site plan, which is attached hereto as Exhibit A and incorporated herein for all purposes said Unit being the building identified in Exhibit A as an "ADU."[Condition per ordinance]



STAFF'S RECOMMENDATION

B. The total number of people, who live on the Property, including the principal residence and the Unit, shall not exceed that of a "Family" as such term is defined in Section 11-1-2.01 of the City Code.

C. That the floor area of the Unit shall not exceed 800 square feet.

D. That the Unit shall not be leased or rented as a separate dwelling unit and shall not be used for any commercial purpose.



STAFF'S RECOMMENDATION

E. That the Unit shall meet all requirements of the Fire Department and the Code Administration Division.

F. That the owner of the Property, or an authorized representative thereof, shall obtain a Certificate of Occupancy prior to using the Unit to ensure that the conditions of this Specific Use Designation Without Term are satisfied.



STAFF'S RECOMMENDATION

G. That the Secretary is hereby authorized and directed to file a certified copy of this Ordinance with the Count Clerk of Midland County, Texas, for purposes of recording in the Official Records of Midland County, Texas as notice to any subsequent purchaser of this property that the Unit shall not be leased or rented as a separate dwelling unit or used for any commercial purpose.



11

MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.



City Council Meeting

Item Number: 24.
Meeting Date: August 11, 2026
To: City Council
From: Beatriz Quezada, Planner
Subject: AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 1, BLOCK 3, BERKSHIRE PLACE, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SINCLAIR AVENUE AND NORTH N STREET), BY PERMITTING (1) A REDUCED MINIMUM SIDE YARD SETBACK ON THE WEST SIDE OF THE PROPERTY AND (2) A REDUCED MINIMUM REAR YARD SETBACK; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION

Purpose:
N. Cale Lancaster, on behalf of Richard Fuqua III, is requesting a Special Exception from the City of Midland Zoning Ordinance, Section 5.04 – Residential Zoning District Dimensional Regulations Chart, for the property located at 2015 Sinclair Avenue to permit reduced minimum rear and side setback to 1’ in order to add a second level to the existing dwelling

Recommended Action:
Approve

Fiscal Impact:
None

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
The subject property is located at 2015 Sinclair Avenue. The applicant, N. Cale Lancaster, is proposing a second-story addition to the existing garage located at the rear of the property. When the applicant attempted to pull permits for the project, he was advised that a 10-foot rear setback is required because the proposed addition is a two-story structure. As a result, the applicant is requesting a Special Exception from the rear setback requirement to allow the proposed addition.

The existing garage also does not meet the required side setback for a corner lot. The

ordinance requires a 10-foot side setback, but the existing structure is currently located approximately 1 foot from the side property line.

The property is zoned SF-1, Single-Family Dwelling District. Per the City of Midland Zoning Ordinance, Section 5.04, Residential Zoning District Dimensional Regulations Chart, a two-story structure is required to maintain a 10-foot rear setback, and a corner lot is required to maintain a 10-foot side setback. Since the existing garage does not meet the required side setback and the proposed second-story addition cannot meet the required rear setback, the applicant is requesting a Special Exception to allow the proposed addition and the existing reduced side setback.

Several surrounding properties also have reduced setbacks. The property immediately north of the subject property has both a reduced side yard setback and a reduced rear yard setback, which is consistent with the relief being requested by the applicant.

This request has been circulated to all pertinent City departments for review. Below are the departments' comments.

Fire: (Approved)

No comments or objections.

Building: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2023 NEC requirements, the 2015 International Fire Codes, local city ordinances, planning/zoning requirements, established setbacks, Health department regulations, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on the time of new code editions adopted in the City of Midland and date of permit application.

Engineering: (Approved)

No objection. [For Applicant's Information Only.]

Transportation: (Approved)

No objection. [For the Applicant's information only.]

Planning (Approved with conditions):

Staff recommends approval of this request as it won't affect the safety, comfort and welfare of the occupants in the area who are enjoying the same privileges of reduced rear and side setback subject to the following conditions:

Conditions:

A. **That the minimum side yard setback on the west side of the Property shall be one foot (1').**

B. **That the minimum rear yard setback shall be one foot (1').**

C. That the reduced minimum side yard setback and the reduced minimum rear yard setback described herein shall apply only to the building shown in the site plan, which is attached hereto as Exhibit A and incorporated herein, including the portion of the building n the shaded area identified as "RENOVATIONS TO EXISTING GARAGE".

Letters of Objection:

Staff has not received any letters of objection as of July 31, 2026.

Attachments:

A. ORDINANCE W/EXH - E-26-0164.Richard Fuqua III - Red Min Side and Rear Yard Setbacks Ord w Exh
B. E-26-0164, Combined Documents
C. CC- - 2015 Sinclair Special Exception Red Min Side and Rear Yard Setbacks

Beatriz Quezada, Development Services	Created/Initiated - 7/29/2026
Landon Ochoa, Development Services	Approved - 8/3/2026
Elizabeth Triggs, Development Services	Approved - 8/3/2026
Linda Ochoa, Legal	Approved - 8/4/2026
Jose Ortiz, City Manager	Approved - 8/5/2026
Kathy Rauda, City Secretary	Final Approval - 8/5/2026

ORDINANCE NO. _____

AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 1, BLOCK 3, BERKSHIRE PLACE, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SINCLAIR AVENUE AND NORTH N STREET), BY PERMITTING (1) A REDUCED MINIMUM SIDE YARD SETBACK ON THE WEST SIDE OF THE PROPERTY AND (2) A REDUCED MINIMUM REAR YARD SETBACK; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION

WHEREAS, the City Council modified the authority of the Board of Adjustment in Title XI, Chapter 1, Section 7 ("Section 11-1-7") of the Midland City Code; and

WHEREAS, Section 11-1-7 provides for the consideration of requests for special exceptions to the Midland Zoning Ordinance; and

WHEREAS, the Council finds that satisfactory evidence has been presented that the use to be authorized by the granting of the special exception will not be detrimental to the health, safety, comfort and welfare of the occupants of the land area near the tract on which the use to be allowed by special exception will be located; and

WHEREAS, the Council finds that it is clearly and specifically authorized by the terms of Section 11-1-7 to grant such a special exception, and said exception will be in harmony with the general purposes and intent of the zoning provisions of the Midland City Code; and

WHEREAS, after a full and fair public hearing at which all parties in interest were offered an opportunity to be heard, all pursuant to law, the Council finds it to be in the public interest to grant a special exception to the Zoning Ordinance, pursuant to Section 11-1-7, for the purposes herein stated, subject to special conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That a special exception is hereby granted for the property described as Lot 1, Block 3, Berkshire Place, City and County of Midland, Texas (the "Property"). Said special exception shall allow (1) a reduced minimum side yard setback on the west side of the Property and (2) a reduced minimum rear yard setback.

SECTION TWO. Said special exception is subject to the following special conditions:

A. That the minimum side yard setback on the west side of the Property shall be one foot (1').

B. That the minimum rear yard setback shall be one foot (1').

C. That the reduced minimum side yard setback and the reduced minimum rear yard setback described herein shall apply only to the building shown in the site plan, which is attached hereto as Exhibit A and incorporated herein, including the portion of the building in the shaded area identified as "RENOVATIONS TO EXISTING GARAGE".

SECTION THREE. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION SIX. The City Secretary is hereby authorized and directed to file this ordinance with the Office of the County Clerk for purposes of recordation.

SECTION SEVEN. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2026; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting "AYE":

Council members voting "NAY":

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2026, at a regular meeting of the City Council:

Council members voting "AYE":

Council members voting "NAY":

PASSED AND APPROVED THIS _____ day of _____, A.D., 2026.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

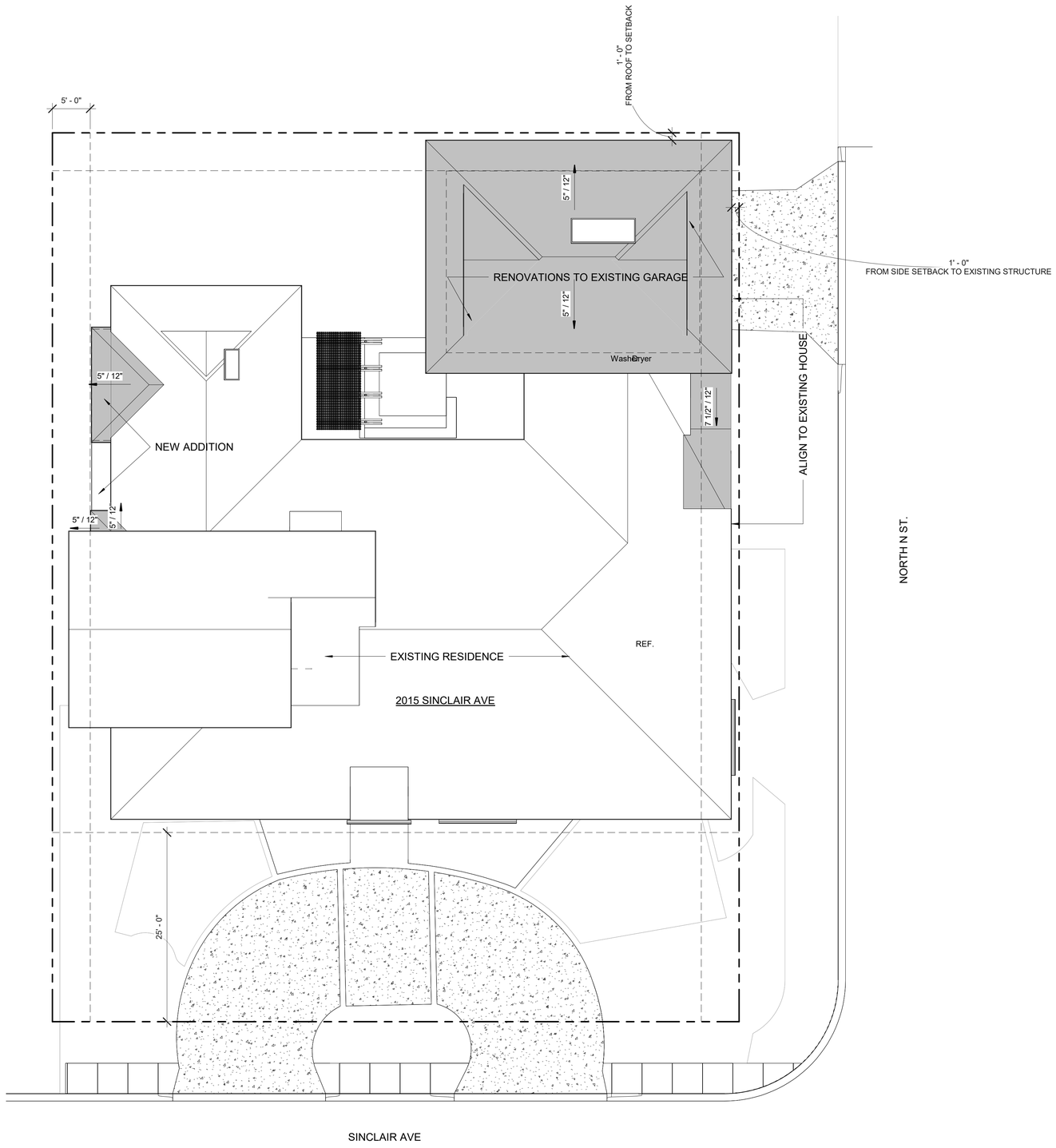
APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, City Attorney

EXHIBIT A



1 E - SITE PLAN
1/8" = 1'-0"

GENERAL NOTES

1. NOTE
2. NOTE
3. NOTE

KEYNOTES

THIS SHEET ONLY AS INDICATED BY (#)

FUQUA RESIDENCE

2015 Sinclair
Midland, TX

rwa
rhotenberry wellen architects

1102 WEST TEXAS AVE.
MIDLAND, TEXAS 79701
PHONE 432.682.1252
FAX 432.682.1257

△	Date	Description

Seal / Signature

THESE DRAWINGS ARE FOR INTERIM REVIEW AND PRICING ONLY.
"NOT INTENDED FOR CONSTRUCTION"
- RWA

Project Number

2527

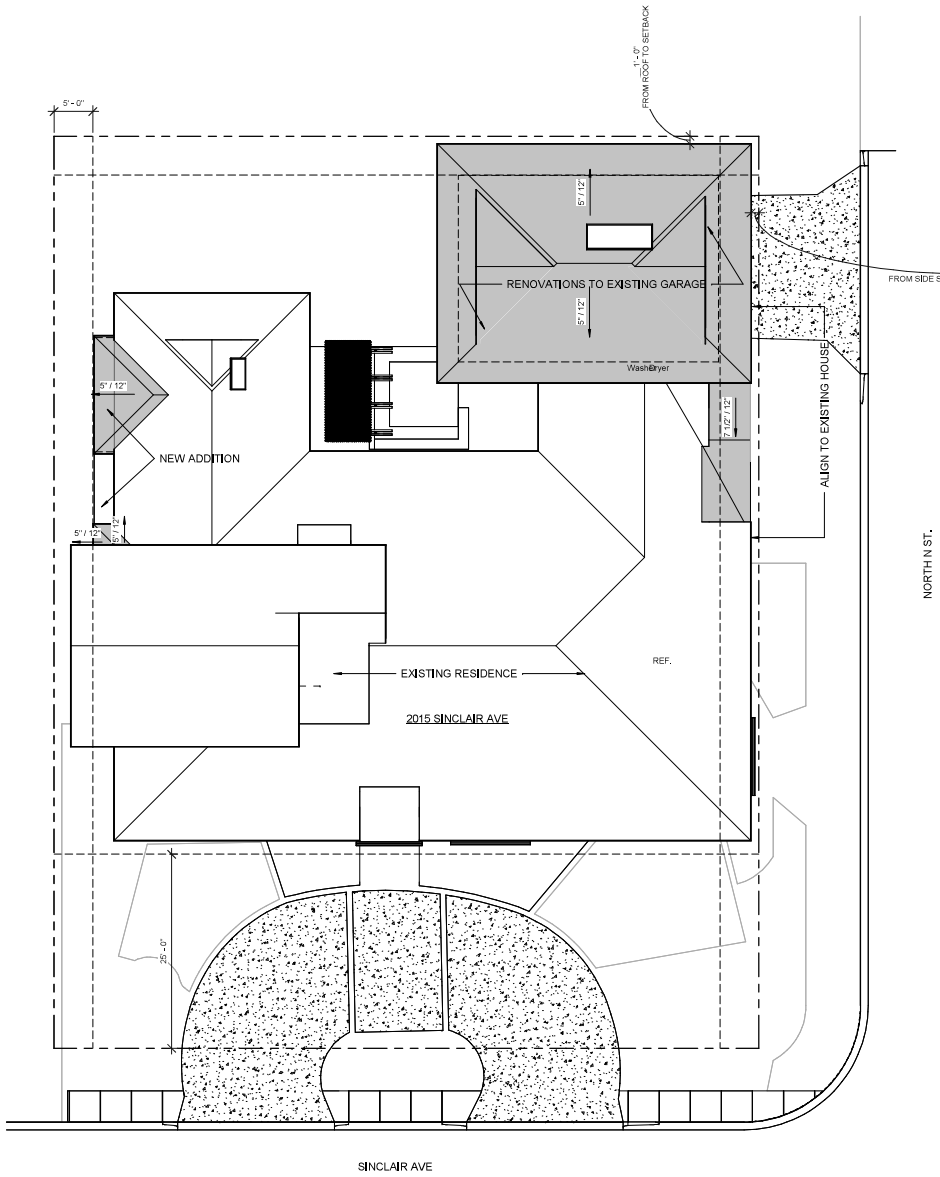
Description

SITE PLAN

A101

© 2023 Rhotenberry Wellen Architects

PROJECT PATH : T:\Projects 2019 Forward\2025\2527 - Fuqua Residence (2015 Sinclair)\07 Drawings\01 Revit\2527 - Fuqua Residence.rvt
PLOT DATE : 7/13/2026 8:55:28 AM



1 E - SITE PLAN
1/8" = 1'-0"

GENERAL NOTES

1. NOTE
2. NOTE
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2015 Sinclair
Midland, TX

rwa
rhotenberry
wellen
architects

1102 WEST TEXAS AVE.
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PHONE 432.682.1252
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- RWA

Project Number
2527

Description
SITE PLAN

A101

© 2023 Rhotenberry Wellen Architects

PROJECT PATH: T:\Projects 2019 Forward\2023\2527 - Fuqua Residence (2015 Sinclair)\07 Drawings\01 Revit\2527 - Fuqua Residence.rvt
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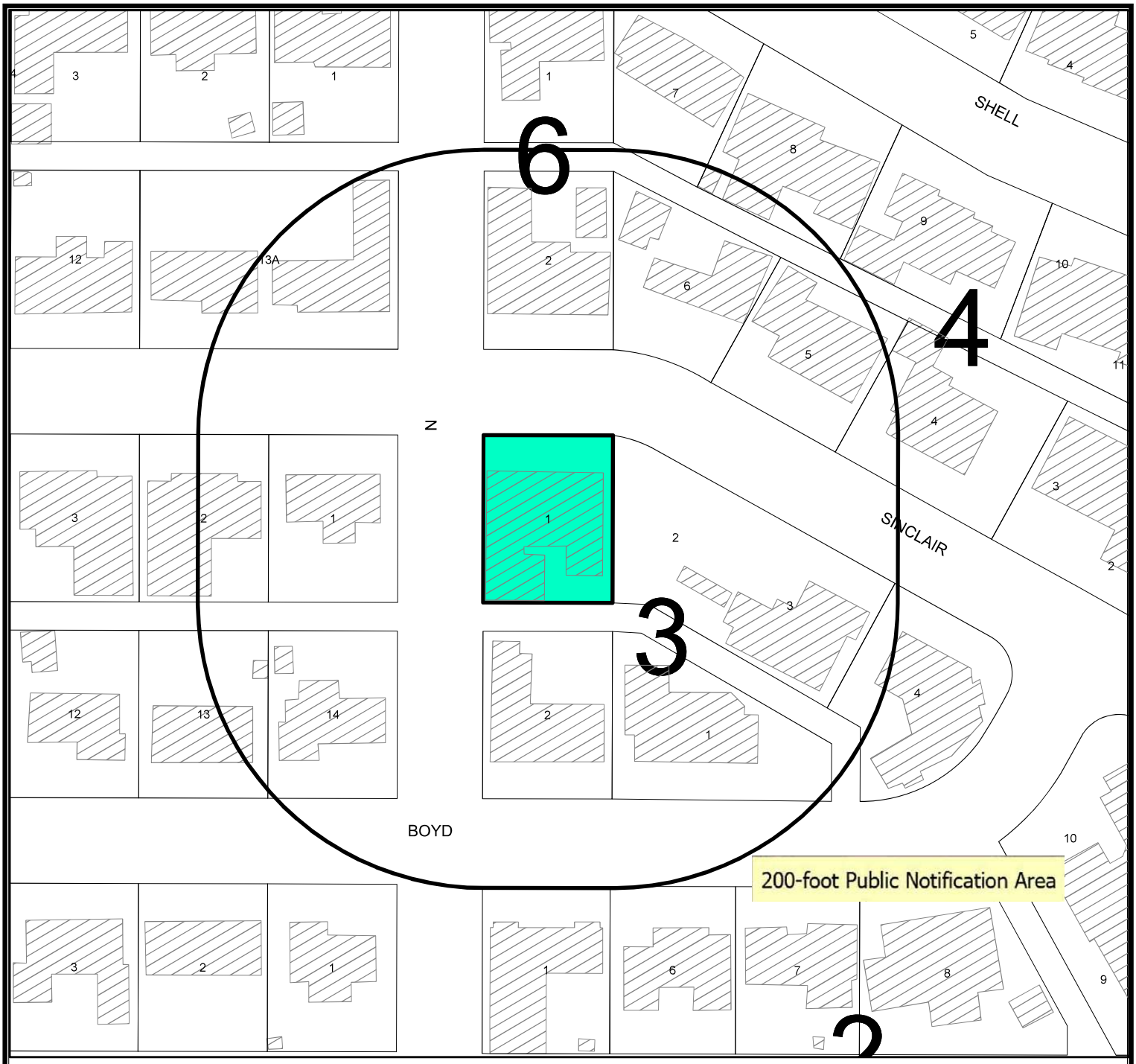


Location Map

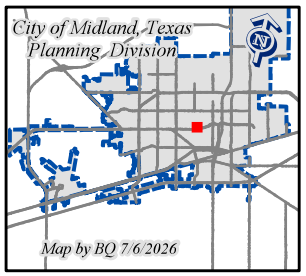
E-26-0164 **Scale: 1" = 100 '**

Consider a request by N. Cale Lancaster, on behalf of Richard Fuqua III, for a Special Exception from the City of Midland Zoning Ordinance, Section 5.04 – Residential Zoning District Dimensional Regulations Chart, to permit (1) a reduced minimum side yard setback, and (2) a reduced minimum rear yard setback for Lot 1, Block 3, Berkshire Place, City and County of Midland Texas.

Generally located at the southeast corner of the intersection of Sinclair Avenue and North N Street. (Council District 3)

L E G E N D

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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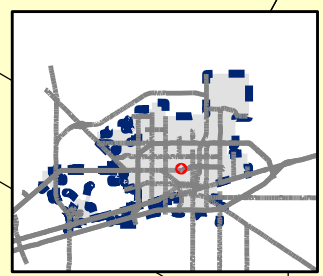
THIS DATA S NOT A SUBSTITUT ON FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITT NG OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.

SINCLAIR AV

N N ST

SF1



Created: 7/6 2026

E-26-0164

Scale: 1" = 41 '

ZONING MAP

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134
1
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SINCLA
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14




MIDLAND
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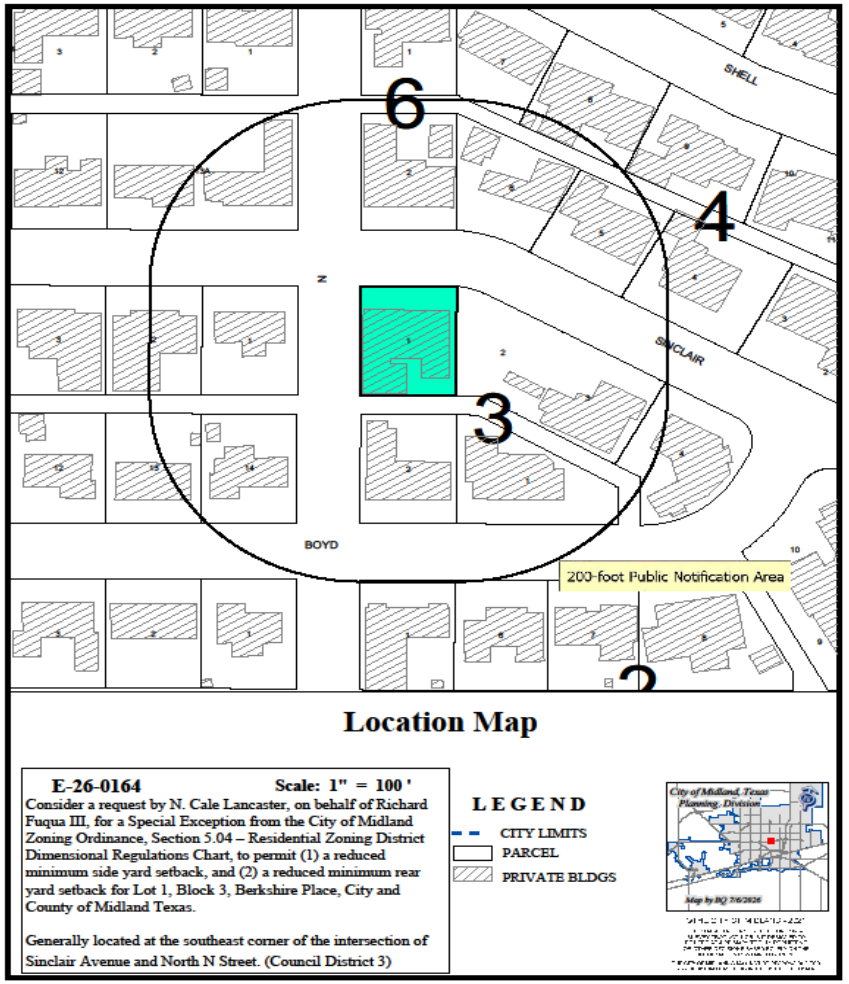
SPECIAL EXCEPTION
2015 SINCLAIR AVE
Visit Our Website
MIDLANDTEXAS.GOV

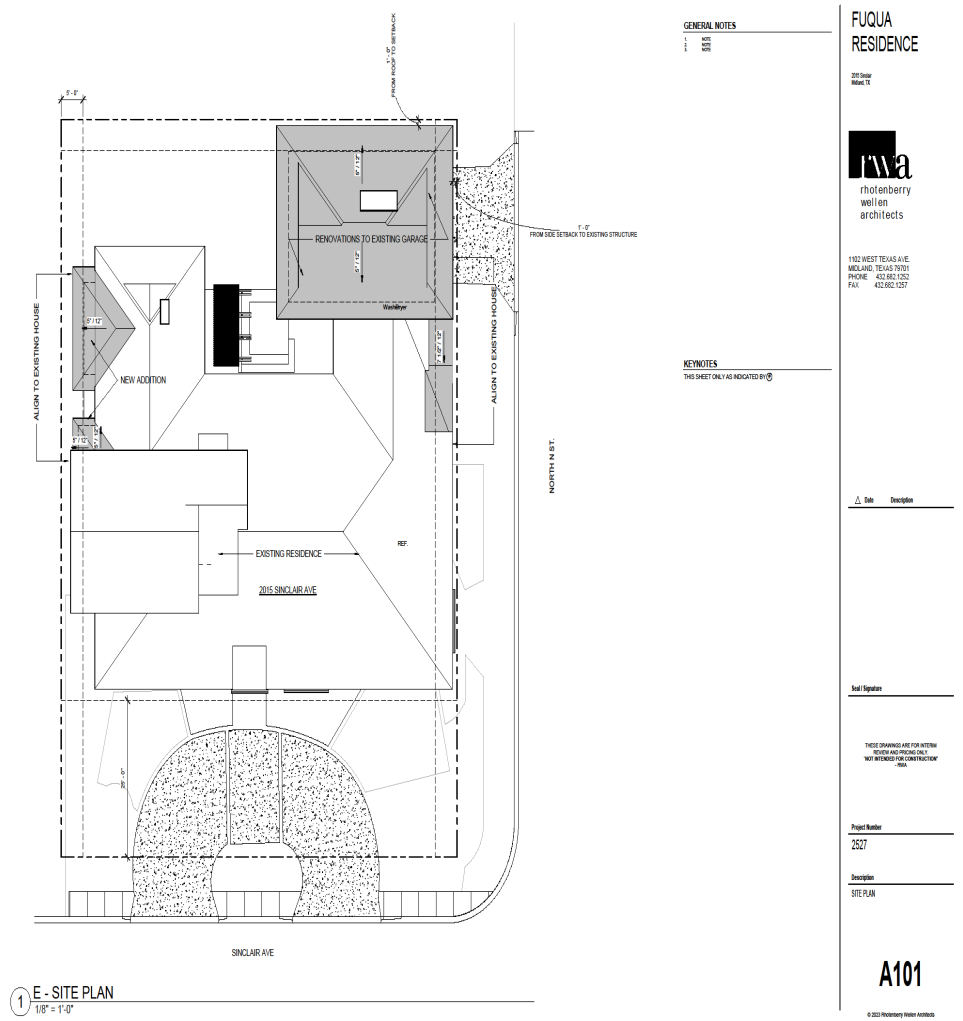
APPLICATION SUMMARY

- **Property Owner:** Richard Fuqua III
- **Representative:** N. Cale Lancaster
- **Location:** 2015 Sinclair Ave (Council District 3)
- **Reason for Request:** To construct a second-story addition above the existing garage



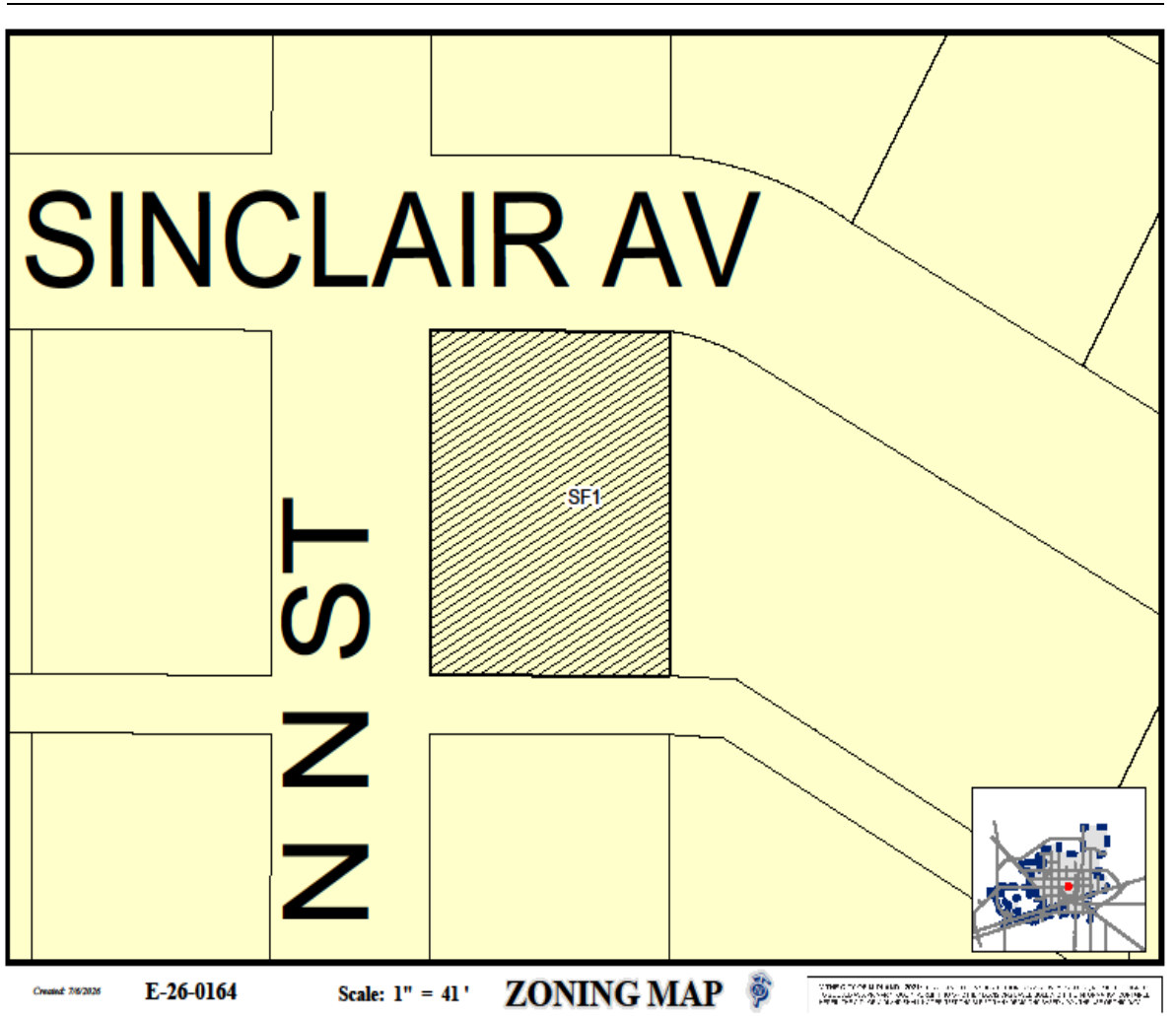
DETAILS OF REQUEST

- **Code Requirement:** Minimum side yard setback for a corner lot for a SF-1, Single-Family Dwelling District lot is 10 feet, and the minimum rear setback for a two-story building is 10 feet
- **Variance Requested:** To reduce the minimum side and rear setback to 1 foot



ZONING

- **Current Zoning:** SF-1, Single-Family Dwelling District
- **Surrounding Zoning:**
  - **North/South/West/East:** SF-1, Single-Family Dwelling District



MIDLAND
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LAND USE

- **Current Use:** Residential
- **Surrounding Uses:**
  - **North/South/East/West:** Residential





On North N Street, Looking East

6

MIDLAND
Be the Energy!

STAFF'S RECOMMENDATION

- No objections were received.
- Staff recommends approval of this request with the following conditions:

A. That the minimum side yard setback on the west side of the Property shall be one foot (1').

B. That the minimum rear yard setback shall be one foot (1').

C. That the reduced minimum side yard setback and the reduced minimum rear yard setback described herein shall apply only to the building shown in the site plan, which is attached hereto as Exhibit A and incorporated herein, including the portion of the building n the shaded area identified as "RENOVATIONS TO EXISTING GARAGE".



MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.



City Council Meeting

Item Number: 25.
Meeting Date: August 11, 2026
To: City Council
From: Angelina Bettanini, Planner II
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE TRACT 16 AND THE EAST 95 FEET OF TRACT 17, NORTH ESTATES, CITY AND COUNTY OF MIDLAND, TEXAS, FROM AE, AGRICULTURAL ESTATE DISTRICT TO SF-1, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF SOLOMON LANE AND ACORN LANE); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); AND ORDERING PUBLICATION

Purpose:
Duryn Henington, on behalf of Josh Jones, is requesting a zone change from AE, Agricultural Estate District to SF-1, Single Family Dwelling District to allow the property owner to divide the current property into two lots. The preliminary plat for this was approved by the Planning and Zoning Commission on July 20, 2026.

Recommended Action:
Informational

Fiscal Impact:
None

Strategic Priority:
QUALITY OF LIFE AND PLACE

Discussion:
Current Zoning:

AE, Agricultural Estate District

Surrounding Zoning and Land Use:

The properties to the north are zoned PD, Planned District for Housing Development, in part, and AE, Agricultural Estate District, in part, and are the locations of single-family detached dwellings. The properties to the east are zoned AE, in part, and SF-1, Single-Family (Detached) Dwelling District, in part and are the location of single-family detached dwellings. The properties

to the south are zoned SF-1 and are the locations of single-family detached dwellings. The properties to the west are zoned AE and are the locations of single family detached dwellings.

Analysis:

The property owner is proposing to subdivide their 1.67-acre property into two lots in order to sell a portion of their property, one lot being an acre, and the other being 0.67 acres.. However, the current zoning does not allow for the proposed lot sizes. Therefore, the applicant is proposing SF-1 to allow for the two lots.

There are currently other properties nearby that have similar dimensions such as those directly to the south and the southeast. Because of this, the property would be consistent with the surrounding area. Additionally, the Tall City Tomorrow Comprehensive Plan designates this area as Urban Residential-Large Lot (UR-LL) which does calls for single-family detached housing.

This proposed zone change has been circulated to the respective City departments for internal review and their comments, conditions, and requirements are as follows:

Fire: (Approved)

The Fire Department has reviewed the proposed zoning change and has no objection at this time. This review is limited to the zoning request only and does not constitute approval of future site development, construction, or occupancy. All future development shall comply with the 2015 International Fire Code (IFC), local amendments, and all applicable fire and life safety requirements, including but not limited to fire apparatus access (IFC §503), water supply and fire flow (IFC §507), fire hydrant placement (IFC §507.5), fire protection systems (IFC §903), and emergency responder access, which will be reviewed during the site plan, civil plan, and building permit review process.

Engineering: (Approved)

No objections to zone change. [For Applicant’s Information Only.]

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For Applicant’s Information Only.]

Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2023 NEC requirements, the 2015 International Fire Codes, local city ordinances, planning/zoning requirements, established setbacks, Health department regulations, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on the time of new code editions adopted in the City of Midland and date of permit application.

Transportation: (Approved)

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering

and Traffic Operations. [For the Applicant’s information only.]

No objection to zone change. [For the Applicant’s information only.]

Planning: (Approved)

No objections to this request.

Letters of Objection:

One letter of objection has been received by staff as of August 3, 2026.

Attachments:
A. ORDINANCE - Z-26-0486.AE to SF-1 Ord
B. Z-26-0486, Combined Docs
C. CC - - Solomon

Angelina Bettanini, Development Services	Created/Initiated - 8/3/2026
Landon Ochoa, Development Services	Approved - 8/3/2026
Elizabeth Triggs, Development Services	Approved - 8/3/2026
Linda Ochoa, Legal	Approved - 8/4/2026
Jose Ortiz, City Manager	Approved - 8/5/2026
Kathy Rauda, City Secretary	Final Approval - 8/5/2026

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE TRACT 16 AND THE EAST 95 FEET OF TRACT 17, NORTH ESTATES, CITY AND COUNTY OF MIDLAND, TEXAS, FROM AE, AGRICULTURAL ESTATE DISTRICT TO SF-1, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF SOLOMON LANE AND ACORN LANE); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); AND ORDERING PUBLICATION

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body finds that the public health, safety and general welfare will be best served by rezoning Tract 16 and the East 95 Feet of Tract 17, North Estates, City and County of Midland, Texas (the "Property"), to SF-1, Single-Family Dwelling District, as set out hereinafter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to rezone the Property from AE, Agricultural Estate District to SF-1, Single-Family Dwelling District.

SECTION TWO. That the definitions given in the zoning regulations contained in the City Code of the City of Midland, Texas, shall be applicable to such of those terms as are used herein.

SECTION THREE. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances

inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION SIX. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2026; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting “AYE”:

Council members voting “NAY”:

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2026, at a regular meeting of the City Council:

Council members voting “AYE”:

Council members voting “NAY”:

PASSED AND APPROVED THIS _____ day of _____, A.D., 2026.

_____
Lori Merritt Blong, Mayor

ATTEST:

_____
Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

_____
Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

_____
Nicholas Toulet, City Attorney



VICINITY MAP
(NOT TO SCALE)

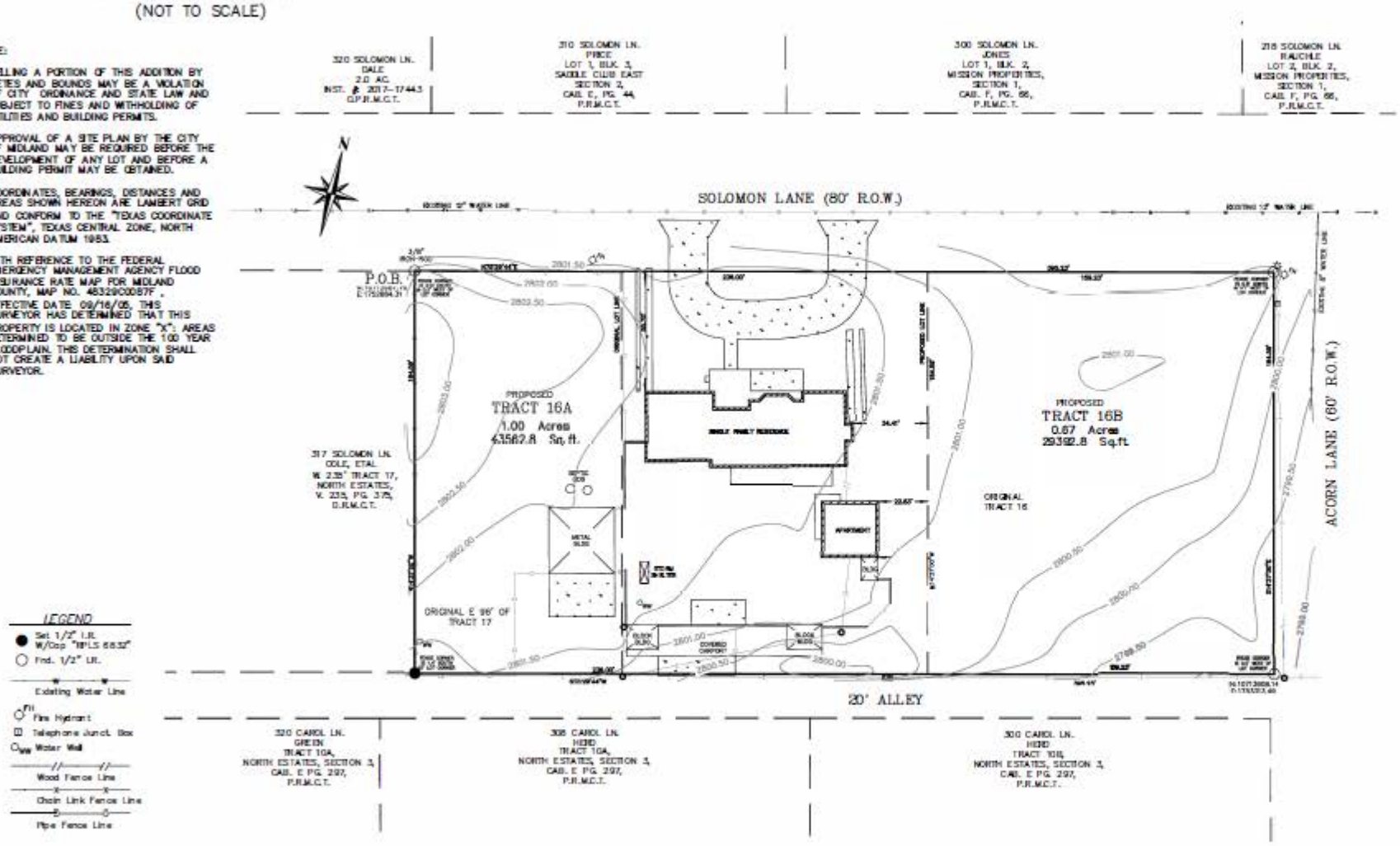
PRELIMINARY PLAT

NORTH ESTATES, SECTION 6

BEING A REPLAT OF TRACT SIXTEEN (16) AND
THE EAST 95 FEET OF TRACT SEVENTEEN (17),
FIRST SECTION NORTH ESTATES,
CITY AND COUNTY OF MIDLAND, TEXAS

NOTICE:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. COORDINATES, BEARINGS, DISTANCES AND AREAS SHOWN HEREON ARE LAMBERT GRID AND CONFORM TO THE "TEXAS COORDINATE SYSTEM", TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM 1983.
4. WITH REFERENCE TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR MIDLAND COUNTY, MAP NO. 48329C0087F , EFFECTIVE DATE 09/16/05, THIS SURVEYOR HAS DETERMINED THAT THIS PROPERTY IS LOCATED IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 100 YEAR FLOODPLAIN. THIS DETERMINATION SHALL NOT CREATE A LIABILITY UPON SAID SURVEYOR.



LEGEND

- Set 1/2" I.R. W/Cap "RPLS 6832"
- Fnd. 1/2" I.R.
- Existing Water Line
- Fire Hydrant
- Telephone Junct. Box
- Water Well
- Wood Fence Line
- Chain Link Fence Line
- Pipe Fence Line

0' 20' 40' 60'
SCALE 1" = 20'

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, JOSH JONES AND LAUREN GODBY, are the record owners of 309 Solomon Lane: TRACT SIXTEEN (16) AND THE EAST 95 FEET OF TRACT SEVENTEEN (17), FIRST SECTION NORTH ESTATES, an addition to the City of Midland, Midland County, Texas, according to the plat recorded in Cabinet B, Page 102, Plat Records of Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That We, JOSH JONES AND LAUREN GODBY, being the owners of the land shown on this plat designated as LOTS SIXTEEN A (16A) AND SIXTEEN B (16B), NORTH ESTATES, SECTION 6, an Addition to the City of Midland, Midland County, Texas and whose name is subscribed hereto, do hereby dedicate to the public use forever the streets, alleys, and easements shown thereon; and do hereby give an easement of ingress and egress to the City of Midland for garbage and trash collection, and location and maintenance of trash containers and access thereto, and condition said easement that no construction shall commence on said lot or lots until the exact location of said containers therewith have been selected and approved by the Director of Utilities.

WITNESS my hand at _____, this the_____day of _____, 2026.

By: JOSH JONES OWNER

ACKNOWLEDGMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared, JOSH JONES, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he was acting as the authorized agent, and that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated. Given under my hand and seal of office this

the _____ day of _____, 2026.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

WITNESS my hand at _____, this the_____day of _____, 2026.

By: LAUREN GODBY OWNER

ACKNOWLEDGMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared, LAUREN GODBY, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he was acting as the authorized agent, and that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated. Given under my hand and seal of office this

the _____ day of _____, 2026.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, DURYN HENINGTON, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that this plat was prepared from an actual and accurate survey of the land and that the corner monuments shown thereon were properly located under my personal supervision, in accordance with the Subdivision Regulations of the City of Midland, Texas.

DURYN HENINGTON, R.P.L.S. 6832
2030 W. CUTHBERT, SUITE 4,
MIDLAND, TEXAS
432-570-6256

CERTIFICATE OF APPROVAL

For approval by the commission:

This is to certify that the above and foregoing plat of "NORTH ESTATES, SECTION 6" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this

the_____ day of_____ 2026.

JOSHUA SPARKS, CHAIRMAN

LANDON OCHOA, SECRETARY

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY Print Name:

ONCOR ELECTRIC DELIVERY Print Name:

OPTIMUM Print Name:

ASTOUND Print Name:

AT&T-TEXAS Print Name:

INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE PERMITTING PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.

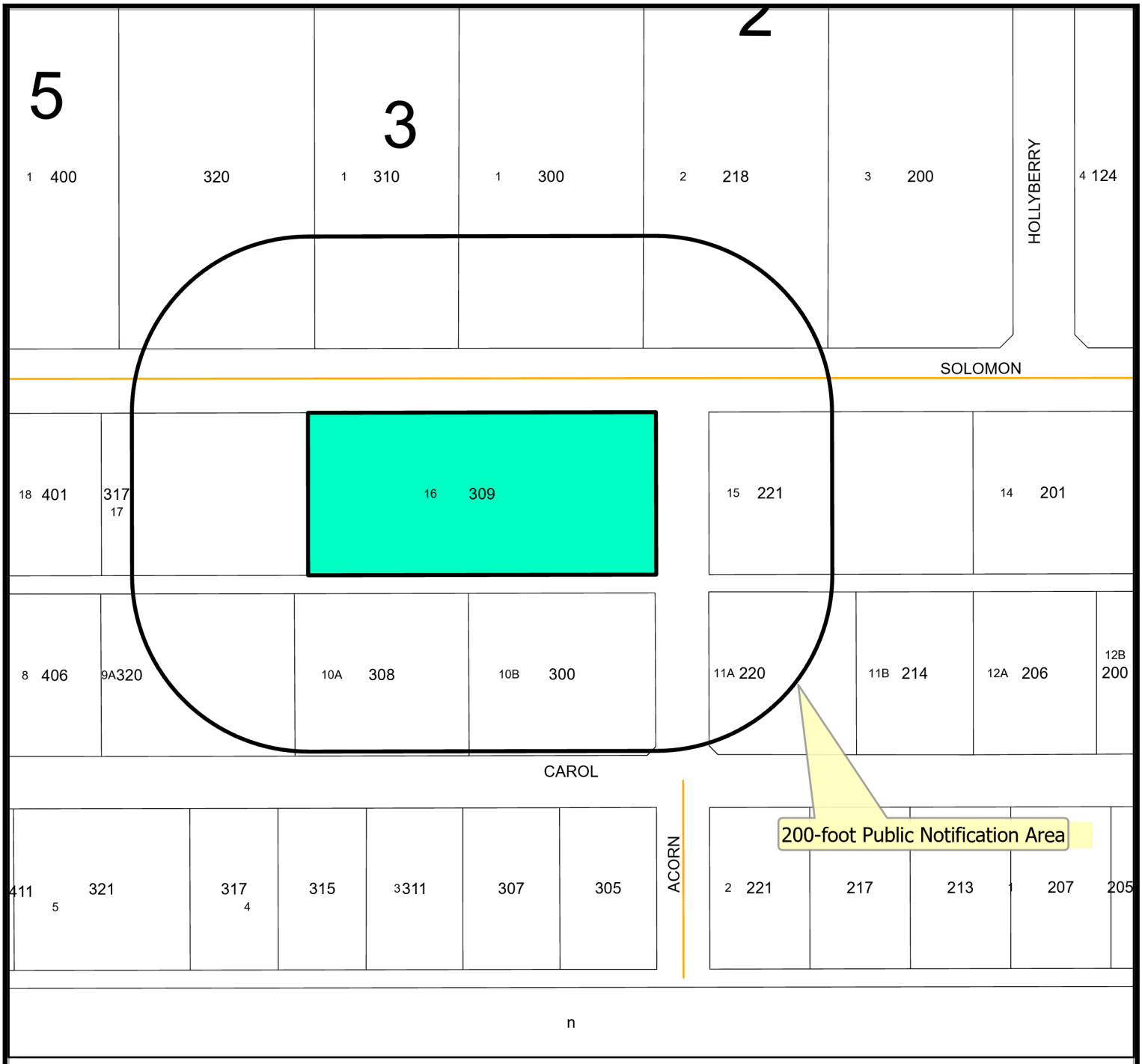
PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS
NO. _____
DATE: _____

PENNELL LAND SURVEYING, LLC
SURVEYING FIRM #: 10193978
2030 W. Cuthbert, Midland, Texas 79701
(432)570-6256, brucepennell@yahoo.com

OWNER:
[redacted]

JUNE 2026

NORTH ESTATES
SECTION 6



Location Map

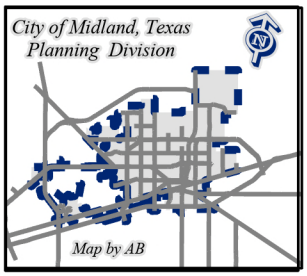
Z-26-0486 **Scale: 1" = 163 '**

Consider a request by Duryn Henington, on behalf of Josh Jones, from AE, Agricultural Estate District to SF-1, Single-Family Dwelling District, on Tract 16 and the East 95 feet of Tract 17, North Estates, City and County of Midland, Texas.

Generally located at the southwest corner of the intersection of Solomon Lane and Acorn Lane. (Council District 1)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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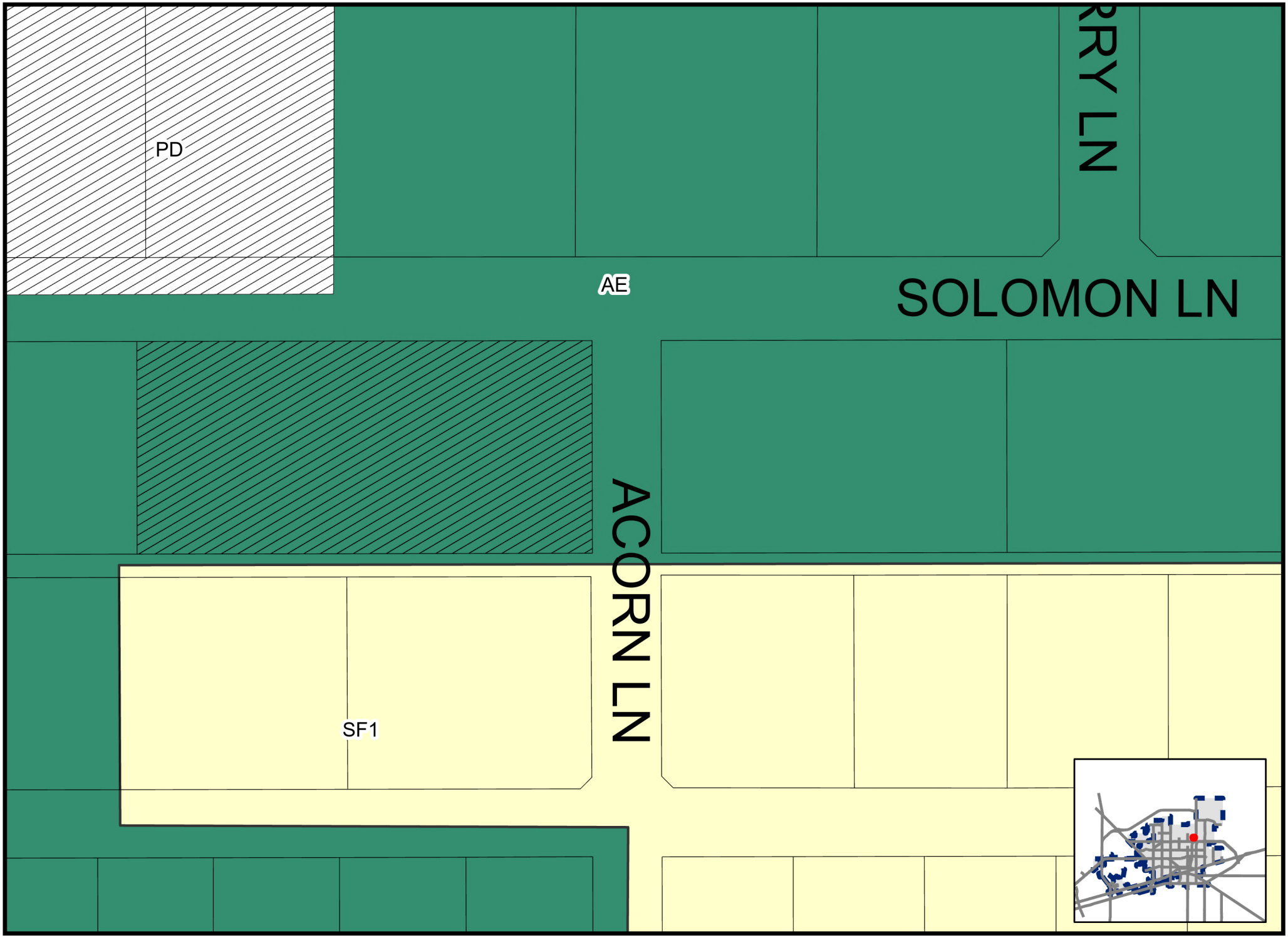
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



Created: 7/13/2026

SUB-26-0991

Scale: 1" = 104 '

ZONING MAP

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320
310
300
2
218
3
200
SOLOMON
317
16
15
221
ACORN
9A
308
10B
300
11A


MIDLAND
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ZONE CHANGE
309 SOLOMON LANE
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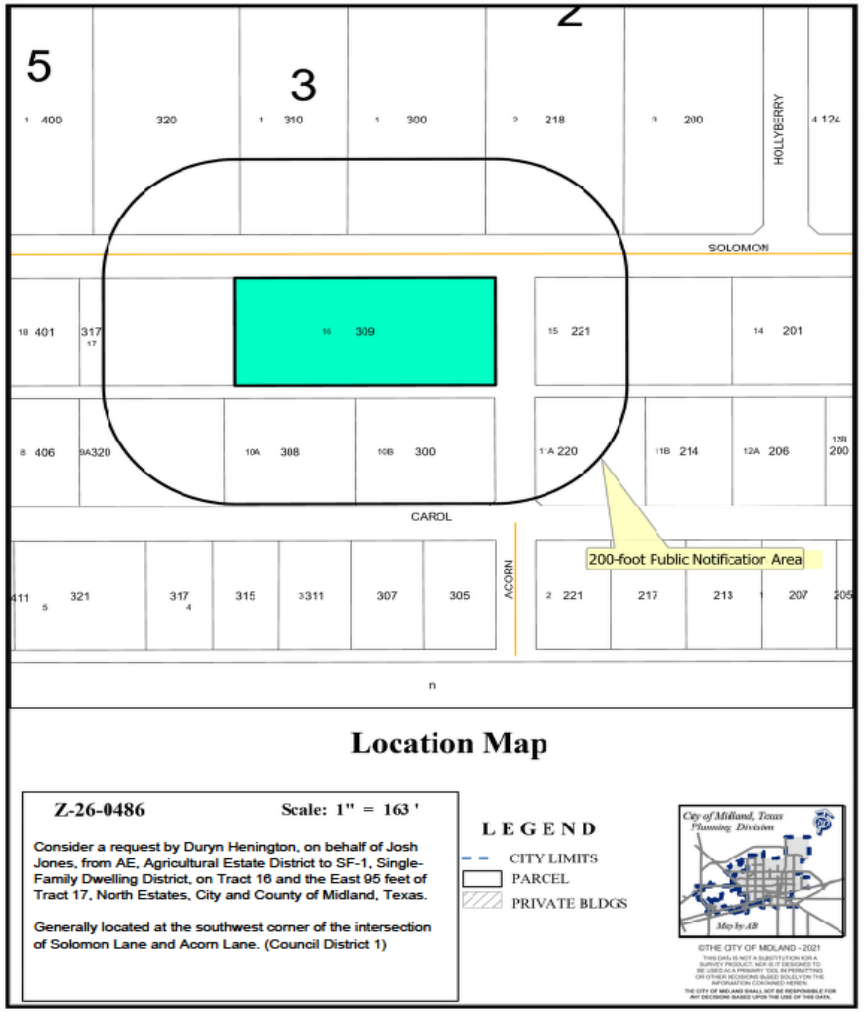
MIDLANDTEXAS.GOV

APPLICATION SUMMARY

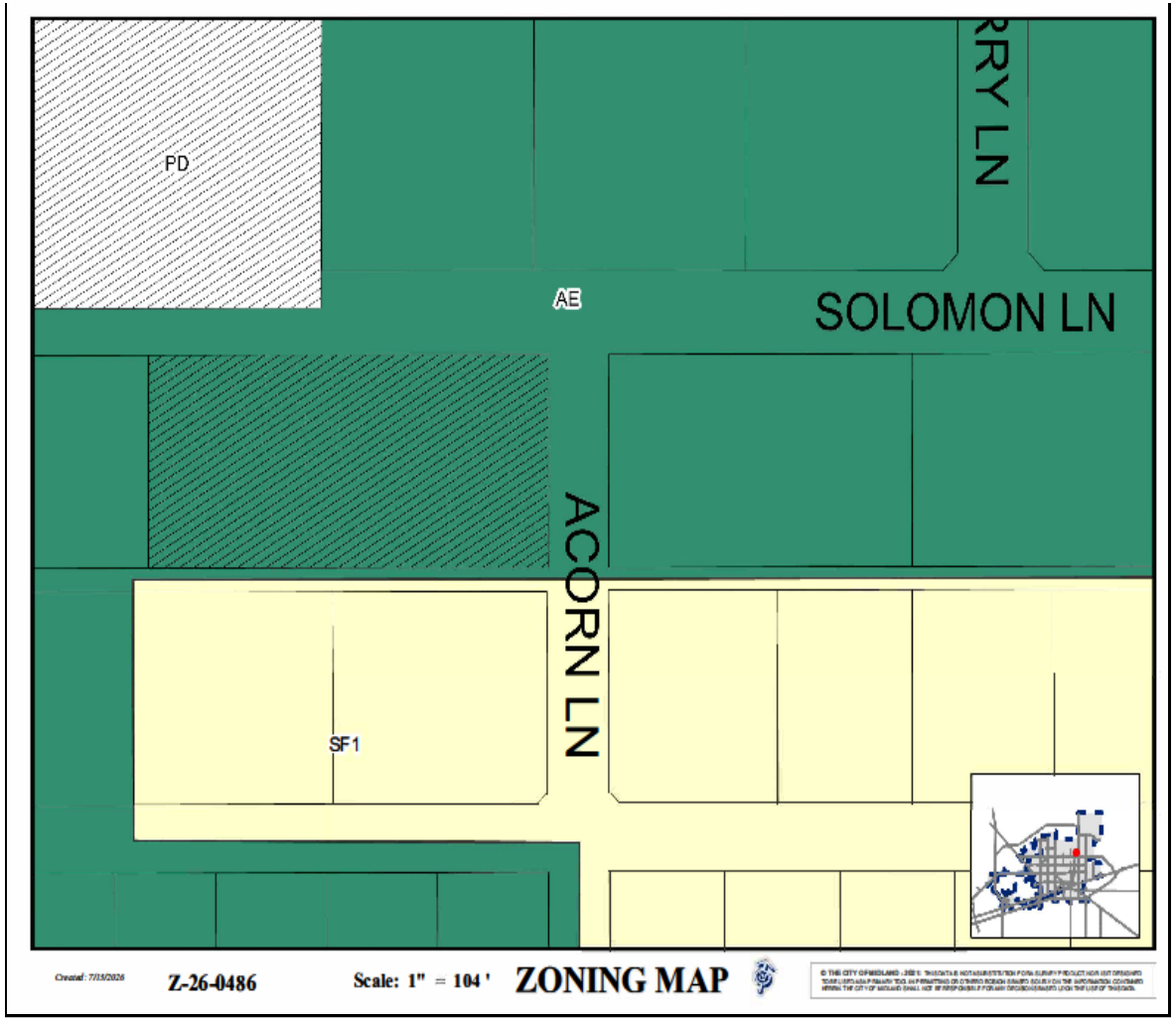
- **Property Owner:** Josh Jones
- **Representative/Applicant:** Pennell Land Surveying, LLC
- **Location:** 309 Solomon Lane
- **Reason for Request:** To divide the property into 2 lots



ZONING

Current Zoning: AE, Agricultural Estate

- **Surrounding Zoning:**
  - **North:** AE, Agricultural Estate and PD, Planned Development District
  - **East/West:** AE, Agricultural Estate
  - **South:** SF-1, Single-Family Dwelling District



3

LAND USE

- **Current Use:** Single-Family Housing
- **Surrounding Uses:**
- **North/West/South/East:** Single-Family Housing
- **Proposed Use:** Single-Family Housing



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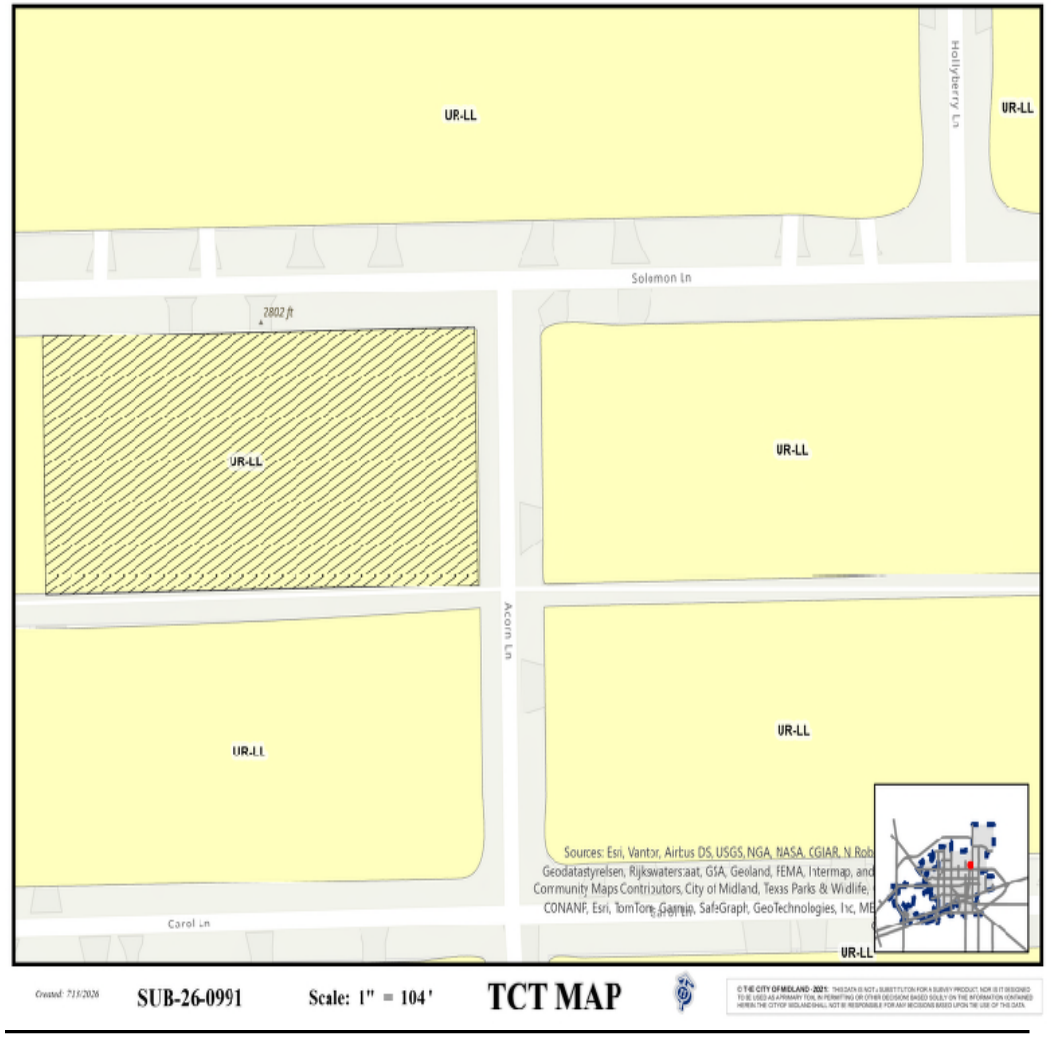
On Solomon Lane, Looking South

5

MIDLAND
Be the Energy!

COMPREHENSIVE PLAN

- **Land Use Designation:** Urban Residential Large Lot (UR-LL)
- **Supported Uses:** Restrictive land uses, emphasizing housing and open space.



STAFF'S REPORT

- One objection was received.
  - Resident expressed a desire to preserve the larger lot sizes within the neighborhood
- The Planning and Zoning Commission recommended approval on August 3, 2026.
- Staff has no objection to this request.



MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.

