

ELECTION ORDER

STATE OF TEXAS §
COUNTY OF ECTOR §
ECTOR COUNTY UTILITY DISTRICT §

On the 8th day of June, 2022, the Board of Directors of the Ector County Utility District convened in a regular meeting, open to the public, with the following members present, to-wit:

TOMMY ERVIN
MARGARET BURTON
STEPHANIE SHAW
WILL KAPPAUF
TROY WALKER

and the following absent: NONE

constituting a quorum, and among other proceedings held by said Board of Directors, the following resolution was duly presented for consideration and was duly seconded and passed as follows:

WHEREAS, Chapter 49, Section 302, Texas Water Code, provides that the District shall hold an annual election in the District for the annexation of any area on the question of the assumption of the taxes by the annexed area. The election shall be held on a uniform election date;

WHEREAS, November 8, 2022 is a uniform election date in 2022;

WHEREAS, all of Section 34 and all of Section 35 (less 34.7 acres as shown on Exhibit “A” within 1,000 feet of Interstate 20), Block 43, T-2-S T&P Ry. Co. Survey, Ector County;

WHEREAS, it is necessary for said Board of Directors to pass an order establishing the procedures for conducting said election;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Ector County Utility District that an election be held in Ector County on Tuesday, November 8, 2022, for the purpose of seeking voter approval to include all of Section 34 and all of Section 35 (less 34.7 acres as shown on Exhibit "A" within 1,000 feet of Interstate 20), Block 43, T-2-S T&P Ry. Co. Survey, Ector County assume the Operations and Maintenance Tax that is in effect for lands was brought into the District.

BE IT FURTHER ORDERED that the entire district shall constitute an election precinct and voting at said election, including early voting, shall be by use of paper ballots.

BE IT FURTHER ORDERED that the official ballot for said election shall have written or printed instructions advising the voters to vote "For" or "Against" for the Proposition of their choice by placing an "X" in the square beside the Proposition to include all of Section 34 and all of Section 35 (less 34.7 acres as shown on Exhibit "A" within 1,000 feet of Interstate 20), Block 43, T-2-S T&P Ry. Co. Survey, Ector County assume the Operations and Maintenance Tax that is in effect for lands was brought into the District. The ballots shall be approved as to legal form by the District Attorney.

BE IT FURTHER ORDERED that the polling places for said election shall open at 7:00 A.M. and shall close at 7:00 P.M., and said election shall be held at the offices of Ector County Utility District, 1039 N. Moss Avenue, Odessa, Ector County, Texas in the Ector County Utility District with the following named persons appointed as Presiding Judge and Alternate Presiding Judge for said election:

JON LEE, Presiding Judge;

MARIBEL VALENZUELA, Alternate Presiding Judge

Each Presiding Judge shall appoint not more than two qualified election clerks to serve and assist in conducting said election; provided that in each instance where the Presiding Judge named

above actually serves as expected, the Alternate Presiding Judge shall be one of such clerks in said election.

Early voting for the above designated election shall be held at the Ector County Utility District, 1039 Moss Avenue, Odessa, Ector County, Texas, within the boundaries of said district, and the said place of early voting shall remain open for at least eight hours on each day of early voting which is not a Saturday, a Sunday, or an official state holiday, beginning the Monday, October 24, 2022 and continuing through Friday, November 4, 2022 election. Said place of voting shall remain open between the hours of 8:00 A.M. and 5:00 P.M. on each day of early voting except the last two (2) days of early voting. Said place of voting on the last two (2) days shall remain open between hours of 7:00 a.m. and 7:00 p.m.:

The manner of holding said election shall be governed, as nearly as may be, by the Election Code and the Water Code of the State of Texas.

Immediately after said election has been held, the officials holding the same shall return to the Secretary of the Board of Directors in a sealed envelope a copy of the returns, poll lists, and tally sheets for said election, and this set of election returns shall be used by the Board of Directors in canvassing said election.

Another copy of the returns, poll lists, and tally sheets of said election shall be delivered to the office of the Ector County Election Office, in an unsealed envelope, and this envelope shall be available in the office of the County Election Office open to inspection by the public for sixty (60) days from the date of the election.

The Presiding Judges for said election shall return to Lisa Sertuche, Ector County Election Administrator, immediately after voting has been completed, all election records and supplies. The Presiding Judge shall, immediately after the votes are counted, deliver the voted ballots to the Secretary of the Board of Directors, designated custodian thereof, who shall make proper

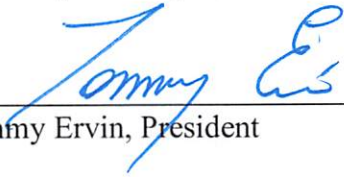
provisions for the storage and safekeeping of the ballot boxes containing the voted ballots in the Ector County Utility District. All equipment used in, and all combined records of, said election shall be preserved and kept in accordance with the terms and provisions of the Texas Election Code. Lisa Sertuche, County Election Administrator, is designated to be the custodian of the combined records.

The Board of Directors shall give notice of said election, and the Election Notice shall serve as a notice for said election. The Chairman of the Board shall cause a copy of the Election Notice to be published two times in a newspaper of general circulation in the county where this Utility District is located. Said publication shall be no earlier than the thirtieth day and no later than the fourteenth day before the date of the election referred to herein. The Chairman shall also cause a copy of the Election Notice to be posted at the Ector County Courthouse, at one public place in the Utility District and posted on the District's website, at least twenty-one (21) days before election day.

The above order being read, it was moved and seconded that the same does pass, and upon the question being called for, the following members of the Board of Directors voted:

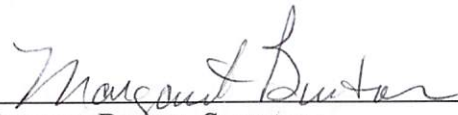
Tommy Ervin	<u>YES</u>
Margaret Burton	<u>YES</u>
Stephanie Shaw	<u>YES</u>
Will Kappauf	<u>YES</u>
Troy Walker	<u>YES</u>

In testimony whereof, witness the signatures of the President and Secretary of the Board of Directors of the Ector County Utility District 8th day of June, 2022.



Tommy Ervin, President

Attest:



Margaret Burton, Secretary



S. W. HOWELL, INC.

P. O. Box 22
Odessa, Texas, 79760
432-367-5711
swh@swhowell.com
Texas Engineering Firm #F-173
Texas Surveying Firm #F-100147-00

FIELD NOTES OF 34.7 ACRES OF LAND SITUATED IN SECTION 35, BLOCK 43, TOWNSHIP 2 SOUTH, T. & P. RAILWAY COMPANY SURVEY, ECTOR COUNTY, TEXAS DESCRIBED AS FOLLOWS.

BEGINNING at a point in the north line of Section 38 and the south line of Section 35, Block 43, Township 2 South, T. & P. Railway Company Survey, Ector County, Texas, for the southwest corner of this tract, from which a 1 1/2 inch iron pipe for the southeast corner of Section 34 and the southwest corner of Section 35, of said Block 43, bears S 77°00' W, 2042.13 feet;

THENCE N 61°15'10" E, 3395.98 feet to a point on the west line of Section 36 and the east line of Section 35, of said Block 43, and for the northeast corner of this tract;

THENCE S 13°00' E, with the west line of said Section 36 and the east line of said Section 35, 921.64 feet to a point for the southwest corner of said Section 36 the southeast corner of said Section 35, and for the southeast corner of this tract;

THENCE S 77°00' W, with the north line of said Section 38 and the south line of said Section 35, 3268.53 feet, to the Point of Beginning and containing approximately 34.7 acres of land.

BEARINGS ARE BASED ON TEXAS GENERAL LAND OFFICE PATENT NOTES, ALONG WITH FOUND MONUMENTS.

EXHIBIT "A" TO ELECTION ORDER