

11-20

04628

WARRANTY DEED

Kenneth Smith, Inc., a New Mexico Corporation ("Grantor"), grants unto Eddy-Lea Energy Alliance Limited Liability Company, a New Mexico Limited Liability Company, ("Grantee"), whose address is 117 East Broadway, Hobbs, New Mexico 88240, the following described real property situated in LEA County, New Mexico, to-wit:

The Surface Estate Only of Section 13, Township 20 south, Range 32 East, N.M.P.M. HOWEVER, RESERVING UNTO GRANTOR, ITS SUCCESSORS AND/OR ASSIGNS a right of way in said Section 13 over an existing road known as Laguna Road which both parties agree is county road and in the alternative, if a decision should be made hereinafter by the County to relocate said road to an alternate location, Grantee agrees to provide a right of way across said Section 13 to Grantor, its successors and assigns, for ingress and egress to real property located north of said Section 13 in which Grantor, its successors and/or assigns presently own and/or lease from time to time after the date of this Deed,

SUBJECT TO a tower site lease executed in favor of GCC Licence Corporation, which tower site is located in the Southwest Quarter (SW/4) of said Section 13, and subject to a right of way for ingress and egress to the tower site on an existing road known as Hydra Lane which is located along a portion of the South boundary line of said Section 13; and

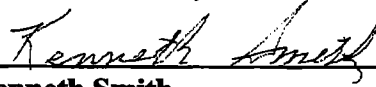
SUBJECT TO patent reservations and all other existing rights, restrictions, reservations, covenants, conditions, rights-of-way, easements of record and easements visible upon viewing the premises, if any,

with warranty covenants; and Grantor hereby assigns all of its right, title and interest in and to the above described tower site lease to Grantee without proration of rental, which lease is entitled, "Site Lease With Option", dated April 6, 1997, in favor of GCC License Corporation, a Delaware Corporation; and said lease is more particularly described in that certain memorandum of Lease recorded in Book 1011, at Page 312 in the Records of the Lea County Clerk's Office, Lovington, New Mexico.

By recordation of this Warranty Deed, Grantee acknowledges and agrees to the foregoing.

WITNESS ITS HAND AND SEAL on this 12 day of May, 2009.

KENNETH SMITH, INC.



Kenneth Smith
Title: President

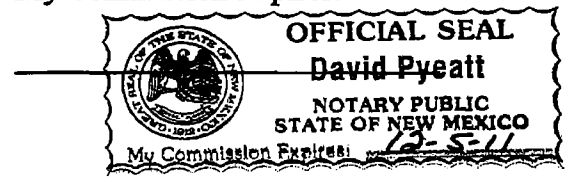
STATE OF NEW MEXICO)
)
) :ss
COUNTY OF LEA)

The foregoing instrument was acknowledged before me this 12 day of May, 2009, by Kenneth Smith, President of Kenneth Smith, Inc., a New Mexico Corporation, on behalf of the Corporation.

My Commission Expires:

[Handwritten Signature]

NOTARY PUBLIC



STATE OF NEW MEXICO
COUNTY OF LEA
FILED



04628

MAY 14 2009
at 10:22 o'clock A M
and recorded in Book _____
Page _____
Pat Chappelle, Lea County Clerk
By J. Garcia Deputy

Return to: Grantel

BOOK 1631 PAGE 378