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April 13, 2004

## **BY HAND DELIVERY**

Mr. Glenn Brown  
City of College Station  
1101 Texas Avenue  
College Station, TX 77840

Re: *Lift Station #1 Gravity Line Project*

Dear Glenn:

Please allow this letter to replace my letter of April 5, 2004 pursuant to our telephone conversation of this date. I represent Spring Creek CS Development, Ltd. ("Spring Creek"). Please allow this letter to set forth the agreement we reached on Friday, April 2, 2004, at a meeting in your office regarding the division of costs of redesigning and reconstructing the captioned sewer line. Spring Creek will agree to split equally the cost of redesigning and reconstructing the captioned sewer line, with Spring Creek's share not to exceed one half of the estimated total cost of \$40,435. The line as redesigned and constructed will include service taps for the lots adjoining the line. Spring Creek will agree to convey to the City the temporary and permanent easements to accommodate the construction of the line. Spring Creek will get a credit for this conveyance equal to \$14,043. The routing of the line will be as discussed in our meeting, which includes a 90 degree turn.

Glenn, I think that this is a fair disposition of the matter and appreciate that we have been able to get it resolved. Thank you for your cooperation.

If this confirms your understanding of our agreement, please execute this letter in the space provided below and return a copy to me at the captioned address.

Very truly yours,



Charles A. Ellison  
CAE:bg

cc: Harvey Cargill  
Mark McAuliffe  
Mark Smith  
Joe Schultz  
Tim Crowley

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Wallace Phillips

APPROVED AND AGREED:

City of College Station

By:   
Glenn Brown, Assistant City Manager

Date: 4/14/04