

**ASSIGNMENT OF CONTRACT OF SALE**

This Assignment of Contract of Sale (this "Assignment") is entered into by and between **TROY COTHRAN** ("Assignor"), and **THE CITY OF DEER PARK, TEXAS** ("Assignee").

**WHEREAS**, Assignor and **KIT S. MAYBIN and CHARLES M. MAYBIN** ("Seller"), entered into that certain Unimproved Contract dated effective as of April 18, 2019 (the "Contract"), for the purchase and sale of real property described as Lot 16A, Deer Park Outlots, Harris County, Texas (the "Property"), which Contract is attached hereto as Exhibit "A" and made a part hereof for all purposes; and

**WHEREAS**, Assignor has agreed to assign to Assignee and Assignee has agreed to accept Assignor's right, title and interest in and to the Contract;

**NOW, THEREFORE**, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby assigns to Assignee, its successors and assigns, all of Assignor's right, title and interest in and to the Contract. Assignor hereby warrants and represents that the Contract has not been amended or modified except as set forth in Exhibit "A".

Assignee hereby assumes all of Assignor's obligations under the Contract, and agrees to defend, indemnify and hold harmless Assignor from and against all claims, fines, judgments, settlements, damages, losses, costs, expenses and attorneys' fees arising out of, resulting from or related in any way whatsoever to the obligations under the Contract assumed by Assignee.

Notwithstanding the foregoing, if Assignee elects not to purchase the Property under the Contract, then Assignee shall reassign the Contract to Assignor, all on or before the date for closing, whereupon Assignee shall have no further liability to Assignor. If Assignee closes the purchase of the Property under the Contract, Assignee shall reimburse Assignor for the earnest money and extension fees paid by Assignor prior to the closing.

**IN WITNESS WHEREOF**, the parties have executed and delivered this Assignment as of the \_\_\_\_\_ day of May, 2019.

**ASSIGNOR:**

**ASSIGNEE:**

**THE CITY OF DEER PARK, TEXAS**

  
\_\_\_\_\_  
**TROY COTHRAN**

\_\_\_\_\_  
**By: JAY STOKES**  
**Title: CITY MANAGER**

The undersigned Seller has joined into the attached Assignment of Contract of Sale to evidence its approval for the assignment of the Contract from Assignor to Assignee and any assignment of the Contract from Assignee back to Assignor, all as provided on the attached Assignment of Contract of Sale.

**OWNER:**

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**KIT S. MAYBIN**

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**CHARLES M. MAYBIN**