

## SANITARY CONTROL EASEMENT

**Date:** \_\_\_\_\_, 2023

**Grantor:** FORT BEND COUNTY, TEXAS  
a political subdivision of the state of Texas

**Grantor's Mailing Address:**

c/o County Judge  
401 Jackson Street  
Richmond, Texas 77469

**Grantee:** AQUA TEXAS, INC.,  
a Texas Corporation

**Grantee's Mailing Address:**

1106 Clayton Lane  
Suite 400 W  
Austin, Texas 78723

**SANITARY CONTROL EASEMENT:**

This Sanitary Control Easement ("Easement") does not constitute a conveyance of property, nor the minerals therein and thereunder, but grants only a negative easement subject to the following restrictions:

1. The purpose of this Easement is to protect the water supply of the well described and located below by means of sanitary control.
2. The construction, existence, and/or operation of the following within a 150-foot radius of the well described and located below are prohibited: septic tank or sewage treatment perforated drainfields; areas irrigated by low dosage, low angle spray on-site sewage facilities; absorption beds; evapotranspiration beds; abandoned, inoperative or improperly constructed water wells of any depth; underground petroleum and chemical storage tanks or liquid transmission pipelines; sewage treatment plants; sewage wet wells; sewage pumping stations; drainage ditches which contains industrial waste discharges or wastes from sewage treatment systems; animal feed lots; solid waste disposal sites, landfill and dump sites; lands on which sewage plant or septic tank sludge is applied; lands irrigated by sewage plant effluent; military facilities; industrial facilities; wood -treatment facilities; liquid petroleum and petrochemical production, storage, and transmission facilities; Class 1, 2, 3, 4 and 5 injection wells; pesticide storage and mixing facilities; and all other constructions or operations that could pollute the groundwater sources of the well that is

the subject of this Easement. For the purpose of this Easement, improperly constructed water wells are those wells which do not meet the surface and subsurface construction standards for a public water supply well.

3. The construction, existence and/or operation of tile or concrete sanitary sewers, sewer appurtenances, septic tanks, storm sewers, cemeteries, and/or the existence of livestock in pastures is specifically prohibited within a 50-foot radius of the water well described and located below.
4. This Easement permits the construction of homes or buildings upon the Grantor's property, and farming and ranching operations, as long as all items in Restrictions Nos. 2 and 3 are recognized and followed.

**GRANTOR'S PROPERTY:**

The Grantor's property subject to this Sanitary Control Easement is a portion of that certain 50 foot right-of-way known as Holmes Road, located in Lakes of Mission Grove, Section 1, a subdivision situated in The Knight and White League, Abstract No. 46, Fort Bend County, Texas, according to the map or plat thereof recorded under Slides 1944B, 1945A, and 1945B of the Official Public Records of Fort Bend County, Texas.

**PROPERTY SUBJECT TO THE EASEMENT:**

All of that certain area within a 150-foot radius of the water well located 73.94 feet at a radial of 150 degrees from the Southwest corner of Restricted Reserve D (Water Plant) of Lakes of Mission Grove, Section 1, a recorded subdivision in Fort Bend County, Texas and being more particularly described and depicted by survey attached hereto as Exhibit "A" and incorporated by reference for all intents and purposes

**RESERVATIONS:**

Grantor, for itself, its successors, and assigns hereby reserves and shall have the right at all times to dedicate, construct, place, maintain, lay, inspect, protect, operate, repair, alter, substitute, replace, and remove any structures or improvements not restricted by Section No.'s 2 and 3 above. Nothing contained herein shall be construed to grant Grantee the right to engage in any activity or construct or maintain any improvements on or within the Easement.

**TERM:**

This Easement shall run with the land and shall be binding on all parties and persons claiming under Grantor for a period of two years from the date that this Easement is recorded; after which time, this Easement shall be automatically extended until the use of the subject Water Well as a source of water for public water systems ceases.

**ENFORCEMENT:**

Enforcement of this Easement shall be proceedings at law or in equity against any person or persons violating or attempting to violate the restrictions in this Easement, either to restrain the violation or to recover damages.

**INVALIDATION:**

Invalidation of any one of these restrictions or uses (covenants) by a judgment or court order shall not affect any of the other provisions of this Easement, which shall remain in full force and effect.

**FOR AND IN CONSIDERATION**, of the sum of One Dollar (\$1.00) and for other good and valuable consideration paid by the Grantee to the Grantor, the receipt of which is hereby acknowledged, Grantor does hereby grant and convey to Grantee and to its successors and assigns the Sanitary Control Easement described in this instrument.

**{Execution Page Follows}**

**GRANTOR**

**FORT BEND COUNTY, TEXAS**

a Political Subdivision of the State of Texas

By: \_\_\_\_\_  
KP George,  
County Judge

**Acknowledgement**

THE STATE OF TEXAS           §  
  §  
COUNTY OF FORT BEND       §

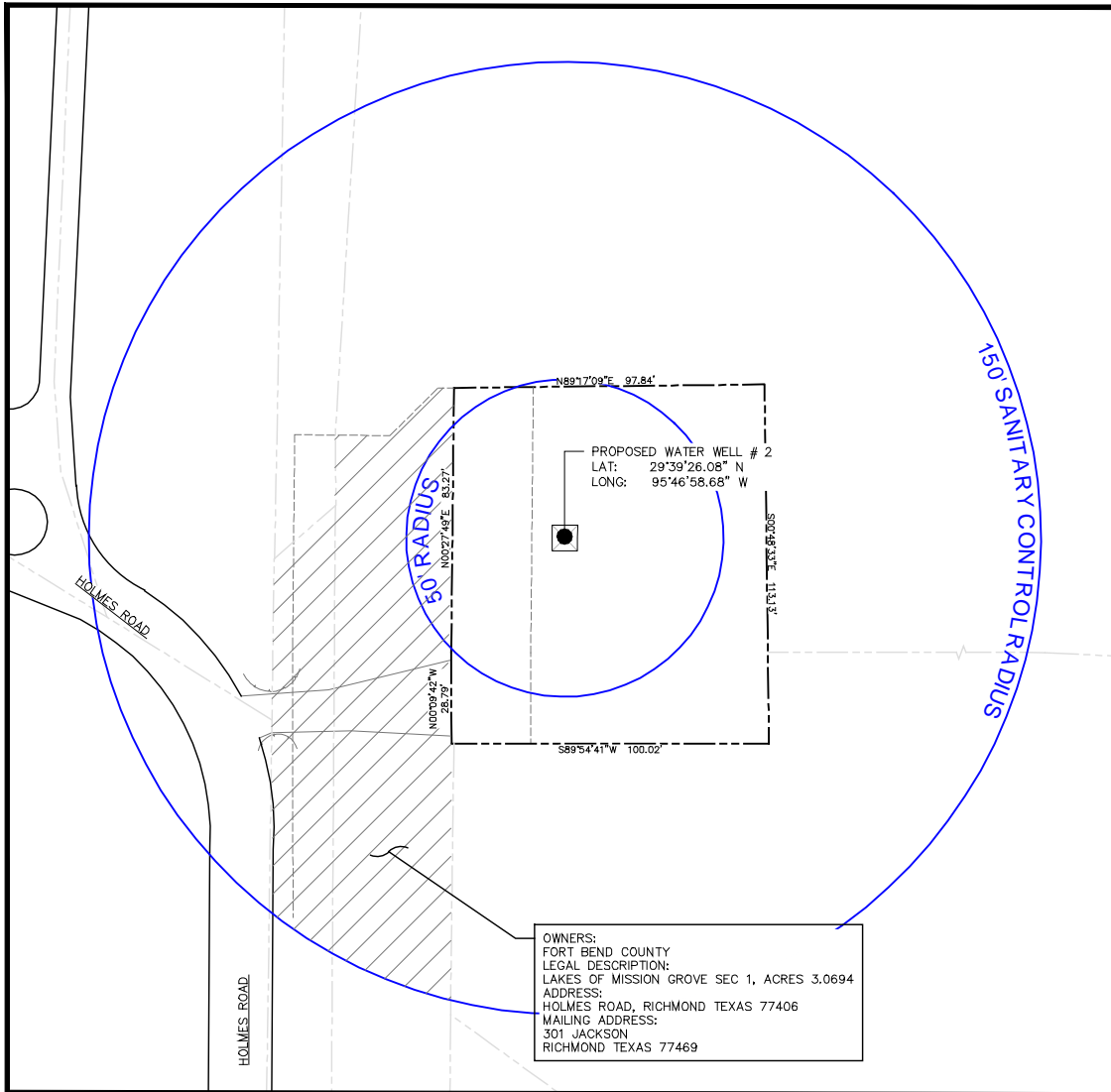
This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2023,  
by KP George, County Judge of Fort Bend County, Texas, a political subdivision of the state of  
Texas, on behalf of said County.

\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

After Recording Please Return To:  
Fort Bend County Engineering Dept.  
301 Jackson St.  
Richmond, Texas 77469

# **EXHIBIT A**

(Survey Follows Behind)



# WGA

## CONSULTING ENGINEERS

TEXAS REGISTERED ENGINEERING FIRM F-9756  
 2500 Tanglewilde, Suite 120  
 Houston, Texas 77063  
 713.769.1900

LAKES OF MISSION GROVE  
 PWS NO. 0790423  
 FORT BEND COUNTY, TX

SANITARY CONTROL EASEMENT  
 EXHIBITS

**Purpose, Restrictions, and Uses of Easement:**

1. The purpose of this easement is to protect the water supply of the well described and located below by means of sanitary control.
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DESIGN: JGI
DRAWN: EDC