

THUNDERBIRD UTILITY DISTRICT

3134 Cartwright Rd. • Missouri City, Texas 77459-2599 • Phone: (281) 499-5539

January 17, 2024

Mr. Mark Vogler, PE
Chief Engineer
Fort Bend County Drainage District
P.O. Box 1027
Roseberg, Texas 77471

RE: Sanitary Control Easement
Thunderbird Municipal Utility District

Dear Mr. Vogler:

Thunderbird Municipal Utility District is requesting a sanitary control easement for a replacement water well in the District. It is critical that the sanitary control easement be approved as soon as possible. Water usage may have to be reduced in the District if the water well is not completed before the summer season.

The sanitary control easement is a requirement of the Texas Commission on Environmental Quality and is necessary before construction on the replacement water well can begin. A location map is attached.

Thank you for your consideration in the matter.

Sincerely,



Morris R, Mitchell
General Manager-Thunderbird Utility District
281-499-5174

cc: Thunderbird Utility District Board of Directors

Texas Commission on Environmental Quality

SANITARY CONTROL EASEMENT

DATE: January 15, 2024

GRANTOR(S): Fort Bend County Drainage District

GRANTOR'S ADDRESS: 1124 Blume Road, Rosenberg, Texas 77471

GRANTEE: Thunderbird Utility District

GRANTEE'S ADDRESS: 3134 Cartwright Road, Missouri City, Texas 77459

SANITARY CONTROL EASEMENT:

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.
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.

The Grantor's property subject to this Easement is Quail Valley Subdivision, Thunderbird Section 2, R/P, 150 FT DRAINAGE ESMT, TRINUTARY OF OYSTER CREEK (SOUTH OF GLENN LAKES LN) being a partial replat of Reserve "D" recorded at: Volume 16, Page 2 of the Real Property Records of Fort Bend County, Texas.

PROPERTY SUBJECT TO EASEMENT:

All of that area within a 150-foot radius of the water well located 44.39 feet at a radial of South 29 degrees, 7 minutes, and 12 seconds East from a 14,224.4190 square foot tract of land out of Reserve "D" of Quail Valley Subdivision, Thunderbird Section 2, Fort Bend County, Texas, according to the plat recorded in Volume 16, Page 2 of the Fort Bend Map Records, Fort Bend County, Texas.

TERM:

This easement shall run with the land and shall be binding on all parties and persons claiming under the Grantor(s) 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(s), the receipt of which is hereby acknowledged, the Grantor does hereby grant and convey to Grantee and to its successors and assigns the sanitary control easement described in this easement.

GRANTOR(S) By:

Fort Bend County Drainage District

ACKNOWLEDGMENT

STATE OF TEXAS

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COUNTY OF

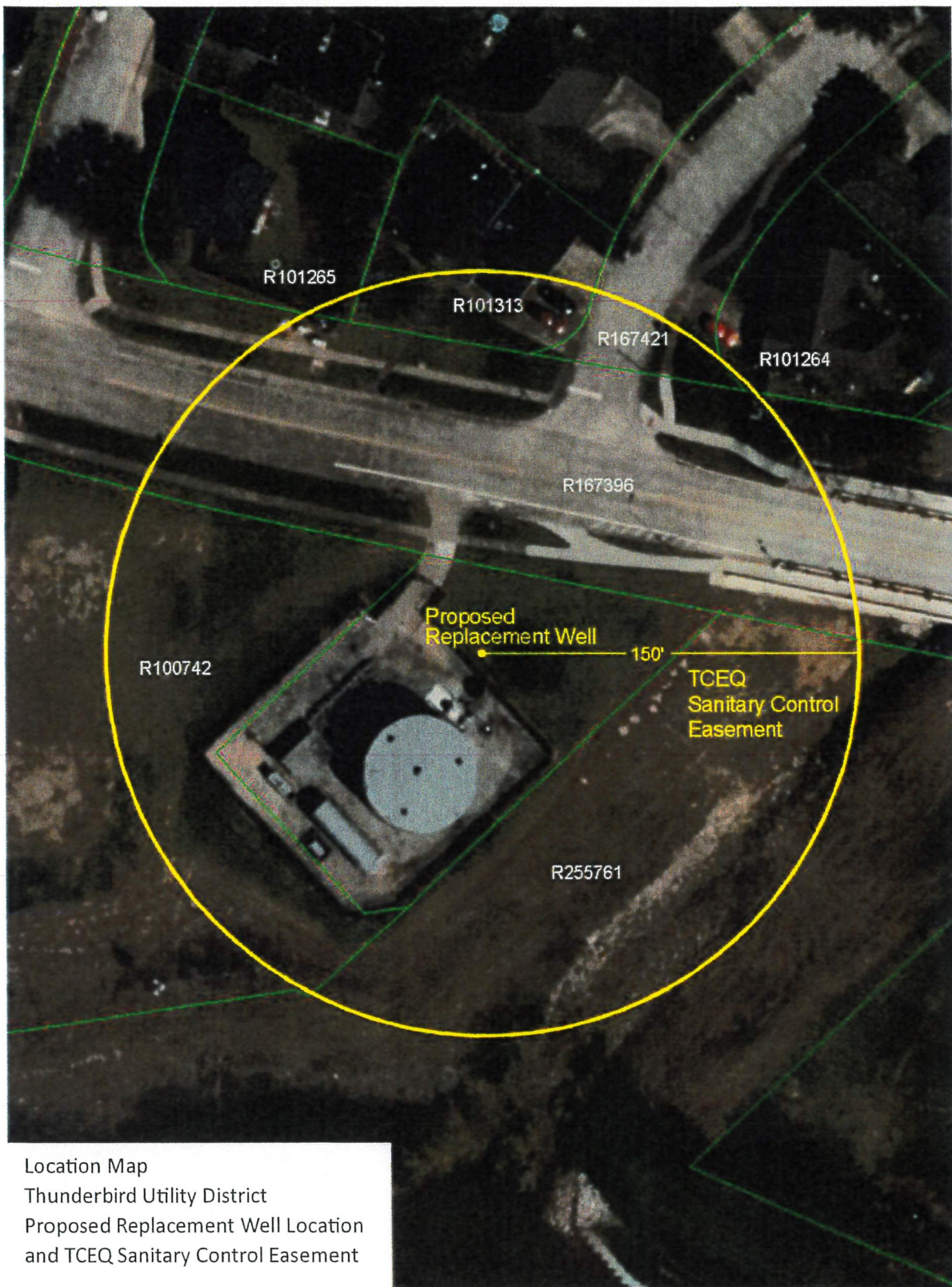
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BEFORE ME, the undersigned authority, on the day of _____, 2_____, personally appeared

_____ known to me to be the person(s) whose name(s) is (are) subscribed to the foregoing instrument and acknowledged to me that executed the same for the purposes and consideration therein expressed.

Notary Public in and for
THE STATE OF TEXAS
My Commission Expires:
Typed or Printed Name of Notary

Recorded in _____ Courthouse, _____ Texas on _____, 2



Location Map
Thunderbird Utility District
Proposed Replacement Well Location
and TCEQ Sanitary Control Easement