

Texas Commission on Environmental Quality

SANITARY CONTROL EASEMENT

DATE: October _____, 2024

GRANTOR(S): Fort Bend County

GRANTOR'S ADDRESS: _____

GRANTEE: SP Utility Co.

GRANTEE'S ADDRESS: PO Box 690521, Houston, Texas 77269

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.

PROPERTY SUBJECT TO EASEMENT:

The Grantor's property subject to this Easement is described on Exhibit A attached hereto.

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.

[Signature Page to Follow]

GRANTOR(S):

Fort Bend County,
a _____

By: _____
Name: _____
Title: _____

ACKNOWLEDGMENT

STATE OF TEXAS §

COUNTY OF _____ §

BEFORE ME, the undersigned authority, on the _____ day of October 2024 personally appeared _____, _____ of Fort Bend County, a _____, 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 Fort Bend County Courthouse, Fort Bend County, Texas on _____, 2024.

Exhibit A
Easement Property

Add drawing of easement area
Add legal description of easement area

Curve	Radius	Length	Delta	Chord	Chord Bear.
C1	150.00'	73.55'	28°05'43"	72.82'	S 13°07'53" E
C2	150.00'	73.55'	28°05'43"	72.82'	N 82°09'49" W

NOTES:

1. The surveyor has abstracted the subject property.
2. Survey was created without the benefit of a title commitment.
3. Basis of Bearings for the survey is the Texas State Plane Coordinate System, South Central Zone (NAD83).

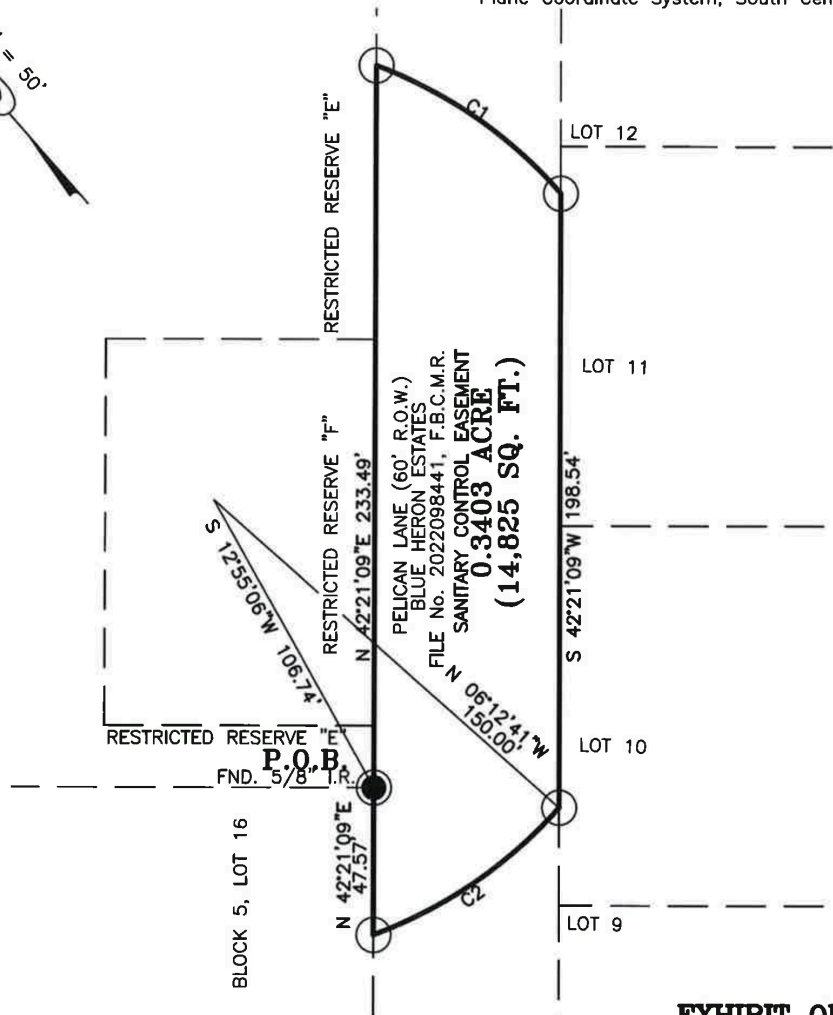
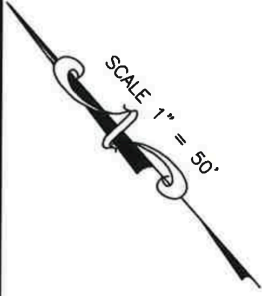


EXHIBIT OF
SANITARY CONTROL EASEMENT
OF A 0.3403 ACRE TRACT
BEING OUT OF AND A PART OF
PELICAN LANE
BLUE HERON ESTATES
FILE No. 2022098441, F.B.C.M.R.
LOCATED IN THE
L.E. CROSS SURVEY
ABSTRACT NO. 417
FORT BEND COUNTY, TEXAS
GRULLER SURVEYING, LLC
PROFESSIONAL LAND SURVEYING

1244 N. POST OAK, STE. 200
 HOUSTON, TEXAS 77055
 PHONE: (713) 333-1466 DATE: 07-01-2024
 DWG. NO. 45-21208_ESMT_2
 SCALE: 1" = 50'



Kenneth A. Gruller

METES AND BOUNDS DESCRIPTION
0.3403 ACRE
SANITARY CONTROL EASEMENT
LOCATED IN THE
L.E. CROSS SURVEY, A-417
FORT BEND COUNTY, TEXAS

Being a tract or parcel of land containing 0.3403 acre of land or 14,825 square feet located in L.E. Cross Survey, Abstract 417, Fort Bend County, Texas; being a portion of a 150 foot radius of a proposed water well located South 12 degrees 55 minutes 06 seconds West, a distance of 106.74 feet; Said 0.3403 acre tract being out of and a part Pelican Lane Right-of-Way (R.O.W.)(60 feet wide) in Blue Heron Estates, a subdivision duly of record in File Number 2022098441 in the Map Records of Fort Bend County, Texas (F.B.C.M.R); Said 0.3403 acre tract being more particularly described as follows (bearings based on said subdivision):

BEGINNING at a 5/8 inch iron rod found for the east corner of aforesaid Lot 16, being the south corner of Restricted Reserve E in aforesaid subdivision and being on the northwest Right-of-Way (R.O.W.) line of Pelican Lane (60 feet wide);

THENCE, coincident the south line of aforesaid Reserve "E" and being the northwest R.O.W. line of aforesaid Pelican Lane, North 42 degrees 21 minutes 09 seconds West, a distance 233.49 feet to the north corner of the herein described tract and the beginning of a curve to the right;

THENCE, through and across aforesaid Pelican Lane a curve to the right, an arc length of 73.55 feet, having a radius of 150.00 feet, a central angle of 28 Degrees 05 Minutes 43 Seconds, and a chord bearing of South 13 Degrees 07 Minutes 53 Seconds West, a distance of 72.82 to the northeast corner of the herein described tract, being on the southeast R.O.W. line of aforesaid Pelican Lane, and being on the northwest line of block 3, lot 11 in aforesaid subdivision;

THENCE, coincident the southeast R.O.W. line of aforesaid Pelican Lane and being the northwest line of aforesaid lot 11, South 42 degrees 21 minutes 09 seconds West, a distance of 198.54 feet to the south corner of the herein described tract, being on the northwest line of block 3, lot 10 in aforesaid subdivision;

THENCE, through and across aforesaid Pelican Lane a curve to the right, an arc length of 73.55 feet, having a radius of 150.00 feet, a central angle of 28 Degrees 05 Minutes 43 Seconds, and a chord bearing of North 82 Degrees 09 Minutes 49 Seconds West, a distance of 72.82 to the northeast corner of the herein described tract, being on the northwest R.O.W. line of aforesaid Pelican Lane, and being on the northwest line of block 5, lot 16 in aforesaid subdivision;

THENCE, coincident the southeast line of aforesaid lot 16 and north R.O.W. line of aforesaid Pelican Lane, North 42 degrees 21 minutes 09 seconds East, a distance of 47.57 feet to the **POINT OF BEGINNING** and containing 0.3403 acre of land.