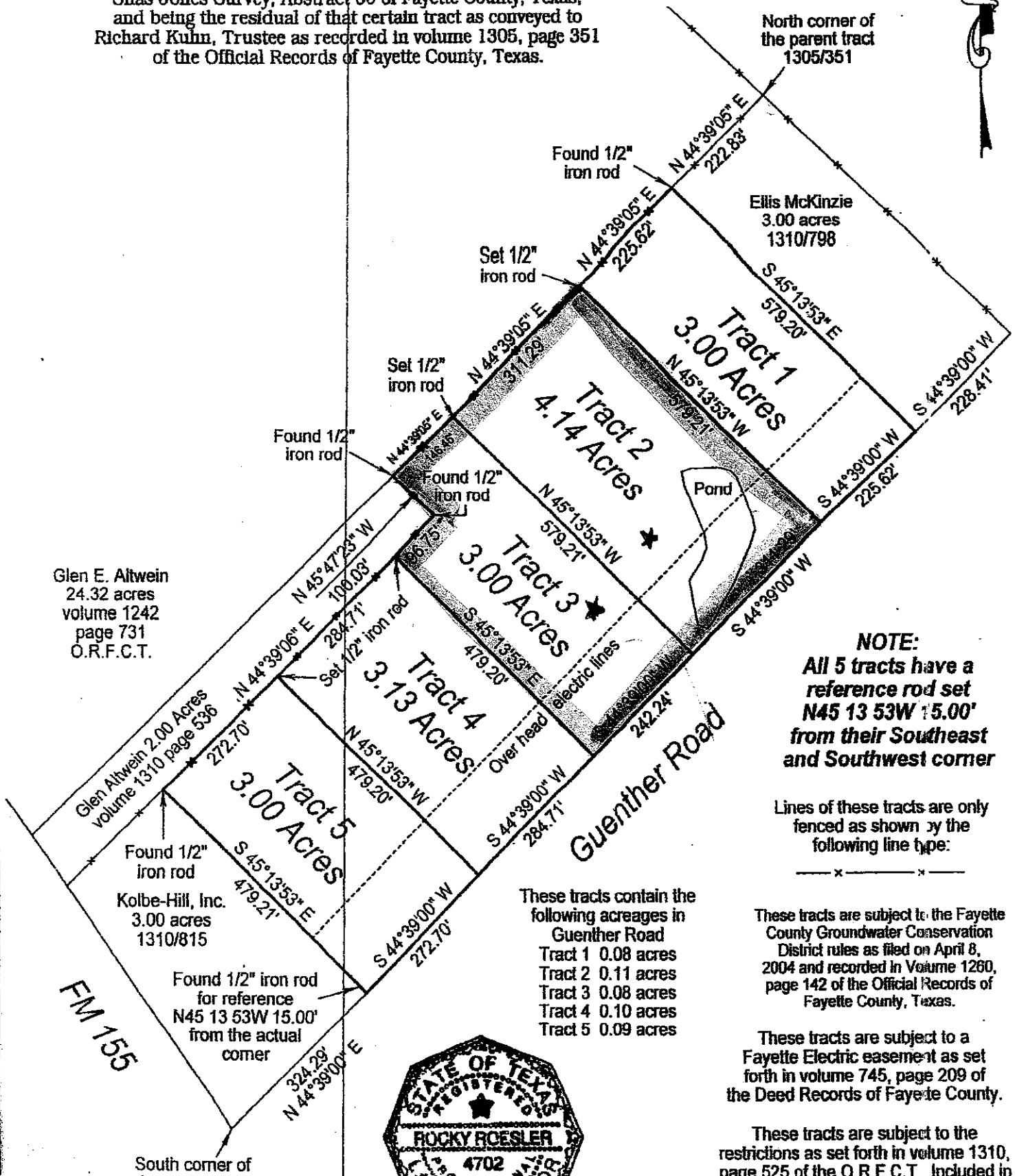


# Fayette County, Texas

## Silas Jones Survey Abstract 60

Survey plat showing 5 tracts of land, being part of the Silas Jones Survey, Abstract 60 of Fayette County, Texas, and being the residual of that certain tract as conveyed to Richard Kuhn, Trustee as recorded in volume 1305, page 351 of the Official Records of Fayette County, Texas.



Glen E. Altwein  
24.32 acres  
volume 1242  
page 731  
O.R.F.C.T.

Glen Altwein 2.00 Acres  
volume 1310 page 536

Found 1/2" iron rod  
Kolbe-Hill, Inc.  
3.00 acres  
1310/815

Found 1/2" iron rod  
for reference  
N45 13 53W 15.00'  
from the actual  
corner

North corner of  
the parent tract  
1305/351

Ellis McKinzie  
3.00 acres  
1310/798

Tract 1  
3.00 Acres

Tract 2  
4.14 Acres

Tract 3  
3.00 Acres

Tract 4  
3.13 Acres

Tract 5  
3.00 Acres

Pond

Guenther Road

FM 155

South corner of

**NOTE:**  
All 5 tracts have a  
reference rod set  
N45 13 53W 15.00'  
from their Southeast  
and Southwest corner

Lines of these tracts are only  
fenced as shown by the  
following line type:

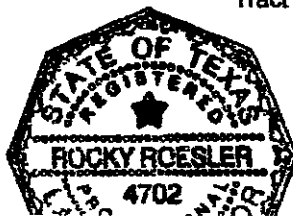


These tracts contain the  
following acreages in  
Guenther Road  
Tract 1 0.08 acres  
Tract 2 0.11 acres  
Tract 3 0.08 acres  
Tract 4 0.10 acres  
Tract 5 0.09 acres

These tracts are subject to the Fayette  
County Groundwater Conservation  
District rules as filed on April 8,  
2004 and recorded in Volume 1260,  
page 142 of the Official Records of  
Fayette County, Texas.

These tracts are subject to a  
Fayette Electric easement as set  
forth in volume 745, page 209 of  
the Deed Records of Fayette County.

These tracts are subject to the  
restrictions as set forth in volume 1310,  
page 525 of the O.R.F.C.T. Included in





APPROVED BY THE TEXAS REAL ESTATE COMMISSION (TREC)



**SELLER'S DISCLOSURE NOTICE**

CONCERNING THE PROPERTY AT 1700 Guenther Road La Grange  
 (Street Address and City)

THIS NOTICE IS A DISCLOSURE OF SELLER'S KNOWLEDGE OF THE CONDITION OF THE PROPERTY AS OF THE DATE SIGNED BY SELLER AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE PURCHASER MAY WISH TO OBTAIN. IT IS NOT A WARRANTY OF ANY KIND BY SELLER OR SELLER'S AGENTS.

Seller  is  is not occupying the Property. If unoccupied, how long since Seller has occupied the Property? 2nd house

1. The Property has the items checked below [Write Yes (Y), No (N), or Unknown (U)]:

- |   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Range                                 | <input checked="" type="checkbox"/> Oven                            | <input checked="" type="checkbox"/> Microwave                                       |
| <input checked="" type="checkbox"/> Dishwasher                            | <input checked="" type="checkbox"/> Trash Compactor                 | <input checked="" type="checkbox"/> Disposal ( <u>wiring in place</u> )             |
| <input checked="" type="checkbox"/> Washer/Dryer Hookups                  | <input checked="" type="checkbox"/> Window Screens                  | <input checked="" type="checkbox"/> Rain Gutters                                    |
| <input checked="" type="checkbox"/> Security System                       | <input checked="" type="checkbox"/> Fire Detection Equipment        | <input checked="" type="checkbox"/> Intercom System                                 |
|   | <input checked="" type="checkbox"/> Smoke Detector                  |   |
|   | <input checked="" type="checkbox"/> Smoke Detector-Hearing Impaired |   |
|   | <input checked="" type="checkbox"/> Carbon Monoxide Alarm           |   |
|   | <input checked="" type="checkbox"/> Emergency Escape Ladder(s)      |   |
| <input checked="" type="checkbox"/> TV Antenna                            | <input checked="" type="checkbox"/> Cable TV Wiring                 | <input checked="" type="checkbox"/> Satellite Dish                                  |
| <input checked="" type="checkbox"/> Ceiling Fan(s)                        | <input checked="" type="checkbox"/> Attic Fan(s)                    | <input checked="" type="checkbox"/> Exhaust Fan(s) ( <u>over range</u> )            |
| <input checked="" type="checkbox"/> Central A/C                           | <input checked="" type="checkbox"/> Central Heating                 | <input checked="" type="checkbox"/> Wall/Window Air Conditioning                    |
| <input checked="" type="checkbox"/> Plumbing System                       | <input checked="" type="checkbox"/> Septic System                   | <input checked="" type="checkbox"/> Public Sewer System                             |
| <input checked="" type="checkbox"/> Patio/Decking                         | <input checked="" type="checkbox"/> Outdoor Grill                   | <input checked="" type="checkbox"/> Fences  |
| <input checked="" type="checkbox"/> Pool                                  | <input checked="" type="checkbox"/> Sauna                           | <input checked="" type="checkbox"/> Spa <input checked="" type="checkbox"/> Hot Tub |
| <input checked="" type="checkbox"/> Pool Equipment                        | <input checked="" type="checkbox"/> Pool Heater                     | <input checked="" type="checkbox"/> Automatic Lawn Sprinkler System                 |
| <input checked="" type="checkbox"/> Fireplace(s) & Chimney (Wood burning) |   | <input checked="" type="checkbox"/> Fireplace(s) & Chimney (Mock)                   |

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Natural Gas Lines  |  | <input type="checkbox"/> Gas Fixtures                              |
| <input checked="" type="checkbox"/> Liquid Propane Gas | <input checked="" type="checkbox"/> LP Community (Captive)                       | <input checked="" type="checkbox"/> LP on Property                 |
| Garage: <input checked="" type="checkbox"/> Attached   | <input checked="" type="checkbox"/> Not Attached                                 | <input checked="" type="checkbox"/> Carport                        |
| Garage Door Opener(s):                                 | <input type="checkbox"/> Electronic  | <input type="checkbox"/> Control(s)                                |
| Water Heater:  | <input checked="" type="checkbox"/> Gas ( <u>ondemand</u> )                      | <input checked="" type="checkbox"/> Electric ( <u>metal bldg</u> ) |
| Water Supply: _____ City                               | <input checked="" type="checkbox"/> Well <input checked="" type="checkbox"/> MUD | <input checked="" type="checkbox"/> Co-op                          |
| Roof Type: <u>conventional</u>                         |  | Age: <u>2yrs</u> (approx.)   |

Are you (Seller) aware of any of the above items that are not in working condition, that have known defects, or that are in need of repair?  Yes  No  Unknown. If yes, then describe. (Attach additional sheets if necessary):

TREC No. OP-H

2. Does the property have working smoke detectors installed in accordance with the smoke detector requirements of Chapter 766, Health and Safety Code?  Yes  No  Unknown. If the answer to this question is no or unknown, explain (Attach additional sheets if necessary):

\* Chapter 766 of the Health and Safety Code requires one-family or two-family dwellings to have working smoke detectors installed in accordance with the requirements of the building code in effect in the area in which the dwelling is located, including performance, location, and power source requirements. If you do not know the building code requirements in effect in your area, you may check unknown above or contact your local building official for more information. A buyer may require a seller to install smoke detectors for the hearing impaired if: (1) the buyer or a member of the buyer's family who will reside in the dwelling is hearing impaired; (2) the buyer gives the seller written evidence of the hearing impairment from a licensed physician; and (3) within 10 days after the effective date, the buyer makes a written request for the seller to install smoke detectors for the hearing impaired and specifies the locations for the installation. The parties may agree who will bear the cost of installing the smoke detectors and which brand of smoke detectors to install.

3. Are you (Seller) aware of any known defects/malfunctions in any of the following? Write Yes (Y) if you are aware, write No (N) if you are not aware.

- |   |                             |                            |
|---|-----------------------------|----------------------------|
| <u>N</u> Interior Walls                 | <u>N</u> Ceilings           | <u>N</u> Floors            |
| <u>N</u> Exterior Walls                 | <u>N</u> Doors              | <u>N</u> Windows           |
| <u>N</u> Roof                           | <u>N</u> Foundation/Slab(s) | <u>N/A</u> Sidewalks       |
| <u>N</u> Walls/Fences                   | <u>N</u> Driveways          | <u>N/A</u> Intercom System |
| <u>N</u> Plumbing/Sewers/Septics        | <u>N</u> Electrical Systems | <u>N</u> Lighting Fixtures |
| Other Structural Components (Describe): |                             |                            |

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary):

4. Are you (Seller) aware of any of the following conditions? Write Yes (Y) if you are aware, write No (N) if you are not aware.

- |   |  |
|---|--|
| <u>N</u> Active Termites (includes wood destroying insects) | <u>N</u> Previous Structural or Roof Repair                          |
| <u>N</u> Termite or Wood Rot Damage Needing Repair          | <u>N</u> Hazardous or Toxic Waste                                    |
| <u>N</u> Previous Termite Damage                            | <u>N</u> Asbestos Components   |
| <u>N</u> Previous Termite Treatment                         | <u>N</u> Urea-formaldehyde Insulation                                |
| <u>N</u> Improper Drainage                                  | <u>N</u> Radon Gas   |
| <u>N</u> Water Damage Not Due to a Flood Event              | <u>N</u> Lead Based Paint  |
| <u>N</u> Landfill, Settling, Soil Movement, Fault Lines     | <u>N</u> Aluminum Wiring   |
| <u>N</u> Single Blockable Main Drain in Pool/Hot Tub/Spa*   | <u>N</u> Previous Fires  |
|   | <u>N</u> Unplatted Easements   |
|   | <u>N</u> Subsurface Structure or Pits                                |
|   | <u>N</u> Previous Use of Premises for Manufacture of Methamphetamine |

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary):

\*A single blockable main drain may cause a suction entrapment hazard for an individual.

Seller's Disclosure Notice Concerning the Property at

(Street Address and City)

5. Are you (Seller) aware of any item, equipment, or system in or on the Property that is in need of repair?  Yes (if you are aware)  No (if you are not aware). If yes, explain. (Attach additional sheets if necessary):

6. Are you (Seller) aware of any of the following conditions?\* Write Yes (Y) if you are aware, write No (N) if you are not aware.

N Present flood coverage

N Previous flooding due to a failure or breach of a reservoir or a controlled or emergency release of water from a reservoir

N Previous water penetration into a structure on the property due to a natural flood event

Write Yes (Y) if you are aware, and check wholly or partly as applicable, write No (N) if you are not aware.

N Located  wholly  partly in a 100-year floodplain (Special Flood Hazard Area-Zone A, V, A99, AE, AO, AH, VE, or AR)

N Located  wholly  partly in a 500-year floodplain (Moderate Flood Hazard Area-Zone X (shaded))

N Located  wholly  partly in a floodway

N Located  wholly  partly in a flood pool

N Located  wholly  partly in a reservoir

If the answer to any of the above is yes, explain. (attach additional sheets if necessary):

\*For purposes of this notice:

"100-year floodplain" means any area of land that:

- (A) is identified on the flood insurance rate map as a special flood hazard area, which is designated as Zone A, V, A99, AE, AO, AH, VE, or AR on the map;
- (B) has a one percent annual chance of flooding, which is considered to be a high risk of flooding; and
- (C) may include a regulatory floodway, flood pool, or reservoir.

"500-year floodplain" means any area of land that:

- (A) is identified on the flood insurance rate map as a moderate flood hazard area, which is designated on the map as Zone X (shaded); and
- (B) has a two-tenths of one percent annual chance of flooding, which is considered to be a moderate risk of flooding.

"Flood pool" means the area adjacent to a reservoir that lies above the normal maximum operating level of the reservoir and that is subject to controlled inundation under the management of the United States Army Corps of Engineers.

"Flood insurance rate map" means the most recent flood hazard map published by the Federal Emergency Management Agency under the National Flood Insurance Act of 1968 (42 U.S.C. Section 4001 et seq.)

"Floodway" means an area that is identified on the flood insurance rate map as a regulatory floodway, which includes the channel of a river or other watercourse and the adjacent land areas that must be reserved for the discharge of a base flood, also referred to as a 100-year flood, without cumulatively increasing the water surface elevation of more than a designated height.

"Reservoir" means a water impoundment project operated by the United States Army Corps of Engineers that is intended to retain water or delay the runoff of water in a designated surface area of land.

7. Have you (Seller) ever filed a claim for flood damage to the property with any insurance provider, including the National Flood Insurance Program (NFIP)?\*  Yes  No. If yes, explain (attach additional sheets as necessary):

\*Homes in high risk flood zones with mortgages from federally regulated or insured lenders are required to have flood insurance. Even when not required, the Federal Emergency Management Agency (FEMA) encourages homeowners in high risk, moderate risk, and low risk flood zones to purchase flood insurance that covers the structure(s) and the personal property within the structure(s).

8. Have you (Seller) ever received assistance from FEMA or the U.S. Small Business Administration (SBA) for flood damage to the property?  Yes  No. If yes, explain (attach additional sheets as necessary):

9. Are you (Seller) aware of any of the following? Write Yes (Y) if you are aware, write No (N) if you are not aware.

N Room additions, structural modifications, or other alterations or repairs made without necessary permits or not in compliance with building codes in effect at that time.

N Homeowners' Association or maintenance fees or assessments.

N Any "common area" (facilities such as pools, tennis courts, walkways, or other areas) co-owned in undivided interest with others.

N Any notices of violations of deed restrictions or governmental ordinances affecting the condition or use of the Property.

N Any lawsuits directly or indirectly affecting the Property.

N Any condition on the Property which materially affects the physical health or safety of an individual.

N Any rainwater harvesting system located on the property that is larger than 500 gallons and that uses a public water supply as an auxiliary water source.

N Any portion of the property that is located in a groundwater conservation district or a subsidence district.

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary): \_\_\_\_\_

10. If the property is located in a coastal area that is seaward of the Gulf Intracoastal Waterway or within 1,000 feet of the mean high tide bordering the Gulf of Mexico, the property may be subject to the Open Beaches Act of the Dune Protection Act (Chapter 61 or 63, Natural Resources Code, respectively) and a beachfront construction certificate or dune protection permit maybe required for repairs or improvements. Contact the local government with ordinance authority over construction adjacent to public beaches for more information.

11. This property may be located near a military installation and may be affected by high noise or air installation compatible use zones or other operations. Information relating to high noise and compatible use zones is available in the most recent Air Installation Compatible Use Zone Study or Joint Land Use Study prepared for a military installation and may be accessed on the Internet website of the military installation and of the county and any municipality in which the military installation is located.

Garry Carter 10-7-19  
Signature of Seller Date  
Garry Carter

Patsy Carter 10-7-19  
Signature of Seller Date  
Patsy Carter

The undersigned purchaser hereby acknowledges receipt of the foregoing notice.

\_\_\_\_\_  
Signature of Purchaser Date

\_\_\_\_\_  
Signature of Purchaser Date



This form was prepared by the Texas Real Estate Commission in accordance with Texas Property Code § 5.008(b) and is to be used in conjunction with a contract for the sale of real property entered into on or after September 1, 2019. Texas Real Estate Commission, P.O. Box 12188, Austin, TX 78711-2188, 512-936-3000 (<http://www.trec.texas.gov>) TREC NO. OP-H



# INFORMATION ABOUT ON-SITE SEWER FACILITY

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS®, INC. IS NOT AUTHORIZED.  
©Texas Association of REALTORS®, Inc., 2004

CONCERNING THE PROPERTY AT 1700 Guenther Road  
La Grange, TX 78945

## A. DESCRIPTION OF ON-SITE SEWER FACILITY ON PROPERTY:

- (1) Type of Treatment System:  Septic Tank  Aerobic Treatment  Unknown
- (2) Type of Distribution System: sprinklers  Unknown
- (3) Approximate Location of Drain Field or Distribution System: THREE  Unknown  
SPRINKLER HEADS LOCATED AT THE BACK OF  
PROPERTY (MARKED BY PVC POSTS)
- (4) Installer: HARBERS PLUMBING  Unknown
- (5) Approximate Age: 9 YEARS  Unknown

## B. MAINTENANCE INFORMATION:

- (1) Is Seller aware of any maintenance contract in effect for the on-site sewer facility?  Yes  No  
If yes, name of maintenance contractor: BROWN AEROBIC SERVICE CO.  
Phone: 979-966-7378 contract expiration date: 10-17-20  
*Maintenance contracts must be in effect to operate aerobic treatment and certain non-standard on-site sewer facilities.)*
- (2) Approximate date any tanks were last pumped? N/A
- (3) Is Seller aware of any defect or malfunction in the on-site sewer facility?  Yes  No  
If yes, explain: \_\_\_\_\_
- (4) Does Seller have manufacturer or warranty information available for review?  Yes  No


## C. PLANNING MATERIALS, PERMITS, AND CONTRACTS:

- (1) The following items concerning the on-site sewer facility are attached:  
 planning materials  permit for original installation  final inspection when OSSF was installed  
 maintenance contract  manufacturer information  warranty information  \_\_\_\_\_
- (2) "Planning materials" are the supporting materials that describe the on-site sewer facility that are submitted to the permitting authority in order to obtain a permit to install the on-site sewer facility.
- (3) It may be necessary for a buyer to have the permit to operate an on-site sewer facility transferred to the buyer.


**D. INFORMATION FROM GOVERNMENTAL AGENCIES:** Pamphlets describing on-site sewer facilities are available from the Texas Agricultural Extension Service. Information in the following table was obtained from Texas Commission on Environmental Quality (TCEQ) on 10/24/2002. The table estimates daily wastewater usage rates. Actual water usage data or other methods for calculating may be used if accurate and acceptable to TCEQ.

<u>Facility</u>	<u>Usage (gal/day) without water-saving devices</u>	<u>Usage (gal/day) with water-saving devices</u>
Single family dwelling (1-2 bedrooms; less than 1,500 sf)	225	180
Single family dwelling (3 bedrooms; less than 2,500 sf)	300	240
Single family dwelling (4 bedrooms; less than 3,500 sf)	375	300
Single family dwelling (5 bedrooms; less than 4,500 sf)	450	360
Single family dwelling (6 bedrooms; less than 5,500 sf)	525	420
Mobile home, condo, or townhouse (1-2 bedroom)	225	180
Mobile home, condo, or townhouse (each add'l bedroom)	75	60

This document is not a substitute for any inspections or warranties. This document was completed to the best of Seller's knowledge and belief on the date signed. Seller and real estate agents are not experts about on-site sewer facilities. Buyer is encouraged to have the on-site sewer facility inspected by an inspector of Buyer's choice.

  
 \_\_\_\_\_  
 Signature of Seller  
**Garry Carter**

10-7-19  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Signature of Seller  
**Patsy Carter**

10-7-19  
 \_\_\_\_\_  
 Date

Receipt acknowledged by:

\_\_\_\_\_  
 Signature of Buyer  
 \_\_\_\_\_  
 Date

\_\_\_\_\_  
 Signature of Buyer  
 \_\_\_\_\_  
 Date

# FAYETTE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT

151 N. Washington Rm 307 • La Grange, Texas 78945 • 979/968-6469 • 979/968-8621 Fax

## APPLICATION FOR ON-SITE SEWERAGE FACILITY CONSTRUCTION

PERMIT VALID FOR ONE YEAR FROM DATE OF PURCHASE

Date 6-15-10 Permit Number 2010-113-006  
 NAME OF APPLICANT GARRY W. CARTER Receipt Number 333723  
 MAILING ADDRESS 13710 Mount Vernon  
 CITY/STATE/ZIP SANTA FE TX 77510 TELEPHONE 409 925-1404  
Richard Harbers 9668337

### DESCRIPTION OF PROPERTY WHERE OSSF IS TO BE CONSTRUCTED

911 Address 1700 Guenther Road  
 Lot Size 7.14 acres Acres MFC  Home  Other \_\_\_\_\_ Number of Bedrooms 3  
 Residential / Commercial/Exempt \_\_\_\_\_ Square Footage 2500 sq ft

I/We hereby grant permission to the Fayette County Environmental Health Department personnel to enter upon the above described property for the purpose of inspecting the on-site sewerage facility.

[Signature] Signature of Applicant / Agent Date April 30, 2010 June 15, 2010

### FOR USE BY THE ENVIRONMENTAL HEALTH DEPARTMENT ONLY

AUTHORIZATION TO CONSTRUCT  Granted / Denied \_\_\_\_\_ Date 6/21/10 BY [Signature]

### MINIMUM ENVIRONMENTAL HEALTH DEPARTMENT PERMIT REQUIREMENTS

TYPE SYSTEM REQUIRED Aerobic GPS N-29.87340 W-096.85273  
 Septic Tank(s) Pro Flo - 500 Gallons or Equivalent  
 Pump Chamber 771 gpm Gallons \_\_\_\_\_  
 Disposal System Surface 30' R=29' Linear Feet / Area 7,920 sq ft  
 Gallons Per Day Design Limit 300 GPD Soil Type Class II @ 12"  
 Remarks See Attached Design Installer Richard Harbers

### NOTICE OF APPROVAL TO OPERATE FACILITY OSH # 76987

This serves to notify all persons that the on-site sewerage facility owned by the above has satisfied design, construction and installation requirements of the Fayette County Environmental Health Department. This Fayette County On-Site Sewerage Facility Permit is issued for the operation of the above-identified on-site sewerage facility.

Garry W. Carter FACILITY INSPECTION  APPROVED / DISAPPROVED  
[Signature] Signature of Inspector Date Inspected 6/28/10



Jun 28 10 02:41p

Deltjen, Schovajsa & Kles 9799688996

P.2

COUNTY OF FAYETTE  
STATE OF TEXAS

CERTIFICATION OF OSSF REQUIRING MAINTENANCE  
10- 2182

VOL. 1518 PAGE 351  
OFFICIAL RECORDS  
FAYETTE COUNTY, TEXAS

According to Texas Commission on Environmental Quality Rules for On Site Sewage Facilities, this document is filed in the Deed Records of Fayette County, Texas.

I.

The Texas Health and Safety Code, Chapter 366 authorizes the Texas Commission on Environmental Quality (TCEQ) to regulate on site sewage facilities (OSSFs). Additionally the Texas Water Code (TWC) Chap 5.012 and 5.013, gives the TCEQ primary responsibility for implementing the laws of the State of Texas relating to water and adopting rules necessary to carry out its powers and duties under the TWC. The TCEQ under the authority of the TWC and the Texas Health and Safety Code, requires owners to provide notice to the public that certain types of OSSFs are located on specific pieces of property. To achieve this notice, the TCEQ requires a deed authority. This deed certification is not a representation or warranty by the TCEQ of the suitability of this OSSF, nor does it constitute any guarantee by the TCEQ that the appropriate OSSF was installed.

II.

An OSSF requiring a maintenance contract, according to 30 Texas Administrative Code Chap. 285.91(12) will be installed on the property described as: (legal description from deed-not physical address)

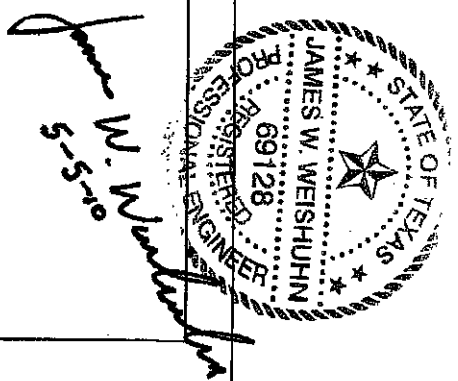
7.14 acres, Silas Jones League, A-60,  
Fayette County, Texas

The property owned by GARY W. CARTER

This OSSF must be covered by a continuous maintenance contract. All maintenance on this OSSF must be performed by an approved maintenance company, and a signed maintenance contract must be submitted to the Fayette County Environmental Department within 30 days after the property has been transferred.

The owner will, upon sale or transfer of the above described property, request a transfer of the permit for the

AEROBIC TREATMENT WITH SPRAY IRRIGATION SYSTEM SUMMARY  
 FOR  
 GARRY CARTER  
 1700 GUENTHER RD.  
 LA GRANGE, TX, FAYETTE COUNTY



LOCATION OF SYSTEM COMPONENTS  
 ALL TANKS MUST BE LOCATED GREATER THAN OR EQUAL TO 50' FROM WATER WELLS, 50' FROM SURFACE WATER BODIES, 5' FROM UTILITY EASEMENTS, 5' FROM PROPERTY LINES AND FOUNDATION OF STRUCTURES.

THE IRRIGATED AREA MUST BE LOCATED GREATER THAN 100' FROM WATER WELLS, 50' FROM SURFACE WATER BODIES, 10' FROM PROPERTY LINES, PUBLIC WATER SUPPLY LINES, UTILITY EASEMENTS, AND THE FOUNDATION OF STRUCTURES. IRRIGATED AREAS CANNOT BE USED FOR GROWING FOOD, GARDENS, ORCHARDS, OR CROPS FOR HUMAN CONSUMPTION. EFFLUENT MUST NOT BE APPLIED TO BARE UNSEDED GROUND UNDER ANY CIRCUMSTANCES.

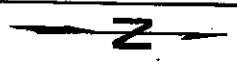
CONSTRUCTION NOTES  
 THE IRRIGATED AREA MUST BE GRADED SUCH THAT RAIN WATER WILL NOT STAND OR POND.  
 ALL MATERIAL INSTALLED AS PART OF THIS SYSTEM INCLUDING TANKS, PIPES AND CONTROLS MUST MEET OR EXCEED THE CONSTRUCTION STANDARDS SPECIFIED IN 30 TAC CHAPTER 285.  
 A SAMPLING PORT MUST BE PROVIDED IN THE TREATED EFFLUENT LINE IN THE PUMP TANK.  
 SPRINKLER HEADS WITH LOW ANGLE NOZZLES (13 DEGREES OR LESS) MUST BE USED TO KEEP THE SPRAY STREAM LOW AND TO REDUCE AEROSOLS. MAXIMUM INLET PRESSURE SHALL BE 40 PSI OR LESS.

SYSTEM SUMMARY  
 DAILY WASTEWATER FLOW: 300 GPD  
 PRETREATMENT TANK SIZE: 400 GAL.  
 CAJUNAIRE PRO FLD 500SPLT SYSTEM: 500 GPD UNIT  
 PUMP TANK SIZE: 771 GAL.

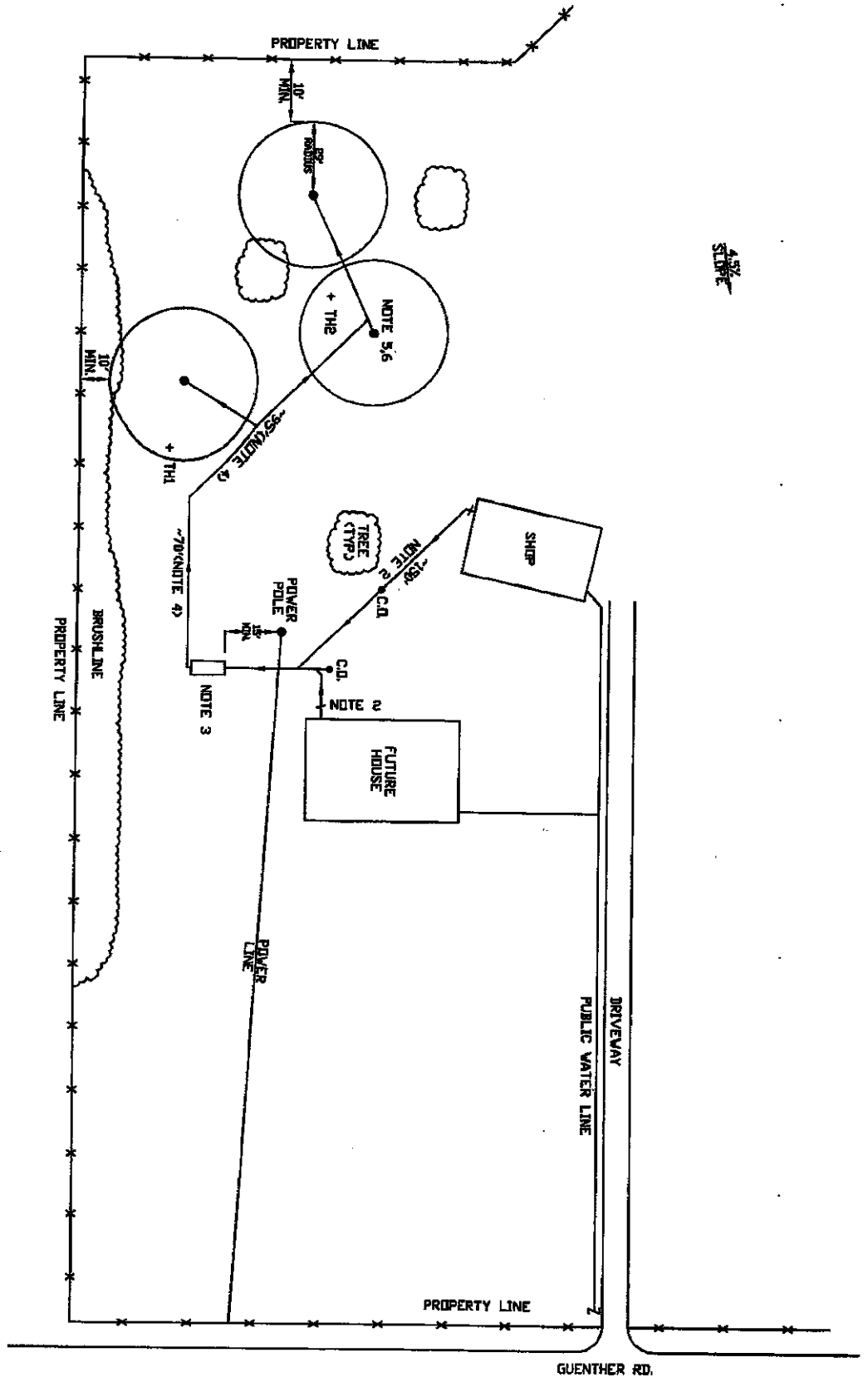
IRRIGATION AREA LOADING RATE: 0.045 GPD/SF  
 AREA REQUIRED: 6,667 SF  
 AREA DESIGNED: 7,920 SF  
 THREE K-RAIN PRO PLUS #3  
 29' RADIUS, 3.0 GPM @ 30 PSI  
 DISTRIBUTION LINE DIAMETER: 1"  
 DISTRIBUTION LINE LENGTH: 240'  
 CHLORINATOR: LIQUID CHLORINATOR  
 ESTIMATED BLEACH USAGE: 1 GALLON/MONTH

THE SYSTEM HAS BEEN DESIGNED IN ACCORDANCE WITH 30 TAC CHAPTER 285 ON-SITE SEWAGE FACILITIES FOR THE PURPOSES OF SECURING A PERMIT FOR CONSTRUCTION OF THE SYSTEM FOR A 300 GPD FLOW AND 140MG/L BOD. WEISHUHN ENGINEERING, INC. PROVIDES NO PROCESS GUARANTEE RELATIVE TO SYSTEM OPERATIONS AND PERFORMANCE. CONSERVATIVE WATER USAGE IS ENCOURAGED WITH ALL ON-SITE SYSTEMS.

**WEISHUHN ENGINEERING, INC.**  
 906 MILAM PO BOX 358  
 COLUMBUS, TX 78934  
 (979)732-6997  
 RF#66



4%  
SLOPE



- NOTES:
1. ENTIRE PROPERTY LIMITS ARE NOT SHOWN.
  2. 4" SCH 40 PVC @ 1/8" FT. SLOPE W/
  3. AEROBIC TREATMENT UNIT (SEE FIGURE 2)
  4. 1" SCH 40 PVC PURPLE PIPE,
  5. SPRINKLER HEAD, K-RATE, P-R1 PLUS #3,
  6. R-20" @ 30 PSI, R-30 GPM (17", 3)
  7. NOTHING CAN BE LOCATED WITHIN 10' OF SPRINKLER.
  8. THERE IS NO PROGRESS GUARANTEE OR WARRANTY FOR DESIGN SHOWN.
  9. SYSTEM DESIGN IS FOR Q=300 GPD @ 140 MG/L BIDS.

*James W. Weishuhn*  
5-9-97



FIGURE 1  
OVERALL SITE PLAN  
GARRY CARTER  
1700 GUENTHER RD.  
LA GRANGE, TX  
FAYETTE COUNTY

Weishuhn Engineering Inc. RF1465  
906 MILLAM RD BOX 589  
Columbus, Texas 78934  
(979) 758-5597

SCALE: 1" = 60'  
DESIGNED BY: JWH  
DRAWN BY: TLR



**AEROBIC TREATMENT WITH SPRAY IRRIGATION SYSTEM**

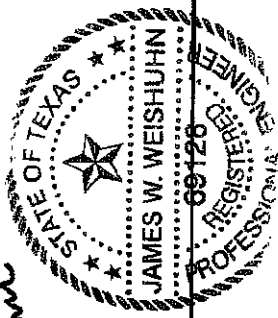
FOR

**GARRY CARTER  
1700 GUENTHER RD,  
LA GRANGE, TX, FAYETTE COUNTY**

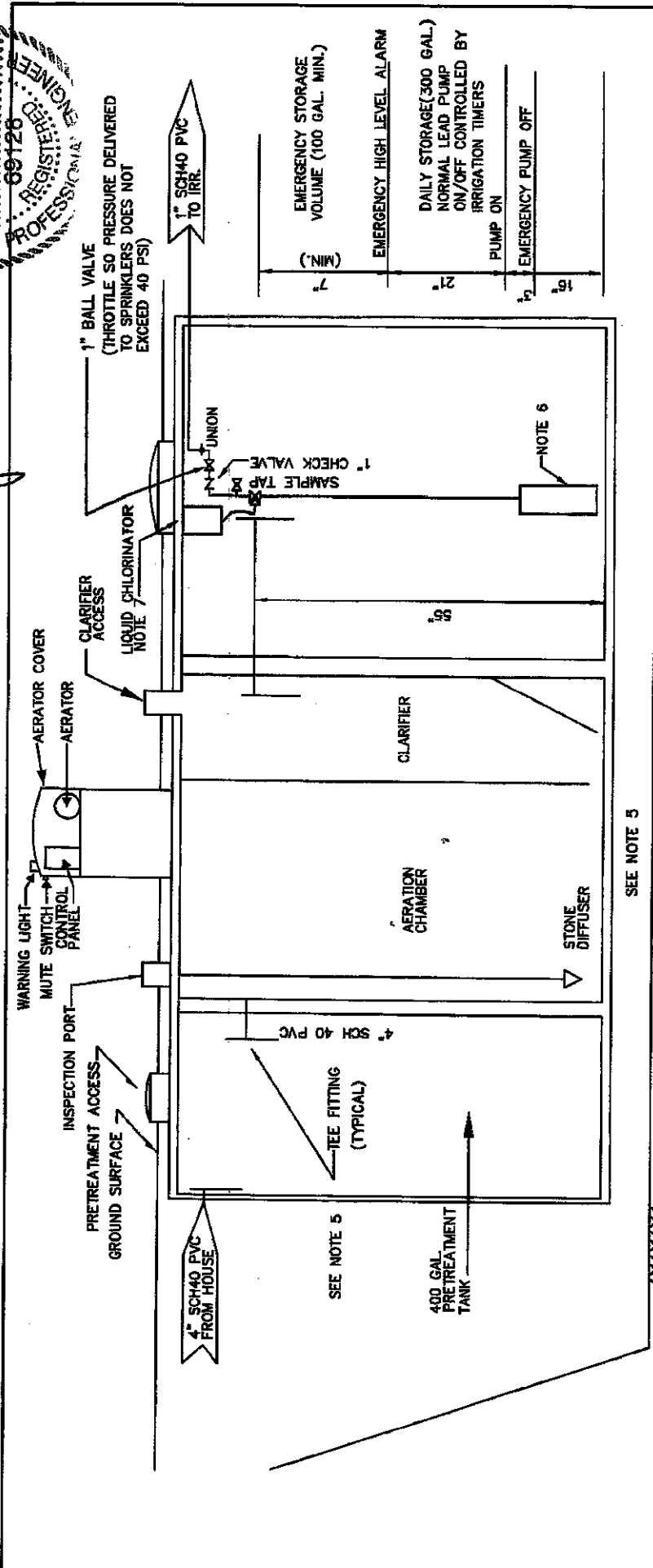
*James W. Weishuhn*  
6-5-10

1. THE SITE EVALUATION IS ATTACHED AND INDICATED THAT THE PROPERTY IS SUITABLE FOR AN AEROBIC WITH SPRAY IRRIGATION SYSTEM.
2. HOUSE SIZE: 3 BEDROOM, <2,500 SF V/ DEVICES (240 GPD) & 1-TRAVEL TRAILER (60 GPD) Q=300 GPD
3. SYSTEM SIZE: 300 GPD & 140 mg/L BODS.  
MIN. TREATMENT UNIT SIZE: 480 GPD.
4. SYSTEM MANUFACTURER  
CA-JUNAIRE PRO FLO 500 SLPT Mc-GREW CONSTRUCTION,  
PRE-TREATMENT TANK SIZE: 400 GALLON  
PUMP TANK: 771 GALLON
5. EFFLUENT QUALITY DATA BIOLOGICAL OXYGEN DEMAND (BOD) & TOTAL SUSPENDED SOLIDS  
30 DAY AVERAGE 20mg/L 7 DAY AVERAGE 30mg/L  
DAILY MAXIMUM 45mg/L SINGLE GRAB 65mg/L  
PH 6.0-9.0
6. EFFLUENT DISINFECTION  
TREATED EFFLUENT MUST BE DISINFECTED WITH CHLORINE PRIOR TO IRRIGATION. A LIQUID CHLORINATOR USING SODIUM HYPOCHLORITE (BLEACH) WILL BE USED TO DISINFECT THE WASTEWATER.
7. WASTEWATER APPLICATION RATE (R): 0.045 GPD/SF FOR FAYETTE COUNTY
8. WASTEWATER APPLICATION AREA:  
A= G/R I = 300 GPD/ 0.045 GPD/SF  
A= 6,667 SF
9. SPRINKLER HEAD SPECIFICATIONS  
K-RAIN PRO PLUS #3  
TRAJECTORY = 12 DEGREES  
RADIUS = 29 FEET @ 30 PSI  
FLOWRATE = 30 GPM  
COVERAGE AREA = 3.14 \* r \* r = 3.14 \* 29 \* 29 = 2,640 s.f.
10. NUMBER OF SPRINKLER HEADS  
NUMBER OF HEADS = 6,667 SF / 2,640 SF / HEAD = 2.5 USE 3
11. DISTRIBUTION PIPING MUST BE 1" SCH40 PVC
12. PUMP SIZING  
FLOWRATE = 3 SPRINKLER HEADS \* 30 GPM = 9 GPM  
ASSUME ELEVATION HEAD: 4'  
PRESSURE HEAD (SPRINKLER HEAD) = 69' = 30 PSI  
FRICTION HEAD FOR 1" PIPE = 1.2 \* (240' SUPPLY LINE \* 4.57 / 100') = 13'  
TOTAL HEAD = 4' + 69' + 13' = 86'  
PUMP RATING: 9 GPM @ 86'
13. CALCULATE ROSE DEPTH (NIGHT SPRAY)  
ASSUME 771 GAL. PUMP TANK  
(14 GAL./IN)  
DOSE DEPTH = 300 GAL. / 14 GAL./IN.  
DOSE DEPTH = 21'  
EMERGENCY VOL. = 1/3 DAILY FLOW.  
EMERGENCY VOL. = 1/3 (300) = 100 GAL.  
EMERGENCY DEPTH = 100 GAL. / 14 GAL./IN. = 7'
14. SYSTEM MAINTENANCE CONTRACT  
THE OWNER MUST MAINTAIN A VALID SIGNED MAINTENANCE CONTRACT WITH A VALID MAINTENANCE COMPANY. THE INITIAL MAINTENANCE CONTRACT MUST BE VALID FOR A TWO YEAR PERIOD. SUBSEQUENT CONTRACTS MUST BE SUBMITTED TO THE FAYETTE COUNTY DESIGNATED REPRESENTATIVE (DR.) WITHIN 30 DAYS PRIOR TO THE EXPIRATION DATE OF THE PREVIOUS CONTRACT. THE OWNER MAY CHANGE MAINTENANCE COMPANIES DURING A CONTRACT PERIOD, PROVIDED THE DR. IS NOTIFIED AT LEAST 30 DAYS PRIOR TO THE CHANGE.
15. LANDSCAPE PLAN  
THE IRRIGATED AREA MUST BE CONTINUOUSLY COVERED OR SEEDED WITH COMMON BERMUDA, ST. AUGUSTINE OR SEEDED WITH RYE GRASS.  
THE AREA MUST INITIALLY BE COVERED WITH SDI OR 15 LBS OF COMMON BERMUDA SEED (AT AN EQUIVALENT RATE OF ~100LB/ACRE). AFTER INITIAL SEED HAS GERMINATED (APPROXIMATELY 2-3 WEEKS), BARE SPOTS MUST BE SEEDED AGAIN. SHOULD
16. INSPECTION, TESTING, & REPORTING  
THE MAINTENANCE COMPANY MUST INSPECT THE WASTEWATER TREATMENT AND DISPOSAL SYSTEM THREE TIMES PER YEAR. THE MAINTENANCE COMPANY MUST REPORT THE RESULTS OF ANY INSPECTION AND TESTING ACTIVITIES, INCLUDING OWNER COMPLAINTS, TO THE OWNER AND THE DR. WITHIN 10 DAYS. THE TEST RESULTS MUST MEET THE FOLLOWING MINIMUM STANDARDS:  
1-BOD & TSS GRAB SAMPLE/YEAR <65mg/L  
1-CHLORINE RESIDUAL 1mg/L  
FECAL COLIFORM 20MPN/100ml  
IT IS RECOMMENDED THAT THE SYSTEM PH BE TESTED AT EACH SITE VISIT AND STEPS TAKEN TO ENSURE THAT THE PH IS MAINTAINED BETWEEN 6.0-9.0.
17. AFFIDAVIT  
THE OWNER MUST FILE AN AFFIDAVIT WITH FAYETTE COUNTY, DEED RECORDING THAT THE PROPERTY CANNOT BE TRANSFERRED TO A NEW OWNER WITHOUT THE NEW OWNER BEING ADVISED THAT THE PROPERTY CONTAINS A SURFACE APPLICATION SYSTEM FOR WASTEWATER DISPOSAL.  
THE PERMIT IS ISSUED TO THE PREVIOUS OWNER OF THE PROPERTY BEING TRANSFERRED TO THE NEW OWNER IN ACCORDANCE WITH 30TAC 285.20(3) RELATING TO GENERAL APPLICATION REQUIREMENTS, AND THE NEW OWNER SUBMITTING A VALID MAINTENANCE CONTRACT TO THE FAYETTE COUNTY DESIGNATED REPRESENTATIVE'S OFFICE.

**WEISHUHN ENGINEERING, INC.**  
906 MILAM PO BOX 358  
COLUMBUS, TX 78934  
(979)732-6997  
RF#66



*James W. Weishuhn*  
 5-5-5-10



SEE NOTE 5

PRE-TREATMENT TANK  
 VOLUME: 400 GAL  
 CONCRETE TANK

AEROBIC TREATMENT UNIT  
 MCGREW CONSTRUCTION, CAJUNAIRE  
 PRO FLO 500 SLP  
 (OR EQUAL)

PUMP TANK  
 VOLUME: 771 GAL, CONCRETE TANK  
 (14.0 GAL./IN.)

**ONSITE WASTEWATER TREATMENT SYSTEM SECTION**

NTS

**NOTES:**

- TANKS MUST BE CONSTRUCTED IN ACCORDANCE WITH ASTM C 1227-93A.
- ELECTRICAL WIRING WILL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE. CONNECTIONS SHALL BE IN WEATHER PROOF JUNCTION BOXES AND ALL WIRING WILL BE IN APPROVED ELECTRICAL CONDUIT, BURIED AND TERMINATED AT A MAIN CIRCUIT BREAKER PANEL.
- SET PANEL FOR NIGHT IRRIGATION.  
 3 DOSES OF 100 GALLONS @ 1 HOUR (MIN.) FREQUENCIES BETWEEN MIDNIGHT & 5 A.M.
- PROVIDE AUDIO & VISUAL ALARMS FOR AIR PUMP FAILURE IN PANEL.
- BACKFILL WITH CLASS IB SOIL OR PEA GRAVEL AND PROVIDE 4" OF SAME BACKFILL UNDERNEATH TANKS.
- STAIR-RITE SUBMERSIBLE PUMP  
 RATING: 9 GPM @ 86' TDH  
 1/2 HP, 120 VOLT, SINGLE PHASE  
 PROVIDE LEVEL SWITCH IN CHLORINATOR RESEVOIR TO DETECT & INDICATE LOW LIQUID LEVEL BY AUDIO & VISUAL ALARMS
- PROVIDE LEVEL SWITCH IN CHLORINATOR RESEVOIR TO DETECT & INDICATE LOW LIQUID LEVEL BY AUDIO & VISUAL ALARMS

NO.	DATE	REVISION

WEISHUHN ENGINEERING, INC.  
 908 Milam P.O. Box 358  
 Columbia, Texas 76834  
 (979) 752-6987 Phone  
 187#6

FIGURE 2  
 SECTION  
 ONSITE WASTEWATER SYSTEM

GARRY CARTER  
 1700 GUENTHER RD.  
 LA GRANGE, TEXAS  
 FAYETTE COUNTY

05- 2703

COVENANTS AND RESTRICTIONS FOR 22.49 ACRES  
IN THE SILAS JONES LEAGUE, A-60, IN FAYETTE COUNTY, TEXAS

OFFICIAL RECORDS  
FAYETTE COUNTY, TEXAS

THE STATE OF TEXAS,  
COUNTY OF FAYETTE.

WHEREAS, the Declarants herein are the owners of real property in the Silas Jones League, A-60, in Fayette County, Texas, and further described as 22.49 acres of land, more particularly described by metes and bounds on Exhibit "A" attached hereto, and wish to subject the 22.49 acre property to certain protective covenants, conditions, restrictions, liens and charges as hereinafter set out:

NOW THEREFORE, it is hereby declared that all of the real property described in Exhibit "A" shall be held, sold and conveyed subject to the following easements, restrictions, covenants and conditions which are for the purpose of protecting the value and desirability of, and which shall run with, the real property and shall be binding on all parties having any right, title or interest in or to the above-described property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof. Said restrictions and conditions shall be in addition to any other restrictions and/or conditions already effective against the above-described property:

**DEFINITIONS:**

1. "Architectural Control Committee" shall be a group of owners of the 22.49 acres described in Exhibit "A" that are appointed by the Property Owners' Association.
2. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title in any tract, excluding those having such interest merely as security for the performance of an obligation.
3. "Property Owners' Association" shall refer to an association created and comprised of all of the owners who shall own property within the 22.49 acres tract described above. Membership in such association shall become automatic by an owner or owners upon the purchase of property in the 22.49 acres described above.

4. "Property" shall mean and refer to that 22.49 acres described and appearing on Exhibit "A" attached hereto.
5. "Tract" or "Tracts" as used herein shall mean a tract or tracts within the 22.49 acres described above. Each individual tract shall be subject to these restrictions.

The above described 22.49 acres shall be impressed with the following restrictions and covenants running with the title to said land, to-wit:

**RESTRICTIONS:**

1. All tracts shall be exclusively used for residential purposes, and no commercial purposes.
2. No mobile home, modular home or other prefabricated home shall be located on the property.
3. No tract may be subdivided, and no more than one residence may be located per tract without prior written approval by Richard Kuhn, Trustee or the Architectural Control Committee.
4. All houses, or any other improvements on these tracts, are to be completed within one (1) year from the start of construction.
5. All tracts shall be kept neat in appearance. No dumping, garbage or other refuse shall be permitted thereon, and no storage of vehicles is permitted. Abandoned vehicles, or inoperative vehicles must not remain on any tract for a period of more than ten (10) days. No campers or recreational vehicles including motor homes will be permitted on the tracts unless they are enclosed in an approved building or not visible from Guenther Road. If permitted, they must be on the back half of the tract behind the primary residence.
6. There shall not be, or cause to be, any burning or igniting causing flame of any trash, rubbish, grass or brush without the prior knowledge of the City of La Grange Fire Department.
7. All plans for building, fencing and building sites must be submitted to Richard Kuhn, Trustee or the Architectural Control Committee for written approval before construction can commence. The residences to be constructed on each tract shall have a minimum 2,000 square foot of living space. All buildings must be neat in appearance.
8. All buildings and structures on these tracts shall be new construction. No unpainted sheet metal or fiberglass structures shall be placed on any tract for use as an accessory building. No tent, house trailer, mobile home or temporary structure of any character may be placed, constructed or maintained on any tract.

9. All accessory buildings including detached garages, workshops and barns may be constructed after obtaining written approval from Richard Kuhn, Trustee or the Architectural Control Committee. These buildings must be of good construction, kept in good repair and not used for residential purposes. All permitted accessory buildings must be on the back half of the property behind the primary residence.
10. No residential structure shall be erected on any tract nearer than one hundred feet (100') from any street or roadway easement, or closer than fifty feet (50') from any property line. Accessory structures shall not be erected on any tract without prior approval of Richard Kuhn, Trustee, or the architectural Control Committee, and said accessory structure shall not be nearer than two hundred fifty feet (250') to three hundred feet (300') from any street or roadway easement, or seventy-five feet (75') from any property line. Richard Kuhn, Trustee or the Architectural Control Committee's may waive or alter any said setback line if in Richard Kuhn, Trustee or the Architectural Control Committee's discretion, such waiver or alteration is necessary to permit effective utilization of a tract.
11. No signs or advertising device may be displayed on any tract, except in the event of sale. There may be one (1) for sale sign, said sign being no more than six (6) square feet in size.
12. No excavation of any materials, other than for landscaping, construction of buildings, driveways, etc. will be permitted without written consent of Richard Kuhn, Trustee or the Architectural Control Committee.
13. There shall be no discharge of firearms upon any tract in a manner which is unsafe, or which in any constitutes danger to persons, property or livestock, regardless of where located. No center fire rifle shall be discharged on any tract at any time or in any manner whatever.
14. Poultry for family use may be kept on these tracts, but there shall be no commercial raising of poultry on these tracts; horses and cattle may be kept on these tracts, but such animals must be securely contained so that the animals are restricted to the owner's tract; no more than one (1) horse or one (1) head of cattle may be kept on each full acre of land; no more than five (5) head of horses or five (5) head of cattle or five (5) of a combination of each may be kept on any tract. No swine may be kept on any tract.
15. No outside toilets will be permitted. The owner of a tract of land desiring to construct septic tanks or other means of sanitary sewage disposal, shall comply with all state and county laws and regulations in existence at the time of the proposed construction. No septic drain lines or system(s) shall be placed nearer than fifty feet (50') from any property line. Aerobic treatment systems with surface irrigation are encouraged to be utilized.
16. Pets are not allowed to roam beyond the pet owner's property onto other people's property. If necessary, restraints shall be used to keep pets from roaming.



17. Any and all fencing and types of fence must be approved by Richard Kuhn, Trustee prior to beginning fence building.
18. If any one or more of the terms or provisions of these restrictions, covenants and easements shall be held invalid or for any reason is non-enforceable, none of the others shall be affected or impaired thereby, but shall remain in full force and effect.
19. All of the functions of Richard Kuhn, Trustee herein provided for, shall be taken over by the property owners of the 22.49 acres described above at any time after the sale of all of the tracts by Richard Kuhn, Trustee within the 22.49 acres.
20. These restrictions shall be effective until twenty-five (25) years from the date of recording in Fayette County, Texas, and shall automatically be extended thereafter for successive periods of ten (10) years each; provided, however, that owners of a sixty-six and two-thirds percent (66-2/3%) majority of tracts in the 22.49 acres described above may release all of the tracts hereby restricted from any one or more of said restrictions, or may release any tract from any restriction imposed hereby, on either twenty-five (25) years from the date of recording or at the end of any successive ten (10) year period thereafter, by executing and acknowledging an appropriate agreement or agreements in writing for such purpose and filing the same for record in the office of the County Clerk of Fayette County, Texas, at any time prior to the twenty-five (25) years from the date of recording or at any time prior to ten (10) years preceding the expiration of any successive ten (10) year period thereafter; provided, however, that the owners of seventy-five percent (75%) of tracts may release any tract from any restriction or restrictions at any time.
21. The record owner of each tract, whether or not in possession, and each occupant of the tract, whether or not a record owner, are bound by these covenants and restrictions, and are jointly and severally responsible for compliance with these covenants and restrictions by themselves and the others. The record owner shall fully inform the tenant or other non-owner occupant of these covenants and restrictions, and of the obligation to comply with them. Each owner waives notice of non-compliance with these covenants and restrictions. If any owner fails to abide by these covenants and restrictions, any other owner or occupant of any tract may institute a suit or other proceeding at law or in equity, to enforce these covenants and restrictions, and seek damages or any other legal remedy, including injunctive relief, to prevent construction, to remove improvements, or otherwise to compel compliance. Any such owner or occupant of a tract who prevails in any such suit shall be entitled to recover, from the owner or occupant found in breach of these covenants and restrictions, all reasonable attorneys fees and litigation expenses incurred in connection with the suit. A failure or delay to enforce any covenant or restriction shall not be deemed a waiver of any subsequent violation of any such covenants or restrictions. Violation of any covenant or restriction shall not, however, bring about a forfeiture of title to any such tract under violation.

22. Violations of any restrictions, or conditions, or breach of any covenant herein contained shall be Richard Kuhn, Trustee, or his successors or assigns, or the property owners in the acres described, in addition to all other remedies, the right to enter upon the land, and to abate and remove the violation at the expense of the owner; and Richard Kuhn, Trustee, or his successors or assigns, or the property owners, or their agent shall not thereby be guilty of any manner of trespass for such entry, abatement or removal.

Witness my hand this the 18th day of May, 2005.

Richard Kuhn, Trustee  
RICHARD KUHN, TRUSTEE

THE STATE OF TEXAS,  
COUNTY OF FAYETTE.

This instrument was acknowledged before me on this the 18th day of May, 2005,  
by RICHARD KUHN, Trustee.



Michael F. Klesel  
Notary Public in and for The State of Texas  
Notary's Typed or Printed Name:  
Michael F. Klesel  
Notary's Commission Expires: 11-30-2008