



Date: May 15, 2001
To: Walden on Lake Conroe Section Seven Homeowners
From: Jerry H. Deutser and S. Conrad Weil, Jr.
Subject: San Jacinto River Authority Flowage Easement

As you are aware, the San Jacinto River Authority has a Flowage Easement on most waterfront lots on Lake Conroe between elevation 201 and elevation 207. In 1975, the developers of Walden on Lake Conroe obtained the fee to the Exclusive Perpetual Easement which surrounds Walden.

It might be helpful to give some background on these easements. When we began developing Walden there was no water in the lake. It was plain to see that by dredging a canal around the waterfront we can help ensure that when the lake level dropped, our property owners would still have waterfront lots. This is not the case on many subdivisions on Lake Conroe. The dirt from this canal was placed adjacent to the waterfront lots and in most cases increased the SJRA easement area. We convinced the SJRA to deed these easements to the developers so that we would be in position to transfer the easement to each property owner adjoining a lot contiguous to the shoreline of the Walden subdivision.

The task of surveying the individual easements was very time consuming and therefore easements were not deeded to the property owners in the earlier sections of Walden. Later when legal descriptions became available they were deeded routinely as part of the lot purchases. Several years ago we offered to deed the easement to the waterfront owners in the earlier sections and the majority of property owners accepted.

We are once again making an offer to deed these easements to the remaining waterfront property owners. We feel that it is in your best interest that you control the fee to the property between your lot and the waterfront, however, we understand that you may wish to consult your attorney. As owners of the fee to these easements we have no legal responsibility to Section Seven Homeowners for bulkheads which may have been installed in the easement. The current Section Seven Townhouse owners might not be aware that the bulkheads in Section Seven were not installed by the developers. They were built by each group of townhouse owners at their own expense.

Should you now wish to accept title to this property, an easement agreement is enclosed. This document should be executed by the owners of record, notarized and returned to this office in the enclosed envelope. We will have the agreement recorded in the Montgomery County Deed Records and the original instrument will be returned to you for your files.

If you have any questions please do not hesitate to call us.

Thank you.