

§337.212. Appendix C - Sample sanitary control easement document for a public water well.

THE STATE OF TEXAS
COUNTY OF

KNOW ALL MEN BY THESE PRESENTS:

That Tom A. Martin, Trustee being the owners of Lot exhibit A and Lot _____ of the Beasley Prewett Survey A-420 survey, in Montgomery County, Texas, as shown on the map or plat recorded in Vol. exhibit A page _____ of the Deed Records of Montgomery County, Texas, do hereby declare such property bound by the hereinafter set out restrictions and covenants and agree that said purchasers and subsequent owners of said lots or parts thereof shall comply with same. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of two years from date these covenants are recorded, after which time said covenants shall be automatically extended until the use of this water well as a source of water for a public water system ceases.

Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages.

Invalidation of any one of these covenants by judgment or court order shall not in any wise affect any of the other provisions which shall remain in full force and effect.

Such restrictions are as follows, to wit:

1. Sanitation control upon all of that area of land of said Lot exhibit A and Lot _____ as is included within a 150 foot radius of a proposed deep water well located ~~_____ feet at a radial of _____ degrees from the~~ center of exhibit A ~~corner of said Lot(s)~~ and specifically prohibiting the construction and/or operation of stock pens, feed lots, dump grounds, privies, cesspools, septic tank drainfields, drilling of improperly constructed water wells of any depth and all other construction or operation that could create an insanitary condition within, upon or across the above described tract of land;
2. Tile or concrete sanitary sewers, septic tanks and storm sewers are specifically prohibited within a 50 foot radius of the deep water well described and located above.
3. This sanitation control permits the construction of homes or buildings upon same, provided, however, that all stock pens, feed lots, privies, tile or concrete sanitation sewers, cesspools, septic tanks, storm sewers, septic tank drainfields, drilling of improperly constructed wells of any depth and other construction and/or operations that could create an insanitary condition within, upon or across same are specifically prohibited within the designated distances.
4. Normal farming and ranching operations are permitted except that livestock shall not be allowed within 50 feet of the proposed well.

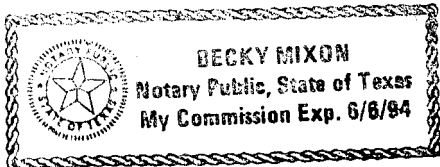
IN WITNESS WHEREOF the said owners have executed this instrument this 2 day of July 19 91.

[Handwritten signature]

THE STATE OF TEXAS
COUNTY OF

BEFORE ME, the undersigned authority, on this day personally appeared Tom A. Martin known to me to be the person(s) whose name(s) are subscribed to the foregoing instrument and acknowledged to me that they (he/she) executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 2 day of July 19 91.



Becky Mixon
Notary Public in and for
Montgomery County, Texas

Recorded at _____ Courthouse, _____, Texas
on _____ 19 ____.

After Recording Return to:

CRYSTAL SPRINGS WATER CO.
P. O. BOX 603
PORTER, TX 77365

July 2, 1990

BEING 1.623 ACRES OF LAND IN THE BEASLEY PREWETT SURVEY, A-420, MONTGOMERY COUNTY, TEXAS, SAID 1.623 ACRES BEING DESCRIBED MORE PARTICULARL AS FOLLOWS:

150 FOOT RADIUS EASEMENT:

BEGINNING at the radius point of the herein described tract and being N. 88°13' 35" W., 380.00 feet and N. 01°46' 25" E., 20.00 feet from the Southeast corner of a certain 73.066 acre tract as described by deed recorded under County Clerk's File Number 8008224, of the Real Property Records;

THENCE along and with a curve, forming a complete circle, having a radius of 150.00 feet, a central angle of 360°00' 00" for an arc length of 942.48.

FILED FOR RECORD

95 SEP 27 PM 4:07

MARK TURNBULL, CO. CLERK
MONTGOMERY COUNTY, TEXAS

[Signature]
DEPUTY

STATE OF TEXAS
COUNTY OF MONTGOMERY
I hereby certify that this instrument was filed in File Number Sequence on the date and at the time stamped herein by me and was duly RECORDED in the official Public Records of Real Property of Montgomery County, Texas.

SEP 27 1995



Mark Turnbull
COUNTY CLERK
MONTGOMERY COUNTY, TEXAS