



**SANITARY CONTROL EASEMENT**

**DATE:** January 7, 2009

**GRANTOR:** WHITEWATER SPRINGS PROPERTY OWNERS ASSOCIATION

**GRANTOR'S ADDRESS:** *Whitewater Springs  
10900 South FM 1074  
Bertram, TX 78605*

**GRANTEE:** LOWER COLORADO RIVER AUTHORITY, a conservation and reclamation district of the State of Texas

**GRANTEE'S ADDRESS:** P.O. Box 220  
Austin, Texas 78767

**EASEMENT:**

Grantor hereby grants to Grantee a 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 and operation of underground petroleum and chemical storage tanks and liquid transmission pipelines, stock pens, feedlots, dump grounds, privies, cesspools, septic tank or sewage treatment drainfields, improperly constructed water wells of any depth, and all other construction or operation that could create an unsanitary condition within, upon, or across the property subject to this Easement are prohibited within 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 of tile or concrete sanitary sewers, sewer appurtenances, septic tanks, storm sewers, and cemeteries 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 Grantor's property as long as all items in Restrictions Nos. 2 and 3 are recognized and followed.
5. This Easement permits normal farming and ranching operations, except that livestock shall not be allowed within 50 feet of the water well.

**PROPERTY SUBJECT TO EASEMENT:**

The Grantor's property subject to this Easement is a portion of the Common Reserves, being a portion of Whitewater Springs, Section Two, recorded in Cabinet 2, Slides 120-D, 121 A-D, 122 A-D, 123 A-D, and 124-A of the Plat Records of Burnet County, Texas, and being depicted in Exhibit A attached hereto and incorporated herein for all purposes, including all of the Common Reserves lying within 150 feet of a proposed well site at the following location:

North 10199461.7977 feet, East 2994989.6113 feet, North American Datum 1983 (NAD83), High Accuracy Reference Network (HARN), Central Texas Zone.

**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 of this Easement, either to restrain the violation or to recover damages.

**INVALIDATION:**

Invalidation of any one of these restrictions or uses (covenants) by a judgement or court order shall not affect any of the other provisions of this Easement, which shall remain in full force and effect.

**GRANTOR:**  
WHITEWATER SPRINGS PROPERTY OWNERS ASSOCIATION

By: La Dale Young  
Name: La Dale Young  
Title: Chairman, Whitewater Springs POA

**ACKNOWLEDGMENT**



STATE OF TEXAS §  
§  
COUNTY OF Dallas §

This instrument was acknowledged before me on March 30, 2009  
by La Dale Young.

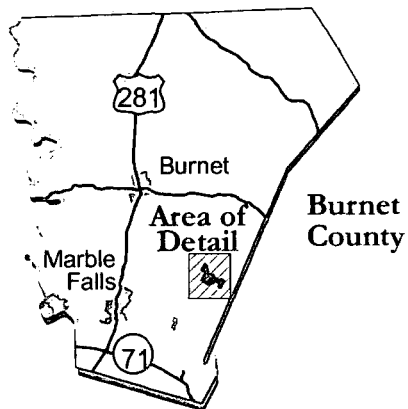
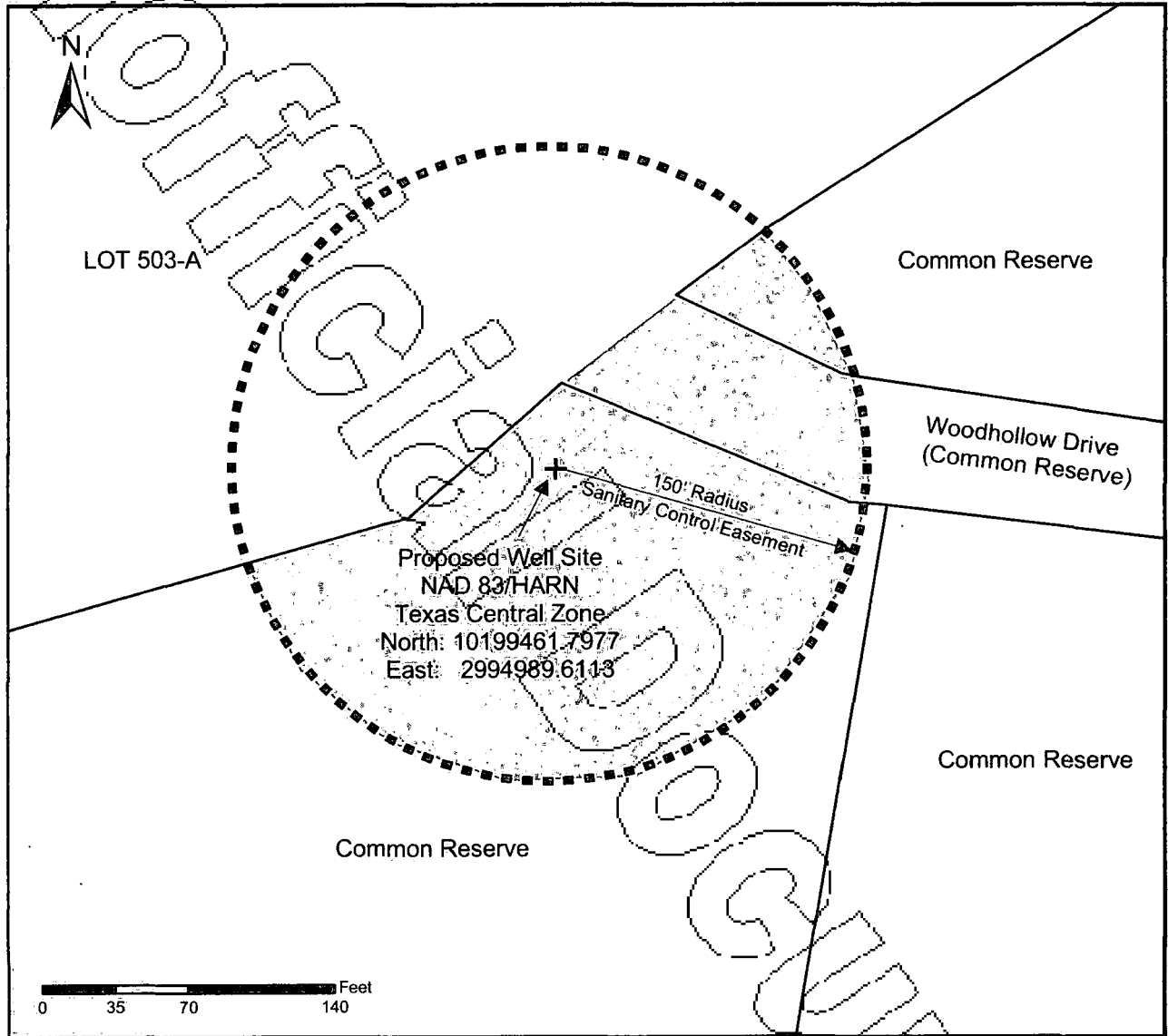
Heidi L. Wagner  
Notary Public, State of Texas

**UPON RECORDING, RETURN TO:**

Lower Colorado River Authority  
P.O. Box 220  
Austin, Texas 78767-0220

# Exhibit A

## Whitewater Springs Subdivision Common Reserve Sanitary Control Easement



### Proposed Well Site Map

- + Proposed Well Location
- Common Reserve Easement

UNOFFICIAL DOCUMENT

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**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

*Janet Parker*

200904224

May 12, 2009 04:19:22 PM

FEE: \$28.00

Janet Parker, County Clerk

Burnet County, Texas