

2000-033003

695-00-0428

4

SANITARY CONTROL EASEMENT

DATE: November ____, 1999

GRANTOR: LEONA BONE and ALVILDA DENNIS, Tenants-in-Common

GRANTOR'S ADDRESS: ✓ Leona Bone
P.O. Box 163
Converse, Texas 78109

Alvilda Dennis
Box 110
Montgomery, Texas 77356

GRANTEE: CITY OF MONTGOMERY

GRANTEE'S ADDRESS: P.O. Box 708
Montgomery, Texas 77356

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 insanitary condition within, upon, or across the property subject to this easement are prohibited within this easement. For the purpose of the 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 the Grantor's property as long as all items in Restrictions Nos. 2 and 3 are recognized and followed.
5. The easement permits normal farming and ranching operations, except that livestock shall not be allowed within 50 feet of the water well.

The grantor's property subject to this Easement is the Surface Estate Only in and to 0.0606 acres of land, situated in the John Corner Survey, Abstract No. 8, Montgomery County, Texas, and being more particularly described by metes and bounds attached in Exhibit "A".

GRANTORS:

By: Leona Bone
LEONA BONE

By: _____
ALVILDA DENNIS

Informational

After Recording Return To:

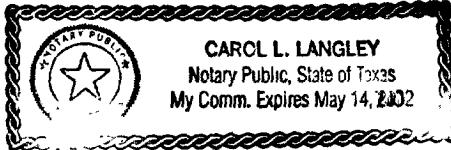
**R.A. Deison
307 N. San Jacinto
Conroe, Texas 77301**

ACKNOWLEDGMENT

STATE OF TEXAS {

COUNTY OF MONTGOMERY {

BEFORE ME, the undersigned authority, on this the 17 day of ^{April 2000} ~~November, 1999~~, personally appeared LEONA BONE known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and in the capacity therein expressed.



Carol L. Langley
Notary Public, State of Texas

STATE OF TEXAS {

COUNTY OF MONTGOMERY {

BEFORE ME, the undersigned authority, on this the ____ day of November, 1999, personally appeared ALVILDA DENNIS known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and in the capacity therein expressed.

Notary Public, State of Texas

RECORDER'S MEMORANDUM:
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All black-outs, additions and changes were present at the time the instrument was filed and recorded.

SANITARY CONTROL EASEMENT (E-5)

Being a 0.0606 acre (2,640 square feet) tract of land located in the John Corner Survey, Abstract No. 8, more or less out of 0.239 acre (10.4108 square feet) of land, conveyed by E. W. Mickler and wife Thelesa Mickler and Georgia Mickler Williamson and husband W. N. Williamson to J. W. Dennis, dated August 31, 1945, recorded in Volume 250, Page 19, of the Deed Records of Montgomery County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a found 1/2-inch iron rod in the east line of Pond Street also marking the northwest corner of a 0.016 acre (697.4 square feet) tract conveyed by S. N. Beard to W. B. Wood dated April 23, 1900 and recorded in Vol. 22, Page 215 of the Deed Records of Montgomery County, Texas;

THENCE, North 01°50'01" West, a distance of 65.13 feet to a point in the east line of Pond Street also being the most westerly southwest corner of a 0.1836 acre (8,000square feet) tract of land conveyed by Clyde Kennelly and Wayne Nelson and wife Jeneal Nelson to The O. Corporation, dated November 11, 1994 and recorded in th County Clerk's File Number 9466020 of the Deed Records of Montgomery County, Texas;

THENCE, North 01°53'53" West , a distance of 30.00 feet to a point for corner, same point being the southwest corner of a 0.239 acre (10.4108 square feet) tract of land conveyed by E. W. Mickler and wife Thelesa Mickler and Georgia Mickler Williamson and husband W. N. Williamson to J. W. Dennis, dated August 31, 1945, recorded in Volume 250, Page 19, of the Deed Records of Montgomery County, Texas; same point being the POINT OF BEGINNING of herein described tract;

THENCE, North 01°14'49" West, a distance of 54.52 feet to a point intersecting Pond Street and College Street, same point being the northwest corner of herein described tract;

THENCE, North 88°20'43" East, a distance of 48.30 feet to a found 1/2-inch iron rod for the northeast corner of herein described tract;

THENCE, South 01°14'49" East, a distance of 54.80 feet to a found 1/2-inch iron rod, being the southeast corner of herein described tract;

THENCE, South 88°40'25" West, a distance of 48.30 feet to a point in the east line of Pond Street, same point being the POINT OF BEGINNING and CONTAINING a computed 0.0606 acre (2,640 square feet) of land.

Prepared by:


David J. Strauss R.P.L.S. 4833

Sitech Engineering Corp.
2202 Timberloch Place, Suite 100
The Woodlands, Texas 77380
Ph. (281) 363-4039 Fax (281) 363-3459
Date: 09-24-98

FILED FOR RECORD
00 APR 24 AM 9:07
MARK TURNBULL, CO. CLERK
MONTGOMERY COUNTY, TEXAS
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

APR 24 2000




MARK TURNBULL
COUNTY CLERK
MONTGOMERY COUNTY, TEXAS