

SANITATION EASEMENT FOR HAVENSHIRE SUBDIVISION WATER WELL

THE STATE OF TEXAS §  
COUNTY OF MONTGOMERY §

KNOW ALL MEN BY THESE PRESENTS:

That, Joe D. and Margaret L. Havens, being the owners of Lots 6 and 7, Section 1 of Havenshire Subdivision, from the John Corner A-8 Survey, Montgomery County, Texas, recorded in Cabinet H, Sheet 167B of the Map Records of Montgomery County, 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:

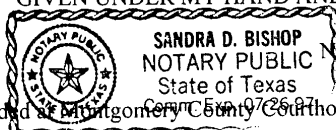
1. Sanitation control upon those portions of Lots 6 and 7 referenced above that are within a 150' radius circle centered on the water well in the NE corner of Lot 6, said well bearing N 86°59'09" E, 676.8 feet from the NW corner of Havenshire Subdivision; said sanitation easement being one-half of a circle and containing approximately 0.40 acres each in Lots 6 and 7, extending approximately 150 feet south along their common line and being the arc of a circle to the NW corner of Lot 6 and the NE corner of Lot 7; and specifically prohibiting the construction and/or operation of stock pens, feed lots, dump grounds, privies, cesspools, septic tank drain fields, drilling of improperly constructed water wells of any depth and all other construction or operation that could create an unsanitary 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 drain fields, drilling of improperly constructed wells of any depth and other construction and/or operations that could create an unsanitary 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 28<sup>th</sup> day of March, 1996 [Signature] Owners

THE STATE OF TEXAS §  
COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority, on this day personally appeared Joe D. Havens and \_\_\_\_\_ known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 28<sup>th</sup> day of March, 1996.



Sandra D. Bishop  
Notary Public in and for Montgomery County, Texas


Recorded at \_\_\_\_\_, Montgomery County Courthouse, Conroe, Texas on \_\_\_\_\_, 1995.

146-00-0781

FILED FOR RECORD

96 APR -3 AM 10:16

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 03 1996



  
COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

↓  
Campbell Engineers  
Attn: Brian Campbell  
87 Rolling Hills  
Conroe TX 77304

2252APR.03.964  
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REC  
REC MGT

5.00  
5.00