

## Comal County

OFFICE OF COMAL COUNTY ENGINEER

### License to Operate On-Site Sewage Treatment and Disposal Facility

Issued This Date: **05/30/2019** Permit Number: **108597**

Location Description: **196 WHITELL BAY  
CANYON LAKE, TX 78133**

Subdivision: **Clear Water Estates**  
Unit: **1**  
Lot: **59H**  
Block:  
Acreage:

Type of System: **Aerobic  
Surface Irrigation**

Issued to: **Jayna M. Gibbs**

This license is authorization for the owner to operate and maintain a private facility at the location described in accordance to the rules and regulations for on-site sewerage facilities of Comal County, Texas, and the Texas Commission on Environmental Quality.

The license grants permission to operate the facility. It does not guarantee successful operation. It is the responsibility of the owner to maintain and operate the facility in a satisfactory manner.

Alterations to this permit including, but not limited to:

- Increase in the square feet of living area
- Increase in the number of bedrooms
- A change of use (i.e. residential to commercial)
- Relocation of system components (including the relocation of spray heads)
- Installation of landscaping
- Adding new structures to the system

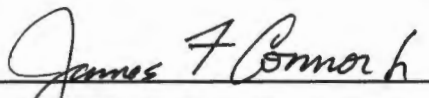
may require a new permit. **It is the responsibility of the owner to apply for a new permit, if applicable.**

Inspection and licensing of a facility indicates only that the facility meets certain minimum requirements. It does not impede any governmental entity in taking the proper steps to prevent or control pollution, to abate nuisance, or to protect the public health.

This license to operate is valid for an indefinite period. The holder may transfer it to a succeeding owner, provided the facility has not been remodeled and is functioning properly.

Licensing Authority

**Comal County Environmental Health**

  
ENVIRONMENTAL HEALTH INSPECTOR

OS0032485

  
ENVIRONMENTAL HEALTH COORDINATOR  
**OS 0025599**

## Comal County Environmental Health OSSF Inspection Sheet

Installer Name: Homeowner OSSF Installer #: 05 N/A

1st Inspection Date: 5-30-19 2nd Inspection Date: \_\_\_\_\_ 3rd Inspection Date: \_\_\_\_\_

Inspector Name: Connor Inspector Name: \_\_\_\_\_ Inspector Name: \_\_\_\_\_

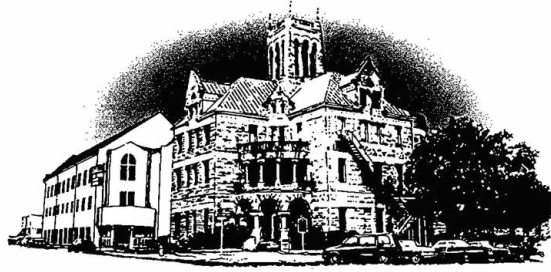
Permit#: 108597 Address: Clean Water Est. 196 Whitell Bay

No.	Description	Answer	Citations	Notes	1st Insp.	2nd Insp.	3rd Insp.
1	SITE AND SOIL CONDITIONS & SETBACK DISTANCES Site and Soil Conditions Consistent with Submitted Planning Materials	/	285.31(a) 285.30(b)(1)(A)(iv) 285.30(b)(1)(A)(v) 285.30(b)(1)(A)(iii) 285.30(b)(1)(A)(ii) 285.30(b)(1)(A)(i)		/		
2	SITE AND SOIL CONDITIONS & SETBACK DISTANCES Setback Distances Meet Minimum Standards	/	285.91(10) 285.30(b)(4) 285.31(d)				
3	SEWER PIPE Proper Type Pipe from Structure to Disposal System (Cast Iron, Ductile Iron, Sch. 40, SDR 26)		285.32(a)(1)	<i>existing system sprinkler relocation</i>			
4	SEWER PIPE Slope from the Sewer to the Tank at least 1/8 Inch Per Foot		285.32(a)(3)				
5	SEWER PIPE Two Way Sanitary - Type Cleanout Properly Installed (Add. C/O Every 100' &/or 90 degree bends)		285.32(a)(5)				
6	PRETREATMENT Installed (if required) TCEQ Approved List PRETREATMENT Septic Tank(s) Meet Minimum Requirements		285.32(b)(1)(G) 285.32(b)(1)(E)(iii) 285.32(b)(1)(E)(iv) 285.32(b)(1)(F) 285.32(b)(1)(B) 285.32(b)(1)(C)(i) 285.32(b)(1)(C)(ii) 285.32(b)(1)(D) 285.32(b)(1)(E) 285.32(b)(1)(A) 285.32(b)(1)(E)(ii)(II) 285.32(b)(1)(E)(i) 285.32(b)(1)(E)(ii)(I)				
7	PRETREATMENT Grease Interceptors if required for commercial		285.34(d)				

*sprinkler relocation - covered and operational - view holes were created to check for purple pipe.*

**Comal County Environmental Health  
OSSF Inspection Sheet**

No.	Description	Answer	Citations	Notes	1st Insp.	2nd Insp.	3rd Insp.
40	APPLICATION AREA Distribution Pipe, Fitting, Sprinkler Heads & Valve Covers Color Coded Purple?	/	285.33(d)(2)(G)(iii)(II)285.33(d)(2)(G)(iii)(III)285.33(d)(2)(G)(v) 285.33(d)(2)(G)(iii) 285.33(d)(2)(G)(iv) 285.33(d)(2)(G)(i) 285.33(d)(2)(G)(ii) 285.33(d)(2)(G)(iii)(I)		/		
41	APPLICATION AREA Low Angle Nozzles Used / Pressure is as required APPLICATION AREA Acceptable Area, nothing within 10 ft of sprinkler heads? APPLICATION AREA The Landscape Plan is as Designed	/	285.33(d)(2)(G)(i) 285.33(d)(2)(A) 285.33(d)(2)(F)		/		
42	APPLICATION AREA Area Installed	/			/		
43	PUMP TANK Meets Minimum Reserve Capacity Requirements						
44	PUMP TANK Material Type & Manufacturer						
45	PUMP TANK Type/Size of Pump Installed						



# Comal County

OFFICE OF COMAL COUNTY ENGINEER

## **Permit of Authorization to Construct an On-Site Sewage Facility Permit Valid For One Year From Date Issued**

Permit Number: 108597  
Issued This Date: 01/11/2019  
This permit is hereby given to: Jayna M. Gibbs

To start construction of a private, on-site sewage facility located at:

196 WHITEELL BAY  
CANYON LAKE, TX 78133

Subdivision: Clear Water Estates  
Unit: 1  
Lot: 59H  
Block:  
Acreage:

APPROVED MINIMUM SIZES AS PER ATTACHED DESIGN

Type of System: Aerobic  
Surface Irrigation

This permit gives permission for the construction of the above referenced on-site facility to commence. Installation must be completed by an installer holding a valid registration card from the Texas Commission on Environmental Quality (TCEQ). Installation and inspection must comply with current TCEQ and Comal County requirements.

Call (830) 608-2090 to schedule inspections.

OSSF DEVELOPMENT APPLICATION CHECKLIST

Staff will complete shaded

items Date Received	initials

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Permit Number

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Instructions:

Place a check mark next to all items that apply. For items that do not apply, place "N/A". This OSSF Development Application Checklist **must** accompany the completed application.

OSSF Permit

- Completed Application for Permit for Authorization to Construct an On-Site Sewage Facility and License to Operate
- Site/Soil Evaluation Completed by a Certified Site Evaluator or a Professional Engineer
- Planning Materials of the OSSF as Required by the TCEQ Rules for OSSF Chapter 285. Planning Materials shall consist of a scaled design and all system specifications.
- Required Permit Fee
- Copy of Recorded Deed
- Surface Application/Aerobic Treatment System
  - Recorded Certification of OSSF Requiring Maintenance/Affidavit to the Public
  - Signed Maintenance Contract with Effective Date as Issuance of License to Operate

I affirm that I have provided all information required for my OSSF Development Application and that this application constitutes a completed OSSF Development Application.

  
 \_\_\_\_\_  
 Signature of Applicant

12/31/18  
 \_\_\_\_\_  
 Date

___ COMPLETE APPLICATION	
Check No. _____	Receipt No. _____

___ INCOMPLETE APPLICATION
(Missing Items Circled, Application Refused)

APPLICATION FOR PERMIT FOR AUTHORIZATION TO CONSTRUCT AN ON-SITE SEWAGE FACILITY AND LICENSE TO OPERATE

Date November 28, 2018

Permit # 108597

Owner Name JAYNA M. GIBBS
Mailing Address 196 WHITEELL BAY
City, State, Zip CANYON LAKE, TX 78133
Phone#
Email

Agent Name GREG W. JOHNSON, P.E.
Agent Address 170 HOLLOW OAK
City, State, Zip NEW BRAUNFELS, TX 78132
Phone # (830) 905-2778
Email gregjohnsonpe@yahoo.com

All correspondence should be sent to: [ ] Owner [X] Agent [ ] Both

Method: [ ] Mail [X] Email

Subdivision Name CLEAR WATER ESTATES Unit/Phase/Section 1 Lot 59H Block

Acreage/Legal

Street Name/Address 196 WHITEELL BAY City CANYON LAKE Zip 78133

Type of Development:

[X] Single Family Residential

Type of Construction (House, Mobile, RV, Etc.) HOUSE

Number of Bedrooms 3

Indicate Sq Ft of Living Area 1828

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[ ] Commercial or Institutional Facility

(Planning materials must show adequate land area for doubling the required land needed for treatment units and disposal area)

Type of Facility

Offices, Factories, Churches, Schools, Parks, Etc. - Indicate Number Of Occupants

Restaurants, Lounges, Theaters - Indicate Number of Seats

Hotel, Motel, Hospital, Nursing Home - Indicate Number of Beds

Travel Trailer/RV Parks - Indicate Number of Spaces

Miscellaneous

Estimated Cost of Construction: \$ EXISTING (Structure Only)

Is any portion of the proposed OSSF located in the United States Army Corps of Engineers (USACE) flowage easement?

[ ] Yes [X] No (if yes, owner must provide approval from USACE for proposed OSSF improvements within the USACE flowage easement)

Source of Water [X] Public [ ] Private Well

Are Water Saving Devices Being Utilized Within the Residence? [X] Yes [ ] No

By signing this application, I certify that:

- the completed application and all additional information submitted does not contain any false information and does not conceal any material facts.
-Authorization is hereby given to the permitting authority and designated agents to enter upon the above described property for the purpose of site/soil evaluation and inspection of private sewage facilities.
-I also understand that a permit of authorization to construct will not be issued until the Floodplain Administrator has performed the reviews required by the Comal County Flood Damage Prevention Order.
-I affirmatively consent to the online posting/public release of my e-mail address associated with this permit application, as applicable.

Signature of Owner

Date 12/22/18

\*\*\* COMAL COUNTY OFFICE OF ENVIRONMENTAL HEALTH \*\*\*

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APPLICATION FOR PERMIT FOR AUTHORIZATION TO CONSTRUCT AN ON-SITE SEWAGE FACILITY AND LICENSE TO OPERATE

DEC 31 2018

Planning Materials & Site Evaluation as Required Completed By GREG W. JOHNSON, P.E. COUNTY ENGINEER

System Description PROPRIETARY; AEROBIC TREATMENT AND SURFACE IRRIGATION

Size of Septic System Required Based on Planning Materials & Soil Evaluation

Tank Size(s) (Gallons) 500 GAL TRASH/AQUASAFE AS500/1000 GAL PUMP (EXISTING #79047) Absorption/Application Area (Sq Ft) 4825

Gallons Per Day (As Per TCEQ Table III) 240

(Sites generating more than 5000 gallons per day are required to obtain a permit through TCEQ)

Is the property located over the Edwards Recharge Zone? [ ] Yes [X] No

(If yes, the planning materials must be completed by a Registered Sanitarian (R.S.) or Professional Engineer (P.E.))

Is there an existing TCEQ approved WPAP for the property? [ ] Yes [X] No

(if yes, the R. S. or P. E. shall certify that the OSSF design complies with all provisions of the existing WPAP.)

If there is no existing WPAP, does the proposed development activity require a TCEQ approved WPAP? [ ] Yes [ ] No

(If yes, the R.S. or P. E. shall certify that the OSSF design will comply with all provisions of the proposed WPAP. A Permit to Construct will not be issued for the proposed OSSF until the proposed WPAP has been approved by the appropriate regional office.)

Is the property located over the Edwards Contributing Zone? [X] Yes [ ] No

Is there an existing TCEQ approval CZP for the property? [ ] Yes [X] No

(if yes, the P.E. or R.S. shall certify that the OSSF design complies with all provisions of the existing CZP)

If there is no existing CZP, does the proposed development activity require a TCEQ approved CZP? [ ] Yes [X] No

(if yes, the P.E. or R.S. shall certify that the OSSF design will comply with all provisions of the proposed CZP. A Permit to construct will not be issued for the proposed OSSF until the CZP has been approved by the appropriate regional office.)

Is this property within an incorporated city? [ ] Yes [X] No

If yes, indicate the city: \_\_\_\_\_



FIRM #2585

By signing this application, I certify that:

- The information provided above is true and correct to the best of my knowledge.
- I affirmatively consent to the online posting/public release of my e-mail address associated with this permit application, as applicable

Signature of Designer (Handwritten Signature)

Date November 28, 2018

AFFIDAVIT



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THE COUNTY OF COMAL  
STATE OF TEXAS

CERTIFICATION OF OSSF REQUIRING MAINTENANCE

According to Texas Commission on Environmental Quality Rules for On-Site Sewage Facilities (OSSF's), this document is filed in the Deed Records of Comal County, Texas. RECEIVED

I

The Texas Health and Safety Code, Chapter 366 authorizes the Texas Commission on Environmental Quality (TCEQ) to regulate on-site sewage facilities (OSSFs). Additionally, the Texas Water Code (TWC), § 5.012 and § 5.013, gives the commission primary responsibility for implementing the laws of the State of Texas relating to water and adopting rules necessary to carry out its powers and duties under the TWC. The commission, under the authority of the TWC and the Texas Health and Safety code, requires owner's to provide notice to the public that certain types of OSSFs are located on specific pieces of property. To achieve this notice, the commission requires a recorded affidavit. Additionally, the owner must provide proof of the recording to the OSSF permitting authority. This recorded affidavit is not a representation or warranty by the commission of the suitability of this OSSF, nor does it constitute any guarantee by the commission that the appropriate OSSF was installed.

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II

An OSSF requiring a maintenance contract, according to 30 Texas Administrative Code §285.91(12) will be installed on the property described as (insert legal description):

1 UNIT/PHASE/SECTION \_\_\_\_\_ BLOCK 59H LOT \_\_\_\_\_ CLEAR WATER ESTATES SUBDIVISION

IF NOT IN SUBDIVISION: \_\_\_\_\_ ACREAGE \_\_\_\_\_ SURVEY

The property is owned by (insert owner's full name): JAYNA M. GIBBS

This OSSF must be covered by a continuous maintenance contract for the first two years. After the initial two-year service policy, the owner of an aerobic treatment system for a single family residence shall either obtain a maintenance contract within 30 days or maintain the system personally.

Upon sale or transfer of the above-described property, the permit for the OSSF shall be transferred to the buyer or new owner. A copy of the planning materials for the OSSF can be obtained from the Comal County Engineer's Office.

WITNESS BY HAND(S) ON THIS 22<sup>nd</sup> DAY OF December, 2018

Jayna M. Gibbs  
Owner(s) signature(s)

JAYNA M. GIBBS  
Owner (s) Printed name (s)

JAYNA M. GIBBS

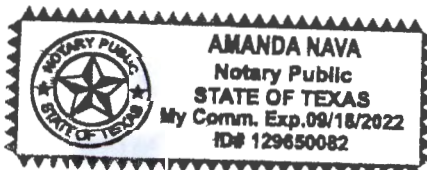
SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 22<sup>nd</sup> DAY OF

December, 2018

THIS AREA FOR COMAL COUNTY CLERK RECORDING PURPOSES ONLY

Amanda Nava  
Notary Public Signature

Filed and Recorded  
Official Public Records  
Bobbie Koepf, County Clerk  
Comal County, Texas  
12/31/2018 02:02:01 PM  
TERRI 1 Page(s)  
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(Notary Seal Here)



Bobbie Koepf



Greg W. Johnson, P.E.

170 Hollow Oak  
New Braunfels, Texas 78132  
830/905-2778

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November 28, 2018

Comal County Office of Environmental Health  
195 David Jonas Drive  
New Braunfels, Texas 78132-3760

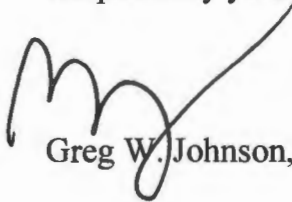
RE: Septic Design  
196 Whitell Bay  
Clear Water Estates, Unit 1, Lot 59H  
Canyon Lake, TX 78133  
Gibbs Residence

Ms. Ritzen/Hernandez,

Due to the lack of available application area it is necessary to have the setback from the property line to the spray at ten feet as required by TCEQ Chapter 285 rules Table X. I hereby request a variance to the twenty foot setback to property lines as required by Comal County Order and equivalent protection will be maintained by including a battery backup to the timer clock to assure sprayers to only spray during the predawn hours. In my professional opinion this variance will not pose a threat to the environment or public health.

If I can be of further assistance please contact me.

Respectfully yours,



Greg W. Johnson, P.E., F#2585



**ON-SITE SEWERAGE FACILITY  
SOIL EVALUATION REPORT INFORMATION**

Date Soil Survey Performed: November 27, 2018

Site Location: 196 WHITEELL BAY - CLEAR WATER ESTATES, UNIT 1, LOT 59H

Proposed Excavation Depth: N/A

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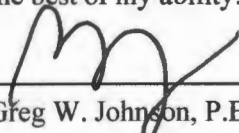
**Requirements:**

At least two soil excavations must be performed on the site, at opposite ends of the proposed disposal area. Locations of soil boring or dug pits must be shown on the site drawing. For subsurface disposal, soil evaluations must be performed to a depth of at least two feet below the proposed excavation depth. For surface disposal, the surface horizon must be evaluated. Describe each soil horizon and identify any restrictive features on the form. Indicate depths where features appear.

SOIL BORING NUMBER <u>1</u>						
Depth (Feet)	Texture Class	Soil Texture	Gravel Analysis	Drainage (Mottles/ Water Table)	Restrictive Horizon	Observations
0	III	CLAY LOAM	N/A	NONE OBSERVED	LIMESTONE @ 10"	BROWN
10"						
1						
2						
3						
4						
5						

SOIL BORING NUMBER <u>2</u>						
Depth (Feet)	Texture Class	Soil Texture	Gravel Analysis	Drainage (Mottles/ Water Table)	Restrictive Horizon	Observations
0	SAME	AS	ABOVE			
1						
2						
3						
4						
5						

I certify that the findings of this report are based on my field observations and are accurate to the best of my ability.

  
 \_\_\_\_\_  
 Greg W. Johnson, P.E. 67587-F2585, S.E. 11561

11/27/18  
 \_\_\_\_\_  
 Date



**FIRM #2585**

**OSSF SOIL EVALUATION REPORT INFORMATION**

Date: November 28, 2018

**Applicant Information:**

Name: JAYNA M. GIBBS  
Address: 196 WHITELL BAY  
City: CANYON LAKE State: TX  
Zip Code: 78133 Phone: \_\_\_\_\_

**Site Evaluator Information:**

Name: Greg W. Johnson, P.E., R.S., S.E. 11561  
Address: 170 Hollow Oak  
City: New Braunfels State: Texas  
Zip Code: 78132 Phone & Fax (830)905-2778

**Property Location:**

Lot 59H Unit 1 Blk \_\_\_ Subd. CLEAR WATER ESTATES  
Street Address: 196 WHITELL BAY  
City: CANYON LAKE Zip Code: 78133  
Additional Info.: \_\_\_\_\_

**Installer Information:**

Name: \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_  
Zip Code: \_\_\_\_\_ Phone \_\_\_\_\_

**Topography:** Slope within proposed disposal area: 3 %  
Presence of 100 yr. Flood Zone: YES \_\_\_ NO X  
Existing or proposed water well in nearby area. YES \_\_\_ NO X  
Presence of adjacent ponds, streams, water impoundments YES \_\_\_ NO X  
Presence of upper water shed YES \_\_\_ NO X  
Organized sewage service available to lot YES \_\_\_ NO X

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**Design Calculations for Aerobic Treatment with Spray Irrigation:**

**Commercial**

Q = \_\_\_\_\_ GPD \_\_\_\_\_

**Residential** Water conserving fixtures to be utilized? Yes X No \_\_\_\_\_

Number of Bedrooms the septic system is sized for: 3 Total sq. ft. living area 1828

Q gal/day = (Bedrooms +1) \* 75 GPD - (20% reduction for water conserving fixtures)

Q = (3 +1)\*75-(20%)= 240

EXISTING PERMIT  
#79047

Trash Tank Size 500 Gal.

TCEQ Approved Aerobic Plant Size 500 G.P.D.

Req'd Application Area = Q/Ri = 240 / 0.064 = 3750 sq. ft.

Application Area Utilized = 4825 sq. ft.

Pump Requirement 9.3 Gpm @ 40 Psi (Redjacket 0.5 HP 18 G.P.M. series or equivalent)

Dosing Cycle: \_\_\_\_\_ ON DEMAND or X TIMED TO DOSE IN PREDAWN HOURS

Pump Tank Size = 1000 Gal. 27.78 Gal./inch.

Reserve Requirement = 80 Gal. 1/3 day flow.

Alarms: Audible & Visual High Water Alarm & Visual Air Pump malfunction

With Chlorinator

SCH-40 or SDR-26 3" or 4" sewer line to tank


Two way cleanout

Pop-up rotary sprinkler heads w/ purple non-potable lids

1" Sch-40 PVC discharge manifold

APPLICATION AREA SHOULD BE SEEDED AND MAINTAINED WITH VEGETATION.

I HAVE PERFORMED A THOROUGH INVESTIGATION BEING A REGISTERED PROFESSIONAL ENGINEER AND SITE EVALUATOR IN ACCORDANCE WITH CHAPTER 285, SUBCHAPTER D, §285.30, & §285.40 (REGARDING RECHARGE FEATURES), TEXAS COMMISSION OF ENVIRONMENTAL QUALITY (EFFECTIVE DECEMBER 29, 2016)

  
GREG W. JOHNSON, P.E. F#002585 - S.E. 11561

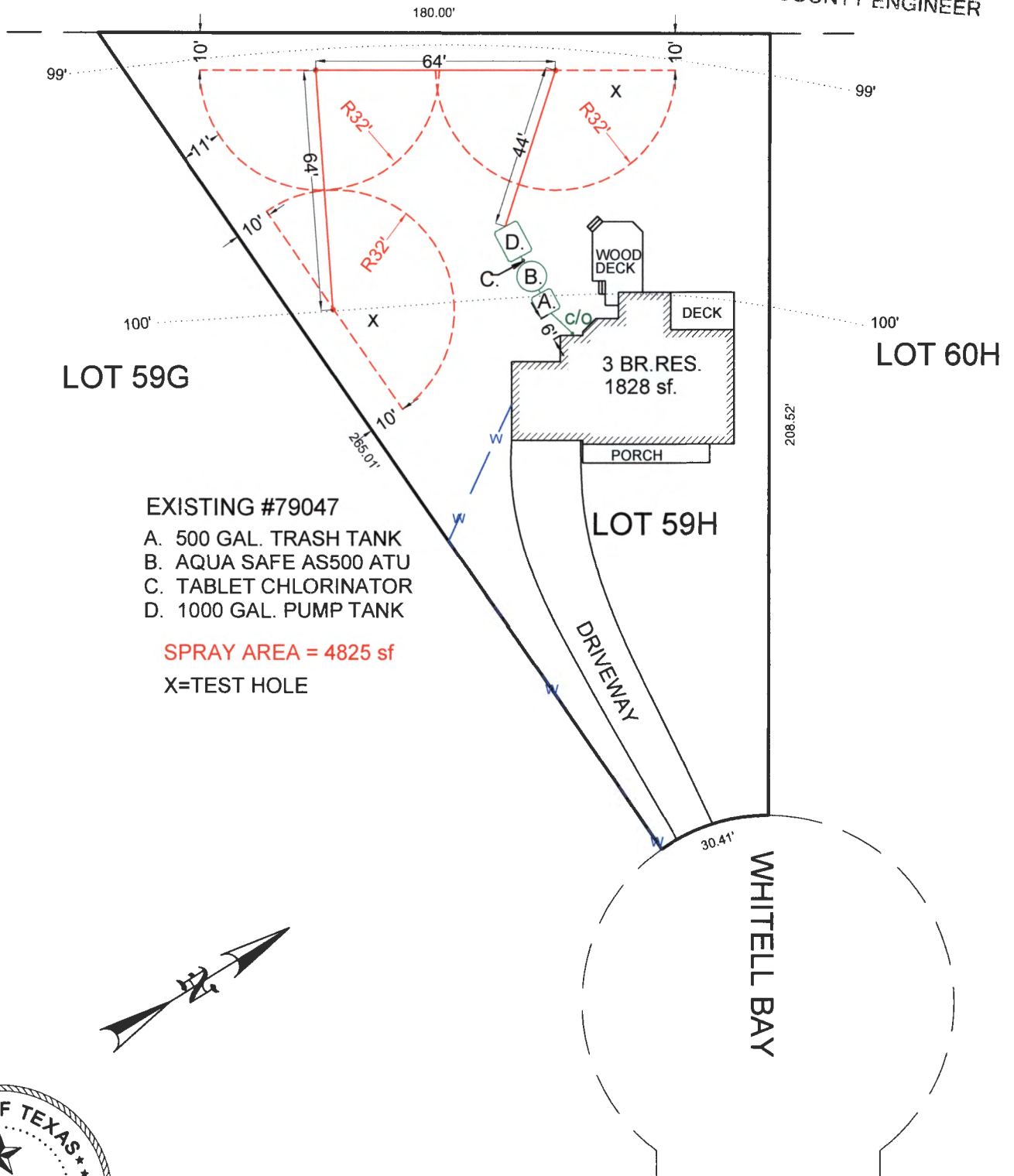
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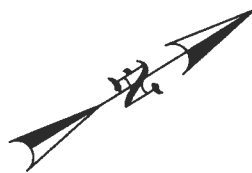
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- EXISTING #79047
- A. 500 GAL. TRASH TANK
  - B. AQUA SAFE AS500 ATU
  - C. TABLET CHLORINATOR
  - D. 1000 GAL. PUMP TANK

SPRAY AREA = 4825 sf  
 X=TEST HOLE



OWNER: JAYNA M. GIBBS		DRAWN BY: GWJ	
STREET ADDRESS: 196 WHITELL BAY			
LEGAL DESC: CLEAR WATER ESTATES	UNIT/SECTION/PHASE: 1	BLOCK:	LOT: 59H
PREPARED BY: GREG W. JOHNSON, P.E. F#002585	SCALE: 1"=40'	DATE: 11/28/2018	REVISED:

# TANK NOTES:

Tanks must be set to allow a minimum of 1/8" per foot fall from the residence.

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Tightlines to the tank shall be SCH-40 PVC.

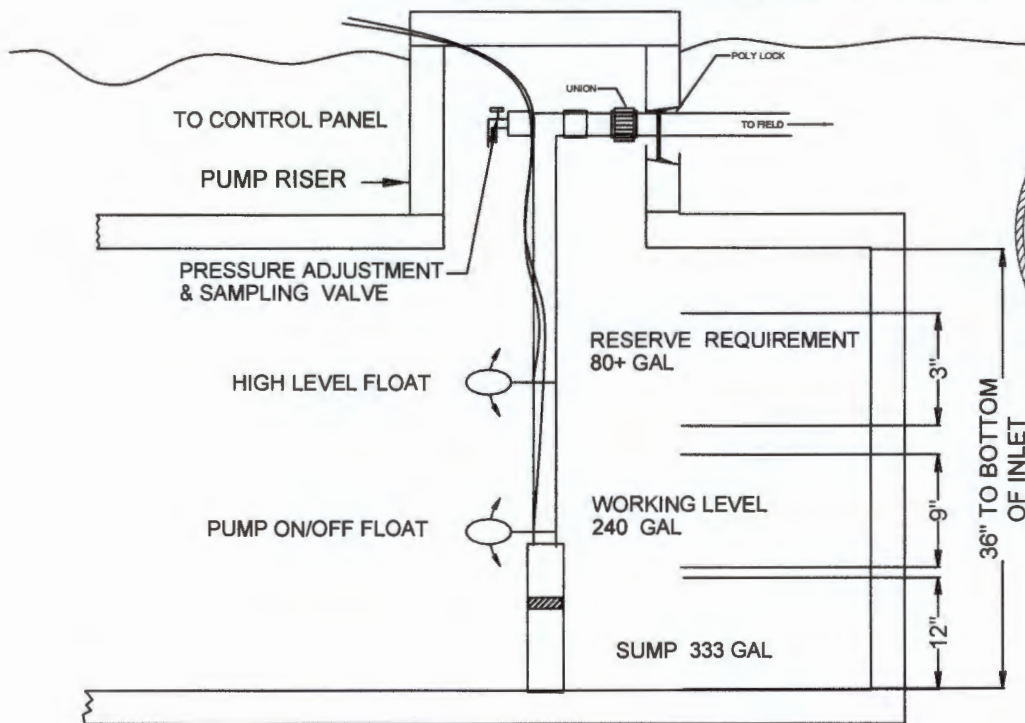
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A two way sanitary tee is required between residence and tank.

A minimum of 4" of sand, sandy loam, clay loam free of rock shall be placed under and around tanks

Tanks must be left uncovered and full of water for inspection by the permitting authority.

ALL WIRING MUST BE IN COMPLIANCE WITH THE MOST RECENT NATIONAL ELECTRIC CODE



## TYPICAL PUMP TANK CONFIGURATION 1000 GAL PUMP TANK

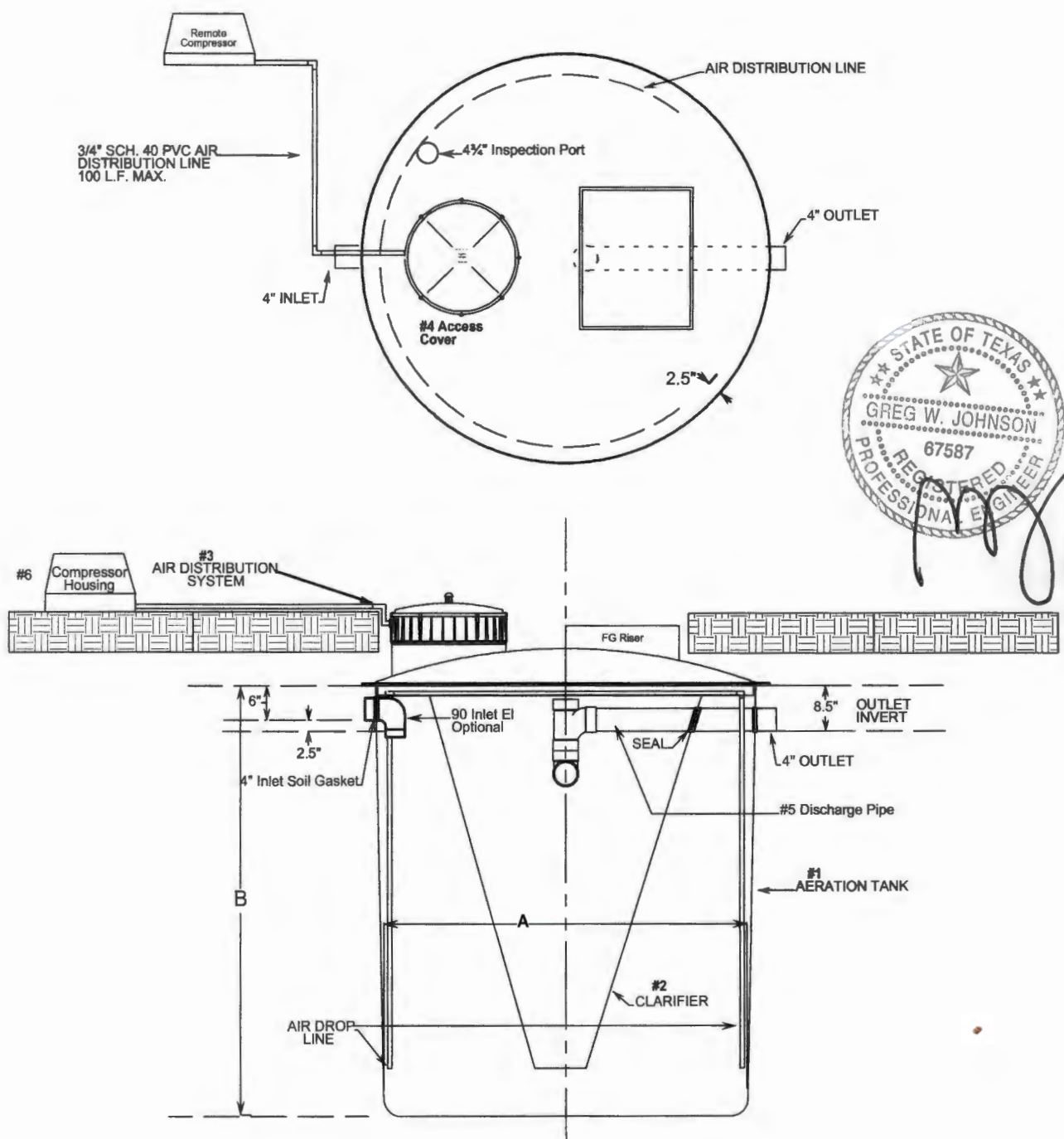
# Aqua Safe Model AS500L

ECOLOGICAL TANKS, INC  
Individual Home Wastewater  
Treatment Plant

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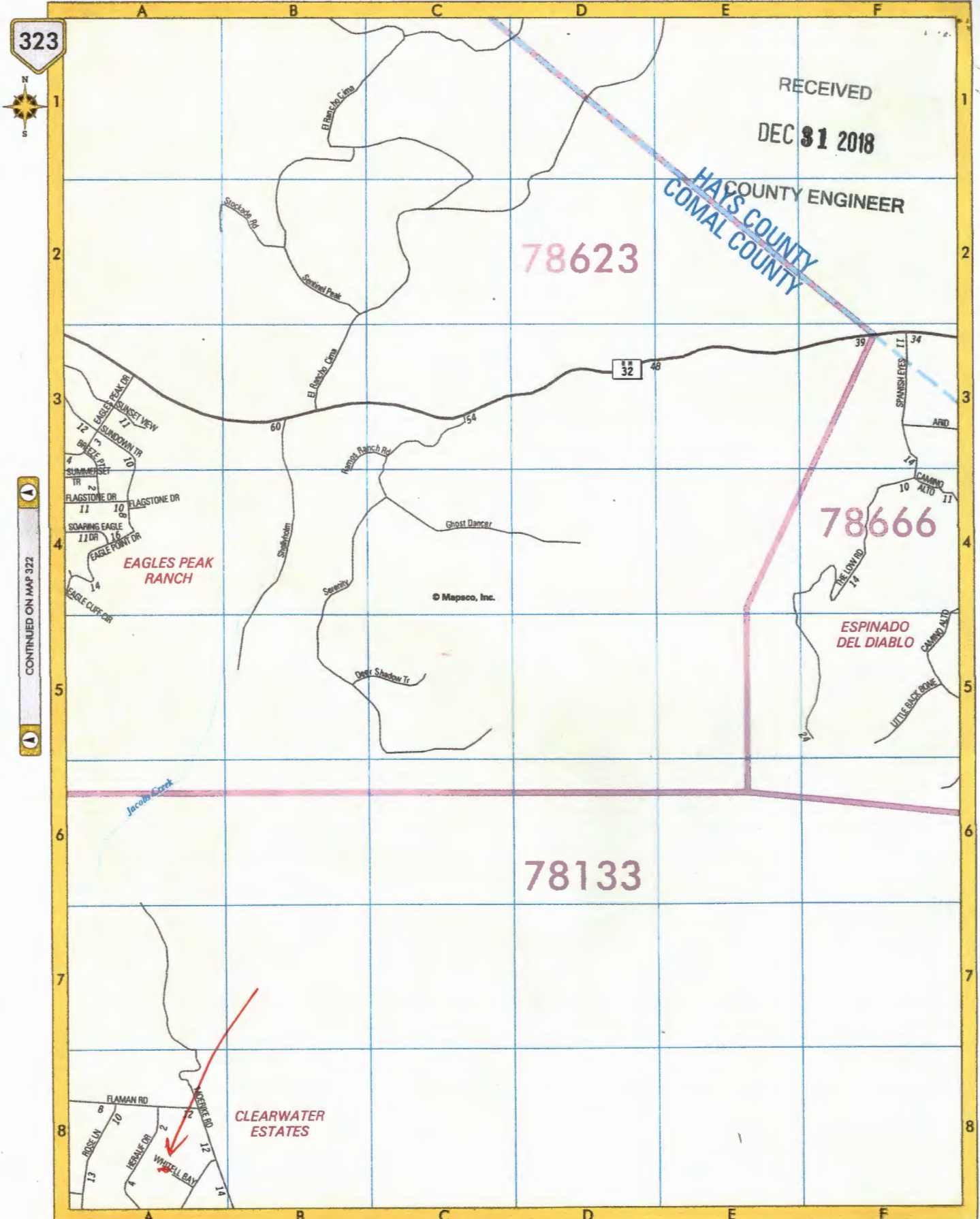
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*FLSBS*  
*11/21/18*

FIGURE 1

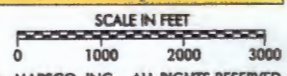
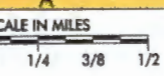


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COMAL COUNTY

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78133



DATE  
07/03/98

PERMIT#  
79047

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# Comal County

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## LICENSE TO OPERATE A PRIVATE SEWAGE FACILITY

OWNER(L) Riverview Homes, Inc.	FIRST	DEVELOPMENT Clearwater Estates	STREET Whitell Bay
UNIT 1	BLOCK	LOT 59H	ACRES/TRACT

This license is authorization for the owner to operate and maintain a private facility at the location described in accordance to the rules and regulations for on-site sewerage facilities of Comal County, Texas, and the Texas Natural Resource Conservation Commission.

The license grants permission to operate the facility. It does not guarantee successful operation. It is the responsibility of the owner to maintain and operate the facility in a satisfactory manner.

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This license to operate is valid for an indefinite period. It may be transferred by the holder to a succeeding owner, provided the facility has not been remodeled and is functioning properly.

### THE FACILITY IS LICENSED FOR

<input checked="" type="checkbox"/> SINGLE FAMILY RESIDENCE	TOTAL SQUARE FEET OF DWELLING 2000
<input type="checkbox"/> INSTITUTION	TYPE OF BUSINESS/INSTITUTION

### THE FACILITY CONSISTS OF

SYSTEM TYPE Proprietary	SYSTEM DESCRIPTION Aerobic Treatment & Surface Irrigation	
GALLON TANK 500/500/1000	SQUARE FEET ABSORPTION AREA 5030	SWITCHING VALVE? YES/N No

SPECIAL CONDITIONS		
INSPECTOR <i>[Signature]</i>	COMAL COUNTY ENGINEER <i>[Signature]</i>	



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MAY 26 1998

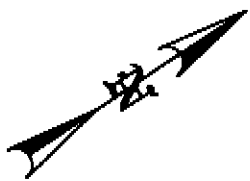
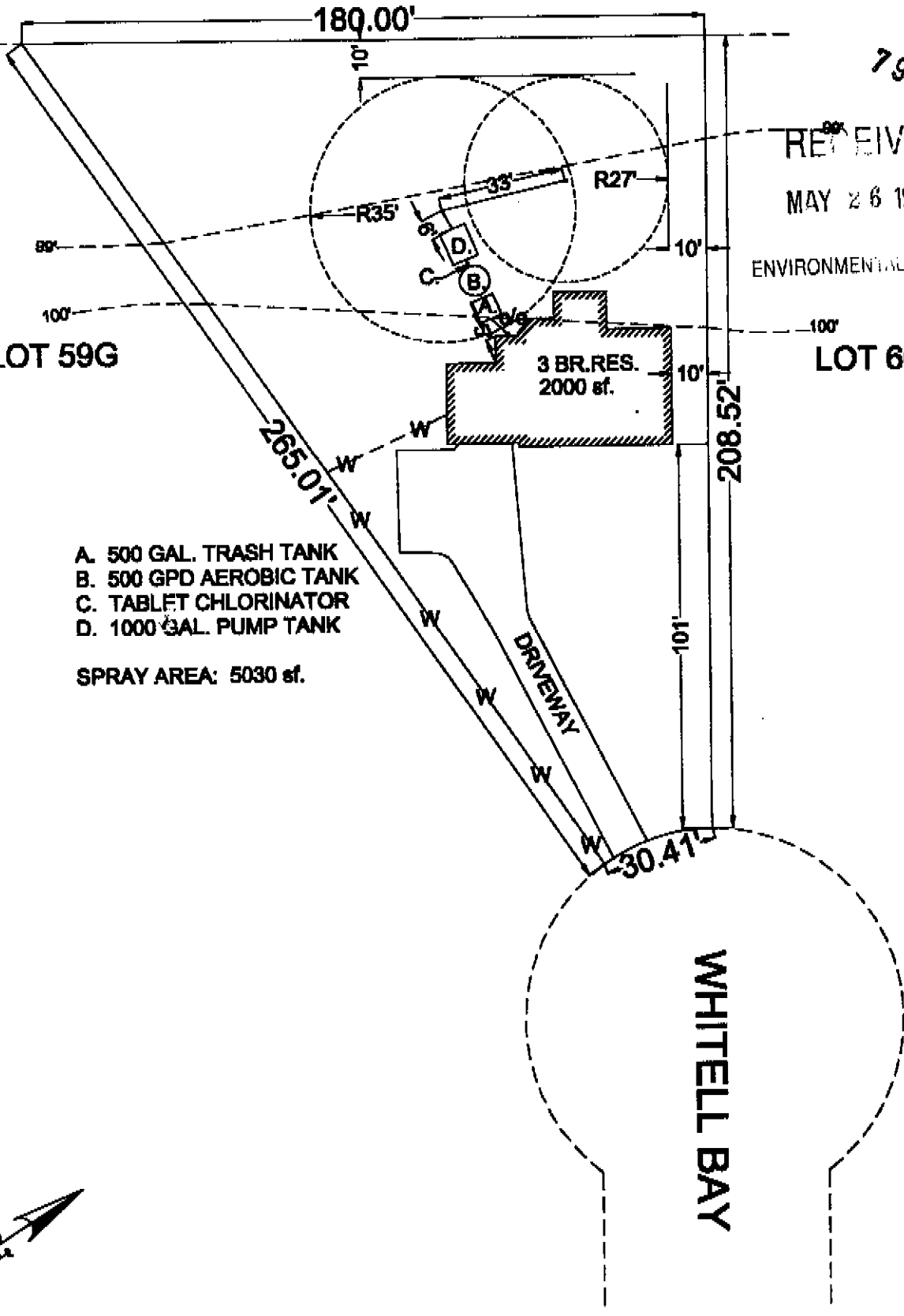
ENVIRONMENTAL HEALTH

LOT 59G

LOT 60H

- A. 500 GAL. TRASH TANK
- B. 500 GPD AEROBIC TANK
- C. TABLET CHLORINATOR
- D. 1000 GAL. PUMP TANK

SPRAY AREA: 5030 sf.



OWNER	Riverview Homes, Inc.		
STREET ADDRESS	Whitell Bay		
SUBD.	Clearwater Estates	UNIT	1
		BLOCK	
		LOT	59H
PREPARED BY:	GREG W. JOHNSON, P.E.	SCALE	1"=40'
		DATE	5/26/1998

2-174418417  
FILED BY  
PRESIDIO TITLE

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COUNTY ENGINEER

AFTER RECORDING MAIL TO:  
Jayna M. Gibbs  
196 Whitell Bay  
Canyon Lake, TX 78133

Prepared By:  
Robertson Anschutz Vettors  
1500 CityWest Boulevard, Ste. 700  
Houston, TX 77042

**GENERAL WARRANTY DEED**

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

STATE OF TEXAS

§  
§  
§

ss.: KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF Comal

THAT The Estate of Jeffrey E. Frailing, Deceased, Patricia A. Frailing and Patricia A. Frailing, Trustee under the Patricia A. Frailing Revocable Trust dated May 16, 2014, hereinafter called "Grantor", for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor in hand paid by Jayna M. Gibbs, a single woman, hereinafter called "Grantee", whose mailing address is 196 Whitell Bay, Canyon Lake, TX 78133, the receipt and sufficiency of which is hereby acknowledged, and the further consideration of the execution and delivery by said Grantee of one certain Promissory Note in the principal sum of Two Hundred Thirteen Thousand Six Hundred Seventy-Five Dollars (\$213,675.00), of even date herewith, payable to the order of Willow Bend Mortgage Company, LLC, hereinafter called "Mortgagee", bearing interest at the rate therein provided; said Note containing attorney's fee clause and various acceleration of maturity clauses in case of default, and being secured by Vendor's Lien and Superior Title retained herein in favor of said Mortgagee, and also being secured by Deed of Trust of even date herewith from Grantee to Ruth W. Garner, Trustee, Grantor has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY, unto said Grantee, the following described Property located in Comal County, Texas, to-wit:

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**Lot 59H, CLEAR WATER ESTATES SUBDIVISION UNIT 1, Comal County, Texas, according to the plat thereof recorded in Volume 6, Pages 187-188, Map and Plat Records of Comal County, Texas**

Together with Grantor's right, title and interest in all system memberships and/or ownership certificates in any non-municipal water and/or sewer systems serving said Property.

Mortgagee has, at the special instance and request of Grantee, paid to Grantor a portion of the purchase price of the Property hereinabove described, as evidenced by the above described Note, and thus said Vendor's Lien and Deed of Trust Lien against said Property securing the payment of said Note, are hereby assigned, transferred and delivered to Mortgagee, Grantor hereby conveying to said Mortgagee the said Superior Title to said property, subrogating said Mortgagee to all the rights and remedies of Grantor in the Property by virtue of said liens.

TO HAVE AND TO HOLD the above described Property, together with all and singular the rights and appurtenances thereunto in anywise belonging to said Grantee, Grantee's heirs and assigns, forever, AND Grantor does hereby bind Grantor, Grantor's successors and assigns, to WARRANT and FOREVER DEFEND all and singular the said Property unto said Grantee, Grantee's heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

**NOTWITHSTANDING any provision in this general warranty deed to the contrary, Grantee acknowledges and agrees that Grantor has not made, does not make and specifically negates and disclaims any representations, warranties, promises, covenants, agreements or guarantees of any kind or character whatsoever, whether express or implied, oral or written, past, present or future, of, as to, concerning or with respect to (a) the value, nature, quality or condition of the Property; (b) the suitability of the Property for any and all activities and uses of purchaser; (c) the merchantability, profitability or fitness for a particular purpose of the Property; (d) the manner or quality of the construction or materials, if any, incorporated into the Property; and (e) the manner, quality, state of repair or lack of repair of the Property.**

**\*\*THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK\*\***

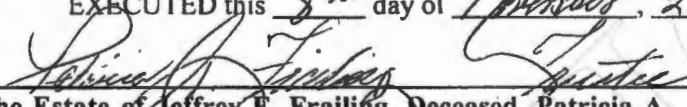
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This conveyance is made subject to all and singular the restrictions, easements, exceptions, conditions and covenants, if any, applicable to and enforceable against the above-described Property as shown by the records of said County, as well as ad valorem taxes for current and subsequent years.

But it is expressly agreed that the Vendor's Lien and Superior Title is retained in favor of the Payee of said Note against the above-described Property and improvements, until said Note and all interest thereon shall have been fully paid according to the terms thereof, when this Deed shall become absolute.

When this Deed is executed by more than one person, or when the Grantee is more than one person, the instrument shall read as though pertinent verbs, nouns and pronouns were changed correspondingly, and when executed by or to a corporation, the words "heirs, executors and administrators" or "heirs and assigns" shall be construed to mean "successors and assigns".

EXECUTED this 8<sup>th</sup> day of November, 2017 TO BE EFFECTIVE 9th day  
of NOVEMBER 2017

  
\_\_\_\_\_  
The Estate of Jeffrey E. Frailing, Deceased, Patricia A. Frailing and Patricia A. Frailing, Trustee under the Patricia A. Frailing Revocable Trust dated May 16, 2014

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**INDIVIDUAL(S) ACKNOWLEDGMENT**

State of Texas § State of Wisconsin  
County of \_\_\_\_\_ § County of Racine

COUNTY ENGINEER

This instrument was acknowledged before me on November 8, 2017  
by Patricia Frailing

My commission expires:  
8/3/2018

Rachel Schinke  
Notary Public  
Rachel Schinke  
Printed Name of Notary Public

**RACHEL SCHINKE**  
Notary Public  
State of Wisconsin

Filed and Recorded  
Official Public Records  
Bobbie Koepf, County Clerk  
Comal County, Texas  
11/13/2017 10:02:15 AM  
LAURA 4 Pages(s)  
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*Bobbie Koepf*