

# COMAL COUNTY

ENGINEER'S OFFICE

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

Issued This Date: 10/15/2019 Permit Number: 109437

Location Description: 7919 ELK DR  
SPRING BRANCH, TX 78070

Subdivision: Deer River  
Unit: 2  
Lot: 32  
Block:  
Acreage:

Type of System: Aerobic  
Surface Irrigation

Issued to: Gerald R. Zwernemann

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

 OS0032485  
ENVIRONMENTAL HEALTH INSPECTOR

ENVIRONMENTAL HEALTH COORDINATOR

## Comal County Environmental Health OSSF Inspection Sheet

Installer Name: Paul Sawyer OSSF Installer #: OS 0026238  
 1st Inspection Date: 08-28-19 2nd Inspection Date: \_\_\_\_\_ 3rd Inspection Date: 10-15-19 final  
 Inspector Name: Connor Inspector Name: \_\_\_\_\_ Inspector Name: Connor  
 Permit#: 109437 Address: 7919 Elk Dr Deer River

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)		✓		
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)(iii) 285.32(b)(1)(E)(i) 285.32(b)(1)(E)(ii)(i)				
7	PRETREATMENT Grease Interceptors if required for commercial		285.34(d)				

Tank set level no leaks Cover  
 spray heads overlap - adjust  
 spray heads find operational 10-15-19-JL



**Comal County Environmental Health  
OSSF Inspection Sheet**

*Final*

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)(II)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 Environmental Health OSSF Inspection Sheet

Installer Name: Paul Sawyer OSSF Installer #: OS 0026238

1st Inspection Date: 08-28-19 2nd Inspection Date: \_\_\_\_\_ 3rd Inspection Date: \_\_\_\_\_

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

Permit#: 109437 Address: 7919 Elk Dr Deer River

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)		✓		
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)(III) 285.32(b)(1)(E)(i) 285.32(b)(1)(E)(ii)(I)				
7	PRETREATMENT Grease Interceptors if required for commercial		285.34(d)				

*Tank set level no leaks cover  
spray heads overlap - adjust*



**Comal County Environmental Health  
OSSF Inspection Sheet**

No.	Description	Answer	Citations	Notes	1st Insp.	2nd Insp.	3rd Insp.
8	SEPTIC TANK Tank(s) Clearly Marked SEPTIC TANK If Single Tank, 2 Compartments Provided with Baffle SEPTIC TANK Inlet Flowline Greater than 3" and " T " Provided on Inlet and Outlet SEPTIC TANK Septic Tank(s) Meet Minimum Requirements		285.32(b)(1)(E) 285.91(2) 285.32(b)(1)(F) 285.32(b)(1)(E)(iii) 285.32(b)(1)(E)(ii)(II) 285.32(b)(1)(E)(ii)(I) 285.32(b)(1)(E)(i) 285.32(b)(1)(D) 285.32(b)(1)(C)(ii) 285.32(b)(1)(C)(i) 285.32(b)(1)(B) 285.32(b)(1)(A) 285.32(b)(1)(E)(iv)				
9	ALL TANKS Installed on 4" Sand Cushion/ Proper Backfill Used	/	285.32(b)(1)(F) 285.32(b)(1)(G) 285.34(b)		/		
10	SEPTIC TANK Inspection / Clean Out Port & Risers Provided on Tanks Buried Greater than 12" Sealed and Capped		285.38(d)				
11	SEPTIC TANK Secondary restraint system provided SEPTIC TANK Riser permanently fastened to lid or cast into tank SEPTIC TANK Riser cap protected against unauthorized intrusions		285.38(d) 285.38(e)				
12	SEPTIC TANK Tank Volume Installed						
13	PUMP TANK Volume Installed						
14	AEROBIC TREATMENT UNIT Size Installed	/			/		
15	AEROBIC TREATMENT UNIT Manufacturer AEROBIC TREATMENT UNIT Model Number	/		Max Air 600	/		
16	DISPOSAL SYSTEM Absorptive		285.33(a)(4) 285.33(a)(1) 285.33(a)(2) 285.33(a)(3)				
17	DISPOSAL SYSTEM Leaching Chamber		285.33(a)(1) 285.33(a)(3) 285.33(a)(4) 285.33(a)(2)				
18	DISPOSAL SYSTEM Evapo-transpirative		285.33(a)(3) 285.33(a)(4) 285.33(a)(1) 285.33(a)(2)				

**Comal County Environmental Health  
OSSF Inspection Sheet**

No.	Description	Answer	Citations	Notes	1st Insp.	2nd Insp.	3rd Insp.
19	DISPOSAL SYSTEM Drip Irrigation		285.33(c)(3)(A)-(F)				
20	DISPOSAL SYSTEM Soil Substitution		285.33(d)(4)				
21	DISPOSAL SYSTEM Pumped Effluent		285.33(a)(3) 285.33(a)(1) 285.33(a)(2)				
22	DISPOSAL SYSTEM Gravelless Pipe		285.33(a)(3) 285.33(a)(2) 285.33(a)(4) 285.33(a)(1)				
23	DISPOSAL SYSTEM Mound		285.33(a)(3) 285.33(a)(1) 285.33(a)(2) 285.33(a)(4)				
24	DISPOSAL SYSTEM Other (describe) (Approved Design)	✓	285.33(d)(6) 285.33(c)(4)	<i>aerobic spray</i> ✓			
25	DRAINFIELD Absorptive Drainline 3" PVC or 4" PVC						
26	DRAINFIELD Area Installed						
27	DRAINFIELD Level to within 1 inch per 25 feet and within 3 inches over entire excavation		285.33(b)(1)(A)(v)				
28	DRAINFIELD Excavation Width DRAINFIELD Excavation Depth DRAINFIELD Excavation Separation DRAINFIELD Depth of Porous Media DRAINFIELD Type of Porous Media						
29	DRAINFIELD Pipe and Gravel - Geotextile Fabric in Place		285.33(b)(1)(E)				
30	DRAINFIELD Leaching Chambers DRAINFIELD Chambers - Open End Plates w/Splash Plate, Inspection Port & Closed End Plates in Place (per manufacturers spec.)		285.33(c)(2)				
31	LOW PRESSURE DISPOSAL SYSTEM Adequate Trench Length & Width, and Adequate Separation Distance between Trenches		285.33(d)(1)(C)(i)				



**Comal County Environmental Health  
OSSF Inspection Sheet**

No.	Description	Answer	Citations	Notes	1st Insp.	2nd Insp.	3rd Insp.
	EFFLUENT DISPOSAL SYSTEM Utilized Only by Single Family Dwelling EFFLUENT DISPOSAL SYSTEM Topographic Slopes < 2.0% EFFLUENT DISPOSAL SYSTEM Adequate Length of Drain Field ( 1000 Linear ft. for 2 bedrooms or Less & an additional 400 ft. for each additional bedroom ) EFFLUENT DISPOSAL SYSTEM Lateral Depth of 18 inches to 3 ft. & Vertical Separation of 1ft on bottom and 2 ft. to restrictive horizon and ground water respectfully EFFLUENT DISPOSAL SYSTEM Lateral Drain Pipe (1.25 - 1.5" dia.) & Pipe Holes ( 3/16 - 1/4" dia. Hole Size ) 5 ft. Apart		285.33(b)(3)(A) 285.33(b)(3)(A) 285.33(b)(3)(B) 285.91(13) 285.33(b)(3)(D) 285.33(b)(3)(F)				
32	AEROBIC TREATMENT UNIT Is Aerobic Unit Installed According to Approved Guidelines.	✓	285.32(c)(1)		✓		
33	AEROBIC TREATMENT UNIT Inspection/Clean Out Port & Risers Provided AEROBIC TREATMENT UNIT Secondary restraint system provided AEROBIC TREATMENT UNIT Riser permanently fastened to lid or cast into tank AEROBIC TREATMENT UNIT Riser cap protected against unauthorized intrusions	✓ ✓ ✓ ✓			✓ ✓ ✓ ✓		
34	AEROBIC TREATMENT UNIT Chlorinator Properly Installed with Chlorine Tablets in Place.	✓			✓		
35	PUMP TANK Is the Pump Tank an approved concrete tank or other acceptable materials & construction PUMP TANK Sampling Port Provided in the Treated Effluent Line PUMP TANK Check Valve and/or Anti- Siphon Device Present When Required PUMP TANK Audible and Visual High Water Alarm Installed on Separate Circuit From Pump						
36	PUMP TANK Inspection/Clean Out Port & Risers Provided PUMP TANK Secondary restraint system provided PUMP TANK Riser permanently fastened to lid or cast into tank PUMP TANK Riser cap protected against unauthorized intrusions						
37	PUMP TANK Secondary restraint system provided						
38	PUMP TANK Electrical Connections in Approved Junction Boxes / Wiring Buried	✓			✓		
39							

**Comal County Environmental Health  
OSSF Inspection Sheet**

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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: 109437  
Issued This Date: 07/30/2019  
This permit is hereby given to: Gerald R. Zwernemann

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

7919 ELK DR  
SPRING BRANCH, TX 78070

Subdivision: Deer River  
Unit: 2  
Lot: 32  
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

Permit Number

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

7-16-19  
\_\_\_\_\_  
Date

<input type="checkbox"/> COMPLETE APPLICATION	
Check No. _____	Receipt No. _____

<input type="checkbox"/> INCOMPLETE APPLICATION
(Missing Items Circled, Application Refused)



\* \* \* **COMAL COUNTY OFFICE OF ENVIRONMENTAL HEALTH** \* \* \*  
**APPLICATION FOR PERMIT FOR AUTHORIZATION TO CONSTRUCT AN**  
**ON-SITE SEWAGE FACILITY AND LICENSE TO OPERATE**

Date 7-16-19

Permit # 109437

Owner Name GERALD R. ZWERNEMANN  
Mailing Address c/o 23011 FM 306  
City, State, Zip CANYON LAKE, TX 78133  
Phone # 830-935-4936  
Email katelyn@paulswoyerseptics.com

Agent Name FRANK AGUIRRE  
Agent Address 16159 OLD STABLE ROAD  
City, State, Zip SAN ANTONIO, TX 78247  
Phone # 210-275-7866  
Email frankseptic45@gmail.com

All correspondence should be sent to:  Owner  Agent  Both      Method:  Mail  Email

Subdivision Name DEER RIVER (PHASE 2)      Unit \_\_\_\_\_ Lot 32      Block \_\_\_\_\_

Acreage/Legal \_\_\_\_\_

Street Name/Address 7919 ELK DRIVE      City SPRING BRANCH      Zip 78070

**Type of Development:**

Single Family Residential

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

Number of Bedrooms 4

Indicate Sq Ft of Living Area 1900

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Non-Single Family Residential

(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 \_\_\_\_\_

COUNTY ENGINEER

Estimated Cost of Construction: \$ 80,000.00 (Structure Only)

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

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

Source of Water  Public  Private Well

Are Water Saving Devices Being Utilized Within the Residence?  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 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

7-16-19

\*\*\* COMAL COUNTY OFFICE OF ENVIRONMENTAL HEALTH \*\*\*  
APPLICATION FOR PERMIT FOR AUTHORIZATION TO CONSTRUCT AN  
ON-SITE SEWAGE FACILITY AND LICENSE TO OPERATE

Planning Materials & Site Evaluation as Required Completed By FRANK A. BUIRCE

System Description ATU w/ SPENY

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

Tank Size(s) (Gallons) 000 Absorption/Application Area (Sq Ft) 4724

Gallons Per Day (As Per TCEQ Table III) 300

(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  No

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

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

JUL 19 2019

(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 **COUNTY ENGINEER**

(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?  Yes  No

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

(If yes, the R.S. or P.E. 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  No

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

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.

Frank A. Buirce  
Signature of Designer

19 JULY 12  
Date

Page 2 of 2



YCS

# AFFIDAVIT

THE COUNTY OF COMAL  
STATE OF TEXAS



201906024734 07/18/2019 02:07:26 PM 1/1

## 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.

### 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.

### 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):

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JUL 19 2019

COUNTY ENGINEER  
SUBDIVISION

UNIT/PHASE/SECTION \_\_\_\_\_ BLOCK 32 LOT DEER RIVER (PHASE 2)

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

The property is owned by (insert owner's full name): GERALD R. ZWERNEMANN

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 16 DAY OF JULY, 2019

[Signature]

GERALD R. ZWERNEMANN

Owner(s) signature(s)

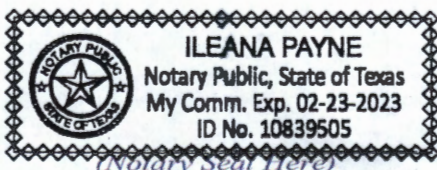
Owner (s) Printed name (s)

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 16<sup>th</sup> DAY OF July, 2019

[Signature]  
Notary Public Signature

THIS AREA FOR COMAL COUNTY CLERK RECORDING PURPOSES ONLY

Filed and Recorded  
Official Public Records  
Bobbie Koepf, County Clerk  
Comal County, Texas  
07/18/2019 02:07:26 PM  
TERRI 1 Page(s)  
201906024734



Bobbie Koepf





PAUL SWOYER SEPTIC SUPPLY & SERVICE
23011 FM 306
CANYON LAKE, TX 78133

MP#0001708
CHRISTOPHER RYAN SEIDENSTICKER

PROPERTY LEGAL DESCRIPTION:

DEER RIVER, PHASE 2, LOT 32

Customer: GERALD R. ZWERNEMANN

Site Address: 7919 ELK DRIVE

City/State: SPRING BRANCH, TX Zip: 78070

County: COMAL Permit#: RECEIVED

Phone Number: JUL 19 2019

E-mail: COUNTY ENGINEER

I. General: This On-Site Sewage Facility Service Agreement (hereinafter referred to as "Agreement") is entered into by and between GERALD R. ZWERNEMANN (hereinafter referred to as "Client") and PS Supply & Service LLC. (hereinafter referred to as "Contractor"). By this agreement, Contractor agrees to render services, as described herein (the "Services"), and the client agrees to fulfill his/her/their responsibilities under this agreement herein.

II. Effective Dates: This agreement commences on the date of License to Operate is issued for Three (3) years.

Date of License to Operate: LTO Last Date of Service: 3 yrs from LTO

III. Services by Contractor: Contractor will provide the following Services:

- 1. Inspect and perform routine maintenance on the On-Site Sewage Facility ("OSSF") in compliance with the code, regulations, and/or rules of the Texas Commission on Environmental Quality ("TCEQ") and county in which the OSSF is located (the "County") and the manufacturer's requirements, at a frequency of approximately once every four (4) months.
2. Report to the appropriate regulatory authority and to Client, as required by the State of Texas' on-site rules and, if required, TCEQ or County rules. All findings must be reported to the appropriate regulatory authority within 14 days.
3. Notify Client and repair any components of the OSSF that are found to be in need of repair during the inspection. If warranty, you just do it. If not, Client will be responsible. Repairs will be made so brought up to compliance and bill forward.
4. Visit site in response to Client's request for unscheduled service within two business days from the date of Contractor's actual receipt of Client's request. Unscheduled service visits are not included in the fee agreement herein and will be billed to the client in addition to fees under this Agreement.
5. Provide notification of arrival to site to the Client or to site personnel. Additionally, Contractor will leave written notification of the visit at the site or with site personnel upon completion of inspection, and forward such notice to the appropriate regulatory authority within fourteen (14) days.

IV. Payment(s): Client shall pay to Contractor included w/ septic, for the Services describe herein (the "Inspection and Routine Maintenance Fee"), excepting those described in Section III (4), or Section IX, herein. The Fee does not include equipment, parts or labor supplied for anything beyond routine inspection and routine maintenance. Payments for such additional services are due at the time services are provided or rendered. Payments not received within thirty (30) days from the due date will be subject the greater of a \$20.00 late penalty or 1.5% carrying charge on the original balance for each month or portion thereof a balance in past due. If for any reason such charges are found to be usurious by a court of competent jurisdiction, such charges shall be reduced to the maximum allowable by law. By signing this contract, Client authorizes Contractor to remove any parts installed, but not paid in full at the end of the thirty (30) days. Client agrees to pay for any labor cost associated with the installation and the reasonable cost of removal of said parts.

Client: [Signature]

Contractor: [Signature]



**V. Client's Responsibilities:** Client is responsible for each and all of the following:

1. To maintain chlorinator and provide proper chlorine supply, if OSSF is so equipped.
2. To provide all necessary yard or lawn maintenance and removal of obstacles as needed to allow the OSSF to function properly, and to allow Contractor ready access to all parts of the OSSF.
3. To maintain a current license to operate, and abide by the conditions and limitations of that license and all requirements for on-site sewage facilities from the State and local regulatory agency.
4. To maintain the OSSF in accordance with manufacturer's recommendations.
5. To immediately notify Contractor and Agency of any and all problems with, the OSSF, including failure thereof.
6. Upon receipt of any written notification of required services from Contractor, to contact Contractor and authorize the required service. If Client elects a different contractor to perform the required service, Client is responsible for ensuring the substitute contractor holds the proper license (Installer II) and is certified by the manufacturer. Additionally, Client shall be responsible for ensuring proper notification is given to the appropriate regulatory authority, as required by the State and/or local regulatory authority rules.
7. To provide Contractor with water usage records, upon request, for evaluation by Contractor of the OSSF performance.
8. To pay required sampling charges for samples collected for testing (e.g. Biological Oxygen Demand/Total Suspended Solids ("BOD/TSS")) that may be required on the OSSF.
9. To prevent backwash from water treatment or water conditioning equipment to enter the OSSF.
10. To provide, at Client's expense, for pumping of tanks as needed.
11. To maintain site drainage sufficient to prevent adverse effects on the OSSF.
12. To promptly and fully pay Contractor's bills, fees, or invoices as described herein.

**VI. Access by Contractor:** Client agrees to allow Contractor, or personnel authorized by the Contractor, to enter the property at reasonable times without prior notice for the purpose of performing the Services described herein. Such entry shall include access to the OSSF electrical and physical components, including tanks, by means of manways or risers for the purpose of evaluations required by the manufacturer, and/or regulatory authority rules. If such manways or risers are not in place, Client shall allow and be responsible for payment of required excavation, including labor and materials, necessary to allow access to the OSSF or any required components. Such excavation shall be billed at the rate of \$75.00 per hour for labor, plus materials billed at list price. Contractor shall make only those efforts reasonable under the circumstances to replace excavated soil.

**VII. Application or Transfer of Payment:** The fees paid for this agreement may transfer to any subsequent owner(s) of the property on which the OSSF is located. The subsequent owner(s) must sign a similar agreement authorizing Contractor to perform the above-described Services, and accepting Client's responsibilities. The replacement Agreement must be signed and received within 30 days of transfer of ownership. Contractor will apply all funds received from Client first to any past due obligations arising from this Agreement including late charges, return check charges, and charges for repairs or services not paid within 30 days of invoicing. The consumption of the payment in this manner may lead to termination of the agreement by Contractor

**VIII. Termination of Agreement:** This agreement may be terminated by either party with 30 days written notice. If this agreement is so terminated by Client, Contractor shall be paid at the rate of \$75.00 per hour for any worked performed or required, but not yet paid. If terminated by Contractor, all amounts outstanding shall be due within thirty days of termination. The party terminating will immediately notify the other party, the equipment manufacturer, and the regulatory agency of the termination.

**IX. Limitation of Liability:** In no event shall Contractor be liable for indirect, consequential, incidental or punitive damages, whether in contract, tort, or any other theory of liability. In no event shall the Contractor's liability for direct damages exceed payments by the Client under this Agreement.

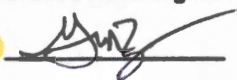
**X. Severability and Reformation:** If any provision in this Agreement shall be held to be invalid or unenforceable for any reason, it shall be reformed to the minimum extent necessary to effect the intent of the Parties. If any provision is such that it cannot reasonably be reformed, it shall be struck from this Agreement and the remaining provisions shall continue to be valid and enforceable.

**XI. Performance of Agreement:** Commencement of performance by Contractor under this agreement is contingent on the following conditions: (1) Contractor receiving a fully executed original copy of this agreement. (2) Contractor receiving payment in full of the fee(s) described herein. If the above conditions are not met, then Contractor is from any obligation to perform any portion of this agreement.

**XII. Modification.** This Agreement may not be changed or modified except by an instrument in writing, signed by both Contractor and Client.

**XIII. Waiver.** Except as otherwise noted in this Agreement, the waiver by other party of a breach of any provision of this Agreement shall not operate or be construed as a continuing waiver or as a consent to or waiver of any subsequent breach hereof.

Client:



Contractor:



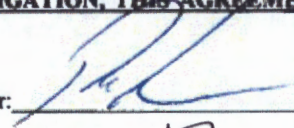


**XIV. Headings.** The Article and Section headings in this Agreement are for the convenience of reference only and do not constitute a part of this Agreement and shall not be deemed to limit or affect any of the provisions hereof.

**XV. GOVERNING LAW AND CHOICE OF VENUE.** EACH OF THE PARTIES HERETO HEREBY CONSENTS TO THE EXCLUSIVE JURISDICTION OF THE COURTS OF THE STATE OF TEXAS, COUNTY OF COMAL, AND TO THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS – SAN ANTONIO DIVISION, AS WELL AS TO THE JURISDICTION OF ALL COURTS TO WHICH AN APPEAL MAY BE TAKEN FROM SUCH COURTS, FOR THE PURPOSE OF ANY SUIT, ACTION, OR OTHER PROCEEDING ARISING OUT OF, OR IN CONNECTION WITH, THIS AGREEMENT OR ANY OF THE TRANSACTIONS CONTEMPLATED HEREBY, INCLUDING, WITHOUT LIMITATION, ANY PROCEEDING RELATING TO ANCILLARY MEASURES IN AID OF ARBITRATION, PROVISIONAL REMEDIES AND INTERIM RELIEF, OR ANY PROCEEDING TO ENFORCE ANY ARBITRAL DECISION OR AWARD. EACH PARTY HERETO EXPRESSLY WAIVES ANY AND ALL RIGHTS TO BRING ANY SUIT, ACTION, OR OTHER PROCEEDING IN OR BEFORE ANY COURT OR TRIBUNAL OTHER THAN COURTS OF THE STATE OF TEXAS, COUNTY OF COMAL, AND COVENANTS THAT IT SHALL NOT SEEK IN ANY MANNER TO PROSECUTE OR DEFEND ANY DISPUTE OTHER THAN AS SET FORTH IN THIS ARTICLE XVI OR TO CHALLENGE OR SET ASIDE ANY DECISION, AWARD, OR JUDGMENT OBTAINED IN ACCORDANCE WITH THE PROVISIONS HEREOF. EACH OF THE PARTIES HERETO HEREBY EXPRESSLY WAIVES ANY AND ALL OBJECTIONS IT MAY HAVE TO VENUE, INCLUDING, WITHOUT LIMITATION, THE INCONVENIENCE OF SUCH FORUM, IN ANY OF SUCH COURTS.

**XVI. JURY TRIAL WAIVER.** THE PARTIES HEREBY UNCONDITIONALLY WAIVE THEIR RIGHT TO A JURY TRIAL OF ANY AND ALL CLAIMS OR CAUSES OF ACTION ARISING FROM OR RELATING TO THEIR RELATIONSHIP. THE PARTIES ACKNOWLEDGE THAT A RIGHT TO A JURY IS A CONSTITUTIONAL RIGHT. THAT THEY HAVE HAD AN OPPORTUNITY TO CONSULT WITH INDEPENDENT COUNSEL, AND THAT THIS JURY WAIVER HAS BEEN ENTERED INTO KNOWINGLY AND VOLUNTARILY BY ALL PARTIES TO THIS AGREEMENT. IN THE EVENT OF LITIGATION, THIS AGREEMENT MAY BE FILED AS A WRITTEN CONSENT TO A TRIAL BY THE COURT.

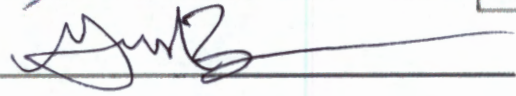
Approved by Contractor:



MP#0001708

CHRISTOPHER RYAN SEIDENSTICKER

Approved by Client:



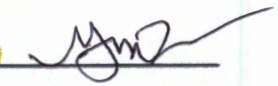
**XVII. Reservation of Rights.** Contractor reserves all rights not specifically granted herein.

**XVIII. Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original but all of which together will constitute one and the same instrument.

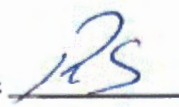
**XIX. Counsel.** Contractor has previously recommended that Client engage counsel to assist him/her/it in reviewing this Agreement and all other matters relating to it. Contractor and Client shall each bear his/her/its own costs and expenses in connection with the negotiation and documentation of this Agreement.

**XX. Entire Agreement:** This agreement contains the entire agreement of the parties, and there are no promises or conditions in any other agreement, oral or written. The Parties expressly disclaim reliance on any prior statements, oral or written, by either party not expressly provided for herein.

Client:



Contractor:





Site evaluation:

Applicant/site:

Name: Gerald R. Zwernemann

Location: 7919 Elk Dr.

Date: 12 July 2019

Site Evaluator:

Frank Aguirre, 16159 Old Stable Rd., San Antonio, Texas 78247; Lic # 30400, 2/20

SOIL BORING NUMBER <u>1</u>						
Depth (Feet)	Texture Class	Soil Texture	Structure (For Class III - blocky, platy or massive)	Drainage (Medium/ Water Table)	Restrictive Horizon	Observations
0 1 2 3 4 5		4" Limestone				Class <u>IV</u>

SOIL BORING NUMBER <u>2</u>						
Depth (Feet)	Texture Class	Soil Texture	Structure (For Class III - blocky, platy or massive)	Drainage (Medium/ Water Table)	Restrictive Horizon	Observations
0 1 2 3 4 5		1XE				Blocky

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16159 Old Stable Rd.  
Frank Aguirre, R.S.

San Antonio, Texas 78247-4490  
210.275.7866

[frankseptic45@gmail.com](mailto:frankseptic45@gmail.com)

PLANNING MATERIALS FOR A SEPTIC SYSTEM IN COMAL COUNTY *Frank Aguirre*

DATE, FIELD WORK: 12 July 2019

THE PLAYERS:

Property owner: Gerald R. Zwernemann, c/o Paul Swoyer, 18382 FM 306, Suite #101, Canyon Lake TX 78133; 830-935-4936; [katelin@paulswoyerseptics.com](mailto:katelin@paulswoyerseptics.com); John Coates, [jwcii75@gmail.com](mailto:jwcii75@gmail.com); 210.288.8294

Site Evaluator: Frank Aguirre, SE, #10807

Designer: Frank Aguirre, R.S., Lic. 994

Installer: Paul Swoyer, 830-935-4936

Septic system design review & inspections: Comal County: Brenda Ritzen or Sandra Hernandez, 830.608.2090

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THE PROPERTY:

Street numerical address: 7919 Elk Dr.

Legal description: Lot 32, Deer River, Phase 1

Contributing zone: The property is on the Contributing zone and the septic system design complies with all the provisions of the existing CZP.

THE PROPOSED PROJECT:

A single family residence, 4 BR, 1900 SF

THE ESTIMATED SEWAGE PRODUCTION CHARACTERISTICS:

Hydraulic loading estimated at 300 gpd, sized, by regulations, to a 4 BR home.  
Organic loading estimated at 140 to 300 mg/l BOD with traces of FOG and TSS (residential strength)

DESCRIPTION OF PROPOSED MONITORING OF SEWAGE CHARACTERISTICS:

Hydraulic loading as the major portion of the water meter reading.

TARGET FINAL EFFLUENT PARAMETERS:

Hydraulic loading less than the estimated loading on ANY GIVEN DAY.

Organic loading: BOD and TSS of less than 65 mg/l

WATER SOURCE: CLWS

SITE EVALUATION DATA:

A. This certifies that proper soil analysis procedures were followed.

- B. Soils at this site are Class IV and are not suitable with respect to texture.  
 C. The overall site suitability is not appropriate for a Standard on-site wastewater system.

**OVERALL SEPTIC SYSTEM COMPONENTS:**

**Collection:** (It is crucial that all sewer drops exiting this home/building be as shallow as possible, still meeting elevation plumbing requirements in the slab. This design assumes a shallow sewer drop exit.) About 15' of tightline from the house to the ATU with a cleanout within 3' of the house. *Sink Again*

**Pre-treatment:** Single compartment (trash) tank in front of the ATU

**Treatment:** 600 gpd MAXX AIR ATU (aerobic treatment unit) with disinfection  
 The system to be installed must be done so in **STRICT ACCORDANCE WITH ALL MANUFACTURER'S RECOMMENDATIONS** by a Class II septic system installer.

**Water pump requirements:** Must overcome an elevation head of 6', a friction head of 8' and a maximum head at the spray head of 45' for a total head of 59'. It shall operate the spray heads at two application times (operated by a control box using a timer) - 12 midnight and 4 am cycles of 150 gal. each cycle. At 12 gpm, each cycle shall run for 13 minutes.

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**Supply line size:** 1"

**Sprayheads:** K-rain 1303 RCW or equal

**Recycling:** The required spray area for this size of residence is 4688 SF.

The actual spray shall be 4924 SF and shall consist of two 28' full circle sprays at 6 gpm for a total of 12 gpm.

The spray area shall be covered with grasses, evergreen shrubs, bushes, trees or landscaped beds containing mixed vegetation.

**Float Switch Placements**

Actual liquid measurements:

60" depth, 60" length, 60" width, dividing by 12 to go to "feet":

5' depth, 5' length, 5' width

Capacity, in CF, = 5' x 5' x 5' = 125 CF X 7.48 gal/CF = 935 gal (Actual tank capacity)

935 gal = 15.58 gal/inch

60" depth *Sink Again*

Volume needed for a single dose = 300 gal/2 = 150 gal.

150 gal = 10" needed between the "Off" and "On" switches

15.58 gal/in



Volume needed between the "On" and "Alarm" switches = 1 day's volume = 300 gal

$\frac{300 \text{ gal}}{15.58 \text{ gal/in}} = 20''$  needed between the "On" and "Alarm" switches

Volume required above the "alarm" switch = 1/3 day's volume = 100 gal.

$\frac{100 \text{ gal.}}{15.58 \text{ gal/in}} = 7''$  needed above the "alarm" switch

Locations of float switches:

Distance between the OFF and ON switches = 10"  
 + Distance between the ON and Alarm switches = 20"  
 + Distance between the Alarm switch and Inlet = 7"

Minimum working depth required = 37"  
 Actual working depth available = 60"

+Min. height needed above floor of tank for the OFF switch = 8"  
 Minimum tank depth from Inlet to bottom of tank = 45"

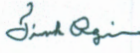
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#### CODE COMPLIANCE

*Everyone realizes that the QUALITY of sewage from a restaurant is more to treat than that from a residence, because of the presence of FOG - fats, oils and greases. But not enough attention is given to the fact that HOME sewage can also include high FOG contents from cosmetics, bath oils, suntan lotion, etc. in addition to cooking greases and food scraps. Medications taken by persons living in the home, bleaches and non-eaten plastics and paper can also play havoc with the septic system.*

*Technical note: Home sewage should have no higher than 60 mg/l in Total Suspended Solids, 20 mg/l in FOG and 300 mg/l in BOD. Exceeding any of these limits can cause serious damage and malfunction to the septic system, in addition to that causes my more VOLUME of sewage than that for which the system was designed. *

*Aerobic Treatment Units (ATU's) must be approved by the TCEQ and installed, managed, monitored and maintained in accordance with manufacturer's recommendations. All wiring and piping must be in accordance with Ch. 285, septic system regulations, as a MINIMUM.*

*It is not within the scope of this document to cite all the engineering and construction standards that apply to this project. This is a PERFORMANCE design that is modeled to meet...*

- 1. All septic regulations of the Texas Commission On Environment Quality, Chap. 285, version of 28 Dec 2012, and*
- 2. All construction standards that are generally accepted with the septic system industry, and*
- 3. All requirements as stated by the local inspection jurisdiction in which the property sits.*

**BEST PRACTICES**

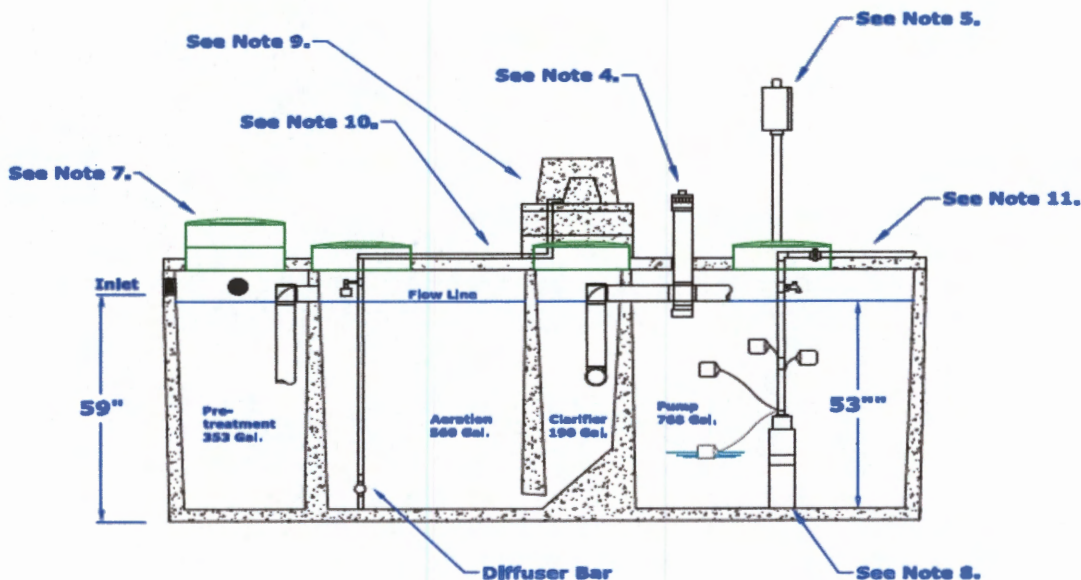
It is the opinion of this designer that both state and local jurisdiction requirements represent MINIMUM government regulations that may or may not result in a septic system that meets the property owner's EXPECTATIONS of it providing dependable, long-lasting service. Therefore, the property owner should consider some of the many UPGRADES that are available from the INDUSTRY and the MANUFACTURER'S side of the project.

As part of the "best practices" thrust, ALL septic systems of all types can deliver long-lasting, dependable service IF and ONLY IF the owner of the system includes these three items:

- a. Management - The sewage that is sent to the system must be within both its quantitative and qualitative design limits.
- b. Monitoring - Every system must be closely watched for any signs of failure. The best monitoring includes specific measurements of its various characteristics.
- c. Maintenance - The system must be properly maintained on a regularly scheduled basis by a qualified and licensed person.

Chemical characteristics: The parameters of typical residential-strength sewage are: BOD-140, TSS - 75, FOG - 15, DO - .5, pH - 7 and temp 59.

Cross-section of a Maxx Air ATU: *Link Again*



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**Maxx Air M-600 (600 GPD)  
Aerobic Treatment Plant (Assembled)**

Dec, 2013  
By: A.S.

Scale:  
\* All Dimensions subject to allowable specification tolerances.

Dwg. #: ADV-B550-3

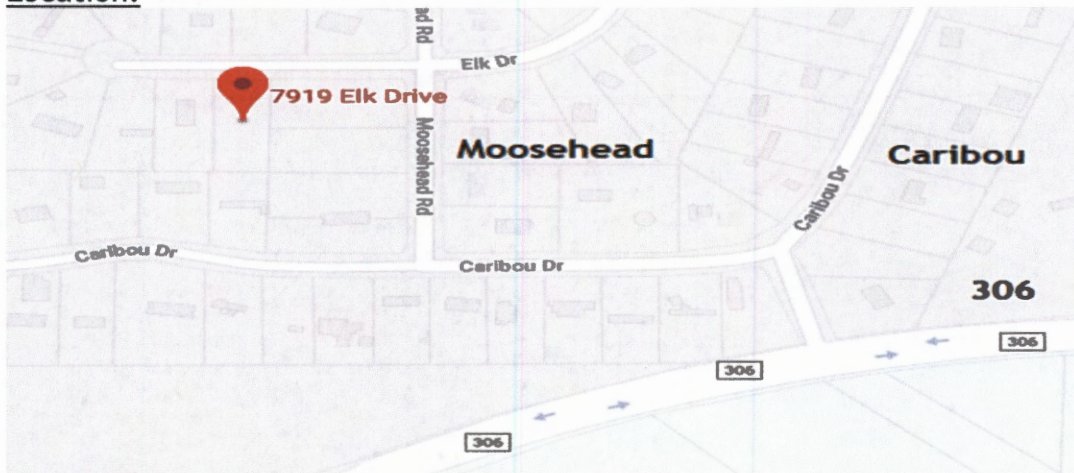


It is the owner's responsibility to ensure that the aerobic treatment unit is under a PAID contract with a licensed "maintenance provider. The unit must be checked and tested ONCE EVERY 4 MONTHS [Regulation #285.91 (4)] for the life of the unit and test results shall be submitted to the local septic inspector.

I hereby certify that this design conforms to both TCEQ and local regulations for On-Site Sewage Facilities and, with proper use, maintenance, and under normal climatic conditions, can be expected to function without creating a nuisance.

Sincerely,

Frank Aguirre, Registered Sanitarian, Lic. 994, Site Evaluator, Lic. 10807, TCEQ Designated Representative Lic.30400, NAWT Certified Inspector, Lic. 13671TC  
Location:



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Flood zone/Aquifer map:



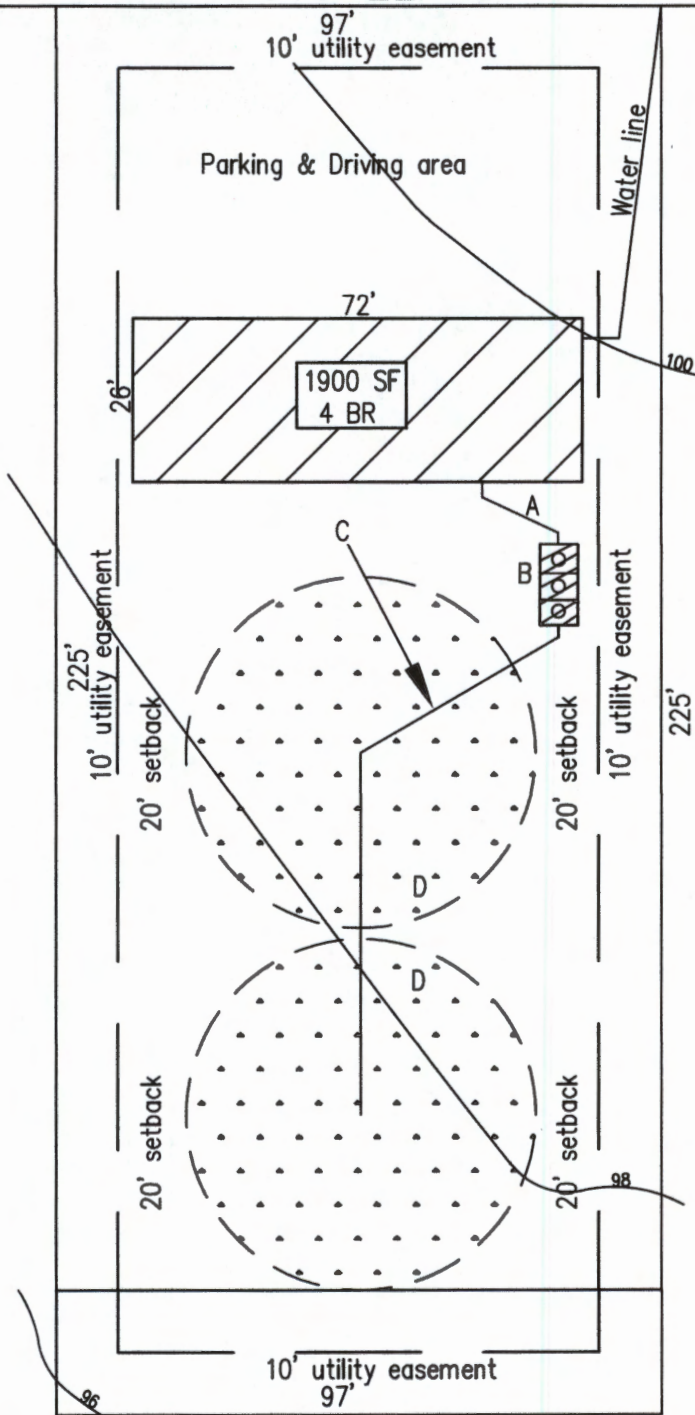


ZWERNEMANN RESIDENCE  
12 JULY 2019



Septic Systems Express  
DBA of Frank Aguirre and Associates, Inc.

7919 ELK DR.



A = ± 15' of 4" pvc, Sch. 40, tightline with a cleanout within 3' of the house  
B = Pre-treatment tank, 600 gpd MAXX AIR aerobic unit, chlorinator and pump tank

C = ± 90' of 1" pvc supply line  
D = 28' radius full circle spray

Sprayfield:  
Two 28' radius full circles =  
2 x 2462 SF = 4924 SF

Trees are to be avoided as much as possible.

*Frank Aguirre*

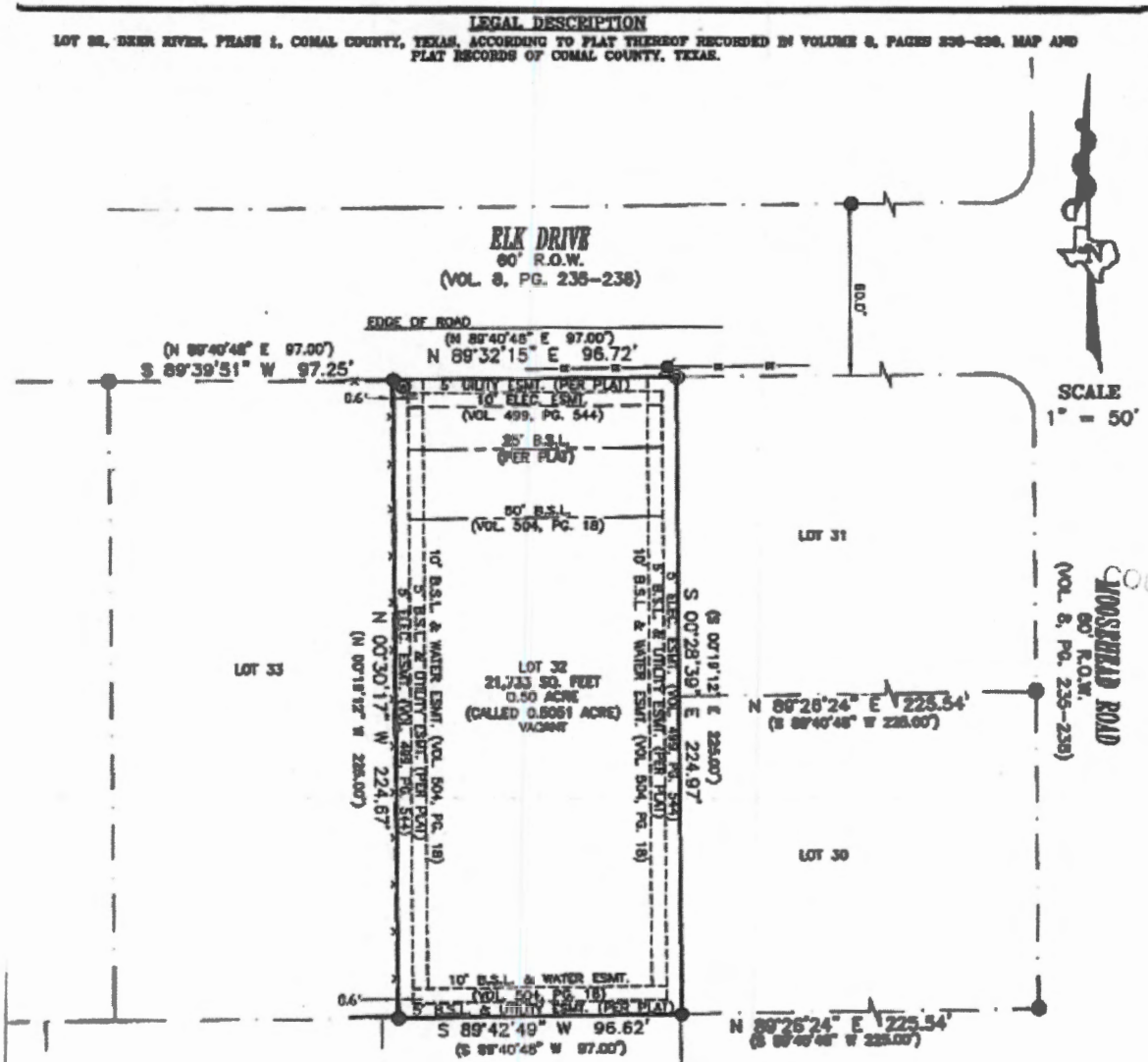


RS 994  
OS 10807  
DR 30400

L-32, Deer River, Phase 1

NOTE: The contractor may make field adjustments to the system so as to better fit specific site conditions encountered. All angles, lengths and locations shown are approximate and are adjustable during the actual system installation.

Property plat: *Frank Ogien*



Property deed: See attached  
Maintenance agreement: See attached  
ATU affidavit: See attached

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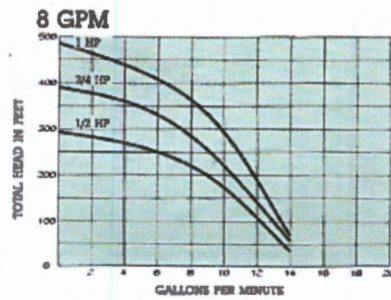
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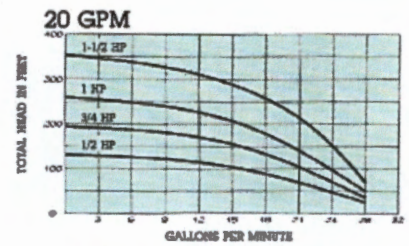
High head pump graph:

# High Head Filtered Effluent Pumps

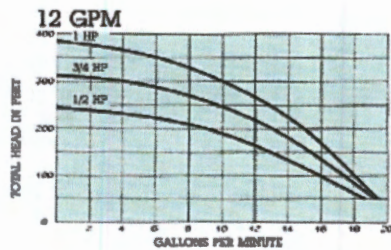
½, ¾, 1 and 1½ HP  
8, 12, 20, 25, and 35 GPM  
4" Diameter Submersibles



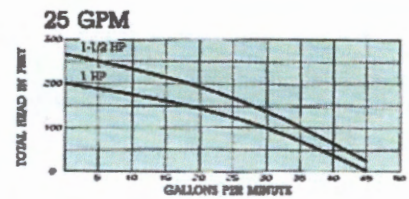
HP	Voltage	Pump Model
½	115	2NFL51-8E
½	230	2NFL52-8E
¾	230	2NFL72-8E
1	230	2NFL102-8E



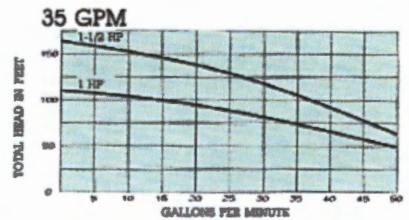
HP	Voltage	Pump Model
½	115	2NFL51-20E
½	230	2NFL52-20E
¾	230	2NFL72-20E
1	230	2NFL102-20E
1½	230	2NFL152-20E



HP	Voltage	Pump Model
½	115	2NFL51-12E
½	230	2NFL52-12E
¾	230	2NFL72-12E
1	230	2NFL102-12E



HP	Voltage	Pump Model
1	230	J1025BE
1½	230	J1525BE



HP	Voltage	Pump Model
1	230	J1035BE
1½	230	J1535BE



**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.

THE STATE OF TEXAS §  
COUNTY OF COMAL § KNOW ALL MEN BY THESE PRESENTS:

THAT ROBERT MALDONADO, UNMARRIED, hereinafter referred to as "Grantor" (whether one or more), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to the undersigned in hand paid by **GERALD R. ZWERNEMANN**, whose address is 110 Camellia Way San Antonio TX 78209, hereinafter referred to as "Grantee" (whether one or more), the receipt and sufficiency of which is hereby acknowledged and confessed; have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY, unto said Grantee, the following described real property, to-wit:

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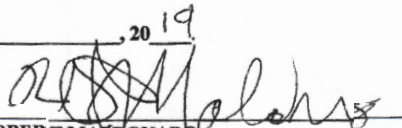
**Lot THIRTY-TWO (32), DEER RIVER, PHASE 1, COMAL County, Texas, according to plat thereof recorded in Volume 8, Pages 235-238, Map and Plat Records of COMAL County, Texas.**

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

All taxes assessed against the Property for the current year have been prorated between the parties, and Grantee hereby assumes and agrees to pay such taxes in full.

This Deed is executed, delivered and accepted subject to all and singular any liens securing the payment of any debt created or assumed in connection herewith if such liens are described herein, ad valorem taxes for the current and all subsequent years, subsequent assessments for prior years due to changes in land usage or ownership, zoning ordinances, utility district assessments and standby fees, if any, restrictions, easements, covenants, and conditions applicable to and enforceable against the above described property, mineral and royalty reservations, maintenance fund liens, and any title or rights asserted by anyone, including, but not limited to, persons, corporations, governments or other entities to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, or to any land extending from the line of the harbor or bulkhead lines as established or changed by any government or to filled-in lands, or artificial islands, or to riparian rights or other statutory water rights, or the rights or interests of the State of Texas or the public generally in the area extending from the line of mean low tide to the line of vegetation or the right of access thereto, or right of easement along and across the same, if any, applicable to and enforceable against the above described property as shown by the records of the County Clerk of the County in which said real property is located.

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 legal entity other than a natural person, the words "heirs and assigns" shall be construed to mean "successors and assigns." Reference to any gender shall include either gender and, in the case of a legal entity other than a natural person, shall include the neuter gender, all as the case may be.

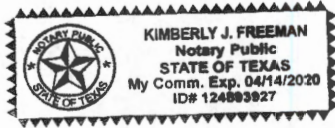
DATED the 3 day of July, 2019  
  
ROBERT MALDONADO

ATC-NEW BRAUNFELS

THE STATE OF TX §

COUNTY OF Comal §

This instrument was acknowledged before me on the 3 day of July  
2019, by ROBERT MALDONADO, UNMARRIED.



K. J. Freeman  
Notary Public

**Grantee's Mailing Address and Return Address:**  
GERALD R. ZWERNEMANN

**After Recording Return to:**  
Alamo Title Company  
494 South Seguin St., Ste 100  
New Braunfels, TX 78130

**Prepared by:**  
The Laird Law Firm, P.C.  
1512 Heights Blvd.  
Houston, Texas 77008

Filed and Recorded  
Official Public Records  
Bobbie Koepf, County Clerk  
Comal County, Texas  
07/03/2019 11:39:10 AM  
TERRI 2 Pages(s)  
201906022947



Bobbie Koepf



**PS Septic Supply & Service**  
**23011 FM 306**  
**Canyon Lake, TX 78133**

(830) 850-0080  
 Fax: (830) 935-4932

**Permit #: 109437**

**To: paul swoyer septics, llc**  
**7919 Elk Drive**  
**Spring Branch, TX 78070**

Tech: Not Assigned *CC*  
 Brand/Mfg.: MAXX AIR -  
 System S/N:  
 Aerator and S/N:

Contract: 10/15/2019 - 10/15/2022  
 Inspections per year: 3  
 Service Due: 2/15/2020  
 Alt Phone:  
 Warranty Ending:

Site: 7919 Elk Drive, Spring Branch  
 Agency: Comal County  
 County:  
 Subdivision: Deer River

Installed:  
 Phone:  
 Cell:  
 Work:

Inspection Type: \_\_\_\_\_ Inspection # \_\_\_\_\_ of \_\_\_\_\_ for the contract year

Item	Operational	Inoperative	N/A
Aerator:	_____	_____	<u>  1  </u>
Irrigation pump:	_____	_____	_____
Air compressor:	_____	_____	_____
Disinfection device:	_____	_____	_____
Chlorine supply:	_____	_____	_____
Spray field vegetation:	_____	_____	_____
Sprinkler / Drip backwash:	_____	_____	_____
Photocell Test:	_____	_____	_____
Autodialer:	_____	_____	<u>  1  </u>
Water Meter Reading: _____	CFM: _____	PSI: _____	

*1-0*  
*2-0*  
*3-0*

Test Results and observations: (As Required)

Fecal Coliform: \_\_\_\_\_  
 Chlorine Residual:   0.1    
 Test Method:   ORAB    
 BOD: \_\_\_\_\_  
 TSS: \_\_\_\_\_  
 Commercial Lab: \_\_\_\_\_  
 Date Submitted: \_\_\_\_\_

Repairs made: Y/N

Repairs and Comments:   Clum = 0     Added chlorine to meet residual    
  Home owner needs to Add Bleach. House is Vacant  

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

Area: /0  
 GPS: 29.9445 -98.3844 ID = 1391

Printed: 2/6/2020

7919 Elk Drive, Spring Branch

**PS Septic Supply & Service**  
**23011 FM 306**  
**Canyon Lake, TX 78133**

(830) 850-0080  
 Fax: (830) 935-4932

**Permit #: 109437**

**To: paul swoyer septics, llc**  
**7919 Elk Drive**  
**Spring Branch, TX 78070**

Tech: Not Assigned *LZ*  
 Brand/Mfg.: MAXX AIR -  
 System S/N:  
 Aerator and S/N:

Contract: 10/15/2019 - 10/15/2022  
 Inspections per year: 3  
 Service Due: 2/15/2020  
 Alt Phone:  
 Warranty Ending:

Site: 7919 Elk Drive, Spring Branch  
 Agency: Comal County  
 County:  
 Subdivision: Deer River

Installed:  
 Phone:  
 Cell:  
 Work:

Inspection Type: \_\_\_\_\_ Inspection # \_\_\_\_\_ of \_\_\_\_\_ for the contract year

Item	Operational	Inoperative	N/A
Aerator:	_____	_____	_____
Irrigation pump:	_____	_____	_____
Air compressor:	_____	_____	_____
Disinfection device:	_____	_____	_____
Chlorine supply:	_____	_____	_____
Spray field vegetation:	_____	_____	_____
Sprinkler / Drip backwash:	_____	_____	_____
Photocell Test:	_____	_____	_____
Autodialer:	_____	_____	_____
Water Meter Reading: _____ CFM: _____ PSI: _____			

*1-0*  
*2-0*  
*3-0*

**Test Results and observations: (As Required)**

Fecal Coliform: \_\_\_\_\_  
 Chlorine Residual: 0.1  
 Test Method: ORAB  
 BOD: \_\_\_\_\_  
 TSS: \_\_\_\_\_  
 Commercial Lab: \_\_\_\_\_  
 Date Submitted: \_\_\_\_\_

Repairs made: Y/N

Repairs and Comments: *CLM = 0 added chlorine to meet residual*  
*Home owner needs to Add Bleach. House is Vacant*

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

Area: / 0  
 GPS: 29.9445 -98.3844 ID = 1391

Printed 2/6/2020

7919 Elk Drive, Spring Branch



**PS Septic Supply & Service**  
**23011 FM 306**  
**Canyon Lake, TX 78133**

(830) 850-0080  
 Fax: (830) 935-4932

**Permit #: 109437**

**To:**  
**7919 Elk Drive**  
**Spring Branch, TX 78070**

Tech: Not Assigned *CZ*  
 Brand/Mfg: MAXX AIR -  
 System S/N:  
 Aerator and S/N:

Contract: 10/15/2019 - 10/15/2022  
 Inspections per year: 3  
 Service Due: 2/15/2020  
 Alt Phone:  
 Warranty Ending:

Site: 7919 Elk Drive, Spring Branch  
 Agency: Comal County  
 County:  
 Subdivision: Deer River

Installed  
 Phone:  
 Cell:  
 Work:

Inspection Type: \_\_\_\_\_ Inspection # \_\_\_\_\_ of \_\_\_\_\_ for the contract year

Item	Operational	Inoperative	N/A
Aerator:	_____	_____	_____
Irrigation pump:	_____	_____	_____
Air compressor:	_____	_____	_____
Disinfection device:	_____	_____	_____
Chlorine supply:	_____	_____	_____
Spray field vegetation:	_____	_____	_____
Sprinkler / Drip backwash:	_____	_____	_____
Photocell Test:	_____	_____	_____
Autodialer:	_____	_____	_____
Water Meter Reading: _____ CFM: _____ PSI: _____			

*1-0*  
*2-0*  
*3-0*

Test Results and observations: (As Required)

Fecal Coliform: \_\_\_\_\_  
 Chlorine Residual: 0.1  
 Test Method: GRAB  
 BOD: \_\_\_\_\_  
 TSS: \_\_\_\_\_  
 Commercial Lab: \_\_\_\_\_  
 Date Submitted: \_\_\_\_\_

Repairs made: Y/N

Repairs and Comments: *CLM = 0 added chlorine to meet residual*  
*Home owner needs to Add Bleach. House is Vacant*

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

Area: /0  
 GPS: 29.9445 -98.3844 ID = 1391

Printed 2/6/2020

7919 Elk Drive, Spring Branch

**PS Septic Supply & Service**  
**23011 FM 306**  
**Canyon Lake, TX 78133**

(830) 850-0080  
 Fax: (830) 935-4932

**Permit #: 109437**

**To: Home Owner**  
**7919 Elk Drive**  
**Spring Branch, TX 78070**

Tech: Not Assigned  
 Brand/Mfg: MAXX AIR -  
 System S/N:  
 Aerator and S/N.

Site: 7919 Elk Drive, Spring Branch  
 Agency: Comal County  
 County:  
 Subdivision: Deer River

Contract: 10/15/2019 - 10/15/2022  
 Inspections per year: 3  
 Service Due: 6/15/2020  
 Alt Phone:  
 Warranty Ending:

Inspection Type: \_\_\_\_\_ Inspection # \_\_\_\_\_ of \_\_\_\_\_ for the contract year

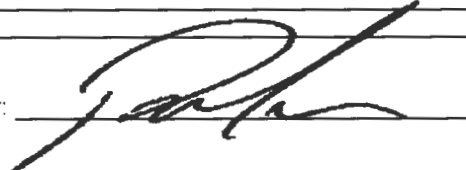
Item	Operational	Inoperative	N/A
Aerator:			
Irrigation pump			
Air compressor			
Disinfection device:			
Chlorine supply:			
Spray field vegetation:			
Sprinkler / Dnp backwash			
PhotoCell Test			
Autodialer			
Water Meter Reading: _____ CFM: _____ PSI: _____			

1-2  
 2-0  
 3-0

Test Results and observations: (As Required)  
 Fecal Coliform: \_\_\_\_\_  
 Chlorine Residual: \_\_\_\_\_  
 Test Method: UVAB  
 BOD: \_\_\_\_\_  
 TSS: \_\_\_\_\_  
 Commercial Lab: \_\_\_\_\_  
 Date Submitted: \_\_\_\_\_

Repairs made: Y / N

Repairs and Comments: sum 0 House vacant

Inspector: 

Date: \_\_\_\_\_

Area: / 0  
 GPS: 29.9445 -98.3844 ID = 1391

Printed: 7/6/2020

7919 Elk Drive, Spring Branch



**PS Septic Supply & Service**  
23011 FM 306  
Canyon Lake, TX 78133

**Phone: (830) 850-0080**  
**Fax: (830) 935-4932**

**To: Lois Swartzendruber**  
7919 Elk Drive  
Spring Branch, TX 78070

Printed: 10/21/2020  
Site: 7919 Elk Drive  
Spring Branch, TX 78070  
(210) 601-4884

Permit #: **109437**

Agency: Comal County

County:

Mfg / Brand: - MAXX AIR

Treatment Type: Aerobic

Disposal: Surface Application

Sub: Deer River

Customer ID: 1391

Contract Dates: 10/15/2019 - 10/15/2022

Scheduled Date: 10/15/2020

Inspection 3 of 9

GPS Coordinates - Latitude: 29.9445 Longitude: -98.3844

**Service Type: Scheduled Inspection**

This counts as a type of "Scheduled Inspection"

**Visit Date: 10/20/2020**

**Entered By: \_**

**Method: Grab**

**Technician: Ryan Seidensticker**

**Maint. Provider: Ryan Seidensticker**

**Aerators: Operational**

**Filters: Operational**

**Irrigation Pumps: Operational**

**Disinfection Device: Operational**

**Chlorine Supply: Operational**

**Chlorine Residual: 0.1mg/L**

**Sludge Levels**

**For Tank 1: 0**

**Tank Lid / Riser: Secured**

**Sprinkler Drip Backwash: Good**

**Electric Circuits: Operational**

**Distribution System: Operational**

**Sprayfield Veg: Operational**

**Color: Good**

**Odor: Good**

**Alarm: Operational**

**Comments**

Scum on pretreatment:0" - Technician Secured the Tank Lid and/or Riser prior to leaving location.

**Service Completed**

**Owner signature: \_\_\_\_\_**

Insp ID #:6265

**Provider: *Christopher Ryan Seidensticker***  
***PS Septic Supply & Service***

**Technician: *Christopher Ryan Seidensticker***  
***PS Septic Supply & Service***

License Info: MP0001708 Expires:

License Info: MP0001708 Expires: 9/1/2023

**PS Septic Supply & Service**  
23011 FM 306  
Canyon Lake, TX 78133

**Phone: (830) 850-0080**  
**Fax: (830) 935-4932**

**To: Lois Swartzendruber**  
7919 Elk Drive  
Spring Branch, TX 78070

Printed: 3/4/2021  
Site: 7919 Elk Drive  
Spring Branch, TX 78070  
(210) 601-4884

Permit #: **109437**

Agency: Comal County

County:

Mfg / Brand: - MAXX AIR

Treatment Type: Aerobic

Disposal: Surface Application

Sub: Deer River

Customer ID: 1391

Contract Dates: 10/15/2019 - 10/15/2022

Scheduled Date 2/15/2021

Inspection 4 of 9

GPS Coordinates - Latitude: 29.9445 Longitude: -98.3844

**Service Type: Scheduled Inspection**

**Visit Date: 3/2/2021**

**Method: Grab**

**Technician: Landon Gronvold**

**Maint. Provider: Ryan Seidensticker**

**Aerators: Operational**

**Filters: Operational**

**Irrigation Pumps: Operational**

**Disinfection Device: Operational**

**Chlorine Supply: Operational**

**Chlorine Residual: 0.1mg/L**

**Sludge Levels**

**For Tank 1: 18**

**For Tank 2: 1**

**For Tank 3: 1**

This counts as a type of "Scheduled Inspection"

**Entered By: \_**

**Tank Lid / Riser: Secured**

**Sprinkler Drip Backwash: Good**

**Electric Circuits: Operational**

**Distribution System: Operational**

**Sprayfield Veg: Operational**

**Color: Good**

**Odor: Good**

**Alarm: Operational**

**Comments**

Scum on pretreatment:6" - Technician Secured the Tank Lid and/or Riser prior to leaving location.

**Service Completed**

**Owner signature: \_\_\_\_\_**

Insp ID #:8270

**Provider: *Christopher Ryan Seidensticker***  
***PS Septic Supply & Service***

License Info: MP0001708 Expires:

License Info: MT0001995 Expires: 10/31/2021



**PS Septic Supply & Service**  
23011 FM 306  
Canyon Lake, TX 78133

**Phone: (830) 850-0080**  
**Fax: (830) 935-4932**

**To: Lois Swartzendruber**  
7919 Elk Drive  
Spring Branch, TX 78070

Printed: 6/2/2021  
Site: 7919 Elk Drive  
Spring Branch, TX 78070  
(210) 601-4884

Permit #: **109437**

Agency: Comal County  
County:

Sub: Deer River

Customer ID: 1391

Contract Dates: 10/15/2019 - 10/15/2022

Scheduled Date 6/15/2021

Inspection 5 of 9

Mfg / Brand: - MAXX AIR

Treatment Type: Aerobic

Disposal: Surface Application

GPS Coordinates - Latitude: 29.9445 Longitude: -98.3844

**Service Type: Scheduled Inspection**

This counts as a type of "Scheduled Inspection"

**Visit Date: 6/1/2021**

**Entered By: \_**

**Method: Grab**

**Technician: Ryan Seidensticker**

**Maint. Provider: Ryan Seidensticker**

**Aerators: Operational**

**Sludge Levels**

**Filters: Operational**

**For Tank 1: 1**

**Irrigation Pumps: Operational**

**For Tank 3: 1**

**Disinfection Device: Operational**

**Chlorine Supply: Operational**

**Chlorine Residual: 0.1mg/L**

**Tank Lid / Riser: Secured**

**Sprinkler Drip Backwash: Good**

**Electric Circuits: Operational**

**Distribution System: Operational**

**Sprayfield Veg: Operational**

**Color: Good**

**Odor: Good**

**Alarm: Operational**

**Comments**

**Service Completed**

Scum on pretreatment: 7" M.A - Technician Secured the Tank Lid and/or Riser prior to leaving location.

**Owner signature: \_\_\_\_\_**

Insp ID #: 9993

**Provider: *Christopher Ryan Seidensticker***  
***PS Septic Supply & Service***

**Technician: *Christopher Ryan Seidensticker***  
***PS Septic Supply & Service***

License Info: MP0001708 Expires:

License Info: MP0001708 Expires: 9/1/2023

**PS Septic Supply & Service**  
**23011 FM 306**  
**Canyon Lake, TX 78133**

**Phone: (830) 850-0080**  
**Fax: (830) 935-4932**

**To: Lois Swartzendruber**  
**7919 Elk Drive**  
**Spring Branch, TX 78070**

Printed:6/15/2022  
Site: 7919 Elk Drive  
Spring Branch, TX 78070  
(210) 601-4884

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Permit #: **109437** Customer ID: 1391  
Agency: Comal County Contract Dates: 10/15/2019 - 10/15/2022  
County: Sub: Deer River Scheduled Date: 6/15/2022 Inspection 8 of 9  
Mfg / Brand: - MAXX AIR  
Treatment Type: Aerobic  
Disposal: Surface Application GPS Coordinates - Latitude: 29.9445 Longitude: -98.3844

---

**Service Type: Scheduled Inspection**

This counts as a type of "Scheduled Inspection"

**Visit Date: 6/13/2022**

**Entered By: Michelle Irvin**

**Method: Grab**

**Technician: Not Assigned**

**Maint. Provider: Ryan Seidensticker**

---

**Aerators: Operational**  
**Filters: Operational**  
**Irrigation Pumps: Operational**  
**Disinfection Device: Operational**  
**Chlorine Supply: Operational**  
**Chlorine Residual: 1.23**

**Sludge Levels**  
**For Tank 1: 12**  
**For Tank 2: 6**  
**For Tank 3: 4**

**Tank Lid / Riser: Secured**

**Sprinkler Drip Backwash: Good**

**Electric Circuits: Operational**  
**Distribution System: Operational**  
**Sprayfield Veg: Operational**

**Color: Good**  
**Odor: Good**

**Alarm: Operational**

**Comments**

**Service Completed**

Scum - 14"  
Both buzzers and lights are out  
broken sprinkler  
- Technician Secured the Tank Lid and/or Riser prior to leaving location.

Insp ID #:18650

**Provider: *Christopher Ryan Seidensticker***  
***PS Septic Supply & Service***

License Info: MP0001708 Expires:

**PS Septic Supply & Service**  
**23011 FM 306**  
**Canyon Lake, TX 78133**

Phone: (830) 850-0080  
Fax: (830) 935-4932

Printed: 11/3/2022 Insp ID #: 22535

Permit #: **109437**

**To: Lois Swartzendruber**  
**7919 Elk Drive**  
**Spring Branch, TX 78070**

Main Phone: (210) 601-4884  
Work:  
Cell Phone:  
Alt Cell:

Customer ID: 1391

Contract Dates: 10/15/2019 - 10/15/2022

Scheduled Date: 10/15/2022 Inspection 9 of 9

Installed: 10/15/2019

Warranty End: 10/15/2022

Agency: Comal County  
County:

Sub: Deer River

Mfg / Brand: - MAXX AIR

Treatment Type: Aerobic

Disposal: Surface Application

GPS Coordinates: Latitude: 29.9445 Longitude: -98.3844

**Service Type: Scheduled Inspection**

This counts as a type of "Scheduled Inspection"

**Entered By: Nicole Loria**

**Visit Date: 11/3/2022**

Copy emailed to Customer

Customer Emailed: 11/3/2022

**Method: Grab**

**Technician: Not Assigned**

**Maint. Provider: Ryan Seidensticker**

**Aerators: Operational**

**Sludge Levels**

**Filters: Operational**

**For Tank 1: 12**

**Irrigation Pumps: Operational**

**For Tank 2: N/A**

**Disinfection Device: Operational**

**For Tank 3: 8**

**Chlorine Supply: Operational**

**Chlorine Residual: .3**

**Electric Circuits: Operational**

**Tank Lid / Riser: Secured**

**Distribution System: Operational**

**Insp. Port / Plug: Secured**

**Sprayfield Veg: Operational**

**Alarm: Operational**

**Comments**

**Service Completed**

- Scum on pretreatment 6 - Technician Secured the Tank Lid and/or Riser prior to leaving location. - Inspection Port Plug was noted as Secured prior to leaving. - Copy emailed to the customer on 11/3/2022.

Site: 7919 Elk Drive, Spring Branch, TX 78070

**Provider: Christopher Ryan Seidensticker**  
**PS Septic Supply & Service**

License Info: MP0001708 Expires:



# Luna Environmental

4222 FM 482  
New Braunfels, TX 78132

(830) 312-8776

sherrie@lunaenvironmental.com

Printed:7/29/2023

**Permit: 109437**

Site: 7919 Elk Drive, Spring Branch, TX 78070

Main Phone: 2106014884

## Lois Swartzendruber

7919 Elk Drive  
Spring Branch, TX 78070

Agency: Comal County

County: Comal County

Subdivision: Deer River

---

System Info: MFG:            Brand: MAXX AIR Customer ID: 2790  
Treatment Type: Aerobic Disposal Type: Surface Application Insp ID: 30591  
Installed: 10/15/2019 Warranty Expiration: 10/15/2022  
Visit Details <----->  
**Visit Date: 7/27/2023** Entered By: Nicole Loria GPS Lat: 29.9445 GPS Long: -98.3844  
Scheduled Date: 5/31/2023 Contract Starts: 1/31/2023 Customer Emailed: 7/29/2023  
Entered On: 7/29/2023 Contract Ends: 1/31/2024

Visit Results

**Service Type: Scheduled Inspection**  
Count: Inspection 1 of 3  
Method: Grab License # Expires  
Technician: Not Assigned  
Provider: Luna Environmental, LLC  Service Completed

---

Aerators: Operational  
Filters: Operational Sludge Level Tank 2: N/A  
Irrigation Pumps: Operational Sludge Level Tank 3: 15  
Disinfection Device: Operational  
Chlorine Supply: Operational  
Chlorine Residual: .1

Electric Circuits: Operational Tank Lid / Riser: Secured  
Distribution System: Operational Insp. Port / Plug: Secured  
Drip/Sprayfield Veg: Operational

Alarm: Operational PSI Pressure: 2.3

---

Comments

- Scum on pretreatment 12 - Reset Timer - Technician Secured the Tank Lid and/or Riser prior to leaving location. - Inspection Port Plug was noted as Secured prior to leaving. - Copy emailed to the customer on 7/29/2023.