



# COMAL COUNTY

## ENGINEER'S OFFICE

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

Issued This Date: 07/15/2021

Permit Number: 110562

Location Description: 2016 TEMPRANILLO  
NEW BRAUNFELS, TX 78132

Subdivision: Vintage Oaks at the Vineyard  
Unit: 11  
Lot: 1377R  
Block:  
Acreage:

Type of System: Aerobic  
Surface Irrigation

Issued to: Steven R. & Kathleen M. Smith

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

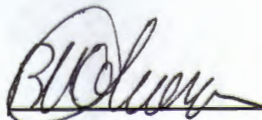
may require a new permit. **It is the responsibility of the owner to apply for a new permit, if applicable.**

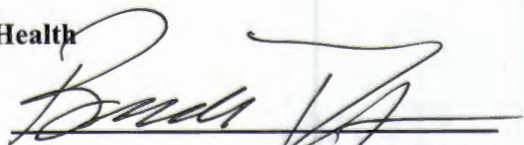
Inspection and licensing of a facility indicates only that the facility meets certain minimum requirements. It does not impede any governmental entity in taking the proper steps to prevent or control pollution, to abate nuisance, or to protect the public health.

This license to operate is valid for an indefinite period. The holder may transfer it to a succeeding owner, provided the

Licensing Authority

Comal County Environmental Health

  
OS0034792  
ENVIRONMENTAL HEALTH INSPECTOR

  
ENVIRONMENTAL HEALTH COORDINATOR

OS0007722

# Comal County Environmental Health OSSF Inspection Sheet

FINAL

Installer Name: Paul Swoyer OSSF Installer #: OS0026238

1st Inspection Date: 04-07-2021 2nd Inspection Date: 04-20-2021 3rd Inspection Date: 07-15-2021

Inspector Name: B. Olvera Inspector Name: B. Olvera Inspector Name: B. Olvera

Permit#: 110562 Address: 2016 Tempranillo / Vintage Oaks at the Vineyard

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	04-07-21	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)		04-07-21		
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)(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)				

04-07-2021 BMO: Tank Set Level No Leaks, Operational, Ready For Cover, Address Rocks, Cut Brush

04-20-2021 BMO: More Cover on Rocks In Spray Area

07-15-2021 BMO: Covered

**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 SingleTank, 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	04-07-21	285.32(b)(1)(F) 285.32(b)(1)(G) 285.34(b)		04-07-21		
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			600			
15	AEROBIC TREATMENT UNIT Manufacturer AEROBIC TREATMENT UNIT Model Number			Maxx Air			
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)				
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.
32	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)				
33	AEROBIC TREATMENT UNIT Is Aerobic Unit Installed According to Approved Guidelines.	04-07-21	285.32(c)(1)		04-07-21		
34	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						
35	AEROBIC TREATMENT UNIT Chlorinator Properly Installed with Chlorine Tablets in Place.						
36	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						
37	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						
38	PUMP TANK Secondary restraint system provided						
39	PUMP TANK Electrical Connections in Approved Junction Boxes / Wiring Buried						

**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?	04-07-21	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)		04-07-21		
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)				07-15-21
42	APPLICATION AREA Area Installed					04-20-21	
43	PUMP TANK Meets Minimum Reserve Capacity Requirements						
44	PUMP TANK Material Type & Manufacturer						
45	PUMP TANK Type/Size of Pump Installed						



# COMAL COUNTY

---

## ENGINEER'S OFFICE

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

Permit Number: 110562  
Issued This Date: 03/29/2021  
This permit is hereby given to: Steven R. & Kathleen M. Smith

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

2016 TEMPRANILLO  
NEW BRAUNFELS, TX 78132

Subdivision: Vintage Oaks at the Vineyard  
Unit: 11  
Lot: 1377R  
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.

Permit Number: 110562  
Issued This Date: 03/29/2021  
This permit is hereby given to: Steven R. & Kathleen M. Smith

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

2016 TEMPRANILLO  
NEW BRAUNFELS, TX 78132

Subdivision: Vintage Oaks at the Vineyard  
Unit: 11  
Lot: 1377R  
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.

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

Date \_\_\_\_\_ Permit # 110562

Owner Name STEVEN R. & KATHLEEN M. SMITH Agent Name GREG W. JOHNSON, P.E.

Mailing Address c/o 23011 FM 306 Agent Address 170 Hollow Oak

City, State, Zip Canyon Lake, TX 78133 City, State, Zip New Braunfels, TX 78132

Phone # 830-935-4936 Phone # 830-905-2778

Email paul@paulswoyerseptics.com Email gregjohnsonpe@yahoo.com

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

Subdivision Name VINTAGE OAKS AT THE VINEYARD Unit 11 Lot 1377R Block \_\_\_\_\_

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

Street Name/Address 2016 TEMPRANILLO City NEW BRAUNFELS Zip 78132

**Type of Development:**

☒ Single Family Residential

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

Number of Bedrooms 3

Indicate Sq Ft of Living Area 3729

☐ 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 \_\_\_\_\_

Estimated Cost of Construction: \$ 650,000 (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.

TPV Kathleen M. Smith  
Signature of Owner

5/19/20  
Date

TPV Kathleen M. Smith

3/24/21



# COMAL COUNTY

---

## ENGINEER'S OFFICE

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

Permit Number: 110562  
Issued This Date: 03/25/2020  
This permit is hereby given to: Steven R. & Kathleen M. Smith

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

2016 TEMPRANILLO  
NEW BRAUNFELS, TX 78132

Subdivision: Vintage Oaks at the Vineyard  
Unit: 11  
Lot: 1377R  
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.



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

Date \_\_\_\_\_

Permit # 110562

Owner Name STEVEN R. & KATHLEEN M. SMITH  
Mailing Address c/o 23011 FM 306  
City, State, Zip Canyon Lake, TX 78133  
Phone # 830-935-4936  
Email paul@paulswoyerseptics.com

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 ☐ Agent ☒ Both Method: ☐ Mail ☒ Email

Subdivision Name VINTAGE OAKS AT THE VINEYARD Unit 11 Lot 1377R Block \_\_\_\_\_

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

Street Name/Address 2016 TEMPRANILLO City NEW BRAUNFELS Zip 78132

**Type of Development:**

☒ Single Family Residential

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

Number of Bedrooms 3

Indicate Sq Ft of Living Area 3729

☐ 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 \_\_\_\_\_

Estimated Cost of Construction: \$ 650,000 (Structure Only)

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

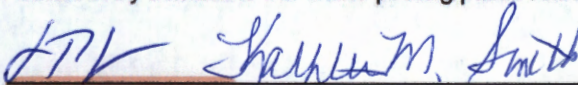
☐ Yes ☒ No (If yes, owner must provide approval from USACE for proposed OSSF improvements within the USACE flowage easement)

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

3/19/20  
Date



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

APPLICATION FOR PERMIT FOR AUTHORIZATION TO CONSTRUCT AN  
ON-SITE SEWAGE FACILITY AND LICENSE TO OPERATEPlanning Materials & Site Evaluation as Required Completed By GREG W. JOHNSON, P.E.System Description PROPRIETARY; AEROBIC TREATMENT AND SURFACE IRRIGATION

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

Tank Size(s) (Gallons) MAXX AIR M800 Absorption/Application Area (Sq Ft) 5654Gallons Per Day (As Per TCEQ Table III) 360

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

RECEIVED

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.))

MAR 24 2020

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

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

COUNTY ENGINEER

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? ☒ Yes ☐ NoIs 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 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 ☒ 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

Date August 9, 2019

**REVISED**

11:25 am, Mar 25, 2020

Greg W. Johnson, P.E.

170 Hollow Oak

New Braunfels, Texas 78132

830/905-2778

August 9, 2019

Comal County Office of Environmental Health

195 David Jonas Drive

New Braunfels, Texas 78132-3760

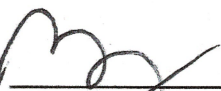
RE- SEPTIC DESIGN  
2016 TEMRANILLO  
VINTAGE OAKS AT THE VINEYARD, UNIT 11, LOT 1377R  
NEW BRAUNFELS, TX 78132  
SMITH RESIDENCE

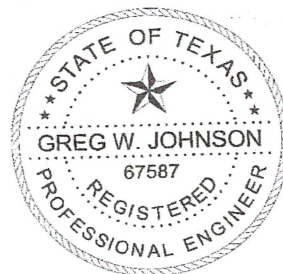
Ms. Brenda Ritzen/Sandra Hernandez,

The referenced property is located within the Edwards Aquifer Contributing Zone. This OSSF design will comply with requirements in the WPAP.

Temporary erosion and sedimentation controls should be utilized as necessary prior to construction. If any sensitive feature (caves, solution cavities, sink holes, etc.) is discovered during construction, activities must be suspended immediately and the applicant or his agent must immediately notify the TCEQ Regional Office. After that operations can only proceed after the Executive Director approves required additional engineered impact plans.

Designed in accordance with Chapter 285, Subchapter D, §285.40, 285.41, & 285.42, Texas Commission on Environmental Quality (Effective December 27, 2012).

 08/09/19  
Greg W. Johnson, P.E. No. 67587 / F#2585  
170 Hollow Oak  
New Braunfels, Texas 78132 - 830/905-2778





**AFFIDAVIT****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.

**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):

11 UNIT/PHASE/SECTION            BLOCK 1377R LOT VINTAGE OAKS AT THE VINEYARD SUBDIVISION

IF NOT IN SUBDIVISION:            ACREAGE            SURVEY

The property is owned by (insert owner's full name): STEVEN R. SMITH & KATHLEEN M. SMITH

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 13th DAY OF March, 2020

X [Signature]

STEVEN R. SMITH

X [Signature]

KATHLEEN M. SMITH

Owner(s) signature(s)

Owner(s) Printed name(s)

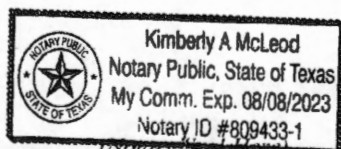
Steven R. + Kathleen M. Smith

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 13th DAY OF

KAM 6th March, 2020

THIS AREA FOR COMAL COUNTY CLERK RECORDING PURPOSES ONLY

[Signature]  
Notary Public Signature



Filed and Recorded  
Official Public Records  
Bobbie Koepp, County Clerk  
Comal County, Texas  
03/24/2020 10:58:38 AM  
LAURA 1 Pages(s)  
202006011300



*Bobbie Koepp*

RECEIVED

MAR 24 2020

COUNTY ENGINEER





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

MP#0001708

CHRISTOPHER RYAN SEIDENSTICKER

**PROPERTY LEGAL DESCRIPTION:**

VINTAGE OAKS AT THE VINEYARD, UNIT 11, LOT 1377R

**Customer:** STEVEN R. SMITH & KATHLEEN M. SMITH

**Site Address:** 2016 TEMPRANILLO

**City/State:** NEW BRAUNFELS, TEXAS **Zip:** 78132

**County:** COMAL **Permit#:** RECEIVED

**Phone Number:** **E-mail:** MAR 24 2020

COUNTY ENGINEER

**I. General:** This On-Site Sewage Facility Service Agreement (hereinafter referred to as "Agreement") is entered into by and between STEVEN R. SMITH & KATHLEEN M. SMITH, (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:

SPC  
KMP

Contractor:

PS



RECEIVED

MAR 24 2020

COUNTY ENGINEER

**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 work 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.

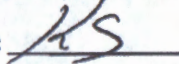
**IX. Limitation of Liability:** In no event shall Contractor be liable for indirect, consequential, incidental or punitive damages, whether in contract, tort, or any other theory of liability. In no event shall the Contractor's liability for direct damages exceed payments by the Client under this Agreement.

**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:



# ON-SITE SEWERAGE FACILITY SOIL EVALUATION REPORT INFORMATION

Date Soil Survey Performed: August 08, 2019

Site Location: VINTAGE OAKS at the VINEYARD, UNIT 11, LOT 1377R

Proposed Excavation Depth: N/A

**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.

RECEIVED

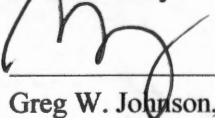
MAR 24 2020

COUNTY ENGINEER

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

SOIL BORING NUMBER <u>          </u> SURFACE EVALUATION						
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

08/08/19

Date



**FIRM #2585**





COUNTY ENGINEER



OWNER: <b>STEPHEN R. &amp; KATHLEEN M. SMITH</b>		DRAWN BY: <b>EJS III</b>	
STREET ADDRESS: <b>2016 TEMPRANILLO</b>			
LEGAL DESC: <b>VINTAGE OAKS at the VINEYARD</b>		UNIT/SECTION/PHASE: <b>11</b>	LOT: <b>1377R</b>
PREPARED BY: <b>GREG W. JOHNSON, P.E. F#002585</b>		SCALE: <b>N.T.S.</b>	DATE: <b>8/9/2019</b>
		3rd REVISION	<b>1/8/2020</b>

## TANK NOTES:

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

Tightlines to the tank shall be SCH-40 PVC.

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

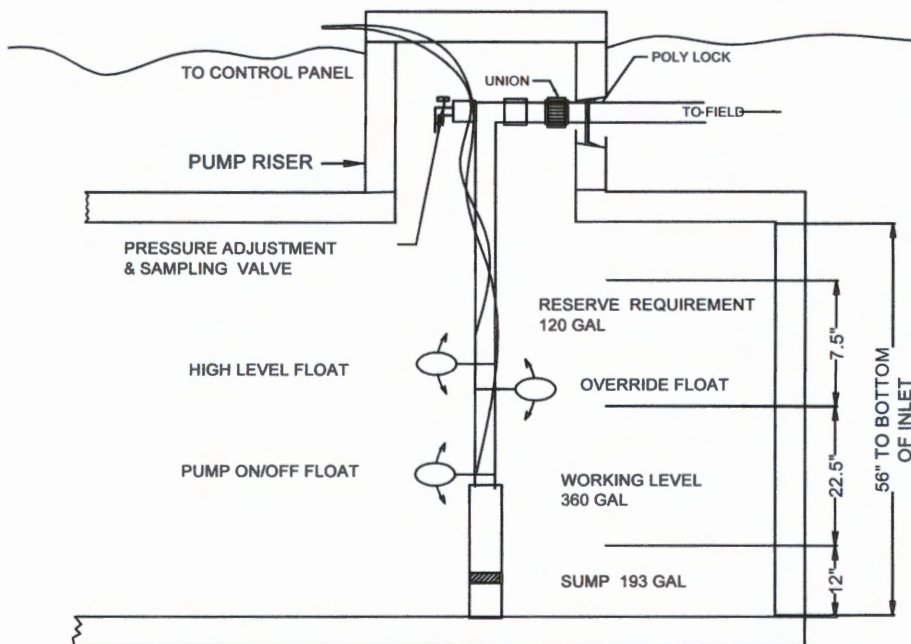
A minimum of 4" of sand, sandy loam, clay loam free of rock shall be placed under and around tanks

RECEIVED

MAR 24 2020

COUNTY ENGINEER

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

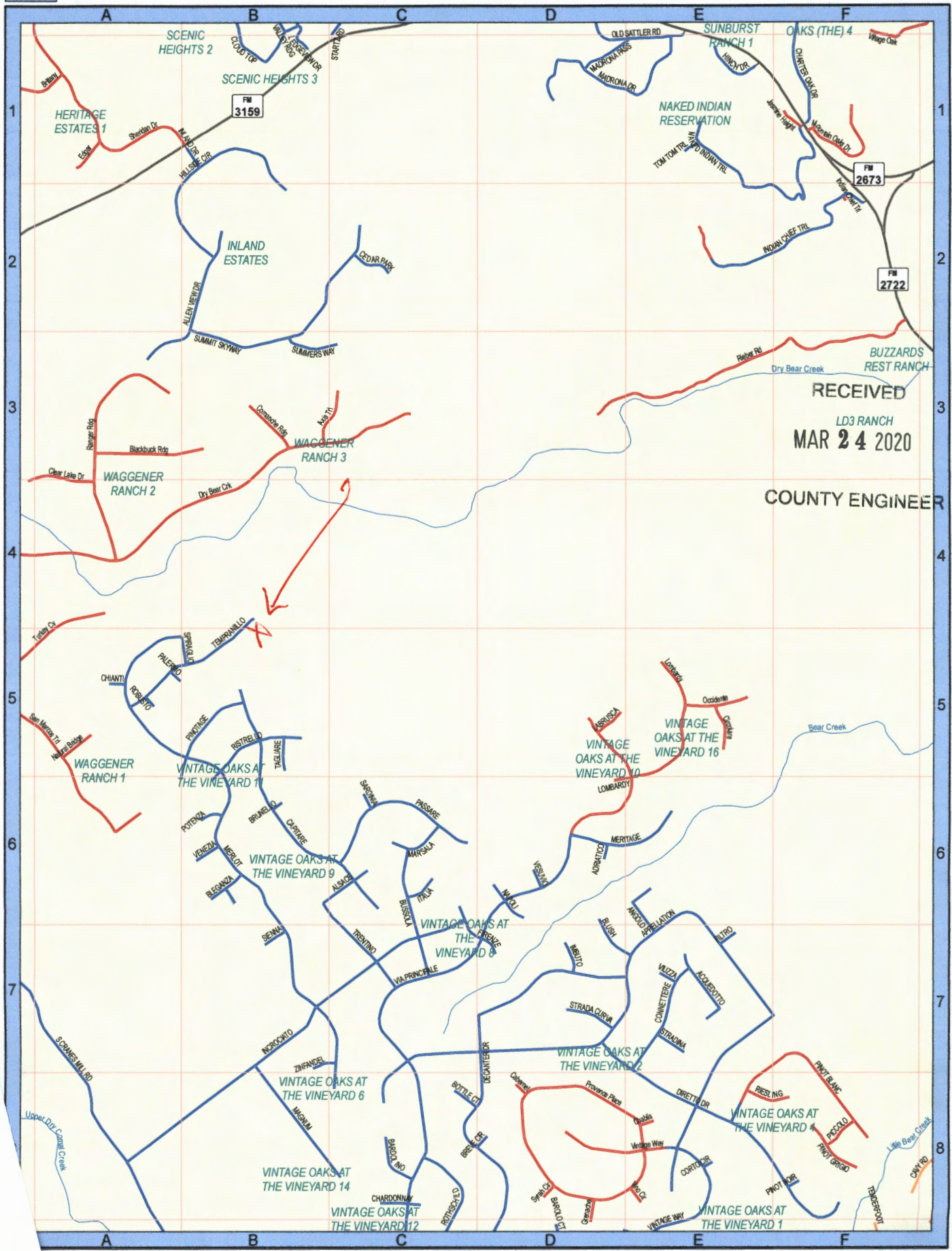


F-2585

08/09/19

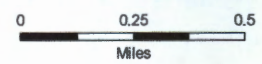
**TYPICAL PUMP TANK CONFIGURATION  
MAXX AIR-M800 PUMP TANK**





RECEIVED  
LD3 RANCH  
MAR 24 2020  
COUNTY ENGINEER

SEE PAGE 43



## Hernandez, Sandra

---

**From:** Hernandez, Sandra  
**Sent:** Wednesday, March 25, 2020 10:24 AM  
**To:** 'Greg Johnson'  
**Subject:** 110562 deficiency comment  
**Attachments:** Pages from 110562-3.pdf

RE: Vintage Oaks at the Vineyard, Unit 11, Lot 1377R

Greg,

We received planning materials for the referenced permit application on March 24, 2020 and found those planning materials to be deficient. In order to continue processing this permit, we need the following:

 Revise the lot number accordingly on your WPAP certification, and resubmit to our office.

If you have any questions, you can email me or call the office.

Thank you,

Sandra Ann Hernandez  
Environmental Health Asst.  
Comal County Engineer's Office  
cceo.org  
830-608-2090 (Ext. 3156)



**VOID**

Greg W. Johnson, P.E.  
170 Hollow Oak  
New Braunfels, Texas 78132  
830/905-2778

August 9, 2019

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

RE- SEPTIC DESIGN  
2016 TEMRANILLO  
VINTAGE OAKS AT THE VINEYARD, UNIT 11, LOT 1372  
NEW BRAUNFELS, TX 78132  
SMITH RESIDENCE

RECEIVED

MAR 24 2020

COUNTY ENGINEER

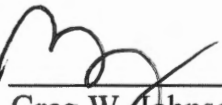
Ms. Brenda Ritzen/Sandra Hernandez,

**VOID**

The referenced property is located within the Edwards Aquifer Contributing Zone. This OSSF design will comply with requirements in the WPAP.

Temporary erosion and sedimentation controls should be utilized as necessary prior to construction. If any sensitive feature (caves, solution cavities, sink holes, etc.) is discovered during construction, activities must be suspended immediately and the applicant or his agent must immediately notify the TCEQ Regional Office. After that operations can only proceed after the Executive Director approves required additional engineered impact plans.

Designed in accordance with Chapter 285, Subchapter D, §285.40, 285.41, & 285.42, Texas Commission on Environmental Quality (Effective December 27, 2012).

 08/09/19  
Greg W. Johnson, P.E. No. 67587 / F#2585  
170 Hollow Oak  
New Braunfels, Texas 78132 - 830/905-2778



**VOID**



W/C



201706051124 11/21/2017 09:55:36 AM 1/6

AMENDMENT TO PLAT

OWNER(S) (as shown on deed(s)): STEPHEN R. AND KATHLEEN M. SMITH  
MAILING ADDRESS: 15911 Ellendale Court  
Cypress, TX 77429

LEGAL DESCRIPTION OF PROPERTY:

NAME OF RECORDED SUBDIVISION PLAT (& UNIT NUMBER, if any): Vintage Oaks at the Vineyard  
Unit 11

COMAL COUNTY MAP & PLAT RECORDS VOLUME \_\_\_\_\_ PAGE \_\_\_\_\_ (or) DOC# 201906048246

LOTS OR TRACTS TO BE COMBINED: 1377 + 1378 + 1379 + 1380 RESULTING LOT #: 1377R

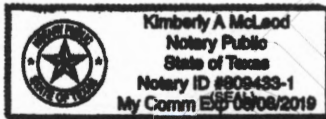
The signatures affixed below will certify that the owner of the described property hereby amends the plat of the property so as to combine the referenced lots or tracts into a single lot or tract. The property owner acknowledges that this Amendment to Plat may not dissolve or alter any existing easements or other property interests that may exist within the boundaries of this property, and that obtaining release or permission from any owner or beneficiary of easement(s) or other property interest(s) affected by this process shall be the responsibility of the property owner. The owner also certifies that any and all lienholders have acknowledged this Amendment to Plat as per the attached Lienholder Acknowledgment(s), if applicable.

[Signature]  
OWNER SIGNATURE  
Stephen R. Smith  
NAME PRINTED (& title, if applicable)

[Signature]  
OWNER SIGNATURE  
Kathleen M. Smith  
NAME PRINTED (& title, if applicable)

STATE OF Texas  
COUNTY OF Harris

SWORN TO AND SUBSCRIBED before me by Stephen R. + Kathleen M. Smith  
on the 25th day of September, 2017.



[Signature]  
NOTARY PUBLIC

APPROVED BY COMMISSIONERS COURT on the 21st day  
of NOVEMBER, 2017.

[Signature]  
COUNTY JUDGE  
ATTEST: [Signature]  
COUNTY CLERK



Filed and Recorded  
Official Public Records  
Bobbie Koepf, County Clerk  
Comal County, Texas  
11/21/2017 09:55:36 AM  
CASHFOUR 6 Page(s)  
201706051124



[Signature]  
COUNTY CLERK

RECEIVED

MAR 24 2020

COUNTY ENGINEER

RECEIVED

NOV 13 2017

COUNTY ENGINEER

2-173809BD  
FILED BY  
PRESIDIO TITLE

201706010706 03/07/2017 12:49:38 PM 1/3

**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.**

**SPECIAL WARRANTY DEED**

THE STATE OF TEXAS

§  
§  
§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COMAL

RECEIVED

**GRANTOR:** SOUTHSTAR AT VINTAGE OAKS, LLC  
1114 Lost Creek Blvd., Suite 270  
Austin, Texas 78746

MAR 24 2020

**GRANTEE:** STEPHEN R. SMITH and KATHLEEN M. SMITH  
15911 Ellendale Court  
Cypress, Texas 77429

COUNTY ENGINEER

That Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) cash and other good and valuable consideration to it in hand paid by Grantee, the receipt of which is hereby acknowledged and confessed has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY, unto the said Grantees, the following described property, to-wit:

Lots 1377, 1378, 1379 and 1380, VINTAGE OAKS AT THE VINEYARD, UNIT 11, Comal County, Texas, according to plat thereof recorded in Document #201506048246, Map and Plat Records of Comal County, Texas (hereinafter referred to as the "Property").

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anyway belonging to Grantor, unto Grantee, its heirs and assigns forever; and Grantor does hereby bind itself, its heirs, successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the Property unto the Grantee, its heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, when the claim is by, through or under Grantor, but not otherwise.

IT IS expressly UNDERSTOOD, ACKNOWLEDGED and AGREED that Grantor hereby RESERVES and EXCEPTS from this conveyance all oil, gas and other minerals of any type or form including all rights to ingress and egress as well as other rights appurtenant to the minerals and the mineral estate owned by Grantor, and does not transfer the minerals and the appurtenant rights thereto to Grantee.

THIS CONVEYANCE IS MADE AND ACCEPTED by Grantee SUBJECT TO (i) taxes for the current year, which have been prorated as of the date of closing, the payment of which Grantee assumes; (ii) all subsequent tax assessments for the current year the payment of which Grantee assumes; (iii) the Declaration of Conditions, Covenants and Restrictions for Vintage Oaks at the Vineyard filed in the Official Real Property Records, Comal County, Texas, all other restrictions, covenants, conditions, easements, reservations, leases, mineral severances, and other instruments that affect the Property and as may or may not be shown in the public records of Comal County, Texas; (iv) all zoning laws, regulations and ordinances of municipal and/or other



SOUTHSTAR AT VINTAGE OAKS, LLC

TO

STEPHEN R. SMITH and  
KATHLEEN M. SMITH

governmental authorities that affect the Property and (v) the items listed below as Permitted Exceptions:

1. Subject to the Declaration of Conditions, Covenants and Restrictions for Vintage Oaks at the Vineyard, recorded at Clerk's Document #200706000771, annexed by Document #201506048349, amended or supplemented by Document #201106044284, Document #201406032083, Document #201406037322; Document #201606000890, Document #201606020343, Document #201606034480, Document #201606034595, Document #201606048482 and the Assignment of Declarant Rights filed at Document #201206016339, Official Real Property Records, Comal County, Texas.

RECEIVED

MAR 24 2020

COUNTY ENGINEER

2. Subject to those items, restrictions, building setback lines, easements and Notes shown on the plat recorded in Document #201506048246, Official Map and Plat Records of Comal County, Texas as well as those setbacks included/described in the Declaration of Conditions, Covenants and Restrictions for Vintage Oaks at the Vineyard and contained in the Guidelines for Vintage Oaks:

- a. Subject to a 50-foot building setback line from the front and rear property lines.
- b. Subject to a 10-foot side property line building setback except on corner lots wherein the street-side corner shall have a 25-foot setback;
- c. Subject to a 10-foot wide Public Utility and Drainage easement adjacent to all non-street lot lines.
- d. Subject to Utility Easement, 20 feet from the front property line and 10 feet from the side and rear property lines.

3. Edwards Aquifer Protection Plan as provided in instrument recorded under Clerk's Document #201506044108, Official Public Records, Comal County, Texas.

4. Easement and right of way provided by instrument recorded in Volume 73, Page 101, Official Real Property Records, Comal County, Texas.

5. Seller hereby RESERVES and EXCEPTS all oil, gas and other minerals of every kind and character in, on and under the Property together with all rights appurtenant thereto.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED on the 28 day of February, 2017.

SOUTHSTAR AT VINTAGE OAKS, LLC

By: 

Thad Rutherford, Senior Vice President  
of Operations

SOUTHSTAR AT VINTAGE OAKS, LLC

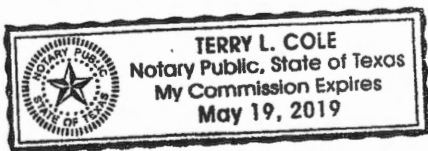
TO

STEPHEN R. SMITH and  
KATHLEEN M. SMITH

**ACKNOWLEDGMENT**

STATE OF TEXAS       §  
                                  §  
COUNTY OF Travis   §

This instrument was acknowledged before me on the 28 day of February, 2017, by Thad Rutherford, Senior Vice President of Operations of SOUTHSTAR AT VINTAGE OAKS, LLC, Grantor in above Special Warranty Deed.



Terry L. Cole  
NOTARY PUBLIC, STATE OF TEXAS   RECEIVED  
MAR 24 2020

COUNTY ENGINEER

**AFTER RECORDING RETURN TO:**

Filed and Recorded  
Official Public Records  
Bobbie Koepp, County Clerk  
Comal County, Texas  
03/07/2017 12:49:38 PM  
LAURA 3 Pages(s)  
201706010706



Bobbie Koepp



**COMAL COUNTY**  
ENGINEER'S OFFICE

**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 - See Attached Fee Schedule
- ☒ 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

3/24/2020

Date

\_\_\_ COMPLETE APPLICATION

Check No. \_\_\_\_\_ Receipt No. \_\_\_\_\_

INCOMPLETE APPLICATION

\_\_\_ (Missing Items Circled, Application Refused)



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

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

**To: Steven & Kathleen Smith**  
**2016 Tempranillo**  
**New Braunfels, TX**

Printed: 11/30/2021  
Site: 2016 Tempranillo  
New Braunfels, TX

---

Permit #: **110562**

Customer ID: 2957

Agency: Comal County

Contract Dates: 7/15/2021 - 7/15/2024

County:

Scheduled Date: 11/15/2021

Inspection 1 of 9

Mfg / Brand: - MAXX AIR

Installed: 7/15/2021

Treatment Type: Aerobic

Warranty End: 7/15/2023

Disposal: Surface Application

GPS Coordinates - Latitude: 29.7728 Longitude: -98.2611

---

**Service Type: Scheduled Inspection**

☒ This counts as a type of "Scheduled Inspection"

**Visit Date: 11/29/2021**

**Entered By: \_**

**Method: Grab**

**Technician: Robert Podvin**

**Maint. Provider: Ryan Seidensticker**

---

**Aerators: Operational**

**Filters: Operational**

**Irrigation Pumps: Operational**

**Disinfection Device: Operational**

**Electric Circuits: Operational**

**Distribution System: Operational**

**Sprayfield Veg: Operational**

**Alarm: Operational**

**Comments**

☒ **Service Completed**

Currently Under Construction

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

Insp ID #: 13261

**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**

**To: Steven & Kathleen Smith**  
**2016 Tempranillo**  
**New Braunfels, TX**

Printed: 7/12/2022  
Site: 2016 Tempranillo  
New Braunfels, TX

Permit #: **110562**  
Agency: Comal County  
County:  
Mfg / Brand: - MAXX AIR  
Treatment Type: Aerobic  
Disposal: Surface Application

Customer ID: 2957  
Contract Dates: 7/15/2021 - 7/15/2024  
Scheduled Date: 7/15/2022 Inspection 3 of 9  
Installed: 7/15/2021  
Warranty End: 7/15/2023  
GPS Coordinates - Latitude: 29.7728 Longitude: -98.2611

**Service Type: Scheduled Inspection**

☒ This counts as a type of "Scheduled Inspection"

**Visit Date: 7/12/2022**

**Entered By: \_**

**Method: Grab**

**Technician: Not Assigned**

**Maint. Provider: Ryan Seidensticker**

**Aerators: Operational**

**Sludge Levels**

**Filters: Operational**

**For Tank 1: 8**

**Irrigation Pumps: Operational**

**Disinfection Device: Operational**

**Chlorine Supply: Operational**

**Chlorine Residual: .13**

**Tank Lid / Riser: Secured**

**Insp. Port / Plug: Secured**

**Electric Circuits: Operational**

**Distribution System: Operational**

**Sprayfield Veg: Operational**

**Alarm: Operational**

**Comments**

☒ **Service Completed**

Scum on pretreatment 0" replaced faulty timer - Technician Secured the Tank Lid and/or Riser prior to leaving location. - Inspection Port Plug was noted as Secured prior to leaving.

Insp ID #:19402

**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: 11/21/2022 Insp ID #: 23093

Permit #: **110562**

**To: Steven & Kathleen Smith**  
**2016 Tempranillo**  
**New Braunfels, TX 78132**

Main Phone: (713) 906-8034  
Work:  
Cell Phone:  
Alt Cell:

Customer ID: 2957

Contract Dates: 7/15/2021 - 7/15/2024

Scheduled Date: 11/15/2022 Inspection 4 of 9

Installed: 7/15/2021

Warranty End: 7/15/2023

Agency: Comal County  
County: Comal County  
Mfg / Brand: - MAXX AIR

Sub: Vintage Oaks at the Vineyard

Treatment Type: Aerobic

Disposal: Surface Application

GPS Coordinates: Latitude: 29.7728 Longitude: -98.2611

**Service Type: Scheduled Inspection**

**Visit Date: 11/18/2022**

**Method: Grab**

**Technician: Not Assigned**

**Maint. Provider: Ryan Seidensticker**

☒ This counts as a type of "Scheduled Inspection"

**Entered By: Ashley Spitzenberger**

☒ Copy emailed to Customer

Customer Emailed: 11/21/2022

**Sludge Levels**

**For Tank 1: NA**

**For Tank 2: NA**

**For Tank 3: NA**

**For Tank 4: NA**

**Chlorine Residual: NA**

**Comments**

☒ **Service Completed**

- Inspection not completed - Customer wants to reschedule. Please call office to reschedule - Inspection Port Plug was noted as N/A prior to leaving. - Copy emailed to the customer on 11/21/2022.

Site: 2016 Tempranillo, New Braunfels, TX 78132

**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: 3/28/2023

Insp ID #: 26909

Permit #: **110562**

**To: Steven & Kathleen Smith**  
**2016 Tempranillo**  
**New Braunfels, TX 78132**

Main Phone: (713) 906-8034

Work:

Cell Phone:

Alt Cell:

Customer ID: 2957

Contract Dates: 7/15/2021 - 7/15/2024

Scheduled Date: 3/15/2023

Inspection 5 of 9

Installed: 7/15/2021

Warranty End: 7/15/2023

Agency: Comal County

County: Comal County

Mfg / Brand: - MAXX AIR

Sub: Vintage Oaks at the Vineyard

Treatment Type: Aerobic

Disposal: Surface Application

GPS Coordinates: Latitude: 29.7728 Longitude: -98.2611

**Service Type: Scheduled Inspection**

☒ This counts as a type of "Scheduled Inspection"

**Entered By: Julie Feibelman**

**Visit Date: 3/27/2023**

**Method: Grab**

**Technician: Oscar**

**Maint. Provider: Ryan Seidensticker**

**Aerators: Operational**

**Filters: Operational**

**Irrigation Pumps: Operational**

**Disinfection Device: Operational**

**Chlorine Supply: Operational**

**Chlorine Residual: .09**

**Sludge Levels**

**For Tank 1: .5**

**For Tank 2: NA**

**For Tank 3: .5**

**For Tank 4: .5**

**Electric Circuits: Operational**

**Distribution System: Operational**

**Sprayfield Veg: Operational**

**Tank Lid / Riser: Secured**

**Insp. Port / Plug: Secured**

**Alarm: Operational**

**Comments**

☒ **Service Completed**

- Scum on pretreatment-.5 - Installed bolt on switch - replaced float under warranty. - Technician Secured the Tank Lid and/or Riser prior to leaving location. - Inspection Port Plug was noted as Secured prior to leaving.

Site: 2016 Tempranillo, New Braunfels, TX 78132

**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:9/20/2023

**Permit: 110562**

Site: 2016 Tempranillo, New Braunfels, TX 78132

Main Phone: 7139068034

## Steven & Kathleen Smith

2016 Tempranillo

New Braunfels, TX 78132

Agency: Comal County

County: Comal County

Subdivision: Vintage Oaks at the Vineyard

---

System Info: MFG: <u>Brand: MAXX AIR</u>	Customer ID: <u>4356</u>
Treatment Type: <u>Aerobic</u>	Disposal Type: <u>Surface Application</u>
Installed: <u>7/15/2021</u>	Warranty Expiration: <u>7/15/2023</u>
Insp ID: <u>33129</u>	

---

Visit Details

<b>Visit Date: <u>9/20/2023</u></b>	<b>Entered By: Ryan Seidensticker</b>	GPS Lat: 29.7728 GPS Long: -98.2611
Scheduled Date: <u>7/15/2023</u>	Contract Starts: <u>7/15/2021</u>	Customer Emailed: <u>9/20/2023</u>
Entered On: <u>9/20/2023</u>	Contract Ends: <u>7/15/2024</u>	

---

Visit Results

### Service Type: Scheduled Inspection

Count: Inspection 6 of 9

Method: Grab

Technician: Wes Magley

License #

MT0002355

Expires

7/31/2025

Provider: Luna Environmental, LLC

☒ Service Completed

---

Aerators: <u>Operational</u>	Sludge Level Tank 1: <u>1</u>
Filters: <u>Operational</u>	
Irrigation Pumps: <u>Operational</u>	
Disinfection Device: <u>Operational</u>	Sludge Level Tank 4: <u>1</u>
Chlorine Supply: <u>Operational</u>	
Chlorine Residual: <u>.01</u>	

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

Alarm: Operational

PSI Pressure: 2.3

### Comments

Scum on pretreatment 2" - 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 9/20/2023.