

Olvera,Brandon

From: Keith Eismann <keith.eismann@yahoo.com>
Sent: Monday, May 9, 2022 12:18 PM
To: Olvera,Brandon
Subject: Incorrect Maintenance Agreement on New Install Permit 113998

This email originated from outside of the organization.

Do not click links or open attachments unless you recognize the sender and know the content is safe.

- Comal IT

Brandon,

Just did a review on an install that we lost to a competitor under permit 113998. Our maintenance contract is still on file for this client. We did not do the install nor will we be performing the 2-years of maintenance.

Thank you,

Keith R. Eismann
CFO/Partner
Eoff Septic Services
210-385-2350

05-09-2022 BMO: No Inspections until New Maintenance Contract is Obtained.

Comal County Environmental Health OSSF Inspection Sheet

Installer Name: _____

OSSF Installer #: _____

1st Inspection Date: _____

2nd Inspection Date: _____

3rd Inspection Date: _____

Inspector Name: _____

Inspector Name: _____

Inspector Name: _____

Permit#:		Address:					
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)(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)				

Inspector Notes:

**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						
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)(4) 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.		285.32(c)(1)				
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**

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



COMAL COUNTY

ENGINEER'S OFFICE

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

Permit Number: 113998
Issued This Date: 02/22/2022
This permit is hereby given to: MICHAEL & KELLY MONK REVOCABLE TRUST

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

589 ELM CREEK RD
NEW BRAUNFELS, TX 78132

Subdivision: C.H. PAPE SURVEY #948
Unit: 0
Lot: 0
Block: 0
Acreage: 5.0000

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.

RECEIVED

By KG at 1:23 pm, Feb 07, 2022



COMAL COUNTY
ENGINEER'S OFFICE

**OSSF DEVELOPMENT APPLICATION
CHECKLIST**

Staff will complete shaded items

		113998
<i>Date Received</i>	<i>Initials</i>	<i>Permit Number</i>

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

Date

___ COMPLETE APPLICATION Check No. _____ Receipt No. _____

INCOMPLETE APPLICATION ___ (Missing Items Circled, Application Refeused)

RECEIVED

By KG at 1:23 pm, Feb 07, 2022



COMAL COUNTY
ENGINEER'S OFFICE

ON-SITE SEWAGE FACILITY APPLICATION

195 DAVID JONAS DR
NEW BRAUNFELS, TX 78132
(830) 608-2090
WWW.CCEO.ORG

Date January 3, 2022

Permit Number 113998

1. APPLICANT / AGENT INFORMATION

Owner Name	<u>MICHAEL & KELLY MONK REVOCABLE TRUST, MICHAEL MONK, AS TRUSTEE & KELLY MONK AS TRUSTEE</u>	Agent Name	<u>GREG JOHNSON, P.E.</u>
Mailing Address	<u>589 ELM CREEK ROAD</u>	Agent Address	<u>170 HOLLOW OAK</u>
City, State, Zip	<u>NEW BRAUNFELS TEXAS 78132</u>	City, State, Zip	<u>NEW BRAUNFELS TEXAS 78132</u>
Phone #	<u>830-708-8289</u>	Phone #	<u>830-905-2778</u>
Email	<u>brynnajo@gmail.com</u>	Email	<u>gregjohnsonpe@yahoo.com</u>

2. LOCATION

Subdivision Name ELM CREEK ESTATES Unit 1 Lot 55Z (Pr) Block _____
 Survey Name / Abstract Number C.H. PAPE SURVEY #948 Acreage 5.001
 Address 589 ELM CREEK ROAD City NEW BRAUNFELS State TX Zip 78132

3. TYPE OF DEVELOPMENT

Single Family Residential

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

Number of Bedrooms 4

Indicate Sq Ft of Living Area 2300

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: \$ 300,000 (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 Rainwater Collection

4. SIGNATURE OF OWNER

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. I certify that I am the property owner or I possess the appropriate land rights necessary to make the permitted improvements on said property.
- 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.

Kelly Monk
Signature of Owner

Michael Monk

1-28-22
Date

*** 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 GREG W. JOHNSON, P.E.

System Description PROPRIETARY; AEROBIC TREATMENT AND SURFACE IRRIGATION

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

Tank Size(s) (Gallons) NUWATER B-550-PC Absorption/Application Area (Sq Ft) 5654

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? [X] Yes [] No

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

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

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

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

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

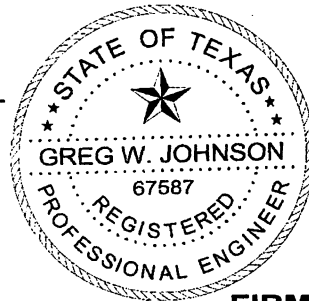
(if yes, the P.E. or R.S. shall certify that the OSSF design complies with all provisions of the existing CZP)

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

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

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

If yes, indicate the city:



FIRM #2585

By signing this application, I certify that:

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

Signature of Designer (Handwritten Signature)

Date January 10, 2022

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):

_____ UNIT/PHASE/SECTION _____ BLOCK _____ LOT _____ SUBDIVISION
C.H. PAPE SURVEY NO. 948, BEING PART OF ELM
IF NOT IN SUBDIVISION: 5.001 ACREAGE _____ CREEK RANCH ESTATES _____ SURVEY

The property is owned by (insert owner's full name): MICHAEL AND KELLY MONK REVOCABLE TRUST

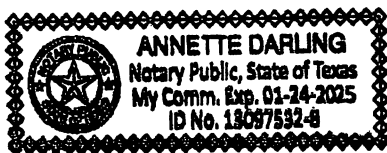
This OSSF must be covered by a continuous maintenance contract for the first two years. After the initial two-year service policy, the owner of an aerobic treatment system for a single family residence shall either obtain a maintenance contract within 30 days or maintain the system personally.

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 27 DAY OF January, 2022
Kelly Monk _____ Kelly Monk _____
x Michael Monk _____ Michael Monk _____
Owner(s) signature(s) Owner (s) Printed name (s)

Michael & Kelly Monk SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 27 DAY OF
January, 2022
Annette Darling
Notary Public Signature

Filed and Recorded
Official Public Records
Bobbie Koepf, County Clerk
Comal County, Texas
02/07/2022 09:01:52 AM
TERRI 1 Pages(s)
202206005431



Bobbie Koepf

Carl Eoff Services

420 Bear Creek Drive, New Braunfels, Tx. 78132
210-669-6088

C.H. PAPE S#948 being 5.001 acres.
589 ELM CREEK ROAD

Service Agreement

- I. **General:** This work for Hire Agreement (hereinafter referred to as "Agreement") is entered into by and between MICHAEL & KELLY MONK REVOCABLE TRUST, (hereinafter referred to as "Client") and Carl W. Eoff (hereinafter referred to as "Contractor"). By this Agreement, Contractor agrees to render services, as described herein, and the Client agrees to fulfill his/her/their responsibilities under this agreement as described herein.
- II. **Effective Dates:** This Agreement commences on License to Operate and runs for one (2) year.
Agreement: Starting Date: (/ /) **Ending Date:** (/ /).
- III. **Services by Contractor:** Contractor will provide the following services (hereinafter referred to as the "Services"):
1. In compliance with Agency (TCEQ and/or County) and manufacturer's requirements, inspect and perform routine maintenance on the On-Site Sewage Facility (hereinafter referred to as the "OSSF") three (3) times per year (approximately once every four (4) months).
 2. Report to the appropriate regulatory authority and to the Client, as is required by both the State's on-site rules and local Agency's rules, if more stringent. All findings must be reported to the local agency within 14 days.
 3. If any components of the OSSF are found to be in need of repair during the inspection, the Contractor will notify the Client of the repairs needed.
 4. Visit site in response to Client's request (s) for unscheduled service(s) within two business days from the date of Contractor's receipt of Client's request. A scheduled response will be provided to the Client in accordance with the fee covered by this Agreement and will be based on the Client's request.
 5. Provide notification of all visits to the Client. Written notification of the visit will be left at the site with site personnel. Additionally, written notification of the visit will be forwarded to the Agency within 14 days.
- IV. **Site Location:** The Services are to be performed at the property located at _____, Texas.
- V. **Payment(s):** The fee for this Agreement, _____, only covers the Services described herein. This fee does not cover equipment, parts or labor supplied for repairs or charges for unscheduled Client-requested trips to the site. By signing this Contract, the Client is authorizing the Contractor to remove any parts which were installed but not paid for at the end of 30 days. The Client is still responsible for any labor costs associated with the installation and remove of said parts.
- VI. **Client's Responsibilities:** The Client is responsible for each and all of the following:
1. Maintain chlorinator and provide proper chlorine supply, if OSSF is equipped with same.
 2. Provide all necessary yard or lawn maintenance and removal of obstacles as needed to allow the OSSF to function properly, and to allow Contractor easy access to all parts of the OSSF.
 3. Immediately notify Contractor and Agency of any and all problems with, including failure of the OSSF.
 4. Upon receiving a written notification of services needed from the Contractor, it becomes the Client's responsibility to contact the Contractor to authorize the service. If the Client chooses to use a different contractor to perform the service, the Client is responsible for ensuring the Contractor holds the proper license (Installer II, Maintenance provider) and is certified by the manufacturer. Also, the Client is responsible for ensuring proper notification is given to the Agency, as required by the State and local Agency rules.
 5. Clients residing in _____ County should allow for samples at both the inlet and outlet to the OSSF to be obtained by the Contractor for the purpose of evaluating, the OSSF's performance when requested by

Initials: Client: ME Contractor: CE

the Client. If these samples are sent to the lab for testing, the Client will directly pay the lab for the cost of the Testing plus pay the Contractor for all man-hours expended in providing this additional service at the rate of \$75.00 per hour.

6. Not allow the backwash from water treatment or water conditioning equipment to enter the OSSF.
7. Maintain site drainage to prevent adverse effects on OSSF.
8. Promptly and fully pay Contractor's bills, fees, or invoices as described herein.

VII. Access by Contractor: Contractor, or personnel authorized by the Contractor, may enter the property at reasonable times without prior notice for the purpose of performing the above-described Services. Contractor will require access to the OSSF electrical and physical components, including tanks, by means of manways or risers for the purpose of evaluations required by manufacturer, and/or rules. If such manways or risers are not in place, excavation together with other labor and materials will be required, and will be billed to Client as an additional service at the rate of \$75.00 per hour, plus materials billed also. Excavated soil is to be replaced as best as reasonably possible.

VIII. Limits of Liability: In no event shall the Contractor be liable for indirect, consequential, incidental or punitive damages, whether in contract tort or any other theory. In no event shall the Contractor's liability for direct damages exceed the price for the Services described in this Agreement.

IX. Entire Agreement: This Agreement contains the entire agreement of the parties, and there are no other promises or conditions in any other agreement.



Client and/or authorized agent:

Print Name: MICHAEL MONK Signature: Michael Monk

Date: 1/28/2022 Email address: brynmajo@gmail.com

Physical Address: 589 ELM CREEK ROAD, NEW BRAUNFELS, Texas (Zip) 78132

Mailing Address: 589 ELM CREEK ROAD, NEW BRAUNFELS, Texas (Zip) 78132

Phone Numbers:

Home: () - - Work: () - - Cell: (830) 708 - 8289 Fax: () - -

----- Contractor -----
Signature: [Signature] Date: _____

Carl W Eoff
Bear Creek Drive
New Braunfels, Texas 78132
Cell: 210-669-6088
Office: 210-609-6631
Fax: 210-609-6631

Certification held by Carl W. Eoff:

- Installer II License #: OS0029546
- OSSF Maintenance Provider #: MP0001745

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

January 10, 2022

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

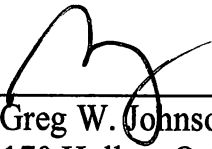
RE- SEPTIC DESIGN
589 ELM CREEK ROAD
C.H. PAPE S#948 BEING 5.001 AC
NEW BRAUNFELS, TX 78132
MICHAEL & KELLY REVOCABLE LIVING TRUST

Wes/Brenda,

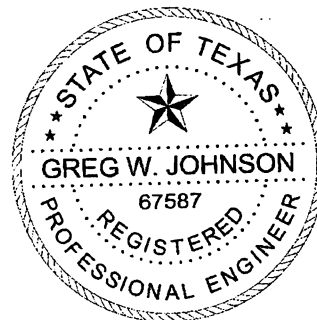
The referenced property is located within the Edwards Aquifer Recharge Zone. This property is exempt from a WPAP because it is not a regulated activity according to §213.5(h)(2) "exempt ... does not exceed 20 % impervious cover on the site. To my knowledge no WPAP exists for this property.

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, 285.4 1, & 285.42, Texas Commission on Environmental Quality (Effective December 29, 2016).

 1/10/2022

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



ON-SITE SEWERAGE FACILITY SOIL EVALUATION REPORT INFORMATION

Date Soil Survey Performed: January 07, 2022

Site Location: 5.001 ACRES OUT OF THE C.H. PAPE SURVEY No. 948 aka ELM CREEK RANCH ESTATES, LOT 55Z (Part of) - SEE ATTACHED DEED

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.

SOIL BORING NUMBER <u> </u> SURFACE EVALUATION <u> </u>						
Depth (Feet)	Texture Class	Soil Texture	Gravel Analysis	Drainage (Mottles/ Water Table)	Restrictive Horizon	Observations
0	IV	CLAY	N/A	NONE OBSERVED	LIMESTONE @ 8"	BROWN
8"						
1						
2						
3						
4						
5						

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

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



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

01/07/2022

 Date

REVISED

1:36 pm, Feb 22, 2022

5.001 ACRES OUT OF
THE C.H. PAPE SURVEY
No. 948 aka ELM CREEK
RANCH ESTATES - SEE
ATTACHED DEED



SPRAY AREA = 5654sf

X= TEST HOLES

NUWATER B 550 PC
AEROBIC TREATMENT
PLANT

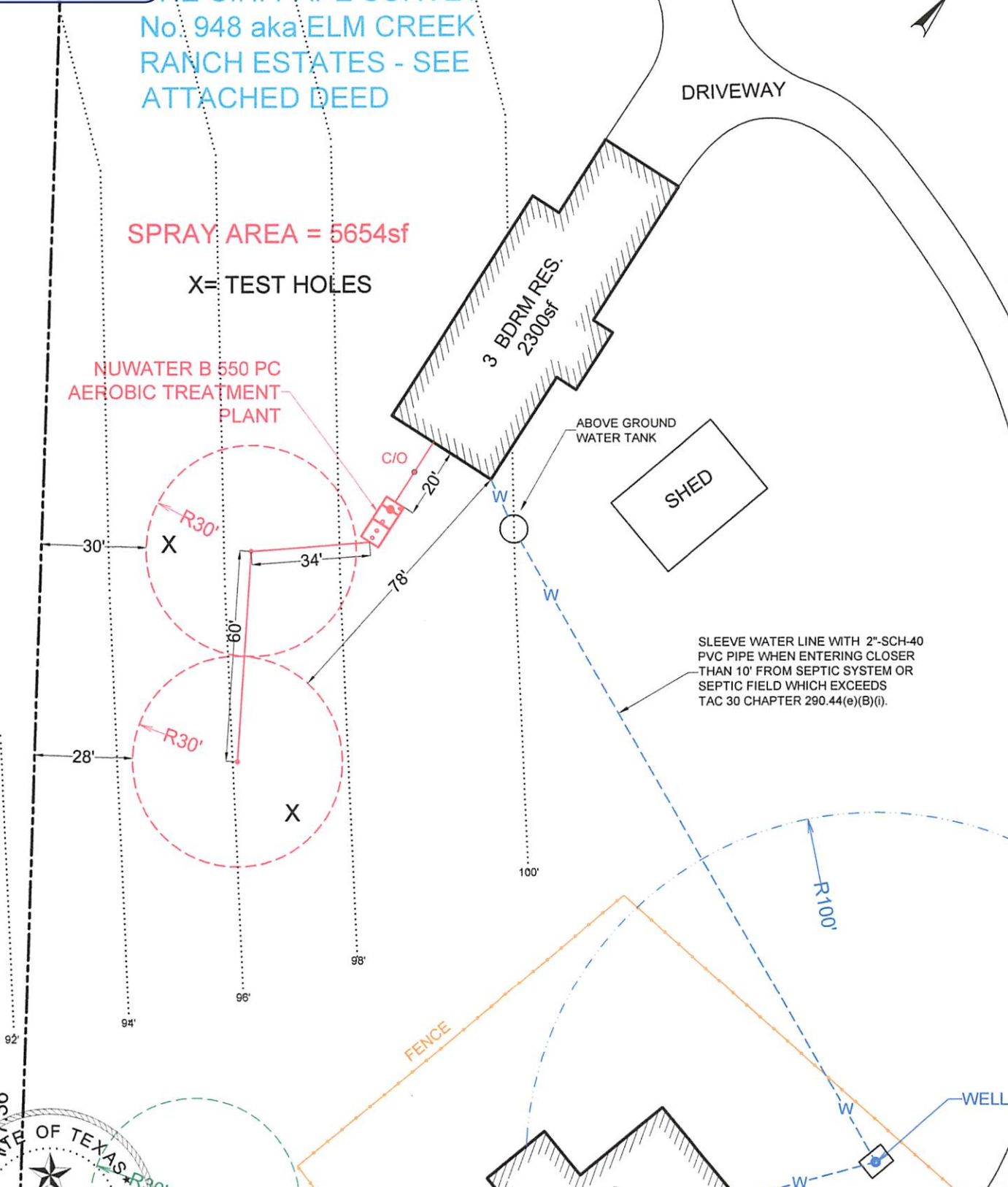
3 BDRM RES.
2300sf

DRIVEWAY

ABOVE GROUND
WATER TANK

SHED

SLEEVE WATER LINE WITH 2"-SCH-40
PVC PIPE WHEN ENTERING CLOSER
THAN 10' FROM SEPTIC SYSTEM OR
SEPTIC FIELD WHICH EXCEEDS
TAC 30 CHAPTER 290.44(e)(B)(i).



OWNER: MICHAEL & KELLY MONK REVOCABLE TRUST		DRAWN BY: EJS III	
STREET ADDRESS: 589 ELM CREEK ROAD			
LEGAL DESC: ELM CREEK RANCH ESTATES - SEE ATTACHED DEED		ACREAGE: 5.001	LOT: 55Z (Part of)
PREPARED BY: GREG W. JOHNSON, P.E. F#002585	SCALE: 1"=40'	DATE: 1/10/2022	REVISED:

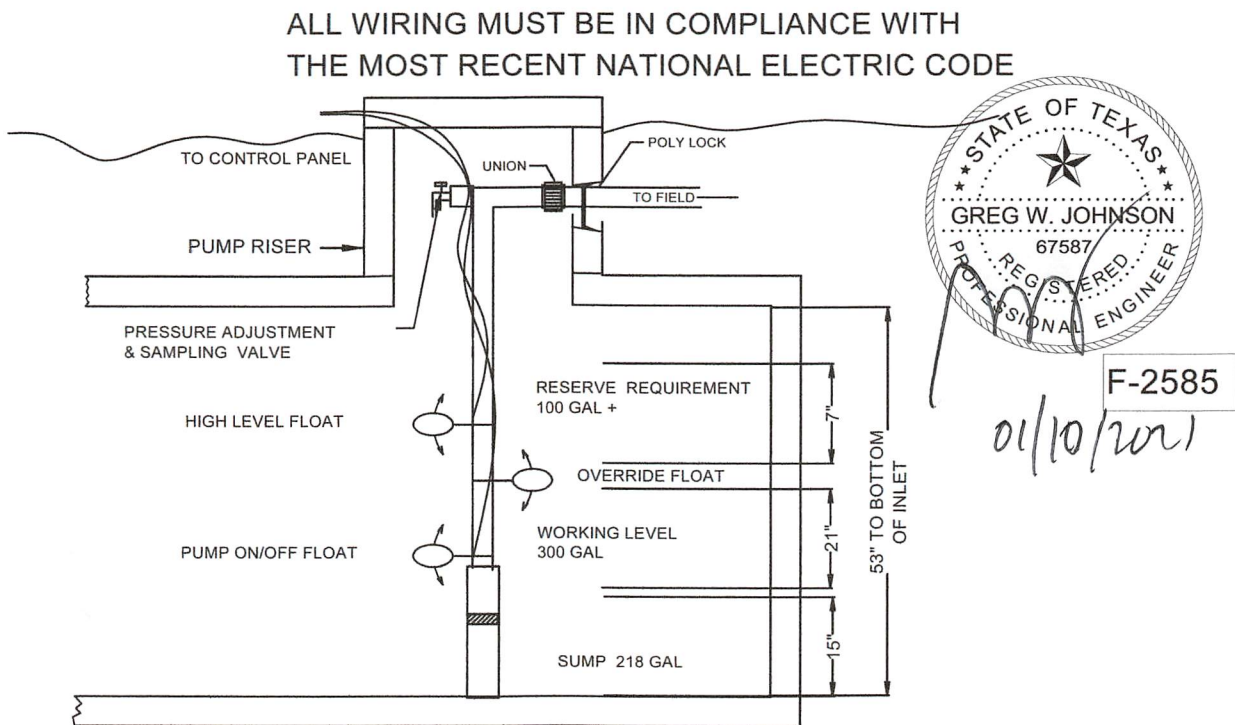
TANK NOTES:

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



TYPICAL PUMP TANK CONFIGURATION
NU-WATER 550PC -400PT 768 GAL PUMP TANK

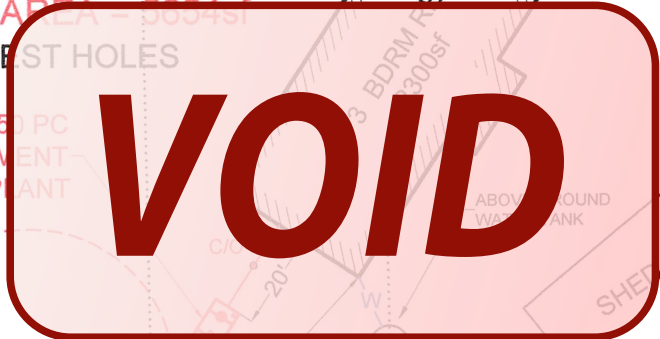
5.001 ACRES OUT OF
THE C.H. PAPE SURVEY
No. 948 aka ELM CREEK
RANCH ESTATES - SEE
ATTACHED DEED



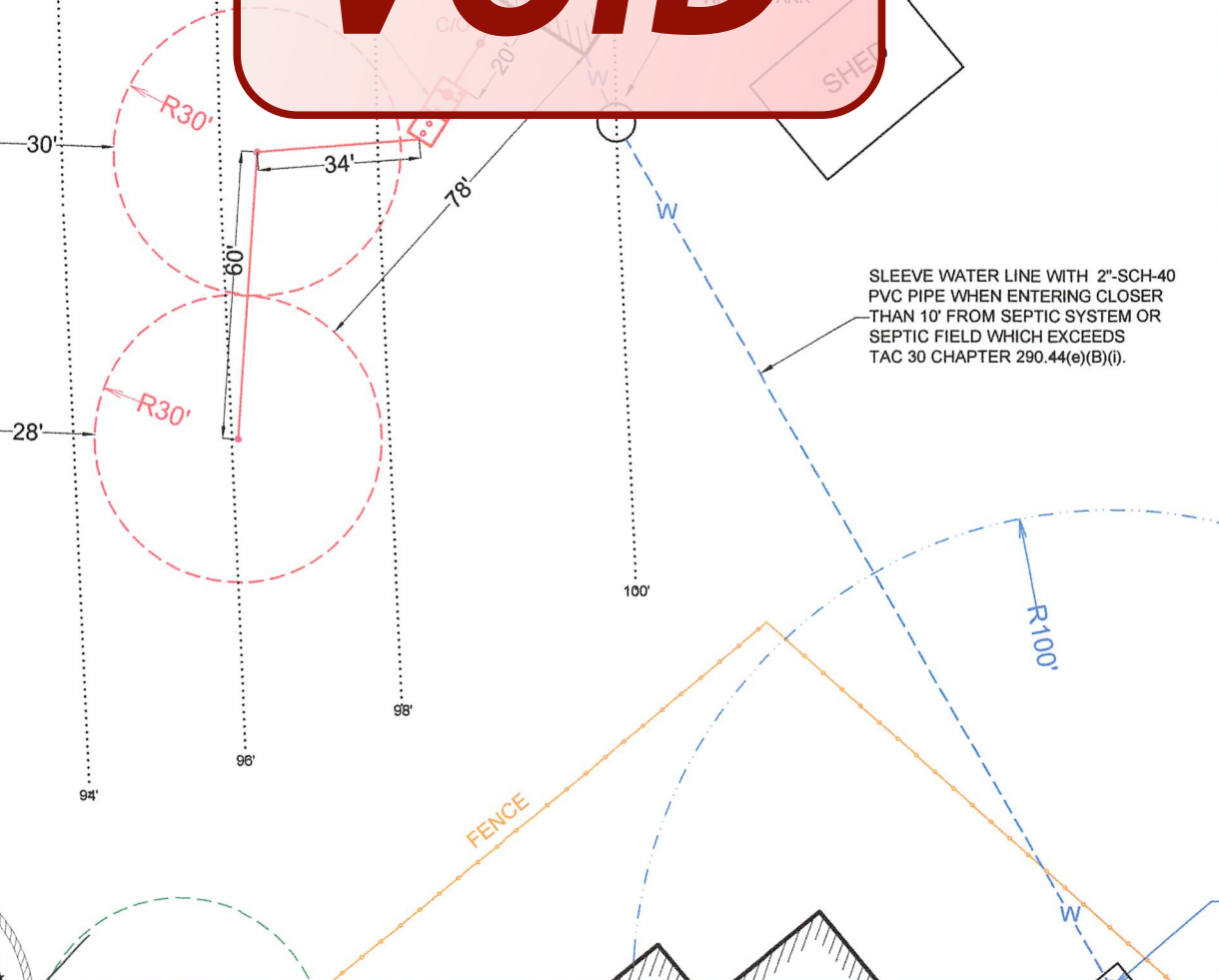
DRIVEWAY

SPRAY AREA = 5054sf
X= TEST HOLES

NUWATER B 550 PC
AEROBIC TREATMENT
PLANT



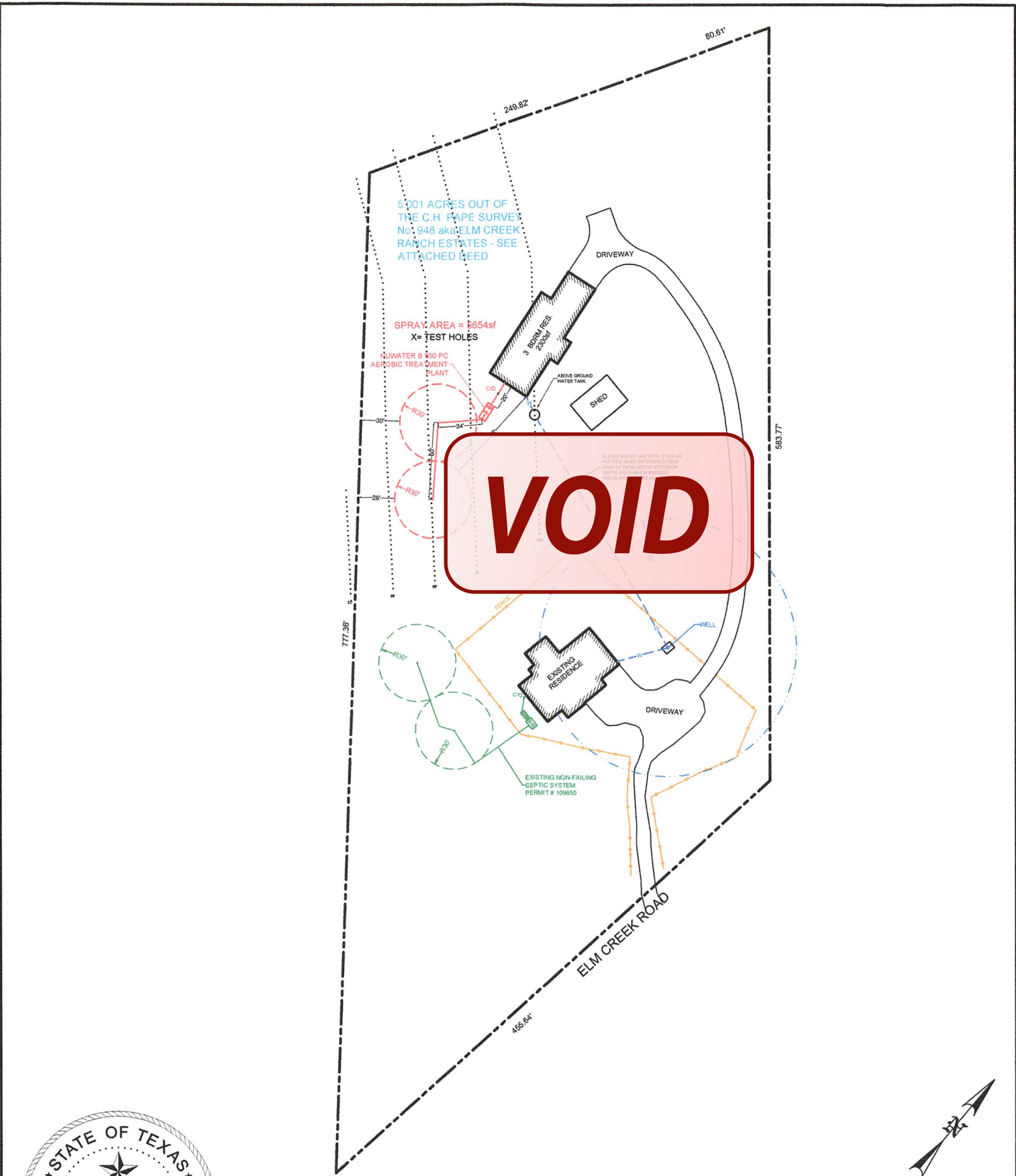
VOID



SLEEVE WATER LINE WITH 2"-SCH-40
PVC PIPE WHEN ENTERING CLOSER
THAN 10' FROM SEPTIC SYSTEM OR
SEPTIC FIELD WHICH EXCEEDS
TAC 30 CHAPTER 290.44(e)(B)(i).



OWNER:	MICHAEL & KELLY MONK REVOCABLE TRUST		DRAWN BY:	EJS III	
STREET ADDRESS:	589 ELM CREEK ROAD				
LEGAL DESC:	ELM CREEK RANCH ESTATES - SEE ATTACHED DEED	ACREAGE:	5.001	LOT:	55Z (Part of)
PREPARED BY:	GREG W. JOHNSON, P.E. F#002585	SCALE:	1"=40'	DATE:	1/10/2022
				REVISED:	



OWNER: MICHAEL & KELLY MONK REVOCABLE TRUST		DRAWN BY: EJS III	
STREET ADDRESS: 589 ELM CREEK ROAD			
LEGAL DESC: ELM CREEK RANCH ESTATES - SEE ATTACHED DEED	ACREAGE: 5.001	LOT: 55Z (Part of)	
PREPARED BY: GREG W. JOHNSON, P.E. F#002585	SCALE: 1"=100'	DATE: 1/10/2022	REVISED:


Olvera,Brandon

From: Olvera,Brandon
Sent: Friday, February 11, 2022 2:39 PM
To: 'Greg Johnson'; 'bryannajo@gmail.com'
Subject: 113998

RE: 589 Elm Creek Rd. Elm Creek Estates Unit 1 Lot 55z (PT) 5.001 Acres out of C.H. Pape Survey #948

Property Owner & Agent,

We received planning materials for the referenced permit application on 02-07-2022 and found those planning materials to be deficient. In order to continue processing this permit, we need the following:

1.  Indicate the testholes on the design
2. Revise accordingly and resubmit.

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

Thank you,



Brandon Olvera

Environmental Health Inspector
195 David Jonas Dr.
New Braunfels, TX 78132
DR:OS0034792

O: 830-608-2090 | C: 830-832-9442
olverb@co.comal.tx.us

**CCEO
COPY**



COMAL COUNTY
ENGINEER'S OFFICE

License to Operate On-Site Sewage Treatment and Disposal Facility

Issued This Date: **09/26/2019** Permit Number: **109650**

Location Description: **589 ELM CREEK RD
NEW BRAUNFELS, TX 78132**

Subdivision: **C.H. Pape Survey 948**
Unit: **Park of Elm Creek Estates (unrecorded)**
Lot:
Block:
Acreage: **5.0000**

Type of System: **Aerobic
Surface Irrigation**

Issued to: **Michael & Kelly Monk Revocable Trust**

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

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

Alterations to this permit including, but not limited to:

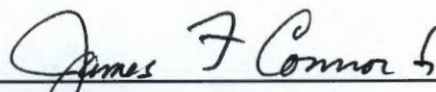
- Increase in the square feet of living area
- Increase in the number of bedrooms
- A change of use (i.e. residential to commercial)
- Relocation of system components (including the relocation of spray heads)
- Installation of landscaping
- Adding new structures to the system

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


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

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

Licensing Authority
Comal County Environmental Health


ENVIRONMENTAL HEALTH INSPECTOR

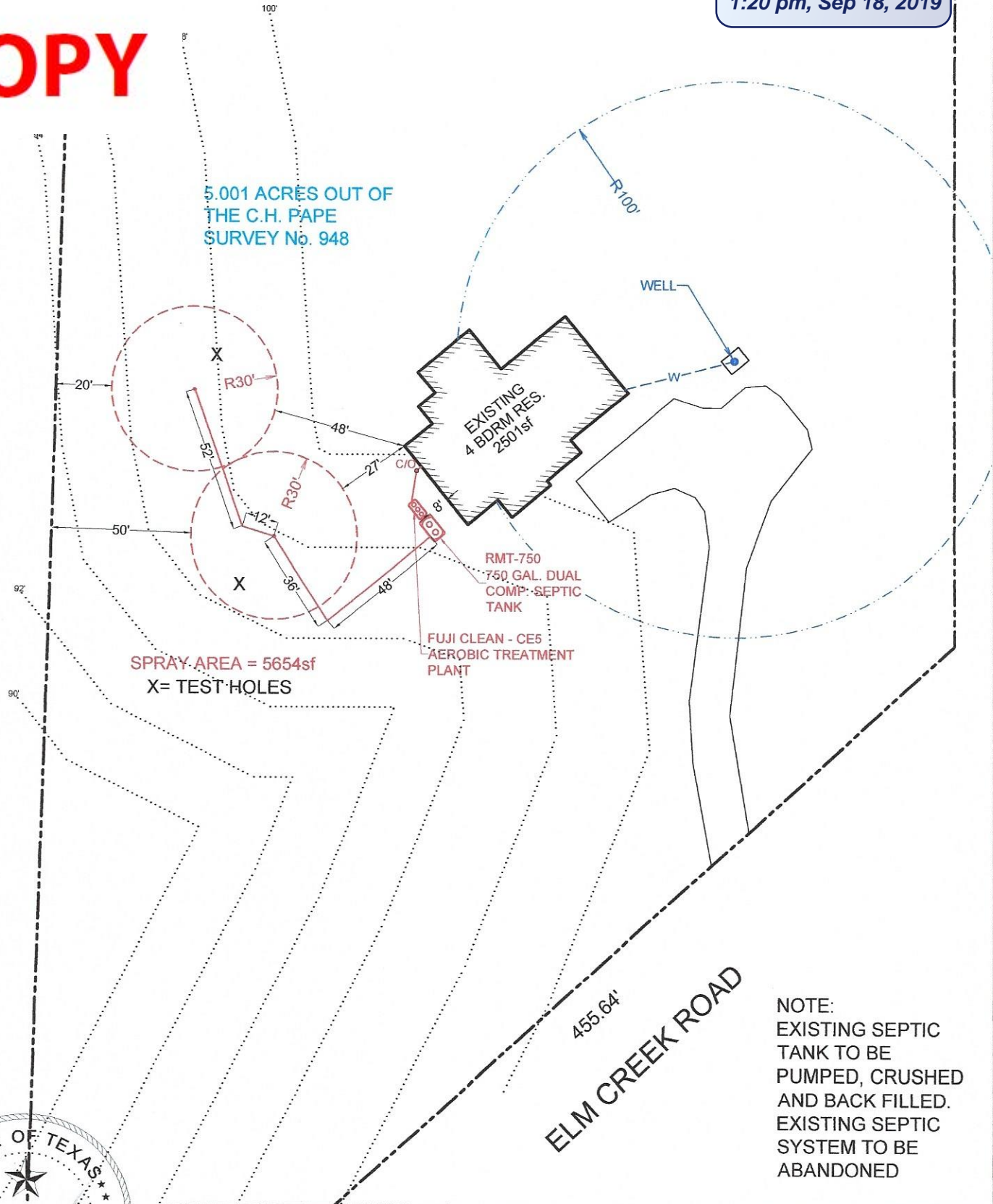
OS0032485


ENVIRONMENTAL HEALTH COORDINATOR

080007722

CCEO COPY

REVISED
1:20 pm, Sep 18, 2019



NOTE:
EXISTING SEPTIC TANK TO BE PUMPED, CRUSHED AND BACK FILLED. EXISTING SEPTIC SYSTEM TO BE ABANDONED



OWNER: MICHAEL & KELLY MONK REVOCABLE TRUST		DRAWN BY: EJS III	
STREET ADDRESS: 589 ELM CREEK ROAD			
LEGAL DESC: C.H. PAPE SURVEY No. 948			ACREAGE: 5.001
PREPARED BY: GREG W. JOHNSON, P.E. F#002585	SCALE: 1"=50'	DATE: 8/28/2019	REVISED: 9/17/2019



CORRECTION WARRANTY DEED

Date: July 2, 2021

Grantor: Michael and Kelly Monk Revocable Trust

Grantor's Mailing Address (including county):

589 Elm Creek Rd.
New Braunfels, Texas 78132

Grantee: Michael and Kelly Monk Revocable Trust,
Michael Monk, As Trustee
Kelly Monk, As Trustee

Grantee's Mailing Address (including county):

589 Elm Creek Rd.
New Braunfels, Texas 78132

Consideration: TEN AND NO/100 DOLLARS and other good and valuable consideration, the receipt of which is hereby acknowledged.

Property (including any improvements):

See Exhibit "A" attached hereto and made a part hereof by references for all purposes as if fully set forth herein.

Property Address: 589 Elm Creek Rd., New Braunfels, Texas 78132

Reservations From and Exceptions to Conveyance and Warranty:

This conveyance is made and accepted subject to any and all easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded restrictions, reservations, covenants, conditions, oil and gas leases, water and water rights, geothermal rights, mineral severance, and other instruments, other than liens and conveyances, that affect the Property; rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary line; and any encroachments or overlapping of improvements.

Grantor, for the consideration, receipt of which is acknowledged, and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executor, administrators, successors or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

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

Grantor:

Michael Monk
MICHAEL AND KELLY MONK REVOCABLE TRUST, MICHAEL MONK, AS TRUSTEE

Kelly Monk
MICHAEL AND KELLY MONK REVOCABLE TRUST, KELLY MONK, AS TRUSTEE

ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF COMAL

NOTARY



This instrument was acknowledged before me on July 2, 2021, Michael and Kelly Monk Revocable Trust, Michael Monk, As Trustee, Kelly Monk, As Trustee, and as Grantors.

J. R. Gill
Notary Public, State of Texas

FIELD NOTES
FOR
A 5.001 ACRE TRACT

Being a 5.001 acre tract of land out of the C. H. Pape Survey No. 948 in Comal County, Texas, and being a part of Elm Creek Ranch Estates, recorded in Volume 2, Pages 86-87 of the Map and Plat Records of Comal County, Texas, and being all of a tract, called Tract One, called 3.979 acres, recorded in Volume 330, Page 516 and approximately 1.022 acres out of a tract called 6.932 acres recorded in Volume 330, Pages 519-520, both of the Deed Records of Comal County, Texas, and all bearings referred to in this description are rotated to and referenced to a bearing of N 37° 52' W along the Southwest line of the above referenced 3.979 acre tract, and all record bearings and distances referred to in this description are taken from Volume 330, Page 516 and Volume 330, Pages 519-520 of the Deed Records of Comal County, Texas, said 5.001 acre tract being more particularly described as follows:

BEGINNING: At a nail found in the top of a cedar post, at the South corner of the above referenced Tract One, called 3.979 acres, in the Westerly line of a road, called Elm Creek Road, for the South corner of this tract;

THENCE: Along the Southwest line of the above referenced Tract One, the Northeast line of a tract called 200 acres recorded in Volume 65, Page 385 of the Deed Records of Comal County, Texas, and the general direction of an old meandering fence line, N 37° 52' W 777.36 feet (record 777.50 feet) to an iron pin found at fence corner in same, for the West corner of the above referenced Tract One, the South corner of a tract called Tract Two, called 3.899 acres, recorded in Volume 330, Page 517 of the Deed Records of Comal County, Texas, for the West corner of this tract;

THENCE: Along the Northwest line of the above referenced Tract One, the Southeast line of said Tract Two, the general direction of an old meandering fence line, N 30° 15' 31" E 249.82 feet (record N 30° 21' 51" E - 249.54 feet) to an iron pin found for the North corner of the above referenced Tract One, the East corner of said Tract Two, for a corner of this tract, said point also being in the Southwest line of the above referenced 6.932 acre tract;


THENCE: Continuing along the general direction of an old meandering fence line, and into the above referenced 6.932 acre tract, N 30° 10' 11" E 80.61 feet to an iron pin found in same, for the North corner of this tract;

THENCE: S 39° 52' 56" E 583.77 feet, along a cut line, to an iron pin found in the Westerly line of Elm Creek Road, for the Northeast corner of this tract;

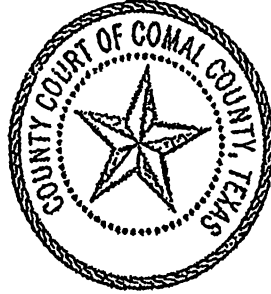
THENCE: Along the Westerly line of Elm Creek Road, the Easterly line of the above referenced tracts, S 08° 01' 04" W (record S 08° 37' W) 455.64 feet to the Point of Beginning and containing 5.001 acres of land, more or less.

The foregoing field notes represent the results of an on-the-ground survey made under my supervision, June 7, 1993. Reference plat prepared this same date of this 5.001 acre tract.




S. Craig Hollmig
Registered Professional Land Surveyor #2389

0901
0329



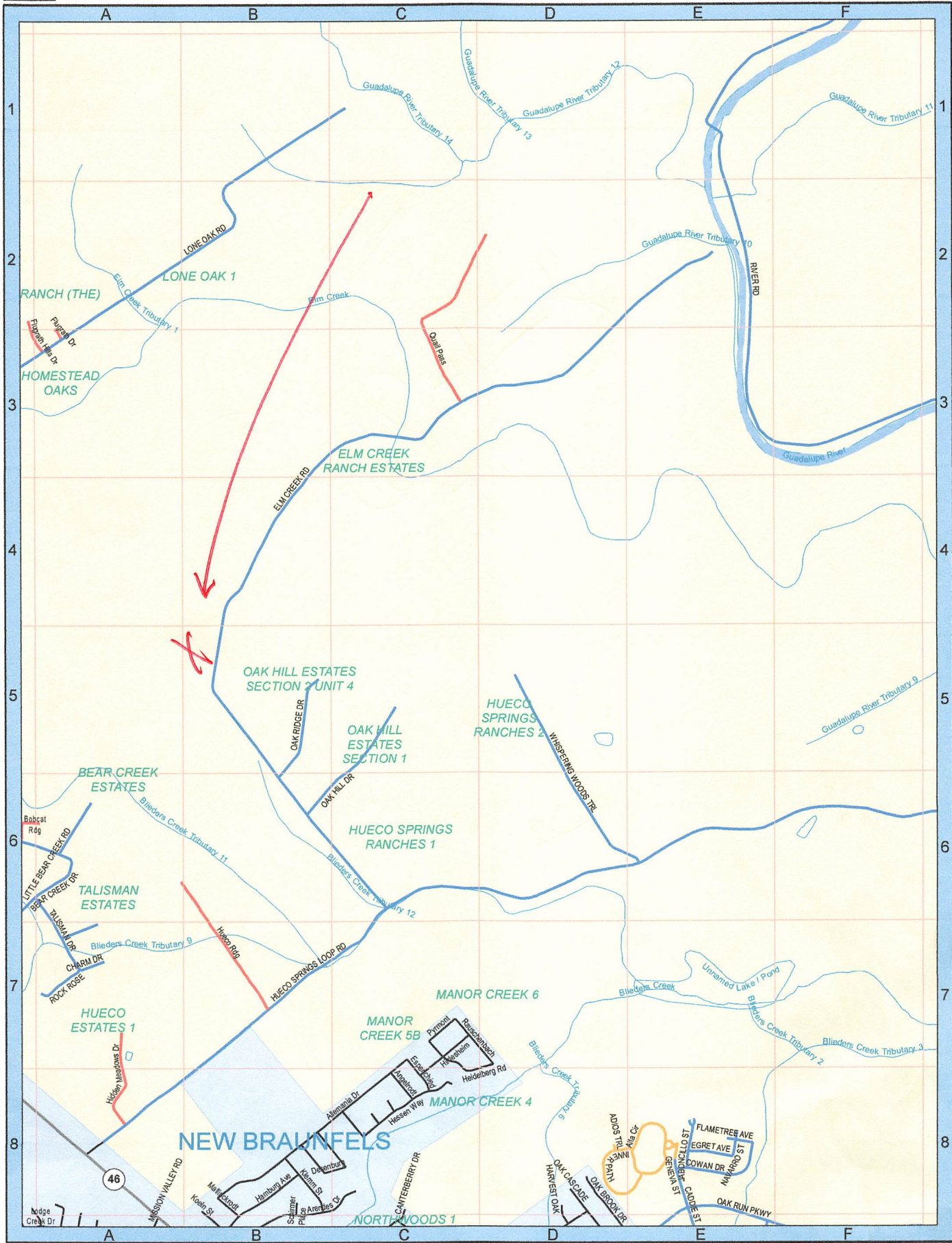
This page has been added to comply with the statutory requirement that the clerk shall stamp the recording information at the bottom of the last page.

This page becomes part of the document identified by the file clerk number affixed on preceding pages.

UNOFFICIAL
Filed and Recorded
Official Public Records
Bobbie Koepf, County Clerk
Comal County, Texas
07/13/2021 08:14:50 AM
CASHFOUR 4 Page(s)
202106037199



Bobbie Koepf



SEE PAGE 59

