

APPENDIX 1A

**EMERALD BAY MUNICIPAL UTILITY DISTRICT
PRELIMINARY APPLICATION FOR NON-STANDARD
WATER AND/OR WASTEWATER SUBDIVISION SERVICE
FOR OFF-SITE DEVELOPMENT**

PLEASE PRINT:

Date: _____

Applicant(s) Name:

Billing Address:

Home Phone: _____

Work Phone: _____

Fax: _____

Email: _____

Applicant's Driver's License Number or Taxpayer ID Number:

Legal description of property (include name of road, subdivision with lot/connection and block number):

Acreeage: _____ Number of 5/8" Connections (or equivalent): _____

Special Service Needs of Applicant:

By signing this application, the applicant acknowledges the receipt of a copy of the District's Procedures for Serving Subdivisions and the Information Packet for Non-Standard Water and/or Wastewater Subdivision Service. These rules are incorporated into this application by reference and applicant agrees that this application will be subject to the rules and that the applicant will comply with the rules and other valid laws, regulatory requirements and the District's policies.

As part of this application, applicant tender's payment of the following deposits and fees:

1. Off-Site Improvement Deposit (\$500 per lot/connection):
\$ _____ (refundable only if feasibility study is rejected by applicant);
2. Feasibility Study (minimum fee of \$500):
\$ _____ (non-refundable);
3. Administrative Fee (\$100 for two lots/connections; all over two lots/connections add \$25 per lot/connection):
\$ _____ (non-refundable);
4. Legal Fees (minimum fee of \$500):
\$ _____ (non-refundable).

As part of this application, applicant submits **three** (3) copies of an engineered preliminary plan or final plat approved by the Smith County Commissioners Court.

Applicant acknowledges receipt of notice that the District is not required to extend retail utility water and/or wastewater service to an applicant in a subdivision where the developer of the subdivision has failed to comply with the District's policies and rules.

Applicant acknowledges receipt of notice that prior to receiving service, applicant will be required to pay any and all additional costs and fees; pay a water acquisition fee or provide the District with water rights of sufficient quality, depending on the number of connections; provide required land and easements; sign a Non-Standard Water and/or Wastewater Subdivision Service Agreement and a Water and/or Wastewater Service Agreement; provide financial guarantees to the District in the form of additional cash deposits, escrow accounts,

irrevocable letters of credit, or bonds; and pay the monthly service fee for each connection beginning when service is available to the subdivision, regardless of water and/or wastewater usage or connection to service.

NOTWITHSTANDING ANYTHING HEREIN OR OTHERWISE TO THE CONTRARY, UNDER NO CIRCUMSTANCE IS THE DISTRICT RESPONSIBLE FOR PAYMENT OF ANY COSTS OR FEES ASSOCIATED WITH NON-STANDARD SERVICE AND/OR PROVIDING NEW SERVICE TO A SUBDIVISION. THERE SHALL BE NO VERBAL AGREEMENTS AND THESE PROCEDURES SHALL BE FOLLOWED WITH NO DEVIATION.

Executed this _____ day of _____, _____.

Signature of Applicant or Representative

STATE OF TEXAS §
COUNTY OF SMITH §

This instrument was acknowledged before me on this _____ day of _____, _____, by _____.

Notary Public, State of Texas