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November 16, 2005

TO: All Homeowners/Residents adjacent to Wetlands Property  
Palmer Plantation Municipal Utility District No. 2

RE: Palmer Plantation Municipal Utility District No. 2 - Wetlands

Dear Homeowner/Resident:

The Board of Directors of Palmer Plantation MUD No. 2 has approved new rules and regulations regarding the maintenance of District owned wetlands areas. Effective as of November 16, 2005, the new rules and regulations are:

- (1) Homeowners and residents may enter upon the District's lakefront wetlands area that is fronting on the Lake and immediately adjacent to their property or residence for the purpose of removing trash, debris or dead vegetation and for the purpose of trimming or cutting vegetation. They may cut or trim vegetation no lower than one foot. There shall be no substantial disturbance of the root systems of any vegetation in the District's Wetlands.
- (2) All homeowners and residents must comply with the Corp of Engineers permit. With other restrictions, it absolutely prohibits dredging or filling in the wetlands areas. Violations of the permit should be reported to the MUD Board. It is the policy of the Board to preserve and maintain the Wetlands areas.
- (3) Any homeowner or resident wishing to build a dock from their property to the Lake may do so provided they obtain a permit from the Lake Olympia Civic Association ("LOCA"). The Board has approved the attached Lake Olympia Dock Permit Guidelines and Permit Application and authorized LOCA and its Architectural Control Committee to issue permits and enforce Permit Guidelines. The MUD Board may, in its sole discretion, accept and rule on appeals from residents denied a permit.
- (4) The District's Operator is allowed to enter any District Wetlands to clean debris and perform other maintenance.

Note, these rules and regulations apply only to homeowners and residents and applies only to the District's Wetlands areas immediately adjacent to their home or residence as described above. Others, including builders/developers are not allowed to enter the wetlands areas without specific authorization from the MUD.

Nota Bene: These rules are subject to amendment or revocation by the Board of Directors.

Very truly yours,



Paul A. Philbin  
Attorney for the District

## **LAKE OLYMPIA DOCK PERMIT GUIDELINES**

**TO WHOM IT MAY CONCERN:** Palmer Plantation Municipal Utility District No. 2 ("District") in Lake Olympia, Missouri City, Texas, have further clarified the procedure for a Lake Olympia Homeowner to install and maintain a Homeowner dock or pier ("Dock") that extends into a Waterway of Lake Olympia.

**SCOPE:** Work authorized by this Dock Permit is limited to a dock extending from a Waterway Lot. The proposed work must be part of a single and complete project to be completed within thirty (30) days of the start of the construction and within six (6) months of the effective date of this Dock Permit.

A Homeowner desiring to construct a dock must first get written approval (Dock Permit) from the Lake Olympia Civic Association's Architectural Control Committee (LOCA's ACC), prior to any construction. The Homeowner must prepare a detailed site plan (including the proposed location of the Dock and the Homeowner's property lines, a description of the size, shape and materials for the Dock and the identity of the contractor) and submit it to the ACC. A site visit will be done to review the proposed location to ensure compliance with the regulations and to ensure minimal damage to vegetation.

A single, pile-supported Dock may be constructed from a Homeowner's lot into the Waterway; and the Dock shall:

- (1) be positioned to minimize the type and amount of vegetation to be cleared;
- (2) be set back a minimum of three feet (3') from the common boundary line of adjoining properties;
- (3) not extend beyond a line that is an extension of the common boundary line of adjoining properties;
- (4) for non-bulkheaded lots, be a maximum of four feet (4') in width for the boardwalk, not exceed six feet (6') in depth and ten feet (10') in width at the Waterway end of the boardwalk; and extend into the adjacent Waterway no more than ten feet (10') beyond the aquatic vegetation line except for property on the narrow channels which will be handled on a case-by-case basis to prevent obstruction of traffic in the channels;
- (5) for bulkheaded lots, not exceed ten feet (10') in depth into the Waterway and twenty feet (20') in width against the bulkhead;
- (6) be no higher than two feet above the normal water surface elevation of the Waterway;
- (7) be constructed of concrete, masonry, stone, rock or timbers treated by a wood preservative; and
- (8) be properly maintained on a continuing basis.

A maximum of a ten-foot wide area of vegetation may be cleared for the purposes of constructing and maintaining the approved Dock. Clearing means

cutting not digging. Excavation or fill within a Waterway is strictly prohibited. Installation of bulkheads and changes in the topography of the existing shoreline and adjacent land within twenty feet (20') of the existing shoreline is strictly prohibited. No mechanized machinery is allowed in the wetlands and no mechanized machinery except on a barge or boat is allowed in the Waterway for construction/maintenance of the Dock.

The Homeowner shall be financially liable for any damages and costs (including restoration) resulting from a violation of the Dock Permit obligations. Failure to obtain the required Dock Permit from the ACC for dock construction can result in the removal of the dock and restoration of the vegetation at the Homeowner's expense.

**LAKE OLYMPIA DOCK PERMIT**

**Permit Number:** \_\_\_\_\_

**Permittee Name:** \_\_\_\_\_

**Project Location:** \_\_\_\_\_

**Issuing Organization:** \_\_\_\_\_

**Effective Date:** \_\_\_\_\_

The "Issuing Organization" refers to the Lake Olympia Civic Association's Architectural Control Committee (LOCA's ACC) which has jurisdiction over the permitted activity as authorized by the Palmer Plantation Municipal Utility District No. 2 (MUD).

**Permittee is authorized to perform work in accordance with the following terms and conditions:**

**PROJECT DESCRIPTION:** Work authorized by this Dock Permit is limited to the Permittee's individual dock on the Permittee's Waterway Lot at the above-cited Project Location (the "Dock").

**PERMIT CONDITIONS:**

1. The Permittee agrees to the terms and conditions included in the **SCOPE** section of the Guidelines and additional terms and conditions as cited below.
2. The Permittee agrees to adhere to the terms and conditions of the Corp of Engineers wetlands permits (application #16350 and 16350-1) and all applicable Federal, state and local laws.
3. The Permittee agrees to construct and maintain in good order the Dock authorized by this Dock Permit in conformance with the terms and conditions of this Dock Permit.

4. The use of the Dock must not interfere with the right of other Lake Olympia residents to use Lake Olympia.
5. The Permittee must allow representatives from LOCA, the ACC and/or the MUD to inspect the authorized Dock at any time during normal business hours to ensure that it is being or has been constructed and maintained in accordance with the terms and conditions of this Dock Permit.
6. This permit does not obviate the need to obtain Federal, state or local authorizations required by law for the construction and/or maintenance of the Dock.
7. This Dock Permit does not grant any property rights to Permittee.
8. This permit does not authorize any injury to the property or rights of others.
9. Limits of Liability: in issuing this permit, the MUD, LOCA and the ACC do not assume any liability for the following:
  - a. Damages to the Dock or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
  - b. Damages to persons, property or to other permitted or unpermitted activities or structures caused by the activity authorized by this Dock Permit.
  - c. Design or construction deficiencies associated with the permitted work.
  - d. Damage claims associated with any future modification, suspension or revocation of this Dock Permit.
10. Should the Permittee wish to remove or to cease maintenance of the Dock, the Permittee must obtain authorization from the ACC, which shall require removal of the Dock at the Homeowner's expense and may require restoration of the area at the Homeowner's expense.

**ACCEPTED BY:**

**AUTHORIZED BY:**

Permittee: \_\_\_\_\_  
(printed name)

ACC rep: \_\_\_\_\_  
(printed name)

Permittee: \_\_\_\_\_  
(signature)

ACC rep: \_\_\_\_\_  
(signature)

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

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