

MONTGOMERY COUNTY UTILITY DISTRICT NO. 3
c/o Mr. Ken Conatser, General Manager
11197 FM 2854 Conroe, Texas 77304

MONTGOMERY COUNTY UTILITY DISTRICT NO. 4
c/o Hays Utility Service Corporation
P. O. Box 2002 Conroe, Texas 77305

November 30, 2001

April Sound Property Owners' Association
100 April Park Drive
Montgomery, Texas 77356

Attention: Architectural Control Committee
Re: Drainage of New Residential Structures

Gentlemen:

As you must be aware, we have had numerous problems recently with localized flooding of residences in April Sound. The great majority of these problems appear to be caused by the manner in which the residence is situated on the lot, the driveway and curb cut are constructed, or the grading of the lot around the home is completed or subsequently modified for landscaping purposes.

The public drainage system serving April Sound was constructed and is maintained by Montgomery County Utility District Nos. 3 and 4 and was designed according to accepted and recognized engineering practices in effect at the time. In general, the underground storm sewer system is designed to contain a rainfall event of a two to three year frequency. In a storm of greater intensity, the public streets are intended to augment the storm sewer system by ponding and channelizing excess storm water to Lake Conroe. In extreme events, the storm sewer system will be filled, the street curbs will be overtopped and the excess runoff will seek its natural path over land to Lake Conroe. Because of the natural topography of April Sound and its proximity to Lake Conroe, we are fortunate that most of our properties are well above the 100-year flood plain, but it is this same hilly topography that requires that we take extra

precautions to avoid localized flooding caused by the natural drainage patterns within April Sound and the construction and modification of residences, driveways and landscaping which disregard these natural drainage patterns. Any public drainage system can be rendered ineffective by constructing house slabs too low relative to natural ground, by building driveways and street curb cuts that act as conduits of storm water into the homes, or by filling, grading or landscaping on the lot in a manner which does not take into account natural drainage patterns.

As you know, the Montgomery County guidelines on siting and elevation of house slabs are of little benefit on lots which are above the 100-year flood plain. Many years ago, Districts 3 and 4 published common sense guidelines to alert builders and homeowners to the risks of building in hilly terrain. These guidelines (sample enclosure appended to this letter) were typically circulated by the Architectural Control Committee to builders and homeowners when application was made to the Committee for building approval. In addition to these guidelines, experience has shown that particular attention must be given to raising the elevation of the driveway at the intersection with the street to a level of at least 2" above the curb height and to wrapping and blending the curb into the driveway. Downhill driveways should be tilted, slanted or cross drained so as not to act as a conduit for stormwater into the residence or garage.

For whatever reasons, it seems that in recent years, these guidelines have been ignored, with the result that the Districts have seen an ever increasing number of resident complaints about drainage and flooding, most of which could have been avoided by following the guidelines and many of which cannot now be cured except by unconventional modifications to the public drainage system at great expense to the taxpayers of April Sound. Perhaps the most economically devastating consequence would be for April Sound to gain a reputation as a flood prone community.

To avoid further needless taxpayer expense, homeowner dissatisfaction and damages to the reputation of our community, the Districts have concluded that strong measures must be taken immediately and that water and sewer services will not be commenced to a new residence or building until compliance with these guidelines has been assured. Accordingly, we are requesting that your Committee (i) resume distribution of the Slab and Driveway Guidelines, enclosed as an attachment to this

letter, to prospective applicants to the Committee for building permits, (ii) inspect for and enforce compliance with these standards with the same vigor and thoroughness as you apply with other restrictions and conditions, and (iii) certify such compliance to the Districts as a condition precedent to the receipt of water and sewer services from the Districts

Your assistance and co-operation in this regard are urgently needed and would be greatly appreciated.

Yours truly,

Signed:
President, Board of Directors
Montgomery County Utility
District No. 3

Signed:
President, Board of Directors
Montgomery County Utility
District No. 4

SLAB AND DRIVEWAY GUIDELINES

RESIDENTIAL SLAB ELEVATIONS

1. The minimum slab elevation for a house in April Sound shall be in accordance with Montgomery County permit requirements.
2. If your house is to be constructed on a sloping hilly terrain, it is recommended that the top of your house slab be not less than 12" above the elevation of the highest point of the finished grade of your lot.
3. There may be some cases where it will become desirable to increase the elevation of your slab higher than the above minimum recommendation to insure that water will not enter your house during very heavy rains. A little extra money spent increasing your slab elevation and/or grading your property to insure positive drainage may save you money and losses in the future.
4. Where your lot level is nearly level, the minimum recommended slab elevation is 12" above the natural ground.
5. A few houses at April Sound have received water because slab elevations were too low.
6. Wise use of terracing and/or landscaping may help you avoid water entering your house during heavy rains.
7. We encourage you to seek professional help in determining your slab elevation.

SLAB ELEVATION AND LOCATION ON LOTS ADJACENT TO LAKE CONROE

1. You should check with the San Jacinto River Authority to determine their minimum slab elevation and lakefront building setback requirements.

DRIVEWAYS

1. Particular attention must be given to raising the elevation of the driveway at the intersection with the street to a level of at least 2" above the curb height and to wrapping and blending the curb into the driveway.
2. Downhill driveways should be tilted, slanted cross drained so as not to act as a conduit for stormwater into the residence or garage.