

CONSOLIDATED WATERWORKS DISTRICT # 1

P.O. BOX 630

HOUMA, LOUISIANA 70361

PHONE (985) 879-2495 FAX (985) 879-2283

TO WHOM IT MAY CONCERN:

INSTRUCTIONS:

- 1) Fill out the Questionnaire, sign, date and provide a number where we can contact you during regular business hours, (8:00 a.m. – 5:00 p.m. Monday through Friday).
- 2) Return to Consolidated Waterworks District No. 1 Engineering Department the filled out questionnaire and map showing the property of the Grantor in relationship to the property of the Applicant with the location of the proposed water meter and service line from the meter to the Applicant at least 7 days prior to the meeting you plan to attend.
- 3) Applicant must attend the Consolidated Waterworks District # 1 Board Meeting to answer any questions our Staff or Board may have.
- 4) You will be given variance and right-of-way documents and further instructions regarding the execution and delivery of the documents upon Board approval.

Sincerely,

**CONSOLIDATED WATERWORKS DISTRICT # 1
Engineering Department**

CONSOLIDATED WATERWORKS DISTRICT # 1

P.O. BOX 630

HOUMA, LOUISIANA 70361

PHONE (985) 879-2495 FAX (985) 879-2283

VARIANCE QUESTIONNAIRE

1. Are you requesting a meter for a single-family residence?
2. Will this residence be the home of the applicant?
3. Do you own the property for which the variance is being requested?
4. Do you have a building permit issued by TPCG?
5. Would compliance with the provisions of the Subdivision Policy cause an undue financial hardship?
6. Do you have a verbal agreement to place a meter box on someone's property and is this person willing to sign a notarized document to that effect?
7. Do you have a plat describing the properties in question?
8. Are you able to attend a meeting of Consolidated Waterworks District # 1's Board of Commissioners, usually held the 1st and 3rd Mondays of each month at 5:30 p.m. in the Board Room of this office located at 8814 Main Street in Houma, La.?
9. Are you requesting a permanent meter or a temporary meter?

Note: If you have any questions, please call (985) 879-2495.

Signature of Applicant

Date

Phone

BY: _____

TO: Consolidated Waterworks District No. 1
Terrebonne Parish

Address of Property:

REVOCABLE VARIANCE APPLICATION FOR WATER SERVICE

_____, herein after referred to as APPLICANT, applies for a variance to the Terrebonne Parish Consolidated Waterworks District No. 1 Subdivision Ordinance in order to receive water service.

The property for which this variance is sought is located at_____. As part of the variance applicant process, APPLICANT certifies that APPLICANT is the owner of this property.

APPLICANT acknowledges that, in order to be entitled to consideration for a variance, this service must be for single-family residence or small business and APPLICANT must have a building permit issued by the Terrebonne Parish Consolidated Government. In order to qualify, APPLICANT must show that following Terrebonne Parish Consolidated Waterworks District No. 1's Subdivision Ordinance would cause an undue financial hardship to APPLICANT. APPLICANT must appear before the Board of Commissioners at a regular meeting to obtain a variance.

APPLICANT further agrees that this variance shall be valid for one service connection, and that any subsequent partitions of the property in question without the approval of Terrebonne Parish Consolidated Waterworks District No. 1 voids this variance in its entirety.

APPLICANT realizes that providing water service without compliance with Waterworks' subdivision regulations through grant of a variance is entirely within the discretion of the Board of Commissioners of Waterworks. If a variance is granted, APPLICANT agrees to the following conditions:

- a. The meter box and meter must be located within the first five feet of private property adjacent to the existing water main or within the first five feet of the highway or road right-of-way across the street from the nearest adjacent water main, in accordance with Waterworks policies and practices. APPLICANT must further provide a right-of-way for placement of meter box and meter duly executed by the owner of the property upon which the meter box will be located.
- b. Applicant must obtain any right-of-way or servitude necessary for the placement of a service line between the meter box and the service location. Failure to do so could result in the existing owner of property upon which the service line is located severing or removing the water service line, or the subsequent owner of such property taking similar steps to disrupt water service. APPLICANT is advised that he/she must obtain all appropriate rights-of-way to protect APPLICANT, and that it is not the responsibility of Waterworks to do so.
- c. Applicant is responsible for any leakage occurring to his service line, whether occasioned through wear and tear, damage by any person or instrumentality, or from any cause whatsoever. The responsibility of Waterworks for leakage ends at the intake side of the meter.
- d. Applicant is aware that Waterworks is not responsible in any respect for fire protection, and is under no obligation to applicant to provide fire hydrants or any other form of fire protection.
- e. Discovery of false or misleading information which is submitted to Waterworks in the issuance of a variance pursuant to this section shall authorize the Board of Commissioners of Waterworks to notify the variance recipient of such discovery and to give the variance recipient the right to show cause why the variance should not be revoked. Upon reaching a determination that the variance would not have been granted without the interjection of false or misleading information, any variance granted under such circumstances shall be revoked.
- f. Discovery of changed circumstances since the grant of a variance shall authorize the Board of Commissioners to inquire as to whether or not a variance should be cancelled. Upon such discovery, the Board shall notify the variance recipient of such inquiry and the recipient's right to be heard at a meeting inquiring into the variance. Upon reaching a determination that circumstances no longer justify continued entitlement, the variance previously granted may be revoked by the Board of Commissioners.
- g. Variances may be granted for a limited time period if the Board of Commissioners, in its discretion, determines that such a limitation would be appropriate.
- h. Upon termination of entitlement to a variance, service to a location serviced pursuant to a variance shall be terminated fifteen days after issuance of notice to the effect that the variance previously granted has been terminated and the reasons therefore.
- i. All notices required under this section shall be addressed to the service location for which the variance was issued as shown on the District's records.
- j. This variance policy is designed to benefit and assist potential customers of the District by allowing water service to customers who would face an undue hardship in obtaining water service by complying with the other provisions of these regulations, particularly the minimum waterline size requirements set forth in Section VI of Waterworks' Subdivision Regulations, or any other pertinent provision. It is not

intended as a substitute for or means of circumventing these regulations by landowners who seek to avoid the necessity of complying with these regulations.

- k. Terrebonne Parish Consolidated Waterworks District No. 1 further reserves the right to take any reasonable steps to maintain the overall integrity of its policy designed to benefit its customers.

I. SPECIAL PROVISIONS:

- m. Physical address of meter box to be installed:

APPLICANT further acknowledges that this document will be recorded in the public records of Terrebonne Parish, Louisiana, and that APPLICANT will be billed for these recordation costs if the variance is granted. APPLICANT further acknowledges that recordation of this document applies to and affects any subsequent purchaser of all or part of the property at _____ . Termination or revocation of any variance application would result in the owner of all or any portion of the property described at _____ being required to comply fully with the requirements of Waterworks' Subdivision Ordinance in order to obtain water service. This would result in the owner of the property at _____ being required to install either 8" or 12" lines across the entire frontage of the property in question constructed in accordance with Waterworks' Subdivision Policy requirements, at owner's expense, in order to obtain water service.

Vendees, transferees, heirs, or assigns of APPLICANT are hereby notified that water service on the property in question was obtained by variance, and that adequacy of fire protection was not a consideration in the granting of water service to this property. Such persons are further informed that all of the provisions contained in this variance application shall be binding upon subsequent owners of the property at _____

APPLICANT further confirms that he/she has been given every opportunity to read and review these terms before signing same.

WITNESSES:

APPLICANT

DATE

STATE OF LOUISIANA
PARISH OF TERREBONNE

BEFORE ME, the undersigned Notary Public, on the day personally came and appeared:

_____, who, being first duly sworn by me, stated under oath that she was one of the subscribing witnesses to the foregoing instrument and that the same was signed by _____, in her presence and in the presence of the other subscribing witness.

SUBSCRIBING WITNESS

SWORN TO AND SUBSCRIBED
BEFORE ME, ON THIS _____
DAY OF _____, 20__.

DAVID J. NORMAN, III (#1508)
NOTARY PUBLIC
My Commission Is for Life

STATE OF LOUISIANA
PARISH OF TERREBONNE

BEFORE ME, the undersigned Notary Public, on this day personally came and appeared:

Al Badeaux, Jr., who, being duly sworn by me, stated under oath that he is the President of the Board of Commissioners of Waterworks District No. 1 of the Parish of Terrebonne, Louisiana, and that the foregoing instrument was signed on behalf of said Waterworks District by authority of the Board of Waterworks Commissioners.

AL BADEAUX, JR., PRESIDENT

DATE VARIANCE APPROVED

SWORN TO AND SUBSCRIBED
BEFORE ME ON THIS _____
DAY OF _____, 20__.

DAVID J. NORMAN, III (#1508)
NOTARY PUBLIC
My Commission Is for Life

CONSOLIDATED WATERWORKS DISTRICT NUMBER 1

P.O. BOX 630

HOUMA, LA 70361

PHONE (985) 879-2495 FAX (985) 879-2283

WATER METER BOX SERVITUDE INSTRUCTIONS

- (1) (GRANTOR) Name of person on whose property the meter box is to be placed. If more than one, add the names of all in this space.
- (2) Description of where the meter box will be placed on the property of Grantor. If at all possible, please provide a plat depicting the servitude or legal description of all properties involved to be attached as exhibits. If using a copy of a plat please include the title block.
- (3) Subscribing witness. Please have the subscribing witness sign before a Notary.

VARIANCE

WATER METER BOX SERVITUDE

SERVITUDE GRANT

STATE OF LOUISIANA
PARISH OF TERREBONNE
KNOWN ALL MEN BY THESE PRESENTS:

That _____, a resident of the Parish of Terrebonne, State of Louisiana, of full age of majority, hereinafter referred to as "GRANTOR", does by these presents grant, unto CONSOLIDATED WATERWORKS DISTRICT NO. 1 OF THE PARISH OF TERREBONNE, STATE OF LOUISIANA, a public corporation and political sub-division created, organized and existing under the Laws of the State of Louisiana, herein represented by its duly authorized and empowered President, hereinafter referred to as "GRANTEE", a servitude to:

Install, operate and maintain a water meter box (and meter) with applicable water service line from existing water main to said meter box; furthermore the meter box will be located within a 5' x 5' section near the existing water main on the following described property:

SEE EXHIBIT "A"

and in a location free of traffic or other means having the potential to cause damage to the meter box.

It is understood that this is merely the grant of a servitude and will in no way affect the minerals underlying the said property.

The GRANTOR agrees and stipulates that the GRANTEE will have free access of egress and ingress for the purposes herein stipulated, and no structures will be erected interfering with the grant hereby made; and that the grant herein provided for will be perpetual or for so long as the same is used for the purposes herein stipulated.

The consideration for this grant is for the benefits and advantages of the parties, and also other good and valuable considerations.

IN WITNESS WHEREOF, the parties have caused this agreement to be duly executed in triplicate on the _____ day of _____, 20__.

WITNESSES:

GRANTOR

GRANTOR'S ADDRESS

BEFORE ME, the undersigned Notary, on this day personally came and appeared _____ who, being first duly sworn by me, stated under oath that she was one of the subscribing witnesses to the foregoing instrument and that the same was signed by _____, GRANTOR, in her presence and in the presence of the other subscribing witness.

SUBSCRIBING WITNESS

SWORN TO AND SUBSCRIBED
BEFORE ME ON THIS _____
DAY OF _____, 20_____

DAVID J. NORMAN, III (#1508)
NOTARY PUBLIC
My Commission Is for Life

CONSOLIDATED WATERWORKS
DIST. NO. 1 OF THE PARISH OF
TERREBONNE, STATE OF LA.

Accepted BY: _____
AL BADEAUX, JR., PRESIDENT

SWORN TO AND SUBSCRIBED
BEFORE ME ON THIS _____
DAY OF _____, 20_____

DAVID J. NORMAN, III (#1508)
NOTARY PUBLIC
My Commission Is for Life

CONSOLIDATED WATERWORKS DISTRICT NUMBER 1

P.O. BOX 630

HOUMA, LA 70361

PHONE (985) 879-2495 FAX (985) 879-2283

SERVICE LINE SERVITUDE INSTRUCTIONS

NOTE: The Service Line SERVITUDE Grant is provided for your convenience. It is recommended you use a document such as this to insure access to your water service line in the future.

- (1) Name of person through whose property the water line will pass (GRANTOR). If more than one, add the names of all in this space.
- (2) Name of the person getting the variance (GRANTEE). If more than one, add the names of all in this space.
- (3) Description of the property through which the water line passes. If at all possible please provide a plat or legal description of all properties involved to be attached as exhibits. If using a copy of a plat please include the title block.
- (4) Subscribing witness. Please have the subscribing witness sign before a Notary.

VARIANCE

WATER SERVICE LINE SERVITUDE

SERVITUDE GRANT

STATE OF LOUISIANA
PARISH OF TERREBONNE
KNOWN ALL MEN BY THESE PRESENTS:

That _____, a resident of the Parish of Terrebonne, state of Louisiana, of full age of majority, hereinafter referred to as "GRANTOR", does by these presents grant, unto _____, hereinafter referred to as "GRANTEE", a five foot (5') servitude to construct, lay, maintain and operate a water line across the following described property, to-wit:

SEE EXHIBIT "A"

It is understood that this is merely the grant of a servitude and will in no way affect the minerals underlying the said property.

The GRANTEE agree and stipulate that it will lay said water lines to a proper depth, will refill all ditches dug therefore and will repair all damages to said property resulting from said water lines. The GRANTOR agrees and stipulates that the GRANTEE will have free access of egress and ingress for the purposes herein stipulated, that no structures will be erected interfering with the grant hereby made; and that the grant herein provided for will be perpetual or for so long as the same is used for the purposes herein stipulated.

The consideration for this grant is privately expressed between the parties, but acknowledged to exist, and also for other good and valuable considerations.

IN WITNESS WHEREOF, the parties have caused this agreement to be duly executed on the _____ day of _____, 20__.

WITNESSES:

GRANTOR:

GRANTEE:

BEFORE ME, the undersigned Notary, on this day personally came and appeared _____ who, being first duly sworn by me, stated under oath that he/she was one of the subscribing witnesses to the foregoing instrument and that the same was signed by _____, GRANTOR, in his/her presence and in the presence of the other subscribing witness.

SUBSCRIBING WITNESS

SWORN TO AND SUBSCRIBED
BEFORE ME ON THIS _____
DAY OF _____, 20__

DAVID J. NORMAN, III (#1508)
NOTARY PUBLIC
My Commission Is for Life