



TRINITY RIVER AUTHORITY OF TEXAS
Lake Livingston

Application for Authorization to Construct Improvements on Project Lands Owned or Regulated by the Authority

The Trinity River Authority of Texas owns and operates Lake Livingston as a water supply reservoir. It owns (or controls by virtue of easement rights) land beneath and around the lake. Because Lake Livingston is dedicated to water supply, the level of water in the lake will vary depending on the amount of water used from the lake, evaporation rates, and rainfall and runoff in the reservoir watershed. The conservation pool elevation of Lake Livingston is 131' above mean sea level. The Authority owns flowage easements of variable height on unsubmerged shoreline land around the reservoir.

This application, if approved by the Authority, will result in the issuance of a permit (Permit) entitling the Applicant to construct the approved improvements on Lake Livingston Project lands owned or controlled by the Authority. The Permit must be recorded in the deed records of the county in which the improvements are to be constructed. Failure to record the Permit prior to construction shall render any authorization granted void.

APPLICANT INFORMATION

Name of Applicant: _____
Mailing Address: _____ Phone: _____
Location of Improvements: County: _____ Survey: _____
Directions to Proposed Construction: _____

LAND INFORMATION

Subdivision name: _____
Section: _____ Block: _____ Lot: _____
Lot Dimensions: _____
Brief Description of Land if Other than Lot: _____

IMPROVEMENT INFORMATION

Type of Improvement: () Bulkhead () Boat stall () Dock () Boat slip () Building () Excavation
() Boathouse () Pier () Boat ramp () Other
Type of Construction: () Wood () Concrete () Metal () Other
Explain if Other: _____
Name of Contractor: _____
Electrical Improvements (of any kind): () Yes () No
Name of Electrical Contractor or Sub-Contractor (for projects with electrical improvements):

Texas Department of Licensing and Regulation License No. of Responsible Electrician or Firm:

Does Applicant own land or lease land abutting Lake Livingston? () Own () Lease
If leased, give name and address of owner: _____

PERMIT TERMS AND CONDITIONS

The Applicant, by making, executing and submitting of this application to the Authority, represents and warrants that the proposed construction described in said application is not in violation of or contrary to any federal, state or local legal requirements, and deed restrictions or covenants running with the land relating to the addition or subdivision, if any, in which the herein described lot, tract or parcel of land is situated. In the event the constructed improvements or their use is or becomes in violation of any of the foregoing, any authorization by the Authority shall automatically become void without the necessity of any action on the part of the Authority.

If a Permit is issued, the Applicant, its heirs, successors, and assigns agree to conduct the licensed or authorized activities in the manner and in accordance with the requirements of the rules and regulations of the Authority pertaining to such activities, and that any breach of any rules and regulations shall automatically void the authorization and any further activities by Applicant, its heirs, successors, and assigns shall be deemed in violation of the Authority's ordinance that provides for a penalty for the failure to obtain authorization for the activities contemplated herein.

The Authority assumes no responsibility for, and the Applicant will release and hold the Authority harmless from and indemnify the Authority, regarding disputes of title, rights, or liability for damages to persons or property arising from the construction, maintenance, or existence of any improvements. If at any time the condition or presence of an authorized improvement interferes with the operation of the reservoir or the safety of the persons or property using the surface thereof, the Applicant shall be required, at its sole cost and expense, to immediately make any and all changes or corrections necessary to make the improvement comply with the Authority's requirements or remove to the improvement.

All electrical installations permitted by the Authority shall be performed according to the National Electrical Code by an electrical contractor licensed by the Texas Department of Licensing and Regulation.

Applicant, its heirs, successors, and assigns agree to observe and abide by all applicable federal, state and local laws, ordinances and regulations pertaining to the activities herein contemplated and nothing contained herein shall be construed as alleviating the applicant, its heirs, successors, and assigns of any responsibility to obtain any permit, license or other approval required by any agency in connection with the activities herein licensed or authorized.

The Applicant, its heirs, successors, assigns, lessees, licensees and invitees shall INDEMNIFY AND HOLD HARMLESS the Authority from and against any and all claims and damages of every kind for injury to property or persons related to the construction, operation, use, or existence, of the improvements which Applicant requests permission to construct on the Authority's reservoir, or from any act of the Authority, its agents and directors including the operation of the reservoir BASED IN WHOLE OR IN PART ON THE ALLEGED NEGLIGENCE OR OTHER TORT OF THE AUTHORITY OR ITS AGENTS OR DIRECTORS, THE PARTIES HERETO INTENDING HEREBY TO SATISFY THE EXPRESS NEGLIGENCE DOCTRINE. BY THIS DOCUMENT, THE APPLICANT IS INDEMNIFYING THE AUTHORITY WITH REGARD TO ITS ACTUAL OR CLAIMED NEGLIGENCE.

The Authority disclaims responsibility for protecting the property of the Applicant, his heirs, successors, and assigns, nor guarantees that said property will not be used by other persons in the absence of Applicant, his heirs, successors, and assigns. It being expressly intended that the Authority assumes no responsibility for the conduct of the activities herein licensed or authorized which shall be at the sole risk of the applicant, his heirs, successors, and assigns.

THE APPLICANT HAS BEEN INFORMED AND UNDERSTANDS that the policy of the Authority requires a Joint Use Agreement and Permit for proposed construction in the flowage easement areas and for excavations in or beyond the flowage easement areas.

I certify that the above information is true and correct and has been answered and furnished to the best of my ability.

Applicant print name: _____

Applicant signature: _____

Application date: _____