

CHENIERE DREW WATER SYSTEM, INC. POLICY AND PROCEDURE ON MOBILE HOME DEVELOPMENTS

Policy Statement

It is the policy of Cheniere Drew Water System, Inc. (**CDWS**) to work with each developer of mobile home developments in a fair, effective, and efficient manner while seeking to provide cost-effective, quality water services to the future water consumers in the mobile home development.

Procedure

1. Definitions: The following terms will have the listed meaning of this policy and procedure and for any document executed as a requirement of this policy and procedure.
 - A. **Act of Servitude** means a legally binding act of donation of the Servitude(s) and Water Utilities in a form similar to the form attached hereto as Attachment A.
 - B. **Developer** means the person or entity that has the legal authority to construct a mobile home facility upon the premises described in the plans for the Mobile Home Development.
 - C. **Letter of Intentions** means an agreement between the Developer and CDWS indicating the intentions of both parties regarding the rights and responsibilities of both parties for the provision of Water Utilities and water services to the Mobile Home Development. The Letter of Intentions should be in a form similar to the form attached hereto as Attachment B.
 - D. **Mobile Home Development** means a tract or parcel of land of which the owner (developer) intends and plans to develop by clearing and installing site improvements and building structures to enable the land to be utilized for two or more mobile or modular homes.
 - E. **Predial Servitude** means the granting of a right for CDWS over property of the Developer of a minimum width of 10 feet to own, operate, inspect, maintain, repair, reconstruct, add to, and use as CDWS deems prudent and necessary the Water Utilities for the provision of water services to the Mobile Home Development. This granting of a right shall include a right of passage to and from the premises burdened by the Servitude over either a public right of way or other property in the Mobile Home Development for

the inspection, maintenance, repair, reconstruction, making of additions, and use of the Water Utilities as CDWS deems prudent and necessary.

- F. **Water Service Assemblies** shall include but shall not be limited to at least the following for each water service connection: tapping saddle, corporation stop, PE service tubing, meter valve, check valve, and meter box.
- G. **Water Utilities** means the entire construction of water service equipment and facilities by the Developer including but not limited to the Water Service Assemblies, connection/interconnection to CDWS's water main, all pipes and piping, all pipe connections necessary for the provision of water to the Mobile Home Development.

2. Procedure

A. Pre-Construction

- 1. The Developer or a duly authorized representative thereof shall set an appointment with a representative of CDWS to review initial plans and specifications for the water utility construction. Developer will make application with CDWS and provide CDWS with two sets of plans and/or specifications.
- 2. Each Developer shall be provided with a copy of this policy and procedure before the signing of the Letter of Intentions.
- 3. CDWS will submit plans and/or specifications; consulting engineer will review plans for approval and recommendations.
- 4. CDWS will provide a list of the required materials and specifications or requirements for the construction of the Water Utilities.
- 5. The Developer shall execute an Act of Servitude to CDWS, which will convey a valid Servitude and all future water utilities.
- 6. The Developer and CDWS shall enter into a Letter of Intention regarding each mobile home development planned.
- 7. Within ten (10) days of the receipt of the executed Letter of Intentions and Act of Servitude, CDWS will issue a letter to Developer or its designee indicating CDWS's intent to own, maintain, and operate the Water Utility.
- 8. CDWS shall require a deposit sufficient to cover the price of individual water meters for each individual structure in the Mobile

Home Development (i.e., laundromats, playrooms, pool houses, freestanding restrooms, other common-use structures, etc.).

B. Construction

1. The Developer shall provide CDWS with a Meter Deposit within three (3) days before the beginning of any and all Water Utility construction activities in an amount set by CDWS for the purchase of water meters. CDWS shall install a water meter for each individual water service customer upon approval of the individual's application for water service.
2. Developer shall provide and install the complete Water Utilities within the Mobile Home Development including Water Service Assemblies, in full compliance with material specification provided with the Letter of Intentions and approved plans and specifications. All costs of materials and installation shall be incurred by the Developer unless otherwise specified in the Letter of Intentions.
3. Developer shall construct Water Utilities in full compliance with specifications and plans previously approved by CDWS. Any changes to the previously approved plans and specifications shall be in writing and approved by CDWS.
4. Developer shall pay for all costs associated with the extension of water mains and interconnection to water mains of CDWS. Unless otherwise noted in the Letter of Intentions, CDWS will make the interconnection with the water main and extend a main to the nearest point of the Developer's property line; however, the costs of such provision shall be paid by the Developer as a connection charge. The Developer shall be responsible for the extension of the water main from the point of the nearest property line to the Mobile Home Development site.
5. CDWS shall inspect the construction as deemed appropriate by CDWS and shall notify the Developer of any deficiencies in the construction and requirements for correction of the deficiencies within the time frame provided in CDWS's notice of the deficiencies.

C. Post-Construction

1. Developer shall provide three (3) sets of As Built drawings to CDWS within 30 days of the construction completion. The drawings shall include the size and location of all components of the Water Utility.

2. After review by CDWS's consulting engineer, CDWS shall approve the Water Utilities construction or provide notice to the Developer of corrections required for approval of the Water Utilities construction within five (5) days of notification by the Developer of completion of construction and receipt of the certification by the Developer's consulting engineer certifying that the Water Utilities have been constructed and installed in full compliance with the plans and specifications approved by CDWS, or any revisions thereto as agreed to by CDWS.
3. CDWS will accept such Servitude and Water Utilities after review and approval of the same by legal counsel. The Developer shall have the Act filed with the Recorder of Mortgages within 48 hours of acceptance of the donation by CDWS.
4. CDWS will require and Developer shall produce copies of all letters upon receipt of approval from regulatory agencies whose approval is necessary for the operation of the Water Utility (i.e., Ouachita Parish Police Jury, Department of Health and Hospitals and Department of Public Works, etc.).
5. CDWS shall provide individual water service, for each lot or parcel upon which a mobile home is planned to be placed upon the application and approval of the individual applicant for water services in accordance with CDWS's Rules and Regulations.
6. CDWS shall reserve the right to terminate or refuse service to any water service customer in the Mobile Home Development if the Developer does not comply with any obligation or requirement in this policy or Letter of Intentions within fifteen (15) days of notice requiring correction of the deficiency.

D. General Provisions

1. Developer shall indemnify and hold harmless CDWS for any damages or injuries incurred during, in relation to, or as a result of Owner/Developer or any of its contractor's construction and during, in relation to, or as a result of any and all warranty work on the Water Utilities.
2. Should an existing meter be located in a place that is inaccessible to CDWS for whatever reason, the Developer shall be responsible for the relocation of the water meter to an accessible location approved by CDWS.

3. CDWS shall designate a utility supervisor who shall maintain all correspondence, maps, plats, and drawings for each development.
4. Any variance from this procedure requires approval of the Board of Directors of CDWS.

Wayne E. Allen
Cheniere Drew Water System, Inc.
Board of Directors
President

Approved:
September 15, 1998