

This document was presented at the SJRA July 24, 2025, Board meeting and subsequently provided on request to the Lake Conroe Association President. As of September 9, 2025, it is not on the SJRA website and therefore being made available by the LCA. The only current reference to the SJRA easement on their website is as follows:

Q. What is the 207' MSL flowage easement?

A. When the dam was built in 1973, the SJRA acquired a flowage easement around the perimeter of the lake that allows the lake to be raised six feet up to an elevation of 207' MSL during storm events. This easement is recorded in the county deed records to notify landowners that any structures below this elevation are subject to being flooded.

6.6

Amended Easement and Encroachment Policy

Aubrey Spear

Background/History

- 1973 – Construction of Lake Conroe completed
- SJRA purchased various public easements to protect Lake Conroe and adjacent property owners
- Some private structures have been constructed within the public easements owned by SJRA (This is called an encroachment)
- 2005 Encroachment Policy was established by SJRA board

Easement Encroachment Agreement

- Lake Conroe and associated easements are public assets
- Unauthorized encroachments can cloud property owner's property title
- The goal is to create a process for property owners to uncloud property title if encroachments already exist or if they are seeking permission to build within the easement
- Encroachment agreements will require property owner to reimburse the Authority for the use of a public easement and Authority resources
- Encroachment agreement is filed at county courthouse.

Reimbursement Strategy

Revocable Easement ¹	Total Revocable Easement Reimbursement
Total staff time: \$1,715 Right to Encroach: \$ 300	\$2,015
Irrevocable Easement ²	Total Irrevocable Easement Reimbursement
Total staff time: \$2,370 Right to Encroach: \$ 600	\$2,970

- 1. Revocable** - A non-habitable structure means any structure not identified as habitable as defined and would include but is not limited to garages, sheds, barns, and swimming pools.
- 2. Irrevocable** – A habitable structure means any structure or part thereof where persons reside, congregate, or work and which is legally occupied in whole or part in accordance with applicable building codes, and state and local laws.

What Should Property Owners Do?

Any questions, please contact the Lake Conroe Division at 936-588-1111

Recommendation

Adopt a resolution amending the policy of the San Jacinto River Authority regarding consents to encroachments on easements in and around Lake Conroe.