



## RESIDENTIAL SWIMMING POOL & SPA GUIDELINES

Revised 04-29-2016, EFFECTIVE 05-01-2016

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### Code Compliance (Last Updated 04-29-2016)

#### Construction projects must adhere to the following codes:

- 2012 International Energy Conservation Code, Ordinance #14-47, effective October 1, 2014
- 2011 National Electrical Code, Ordinance #14-50, effective October 1, 2014
- 2012 International Residential Code, Ordinance #14-45, effective October 1, 2014
- 2012 International Mechanical Code, Ordinance #14-48, effective October 1, 2014
- 2012 International Plumbing Code, Ordinance #14-46, effective October 1, 2014
- 2012 International Building Code, Ordinance #14-44, effective October 1, 2014
- 2012 International Fuel Gas Code, Ordinance #14-49, effective October 1, 2014
- 2012 International Property Maintenance Code, Ordinance #04-37, effective October 1, 2014

- 2012 International Fire Code, Ordinance #14-51, effective October 1, 2014

### All adopted Town of Prosper Zoning, Subdivision, and Building Ordinances

The focus of plan review and building inspections is to ensure quality construction. You, as a pool contractor, must require your administrative staff, designers, engineers, subcontractors, and material suppliers to draw, specify, and build pools that reflect the code requirements and other regulations listed below. Your best effort, along with ours, will achieve the goals of life safety and quality construction.

### **Permit Application Submittal Requirements:**

Before a pool and/or spa may be constructed and/or installed in the Town, a pool permit must be obtained from the Town. Incomplete permit applications will not be accepted and/or processed. Each permit application must contain the following information:

1. Two (2) construction plans, one copy no larger than eleven inches (11”) by seventeen inches (17”) (or a digital copy), drawn to scale, and all copies must be stamped by the electrical service provider (TXU Electric or CoServ). The plans shall include equipment specifications indicating equipment size and type and pool/spa volume (square foot size and gallon capacity). The plans shall indicate the location of the pool and/or spa and any equipment associated with the pool and/or spa in relation to property lines and the distance to the pool and/or spa will be from any structures. All deck and area drains, gutter downspouts or other means of capturing water shall be shown. Existing drainage on the lot shall not be modified where it will create a nuisance to an adjacent property or right-of-way. Depth dimensions shall be marked on the water envelope and a sectional drawing showing pool depths.
2. All drawings must be prepared, signed and sealed by an engineer if piers and/or retaining walls are over forty eight inches (48”) in depth or height.

**EXCEPTION:** Above ground pools and spas are not required to provide plans stamped by the electrical service provider.

3. One (1) site plan indicating the location of the pool and/or spa and any equipment associated with the pool and/or spa in relation to property lines and the distance from any structures. Only the most current survey will be accepted as a site plan. Builder plot plans or other conceptual drawings provided by the property owner will not be accepted.

If a septic property, Two (2) site plans indicating the location of the pool and/or spa in relation to the septic tanks and spray heads. All pool construction plans on septic properties require approval from Collin County Development Services prior to submittal with the Town.

Measurements will be made to the pool and/or spa structure (back of beam) itself, not the water's edge. Location and setback requirements include:

**Rear Yard** - The pool and/or spa must be located at least three feet (3') from the rear property line.

**Side Yard** - The pool and/or spa must be located at least three feet (3') from the side property line.

**Easements** – Pools and/or spas, pool and/or spa decks and pool and/or spa equipment cannot be located within any easement.

**Buildings** - Pools and spas must be located no less than three feet (3') from buildings with foundations and at least one foot (1') away from the foundation for every one foot (1') of depth - measured to any point of excavation. For example purposes only, if a portion of a pool is five feet (5') deep, that portion of the pool must be located at least five feet (5') from a building that utilizes a foundation.

**NOTE:** The measurement will be from the point at which the natural grade touches the foundation and any area excavated for the pool and/or spa construction. If the setback from the building foundation is less than the 1:1 ratio, an original prepared, **signed and sealed engineer design** must accompany the construction plans.

**EXCEPTION:** Above ground pools and spas do not have a minimum required setback from foundations, but are required to comply with property line setback, easement requirements and any other applicable building codes associated with life or safety items.

Manufacturers' brochure or details of pool is required for above ground pools.

**Pool Equipment** - Pool and/or spa equipment cannot be located within the front yard of a lot or within an easement. Pool and/or spa equipment cannot be attached to a common fence separating an adjoining property. Pool and/or spa equipment cannot be installed in drainage swales and/or designated drainage flows or easement of any type or designation.

**Diving Pools** – require compliance with ANSI/NSPI-5 2003.

**Pool Permit Requirements-** Pool permit applications are for pools only!! No other structures shall be approved on the plans that would require a separate permit.

**Permit Expiration:** All pool and/or spa permits expire ninety (90) days from the date the permit is issued by the Town. In every case where a permit is expired, a new permit shall be obtained before any work is resumed.

**Permit and Inspection Fees:** The permit and inspection fees provided in this ordinance shall be paid to the Town before the issuance of a permit and before any work is started. No pool construction or excavation shall commence prior to permit issuance. Fees shall not be collected prior to permit approval. The fees shall be as follows:

1. In ground Pool or Spa or any combination thereof permit shall be Three Hundred Dollars (\$300).
2. Above ground Pool or Spa or any combination thereof permit shall be One Hundred Dollars (\$100).
3. Reinspection fees shall be in accordance with the Town approved fee schedule, as amended.
4. Whenever any work for which a permit is required by this Ordinance has been commenced or completed without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work. An investigative fee, in addition to the permit fee, shall be collected whether or not a permit is then subsequently issued. The investigation fee shall be double the amount of the permit fee required by this Ordinance. The payment of such investigative fee shall not exempt any person from compliance with all provisions of this Ordinance nor from any penalty prescribed by law.

### **General Information**

All general information per the Residential Contractor Guidelines shall be followed. Below are relevant portions of that guideline that pertain specifically to pool contractors and their subcontractors.

1. **Working Hours** – Standard working hours are between 7:00 a.m. to 7:00 p.m. Monday through Friday. Saturday 7:00 AM to 5:00 PM. No work allowed on Sundays. Work during other hours shall not be done without the written consent of the Building Official except for work done in connection with the care, maintenance or protection of equipment or already completed work or to correct conditions that are unsafe to the public.
2. Instruct subcontractors and their employees to park in such a way that emergency vehicular traffic will not be obstructed, i.e. police cars, fire trucks and ambulances.
3. Inspections shall be requested through E-TRAKiT at <http://prosper.trakit.net/eTRAKiT3/>.

**Inspection Cancellations** – All cancellations must be made prior to 8:30 AM on the day of inspection. Contractors should make every effort to speak directly with an inspector to confirm a cancellation. Do not tell the front counter staff. Cancelling inspections shall be done through E-TRAKiT at <http://prosper.trakit.net/eTRAKiT3/>. Inspections will not be cancelled if the inspector has already been to the jobsite.

4. **After Hours Inspection Request** – will require a completed inspection request form and approval by the Chief Building Inspector or Building Official between the hours of 3:30 PM – 5:00 PM. **Prior approval is needed to assure that an inspector will be available and that the request is warranted.** A fee of \$50 per hour, minimum of two hours, is required upon approval and before the inspection will be performed.
5. **Location of permit packets and inspection tickets** – In order to allow for uniformity and the most efficient use of time, town approved permits and all associated approved construction documents **shall be displayed outside on the construction site at the window or door facing the pool at all times during construction.** Inspection results are available online; we do not leave tags on site. Contact our permit techs if you need help in looking up inspection status online. You may also find inspection status online at our town website. The town approved building plans must be available on the job site when an inspection is called for.
6. **Inspector Office Hours** – Every effort will be made to have an inspector available from 8:00 AM – 8:30 AM and 3:30 PM – 5:00 PM each day. Technical questions regarding an inspection item should be directed to the inspector who made the call. Other technical questions should be directed to a building inspector. Do not call the front counter and request technical information or ask if an inspection has been made or if an inspection has passed. Check your jobsite. If you are unable to resolve an issue with your inspector, please contact the Chief Building Inspector.

For general questions and permit submittal information, you may call the front counter.

7. **Reinspection Fees** – A reinspection fee may be assessed, at the discretion of the inspector, and no inspection performed, when any of the following conditions apply:
  - a. Inspection called for is not ready. (This could include a first time inspection where a history has developed for deficient items on a continual or repeated basis)
  - b. Town approved plans are not on the jobsite and located as specified in #5 above.
  - c. Backyard is locked or work to be inspected is not accessible. Work being performed.
  - d. An inspection is failed twice for the same item.
  - e. A temporary or permanent barrier is not in place at all times during construction.
  - f. Missing required paperwork at the respective inspection.
8. **Reinspection Fees** – are \$50 for the first reinspection fee assessed and increase in \$25 increments for the second and subsequent fee for the same inspection type. All reinspection fees must be paid prior to the request of any further inspections. Receipts, showing the fee has been paid, shall be in the permit packet at time of inspection. Reinspection fees not paid may result in the inspection not being made and an additional reinspection fee may be assessed.
9. **Restamp/Plan Review Fees** – Any changes in the approved set of plans are required to be restamped before an inspection is scheduled. This also applies to a restamp due to a lost

permit packet. Restamp/Plan Review fees are \$50 per hour with a one hour minimum and may take up to five business days to process. Do not schedule an inspection if the restamp has not been approved, in the permit packet, and available to the inspector.

**10. Engineering letters and other required documents** – Whenever an engineering letter or other document is required, it shall be placed in the front inside of the permit packet on the jobsite. This will allow the inspector to refer to the letter or document in order to verify compliance with the document requirements. As soon as practical the **original** document should be submitted to the Building Inspections office, directly to the inspector who did the inspection, to be included with the permit files.

**11. Expiration** – All pool and/or spa permits expire ninety (90) days from the date the permit is issued by the Town. In every case where a permit is expired, a new permit shall be obtained before any work is resumed. In addition, any approved permit applications that have not been picked up and paid for within 180 days of approval shall become invalid and disposed of. A \$50 plan review fee will be assessed and the contractor will have to resubmit a new complete permit application when they are ready to proceed with the project.

### **Inclement Weather**

No concrete inspections or underground inspections will be made if it has been determined that it is too wet by the Chief Building Inspector or Building Official.

No concrete inspections will be made unless the temperature is at least 38 degrees and rising by 8:30 AM the morning of the inspection.

**During inclement weather it is the responsibility of the contractor to reschedule all cancelled inspections, after checking their jobsites.**

### **Construction and Inspection Requirements:**

#### **ITEMS COMMON TO EVERY INSPECTION:**

- Permit packet & approved plans not posted where required.
- Outstanding reinspection fees due and/or no receipt in permit packet.
- Not ready for inspection called in.
- Temporary or permanent barrier not in place during construction.

### **Belly Steel and Pool Placement Inspection:**

Before any concrete or gunite can be placed, the belly steel and placement of the pool and/or spa shall be inspected and approved by the Town.

1. Rebar shall be a minimum size of three-eighths inch (3/8") and located no more than twelve inches (12") on center each way with a minimum twelve inch (12") overlap.
2. All breaks in the swimming pool floor (depth change) shall have the rebar doubled up and located no more than twelve inches (12") on center each way with a minimum twelve inch (12") overlap.
3. All metal parts of the pool or spa, including metal of the pool or spa shell, metal fittings within or attached to the pool or spa structure, metal conduit and electrical equipment and motors associated with the pool or spa water circulating system must be connected to a common bonding grid with a solid bond conductor no smaller than #8 AWG.
4. A minimum of four (4) approved ground clamps that are evenly spaced around the pool shall be required to electrically bond the pool and/or spa from stray ground current. One (1) additional approved ground clamp shall be required on the spa. **Local Policy**

### **Deck Steel, Electrical Bond, Electrical Underground and Plumbing:**

Before any concrete is placed for the pool and/or spa deck, the placement of steel and the electrical bond shall be inspected and approved by the Town.

**NOTE: Electrical underground inspections shall be passed before a deck steel inspection will be performed, Local policy.**

1. The concrete deck shall be a minimum thickness of four inches (4") with a maximum of two inches (2") of cushion sand under the deck.
2. Rebar shall be a minimum size of three-eighths inch (3/8") and located no more than eighteen inches (18") on center each way.
3. All metal parts of the pool or spa, including metal of the pool or spa shell, metal fittings within or attached to the pool or spa structure, metal conduit and electrical equipment and motors associated with the pool or spa water circulating system must be connected to a common bonding grid with a solid bond conductor no smaller than #8 AWG. The solid bond conductor shall be run back to the equipment location.
4. A minimum of four (4) ground clamps that are evenly spaced around the pool and/or spa shall be required to electrically bond the pool and/or spa from stray ground current.
5. All electrical conductors buried in the ground shall be inspected and approved by the Town prior to covering. The following depth requirements shall apply per NEC Table 300.5:
  - a. Rigid metal conduit. Six inches (6")
  - b. Rigid metal conduit, IMC or PVC, installed under a residential driveway. Eighteen inches (18")
  - c. PVC conduit (GFCI protected conductors with maximum overcurrent protection of 20 amperes). Twelve inches (12")

- d. PVC conduit. Eighteen inches (18")
  - e. PVC conduit (low voltage). Six inches (6")
6. Diving boards and all metal within five feet (5') of waters edge shall be grounded.
7. Approved isolation joints shall be required at all areas where the deck will be poured up to the building foundation, patio slabs or any other existing concrete.

**P-Trap and Gas Line:**

Before the backwash line, p-trap and gas line are covered in any way, those items shall be inspected and approved by the Town.

- 1. All gas lines shall be installed a minimum of twelve inches (12") deep with a minimum Yellow #18 AWG tracing wire. Low pressure gas lines (black pipe & poly) must be air pressure tested with 15 psi on a 30 lb test gauge.
- 2. All pools and spas shall have a p-trap and backwash line connected to the sanitary sewer. Backwash lines shall be installed at time of inspection. If the pool is being built on a lot that has a septic system, a filter cartridge may be used.
- 3. Air gaps must be a minimum of one (1") inch. The air gap must be installed at time of inspection.

**EXCEPTIONS:** 1) Above ground pools and spas that have a capacity of seven-hundred fifty (750) gallons or less are not required to install a p-trap or backwash line. 2) Lots that do not have access to Town sewer and where sanitary drainage is provided through a septic system, no p-trap or backwash line is required; however, adequate drainage, as solely determined by the Town, must be provided to allow for drainage of the pool and/or spa. Cartridge filters are allowed only on lots with septic systems on them.

**Pre-Plaster Inspection:**

Before any water is placed in the pool and/or spa, the permanent fence shall be installed, inspected and approved by the Town. All other required inspections shall be approved before town inspectors shall perform a pre-plaster inspection.

- 1. The "Pool Affidavit" shall be picked up at pre-plaster inspection. Please have in the front of your packet for inspector to pick up.
- 2. The pool barrier shall meet all requirements of the town adopted 2012 International Residential Code, Appendix G, as amended by the Town.
- 3. All non-pedestrian access gates shall have keyed locksets, combination or keyed padlocks locked at all times when not in use.

4. All doors and windows within sixty inches (60") of waters edge must be tempered safety glass in conformance with the Town adopted 2012 International Residential Code (IRC), as amended.

### **Pool Final:**

Before the pool and/or spa is/are used, all pool and/or spa components shall be inspected and approved by the Town. **The pool and/or spa final inspection shall be approved within ninety (90) days from the date the permit is issued. Local Policy**

1. All pool and/or spa equipment shall be grounded by an approved method and operating properly.
2. No pool and/or spa equipment shall be attached to a common fence located on a property line.
3. All equipment shall be securely fastened on the equipment pad.
4. All GFCI receptacles shall be installed and operating properly in accordance with the town adopted 2012 International Residential Code (IRC), as amended. **E4203.1.2 Where required.** At least one 125-volt, 15- or 20-ampere receptacle supplied by a general-purpose branch circuit shall be located a minimum of 6 feet (1829 mm) from and not more than 20 feet (6096 mm) from the inside wall of pools and outdoor spas and hot tubs. This receptacle shall be located not more than 6 feet, 6 inches (1981 mm) above the floor, platform or grade level serving the pool, spa or hot tub.
5. Final grade, positive drainage, swale location, and sod must be in place (positive drainage away from foundation). (Exception: Sod and landscaping do not have to be installed if the town is under a water restriction prohibiting installation)

### **Pool Barrier Requirements:**

Design and erection of the pool enclosure shall be in strict accordance with Appendix G of the 2012 International Residential Code as provided below:

**AG105.1 Application.** The provisions of this chapter shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drownings and near-drownings by restricting access to swimming pools, spas and hot tubs.

**AG105.2 Outdoor swimming pool.** An outdoor swimming pool, including an in-ground, above ground or on-ground pool, hot tub or spa shall be provided with a barrier which shall comply with the following:

1. The top of the barrier shall be at least 48 inches (1219 mm), above grade, measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is

above grade, such as an above ground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).

2. Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.
3. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
4. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1.75 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.
5. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.
6. Maximum mesh size for chain link fences shall be a 2.25-inch (57 mm) square unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to not more than 1.75 inches (44 mm).
7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1.75 inches (44 mm).
8. Access gates shall comply with the requirements of Section AG105.2, Items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:
  - 8.1. The release mechanism shall be located on the pool side of the gate at least 3 inches (76 mm) below the top of the gate, and
  - 8.2. The gate and barrier shall have no opening greater than 0.5 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.
9. Where a wall of a dwelling serves as part of the barrier one of the following conditions shall be met:

9.1. The pool shall be equipped with a powered safety cover in compliance with ASTM F1346; or

9.2. All doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and its screen, if present, are opened. The alarm shall sound continuously for a minimum of 30 seconds immediately after the door is opened and be capable of being heard throughout the house during normal house-hold activities. The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as touchpad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation shall last for not more than 15 seconds. The deactivation switch(es) shall be located at least 54 inches (1372 mm) above the threshold of the door; or

9.3. Other means of protection, such as self-closing doors with self-latching devices, which are approved by the governing body, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by Item 9.1 or 9.2 described above.

10. Where an above ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then:

10.1. The ladder or steps shall be capable of being secured, locked or removed to prevent access, or

10.2. The ladder or steps shall be surrounded by a barrier which meets the requirements of Section AG105.2, Items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere.

**AG105.3 Indoor swimming pool.** All walls surrounding an indoor swimming pool shall comply with Section AG105.2, Item 9.

**AG105.4 Prohibited locations.** Barriers shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb the barriers.

**AG105.5 Barrier exceptions.** Spas or hot tubs with a safety cover which complies with ASTM F 1346, as listed in Section AG107, shall be exempt from the provisions of this appendix.

## **SUMMARY**

This guideline has been prepared to assist the pool contractor, their subcontractors and their field supervisors. Pool contractors are encouraged to share the content of this guideline with their administrative staff, designers, engineers, subcontractors, and material suppliers.

**Periodically, the Town of Prosper intends to update this guideline to reflect building code changes, newly adopted ordinances, and any other information pertinent to residential construction. All contractors currently building pools and/or spas within the Town of Prosper will be responsible for obtaining the most current publication available. Please stop by the Building Inspections Department for the most current addition.**

This guideline is not a full disclosure of all codes and ordinances. It is only a supplement to help our pool contractors, their subcontractors and our residents.



# CERTIFICATION OF RESIDENTIAL POOL PROTECTION DEVICE INSTALLATION

This document provides for the homeowner to certify that one (1) of the following protection devices have been installed at a particular address that is hereunder listed:

(LEGIBLY PRINT ADDRESS HERE)

**Prosper, Texas 75078.**

Per Appendix G of the 2003 International Residential Code, Barrier Requirements, "Where a wall of a dwelling serves as part of the barrier one of the following conditions shall be met:"

I certify that one (1) of the following protection devices are installed between all doors leading from the house and garage into the pool area. (Check one)

- 1). The pool shall be equipped with a power safety cover in compliance with ASTM F1346; or
- 2). All doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and its screen, if present, are opened. The alarm shall sound continuously for a minimum of 30 seconds immediately after the door is opened and be capable of being heard throughout the house during normal household activities. The alarm shall automatically reset under all conditions. The alarm shall be equipped with a manual means, such as a touchpad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation shall last for not more than 15 seconds. The deactivation switch(es) shall be located at least 54 inches above the threshold of the door; or
- 3). Other means of protection, such as self-closing doors with self-latching devices, which are approved by the governing body, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by Item 1 or 2 described above.

I certify that a Prosper Building Inspector has not inspected, and may/may not be inspecting the above noted pool protection device.

I/we hereby release, waive, discharge, hold harmless and indemnify and agree not to sue the Town of Prosper, Texas, its officials, officers, agent, representatives an employees, in either their public and/or private capabilities (hereinafter collectively referred to as the "Releasees") for any and all right and claims, including, but not limited to claims arising from the Releasees own negligence, which I/we and/or my/our minor child(ren) may have/has or which may hereafter accrue to me/us and/or my/our minor child(ren) and from any and all damages which may be sustained by me/us and/or my/our minor child(ren) directly or indirectly in connection with or arising out of my/our and or my/our minor child(ren)'s use, whether intended or unintended, of the pool located at the above-referenced residence.

PRINTED NAME (S): \_\_\_\_\_  
(HOMEOWNER(S))

SIGNATURE(S): \_\_\_\_\_  
(HOMEOWNER(S))  
Signed by all homeowners (i.e. Husband/Wife)

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, before me \_\_\_\_\_, Notary Public, personally appeared \_\_\_\_\_ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is (are) subscribed to this instrument, and acknowledged that he (she/they) executed it.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary's Signature

\_\_\_\_\_  
Notary's Name (print) w/commission expiration