



Control Number: 38825



Item Number: 231

Addendum StartPage: 0

SOAH DOCKET NO. 473-11-1266
PUC DOCKET NO. 38825

APPLICATION OF WIND ENERGY § BEFORE THE STATE OFFICE
TRANSMISSION TEXAS, LLC TO AMEND ITS §
CERTIFICATE OF CONVENIENCE AND §
AND NECESSITY FOR THE LONG DRAW TO § OF
SAND BLUFF, SAND BLUFF TO DIVIDE, AND §
SAND BLUFF TO BEARKAT 345-KV CREZ §
TRANSMISSION LINE IN BORDEN, COKE, §
GLASSCOCK, HOWARD, MITCHELL AND §
STERLING COUNTIES § ADMINISTRATIVE HEARINGS

2011 JAN -4 11:10:00

**RESPONSE TO WIND ENERGY TEXAS, LLS'S REQUEST FOR
CLARIFICATION CONCERNING REQUEST TO INTERVENE
OF ANGELA FOSTER**

COMES NOW, Angela Foster, also known as Angela Foster Meadow, by her Counsel, and files her Response to Wind Energy Transmission Texas, LLC's (WETT's) Request For Clarification Concerning Request To Intervene Of Angela Foster in the above styled and numbered proceeding. Angela Foster shows as follows:

I.

The Application of WETT identifies the Wayland Foster Estate and Wayland Lee Foster (who is also known as Wayland Lee Foster II) as landowners who may be directly affected by one or more proposed routes. The property owned by the Wayland Foster Estate has been distributed and the estate and trust created by the Last Will of Wayland Lee Foster have been closed. Attached hereto and incorporated herein is an Affidavit Regarding Termination Of the Wayland Lee Foster Estate Trust which has been duly recorded in Volume 27, Page 616 of the Official Public Records of Sterling County, Texas. All property which the Sterling County Central Appraisal District reflects as being owned by Wayland Lee Foster or by Wayland Foster Estate in Sterling County is actually owned one-half by Wayland Lee Foster II and one-half by Angela Foster Meadows.

II.

Pursuant to the closing and distribution of the Estate of Wayland Lee Foster and the closing and distribution of the Wayland Lee Foster Estate Trust, Angela Foster owns an undivided one-half interest in the following Tract Names as identified land in WETT's Application:

AP-TX-SL-008.000

AP-TX-SL-010.000

AP-TX-SL-005.000, and

AP-TX-SL-007.000

WHEREFORE, PREMISES CONSIDERED, Angela Foster prays that her Motion to Intervene be granted and that her standing be confirmed in this matter.

Respectfully submitted,

ALLEN L. PRICE
State Bar No. 16283800
SMITH • ROSE • FINLEY
A Professional Corporation
P.O. Box 2540
San Angelo, Texas 76902-2540
325/653-6721
FAX 325/653-9580

WALTER W. PFLUGER
State Bar No. 15891020
SMITH • ROSE • FINLEY
A Professional Corporation
P.O. Box 2540
San Angelo, Texas 76902-2540
325/653-6721
FAX 325/653-9580

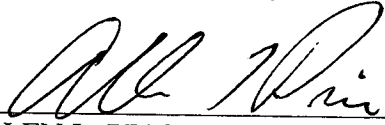
By: _____


ALLEN L. PRICE

ATTORNEYS FOR ANGELA FOSTER

CERTIFICATE OF SERVICE

This is to certify that on this 3rd day of January 2011, a true and correct copy of the foregoing was served on all parties of record via e-mail transmission, facsimile or regular mail.



ALLEN L. PRICE

AFFIDAVIT REGARDING TERMINATION
OF THE WAYLAND LEE FOSTER ESTATE TRUST

06 215

STATE OF TEXAS	§	050804	010536	
	§			
COUNTIES OF STERLING, COKE,	§		File # 2005-256	7
TOM GREEN, DICKENS,	§		King Co.	1
KING & STONEWALL	§			7

BEFORE ME, the undersigned authority, on this day personally appeared WILLIAM LESTER FOSTER III and after being duly sworn, stated that:

My name is WILLIAM LESTER FOSTER III. I am the trustee of the WAYLAND LEE FOSTER ESTATE ("the Trust") which was created by the Last Will and Testament of Wayland Lee Foster, Deceased which was filed for probate in Cause No. 821 in the County Court of Sterling County, Texas ("Last Will").

Paragraph 6.03 of the Last Will provides that the Trust terminates when the youngest child of Wayland Lee Foster attains age twenty-five. The youngest child of Wayland Lee Foster is Wayland Lee Foster II who was born on August 12, 1980. The Trust therefore terminated on August 12, 2005.

Pursuant to Paragraph 6.03 D of the Last Will, upon termination a life estate or term income interest in one-fourth of the oil, gas and other minerals in the Trust passed to the surviving spouse of Wayland Lee Foster if his spouse is then living and if she has not remarried. The surviving spouse of Wayland Lee Foster is Debra McClure Foster. Debra McClure Foster married Kennard Windam in 1984. Therefore the interest of Debra McClure Foster in the property of the Trust has terminated.

Pursuant to Paragraph 6.05 of the Last Will and the remarriage of Debra McClure Foster, all of the property in the Trust was distributed to the following named children of Wayland Lee Foster, Deceased. Wayland Lee Foster was survived by two children as follows:

ANGELA FOSTER MEADOWS
2011 So. County Rd 1120
Midland, Texas 79706

WAYLAND LEE FOSTER II
P. O. Box 116
Sterling City, Texas 76951

Both of those children are now living and the assets of the Trust have been distributed, and are hereby distributed equally to ANGELA FOSTER MEADOWS and WAYLAND LEE FOSTER II as provided by the Last Will. Affiant, as Trustee of the Trust in consideration of the termination

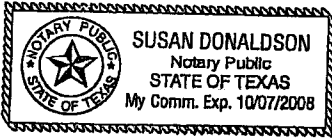
of the Trust hereby grants and conveys the trust estate of the Trust to ANGELA FOSTER MEADOWS and WAYLAND LEE FOSTER II in the manner provided by the Last Will.

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William Lester Foster III
WILLIAM LESTER FOSTER III, Individually
and as Trustee of the Wayland Lee Foster
Estate Trust

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SUBSCRIBED AND SWORN TO BEFORE ME AND ACKNOWLEDGED BEFORE ME
BY WILLIAM LESTER FOSTER III individually and in the capacity stated on this 12th day
of August, 2005 to certify which witness my hand seal of office.



Susan Donaldson
Notary Public, State of Texas

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FILED 13348

AT 11:45 O'CLOCK A M
ON THE 16 DAY OF August
A.D., 2005

STATE OF TEXAS
COUNTY OF STERLING
I hereby certify that this instrument was FILED on
the date and at the time stamped hereon by me and
was duly RECORDED in the Volume and Page of
the OPR Records of Sterling
County, Texas.

Susan Whitsett Deputy

BY Diane A. Browne DEPUTY



DIANE A. BROWNE
County and District Clerk,
Sterling County, Texas

VOL 27 PAGE 616
RECORDED Aug 17, 2005

DIANE A. BROWNE
COUNTY AND DISTRICT CLERK
STERLING COUNTY, TEXAS

AFFIDAVIT REGARDING TERMINATION OF WAYLAND LEE FOSTER ESTATE TRUST - Page 2

06 215

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9

700
500
SMITH, ROSE, FINLEY, HARP & PRICE
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
86 WEST BEAUREGARD, SUITE 300
P. O. Box 2540
SAN ANGELO, TEXAS 76902-2540

FILED FOR RECORD
10 O'CLOCK *AM*
THE *9th* DAY OF
September A.D. *2005*
I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the Volume and Page of the named RECORDS of Dickens County, Texas as written hereon by me.



STATE OF TEXAS }
COUNTY OF DICKENS } OFFICIAL
PUBLIC
RECORD

VOL. *252* PAGE *334*

Shirley Humphrey
COUNTY CLERK, DICKENS COUNTY, TEXAS

Shirley Humphrey
DEPUTY

FILED FOR RECORD
AT *11:30* O'CLOCK *A* M
ON THE *24* DAY OF *Aug.*
A.D. *2005*

STATE OF TEXAS
COUNTY OF COKE
I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the Volume and Page of the *OPR* Records of Coke County, Texas.



Mary Brim
COUNTY CLERK, COKE COUNTY, TEXAS

Mary Brim
County Clerk, Coke County, Texas

BY *Sharon Lee*
SHARON LEE DEPUTY
ROBIN MUNOZ DEPUTY

VOL. *187* PAGE *228*
RECORDED *8/24/05*

STATE OF TEXAS
COUNTY OF TOM GREEN

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me, and was duly RECORDED in the Official Public Records of Real Property of Tom Green County, Texas on

SEP 02 2005

Elizabeth McGill

ELIZABETH MCGILL COUNTY CLERK
TOM GREEN COUNTY, TEXAS



FILED FOR RECORD

2005 AUG 31 PM 3:11

ELIZABETH MCGILL
COUNTY CLERK
COUNTY OF TOM GREEN, TEXAS

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