



Control Number: 42983



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42983

**BILL OF SALE AND ASSIGNMENT**

RECEIVED

Date: August 13, 2015

2015 AUG 13 AM 11:05

Grantor: City of San Marcos, Texas

PUBLIC UTILITY COMMISSION  
FILING CLERK

Grantor's Mailing Address:

City of San Marcos, Texas  
630 E. Hopkins  
San Marcos, Texas 78666

Grantee: Crystal Clear Water Supply Corporation

Grantee's Mailing Address:

Crystal Clear Water Supply Corporation  
2370 FM 1979  
San Marcos, Texas 78666

Consideration: Ten dollars (\$10.00) and other good and valuable consideration in hand paid by Grantee.

Grantor, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, sells, assigns, and transfers to Grantee:

- 1) A portion of Grantor's service area authorized by its certificate of convenience and necessity, as defined in that certain "Application of Crystal Clear Water Supply Corporation and City of San Marcos for Sale, Transfer, or Merger of Facilities and to Amend a Certificate of Convenience and Necessity in Comal, Guadalupe, and Hays Counties (37671-s)," ("Application") also referred to as PUC Case No. 42983 and 42984, between Grantor and Grantee dated September 16, 2014.

GRANTEE ACKNOWLEDGES AND ACCEPTS THAT IT IS ACCEPTING THE ABOVE-DESCRIBED ASSETS IN THEIR "AS-IS, WHERE-IS" CONDITION AND "WITH ALL FAULTS" AND DEFECTS AS OF THE CLOSING AND SPECIFICALLY AND EXPRESSLY WITHOUT ANY WARRANTIES, REPRESENTATIONS, OR ANY OTHER GUARANTEES, EITHER EXPRESS OR IMPLIED, AS TO THEIR CONDITION FITNESS FOR ANY PARTICULAR PURPOSE, MERCHANTABILITY OR ANY OTHER WARRANTY OF ANY KIND, NATURE, OR TYPE WHATSOEVER FROM OR ON BEHALF OF GRANTOR OTHER THAN THIRD-PARTY WARRANTIES TO THE EXTENT SAME ARE ASSIGNABLE.

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Notwithstanding the foregoing, Grantor makes to Grantee those certain, limited representations and warranties set forth in the attached "Closing Certificate," attached hereto as **Exhibit A**, and incorporated herein for all purposes.


Grantor agrees to hereafter cooperate with Grantee, take such actions, and execute such other specific documents as may be necessary or appropriate to accomplish the transfers contemplated in the Application and this document. Grantee hereby assumes and agrees to perform regulatory obligations required in connection with the assets defined in the Application upon final transfer.

Grantor also expresses its concurrence to transfer of the assets defined in the Agreement to Grantee by the Public Utility Commission of Texas.

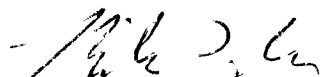
When the context requires, singular nouns and pronouns include the plural, Reference to defined terms shall refer to those terms as defined in the Agreement.

Executed and effective on the date set forth on the first page above:

GRANTOR:  
City of San Marcos

By:   
Name: THOMAS P. TABBART  
Title: EXEC. DIRECTOR OF PUBLIC SERVICES  
CITY OF SAN MARCOS

ACCEPTED  
GRANTEE:  
Crystal Clear Water Supply Corporation

By:   
Name: Mike Taylor  
Title: General Manager

**PUBLIC UTILITY COMMISSION OF TEXAS**  
Docket Number 42983

**STATE OF TEXAS**

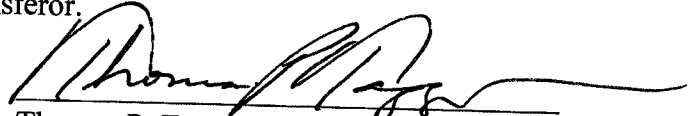
**COUNTY OF HAYS**

**AFFIDAVIT OF CLOSING**

I, Thomas P. Taggart, certify that I am the Executive Director of the Public Services Department of the City of San Marcos, including the City of San Marcos Water and Wastewater Utility Department, (Transferor), the public utility, portions of which, are being sold and transferred in the above-referenced Docket. The sale and transfer of portions of the utility and its assets closed on August 12, 2015. Management and control of the utility system transferred on August 12, 2015 resulting in the completion of the transaction.

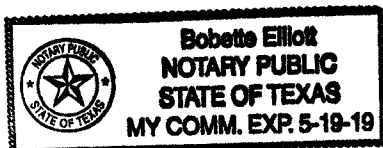
All customer deposits were refunded before or at closing.


The Transferor consents to the transfer of portions of the certificate of convenience and necessity (CCN) area that is the subject of the application to be transferred to the Transferee, Crystal Clear Water Supply Corporation. By affixing my authorized signature below, Transferor grants to Transferee its power of attorney to undertake on the Transferor's behalf all actions necessary to effectuate the partial CCN transfer, including, but not limited to, executing all necessary consent documents on behalf of the Transferor.



Thomas P. Taggart, Executive Director  
City of San Marcos Public Services  
Department

SWORN AND SUBSCRIBED TO under oath by Thomas P. Taggart on behalf of the above-identified Transferor before the undersigned notary public in witness of which I place my hand and seal on this 13 day of August, 2015.



  
Print name: Bobette Elliott  
Notary Public for the State of Texas  
Commission expires: 5/19/19