

Control Number: 42992



Item Number: 16

Addendum StartPage: 0

House Bill (HB) 1600 and Senate Bill (SB) 567 83rd
Legislature, Regular Session, transferred the functions
relating to the economic regulation of water and sewer
utilities from the TCEQ to the PUC effective
September 1, 2014.

42992

Mary Damron

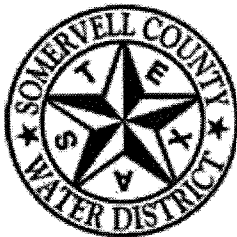
From: Kevin Taylor <ktaylor@scwd.com>
Sent: Monday, July 21, 2014 4:04 PM
To: Mary Damron
Subject: Cheyenne Hills closing Documents
Attachments: Cheyenne Hills executed closing docs..pdf

Mary, Please find attached the closing documents for Cheyenne Hills. Please let me know if you need anything else.

Thanks,

Kevin Taylor

General Manager
Somervell County Water District
PH 254-897-4141
Fax 254-897-7461



RECEIVED
2014 SEP 11 AM 9:52
PUBLIC UTILITY COMMISSION
FILING CLERK

16

BILL OF SALE AND ASSIGNMENT

THIS BILL OF SALE AND ASSIGNMENT (this "Bill of Sale") is made by **CHEYENNE HILLS GLEN ROSE 618 LIMITED PARTNERSHIP, ACTING BY AND THROUGH ITS GENERAL PARTNER, TRIARCH INVESTMENTS, LLC**, a Texas Limited Liability Company ("Seller"), in favor of **SOMERVELL COUNTY WATER DISTRICT** ("Buyer" or "District"), to be delivered and effective on the "Effective Date" (as defined below).

WITNESSETH

Seller and Buyer entered into that certain Water Utility Sale and Transfer Agreement for Cheyenne Hills Glen Rose 618 Limited Partnership, acting by and through its General Partner, Triarch Investment, LLC, dated effective as of July 21st, 2014 (the "Transfer Agreement").

Under the terms of the Transfer Agreement, Seller has agreed to transfer to Buyer certain real property more particularly described and/or referenced in the Transfer Agreement.

NOW, THEREFORE, as of the date hereof, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Seller does hereby absolutely and unconditionally give, grant, bargain, sell, transfer, set over, assign, convey, release, confirm and deliver to Buyer all of Seller's right, title and interest in and to the equipment and other personal property located on the real property described in Exhibit A and the personal property described in Exhibit B attached hereto (collectively, the "**Personal Property**") and agrees to warrant and forever defend, all and singular, its right, title and interest in the Personal Property unto Buyer against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through or under Seller, but not otherwise.

Except as otherwise specifically provided in this Bill of Sale, Buyer acknowledges that Seller makes no representation or warranty, either express or implied, with respect to (i) the condition of the Personal Property's and/or its fitness or suitability for any particular purpose; and/or (ii) the collectability of any receivables and the enforceability of, any contract rights included in the Personal Property. The transfer hereunder is made "**AS IS**" "**WHERE IS,**" **WITH ALL FAULTS** associated therewith. In this respect, Buyer confirms that Buyer is relying solely upon its investigation of the present condition of the Personal Property.

This Bill of Sale shall be binding upon and inure to the benefit of the successors, assigns, personal representative, heirs and legatees of Buyer and Seller.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, Seller has executed this Bill of Sale as of the 21st day of July, 2014.

SELLER:

CHEYENNE HILLS GLEN ROSE 618
LIMITED PARTNERSHIP, ACTING BY AND
THROUGH ITS GENERAL PARTNER,
TRIARCH INVESTMENTS, LLC

BY: Jeffery S. Ezzell

Name: Jeffery S. Ezzell

Title: Vice-President

ACKNOWLEDGED AND AGREED:

SOMERVELL COUNTY WATER DISTRICT

By: [Signature]

Name: Kevin Taylor

Title: General Manager

Exhibit "A"

Field Notes For:

A 0.98 acre lot in the Sarah Odell Survey, Abstract No. 79, Somervell County, Texas, being Well Lot 1 of Cheyenne Hills Estates Addition, First Filing, Map of Second Revision, subdivision plat recorded in Volume 76, Page 312 of the Somervell County Real Property Records, Plat Cabinet One, Slide No. 87, being more particularly described, referenced to Texas Coordinate System, North Central Zone, 1983 Datum, as follows:

Beginning at the southeasterly corner of said Well Lot, in the westerly line of Cheyenne Trail, being the northwesterly corner of Lot 25 of said addition;

Thence South 77deg. 30min. 40sec. West, along the common line of said Well Lot 1 and Lot 25, for a distance of 347.88 feet to the common westerly corner of said lots, in the easterly line of Lot 36;

Thence North 30deg. 56min. 19sec. West, along the common line of Well Lot 1 and Lot 36, for a distance of 130.00 feet to the northwesterly corner of Well Lot 1, in the southerly line of Lot 24 of said addition;

Thence North 77deg. 30min. 40sec. East, along the common line of Well Lot 1 and Lot 24 of said addition, for a distance of 368.86 feet to the common easterly corner of said lots;

Thence South 30deg. 56min. 19sec. East, along the westerly line of Cheyenne Trail, for a distance of 130.00 feet to the Place of Beginning and, containing 0.98 acres of land.

Compiled from existing records on February 22, 2013.

W. L. "Will" Vaughn
R.P.L.S. No. 1807

EXHIBIT B

CHEYENNE HILLS WATER SYSTEM

Inventory of Cheyenne Hills Water System located on Hwy 67 Ease of Glen Rose.

- 21,600 Gallon Ground Storage Tank
- 2 Booster Pumps 60 GPM Each
- 15 Fire Hydrants
- 23 Residential Services
- Appx. 9720 LF 6" Diameter C-900 Class 150, SDR 18 PVC Pipe
- 6 ea. 6" Gate Valves
- 1200 Gallon Pressure Tank
- 35 GPM Well
- 396 sq. ft. Pump House