



Control Number: 43105



Item Number: 20

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.

43105

TIEMANN, SHAHADY & HAMALA, P.C.

TELEPHONE (512) 251-1920

PFLUGERVILLE, TEXAS 78660
102 N. RAILROAD AVE. 78660

RECEIVED
2014 SEP 19 AM 11:00
FACSIMILE (512) 251-8540
PUBLIC UTILITY COMMISSION
FILING CLERK

July 2, 2014

Texas Commission on Environmental Quality
Water Supply Division
Utilities and District Section, MC-153
PO Box 13087
Austin, TX 78711-3087

By Hand Delivery

Re: Application No. 37835-C
City of Pflugerville's Application to Amend CCN No. 20678

Dear Sir or Madam:

This firm represents Robert M. Tiemann, who is the owner of a tract of land containing 202.35 acres, more or less, that is located within the area proposed to be added to the service area of CCN No. 20678 held by the City of Pflugerville. A metes and bounds description of the 202.35 acre tract of land is attached to this letter as Exhibit A. The general location of the 202.35 acre tract of land is shown on the maps attached to this letter as Exhibit B. This letter shall serve as Mr. Tiemann's election, pursuant Section 13.246(h) of the Texas Water Code, to exclude this tract of land from the proposed service area requested in the City of Pflugerville's application.

If you have any questions regarding this request for exclusion, my contact information is as follows:

Richard L. Hamala
Tiemann, Shahady & Hamala, P.C.
102 N. Railroad Ave.
Pflugerville, TX 78660
Phone: 512-251-1920
Fax: 512-251-8540
rhamala@tiemannlaw.com

Sincerely,

Richard Hamala

Richard L. Hamala

cc: Thomas E. Word, Assistant City Manager, City of Pflugerville

2014 JUL 2 PM 10 CH

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JUL 02 2014
UTILITIES & DISTRICTS
SECTION
20

EXHIBIT A

The tract requested to be excluded is comprised of Tract 1 containing 200.24 acres, more or less, plus Tract 2 containing 3.5 acres, more or less, plus Tract 3 containing 0.61 acres, more or less, save and except the 1.00 acre "Director's Lot" tract containing 1.00 acres, more or less, all of which are described by metes and bounds on the following pages.

EXHIBIT A

A PARCEL OF LAND IN TRAVIS COUNTY AND WILLIAMSON COUNTY, TEXAS, BEING A PART OF THE JOHN C. DUVAL SURVEY NO. 14, AND BEING ALL OF THAT 200 ACRE TRACT OF LAND CONVEYED BY ED. M. DOWNING TO THEO. TIMMERMAN BY DEED RECORDED IN VOLUME 194, PAGE 425 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A ½" IRON ROD WITH CAP MARKED "RJS" SET IN THE EAST LINE OF THAT 199.80 ACRE TRACT OF LAND CONVEYED TO DON LEE WEISS AND GLADYS O. WEISS BY DEED RECORDED IN VOLUME 2624, PAGE 275 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, THE SAME BEING THE NORTHWEST CORNER OF THAT 200.00 ACRE TRACT OF LAND CONVEYED TO CLARENCE MELBER AND WIFE, BETTY MELBER BY DEED RECORDED IN VOLUME 1865, PAGE 542 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, THE SAME BEING THE SOUTHWEST CORNER OF THE SAID 200 ACRE TRACT OF LAND DESCRIBED IN VOLUME 194, PAGE 425, FROM WHICH POINT THE SOUTHWEST CORNER OF THE SAID MELBER 200.00 ACRE TRACT AND THE SOUTHWEST CORNER OF THE 520 ACRE TRACT OF THE J. W. DARLINGTON ESTATE BEARS THENCE S.09°20'30"W. A DISTANCE OF 1901.24 FEET;

THENCE N.09°14'25"E., ALONG THE WEST LINE OF THE SAID 200 ACRE TRACT, AT A DISTANCE OF 218.21 FEET PASS A 10" SQUARE CONCRETE MONUMENT FOUND FOR THE SOUTHEAST CORNER OF LOT 13, ROWE LANE ESTATES SECTION TWO, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET K, SLIDES 141, 142 AND 143 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS AND ALSO RECORDED IN VOLUME 91, PAGES 71, 72 AND 73 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, IN ALL A TOTAL DISTANCE OF 912.11 FEET TO A ½" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID LOT 13 AND TO THE SOUTH LINE OF GATE DANCER LANE;

THENCE N.09°01'56"E., ALONG THE EASTERLY TERMINUS OF GATE DANCER LANE AS SHOWN ON THE SAID PLAT OF ROWE LANE ESTATES SECTION TWO AND ALONG THE WEST LINE OF THE SAID 200 ACRE TRACT, A DISTANCE OF 59.98 FEET TO A ½" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF LOT 12, ROWE LANE ESTATES SECTION TWO;

THENCE N.09°06'02"E., ALONG THE EAST LINE OF SAID LOT 12 AND ALONG THE WEST LINE OF THE SAID 200 ACRE TRACT, A DISTANCE OF 708.76 FEET TO A METAL TEE FENCE POST FOR THE NORTHEAST CORNER OF SAID LOT 12 AND THE SOUTHEAST CORNER OF LOT 7, ROWE LANE ESTATES 1, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET K, SLIDES 75 AND 76 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS;

THENCE N.09°21'45"E., ALONG THE EAST LINE OF SAID LOT 7 AND ALONG THE WEST LINE OF THE SAID 200 ACRE TRACT, A DISTANCE OF 378.13 FEET TO A ½" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID LOT 7 AND THE SOUTHEAST CORNER OF LOT 6;

THENCE N.09°14'41"E., ALONG THE EAST LINE OF SAID LOT 6 AND ALONG THE WEST LINE OF THE SAID 200 ACRE TRACT, A DISTANCE OF 378.40 FEET TO A ½" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID LOT 6 AND THE SOUTHEAST CORNER OF LOT 5;

THENCE N.09°22'38"E., ALONG THE EAST LINE OF SAID LOT 5 AND ALONG THE WEST LINE OF THE SAID 200 ACRE TRACT, A DISTANCE OF 379.77 FEET TO A ½" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID LOT 5 AND THE SOUTHEAST CORNER OF LOT 1;

THENCE N.09°12'20"E., ALONG THE EAST LINE OF SAID LOT 1 AND ALONG THE WEST LINE OF THE SAID 200 ACRE TRACT, A DISTANCE OF 359.26 FEET TO A ½" IRON ROD WITH CAP MARKED "RJS" SET FOR THE NORTHWEST CORNER OF THE SAID 200 ACRE TRACT;

THENCE S.80°55'56"E., ALONG SAID NORTH LINE, A DISTANCE OF 2739.44 FEET TO A ½" IRON ROD WITH CAP MARKED "RJS" SET FOR THE NORTHEAST CORNER OF THE SAID 200 ACRE TRACT;

THENCE S.09°00'34"W., ALONG THE EAST LINE OF THE SAID 200 ACRE TRACT AND ALONG THE WEST SIDE OF COUNTY ROAD 198 AND MELBER LANE, IN PART, A DISTANCE OF 3176.39 FEET TO A 60d NAIL FOUND IN A FENCE FOR THE SOUTHEAST CORNER OF THE SAID 200 ACRE TRACT AND THE FOR THE NORTHEAST CORNER OF THE SAID 200.00 ACRE MELBER TRACT;

THENCE N.80°55'56"W., ALONG THE SOUTH LINE OF THE SAID 200 ACRE TRACT, THE SAME BEING THE NORTH LINE OF THE SAID 200.00 ACRE MELBER TRACT, A DISTANCE OF 2751.81 FEET TO THE SAID POINT OF BEGINNING.

CONTAINING 200.24 ACRES, MORE OR LESS.

John K. Weigand 11-10-03
JOHN KENNETH WEIGAND
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5741
STATE OF TEXAS

RJ SURVEYING, INC.
1212 EAST BRAKER LANE
AUSTIN, TEXAS 78753



A PARCEL OF LAND IN TRAVIS COUNTY AND WILLIAMSON COUNTY, TEXAS, BEING A PART OF THE JOHN C. DUVAL SURVEY NO. 14, AND BEING A PART OF THAT FOUR ACRE TRACT OF LAND CONVEYED BY ED. M. DOWNING TO THEO. TIMMERMAN BY DEED RECORDED IN VOLUME 194, PAGE 425 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT ½" IRON ROD WITH CAP MARKED "RJS " SET IN THE EAST LINE OF LOT 1, ROWE LANE ESTATES 1, ACCORDING THE PLAT THEREOF RECORDED IN CABINET K, SLIDES 75 AND 76 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, THE SAME BEING THE NORTHWEST CORNER OF THAT 200 ACRE TRACT OF LAND DESCRIBED IN THE SAID DEED RECORDED IN VOLUME 194, PAGE 425, AND ALSO BEING THE SOUTHWEST CORNER OF THE SAID FOUR ACRE TRACT ;

THENCE N.09°12'20"E., ALONG THE EAST LINE OF SAID LOT 1, IN PART AND ALONG THE WEST LINE OF THE SAID 4 ACRE TRACT, AT A DISTANCE OF 463.44 FEET PASS A ½" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID LOT 1, AND AT A DISTANCE OF 472.96 FEET PASS A ½" IRON ROD SET IN CONCRETE FOR THE NORTHEAST CORNER OF SAID PLAT OF ROWE LANE ESTATES 1, IN ALL A TOTAL DISTANCE OF 501.00 FEET TO THE NORTHWEST CORNER OF THE SAID 4 ACRE TRACT AND TO A POINT NEAR THE CENTER OF COUNTY ROAD 198;

THENCE S.80°55'56"E., ALONG THE NORTH LINE OF THE SAID 4 ACRE TRACT, A DISTANCE OF 61.40 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT;

THENCE CROSSING THE SAID FOUR ACRE TRACT AND ALONG THE CENTER LINE OF COUNTY ROAD 198 THE FOLLOWING TWO (2) COURSES:

1. SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 168.01 FEET (SAID CURVE HAVING A RADIUS OF 300.00 FEET, A CENTRAL ANGLE OF 32°05'13" AND A CHORD BEARING S.49°41'04"E., 165.82 FEET);
2. S.33°38'26"E. A DISTANCE OF 253.00 FEET TO THE EAST LINE OF THE SAID FOUR ACRE TRACT;

THENCE S.09°12'20"W., ALONG SAID EAST LINE, A DISTANCE OF 229.07 FEET TO THE SOUTHEAST CORNER OF THE SAID FOUR ACRE TRACT AND TO A ½" IRON ROD WITH CAP MARKED "RJS" SET;

THENCE N.80°55'56"W., ALONG THE SOUTH LINE OF THE SAID FOUR ACRE TRACT, THE SAME BEING THE NORTH LINE OF THE 200 ACRE TRACT, A DISTANCE OF 375.42 FEET TO THE SAID POINT OF BEGINNING.

CONTAINING 3.50 ACRES, MORE OR LESS.

John K. Weigand 11-10-03
JOHN KENNETH WEIGAND
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5741
STATE OF TEXAS

RJ SURVEYING, INC.
1212 EAST BRAKER LANE
AUSTIN, TEXAS 78753



TRACT 3

A PARCEL OF LAND IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THE J. C. DUVAL SURVEY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A ½" IRON ROD WITH MARKED "RJS" SET IN THE NORTH LINE OF THAT 200 ACRE TRACT OF LAND CONVEYED TO THEO TIMMERMAN BY DEED RECORDED IN VOLUME 194, PAGE 425 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, THE SAME BEING THE SOUTHEAST CORNER OF THAT FOUR ACRE TRACT OF LAND CONVEYED TO THEO TIMMERMAN BY THE SAID DEED RECORDED IN VOLUME 194, PAGE 425

THENCE N.09°12'20"E., ALONG THE EAST LINE OF THE SAID FOUR ACRE TRACT, A DISTANCE OF 229.07 FEET TO THE CENTER OF COUNTY ROAD 198;

THENCE ALONG THE CENTER OF COUNTY ROAD 198 THE FOLLOWING TWO (2) COURSES:

1. S.33°38'26"E. A DISTANCE OF 180.39 FEET TO A POINT OF CURVATURE OF A CURVE TO THE LEFT;
2. SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT A DISTANCE OF 247.82 FEET, (SAID CURVE HAVING A RADIUS OF 300.00 FEET, A CENTRAL ANGLE OF 47°17'29", AND A CHORD BEARING S.57°17'11"E., 240.85 FEET) TO A POINT IN THE NORTH LINE OF THE SAID 200 ACRE TRACT;

THENCE N.80°55'58"W., ALONG SAID NORTH LINE, A DISTANCE OF 343.35 FEET TO THE SAID POINT OF BEGINNING.

CONTAINING 0.61 ACRE, MORE OR LESS.

1.00 acre
Director's Lot

A PARCEL OF LAND IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THE JOHN C. DUVAL SURVEY No. 14, AND BEING A PART OF THAT 203.74 ACRE TRACT OF LAND CONVEYED TO ROBERT M. TIEMANN BY DEED RECORDED IN DOCUMENT No. 2003114459 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT an iron rod set for the northeast corner of the 203.74 acre tract;

THENCE N.80°55'56"W., along the north line of the 203.74 acre tract, a distance of 550.00 feet to a point;

THENCE S.09°04'04"W., crossing said 203.74 acre tract, a distance of 200 feet to a ½" iron rod set for the northeast corner and Point of Beginning of the herein described tract;

THENCE S.09°04'04"W. a distance of 217.80 feet to a point, for the southeast corner of this tract;

THENCE N.80°55'56"W. a distance of 200.00 feet to a point, for the southwest corner of this tract;

THENCE N.09°04'04"E. a distance of 217.80 feet to a point, for the northwest corner of this tract;

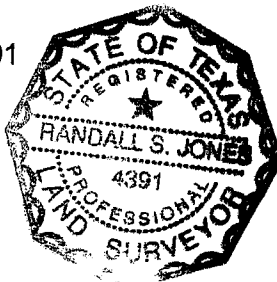
THENCE S.80°55'56"E. a distance of 200.00 feet to the said Point of Beginning containing 1.00 acres, more or less.

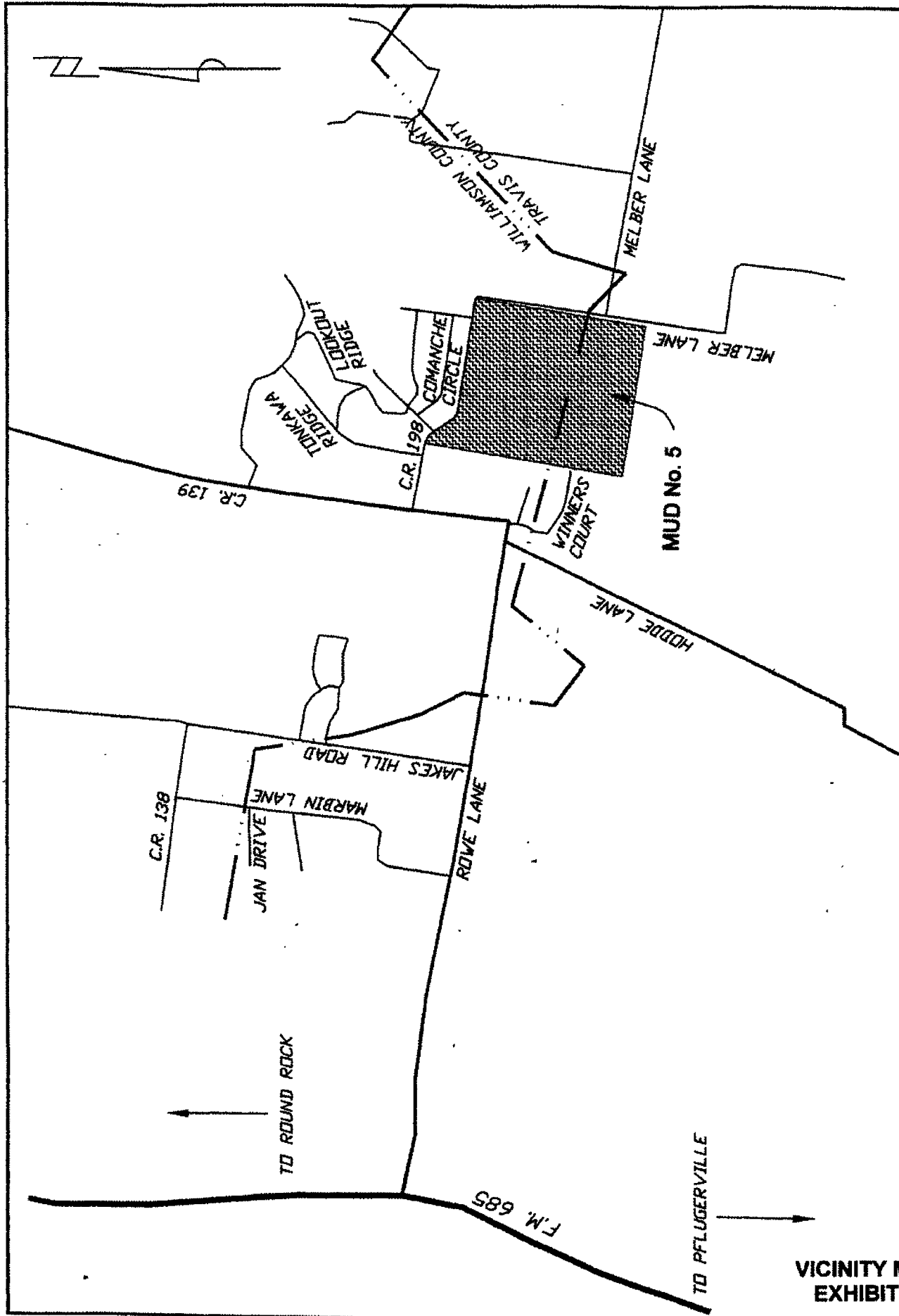
This document was prepared under 22TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Randall S. Jones
Randall S. Jones
Registered Professional Land Surveyor No. 4391
State of Texas

3/3/06

RJ Surveying, Inc.
1212 East Braker Lane
Austin, Texas 78753





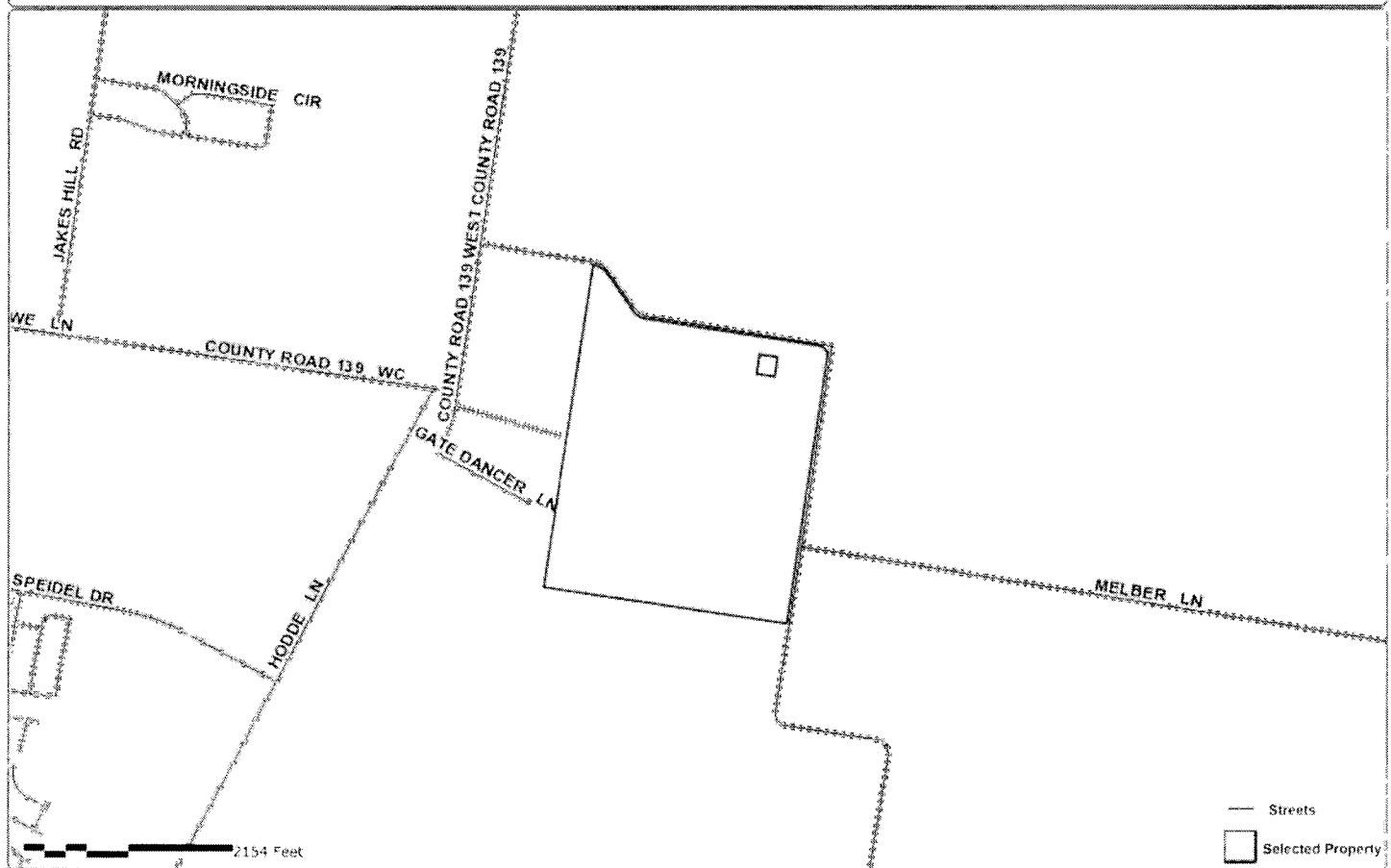
DATE: JAN. 05, 2005 SCALE: N.T.S.

RANDALL JONES ENGINEERING

1212 E. BRAKER LANE AUSTIN, TEXAS 78753 (512) 836-4793

VICINITY MAP
EXHIBIT B

Travis CAD - Map of Property ID 281910 for Year 2014



Property Details

Account

Property ID: 281910

Geo ID: 0283600404

Type: Real

Legal Description: ABS 235 SUR 14 DUVAL J C ACR 199.2400 (95.670A IN TRAVIS COUNTY) (1-D-1)

Location

Situs Address: HODDE LN TX 78660

Neighborhood: Land Region 317

Mapsco:

Jurisdictions: 0A, 2J, 03, 9B, 19

Owner

Owner Name: TIEMANN ROBERT M

Mailing Address: , 4421 ROWE LN, , PFLUGERVILLE, TX 78660-7827

<http://propaccess.traviscad.org/Map/View/Map/1/281910/2014>

PropertyACCESS

Map Disclaimer: This tax map was compiled solely for the use of CAD. Areas depicted by these digital products are approximate, and are not necessarily accurate to mapping, surveying or engineering standards. Conclusions drawn from this information are the responsibility of the user. The CAD makes no claims, promises or guarantees about the accuracy, completeness or adequacy of this information and expressly disclaims liability for any errors and omissions. The mapped data does not constitute a legal document.

EXHIBIT B