

Control Number: 43105



Item Number: 23

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.

TIEMANN, SHAHADY & HAMALA, P.C.

TELEPHONE (512) 251-1920

102 N. RAILROAD AVE.
PFLUGERVILLE, TEXAS 78660

2014 SEP 19 AM 11:00
FACSIMILE (512) 251-8540

PUBLIC HEALTH CO. FILING CLERK

July 3, 2014

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

VIA HAND DELIVERY

100-400
7027
WILLIAM L. BELL
2011 JUL 3 PM 9 31
Y

Re: City of Pflugerville's Application to Amend Sewer Certificate of Convenience and Necessity No. 20678; Application No. 37835-C

Dear Sir or Madam:

This firm represents Lakeside Municipal Utility District Nos. 5 and 6 (the “Districts”). Both of the Districts received the City of Pflugerville’s notice dated June 3, 2014, regarding the City’s Application No. 37835-C to amend Sewer Certificate of Convenience and Necessity (“CCN”) No. 20678 to include additional service area within Travis and Williamson Counties. On behalf of the Districts, we request a public hearing on the application by City of Pflugerville to Amend CCN No. 20678.

The land within the boundaries of each District is within the proposed additional service area requested by the City. The Districts were created for the purpose of providing water, wastewater, and drainage service to future residents of the Districts. The Districts would be adversely affected by the granting of the service area requested in the application because placing the land within the Districts in the certificated service area of the City of Pflugerville would interfere with the District's providing wastewater service within their boundaries.

The adjustment to the application that would satisfy the concerns of the Districts would be to remove the land within the boundaries of each District from the sewer service area requested in the City's application. To assist with the requested action, attached are the metes and bounds descriptions of each District.

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TCEQ
July 3, 2014
Page 2

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,

A handwritten signature in cursive script that reads "Richard Hamala".

Richard L. Hamala

Enclosures

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

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 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 S.09°20'30"W., 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 118.56 feet;

Thence crossing the said 200 acre tract the following four courses:

1. S.80°46'16"E. A distance of 147.38 feet to a point on a non-tangent curve to the right;
2. Easterly along the arc of said curve, a distance of 138.82 feet (said curve having a radius of 150.00 feet, a central angle of 53°01'29" and a chord bearing N.71°06'40"E., 133.92 feet);
3. N.09°13'44"E. A distance of 120.06 feet;
4. N.88°13'37"E. A distance of 309.79 feet to the North Line of the said 200 Acre Tract;

Thence S.80°55'56"E., along said North Line, a distance of 2169.75 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 198.69 acres, more or less.

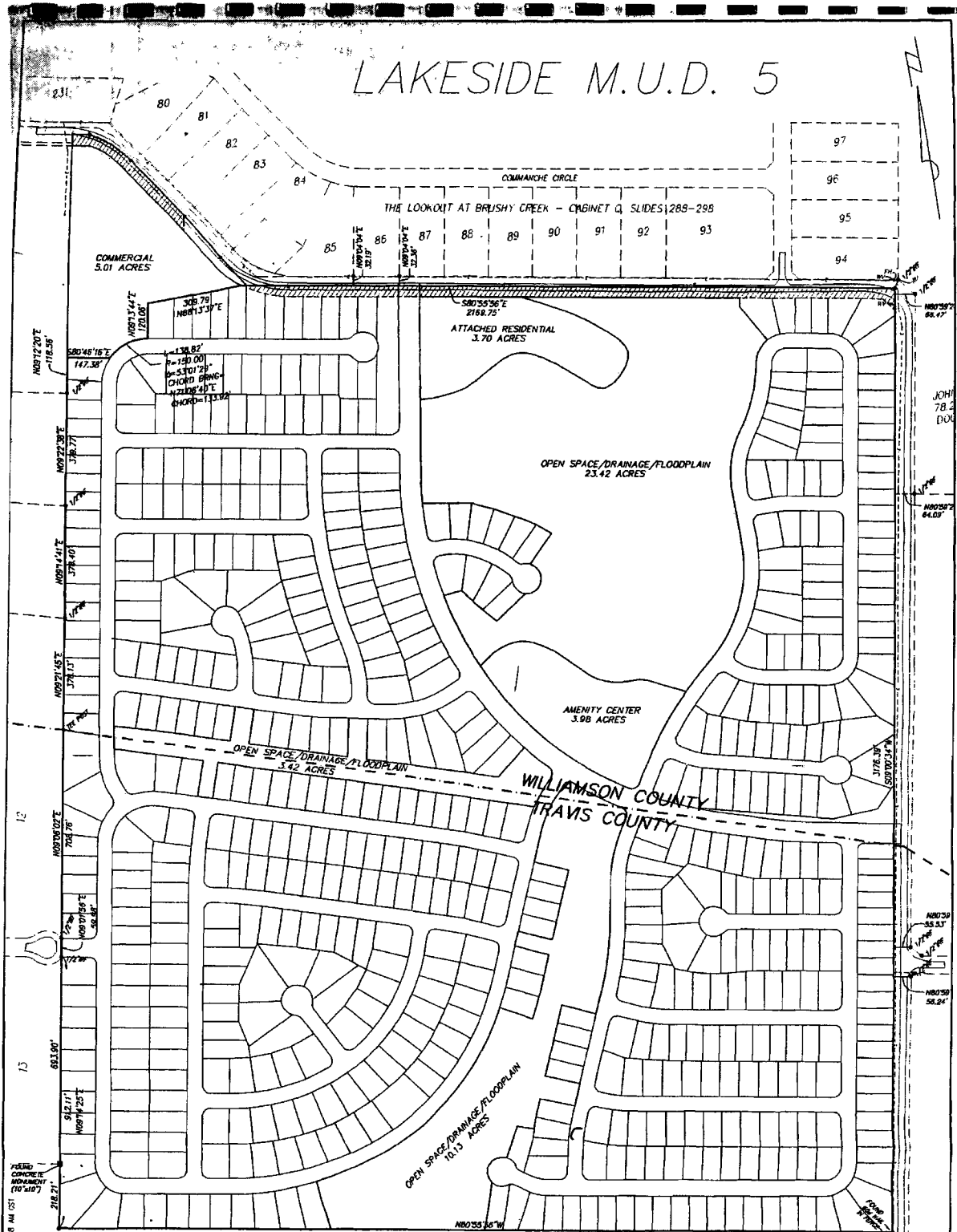

J. Kenneth Weigand
Registered Professional Land Surveyor No. 5741
State of Texas



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

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.

LAKEVIEW M.U.D. 5



WILLIAMSON COUNTY		LOTS	ACRES
SINGLE FAMILY		257	71.42
ATTACHED RESIDENTIAL		43	3.70
AMENITY		1	3.98
OPEN SPACE/DRAINAGE/FLOODPLAIN		3	25.57
TOTAL		304	104.67

TRAVIS COUNTY		LOTS	ACRES
SINGLE FAMILY		334	82.68
ATTACHED RESIDENTIAL		0	0
AMENITY		0	0
OPEN SPACE/DRAINAGE/FLOODPLAIN		2	11.40
TOTAL		336	94.08

LAND USE SCHEDULE		LOTS	ACRES
SINGLE FAMILY		591	154.04
ATTACHED RESIDENTIAL		43	3.70
AMENITY		1	3.98
OPEN SPACE/DRAINAGE/FLOODPLAIN		3	36.97
TOTAL		638	198.69

DATE: JANUARY 13, 2005 SCALE: 1"=300'

RANDALL JONES ENGINEERING, INC.
RJ SURVEYING, INC.

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

Lakeside WCID No. 6 – 110.89 Acres

A PARCEL OF LAND IN TRAVIS COUNTY, TEXAS, BEING A PART OF THE JUAN ZAMBRANO SURVEY No. 37, ABSTRACT No. 845; THE J. L. HUME SURVEY No. 52, ABSTRACT No. 2336; AND THE J. H. DENSON SURVEY No. 36, ABSTRACT No. 234, BEING A PART OF THAT 124.098 ACRE TRACT OF LAND CONVEYED TO ROBERT M. TIEMANN BY DEED RECORDED IN DOCUMENT No. 2001056689 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at a point in the West Line of Engleman Road, for the Northeast Corner of that 40.0 Acre Tract of land conveyed to Marvin E. Weiss by deed recorded in Document No. 2002059515 of the Official Public Records of Travis County, Texas, the same being the Southeast Corner of the said 124.098 Acre Tract;

THENCE N.59°33'48"W., along the South Line of the 124.098 Acre Tract and the North Line of the said 40.0 Acre Tract, a distance of 1562.87 feet to the Northwest Corner of the 40.0 Acre Tract and the Northeast Corner of that 5.35 Acre Tract of land conveyed to Thomas McKinney and Tassa Mc Kinney by deed recorded in Document No. 2003293479 of the Official Public Records of Travis County, Texas;

THENCE N.59°50'46"W., along the South Line of the 124.098 Acre Tract and the North Line of 5.35 Acre Tract, a distance of 188.60 feet to the Northwest Corner of the 5.35 Acre Tract and the Northeast Corner of that 14.982 Acre Tract of land conveyed to Thomas L. McKinney and spouse, Tassa L. McKinney, by deed recorded in Document No. 1999122990 of the Official Public Records of Travis County, Texas;



THENCE N.59°27'54"W., along the South Line of the 124.098 Acre Tract and the North Line of the said 14.982 Acre Tract, at a distance of 310 feet pass the Northwest Corner of the 14.982 Acre Tract and continue along the North Line of that 10 Acre Tract of land conveyed to Dale Clawson by deed recorded in Volume 9008, Page 23 of the Deed Records of Travis County, Texas, in all a total distance of 502.76 feet to the Northwest Corner of the 10 Acre Tract and the Northeast Corner of that 15.00 Acre Tract of land conveyed to Alfonso H. Moreno and wife, Wanda Moreno by deed recorded in Document No. 2003284854 of the Official Public Records of Travis County, Texas ;

THENCE N.59°43'48"W. along the South Line of the 124.098 Acre Tract and the North Line of the said 15.00 Acre Tract, a distance of 213.78 feet to a point on a non-tangent curve to the left;

THENCE northerly along the arc of said curve and crossing the 124.098 Acre Tract, a distance of 1886.44 feet (said curve having a radius of 10560.00 feet, a central angle of 10°14'07" and a chord bearing N.12°50'12"E., 1883.93 feet) to the West Line of the 124.098 Acre Tract and the East Line of that 100.00 Acre Tract of land conveyed to Wilbert Alvin Becker by deed recorded in Volume 5956, Page 322 of the Deed Records of Travis County, Texas;

EXHIBIT A

I, Dana DeBeauvoir, County Clerk Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on 12/12/05

 Dana DeBeauvoir, County Clerk
By Deputy

J. RANEY

Lakeside WCID No. 6 – 110.89 Acres

THENCE N.30°00'00"E., along the West Line of the 124.098 Acre Tract and the East Line of the 100.00 Acre Tract, a distance of 248.50 feet to a point on a non-tangent curve to the left;

THENCE northeasterly along the arc of said curve and crossing the 124.098 Acre tract, a distance of 335.15 feet (said curve having a radius of 10560.00 feet, a central angle of 01°49'06" and a chord bearing N.56°56'21"E., 335.14 feet) to the North Line of the 124.098 Acre Tract, from which point the Northwest Corner of the 124.098 Acre Tract bears N.59°49'35"W., 151.83 feet;

THENCE along the Northerly Line of the 124.098 Acre Tract the following three courses:

1. S.59°49'35"E. a distance of 349.69 feet;
2. S.10°21'49"W. a distance of 953.44 feet;
3. S.79°27'29"E. a distance of 1773.61 feet to the Easterly Northeast Corner of the 124.098 Acre Tract and to the West Line of Engleman Road;

THENCE along the East Line of the 124.098 Acre Tract and the West Line of Engleman Road the following two courses:

1. S.10°36'10"W. a distance of 1616.21 feet;
2. S.30°45'55"W. a distance of 532.77 feet to the said Point of Beginning.

Containing 110.89 acres, more or less.

John K. Weigand Dec. 6, 2005
John Kenneth Weigand
Registered Professional Land Surveyor No. 5741
State of Texas



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

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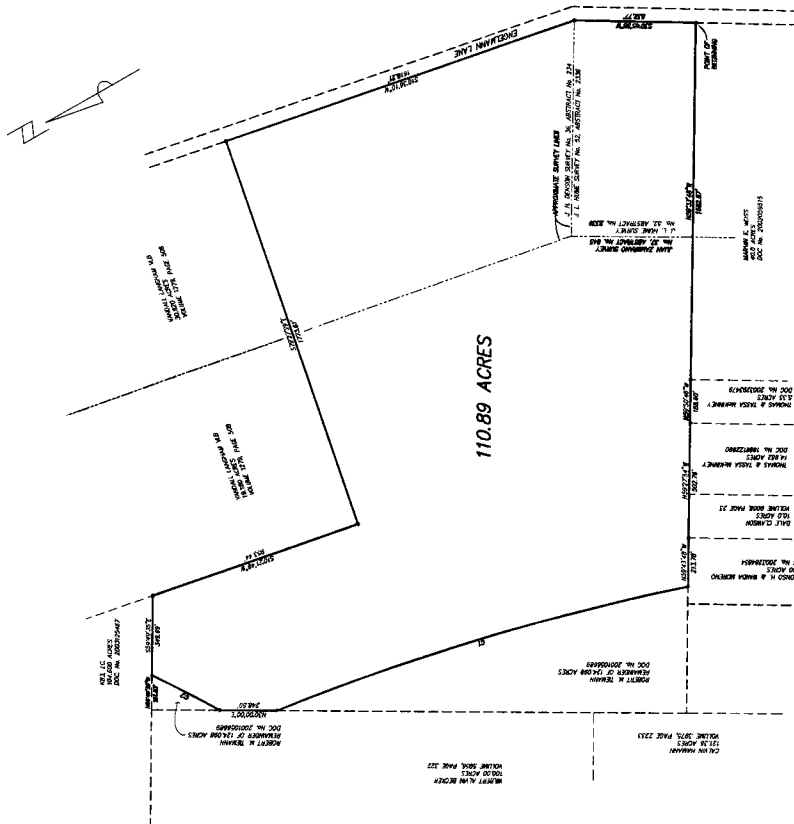
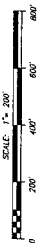
I, Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on 12/12/05



Dana DeBeauvoir, County Clerk
By Deputy: *J. Raney*
J. RANEY

EXHIBIT A

TRAVIS COUNTY, TEXAS



CURVE TABLE						
CURVE	LENGTH	POUNDS	DELA	CHORD BRINC	CHORD	YAN
57	1088.64	1088.00	1071.07	1072.02	1083.03	945.74

A PARCEL OF LAND IN TRAVIS COUNTY, TEXAS, BEING A PART OF THE JEAN ZABERGO SURVEY NO. 37, ABSTRACT NO. 845; THE J. L. HUME SURVEY NO. 52, ABSTRACT NO. 2138; AND THE J. H. DENSON SURVEY NO. 36, ABSTRACT NO. 234, BEING A PART OF THAT 124.086 ACRE TRACT OF LAND CONVEYED TO ROBERT M. TEMMANY BY DEED RECORDED IN DOCUMENT NO. 2001056889 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at a point in the West Line of Engleman Road, for the Northeast Corner of that 40.0 Acre Tract of land conveyed to Marvin E. Weirs by deed recorded in Document No. 2002059515 of the Official Public Records of Travis County, Texas, the same being the Southeast Corner of the said T24.098 Acre Tract;

THENCE N 59° 33' 48" W, along the South Line of the 124.098 Acre Tract and the North Line of the said 40.0 Acre Tract, a distance of 1562.87 feet to the Northwest Corner of the 40.0 Acre Tract and the Northeast Corner of that 5.35 Acre Tract of land conveyed to Thomas McKinney and Tessa Mc Kinney by

[illegible]

THENCE N.59°27'34"W., along the South Line of the 124.058 Acre Tract and the North Line of the said 14.962 Acre Tract, at a distance of 310 feet pass the Northwest Corner of the 14.962 Acre Tract and continue along the North Line of that 10 Acre Tract of land conveyed to Dale Dawson by deed recorded in Volume 9008, Page 23 of the Deed Records of Travis County, Texas, in off a total distance of 502.78 feet to the Northwest Corner of the 10 Acre Tract and the Northeast Corner of that 15.00 Acre Tract of land conveyed to Alfonso H. Moreno and wife, Wanda Moreno by deed recorded in Document No. 20012384504 of the Official Public Records of Travis County, Texas.

THENCE N 59°43'48" W. along the South Line of the 124.038 Acre Tract and the North Line of the said 15.00 Acre Tract, a distance of 213.78 feet to a point on a non-tangent curve to the Well;

Tract, a distance of 1685.44 feet (said curve having a radius of 10560.00 feet, and a central angle of 107°10'27" and a chord bearing N17°50'12"E., 1583.93 feet) to the West Line of the 124,088 Acre Tract and the East Line of that 100.00 Acre Tract of land conveyed to Wilbert Alvin Becker by deed recorded in Volume 124,088 of the Register of Deeds for the County of Lincoln, Nebraska.

THENCE N.30°00'00"E., along the West Line of the 124.098 Acre Tract and the East Line of the 100.00 Acre Tract, a distance of 248.50 feet to a point on a non-tangent curve to the left;

REFERENCE: northwesterly along the arc of said curve and crossing the 124,088 Acre tract, a distance of 332.15 feet (said curve having a radius of 2,350.18 feet, a central angle of 61°49'00" and a chord bearing S.35°27' E. 335.14 feet) to the North Line of the 124,088 Acre tract, from which point the Northeast Corner of the 124,088 Acre tract bears S.59°45'35" E. 151.83 feet, to the North Line of the 124,088 Acre Tract the following three

1. 5,594'933", a distance of 349.65 feet;
2. 5,102'49", a distance of 933.44 feet;
3. 5,792'723", a distance of 1724.81 feet to the Eastern/Northeast Corner of the 124,098 Acre Tract and to the West Line of Engleman Road;
4. 5,028'107", a distance of 1016.21 feet;
5. 5,042'533", a distance of 532.77 feet, to the said Point of Beginning.

Containing 110.89 acres, more or less.

J. KENNETH MEAGAN
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5741

DATE: NOV. 28, 2005 SCALE: 1" = 200'

RANDALL JONES ENGINEERING, INC.
1212 E. BRACKER LANE, AUSTIN, TEXAS 78753 (512) 836-4793

RJ SURVEYING, INC.

This document was prepared under 227AC 683.21, 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.

WATER

Pflugerville Rates

METER SIZE	WATER BASE CHARGE	WATER VOLUME CHARGE
5/8" – 3/4"	13.68 plus volume charge	4.35 per 1000 gals 0-12000 gals
1"	22.84 plus volume charge	4.61 per 1000 gals 12001-26000 gals
1 1/2"	45.11 plus volume charge	4.73 per 1000 gals 26000+ gals
2"	72.85 plus volume charge	

Blackhawk subdivisions, Commons of Rowe, Estates of Rowe & Reserve at West Creek

METER SIZE	WATER BASE CHARGE	WATER VOLUME CHARGE
5/8" – 3/4"	16.00 plus volume charge	3.90 per 1000 gals 0-7000 gals
1"	21.00 plus volume charge	4.10 per 1000 gals 7001-15000 gals
1 1/2"	33.16 plus volume charge	4.80 per 1000 gals 15001+ gals
2"	48.30 plus volume charge	

Avalon subdivisions

METER SIZE	WATER BASE CHARGE	WATER VOLUME CHARGE
5/8" – 3/4"	13.68 plus volume charge	4.00 per 1000 gals 0-7000 gals
1"	22.84 plus volume charge	4.20 per 1000 gals 7001-15000 gals
1 1/2"	45.11 plus volume charge	4.90 per 1000 gals 15001+ gals
2"	72.85 plus volume charge	
Fire Hydrant or Irrigation	72.85 plus volume charge	5.25 per 1000 gals

WASTEWATER

Pflugerville Rates

METER SIZE	SEWER BASE CHARGE (includes 1 st 3000 gals)	SEWER VOLUME CHARGE
5/8" – 3/4"	18.50 plus volume charge	3.51 per 1000 gals 3000+ gals
1"	19.51 plus volume charge	
1 1/2"	21.99 plus volume charge	
2"	24.96 plus volume charge	
Residential based on Nov, Dec, Jan & Feb average water consumption. Maximum charge – 20,000 gals. Commercial based on monthly consumption. New customers or non-water customers - \$25.17 per month.		

Blackhawk subdivisions, Commons of Rowe, Estates of Rowe, Reserve at West Creek & Avalon

METER SIZE	SEWER BASE CHARGE	
All	\$40.00	

Hidden Lakes, Boulder Ridge North & Pflugerville Estates

METER SIZE	SEWER BASE CHARGE (includes 1 st 3000 gals)	SEWER VOLUME CHARGE
5/8" – 3/4"	23.50 plus volume charge	3.51 per 1000 gals 3000+ gals
1"	24.51 plus volume charge	
1 1/2"	26.99 plus volume charge	
2"	29.96 plus volume charge	
Residential based on Nov, Dec, Jan & Feb average water consumption. Maximum charge – 20,000 gals. Commercial based on monthly consumption. New customers or non-water customers - \$30.17 per month.		

Pflugerville Heights

METER SIZE	SEWER BASE CHARGE	SEWER VOLUME CHARGE
5/8" – 3/4"	32.20 plus volume charge	5.64 per 1000 gals
1"	80.50 plus volume charge	
1 1/2"	161.00 plus volume charge	
2"	257.60 plus volume charge	
Based on Dec, Jan & Feb average water consumption. New customers or non-water customers - \$60.40		

SOLID WASTE

IN CITY LIMITS	\$15.60 plus applicable tax
OUT OF CITY LIMITS	\$17.60 plus applicable tax
Extra Trash Cart \$6.00	Extra Recycle Cart \$2.50

Rates effective 2-20-14