

Control Number: 43105



Item Number: 2

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.



July 9, 2014

Debbie Reyes Tamayo
Texas Commission on Environmental Quality (TCEQ)
Utilities Financial Review Team
Water Supply Division, Bldg.F, Mail Code 153

2014 JUL 11 PM 12:50
TCEQ
UTILITY DIVISION
MAIL ROOM

In response to a request from TCEQ on May 5, 2014, the City of Pflugerville respectfully submits the attached information associated with an amendment request to CCN No. 20678 in Travis County (Application No. 37835-C).

This submittal includes the information outlined below.

1. TCEQ Request in May 5 letter: Provide written documentation from overlapping service providers agreeing to the area of overlap or submit revised maps and change the requested CCN area so as to not include the area of overlap.

City's Response/Action: On May 27, letters were mailed to each district listed in the TCEQ correspondence to request a support letter for the overlap of the proposed service area with the district boundaries. Entities that were mailed letters included:

Cottonwood Creek WCID 3, Kelly Lane WCID 1 of Travis County, Kelly Lane WCID 2 of Travis County, Lakeside MUD 3, Lakeside MUD 5, Lakeside MUD 6, Lakeside WCID 1, Lakeside WCID 2-A, Lakeside WCID 2-B, Lakeside WCID 2-C, Lakeside WCID 2-D, New Sweden MUD 1, New Sweden MUD 2, New Sweden MUD 3, Northeast Growth Corridor WCID District 1, Northeast WCID District 2, Northeast Travis County Utility District, Travis County MUD 15 and Travis County MUD 17.

Entities providing support letters for the amendment are enclosed and include: Kelly Lane WCID 1, Kelly Lane WCID 2, Lakeside MUD 3, New Sweden MUD 1, New Sweden MUD 2, New Sweden MUD 3, Northeast Growth Corridor WCID District 1, Northeast Growth Corridor WCID District 2, Northeast Travis County Utility District, Travis County MUD 15 and Travis County MUD 17.

As you are aware, it was determined by Ken Steelman, a TCEQ staff member that the Cottonwood Creek WCID had been included in the TCEQ letter as an overlap and that information was in error. Therefore, no documentation is provided in this submittal for the Cottonwood Creek District.

July 9, 2014

2. Request for Removal from Districts: Districts requesting to not be included in the amended boundary include: Lakeside MUD 5, Lakeside MUD 6, Lakeside WCID 1, Lakeside WCID 2-A, Lakeside WCID 2-B, Lakeside WCID 2-C, Lakeside WCID 2-D. These districts were removed from the updated map.
3. Opt-Out from Property Owners
The following property owners have requested to opt-out of the amended area: Robert Tiemann for various tracts of land within the amended area and Irving Milford Olson Life Trust for two land tracts near the western border of the amended area. These properties have also been removed from the revised map. Several other property owners requested to opt-out and they were in the two-mile radius outside the amended area. These property owners were notified via USPS mail that their properties were not in the request for the amended CCN.
4. Mapping Updates: The City is also submitting updated maps that reflect any entity that has requested to opt-out of the proposed service area boundary.

The updated map submittal information includes:

- four copies of a general location map delineating the proposed service area within the county;
- projectable digital data with metadata and the proposed areas clearly labeled on a labeled data disk; and
- four copies of the written description of the proposed service area.

Please let me know if you have any questions or require any additional information at this time.

Thanks again for your assistance with the application process.

Sincerely,



Thomas E. Word, Jr., P.E.
Assistant City Manager

Attachments

July 3, 2014

VIA EMAIL

City of Pflugerville
Attn: Thomas E. Word, Jr., P.E., Assistant City Manager
100 East Main Street, Suite 300
Pflugerville, Texas 78691
Email: tomw@pflugervilletx.gov

Re: Support Letter for Certificate of Convenience and Necessity Application No. 37835-C

Dear Mr. Word:

I am writing on behalf of the Board of Directors (the "Board") of Kelly Lane Water Control and Improvement District No. 1 (the "District").

By letter dated May 27, 2014, you advised James Lewis Cotton, President of the Board, that the City of Pflugerville (the "City") was pursuing an application with the Texas Commission on Environmental Quality to amend the City's existing certificate of convenience and necessity ("CCN") in Travis and Williamson Counties for wastewater services in order to add to the City's CCN all areas within the City's extraterritorial jurisdiction that are not within an existing CCN. In your letter, you also requested that the District provide the City with a support letter for the application.

As you know, the City currently provides operations, maintenance, and management services for the District's water and wastewater system pursuant to a Professional and Utility Services Agreement dated June 28, 2007.

The purpose of this letter is to express the Board's support of the City's application.

**KELLY LANE WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1**

By: _____


James L. Cotton, President
Board of Directors

cc: **VIA EMAIL**

Raika Rowe
George Hyde
Bill Kochwelp
Ken Heroy

{W0625418.1}

05 21 11 11 700 1102

7/10/14 11:11 AM

11:11 AM

11:11 AM

June 6, 2014

VIA EMAIL

City of Pflugerville
Attn: Thomas E. Word, Jr., P.E., Assistant City Manager
100 East Main Street, Suite 300
Pflugerville, Texas 78691
Email: tomw@pflugervilletx.gov

Re: Support Letter for Certificate of Convenience and Necessity Application No. 37835-C

Dear Mr. Word:

I am writing on behalf of the Board of Directors (the "Board") of Kelly Lane Water Control and Improvement District No. 2 (the "District").

By letter dated May 27, 2014, you advised Mark E. Kalish, President of the Board, that the City of Pflugerville (the "City") was pursuing an application with the Texas Commission on Environmental Quality to amend the City's existing certificate of convenience and necessity ("CCN") in Travis and Williamson Counties for wastewater services in order to add to the City's CCN all areas within the City's extraterritorial jurisdiction that are not within an existing CCN. In your letter, you also requested that the District provide the City with a support letter for the application.

As you know, the City currently provides operations, maintenance, and management services for the District's water and wastewater system pursuant to a Professional and Utility Services Agreement dated August 6, 2012.

The purpose of this letter is to express the Board's support of the City's application.

**KELLY LANE WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 2**

By: Catherine B. Mitchell
Catherine Mitchell, Assistant Secretary
Board of Directors

cc: **VIA EMAIL**

Raika Rowe
George Hyde
Bill Kochwelp
Ken Heroy

{W0621734.1}

LAKESIDE MUNICIPAL UTILITY DISTRICT NO. 3
100 Congress Avenue, Suite 1300
Austin, Texas 78701

July 1, 2014

Texas Commission on Environmental Quality
Utilities and Districts Section, MC-153
P.O. Box 13087
Austin, TX 78711-3087

Re: CCN Wastewater Application No. 37835-C-City of Pflugerville

Dear Sir or Madam:

I am writing you in my capacity as the President of the Board of Directors of Lakeside Municipal Utility District No. 3 ("District"). The District is sending this letter in support of the application of the City of Pflugerville for its application to amend Wastewater Permit No. 20678.

The City provides water and wastewater service to properties located within the boundaries of the District. The District supports the expansion of the service area to include the property in the application.

Should you have any questions or need further information, please do not hesitate to contact our attorney, Kevin Flahive at Armbrust & Brown, PLLC, at 512-435-2333.

Very truly yours,



Tom Corbett
President, Board of Directors

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

{W0623605.1}

PHONE (512) 451-6689

FREEMAN & CORBETT
8500 BLUFFSTONE COVE, SUITE B-104
AUSTIN, TEXAS 78759

FAX (512) 453-0865

June 11, 2014

Texas Commission on Environmental Quality
Water Supply Division
Utilities and District's Section, MC-153
P.O. Box 13087
Austin, TX 78711-3087

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

Dear Sir or Madam:

This firm represents New Sweden Municipal Utility District No. 1 (the "District"). The District and the City of Pflugerville (the "City") are parties to a Retail Service Agreement, signed in 2008, that specifically provides for the City to provide retail wastewater service within the boundaries of the District. The City's application to amend their wastewater certificate of convenience and necessity (CCN) to include the land within the District's boundaries is consistent with the Retail Service Agreement. Thus, the District concurs with the overlap of the City's proposed wastewater CCN area with the boundaries of the District.

Please contact me at 512-451-6689 if you have any questions or need additional information regarding this matter.

Sincerely,



Ronald J. Freeman

cc: Thomas E. Word, Jr., P.E.
Assistant City Manager

Ronald J. Freeman
rfreeman@freemanandcorbett.com

Anthony S. Corbett
tcorbett@freemanandcorbett.com

TIEMANN, SHAHADY & HAMALA, P.C.

TELEPHONE (512) 251-1920

102 N. RAILROAD AVE.
PFLUGERVILLE, TEXAS 78660

FACSIMILE (512) 251-8540

June 11, 2014

Texas Commission on Environmental Quality
Water Supply Division
Utilities and Districts Section, MC-153
P.O. Box 13087
Austin, TX 78711-3087

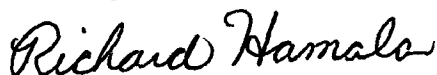
Re: City of Pflugerville's Application to Amend CCN No. 20678
Application No. 37835-C

Dear Sir or Madam:

This firm represents New Sweden Municipal Utility District No. 2 (the "District"). The District and the City of Pflugerville (the "City") are parties to a Retail Service Agreement, signed in 2008, that specifically provides for the City to provide retail wastewater service within the boundaries of the District. The City's application to amend their wastewater certificate of convenience and necessity (CCN) to include the land within the District's boundaries is consistent with the Retail Service Agreement. Thus, the District concurs with the overlap of the City's proposed wastewater CCN area with the boundaries of the District.

Please contact me at 512-251-1920 if you have any questions or need additional information regarding this matter.

Sincerely,



Richard Hamala

cc: Thomas E. Word, Jr., P.E.
Assistant City Manager

TIEMANN, SHAHADY & HAMALA, P.C.

TELEPHONE (512) 251-1920

102 N. RAILROAD AVE.

FACSIMILE (512) 251-8540

PFLUGERVILLE, TEXAS 78660

June 11, 2014

Texas Commission on Environmental Quality
Water Supply Division
Utilities and Districts Section, MC-153
P.O. Box 13087
Austin, TX 78711-3087

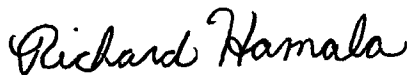
Re: City of Pflugerville's Application to Amend CCN No. 20678
Application No. 37835-C

Dear Sir or Madam:

This firm represents New Sweden Municipal Utility District No. 3 (the "District"). The District and the City of Pflugerville (the "City") are parties to a Retail Service Agreement, signed in 2008, that specifically provides for the City to provide retail wastewater service within the boundaries of the District. The City's application to amend their wastewater certificate of convenience and necessity (CCN) to include the land within the District's boundaries is consistent with the Retail Service Agreement. Thus, the District concurs with the overlap of the City's proposed wastewater CCN area with the boundaries of the District.

Please contact me at 512-251-1920 if you have any questions or need additional information regarding this matter.

Sincerely,



Richard Hamala

cc: Thomas E. Word, Jr., P.E.
Assistant City Manager

NORTHEAST GROWTH CORRIDOR WSIDD NO. 1
100 Congress Avenue, Suite 1300
Austin, Texas 78701

July 1, 2014

Texas Commission on Environmental Quality
Utilities and Districts Section, MC-153
P.O. Box 13087
Austin, TX 78711-3087

Re: CCN Wastewater Application No. 37835-C-City of Pflugerville

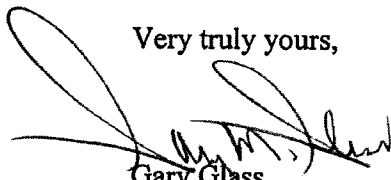
Dear Sir or Madam:

I am writing you in my capacity as the President of the Board of Directors of Northeast Growth Corridor Water, Sewer, Irrigation and Drainage District No. 1 ("District"). The District is sending this letter in support of the application of the City of Pflugerville for its application to amend Wastewater Permit No. 20678.

The City provides water and wastewater service to properties located within the boundaries of the District. The District supports the expansion of the service area to include the property in the application.

Should you have any questions or need further information, please do not hesitate to contact our attorney, Sharlene Collins at Armbrust & Brown, PLLC, at 512-435-2304.

Very truly yours,



Gary Glass
President, Board of Directors

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

{W0624021.1}

NORTHEAST GROWTH CORRIDOR WSIDD NO. 2

100 Congress Avenue, Suite 1300
Austin, Texas 78701

July 1, 2014

Texas Commission on Environmental Quality
Utilities and Districts Section, MC-153
P.O. Box 13087
Austin, TX 78711-3087

Re: CCN Wastewater Application No. 37835-C-City of Pflugerville

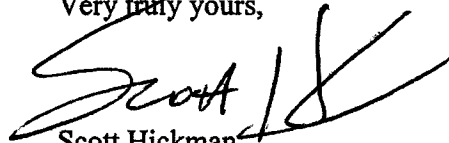
Dear Sir or Madam:

I am writing you in my capacity as the President of the Board of Directors of Northeast Growth Corridor Water, Sewer, Irrigation and Drainage District No. 2 ("District"). The District is sending this letter in support of the application of the City of Pflugerville for its application to amend Wastewater Permit No. 20678.

The City provides water and wastewater service to properties located within the boundaries of the District. The District supports the expansion of the service area to include the property in the application.

Should you have any questions or need further information, please do not hesitate to contact our attorney, Sharlene Collins at Armbrust & Brown, PLLC, at 512-435-2304.

Very truly yours,



Scott Hickman
President, Board of Directors

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

{W0624022.1}

PHONE (512) 451-6689

FREEMAN & CORBETT
8500 BLUFFSTONE COVE, SUITE B-104
AUSTIN, TEXAS 78759

FAX (512) 453-0865

June 11, 2014

Texas Commission on Environmental Quality
Water Supply Division
Utilities and District's Section, MC-153
P.O. Box 13087
Austin, TX 78711-3087

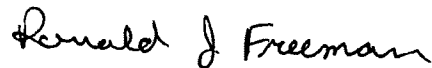
Re: City of Pflugerville's Application to Amend CCN No. 20678
Application No. 37835-C

Dear Sir or Madam:

This firm represents Northeast Travis County Utility District (the "District"). The District and the City of Pflugerville (the "City") are parties to a Consent and Development Agreement that specifically provides for the City to provide retail wastewater service within the boundaries of the District. The City's application to amend their wastewater certificate of convenience and necessity (CCN) to include the land within the District's boundaries is consistent with the Consent and Development Agreement. Thus, the District concurs with the overlap of the City's proposed wastewater CCN area with the boundaries of the District.

Please contact me at 512-451-6689 if you have any questions or need additional information regarding this matter.

Sincerely,



Ronald J. Freeman

cc: Thomas E. Word, Jr., P.E.
Assistant City Manager

Ronald J. Freeman
rfreeman@freemanandcorbett.com

Anthony S. Corbett
tcorbett@freemanandcorbett.com

TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 15
C/O ALLEN BOONE HUMPHRIES ROBINSON LLP
1108 LAVACA STREET, SUITE 510
AUSTIN, TEXAS 78701

June 17, 2014

Thomas Word, Jr., P.E.
City of Pflugerville
Public Works Department
15500 Sun Light Near Way #B
P.O. Box 589
Pflugerville, TX 78691

Re: Support Letter for Certificate of Convenience and Necessity Application

Dear Mr. Word:

Travis County Municipal Utility District No. 15 (the "District") is located entirely within the corporate boundaries of the City of Pflugerville (the "City"). The District receives retail wastewater collection and treatment service from the City.

The District will not experience an overlap of any City Certificate of Convenience and Necessity ("CCN") if the City is successful in obtaining a CCN for wastewater service, and thus has no objection to the City's application for such a CCN.

Please feel free to contact the District again if you have further questions or need additional information from the District.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Peggy Croslin', written over a horizontal line.

Peggy Croslin, President
Travis County MUD 15

TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 17
100 Congress Avenue, Suite 1300
Austin, Texas 78701

June 20, 2014

Texas Commission on Environmental Quality
Utilities and District Section, MC-153
P.O. Box 13087
Austin, TX 78711-3087

Re: CCN Wastewater Application No. 37835-C-City of Pflugerville

Dear Sir or Madam:

I am writing you in my capacity as the President of the Board of Directors of Travis County Municipal Utility District No. 17 ("District"). The District is sending this letter in support of the application of the City of Pflugerville for its application to amend Wastewater Permit No. 20678.

The City provides water and wastewater service to properties located within the boundaries of the District. The District supports the expansion of the service area to include the property in the application.

Should you have any questions or need further information, please do not hesitate to contact our attorney, Sharon Smith at Armbrust & Brown, PLLC, at 512-435-2342.

Very truly yours,



Frank Caldwell
President, Board of Directors

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

{W0623490.1}

Item 3. C. Response **A written description of the proposed service area**

The proposed area of service:

The proposed area is located within Travis County, and is generally bounded on the north by FM 1660 and Gattis School Rd; on the east by Cameron Rd; on the south by US Highway 290E; and on the west by US Interstate Highway 35.

See enclosed map of the proposed service area

The total area being requested includes approximately 29,747 acres and 6,338 current customers.

Item 3. C. Response **A written description of the proposed service area**

The proposed area of service:

The proposed area is located within Travis County, and is generally bounded on the north by FM 1660 and Gattis School Rd; on the east by Cameron Rd; on the south by US Highway 290E; and on the west by US Interstate Highway 35.

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See enclosed map of the proposed service area

The total area being requested includes approximately 29,747 acres and 6,338 current customers.

(II) to promote, market or recommend to another party any transaction or matter addressed herein.

CONFIDENTIALITY NOTICE:

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To: Administrative Reviewer

Date Complete: July 14, 2014

From: Cartographer-Utilities & Districts Section

Subject: Overlap & Notice Check for Administrative Review No. A-010-14/37835-C
City of Pflugerville (20678) to amend sewer CCN in Travis and Williamson counties.

1. No new overlap of service areas exists.
 - X 2. An overlap: district boundaries of Kelly Lane WCID 1 of Travis County, Kelly Lane WCID 2 of Travis County, Lakeside MUD 3, Lakeside MUD 5, Lakeside MUD 6, Lakeside WCID 1, Lakeside WCID 2-A, Lakeside WCID 2-B, Lakeside WCID 2-C, Lakeside WCID 2-D, New Sweden MUD 1, New Sweden MUD 2, New Sweden MUD 3, Northeast Growth Corridor WSI&D District 1, Northeast WSI&D District 2, Northeast Travis County Utility District, Travis County MUD 15, Travis County MUD 17
 3. Dual certification:
 4. An overlap exists with the city limits of:
 5. If this is a Sale, Transfer, or Merger, is additional area being requested?
 7. Map submitted is digital request digital data.
 9. Utility notice was sufficient.
 10. Utility notice was insufficient. In addition to those systems listed in the application, they will also need to notify:

TWO MILES:
City of Elgin (20120)
City of Hutto (20122)
City of Manor (20378)
City of Round Rock (20421)
Windermere Utility Co. (20542)
City of Austin (20636)
Kelly Lane Utility (20720)
Round Rock Ranch PUD (20805)
Manor Village WWTP (20873)
Cottonwood Creek MUD 1
Lakeside MUD 3
Lakeside MUD 5
-

Lakeside MUD 6
New Sweden MUD 1
New Sweden MUD 2
New Sweden MUD 3
Northeast Growth Corridor WSI&D District 1
Northeast Growth Corridor WSI&D District 2
Northeast Travis County Utility District
Northtown MUD
Travis County MUD 2
Travis County MUD 15
Travis County MUD 17
Wells Branch MUD
Wilbarger Creek MUD 1
Wilbarger Creek MUD 2
Travis county
Williamson county
All cities and etj's within 2 miles of proposed area
Any other Utility, District or entity that would be required to receive notice

- X 11. Notice: Approximately 12 miles east of downtown Pflugerville
Travis and Williamson counties
On the north by CR138
On the east by Wells Ln
On the south by Gregg Ln.
On the west by IH35
- X 12. Other comments: **new maps and data reduced the area to approximately 29630 acres**

Kent Steelman

To: Administrative Reviewer

Date Complete: July 14, 2014

From: Cartographer-Utilities & Districts Section

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Lakeside MUD 5

Lakeside MUD 6
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New Sweden MUD 2
New Sweden MUD 3
Northeast Growth Corridor WSI&D District 1
Northeast Growth Corridor WSI&D District 2
Northeast Travis County Utility District
Northtown MUD
Travis County MUD 2
Travis County MUD 15
Travis County MUD 17
Wells Branch MUD
Wilbarger Creek MUD 1
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Williamson county
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Kent Steelman

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Northeast Growth Corridor WSI&D District 2
Northeast Travis County Utility District
Northtown MUD
Travis County MUD 2
Travis County MUD 15
Travis County MUD 17
Wells Branch MUD
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Kent Steelman

August 5, 2014

Ms. Debbie Reyes-Tamayo
Utilities Financial Review Team
Water Supply Division
Texas Commission on Environmental Quality
12100 Park 35 Circle, Building F, MC-153
Austin, Texas 78753

VIA ELECTRONIC MAIL AND
FIRST CLASS MAIL

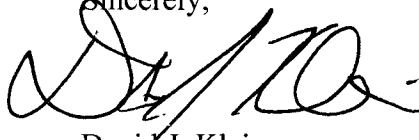
Re: Withdrawal of Requests for Contested Case Hearing on the City of Pflugerville's
Application to Amend Sewer Certificate of Convenience and Necessity ("CCN")
No. 20678 in Travis and Williamson Counties; Application No. 37835-C

Dear Ms. Reyes-Tamayo:

As you know, my clients, Lakeside Water Control and Improvement District Nos. 1, 2A, 2B, 2C and 2D (individually, a "District" and collectively, the "Districts") filed a request for contested case hearing regarding the City of Pflugerville's ("City") above-referenced sewer CCN application (the "Application") on July 2, 2014. However, the Districts have recently received copies of correspondence between the City and TCEQ, demonstrating that the City has requested that the TCEQ remove the boundaries of these five Lakeside Districts from the sewer CCN area requested in the City's pending Application. Further, the Districts received an email from you on July 22, 2014, confirming that the Districts' boundaries have been removed from the Application.

Accordingly, on behalf of my clients, the Districts hereby withdraw their protests to the above-referenced Application, effective immediately. However, the Districts reserve all of their remaining rights under the Texas Water Code and other applicable laws and regulations. Thank you for your attention to this matter. Please do not hesitate to contact me at the above-listed number if you have any questions.

Sincerely,



David J. Klein

DJK/lmr

RECEIVED
AUG 08 2014
UTILITIES & DISTRICTS
SECTION

Ms. Debbie Reyes-Tamayo

August 5, 2014

Page 2

cc: George Hyde, Attorney, City of Pflugerville
Raika Rowe, Attorney, City of Pflugerville
Brandon Wade, City Manager, City of Pflugerville
Thomas E. Word, Assistant City Manager, City of Pflugerville
Jeff Stivers, President, Lakeside WCID No. 1
Lawrence Shellaby, President, Lakeside WCID No. 2A
Marilyn Horndt, President, Lakeside WCID No. 2B
David Wang, President, Lakeside WCID No. 2C
William P. McCord, President, Lakeside WCID No. 2D



Texas Commission on Environmental Quality
Water Supply Division
Utilities and Districts Section, MC-153
P.O. Box 13087
Austin, Texas 78711-3087

July 28, 2014

RE: Withdrawal of request for public hearing

To Whom It May Concern;

In a letter dated July 16, 2014, the City of Elgin made a formal request for a public hearing on the City of Pflugerville's Wastewater CCN Application No. 37835-C.

Since that time, we have reached a satisfactory agreement with the City of Pflugerville over the CCN and therefore wish to withdraw our request for a public hearing on Application No. 37835-C.

Feel free to contact me with any questions, Doug Prinz, Director of Utilities, 512-281-0119.
Thank you for your time spent on this matter.

Sincerely,

Doug Prinz
Utility Director, City of Elgin
P.O. Box 591
Elgin, Texas 78621

Cc; Tom Word, assistant City manager, Pflugerville
Trey Fletcher, assistant City manager, Pflugerville

RECEIVED
JUL 30 2014

UTILITIES & DISTRICTS
SECTION



Texas Commission on Environmental Quality
Water Supply Division
Utilities and Districts Section, MC-153
P.O. Box 13087
Austin, Texas 78711-3087

July 16, 2014

RE: Request for Public Hearing

To Whom It May Concern;

I/we the City of Elgin would like to request a public hearing on the City of Pflugerville's Wastewater CCN Application No. 37835-C.

The proposed CCN would have an adverse effect on the City of Elgin's future growth. We are currently considering expanding our city limits in that direction. Also, if you consider topography, parts of the area in question, naturally flow into our existing CCN. We have capital improvement plans to take and handle some of these areas they are proposing to add to their CCN.

The City of Elgin would propose that FM 973 become the dividing line between the two CCN's. If this were to be the agreed upon line, then the City of Elgin would withdraw our request for a public hearing.

Feel free to contact me with any questions, Doug Prinz, Director of Utilities, 512-281-0119.

Sincerely,

Doug Prinz
Utility Director, City of Elgin
P.O. Box 591
Elgin, Texas 78621

JUL 18 2014

August 5, 2014

Ms. Debbie Reyes-Tamayo
Utilities Financial Review Team
Water Supply Division
Texas Commission on Environmental Quality
12100 Park 35 Circle, Building F, MC-153
Austin, Texas 78753

VIA ELECTRONIC MAIL AND
FIRST CLASS MAIL

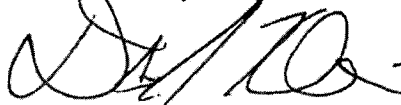
Re: Withdrawal of Requests for Contested Case Hearing on the City of Pflugerville's
Application to Amend Sewer Certificate of Convenience and Necessity ("CCN")
No. 20678 in Travis and Williamson Counties; Application No. 37835-C

Dear Ms. Reyes-Tamayo:

As you know, my clients, Lakeside Water Control and Improvement District Nos. 1, 2A, 2B, 2C and 2D (individually, a "District" and collectively, the "Districts") filed a request for contested case hearing regarding the City of Pflugerville's ("City") above-referenced sewer CCN application (the "Application") on July 2, 2014. However, the Districts have recently received copies of correspondence between the City and TCEQ, demonstrating that the City has requested that the TCEQ remove the boundaries of these five Lakeside Districts from the sewer CCN area requested in the City's pending Application. Further, the Districts received an email from you on July 22, 2014, confirming that the Districts' boundaries have been removed from the Application.

Accordingly, on behalf of my clients, the Districts hereby withdraw their protests to the above-referenced Application, effective immediately. However, the Districts reserve all of their remaining rights under the Texas Water Code and other applicable laws and regulations. Thank you for your attention to this matter. Please do not hesitate to contact me at the above-listed number if you have any questions.

Sincerely,



David J. Klein

DJK/lmr

Ms. Debbie Reyes-Tamayo

August 5, 2014

Page 2

cc: George Hyde, Attorney, City of Pflugerville
Raika Rowe, Attorney, City of Pflugerville
Brandon Wade, City Manager, City of Pflugerville
Thomas E. Word, Assistant City Manager, City of Pflugerville
Jeff Stivers, President, Lakeside WCID No. 1
Lawrence Shellaby, President, Lakeside WCID No. 2A
Marilyn Horndt, President, Lakeside WCID No. 2B
David Wang, President, Lakeside WCID No. 2C
William P. McCord, President, Lakeside WCID No. 2D

Debbie Reyes Tamayo

From: Debbie Reyes Tamayo
Sent: Tuesday, July 22, 2014 10:48 AM
To: 'George Hyde'; 'David Klein'; 'Jacquelyn Smith'
Cc: 'Tom Word'; 'Raika Rowe'; 'Christie Dickenson'; 'Lissette Ruiz'; 'Fred Castro'
Subject: RE: City of Pflugerville Wastewater CCN Application No. 37835-C

Importance: High

Categories: Application Status

This e-mail is to confirm the City of Pflugerville has removed the boundaries of Lakeside WCID Nos. 1, 2A, 2B, 2C AND 2D from the City of Pflugerville's pending sewer CCN application No. 37835-C.

From: Debbie Reyes Tamayo
Sent: Wednesday, July 16, 2014 11:50 AM
To: 'George Hyde'; David Klein; Jacquelyn Smith
Cc: Tom Word; Raika Rowe; Christie Dickenson; Lissette Ruiz; Fred Castro
Subject: RE: City of Pflugerville Wastewater CCN Application No. 37835-C
Importance: High

This e-mail is to confirm the City of Pflugerville has removed the boundaries of Lakeside WCID Nos. 1, 2A, 2B, and 2C from the City of Pflugerville's pending sewer CCN application No. 37835-C.

After further review Lakeside WCID No. 2D still appears to exist as overlapping.

Please re-submit another map to take this off. For questions about the maps please contact Kent Steelman at 512-239-5143.

Thank you, Debbie Reyes Tamayo

Debbie Reyes Tamayo
Texas Commission on Environmental Quality
Utilities Financial Review Team
Water Supply Division, Bldg.F, Mail Code 153
Phone: (512) 239-4683, Fax: (512) 239-6972
Email: Debbie.Reyes-Tamayo@tceq.texas.gov

From: David Klein [<mailto:dklein@lglawfirm.com>]
Sent: Friday, June 27, 2014 5:03 PM
To: Jacquelyn Smith; Debbie Reyes Tamayo (debbie.reyes-tamayo@tceq.texas.gov)
Cc: Tom Word; Raika Rowe; George Hyde; Christie Dickenson; Lissette Ruiz; Fred Castro
Subject: RE: City of Pflugerville Wastewater CCN Application No. 37835-C

Debbie,

Please confirm that the TCEQ will remove the boundaries of Lakeside WCID Nos. 1, 2A, 2B, 2C, and 2D, as described by metes and bounds in the attached letter, from the City of Pflugerville's pending sewer CCN application. While the Districts drafted the letter attached to the City's email, they felt that the request to remove the Districts from the City's pending CCN sewer application must come from the Applicant. Based upon the email below, it appears that the City has indeed made the request to amend (remove the Districts) the pending sewer CCN application.

We would appreciate it if you could confirm on or before July 1st.

Thanks
David

From: Jacquelyn Smith [<mailto:JacquelynS@pflugervilletx.gov>]
Sent: Friday, June 27, 2014 4:28 PM
To: Debbie Reyes Tamayo (debbie.reyes-tamayo@tceq.texas.gov)
Cc: Tom Word; Raika Rowe (raika.rowe@rampage-aus.com); George Hyde (george.hyde@rampage-aus.com); David Klein
Subject: City of Pflugerville Wastewater CCN Application No. 37835-C

Debbie,

Mr. David Klein, legal counsel for the Lakeside WCID 1, 2A, 2B, 2C and 2D, asked me to forward you the attached letter for these WCID districts. We have amended the CCN Boundary Map to delete these entities from our request.

I will forward all other letters at one time as we have discussed by the July 18, 2014 deadline.

THANKS for all your help.

Hope you have a GREAT weekend.

Jacquelyn

Jacquelyn Smith
Capital Improvement Program Manager
City of Pflugerville
512-990-6409

IRS CIRCULAR 230 NOTICE: To the extent this communication contains a statement relating in any way to federal taxes, that statement is not a "covered opinion" and was not written or intended to be used, and it cannot be used, by any person (I) as a basis for avoiding federal tax penalties that may be imposed on that person, or (II) to promote, market or recommend to another party any transaction or matter addressed herein.

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Michael W. Ayer
3502 Native Dancer Cove
Austin, TX 78746
Tel: (512) 328-2522
Fax: (888) 619-6602
Email: stewpot47@gmail.com


June 4, 2014

Texas Commission on Environmental Quality
Water Supply Division
Utilities and Districts Section, MC-153
P.O. Box 13087
Austin, TX 78711-3087

Dear Sir:

Please send me notice at the above address if a hearing is set regarding the City of Pflugerville's proposed expansion of sewer service under an amendment to CCN 20678.

Thank you,



Michael W. Ayer

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JUN 06 2014
UTILITIES & DISTRICTS
SECTION

RECEIVED
JUN 06 2014
UTILITIES & DISTRICTS
SECTION

2014 JUL 2 PM 2 35

July 2, 2014

Ms. Debbie Reyes-Tamayo
Utilities Financial Review Team
Water Supply Division
Texas Commission on Environmental Quality
12100 Park 35 Circle, Building F, MC-153
Austin, Texas 78753

**VIA HAND DELIVERY
AND ELECTRONIC MAIL**

Re: Request for Contested Case Hearing on the Application of the City of Pflugerville
to Amend Sewer Certificate of Convenience and Necessity (CCN) No. 20678 in
Travis and Williamson Counties; Application No. 37835-C

Dear Ms. Reyes-Tamayo:

I am writing on behalf of my clients, Lakeside Water Control and Improvement District Nos. 1, 2A, 2B, 2C and 2D (individually, a "District" and collectively, the "Districts"). Each of the Districts requests a contested case hearing regarding the above-referenced application (the "Application"). All communications to the Districts regarding this matter should be directed to my attention at the following address/telephone number/email address:

David J. Klein
Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Avenue, Suite 1900
Austin, Texas 78701
Daytime Phone Number: (512) 322-5818
Facsimile: (512) 472-0532
Email Address: dklein@lglawfirm.com

RECEIVED
JUL 02 2014
UTILITIES & DISTRICTS
SECTION

The Districts would be adversely affected by the granting of the Application because the proposed retail sewer service area requested by the City of Pflugerville (the "City"), in part, overlaps with each of the Districts' jurisdictional boundaries and could interfere with the Districts' ability to provide wastewater service to their respective Districts.

It is my understanding that the City did not intend to include the Districts' jurisdictional boundaries in the Application without the acquiescence of the Districts and that the City is willing to remove the Districts' jurisdictional boundaries from the pending Application. To date,

Ms. Debbie Reyes-Tamayo

July 2, 2014

Page 2

a letter and/or revised map has not been filed with TCEQ by the City to remove the Districts' jurisdictional boundaries from the pending Application, but at such time that the City does remove the Districts' boundaries from the Application, the Districts intend to withdraw their protests.

Thank you for your attention to this matter. Please do not hesitate to contact me if you have any questions.

Sincerely,

David Klein by permission LMR

David J. Klein

DJK/dsr

cc: George Hyde, Attorney, City of Pflugerville
Brandon Wade, City Manager, City of Pflugerville
Thomas E. Word, Assistant City Manager, City of Pflugerville
Jeff Stivers, President, Lakeside WCID No. 1
Lawrence Shellaby, President, Lakeside WCID No. 2A
Marilyn Horndt, President, Lakeside WCID No. 2B
David Wang, President, Lakeside WCID No. 2C
William P. McCord, President, Lakeside WCID No. 2D

July 2, 2014

Ms. Debbie Reyes-Tamayo
Utilities Financial Review Team
Water Supply Division
Texas Commission on Environmental Quality
12100 Park 35 Circle, Building F, MC-153
Austin, Texas 78753

**VIA HAND DELIVERY
AND ELECTRONIC MAIL**

Re: Request for Contested Case Hearing on the Application of the City of Pflugerville
to Amend Sewer Certificate of Convenience and Necessity (CCN) No. 20678 in
Travis and Williamson Counties; Application No. 37835-C

Dear Ms. Reyes-Tamayo:

I am writing on behalf of my clients, Lakeside Water Control and Improvement District Nos. 1, 2A, 2B, 2C and 2D (individually, a "District" and collectively, the "Districts"). Each of the Districts requests a contested case hearing regarding the above-referenced application (the "Application"). All communications to the Districts regarding this matter should be directed to my attention at the following address/telephone number/email address:

David J. Klein
Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Avenue, Suite 1900
Austin, Texas 78701
Daytime Phone Number: (512) 322-5818
Facsimile: (512) 472-0532
Email Address: dklein@lglawfirm.com

The Districts would be adversely affected by the granting of the Application because the proposed retail sewer service area requested by the City of Pflugerville (the "City"), in part, overlaps with each of the Districts' jurisdictional boundaries and could interfere with the Districts' ability to provide wastewater service to their respective Districts.

It is my understanding that the City did not intend to include the Districts' jurisdictional boundaries in the Application without the acquiescence of the Districts and that the City is willing to remove the Districts' jurisdictional boundaries from the pending Application. To date,

Ms. Debbie Reyes-Tamayo

July 2, 2014

Page 2

a letter and/or revised map has not been filed with TCEQ by the City to remove the Districts' jurisdictional boundaries from the pending Application, but at such time that the City does remove the Districts' boundaries from the Application, the Districts intend to withdraw their protests.

Thank you for your attention to this matter. Please do not hesitate to contact me if you have any questions.

Sincerely,

David Klein by permission LMP

David J. Klein

DJK/dsr

cc: George Hyde, Attorney, City of Pflugerville
Brandon Wade, City Manager, City of Pflugerville
Thomas E. Word, Assistant City Manager, City of Pflugerville
Jeff Stivers, President, Lakeside WCID No. 1
Lawrence Shellaby, President, Lakeside WCID No. 2A
Marilyn Horndt, President, Lakeside WCID No. 2B
David Wang, President, Lakeside WCID No. 2C
William P. McCord, President, Lakeside WCID No. 2D

Mr. Klein's Direct Line: (512) 322-5818
Email: dklein@lglawfirm.com

June 24, 2014

City of Pflugerville, Texas
Attn: Brandon Wade, City Manager
100 East Main Street, Suite 300
Pflugerville, Texas 78691

**VIA FEDERAL EXPRESS AND
ELECTRONIC MAIL**

Re: City of Pflugerville's Application to amend its Sewer Certificate of Convenience
and Necessity ("CCN") No. 37835-C

Dear Brandon:

I am writing to you on behalf of my clients, Lakeside Water Control and Improvement Districts Nos. 1, 2A, 2B, 2C and 2D (individually, a "***District***" and collectively, the "***Districts***"), regarding the City of Pflugerville's ("***City***") Sewer CCN amendment Application No. 37835-C ("***Application***"), currently pending at the Texas Commission on Environmental Quality ("***TCEQ***"). Each of the Districts have received both (1) the City's letter dated May 27, 2014, requesting the Districts' support of the City's Application, and (2) the TCEQ Notice form concerning the Application, dated June 3, 2014. I have briefed all of the Districts' respective Boards of Directors regarding the Application and these letters at their regular meetings in June.

While the Districts are the retail sewer service providers within their respective jurisdictional boundaries, they do not possess sewer CCNs over those areas. However, as we discussed on the phone earlier this month, the proposed retail sewer service area requested by the City in the Application in part overlaps with the Districts' jurisdictional boundaries. All of the Districts have indicated that they desire to maintain the ongoing relationship between themselves and the City, whereby the Districts own the internal wastewater infrastructure and are responsible for providing retail sewer services to their residents, with the City operating and maintaining such infrastructure on behalf of the Districts in accordance with the Professional Services Agreements between the City and each of the Districts.

It is my understanding from our conversation and from my subsequent conversation with Mr. Word that the City did not intend to include the Districts' jurisdictional boundaries in the Application without the acquiescence of the Districts, and that the City would be willing to remove the Districts' jurisdictional boundaries from the pending Application. The Districts appreciate the City's cooperative efforts. Accordingly, to assist the City with filing a letter with the TCEQ to remove the Districts' jurisdictional boundaries from the sewer service area requested in the pending Application, attached hereto are the metes and bounds descriptions of the Districts.

Please note that the deadline for the Districts to protest the Application is 30 days from the date of the notice of Application, which is July 3, 2014. The Districts respectfully request that the City amend its Application to exclude the boundaries of each District from the City's requested retail sewer service area and provide me with a copy of the filed amendment on or before June 27, 2014. The Districts enjoy the positive and cooperative working relationship with the City, and they want to avoid unnecessarily delaying the processing of the Application at the TCEQ.

Last, as we also discussed, the City's sewer CCN, as currently authorized, already includes a portion of District 1 and 2B's jurisdictional boundaries ("***Current Overlapping Area***"). These two Districts recognize that they are the only entities capable of providing retail sewer service to their residents, since they own the internal wastewater infrastructure. In any event, the Districts plan to revisit this issue and explore solutions to this regulatory predicament in the next fiscal year, once this current matter is resolved. However, an immediate and cost effective resolution to this issue would be for the City to further modify its amendment Application and request the TCEQ to decertify the Current Overlapping Area from its existing sewer CCN boundaries, resulting in District 1 and 2B having no sewer CCNs over their respective jurisdictional boundaries.

We look forward to working with you to resolve this matter as efficiently as possible. Please contact me at (512) 322-5818 if you have any questions or need any additional information.

Sincerely,



David J. Klein

Enclosures

cc: Thomas E. Word, Assistant City Manager, City of Pflugerville
Jeff Stivers, President, Lakeside WCID No. 1
Lawrence Shellaby, President, Lakeside WCID No. 2A
Marilyn Horndt, President, Lakeside WCID No. 2B
David Wang, President, Lakeside WCID No. 2C
William P. McCord, President, Lakeside WCID No. 2D

ATTACHMENTS

METES AND BOUNDS DESCRIPTIONS FOR THE LAKESIDE DISTRICTS

EXHIBIT B

LAKESIDE WCID No. 1

BEING A TRACT OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, AND BEING A PART OF THE A. BAILEY SURVEY NO. 34 AND THE J. C. LEE SURVEY NO 35 AND BEING A PART OF TRACT ONE AS DESCRIBED IN A WARRANTY DEED FROM GEORGE P. PREWITT, JR., INDIVIDUALLY, AND SHIRLEY J. PREWITT, ON BEHALF OF LOKI, LTD TO ROBERT H. TIEMANN RECORDED IN VOLUME 12212, PAGE 1510 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING A PART OF THAT CERTAIN 5.273 ACRE PARCEL LESS AND EXCEPTED FROM THE SAID DEED TO ROBERT M. TIEMANN RECORDED IN VOLUME 12212, PAGE 1510 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Begin at the Southeast Corner of Lot 1, Block D, Meadows of Blackhawk Phase One, according to the plat thereof recorded in Volume 95 Pages 96, 97 and 98 of the Plat Records of Travis County, Texas;

Thence N. 22 deg 22'17" E., along the East Line of Lots 1 and 2, Block D, 239.70 feet;

Thence N. 76 deg 02'15" W., along the Northerly Line of Lot 2, Block D, 120.05 feet;

Thence N. 18 deg 04'33" E., along the East Line of Kennemer Drive, 57.21 feet;

Thence N. 72 deg 08'31" W., along the boundary of said plat of Meadows of Blackhawk Phase One, 60.00 feet;

Thence along the arc of a curve to the right (said curve having a radius of 20.00 feet, a central angle of 90 deg 00'00", a chord bearing S. 62 deg 51'29" W., and a chord length of 28.28 feet) and along said plat boundary, 31.42 feet;

Thence N. 72 deg 08'31" W., along said plat boundary, 46.82 feet;

Thence along the arc of a curve to the right (said curve having a radius of 475.00 feet a central angle of 9 deg 28'38", a chord bearing N. 67 deg 24'12" W., and a chord length of 78.48 feet) and along said plat boundary, 78.57 feet;

Thence N. 26 deg 43'12" E., along said plat boundary, 163.96 feet;

Thence N. 31 deg 36'17" E., along said plat boundary, 166.62 feet;

Thence N. 40 deg 37'06" E., along said plat boundary, 154.69 feet;

Thence N. 51 deg 09'50" E., along said plat boundary, 176.23 feet;

Thence N. 30 deg 21'06" W., along said plat boundary, 174.06 feet;

Thence N. 16 deg 12'18" W., along said plat boundary, 92.80 feet;

LAKESIDE WCID No. 1

Thence N. 5 deg 27'58" W., along said plat boundary, 97.97 feet;

Thence N. 2 deg 44'44" E., along said plat boundary, 72.83 feet;

Thence N. 7 deg 05'58" E., along said plat boundary, 64.63 feet;

Thence N. 5 deg 42'10" E., along said plat boundary, 98.03 feet;

Thence N. 4 deg 39'14" W., along said plat boundary, 56.21 feet;

Thence N. 23 deg 24'22" W., along said plat boundary, 70.20 feet;

Thence N. 29 deg 26'12" W., along said plat boundary, 139.11 feet;

Thence along the arc of a curve to the left (said curve having a radius of 325.00 feet, a central angle of 13 deg 49'14", a chord bearing N. 51 deg 22'11" E., and a chord length of 78.20 feet) and along said plat boundary, 78.39 feet;

Thence along the arc of a curve to the right (said curve having a radius of 15.00 feet, a central angle of 92 deg 09'43", a chord bearing S. 89 deg 27'34" E., and a chord length of 21.61 feet) and along said plat boundary, 24.13 feet;

Thence N. 43 deg 22'42" W., along said plat boundary, 118.87 feet;

Thence along the arc of a curve to the right (said curve having a radius of 455.90 feet, a central angle of 7 deg 11'27", a chord bearing N. 38 deg 47'48" W., a chord length of 57.18 feet) and along said plat boundary, 57.22 feet;

Thence S. 54 deg 50'45" W., along said plat boundary, 49.83 feet;

Thence S. 73 deg 12'30" W., along said plat boundary, 100.16 feet;

Thence S. 88 deg 40'14" W., along said plat boundary, 95.82 feet;

Thence N. 61 deg 53'26" W., along said plat boundary, 258.78 feet;

Thence N. 78 deg 46'47" W., along said plat boundary, 80.01 feet;

Thence N. 12 deg 58'21" E., along a line 30.00 feet east of and parallel with the Westerly Line of Tract One, as conveyed to Robert M. Tiemann by Warranty Deed recorded in Volume 12212, Page 1510 of the Real Property Records of Travis County, Texas, 871.43 feet, to a line 30.00 feet south of and parallel with the North Line of said Tract One and the South Line of Rowe Lane (also known as County Road No. 139);

Thence S. 79 deg 55'59" E., along said parallel line, 838.05 feet;

LAKE SIDE WCID No. 1

Thence S. 80 deg 22'42" E., along a line 30.00 feet south of and parallel with the South Line of Rowe Lane, 2203.02 feet to the West Line of the 95.256 acres as described in a deed to Robert M. Tiemann by deed recorded in Volume 12625, Page 570 of the Real Property Records of Travis County, Texas;

Thence S. 14 deg 40'55" W., along the West Line of the said 95.256 Acre tract and along the East Line of the said 5.273 Acre Tract and along the East Line of said Tract One, 3333.59 feet to the North Corner of Tract Three as described in the said deed to Robert M. Tiemann recorded in volume 12212, page 1510;

Thence N. 67 deg 14'56" W., crossing said Tract One, 500.57 feet to the Southerly Line of said Tract One;

Thence N. 60 deg 08'22" W., along the Southerly Line of Said Tract One, 665.50 feet;

Thence N. 59 deg 40'15" W., along said Southerly Line, 839.51 feet to the said Point of Beginning.

Containing 166.19 acres, more or less, as shown on the sketch attached.

John K. Weigand May 10, 2011
J. Kenneth Weigand
Registered Professional Land Surveyor No. 4391
State of Texas



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

The East Line of Lots 1 and 2, Block D, is assumed to bear N. 22 deg 22'17" E. for the basis of this description.

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.

EXHIBIT B

248.698 ACRES - LAKESIDE WCID 2A

A PARCEL OF LAND IN TRAVIS COUNTY, TEXAS AND WILLIAMSON COUNTY, TEXAS, AND BEING OUT OF AND A PART OF THE V. W. SWEARENGEN SURVEY No. 32, AND THE GEORGE GRIMES SURVEY No. 33, AND BEING A PART OF THAT CERTAIN TRACT SAID TO CONTAIN 261.87 ACRES OF LAND AS DESCRIBED IN A DEED TO ROBERT M. TIEMANN FROM GEORGE P. PREWITT, JR. AND WIFE, SHIRLEY PREWITT, DATED JULY 27, 1982, AND RECORDED IN VOLUME 7818, PAGE 214, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING A PART OF THAT CERTAIN TRACT SAID TO CONTAIN 286.736 ACRES OF LAND AS DESCRIBED IN A DEED TO ROBERT M. TIEMANN FROM GEORGE P. PREWITT, JR. AND WIFE, SHIRLEY PREWITT, DATED OCTOBER 1, 1983, AND RECORDED IN VOLUME 8338, PAGE 505, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING A PART OF THAT CERTAIN TRACT SAID TO CONTAIN 19.244 ACRES OF LAND AS DESCRIBED IN A DEED TO ROBERT M. TIEMANN FROM GEORGE P. PREWITT AND WIFE, SHIRLEY PREWITT, DATED AUGUST 1, 1983, AND RECORDED IN VOLUME 8198, PAGE 46, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Commence at a point in the South Line of Rowe Lane at its intersection with the West Line of Hodde Lane, for the Northeast Corner of the said 286.736 Acre Tract;

Thence S.29°32'00"W., along the West Line of Hodde Lane and the East Line of the said 286.736 Acre Tract, a distance of 31.81 feet to the Point of Beginning;

Thence continue along the said West Line of Hodde Lane and the East Line of the said 286.736 Acre Tract the following two (2) courses:

1. S.29°32'00"W., a distance of 2,238.30 feet;
2. S.29°50'30"W., a distance of 1,396.09 feet;

Thence departing the said West Line of Hodde Lane and crossing the said 286.736 Acre Tract and crossing the said 261.87 Acre Tract the following 15 courses:


1. N.60°09'30"W., a distance of 1,201.10 feet to a point of curvature of a curve to the left having a radius of 2,000.00 feet, a central angle of 17°00'00", and a chord bearing of N.68°39'30"W., 591.24 feet;
2. Westerly, along the arc of said curve, a distance of 593.41 feet;
3. N.77°09'30"W., a distance of 990.92 feet to a point of curvature of a curve to the right having a radius of 1,500.00 feet, a central angle of 19°59'34", and a chord bearing of N.67°09'43"W., 520.76 feet;
4. Northwesterly, along the arc of said curve, a distance of 523.41 feet;
5. N.12°04'05"E., a distance of 53.61 feet;
6. N.36°33'03"E., a distance of 230.33 feet;
7. N.85°00'00"E., a distance of 120.00 feet;
8. N.30°00'00"E., a distance of 280.00 feet;
9. N.00°00'00"W., a distance of 450.00 feet;
10. N.20°00'00"E., a distance of 225.00 feet;
11. N.39°00'00"E., a distance of 455.00 feet;
12. N.20°00'00"E., a distance of 220.00 feet;
13. N.02°00'00"W., a distance of 450.00 feet;
14. N.26°40'34"W., a distance of 280.00 feet;
15. N.11°20'51"E., a distance of 243.94 feet to a line 30.00 feet south of and parallel with the North Line

248.698 ACRES - LAKESIDE WCID 2A

of the said 261.87 Acre Tract, the North Line of the said 286.736 Acre Tract, and the North Line of the said 19.244 Acre Tract and 30.00 feet south of and parallel with the South Line of Rowe Lane;

Thence S.79°53'30"E., along said parallel line, a distance of 4,147.96 feet to the said Point of Beginning.

Containing 248.698 acres, more or less, as shown on the sketch attached.


J. Kenneth Weigand date
Registered Professional Land Surveyor No. 4391
State of Texas



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

The West Line of Hodde Lane bears S.29°32'00"W. for the basis of this description.

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.

EXHIBIT B

LAKESIDE WCID 2B

A PARCEL OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PART OF THE A. BAILEY SURVEY NO. 34 AND THE V. SWEARENGEN SURVEY NO. 32, AND BEING A PART OF THAT CERTAIN TRACT SAID TO CONTAIN 94.727 ACRES AND DESCRIBED AS TRACT 1 IN A DEED TO ROBERT M. TIEMANN FROM GEORGE P. PREWITT, JR., INDIVIDUALLY, AND SHIRLEY J. PREWITT, ON BEHALF OF LOKI, LTD., DATED DECEMBER 21, 1995, AND RECORDED IN VOLUME 12625, PAGE 570 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING A PART OF THAT CERTAIN TRACT SAID TO CONTAIN 321.88 ACRES OF LAND AS DESCRIBED IN A DEED TO JACQUELINE H SMITH FROM NASH PHILLIPS-COPUS, INC., DATED AUGUST 1, 1983, AND RECORDED IN VOLUME 8201, PAGE 380, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS;

COMMENCE AT A POINT IN THE SOUTH LINE OF ROWE LANE, FOR THE NORTHEAST CORNER OF THAT CERTAIN TRACT DESCRIBED AS TRACT 2, SAID TO CONTAIN 5.273 ACRES OF LAND, IN A DEED TO ROBERT M. TIEMANN FROM GEORGE P. PREWITT, JR., INDIVIDUALLY, AND SHIRLEY J. PREWITT, ON BEHALF OF LOKI, LTD, DATED DECEMBER 21, 1995, AND RECORDED IN VOLUME 12625, PAGE 570, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, FOR THE NORTHWEST CORNER OF THE SAID 94.727 ACRE TRACT;

THENCE S.14°40'55"W., ALONG THE WEST LINE OF THE SAID 94.727 ACRE TRACT AND ALONG THE EAST LINE OF THE SAID 5.273 ACRE TRACT, A DISTANCE OF 30.12 FEET TO THE POINT OF BEGINNING;

THENCE ALONG A LINE 30.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF ROWE LANE, THE SAME BEING 30.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SAID 94.727 ACRE TRACT, THE FOLLOWING THREE (3) COURSES:

1. S.80°22'42"E., A DISTANCE OF 23.57 FEET;
2. S.81°30'36"E., A DISTANCE OF 648.36 FEET;
3. S.80°28'37"E., A DISTANCE OF 804.07 FEET;

THENCE DEPARTING SAID PARALLEL LINE, CROSSING THE SAID 94.727 ACRE TRACT AND CROSSING THE SAID 321.88 ACRE TRACT, THE FOLLOWING NINE (9) COURSES:

1. S.23°04'31"E., A DISTANCE OF 350.05 FEET;
2. S.01°09'36"W., A DISTANCE OF 547.70 FEET;
3. S.18°25'24"E., A DISTANCE OF 702.17 FEET;
4. S.05°07'18"E., A DISTANCE OF 701.07 FEET;
5. S.59°08'36"W., A DISTANCE OF 507.50 FEET;
6. S.13°37'32"W., A DISTANCE OF 590.43 FEET;
7. S.08°21'45"E., A DISTANCE OF 448.87 FEET;
8. S.06°55'02"E., A DISTANCE OF 378.30 FEET;
9. S.13°14'00"W., A DISTANCE OF 353.81 FEET TO A POINT IN A LINE 30.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SAID 321.88 ACRE TRACT;

THENCE N.60°01'57"W., ALONG SAID PARALLEL LINE, A DISTANCE OF 1,050.19 FEET;

THENCE S.29°58'03"W., A DISTANCE OF 37.70 FEET TO A LINE 30.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SAID 321.88 ACRE TRACT;

THENCE N.60°09'00"W., ALONG SAID PARALLEL LINE, A DISTANCE OF 91.10 FEET;

THENCE S.29°51'00"W., A DISTANCE OF 30.00 FEET TO THE SAID SOUTH LINE OF THE 321.88 ACRE TRACT;

LAKESIDE WCID 2B

THENCE N.60°09'00"W., ALONG THE SOUTHERLY LINE OF THE SAID 321.88 ACRE TRACT, A DISTANCE OF 680.63 FEET TO THE SOUTHWEST CORNER OF THE SAID 321.88 ACRE TRACT AND THE SOUTHEAST CORNER OF THE SAID 94.727 ACRE TRACT

THENCE N.60°08'22"W., ALONG THE SOUTH LINE OF THE SAID 94.727 ACRE TRACT, 339.83 FEET TO A POINT IN THE EAST LINE OF DIABLO DRIVE, AS RECORDED IN VOLUME 93, PAGE 245 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, THE SAME BEING THE EAST LINE OF FAIRWAYS OF BLACKHAWK, PHASE IIA, RECORDED IN BOOK 93, PAGE 245 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS;


THENCE N.29°52'57"E., ALONG THE EAST LINE OF DIABLO DRIVE AND ALONG THE EAST LINE OF SAID FAIRWAYS OF BLACKHAWK, PHASE IIA, A DISTANCE OF 71.19 FEET TO THE NORTHEAST CORNER OF DIABLO DRIVE AND THE NORTHEAST CORNER OF SAID FAIRWAYS OF BLACKHAWK PHASE IIA;

THENCE N.60°08'23"W., ALONG THE NORTH LINE OF FAIRWAYS OF BLACKHAWK, PHASE IIA, AT A DISTANCE OF 50.00 FEET PASS THE NORTHWEST CORNER OF DIABLO DRIVE, IN ALL A TOTAL DISTANCE OF 261.94 FEET;

THENCE N.67°14'56"W., ALONG THE NORTH LINE OF SAID FAIRWAYS OF BLACKHAWK, PHASE IIA, A DISTANCE OF 74.59 FEET TO THE WEST LINE OF THE SAID 94.727 ACRE TRACT, THE SAME BEING THE EAST LINE OF THAT CERTAIN TRACT DESCRIBED AS TRACT 1, SAID TO CONTAIN 194.727 ACRES OF LAND, IN A DEED TO ROBERT M. TIEMANN FROM GEORGE P. PREWITT, JR., INDIVIDUALLY, AND SHIRLEY J. PREWITT, ON BEHALF OF LOKI, LTD., DATED JUNE 3, 1994, AND RECORDED IN VOLUME 12212, PAGE 1510, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS;

THENCE N.14°40'55"E., ALONG SAID WEST LINE AND ALONG THE EAST LINE OF THE SAID 194.727 ACRE TRACT AND THE EAST LINE OF THE SAID 5.273 ACRE TRACT, A DISTANCE OF 3,333.59 FEET TO THE POINT OF BEGINNING.

CONTAINING 180.556 ACRES, MORE OR LESS, AS SHOWN ON THE SKETCH ATTACHED.


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

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

The west line of the 94.727 acre tract bears S.14°40'55"W., for the purposes of this description

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