

**R&R**  
RUSSELL & RODRIGUEZ, L.L.P.  
ATTORNEYS AT LAW

1633 WILLIAMS DRIVE  
BUILDING 2, SUITE 200  
GEORGETOWN, TEXAS 78628

Email: arodriguez@txadminlaw.com

PHONE (512) 930-1317  
FAX (866) 929-1641  
WWW.TXADMINLAW.COM

January 18, 2012

**VIA HAND DELIVERY**

Ms. Debbie Reyes  
Texas Commission on Environmental Quality  
Utilities & Districts Section  
P.O. Box 13087, MC-153  
Austin, Texas 78711-3087

RECEIVED  
TCEQ  
UTILITY DIV.  
2012 JAN 18 AM 9 59

Re: *Application from the City of Liberty Hill to Amend Certificate of Convenience and Necessity (CCN) No. 10324 in Williamson County; Application No. 37116-C*

CN: 602959003; RN: 101453322

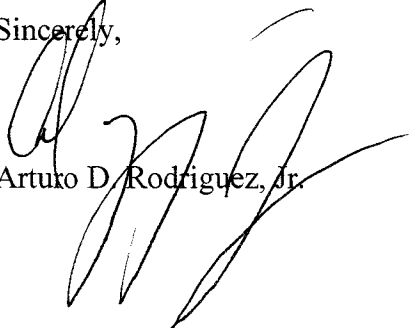
Dear Ms. Reyes,

This firm represents the City of Liberty Hill in the above referenced application. I am in receipt of your November 21, 2011, letter that contained instructions on how to publish notice of the above-referenced application. Enclosed with this letter are the following documents, which satisfy the notification requirements:

1. The original and three copies of the *Publisher's Affidavit* from the Williamson County *Sun* as well as the tear sheet from January 1, 2012, and January 8, 2012, demonstrating that published notice was provided (see Exhibit No. 1);
2. Four copies of the *Notice to Neighboring Systems, Landowners and Cities* and the map sent to each neighboring system, landowner owning more than 25 acres, and city within two (2) miles or more of the City of Liberty Hill (see Exhibit No. 2);
3. An original and three copies of the *Affidavit of Notice to Neighboring Utilities and Affected Parties* signed by Mr. Manuel De La Rose, City Manager for the City of Liberty Hill (see Exhibit No. 3).

Thank you very much for your attention to this matter.

Sincerely,

  
Arturo D. Rodriguez, Jr.

Attachments as stated in letter

cc: (w/o Attachments)  
Mr. Manuel De La Rosa  
Mr. Richard Hamala

Texas Commission on Environmental Quality



PUBLISHER'S AFFIDAVIT  
APPLICATION NO. 37116-C

STATE OF TEXAS  
COUNTY OF Williamson

Before me, the undersigned authority, on this day personally appeared Gin Burnett, who being by me duly sworn, deposes and says that (s)he is the Rep. - office manager (TITLE) of the Williamson County Sun (NAME OF NEWSPAPER)

that said newspaper is regularly published in Williamson County (COUNTY/COUNTIES)

and generally circulated in Williamson County, Texas; and (COUNTY/COUNTIES)

that the attached notice was published in said newspaper on the following date(s), to wit:

January 1 & 8, 2012

(DATES)

Gin Burnett  
(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this 13<sup>th</sup> day of January, 2012,  
to certify which witness my hand and seal of office.

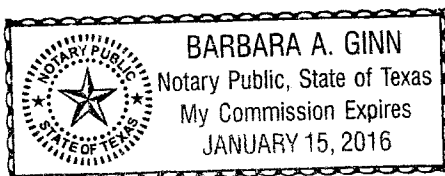
Barbara A Ginn

Notary Public in and for the State of Texas

Barbara A Ginn

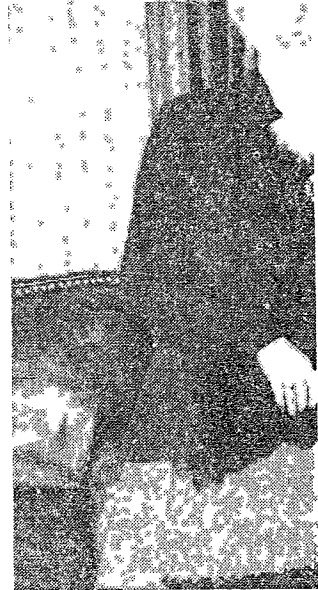
Print or Type Name of Notary Public

Commission Expires 01-15-16





Bonnie Jackson and Jane Best



Carolyn Bonnet.



#### Continued from Page 7B

**CITATION BY PUBLICATION**  
THE STATE OF TEXAS  
COUNTY OF WILLIAMSON  
TO ALL PERSONS INTERESTED IN THE ESTATE OF DAVID EWING BALMFORTH, DECEASED, Cause No. 11-0778-CP4, in County Court at Law #4 of Williamson County, 405 Martin Luther King Street, Georgetown, Texas 78626  
**CASSANDRA GAIL THOMAS**, Applicant in the above numbered and entitled estate, filed on the 28th day of December, 2011 an APPLICATION TO DETERMINE HEIRSHIP AND FOR LETTERS OF INDEPENDENT ADMINISTRATION of the said estate and requests that the said Court determine who are the heirs and only heirs of the said DAVID EWING BALMFORTH, DECEASED, and their respective shares and interest in such estate

Said application may be heard at 10:00 o'clock a.m. on or after the first Monday next after the expiration of ten days from the date of publication of this citation, at the County Court-house in Georgetown, Williamson County, Texas

All persons interested in said estate are hereby cited to appear before said Honorable Court on or before above mentioned time and place by filing a written answer contesting such application should they desire to do so

If this citation is not served within 90 days after the date of its issuance, it shall be returned unserved

Issued and given under my hand and seal of office at Georgetown, Texas, this the 28th day of December, 2011  
Nancy E. Rister  
Williamson County Clerk  
405 MLK Street, Box 14  
Georgetown, Texas 78626  
By S. Perdue, Deputy  
Applicant's Attorney  
Lawrence A. Russell  
Attorney at Law  
9951 Anderson Mill Rd. Ste 200

Austin TX 78750

**CITATION BY PUBLICATION**  
THE STATE OF TEXAS  
COUNTY OF WILLIAMSON  
TO ALL PERSONS INTERESTED IN THE ESTATE OF MARSH F. SMITH A/K/A SKIP SMITH, DECEASED, Cause No. 11-0782-CP4, in County Court at Law #4 of Williamson County, 405 Martin Luther King Street, Georgetown, Texas 78626

**REBECCA L. SMITH AND MARSH F. SMITH III** Applicant in the above numbered and entitled estate, filed on the 30th day of December, 2011 an APPLICATION FOR APPOINTMENT OF INDEPENDENT ADMINISTRATOR AND DETERMINATION OF HEIRSHIP of the said estate and requests that the said Court determine who are the heirs and only heirs of the said MARSH F. SMITH A/K/A SKIP SMITH, DECEASED, and their respective shares and interest in such estate

Said application may be heard at 10:00 o'clock a.m. on or after the first Monday next after the expiration of ten days from the date of publication of this citation, at the County Court-house in Georgetown, Williamson County, Texas

All persons interested in said estate are hereby cited to appear before said Honorable Court on or before above mentioned time and place by filing a written answer contesting such application should they desire to do so

If this citation is not served within 90 days after the date of its issuance, it shall be returned unserved

Issued and given under my hand and seal of office at Georgetown, Texas, this the 30th day of December 2011

Nancy E. Rister  
Williamson County Clerk  
405 MLK Street, Box 14  
Georgetown TX 78626  
By C. Dawson, Deputy  
Applicant's Attorney  
Randall C. Stump  
803 Main St.  
Georgetown, Texas 78626

**NOTICE OF APPLICATION  
FOR CERTIFICATE OF  
CONVENIENCE AND**

#### **NECESSITY (CCN) TO PROVIDE WATER UTILITY SERVICE IN WILLIAMSON COUNTY, TEXAS**

The City of Liberty Hill has filed an application to amend CCN No. 10324 with the Texas Commission on Environmental Quality to provide water utility service in Williamson County. The proposed utility service area is located approximately 1.5 miles northwest of downtown Liberty Hill, Texas, and is generally bounded on the north by County Road 206 on the east by CR 279, on the south by Brewer Branch and Little Creek, and on the west by Double File Tree. The total area being requested includes approximately 5,542 acres and 0 current customers. The proposed amendment affects customers and/or areas located in the following zip code 78642.

A copy of the proposed service area map is available at 1120 Loop 332, Liberty Hill, Texas 78642 or by calling 512/778-5449. A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number, (2) the applicant's name, application number or another recognizable reference to this application, (3) the statement, "I/we request a public hearing", (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN, and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Persons who wish to intervene or comment should write the Texas Commission on Environmental Quality, Water Supply Division, Utilities and Districts Section, MC-153, P.O. Box 13087, Austin, TX 78711-3087.

A copy of the request to opt out of the proposed area must be sent to the applicant. You may request additional information regarding your request. Si desea información en Español, puede llamar al 1-512-502-0200.

written hearing request or a hearing is set will receive notice if a hearing is scheduled. If a public hearing is requested, the Executive Director will issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court. If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All requests to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land. Persons who meet the requirements to opt out and wish to request this option should submit the required documents with the

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

A copy of the request to opt out of the proposed area must be sent to the applicant. You may request additional information regarding your request. Si desea información en Español, puede llamar al 1-512-502-0200.

**CITATION BY PUBLICATION**  
THE STATE OF TEXAS  
COUNTY OF WILLIAMSON  
TO ALL PERSONS INTERESTED IN THE ESTATE OF HOMERO AMANDO PEREZ, JR., DECEASED, Cause No. 11-0780-CP4, in County Court at Law #4 of Williamson County, 405 Martin Luther King Street, Georgetown, Texas 78626

PUBLIC



**HINSON  
CONSTRUCTION, INC.**

Commercial Construction  
Remodeling  
Construction  
• Free Estimates  
**8139**

## Handyman Services

**Your Handyman.** Christmas lights, home repair/remodeling, window replacement, fencing, small jobs welcome. \$25/hour or by the job. Jeff, 512-925-5109

**Have truck will haul.** Garage clean-out, tree debris, appliances, Fall clean up, gutter cleaning. All your hauling and cleaning needs. Reasonable rates. 635-1971

**Handyman Service & Repair.** Electrical, plumbing, drywall, framing, additions, decks and haul-off. References available. Local since 1990. \$45/hr. 512-868-1044

**C&R Handyman Service.** "Small projects are ideal." 20 years experience. Call David at 512-293-2355. crsgeorgetown@verizon.net

## HOLCOMB ELECTRIC, INC.

**Residential &  
Commercial**

Ceiling Fans & Fixtures  
Bulbs & Ballasts  
Additions & Remodels  
Free Estimates  
Over 30 Years Experience  
**(512) 930-3878**

**'Joe' The  
Money-Do  
Landy-Man**

**CONSTRUCTION  
SMALL JOBS A-Z  
AND RESIDENTIAL**

Maintenance and repair needs inside and out  
**THEN WE'RE NOT FINISHED**  
Painting • Electrical • Room Additions • Drywall  
• Engineer on staff

### (Public Notices Continued)

ber, 2011.  
Charles E. Lance  
Attorney for Applicant

**INVITATION TO BID #201212**  
Sealed bids will be received by the City of Georgetown in the Georgetown Municipal Complex, Purchasing Department, at 300-1 Industrial Avenue, Georgetown, Texas 78626 at January 19, 2012 at 2:00 p.m. and immediately thereafter publicly opened and read, for constructing the following project:

The project consists of furnishing and installing and providing all labor and materials required for a new parking lot, consisting of 81 parking spaces, new sidewalk, concrete driveway, landscaping and irrigation and other miscellaneous items, as more fully described in the Drawings and the summary of work contained in Section 01010.

Bidding Documents are on file and may be examined at the office of the Steger Bizzell, 1978 S. Austin Ave., Georgetown, Tx., 78626, (512)930-9412. Bidding Documents may be obtained upon payment to the Engineer, accompanied with a check in the amount of \$100.00 per set, which is not refundable. Bids not accompanied by cashier's check or bid bond will not be considered. Bidders should register on the City of Georgetown's Ebid web site - <http://bids.georgetown.org>.

### Public Meeting to Consider Proposed Ordinances By the Georgetown City Council on Tuesday, January 10, 2012

An Ordinance of the City Council of the City of Georgetown, Texas, amending part of the Zoning District Map adopted on the 4th Day of April 2002 in accordance with the Unified Development Code passed and adopted on the 11th Day of March 2003, to rezone 2.54 acres in the Antonio Flores Survey from Industrial (IN) District to General Commercial (C-3) District, as recorded in the Deed Reference, Volume 2462, Page 946 and Document Number in 2003085211 of the Official Public Records of Williamson County, Texas; repealing conflicting ordinances and resolutions; including a severability clause, and establishing an effective date.

An Ordinance of the City Council of the City of Georgetown, Texas, amending part of the Zoning District Map adopted on the 4th Day of April 2002 in accordance with the Unified Development Code passed and adopted on the 11th Day of March 2003, to rezone 9.48 acres in the Joseph Fish Survey from Agriculture (AG) District to Residential Single-Family (RS) District, as recorded in Deed Reference, Document Number 2006070080 of the Official Public Records of Williamson County, Texas; repealing conflicting ordinances and resolutions; including a severability clause; and establishing an effective date.

Meeting to be held at 6:00 p.m. at the Georgetown Council

### (Public Notices Continued)

ember, 2011 an **APPLICATION TO DETERMINE HEIRSHIP** and an **APPLICATION FOR LETTERS OF ADMINISTRATION** of the said estate and requests that the said Court determine who are the heirs and only heirs of the said **LINDA JO JORDAN, DECEASED**, and their respective shares and interest in such estate.

Said application may be heard at 10:00 o'clock a.m. on or after the first Monday next after the expiration of ten days from the date of publication of this citation, at the County Court-house in Georgetown, Williamson County, Texas.

All persons interested in said estate are hereby cited to appear before said Honorable Court on or before above mentioned time and place by filing a written answer contesting such application should they desire to do so.

If this citation is not served within 90 days after the date of its issuance, it shall be returned unserved.

Issued and given under my hand and seal of office at Georgetown, Texas, this the 21st day of December, 2011.

Nancy E. Rister  
Williamson County Clerk  
405 MLK Street, Box 14  
Georgetown, Texas 78626  
By: S. Perdue, Deputy  
Applicant's Attorney:  
**Mark S Whitaker**  
15 N Main Street  
Temple, TX 76701

### NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO PROVIDE WATER UTILITY SERVICE IN WILLIAMSON COUNTY, TEXAS

The City of Liberty Hill has filed an application to amend CCN No. 10324 with the Texas Commission on Environmental Quality to provide water utility service in Williamson County.

The proposed utility service area is located approximately 1.5 miles northwest of downtown Liberty Hill, Texas, and is generally bounded on the north by County Road 206, on the east by CR 279; on the south by Brewer Branch and Little Creek; and on the west by Double File Trce. The total area being requested includes approximately 5,542 acres and 0 current customers. The proposed amendment affects customers and/or areas located in the following zip code: 78642.

A copy of the proposed service area map is available at 1120 Loop 332, Liberty Hill, Texas 78642 or by calling 512/778-5449. A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or

### (Public Notices Continued)

Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court. If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All request to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land. Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the

Texas Commission on  
Environmental Quality  
Water Supply Division  
Utilities and Districts Section,  
MC-153

P. O. Box 13087

Austin, TX 78711-3087

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request. Si desea informacion en Espanol, puede llamar al 1-512-239-0200

### Notice of Public Auction

A public auction will be held to satisfy Landlord's lien pursuant to Chapter 59 of the Texas Property Code. Sale will be held at 10:00am on the 28th day of January, 2012, at A-A-A Storage Inner Loop L.P. located at 1301 NE Inner Loop, Georgetown, TX., 78626. All units will be sold to the highest bidder for cash. Clean up and removal deposit will be required. Seller reserves the right to withdraw any property from the sale and reserves the right to reject any bid. Sales include items from the following tenant's storage spaces:

Sarah Hiller, Rita Martinez, Rebecca Gentry, Joshua Klecka

Description of Items:  
Clothes, Misc Boxes and Totes, Misc Household Items, Furniture, Toys, Television, Computers, Printer, Movies, Luggage, Books

For further information on the sale, please contact A-A-A Storage Inner Loop Manager at 1301 NE Inner Loop, Georgetown, TX, 78626. Phone: 512-864-0110

**Application has  
been made with the  
Texas Alcoholic  
Beverage Commission for a  
Mixed Beverage  
Restaurant Permit  
with Food and Beverage  
by Tombstone Texas Bar &**

*Application No. 37116-C*  
***Notice to Neighboring Systems, Landowners and Cities***

**NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND  
NECESSITY (CCN) TO PROVIDE WATER UTILITY SERVICE IN  
WILLIAMSON COUNTY, TEXAS**

To:

Date Notice Mailed: January 5, 2012

The City of Liberty Hill has filed an application to amend CCN No. 10324 with the Texas Commission on Environmental Quality to provide water utility service in Williamson County.

The proposed utility service area is located approximately 1.5 miles northwest of downtown Liberty Hill, Texas, and is **generally** bounded on the north by County Road 206; on the east by CR 279; on the south by Brewer Branch and Little Creek; and on the west by Double File Trce. The total area being requested includes approximately 5,542 acres and 0 current customers. The proposed amendment affects customers and/or areas located in the following zip code: 78642.

**See enclosed map of the proposed service area.**

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Persons who wish to intervene or comment should write the:

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

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the Commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the Executive Director will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a

recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All request to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

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

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

Si desea informacion en Espanol, puede llamar al 1-512-239-0200.

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES  
APPLICATION NO. 37116-C

STATE OF TEXAS

COUNTY OF Williamson

The City of Liberty Hill, Texas has provided  
individual notice to the following entities:

	DATE
<u>See attached list</u>	<u>Jan. 5, 2012</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
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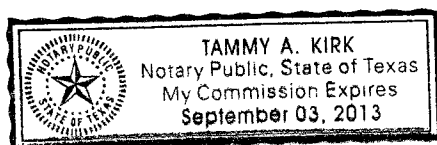
OATH

I, Manuel De La Rosa, being duly sworn, file this form as  
City Manager (indicate relationship to applicant,  
that is, owner, member of partnership, title of officer of corporation, or other authorized  
representative of applicant); that in such capacity, I am qualified and authorized to file and  
verify such form, am personally familiar with the notices given with this application, and have  
complied with all notice requirements in the application and application acceptance letter; and  
that all such statements made and matters set for therein are true and correct.

[Signature]  
Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the  
applicant, or its' attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this 17<sup>th</sup> day of January, 2012,  
to certify which witness my hand and seal of office.



Tammy Kirk

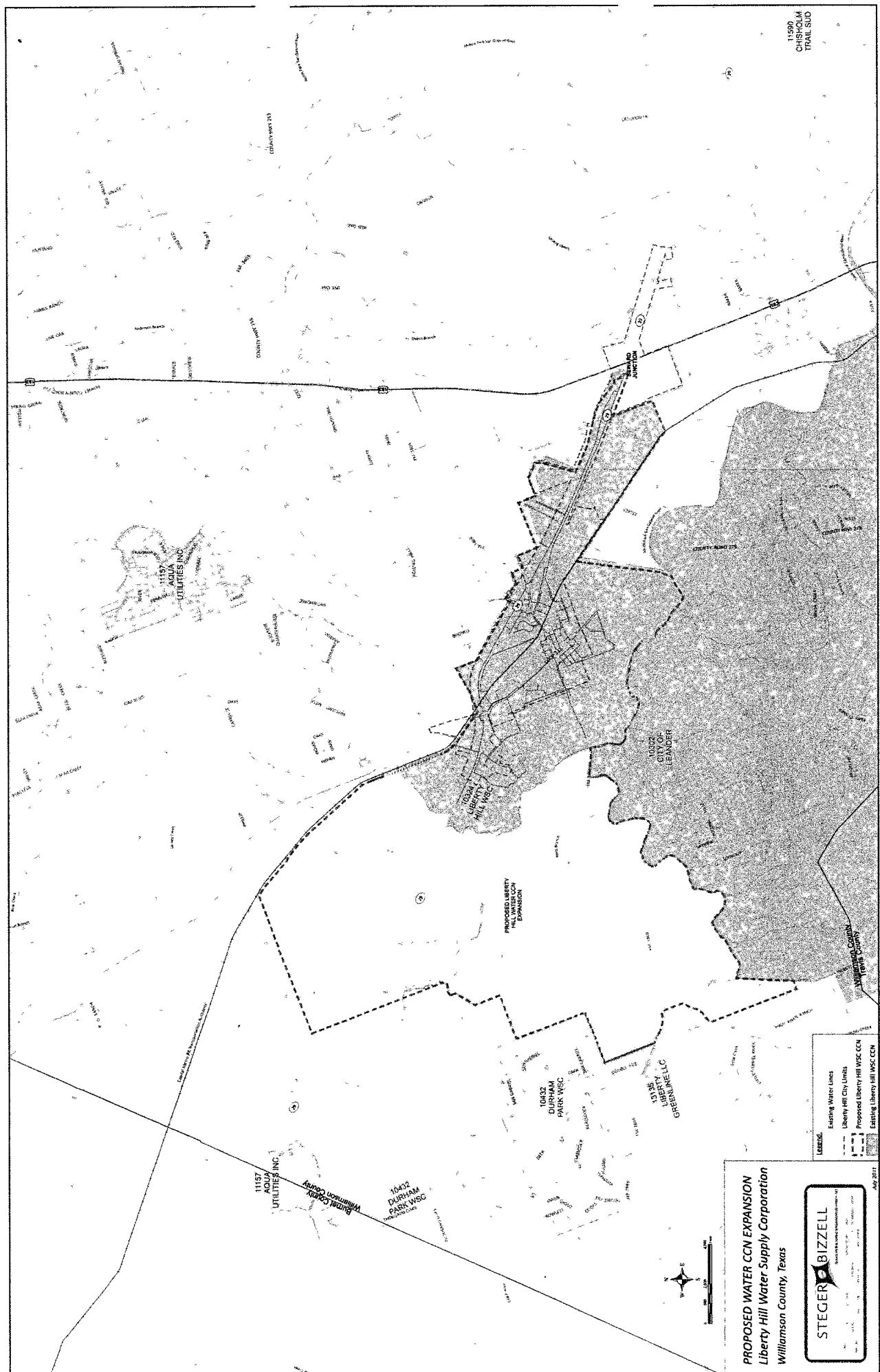
Notary Public in and for the State of Texas

Tammy Kirk

Print or Type Name of Notary Public  
Commission Expires 9/3/13

Aqua Texas Inc. 1106 Clayton Ln, Ste 400W Austin, TX 78723-2476	Dinah Beth Brothers PO Box 909 Liberty Hill, TX 78642	Butler Family Partnership, LTD Attn: Edward Butler PO Box 9190 Austin, TX 78766
Chisholm Trail Special Utility District PO Box 249 Florence, TX 76527	James B. & Patricia Curry 4850 Ranch Road 1869 Liberty Hill, TX 78642	Chisholm Davis PO Box 576 Liberty Hill, TX 78642
Durham Park Water Supply Corporation 900 Glasscock Road Liberty Hill, TX 78642	Billy W Evans 1051 County Road 201 Liberty Hill, TX 78642	Mildred Adell Foust PO Box 940 Liberty Hill, TX 78642
Raymond Elroy Foust PO Box 45 Liberty Hill, TX 78642	Leroy O. & Thelma M Hall 17100 W Hwy 29 Liberty Hill, TX 78642	James O. Hanley Revocable Living Trust PO Box 128 Liberty Hill, TX 78642
Robert L & Edena Harris 1053 County Road 201 Liberty Hill, TX 78642	Lloyd Hodges 5501 RR 1869 Liberty Hill, TX 78642	City of Leander PO Box 319 Leander, TX 78641
City of Leander PO Box 317 Leander, TX 78641	Coy W. & Melisa L. Lechow PO Box 348 Liberty Hill, TX 78642	Liberty Greenline LLC PO Box 969 Liberty Hill, TX 78642
Liberty Hill ISD 14001 W. State Hwy 29 Liberty Hill, TX 78642	Liberty Hill Land Partnership PO Box 9190 Austin, TX 78766	Fannie Louise Marcom 16250 W Hwy 29 Liberty Hill, TX 78642
Mueller Family LP #1 PO Box 4879 Temple, TX 76505	David & Pamela Nemir & Terri Panico 1221 E. Baltimore Drive El Paso, TX 79902	Chester & Vicki Park 1049 County Road 201 Liberty Hill, TX 78642
Gabriel Sr. & Susie Pina 6800 Ranch Road 1869 Liberty Hill, TX 78642	Gary R & Cathy Rylander 7102 Darcus Cv Austin, TX 78759	William W Soja Revocable Living Trust Deborah W Soja Revocable Living Trust PO Box 547 Liberty Hill, TX 78642
Hal Duncan & Phillip Trussell 341 S Van Ness Ave Los Angeles, CA 90020	Hal & Phillip Trussell 341 S Van Ness Ave Los Angeles, CA 90020	Judge Dan A. Gattis Williamson County 710 Main Street, Suite 101 Georgetown, TX 78626





Bryan W. Shaw, Ph.D., Chairman  
Ruddy Garcia, Commissioner  
Carlos Rubinstein, Commissioner  
Mark R. Vickery, P.G., Executive Director



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 27, 2012

### CERTIFIED MAIL

Mr. Arturo D. Rodriguez, Jr.  
Russell & Rodriguez, LLP  
1633 Williams Dr., Ste. 200  
Georgetown, TX 78628

### FINAL NOTICE OF DEFICIENCY

Re: Application from the City of Liberty Hill, to Amend Certificate of Convenience and Necessity (CCN) No. 10324, in Williamson County; Application No. 37116-C

CN: 602959033; RN: 101453322

Dear Mr. Rodriguez:

On February 7, 2012, the Commission sent a letter instructing you to work with Mr. Butler, Mr. and Ms. Soja and Ms. Ann Greenberg to obtain sufficient information to exclude their properties from the City of Liberty Hill's proposed service and to provide revised maps.

The Commission also asked for a demonstration of the need for service in the proposed area and for a response to the hearing request from Mr. Evans. The deadline for returning all requested information was March 10, 2012. As of the date of this letter, we have not received any of the requested information.

Please submit all information by **April 9, 2012**. If we do not receive the requested information by this date, your application will be returned for failure to prosecute.

If you have further questions, please contact Ms. Debbie Reyes Tamayo at (512) 239-4683, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,

A handwritten signature in cursive script that reads "Tammy Benter".

Tammy Benter, Manager  
Utilities & Districts Section  
Water Supply Division  
Texas Commission on Environmental Quality

TB/DRT/mmg

Bryan W. Shaw, Ph.D., *Chairman*  
 Buddy Garcia, *Commissioner*  
 Carlos Rubinstein, *Commissioner*  
 Mark R. Vickery, P.G., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

February 7, 2012

### **CERTIFIED MAIL**

Mr. Arturo D. Rodriguez, Jr.  
 Russell & Rodriguez, LLP  
 1633 Williams Dr., Ste. 200  
 Georgetown, TX 78628

### **NOTICE OF DEFICIENCY**

Re: Application from the City of Liberty Hill, to Amend Certificate of Convenience and Necessity (CCN) No. 10324, in Williamson County; Application No. 37116-C  
 CN: 602959033; RN: 101453322

Dear Mr. Rodriguez:

In order to issue or amend a CCN, certain criteria must be met in accordance with Chapter 30 Texas Administrative Code (TAC), §291.102 (d). One criteria is for the applicant to demonstrate the need for service in the proposed area. The application shows there are no requests for service in the proposed service area.

To demonstrate the need for service in the proposed area, please provide the following:

- a) Copies of any letters of intent from developers, landowner requests, applications for service, or a combination of these;
- b) a distribution map showing the City of Liberty Hill's current facilities in the proposed area;
- c) the names and physical addresses of customer's currently receiving water service from the City of Liberty Hill in the proposed area and indicate the location of these water connections on a map or plat of the proposed area.
- d). other information relevant to the need for service.

In addition, enclosed are copies of correspondence from Mr. Edward S. Butler; with Liberty Hill Land Partnership Ltd, Mr. William W. Soja and Ms. Deborah W. Soja; with Revocable Living Trust, and Ms. Ann Greenberg representing Liberty Hill Independent School District. Mr. Butler, Mr. and Ms. Soja, and Ms. Greenberg are requesting exclusion of their properties from the City of Liberty Hill's proposed service area in Williamson County.

Mr. Arturo D. Rodriguez, Jr.

Page 2

February 7, 2012

We have reviewed these requests and find the requests meet the criteria outlined in 30 Texas Administrative Code, §291.102(h), and is effective without a hearing or other process by the Commission.

Please work with Mr. Butler, Mr. and Ms. Soja, and Ms. Greenberg to obtain sufficient information to exclude their properties from the requested service area.

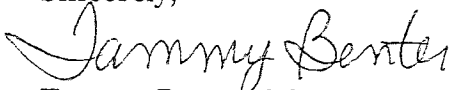
Please submit revised maps of the City of Liberty Hill's proposed service area excluding the properties mentioned above by **March 10, 2012**. Provide documentation showing the need for service, and forward a copy of the response to this office concerning Mr. Evens request for a hearing.

Lastly enclosed is a copy of a letter from Mr. Billy W. Evans requesting a hearing on the City of Liberty Hill's application. This copy is being sent to you so that the City may contact regarding Mr. Evans and attempt to resolve the issues brought forward in his letter.

Please respond to Mr. Evans and forward a copy of the response to this office also by **March 10, 2012**. If Mr. Evans does not file a written withdrawal of his request for a hearing, the application may be sent to the State Office of Administrative Hearings for scheduling.

If you have further questions, please contact Ms. Debbie Reyes Tamayo at (512) 239-4683, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,



Tammy Benter, Manager  
Utilities & Districts Section  
Water Supply Division  
Texas Commission on Environmental Quality

TB/DRT/mmg

Ann E. Greenberg  
Attorney at Law

WALSH, ANDERSON,  
GALLEGOS, GREEN  
and TREVIÑO, P.C.

ATTORNEYS AT LAW

agreenberg@wabsa.com  
512.454.6864, Ext. 618

January 27, 2012

*Via Hand Delivery*

Ms. Tammy Holguin-Benter, Manager  
Utilities and Districts Section, MC153  
Water Supply Division, Building F  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
12100 Park 35 Circle  
Austin TX 78753

*Via CMRRR# 7196 9008 9111 0805 4331*

Ms. Tammy Holguin-Benter, Manager  
Utilities and Districts Section, MC153  
Water Supply Division, Building F  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
P.O. Box 13087  
Austin, TX 78711-3087

RECEIVED  
TO EN  
K. J. S. TREVINO  
2012 FEB 1 PM 11:48

Re: ***Landowner's Request to Opt Out of Proposed Area in CCN  
Tex. Water Code § 13.246(h)/ Property Located in Williamson County  
Application Number 37116-C***

Dear Ms. Holguin-Benter:

Pursuant to Texas Water Code § 13.246(h), the Liberty Hill Independent School District (the "District") hereby files this request seeking to exclude a tract of land owned by the District and consisting of more than 25 acres from the service area affected by the City of Liberty Hill's (the "City") proposed amendment to CCN No. 10324. The District received notice of the City's proposed amendment on January 6, 2012.

The following records are enclosed with this request, including the mapping information described by 30 Tex. Admin. Code § 291.105 (a)(2)(A-G):

1. Warranty Deed, including metes and bounds survey (Exhibit 1);
2. Land Title Survey Map (Exhibit 2).

For your reference, also enclosed is a map showing the proposed expansion of the City's CCN; the District's property at issue is labeled (Exhibit 3).

By filing this timely request, the District has met the requirements of Texas Water Code § 13.246(h) in order to exclude property from a proposed service area. The City's application to

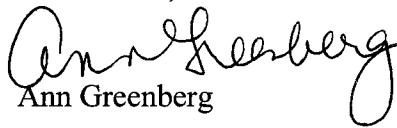
Ms. Tammy Holguin-Benter, Manager  
Utilities and Districts Section, MC153  
Water Supply Division, Building F  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
January 27, 2012  
Page 2

amend CCN No. 10324 should be modified accordingly. It should be noted that the District successfully sought removal of the subject property from the City's CCN by Petition for Expedited Release, granted by the Executive Director on December 20, 2011.<sup>1</sup>

Should you deem it required, the District requests a public hearing.

Please do not hesitate to contact me with any questions or concerns.

Best wishes,

  
Ann Greenberg

AEG/cdg  
*Enclosures*

cc: *Via Facsimile 866-929-1641*  
Mr. Auturo D. Rodriguez, Jr.  
RUSSELL & RODRIQUEZ, LLP  
1633 Williams Drive  
Building 2, Suite 200  
Georgetown, Texas 78628  
(w/*Enclosures*)

*Via Email: [rhart@libertyhill.txed.net](mailto:rhart@libertyhill.txed.net)*  
Dr. Rob Hart  
Superintendent of Schools  
LIBERTY HILL ISD  
P.O. Box 68  
Liberty Hill, TX 78642-0068  
(w/o *Enclosures*)

*Via CMRRR # 7196 9008 9111 0805 4355*  
Mr. Manuel De La Rosa  
City Manager  
CITY OF LIBERTY HILL  
P.O. Box 1920  
Liberty Hill, Texas 78642  
(w/o *Enclosures*)

---

<sup>1</sup> Application No. 37180-C was granted by letter dated December 20, 2011. The District's expedited release is currently subject to a Motion to Overturn filed by the City on January 12, 2012.

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**WARRANTY DEED**

Date: July 2, 2009

Grantors: THE AMY S. BATES CHARITABLE REMAINDER TRUST  
THE ELBERT M. AND LOUISE V. MARCOM CHARITABLE REMAINDER TRUST  
LOUISE VAUGHN MARCOM, INDEPENDENT EXECUTOR OF THE ESTATE OF MARY ANN VAUGHN, DECEASED

Mailing Address: 16250 W. Highway 29  
Liberty Hill, Williamson County, Texas 78642

Grantee: BOARD OF TRUSTEES OF THE LIBERTY HILL INDEPENDENT SCHOOL DISTRICT

Grantee's Mailing Address: 14001 HWY 29 W  
Liberty Hill, Williamson County, Texas 78642

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration.

Property (including improvements):

Being a 95.982 acre tract of land situated in the Richard West Survey, Abstract No. 643, Williamson County, Texas, being a portion of a called 106.229 acre tract, save and except a 10.00 acre tract and a 0.29 acre tract described in a Deed to Elbert M. Marcom and Louise V. Marcom, Trustees of the Elbert M. and Louise V. Marcom Living Trust Recorded in Document No. 2008092740, of the Official Public Records of Williamson County, Texas, and also being a portion of a called 106.229 acre tract, save and except a 10.00 acre tract and a 0.29 acre tract Described in a Deed to Amy S. Bates, Trustee of The Amy S. Bates Charitable Remainder Trust, Recorded in Document No. 2008092741, of the Official Public Records of Williamson County, Texas, hereafter referred to as the 95.939 acre tract, said 95.982 acre tract being more particularly described by metes in Exhibit A, which is attached hereto and incorporated herein by reference for all purposes.

**Reservations from Conveyance:**

*Right of First Refusal and Right of First Offer in Favor of Grantor.* This conveyance by Grantor is subject to a Right of First Refusal and Right of First Offer on an adjacent Property which is evidenced by an instrument of even date conveying same from Grantee to Grantor.

**Mineral Interest Reservation:** For Grantor and Grantor's heirs, successors, and assigns forever, a reservation of a 51% royalty interest in oil, gas, and other minerals in and under and that may be produced from the Property. If the mineral estate is subject to existing production or an existing lease, this reservation includes the production, the lease, and all benefits from it.

**Groundwater Interest Reservation:** To the extent that any vested rights in the Groundwater exist in connection with the Property Grantor reserves for Grantor and Grantor's heirs, successors, and assigns forever, a 51% royalty interest in such rights in the groundwater in and under and that may be produced from the Property. If the water estate is subject to existing production or an existing license, this reservation includes the production, the license, and all benefits from it. Notwithstanding the foregoing, Grantor shall not have any right to enter onto the surface of the Property for any purpose relating to Grantor's reserved water interests or to extract Grantor's water interests in any manner that will adversely affect Grantee's improvements constructed or to be constructed on the surface of the Property or Grantee's right to occupy and enjoy the rights of surface ownership of the Property. Grantor hereby expressly waives and conveys to Grantee the right of ingress and egress to and from the surface of the Property relating to the portion of the water estate owned by Grantor.

Nothing herein, however, restricts or prohibits the pooling or unitization of the portion of the water estate owned by Grantor with land other than the Property or the exploration or production of water by means of wells that are drilled on the surface of land other than the Property but enter or bottom under the Property, provided that these operations in no manner interfere with the surface or subsurface support of any improvements constructed or to be constructed on the Property.

**Wind Energy Reservation:** To the extent that any vested rights in the Wind Energy exist in connection with the Property, Grantor reserves for Grantor and Grantor's heirs, successors, and assigns forever, a 51% royalty interest in such rights in the wind energy to be produced on or above the Property. Such royalty interest shall not include a reservation of the right to use the surface estate for wind energy generation nor does such conveyance include easements on, under or over the property for purposes of transmission. Grantor hereby expressly waives and conveys to Grantee the right of ingress and egress to and from the surface of the Property relating to the portion of the wind estate owned by Grantor.

**Exceptions to Conveyance and Warranty:**

- Mineral and/or royalty interest, Recorded in Volume 905, Page 845, Deed Records, Williamson County, Texas.
- Terms, Conditions, and Stipulations in Oil, Gas and Mineral Lease. Recorded in Volume 726, Page 750, Deed Records, Williamson County, Texas.
- Channel Easement granted to the State of Texas by instrument recorded in Volume 415, Page 557, Deed Records, Williamson County, Texas

Grantor, for the consideration and subject to the reservations from conveyance and exceptions to conveyance and warranty, grants, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, their heirs, beneficiaries, successors and assigns forever; and it does hereby bind itself and its successors to **WARRANT AND FOREVER DEFEND** all and singular the said premises unto the said Grantee, their heirs, beneficiaries, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.



When the context requires, singular nouns and pronouns include the plural.

THE AMY S. BATES CHARITABLE REMAINDER TRUST

By: *Amy S. Bates*  
Amy S. Bates, Trustee

THE ELBERT M. AND LOUISE V. MARCOM CHARITABLE  
REMAINDER TRUST

By: *Elbert M. Marcom*  
Elbert M. Marcom, Trustee

By: *Louise V. Marcom*  
Louise V. Marcom, Trustee

THE ESTATE OF MARY ANN VAUGHN, DECEASED

By: *Louise Vaughn Marcom*  
Louise Vaughn Marcom, Independent Executor

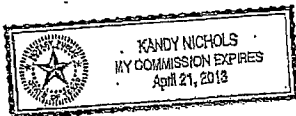
THE STATE OF TEXAS

COUNTY OF WILLIAMSON

ACKNOWLEDGMENT

BEFORE ME, a Notary Public, on this day personally appeared Amy S. Bates, known to me to be the person whose name is subscribed to the foregoing instrument, and having been sworn, upon her oath stated that she is the Trustee of the AMY S. BATES CHARITABLE REMAINDER TRUST; that she is authorized to execute such instrument; and acknowledged to me that she executed the same for the purposes and consideration herein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 2 day of July, 2009.



*Kandy Nichols*  
Notary Public, State of Texas

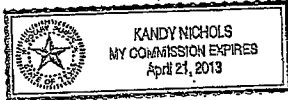
THE STATE OF TEXAS }

COUNTY OF WILLIAMSON }

ACKNOWLEDGMENT

BEFORE ME, a Notary Public, on this day personally appeared **Elbert M. Marcom**, known to me to be the person whose name is subscribed to the foregoing instrument, and having been sworn, upon his oath stated that he a the Trustee of the **ELBERT M. AND LOUISE V. MARCOM CHARITABLE REMAINDER TRUST**; that he is authorized to execute such instrument; and acknowledged to me that he executed the same for the purposes and consideration herein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 2 day of July, 2009.



*[Signature]*  
Notary Public, State of Texas

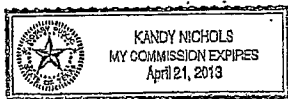
THE STATE OF TEXAS }

COUNTY OF WILLIAMSON }

ACKNOWLEDGMENT

BEFORE ME, a Notary Public, on this day personally appeared **Louise V. Marcom a/k/a Louise Vaughn Marcom**, known to me to be the person whose name is subscribed to the foregoing instrument, and having been sworn, upon her oath stated that she is a Trustee of the **ELBERT M. AND LOUISE V. MARCOM CHARITABLE REMAINDER TRUST** and that she is the duly appointed Independent Executor of the **ESTATE OF MARY ANN VAUGHN, DECEASED**; that she is authorized to execute such instrument on behalf of both; and acknowledged to me that she executed the same for the purposes and consideration herein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 2 day of July, 2009.



*[Signature]*  
Notary Public, State of Texas

Return to Grantee's Address:  
Liberty Hill Independent School District  
Office of the Superintendent  
14001 HWY 29 W  
Liberty Hill, Texas 78642

EXHIBIT A

95.982 Acre Tract  
Page 1 of 4

Marcom et al Tract  
Liberty Hill ISD

METES AND BOUNDS DESCRIPTION

BEING A 95.982 ACRE TRACT OF LAND SITUATED IN THE RICHARD WEST SURVEY, ABSTRACT NO. 643, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A CALLED 106.229 ACRE TRACT SAVE AND EXCEPT A 10.00 ACRE TRACT AND A 0.29 ACRE TRACT DESCRIBED IN A DEED TO ELBERT M. MARCOM AND LOUISE V. MARCOM, TRUSTEES OF THE ELBERT M. AND LOUISE V. MARCOM LIVING TRUST RECORDED IN DOCUMENT NO. 2008092740 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, (O.P.R.W.C.T.) AND ALSO BEING A PORTION OF A CALLED 106.229 ACRE TRACT SAVE AND EXCEPT A 10.00 ACRE TRACT AND A 0.29 ACRE TRACT DESCRIBED IN A DEED TO AMY S. BATES, TRUSTEE OF THE AMY S. BATES CHARITABLE REMAINDER TRUST RECORDED IN DOCUMENT NO. 2008092741, O.P.R.W.C.T., HEREAFTER REFERRED TO AS THE 95.939 ACRE TRACT, SAID 95.982 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a steel fence post found in the curving northerly right-of-way line of Texas State Highway 29, a variable width public right-of-way, at its intersection with the westerly right-of-way line of Williamson County Road 277, a variable width public right-of-way, being the southeasterly corner of the said 95.939 acre tract and the southeasterly corner of the herein described tract;

THENCE with the northerly right-of-way line of SH 29, the same being the southerly line of the said 95.939 acre tract, along a curve to the left having a radius of 4,643.66 feet, a delta of  $07^{\circ} 20' 56''$ , a chord that bears  $N 75^{\circ} 31' 59'' W$ , 595.19 feet for an arc distance of 595.60 feet to a TXDOT concrete monument found at the approximate point of tangency for an angle point herein;

THENCE continuing with the northerly right-of-way line of SH 29, the same being the southerly line of the said 95.939 acre tract,  $N 79^{\circ} 10' 54'' W$ , 137.94 feet to a 1/2-inch iron rod found for the occupied southeasterly corner of a 10.00 acre tract being a portion of a 275 acre tract described in a deeds to Fannie Louise Marcom, Amy S. Bates and Mary Ann Vaughn recorded in Volume 970, Page 250, Deed Records of Williamson County Texas (D.R.W.C.T.) and Volume 1643, Page 813, D.R.W.C.T. for an angle point herein;

THENCE departing the SH 29 right-of-way, through the interior of the said 106.229 acre tract, along the occupied easterly, northerly and westerly lines of the said 10.00 acre tract, the following three courses:

1.  $N 10^{\circ} 49' 47'' E$  for a distance of 615.28 feet to a 1/2-inch iron rod found for the occupied northeasterly corner of the said 10.00 acre tract for an angle point herein;

2. N 79° 08' 40" W for a distance of 708.21 feet to a ½-inch iron rod found for the occupied northwesterly corner of the said 10.00 acre tract for an angle point herein;
3. S 10° 50' 01" W for a distance of 615.16 feet to a ½-inch iron rod found for the occupied southwesterly corner of the said 10.00 acre tract and lying on the northerly line of SH 29 and also lying on the southerly line of the said 95.939 acre tract for an angle point herein;

THENCE continuing with the northerly right-of-way line of SH 29, the same being the southerly line of the said 95.939 acre tract, N 79° 06' 17" W for a distance of 370.95 feet to a ½-inch iron rod with a cap stamped "Baker-Aicklen" set at the beginning of a curve, from which a found a capped iron rod stamped "3DS" bears N 87° 09' 40" W, at a distance of 0.60 feet;

THENCE with the northerly right-of-way line of SH 29, the same being the southerly line of the said 95.939 acre tract, along a curve to the right having a radius of 4523.66 feet, a delta of 14° 07' 01", a chord that bears N 72° 03' 54" W, 1111.76 feet, passing at an arc distance of 102.24 feet, a TXDOT concrete monument found and passing at an arc distance of 1067.58 feet, 0.51 feet left, a TXDOT concrete monument found, in all for a total arc distance of 1114.57 feet to a ½-inch iron rod with a cap stamped "Baker-Aicklen" set at the southeasterly corner of a 0.29 acre tract described in a deed to Amy S. Bates, Trustee of Suzy's Living Trust Dated February 25, 2004 recorded in Document No. 2005001716, O.P.R.W.C.T. for an angle point herein;

THENCE departing the SH 29 right-of-way, through the interior of the said 106.229 acre tract, along the easterly, northerly and westerly lines of the said 0.29 acre tract, the following three courses:

1. N 28° 14' 11" E for a distance of 170.36 feet to a capped iron rod stamped "GOODSON" found for the northeasterly corner of the said 0.29 acre tract for an angle point herein;
2. N 62° 13' 35" W for a distance of 75.24 feet to a capped iron rod stamped "GOODSON" for the northwesterly corner of the said 0.29 acre tract for an angle point herein;
3. S 28° 14' 11" W for a distance of 173.36 feet to southwesterly corner of the said 0.29 acre tract and lying on the curving northerly line of SH 29 and also lying on the southerly line of the said 95.939 acre tract for an angle point herein; from which a ½-inch iron rod found bears S 28° 14' 11" W at a distance of 0.30 feet;

THENCE continuing with the northerly right-of-way line of SH 29, the same being the southerly line of the said 95.939 acre tract, along a curve to the right having a radius of 4523.66 feet, a delta of 04° 53' 28", a chord that bears N 61° 36' 24" W, 386.06 feet, for

an arc distance of 386.18 feet to a TXDOT concrete monument found at a non-tangential end of curve for an angle point herein;

THENCE continuing with the northerly right-of-way line of SH 29, the same being the southerly line of the said 95.939 acre tract, N 54° 41' 19" W, 264.95 feet to a 1/2-inch iron rod found for the northwesterly corner of the said 95.939 acre tract and being the southwest corner of a 19.9801 acre tract described in a deed to Patrick Conner and Vanessa J. Conner recorded in Document No. 2008060939, O.P.R.W.C.T. for the northwesterly corner of the herein described tract, from which a TXDOT concrete monument was found N 54° 38' 59" W, at a distance of 103.30 feet;

THENCE with the northerly line of the said 95.939 acre tract, the same being the southerly line of the said 19.9801 acre tract, N 68° 53' 54" E, passing at 789.67 feet, 0.33 feet right, a capped iron rod stamped "3DS", in all for a total distance of 808.48 feet to a 1/2-inch iron rod with a cap stamped "Baker-Aicklen" set for an angle point herein;

THENCE continuing with the northerly line of the said 95.939 acre tract, the same being the southerly line of the said 19.9801 acre tract, N 68° 56' 12" E, for a distance of 508.26 feet to a 1/2-inch iron rod found for the southeasterly corner of the said 19.9801 acre tract and being the southwest corner of a 29.72 acre tract described in a deed to Greg Brull and wife, Cheryl Brull recorded in Document No. 9871017, O.P.R.W.C.T. for an angle point herein;

THENCE with the northerly line of the said 95.939 acre tract, the same being the southerly line of the said 29.72 acre tract, N 69° 06' 36" E, for a distance of 692.51 feet to a capped iron rod stamped "3DS" found for the southeasterly corner of the said 29.72 acre tract and being the southwest corner of a 242.371 acre tract described in a deed to David Charles Nemir, et al recorded in Volume 2259, Page 868, D.R.W.C.T. for an angle point herein;

THENCE with the northerly line of the said 95.939 acre tract, the same being the southerly line of the said 242.371 acre tract, N 69° 11' 30" E, for a distance of 1483.82 feet to a steel fence post for an angle point in the southerly line of the said 242.371 acre tract and being the northeasterly corner of the said 95.939 acre tract and being the northwesterly corner of a 9.03 acre tract described in a deed to Samuel Sikes, Jr. recorded in Document No. 2007048640, O.P.R.W.C.T. for the northeasterly corner herein;

THENCE with the easterly line of the said 95.939 acre tract, the same being the westerly line of the said 9.03 acre tract, S 23° 20' 59" E, for a distance of 1230.99 feet to a steel fence post for an angle point in the easterly line of the said 95.939 acre tract and being the southwest corner of the said 9.03 acre tract and also lying on the northerly line of said Williamson County Road 277 (CR 277) for an angle point herein;

THENCE with a southerly line of the said 95.939 acre tract, the same being a northerly line of CR 277, S 68° 38' 57" W, for a distance of 357.18 feet to a steel fence post for an

angle point in the easterly line of the said 95.939 acre tract and also in the westerly line CR 277 for an angle point herein;

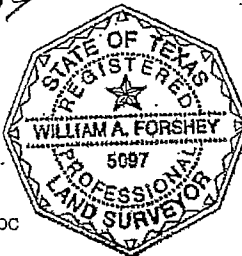
**THENCE** with a southeasterly line of the said 95.939 acre tract, the same being a northwesterly line of CR 277, S 01° 52' 49" E, for a distance of 1077.82 feet to the **POINT OF BEGINNING** and containing 95.982 acres of land.

Bearings described herein are referenced to Grid North for the Texas Central Zone (4203) NAD 83/93 HARN.

**SURVEYORS CERTIFICATION**

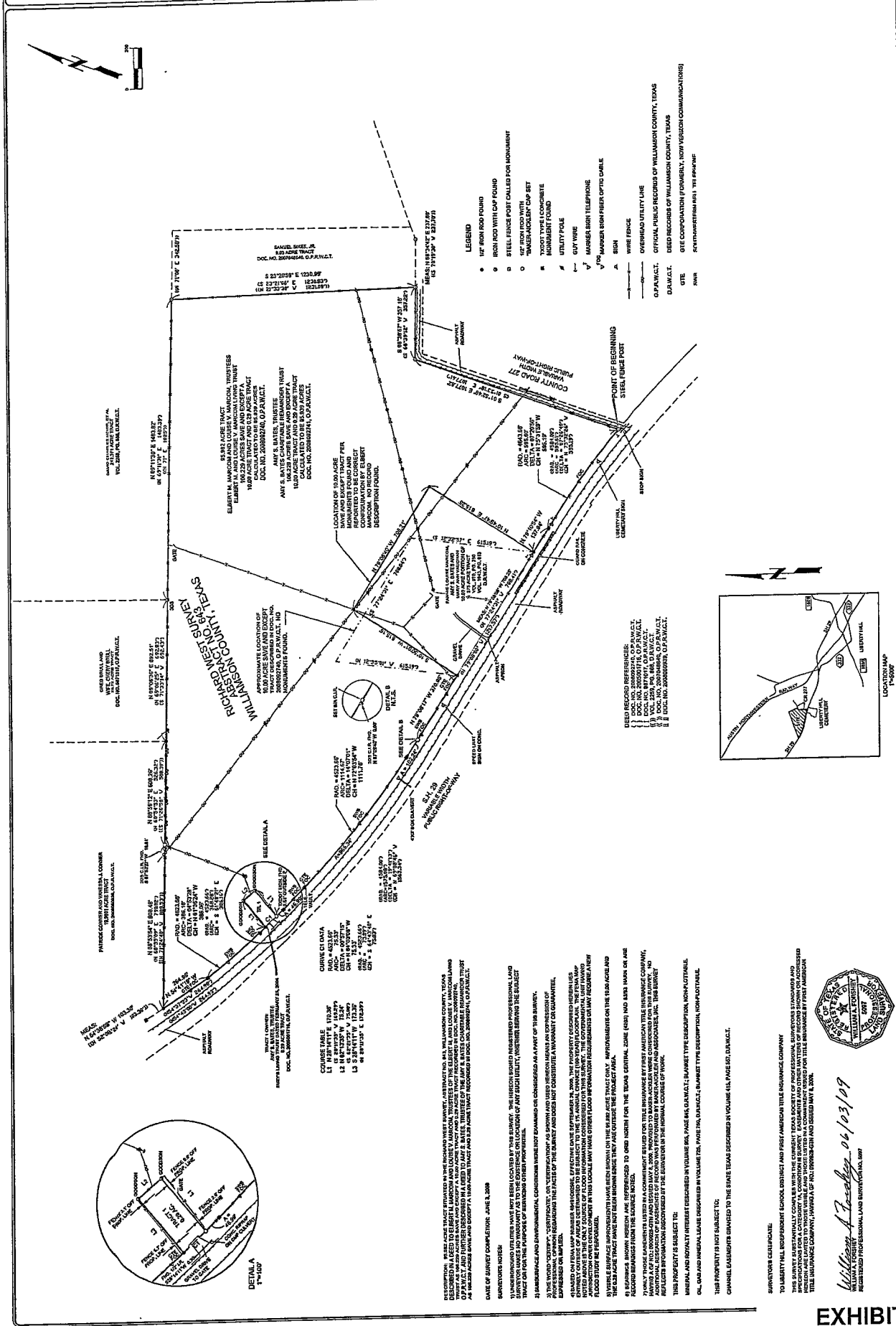
Surveyed under the direct supervision of the undersigned during May, 2009:

*William A. Forshey 06/03/09*  
William A. Forshey  
Registered Professional Land Surveyor No. 5097  
BAKER-AICKLEN & ASSOCIATES, INC.  
405 Brushy Creek Road  
Cedar Park, Texas 78613  
(512) 260.3700



Job No.: 1886-3-001-20  
Filename: W:\PROJECTS\LIBERTY HILL ISD - 96 AC LTS\DOC\METES AND BOUNDS.DOC

<b>LIBERTY HILL INDEPENDENT SCHOOL DISTRICT</b> 59.992 ACRES TRACT IN THE RICHARD WEST SURVEY,		PROJECT NO. 1982-001-20	SHEET NO. 1 OF 1
LAND TITLE SURVEY OF 59.992 ACRES TRACT IN THE RICHARD WEST SURVEY, WILLAMSON COUNTY, TEXAS			
DATE 11/11/2019		DRAWN BY J. BAKER	
CHECKED BY J. BAKER		SCALE 1" = 40'	
REVISIONS 1. 11/11/2019		PROJECT NO. 1982-001-20	



William A. Jacoby, 06/03/19  
 WILLIAMSON COUNTY, TEXAS  
 1982-001-20

## METES AND BOUNDS DESCRIPTION

BEING A 95.982 ACRE TRACT OF LAND SITUATED IN THE RICHARD WEST SURVEY, ABSTRACT NO. 643, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A CALLED 106.229 ACRE TRACT SAVE AND EXCEPT A 10.00 ACRE TRACT AND A 0.29 ACRE TRACT DESCRIBED IN A DEED TO ELBERT M. MARCOM AND LOUISE V. MARCOM, TRUSTEES OF THE ELBERT M. AND LOUISE V. MARCOM LIVING TRUST RECORDED IN DOCUMENT NO. 2008092740 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, (O.P.R.W.C.T.) AND ALSO BEING A PORTION OF A CALLED 106.229 ACRE TRACT SAVE AND EXCEPT A 10.00 ACRE TRACT AND A 0.29 ACRE TRACT DESCRIBED IN A DEED TO AMY S. BATES, TRUSTEE OF THE AMY S. BATES CHARITABLE REMAINDER TRUST RECORDED IN DOCUMENT NO. 2008092741, O.P.R.W.C.T., HEREAFTER REFERRED TO AS THE 95.939 ACRE TRACT, SAID 95.982 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a steel fence post found in the curving northerly right-of-way line of Texas State Highway 29, a variable width public right-of-way, at its intersection with the westerly right-of-way line of Williamson County Road 277, a variable width public right-of-way, being the southeasterly corner of the said 95.939 acre tract and the southeasterly corner of the herein described tract;

**THENCE** with the northerly right-of-way line of SH 29, the same being the southerly line of the said 95.939 acre tract, along a curve to the left having a radius of 4,643.66 feet, a delta of  $07^{\circ} 20' 56''$ , a chord that bears  $N 75^{\circ} 31' 59'' W$ , 595.19 feet for an arc distance of 595.60 feet to a TXDOT concrete monument found at the approximate point of tangency for an angle point herein;

**THENCE** continuing with the northerly right-of-way line of SH 29, the same being the southerly line of the said 95.939 acre tract,  $N 79^{\circ} 10' 54'' W$ , 137.94 feet to a 1/2-inch iron rod found for the occupied southeasterly corner of a 10.00 acre tract being a portion of a 275 acre tract described in a deeds to Fannie Louise Marcom, Amy S. Bates and Mary Ann Vaughn recorded in Volume 970, Page 250, Deed Records of Williamson County Texas (D.R.W.C.T.) and Volume 1643, Page 813. D.R.W.C.T. for an angle point herein;

**THENCE** departing the SH 29 right-of-way, through the interior of the said 106.229 acre tract, along the occupied easterly, northerly and westerly lines of the said 10.00 acre tract, the following three courses:

1.  $N 10^{\circ} 49' 47'' E$  for a distance of 615.28 feet to a 1/2-inch iron rod found for the occupied northeasterly corner of the said 10.00 acre tract for an angle point herein;



an arc distance of **386.18 feet** to a TXDOT concrete monument found at a non-tangential end of curve for an angle point herein;

**THENCE** continuing with the northerly right-of-way line of SH 29, the same being the southerly line of the said 95.939 acre tract, **N 54° 41' 19" W, 264.95 feet** to a ½-inch iron rod found for the northwesterly corner of the said 95.939 acre tract and being the southwesterly corner of a 19.9801 acre tract described in a deed to Patrick Conner and Vanessa J. Conner recorded in Document No. 2008060939, O.P.R.W.C.T. for the northwesterly corner of the herein described tract, from which a TXDOT concrete monument was found **N 54° 38' 59" W**, at a distance of 103.30 feet;

**THENCE** with the northerly line of the said 95.939 acre tract, the same being the southerly line of the said 19.9801 acre tract, **N 68° 53' 54" E**, passing at 789.67 feet, 0.33 feet right, a capped iron rod stamped "3DS", in all for a total distance of **808.48 feet** to a ½-inch iron rod with a cap stamped "Baker-Aicklen" set for an angle point herein;

**THENCE** continuing with the northerly line of the said 95.939 acre tract, the same being the southerly line of the said 19.9801 acre tract, **N 68° 56' 12" E**, for a distance of **508.26 feet** to a ½-inch iron rod found for the southeasterly corner of the said 19.9801 acre tract and being the southwesterly corner of a 29.72 acre tract described in a deed to Greg Brull and wife, Cheryl Brull recorded in Document No. 9871017, O.P.R.W.C.T. for an angle point herein;

**THENCE** with the northerly line of the said 95.939 acre tract, the same being the southerly line of the said 29.72 acre tract, **N 69° 06' 36" E**, for a distance of **692.51 feet** to a capped iron rod stamped "3DS" found for the southeasterly corner of the said 29.72 acre tract and being the southwesterly corner of a 242.371 acre tract described in a deed to David Charles Nemir, et al recorded in Volume 2259, Page 868, D.R.W.C.T. for an angle point herein;

**THENCE** with the northerly line of the said 95.939 acre tract, the same being the southerly line of the said 242.371 acre tract, **N 69° 11' 30" E**, for a distance of **1483.82 feet** to a steel fence post for an angle point in the southerly line of the said 242.371 acre tract and being the northeasterly corner of the said 95.939 acre tract and being the northwesterly corner of a 9.03 acre tract described in a deed to Samuel Sikes, Jr. recorded in Document No. 2007048640, O.P.R.W.C.T. for the northeasterly corner herein;

**THENCE** with the easterly line of the said 95.939 acre tract, the same being the westerly line of the said 9.03 acre tract, **S 23° 20' 59" E**, for a distance of **1230.99 feet** to a steel fence post for an angle point in the easterly line of the said 95.939 acre tract and being the southwesterly corner of the said 9.03 acre tract and also lying on the northerly line of said Williamson County Road 277 (CR 277) for an angle point herein;

**THENCE** with a southerly line of the said 95.939 acre tract, the same being a northerly line of CR 277, **S 68° 38' 57" W**, for a distance of **357.18 feet** to a steel fence post for an

angle point in the easterly line of the said 95.939 acre tract and also in the westerly line CR 277 for an angle point herein;

**THENCE** with a southeasterly line of the said 95.939 acre tract, the same being a northwesterly line of CR 277, S 01° 52' 49" E, for a distance of 1077.82 feet to the **POINT OF BEGINNING** and containing 95.982 acres of land.

Bearings described herein are referenced to Grid North for the Texas Central Zone (4203) NAD 83/93 HARN.

### SURVEYORS CERTIFICATION

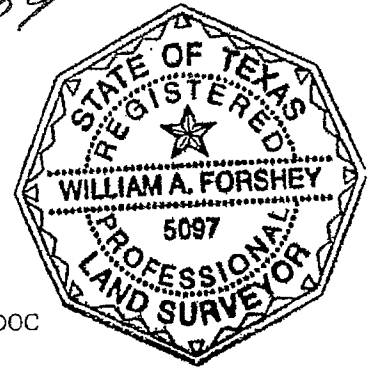
Surveyed under the direct supervision of the undersigned during May, 2009:

*William A. Forshey 06/03/09*

William A. Forshey  
Registered Professional Land Surveyor No. 5097  
BAKER-AICKLEN & ASSOCIATES, INC.  
405 Brushy Creek Road  
Cedar Park, Texas 78613  
(512) 260.3700

Job No.: 1886-3-001-20

Filename: W:\PROJECTS\LIBERTY HILL ISD - 96 AC LTS\DOC\METES AND BOUNDS.DOC







original

RECEIVED

# Liberty Hill Land Partnership Ltd.

P. O. Box 9190  
Austin, Texas 78766  
512-837-6550  
512-837-6953 (f)

2012 JAN 13 AM 9 27

January 11, 2012

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

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Re: Application No. 37116-C  
City of Liberty Hill CCN No. 10324

Dear Sirs:

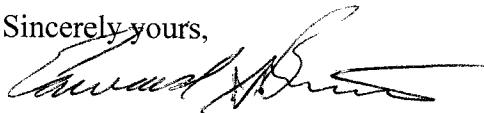
In response to the above referenced application (copy attached), Liberty Hill Land Partnership Ltd. respectfully requests that any portion of the 3,370 acres that it owns within the proposed area be excluded. We do not have a metes and bounds description of the entire tract. We have attached the following in support of our exclusion request.

- 1) A map showing the various parcels that make up the area to be excluded.
- 2) A list of the Williamson County Appraisal District Ad Valorem Tax parcels that we wish to be excluded.

If the above is not sufficient to identify the area to be excluded, please let us know. We can have a boundary survey done, but we do not think we could have it completed by the February 5<sup>th</sup> deadline.

If you have any questions, please let me know.

Sincerely yours,



Edward S. Butler  
Sole Member of Managing  
General Partner

Cc: City of Liberty Hill

*Application No. 37116-C*  
**Notice to Neighboring Systems, Landowners and Cities**

**NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND  
NECESSITY (CCN) TO PROVIDE WATER UTILITY SERVICE IN  
WILLIAMSON COUNTY, TEXAS**

To:

Date Notice Mailed: January 5, 2012

Liberty Hill Land Partnership  
PO Box 9190  
Austin, TX 78766

The City of Liberty Hill has filed an application to amend CCN No. 10324 with the Texas Commission on Environmental Quality to provide water utility service in Williamson County.

The proposed utility service area is located approximately 1.5 miles northwest of downtown Liberty Hill, Texas, and is **generally** bounded on the north by County Road 206; on the east by CR 279; on the south by Brewer Branch and Little Creek; and on the west by Double File Trce. The total area being requested includes approximately 5,542 acres and 0 current customers. The proposed amendment affects customers and/or areas located in the following zip code: 78642.

**See enclosed map of the proposed service area.**

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Persons who wish to intervene or comment should write the:

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

RECEIVED  
TCEQ  
WATER SUPPLY DIV.  
JAN 13 AM 9 27

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the Commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the Executive Director will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no

settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All request to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

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

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

Si desea informacion en Espanol, puede llamar al 1-512-239-0200.



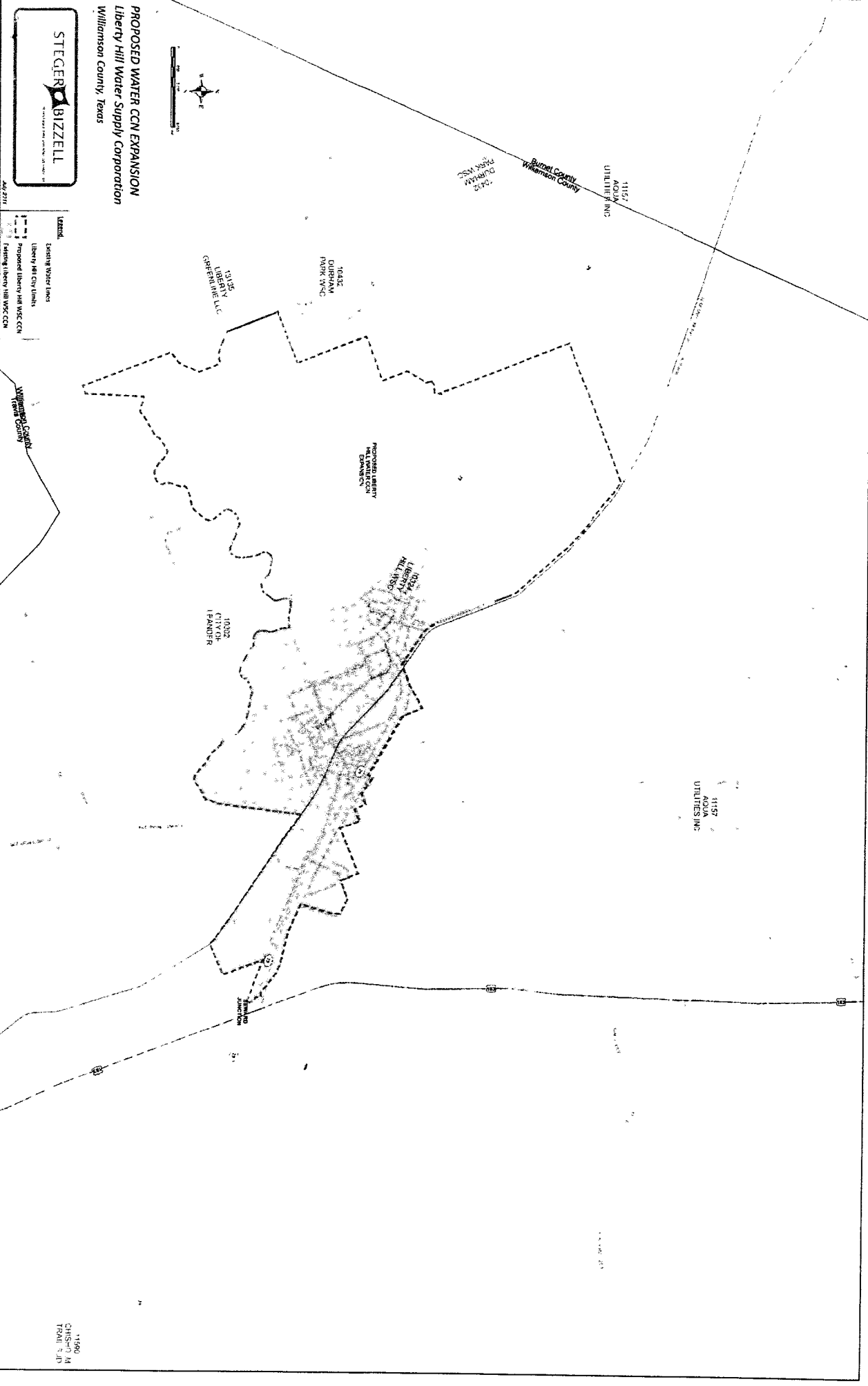
STEGER BIZZELL

**PROPOSED WATER CCN EXPANSION**  
*Liberty Hill Water Supply Corporation*  
Williamson County, Texas

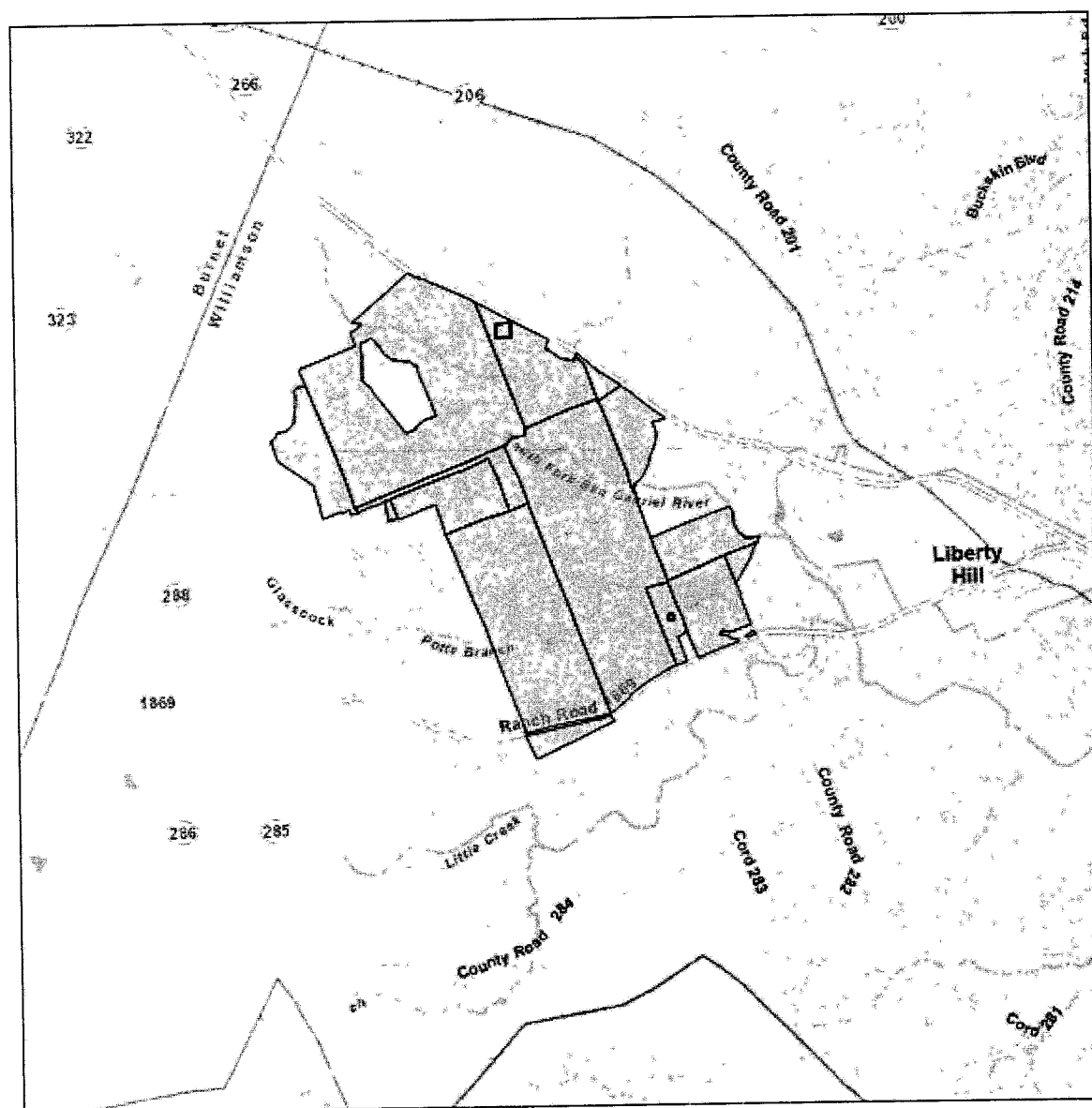


**Legend**  
Existing Water Lines  
Liberty Hill City Limits  
Proposed Liberty Hill WSC CCN  
Future Liberty Hill WSC CCN

Williamson County  
Texas



N



**Liberty Hill Land Partnership Ltd.**

**Request for Exclusion from City of Liberty Hill CCN Application No. 37116-C**

<b>Parcel</b>	<b>Location</b>	<b>Acreage</b>
<b>Agricultural Application</b>		
R021848	RR 1869 LIBERTY HILL, TX 78642	12.290
R021945	RR 1869 LIBERTY HILL, TX 78642	40.510
R022173	DURHAM PARK/JENKINS DAVIS RD LIBERTY HILL, TX 78642	146.780
R022888	400 JENKINS DAVIS LIBERTY HILL, TX 78642	69.683
R022985	5450 RR 1869 LIBERTY HILL, TX 78642	48.994
R023013	16901 W HWY 29 LIBERTY HILL, TX 78642	106.899
R023033	HWY 29 LIBERTY HILL, TX 78642	119.560
R023748	NORTH SAN GABRIEL LP LIBERTY HILL, TX 78642	5.029
R023762	NORTH SAN GABRIEL LP LIBERTY HILL, TX 78642	136.046
R049362	5500 RR 1869 LIBERTY HILL, TX 78642	985.699
R090887	RR 1869 LIBERTY HILL, TX 78642	599.490
R091114	400 JENKINS DAVIS LIBERTY HILL, TX 78642	855.538
R091132	Highway 29 LIBERTY HILL, TX 78642	216.710
R419454	Highway 29 LIBERTY HILL, TX 78642	19.942
R021812	18081 W HWY 29 LIBERTY HILL, TX 78642	5.770
R051116	5450 RR 1869 LIBERTY HILL, TX 78642	1.000
R462468	RR 1869 LIBERTY HILL, TX 78642	0.910
Total		<u>3,370.850</u>

DR7  
37116-C  
RECEIVED  
TCEQ  
WATER SUPPLY DIV.  
2012 JAN 19 AM 11 03

17070 West State Highway 29  
Liberty Hill, Texas 78642

January 11, 2012

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

RE: Application No. 37116-C Notice of application for certificate of convenience and necessity (CNN) to provide water utility service in Williamson County, Texas

Dear sir:

We have a land tract of more than 25 acres that is located within the proposed utility service area to be provided by Liberty Hill and would like to opt out of these services.

Enclosed are a deed and plat that describe the metes and bounds of the tract of land and a scaled general location map.

We will either take this letter to City Hall in Liberty Hill or mail a copy to them.

Kindest Regards,

*Deborah W. Soja*  
*W.W. Soja*

Deborah W. Soja Revocable Living Trust  
William W. Soja Revocable Living Trust

Cc: City of Liberty Hill

EXHIBIT "A"

Being 29.972 acres of land, more or less, out of the RICHARD WEST SURVEY, ABSTRACT NO. 643, Williamson County, Texas; being that same property called 29.72 acres, and conveyed to Greg Brull and Chery Brull, in Warranty Deed recorded in Document No. 9871017, Official Records, Williamson County, Texas; subject tract being more particularly described in EXHIBIT below:

FOR SURVEYING AND MAPPING CO.  
1002 Ash St.  
Georgetown, Tx. 78626

DESCRIPTION FOR GREG BOATRIGHT

BEING 29.972 acres of the Richard West Survey, Abstract No. 643, in Williamson County, Texas; part of the 89.972 acre tract that is described in a deed to Greg Boatright recorded in Vol. 2489, Pg. 167, Official Records of Williamson County, Texas. 0.571 acre of this tract lies within an existing gravel road which provides access to the 100 acre Leroy Hall property described in Vol. 476, Pg. 57. Surveyed on the ground in December of 1994, by William F. Forest, Jr., Registered Professional Land Surveyor No. 1847.

BEGINNING at an iron pin found at the Southeast fence corner of the said 89.972 acre Greg Boatright tract.

THENCE along the fenced South Boundary of the 89.972 acre tract and the North line of a tract conveyed to Fannie L. Harcom, et. al., S 71 deg. 33 min. 15 sec. W 592.83 feet to set an iron pin at the Southeast corner of a 20.00 acre tract.

THENCE N 18 deg. 36 min. 10 sec. W at 578.97 feet pass an iron pin set at the common East corner between two 20 acre tracts, at 1056.25 feet pass an iron pin set at the common East corner between two 20 acre tracts, continuing in all 1453.75 feet to set an iron pin.

THENCE with the North line of a 20.00 acre tract setting iron pins as follows: S 72 deg. 35 min. 25 sec. W 245.85 feet; S 72 deg. 26 min. 53 sec. W 461.09 feet; S 71 deg. 35 min. 10 sec. W 285.66 feet; S 71 deg. 04 min. W 757.62 feet; and S 73 deg. 29 min. W 551.64 feet.

THENCE with the Northeast line of State Highway 29, N 56 deg. 37 min. W 128.86 feet to an iron pin found a foot West of a fence corner.

THENCE along a fence existing on the North side of a gravel road and along the South boundary of the Edward Parks property described in Probate Records, Vol. 85, Pg. 517, N 73 deg. 29 min. E 530.8 feet to a nail in the root of a 24 inch Liveoak; N 71 deg. 04 min. E 755.97 feet to a pipe post found at a fence corner existing on the East side of the gravel road.

THENCE along the fenced South boundary of a tract conveyed to Leroy Hall as described in Vol. 476, Pg. 57, N 71 deg 35 min. 10 sec. E 286.86 feet to an iron pin East of a 24 inch Liveoak; N 72 deg. 26 min. 53 sec. E 461.97 feet to an iron pin found East of a 24 inch Liveoak; N 72 deg. 35 min. 25 sec. E 472.18 feet to an iron pin found at the South base of a creosote fence corner post; and N 72 deg. 34 min. 35 sec. E 462.93 feet to an iron pin found in a fence.

THENCE S 26 deg. 58 min. 50 sec. E 12.44 feet to an iron pin found at a fence corner.

THENCE along the most Easterly of two fences existing on the West boundary of a tract conveyed to Stewart S. Hemis as described in Vol. 1969, Pg. 173, S 18 deg. 35 min. 50 sec. E 712.29 feet to an iron pin at the West base of a steel fence post; and S 18 deg. 36 min. 25 sec. E 814.11 feet to the POINT OF BEGINNING.

STATE OF TEXAS

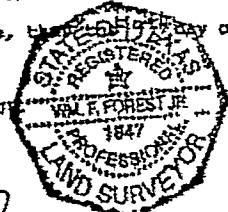
KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF WILLIAMSON:

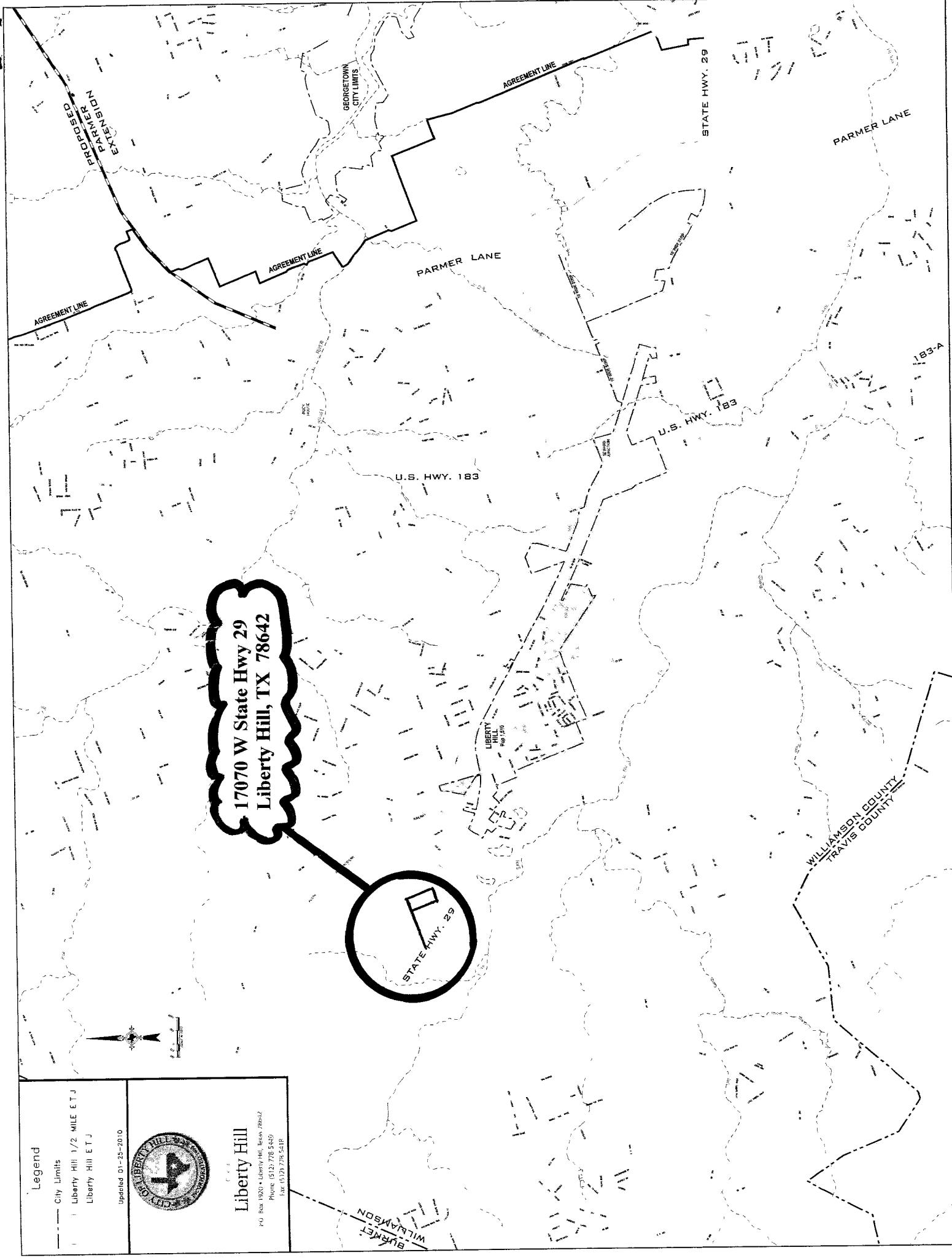
I, WM. F. FOREST, JR., do hereby certify that this survey was made on the ground of the property legally described hereon and is correct and that there are no significant discrepancies, conflicts, shortages in area, known boundary line conflicts, visible encroachments, overlapping of improvements, utility lines or roads, except as shown on the attached plat, and that said property has access to and from a public roadway. Records research for unconsent verification has not been performed unless indicated on the attached plat by recording references.

TO CERTIFY WHICH, WITNESS my hand and seal at Georgetown, Texas, this 26th day of December of 1994, A.D. File# W66:BOATRIG1.643

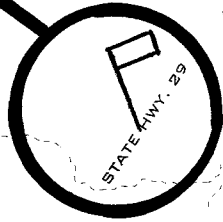
WM. F. FOREST JR.  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1847



DWS WKS



17070 W State Hwy 29  
Liberty Hill, TX 78642



Legend

- City Limits
- Liberty Hill 1/2 MILE ETJ
- Liberty Hill ETJ

Updated 01-25-2010



Liberty Hill

P.O. Box 1920 • Liberty Hill, Texas 78642  
Phone: (512) 778-5459  
Fax: (512) 778-5418



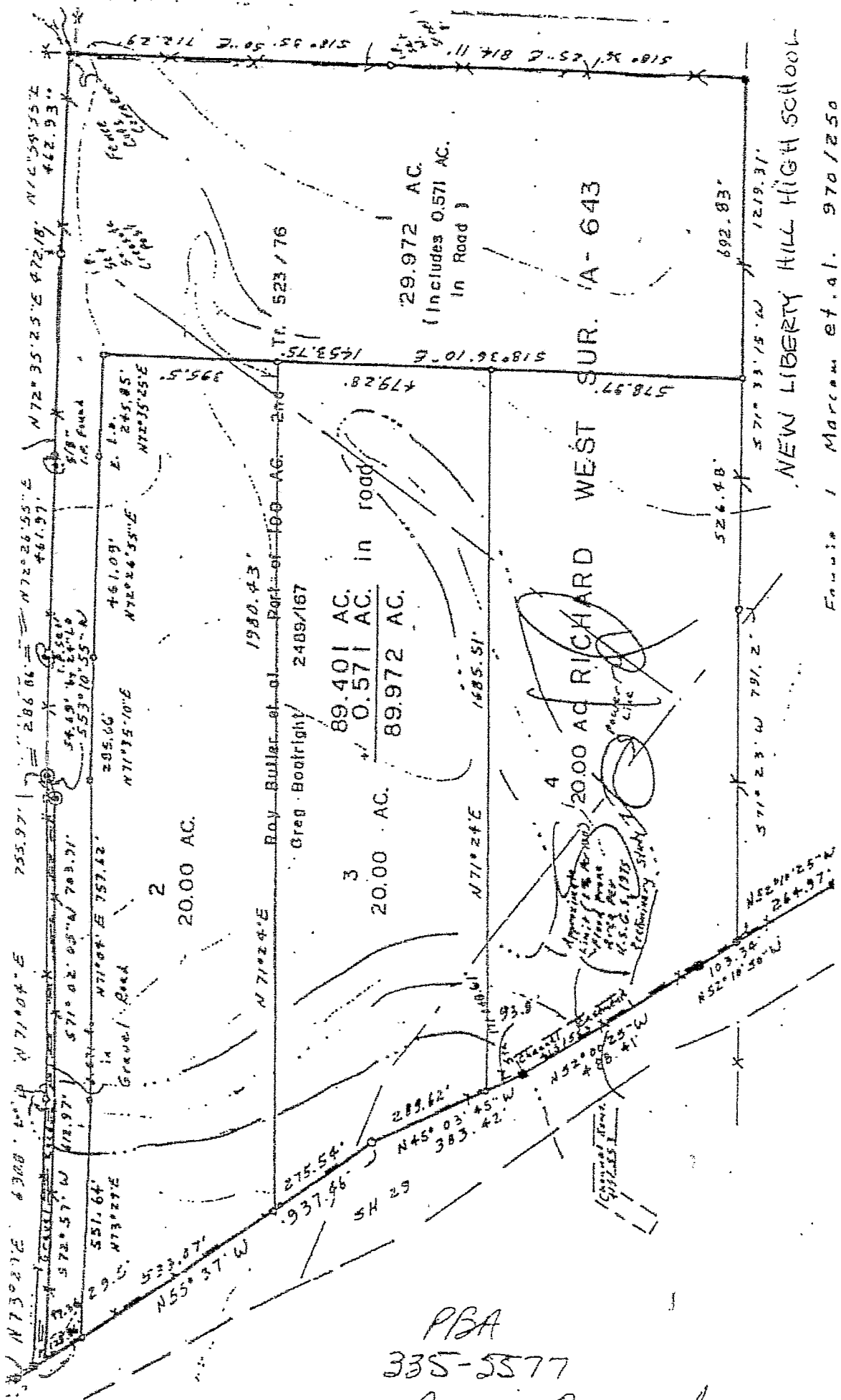
AUSTIN

17070 W State Hwy 29  
Liberty Hill, TX 78642

STATE HWY. 29

SOUTH

cont



1005 176

PBA  
335-5577  
Parcel From Lateral



# Butler Family Partnership Ltd.

P. O. Box 9190  
Austin, Texas 78766  
512-837-6550  
512-837-6953 (f)

---

January 11, 2012

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

RECEIVED  
TCEQ  
WATER SUPPLY DIV.  
2012 JAN 13 AM 9 28

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Re: Application No. 37116-C  
City of Liberty Hill CCN No. 10324

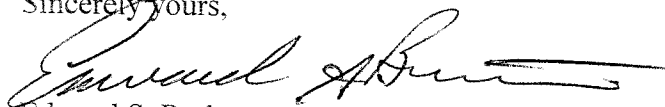
Dear Sirs:

In response to the above referenced application (copy attached), Butler Family Partnership Ltd. respectfully requests that the 546 acre parcel that it owns within the proposed area be excluded. We have attached the following:

- 1) Survey of tract
- 2) Metes and Bounds Description of the tract

If you have any questions, please let me know.

Sincerely yours,



Edward S. Butler  
Sole Member of Managing  
General Partner

Cc: City of Liberty Hill

**Application No. 37116-C**  
**Notice to Neighboring Systems, Landowners and Cities**

**NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND  
NECESSITY (CCN) TO PROVIDE WATER UTILITY SERVICE IN  
WILLIAMSON COUNTY, TEXAS**

To:

Date Notice Mailed: January 5, 2012

Butler Family Partnership, LTD Attn: Edward Butler  
PO Box 9190  
Austin, TX 78766



The City of Liberty Hill has filed an application to amend CCN No. 10324 with the Texas Commission on Environmental Quality to provide water utility service in Williamson County.

The proposed utility service area is located approximately 1.5 miles northwest of downtown Liberty Hill, Texas, and is **generally** bounded on the north by County Road 206; on the east by CR 279; on the south by Brewer Branch and Little Creek; and on the west by Double File Trce. The total area being requested includes approximately 5,542 acres and 0 current customers. The proposed amendment affects customers and/or areas located in the following zip code: 78642.

**See enclosed map of the proposed service area.**

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Persons who wish to intervene or comment should write the:

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

RECEIVED  
JAN 13 07 09 28  
WATER SUPPLY DIV.

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the Commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the Executive Director will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no

settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All request to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

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

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

Si desea informacion en Espanol, puede llamar al 1-512-239-0200.



# SURVEY SKETCH

BEING 546.33 ACRES OF LAND, MORE OR LESS, OUT OF THE JOHN B. BERRY SURVEY, ABSTRACT NO. 58 IN WILLIAMSON COUNTY, TEXAS, AND BEING TRACTS OF LAND CONVEYED TO F.E. PARKS BY DEEDS RECORDED IN VOLUME 108, PAGE 587, VOLUME 208, PAGE 283, VOLUME 217, PAGE 332, AND IN VOLUME 398, PAGE 546, DEED RECORDS, AND DEED TO EDWARD PARKS RECORDED UNDER DOCUMENT NO. 9854151, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.

STACY BROWING ESTATE  
#2006073171  
250.0 ACRES

ROBERT L. HARRIS  
1052-562  
22.0 ACRES

LEGEND  
● IRON ROD FOUND  
○ IRON ROD SET  
△ CALCULATED POINT  
+ FENCE POST  
■ CONCRETE MONUMENT FOUND  
-X- BARBED WIRE FENCE  
▲ 600 NAIL  
P POWER POLE  
-OE- OVERHEAD ELECTRIC

0 200 400  
SCALE 1"=400'

COMMENTS TO SCHEDULE B  
AS STATED IN OF NO. 00102442,  
EFFECTIVE DATE: NOVEMBER 28, 2010

CERTIFIED TO: HERITAGE TITLE AND OLD  
REPUBLIC NATIONAL TITLE  
BORROWER:  
INSURED: BUTLER FAMILY PARTNERSHIP,  
LTD.

COMMENTS:  
10. a. "ACCESS EASEMENT" (358-79)  
DOES AFFECT THIS TRACT AND IS SHOWN  
HEREON.

DINAH BROTHERS  
#2008063553  
130.241 ACRES

ROBERT HARRIS  
225-026  
22.005 ACRES

ROBERT HARRIS  
1456-72  
11.544 ACRES

ROBERT HARRIS  
39 ACRES  
2272-747  
1112-45  
817-281

MARK REMBERT  
#9511531  
15.747 ACRES

546.33 ACRES

CHASE PRIBBERNOW  
#2008065127  
7.0 ACRES

RALPH H. TRUSSELL & JUNE  
D. TRUSSELL FAMILY TRUST  
#9544472  
70.54 ACRES

JOHN L. DAVIS  
#9552480  
68.57 ACRES

REVOCABLE LIVING TRUST  
LEROY O. HALL  
99.0 ACRES  
#8812014

WILLIAM SOJA  
29.97 ACRES  
#2010031070

TOPO/BEARING/COORDINATE BASIS  
ELLIPSOID: NAD 83/GRS 1980  
PROJECTION: TEXAS CENTRAL NAD 83  
GEOID MODEL: GEOID 99

NO PORTION OF THE SURVEY SHOWN HEREON  
LIES WITHIN THE LIMITS OF A FLOOD HAZARD  
AREA OR WITHIN THE LIMITS OF THE 100  
YEAR FLOOD AS IDENTIFIED BY THE FEDERAL  
EMERGENCY MANAGEMENT AGENCY, FEDERAL  
INSURANCE ADMINISTRATION, AS SHOWN ON  
COMMUNITY PANEL NO. 484610078 G ZONE  
X, DATED SEPTEMBER 27, 1991, FOR  
WILLIAMSON COUNTY, TEXAS AND  
INCORPORATED AREAS.

THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF  
PROFESSIONAL SURVEYORS ASSOCIATION STANDARDS AND SPECIFICATIONS FOR A  
CATEGORY 1A, CONDITION II, TITLE SURVEY AS DESCRIBED IN THE MANUAL OF  
PRACTICE FOR LAND SURVEYING IN TEXAS, DATED OCTOBER 20, 2000.

STEVE W. WOLACK  
REGISTERED PROFESSIONAL SURVEYOR  
NO. 5025, STATE OF TEXAS

12-14-10

DATE



SHEET  
1  
OF 1

Scale: 1" = 400' ± 2" ± 4" ± 20' ± 0  
Field Book: Jax  
Drawn by: Stan  
File Name: 07-125.dwg  
Approved by: SW

546.33 ACRES  
TITLE SURVEY

3DS, Inc.  
Land Surveyors  
GPS Services  
Subdivisions • Topographic  
Construction • Commercial • Boundaries

3DS

3DS, Inc.  
P.O. BOX 202818  
AUSTIN, TX 78720  
PH: (512) 919-4140  
FAX: (512) 919-4142  
www.3dsinc.com

# EXHIBIT "A"



THREEDIMENSIONAL SERVICES  
SHIPPING ADDRESS:  
10703 Sierra Oaks  
Austin, Texas 78759

**3DS, Inc.**  
**Land Surveyors**

*G.P.S. Services*  
*Subdivisions • Topographic*  
*Construction • Commercial • Boundaries*

MAILING ADDRESS:  
P.O. Box 202816  
Austin, Texas 78720  
(512) 919-4140  
Fax (512) 919-4142  
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BEING 546.33 ACRES OF LAND, MORE OR LESS, OUT OF THE JOHN B. BERRY SURVEY, ABSTRACT NO. 56 IN WILLIAMSON COUNTY, TEXAS, AND BEING TRACTS OF LAND CONVEYED TO F.E. PARKS BY DEEDS RECORDED IN VOLUME 108, PAGE 587, VOLUME 208, PAGE 263, VOLUME 217, PAGE 332, VOLUME 399, PAGE 546, AND DEED TO EDWARD PARKS RECORDED UNDER DOCUMENT NO. 9854151, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 546.33 ACRES BEING MORE PARTICULARLY DESCRIBED AS METES AND BOUNDS AS FOLLOWS;

BEGINNING at an iron rod found at the most Southwesterly corner of the said 546.33, point being the most Southerly corner of that certain 70.54 acre tract of land as conveyed to Ralph H. Trussell & June D. Trussell family trust as described in doc #9544472 in the official public records of Williamson County, Texas, point being on the Northern Right of Way of Highway 29, point being the **POINT OF BEGINNING** of the herein described tract of land;

Thence N20°25'32"W following the common property line of the said 546.33 acres and the said 70.54 acres for a distance of 1443.94 feet to an iron rod found at the Southwest corner of that certain 7.0 acres conveyed to Chase Pribbenow in doc #2008086127 in the official public records of Williamson County, Texas;

Thence N68°48'29"E following the common property line of the said 7.0 acres and the said 546.33 acres for a distance of 756.15 feet to an iron rod found at the Southeast corner of the said 7.0 acres and the Southwest corner of that certain 16.747 acres conveyed to Mark Remmert in doc #9611531 in the official public records of Williamson County, Texas;

Thence N69°52'42"E following the common property line of the said 546.33 acres and the said 16.747 acres for a distance of 1099.04 feet to an iron rod found;

Thence N70°00'35"E for a distance of 50.01 feet to an iron rod set for the Southeast corner of the said 16.747 acres;

Thence N21°08'56"W for a distance of 701.38 feet to an iron rod found, point being the Northern corner of the said 16.747 acres;

Thence N21°03'25"E for a distance of 60.23 feet to a steel pipe fence corner, on the Southern property line of that certain 130.241 acres conveyed to Dinah Brothers as described in doc #2008163553 in the official public records of Williamson County, Texas;

Thence N69°23'55"E following the common property line of the said 130.241 acres and the said 546.33 acres for a distance of 1345.17 feet to an iron rod found;

Thence N04°00'06"W for a distance of 773.69 feet to an iron rod found;

Thence S69°41'23"W for a distance of 387.27 feet to a steel pipe fence post found;

Thence N19°49'15"W for a distance of 932.55 feet to a steel pipe fence post found for the Northwest corner of the said 546.33 acres and in the south line of a 250.00 acre tract conveyed to Stacy Browning Estate as described in doc #2006073171 in the official public records of Williamson County, Texas;

Thence N69°34'37"E continuing along the south line of said 250.00 acre tract a distance of 954.82 feet to an iron rod found;

Thence N69°40'10"E continuing along the south line of said 250.00 acre tract a distance of 380.64 feet to an iron rod found;

Thence N67°52'35"E continuing along the south line of said 250.00 acre tract for a distance of 681.43 feet to an iron rod found;

Thence N68°44'19"E continuing along the south line of said 250.00 acre tract for a distance of 401.30 feet to a iron rod found point being the Northwest corner of a 22.0 acre tract conveyed to Robert L. Harris as described in Volume 1062, Page 562 in the official public records of Williamson County, Texas;

Thence S20°44'39"E leaving said south line of said 250.00 acre tract and along the west line of said 22.0 acre tract and the west line of a 11.54 acre tract conveyed to Robert Harris as described in Volume 1456, Page 72 in the official public records of Williamson County, Texas, a 39 acre tract as recorded in Volume 2272, Page 747, Volume 1112, Page 45, Volume 817, Page 291 in the official public records of Williamson County, Texas and a 69.57 acre tract conveyed to John L. Davis as described in Document No. 9862480 in the official public records of Williamson County, Texas a distance of 4617.36 feet to a fence corner post found for a southeasterly corner of this 546.33 acre tract and the northeast corner of a 99.0 acre tract conveyed to Revocable Living Trust, Leroy O. Hall as described in Document No. 9819014 in the official public records of Williamson County, Texas;

Thence S69°23'33"W along a southeasterly line of this said 546.33 acre tract and the north line of said 99.0 acre tract a distance of 1733.33 feet to a fence corner post found for the northwest corner of said 99.0 acre tract and a southeasterly corner of this said 546.33 acre tract;

Thence S21°11'48"E along the west line of said 99.0 acre tract and a southeasterly line of this said 546.33 acre tract a distance of 2534.48 feet to a RR Tie fence corner post for the southwest corner of said 99.0 acre tract and the southeast corner of this said 546.33 acre tract;

Thence S68°29'36"W along the south line of this said 546.33 acre tract a distance of 702.46 feet to a 60d nail found in the south line of this said 546.33 acre tract;

Thence S70°56'37"W continuing along the south line of said 546.33 acre tract for a distance of 631.71 feet to a iron rod found in the north right of way of Highway 29 for a southwesterly corner of this said 546.33 acre tract;

Thence N57°09'59"W continuing along the north right of way of Highway 29 and a westerly line of this said 546.33 acre tract a distance of 44.99 feet to a concrete monument found;



Thence N54°31'16"W continuing along the north right of way of Highway 29 and a westerly line of this said 546.33 acre tract a distance of 1629.09 feet to a concrete monument found;

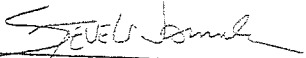
Thence N43°29'49"W continuing along the north right of way of Highway 29 and a westerly line of this said 546.33 acre tract a distance of 287.53 feet to an iron rod set for the beginning of a curve to the left;

Thence N54°03'54"W continuing along the north right of way of Highway 29 and a westerly line of this said 546.33 acre tract along said curve to the left a length of 371.04 feet having a radius of 1005.40', an arc length of 373.18, to an iron rod set at the end of this said curve to the left and the beginning of a curve to the left;

Thence N64°33'37"W continuing along the north right of way of Highway 29 and a westerly line of this said 546.33 acre tract along said curve to the left a length of 359.61 feet having a radius of 2249.81', an arc length of 360.00, to a iron rod found and the end of this said curve to the left;

Thence N64°41'28"W continuing along the north right of way of Highway 29 and a westerly line of this said 546.33 acre tract a distance of 200.15 feet to a concrete monument found;

Thence N64°12'05"W continuing along the north right of way of Highway 29 and a westerly line of this said 546.38 acre tract a distance of 1220.03 feet to **POINT OF BEGINNING** and containing 546.33 acres of land more or less.

  
Steven W. Womack  
Registered Professional Surveyor  
No. 5025, State of Texas

12-14-2010  
Date

