



Control Number: 44065



Item Number: 4

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

WARRANTY DEEDRECEIVED
2015 JAN -6 AM 9:03

STATE OF TEXAS

PUBLIC UTILITY COMPANY
FILING CLERK

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN

That I, MARSHALL NEWCOMB, not joined herein by my spouse for the reason that the herein conveyed real estate constitutes no part of our homestead and is my sole and separate property, of the County of Collin, State of Texas, for and in consideration of the sum of TEN AND NO/100'S DOLLARS (\$10.00), and other valuable consideration to the undersigned paid by the grantee herein named, the receipt of which is hereby acknowledged, have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto TIM BENNETT ENGINEERING & CONSTRUCTION, INC. dba TBEC, all of the following described real property in Collin County, Texas, to-wit:

SEE EXHIBIT "A" WHICH EXHIBIT IS ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

THIS CONVEYANCE IS MADE SUBJECT TO THE FOLLOWING:

1. Easements, or claims of easements, which are not recorded in the public records.
2. Any portion of the property described herein within the limits or boundaries of any public or private roadway.
3. Easement executed by Walter Lafon, to Texas Power and Light Company, dated January 16, 1941, filed June 18, 1941, recorded in/under Volume 331, Page 462, of the Real Property Records of Collin County, Texas.
4. Easement executed by J.D. Nash, to State of Texas, recorded in/under Volume 517, Page 343 of the Real Property Records of Collin County, Texas.
5. Easement executed by V.L. Lafon, to Texas Power and Light Company, dated October 19, 1956, filed December 5, 1956, recorded in/under Volume 524, Page 458 of the Real Property Records of Collin County, Texas.

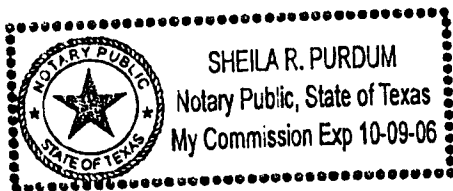
TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said grantee, its successors and assigns forever; and I do hereby bind myself, my heirs, executors, and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee, its successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 18th day of June, 2003.

Marshall Newcomb
MARSHALL NEWCOMB

State of Texas
County of Collin

This instrument was acknowledged before me on the 18th day of June, 2003, by MARSHALL NEWCOMB.



Sheila R. Purdum
Notary Public, State of Texas
Commission expires: _____
Notary's Printed Name:
Sheila R. Purdum

AFTER RECORDING RETURN TO:
Tim Bennett Engineering &
Construction, Inc. dba TBEC
PO Box 2077
WYLIE, TX. 75098

PREPARED IN THE LAW OFFICE OF:
William H. Viz
321 N. Central Expressway
McKinney, Texas 75070

THENCE along the west right of way line of above mentioned Farm to Market Highway as follows:

THENCE South $26\frac{1}{4}^{\circ}$ East 813.4 feet to a wooden right of way marker, said point being the point of beginning of a curve to the left;

THENCE South $29\frac{1}{4}^{\circ}$ East 69.0 feet to a stake;

THENCE South $37\frac{1}{4}^{\circ}$ East 116.0 feet to a stake;

THENCE South $45\frac{1}{2}^{\circ}$ East 100.0 feet to a stake;

THENCE South $55\frac{1}{2}^{\circ}$ East 121.7 feet to a stake;

THENCE South $63\frac{3}{4}^{\circ}$ East 86.3 feet to a stake, said stake being in the center of a public road;

THENCE South $89\frac{1}{2}^{\circ}$ West 703.0 feet along the center of above mentioned public road to the point of beginning, containing 6.682 acres, more or less.

SAVE AND EXCEPT the following described property:

Situated in Collin County, Texas, a part of the Wm. Johnson Survey, Abstract No. 476 being a part of a 6.682 acre tract as described in a deed from J.D. Nash to Marshall Newcomb dated March 30, 1957 and recorded in Volume 527, Page 597 of the Collin County Deed Records and being more particularly described by metes and bounds as follows:

BEGINNING at a stake in the west line of said tract in the north right-of-way line of the proposed F.M. Highway No. 3286, said stake bears South $14^{\circ}02'$ East, 401.58 feet from the northwest corner of said tract;

THENCE North $86^{\circ}42'$ East (Chord bearing) with the proposed highway right-of-way line and at all times being 60.0 feet from and concentric to the centerline of a $5^{\circ}00'$ curve with a central angle of $28^{\circ}02'$ right an arc distance of 231.52 feet to a stake, said stake bears North $02^{\circ}11'$ East from centerline PT of above curve;

THENCE South $87^{\circ}49'$ East a distance of 362.03 feet to a stake in the west right-of-way line of the existing F.M. Highway 546;

THENCE South $57^{\circ}04'$ East a distance of 34.04 feet to a stake;

THENCE South $02^{\circ}12'$ West a distance of 42.60 feet to a stake in the south line of said tract in the west right-of-way line of F.M. Highway 546;

THENCE along the south line of said tract North $87^{\circ}49'$ West a distance of 527.33 feet to a stake;

THENCE South $88^{\circ}46'$ West a distance of 81.75 feet to a stake in the west line of said tract;

THENCE North $14^{\circ}02'$ West a distance of 44.51 feet to the place of beginning containing 0.811 acre of land of which 0.414 acre is in the existing County Road.

Exhibit A**TRACT ONE:**

All of that certain lot, tract or parcel of land situated in Collin County, Texas, in the William Johnson Survey, Abstract No. 476, being the same property conveyed to Marshall Newcomb by Walter Lafon and wife in deed dated August 10, 1957, recorded in Volume 533, Page 46, Deed Records of Collin County, Texas, and being:

1. All of a 0.12 acre tract described in a partition deed from J.C. Addington, et al to Walter Lafon, dated December 16, 1930, and recorded in Volume 283, Page 359, Collin County Deed Records;

2. Part of a 1.25 acre tract described in a deed from James M. Denison, et ux, to Walter Lafon, filed July 23, 1946, and recorded in Volume 368, Page 220, Collin County Deed Records, described by metes and bounds as follows:

BEGINNING at a stake in the west line of a 6.682 acre tract of land that is described in a deed from J.D. Nash, et ux, to Marshall Newcomb, recorded in volume 527, Page 597, Collin County Deed Records, said beginning stake being located North 1/2° West 103 feet from the southwest corner of said 6.682 acres, said beginning stake being at the most southern corner of said 0.12 acres conveyed to Walter Lafon by J.C. Addington, et al;

THENCE North 1/2° West along the west line of said 6.682 acres a distance of 194 feet to the northeast corner of said 0.12 acres, and continuing North 1/2° West in all 333.3 feet to a stake in the West line of said 6.682 acres, which is also the east line of said 1.25 acres;

THENCE South 86° West 101.3 feet to a stake in the center of public road and in the west line of said 1.25 acres;

THENCE South 15 1/2° East 139.1 feet to the southwest corner of said above mentioned 1.25 acres, which is the northwest corner of said 0.12 acres;

THENCE South 19° East 203.2 feet with the west line of said 0.12 acres, to the place of beginning, containing 0.4082 acres of land, as surveyed by Kenneth H. Cole, Registered Professional Engineer, on July 27, 1957.

TRACT TWO:

Situated in Collin County, Texas, and being a part of the William Johnson 640 acre Survey, Abstract No. 470 and a part of a 3.77 acre tract that was conveyed by Rosner Hall, a single woman, and Curtis Craft McCoy to J.D. Nash by deed dated September 22, 1949, and recorded in Volume 406, Page 87, Deed Records, Collin County, Texas, and also being a part of a 25.00 acre tract that was conveyed by B.W. Welborn and wife, Myrtle Welborn to J.D. Nash and wife, Perkins L. Nash, by deed dated May 5, 1954, recorded in Volume 484, Page 381, Deed Records, Collin County, Texas, described by metes and bounds as follows:

BEGINNING at the Southwest corner of said 3.77 acre tract a bois d'arc stake in the middle of public road (iron rod driven down by old stake);

THENCE North 1/2° West with the west line of said 3.77 acre tract 1,064 feet to an iron pin in the west right of way line of a Farm to Market Highway;

Tim Bennett Engineering & Construction, Inc., d.b.a. TBEC

P. O. Box 2077

Wylie, Texas 75098

Phone: (972) 429-3993 Fax: (972) 429-3963

Agreement for providing Sewer SERVICE (The UTILITY)

Tim BENNETT ENGINEERING & CONSTRUCTION INC holds CCN

NO 20947 AND Discharge Permit NO WQ 14432-001

by which the STATE OF TEXAS Authorizes it to treat
SEWAGE

(customer) 99.5 acre

Bill J Donihoo owns land outside the CCN and
desires to be made part of it, in order to obtain
SEWER SERVICE

1. The UTILITY will file a letter of protest to the TCEQ to
try AND DISALLOW the inclusion of the customer's property
into Princeton's proposed CCN
2. The UTILITY will file an application to the TCEQ to modify
the CCN & TARIFF to include the customer

Upon approval by the TCEQ of the modification the UTILITY
will provide sewer SERVICE to the customer.

Modification to the TARIFF shall include:

- a. Customer GRANTS UTILITY A security interest in the
property for the purpose of collection of SEWAGE treatment
Bills.
- b. Customer Agrees to pay for all cost associated with customer's
SEWER SERVICE facilities that serve customer: 140,000 gal/DAY

SEWER TREATMENT PLANT, COLLECTION LINES, SERVICES, MANHOLES, ETC ~~before customer~~ UPON CONSTRUCTION OF AND PAYMENT BY CUSTOMER OF SAID FACILITIES, UTILITY SHALL TREAT CUSTOMER'S SEWAGE.

b. c. IN ADDITION TO THE COSTS ABOVE CUSTOMER SHALL PAY TO UTILITY \$1,000 PER RESIDENTIAL UNIT UPON ACTUAL CONNECTION OF UNIT TO SEWERAGE SYSTEM. THIS \$1,000 PER UNIT SHALL BE INCREASED EACH YEAR TO COMPENSATE FOR INFLATION USING THE CONSUMER PRICE INDEX, BEGINNING JAN 1 2007.

d. CUSTOMER SHALL BE LIMITED TO A MAXIMUM OF 400 RESIDENTIAL UNITS FOR THE 99.5 ACRES.

e. NO INDUSTRIAL DEVELOPMENT BY CUSTOMER

f. NO COMMERCIAL DEVELOPMENT CONTAINING GAS PUMPS FOR 5 YEARS

g. COLLECTION LINES SHALL BE PLACED IN A EASEMENT SEPARATE FROM THE ROAD ROW OR CUSTOMER'S PROPERTY

cc Tim Bennett

Billy Joe Donihoo
2404 Dublin Road
Parker, Texas 75094
(972) 423-6489

fax: 972-429-3963

December 14, 2005

via Certified Mail

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

Subj: City of Princeton, Texas Request for Sewer CCN

To Whom It May Concern:

My name is Billy Joe Donihoo. My address is 2404 Dublin Road, Parker, Texas 75094. My phone number is (972) 423-6489. The City of Princeton, Texas has filed an application for a Sewer CCN in Collin County, Texas. I own property in Collin County(approximately 99.43 acres located at the SEC of FM 3286 and CR 437, A0476 Johnson, William, Tract 21) that is included in the area that the City is requesting to be included in the CCN. I object to being included in the CCN requested by the City of Princeton and request a public hearing regarding this matter for the following reasons:

1. Existing CCN No. 20947 is adjacent to my property and I would rather be included in CCN No. 20947, than the new one proposed by the City of Princeton.
2. My land is adjacent to CCN No. 20947 and it is my desire to include my land in its service area (see map).
3. Currently Discharge Permit No. 14432-001 assumes sewage inflow from my land and I desire to be included in its service area .
4. The plans for development of this area are imminent and placing my property in Princeton's CCN would cause a financial hardship and loss to me and my property.
5. The majority of my property is not located within the ETJ of the City of Princeton, I did not receive notice of the CCN from the City of Princeton or the TCEQ, and I do not consent , but object, to my land being included in the subject request.
6. Princeton has no immediate plans to provide sewer service to my property .

I would withdraw my request for a public hearing if my property were removed from Princeton's proposed CCN.

Sincerely,

Billy Joe Donihoo

Donihoo 000001