

Control Number: 46078



Item Number: 1

Addendum StartPage: 0

DOCKET NO. **46078**

2M Realty Advisors, LLC
Petition for Streamlined Expedited
Release from CCN11727
For 102 Acres ± in Montgomery County

§ Public Utility Commission of
§
§ Texas
§

Proposed Order

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2M Realty Advisors, LLC
23449 Highway 59
Porter, TX 77365
P 281-354-3500
F 281-354-3100
www.2Mrealty.com

June 15, 2016

Filing Clerk
Public Utility Commission of Texas
1701 North Congress Avenue
P.O. Box 13326
Austin, TX 78711-3326

Re: Streamlined Expedited Release from CCN No. 11727

Dear Commissioners,

Per TWC § 13.254(a-5) and 16 TAC § 24.113(r), I am requesting a streamlined expedited release from CCN No. 11727 (City of Splendora). The property to be released is a 102 acre ± parcel in the M.B. Lawrence Survey, A-310, and Montgomery County. The property is owned by Monterrey Oaks, LTD, A Texas Limited Partnership of which I, Mark Martin, am President of 2MRE, LLC, the General Partner (deed attached).

The subject property is not developed, does not receive water or sanitary sewer services from any service provider, and no water or sanitary sewer service lines lie on the property nor do they lie in any adjacent public right-of-way or utility easements. It also lies outside of the corporate limits of the City of Splendora and outside of their Extraterritorial Jurisdiction.

A copy of this petition letter has been mailed by certified mail to the City of Splendora.

Small and large scale maps representing the property are included in the submittal.

Sincerely,

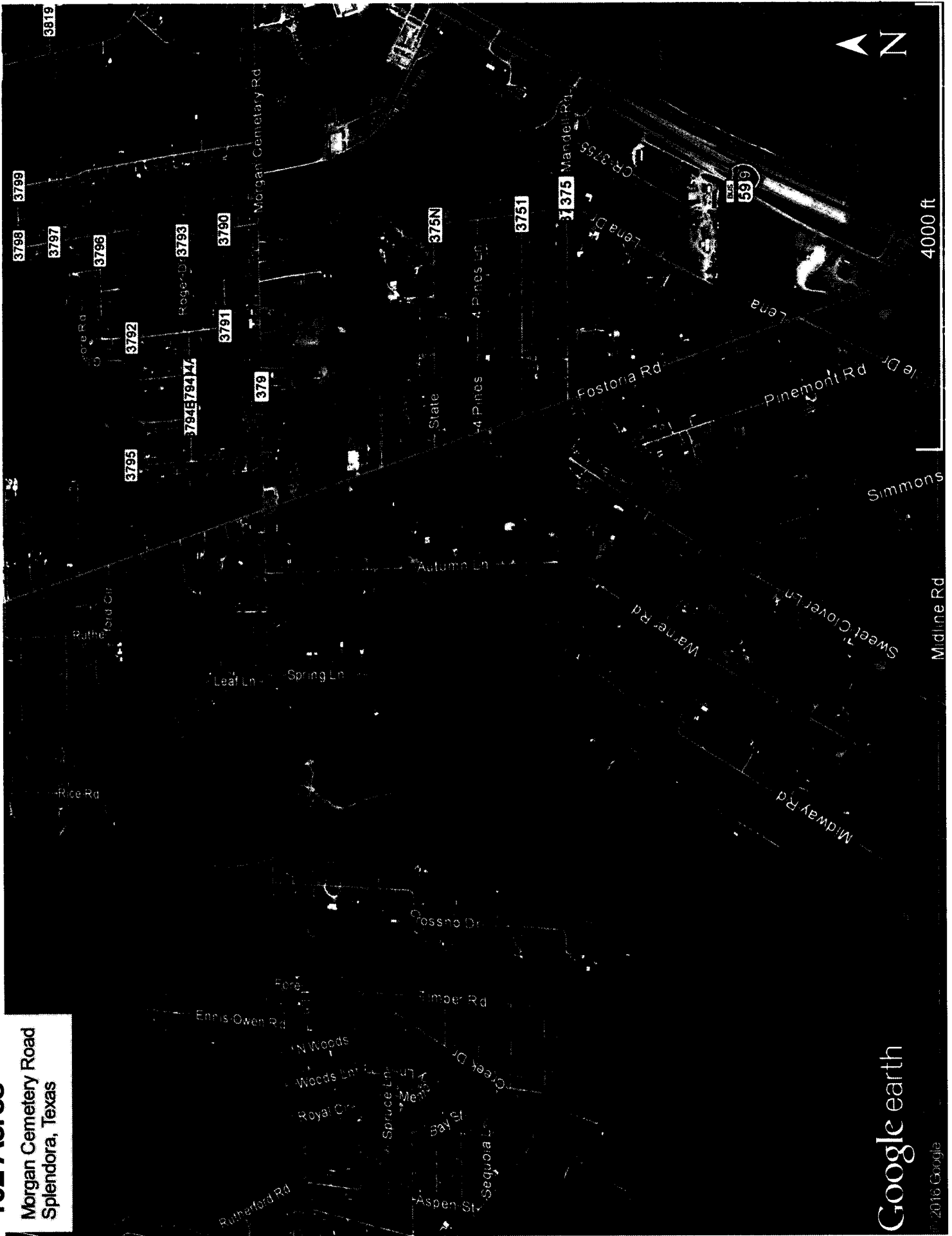
A handwritten signature in black ink, appearing to read 'Mark Martin'.

Mark Martin, President
2MRE, LLC, the General Partner for
Monterrey Oaks, LTD.

LARGE SCALE AREA MAP 1

102 Acres

Morgan Cemetary Road
Splendora, Texas



Google earth

© 2016 Google

LARGE SCALE AREA MAP 2



North

MORGAN CEMETERY RD

Lawrence MB

LEAF LN

SPRING LN

SPRING LN

MORGAN LN

Lawrence MB

Cole John

Cole John

MOWY RD

WARNER RD

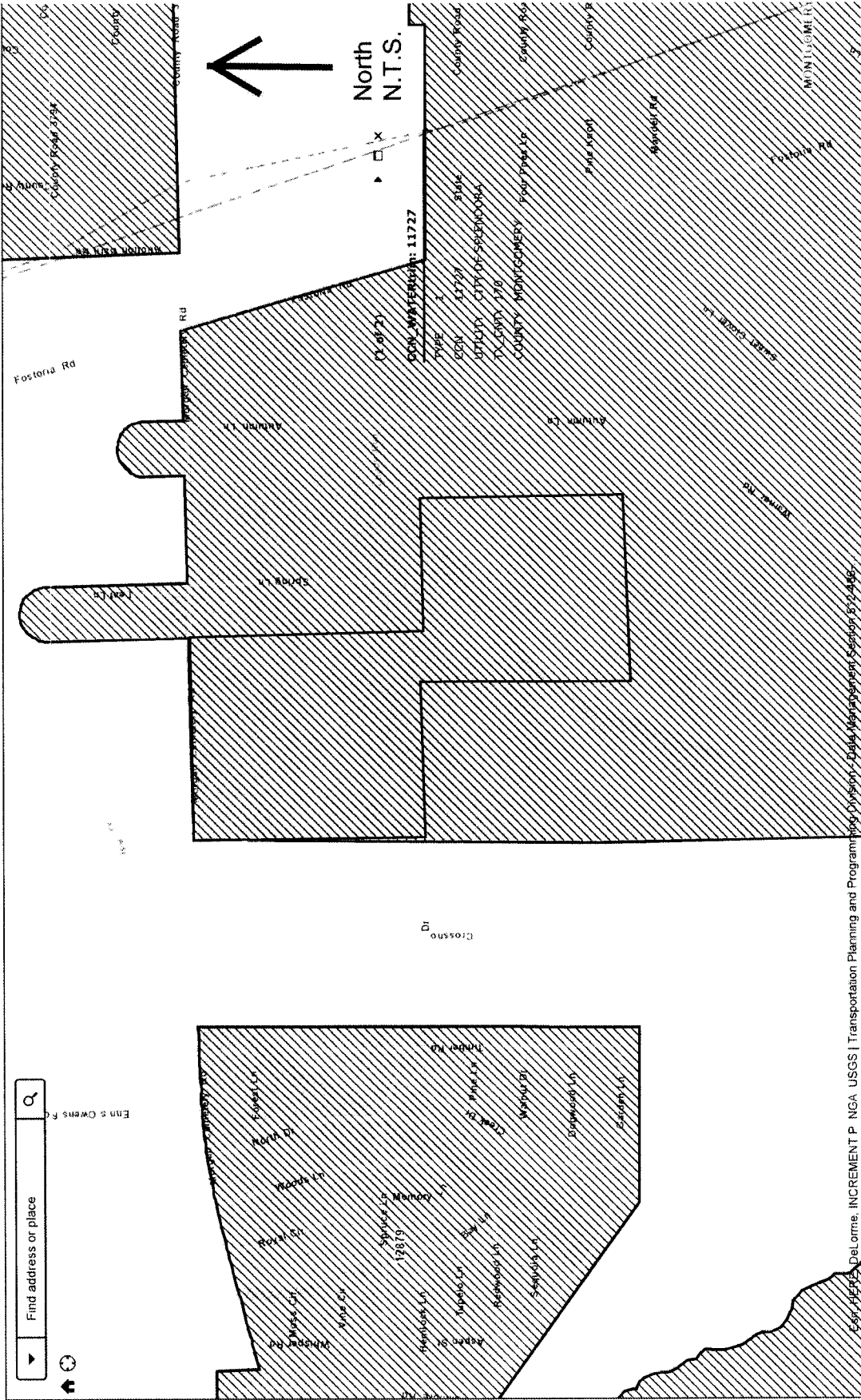
COLETT CLOVER LN

200 400 600 800 1000

Feet

This map is for illustrative purposes only and does not represent a survey. It is provided 'as is' without warranty or any representation of accuracy, timeliness or completeness. The user acknowledges and accepts all inherent limitations of the maps and data, including the fact that the maps and data are dynamic and in a constant state of maintenance, correction and revision. No liability is assumed by Montgomery County as to the accuracy of the data delineated herein.

CCN COVERAGE MAP



ES&P: HEPL/Delorme, INCREMENT P. NGA USGS | Transportation Planning and Programming Division - Data Management Section 6/2/4/6

OLD REPUBLIC TITLE
GF# 1605282

GF# 1605282

WARRANTY DEED WITH VENDOR'S LIEN
(with mineral reservation)

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.

Date: June 2, 2016

Grantor: DUANE CORLEY a/k/a DUANE T. CORLEY, as Trustee of the Duane Corley Trust, who acquired title as Duane Corley, Trustee and Duane T. Corley, Trustee

Grantor's Mailing Address:

208 W. Davis Corley Trust, TX 77001
Montgomery County)

Grantee: MONTERREY OAKS, LTD, a Texas limited partnership

Grantee's Mailing Address:

2349 Hwy 59 P.O. Box 120305
Montgomery County)

Consideration:

The sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to the undersigned in hand paid by Grantee herein named, the receipt of which is hereby acknowledged, and the further consideration of the execution and delivery by Grantee of his/her/their one certain Promissory Note of even date herewith in the principal sum of FIVE HUNDRED SEVENTY-EIGHT THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$578,500.00) payable to the order of ZB, N.A. DBA AMEGY BANK, as therein provided and bearing interest at the rates therein specified, and providing for acceleration of maturity in event of default and for attorney's fees, the payment of which note is secured by the Vendor's Lien herein retained, and is additionally secured by a Deed of Trust of even date herewith to GEORGE M. MARSHALL, Trustee

Property (including any improvements):

Being 102.291 acres of land, more or less, comprised of a 51.66 acre tract and a 50.680 acre tract in the M. B. Lawrence Survey, A-310, Montgomery County, Texas, said 102.291 acre tract being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof

Reservations from and Exceptions to Conveyance and Warranty:

This conveyance is made and accepted subject to the following matters, to the extent same are in effect at this time:

1. Any and all restrictions, covenants, conditions and easements, if any, relating to the herein above described property, but only to the extent they are still in effect, shown of record in the herein above mentioned County and State, and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent that they are still in effect, relating to the herein above described property.
2. **RESERVATION OF MINERAL INTEREST:** For Grantor and Grantor's successors, Grantor reserves all the oil, gas, and other minerals that are in and under the property and that may be produced from the Property. If this interest is subject to existing production or an existing lease, this reservation includes the production, the lease, and all benefits from it. Grantor 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 mineral estate owned by Grantor. Nothing herein, however, restricts or prohibits the pooling or unitization of the portion of the mineral estate owned by Grantor with land other than the Property; or the exploration or production of the oil, gas, and other minerals by means of wells that are drilled or mines

that open on 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.


Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, 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 warranty.

It is expressly agreed that the VENDOR'S LIEN, as well as the Superior Title in and to the above described premises, is retained against the above described property, premises and improvements until the above described Note and all interest thereon are fully paid according to the face, tenor, effect and reading thereof, at which time this Deed shall become absolute.

ZB, N.A. DBA AMEGY BANK ("Lender"), at the instance and request of the Grantee herein, having advanced and paid in cash to the Grantor herein that portion of the purchase price of the herein described property as is evidenced by the hereinabove described Note, the Vendor's Lien, together with the Superior Title to said property, is retained herein for the benefit of said Lender and the same are hereby TRANSFERRED AND ASSIGNED to said Lender, its successors and assigns.

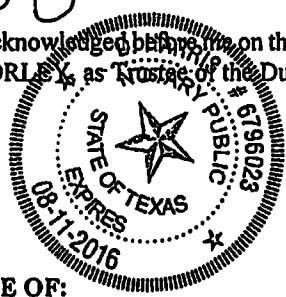
When the context requires, singular nouns and pronouns include the plural.

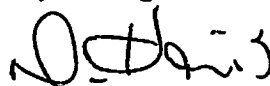
EXECUTED on the date first above written.


DUANE CORLEY a/k/a DUANE T. CORLEY, as
Trustee of the Duane Corley Trust

STATE OF Texas
COUNTY OF Muskogee

This instrument was acknowledged before me on the 2nd day of June, 2016, by DUANE CORLEY a/k/a DUANE T. CORLEY, as Trustee of the Duane Corley Trust.




Notary Public in and for the
State of Texas

PREPARED IN THE OFFICE OF:
Law Office of Beard & Lane, P.C.
12841 Jones Road, Suite 100
Houston, Texas 77070
Telephone: (281) 897-8848
Email: brent@beardlane.com

AFTER RECORDING RETURN TO:

2J6157 WDVL

Exhibit "A" Attachment

Fieldnotes to all that certain lot, tract, or parcel of land situated in the M. Lawrence Survey, A-310, Montgomery County, Texas, being 102.291 acres, more or less, and being comprised of all of a called 51.66 acre tract (found to contain 51.621 acres, more or less) as described in a deed executed September 19, 2006, from Sherrile Marie Ross, et al to Duane Corley, Trustee and recorded as Clerk's File Number 2006-113478, with a File Number of 185-11-1104, and all of a called 50.680 acre tract (found to contain 50.670 acres) as described in a deed dated May 17, 2007, from Albert L. Gilmore and Patsy Fay Gilmore, et al, Trustees to Duane T. Corley, and recorded Clerk's File Number 2007-063692, with a File Number of 350-11-1138, Deed Records, Montgomery County, Texas, to which references are hereby made to for any and all purposes. Said tract described by metes and bounds as follows, to wit:

Beginning at a 3/8" Iron rod found for the northeastern corner of the referenced 51.66 acre tract in the southern margin of Morgan Cemetery Road (30' road right of way recorded in Volume 220, Page 94). Same being the northwestern corner of a called 5.00 acre tract conveyed to Michael J. Stendahl by a document recorded with a Clerk's File Number of 8859510 (File Number 568-01-1732). From said point a 1/4" Iron rod found in said southern margin for the northeast corner of said 5.00 acre tract bears N89°37'19"E 256.16 feet;

THENCE SOUTH 00°18'01" EAST (record call is S00°18'51"E), with the eastern line of said 51.66 acre tract and along the general course of an existing wire fence, passing at 850.32 feet a 1/2" Iron rod found 0.47 feet west of this line for the common western corner of said 5.00 acre tract and a called 2.50 acre tract conveyed to Paul A. Rich by a deed with Clerk's File Number 8505222 (File Number 323-01-2418), passing at 1082.14 feet a 1/2" Iron rod found 0.39 feet west of this line for the common western corner of said 2.50 acre tract and another called 2.50 acre tract conveyed to Paul A. Rich by deed with a Clerk's File Number of 8333327 (File Number 214-01-1756), and picking up the western line of a called 3.30 acre tract conveyed to Paul A. Rich, et ux by deed recorded with Clerk's File Number 8334676, a total distance of 1546.69 feet (record call is 1547.57 feet) to a bent 3/8" Iron rod found for the common southern corner of said 51.66 acre tract and the southwestern corner of said 3.30 acre tract. Same being in the northern line of the referenced 50.680 acre tract. From said point an unreferenced 1/2" Iron rod found near an existing wire fence corner bears S06°33'48"W 27.74 feet;

THENCE SOUTH 88°34'02" EAST 1024.43 feet (record call is S88°31'09"E 1269.67 feet), with the northern line of the referenced 50.680 acre tract, in part with the southern line of the aforementioned 3.30 acre tract, picking up the southern line of a called 3.48 acre tract conveyed to Don Daniel, et ux by deed with Clerk's File Number 7736713 (Volume 1021, Page 196), to a 1/2" Iron rod found for the common eastern corner of said 50.680 acre tract and said 3.48 acre tract. Same being in an existing wire fence along the western line of a called 5.00 acre tract conveyed to Floyd Melcer, et ux by deed recorded with Clerk's File Number 99092470. From said point a 5/8" Iron rod found for the northwestern corner of said 5.00 acre tract bears N00°19'04"W 160.49 feet;

THENCE SOUTH (record call is SOUTH 1748.85 feet -- this line was used as the basis of bearings), with the eastern line of the referenced 50.680 acre tract, passing at 194.31 feet a 5/8" Iron rod found 0.23 feet east of this line for the southwest corner of said 5.00 acre tract, passing at 548.85 feet a 1/2" Iron rod found 0.64 east of this line, picking up the western line of a called 2.5 acre tract conveyed to Thomas E. Woods by deed with Clerk's File Number 2008-10637, passing at 903.37 feet a 1/2" Iron rod found 0.52 feet east of this line for the northwest corner of a called 2.5 acre tract conveyed to Bobby J. Rademacher by deed with Clerk's File Number 2010000707, passing at 1080.63 feet a bent 1/2" Iron rod found 0.59 feet east of this line for the northwest corner of a called 2.50 acre tract conveyed to Claudia V. Horn by deed with a Clerk's File Number of 2001-007900, passing at 1257.54 feet a 3/8" Iron rod found 0.30 east of this line for the northwest corner of a called 3.53 acre tract conveyed to Gerge H. Finney by deed with a Clerk's File Number of 8100407, passing at 1578.96 feet a 1/2" Iron rod found 0.15 feet east of this line for the northwest corner of a called 2.50 acre tract conveyed to Glenn Hart by deed with a Clerk's File Number of 90553101, continuing a total distance of 1748.92 feet (record distance is 1748.85 feet) with the eastern line of said 50.680 acre tract a 1/2" Iron rod found for the southeastern corner of said 50.680 acre tract. Same being 0.8 feet north of an existing wire fence along the northern line of a called 11.098 acre tract conveyed to Troy O. Blair by deed with a Clerk's File Number of 2008-097-184. Same being in or near the acclaimed common line between the Lawrence Survey and the J. Cole Survey, A-121;

THENCE NORTH 88°37'18" WEST (record call is N88°36'24"W), with the southern line of the aforementioned 50.680 acre tract and along or near said common survey line, passing at 54.82 feet an unreferenced concrete monument found, passing at 278.77 feet a gate post, 1.4 feet south of this line, at the occupied northwest corner of said 11.098 acre tract and the occupied northeastern corner of a called 5.440 acre tract conveyed to James Titus Taylor by deed with a Clerk's File Number of 8309795, passing at 798.37 feet a ¼" iron pipe found, 1.56 feet south of this line, for the northeast corner of a called 5.36 acre tract conveyed to Samuel D. Smith by deed with a Clerk's File Number of 2003-083218, continuing a total distance of 1254.63 feet (record distance is 1254.37 feet) to a ½" iron rod found for the southwest corner of said 50.680 acre tract and the apparent southeast corner of a called 50 acre tract conveyed to T. N. Dunnam by deed of record in Volume 336, Page 204. From said point a ½" iron rod found at the northwest corner of said 5.36 acre tract bears N88°39'36"W 243.60 feet;

THENCE NORTH 00°28'50" WEST 1750.13 feet (record call is N00°29'55"W 1751.23 feet), with the western line of the referenced 50.680 acre tract, to a ½" iron rod found for the northwestern corner of same in the southern line of the referenced 51.66 acre tract. Said point is 244.9 feet westerly of the southeast corner of said 51.66 acre tract;

THENCE NORTH 88°39'17" WEST 1229.79 feet (record call is N88°40'00"W – record distance in Volume 336, Page 204 is 1254.4 feet), with the southern line of said 51.66 acre tract and northerly of an existing wire fence, to a bent 3/8" iron rod found for the southwestern corner of said tract. From said point a found unreferenced ½" iron rod near an existing wire fence corner bears S00°21'01"W 55.08 feet;

THENCE NORTH 00°18'13" WEST (record call is N00°18'15"W), with the western line of the aforesaid 51.66 acre tract, passing at 49.12 feet a 1" iron pipe found 0.25 feet west of this line in the eastern line of the Hutcheson Acres Subdivision, Section Two, of record in Volume 5, Page 271, Plat Records, passing at 368.94 feet a ½" iron rod found 0.51 feet west of this line, passing at 688.48 feet a ½" iron pipe found 0.21 feet east of this line, passing at 933.41 feet a 3/8" iron rod found 0.22 feet west of this line, passing at 1329.34 feet a ½" iron rod found on line, continuing a total distance of 1504.05 feet (record distance is 1505.10 feet) to a ½" iron rod (capped Goodwin-Lasker) set for the northwestern corner of the referenced tract in the southern margin of Morgan Cemetery Road. From said point a wire fence corner post bears S08°11'E 10.4 feet;

THENCE NORTH 89°41'13" EAST 1474.17 feet (record call is N89°41'00" EAST 1474.32 feet), with said southern margin and with the northern line of the referenced 51.66 acre tract, to the Point of Beginning, and containing 102.291 acres, more or less, as shown on the accompanying survey plat of even date herewith.

Fieldnote Description to 102.291 Acres
M. Lawrence Survey, A-310
Montgomery County, Texas

Fieldnotes to all that certain lot, tract, or parcel of land situated in the M. Lawrence Survey, A-310, Montgomery County, Texas, being 102.291 acres, more or less, and being comprised of all of a called 51.66 acre tract (found to contain 51.621 acres, more or less) as described in a deed executed September 19, 2006, from Sherrie Marie Ross, et al to Duane Corley, Trustee and recorded as Clerk's File Number 2006-113478, with a File Number of 185-11-1104, and all of a called 50.680 acre tract (found to contain 50.670 acres) as described in a deed dated May 17, 2007, from Albert L. Gilmore and Patsy Fay Gilmore, et al, Trustees to Duane T. Corley, and recorded Clerk's File Number 2007-063692, with a File Number of 360-11-1138, Deed Records, Montgomery County, Texas, to which references are hereby made to for any and all purposes. Said tract described by metes and bounds as follows, to wit:

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THENCE SOUTH 00°18'01" EAST (record call is S00°18'51"E), with the eastern line of said 51.66 acre tract and along the general course of an existing wire fence, passing at 850.32 feet a 1/2" iron rod found 0.47 feet west of this line for the common western corner of said 5.00 acre tract and a called 2.50 acre tract conveyed to Paul A. Rich by a deed with Clerk's File Number 8505222 (File Number 323-01-2418), passing at 1062.14 feet a 1/2" iron rod found 0.39 feet west of this line for the common western corner of said 2.50 acre tract and another called 2.50 acre tract conveyed to Paul A. Rich by deed with a Clerk's File Number of 8333327 (File Number 214-01-1758), and picking up the western line of a called 3.30 acre tract conveyed to Paul A. Rich, et ux by deed recorded with Clerk's File Number 8334676, a total distance of 1546.69 feet (record call is 1547.57 feet) to a bent 3/8" iron rod found for the common southern corner of said 51.66 acre tract and the southwestern corner of said 3.30 acre tract. Same being in the northern line of the referenced 50.680 acre tract. From said point an unreferenced 1/2" iron rod found near an existing wire fence corner bears S06°33'48"W 27.74 feet;

THENCE SOUTH 88°34'02" EAST 1024.43 feet (record call is S88°31'09"E 1269.67 feet), with the northern line of the referenced 50.680 acre tract, in part with the southern line of the aforementioned 3.30 acre tract, picking up the southern line of a called 3.48 acre tract conveyed to Don Daniel, et ux by deed with Clerk's File Number 7736713 (Volume 1021, Page 196), to a 1/2" iron rod found for the common eastern corner of said 50.680 acre tract and said 3.48 acre tract. Same being in an existing wire fence along the western line of a called 5.00 acre tract conveyed to Floyd Melcer, et ux by deed recorded with Clerk's File Number 99092470. From said point a 5/8" iron rod found for the northwestern corner of said 5.00 acre tract bears N00°19'04"W 160.49 feet;

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THENCE NORTH 88°37'18" WEST (record call is N88°36'24"W), with the southern line of the aforementioned 50.680 acre tract and along or near said common survey line, passing at 54.82 feet an unreferenced concrete monument found, passing at 278.77 feet a gate post, 1.4 feet south of this line, at the occupied northwest corner of said 11.098 acre tract and the occupied northeastern corner of a called 5.440 acre tract conveyed to James Titus Taylor by deed with a Clerk's File Number of 9309795, passing at 798.37 feet a 3/4" iron pipe found, 1.56 feet south of this line, for the northeast corner of a called 5.36 acre tract conveyed to Samuel D. Smith by deed with a Clerk's File Number of 2003-083218, continuing a total distance of 1254.63 feet (record distance is 1254.37 feet) to a 1/2" iron rod found for the southwest corner of said 50.680 acre tract and a called 50 acre tract conveyed to T. N. Dunnam by deed of record in Volume 336, Page 204. From said point a 1/2" iron rod found at the northwest corner of said 5.36 acre tract bears N88°39'36"W 243.60 feet;

THENCE NORTH 00°28'50" WEST 1750.15 feet (record call is N00°29'55"W 1751.23 feet), with the western line of the referenced 50.680 acre tract, to a ½" iron rod found for the northwestern corner of same in the southern line of the referenced 51.66 acre tract. Said point is 244.9 feet westerly of the southeast corner of said 51.66 acre tract;

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THENCE NORTH 00°18'13" WEST (record call is N00°18'15"W), with the western line of the aforesaid 51.66 acre tract, passing at 49.12 feet a 1" iron pipe found 0.25 feet west of this line in the eastern line of the Hutcheson Acres Subdivision, Section Two, of record in Volume 5, Page 271, Plat Records, passing at 368.94 feet a ½" iron rod found 0.51 feet west of this line, passing at 688.48 feet a ½" iron pipe found 0.21 feet east of this line, passing at 933.41 feet a 3/8" iron rod found 0.22 feet west of this line, passing at 1329.34 feet a ½" iron rod found on line, continuing a total distance of 1504.05 feet (record distance is 1505.10 feet) to a ½" iron rod (capped Goodwin-Lasiter) set for the northwestern corner of the referenced tract in the southern margin of Morgan Cemetery Road. From said point a wire fence corner post bears S08°11'E 10.4 feet;

THENCE NORTH 89°41'13" EAST 1474.17 feet (record call is N89°41'00" EAST 1474.32 feet), with said southern margin and with the northern line of the referenced 51.66 acre tract, to the Point of Beginning, and containing 102.291 acres, more or less, as shown on the accompanying survey plat of even date herewith.

Kirk Raymond, R.P.L.S. 4957
Raymond Surveying & Mapping
(a division of Goodwin-Lasiter, Inc.)
TBPLS Firm License No. 10110902
April 6, 2016





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ENGINEERING • ARCHITECTURE • INTERIOR DESIGN • SURVEYING

LUFKIN • GROESBECK • BRYAN/COLLEGE STATION • THE WOODLANDS
www.glstexas.com

TRANSMITTAL 001

DATE: 06/16/16

TO: Public Utility Commission of Texas
Central Records
1701 N Congress Ave, PO Box 13326
Austin, TX 78711-3326

RE: **Petition for Streamlined Expedited Release from CCN11727**
GLS Project No.: 714001

RECEIVED
2016 JUN 20 AM 10:20
PUBLIC UTILITY COMMISSION
FILING CLERK

We are sending you herewith the following:

Copies	Description	Date
7	714001 Streamlined Expedited Release from CCN11727	6/16/16

Note: There was an error during the electronic filing. Ultimately it appeared to have transferred, but it may be incomplete. The tracking number is UR40VBUY. A single 8.83 MB file was to be sent.

Stephen Troy Toland, P.E.
Project Manager
STT/kel

CC: *Mark Martin*
Martin Realty & Land, Inc.
23449 Hwy 59 N
Porter, TX 77365