

Control Number: 46649



Item Number: 12

Addendum StartPage: 0

RECEIVED

PETITION BY MCALISTER  
 OPPORTUNITY FUND 2014, L.P.  
 TO AMEND HMW SPECIAL  
 UTILITY DISTRICT'S  
 WATER CCN NO. 10342 IN HARRIS  
 COUNTY BY EXPEDITED RELEASE

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PUBLIC UTILITIES  
 2017 MAR 31 PM 3:11  
 COMMISSION OF TEXAS  
 PUBLIC UTILITY COMMISSION  
 CLERK

**SUPPLEMENTAL FILING EVIDENCING  
 COMPLIANCE WITH THE ORDERING PARAGRAPHS  
 OF THE NOTICE OF APPROVAL RELATING TO  
 MCALISTER OPPORTUNITY FUND 2014, L.P.'S PETITION TO AMEND  
 HMW SPECIAL UTILITY DISTRICT'S WATER CCN NO. 10342  
BY EXPEDITED RELEASE**

COMES NOW, McAlister Opportunity Fund 2014, L.P. ("Petitioner"), having filed a Petition with the Public Utility Commission of Texas ("PUC") to Amend through Expedited Release HMW Special Utility District's ("SUD") Water Certificate of Convenience and Necessity ("CCN") No. 10342 pursuant to Texas Water Code §13.254(a-5) and 16 Tex. Admin. Code §24.113. In support of the Petition, the Petitioner would respectfully show as follows:

**I. COMPLIANCE WITH NOTICE OF APPROVAL**

The Petitioner offers this supplemental filing to evidence compliance with the Notice of Approval (the "Notice") issued by the PUC on February 28, 2017. More specifically, Section III, Paragraph 4 of the Notice requires the SUD to comply with Section 13.257(r), Water Code. The attached Exhibit "A" evidences compliance with Section III, Paragraph 4 of the Notice.

**II. CONCLUSION AND PRAYER**

WHEREFORE, PREMISES CONSIDERED, the Petitioner respectfully requests that the PUC accept and process this Supplemental Filing. If for any reasons the PUC Finds that the information submitted with this Supplemental Filing is insufficient for application acceptance, the Petitioner respectfully requests that it be notified immediately and provided an opportunity to cure any deficiencies identified.

12

Respectfully submitted,

ALLEN BOONE HUMPHRIES ROBINSON LLP

1108 Lavaca, Suite 510

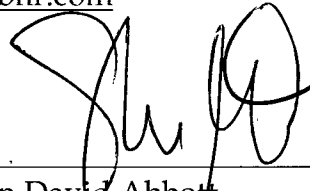
Austin, Texas 78701

Telephone: (512) 518-2424

Facsimile: (512) 518-2415

sabbott@abhr.com

By:

A handwritten signature in black ink, appearing to read 'Sean David Abbott', written over a horizontal line.

Sean David Abbott

State Bar No. 24069267

ATTORNEYS FOR PETITIONERS

MCALISTER OPPORTUNITY FUND 2014, L.P

## Exhibit A

THE STATE OF TEXAS	§	
	§	KNOW ALL PERSONS BY
	§	THESE PRESENTS
COUNTIES OF HARRIS	§	
AND MONTGOMERY	§	

**NOTICE OF AMENDMENT TO WATER CERTIFICATE  
OF CONVENIENCE AND NECESSITY NO. 10342**

This Notice of Amendment (this "Notice") relates to Water Certificate of Convenience and Necessity No. 10342 (the "CCN"), held by H-M-W Special Utility District, which CCN affects certain tracts of land situated in Harris County, Texas, and certain tracts of land situated in Montgomery County, Texas.


Pursuant to actions ordered by the Public Utility Commission (the "PUC") of the State of Texas through Docket Filing Numbers 46648 and 46649, the boundaries of the CCN have been amended for that portion of the CCN. H-M-W Special Utility District has also made filings with the PUC under Docket Number 46727 to revise the boundaries in other areas of the CCN, including those referenced above.

The CCN has been removed and no longer exists over certain properties located south of Farm-to-Market Road 2920 (also currently known as Waller-Tomball Road) and all are directly south of where the currently-named Roberts Cemetery Road terminates into Farm-to-Market Road 2920, and such properties so removed from the CCN are situated in Harris County, Texas, and more particularly described by metes and bounds in those certain deeds recorded under Clerk's File Nos. 20140310898, 20140445295, and 20150107598 in the Official Public Records of Real Property of Harris County, Texas (collectively, the "Deeds").

In accordance with Section 13.257(r) and (s), Water Code, this Notice, including the attached Exhibit "A", serves as notice to all interested parties that the CCN boundaries have been amended, including to all potential purchasers of land situated within said amended boundaries.

*[Signature page follows this page.]*

EXECUTED this 29<sup>th</sup> day of March, 2017.



Patrick F. Timmons, Jr.  
Attorney for and Authorized Agent of  
H-M-W Special Utility District

THE STATE OF TEXAS

§

COUNTY OF TARRANT

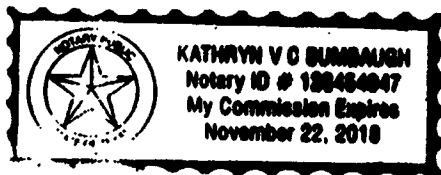
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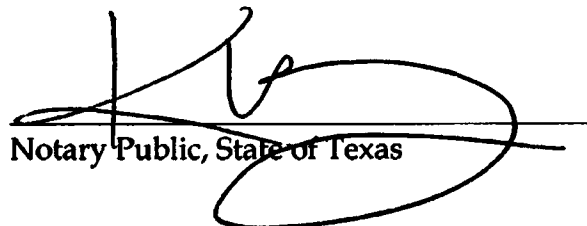
§

BEFORE ME, the undersigned, a Notary Public of the State of Texas, on this day personally appeared Patrick F. Timmons, Jr., Attorney for and Authorized Agent of H-M-W Special Utility District, known to me to be the person whose name is subscribed to the foregoing instrument and affirmed and acknowledged that said instrument is correct and accurate to the best of his knowledge and belief, and that he executed the same for the purposes and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 29<sup>th</sup> day of MARCH, 2017.

(NOTARY SEAL BELOW)



  
Notary Public, State of Texas

**Attachment:**  
Exhibit A

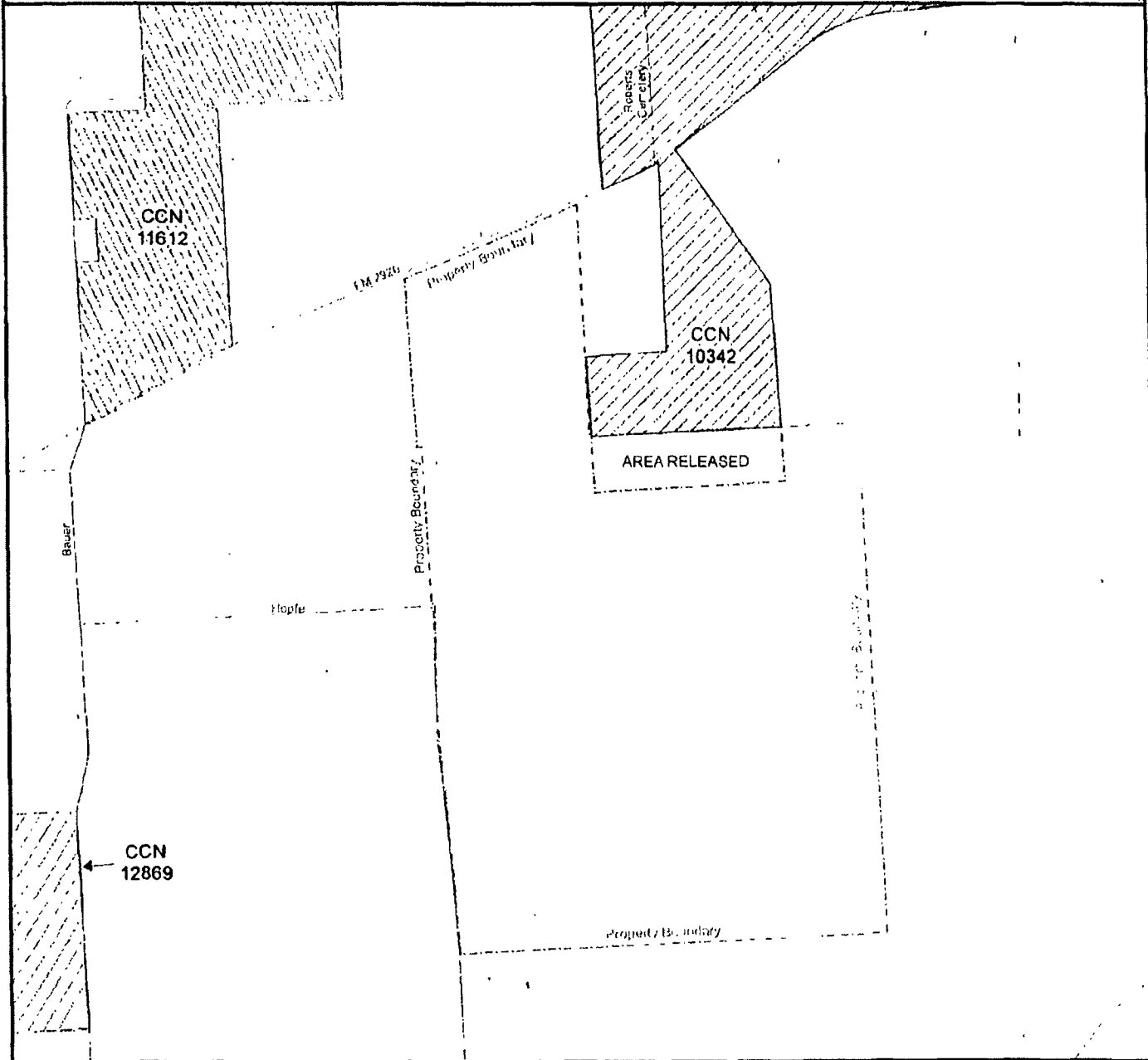
**After recording, please return to:**  
Jeanette Harris  
Allen Boone Humphries Robinson LLP  
3200 Southwest Freeway, Suite 2600  
Houston, Texas 77027

Exhibit "A"

The boundaries of the H-M-W Special Utility District have been amended to remove the portions of land within areas described as "AREA RELEASED" on the attached maps and more particularly described in the Deeds.




H-M-W SUD  
 Portion of Water Service Area  
 CCN No. 10342  
 PUC Docket No. 46648

Petition by McAlister Opportunity Fund 2012 to Amend H-M-W SUD's CCN by Expedited Release in Harris County



Public Utility Commission of Texas  
 1701 N. Congress Ave  
 Austin, TX 78701

**Water CCN Service Areas**

-  10342 - H-M-W SUD
-  11612 - Quadvest LP
-  12869 - Bayou Shadows

-  Area Released
-  Property Boundary

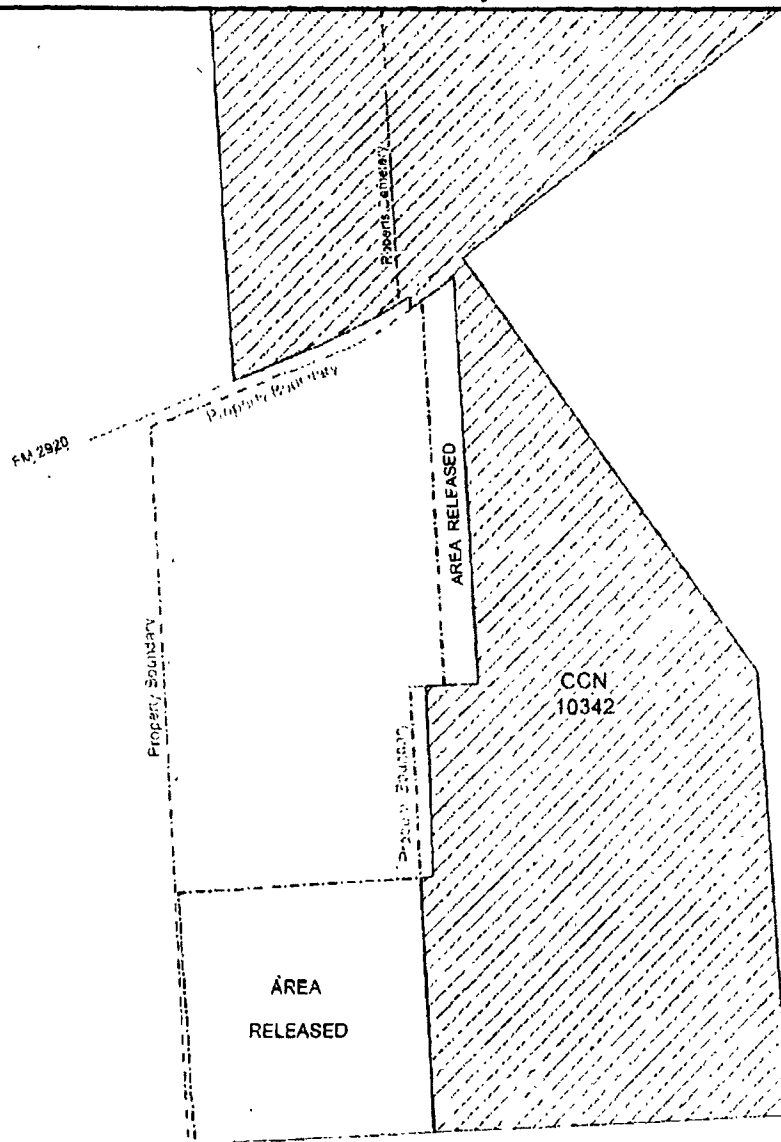
0 700 1400  
 Feet



Map by Komal Patel  
 Date created January 9, 2017  
 Project Path n:\vinalmapping\46648McAlisterOppFund2012.mxd



**H-M-W SUD**  
**Portion of Water Service Area**  
**CCN No. 10342**  
**PUC Docket No. 46649**  
**Petition by McAlister Opportunity Fund 2014 to Amend H-M-W SUD's CCN by Expedited Release in Harris County**



Public Utility Commission of Texas  
 1701 N. Congress Ave  
 Austin, TX 78701

**Water CCN Service Areas**



**10342 - H-M-W SUD**



**Area Released**



**Property Boundary**

0 275 550  
 Feet



Map by: Komal Patel  
 Date created: January 9, 2017  
 Project Path: n:\finalmapping\46649McAlisterOppFund2014.mxd

**E-FILED FOR RECORD**

**03/30/2017 11:18AM**



COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,  
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number  
sequence on the date and time stamped herein  
by me and was duly e-RECORDED in the Official Public  
Records of Montgomery County, Texas.

**03/30/2017**



County Clerk  
Montgomery County, Texas

THE STATE OF TEXAS                   §  
   §     KNOW ALL PERSONS BY  
   §     THESE PRESENTS  
COUNTIES OF HARRIS               §  
AND MONTGOMERY                   §

**NOTICE OF AMENDMENT TO WATER CERTIFICATE  
OF CONVENIENCE AND NECESSITY NO. 10342**

This Notice of Amendment (this "Notice") relates to Water Certificate of Convenience and Necessity No. 10342 (the "CCN"), held by H-M-W Special Utility District, which CCN affects certain tracts of land situated in Harris County, Texas, and certain tracts of land situated in Montgomery County, Texas.

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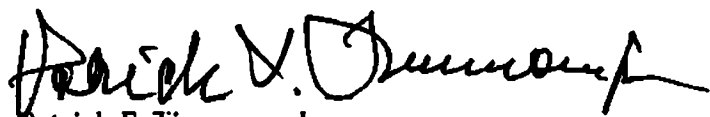
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*[Signature page follows this page.]*

RP-2017-134446

EXECUTED this 29<sup>th</sup> day of March, 2017.



Patrick F. Timmons, Jr.  
Attorney for and Authorized Agent of  
H-M-W Special Utility District

THE STATE OF TEXAS

§

COUNTY OF TARRANT

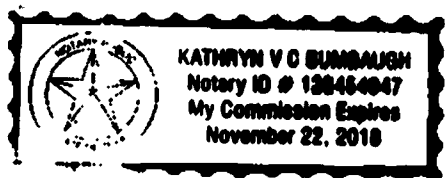
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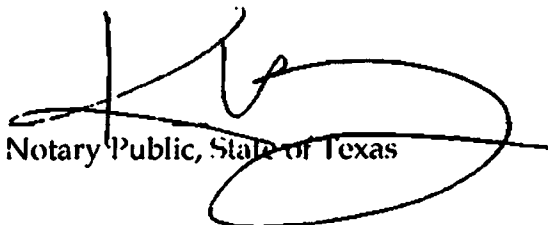
§

BEFORE ME, the undersigned, a Notary Public of the State of Texas, on this day personally appeared Patrick F. Timmons, Jr., Attorney for and Authorized Agent of H-M-W Special Utility District, known to me to be the person whose name is subscribed to the foregoing instrument and affirmed and acknowledged that said instrument is correct and accurate to the best of his knowledge and belief, and that he executed the same for the purposes and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 29<sup>th</sup> day of MARCH, 2017.

(NOTARY SEAL BELOW)



  
Notary Public, State of Texas

**Attachment:**

Exhibit A

**After recording, please return to:**

Jeanette Harris  
Allen Boone Humphries Robinson LLP  
3200 Southwest Freeway, Suite 2600  
Houston, Texas 77027

RP-2017-134446

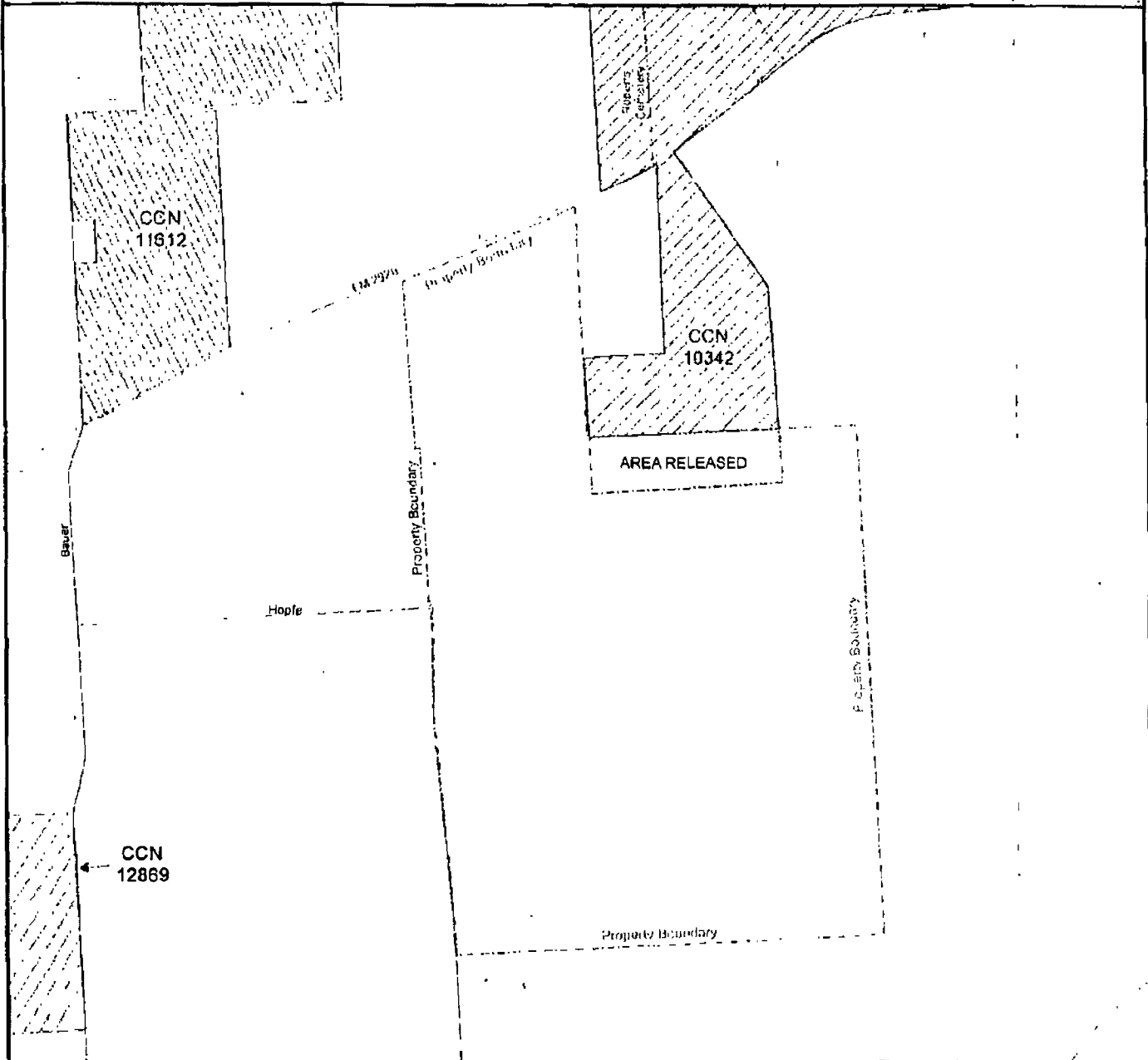
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RP-2017-134446




H-M-W SUD  
Portion of Water Service Area  
CCN No. 10342  
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1701 N. Congress Ave  
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-  Area Released
-  Property Boundary

0 700 1,400  
Feet

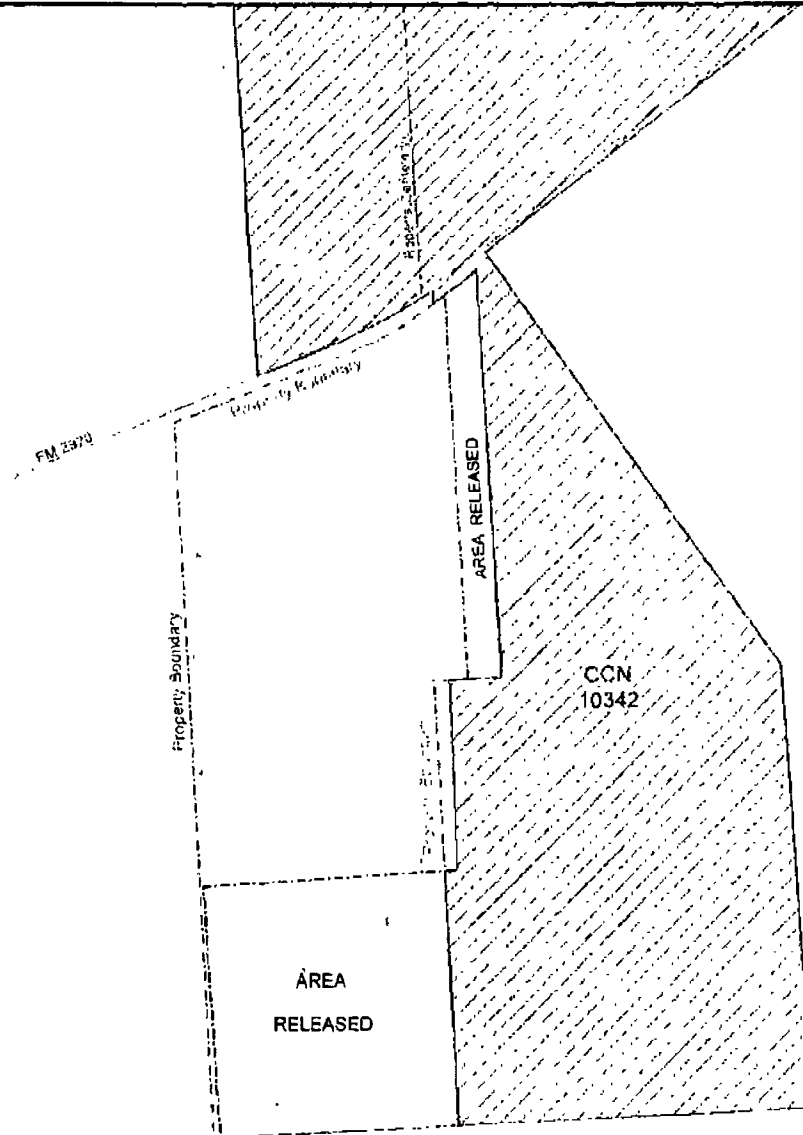


Map by Koma/Patel  
Date created January 8, 2017  
Project Path n:\vinal\mapping\46648McAlisterOppFund2012.mxd

RP-2017-134446


H-M-W SUD  
Portion of Water Service Area  
CCN No. 10342  
PUC Docket No. 46649

Petition by McAlister Opportunity Fund 2014 to Amend H-M-W SUD's CCN by Expedited Release in Harris County



Public Utility Commission of Texas  
1701 N. Congress Ave  
Austin, TX 78701

**Water CCN Service Areas**

 10342 - H-M-W SUD

 Area Released

 Property Boundary

0 275 550  
Feet



Map by: Komal Patel  
Date created: January 9, 2017  
Project Path: n:\finalmapping\46649McAlisterOppFund2014.mxd

RP-2017-134446  
# Pages 6  
03/30/2017 11:37 AM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
STAN STANART  
COUNTY CLERK  
Fees \$32.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically  
and any blackouts, additions or changes were present  
at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or  
use of the described real property because of color or  
race is invalid and unenforceable under federal law.

THE STATE OF TEXAS  
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in  
File Number Sequence on the date and at the time stamped  
hereon by me; and was duly RECORDED in the Official  
Public Records of Real Property of Harris County, Texas.



*Stan Stanart*

COUNTY CLERK  
HARRIS COUNTY, TEXAS

RP-2017-134446