



Control Number: 48397



Item Number: 1

Addendum StartPage: 0



WATERENGINEERS, INC.

WATER & WASTEWATER TREATMENT CONSULTANTS

17230 HUFFMEISTER ROAD, SUITE A~CYPRESS, TEXAS 77429-1643

TEL: 281-373-0500 FAX: 281-373-1113

48397

RECEIVED

2018 MAY 29 PM 12:51

PUBLIC UTILITY COMMISSION
FILING CLERK

May 25, 2018

Public Utility Commission of Texas
Central Records
1701 N. Congress, Suite 8-100
Austin, TX 78701

Re: Petition to Release 52.6244 acres from Town of Cut and Shoot CCN No. 11615
Montgomery County, Texas

Dear Commission:

Stoecker Corporation owns a 52.6244 acre tract of land in Montgomery County and is petitioning to have the tract released from CCN No. 11615 held by the Town of Cut and Shoot. Stoecker Corporation is petitioning to be released under 30 TAC, Chapter 291, Rule §291.113(r), which allows for release of a tract 25 acres or larger in an affected county within 60 days of submittal of a request. The said 52.6244 acres have never been served and do not have any utility infrastructure located on them.

The following attachments are included to help facilitate the release process:

- Attachment A – Warranty Deed (including metes and bounds description).
- Attachment B – Metes and bounds map of the 52.6244 acre tract
- Attachment C – Map showing relationship of the 52.6244 acres to the Town of Cut and Shoot CCN No. 11615.
- Attachment D–Affidavit indicating that the tract has never received water service from the Town of Cut and Shoot
- CD containing the drawings in .dwg, .pdf and .shp files

We appreciate your earliest review and issuance of release from CCN 11615. Please feel free to email me at syoung@waterengineers.com or call at 281-373-0500 if you have any questions regarding the information contained in this submittal or if you require any additional information.

Sincerely,
WATERENGINEERS, INC.

Shelley Young, P.E.
Project Engineer

Cc: Town of Cut and Shoot

ATTACHMENT A

WARRANTY DEED

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 WITH VENDOR'S LIEN

STATE OF TEXAS §
COUNTY OF MONTGOMERY §

KNOW ALL MEN BY THESE PRESENTS:

THAT, STEPHANIE LYNN POLK and LAURA CHRISTINE HAYS, hereinafter called Grantors, not joined herein by their spouses because the property conveyed hereby constitutes no part of their residential homesteads and is their separate property and estates, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars cash and other good and valuable considerations in hand paid by

STOECKER CORPORATION, a Texas corporation
5750 West Davis
Conroe, Texas 77304

hereinafter called Grantee, receipt and sufficiency of which are hereby acknowledged and confessed, and the further consideration of \$182,906.00 in hand paid by POST OAK BANK, N.A., hereinafter referred to as Beneficiary, at the special instance and request of the Grantee herein, the receipt of which is hereby acknowledged and confessed, and as evidence of such advancement and other good and valuable considerations, Grantee has executed a note of even date in the principal sum of \$182,906.00, being payable as specified therein; said note containing the usual acceleration of maturity and attorney's fees clauses in the event of default; and in consideration of the payment of the above sum by said Beneficiary, Grantors do hereby transfer, set over, assign and convey unto said Beneficiary, its successors and assigns, the vendor's lien and superior title hereinafter retained and reserved against the property and premises herein conveyed, in the same manner and to the same extent as if said note had been executed in Grantors' favor and by said Grantors assigned to the Beneficiary without recourse,

HAVE GRANTED, SOLD and CONVEYED, and by these presents do GRANT, SELL and CONVEY unto Grantee all that certain lot, tract or parcel of land, together with all improvements thereon, lying and being situated in the County of Montgomery, State of Texas, described as follows, to-wit:

Field notes for 52.6244 acres of land out of the Richard Peebles Survey, Abstract No. 414, in Montgomery County, Texas, being out of and a part of that certain 464 acre tract of land described in deed recorded in Volume 245, Page 603 of the Deed Records of Montgomery County, and being all of that certain (called) 52.825 acre tract of land conveyed to Stephanie Lynn Polk and Laura Christine Hays, and described as "Tract 1" in deed recorded under County Clerk's File No. 2009070769 of the Real Property Records of Montgomery County, said 52.6244 acre tract of land being more particularly described by metes and bounds on Exhibit "A" attached hereto (the "Property").

This conveyance is made and accepted subject to any and all valid covenants, conditions, restrictions, easements and outstanding mineral and/or royalty interests in the oil, gas, and other minerals and leases thereon, now outstanding or affecting the premises herein conveyed, now of record in the County Clerk's office of Montgomery County, Texas, but only to the extent they are still in force and effect.

Grantors reserve unto Grantors and Grantors' heirs and assigns, all of the Mineral Estate (as herein defined) owned by Grantors. Mineral Estate means all of the oil, gas and other minerals in and under and that may be produced from the Property, any royalty under any existing or future mineral lease covering any part of the Property, executive rights (including the right to sign a mineral lease covering any part of the Property), mineral lease payments, and all related rights and benefit. The Mineral Estate does not include water, sand, gravel, limestone, building stone, caliche, surface shale, near-surface lignite, and iron. Grantors do not reserve and retain and expressly waive implied rights of ingress and egress and of reasonable use of the Property for mining, drilling, exploring, operating, development, or removing the oil, gas and other minerals.

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, Grantee's successors and assigns, forever. And Grantors do hereby bind Grantors, Grantors' heirs and assigns, to warrant and Warranty Deed with Vendor's Lien


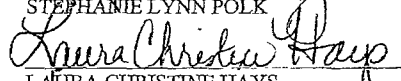
Page 1

GR# 1619502
82/Taylor
Stewart Title of Montgomery County Inc.

forever defend all and singular the said premises unto the said Grantee, Grantee's, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

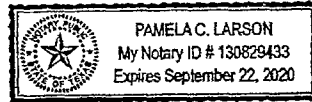
But it is agreed and stipulated that a vendor's lien and the superior title is hereby expressly reserved and retained against all of the property conveyed herein in favor of Grantors and herein assigned to Beneficiary to secure the payment of the above described note until the indebtedness evidenced by said note, and all interest thereon and attorney's fees provided therein have been fully paid according to the face and tenor, effect and reading of said note, when this deed shall become absolute; said note being further and additionally secured by Deed of Trust, Security Agreement and Financing Statement of even date therewith from Grantee to Charles H. Carmouche, Trustee, containing provisions for foreclosure under power of sale, to which reference is here made for all purposes.

Executed this the 27th day of April, 2017, but effective as of April 28, 2017.


STEPHANIE LYNN POLK

LAURA CHRISTINE HAYS

STATE OF TEXAS

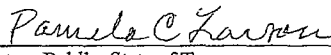
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COUNTY OF Dallas

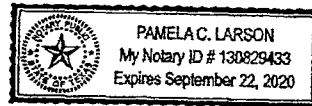
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This instrument was acknowledged before me on the 27 day of APRIL, 2017, by STEPHANIE LYNN POLK.


Notary Public, State of Texas

STATE OF TEXAS

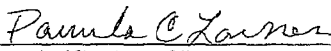
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COUNTY OF Dallas

§

This instrument was acknowledged before me on the 27 day of APRIL, 2017, by LAURA CHRISTINE HAYS.


Notary Public, State of Texas

After recording return to:

STOECKER CORPORATION
5750 West Davis
Conroe, Texas 77304

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EXHIBIT "A" LEGAL DESCRIPTION

File No.: 1619502

Fieldnotes for 52.6244 acres of land out of the Richard Peebles Survey, Abstract No. 414 in Montgomery County, Texas, being out of and a part of that certain 464 acre tract of land described in deed recorded in Volume 245, Page 603 of the Deed Records of Montgomery County, and being all of that certain (called) 52.825 acre tract of land conveyed to Stephanie Lynn Polk and Laura Christine Hays, and described as "Tract 1" in deed recorded under County Clerk's File No. 2009070769 of the Real Property Records of Montgomery County, said 52.6244 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch steel rod with cap found marking the Northwest corner of the said Peebles Survey, the said 464 acre tract, and that certain 10.025 acre tract of land conveyed to the Veterans Land Board, as described in deed recorded under County Clerk's File No. 8251729 of the said Real Property Records, said point being in the South line of Crockett Bend Drive, at the Northeast corner of Lot 14, Block 6 of Crockett Trace, Section One, the map or plat thereof recorded in Cabinet O, Sheets 157 – 162 of the Map Records of Montgomery County, said point also being an interior ell corner of the J. E. Lewis Survey, Abstract No. 665;

Thence, South 88°01'24" East with the upper South line of the said Lewis Survey and said Crockett Bend Drive, and with the North line of the said Peebles Survey, the said 464 acre tract and the said 10.025 acre tract, at 54.86 feet passing a 5/8 inch steel rod with cap found marking the apparent Southwest corner of Restricted Detention Pond and Drill Site Reserve "H" of said Crockett Trace, Section One, and continuing in all a total distance of 430.58 feet to a concrete monument found at an angle point, said point being the upper Southeast corner of the said Lewis Survey, said point also being the Southwest corner of the John C. Tucker Survey, Abstract No. 558 and the upper Southwest corner of that certain 1,211.376 acre tract of land conveyed to Sprint Montgomery County Landfill LP, and described as "Tract 1" in deed recorded under County Clerk's File No. 2015028652 of the said Real Property Records;

Thence, South 89°40'24" East with the South line of the said Tucker Survey and the upper South line of the said 1,211.376 acre tract, and with the North line of the said Peebles Survey, the said 464 acre tract and the said 10.025 acre tract, at 146.2 feet passing the Northeast corner of the said 10.025 acre tract and the Northwest corner of the residue of that certain 52.824 acre tract of land conveyed to Oscar Pearson, Trustee, as described in Volume 794, Page 653 of the said Deed Records, and continuing in all, a total distance of 1905.15 feet to a 1 inch steel pipe with cap set for the Northeast corner of the said 52.824 acre (residue) tract and the Northwest corner and PLACE OF BEGINNING of the said 52.825 acre tract and the herein described tract, from which point, a found 5/8 inch steel rod bears North 1.9 feet;

Thence, continuing with the South line of the said Tucker Survey and the upper South line of the said 1,211.376 acre tract, and with the North line of the said Peebles Survey and the said 464 acre tract, South 89°40'24" East, 2009.12 feet to a 1 inch steel pipe found marking the Northeast corner of the said 464 acre tract and the herein described tract, said point being an interior ell corner of the said 1,211.376 acre tract;

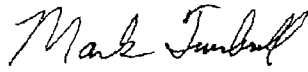
Thence, South 00°01'27" West, 1220.88 feet with a Westerly line of the said 1,211.376 acre tract, and the East line of the said 464 acre tract to a 1 inch steel pipe found marking the Southeast corner of the herein described tract, said point also being the Northeast corner of Lot 14, Block 1 of Powell Subdivision, Section 1, the map or plat thereof recorded in Volume 5, Page 18 of the said Map Records;

Thence, North 85°15'00" West, 2007.75 feet with the North line of said Powell Subdivision to a 5/8 inch steel rod with cap set for the Southwest corner of the herein described tract, said point also being the Southeast corner of that certain 3.167 acre tract of land conveyed to Melbin Rodriguez, as described in deed recorded under County Clerk's File No. 2011081727 of the said Real Property Records;

Thence, North 00°24'53" West with the East line of the said 3.167 acre tract, at 161.26 feet passing the Northeast corner of the said 3.167 acre tract and the Southeast corner of the aforesaid 52.824 acre (residue) tract, and continuing in all, a total distance of 1066.10 feet to the PLACE OF BEGINNING and containing 52.6244 acres or 2,292,320 square feet of land, more or less.

E-FILED FOR RECORD

05/01/2017 03:44PM

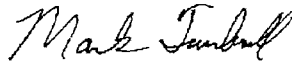


COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

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.

05/01/2017



County Clerk
Montgomery County, Texas

ATTACHMENT B

METES AND BOUNDS MAPS OF THE
52.6244 ACRE TRACT

Thomas Land Surveying
Surveying • Planning • Project Management

March 9, 2017

52.6244 Acres

Fieldnotes for 52.6244 acres of land out of the Richard Peebles Survey, Abstract No. 414 in Montgomery County, Texas, being out of and a part of that certain 464 acre tract of land described in deed recorded in Volume 245, Page 603 of the Deed Records of Montgomery County, and being all of that certain (called) 52.825 acre tract of land conveyed to Stephanie Lynn Polk and Laura Christine Hays, and described as "Tract 1" in deed recorded under County Clerk's File No. 2009070769 of the Real Property Records of Montgomery County, said 52.6244 acre tract of land being more particularly described by metes and bounds as follows:

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Thence, South 89°40'24" East with the South line of the said Tucker Survey and the upper South line of the said 1,211.376 acre tract, and with the North line of the said Peebles Survey, the said 464 acre tract and the said 10.025 acre tract, at 146.2 feet passing the Northeast corner of the said 10.025 acre tract and the Northwest corner of the residue of that certain 52.824 acre tract of land conveyed to Oscar Pearson, Trustee, as described in Volume 794, Page 653 of the said Deed Records, and continuing in all, a total distance of 1905.15 feet to a 1 inch steel pipe with cap set for the Northeast corner of the said 52.824 acre (residue) tract and the Northwest corner and PLACE OF BEGINNING of the said 52.825 acre tract and the herein described tract, from which point, a found 5/8 inch steel rod bears North 1.9 feet;

Thence, continuing with the South line of the said Tucker Survey and the upper South line of the said 1,211.376 acre tract, and with the North line of the said Peebles Survey and the said 464 acre tract, South 89°40'24" East, 2009.12 feet to a 1 inch steel pipe found marking the Northeast corner of the said 464 acre tract and the herein described tract, said point being an interior ell corner of the said 1,211.376 acre tract;

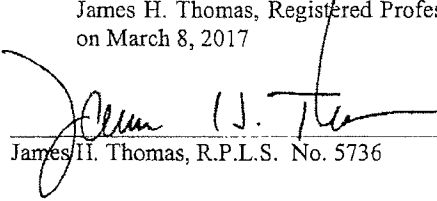
Thence, South 00°01'27" West, 1220.88 feet with a Westerly line of the said 1,211.376 acre tract, and the East line of the said 464 acre tract to a 1 inch steel pipe found marking the Southeast corner of the herein described tract, said point also being the Northeast corner of Lot 14, Block 1 of Powell Subdivision, Section 1, the map or plat thereof recorded in Volume 5, Page 18 of the said Map Records;

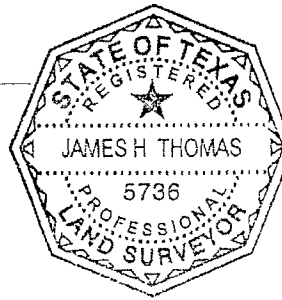
52.6244 Acres
March 9, 2017
Page 2

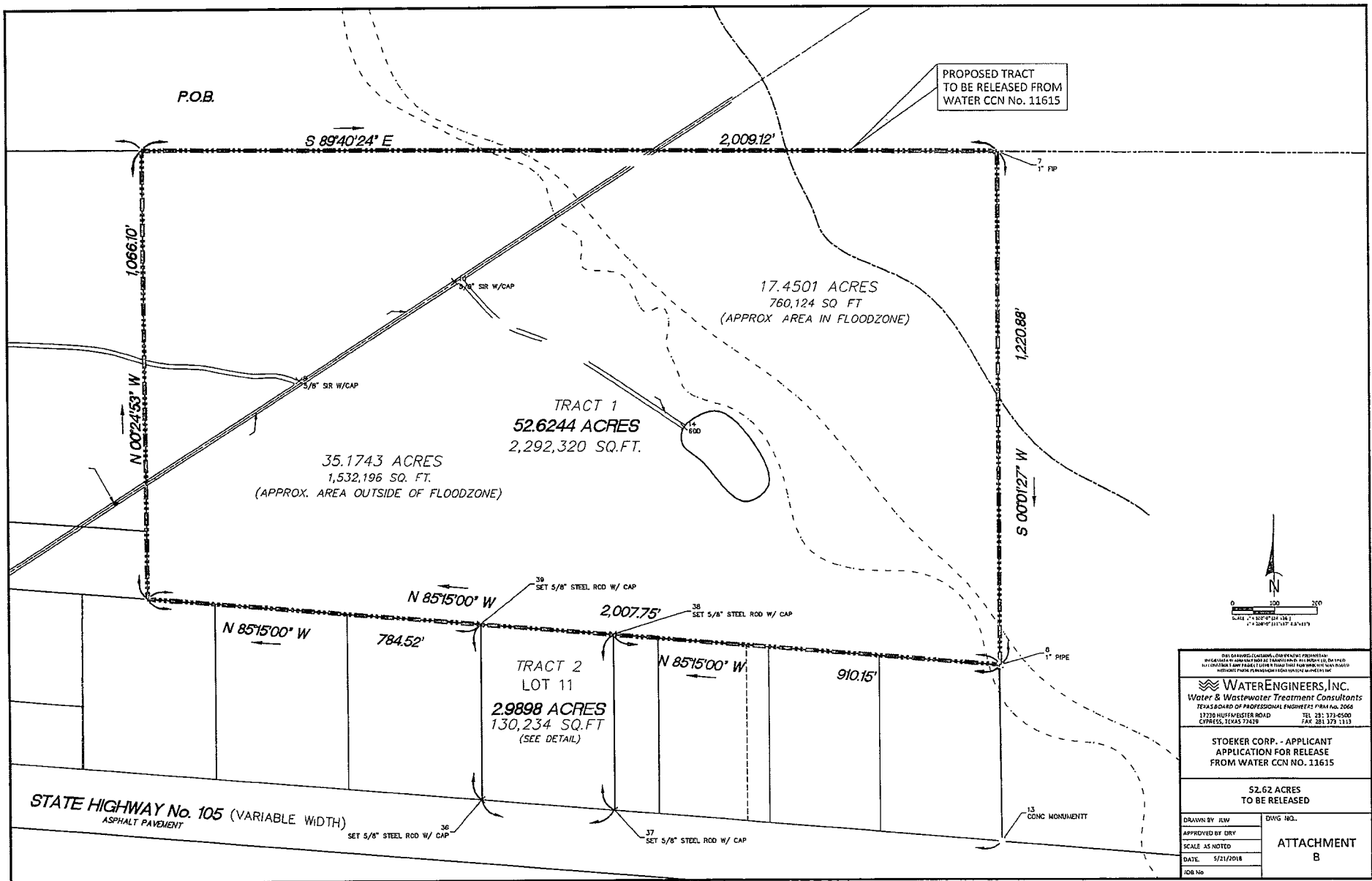
Thence, North 85°15'00" West, 2007.75 feet with the North line of said Powell Subdivision to a 5/8 inch steel rod with cap set for the Southwest corner of the herein described tract, said point also being the Southeast corner of that certain 3.167 acre tract of land conveyed to Melbin Rodriguez, as described in deed recorded under County Clerk's File No. 2011081727 of the said Real Property Records;

Thence, North 00°24'53" West with the East line of the said 3.167 acre tract, at 161.26 feet passing the Northeast corner of the said 3.167 acre tract and the Southeast corner of the aforesaid 52.824 acre (residue) tract, and continuing in all, a total distance of 1066.10 feet to the PLACE OF BEGINNING and containing 52.6244 acres or 2,292,320 square feet of land, more or less.

This description is based on the land title survey and plat (Job No. 16306A) made under the direction of James H. Thomas, Registered Professional Land Surveyor on September 14, 2015 and re-surveyed on March 8, 2017


James H. Thomas, R.P.L.S. No. 5736

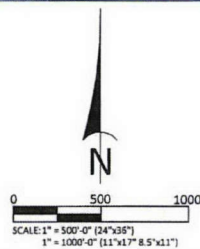
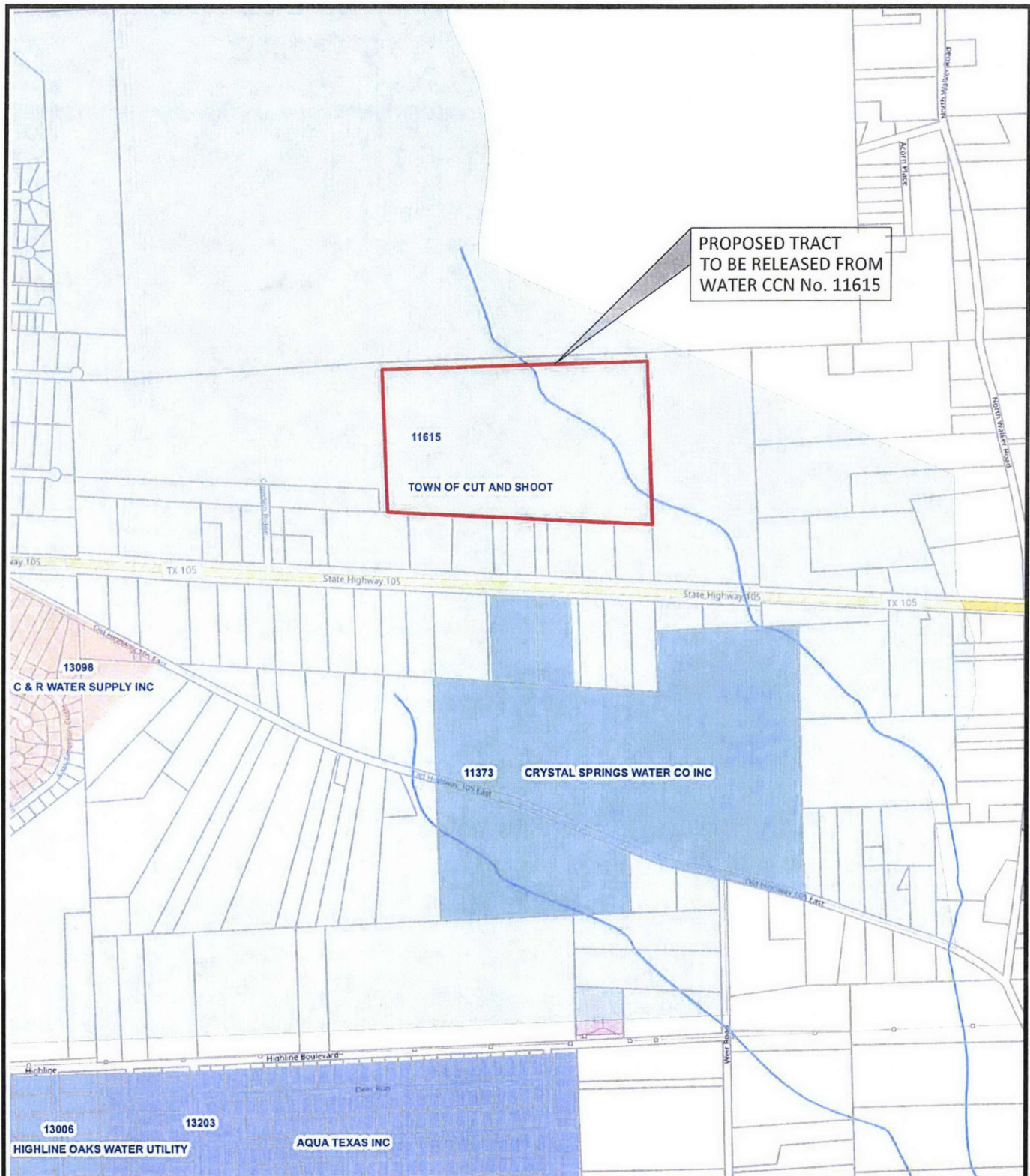




<small>THIS SURVEY, CLIMATE, AND PRESENTATION HAS BEEN PREPARED BY THE SURVEYOR FOR THE PURPOSES OF THE SURVEY ONLY. NO GUARANTEE IS MADE FOR THE ACCURACY OF THE SURVEY OR THE PRESENTATION. THE SURVEYOR'S LIABILITY IS LIMITED TO THE SURVEY ONLY.</small>	
WATERENGINEERS, INC. WATER & WASTEWATER TREATMENT CONSULTANTS TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM NO. 2066 17730 HUFFMAN EASTER ROAD TEL 281-373-6500 CYPRESS, TEXAS 77429 FAX 281-373-1113	
STOEKER CORP. - APPLICANT APPLICATION FOR RELEASE FROM WATER CCN NO. 11615	
52.62 ACRES TO BE RELEASED	
DRAWN BY: JLM APPROVED BY: DR SCALE: AS NOTED DATE: 5/21/2018 JOB No:	DIVISION: INC. ATTACHMENT B

ATTACHMENT C

CCN MAP



**STOEKER CORP. - APPLICANT
APPLICATION FOR RELEASE
FROM WATER CCN NO. 11615**

CCN MAP

DRAWN BY: JLW
APPROVED BY: DRY
SCALE: AS NOTED
DATE: 5/15/2015
JOB No.:

WaterEngineers, Inc.
Water & Wastewater Treatment Consultants
TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM No. 2066
17230 HUFFMEISTER ROAD TEL: 281-373-0500
CYPRESS, TEXAS 77429 FAX: 281-373-1113

DRAWING NO.:

**ATTACHMENT
C**

THIS DRAWING CONTAINS CONFIDENTIAL PROPRIETARY INFORMATION AND MAY NOT BE
TRANSFERRED, REPRODUCED, OR USED TO CONSTRUCT ANY PROJECT OTHER THAN THAT FOR
WHICH IT WAS ISSUED WITHOUT PRIOR PERMISSION FROM WATERENGINEERS, INC.

ATTACHMENT D

AFFIDAVIT



STOECKER CORPORATION

*P.O. Box 247 • Conroe, Texas 77305
Phone 936.539.1232 • Fax 936.756.2316*

May 21, 2018

To whom it may concern:

I am an authorized representative of Stoecker Corporation. Stoecker Corporation is the owner of 52.6244 acres of real property (the "Property") situated within the boundaries of the Town of Cut and Shoot's (Cut and Shoot) Certificate of Convenience and Necessity for water service. The Property has never received water service from Cut and Shoot.

Sincerely,

Stoecker Corporation

By: _____

Written Name: Scott Stevens

Title: Agent and Attorney in Fact