



Control Number: 48700



Item Number: 8

Addendum StartPage: 0

COPY

PUC DOCKET NO. 48700

PETITION BY DENTON SORRELLS,	§	BEFORE THE
LLC AND PUNKADILLY, LTD.	§	
FOR EXPEDITED RELEASE FROM	§	PUBLIC UTILITY COMMISSION
WATER CCN NO. 13201 HELD BY	§	
AQUA TEXAS, INC. IN DENTON COUNTY	§	OF TEXAS

**MOTION TO SEVER**

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

DENTON SORRELLS, LLC and PUNKADILLY, LTD. ("Petitioners") file this their Motion to Sever to sever this application into two separate application for Denton Sorrells, LLC and Punkadilly, Ltd., respectively.

Petitioners request that the application for Denton Sorrells, LLC remain under this docket number and that the application for Punkadilly, Ltd. be severed from this docket number and assigned a new docket number. Attached for filing are two separate applications consistent with this Motion's Request.

Respectfully submitted,

**COATS | ROSE**

By:

*Natalie B. Scott*

Natalie B. Scott  
State Bar No. 24027970  
nscott@coatsrose.com  
Barton Oaks Plaza  
901 S. MoPac Expressway, Bldg. 1, Suite 500  
Austin, Texas 78746  
(512) 469-7987 Telephone  
(512) 469-9408 Telecopier  
**ATTORNEY FOR PETITIONERS**  
**DENTON SORRELLS, LLC AND**  
**PUNKADILLY, LTD.**

RECEIVED  
20 DEC -3 AM 11:21  
PUBLIC UTILITY COMMISSION  
FILING CLERK

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 3<sup>rd</sup> day of December, 2018, a true and correct copy of the of the Supplement to Petition by Denton Sorrells, LLC and Punkadilly, Ltd. for Expedited Release Pursuant to Texas Water Code Section 13.254(a-5) was sent, via certified mail, return receipt requested to the following recipient at the address indicated.

Aqua Texas, Inc.  
1106 Clayton Lane  
Austin, Texas 78723-3489

***Via Certified Mail, RRR***

CSC-Lawyers Incorporating Service Company  
211 E. 7<sup>th</sup> Street, Suite 620  
Austin, Texas 78701-3218

***Via Certified Mail, RRR***

PUC – Legal Division  
Margaret Uhlig Pemberton, Division Director  
Katherine Lengieza Gross, Managing Attorney  
Skyler Springsteen Collins  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711 -3326  
Fax: (512) 936-7268

***Via Email: [Skyler.Collins@puc.texas.gov](mailto:Skyler.Collins@puc.texas.gov)***



---

Natalie B. Scott

# DENTON SORRELLS, LLC



PUC DOCKET NO. 48700

PETITION BY DENTON SORRELLS,	§	BEFORE THE
LLC FOR EXPEDITED RELEASE FROM	§	PUBLIC UTILITY COMMISSION
WATER CCN NO. 13201 HELD BY	§	OF TEXAS
AQUA TEXAS, INC. IN DENTON COUNTY	§	

**AMENDED PETITION BY DENTON SORRELLS, LLC FOR EXPEDITED RELEASE  
PURSUANT TO TEXAS WATER CODE SECTION 13.254(A-5)**

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

COMES NOW, DENTON SORRELLS, LLC (“Petitioner”) and files this Amended Petition with the Public Utility Commission of Texas (the “PUC”) for expedited release from Aqua Texas, Inc.’s (“Aqua”) water certificate of convenience and necessity (“CCN”) No. 13201, pursuant to (i) Texas Water Code Section 13.254(a-5); and (ii) Rule 24.113(l) of the Commission’s Rules found at 16 Tex. Admin. Code Section 24.113; and in support thereof would respectfully show as follows:

**I. APPLICABLE REGULATIONS**

Section 13.254(a-5) of the Texas Water Code provides that the owner of a tract of land that is at least 25 acres and that is not receiving water or sewer service may petition for expedited release of the area from a CCN.<sup>1</sup> For land that is located within a county with a population of at least one million, or a county adjacent to a county with a population of at least one million, the owner of the qualifying tract “is entitled to that release.”<sup>2</sup> The rule adopted by the PUC pursuant to Section 13.254(a-5) provides the same, and it recognizes that Denton County is a county in which owners of at least 25 acres are entitled to expedited release.<sup>3</sup> Under Section 13.254(a-6),

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<sup>1</sup> Tex. Water Code Ann. § 13.254(a-5) (West 2008 and Supp. 2016) (TWC).

<sup>2</sup> *Id.*

<sup>3</sup> 16 Tex. Admin. Code § 24.113(l)

the PUC “shall grant a petition received under Subsection (a-5) not later than the 60<sup>th</sup> day after the date the landowner files the petition.”

## **II. REQUEST FOR EXPEDITED RELEASE**

Petitioner owns approximately 324 acres of contiguous property in Denton County (the “Property”). The Property is within the boundaries of water CCN No. 13201, held by Aqua. The Property does not receive service from any water or sewer service provider. An Affidavit in support of this Petition is attached hereto as Exhibit “A.” A map showing the location of the Property is attached hereto as Exhibit “B.” On November 29, 2016 Rita Lee Sorrells aka Rita Sorrells) sold 324.64 acres tract of real property located in Denton County, Texas to Denton Sorrells, LLC, see Exhibit “C” attached hereto.

## **III. CONCLUSION AND PRAYER**

Texas Water Code Section 13.254(a-5) entitles Petitioner to expedited release of the Property described herein. The Property is greater than 25 acres, is not receiving water or sewer service, and are entirely within Denton County. Under Section 13.254(a-6), the PUC should grant this Petition no later than the 60<sup>th</sup> day after the date of filing. Petitioner respectfully requests that the PUC grant this Petition and issue an order under the authority of Section 13.254(a-5) releasing all portions of the Property that are within the boundaries of water CCN No. 13201.

Respectfully submitted,

**COATS | ROSE**

By: 

---

Natalie B. Scott  
State Bar No. 24027970  
nscott@coatsrose.com  
Barton Oaks Plaza  
901 S. MoPac Expressway, Bldg. 1, Suite 500  
Austin, Texas 78746  
(512) 469-7987 Telephone  
(512) 469-9408 Telecopier  
**ATTORNEY FOR PETITIONER**  
**DENTON SORRELLS, LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 3<sup>rd</sup> day of December, 2018, a true and correct copy of the Petition by Denton Sorrells, LLC for Expedited Release Pursuant to Texas Water Code Section 13.254(a-5) was sent, via certified mail, return receipt requested to the following recipient at the address indicated.

Aqua Texas, Inc.  
1106 Clayton Lane  
Austin, Texas 78723-3489

***Via Certified Mail, RRR***

CSC-Lawyers Incorporating Service Company  
211 E. 7<sup>th</sup> Street, Suite 620  
Austin, Texas 78701-3218

***Via Certified Mail, RRR***

PUC – Legal Division  
Margaret Uhlig Pemberton, Division Director  
Katherine Lengieza Gross, Managing Attorney  
Skyler Springsteen Collins  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711 -3326  
Fax: (512) 936-7268

***Via Email: [Skyler.Collins@puc.texas.gov](mailto:Skyler.Collins@puc.texas.gov)***



---

Natalie B. Scott

EXHIBIT “A”

Affidavit of Stephanie Sorrells

PETITION BY DENTON SORRELLS,	§	BEFORE THE
LLC AND PUNKADILLY, LTD.	§	
FOR EXPEDITED RELEASE FROM	§	PUBLIC UTILITY COMMISSION
WATER CCN NO. 13201 HELD BY	§	
AQUA TEXAS, INC. IN DENTON COUNTY	§	OF TEXAS

**AFFIDAVIT OF STEPHANIE SORRELLS IN SUPPORT OF PETITION FOR  
EXPEDITED RELEASE FROM WATER CCN NO. 13201 HELD BY AQUA TEXAS,  
INC. PURSUANT TO TEXAS WATER CODE SECTION 13.254(A-5)**

STATE OF TEXAS           §

COUNTY OF DENTON   §

BEFORE ME, the undersigned notary, personally appeared Stephanie Sorrells, the affiant, a person who is known to me. After administering an oath, the affiant testified that:

1.     “My name is Stephanie Sorrells. I am over the age of eighteen years, of sound mind, and am capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

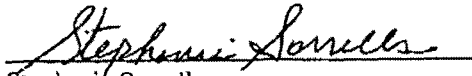
2.     I am the registered agent of Denton Sorrells, LLC, one of the Petitioners in the above-captioned matter. Denton Sorrells, LLC owns approximately 324 acres of land, which appears to be located within the boundaries of water CCN No. 13201 issued to Aqua Texas, Inc. This property is located in Denton County, Texas. Exhibit “B -1” attached to this Petition is a true and correct copy of a map identifying the property, its location, and the area of the CCN.

3.     I am the President of Punkadilly, Ltd., one of the Petitioners in the above-captioned matter. Punkadilly owns approximately 62 acres of land, which appears to be located within the boundaries of water CCN No. 13201 issued to Aqua Texas, Inc. This property is located in Denton County, Texas. Exhibit “B -2” attached to this Petition is a true and correct copy of a map identifying the property, its location, and the area of the CCN.

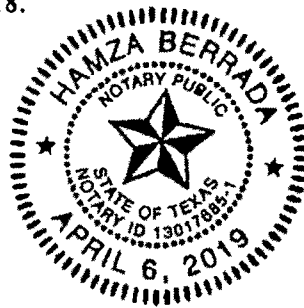
4.     Neither the Denton Sorrells property nor the Punkadilly property (the “Properties”) are receiving water or sewer service from Aqua Texas, Inc. or any other water or sewer service provider. The Properties have not requested water or sewer service from Aqua Texas, Inc. or paid any fees or charges to initiate or maintain water or sewer service, and there are no billing records or other documents indicating an existing account for the Properties.

5.     I request that the Public Utility Commission of Texas release these Properties from water CCN No. 13201.”

FURTHER AFFIANT SAYETH NOT.

  
Stephanie Sorrells

SWORN TO AND SUBSCRIBED TO BEFORE ME by Stephanie Sorrells on 14  
September, 2018.



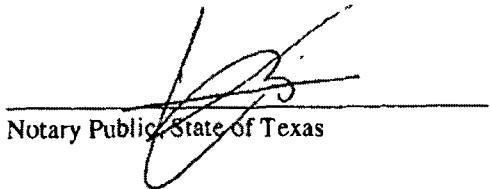
  
Notary Public, State of Texas

EXHIBIT “B”

Map/Survey – Denton Sorrells, LLC





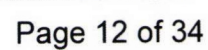






EXHIBIT "C"

General Warranty Deed – November 29, 2016 –  
Rita Lee Sorrell (aka Rita Sorrells) to Denton Sorrells, LLC

**AFTER RECORDING, RETURN TO:**

Coats Rose, P. C.  
Attention: Sol S. Reifer  
14755 Preston Road, Suite 600  
Dallas, Texas 75254

**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.**

**GENERAL WARRANTY DEED  
("Deed")  
(prepared without review of title)**

**DATE:** 11/29, 2016

**GRANTOR:** Rita Lee Sorrells (aka Rita Sorrells)

**GRANTOR'S MAILING ADDRESS:** 5336 Blake Drive  
Plano, Texas 75093

**GRANTEE:** Denton Sorrells, LLC

**GRANTEE'S MAILING ADDRESS:** 5921 Turtle Creek Drive  
Plano, Texas 75093

**CONSIDERATION:** Cash and other consideration

**PROPERTY (including improvements):** Real property located in Denton County, Texas, being a total of 324.64 acres deeded to Grantor, more fully described on Exhibit "A," attached hereto and incorporated herein for all purposes.

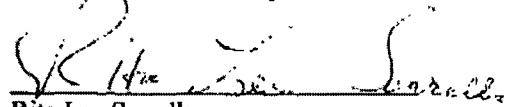
**RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:**

This conveyance is made and accepted subject to all restrictions, covenants, conditions, rights-of-way, assessments, outstanding royalty and mineral reservations and easements, liens and other encumbrances, if any, affecting the Property that are valid, existing and properly of record and subject, further, to lien for taxes for the year 2016 and subsequent years.

**GENERAL WARRANTY DEED**

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 anywise belonging, to have and to hold to Grantee and Grantee's, successors and assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, successors and assigns to warrant and forever defend all and singular her interest in the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming 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.

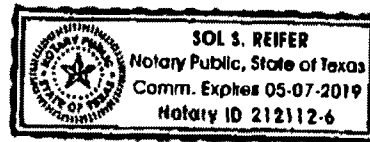
  
Rita Lee Sorrells

**ACKNOWLEDGMENT**

STATE OF TEXAS       §  
                                  §  
COUNTY OF DALLAS   §

This instrument was acknowledged before me on the 29 day of November, 2016, by Rita Lee Sorrells.

  
\_\_\_\_\_  
Notary Public, State of Texas



**GENERAL WARRANTY DEED**

EXHIBIT "A"

All that certain tract or parcel of land lying and being situated in Denton County, Texas, a part of the W.S. Ray Survey, Abstract No. 1105, the A.E. Norwood Survey, Abstract No. 969, the J. Ray Survey, Abstract No. 1104, the T. & P. Railroad Survey, Abstract No. 1299 and the Thomas B. Cox Survey, Abstract No. 309, and being and including all that same land conveyed to Rita L. Sorrells in a Correction Substitute Trustee's Deed recorded in Volume 4381, page 1 of the Real Property Records of Denton County, said tract or parcel of land is herein described as follows; to wit:

BEGINNING at an 1/2 inch iron rod found on the Southeast right-of-way line of F.M. Highway No. 428 at the Northerly termination corner of a boundary line described in a Boundary Line Agreement recorded under Denton County Clerk's File No. 98-RO022137, said corner being the Northwest corner of the premises herein described; THENCE along the Southeast right-of-way line of said F.M. Highway as follows:

- 1) North 48 degrees 43 minutes 38 seconds East 1792.49 feet to an 1/2 inch iron rod found;
- 2) North 48 degrees 44 minutes 09 seconds East 248.64 feet to an 1/2 inch iron rod found;
- 3) North 45 degrees 58 minutes 51 seconds East 100.06 feet to an 1/2 inch iron rod found, and
- 4) North 48 degrees 43 minutes 17 seconds East 673.75 feet to an 1/2 inch iron rod found for the Northeast corner hereof, said corner being the Northwest corner of the Willow Wood, an addition to Denton County according to the plat thereof recorded in Cabinet M, page 260 of the Plat Records of Denton County;

THENCE South 22 degrees 31 minutes 00 seconds East 1066.49 feet to an 1/2 inch iron rod found at an angle corner hereof, said corner being a Southwesterly corner of said Willow Wood;

THENCE South 46 degrees 49 minutes 38 seconds East 640.13 feet to an 1/2 inch iron rod found for corner, said corner being the Southwest corner of Willow Wood;

THENCE South 00 degrees 45 minutes 11 seconds West 436.11 feet to an 1/2 inch iron rod found for corner;

THENCE South 00 degrees 44 minutes 22 seconds West 856.37 feet to an 1/2 inch iron rod found for corner;

THENCE South 01 degrees 05 minutes 30 seconds West 18.26 feet to a 3/4 inch iron rod found at the Southwest corner of a record 61.58 acre tract described in a Deed recorded in Volume 1554, page 883 of the Real Property Records of Denton County;

THENCE South 00 degrees 33 minutes 36 seconds West 1324.91 feet to an 1/2 inch iron rod found for corner;

THENCE South 89 degrees 51 minutes 55 seconds West 704.96 feet to an 1/2 inch iron rod found for a re-entrant corner hereof;

THENCE South 00 degrees 28 minutes 35 seconds West 1810.06 feet to an 1/2 inch iron rod found for corner;

THENCE South 00 degrees 00 minutes 58 seconds West 865.64 feet to an 1/2 inch iron rod found in the center of an unimproved lane known as Crutchfield Road;

THENCE North 89 degrees 36 minutes 31 seconds West along a line following the approximate center of said unimproved lane a distance of 1947.13 feet to a point for the Southeast corner of a record 40.00 acre tract described in a Deed to Frisco West, LTD., recorded under Denton County Clerk's File No. 97-RO090325, said corner being the Southwest corner hereof;

THENCE North 00 degrees 13 minutes 01 seconds East 4017.88 feet to an 1/2 inch iron rod found at the Northeast corner of said record 40.00 acre tract for a re-entrant corner hereof;

THENCE North 88 degrees 52 minutes 02 seconds West 310.88 feet to an 1/2 inch iron rod found for a corner of said boundary line described in said Boundary Line Agreement;

THENCE North 00 degrees 17 minutes 43 seconds East a distance of 838.26 feet to the Place of BEGINNING and containing 324.64 acres of land.

PUNKADILLY, LTD.

PUC DOCKET NO. \_\_\_\_\_

PETITION BY PUNKADILLY, LTD,	§	BEFORE THE
FOR EXPEDITED RELEASE FROM	§	
WATER CCN NO. 13201 HELD BY	§	PUBLIC UTILITY COMMISSION
BY AQUA TEXAS, INC. IN	§	
DENTON COUNTY	§	OF TEXAS

**PETITION BY PUNKADILLY, LTD. FOR EXPEDITED RELEASE  
PURSUANT TO TEXAS WATER CODE SECTION 13.254(A-5)**

**TO THE PUBLIC UTILITY COMMISSION OF TEXAS:**

COMES NOW, PUNKADILLY, LTD (“Petitioner”) and files this Petition with the Public Utility Commission of Texas (the “PUC”) for expedited release from Aqua Texas, Inc.’s (“Aqua”) water certificate of convenience and necessity (“CCN”) No. 13201; pursuant to (i) Texas Water Code Section 13.254(a-5); and (ii) Rule 24.113(l) of the Commission’s Rules found at 16 Tex. Admin. Code Section 24.113; and in support thereof would respectfully show as follows:

**I. APPLICABLE REGULATIONS**

Section 13.254(a-5) of the Texas Water Code provides that the owner of a tract of land that is at least 25 acres and that is not receiving water or sewer service may petition for expedited release of the area from a CCN.<sup>1</sup> For land that is located within a county with a population of at least one million, or a county adjacent to a county with a population of at least one million, the owner of the qualifying tract “is entitled to that release.”<sup>2</sup> The rule adopted by the PUC pursuant to Section 13.254(a-5) provides the same, and it recognizes that Denton County is a county in

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<sup>1</sup> Tex. Water Code Ann. § 13.254(a-5) (West 2008 and Supp. 2016) (TWC).

<sup>2</sup> *Id.*



which owners of at least 25 acres are entitled to expedited release.<sup>3</sup> Under Section 13.254(a-6), the PUC “shall grant a petition received under Subsection (a-5) not later than the 60<sup>th</sup> day after the date the landowner files the petition.”

## **II. REQUEST FOR EXPEDITED RELEASE**

Petitioner owns approximately 61.58 acres of contiguous property in Denton County (the “Property”). The Property is within the boundaries of water CCN No. 13201, held by Aqua. The Property does not receive service from any water or sewer service provider. An Affidavit in support of this Petition is attached hereto as Exhibit “A.” A map showing the location of the Property is attached hereto as Exhibit “B.” A deed showing ownership of the Property is attached hereto as Exhibit “C.”

## **III. CONCLUSION AND PRAYER**

Texas Water Code Section 13.254(a-5) entitles Petitioner to expedited release of the Property described herein. The Property is greater than 25 acres, is not receiving water or sewer service, and are entirely within Denton County. Under Section 13.254(a-6), the PUC should grant this Petition no later than the 60<sup>th</sup> day after the date of filing. Petitioner respectfully requests that the PUC grant this Petition and issue an order under the authority of Section 13.254(a-5) releasing all portions of the Property that are within the boundaries of water CCN No. 13201.

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<sup>3</sup> 16 Tex. Admin. Code § 24.113(l)

Respectfully submitted,

**COATS | ROSE**

By: 

---

Natalie B. Scott  
State Bar No. 24027970  
nscott@coatsrose.com  
Barton Oaks Plaza  
901 S. MoPac Expressway, Bldg. 1, Suite 500  
Austin, Texas 78746  
(512) 469-7987 Telephone  
(512) 469-9408 Telecopier  
**ATTORNEY FOR PETITIONER  
PUNKADILLY, LTD.**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 3<sup>rd</sup> day of December, 2018, a true and correct copy of the Petition by Punkadilly, Ltd. for Expedited Release Pursuant to Texas Water Code Section 13.254(a-5) was sent, via certified mail, return receipt requested to the following recipient at the address indicated.

Aqua Texas, Inc.  
1106 Clayton Lane  
Austin, Texas 78723-3489

*Via Certified Mail, RRR*

CSC-Lawyers Incorporating Service Company  
211 E. 7<sup>th</sup> Street, Suite 620  
Austin, Texas 78701-3218

*Via Certified Mail, RRR*

PUC – Legal Division  
Margaret Uhlig Pemberton, Division Director  
Katherine Lengieza Gross, Managing Attorney  
Skyler Springsteen Collins  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711 -3326  
Fax: (512) 936-7268

*Via Email: [Skyler.Collins@puc.texas.gov](mailto:Skyler.Collins@puc.texas.gov)*



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Natalie B. Scott

EXHIBIT "A"

Affidavit of Stephanie Sorrells

PETITION BY DENTON SORRELLS,	§	BEFORE THE
LLC AND PUNKADILLY, LTD.	§	
FOR EXPEDITED RELEASE FROM	§	PUBLIC UTILITY COMMISSION
WATER CCN NO. 13201 HELD BY	§	
AQUA TEXAS, INC. IN DENTON COUNTY	§	OF TEXAS

**AFFIDAVIT OF STEPHANIE SORRELLS IN SUPPORT OF PETITION FOR  
EXPEDITED RELEASE FROM WATER CCN NO. 13201 HELD BY AQUA TEXAS,  
INC. PURSUANT TO TEXAS WATER CODE SECTION 13.254(A-5)**

STATE OF TEXAS           §

COUNTY OF DENTON   §

BEFORE ME, the undersigned notary, personally appeared Stephanie Sorrells, the affiant, a person who is known to me. After administering an oath, the affiant testified that:

1.     “My name is Stephanie Sorrells. I am over the age of eighteen years, of sound mind, and am capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

2.     I am the registered agent of Denton Sorrells, LLC, one of the Petitioners in the above-captioned matter. Denton Sorrells, LLC owns approximately 324 acres of land, which appears to be located within the boundaries of water CCN No. 13201 issued to Aqua Texas, Inc. This property is located in Denton County, Texas. Exhibit “B -1” attached to this Petition is a true and correct copy of a map identifying the property, its location, and the area of the CCN.

3.     I am the President of Punkadilly, Ltd., one of the Petitioners in the above-captioned matter. Punkadilly owns approximately 62 acres of land, which appears to be located within the boundaries of water CCN No. 13201 issued to Aqua Texas, Inc. This property is located in Denton County, Texas. Exhibit “B -2” attached to this Petition is a true and correct copy of a map identifying the property, its location, and the area of the CCN.

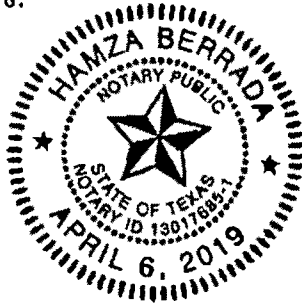
4.     Neither the Denton Sorrells property nor the Punkadilly property (the “Properties”) are receiving water or sewer service from Aqua Texas, Inc. or any other water or sewer service provider. The Properties have not requested water or sewer service from Aqua Texas, Inc. or paid any fees or charges to initiate or maintain water or sewer service, and there are no billing records or other documents indicating an existing account for the Properties.

5.     I request that the Public Utility Commission of Texas release these Properties from water CCN No. 13201.”

FURTHER AFFIANT SAYETH NOT.

Stephanie Sorrells  
Stephanie Sorrells

SWORN TO AND SUBSCRIBED TO BEFORE ME by Stephanie Sorrells on 14  
September, 2018.



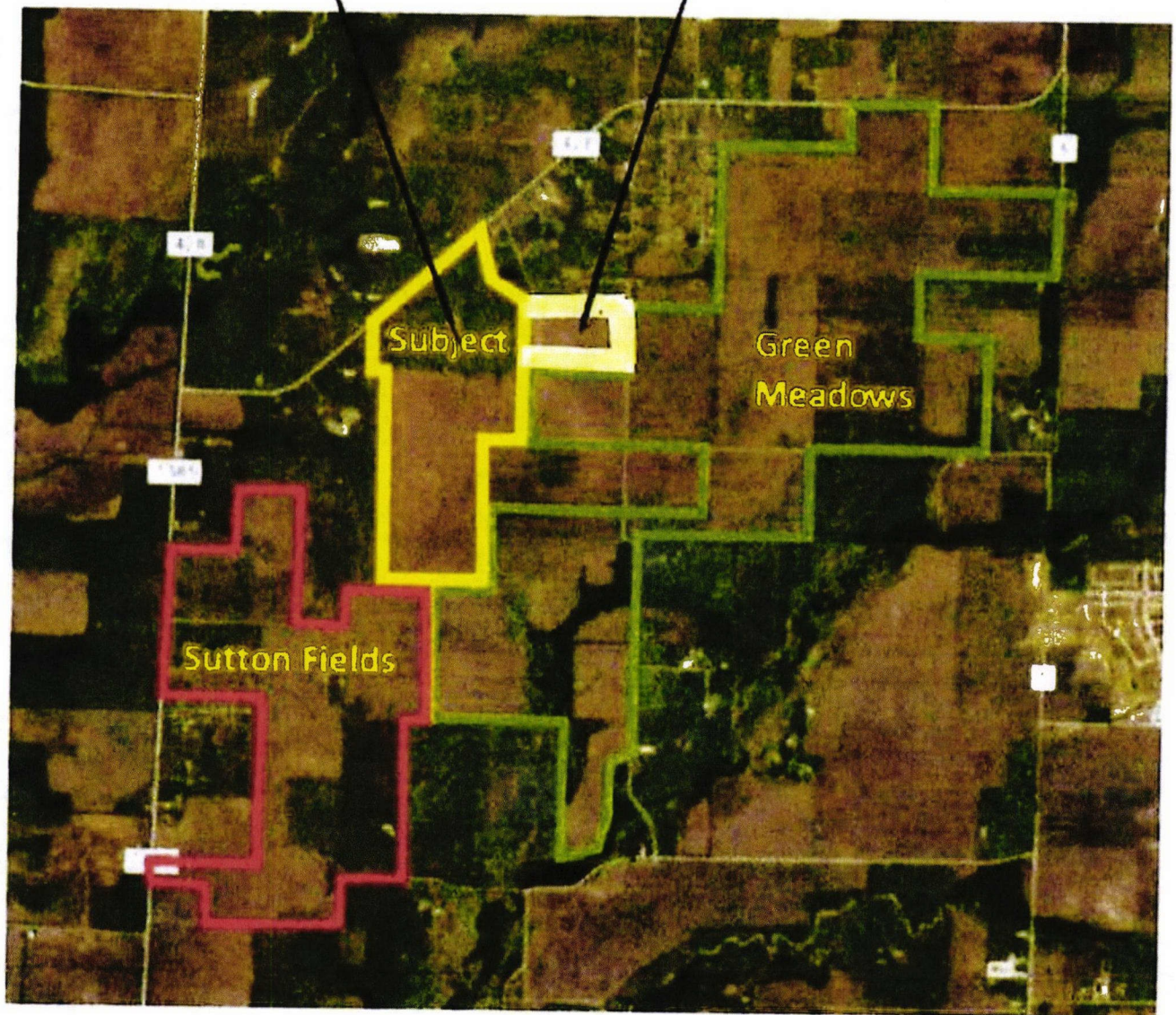
[Signature]  
Notary Public, State of Texas

EXHIBIT “B”

Map and Survey – Punkadilly, Ltd.

Dentam Sorrells  
324 acres

Punkadilly  
62 acres











All that certain tract or parcel of land lying and being situated in Denton County, Texas, a part of the Texas & Pacific Railway Survey, Abstract No. 1299, and being and including all that same tract said to contain 61.57 acres, more or less, as described in a deed to Godwin Family Investments, Ltd., recorded under Clerk's File No. 04-0055436, said tract or parcel of land is herein described as follows, to wit:

BEGINNING at an 1/2 inch iron rod set in Smiley Road (a County Road running in a Northerly and Southerly direction) for the Northeast corner of said Texas & Pacific Railway Survey and the Northeast corner of the premises herein described, said corner being the Southeast corner of WILLOW WOOD, an addition to Denton County according to the plat thereof recorded in Cabinet W, page 780 of the Denton County Plat Records, an 1/2 inch iron rod found for witness bears North 89 degrees 44 minutes 31 seconds West 27.56 feet,  
THENCE with Smiley Road and the East line of said Texas & Pacific Railway Survey, South 00 degrees 30 minutes 10 seconds West 1321.66 feet to an 1/2 inch iron rod found for corner, said corner being the Northeast corner of a record 62.35 acre tract described in a deed to Sekina Saraj, et al recorded under Clerk's File No. 04-0005473,  
THENCE North 89 degrees 25 minutes 27 seconds West at 28.05 feet passing an 1/2" iron rod set for witness on the West margin of Smiley Road and in all a total distance of 2040.69 feet to a 3/4 inch iron rod found for the Northwest corner of said 62.35 acre tract and the Southeast corner hereof;  
THENCE North 01 degrees 05 minutes 30 seconds East 18.26 feet to an 1/2 inch iron rod found for corner, same being an angle point in the East line of a record 324.61 acre tract described in a Deed to Rita A. Sorrells, recorded in Volume 4361, Page 1 of the Real Property Records of Denton County;  
THENCE North 00 degrees 44 minutes 22 seconds East 858.37 feet to an 1/2 inch iron rod found at an angle point of said 324.61 acre tract,  
THENCE North 00 degrees 43 minutes 49 seconds East 435.74 feet to an 1/2 inch iron rod found for corner on the North line of said Texas & Pacific Railway Survey, said corner being a Northeast corner of said 324.61 acre tract, said corner also being the Southwest corner of said WILLOW WOOD addition;  
THENCE along the South line of WILLOW WOOD addition, South 89 degrees 44 minutes 31 seconds East a distance of 2035.25 feet to the Place of BEGINNING and containing 61.57 acres of land

FLOOD INFORMATION: The property shown hereon is not situated in a designated special flood hazard area per FEMA Map No. 48121C0290 E, dated 4/22/97

I do hereby certify that the plat hereon is an accurate representation of the property as determined by an on the ground survey, subject to all written and prescriptive easements which affect same unless noted, the lines and dimensions of the property being as indicated and the size, location and type of permanent improvements are correctly shown, and that EXCEPT AS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS OR PROTRUSIONS AND NO APPARENT OVERLAPS OR CONFLICTS

DATE: SEPTEMBER 27, 2004

*James E. Smith*  
JAMES E. SMITH  
Registered Professional Land Surveyor No. 3770



SURVEY	
61.57 ACRE TRACT T & P RAILWAY SUR A-1299 DENTON COUNTY, TEXAS	
SCALE 1" = 200'	DATE 9/27/04
REVISED	W/O 3850-300DWIN
<p><b>J. E. Smith, *</b> <b>Land Surveyor</b> Registered Professional Land Surveyor</p>	

1207 AC  
KENDAL  
302 DR

DN  
791

EXHIBIT "C"

Special Warranty Deed – April 25, 2011 –  
HIJO, Ltd. and One Longhorn Land I, L.P. to Punkadilly, Ltd.

**GF# FNT 1912500699**

AFTER RECORDING, RETURN TO:

Punkadilly, Ltd.  
5921 Turtle Creek Drive  
Plano, Texas 75093

**"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."**

**SPECIAL WARRANTY DEED**

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STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS,

COUNTY OF DENTON

That **HUJO, LTD**, a Texas limited partnership, and **ONE LONGHORN LAND I, L.P.**, a Texas limited partnership, hereinafter referred to as Grantor, whether one or more, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) cash in hand to Grantor paid by **PUNKADILLY, LTD**, a Texas limited partnership, hereinafter referred to as Grantee, whose mailing address is 5921 Turtle Creek Drive, Plano, Texas 75093, the receipt of which is hereby acknowledged, and other good and valuable consideration, the receipt and sufficiency of which is hereby also acknowledged, HAVE GRANTED, SOLD AND CONVEYED and do by these presents GRANT, SELL AND CONVEY unto the said Grantee all the following described real property ("Property"), to-wit:

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

Grantor reserves for Grantor, Grantor's heirs, successors and assigns, an undivided one-half (1/2) interest in and to all remaining 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.

- a. Oil and gas lease recorded in Volume 320, Page 347, and Volume 407, Page 362, Real Property Records of Denton County, Texas.
- b. Overhead electrical lines along the East boundary line as shown on survey dated September 27, 2004 by James E. Smith, RPLS #3700.

And Grantor does hereby bind Grantor, Grantor's successors and assigns, to warrant and 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 of any part thereof, by, through or under Grantor, but not otherwise.

EXECUTED on the dates of the acknowledgments set out below, to be effective,  
however, on April 25, 2011

By: *JOHN, L.L.C.*, a Texas limited liability company, its General Partner

By: Joseph Hickman  
JOSEPH HICKMAN, Secretary

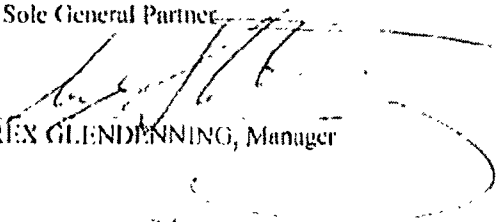
**ONE LONGHORN LAND I, L.P.,**

a Texas limited partnership

By: **ONE LONGHORN LAND, L.L.C.,**

a Texas limited liability company, its

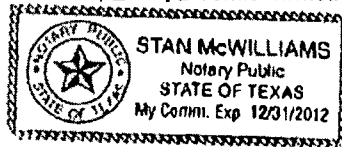
Sole General Partner

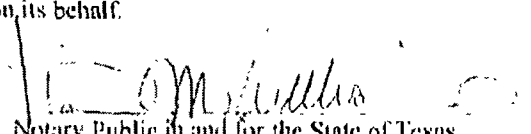
By:   
**REX GLENDENNING, Manager**

STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged before me on the 28<sup>th</sup> day of April, 2011, by JOSEPH HICKMAN, Secretary of **JOHI, L.L.C.**, a Texas limited liability company, General Partner **HUJO, LTD**, a Texas limited partnership, on its behalf.

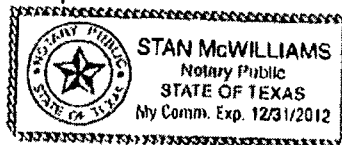


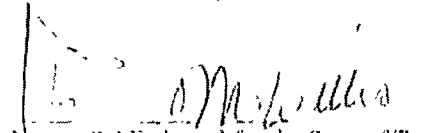
  
Notary Public in and for the State of Texas

STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged before me on the 28<sup>th</sup> day of April, 2011, by REX GLENDENNING, Manager of **ONE LONGHORN LAND, L.L.C.**, a Texas limited liability company, Sole General Partner of **ONE LONGHORN LAND I, L.P.**, a Texas limited partnership, on its behalf.



  
Notary Public in and for the State of Texas

PREPARED BY THE LAW OFFICES OF  
**McWILLIAMS & THOMPSON**  
2713 Virginia Parkway, Suite 100  
McKinney, Texas 75071

**EXHIBIT "A"**

All that certain tract or parcel of land lying and being situated in Denton County, Texas, a part of the Texas & Pacific Railway Survey, Abstract No. 1299, and being and including all that same tract said to contain 61.58 acres, more or less, as described in a deed to Godwin Family Investments, Ltd., recorded under Clerk's File No. 04-0035436, said tract or parcel of land is herein described as follows, to wit:

BEGINNING at an 1/2 inch iron rod set in Smiley Road (a County Road running in a Northerly and Southerly direction) for the Northeast corner of said Texas & Pacific Railway Survey and the Northeast corner of the premises herein described, said corner being the Southeast corner of WILLOW WOOD, an addition to Denton County according to the plat thereof recorded in Cabinet M, page 260 of the Denton County Plat Records, an 1/2 inch iron rod found for witness bears North 89 degrees 44 minutes 31 seconds West 27.56 feet;

THENCE with Smiley Road and the East line of said Texas & Pacific Railway Survey, South 00 degrees 30 minutes 10 seconds West 1321.66 feet to an 1/2 inch iron rod found for corner, said corner being the Northeast corner of a record 62.35 acre tract described in a deed to Sekine Saraj, et al, recorded under Clerk's File No. 04-0005473;

THENCE North 89 degrees 25 minutes 27 seconds West at 28.05 feet passing an 1/2 inch iron rod set for witness on the West margin of Smiley Road and in all a total distance of 2040.69 feet to a 3/4 inch iron rod found for the Northwest corner of said 62.35 acre tract and the Southeast corner hereof;

THENCE North 01 degrees 05 minutes 30 seconds East 18.26 feet to an 1/2 inch iron rod found for corner, same being an angle point in the East line of a record 324.61 acre tract described in a Deed to Rita A. Sorrells, recorded in Volume 4381, Page 1 of the Real Property Records of Denton County;

THENCE North 00 degrees 44 minutes 22 seconds East 856.37 feet to an 1/2 inch iron rod found at an angle point of said 324.61 acre tract;

THENCE North 00 degrees 43 minutes 49 seconds East 435.74 feet to an 1/2 inch iron rod found for corner on the North line of said Texas & Pacific Railway Survey, said corner being a Northeasterly corner of said 324.61 acre tract, said corner also being the Southwest corner of said WILLOW WOOD Addition;

THENCE along the South line of WILLOW WOOD addition, South 89 degrees 44 minutes 31 seconds East a distance of 2035.25 feet to the Place of BEGINNING and containing 61.57 acres of land.