



Control Number: 48801



Item Number: 1

Addendum StartPage: 0

PUC DOCKET NO. **48801**

PETITION OF T.J. BRADSHAW
CONSTRUCTION, LTD. FOR THE
STREAMLINED EXPEDITED RELEASE
OF PROPERTY FROM THE RETAIL
WATER CCN NO. 10970 AND SEWER
CCN NO. 21053 OF JONAH SPECIAL
UTILITY DISTRICT IN WILLIAMSON
COUNTY

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BEFORE THE PUBLIC

UTILITY COMMISSION

OF TEXAS

2012 OCT 18 PM 3:55

PUBLIC UTILITY COMMISSION
FILING CLERK

PETITION FOR STREAMLINED EXPEDITED RELEASE

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

T.J. Bradshaw Construction, Ltd. (the "Petitioner"), acting pursuant to § 13.254(a-5), Tex. Water Code, and § 24.113(l), Title 16, Texas Administrative Code, hereby respectfully petitions the Public Utility Commission of Texas (the "PUC" or the "Commission"), for the streamlined expedited release of certain real property it owns in Williamson County, Texas from within the area covered by Jonah Special Utility District's ("JSUD") Certificate of Convenience and Necessity ("CCN") Nos. 10970 and 21053, and would show the following:

1. The Petitioner is acting pursuant to the authority granted to it by the Texas Legislature in § 13.254 (a-5) *et. seq.*, Texas Water Code, and asserts to the Commission that the real property that is the subject of this petition comprises approximately 250.36 acres, and is located in Williamson County, Texas (the "Property"). The Property is not receiving water or sewer service from JSUD. The deed, which contains the legal description of the Property, is attached as Exhibit A.
2. Williamson County is a county adjacent to a county with a population of at least one million.
3. Troy Bradshaw, partner in the Petitioner's company, verifies the veracity of the statements contained herein. The verification is provided as Exhibit B.
4. A copy of this petition is being contemporaneously sent to the CCN holder, JSUD. The proof of mailing by certified mail to JSWSC is provided in Exhibit C.
5. The maps and digital data required by PUC Rule §§ 24.113(l), 22.71, and 22.72 is provided in Exhibit D.
6. Petitioner does not believe that the Property is located within the service area of sewer CCN No. 21053. However, to the extent the Property is located within said sewer CCN, the Petitioner is seeking to be released therefrom.

WHEREFORE, Petitioner prays that the Commission grant this Petition and order the decertification of the Property from Certificate of Convenience and Necessity Nos. 10970 and 21053.

Respectfully submitted,

RUSSELL RODRIGUEZ HYDE BULLOCK, L.L.P.
1633 Williams Drive, Building 2, Suite 200
Georgetown, Texas 78628
arodriguez@txlocalgovlaw.com
(512) 930-1317
(866) 929-1641 (Fax)

/s/ Arturo D. Rodriguez, Jr.
ARTURO D. RODRIGUEZ, JR.
State Bar No. 00791551

**EXHIBIT A
DEED OF PROPERTY**



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.

This Correction Special Warranty Deed-Exchange is made in place of and to correct a Special Warranty Deed-Exchange executed by San Gabriel Investments, LTD, (as to an undivided 15.21% interest); and Bobby G. Stanton and wife, Dawana Stanton (as to an undivided 84.79% interest), dated July 9, 2018, recorded under Document No. 2018061140, Official Public Records, Williamson County, Texas. By mistake the prior Special Warranty Deed-Exchange purported to convey Tract II as an Easement, when, in fact, the fee title to Tract II should have been conveyed. Furthermore, the undivided interests conveyed should have referred to Tract I only and 100% interest conveyed from Bobby G. Stanton and wife, Dawana Stanton as to Tract II. This Correction Special Warranty Deed-Exchange is made to correct those mistakes, is effective on that date and in all other respects confirms the former Special Warranty Deed-Exchange.

CORRECTION SPECIAL WARRANTY DEED - EXCHANGE
(Williamson County, Texas)

Effective Date: JULY 9, 2018

Grantor: SAN GABRIEL INVESTMENTS, LTD. (as to an undivided 15.21% interest in Tract I); and

BOBBY G. STANTON and wife, DAWANA STANTON (as to an undivided 84.79% interest in Tract I and 100% interest in Tract II)

Grantee: T.J. BRADSHAW CONSTRUCTION, LTD.

Address: P. O. Box 466
Jarrell, Texas 76537

Consideration: For and in consideration of the simultaneous transfer by Grantee to Grantor of Grantee's property situated in Williamson County, Texas, as more fully described in the attached **Exhibit "B"** by Warranty Deed of even date herewith from Grantee to Grantor and as part of an I.R.C. Section 1031 tax free direct exchange of qualifying investment properties.

Property (including any improvements):

Tract I: 250.36 acres of land, out of the SAMUEL G. HANKS SURVEY, Abstract No. 309, and ELI W. LAWLER SURVEY, Abstract No. 392, in Williamson County, Texas, and being more fully described by metes and bounds in **Exhibit "A"** attached hereto and made a part hereof.

TRACT II: 5.97 acres of land, more or less, out of the ALEXANDER EWELL SURVEY, Abstract No. 218, in Williamson County, Texas, said 5.97 acres of land as described in Deed recorded under Document No. 2008070920, Official Public Records, Williamson County, Texas.

Reservations from and Exceptions to Conveyance and Warranty:

There is hereby reserved to Grantor, Grantor's heirs and assigns, an undivided 50% interest in the oil, gas and mineral royalties deliverable or payable on production of oil, gas and other minerals under the terms of any current or future leases insofar as the lease(s) cover the Property or any portion of it.

This conveyance is made, delivered and accepted subject to the payment of ad valorem taxes assessed against the property conveyed for the current year, the payment of which Grantee assumes, and those matters set forth in **Exhibit "C"** to the extent that such matters remain in force and effect the Property.

If this sale or GRANTEE'S use of the Property after closing results in the assessment of additional taxes for periods prior to closing, the additional taxes shall be the obligation of GRANTEE. If GRANTOR'S change in use of the Property prior to closing or denial of a special use valuation on the Property claimed by GRANTOR results in the assessment of additional taxes for periods prior to closing, the additional taxes shall be the obligation of the GRANTOR.

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 hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, successors, and assigns to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, Grantee's heirs, 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 conveyance and warranty when the claim is by, through, or under Grantor but not otherwise .

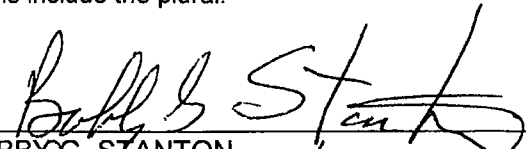
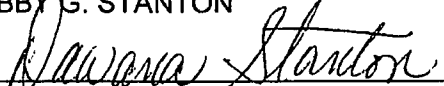
All or a portion of the consideration for this conveyance has been paid by Grantee's conveyance to Grantor of certain other real property in Williamson County, Texas. Grantor shall not hold or be entitled to any vendor's lien (express or implied) or right of rescission with respect to the Property herein conveyed to Grantee, and all such vendor's liens, and/or other liens and rights of rescission are hereby released and relinquished by Grantor.

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

SAN GABRIEL INVESTMENTS, LTD.

By: SCB Development Co.
Its General Partner

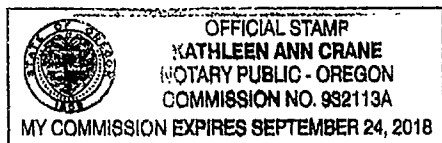
By: 
Bobby G. Stanton, President


BOBBY G. STANTON

DAWANA STANTON

STATE OF OREGON

COUNTY OF Douglas

This instrument was acknowledged before me on September 4, 2018 by Bobby G. Stanton, President of SCB Development Co., General Partner of SAN GABRIEL INVESTMENTS, LTD., a Texas limited partnership, on behalf of said partnership.

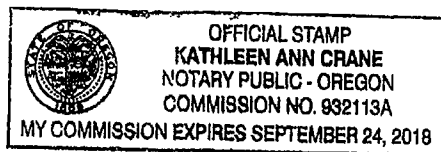


Kathleen Ann Crane
Notary Public, State of Oregon

STATE OF OREGON

COUNTY OF Douglas

This instrument was acknowledged before me on September 4, 2018 by BOBBY G. STANTON and wife, DAWANA STANTON.



Kathleen Ann Crane
Notary Public, State of Oregon

EXHIBIT "A"

BEING 250.36 acres in Williamson County, Texas, situated in the Samuel Hanks Survey, Abstract No. 399, and in the Eli W. Lawler Survey, Abstract No. 392. This tract includes a 100 acre Tract One, and a 150 acre Tract Two which are described in a deed to Harold M. Domel et al., of record in Doc. 9760349, Official Records of Williamson County, Texas. This tract was surveyed on the ground in September of 2005, by William F. Forest, Jr., Registered Professional Land Surveyor No. 1847.

BEGINNING at an iron pin found at the lower Northeast corner of the said Tract 1, at a fence corner that exists in the South line of the John Eads Survey, Abstract No. 221, at the Northwest corner of the Bert Steuwe property described in Vol. 503, Pg. 475.

THENCE with the East line of the said 100 acre Tract One, S 20 deg. 36 min. 16 sec. E at 698.09 feet pass N 69 deg. 23 min. 44 sec. E 7.81 feet from an iron pin found at a fence corner on the West side of a waterway, at 747.18 feet pass N 69 deg. 23 min. 44 sec. E 7.50 feet from an iron pin found in the fence, at 889.43 feet pass N 69 deg. 23 min. 44 sec. E 5.72 feet from an iron pin set in the fence, at 1055.60 feet pass N 69 deg. 23 min. 44 sec. E 4.02 feet from an iron pin set in the fence, at 1172.23 feet pass N 69 deg. 23 min. 44 sec. E 2.65 feet from an iron pin set in the fence; at 1316.24 feet pass N 69 deg. 23 min. 44 sec. E 1.42 feet from an iron pin set in the fence, at 2812.28 feet pass N 69 deg. 23 min. 44 sec. E 0.55 feet from an iron pin set in the fence, continuing in all 3581.67 feet to an iron pin found at a fence corner.

THENCE along or near the general line of an existing fence, S 66 deg. 33 min. 05 sec. W 37.50 feet to an iron pin found at a fence corner and S 70 deg. 01 min. 14 sec. W 2875.54 feet to an iron pin found.

THENCE with the West line of said Tract 2 called 150 acres, N 20 deg. 23 min. 21 sec. W at 1272.94 feet pass N 69 deg. 36 min. 39 sec. E 0.35 feet from an iron pin set in the fence, at 1370.24 feet pass S 69 deg. 36 min. 39 sec. W 0.74 feet from an iron pin set in the fence, at 2392.20 feet pass N 69 deg. 36 min. 39 sec. E 2.37 feet from a steel cotton spindle set on the North side of a cattle guard in an existing gravel roadway; at 2800.88 feet pass N 69 deg. 36 min. 39 sec. E 3.33 feet from an iron pin set in a fence; continuing in all 3774.84 feet to an iron pin found at a fence corner on the North line of the Hanks Survey.

THENCE with the North line of the two tracts described in the Domel deed, with the South line of the Eli Lawler Survey and the North line of the Samuel Hanks Survey, as found monumented on the ground, N 69 deg. 28 min. 21 sec. E crossing Little Oppossum Creek, in all 128.94 feet to an iron pin found in the fence; N 69 deg. 30 min. 42 sec. E 142.49 feet to a nail found in the fence; N 69 deg. 32 min. 38 sec. E crossing Little Oppossum Creek, continuing in all 984.56 feet to an iron pin found; and N 70 deg. 02 min. 34 sec. E crossing Little Oppossum Creek and passing a corner of the said Lawler and Hanks Surveys, continuing in all 513.76 feet to an iron pin found at the Southwest corner of the Danny Swafford property described in Doc. 2001027735.

THENCE N 70 deg. 06 min. 43 sec. E 203.47 feet to an iron pin found at the Southwest corner of Lot 22 of Twin Creek Farms Phase 1, a subdivision plat filed in Cabinet Q, Slide 163, Plat Records, continuing with the South line of said Lot 22, N 70 deg. 01 min. 28 sec. E 497.66 feet to a set stone found at a corner of the Domel Tract 1.

THENCE with the boundary of said Tract 1, S 19 deg. 40 min. 24 sec. E 206.41 feet to an iron pin set at a fence corner which exists at or near the Southwest corner of the said John Eads Survey; and N 69 deg. 19 min. 16 sec. E 431.21 feet to the POINT OF BEGINNING.

J

EXHIBIT "B"

Tract I: Lot 1-B, Block 1, of THE FOURTH MINOR AMENDED PLAT OF JARRELL TOWN CENTER PHASE ONE, an addition in and to the City of Jarrell, in Williamson County, Texas, according to the map or plat thereof recorded under Document No. 2015097491, Official Public Records, Williamson County, Texas.

Tract II: Lot 1-F-3, Block 1, of FOURTH MINOR AMENDED PLAT OF JARRELL TOWN CENTER PHASE ONE, an addition in and to the City of Jarrell, in Williamson County, Texas, according to the map or plat thereof recorded under Document No. 2015097491, Official Public Records, Williamson County, Texas.

EXHIBIT "C"

1. The following restrictive covenants of record itemized below:

Tract II: recorded under Document No. 2006002677, Official Public Records, Williamson County, Tx.

2. Tract I: Electric utility easement filed July 25, 2006, granted by Gary Welch Asset Management, Ltd. to Bartlett Electric Corporation, Inc., recorded under Document No. 2006062194, Official Public Records, Williamson County, Texas.
3. Tract I: Easement for ingress and egress over, across and along the existing roadways on the property as retained by Grantor in Deed dated August 23, 2007, from Gary Welch Asset Management, Ltd. to San Gabriel Investments, Ltd., recorded under Document No. 2007073259, Official Public Records, Williamson County, Texas
4. Tract I: Easement for ingress and egress over, across and along the existing roadways on the property as retained by Grantor in Deed dated August 23, 2007, from Gary Welch Asset Management, Ltd. to Bobby G. Stanton and wife, Dawana Stanton, recorded under Document No. 2007073260, Official Public Records, Williamson County, Texas.
5. Tract II: Easement dated September 13, 1928, granted by August Domel to Texas Power & Light Company, recorded in Volume 239, Page 123, Deed Records, Williamson County, Texas.
6. Tract II: Channel easement dated April 25, 1963, granted by Walter Domel, Ernest Domel et al to the State of Texas, recorded in Volume 459, Page 492, Deed Records, Williamson County, Texas.
7. Tract II: Right of way easement dated August 14, 1974, granted by Kerney Wolf and wife, Evelyn Wolf to Jonah Water Supply Corp., recorded in Volume 597, Page 874, Deed Records, Williamson County, Texas.
8. Tract II: Electric utility easement dated September 30, 1997, granted by Evelyn Wolf (Mrs. Kerney Wolf) to Bartlett Electric Cooperative, Inc., recorded under Document No. 9825191, Official Records, Williamson County, Texas.
9. Tract II: Non-exclusive easement over and across the property reserved by Grantors in Deed dated December 9, 2005, executed by Evelyn Wolf and Richard K. Wolf to Gary Welch Asset Management, Ltd., recorded under Document No. 2006002677, Official Public Records, Williamson County, Texas.
10. Tract II: Covenants set out in Deed dated December 9, 2005, executed by Evelyn Wolf and Richard K. Wolf, as sole remaining Trustee of the Evelyn Wolf Trust, a Trust created by the Last Will and Testament of Kerney Wolf to Gary Welch Asset Management, Ltd., recorded under Document No. 2006002677, Official Public Records, Williamson County, Texas.
11. Any visible and apparent easement, either public or private, the existence of which is not disclosed by the public records as defined herein, including, but not limited to, roads or utilities in use on the land.

After recording, return to:

Merlin Lester

213-A West 8th Street

Georgetown Texas 78626

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS 2018080098

DEED Fee: \$41.00
09/07/2018 09:49 AM

MBARRICK



Nancy E. Rister
Nancy E. Rister, County Clerk
Williamson County, Texas

**EXHIBIT B
VERIFICATION**

PUC DOCKET NO. _____

PETITION OF T.J. BRADSHAW	§	BEFORE THE PUBLIC
CONSTRUCTION, LTD. FOR THE	§	
STREAMLINED EXPEDITED RELEASE	§	
OF PROPERTY FROM THE RETAIL	§	UTILITY COMMISSION
WATER CCN NO. 10970 AND SEWER	§	
CCN NO. 21053 OF JONAH SPECIAL	§	
UTILITY DISTRICT IN WILLIAMSON	§	
COUNTY	§	OF TEXAS

AFFIDAVIT OF TROY BRADSHAW

BEFORE ME, the undersigned Notary Public, on this day personally appeared Troy Bradshaw, who, upon having first been duly sworn, did under oath depose and state:

1. My name is TROY BRADSHAW. I am over 18 years of age, have personal knowledge of the facts recited herein, and am not otherwise disqualified from making this my sworn affidavit. The information provided herein is true and correct.

2. I am a partner in T.J. Bradshaw Construction, Ltd. and have served in this capacity since its inception.

3. I have authorized legal counsel to submit the Petition for Streamlined Expedited Release to the Public Utility Commission of Texas on behalf of T.J. Bradshaw Construction, Ltd. ("Petition").

4. I have personal knowledge of the facts contained in the foregoing Petition and to the best of my knowledge they are true and correct.

5. As a partner in T.J. Bradshaw Construction, Ltd., I am an authorized representative for T.J. Bradshaw Construction, Ltd. and I am authorized to sign this affidavit.

6. The Property as defined in the Petition is at least 25 acres in size. The Property is approximately 250.36 acres. The property is legally described in Exhibit A to the Petition.

7. T.J. Bradshaw Construction, Ltd. owns the Property.

8. The Property is not receiving retail water or sewer service from Jonah Special Utility District.

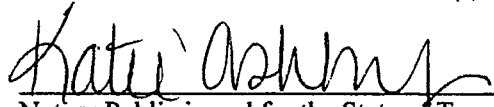
9. The Property is located within Williamson County, Texas.

FURTHER Affiant sayeth not.



By: Troy Bradshaw, Partner
T.J. Bradshaw Construction, Ltd.

SWORN AND SUBSCRIBED to under oath by TROY BRADSHAW, as partner for T.J. Bradshaw Construction, Inc. before the undersigned notary public on the 21 day of September 2018.


Notary Public in and for the State of Texas

SEAL

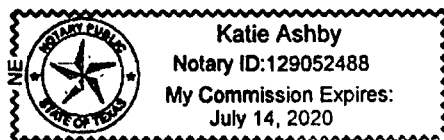


EXHIBIT C
PROOF OF MAILING

PUC DOCKET NO. _____

PETITION OF T.J. BRADSHAW CONSTRUCTION, LTD. FOR THE STREAMLINED EXPEDITED RELEASE OF PROPERTY FROM THE RETAIL WATER CCN NO. 10970 AND SEWER CCN NO. 21053 OF JONAH SPECIAL UTILITY DISTRICT IN WILLIAMSON COUNTY	§ § § § § § § §	BEFORE THE PUBLIC UTILITY COMMISSION OF TEXAS
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BEFORE ME, the undersigned Notary Public, on this day personally appeared WILLIAM BROOCKS, who, upon having first been duly sworn, did under oath depose and state:

1. My name is WILLIAM BROOCKS. I am over 18 years of age, have personal knowledge of the facts recited herein, and am not otherwise disqualified from making this my sworn affidavit. The information provided herein is true and correct. I am an attorney for the Petitioner in this matter.

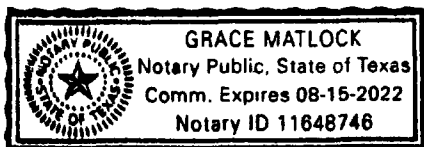
2. By signing this affidavit, I affirm that the foregoing Petition for streamlined expedited release was mailed to Jonah Special Utility District, PO Box 455, Hutto, Texas, 78634 by U.S. postal service, certified mail on the same day that the Petition was filed with the Public Utility Commission of Texas.

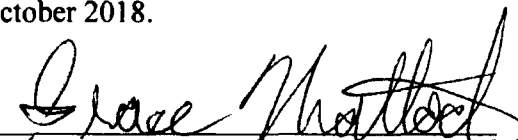
This ends my affidavit.



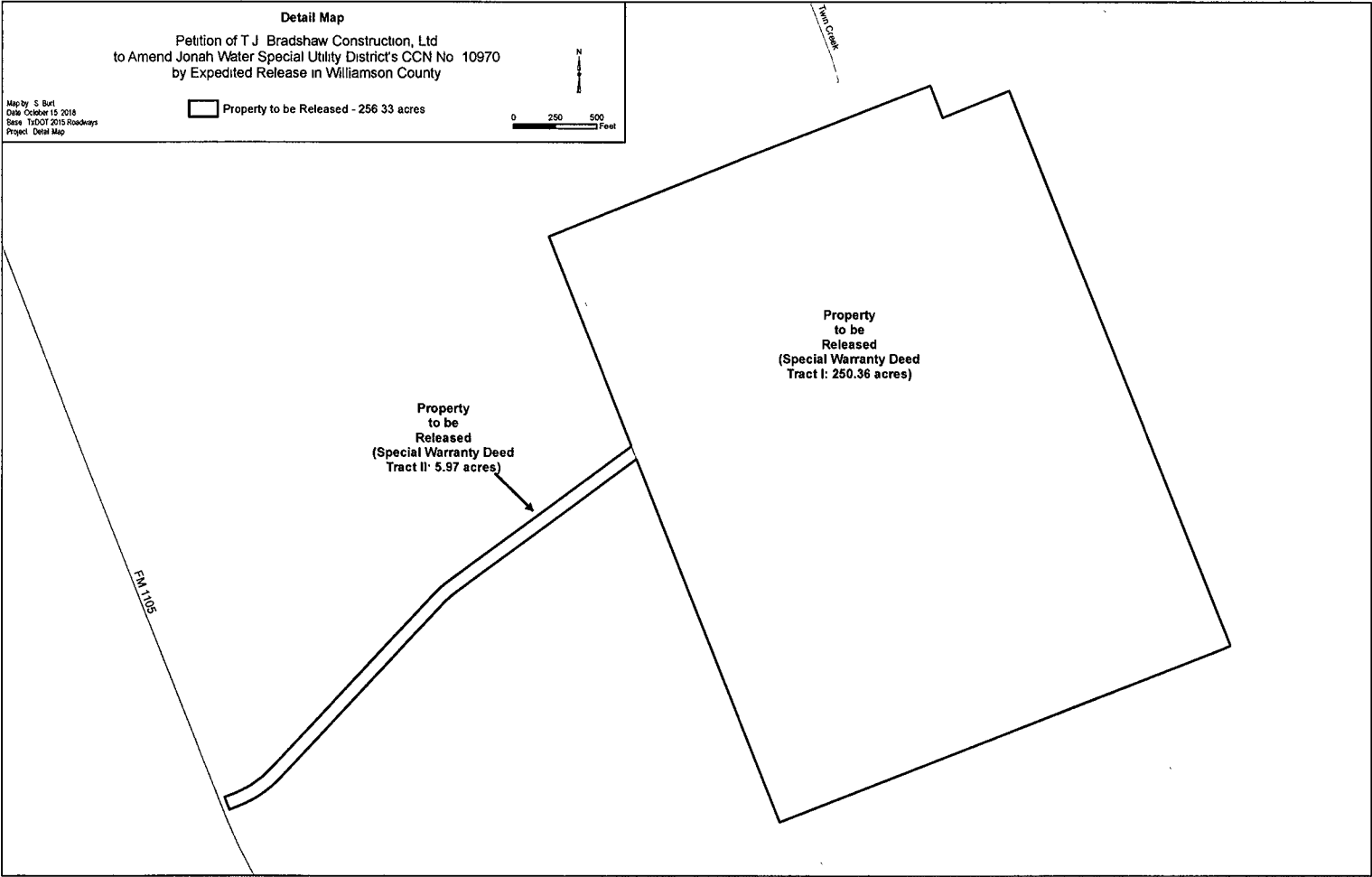
WILLIAM BROOCKS, Affiant

SWORN AND SUBSCRIBED to under oath by WILLIAM BROOCKS before the undersigned notary public on the 18th day of October 2018.




Notary Public in and for the State of Texas

**EXHIBIT D
MAPPING**



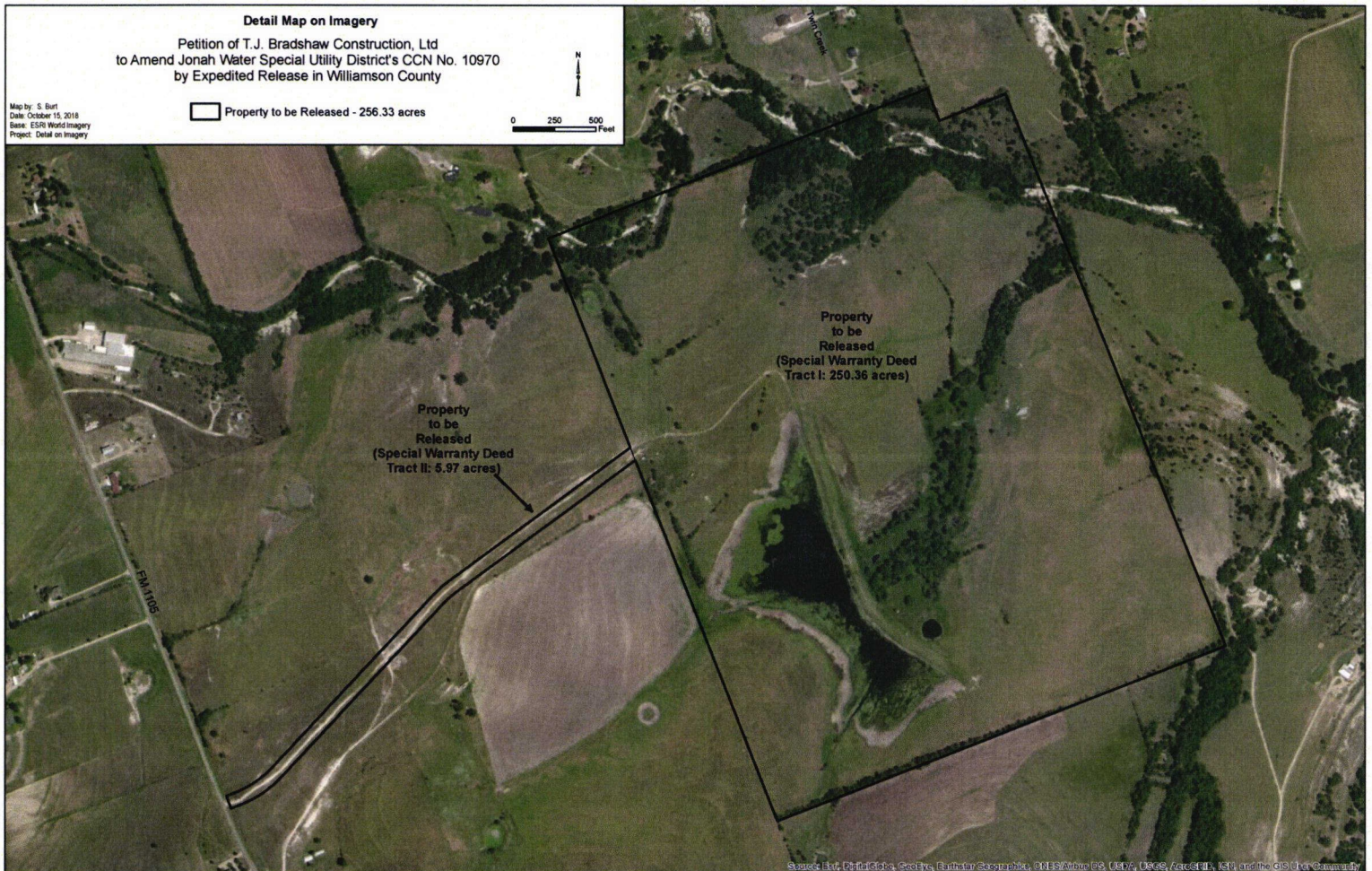
Detail Map on Imagery

Petition of T.J. Bradshaw Construction, Ltd
to Amend Jonah Water Special Utility District's CCN No. 10970
by Expedited Release in Williamson County

Map by: S. Bart
Date: October 15, 2018
Base: ESRI World Imagery
Project: Detail on Imagery

 Property to be Released - 256.33 acres

0 250 500 Feet



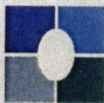
Source: ESRI, DeLorme, GeoEye, Aerial Photography, DigitalGlobe, GeoEye, Earthstar (United States), CNR, Aerimag, GeoEye, IGN, Aerospac, Aero, IGN, and the GIS User Community

PUC Docket No.

Petition of T.J. Bradshaw Construction, LTD.
For the Streamlined Expedited Release
of Property from Retail Water CCN No. 10970 and Sewer
CCN No. 21053 of Jonah Special Utility District

Attachments – Maps Required by SER Rules

RUSSELL
RODRIGUEZ
HYDE
BULLOCK
A TEXAS LIMITED LIABILITY PARTNERSHIP



Phone:
(512) 930-1317
Fax:
(866) 929-1641

Russell Rodriguez Hyde Bullock, LLP
1633 Williams Drive, Bldg. 2, Suite 200
Georgetown, Texas 78628