

Control Number: 49280



Item Number: 11

Addendum StartPage: 0

RECEIVED
DOCKET NO. 49280

2019 MAY -3 AM 10: 37

APPLICATION OF PREVILLAGE, LLC § PUBLIC UTILITY COMMISSION
FOR EXPEDITED RELEASE IN HARRIS § PUBLIC UTILITY COMMISSION
COUNTY § FILING CLERK OF TEXAS

Enclosed is the application for expedited release from HMW SUD CCN NO. 10342 for the property enclosed on behalf of Ahmet Ozan, General Partner of Previllage, LLC.

Yvette McNellie

Yvette McNellie
Quadvest, L.P.
26926 FM 2978
Magnolia, TX 77354
Telephone: 281-305-1124
Fax: 281-356-5382
yvette@quadvest.com

PETITION BY AHMET OZAN
FOR
RELEASE FROM WATER CCN NO. 10342
HELD BY HMW SUD

AFFIDAVIT OF AHMET OZAN IN SUPPORT OF PETITION FOR EXPEDITED RELEASE FROM WATER
CCN NO. 10342 HELD BY HMW SUD
PURSUANT TO SECTION 13.254(A-5), TEXAS WATER CODE

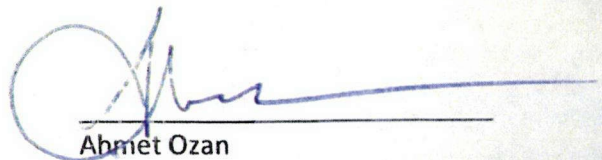
STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned notary, personally appeared Ahmet Ozan, General Partner at
Previllage, LLC, a person who is known to me. After administering an oath, the affiant testified that:

1. My name is Ahmet Ozan. 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 General Partner of Previllage, LLC, the petitioner in the above-captioned matter. Previllage, LLC owns approximately 50 acres of land (the "Property"), which is located within boundaries of Water CCN No. 10342 issued to HMW Special Utility District. The Property is located within Harris County, Texas and is over 25 acres in size. Attachment A is a true and correct copy of a map identifying the Property, its location, and the area of the CCN.
3. The Property is not receiving water service from HMW SUD or any other water service provider. Previllage, LLC has not requested water service from HMW SUD or paid any fees or charges to initiate or maintain water service, and there are no billing records or other documents indicating an existing account for the Property. I have reviewed surveys and deed records for the Property and there are no utility easements or other indication that any water lines or other facilities of HMW SUD located on the Property. I have visited the Property, and I have not observed, and am not aware of any work performed by HMW SUD to extend service to the Property.
4. I request that the Public Utility Commission of Texas release this Property from Water CCN NO. 10342.
5. I am a duly authorized representative of Previllage, LLC and am qualified to make this request on behalf of Previllage, LLC.

FURTHER AFFIANT SAYETH NOT.



Ahmet Ozan

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

Before me, a Notary Public, on this date personally appeared Ahmet Ozan who, after being by me first duly sworn on his oath, deposed and said that he is a duly authorized representative of Previllage, LLC

and known to be the person and officer whose name is subscribed on the foregoing instrument and acknowledged to me the same was the act of Previllage LLC and that he executed the same on behalf of Previllage LLC for the purpose of consideration therein expressed in the capacity stated therein.

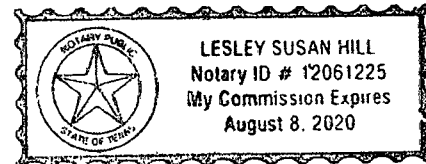
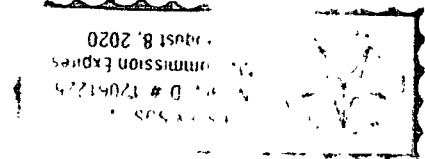
Given my hand and seal of office this 26th day of April, 2019.


Notary Public, State of Texas

cc:

HMW SUD
26726 Decker Prairie Rosehill RD
~~Magnolia, Texas 77354~~
Pinehurst 77362
Public Utility Commission
1701 N Congress
Austin, Texas 78711

Ahmet Ozan
For Previllage, LLC
109 Frontera Circle
The Woodlands, Texas 77382



WARRANTY DEED WITH VENDOR'S LIEN

Date:

October 20th, 2017

Grantor:

LARRY D. HIRSCH, Independent Executor of the Estate of WILBERT V. HIRSCH, Deceased, under Probate No. 444,112, in Probate Court No. 3 of Harris County, Texas

Grantor's Mailing Address:

438 HCR 3240
Hill County
Mount Calm, TX 76673

Grantee:

PREVILLAGE, LLC, a Texas Limited Liability Company

Grantee's Mailing Address:

109 Frontera Circle
Montgomery County
The Woodlands, TX 77382

Consideration:

A cash consideration paid to Grantor by Grantee, and Grantee's execution and delivery of a Promissory Note in the original principal sum of \$3,285,000.00, of even date therewith, executed by Grantee, and payable to the order of Grantor. The Note is secured by a by a first and superior Vendor's Lien and Superior Title retained in this Deed, and being additionally secured by a first-lien Deed of Trust of even date herewith from Grantee to Roland C. Kemp, Trustee.

Property:

A tract or parcel containing 49.422 acres or 2,152,833 square feet of land (more or less) situated in the J. Edwards Survey, Abstract No. 20, Harris County, Texas, being all of the residue of a called 50 acre tract of land conveyed to Wilbert and Leona Hirsch, recorded in Film Code No. C935333, Harris County Real Property Records, with said 49.422 acre tract being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof.

Reservations from Conveyance:

For Grantor and Grantor's heirs, successors, and assigns forever, a reservation of all 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.

Grantor waives 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.

RP-2017-469105

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.

Exceptions to Conveyance and Warranty:

Liens described as part of the Consideration and any other liens described in this Deed as being either assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; all rights, obligations, and other matters arising from and existing by reason of Harris County or other applicable governmental district, agency or authority; and taxes for 2017, which Grantee assumes and agrees to pay but not subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantor assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the 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 way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

The Vendor's Lien against and Superior Title to the Property are retained until the Note described is fully paid according to its terms, at which time this Deed will become absolute.

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

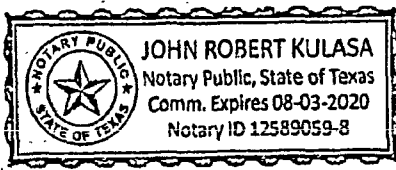


LARRY D. HIRSCH, Independent Executor of the Estate of WILBERT V. HIRSCH, Deceased, under Probate No. 444,112, in Probate Court No. 3 of Harris County, Texas

RP-2017-469105

STATE OF TEXAS :
 :
COUNTY OF HARRIS :

This instrument was acknowledged before me on this 20 day of October, 2017, by LARRY D. HIRSCH, as Independent Executor of the Estate of WILBERT V. HIRSCH, Deceased, under Probate No. 444,112, in Probate Court No. 3 of Harris County, Texas





NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING RETURN TO:

RP-2017-469105

EXHIBIT "A"

A TRACT OR PARCEL CONTAINING 49.422 ACRES OR 2,152,833 SQUARE FEET OF LAND SITUATED IN THE J. EDWARDS SURVEY, ABSTRACT NO. 20, HARRIS COUNTY, TEXAS, BEING ALL OF THE RESIDUE OF A CALLED 50 ACRE TRACT OF LAND CONVEYED TO WILBERT AND LEONA HIRSCH, RECORDED IN FILM CODE (F.C.) NO. C935333, HARRIS COUNTY DEED RECORDS (H.C.D.R.), WITH SAID 49.422 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83):

COMMENCING AT A CAPPED 5/8-INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" FOUND ON THE EAST R.O.W. LINE OF DECKER PRAIRIE-ROSEHILL ROAD (WIDTH VARIES), MARKING THE NORTHWEST CORNER OF A CALLED 1.2534 ACRE TRACT CONVEYED TO LARRY AND CINDY HIRSCH RECORDED IN H.C.C.F. NO. G921257, THE SOUTHWEST CORNER OF THE RESIDUE OF CALLED 51.901 ACRE TRACT OF LAND CONVEYED TO ELROY M. AND JO ANN K. HIRSCH, RECORDED IN F.C. NO. 20150060201, H.C.D.R.;

THENCE, NORTH 88 DEG. 08 MIN. 32 SEC. EAST, ALONG THE COMMON LINE OF SAID 1.2534 ACRE TRACT, AND SAID RESIDUE OF A CALLED 51.901 ACRE TRACT, A DISTANCE OF 258.87 FEET TO A 1/2 INCH IRON PIPE (BENT) FOUND MARKING THE NORTHEAST CORNER OF SAID 1.2534 ACRE TRACT AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 88 DEG. 08 MIN. 32 SEC. EAST, ALONG THE COMMON LINE OF SAID RESIDUE OF SAID 51.901 ACRE TRACT AND RESIDUE OF SAID 50 ACRE TRACT, A DISTANCE OF 1,039.58 FEET TO A 3/4 INCH IRON ROD FOUND ON THE WEST LINE OF THE RESIDUE OF A CALLED 5.1557 ACRE TRACT OF LAND CONVEYED TO ROBERT AND SUSAN BEELEY, RECORDED IN F.C. NO. L193024, H.C.D.R., MARKING THE SOUTHEAST CORNER OF SAID RESIDUE OF A CALLED 51.901 ACRES TRACT, THE NORTHEAST CORNER OF SAID RESIDUE OF A CALLED 50 ACRE TRACT AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 01 DEG. 35 MIN. 55 SEC. EAST, ALONG THE COMMON LINE OF SAID RESIDUE OF A CALLED 5.1557 ACRE TRACT, A CALLED 1.000 ACRE TRACT OF LAND CONVEYED TO ROBERT AND SUSAN BEELEY, RECORDED IN F.C. NO. N762998, H.C.D.R., THE RESIDUE OF A CALLED 4.573 ACRE TRACT OF LAND CONVEYED TO ROBERT AND SUSAN BEELEY, RECORDED IN F.C. NO. X949368, H.C.D.R., A CALLED 2.284 ACRE TRACT OF LAND CONVEYED TO KENNETH & BECKY ANN CURRIE, RECORDED IN F.C. NO. W479287, H.C.D.R., A CALLED 4.4512 ACRE TRACT OF LAND CONVEYED TO MICHAEL W. HOFFMAN, RECORDED IN F.C. NO. 20120485975, H.C.D.R., A CALLED 99.2669 ACRE TRACT CONVEYED TO RODNEY IRL, STEPHEN LEE, MELVIN MAX, KENNETH WAYNE, AND KATHLEEN ANN MOHNKE RECORDED IN H.C.C.F. NO. 20150005674 AND SAID RESIDUE OF A CALLED 50.671 ACRE TRACT, A DISTANCE OF 1,728.52 FEET TO A 5/8-INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID RESIDUE OF A CALLED 50.671 ACRE TRACT AND THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 88 DEG. 09 MIN. 20 SEC. WEST, ALONG THE COMMON LINE OF SAID RESIDUE OF A CALLED 50 ACRE TRACT AND SAID 99.2669 ACRE TRACT, A DISTANCE 1,255.67 FEET TO A 5/8-INCH IRON ROD FOUND ON THE EAST R.O.W. LINE OF SAID DECKER PRAIRIE-ROSEHILL ROAD, MARKING THE SOUTHWEST

RP-2017-469105

CORNER OF SAID RESIDUE OF A CALLED 50 ACRE TRACT AND THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 03 DEGREES, 01 MINUTES 01 SECONDS WEST, ALONG THE EAST R.O.W. LINE OF SAID DECKER PRAIRIE - ROSEHILL ROAD, A DISTANCE OF 1,519.20 FEET TO A 1-INCH IRON PIPE FOUND FOR THE SOUTHWEST CORNER OF SAID 1.2534 ACRE TRACT, AND A NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 88 DEG. 14 MIN. 20 SEC. EAST, ALONG THE SOUTH LINE OF SAID 1.2534 ACRE TRACT, A DISTANCE OF 260.12 FEET TO A CAPPED 5/8-INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING THE SOUTHEAST CORNER OF SAID 1.2534 ACRE TRACT AND AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 03 DEG. 21 MIN. 16 SEC. WEST ALONG THE EAST LINE OF SAID 1.2534 ACRE TRACT, A DISTANCE OF 209.83 FEET TO THE PLACE OF BEGINNING AND CONTAINING 49.422 ACRES OR 2,152,833 SQUARE FEET OF LAND.

Note: The Company is prohibited from insuring the area or quantity of the Land. Any statement in the legal description contained in Schedule A as to area or quantity of land is not a representation that such area or quantity is correct but is for informal identification purposes and does not override Item 2 of Schedule B hereof.

RP-2017-469105

RP-2017-469105

RP-2017-469105
Pages 6
10/25/2017 01:29 PM
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


CF# 17-1381
Solution Title Agency

GENERAL WARRANTY DEED

Date:

October 20, 2017

Grantor:

 LARRY D. HIRSCH and wife,
CINDY HIRSCH
CYNTHIA C. Calkins

Grantor's Mailing Address:

438 HCR 3240
Hill County
Mount Calm, TX 76673

Grantee:

PREVILLAGE, LLC, a Texas Limited
Liability Company

Grantee's Mailing Address:

109 Frontera Circle
Montgomery County
The Woodlands, TX 77382

Consideration:

The sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

Property:

BEING 1.2534 acres of land (more or less) in the John H. Edwards Survey, Abstract 20, Harris County, Texas, and being out of the Wilbert Hirsch 51.901 acre tract out of that certain 103.6 acre tract described in deed recorded in Volume 285, Page 491-492 Deed Records Harris County, Texas; said 1.2534 acres being more particularly described as follows:

BEGINNING at an iron rod marking the Northwest corner said 51.901 acre tract in the East line of the Rosehill-Decker Prairie Road;

THENCE East 260.00 feet along North line said 51.901 acre tract to iron rod for corner;

THENCE South 210.00 feet to iron rod for corner;

THENCE West 260.00 feet to iron rod for corner in East line Rosehill-Decker Prairie Road;

THENCE North 210.00 feet along East line said Rosehill-Decker-Prairie Road to PLACE OF BEGINNING and containing 1.2534 acres of land.

RP-2017-468611

Reservations from Conveyance:

For Grantor and Grantor's heirs, successors, and assigns forever, a reservation of all 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.

Grantor waives 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.

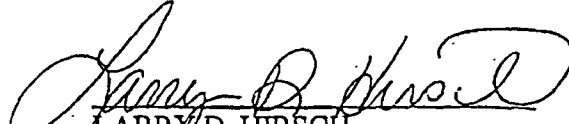
Nothing herein, however, restricts or prohibits the pooling or unitization of the portion of the mineral estate owned by Grantor with land other than the Property; or the exploration or production of the oil, gas, and other minerals by means of wells that are drilled or mines that open on land other 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.

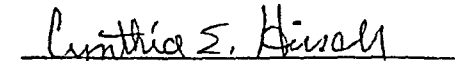

Exceptions to Conveyance and Warranty:

Liens described as part of the Consideration and any other liens described in this Deed as being either assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; all rights, obligations, and other matters arising from and existing by reason of Harris County or other applicable governmental district, agency or authority; and taxes for 2017, which Grantee assumes and agrees to pay but not subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantor assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the 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 way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

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


LARRY D. HIRSCH



CYNTHIA S. HIRSCH
CYNTHIA 

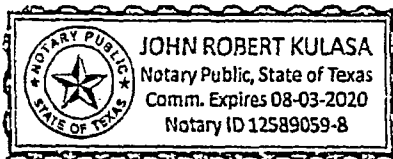
STATE OF TEXAS

:
:
:

COUNTY OF HARRIS

This instrument was acknowledged before me on this 20 day of October, 2017, by
LARRY D. HIRSCH and wife, ~~CINDY~~ HIRSCH.

Cynthia 




NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING RETURN TO:
Larry D. and Cynthia Hirsch
438 HCR 32 & D
Mount Calm, TX 76673

RP-2017-468611

RP-2017-468611

RP-2017-468611

Pages 4

10/25/2017 11:03 AM

e-Filed & e-Recorded in the

Official Public Records of

HARRIS COUNTY

STAN STANART

COUNTY CLERK

Fees \$24.00

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

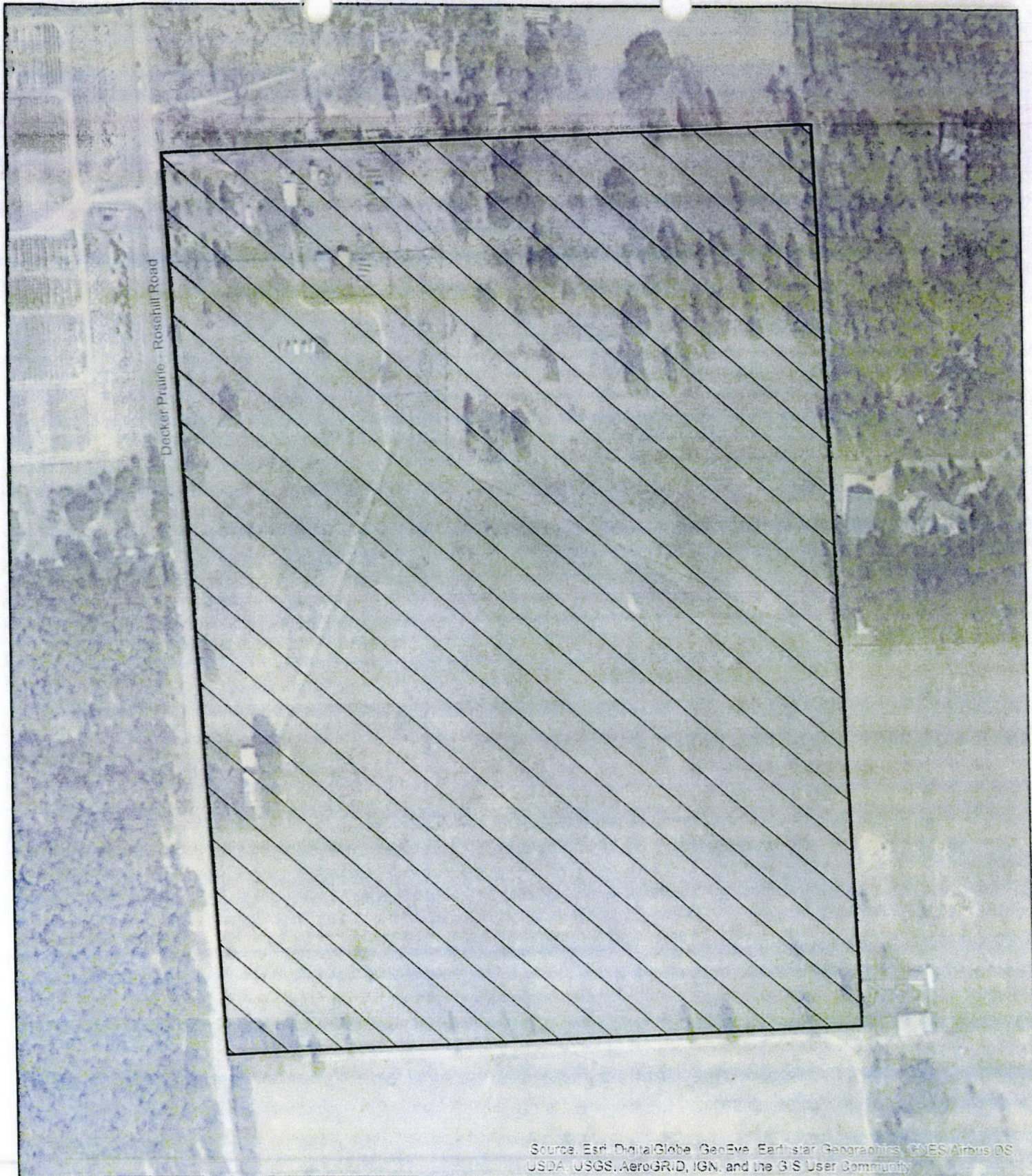
COUNTY OF HARRIS

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.



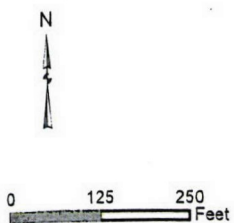
Stan Stanart


COUNTY CLERK
HARRIS COUNTY, TEXAS



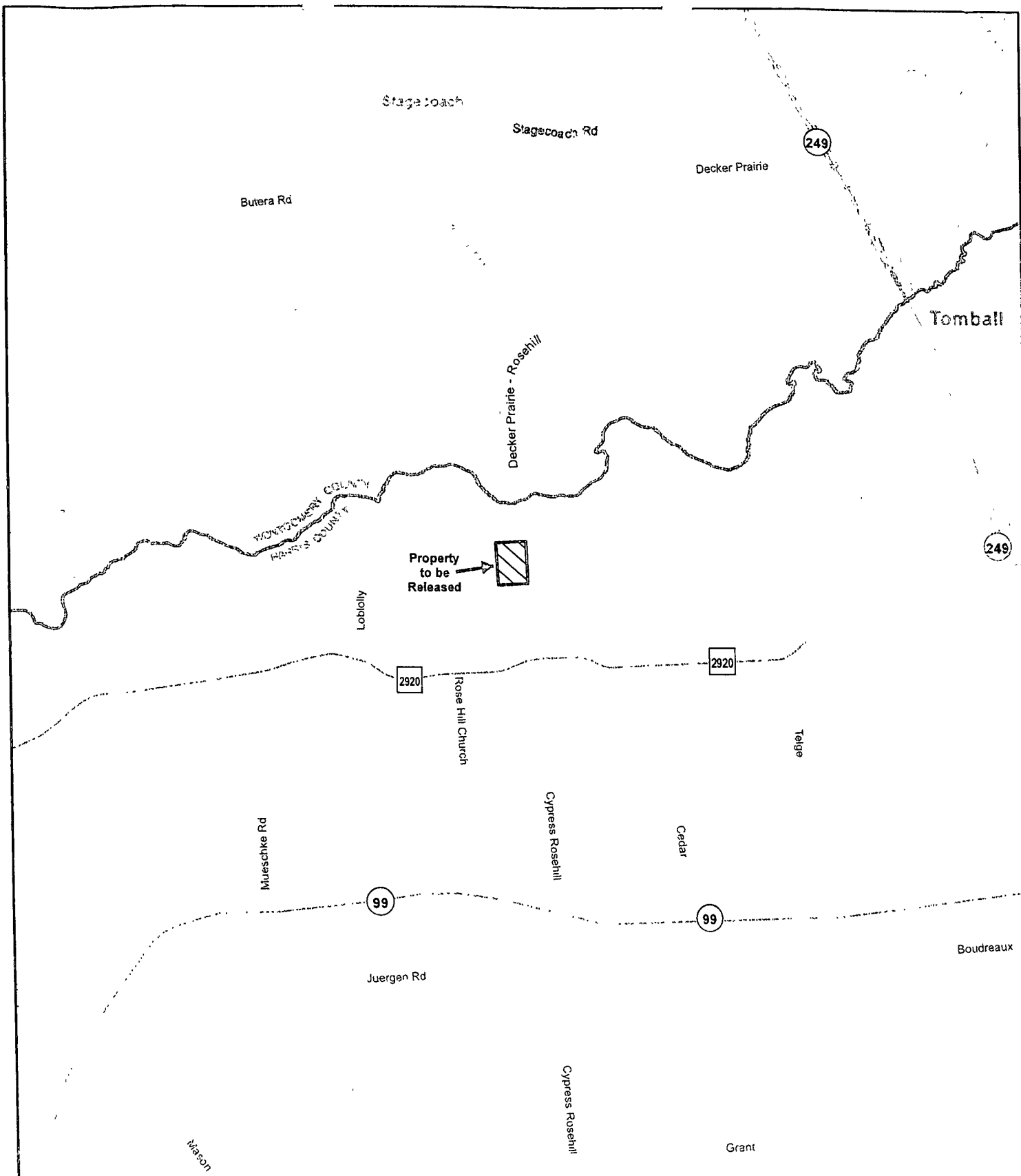
Detail Map on Imagery

Petition to Amend H-M-W Special Utility district, CCN No. 10342
by Expedited Release in Harris County



 Property to be Released - 50.67 acres

Map by: S. Burt, ASBGI
Date: Jan. 31, 2019
Base: ESRI World Imagery
Project: SER Detail Map on Imagery



General Location

Petition to Amend H-M-W Special Utility District, CCN No. 10342
by Expedited Release in Harris County



Property to be Released - 50.67 acres



0 0.5 1 Miles

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®

PINEHURST, TX 77362

Certified Mail Fee	\$3.50	0381
Extra Services & Fees (check box, add fee as appropriate)		07
<input type="checkbox"/> Return Receipt (hard copy)	\$2.20	
<input type="checkbox"/> Return Receipt (electronic)	\$1.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$3.00	
<input type="checkbox"/> Adult Signature Required	\$3.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$3.00	
Postage	\$1.45	
Total Postage and Fees	\$7.75	

Sent To **HMW SUP**
 Street and apt. No. or PO Box No. **26726 Decker Prairie**
 City, State, ZIP+4® **Pinehurst, TX 77362**

PS Form 3800, April 2015 PSN 7530-02-000-9041 See Reverse for Instructions

7015 1520 0002 0592 7956

Postmark
 Here
 APR 29 2019
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