



Control Number: 49691



Item Number: 26

Addendum StartPage: 0

APPLICATION OF PERRY WATER  
SUPPLY CORPORATION AND TRI-  
COUNTY SPECIAL UTILITY DISTRICT  
FOR SALE, TRANSFER, OR MERGER  
OF FACILITIES AND CERTIFICATE  
RIGHTS IN FALLS, MCLENNAN,  
ROBERTSON, AND LIMESTONE  
COUNTIES

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PUBLIC UTILITY COMMISSION  
OF TEXAS

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### REPORT OF COMPLETION OF SALE & TRANSFER

**COMES NOW** Tri-County Special Utility District ("Tri-County SUD") by and through its attorney and provides the following:

Tri-County SUD and Perry WSC have now completed the transfer of all assets and facilities. On May 13, 2020, a Bill of Sale and Warranty Deed was duly recorded in the Falls County Clerk's office and a copy is attached as Exhibit "A". Further, as of May 18, 2020 all service is now being provided by Tri-County SUD to Perry WSC former customers. All deposit and funds were transferred to Tri-County SUD as certified by affidavit by Perry WSC President, Louis Schraeder on May 21, 2020. The Affidavit is attached as Exhibit "B".

Applicants respectfully request that the Commission find that the transaction is completed, consummated and transfer Perry WSC certificate of convenience and necessity to Tri-County SUD.

Respectfully submitted,

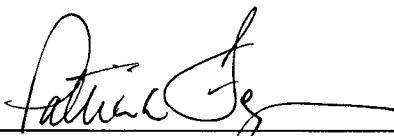
Patricia Ferguson & Associates LLC  
815 West 5th Street  
Clifton, Texas 76634-1519  
Tel: (254) 675-8663  
Fax: (254) 675-4567

By: \_\_\_\_\_

Patricia Ferguson  
State Bar No. 06918400  
pferguson@bosquelaw.com  
Attorney for Tri-County Special Utility  
District

### **CERTIFICATE OF SERVICE**

I certify that a true and correct copy of this **Report of Completion of Sale & Transfer** has been forwarded to the Public Utility Commission of Texas Legal Division by email via [eleanor.dambrosio@puc.texas.gov](mailto:eleanor.dambrosio@puc.texas.gov) on this 5th day of June, 2020.

  
\_\_\_\_\_  
Patricia Ferguson

## Exhibit "A"

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### Bill of Sale and Warranty Deed

**Seller:** Perry Water Supply Corporation, 4640 State Highway 6, Riesel, Texas 76682

**Buyer:** Tri-County Special Utility District, P. O. Box 976, Marlin, Texas 76661

**Real Property (including improvements):** Part of Block No. Twenty-three (23) in the Town of Perry, Falls County, Texas, being more particularly described in Exhibit "A," attached hereto and incorporated for all purposes.

#### Transferred Properties:

All items of personal property, both tangible and intangible (excluding cash), affixed or attached to, or placed or situated on, or used or acquired in any way whatever in connection with the completion and comfortable use, enjoyment, occupancy, or operation of the service area, including, without limitation, the following:

1. All equipment, supplies, fixtures, appliances, records, and licenses related to the water distribution system located on the Real Property and being operated under Public Water System by the name of Perry Water Supply Corporation.
2. All equipment, furniture, building supplies, appliances, and fixtures owned by Seller and located in or on or used in connection with the Real Property or the operations thereon.
3. All of Seller's interest in all use, occupancy, building, and operating permits, if any, and all licenses and approvals issued from time to time with respect to Perry Water Supply Corporation.
4. All of Seller's interest in and to all existing and assignable guarantees and warranties, express or implied, if any, issued in connection with the construction, alteration, and repair of the Real Property and the purchase, installation, and repair of the Transferred Properties, to the extent that such guarantees and warranties are known to and in the possession of Seller.
5. All of Seller's easements, rights of way, or interests in real property, whether of record or implied.
6. All rights Seller may have, if any, to any customer data, telephone numbers and listings, post office boxes, all master keys and keys to facilities, all goodwill, if any, and all other rights, privileges, and appurtenances owned by Seller and in any way related to or used in connection with the existing business operation of the Real Property.
7. All customer funds and deposits held by reason of Water service provided to the customer.

Consideration: ten dollars (\$10.00) and other good and valuable consideration

## Exhibit "A"

Seller is conveying the Real Property to Buyer by warranty deed. As part of this transaction, Seller desires to transfer all the Transferred Properties to Buyer.

For the Consideration, Seller transfers to Buyer the Transferred Properties.

To have and to hold the Transferred Properties to Buyer and Buyer's heirs, successors, and assigns forever. Seller binds Seller and Seller's heirs and successors to warrant and forever defend all and singular the Transferred Properties to Buyer and Buyer's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Seller but not otherwise, subject to the Exceptions to Transfer and Warranty.

Seller appoints Buyer and Buyer's heirs, successors, and assigns as Seller's agent to act for Seller in any lawful way in the exercise of the claims and litigation powers described in section 752.110 of the Texas Estates Code, or its successor, as amended, with respect to the Transferred Properties or the properties intended to be transferred by this bill of sale. This is a special power coupled with an interest and is irrevocable.

Seller agrees to execute and deliver any additional documents and to perform any additional acts reasonably necessary or appropriate to carry out the intent of this bill of sale in transferring the Transferred Properties to Buyer, including but not limited to the execution of documents that may be required by the Public Utility Commission of Texas and the Texas Commission on Environmental Quality.

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

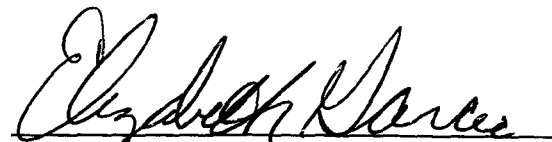
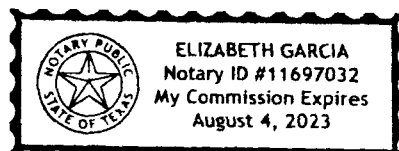


**Louis Schroeder**  
**President of Perry WSC**

STATE OF TEXAS

COUNTY OF FALLS

This instrument was acknowledged before me on April 16, 2020,  
by **Louis Schroder, President of Perry Water Supply Corporation.**

  
Notary Public, State of Texas

**PREPARED BY:**

Patricia Ferguson & Associates LLC  
815 W. 5<sup>th</sup> Street  
Clifton, Texas 76634

## Exhibit "A"

All of the following described real property situated in Falls County, Texas, to-wit:

### Tract 1:

BEGINNING at a stake N 89° E, a distance of 293 feet from the intersection of the South line of Walker Street with the West line of said Block 23;

THENCE N 89° E along the said South line of Walker Street, a distance of 50 ft. to a stake.

THENCE S 3° 02' E, a distance of 80 ft. to a stake;

THENCE S 89° W, a distance of 50 ft. to a stake;

THENCE N 3° 02' W, a distance of 80 ft. to the place of beginning.

### Tract 2:

BEGINNING at the NE corner of the lot conveyed to Perry Water Supply Corporation, by deed dated January 16, 1964, and recorded in Vol. 255, Page 421, of the Falls County Deed Records;

THENCE S 3 deg. 2 min. E 80 ft. to stake;

THENCE S 89 W 40 ft. to the SE corner of said lot;

THENCE N 3 deg. 2 min. W to the place of beginning.

### Tract 3:

BEGINNING at the NW corner of the lot described in a deed to Perry Water Supply Corporation recorded in Vol. 255, Page 421 of the Falls County Deed Records;

THENCE S 3°2' E to the Perry-Otto Road;

THENCE N 57 E with said road to the south line of Walker Street;

THENCE S 89 W with said street to the PLACE OF BEGINNING.

The tract described above includes tracts owned by Perry Water Supply Corporation.



STATE OF TEXAS                      COUNTY OF FALLS  
I hereby certify that this instrument was  
filed in the public office and recorded hereon to wit  
and was duly recorded in the volume and page  
in Office: Public Records of Falls County  
Falls County                      Page 121210 of 101210

## Exhibit "B"

### Affidavit

STATE OF TEXAS

COUNTY OF \_\_\_\_\_

Before me, the undersigned authority, on this day personally appeared Louis Schroeder, on behalf of Perry Water Supply Corporation, who, after being duly sworn, deposed and stated as follows:

"I am Louis Schroeder, an adult residing at 129 CR 176, Marlin, Falls County, Texas 76661.

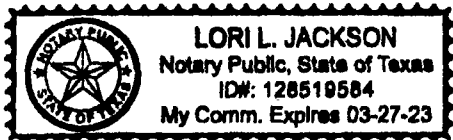
"This affidavit concerns the Sale, Merger, Transfer transaction from Perry Water Supply Corporation to Tri-County Special Utility District.

"I certify that all deposit funds and assets formerly held by Perry Water Supply Corporation have been transferred to Tri-County Special Utility District, that all necessary closing documents have been executed, and that the transaction has been consummated."



Louis Schroeder, President  
Perry Water Supply Corporation

Sworn to and subscribed before me by Louis Schroeder on May 21st 2020, 2020, to certify which witness my hand and seal of office.



  
Notary Public, State of Texas