



Control Number: 49863



Item Number: 1

Addendum StartPage: 0

49863

PUC DOCKET NO. _____

PETITION BY ALAMO MISSION LLC §
 FOR STREAMLINED §
 EXPEDITED RELEASE §
 FROM ROCKETT SPECIAL §
 UTILITY DISTRICT CCN NO. 10099 §
 IN ELLIS COUNTY §

RECEIVED
 2019 OCT 15 AM 11:50
BEFORE THE
PUBLIC UTILITY COMMISSION

OF TEXAS

PETITION FOR STREAMLINED EXPEDITED RELEASE

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

COMES NOW, ALAMO MISSION LLC, a Delaware limited liability company ("Petitioner"), authorized to do business in Texas, and files this petition with the Public Utility Commission of Texas ("Commission") for Streamlined Expedited Release from Rockett Special Utility District's Certificate of Convenience and Necessity ("CCN") No. 10099 pursuant to Texas Water Code §13.254(a-5) and 16 Texas Administrative Code ("TAC") §24.245(l) ("Petition"), and in support thereof would show as follows:

I.
LEGAL AUTHORITY

Petitioner files this Petition seeking the streamlined expedited release of property owned by Petitioner in Ellis County, Texas, from retail water CCN No. 10099 held by Rockett Special Utility District. Pursuant to Texas Water Code §13.254(a-5) and 16 TAC §24.245(l), the owner of a tract of land that is at least 25 acres and that is not receiving service may petition the Commission for a streamlined expedited release of the area from water and sewer CCNs and is entitled to release if the property is located in qualifying counties. Under Texas Water Code §13.254(a-6), the Commission shall grant a petition received pursuant to Subsection (a-5) no later than the 60th day after the date the landowner files the petition. The Commission's rule at 16 TAC

§24.245(l)(6) provides that the petition shall be granted no later than the 60th calendar day after the petition is declared administratively complete.

As fully set out herein, Petitioner meets the legal criteria supporting the requested release.

II. DECERTIFICATION REQUEST

The property subject to the Petition is approximately 167 contiguous acres in Ellis County and specifically described as follows (the "Property"):

Being a 166.594 acre tract of land situated in the Edmund Sherly Survey, Abstract No. 1013 and the Benjamin E. Frazier Survey, Abstract No. 371, in the City of Red Oak, Ellis County, Texas, being more specifically described in the Special Warranty Deed attached to this Petition.

The Property is one tract of land, and comprises the entirety of the property described in the Special Warranty Deed attached to this Petition, as Exhibit "D".

The Property is owned by Petitioner, Alamo Mission LLC. The entirety of the Property is located within the boundary of water CCN No. 10099 held by Rockett Special Utility District.

None of the Property receives water service from Rockett Special Utility District, or from any other retail public utility. Petitioner states that, after investigation and due inquiry, (a) Rockett Special Utility District has no facilities in place that would be impacted by the removal of the Property from its CCN, (b) no property of Rockett Special Utility District will be rendered useless or valueless by the decertification, and (c) therefore no compensation is due to Rockett Special Utility District due to the Petition and decertification.

Moreover, on the date this Petition was filed with the Commission, a true and correct copy of the Petition was mailed to Rockett Special Utility District by certified mail, return receipt requested, pursuant to Texas Water Code §13.254 and 16 TAC §24.245(l)(4)A(vi).

All of the criteria set forth in the Texas Water Code and Commission rules entitling Petitioner to a release of the Property from CCN No. 10099 have been met. More specifically, the Property:

- a. is owned by Petitioner;
- b. is more than 25 acres;
- c. is not receiving water service;
- d. is within water CCN No. 10099 held by Rockett Special Utility District; and
- e. is located in Ellis County, which is a qualifying county under the criteria set forth in Texas Water Code §13.254(a-5) and 16 TAC §24.245(1)(2)(D).

III. PETITIONER INFORMATION

Petitioner is Alamo Mission LLC, a Delaware limited liability company, authorized to do business in Texas. Petitioner's legal name is "Alamo Mission LLC" and conducts business under the assumed name "Alamo Mission LLC, a Delaware limited liability company." Exhibit E, contains the current entity details for the Petitioner from the Texas Secretary of State Business Organization website, including filing number, tax ID and formation date, and that information is current and correct. Petitioner is in good standing to do business in Texas.

IV. EXHIBITS

In support of the Petition, Petitioner has attached the following documents:

- Exhibit A - Affidavit supporting the key facts in the Petition.
- Exhibit B - General location map identifying the tract of land in reference to the nearest county boundary, city, or town. 16 TAC §24.245(m)(1)(A).
- Exhibit C1 - Detailed map identifying the tract of land in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads. 16 TAC §24.245(m)(1)(B).

- Exhibit C2 - Metes-and-bounds survey sealed by a licensed state land surveyor or registered professional land surveyor. 16 TAC §24.245(m)(1)(C).
- Exhibit D - Special Warranty Deed demonstrating ownership of the Property by Petitioner.
- Exhibit E - Legal Name and entity details for Petitioner from the Texas Secretary of State Business Organization website.
- Exhibit F - CD containing Shape Files in the GIS format used by the Commission.
- Exhibit G - Proof of Mailing confirming a copy of the Petition was sent to Rockett Special Utility District, the current CCN holder, via certified mail on the day of filing.

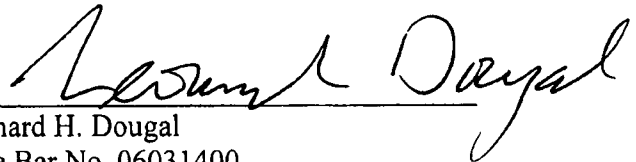
V.

CONCLUSION AND PRAYER

Petitioner is entitled to the streamlined expedited release of the Property described herein because the Petition meets all of the criteria in Texas Water Code §13.254(a-5) and 16 TAC §24.245(l). Petitioner respectfully request that the Commission grant this Petition and issue an order, or notice of approval, under the authority of Texas Water Code §13.254(a-5) releasing the entirety of the Property from CCN No. 10099 held by Rockett Special Utility District, and determining that no property has been rendered useless or valueless by the decertification.

Respectfully submitted,

JACKSON WALKER L.L.P.



Leonard H. Dougal
State Bar No. 06031400
Ali Abazari
State Bar No. 00796094
100 Congress Avenue, Suite 1100
Austin, Texas 78701
Telephone: (512) 236-2000
Facsimile: (512) 391-2112
Email: ldougal@jw.com

ATTORNEYS FOR ALAMO MISSION LLC

CERTIFICATE OF SERVICE

I hereby certify by my signature below, that on the 16th day of August, 019, a true and correct copy of the foregoing Petition for Streamlined Expedited Release was:

- (i) electronically and manually filed with the Commission pursuant to 16 TAC §22.74;
and
- (ii) sent via postage prepaid Certified Mail to provide Notice of the Petition to representatives of the Holder of CCN No. 10099, pursuant to Texas Water Code §13.254, and 16 TAC §24.245(l)(3)(A)(vi).

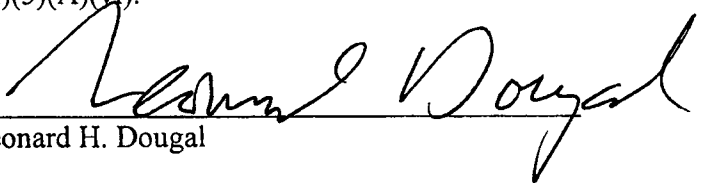

Leonard H. Dougal

EXHIBIT A

Affidavit

PUC DOCKET NO. _____

PETITION BY ALAMO MISSION LLC	§	BEFORE THE
FOR STREAMLINED	§	
EXPEDITED RELEASE	§	PUBLIC UTILITY COMMISSION
FROM ROCKETT SPECIAL	§	
UTILITY DISTRICT CCN NO. 10099	§	
IN ELLIS COUNTY	§	OF TEXAS

AFFIDAVIT OF DAVID THOMAS

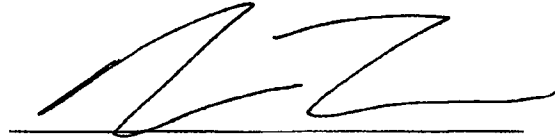
David Thomas, having been duly sworn by the undersigned authority, does state under oath the following:

1. My name is David Thomas. I am over the age of 18 and competent to make this affidavit. I have personal knowledge of the facts stated in this affidavit and they are true and correct.
2. I give this affidavit in my capacity as Manager and I am an authorized representative of Alamo Mission LLC, a Delaware limited liability company. My business address is 2801 Centerville Road 1st Fl., PMB 811 Wilmington DE, 19808.
3. The property, that is the subject of the Petition to which this Affidavit is attached, is owned by Alamo Mission LLC and is approximately 166.594 acres, more or less (the "Property"). The Property is located in Ellis County, Texas, and is within water CCN No. 10099 held by Rockett Special Utility District.
4. Based upon my knowledge of the Property, after investigation and due inquiry, the Property is undeveloped land and not currently receiving, nor has it received or was provided, water service from Rockett Special Utility District, or any other retail water provider. Moreover, no fees or charges to initiate or maintain water service have been paid to Rockett Special Utility District, no water service meters exist on the Property, and there are no billing records or other documents indicating an existing account related to the provision of water service for the Property.
5. Exhibits B, C-1 and C-2 to the Petition are true and correct copies of maps identifying the Property, and its location, and a current the metes and bounds description of the Property.
6. Exhibit D to the Petition contains a true and correct copy of the Special Warranty Deed demonstrating that the Property is owned by Petitioner.
7. Finally, Exhibit E provides the current details on the legal name and entity details for the Petitioner, as found in the official records of the Texas Secretary of State.

8. On behalf of the Petitioner, I request that the Commission release the Property from water CCN No. 10099 of Rockett Special Utility District.

FURTHER AFFIANT SAYETH NOT.

SIGNED this 15th day of August, 2019.

A handwritten signature in black ink, appearing to be 'DT', written over a horizontal line.

DAVID THOMAS

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Santa Clara)

On Aug 15, 2019 before me, Virginia Leano Guerrero, Notary Public
(insert name and title of the officer)

personally appeared David Thomas
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)

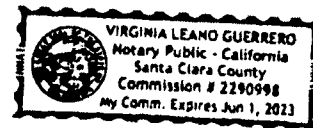


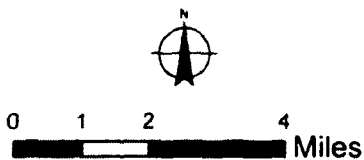
EXHIBIT B

General Location Map

Application Exhibit
Attachment

Requested Area for Release
Water CCN Only

- Streamlined Expedited Release (SER) -
Requested Area for Release
Rockett SUD Water CCN No.10099



Requested Areas for Release are north
of E Ovilla Rd along N Central Blvd
near the City of Red Oak

Legend - 1" = 14,000'

Requested Area for Release

EXHIBIT C-1

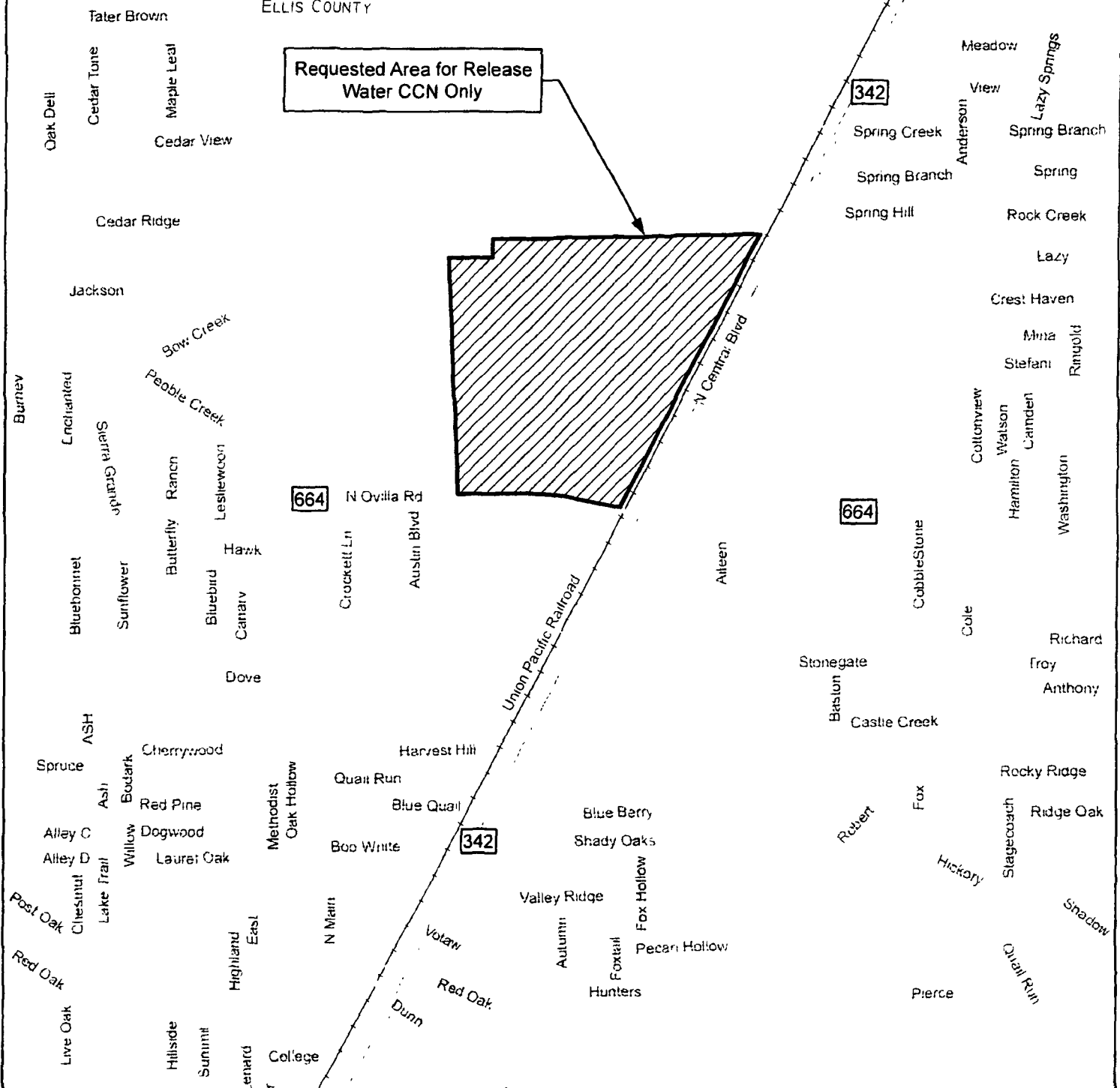
Detailed Map

Application Exhibit

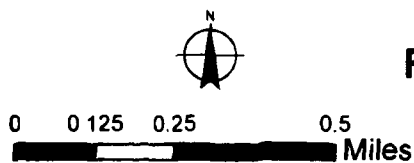
Attachment

Houston School
DALLAS COUNTY
ELLIS COUNTY

**Requested Area for Release
Water CCN Only**



**- Streamlined Expedited Release (SER) -
Requested Area for Release
Rockett SUD Water CCN No.10099**



August 1, 2019

Requested Areas for Release are north
of E Ovilla Rd along N Central Blvd
near the City of Red Oak

Ellis County, TX

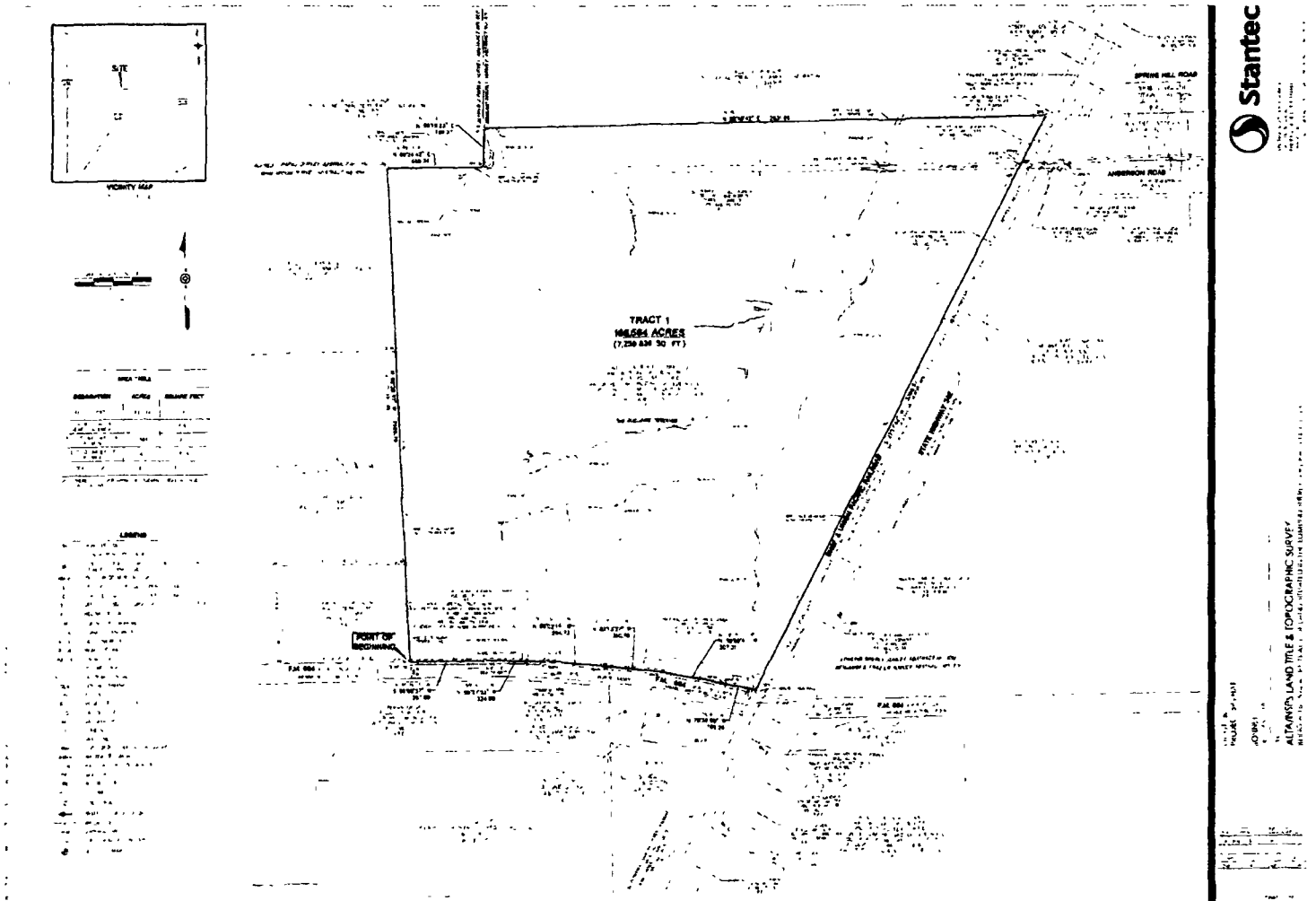
Legend - 1" = 1,500'

Requested Area for Release

13

EXHIBIT C-2

Metes-and-bounds Survey



ATLAS/PLAND TIRE & TOPOGRAPHIC SURVEY
REVISION 1.0
DATE 10/16/19
BY [Signature]

EXHIBIT D

Vesting Deed

FILED FOR RECORD
 KRYSTAL VALDEZ
 ELLIS COUNTY CLERK

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

Walton Red Oak Crossing, LP, a Texas limited partnership, Walton Texas, LP, a Texas limited partnership, and William Doherty, as Special Signatory Co-Trustee of the CHIONH, PHILIP KA-WEI RED OAK CROSSING REVOCABLE TRUST (collectively, "Grantors"), for the consideration hereinafter stated, do GRANT, SELL, AND CONVEY unto Alamo Mission LLC, a Delaware limited liability company ("Grantee"), the following described real property, together with all improvements thereon, situated in the City of Red Oak, Ellis County, Texas (the "Property"):

Being a 166.594 acre tract of land situated in the EDMUND SHERLY SURVEY, ABSTRACT NO. 1013 and the BENJAMIN E. FRAZIER SURVEY, ABSTRACT NO. 371, in the City of Red Oak, Ellis County, Texas, being all of a called 166.59 acre tract of land designated as "Tract II" in a Special Warranty Deed to Walton Texas, LP (5% interest) recorded in Volume 2603, Page 1266, Official Public Records of Ellis County, Texas, and described in Special Warranty Deeds to Walton Red Oak Crossing, LP (95% interest) recorded in Volume 2604, Page 461, Volume 2605, Page 826, Volume 2606, Page 1744, Volume 2608, Page 2014, and Volume 2608, Page 2023, Official Public Records of Ellis County, Texas, said 166.594 acre tract being more particularly described on Exhibit "A" attached hereto and made a part hereof for all purposes;

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, Grantee's successors and assigns, forever.

And Grantors do hereby bind Grantors and Grantors' successors to WARRANT AND FOREVER DEFEND, all and singular, the Property unto Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, by, through, or under Grantors (or either of them), but not otherwise, subject however, to the Permitted Encumbrances set forth on Exhibit "B" attached to and incorporated in this Deed by reference. Grantee assumes the payment of ad valorem taxes and assessments for the current year and for subsequent years, and rollback taxes and other subsequent taxes and assessments for that and prior years due to change in land usage, ownership, or both.

The consideration for this conveyance, receipt of which Grantors acknowledge, is \$10.00 and other valuable consideration paid to Grantors for which no lien either express or implied is retained.

For the same consideration, Grantors hereby GRANT, SELL, CONVEY, ASSIGN, AND DELIVER to Grantee, only to the extent pertaining to the Property, and if pertaining to the Property and other real property, only as to a non-exclusive basis with such other property, all right, title and interest, if any, of Grantors, as owners of the Property but not as owners of any other property, in and to (i) strips or gores, if any, between the Property and abutting properties, but only to the midpoint thereof, if such strips and gores also abut property that is owned by Grantors or any affiliate of Grantors, (ii) any land lying in or under the bed of any street, alley, road or right-of-way, opened or proposed, abutting or adjacent to the Property, but only to the midpoint thereof, if such streets, alleys, road or other rights-of-way also abut property that is owned by Grantors or any affiliate of Grantors, (iii) any easements, rights of way, rights of ingress and egress or other interests in, on, or to, any land, highway, street, road or avenue, open or proposed, in, on, across from, in front of, abutting, adjoining or otherwise appurtenant to the Property, as well as all other rights, privileges and appurtenances owned by Grantors and in any way related to the Property and other rights and interests of Grantors hereunder conveyed, and (iv) all oil, gas, hydrocarbons and minerals in, on, under or that may be produced from the Property.

EXCEPT AS EXPRESSLY SET FORTH HEREIN OR IN THE REAL ESTATE PURCHASE AND SALE AGREEMENT DATED AS OF JUNE 19, 2019, EXECUTED BY AND AMONG GRANTORS AND GRANTEE (AS AMENDED FROM TIME TO TIME, THE "SALE AGREEMENT"), THE PROPERTY IS HEREBY CONVEYED TO AND ACCEPTED BY GRANTEE IN ITS PRESENT CONDITION, "AS IS, WITH ALL FAULTS, AND WITHOUT ANY WARRANTY WHATSOEVER, EXPRESS OR IMPLIED", AND EXCEPT AS SET FORTH HEREIN AND IN THE SALE AGREEMENT, GRANTORS MAKE NO REPRESENTATIONS OR WARRANTIES OF ANY KIND TO GRANTEE, INCLUDING, WITHOUT LIMITATION, THE PHYSICAL CONDITION OF THE PROPERTY, OR THEIR SUITABILITY FOR ANY PARTICULAR PURPOSE OR OF MERCHANTABILITY. GRANTEE IS RELYING ON ITS INVESTIGATIONS OF THE PROPERTY IN DETERMINING WHETHER TO ACQUIRE IT. THE PROVISIONS OF THIS PARAGRAPH ARE A MATERIAL PART OF THE CONSIDERATION FOR GRANTORS EXECUTING THIS SPECIAL WARRANTY DEED, AND SHALL SURVIVE CLOSING (AS DEFINED IN THE SALE AGREEMENT).

Grantee's Mailing Address:

Alamo Mission LLC
c/o Jackson Walker LLP
Attn: Lenora DuBose
100 Congress Avenue, Suite 1100
Austin, Texas 78701

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EXECUTED as of the dates of the acknowledgments below, to be effective the 15 day of August, 2019.

GRANTORS:

Walton Red Oak Crossing, LP
(a Texas limited partnership)

By: Walton Red Oak GP, LLC
(a Texas limited liability company)
Its General Partner

By: Walton US Land Fund 1, LP
(a Texas limited partnership)
Its Manager

By: WUSF1 GP, LLC
(a Texas limited liability company)
Its General Partner

By: Walton Land Management (USA), Inc.
(a Texas corporation)
Its Manager

By: _____
Name: William Doherty
Title: CEO and Chairman of the Board

[SIGNATURES AND ACKNOWLEDGEMENTS CONTINUE ON FOLLOWING PAGES]

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STATE OF TEXAS

§

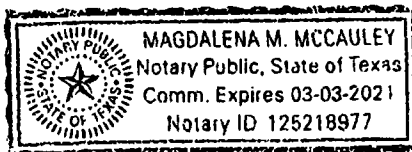
COUNTY OF Dallas

§

§

This instrument was acknowledged before me, the undersigned authority, this 13th day of August, 2019, by William Doherty, the CEO & Chairman of the Board of Walton Land Management (USA), Inc., a Texas corporation, as Manager of WUSF1 GP, LLC, a Texas limited liability company, as general partner of Walton US Land Fund 1, LP, a Texas limited partnership, Manager of Walton Red Oak GP, LLC, a Texas limited liability company, as general partner of Walton Red Oak Crossing, LP, a Texas limited partnership, on behalf of said corporation, limited liability companies, and limited partnerships.

[SEAL]



Magdalena M. McCauley
Notary Public ★ State of Texas

[SIGNATURES AND ACKNOWLEDGEMENTS CONTINUE ON FOLLOWING PAGES]

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GRANTORS (Continued):

Walton Texas, LP
(a Texas limited partnership)

By: Walton Texas GP, LLC
(a Texas limited liability company)
Its General Partner

By: Walton International Group, Inc.
(a Nevada corporation)
Its Manager

By: _____
Name: William Doherty
Title: President

STATE OF TEXAS

§

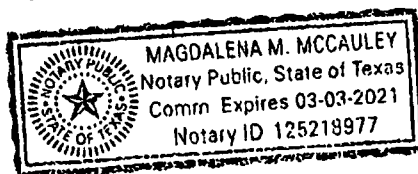
§

COUNTY OF Dallas

§

This instrument was acknowledged before me, the undersigned authority, this 13th day of August, 2019, by William Doherty, the President of Walton International Group, Inc., a Nevada corporation, as Manager of Walton Texas GP, LLC, a Texas limited liability company, as general partner of Walton Texas, LP, a Texas limited partnership, on behalf of said corporation, limited liability company, and limited partnership.

[SEAL]



Magdalena M. McCauley
Notary Public ★ State of Texas

[SIGNATURES AND ACKNOWLEDGEMENTS CONTINUE ON FOLLOWING PAGE]

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GRANTORS (Continued):

William Doherty, as Special Signatory Co-Trustee
of the CHIONH, PHILIP KA-WEI RED OAK
CROSSING REVOCABLE TRUST

STATE OF TEXAS

§

COUNTY OF Dallas

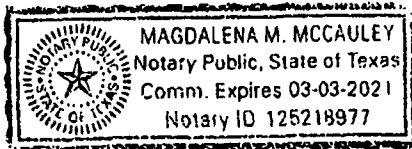
§

§

This instrument was acknowledged before me, the undersigned authority, this 13th day of August, 2019, by William Doherty, as Special Signatory Co-Trustee of the CHIONH, PHILIP KA-WEI RED OAK CROSSING REVOCABLE TRUST, on behalf of said trust.

[SEAL]

Magdalena M. McCauley
Notary Public ★ State of Texas

After Recording, Please Return To:

First American Title
Insurance - NCS
2425 E Camelback Rd
Suite 300
Phoenix, AZ 85016
Attn: Alix Graham

EXHIBIT "A"

**PROPERTY DESCRIPTION
OF A 166.594 ACRE TRACT OF LAND
SITUATED IN THE EDMUND SHERLY SURVEY, ABSTRACT NO. 1013,
AND BENJAMIN E. FRAZIER SURVEY, ABSTRACT NO. 371
CITY OF RED OAK, ELLIS COUNTY, TEXAS**

BEING A 166.594 ACRE TRACT OF LAND SITUATED IN THE EDMUND SHERLY SURVEY, ABSTRACT NO. 1013 AND THE BENJAMIN E. FRAZIER SURVEY, ABSTRACT NO. 371, CITY OF RED OAK, ELLIS COUNTY, TEXAS, BEING ALL OF A CALLED 166.59 ACRE TRACT OF LAND DESIGNATED AS "TRACT II" IN A SPECIAL WARRANTY DEED TO WALTON TEXAS, LP (5% INTEREST), RECORDED IN VOLUME 2603, PAGE 1266, OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (O.P.R.E.C.T.) AND DESCRIBED IN SPECIAL WARRANTY DEEDS TO WALTON RED OAK CROSSING, LP (95% INTEREST), RECORDED IN VOLUME 2604, PAGE 461, VOLUME 2605, PAGE 828, VOLUME 2606, PAGE 1744, VOLUME 2608, PAGE 2014, AND VOLUME 2608, PAGE 2023, O.P.R.E.C.T.; SAID 166.594 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID 166.59 ACRE TRACT OF LAND, SAME BEING THE SOUTHEAST CORNER OF THE REMAINING PORTION OF A CALLED 178.445 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED TO KELLY S. HARRIS, RECORDED IN VOLUME 1469, PAGE 100, DEED RECORDS OF ELLIS COUNTY, TEXAS (D.R.E.C.T.), AND BEING IN THE NORTH RIGHT-OF-WAY LINE OF F.M. ROAD 864, ALSO KNOWN AS OVILLA ROAD (A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY);

THENCE NORTH 02°38'37" WEST, ALONG THE COMMON LINE OF SAID 166.59 ACRE TRACT OF LAND AND SAID 178.445 ACRE TRACT OF LAND, AT A DISTANCE OF 499.97 FEET PASSING A 1/2-INCH IRON ROD FOUND FOR THE MOST EASTERLY SOUTHEAST CORNER OF LOT 1, BLOCK A OF FIRST BAPTIST CHURCH OF RED OAK, AN ADDITION TO THE CITY OF RED OAK ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET H, SLIDE 513, PLAT RECORDS OF ELLIS COUNTY, TEXAS (P.R.E.C.T.), CONTINUING ALONG THE COMMON LINE OF SAID 166.59 ACRE TRACT OF LAND AND SAID LOT 1, BLOCK A, AT A DISTANCE OF 1,590.59 FEET PASSING A 1/2-INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID LOT 1, BLOCK A, SAME BEING THE MOST SOUTHERLY SOUTHEAST CORNER OF A CALLED 100.4145 ACRE TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED TO RED OAK INDUSTRIAL DEVELOPMENT CORPORATION, RECORDED IN INSTRUMENT NUMBER 1800711, O.P.R.E.C.T., CONTINUING ALONG THE COMMON LINE OF SAID 166.59 ACRE TRACT OF LAND AND SAID 100.4145 ACRE TRACT OF LAND IN ALL FOR A TOTAL DISTANCE OF 2,628.70 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR CORNER;

THENCE CONTINUING ALONG SAID COMMON LINE, THE FOLLOWING CALLS:

NORTH 89°24'42" EAST, A DISTANCE OF 498.34 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR CORNER;

NORTH 00°16'23" EAST, A DISTANCE OF 199.07 FEET TO A 2-INCH IRON PIPE FOUND FOR THE MOST NORTHERLY NORTHWEST CORNER OF SAID 166.59 ACRE TRACT OF LAND, SAME BEING THE SOUTHWEST CORNER OF A CALLED 92.0039 ACRE TRACT OF LAND DESCRIBED IN A TEXAS WARRANTY DEED TO RED OAK INDUSTRIAL DEVELOPMENT CORPORATION, RECORDED IN INSTRUMENT NUMBER 1626548, O.P.R.E.C.T.;

THENCE NORTH 88°48'42" EAST, DEPARTING SAID COMMON LINE BETWEEN SAID 166.59 ACRE TRACT OF LAND AND SAID 100.4145 ACRE TRACT OF LAND, ALONG THE COMMON LINE OF SAID 166.59 ACRE TRACT OF LAND AND SAID 92.0039 ACRE TRACT OF LAND, A DISTANCE OF 2,931.68 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR THE NORTHEAST CORNER OF SAID 166.59 ACRE TRACT OF LAND, SAME BEING THE SOUTHEAST CORNER OF SAID 92.0039 ACRE TRACT OF LAND AND BEING IN THE NORTHWEST RIGHT-OF-WAY LINE OF THE BNSF & UNION PACIFIC RAILROAD, FORMERLY KNOWN AS M.K. & T. RAILROAD (A 100 FOOT RIGHT-OF-WAY);

THENCE SOUTH 27°17'42" WEST ALONG THE NORTHWEST RIGHT-OF-WAY LINE OF SAID BNSF & UNION PACIFIC RAILROAD, A DISTANCE OF 3,300.57 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR THE SOUTHEAST CORNER OF SAID 166.59 ACRE TRACT OF LAND, SAME

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Page 1 of 2



**PROPERTY DESCRIPTION
OF A 166.594 ACRE TRACT OF LAND
SITUATED IN THE EDMUND SHERLY SURVEY, ABSTRACT NO. 1013,
AND BENJAMIN E. FRAZIER SURVEY, ABSTRACT NO. 371
CITY OF RED OAK, ELLIS COUNTY, TEXAS**

BEING THE POINT OF INTERSECTION OF THE NORTHWEST RIGHT-OF-WAY LINE OF SAID M.K. & T. RAILROAD WITH THE NORTH RIGHT-OF-WAY LINE OF AFORESAID F.M. ROAD 664;

THENCE ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. ROAD 664, THE FOLLOWING CALLS:

NORTH 78°28'00" WEST, A DISTANCE OF 186.26 FEET TO A WOOD HIGHWAY MONUMENT FOUND FOR CORNER;

NORTH 80°09'41" WEST, A DISTANCE OF 307.31 FEET TO A WOOD HIGHWAY MONUMENT FOUND FOR CORNER;

NORTH 83°13'37" WEST, A DISTANCE OF 310.46 FEET TO A WOOD HIGHWAY MONUMENT FOUND FOR CORNER;

NORTH 86°02'14" WEST, A DISTANCE OF 294.73 FEET TO A WOOD HIGHWAY MONUMENT FOUND FOR CORNER;

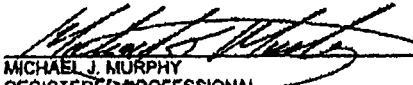
NORTH 89°27'53" WEST, A DISTANCE OF 324.88 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR CORNER;

SOUTH 89°09'37" WEST, A DISTANCE OF 387.89 FEET TO THE POINT OF BEGINNING.

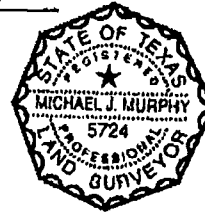
CONTAINING A COMPUTED AREA OF 166.594 ACRES OR 7,256,826 SQUARE FEET OR LAND.

NOTES:

BEARINGS CALLED FOR HEREIN ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM (NORTH CENTRAL ZONE, NAD 83) BASED ON LEICA GEOSYSTEMS NORTH TEXAS SMARTNET NETWORK. DISTANCES ADJUSTED TO SURFACE USING AN AVERAGE COMBINED SCALE FACTOR OF 0.999927556


MICHAEL J. MURPHY
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5724
STANTEC CONSULTING SERVICES INC.
TBPLS FIRM NO. 10194488

7/30/19
DATE



DATE OF SURVEY: FEBRUARY 7, 2019

\\US0580-
P\F3301\shared_projects\203720932\203720932_10_survey\bonnet\reports\20002v_dcoo_166.594_acres_walton_tract.docx
Page 2 of 2

EXHIBIT "B"

1. Easement granted to Texas Power & Light Company by instrument recorded April 30, 1959, in Volume 402, Page 549, of the Deed Records of Ellis County, Texas.
2. Easement granted to Rockett Supply Corporation by instrument recorded August 1, 1972, recorded in Volume 561, Page 141, of the Deed Records of Ellis County, Texas, as affected by instrument recorded in Volume 2430, page 1962, of the Deed Records of Ellis County, Texas.
3. Pipeline easement granted to Gateway Red Oak LLC by instrument recorded September 19, 2013, in Volume 2725, Page 354, of the Official Public Records of Ellis County, Texas.
4. Sanitary Sewer Easement granted to the City of Red Oak by instrument recorded March 3, 2017, in County Clerk's File No. 1705855, of the Official Public Records of Ellis County, Texas.
5. Terms, conditions and stipulations contained in Development Agreement recorded April 26, 2018 in County Clerk's File No. 1811663, Official Public Records of Ellis County, Texas.
6. Mineral and/or royalty interest reservation set forth in instrument recorded in Volume 2603, Page 1266, of the Official Public Records of Ellis County, Texas (subject to waiver of surface rights contained therein).
7. Rights of Brian Meister, as tenant, pursuant to unrecorded Agricultural and Grazing Lease dated July 1, 2016 (with its current term expiring June 30, 2021).

EXHIBIT E


Legal Name and Entity Details

TEXAS SECRETARY of STATE
JOSE A. ESPARZA

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number: 803230992 **Entity Type:** Foreign Limited Liability Company (LLC)
Original Date of Filing: February 6, 2019 **Entity Status:** In existence
Formation Date: N/A
Tax ID: 32069675737 **FEIN:** 832544802

Name: Alamo Mission LLC
Address: 2801 CENTERVILLE RD, 1FL, PMB811
Wilmington, DE 19808 USA
Fictitious Name: Alamo Mission LLC, a Delaware limited liability company
Jurisdiction: DE, USA
Foreign Formation Date: March 8, 2018

<u>REGISTERED AGENT</u>		<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>	
<u>View Image</u>	<u>Document Number</u>	<u>Filing Type</u>		<u>Filing Date</u>	<u>Effective Date</u>	<u>Eff. Cond</u>	<u>Page Count</u>
	866479170002	Application for Registration		February 6, 2019	February 6, 2019	No	4

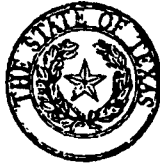
Order Return to Search

Instructions

- To place an order for additional information about a filing press the 'Order' button.

Form 304**(Revised 05/11)**

Submit in duplicate to:
 Secretary of State
 P.O. Box 13697
 Austin, TX 78711-3697
 512 463-5555
 FAX: 512/463-5709
Filing Fee: \$750



**Application for
 Registration
 of a Foreign Limited
 Liability Company**

This space reserved for office use.

FILED
 In the Office of the
 Secretary of State of Texas
FEB 06 2019
Corporations Section

1. The entity is a foreign limited liability company. The name of the entity is:

Alamo Mission LLC

Provide the full legal name of the entity as stated in the entity's formation document in its jurisdiction of formation

2A. The name of the entity in its jurisdiction of formation does not contain the word "limited liability company" or "limited company" (or an abbreviation thereof). The name of the entity with the word or abbreviation that it elects to add for use in Texas is:

2B. The entity name is not available in Texas. The assumed name under which the entity will qualify and transact business in Texas is:

Alamo Mission LLC, a Delaware limited liability company

The assumed name must include an acceptable organizational identifier or an accepted abbreviation of one of these terms.

3. Its federal employer identification number is: 83-2544802

☐ Federal employer identification number information is not available at this time.

4. It is organized under the laws of: (set forth state or foreign country) Delaware

and the date of its formation in that jurisdiction is: March 8, 2018

mm/dd/yyyy

5. As of the date of filing, the undersigned certifies that the foreign limited liability company currently exists as a valid limited liability company under the laws of the jurisdiction of its formation.

6. The purpose or purposes of the limited liability company that it proposes to pursue in the transaction of business in Texas are set forth below.

holding company

The entity also certifies that it is authorized to pursue such stated purpose or purposes in the state or country under which it is organized.

7. The date on which the foreign entity intends to transact business in Texas, or the date on which the foreign entity first transacted business in Texas is: MARCH 8, 2018

mm/dd/yyyy

Late fees may apply (see instructions)

8. The principal office address of the limited liability company is:

2801 Centerville Rd, 1Fl. PMB811 Wilmington

DE

USA

19808

Address

City

State

Country

Zip/Postal Code

Complete item 9A or 9B, but not both. Complete item 9C.

☒ 9A. The registered agent is an organization (cannot be entity named above) by the name of:Corporation Service Company d/b/a CSC-Lawyers Incorporating Service Company

OR

☐ 9B. The registered agent is an individual resident of the state whose name is:

First Name	M.I.	Last Name	Suffix
------------	------	-----------	--------

9C. The business address of the registered agent and the registered office address is:

211 E. 7th Street, Suite 620	Austin	TX	78701-3218
Street Address	City	State	Zip Code

10. The entity hereby appoints the Secretary of State of Texas as its agent for service of process under the circumstances set forth in section 5.251 of the Texas Business Organizations Code.

11. The name and address of each governing person is:

NAME AND ADDRESS OF GOVERNING PERSON (Enter the name of either an individual or an organization, but not both.)				
IF INDIVIDUAL				
David		Thomas		
First Name	M.I.	Last Name	Suffix	
OR				
IF ORGANIZATION				
Organization Name				
2801 Centerville Rd, 1Fl. PMB811	Wilmington	DE	USA	19808
Street or Mailing Address	City	State	Country	Zip Code

NAME AND ADDRESS OF GOVERNING PERSON (Enter the name of either an individual or an organization, but not both.)				
IF INDIVIDUAL				
First Name	M.I.	Last Name	Suffix	
OR				
IF ORGANIZATION				
Organization Name				
Street or Mailing Address				
City				
State				
Country				
Zip Code				

NAME AND ADDRESS OF GOVERNING PERSON (Enter the name of either an individual or an organization, but not both.)				
IF INDIVIDUAL				
First Name	M.I.	Last Name	Suffix	
OR				
IF ORGANIZATION				
Organization Name				
Street or Mailing Address				
City				
State				
Country				
Zip Code				

Supplemental Provisions/Information

Text Area: [The attached addendum, if any, is incorporated herein by reference.]

Effectiveness of Filing (Select either A, B, or C.)

- A. ☒ This document becomes effective when the document is filed by the secretary of state.
- B. ☐ This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. ☐ This document takes effect upon the occurrence of a future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Execution

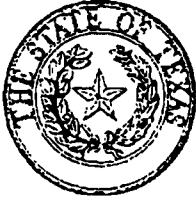
The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Date: January 17, 2019*David Thomas*_____
Signature of authorized person (see instructions)

David Thomas

Printed or typed name of authorized person

Form 401-A
(Revised 12/09)



**Acceptance of Appointment
and
Consent to Serve as Registered Agent
§5.201(b) Business Organizations Code**

The following form may be used when the person designated as registered agent in a registered agent filing is an individual.

<u>Acceptance of Appointment and Consent to Serve as Registered Agent</u>		
I acknowledge, accept and consent to my designation or appointment as registered agent in Texas for		
<i>Name of represented entity</i>		
I am a resident of the state and understand that it will be my responsibility to receive any process, notice, or demand that is served on me as the registered agent of the represented entity; to forward such to the represented entity; and to immediately notify the represented entity and submit a statement of resignation to the Secretary of State if I resign.		
X: _____		
<i>Signature of registered agent</i>	<i>Printed name of registered agent</i>	<i>Date (mm/dd/yyyy)</i>

The following form may be used when the person designated as registered agent in a registered agent filing is an organization.

<u>Acceptance of Appointment and Consent to Serve as Registered Agent</u>		
I am authorized to act on behalf of Corporation Service Company d/b/a CSC-Lawyers Incorporating Service Company		
<i>Name of organization designated as registered agent</i>		
The organization is registered or otherwise authorized to do business in Texas. The organization acknowledges, accepts and consents to its appointment or designation as registered agent in Texas for:		
Alamo Mission LLC		
<i>Name of represented entity</i>		
The organization takes responsibility to receive any process, notice, or demand that is served on the organization as the registered agent of the represented entity; to forward such to the represented entity; and to immediately notify the represented entity and submit a statement of resignation to the Secretary of State if the organization resigns.		
X: By: <u>Jerome L. Suarez</u>		
<i>Signature of person authorized to act on behalf of organization</i>	<i>Printed name of authorized person</i>	<i>Date (mm/dd/yyyy)</i>
Corporation Service Company d/b/a CSC-Lawyers Incorporating Service Company		

TEXAS SECRETARY of STATE**JOSE A. ESPARZA****BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY**

Filing Number: 803230992 **Entity Type:** Foreign Limited Liability Company (LLC)
Original Date of Filing: February 6, 2019 **Entity Status:** In existence
Formation Date: N/A
Tax ID: 32069675737 **FEIN:** 832544802

Name: Alamo Mission LLC
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Foreign Formation Date: March 8, 2018

<u>REGISTERED AGENT</u>	<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>
Name		Name Status	Name Type	Name Inactive Date	Consent Filing #
Alamo Mission LLC, a Delaware limited liability company		In use	Fictitious		0
Alamo Mission LLC		In use	Legal		0

Order Return to Search

Instructions:

- To place an order for additional information about a filing press the 'Order' button.

TEXAS SECRETARY of STATE
JOSE A. ESPARZA

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

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Jurisdiction: DE, USA
Foreign Formation Date: March 8, 2018

<u>REGISTERED AGENT</u>	<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>
Last Update February 7, 2019	Name DAVID THOMAS	Title Governing Person	Address 2801 CENTERVILLE RD, 1FL, PMB811 Wilmington, DE 19808 USA		

Order Return to Search

Instructions:

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EXHIBIT F

CD containing Shape Files

EXHIBIT G

Proof of Mailing

August 16, 2019

CERTIFIED MAIL,
RETURN RECEIPT REQUESTED

Ms. Kay Phillips
General Manager
Rockett Special Utility District
126 Alton Adams Drive
Waxahachie, Texas 75165

Certified Article Number

9414 7266 9904 2131 5176 36

SENDER'S RECORD

RE: Petition by Alamo Mission LLC for Streamlined Expedited Release from Rockett Special Utility District CCN 10099 in Ellis County (the "Petition")

Dear Ms. Phillips:

I have enclosed a copy of the Petition being filed today at the Public Utility Commission of Texas on behalf of the above-referenced Petitioner for a streamlined expedited release of property from the water Certificate of Convenience and Necessity held by Rockett Special Utility District in Ellis County, Texas. The Petition is filed pursuant to Texas Water Code §13.254(a-5) and 16 Tex. Admin. Code §24.245(1).

Sincerely,



Leonard H. Dougal

ATTORNEY FOR PETITIONER

Enclosure – Petition

EXHIBIT “D”