



Control Number: 50271



Item Number: 30

Addendum StartPage: 0



RECORDED
2021 FEB -8 AM 9:15
FILED
PUBLIC CLERK

February 8, 2021

Public Utility Commission of Texas
Attention: Filing Clerk
1701 N. Congress Avenue
PO Box 13326
Austin, Texas 78711-3326

**Re: Notice of Approval Recording Verification Documentation
Docket No. 50271
Application to Amend Water and Sewer CCNs
City of Midland
Water CCN 10221 and Sewer CCN 20083**

Dear Sir / Madam:

Per the Docket No. 50271 Order, Section III. Ordering Paragraphs, Item # 5, dated January 14, 2021, and per the Texas Water Code §13.257(r) and (s), the following information was recorded in the Midland County and Martin County records:

- An Affidavit of Order including
 - The PUC-approved amended Water CCN No. 10221 map (Exhibit A-1) and amended Sewer CCN No. 20083 map (Exhibit A-2);
 - The PUC-issued water CCN No. 10221 City of Midland amendment certificate (Exhibit B-1), sewer CCN No. 20083 City of Midland amendment certificate (Exhibit B-2); and
 - The boundary description of the amended service areas as copied from the Docket No. 50217 Order, Section I. Finding of Fact, Item #8, pages 2 and 3 of 10 (Exhibit C-1).

The electronic submittal has been filed; one copy of the e-filing sheet is enclosed as the top sheet to this submission. One original certified copy of each recorded Affidavit of Order verification documentation (one from Midland County and one from Martin County) are attached to the hard copy of this letter. These modified filing procedures were explained by the PUC Central Records on December 31, 2020, and are modified to address PUC Docket No. 50664, dated March 16, 2020, issued in light of the ongoing health crisis the physical filing procedures of Chapter 22 of title 16 of the Texas Administrative Code.

Environmental, Civil & Geotechnical Engineers

Abilene Office
402 Cedar
Abilene, Texas 79601
P O Box 3097
Abilene, Texas 79604
325 698 5560 | 325.690 3240 fax

Lubbock Office
6310 Genoa Avenue, Suite E
Lubbock, Texas 79424
806 794 1100 | 806 794 0778 fax

www.e-ht.com

Granbury Office
1310 Weatherford Highway, Suite 116
Granbury, Texas 76048
682.498 6000 | 682 498 6293 fax

PE Firm Registration No 1151
PG Firm Registration No 50103
RPLS Firm Registration No 10011900



Public Utility Commission of Texas
February 8, 2021
Page 2

Please feel free to contact me with any questions or comments via telephone at 325/698-5560, via email at luci.dunn@e-ht.com, or in writing at the Abilene Office address listed below.

Sincerely,

Enprotec / Hibbs and Todd, Inc.

A handwritten signature in black ink that reads "Luci Dunn".

Luci Dunn, P.E.
Senior Project Manager

LD/jd

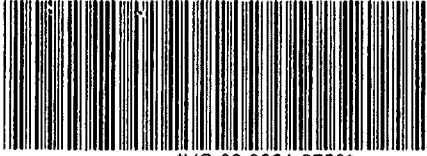
Attachments

- Recorded Affidavit of Order - Midland County (Certified Copy in hard copy only)
- Recorded Affidavit of Order - Martin County (Certified Copy in hard copy only)

c: Project File 7358

P:\Projects\Midland\7358 CCN Expansion\Deed Recordation Verification\PUC Order Recording Transmittal Letter.docx

Recorded Affidavit of Order - Midland County
(Certified Copy in hard copy only)



Midland County
Alison Haley
Midland County Clerk

Instrument Number: 2758

Real Property Recordings

Recorded On: January 27, 2021 09:11 AM

Number of Pages: 9

" Examined and Charged as Follows: "

Total Recording: \$54.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

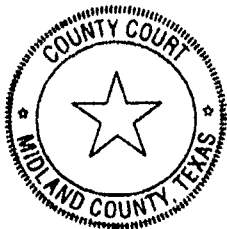
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2758
Receipt Number: 20210127000020
Recorded Date/Time: January 27, 2021 09:11 AM
User: Amanda D
Station: cc10299

Record and Return To:

JOHN W SIMMONS MPA
300 N LORAIN
MIDLAND TX 79702



STATE OF TEXAS

Midland County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Midland County, Texas

Alison Haley
Midland County Clerk
Midland County, TX

AFFIDAVIT OF ORDER
PUBLIC UTILITY COMMISSION OF TEXAS DOCKET NO. 50271

STATE OF TEXAS
COUNTIES OF MIDLAND AND MARTIN

The City of Midland filed an application with the Public Utility Commission of Texas (PUC) to amend its water Certificate of Convenience and Necessity (CCN) No. 10221 and sewer CCN No. 20083. The amended CCNs were issued by the PUC in its Docket No. 50271 Order on January 14, 2021. Per the Docket No. 50271 Order, Section III. Ordering Paragraphs, Item # 5 and per the Texas Water Code §13.257(r) and (s), the following information is being recorded in the Midland County and Martin County records:

- PUC-approved amended Water CCN map and amended Sewer CCN map (See attached Exhibit A, 2 pages);
- The PUC-issued CCN No. 10221 City of Midland amendment certificate, and CCN No. 20083 City of Midland amendment certificate (See attached Exhibit B, 2 pages); and
- The boundary description of the amended service areas: The boundary descriptions from the Docket No. 50271 Order, Section I. Finding of Fact, Item #8 are included as attached Exhibit C, 2 pages).

OATH

I, Carl Craigo, being duly sworn, file this form as the Director of Utilities of the City of Midland; that in such capacity, I am qualified and authorized to file and verify such form, and am personally familiar with this amendment application.

[Signature]
Applicant's Authorized Representative
Carl Craigo, Director of Utilities, City of Midland

1-27-21
Date

This instrument was subscribed, sworn to, and acknowledged before me on this 27 day of January, 2021, by Carl Craigo (name of representative) as Director of Utilities (title of representative) of the City of Midland (name of entity or person represented). Carl Craigo (name of representative) as Director of Utilities (title of representative) of the City of Midland (name of entity or person represented) personally appeared before me on this 27 day of January, 2021 and is personally known to me.

Given under my hand and seal of office this 27 day of January, 2021.

[Signature]
Notary Public in and for the State of Texas

Elizabeth Ybarra
Print or Type Name of Notary Public



Commission Expires 12-03-2024

Exhibit A-1

City of Midland
 Water CCN No. 10221
 PUC Docket No. 50271
 Amended CCN No. 10221 in Martin and Midland Counties



Water CCN

- 10221 - City of Midland
- 13081 - Greater Gardendale WSC
- 13003 - Greenwood Terrace MHP LLC
- 13223 - South Midland Co Water System
- 13001 - Montfort Corporation
- 13008 - Twin Oaks Mobile Home Park

Miles 0 1 2



Public Utility Commission of Texas
 1701 N. Congress Ave
 Austin, TX 78701

Map by Komal Patel
 Date created June 8, 2020
 Project Path: n:\vina\mapping\50271\CityofMidlandWater.mxd

Exhibit A-2



Exhibit B-1



**Public Utility Commission
of Texas**

By These Presents Be It Known To All That

City of Midland

having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, City of Midland is entitled to this

Certificate of Convenience and Necessity No. 10221

to provide continuous and adequate water utility service to that service area or those service areas in Martin and Midland Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 50271 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the City of Midland to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this 14th day of January 2021.

Exhibit B-2



**Public Utility Commission
of Texas**

By These Presents Be It Known To All That

City of Midland

having obtained certification to provide sewer utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, City of Midland is entitled to this

Certificate of Convenience and Necessity No. 20083

to provide continuous and adequate sewer utility service to that service area or those service areas in Martin and Midland Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 50271 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the City of Midland to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this 14th day of January 2021.

Exhibit C-1

7. The requested water service area consists of approximately 24,076 acres, with 44,622 current customers and 8,000 potential new customers, and the requested sewer service area consists of approximately 24,279 acres, with 40,282 current customers and 7,000 potential new customers.

8. The requested water and sewer service areas comprise the areas within Midland's city limits that are not already within Midland's existing water CCN and sewer CCN. The requested water service areas consist of areas 1 through 6 identified below. The requested sewer service areas consist of areas 1 through 7 identified below.

- a. **Area 1:** includes the northeast portion of the City of Midland, is located approximately four miles north of downtown Midland, and is generally bounded on the north by State Highway 349, on the east by Elkins Road, on the south by Texas 250 Loop, and on the west by Holiday Hill Road and State Highway 349. Midland currently provides water and sewer service to the developed parts of area 1.
- b. **Area 2:** includes the area south of I-20, is located approximately two miles south of downtown Midland, and is generally bounded on the north by Interstate Highway 20, on the east by State Highway 158, on the south by a line approximately one-half mile south of Interstate Highway 20, and on the west by County Road 1270. Midland currently provides water and sewer service to the developed parts of area 2.
- c. **Area 3:** includes the space at the end of the west runway of the Midland International Air and Space Port, is located approximately nine miles west of downtown Midland, and is generally bounded on the north by State Highway 191, on the east by a line approximately one mile east of State Highway 349, on the south by Interstate Highway 20 Business Loop, and on the west by State Highway 349. Midland does not currently provide water and sewer service to area 3, nor are there any existing water or sewer connections within area 3.
- d. **Area 4:** includes the space at the end of the east runway of the Midland International Air and Space Port, is located approximately eight miles west of downtown Midland, and is generally bounded on the north by State Highway 191,

Exhibit C-2

on the east by a line approximately three miles east of State Highway 349, on the south by Interstate Highway 20 Business Loop, and on the west by State Highway 349. Midland does not currently provide water and sewer service to area 4, nor are there any existing water or sewer connections within area 4.

- e. **Area 5:** includes the area west of the city center, is located approximately five miles west of downtown Midland, and is generally bounded on the north by State Highway 349, on the east by Holiday Hill Road and Texas 250 Loop, on the south by Interstate Highway 20 Business Loop, and on the west by the Ector and Midland county line. Midland currently provides water and sewer service to the developed parts of area 5.
- f. **Area 6:** includes the farthest northwest area within the city limits, is located approximately eight miles west-northwest of downtown Midland, and is generally bounded on the north by State Highway 349, on the east by North County Road 1255, on the south by State Highway 158, and on the west by North County Road 1260. Midland currently provides water and sewer service to the developed parts of area 6.
- g. **Area 7:** includes the area between area 5 and area 6, is located approximately eight miles west-northwest of downtown Midland, and is generally bounded on the north by a line approximately 500 feet north of Dunblane Drive, on the east by Trobaugh Boulevard, on the south by Briarwood Avenue, and on the west by Dumfries Road. area 7 is within Midland's existing water CCN, and Midland is requesting to expand its sewer CCN to area 7. Midland currently provides sewer service to area 7.

9. In Order No. 3 filed on January 22, 2020, the administrative law judge (ALJ) found the application administratively complete.

Notice *THC §§ 13.246(a)-(1), 16 TAC § 24.235*

10. On April 23, 2020, Midland filed the affidavit of Carl Craig, Midland's authorized representative, attesting that notice was mailed to neighboring utilities, county authorities, municipalities, landowners, and affected parties on March 20, 2020.

Recorded Affidavit of Order - Martin County
(Certified Copy in hard copy only)

REC NO: 240006

Martin County, Texas
Linda Gonzales, County Clerk
P.O. Box 906
Stanton, Texas 79782
(432) 756-3412



DATE : 01/27/2021

TIME : 10:35am

YOUR CASHIER WAS: OYBARRA

REGISTER NO : 1

RECVD FROM: JOHN SIMMONS 432.685.7470

ITEM DESCRIPTION	GFE NO.	CLERK/CAUSE NO.	QTY	FEES PAID
RECORDING		210383	9	\$ 48.00
TOTAL FEES PAID				\$ 48.00

----- AMOUNT TENDERED -----

CASH RECEIVED	\$ 48.00
CHECKS RECEIVED	\$ 0.00
TIME SERVED	\$ 0.00
WAIVED FEES	\$ 0.00
DEPOSITORY DEBIT	\$ 0.00
DIRECT DEPOSIT	\$ 0.00

TOTAL RECEIVED \$ 48.00

----- TRANSACTION SUMMARY -----

TOTAL RECEIVED	\$ 48.00
TOTAL FEES PAID	\$ 48.00

CHANGE DUE BACK \$ 0.00

REC NO. 240006 CLOSED

Thank you
Linda Gonzales
County Clerk

210383

AFFIDAVIT OF ORDER
PUBLIC UTILITY COMMISSION OF TEXAS DOCKET NO. 50271

STATE OF TEXAS
COUNTIES OF MIDLAND AND MARTIN

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OATH

I, Carl Craig, being duly sworn, file this form as the Director of Utilities of the City of Midland; that in such capacity, I am qualified and authorized to file and verify such form, and am personally familiar with this amendment application.

[Signature]
Applicant's Authorized Representative
Carl Craig, Director of Utilities, City of Midland

1-27-21
Date

This instrument was subscribed, sworn to, and acknowledged before me on this 27 day of January, 2021, by Carl Craig (name of representative) as Director of Utilities (title of representative) of the City of Midland (name of entity or person represented). Carl Craig (name of representative) as Director of Utilities (title of representative) of the City of Midland (name of entity or person represented) personally appeared before me on this 27 day of January, 2021 and is personally known to me.

Given under my hand and seal of office this 27 day of January, 2021.

[Signature]
Notary Public in and for the State of Texas

Elizabeth Ybarra
Print or Type Name of Notary Public

Commission Expires 12-03-2024

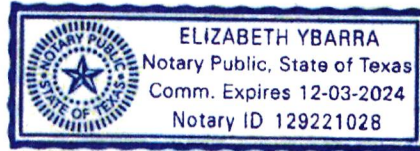


Exhibit A-1

City of Midland
 Water CCN No. 10221
 PUC Docket No. 50271
 Amended CCN No. 10221 in Martin and Midland Counties



Water CCN

- 10221 - City of Midland
- 13081 - Greater Gardendale WSC
- 13003 - Greenwood Terrace MHP LLC
- 13223 - South Midland Co Water System
- 13001 - Montfort Corporation
- 13008 - Twin Oaks Mobile Home Park



Public Utility Commission of Texas
 1701 N. Congress Ave
 Austin, TX 78701

Map by Komal Patel
 Date created June 8, 2020
 Project Path: n:\vinalmapping\50271\CityofMidlandWater.mxd

Exhibit A-2



Exhibit B-1



**Public Utility Commission
of Texas**

By These Presents Be It Known To All That

City of Midland

having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, City of Midland is entitled to this

Certificate of Convenience and Necessity No. 10221

to provide continuous and adequate water utility service to that service area or those service areas in Martin and Midland Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 50271 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the City of Midland to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this 14th day of January 2021.

Exhibit B-2



**Public Utility Commission
of Texas**

By These Presents Be It Known To All That

City of Midland

having obtained certification to provide sewer utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, City of Midland is entitled to this

Certificate of Convenience and Necessity No. 20083

to provide continuous and adequate sewer utility service to that service area or those service areas in Martin and Midland Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 50271 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the City of Midland to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

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Exhibit C-1

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Exhibit C-2

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Notice TWC §§ 13.246(a)-(a-1), 16 TAC § 24.235

10. On April 23, 2020, Midland filed the affidavit of Carl Craigo, Midland's authorized representative, attesting that notice was mailed to neighboring utilities, county authorities, municipalities, landowners, and affected parties on March 20, 2020.

STATE OF TEXAS-COUNTY OF MARTIN

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly recorded in the Volume and Page of the OFFICIAL PUBLIC RECORDS of Martin County, Texas, as stamped hereon by me

INSTRUMENT NO. 210383

FILED & RECORDED Jun. 27, 2021 @ 10:35 (AM) PM

OFFICIAL PUBLIC RECORD VOL. 788 PAGE 471

LINDA GONZALES,

COUNTY CLERK, MARTIN COUNTY, TEXAS

BY *Oralia Ybarra* DEPUTY