



Filing Receipt

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Control Number - 50299
ItemNumber - 49

DOCKET NO. 50299

APPLICATION OF C.V.W.S., INC.	§	
AND JAMES F. BIBB FOR SALE,	§	
TRANSFER OR MERGER OF	§	PUBLIC UTILITY COMMISSION
FACILITIES AND CERTIFICATE	§	OF TEXAS
RIGHTS IN HARRISON COUNTY,	§	
TEXAS	§	

**C.V.W.S., INC. AND JAMES F. BIBB'S
NOTICE OF COMPLETED TRANSACTION**

C.V.W.S., Inc. and James F. Bibb hereby file this Notice of Completed Transaction and state the following, to wit:

1. Order No. 16 entitled *Approving Sale and Transfer to Proceed*, which order was issued on July 1, 2021, approved the sale and transfer of C.V.W.S., Inc. to James F. Bibb and allowed for said transaction to proceed to closing. Said Order further approved the sale and transfer of a portion of Caddo Lake WSC's CCN to James F. Bibb and allowed for said transaction to proceed to closing.
2. As part of his purchase of C.V.W.S., Inc., James F. Bibb is not only purchasing the assets of C.V.W.S., Inc., but James F. Bibb is purchasing the entity and going concern known as C.V.W.S., Inc., a Texas Corporation.
3. Janis Smith, the sole shareholder of C.V.W.S., Inc., has approved the terms of sale and has executed stock certificates transferring 100% of her ownership interest in C.V.W.S., Inc. to James F. Bibb, as per the terms and conditions of the agreement by and between C.V.W.S., Inc. and James F. Bibb. This transaction was completed on September 20, 2021. Attached hereto as Exhibit "A" is a copy of the stock certificate evidencing that James F. Bibb is the owner of 1,000 shares of common stock in and to C.V.W.S., Inc., which represents all of the common stock currently issued by the corporation, a copy of the Closing Statement executed by both parties and a filed-stamped copy of the Special Warranty Deed evidencing the transfer of the real property associated with the operation of C.V.W.S., Inc.
4. James F. Bibb has filed a Statement of Change of Registered Office/Agent with the Texas Secretary of State, which document was presented to the Texas Secretary of State on September 20, 2021, in which James F. Bibb is listed as the registered agent for service for C.V.W.S., Inc. Attached hereto as Exhibit "B" is a copy of the Change of Registered Office/Agent form filed with the Texas Secretary of State and the Certificate of Filing received from the Texas Secretary of State's office on September 20, 2021.

5. As James F. Bibb is now the sole stockholder in and to C.V.W.S., Inc., and as James F. Bibb plans to continue to operate Cypress Village Water System utilizing the corporation, C.V.W.S., Inc., James F. Bibb wishes to retain the Certificate of Convenience and Necessity (CCN) under identification number 11763 and does not wish to transfer the CCN to his personal name. In keeping with this request, the 11 acres currently held by Caddo Lake WSC under CCN Number 10367 has also been transferred to C.V.W.S., Inc. utilizing CCN Number 11763, as set forth in the Bill of Sale dated September 21, 2021 and attached hereto as Exhibit "C." As set forth in the Bill of Sale, the area transferred from Caddo Lake WSC to C.V.W.S., Inc. had no active customers, and as such, no customer deposits need be addressed.
6. James F. Bibb has purchased the entity, C.V.W.S., Inc., and James F. Bibb will continue to operate Cypress Village Water System utilizing the existing corporation and utilizing the existing CCN #11763. As there were no customer deposits held and/or maintained by C.V.W.S., Inc., there are therefore no customer deposits that need be addressed.
7. James F. Bibb has submitted all documents and information required by Order No. 16 and the sale of C.V.W.S., Inc. to James F. Bibb is fully consummated and completed.

FOR THE REASONS STATED AND IN ACCORDANCE WITH ORDER NUMBER 16 ENTITLED *Approving Sale and Transfer to Proceed*, C.V.W.S., Inc. and James F. Bibb request that the Commission Staff file a recommendation to approve the sufficiency of this filing, that this transaction be fully and finally approved, that James F. Bibb be entitled to continue to operate Cypress Village Water System utilizing CCN Number 11763 and that this docket be closed.

Respectfully submitted,

/s/ R. Chase Palmer
R. CHASE PALMER
State Bar I.D. #24010287

PALMER LAW FIRM, INC.
301 N. Wellington St. (Physical)
P. O. Drawer M (Mailing)
Marshall, Texas 75670
(903) 935-9303 - Phone
(903) 935-0822 - Fax
cpalmerplf@gmail.com - Email

ATTORNEY FOR APPLICANTS

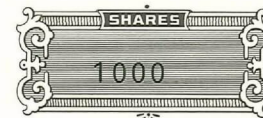
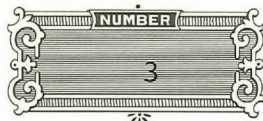
CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of September, 2021, a true and correct copy of the above and foregoing document was delivered to all parties of record via electronic mail in accordance with the Rules of the Commission.

/s/ R. Chase Palmer
R. Chase Palmer

EXHIBIT

“A”



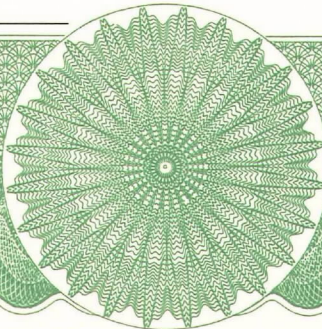
C.V.W.S., INC.

This Certifies that JAMES F. BIBB *is the owner of*
ONE THOUSAND *fully paid and*
non-assessable Shares of the above Corporation transferable only on the
books of the Corporation by the holder hereof in person or by duly authorized
Attorney upon surrender of this Certificate properly endorsed.

In Witness Whereof, the said Corporation has caused this Certificate to be signed
by its duly authorized officers and to be sealed with the Seal of the Corporation.

Dated 9/20/2021

James F. Bibb, President



CLOSING STATEMENT

Seller: **Janis Smith**
 3664 FM 1793
 Marshall, Texas 75672

Purchaser: **James F. Bibb**
 14617 Highway 43 North
 Karnack, Texas 75661

Parcel: **100% Stock Sale in and to C.V.W.S., Inc., a Texas Corporation**

Being 1.88 acres of land situated in the A. P. Hope Survey, A-877, located approximately 18 ½ miles northeast of the Courthouse of Marshall in Harrison County, Texas, being a part of a called 2.880 acre tract of land described in deed from Don Smith to Janis Smith, dated January 14, 2019 and recorded at Document Number 2019-000001129 of the Harrison County Deed Records.

Purchase price \$ 100,000.00

Amount payable to Seller \$ 100,000.00

EXPENSES:

Ad valorem taxes for 2020 (1.88 acres): Paid in full by Seller.

Ad valorem taxes for 2021 (1.88 acres): To be paid in full by Seller when due for the entire year.

Due from Purchaser to Seller (1.88 acres): \$83.43 pro-rated ad valorem taxes.

Fees payable to Palmer Law Firm, Inc.:

Preparation of Special Warranty Deed	\$150.00
Preparation of Closing Statement	\$100.00
1099-S fee	\$ 25.00
Closing fee	\$250.00
Filing fees to Harrison County Clerk	\$ 34.00
Bill of Sale - Caddo Lake WSC	\$150.00
Statement of Change of Registered Agent	\$ 50.00
Filing Fee for Change of Registered Agent	\$ 40.00
Stock Transfers	\$200.00
Lease from Bibb to CVWS, Inc.	\$300.00
Corporate Resolution - Janis Smith	\$ 75.00

Corporate Resolution - James Bibb	\$ 75.00
Total fees to Palmer Law Firm, Inc.	<u>\$1,449.00</u>
Total closing costs	\$1,449.00

All closing costs, and attorney's fees to date, paid by Seller and Purchaser, equally.

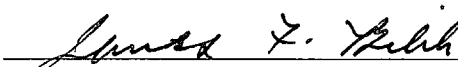
APPROVED:

SELLER:



James Smith

PURCHASER:



James F. Bibb

*** DO NOT REMOVE THIS PAGE – IT IS A PART OF THIS INSTRUMENT***

WARRANTY DEED

4 Pages

FILED AND RECORDED-OPR	CLERKS NOTES
On: <u>09/20/2021 04:36 PM</u>	COPY
Document Number: <u>2021-000011573</u>	
Receipt No: <u>2111969</u>	
Amount: \$ <u>34.00</u>	
By: <u>Wanda Spencer</u> , Deputy Elizabeth James, County Clerk Harrison County, Texas	



STATE OF TEXAS

COUNTY OF HARRISON

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the Official Public Records of Harrison County, Texas.

Elizabeth James
Elizabeth James, Harrison County Clerk

Record and Return To:



PALMER LAW FIRM INC.

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY (THIS) 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

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF HARRISON

That **JANIS SMITH**, (hereinafter referred to as Grantor) for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration to her in hand paid by **JAMES F. BIBB**, whose address is 14617 Highway 43 North, Karnack, Texas 75661, (hereinafter referred to as Grantee), the receipt and sufficiency of which consideration is hereby acknowledged and confessed, has Granted, Sold, and Conveyed, and by these presents does Grant, Sell, and Convey, unto the said **JAMES F. BIBB**, the following described tract or parcel of land located in Harrison County, Texas, to-wit:

Being 1.88 acres of land situated in the A. P. Hope Survey, A-877, located approximately 18 ½ miles northeast of the Courthouse of Marshall in Harrison County, Texas, being a part of a called 2.880 acre tract of land described in deed from Don Smith to Janis Smith, dated January 14, 2019 and recorded at Document Number 2019-000001129 of the Harrison County Deed Records, said 1.88 acre tract or parcel of land being more particularly described by metes and bounds description in Exhibit "A" attached hereto.

This conveyance is made and accepted subject to all restrictive covenants, easements and reservations of record in the Office of the County Clerk of Harrison County, Texas, applicable to and or affecting the property conveyed hereby.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee and the Grantee's heirs, successors and assigns forever, and the undersigned does hereby bind herself, her heirs, successors and assigns, to Warrant and Forever Defend, all and singular the said premises, unto the said Grantee, and the Grantee's heirs, successors and assigns, against every person whomsoever claiming, or to claim the same or any part thereof, by, through and under Grantor, but not otherwise.

EXECUTED this 20 day of September, 2021.

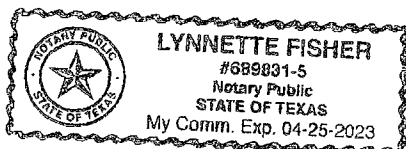

JANIS SMITH

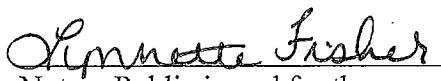
THE STATE OF TEXAS

COUNTY OF HARRISON

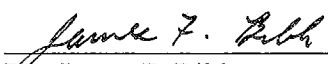
BEFORE ME, the undersigned authority, on this day personally appeared JANIS SMITH, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 20 day of September, 2021.




Notary Public in and for the
State of Texas

NO TITLE EXAMINATION HAS BEEN MADE OR REQUESTED BY THE GRANTEE FROM THE PALMER LAW FIRM, INC., AND THE GRANTEE HAS BEEN ADVISED BY SAID ATTORNEYS, IN ADVANCE, THAT GRANTEE SHOULD CONSIDER ACQUIRING TITLE INSURANCE FOR THE LAND CONVEYED HEREBY.


By: James F. Bibb



EXHIBIT

"A"

4901 East End Blvd. South
Marshall, TX 75671
903.471.8391
TBPELS Firm No. 10194253
LA Firm No. 801
www.mtxsurveying.com

to
CWS

METES AND BOUNDS DESCRIPTION OF
1.88 ACRES OF LAND
A.P. HOPE SURVEY, A-877
HARRISON COUNTY, TEXAS

Being 1.88 acres of land situated in the A.P. Hope Survey, A-877, located approximately 18 ½ miles northeast of the Courthouse of Marshall in Harrison County, Texas, being a part of a called 2.880 acre tract of land described in deed from Don Smith to Janis Smith, dated January 14, 2019 and recorded in Clerk's File #2019-000001129 of the Harrison County Clerk's File, said 1.88 acre tract being more particularly described by metes and bounds as follows and as shown on the plat prepared by MTX Surveying, LLC on file as Job No. 21603, (Bearing Basis: State Plane Coordinates, Texas North Central 4202, NAD83, GRID):

BEGINNING at a ½" iron rod found for the southwest corner of said called 2.880 acre tract and the herein described tract, being on the west line of the residue of a called 384.7 acre tract of land, designated as Parcel A -- Tract One, described in deed to Clay Allen, Trustee and recorded in Volume 1376, Page 157 of the Harrison County Deed Records and being on the east margin of Cypress Village Road;

THENCE North 32°57'26" West, with the west line of said called 2.880 acre tract and the herein described tract and with the east margin of said Cypress Village Road, 309.04 feet to a ½" iron rod with orange plastic cap stamped "MTX Surveying" set for the northwest corner of the herein described tract, being the southwest corner of a 1.00 acre tract of land surveyed this date;

THENCE North 57°02'34" East, with the north line of herein described tract, being the south line of said 1.00 acre tract, 264.71 feet to a ½" iron rod with orange plastic cap stamped "MTX Surveying" set for the northeast corner of the herein described tract, being the southeast corner of said 1.00 acre tract, being on a western line of the residue of a called 384.7 acre tract of land, designated as Parcel A -- Tract One, described in deed to Clay Allen, Trustee and recorded in Volume 1376, Page 157 of said Deed Records;

THENCE South 32°57'26" East, with the east line of said called 2.880 acre tract and herein described tract and with the western line of the residue of said called 384.7 acre tract of land, 309.09 feet to a ½" iron rod found for the southeast corner of said called 2.880 acre tract and herein described tract;

THENCE South 57°02'34" West, with the south line of said called 2.880 acre tract and herein described tract, 264.71 feet to the PLACE OF BEGINNING and containing 1.88 acres of land, more or less.

I, Misty J. Clark, Registered Professional Land Surveyor No. 6656, do hereby certify that these field notes were prepared from an actual survey made on the ground, under my supervision, during the month of July 2021.

GIVEN UNDER MY HAND AND SEAL this the 3rd day of August 2021





Misty J. Clark
Registered Professional Land Surveyor
Texas Registration No. 6656

EXHIBIT
“B”



Office of the Secretary of State

CERTIFICATE OF FILING OF

C.V.W.S., Inc.
File Number: 800949522

The undersigned, as Deputy Secretary of State of Texas, hereby certifies that the statement of change of registered agent/office for the above named entity has been received in this office and has been found to conform to law.

ACCORDINGLY the undersigned, as Deputy Secretary of State, and by virtue of the authority vested in the Secretary by law hereby issues this Certificate of Filing.

Dated: 09/20/2021

Effective: 09/20/2021



A handwritten signature in black ink, consisting of a stylized "J" and "E" followed by a horizontal line.

Jose A. Esparza
Deputy Secretary of State

Form 401
(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: See instructions

This space reserved for office use.



**Statement of Change of
Registered Office/Agent**

Entity Information

1. The name of the entity is:

C.V.W.S., Inc.

State the name of the entity as currently shown in the records of the secretary of state.

2. The file number issued to the filing entity by the secretary of state is: 0800949522

3. The name of the registered agent as currently shown on the records of the secretary of state is:

Donald Lee Smith

Registered Agent Name

The address of the registered office as currently shown on the records of the secretary of state is:

3664 FM 1793

Marshall

TX 75672

Street Address

City

State Zip Code

Change to Registered Agent/Registered Office

4. The certificate of formation or registration is modified to change the registered agent and/or office of the filing entity as follows:

Registered Agent Change

(Complete either A or B, but not both. Also complete C if the address has changed.)

☐ A. The new registered agent is an organization (cannot be entity named above) by the name of:

OR

☒ B. The new registered agent is an individual resident of the state whose name is:

James

F.

Bibb

Mr.

First Name

M.I.

Last Name

Suffix

Registered Office Change

☒ C. The business address of the registered agent and the registered office address is changed to:

14617 Highway 43 North

Karnack

TX 75661

Street Address (No P.O. Box)

City

State Zip Code

The street address of the registered office as stated in this instrument is the same as the registered agent's business address.

Statement of Approval

The change specified in this statement has been authorized by the entity in the manner required by the BOC or in the manner required by the law governing the filing entity, as applicable.

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 to execute the filing instrument.

Date: 9/20/2021

James F. Bibb
Signature of authorized person

James F. Bibb President
Printed or typed name of authorized person (see instructions)

EXHIBIT
“C”

BILL OF SALE

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF HARRISON

That **CADDO LAKE WATER SUPPLY CORPORATION**, hereinafter called Seller, for the consideration of **TEN AND NO/100 DOLLARS (\$10.00)** and other good and valuable consideration to it in hand paid by **C.V.W.S., INC.**, whose address is 14617 Highway 43 North, Karnack, Texas 75661, hereinafter called Buyer, has granted, sold, transferred and assigned unto the said **C.V.W.S., INC.**, the following:

All that certain portion of Caddo Lake Water Supply Corporation's certificated area, containing approximately 11 acres and denoted in blue, which area has been approved to be conveyed, transferred and made a part of the Cypress Village Water System, CCN #11763, by the Texas Commission on Environmental Quality, as specifically denoted and set forth on the map or plat attached hereto in Exhibit "A".

THIS CONVEYANCE IS EXECUTED, DELIVERED AND ACCEPTED WITHOUT ANY REPRESENTATION, ASSURANCE OR WARRANTY, WHETHER EXPRESS OR IMPLIED, AS TO THE CONDITION OF THE ABOVE PROPERTY, OR AS TO THE FITNESS, MERCHANTABILITY OR SUITABILITY OF SAID PROPERTY, OR AS TO THE EXISTENCE, NON-EXISTENCE OR EXTENT OR NATURE OF DEFECTS OF ANY KIND, EITHER APPARENT OR LATENT.

IN CONSIDERATION OF THE SELLER CONVEYING SAID PROPERTY FOR THE CONSIDERATION HEREINABOVE RECITED, THE BUYER ACCEPTS SAID PROPERTY, IN ITS PRESENT CONDITION, "AS IS," WITHOUT ANY WARRANTY OR GUARANTEE AS TO THE CONDITION, FITNESS, MERCHANTABILITY, SUITABILITY OR FREEDOM FROM DEFECTS.

Seller and Buyer stipulate, acknowledge and agree that no water customers are currently located within the certificated area to be transferred from Seller to Buyer, and as such, there are no customer deposits which need be transferred.

TO HAVE AND TO HOLD the above described, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Buyer and the Buyer's successors and

assigns forever, and Seller does bind itself, it's successors and assigns, to Warrant and forever defend, all and singular that portion of Seller's CCN being transferred to Buyer as denoted on the attached Exhibit "A" unto the said Buyer, and the Buyer's successors and assigns, against every person whomsoever claiming, or to claim the same, or any part thereof, by, through and under Seller, but not otherwise.

EXECUTED THIS 21 day of September, 2021.

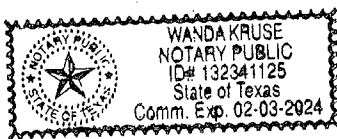
CADDO LAKE WATER SUPPLY CORP.

Terry Beith President of Board
By: _____

STATE OF TEXAS §
 §
COUNTY OF HARRISON §

BEFORE ME, the undersigned authority, on this day personally appeared Terry Beith, President of Caddo Lake Water Supply Corporation, a Texas Corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the 23 day of September, 2021.



3/1/21
Notary Public in and for the State of Texas
WANDAKRUSE
NOTARY PUBLIC
ID# 132341125
State of Texas
Comm. Exp. 02-03-2024

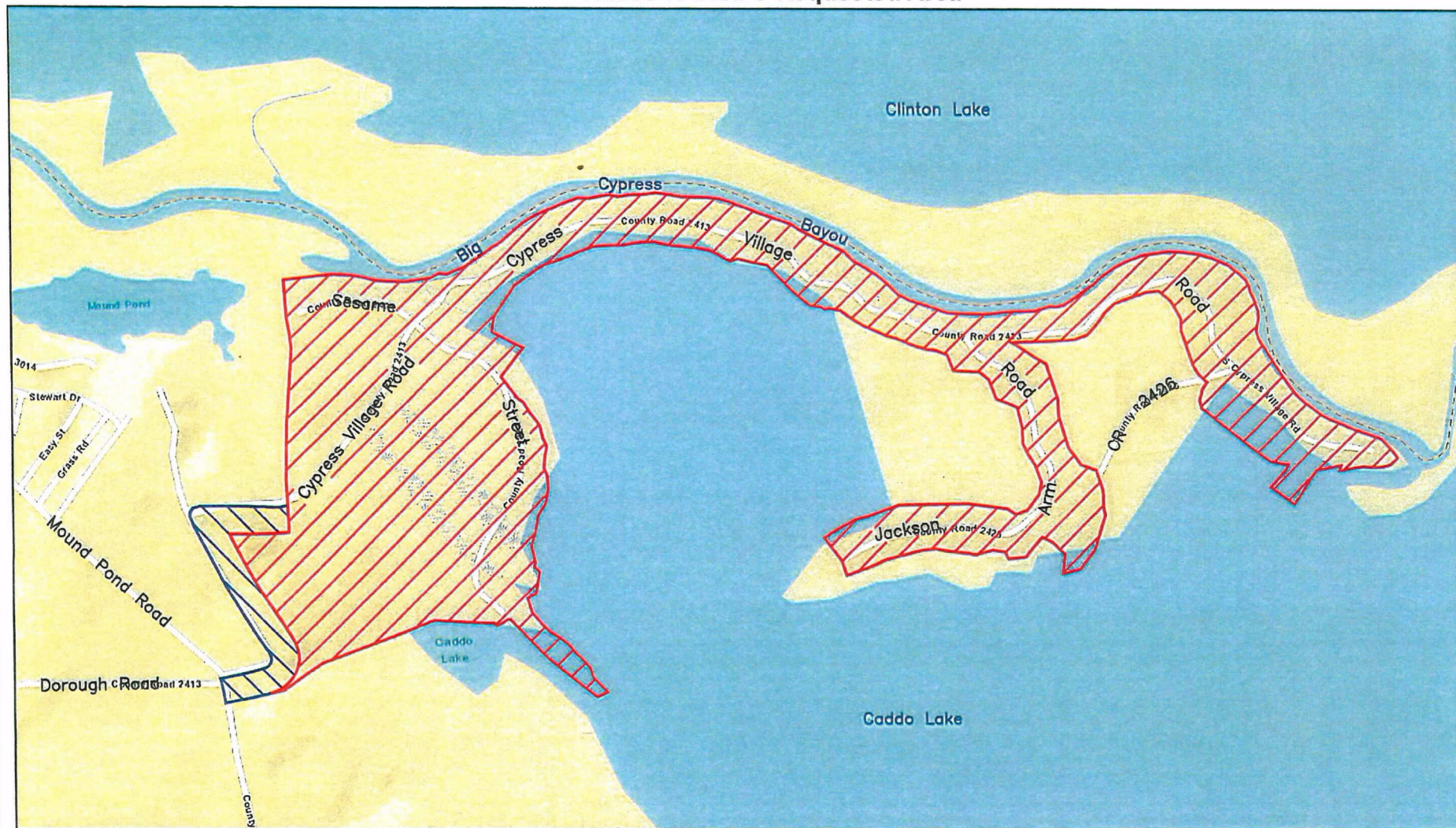
AGREED AND ACCEPTED:

C.V.W.S., INC.

BY: James F. Bibb
James F. Bibb, President

Exhibit "A"

**General Location
Docket 50299
James F. Bibb's Requested Area**



Transfer Area from Caddo Lake WSC (CCN No. 10367)
to James F. Bibb's Requested Area



Transfer from and Amend CVWS (CCN No. 11763) to
James F. Bibb's Requested Area

Project: Cypress Village Water Supply

