

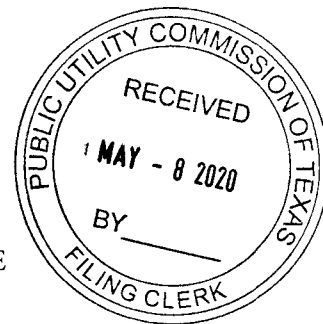


Control Number: 50405



Item Number: 15

Addendum StartPage: 0



PUC DOCKET NO. 50405

PETITION BY THE SANCTUARY
TEXAS, LLC,
FOR EXPEDITED RELEASE FROM
WATER CCN NO. 13201 HELD BY
AQUA TEXAS IN
DENTON COUNTY

§
§
§
§
§
§

BEFORE THE

PUBLIC UTILITY COMMISSION

OF TEXAS

THE SANCTUARY TEXAS, LLC'S NOTICE OF FILING OF DEEDS

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

The Sanctuary Texas, LLC ("Petitioner") files the attached Special Warranty Deeds
granting the property described in this matter to Petitioner

Respectfully submitted,

COATS | ROSE

By:

Natalie B. Scott
State Bar No. 24027970
nscott@coatsrose.com
Terrace 2
2700 Via Fortuna, Suite 350
Austin, Texas 78746
(512) 469-7987 Telephone
(512) 469-9408 Telecopier

**ATTORNEY FOR PETITIONER
THE SANCTUARY TEXAS, LLC**

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of May, a true and correct copy of this document was served on all parties of record in this proceeding by electronic mail and by filing on the PUC Interchange System.

Counsel for Aqua Texas, Inc.

Geoffrey P. Kirshbaum
TERRILL & WALDROP
810 W. 10th Street
Austin, Texas 78701
Email: gkirshbaum@terriwwaldrop.com

Creighton R. McMurray
PUC – Legal Division
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
Email: Creighton.McMurray@puc.texas.gov



Natalie B. Scott

EXHIBIT A

Denton County
Juli Luke
County Clerk

Instrument Number: 106441

ERecordings-RP

WARRANTY DEED

Recorded On: August 27, 2019 03:56 PM

Number of Pages: 6

" Examined and Charged as Follows: "

Total Recording: \$46.00

***** 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: 106441
Receipt Number: 20190827000672
Recorded Date/Time: August 27, 2019 03:56 PM
User: Darcey B
Station: Station 21

Record and Return To:

Simplifile



STATE OF TEXAS
COUNTY OF DENTON

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 Denton County, Texas.

Juli Luke
County Clerk
Denton County, TX

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.

GF# 1002-271991-RTT

SPECIAL WARRANTY DEED

Broderick Steve Harvey, Trustee of The Broderick Steve Harvey Revocable Trust under Trust Agreement dated October 7, 1997

(hereinafter called "Grantor," whether one or more, masculine, feminine or neuter) for and in consideration of the sum of TEN and no/100 DOLLARS and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, paid by

The Sanctuary Texas LLC, a Texas limited liability company

(hereinafter called "Grantee," whether one or more, masculine, feminine or neuter), of one certain note of even date herewith in the principal sum of **THREE MILLION ONE HUNDRED EIGHTY FIVE THOUSAND and NO/100 DOLLARS (\$ 3,185,000.00)**, payable to the order of **Independent Bank** (hereinafter called "Payee," whether one or more, masculine, feminine or neuter) as therein provided, it having advanced said sum at the special instance and request of Grantee as part of the purchase price for the property conveyed hereby, and Payee shall be and the same hereby is subrogated to all of the rights, titles, liens and equities of said Grantor securing the payment of said note as fully as if it were Grantor herein, and in addition to the first and superior vendor's lien retained herein, said note is additionally secured by a deed of trust of even date herewith to **Daniel W. Brooks**, Trustee(s), upon the property conveyed hereby, and by these presents does Grant, Sell and Convey, unto the said Grantee, all that certain property described as follows:


BEING ALL OF LOTS 1, 3, 4, 5, 6, 7, 8 and 9, CARDINAL RIDGE ESTATES, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET P, PAGE 256, PLAT RECORDS, DENTON COUNTY, TEXAS.

together with all improvements thereon, if any, and all rights, privileges, tenements, hereditaments, rights of way, easements, appendages and appurtenances, in anyway appertaining thereto, and all right, title and interest of Grantor in and to any streets, ways, alleys, strips or gores of land adjoining the above-described property or any part thereof (hereinafter, the "Property").

This deed is executed and delivered subject to all easements, reservations, conditions, covenants and restrictive covenants as the same appear of record in the office of the County Clerk of the county in which the Property is located, and property taxes for the current year and subsequent years, the payment of which Grantee assumes.

TO HAVE AND TO HOLD the above described Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, his, her or its successors, heirs and assigns, as the case may be, forever; and Grantor does hereby bind Grantor and Grantor's successors, heirs, executors and administrators, as the case may be, to Warrant and Forever Defend all and singular the said Property unto the said Grantee and Grantee's successors, heirs and assigns, as the case may be, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, by, through, or under Grantor, but not otherwise.

Executed effective as of the 21 day of August, 2019.

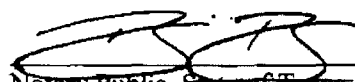

Broderick Steve Harvey, Trustee of The
Broderick Steve Harvey Revocable Trust
under Trust Agreement dated October 7, 1997

ACKNOWLEDGMENT

STATE OF _____ §
COUNTY OF _____ §

Before me, the undersigned authority, on this day personally appeared Broderick Steve Harvey, Trustee of The Broderick Steve Harvey Revocable Trust under Trust Agreement dated October 7, 1997, [check one] ☐ known to me or ☒ proved to me through US DL (description of identity card) to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that said person executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 21 day of August, 2019.


Notary Public, State of Texas
Printed name: **BENJAMIN BURNES**
Commission expires: **OCTOBER, 2020**

Page 2 of 5



AFTER RECORDING RETURN TO:

The Sanctuary Texas LLC
11700 Preston Road, Suite 660, #253
Dallas, TX 75230

EXHIBIT B
Permitted Encumbrances

1. Restrictive covenants contained in Judgment on Declaration of Taking and Order Fixing Date of Possession recorded in Volume 436, Page 20 and Volume 3114, Page 433, Real Property Records, Denton County, Texas, and in Cabinet P, Slide 255, Plat Records, Denton County, Texas.
2. Easement as awarded to United States of America in Condemnation Proceedings in the United States District Court for the Eastern District of Texas, under Cause No. 1319, filed 03/18/1958, recorded in Volume 436, Page 20, Real Property Records, Denton County, Texas, and as shown on the survey prepared by J.E. Thompson, RPLS No. 4857, of All American Surveying, Job No. 190209, dated 07/24/2019 (the "Survey").
3. Title to all coal, lignite, oil, gas and other minerals in, under and that may be produced from the land, together with all rights, privileges, and immunities relating thereto, all of such interest, to the extent not previously reserved or conveyed, being reserved or conveyed in instrument filed 12/06/1991, recorded in Volume 3114, Page 433, Real Property Records Denton County, Texas. Company makes no representation as to the present ownership of any said interest.
4. Easement granted by Mrs. Mildred Tipton to Texas Power & Light Company, filed 06/25/1952, recorded in Volume 378, Page 64, Real Property Records, Denton County, Texas.
5. Easement granted by Ling Electric, Inc. Profit Sharing Trust to Southwestern Bell Telephone Company, filed 07/12/1972, recorded in Volume 650, Page 434, Real Property Records, Denton County, Texas.
6. Easement granted by Dak Investments to Premier Designs, Inc., filed 12/21/1993, recorded in cc# 93-R0092191, Real Property Records, Denton County, Texas. As corrected by instrument filed 08/28/1998, recorded in Volume 4164, Page 104, Real Property Records, Denton County, Texas, and as shown on the Survey. (Affects Lot 2)
7. Easement granted by The Broderick Steve Harvey Revocable Trust to Denton County Electric Cooperative, Inc., filed 06/22/2001, recorded in Volume 4864, Page 2283, Real Property Records, Denton County, Texas, and as shown on the Survey.
8. Affidavit to the Public executed by Steve Harvey for On-Site Waste Water System, filed 05/12/1999, recorded in Volume 4337, Page 140, Real Property Records, Denton County, Texas.
9. The following easements and/or building lines, as shown on plat recorded in Cabinet P, Slide 256, Plat Records, Denton County, Texas, and as shown on the Survey:
 - 30' building line (Affects all lots)
 - 30' ingress, egress, utility and drainage easement (Affects Lots 3, 8 and 9)
 - Variable width ingress, egress, utility and drainage easement (Affects Lots 4, 5, 6 and 7)
 - 30' private access easement (Affects Lot 6)
 - 15' drainage and utility easement (Affects Lot 1)
 - Flowage easement. (Affects Lot 5)

10. Rights, if any, of third parties with respect to the following matters, as shown on the Survey:

- i) Wire fence onto the adjoining tract to the South;
- ii) Transformer pads, and any lines associated therewith;
- iii) Telephone risers, and any lines associated therewith; and
- iv) Propane tank, and any lines associated therewith.

EXHIBIT B

Denton County
Juli Luke
County Clerk

Instrument Number: 106442

ERecordings-RP

WARRANTY DEED

Recorded On: August 27, 2019 03:56 PM

Number of Pages: 7

" Examined and Charged as Follows: "

Total Recording: \$50.00

***** 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: 106442
Receipt Number: 20190827000672
Recorded Date/Time: August 27, 2019 03:56 PM
User: Darcey B
Station: Station 21

Record and Return To:

Simplifile



STATE OF TEXAS
COUNTY OF DENTON

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 Denton County, Texas.

Juli Luke
County Clerk
Denton County, TX

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.

GF# 1002-271991-RTT

SPECIAL WARRANTY DEED

Broderick Harvey a/k/a Broderick S. Harvey

(hereinafter called "Grantor," whether one or more, masculine, feminine or neuter) for and in consideration of the sum of TEN and no/100 DOLLARS and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, paid by

The Sanctuary Texas LLC, a Texas limited liability company

(hereinafter called "Grantee," whether one or more, masculine, feminine or neuter), of one certain note of even date herewith in the principal sum of **THREE MILLION ONE HUNDRED EIGHTY FIVE THOUSAND and NO/100 DOLLARS (\$ 3,185,000.00)**, payable to the order of **Independent Bank** (hereinafter called "Payee," whether one or more, masculine, feminine or neuter) as therein provided, it having advanced said sum at the special instance and request of Grantee as part of the purchase price for the property conveyed hereby, and Payee shall be and the same hereby is subrogated to all of the rights, titles, liens and equities of said Grantor securing the payment of said note as fully as if it were Grantor herein, and in addition to the first and superior vendor's lien retained herein, said note is additionally secured by a deed of trust of even date herewith to **Daniel W. Brooks**, Trustee(s), upon the property conveyed hereby, and by these presents does Grant, Sell and Convey, unto the said Grantee, all that certain property described as follows:


FIELD NOTES TO ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE CHRISTOPHER C. DICKSON SURVEY, ABSTRACT NO. 339, DENTON COUNTY, TEXAS, BEING ALL OF LOT 2, CARDINAL RIDGE ESTATES, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET P, PAGE 256, PLAT RECORDS, DENTON COUNTY, TEXAS AND BEING ALL OF THAT CERTAIN CALLED 4.83 ACRE TRACT OF LAND DESCRIBED IN DEED TO BRODERICK S. HARVEY AND MARY L. HARVEY, RECORDED IN VOLUME 5051, PAGE 4250, REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED ON EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

together with all improvements thereon, if any, and all rights, privileges, tenements, hereditaments, rights of way, easements, appendages and appurtenances, in anyway appertaining thereto, and all right, title and interest of Grantor in and to any streets, ways, alleys, strips or gores of land adjoining the above-described property or any part thereof (hereinafter, the "Property").

This deed is executed and delivered subject to all easements, reservations, conditions, covenants and restrictive covenants as the same appear of record in the office of the County Clerk of the county in which the Property is located, and property taxes for the current year and subsequent years, the payment of which Grantee assumes.

TO HAVE AND TO HOLD the above described Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, his, her or its successors, heirs and assigns, as the case may be, forever; and Grantor does hereby bind Grantor and Grantor's successors, heirs, executors and administrators, as the case may be, to Warrant and Forever Defend all and singular the said Property unto the said Grantee and Grantee's successors, heirs and assigns, as the case may be, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, by, through, or under Grantor, but not otherwise.

Executed effective as of the 21 day of August, 2019.


Broderick Harvey a/k/a Broderick S. Harvey

ACKNOWLEDGMENT

STATE OF TX §
COUNTY OF DA §

Before me, the undersigned authority, on this day personally appeared **Broderick Harvey a/k/a Broderick S. Harvey**, [check one] ☐ known to me or ☒ proved to me through USDL (description of identity card) to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that said person executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 21 day of August, 2019.


Notary Public, State of

Page 2 of 6



AFTER RECORDING RETURN TO:
The Sanctuary Texas LLC
11700 Preston Road, Suite 660, #253
Dallas, Texas 75230

EXHIBIT A
Property Description

TRACT 1:

ALL THAT CERTAIN TRACT OF LAND SITUATED IN THE CHRISTOPHER C. DICKSON SURVEY, ABSTRACT #339, DENTON COUNTY, TEXAS AND BEING PART OF A CALLED 5.1846 ACRE TRACT DESCRIBED IN THE DEED TO DINH CHI TRUONG AND BAO NGOE LUU RECORDED UNDER CLERK'S FILE NUMBER 93-R0027940, REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS; THE SUBJECT TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR THE NORTHWEST CORNER OF THE TRACT BEING DESCRIBED HEREIN AT A CAPPED IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID 5.1846 ACRE TRACT;

THENCE SOUTH 89° 01' 50" EAST ALONG AND NEAR A FENCE WITH THE NORTH LINE THEREOF A DISTANCE OF 843.89' TO A 5/8" IRON ROD FOUND IN THE WEST LINE OF GARZA LANE FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 01° 08' 08" WEST WITH THE WEST LINE OF SAID ROAD A DISTANCE OF 249.86' TO A CAPPED IRON ROD FOUND IN THE SOUTH LINE OF SAID 5.1846 ACRE TRACT FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 89° 01' 00" WEST ALONG AND NEAR A FENCE WITH THE SOUTH LINE OF SAID 5.1846 ACRE TRACT A DISTANCE OF 840.29' TO A CAPPED IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID 5.1846 ACRE TRACT;

THENCE NORTH 00° 18' 30" EAST WITH THE WEST LINE THEREOF A DISTANCE OF 249.67' TO THE PLACE OF BEGINNING AND ENCLOSING 4.83 ACRES OF LAND MORE OR LESS.

TRACT 2:

BEING LOT 2, OF CARDINAL RIDGE ESTATES, AN ADDITION TO DENTON COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET P, PAGE 255, PLAT RECORDS OF DENTON COUNTY, TEXAS.

EXHIBIT B
Permitted Encumbrances

1. Restrictive covenants contained in Judgment on Declaration of Taking and Order Fixing Date of Possession recorded in Volume 436, Page 20 and Volume 3114, Page 433, Real Property Records, Denton County, Texas, and in Cabinet P, Slide 255, Plat Records, Denton County, Texas.
2. Easement as awarded to United States of America in Condemnation Proceedings in the United States District Court for the Eastern District of Texas, under Cause No. 1319, filed 03/18/1958, recorded in Volume 436, Page 20, Real Property Records, Denton County, Texas, and as shown on the survey prepared by J.E. Thompson, RPLS No. 4857, of All American Surveying, Job No. 190209, dated 07/24/2019 (the "Survey").
3. Title to all coal, lignite, oil, gas and other minerals in, under and that may be produced from the land, together with all rights, privileges, and immunities relating thereto, all of such interest, to the extent not previously reserved or conveyed, being reserved or conveyed in instrument filed 12/06/1991, recorded in Volume 3114, Page 433, Real Property Records Denton County, Texas. Company makes no representation as to the present ownership of any said interest.
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 - 30' building line (Affects all lots)
 - 15' drainage and utility easement (Affects Lot 2)
 - 60' private access, utility and drainage easement (Affects Lot 2)
 - Flowage easement. (Affects Lot 2)

10. Rights, if any, of third parties with respect to the following matters, as shown on the Survey:

- i) Wire fence onto the adjoining tract to the South;
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