



Control Number: 51023



Item Number: 383

Addendum StartPage: 0



**SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023**

**APPLICATION OF THE CITY OF §
SAN ANTONIO, ACTING BY AND §
THROUGH THE CITY PUBLIC §
SERVICE BOARD (CPS ENERGY) §
TO AMEND ITS CERTIFICATE OF §
CONVENIENCE AND NECESSITY §
FOR THE PROPOSED SCENIC §
LOOP 138-KV TRANSMISSION LINE §**

**BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS**

**TOUTANT RANCH, LTD. AND ASR PARKS, LLC'S RESPONSE TO ANAQUA
SPRINGS HOMEOWNERS' ASSOCIATION'S FIRST REQUEST FOR INFORMATION**

Toutant Ranch, Ltd. and ASR Parks, LLC ("Toutant Ranch and ASR Parks") files the following response to the First Requests for Information ("RFI") to Toutant Ranch and ASR Parks filed by Anaqua Springs Homeowner's Association ("Anaqua Springs HOA"). The request was filed at the Commission and received by Toutant Ranch and ASR Parks on October 30, 2020. Accordingly, pursuant to the procedural schedule entered in this case, Toutant Ranch and ASR Parks's response is timely filed. Toutant Ranch and ASR Parks's responses to specific questions are set forth as follows, in the order of the questions asked. Pursuant to 16 T.A.C. § 22.144(c)(2)(F), these responses may be treated as if they were filed under oath.

Respectfully submitted,

THOMPSON & KNIGHT LLP

/s/ Michael McMillin

Katherine L. Coleman
State Bar No. 24059596
Michael McMillin
State Bar No. 24088034
98 San Jacinto Blvd., Suite 1900
Austin, Texas 78701
(512) 469.6100
(512) 469.6180 (fax)

**ATTORNEYS FOR TOUTANT RANCH, LTD.
AND ASR PARKS, LLC**

383

CERTIFICATE OF SERVICE

I, Michael McMillin, Attorney for Toutant Ranch, Ltd. and ASR Parks, LLC, hereby certify that a copy of the foregoing document was served on all parties of record in this proceeding on this 16th day of November, 2020 by hand-delivery, facsimile, electronic mail and/or First Class, U.S. Mail, Postage Prepaid.

/s/ Michael McMillin

Michael McMillin

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**TOUTANT RANCH, LTD. AND ASR PARKS, LLC'S RESPONSE TO ANAQUA
SPRINGS HOMEOWNERS' ASSOCIATION'S FIRST REQUEST FOR INFORMATION**

ANAQUA SPRINGS 1-1: Please provide all documents related the donation of the easement on Segment 42.

RESPONSE:

Pursuant to an agreement with counsel for Anaqua Springs, this request did not include documents that are protected attorney client communications or attorney work product. Additionally, no privilege log is required for such documents.

Please see Attachment 1-1 for responsive documents.

From: Taylor Dreiss
Sent: Friday, January 3, 2020 1:13 PM
To: Otto, Daniel T. <DTOtto@cpsenergy.com>; Kirk Rasmussen <krasmussen@enochkever.com>; Giles, Kipling D. <KDGiles@CPSEnergy.com>; Craig Bennett <cbennett@enochkever.com>
Cc: Tom Dreiss <tomdreiss@aol.com>
Subject: Pecan Springs Development - Meeting 1/3/20

Gentlemen,

Thank you for meeting with us this morning to discuss segment 42 and our Pecan Springs Development. We have an agreement to purchase land from the Pinson's in order to facilitate segment 42 being relocated to our northern boundary. This relocation along our northern boundary will not affect any new land owners and is shown on the attached exhibit in pink.

Per our discussion this morning, we have agreed to dedicate a portion of the electrical easement along this reroute, shown between the double red arrows on the exhibit. We have also agreed to add an additional segment (shown in orange) connecting segment 41 with the reroute option of 42. We have a verbal agreement with the Pinson's to purchase the land highlighted in black, and the written version of this agreement will be provided to you in the next few weeks.

Thank you again for allowing us to meeting this morning,

Tom and Taylor Dreiss



SEGMENT 41

ADDITIONAL
SEGMENT TO
BE ADDED

ADDITIONAL LAND TO
BE PURCHASED

PROPOSED SEGMENT 42
ADJUSTMENT

ORIGINAL
SEGMENT 42

MCANDREW
ELEMENTARY SCHOOL

PECAN
SPRINGS
UNIT 2

MAGDA SPRINGS RANCH

PECAN SPRINGS RANCH
PHASE III

DUNN POINT

CASTLE SPRAWLER

3-PHASE ELECTRIC

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Let us know if you have any questions.
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Subject: RE: Pecan Springs Development - Meeting 1/3/20

I concur, it was a good meeting.

My new V-card is attached. Have a good weekend.

Craig Bennett
100 Congress Avenue Suite 1100 | Austin, TX | 78701
V: (512) 236-2087 | F: (512) 691-4427 | cbennett@jw.com



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****RECEIVED FROM EXTERNAL SENDER – USE CAUTION****

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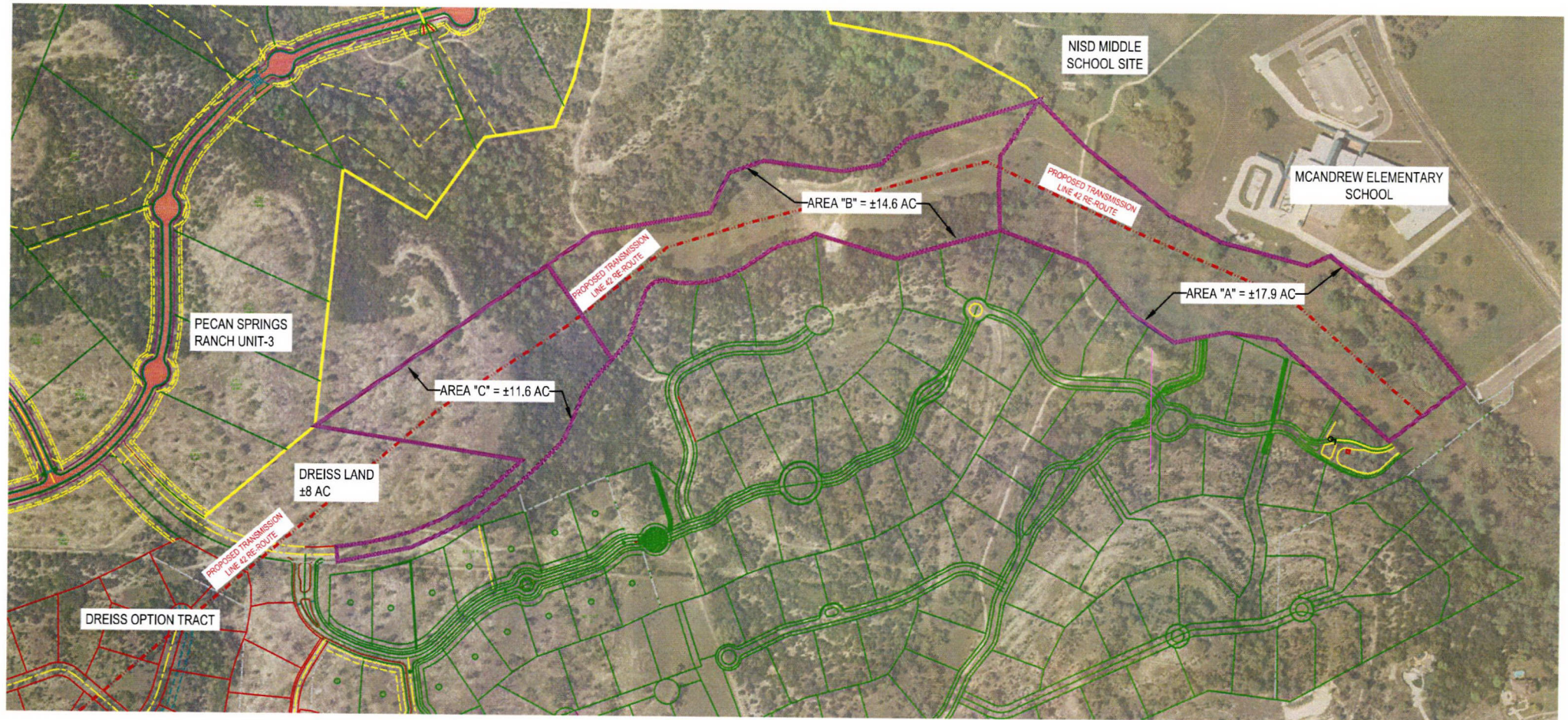
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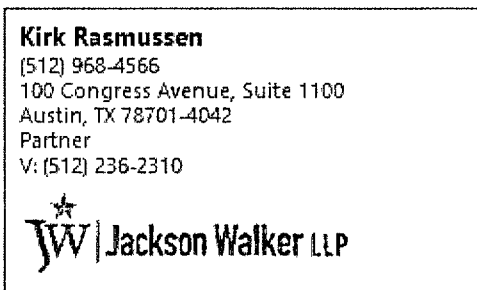
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Full Name: Kirk Rasmussen
Last Name: Rasmussen
First Name: Kirk
Job Title: Partner

Business Address: 100 Congress Avenue, Suite 1100
Austin, TX 78701-4042

Business: (512) 236-2310
Mobile: (512) 968-4566

E-mail: krasnussen@jw.com
E-mail Display As: Kirk Rasmussen (krasnussen@jw.com)

From: Bennett, Craig <cbennett@jw.com>
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Partner
V: (512) 236-2310



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Full Name: Craig R. Bennett
Last Name: Bennett
First Name: Craig
Job Title: Senior Counsel
Company: Jackson Walker LLP

Business: 512.236.2087

E-mail: cbennett@jw.com
E-mail Display As: Craig R. Bennett (cbennett@jw.com)

From: Taylor Dreiss <tdreiss@dreicomgmt.com>
Sent: Tuesday, February 18, 2020 11:45 AM
To: Bennett, Craig; Rasmussen, Kirk
Cc: 'tomdreiss@aol.com'; DTotto@cpsenergy.com; KDGiles@CPSEnergy.com
Subject: FW: Pecan Springs Development - Meeting 1/3/20
Attachments: Pinson Purchase Agreement.pdf; Pecan Springs - Pinson Add.Land.pdf

Gentlemen,

Attached is the signed purchase and option agreement executed by the seller. Please confirm that you have received and that there is no further documentation needed to facilitate the realignment of segment 42 through our tract.

Thank you,

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Toutant Ranch, Ltd.
325 Sonterra Blvd. E., Suite 110
San Antonio, Texas 78258

February 7, 2020

John F. Jeffers
Pinson Interests, Ltd., LLP
5632 Piping Rock Lane
Houston, Texas 77056

Re: Purchase of Property

Dear Mr. Jeffers:

The purpose of this letter is to confirm our conversations concerning the referenced matter.

As we discussed, Pinson Interests, Ltd., L.L.P, a Texas limited liability partnership ("Seller"), agreed to sell to Toutant Ranch, Ltd., a Texas limited partnership ("Buyer"), and Buyer agreed to purchase from Seller, certain real property situated in Bexar County Texas, said property being an approximately 17.9 acre tract of land ("Tract A") and an approximately 14.6 acre tract of land ("Tract B"), said tracts of land being more specifically described and shown on Exhibit A and A-1 respectively. Tract A and Tract B may hereinafter be referred to collectively as the "Property". The Purchase Price for the Property shall be SIX THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$6,500.00) per acre, i.e. TWO HUNDRED ELEVEN THOUSAND TWO HUNDRED FIFTY AND NO/100 DOLLARS (\$211,250.00) (The "Purchase Price"). The Purchase Price for the Property will be paid in cash at closing.

In addition to the purchase and sale of the Property, if the Public Utility Commission approves City Public Services placement of a utility line, consisting of a variable number of wires and poles, on certain real property situated in Bexar County, Texas, said real property being an approximately 11.6 acre tract of land located immediately adjacent to Tract B ("Tract C"), said tract of land being more specifically described and shown on Exhibit A and A-1 respectively, Seller agreed to grant Buyer an exclusive option (the "Option") to purchase Tract C (the "Option Tract"). If not sooner exercised, Buyer's option to purchase the Option Tract shall automatically terminate two (2) years from the Closing Date of the Property. Buyer may exercise its option to purchase the Option Tract upon written notice to Seller. The purchase price for the Option Tract shall be equal to TWENTY-THOUSAND AND NO/100 DOLLARS (\$20,000.00) per acre, i.e. TWO HUNDRED THIRTY-TWO THOUSAND AND NO/100 DOLLARS (\$232,000.00) (the "Option Purchase Price"). The Option Purchase Price shall be paid in cash at closing. The closing of the purchase of the Option Tract shall occur within sixty (60) days of Buyer's election to purchase the Option Tract.

The purchase of the Property and the Option Tract shall be on an "AS IS, WHERE IS" basis with all faults. The Property and the Option Tract shall be conveyed by special warranty

Toutant Ranch, Ltd.

John F. Jeffers, Managing General Partner
Pinson Interests, Ltd., LLP
February 7, 2020
Page 2 of 5

deed subject to all existing encumbrances. Seller shall pay for the basic cost of an owner's title policy and Buyer shall for the cost of the mortgagee policy and endorsements thereto, if any, as well as the cost of the survey. All other costs or expenses associated with the sale of the Property and the Option Tract shall be paid in accordance with the normal and customary practices of real estate transactions in the county where the property is located, provided, however each party will pay its own attorney's fees and costs and Buyer shall be responsible for all costs associated with its due diligence inspection of the Property and Option Tract.

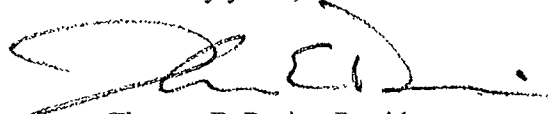
As consideration for the grant of the foregoing Option, if Buyer closes on the purchase of the Option Tract within twelve (12) months of the closing of the purchase of the Property, Buyer shall pay to Seller the sum of \$11,600.00 (the "Year One Option Fee") on the closing date of the purchase of the Option Tract. If Buyer closes on the purchase of the Option Tract after twelve (12) months but on or before twenty-four (24) months of the closing of the purchase of the Property, Buyer shall pay to Seller the sum of \$25,520.00, i.e. \$11,600.00 plus \$13,920.00 (the "Year Two Option Fee") on the closing date of the purchase of the Option Tract. The Year One Option Fee and the Year Two Option Fee are collectively referred to herein as the Option Fees. The Option Fees shall not be credited against the purchase price of the Option Tract.

This letter agreement shall be binding on the both of us, and our respective successors and assigns; and it shall inure to the benefit of the both of us and our respective successors and assigns.

This letter agreement may be signed in multiple counterparts, all of which counterparts taken together shall constitute one agreement. This letter agreement may also be signed by facsimile (fax) transmission or electronic signature (pdf) and such facsimile or electronic signature shall constitute an original for all purposes.

If the terms of this letter agreement are acceptable to you, please sign a copy of this letter agreement where indicated below and return it to me, whereupon it shall become a binding agreement in accordance with its terms.

Sincerely yours,



Thomas E. Dreiss, President
Toutant Ranch GP, LLC

Toutant Ranch, Ltd.

John F. Jeffers, Managing General Partner
Pinson Interests, Ltd., LLP
February ____, 2020
Page 3 of 5

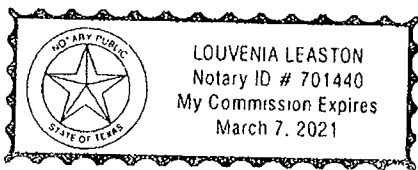
AGREED TO AND ACKNOWLEDGED:

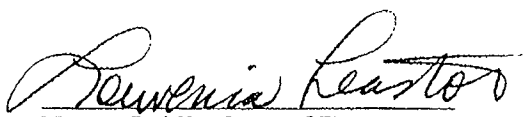
Pinson Interests, Ltd., L.L.P,
a Texas limited liability partnership

By: 
John F. Jeffers, Managing General Partner

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

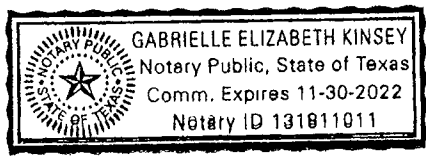
This instrument was acknowledged before me on the 17th day of February, 2020, by John F. Jeffers, Managing General Partner of Pinson Interests, Ltd., L.L.P., a Texas limited liability partnership, on its behalf.

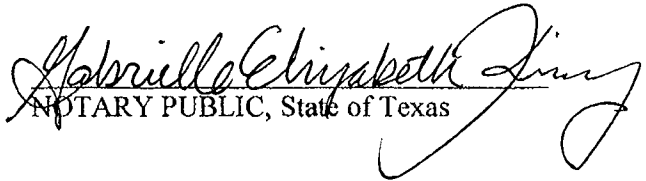



Notary Public, State of Texas

THE STATE OF TEXAS §
 §
COUNTY OF BEXAR §

This instrument was acknowledged before me on the ___ day of February, 2020, by **THOMAS E. DREISS**, President of **TOUTANT RANCH GP, L.L.C.**, a Texas limited liability company, as general partner of **TOUTANT RANCH, LTD.**, a Texas limited partnership, on behalf of said limited liability company and said limited partnership.




NOTARY PUBLIC, State of Texas

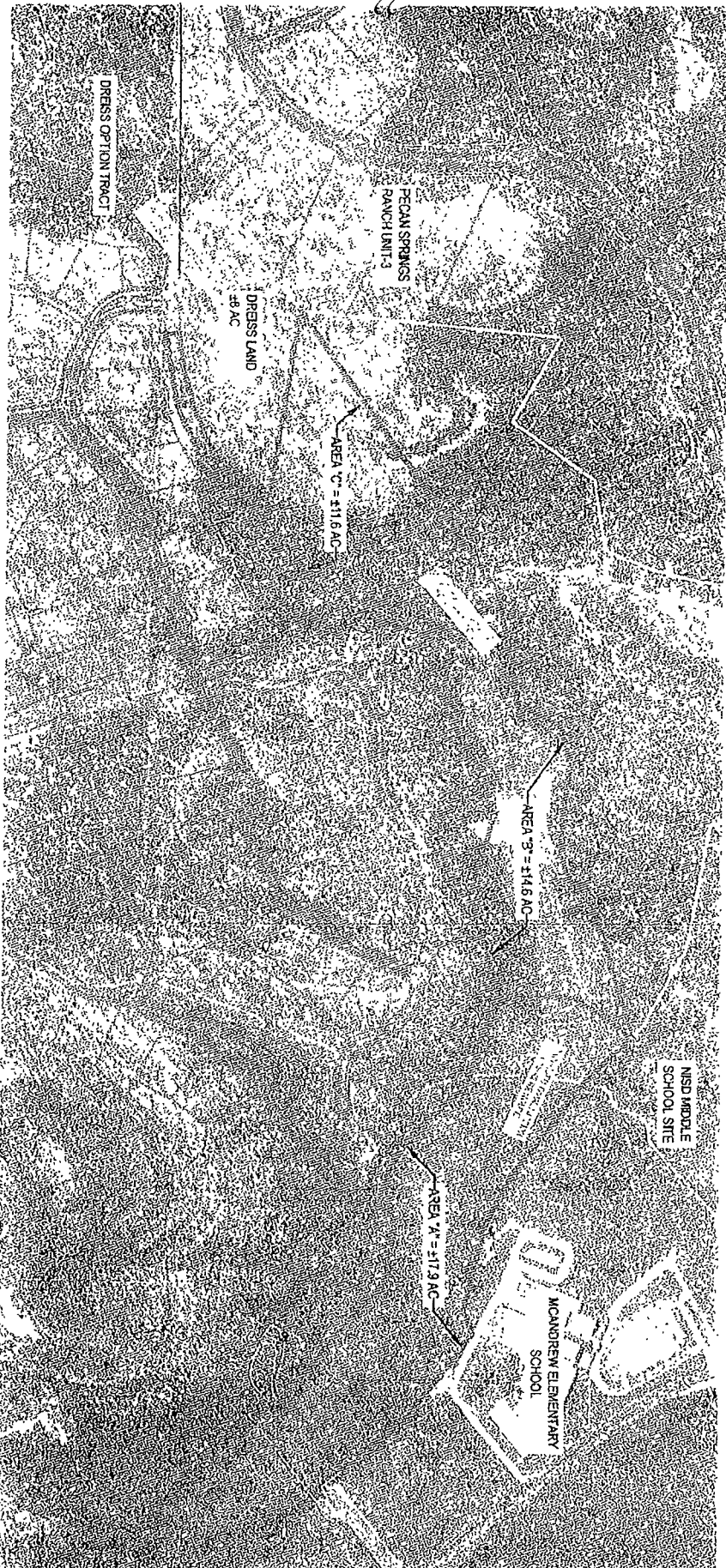
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Pinson Interests, Ltd., LLP
February __, 2020
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EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY AND OPTION TRACT

EXHIBIT "A"



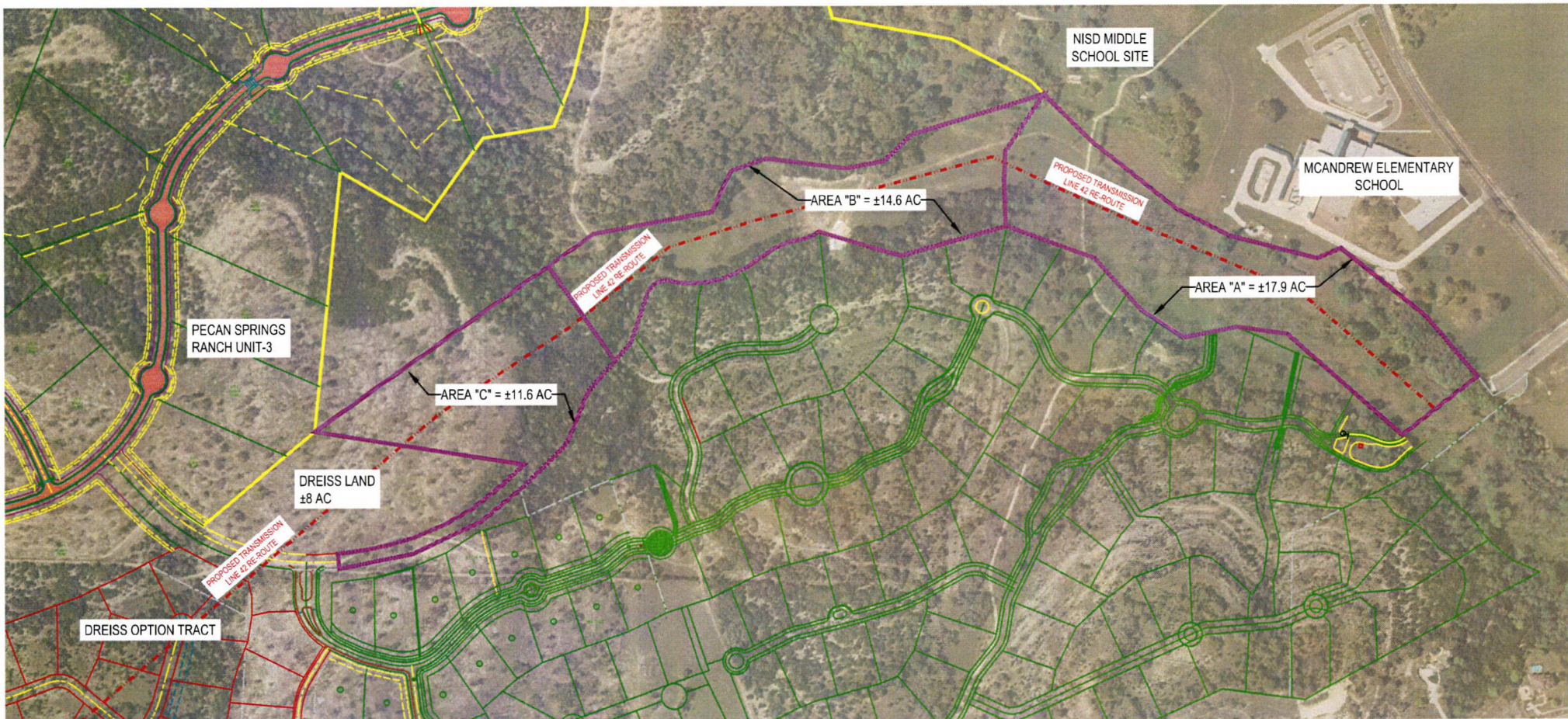
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February __, 2020
Page 5 of 5

EXHIBIT "A-1"

SURVEY OF PROPERTY AND OPTION TRACT

TO BE FURNISHED BY
BUYER.



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Subject: RE: Pecan Springs Development - Meeting 1/3/20 [IMAN-JWDOCS.FID4061346]

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Subject: RE: Pecan Springs Development - Meeting 1/3/20

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My new V-card is attached. Have a good weekend.

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V: (512) 236-2087 | F: (512) 691-4427 | cbennett@jw.com



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To: Taylor Dreiss <tdreiss@dreicomgmt.com>
Subject: RE: Pecan Springs Development - Meeting 1/3/20 [IMAN-JWDOCS.FID4061346]

Taylor, under our current Covid policies, for you all to visit our offices, I need the names, email addresses, and contact phone numbers for all persons that will attend the meeting from your group.

Thanks!

Kirk Rasmussen
512-968-4566

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Sent: Wednesday, June 24, 2020 8:05 PM
To: Rasmussen, Kirk <krasmussen@jw.com>
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Get [Outlook for iOS](#)

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To: Taylor Dreiss <tdreiss@dreicomgmt.com>
Cc: Giles, Kipling D. <KDGiles@CPSEnergy.com>
Subject: RE: Pecan Springs Development - Meeting 1/3/20 [IMAN-JWDOCS.FID4061346]

The address for the Jackson Walker office in San Antonio is:

112 E. Pecan St. Suite 2400
San Antonio, TX 78205

When you arrive, please check in with the security desk. We will not be in the JW offices, but one of the building conference rooms. Masks are required in all common areas within the building. I may need to let you into the building. Please call my cell phone if you are unable to get through the door.

Kirk Rasmussen
512-968-4566

From: Taylor Dreiss <tdreiss@dreicomgmt.com>
Sent: Thursday, June 25, 2020 12:47 PM
To: Rasmussen, Kirk <krasmussen@jw.com>
Subject: Re: Pecan Springs Development - Meeting 1/3/20 [IMAN-JWDOCS.FID4061346]

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Kirk,

Could you let me know the address of the JW offices downtown?

Thanks

Get [Outlook for iOS](#)

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Attachments: Pecan Springs - Segment 42.pdf

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Partner
V: (512) 236-2310



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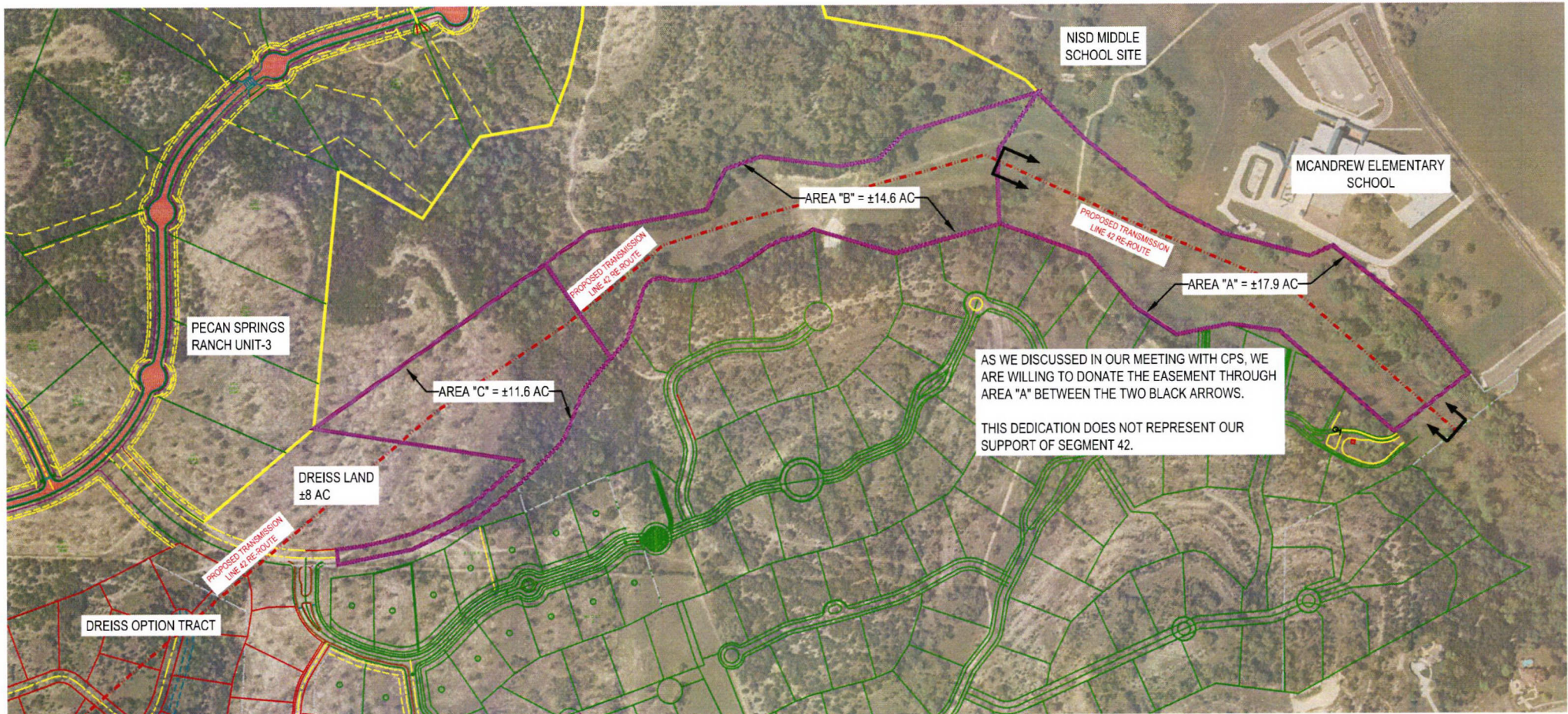
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From: McMillin, Michael
Sent: Monday, October 12, 2020 4:27 PM
To: 'Rasmussen, Kirk'
Cc: Coleman, Katie
Subject: CPS Scenic Loop: Response to Modification Proposal and Request for Call
Attachments: Dreiss Modification Proposal.pdf

Kirk,

I just got off a call with Tom and Taylor Dreiss about the modification proposal you sent us last week. CPS's proposed change didn't match up with what we were expecting, and we think it would be helpful to do another round of revisions in advance of a meeting. That way we can hopefully resolve all the necessary issues, including some lingering changes that we believe were discussed in the meeting you/CPS had with the Dreisses back in July.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Modification 3: We believe this modification reflects the discussions you/CPS had with the Dreisses in July surrounding their donation of the flood plain ROW behind the school.

Modification 4: We believe this modification reflects the discussions you/CPS had with the Dreisses in July surrounding their donation of the flood plain ROW behind the school. The line would hug the southwestern boundary of the school property, with all ROW on the Dreisses' land. We believe that this configuration would keep the line more than 300 feet from any school building.

Let's talk soon.

Best,

Michael McMillin | Thompson & Knight LLP
Associate

ThompsonKnight
98 San Jacinto Blvd., Suite 1900, Austin, TX 78701
512.404.6708 (direct) | 956.244.1134 (cell) | michael.mcmillin@tklaw.com
vCard | www.tklaw.com/michael-mcmillin/

This message may be confidential and attorney-client privileged. If received in error, please do not read. Instead, reply to me that you have received it in error and delete the message.

**SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023**

APPLICATION OF THE CITY OF	§	
SAN ANTONIO, ACTING BY AND	§	BEFORE THE STATE OFFICE
THROUGH THE CITY PUBLIC	§	
SERVICE BOARD (CPS ENERGY)	§	OF
TO AMEND ITS CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY	§	ADMINISTRATIVE HEARINGS
FOR THE PROPOSED SCENIC	§	
LOOP 138-KV TRANSMISSION LINE	§	

**TOUTANT RANCH, LTD. AND ASR PARKS, LLC’S RESPONSE TO ANAQUA
SPRINGS HOMEOWNERS’ ASSOCIATION’S FIRST REQUEST FOR INFORMATION**

Toutant Ranch, Ltd. and ASR Parks, LLC (“Toutant Ranch and ASR Parks”) files the following response to the First Requests for Information (“RFI”) to Toutant Ranch and ASR Parks filed by Anaqua Springs Homeowner’s Association (“Anaqua Springs HOA”). The request was filed at the Commission and received by Toutant Ranch and ASR Parks on October 30, 2020. Accordingly, pursuant to the procedural schedule entered in this case, Toutant Ranch and ASR Parks’s response is timely filed. Toutant Ranch and ASR Parks’s responses to specific questions are set forth as follows, in the order of the questions asked. Pursuant to 16 T.A.C. § 22.144(c)(2)(F), these responses may be treated as if they were filed under oath.

Respectfully submitted,

THOMPSON & KNIGHT LLP

/s/ Michael McMillin

Katherine L. Coleman
State Bar No. 24059596
Michael McMillin
State Bar No. 24088034
98 San Jacinto Blvd., Suite 1900
Austin, Texas 78701
(512) 469.6100
(512) 469.6180 (fax)

**ATTORNEYS FOR TOUTANT RANCH, LTD.
AND ASR PARKS, LLC**

CERTIFICATE OF SERVICE

I, Michael McMillin, Attorney for Toutant Ranch, Ltd. and ASR Parks, LLC, hereby certify that a copy of the foregoing document was served on all parties of record in this proceeding on this 16th day of November, 2020 by hand-delivery, facsimile, electronic mail and/or First Class, U.S. Mail, Postage Prepaid.

/s/ Michael McMillin

Michael McMillin

SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023

APPLICATION OF THE CITY OF	§	
SAN ANTONIO, ACTING BY AND	§	BEFORE THE STATE OFFICE
THROUGH THE CITY PUBLIC	§	
SERVICE BOARD (CPS ENERGY)	§	OF
TO AMEND ITS CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY	§	ADMINISTRATIVE HEARINGS
FOR THE PROPOSED SCENIC	§	
LOOP 138-KV TRANSMISSION LINE	§	

TOUTANT RANCH, LTD. AND ASR PARKS, LLC'S RESPONSE TO ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION'S FIRST REQUEST FOR INFORMATION

ANAQUA SPRINGS 1-1: Please provide all documents related the donation of the easement on Segment 42.

RESPONSE:

Pursuant to an agreement with counsel for Anaqua Springs, this request did not include documents that are protected attorney client communications or attorney work product. Additionally, no privilege log is required for such documents.

Please see Attachment 1-1 for responsive documents.

From: Taylor Dreiss
Sent: Friday, January 3, 2020 1:13 PM
To: Otto, Daniel T. <DTotto@cpsenergy.com>; Kirk Rasmussen <krasmussen@enochkever.com>; Giles, Kipling D. <KDGiles@CPSEnergy.com>; Craig Bennett <cbennett@enochkever.com>
Cc: Tom Dreiss <tomdreiss@aol.com>
Subject: Pecan Springs Development - Meeting 1/3/20

Gentlemen,

Thank you for meeting with us this morning to discuss segment 42 and our Pecan Springs Development. We have an agreement to purchase land from the Pinson's in order to facilitate segment 42 being relocated to our northern boundary. This relocation along our northern boundary will not affect any new land owners and is shown on the attached exhibit in pink.

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Thank you again for allowing us to meeting this morning,

Tom and Taylor Dreiss



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I concur, it was a good meeting.

My new V-card is attached. Have a good weekend.

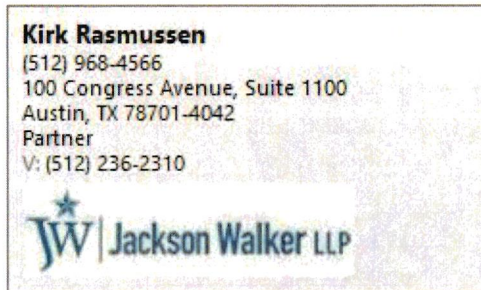
Craig Bennett
100 Congress Avenue Suite 1100 | Austin, TX | 78701
V: (512) 236-2087 | F: (512) 691-4427 | cbennett@jw.com



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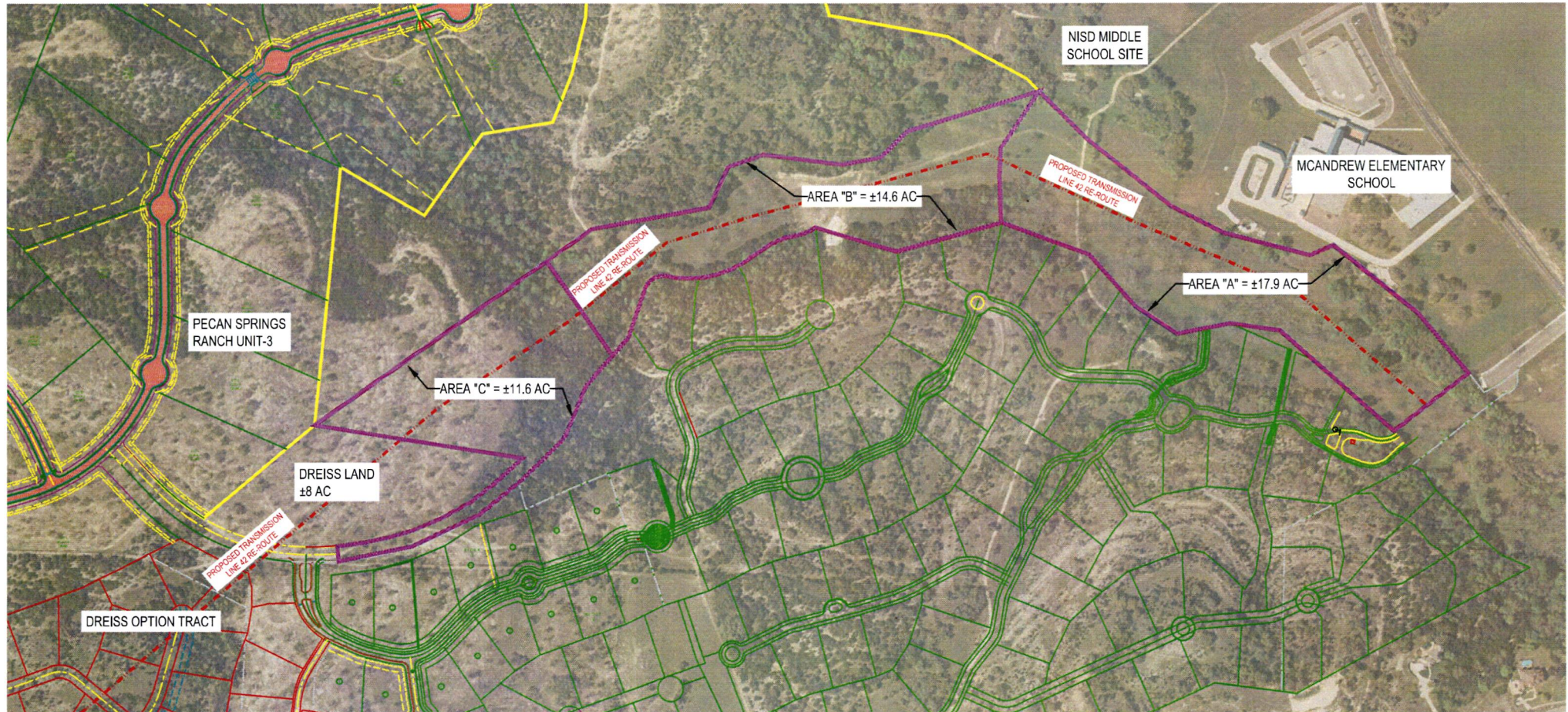
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Kirk Rasmussen
(512) 968-4566
100 Congress Avenue, Suite 1100
Austin, TX 78701-4042
Partner
V: (512) 236-2310



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Full Name: Kirk Rasmussen
Last Name: Rasmussen
First Name: Kirk
Job Title: Partner

Business Address: 100 Congress Avenue, Suite 1100
Austin, TX 78701-4042

Business: (512) 236-2310
Mobile: (512) 968-4566

E-mail: krasmussen@jw.com
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Full Name: Craig R. Bennett
Last Name: Bennett
First Name: Craig
Job Title: Senior Counsel
Company: Jackson Walker LLP

Business: 512.236.2087

E-mail: cbennett@jw.com
E-mail Display As: Craig R. Bennett (cbennett@jw.com)

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Cc: 'tomdreiss@aol.com'; DTotto@cpsenergy.com; KDGiles@CPSEnergy.com
Subject: FW: Pecan Springs Development - Meeting 1/3/20
Attachments: Pinson Purchase Agreement.pdf; Pecan Springs - Pinson Add.Land.pdf

Gentlemen,

Attached is the signed purchase and option agreement executed by the seller. Please confirm that you have received and that there is no further documentation needed to facilitate the realignment of segment 42 through our tract.

Thank you,

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Toutant Ranch, Ltd.
325 Sonterra Blvd. E., Suite 110
San Antonio, Texas 78258

February 7, 2020

John F. Jeffers
Pinson Interests, Ltd., LLP
5632 Piping Rock Lane
Houston, Texas 77056

Re: Purchase of Property

Dear Mr. Jeffers:

The purpose of this letter is to confirm our conversations concerning the referenced matter.

As we discussed, Pinson Interests, Ltd., L.L.P, a Texas limited liability partnership ("Seller"), agreed to sell to Toutant Ranch, Ltd., a Texas limited partnership ("Buyer"), and Buyer agreed to purchase from Seller, certain real property situated in Bexar County Texas, said property being an approximately 17.9 acre tract of land ("Tract A") and an approximately 14.6 acre tract of land ("Tract B"), said tracts of land being more specifically described and shown on Exhibit A and A-1 respectively. Tract A and Tract B may hereinafter be referred to collectively as the "Property". The Purchase Price for the Property shall be SIX THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$6,500.00) per acre, i.e. TWO HUNDRED ELEVEN THOUSAND TWO HUNDRED FIFTY AND NO/100 DOLLARS (\$211,250.00) (The "Purchase Price"). The Purchase Price for the Property will be paid in cash at closing.

In addition to the purchase and sale of the Property, if the Public Utility Commission approves City Public Services placement of a utility line, consisting of a variable number of wires and poles, on certain real property situated in Bexar County, Texas, said real property being an approximately 11.6 acre tract of land located immediately adjacent to Tract B ("Tract C"), said tract of land being more specifically described and shown on Exhibit A and A-1 respectively, Seller agreed to grant Buyer an exclusive option (the "Option") to purchase Tract C (the "Option Tract"). If not sooner exercised, Buyer's option to purchase the Option Tract shall automatically terminate two (2) years from the Closing Date of the Property. Buyer may exercise its option to purchase the Option Tract upon written notice to Seller. The purchase price for the Option Tract shall be equal to TWENTY-THOUSAND AND NO/100 DOLLARS (\$20,000.00) per acre, i.e. TWO HUNDRED THIRTY-TWO THOUSAND AND NO/100 DOLLARS (\$232,000.00) (the "Option Purchase Price"). The Option Purchase Price shall be paid in cash at closing. The closing of the purchase of the Option Tract shall occur within sixty (60) days of Buyer's election to purchase the Option Tract.

The purchase of the Property and the Option Tract shall be on an "AS IS, WHERE IS" basis with all faults. The Property and the Option Tract shall be conveyed by special warranty

Toutant Ranch, Ltd.

John F. Jeffers, Managing General Partner
Pinson Interests, Ltd., LLP
February 7, 2020
Page 2 of 5

deed subject to all existing encumbrances. Seller shall pay for the basic cost of an owner's title policy and Buyer shall for the cost of the mortgagee policy and endorsements thereto, if any, as well as the cost of the survey. All other costs or expenses associated with the sale of the Property and the Option Tract shall be paid in accordance with the normal and customary practices of real estate transactions in the county where the property is located, provided, however each party will pay its own attorney's fees and costs and Buyer shall be responsible for all costs associated with its due diligence inspection of the Property and Option Tract.

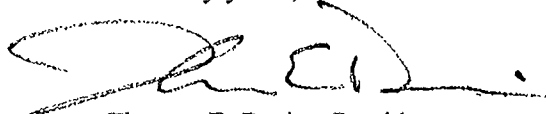
As consideration for the grant of the foregoing Option, if Buyer closes on the purchase of the Option Tract within twelve (12) months of the closing of the purchase of the Property, Buyer shall pay to Seller the sum of \$11,600.00 (the "Year One Option Fee") on the closing date of the purchase of the Option Tract. If Buyer closes on the purchase of the Option Tract after twelve (12) months but on or before twenty-four (24) months of the closing of the purchase of the Property, Buyer shall pay to Seller the sum of \$25,520.00, i.e. \$11,600.00 plus \$13,920.00 (the "Year Two Option Fee") on the closing date of the purchase of the Option Tract. The Year One Option Fee and the Year Two Option Fee are collectively referred to herein as the Option Fees. The Option Fees shall not be credited against the purchase price of the Option Tract.

This letter agreement shall be binding on the both of us, and our respective successors and assigns; and it shall inure to the benefit of the both of us and our respective successors and assigns.

This letter agreement may be signed in multiple counterparts, all of which counterparts taken together shall constitute one agreement. This letter agreement may also be signed by facsimile (fax) transmission or electronic signature (pdf) and such facsimile or electronic signature shall constitute an original for all purposes.

If the terms of this letter agreement are acceptable to you, please sign a copy of this letter agreement where indicated below and return it to me, whereupon it shall become a binding agreement in accordance with its terms.

Sincerely yours,



Thomas E. Dreiss, President
Toutant Ranch GP, LLC

Toutant Ranch, Ltd.

John F. Jeffers, Managing General Partner
Pinson Interests, Ltd., LLP
February ____, 2020
Page 3 of 5

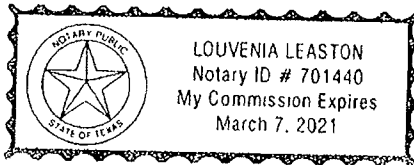
AGREED TO AND ACKNOWLEDGED:

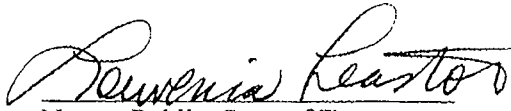
Pinson Interests, Ltd., L.L.P,
a Texas limited liability partnership

By: 
John F. Jeffers, Managing General Partner

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

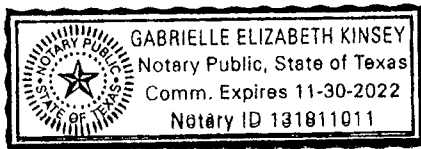
This instrument was acknowledged before me on the 17th day of February, 2020, by John F. Jeffers, Managing General Partner of Pinson Interests, Ltd., L.L.P., a Texas limited liability partnership, on its behalf.

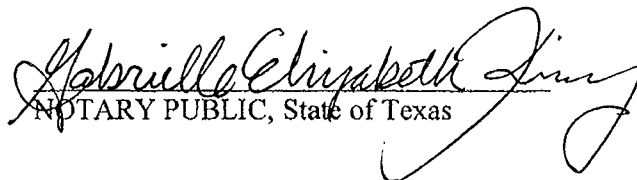



Notary Public, State of Texas

THE STATE OF TEXAS §
 §
COUNTY OF BEXAR §

This instrument was acknowledged before me on the ___ day of February, 2020, by **THOMAS E. DREISS**, President of **TOUTANT RANCH GP, L.L.C.**, a Texas limited liability company, as general partner of **TOUTANT RANCH, LTD.**, a Texas limited partnership, on behalf of said limited liability company and said limited partnership.




NOTARY PUBLIC, State of Texas

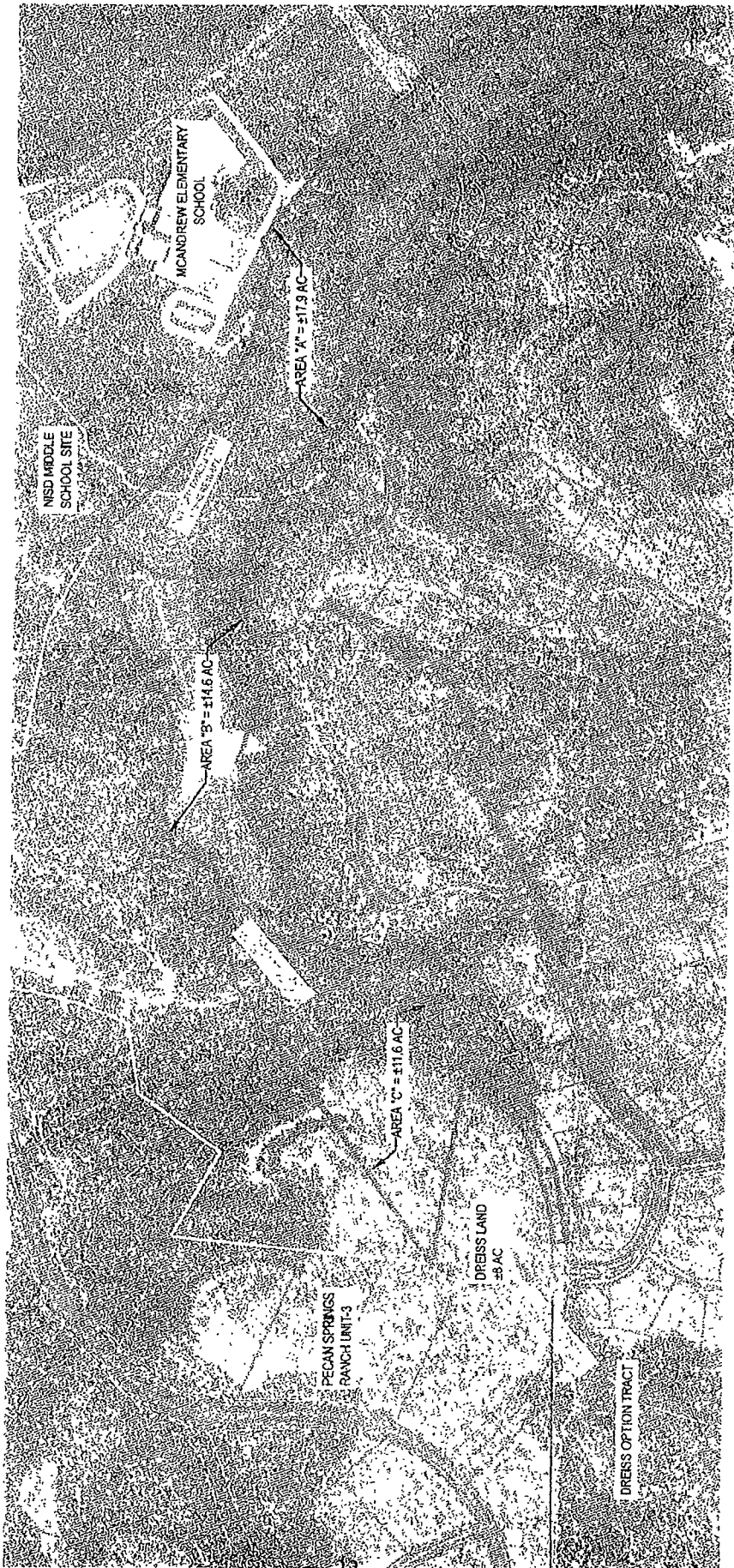
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February __, 2020
Page 4 of 5

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY AND OPTION TRACT

EXHIBIT "A"



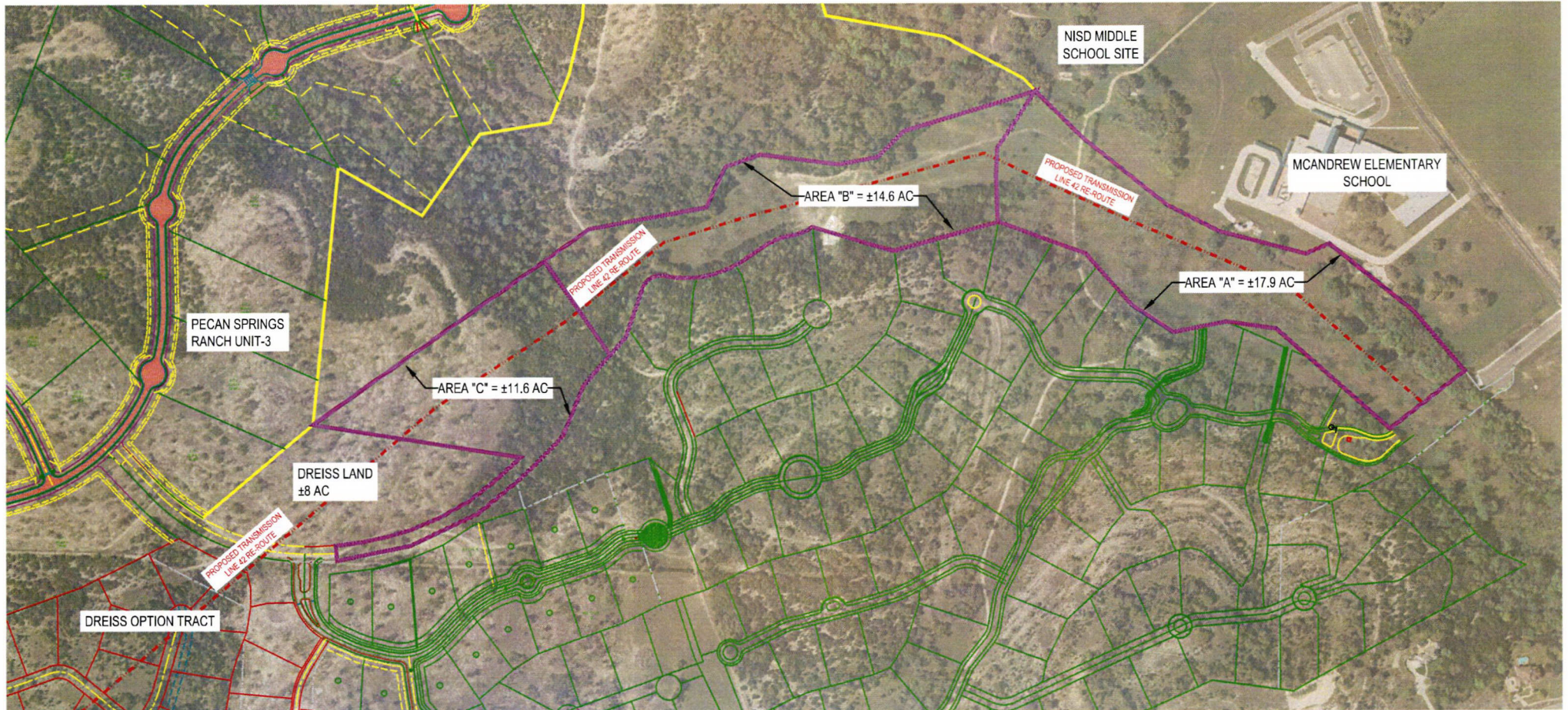
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Page 5 of 5

EXHIBIT "A-1"

SURVEY OF PROPERTY AND OPTION TRACT

To BE FURNISHED BY
BUYER.



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Subject: RE: Pecan Springs Development - Meeting 1/3/20 [IMAN-JWDOCS.FID4061346]

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512-968-4566

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Cc: Bennett, Craig <cbennett@jw.com>
Subject: FW: Pecan Springs Development - Meeting 1/3/20

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From: Taylor Dreiss <tdreiss@dreicomgmt.com>
Sent: Friday, January 03, 2020 1:13 PM
To: Otto, Daniel T. <DTOtto@cpsenergy.com>; Kirk Rasmussen <krasmussen@enochkever.com>; Giles, Kipling D. <KDGiles@CPSEnergy.com>; Craig Bennett <cbennett@enochkever.com>
Cc: Tom Dreiss <tomdreiss@aol.com>
Subject: Pecan Springs Development - Meeting 1/3/20

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Thank you again for allowing us to meeting this morning,

Tom and Taylor Dreiss

From: Rasmussen, Kirk <krasmussen@jw.com>
Sent: Thursday, June 25, 2020 7:38 AM
To: Taylor Dreiss <tdreiss@dreicomgmt.com>
Subject: RE: Pecan Springs Development - Meeting 1/3/20 [IMAN-JWDOCS.FID4061346]

Taylor, under our current Covid policies, for you all to visit our offices, I need the names, email addresses, and contact phone numbers for all persons that will attend the meeting from your group.

Thanks!

Kirk Rasmussen
512-968-4566

From: Taylor Dreiss <tdreiss@dreicomgmt.com>
Sent: Wednesday, June 24, 2020 8:05 PM
To: Rasmussen, Kirk <krasmussen@jw.com>
Subject: Re: Pecan Springs Development - Meeting 1/3/20 [IMAN-JWDOCS.FID4061346]

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Get [Outlook for iOS](#)

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Sent: Wednesday, June 24, 2020 7:45:19 PM
To: Taylor Dreiss <tdreiss@dreicomgmt.com>
Subject: Re: Pecan Springs Development - Meeting 1/3/20 [IMAN-JWDOCS.FID4061346]

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112 E Pecan St #2400

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My new V-card is attached. Have a good weekend.

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100 Congress Avenue Suite 1100 | Austin, TX | 78701
V: (512) 236-2087 | F: (512) 691-4427 | cbennett@jw.com
<image001.png>

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Sent: Thursday, June 25, 2020 12:51 PM
To: Taylor Dreiss <tdreiss@dreicomgmt.com>
Cc: Giles, Kipling D. <KDGiles@CPSEnergy.com>
Subject: RE: Pecan Springs Development - Meeting 1/3/20 [IMAN-JWDOCS.FID4061346]

The address for the Jackson Walker office in San Antonio is:

112 E. Pecan St. Suite 2400
San Antonio, TX 78205

When you arrive, please check in with the security desk. We will not be in the JW offices, but one of the building conference rooms. Masks are required in all common areas within the building. I may need to let you into the building. Please call my cell phone if you are unable to get through the door.

Kirk Rasmussen
512-968-4566

From: Taylor Dreiss <tdreiss@dreicomgmt.com>
Sent: Thursday, June 25, 2020 12:47 PM
To: Rasmussen, Kirk <krasmussen@jw.com>
Subject: Re: Pecan Springs Development - Meeting 1/3/20 [IMAN-JWDOCS.FID4061346]

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Kirk,

Could you let me know the address of the JW offices downtown?

Thanks

Get [Outlook for iOS](#)

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Attachments: Pecan Springs - Segment 42.pdf

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Austin, TX 78701-4042
Partner
V: (512) 236-2310



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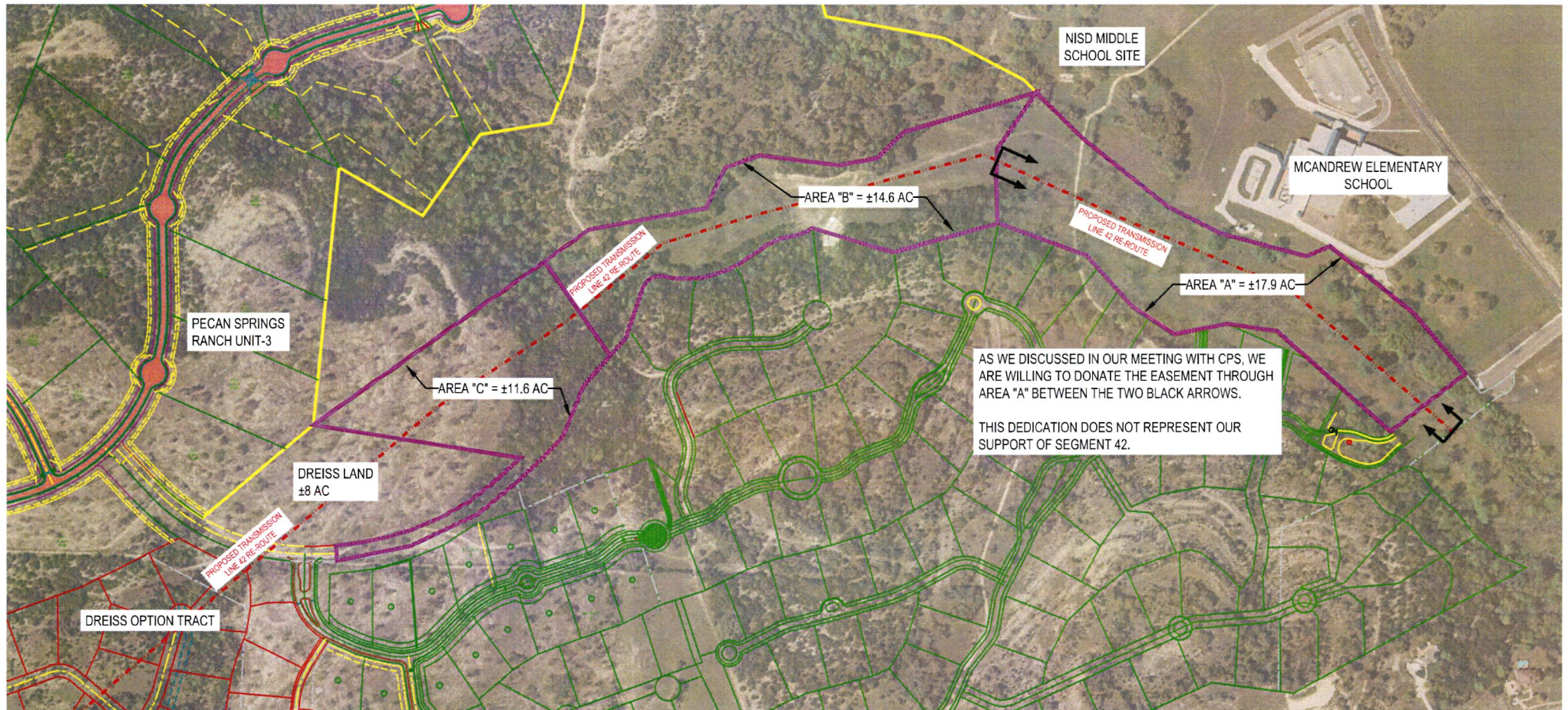
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From: McMillin, Michael
Sent: Monday, October 12, 2020 4:27 PM
To: 'Rasmussen, Kirk'
Cc: Coleman, Katie
Subject: CPS Scenic Loop: Response to Modification Proposal and Request for Call
Attachments: Dreiss Modification Proposal.pdf

Kirk,

I just got off a call with Tom and Taylor Dreiss about the modification proposal you sent us last week. CPS's proposed change didn't match up with what we were expecting, and we think it would be helpful to do another round of revisions in advance of a meeting. That way we can hopefully resolve all the necessary issues, including some lingering changes that we believe were discussed in the meeting you/CPS had with the Dreisses back in July.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Modification 3: We believe this modification reflects the discussions you/CPS had with the Dreisses in July surrounding their donation of the flood plain ROW behind the school.

Modification 4: We believe this modification reflects the discussions you/CPS had with the Dreisses in July surrounding their donation of the flood plain ROW behind the school. The line would hug the southwestern boundary of the school property, with all ROW on the Dreisses' land. We believe that this configuration would keep the line more than 300 feet from any school building.

Let's talk soon.

Best,

Michael McMillin | Thompson & Knight LLP
Associate

ThompsonKnight

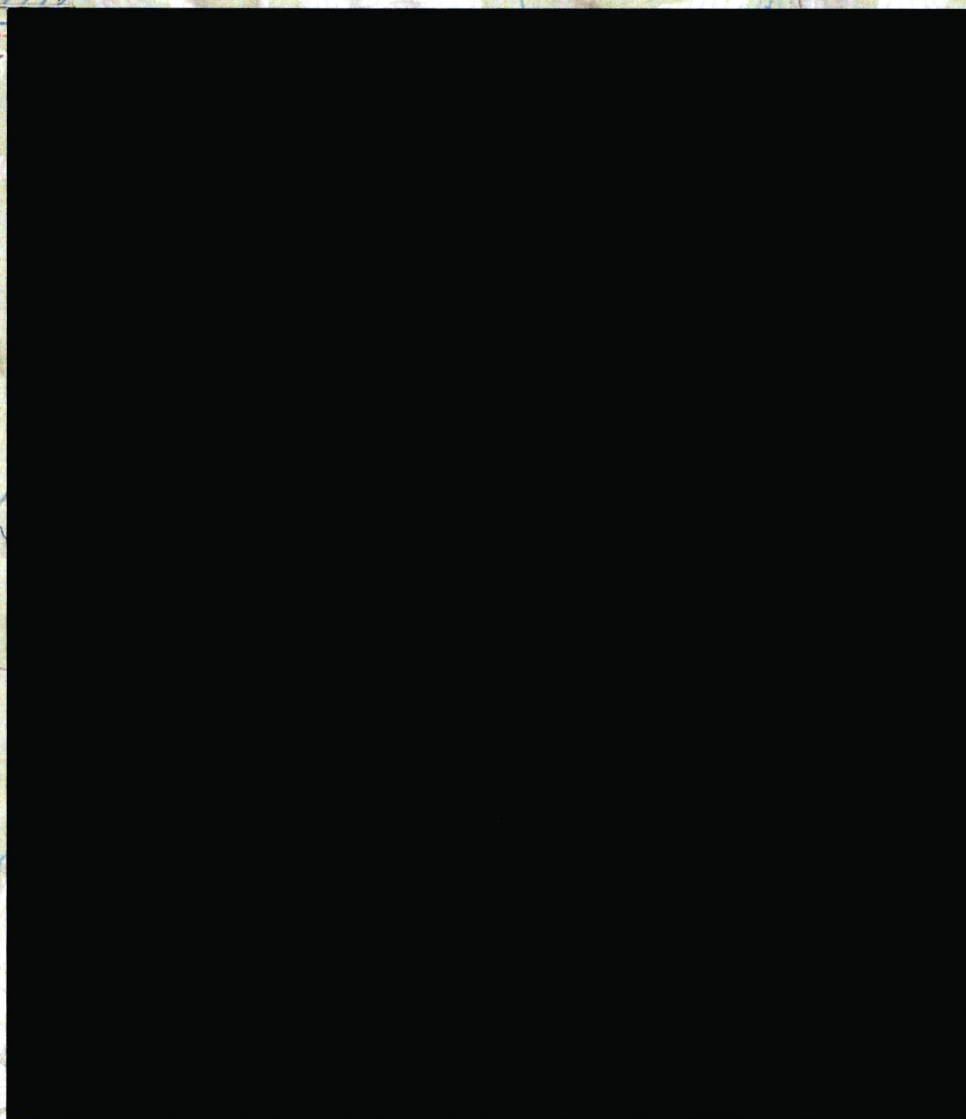
98 San Jacinto Blvd., Suite 1900, Austin, TX 78701
512.404.6708 (direct) | 956.244.1134 (cell) | michael.mcmillin@tklaw.com
[vCard | www.tklaw.com/michael-mcmillin/](http://www.tklaw.com/michael-mcmillin/)

This message may be confidential and attorney-client privileged. If received in error, please do not read. Instead, reply to me that you have received it in error and delete the message.

agnon Road

Menger Creek

9 Creek



Leon Creek

Carriage
Crow

Lee

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Alina Reyes

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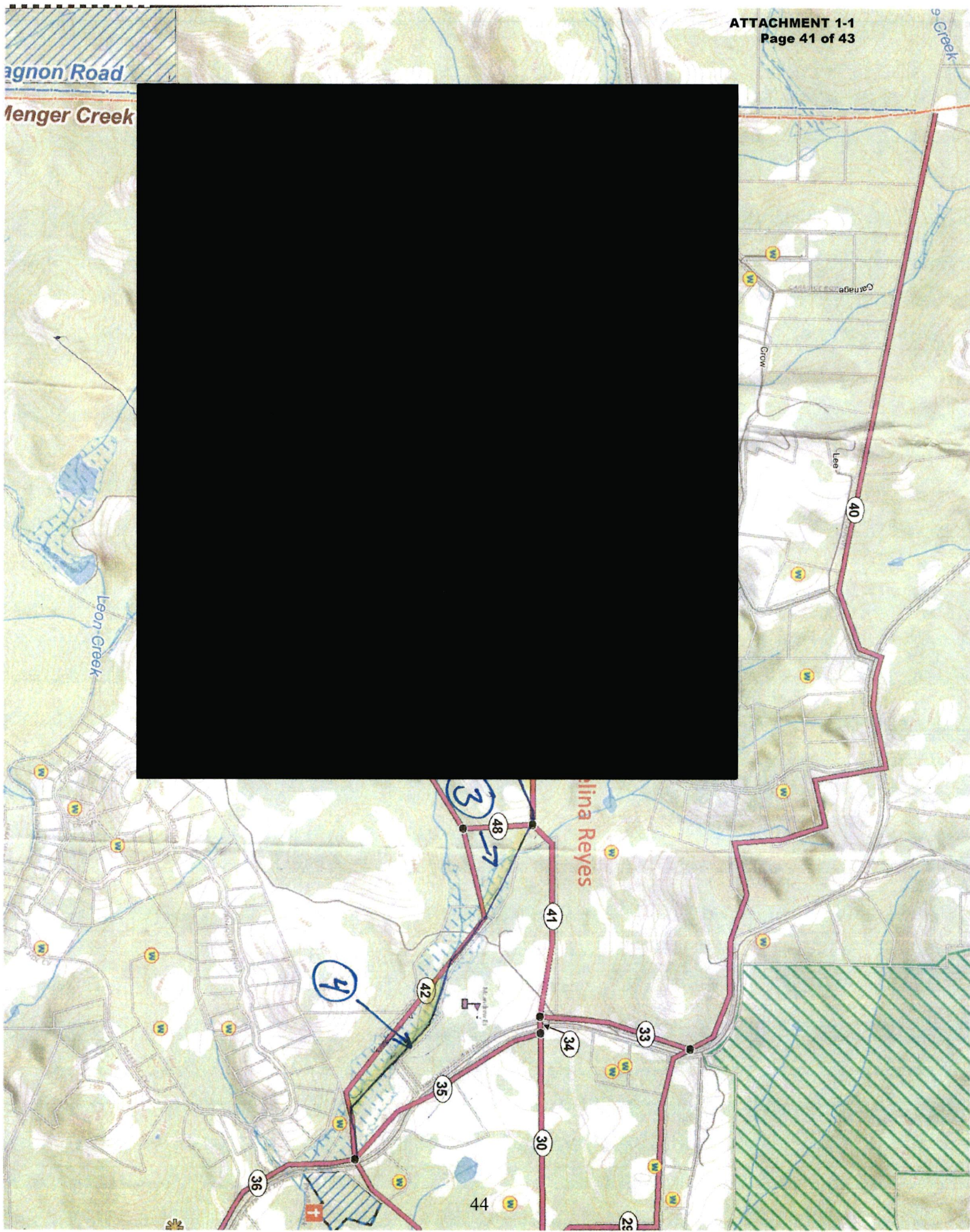
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From: Jim Middleton <jimmmiddle@gmail.com>
Sent: Monday, January 27, 2020 4:11 PM
To: Ryann Cecci <ryann.cecci@fsresidential.com>; Steve Cichowski <steve@cichowskilaw.com>; Greg Brigham <gbrigham@remetrex.com>; Bill Couch <bcouch49@yahoo.com>; Kristina Stroud <Kristina_Marques1699@hotmail.com>; Mike Leonard <mike@leonardcontracting.com>; Thomas Dreiss <tomdreiss@aol.com>; Taylor Dreiss <tdreiss@dreicomgmt.com>
Subject: Fwd: My new contact informationCPS

I sent a note to Craig Bennet, lawyer on the CPS ISSUE. Looks like the earliest submittal now may be May. If anyone has some thoughts on how to look at ongoing CPS directions, let me know. At least Craig answered. Jmm

Sent from my iPad

Begin forwarded message:

From: "Bennett, Craig" <cbennett@jw.com>
Date: January 27, 2020 at 12:55:42 PM CST
To: "jimmmiddle@gmail.com" <jimmmiddle@gmail.com>
Subject: My new contact information

Jim:

My former assistant forwarded me an email you sent inquiring about the status of the CPS Scenic Loop project. I am no longer with the law firm of Enoch Keever, so my former email address no longer works for me. Kirk Rasmussen and I have moved to the law firm of Jackson Walker. We are, however, continuing to work with CPS. Please update your contact information for me with my updated contact information at the bottom of this email.

As for the transmission line project, CPS is still reviewing feedback received from landowners and other persons and is continuing to prepare the CCN application. Right now, it is estimated that the application may be filed in May 2020, although that is not definite.

Please let me know if you have any additional questions.

Best regards,
Craig

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