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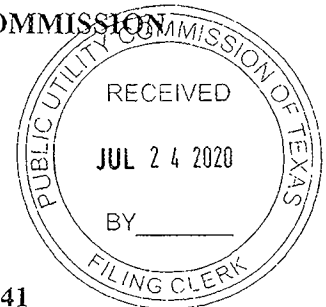


Item Number: 1

Addendum StartPage: 0

PUC DOCKET NO. **151114**

PETITION BY IMPERIAL HEIGHTS, § PUBLIC UTILITY COMMISSION
LTD. FOR STREAMLINED EXPEDITED §
RELEASE FROM WATER CCN NO. 13203 § OF TEXAS
AND SEWER CCN NO. 21065 HELD BY §
AQUA TEXAS INC. §



**PETITION BY IMPERIAL HEIGHTS, LTD FOR
STREAMLINED EXPEDITED RELEASE
PURSUANT TO TEXAS WATER CODE SECTION 13.2541**

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

COMES NOW, Imperial Heights, Ltd. ("Imperial") and files this Petition with the Public Utility Commission of Texas (the "PUC") for streamlined expedited release from water certificate of convenience and necessity ("CCN") No. 13203 and sewer CCN No. 21065, held by Aqua Texas, Inc. ("Aqua") pursuant to (i) Texas Water Code Section 13.2541; and (ii) Rule 24.245(l) of the Commission's Rules found at 16 Tex Admin. Code Section 24.245; and in support thereof would respectfully show as follows:

I. APPLICABLE REGULATIONS

Section 13.2541 of the Texas Water Code provides that the owner of a tract of land that is at least 25 acres and that is not receiving water or sewer service may petition for streamlined expedited release of the area from a CCN.¹ For land that is located within a county with a population of at least one million, or a county adjacent to a county with a population of at least one million, the owner of the qualifying tract "is entitled to that release."² The rule adopted by the PUC pursuant to Section 13.2541 provides the same, and it recognizes that Harris County is a county in which owners of at least 25 acres are entitled to expedited release.³ Under Section

¹ TWC § 13.2541.

² *Id.*

³ 16 Tex Admin. Code §24.245(l)

13.2541(c), the PUC “shall grant a petition received not later than the 60th day after the date the landowner files the petition.”

II. REQUEST FOR STREAMLINED EXPEDITED RELEASE

Imperial owns approximately 37.8 acres of contiguous property in Harris County, Texas (the “Property”). The Property is located within the boundaries of water CCN No. 13203 and sewer CCN No. 21065, held by Aqua. None of the Property receives service from any water or sewer service provider. In support of this Petition, Imperial has attached the following exhibits:

1. Affidavit in support of this Petition is attached hereto as **Exhibit A**;
2. General Location Map is attached hereto as **Exhibit B**;
3. Detailed Property Map is attached hereto as **Exhibit C**; and
4. Property records (special warranty deed including metes and bounds description) is attached hereto as **Exhibit D**.

III. CONCLUSION AND PRAYER

Texas Water Code Section 13.2541 entitles Imperial to expedited release of the Property described herein and in the attached exhibits from CCN No. 13203 and CCN No. 21065. The Property is greater than 25 acres, is not receiving water or sewer service, and is entirely within Harris County. Under Section 13.2541(c), the PUC should grant this Petition no later than the 60th day after the date of filing. Imperial respectfully requests that the PUC grant this Petition and issue an order under the authority of Section 13.2541 releasing all portions of the Property that are within the boundaries of water CCN No. 13203 and sewer CCN No. 21065.

Respectfully submitted,

WINSTEAD PC

By. Scott W. Eidman

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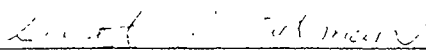
ATTORNEYS FOR PETITIONER

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of July, 2020, a true and correct copy of the Petition by Imperial Heights, Ltd., for Streamlined Expedited Release Pursuant to Texas Water Code Section 13.2541 was sent, via certified mail, return receipt requested to the following recipient at the address indicated.

Via Certified Mail, RRR

Aqua Texas, Inc.
1106 Clayton Lane, Suite 400
Austin, Texas 78723



Scott W. Eidman

EXHIBIT A
AFFIDAVIT OF LOUIS TRAPOLINO

PUC DOCKET NO. _____

PETITION BY IMPERIAL HEIGHTS, LTD. FOR EXPEDITED RELEASE FROM WATER CCN NO. 13203 AND SEWER CCN NO. 21065 HELD BY AQUA TEXAS, INC.	§ § § § §	PUBLIC UTILITY COMMISSION OF TEXAS
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AFFIDAVIT OF LOUIS TRAPOLINO IN SUPPORT OF PETITION FOR
STREAMLINED EXPEDITED RELEASE FROM WATER CCN NO. 13203 AND
SEWER CCN NO. 21065 HELD BY THE TOWN OF NORTHLAKE PURSUANT TO
TEXAS WATER CODE SECTION 13.2541

STATE OF TEXAS	§
	§
COUNTY OF HARRIS	§

BEFORE ME, the undersigned notary, personally appeared Louis Trapolino, the affiant, a person who is known to me. After administering an oath, the affiant testified that:

1. "My name is Louis Trapolino, I am over the age of eighteen years, of sound mind, and am capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

2. I am the Development Manager for the Petitioner in the above-captioned matter. Imperial Heights, Ltd., owns approximately 37.8 acres of land (the "Property"). The Property is located within the boundaries of water CCN No. 13203 and sewer CCN No. 21065 issued to Aqua Texas, Inc. The Property is located in Harris County, Texas, is over 25 acres in size, and consists of contiguous tracts of land. Exhibit B attached to this Petition is a true and correct copy of a map identifying the Property, its location, and the area of the CCNs.

3. The Property is not receiving water or sewer service from Aqua Texas, Inc. Imperial Heights, Ltd., has not requested water or sewer service from Aqua Texas, Inc. or paid any fees or charges to initiate or maintain water service, and there are no billing records or other documents indicating an existing account for the Property.

4. I request that the Public Utility Commission of Texas release this Property from water CCN No 13203 and sewer CCN No 21065."

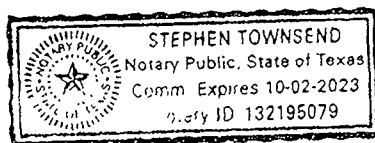
FURTHER AFFIANT SAYETH NOT.

Louis Trapolino
Louis Trapolino

SWORN TO AND SUBSCRIBED TO BEFORE ME by Louis Trapolino on
7.23, 2020

[Signature]
Notary Public, State of Texas

(SEAL)



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DETAILED PROPERTY MAP

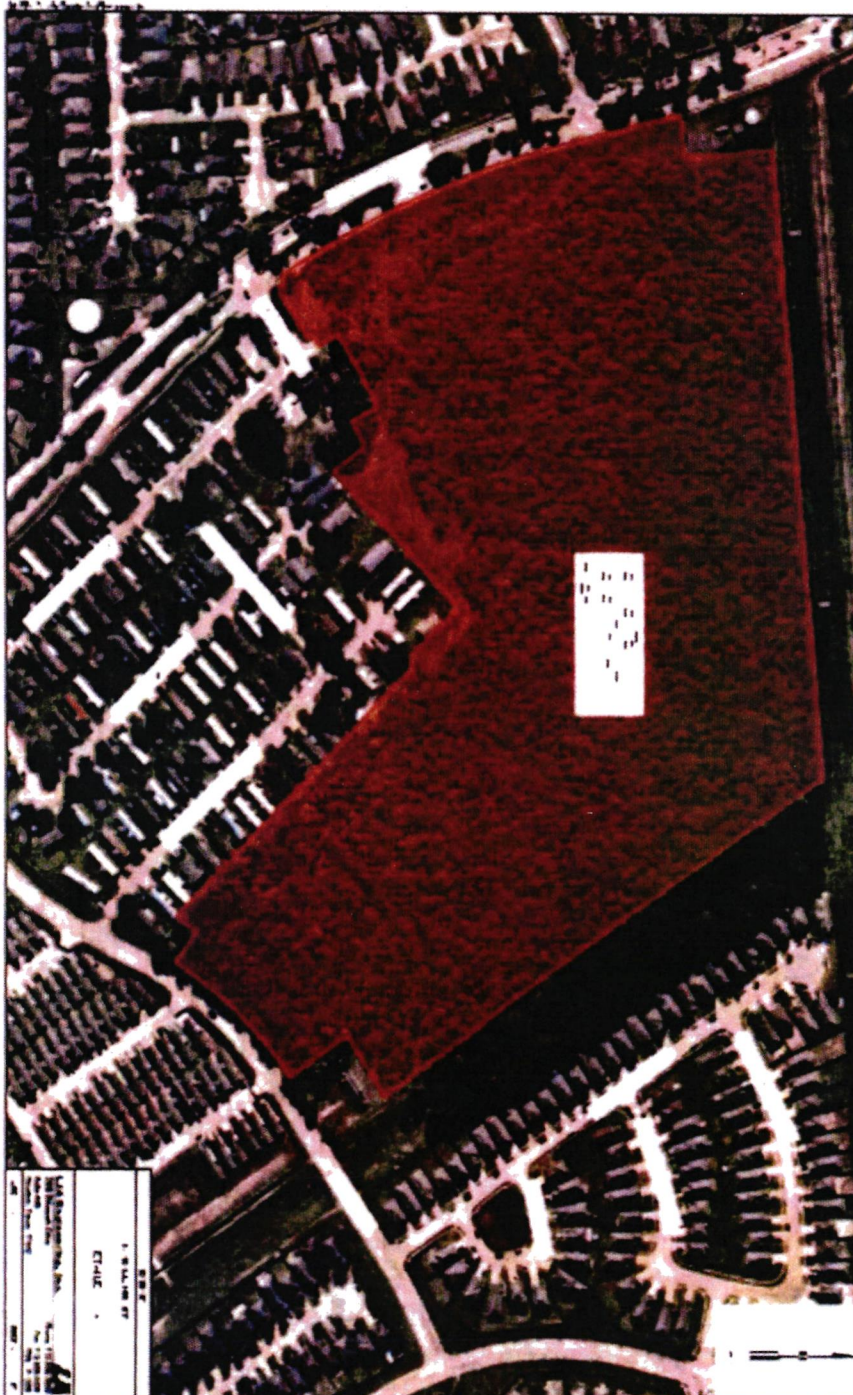


EXHIBIT D

DEED

SPECIAL WARRANTY DEED

STATE OF TEXAS
COUNTY OF HARRIS

§
§
§

KNOW ALL MEN BY THESE PRESENTS

That, the **BENCHMARK ACQUISITIONS, LLC**, a Texas limited liability company, herein called "Grantor" (whether one or more), for and in consideration of the sum of TEN DOLLARS AND NO/100 (\$10.00) and other valuable consideration to the undersigned paid by the Grantee herein named, the receipt of which is hereby acknowledged, and confessed has granted, sold and conveyed and by these presents do grant, sell and convey unto **IMPERIAL HEIGHTS, LTD.**, A Texas limited partnership, whose address is 10410 Windermere Lakes Blvd., Houston, TX 77065, herein called "Grantee" (whether one or more), the following property situated in Harris County, Texas being described as:

Being that certain 37.8 acre tract of land in Harris County, Texas; said 37.8 acre tract being the same tract of land conveyed to Benchmark Acquisitions, LLC in a certain deed recorded December 4, 2019 under File No. RP-2019-536420 in the records in Harris County, Texas, and more particularly described on Exhibits "A", "B" and "C" attached hereto and incorporated herein for all purposes.

This conveyance is made by Grantor and accepted by Grantee subject to the easements, restrictions, and other matters described in Exhibits "B" and "C" attached hereto to the extent existing and affecting the Property (Collectively, the "Permitted Exceptions").

TO HAVE AND TO HOLD said premises, together with all and singular the rights, privileges and appurtenances thereto in any manner belonging unto the said Grantee, its heirs and assigns forever, and Grantor does hereby bind itself, its successors and assigns to warrant and forever defend, all and singular, the said property unto the said Grantee, its heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by through or under the said Grantor but not otherwise.

When Grantor and/or Grantee are more than one entity, the pertinent nouns, verbs and pronouns shall be construed to correspond. When Grantor and/or Grantee are a corporation, a trustee or other legal entity that is not a natural person, the pertinent word "heirs, executors and administrators" and/or "heirs and assigns" shall be construed to mean "successors and assigns," respectively. Reference to any gender shall include either gender and, in the case of a legal entity that is not a natural person, shall include the neuter gender, all as the case may be.

Current ad valorem taxes on the property have been prorated, the payment thereof is assumed by Grantee

EXECUTED as of the 8th day of July, 2019

BENCHMARK ACQUISITIONS, LLC
A Texas limited liability company

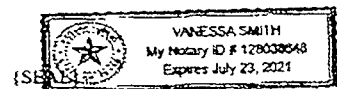
By:

Maria Vanderzwet
Name: Maria Vanderzwet
Title: Manager

THE STATE OF TEXAS
COUNTY OF HARRIS

§
§
§

This instrument was acknowledged before me on the 8th day of July, 2019 by Maria Vanderzwet, the Manager of Benchmark Acquisitions, LLC, a Texas limited liability company



Vanessa Smith
Name: Vanessa Smith
Notary Public, State of Texas
My Commission Expires: 7-23-2021

AFTER RECORDING, RETURN TO:
Legend Classic Homes, Ltd.
10410 Windermere Lakes Blvd
Houston, TX 77065

This document is being recorded as a
COURTESY ONLY by LCH file.
without liability, expressed or implied.

REC-CLRN10920

RP-2020-11712

EXHIBIT A

A metes and bounds description of a certain 37.8 acre tract of land located in the Manuel Tarin Survey, Abstract No. 778 in Harris County, Texas; being all of a called 37.8467 acre tract (Tract 1) conveyed to 114 Starwood Development, Ltd. by Special Warranty Deed recorded under Clerk's File No. X418232, Harris County Official Public Records of Real Property; said 37.8 acre tract being more particularly described as follows with all bearings being based on the Texas Coordinate System, South Central Zone, NAD 83

BEGINNING at a 3/4-inch iron rod found, being the northeast corner of said called 37.8467 acre tract, also being in the southwesterly line of a called 19.773 acre tract conveyed to Harris County Flood Control District by Deed recorded under Clerk's File No. P957874, Harris County Official Public Records of Real Property, from which a 3/4-inch iron rod found bears North 34° 22' 48" West, 1134.21 feet;

THENCE South 34° 22' 48" East, 1134.21 feet to a 5/8-inch iron rod found being in said southwesterly line and being the northerly corner of Restricted Reserve "E" out of Imperial Valley Manufactured Housing Community Section One recorded in Film Coce No. 449012, Harris County Map Records, from which a 5/8-inch iron rod found being in the northwesterly right-of-way of North Vista Drive (based on a width of 60') and being the southeast corner of said Restricted Reserve "E" bears South 34° 22' 48" East, 148.51 feet;

THENCE with the northwesterly and southwesterly lines of said Restricted Reserve "E," the following two courses and distances:

1. South 55° 42' 39" West, 147.72 feet to a 5/8-inch iron rod (with cap stamped "Thomas") found;
2. South 34° 22' 48" East, 148.72 feet to a 3/4-inch iron rod (with cap stamped "Cotton Surveying") set being in said northwesterly right-of-way, being the southerly corner of said Restricted Reserve "E", and being the beginning of a non-tangent curve to the left;

THENCE along the arc of said non-tangent curve to the left having a radius of 830.00 feet, a central angle of 23° 35' 59" an arc length of 341.87 feet and a long chord bearing South 42° 34' 49" West, 339.46 feet to a 3/4-inch iron rod (with cap stamped "Cotton Surveying") set being in said northwesterly right-of-way and being in the easterly corner of Restricted Reserve "D" out of said Imperial Valley Manufactured Housing Community Section One.

THENCE with the northeasterly and northwesterly lines of said Restricted Reserve "D" the following two courses and distances:

1. North 53° 36' 40" West, 75.16 feet to a 5/8-inch iron rod found being the northerly corner of said Restricted Reserve "D";
2. South 36° 23' 20" West, 50.03 feet to a 5/8-inch iron rod found being the westerly corner of said Restricted Reserve "D" and being in the northeasterly line of Block 3 out of said Imperial Valley Manufactured Housing Community Section One;

THENCE with the northeasterly lines of said Block 3 and the northwesterly lines of Block 4, being out of said Imperial Valley Manufactured Housing Community Section One, the following four courses and distances:

1. North 50° 33' 13" West, 28.73 feet to a 5/8-inch iron rod found;
2. North 44° 31' 40" West, 685.64 feet to a 5/8-inch iron rod found;
3. North 88° 48' 36" West, 12.59 feet to a 5/8-inch iron rod found;
4. North 78° 05' 32" West, 17.11 feet to a 5/8-inch iron rod found;

EXHIBIT A
(Continued)

- 5 North 42°46'25" West, 124.04 feet to a point for corner,
- 6 North 87°46'25" West, 14.14 feet to a 5/8-inch iron rod found,
7. South 47°13'35" West, 200.00 feet to a 5/8-inch iron rod found,
- 8 South 41°14'28" West, 80.72 feet to a 5/8-inch iron rod found,
- 9 South 46°53'59" West, 98.75 feet to a 5/8-inch iron rod found being in a northeasterly line of Restricted Reserve "C" out of said Imperial Valley Manufactured Housing Community Section One,

THENCE with the northerly portion of said Restrictive Reserve "C," the following five courses and distances.

1. North 35°57'11" West, 81.71 feet to a 5/8-inch iron rod found;
2. South 60°38'00" West, 55.15 feet to a 5/8-inch iron rod found,
- 3 North 29°24'00" West, 65.59 feet to a 5/8-inch iron rod found;
- 4 South 57°42'26" West, 165.94 feet to a 5/8-inch iron rod (with cap stamped "Thomas") found being the beginning of a non-tangent curve to the left;
5. Along the arc of said non-tangent curve to the left having a radius of 1801.93 feet, a central angle of 01°28'50" an arc length of 46.56 feet and a chord bearing South 33°01'59" East, 46.56 feet to a 3/4-inch iron rod (with cap stamped "Cotton Surveying") set being in the northwesterly line of Wellington Bend Lane (based on a width of 28 feet).

THENCE South 56°13'36" West, 28.00 feet to a 3/4-inch iron rod (with cap stamped "Cotton Surveying") set being the beginning of a non-tangent curve to the right;

THENCE along the arc of non-tangent curve to the right having a radius of 23.50 feet, a central angle of 22° 24' 09", an arc length of 9.19 feet and a long chord bearing South 22°34'32" East, 9.13 feet to a 3/4-inch iron rod (with cap stamped "Cotton Surveying") set being the northeasterly corner of Restricted Reserve "A" out of said Imperial Valley Manufactured Housing Community Section One;

THENCE with the northwesterly and northeasterly lines of said Restricted Reserve "A," the following two courses and distances

- 1 South 55° 56' 48" West, 108.75 feet to a 3/4-inch iron rod (with cap stamped "Cotton Surveying") set,
2. North 78°22'42" West, 35.11 feet to a 5/8-inch iron rod (with cap stamped "Thomas") found being the northwesterly corner of said Restricted Reserve "A," being in the northeasterly right-of-way of Imperial Valley Drive (based on a width of 100 feet), and being the beginning of a non-tangent curve to the right,

THENCE along the arc of said non-tangent curve to the right having a radius of 1950.00 feet, a central angle of 18°56'16" an arc length of 644.53 feet, and a long chord bearing North 23°48'35" West, 641.60 feet to a 1-inch iron pipe (with cap) found;

THENCE North 14°20'26" West, 220.00 feet to a 5/8-inch iron rod found bent, being the beginning of a curve to the left;

THENCE along the arc of said curve to the left having a radius of 2050.00, a central angle of 01°39'31", an arc length of 59.34 feet, and a long chord bearing North 15°10'11" West, 59.34 feet to a 5/8-inch iron rod (with cap

RP-2020-11712

EXHIBIT A

(Continued)

stamped "Thomas") found being in said northeasterly right-of-way, and being the southwesterly corner of Restricted Reserve "F" out of said Imperial Valley Manufactured Housing Community Section One;

THENCE with the southerly and easterly lines of said Restricted Reserve "F," the following two courses and distances:

1. North 85°11'43" East, 87.48 feet to a 3/4-inch iron rod found being the southeasterly corner of said Restricted Reserve "F";

2. North 04°48'16" West, 187.59 feet to a 3/4-inch iron rod found being the northeasterly corner of said Restricted Reserve "F," from which a 3/4-inch iron rod found being in said northeasterly right-of-way bears South 85°11'44" West, 133.89 feet;

THENCE North 85°11'44" East, 1271.06 feet to the POINT OF BEGINNING, CONTAINING 37.8 acres of land in Harris County, Texas.

RP-2020-11712

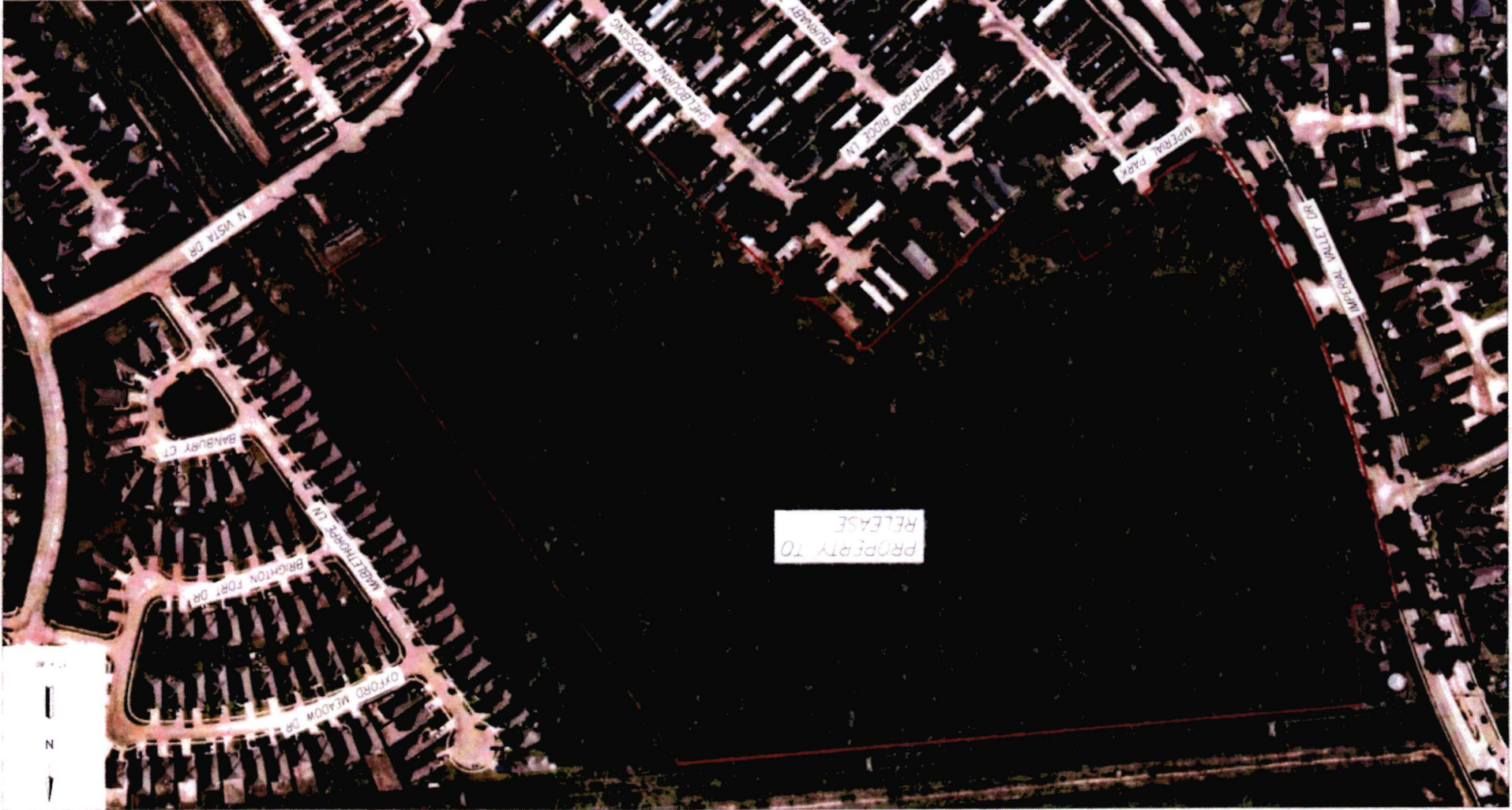
RP-2020-11712

EXHIBIT B

PERMITTED EXCEPTIONS

1. Restrictive covenants of record filed under Harris County Clerk's File Number(s) T566103 and U690182.
2. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat;
Purpose: Storm Sewer easement
Affects: 15 feet in width along the right-of-way of North Vista Drive
Recording No. J025859
3. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat;
Purpose: Utility easements
Affects: (As set out therein)
Recording No: U300319
4. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat;
Purpose: Sanitary Control easement
Affects: as set out and defined therein
Recording No: U690182
5. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: Reliant Energy, Incorporated
Purpose: Utility and aerial easements
Recording No: V184466
6. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument recorded/filed under Harris County Clerk's File Number(s) E596897.
7. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument recorded/filed under Harris County Clerk's File Number(s) T566103.
8. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, recorded in Volume 876, Page 585 of the Contract Records of Harris County, Texas.
9. Access is denied from Southford Way and Wellington Bend Lane by a one foot reserve dedicated to the public as a buffer separation between the side or end of streets where such street abuts adjacent property, as shown and set out on the plat of Imperial Valley Manufactured Housing Community Section One, a subdivision in Harris County, Texas, according to the map or plat thereof recorded under Film Code No. 449012 of the Map

DATE: 8/7/02
SHEET NO.: 1 OF 1
Houston, Texas 77042
Phone 713 963 5000
Fax 713 963 5006
2009 Brooks Drive
LJA Engineering, Inc.
LJA
OFF T.A.L.E.D. MAP
Map R.A., 11-01-75
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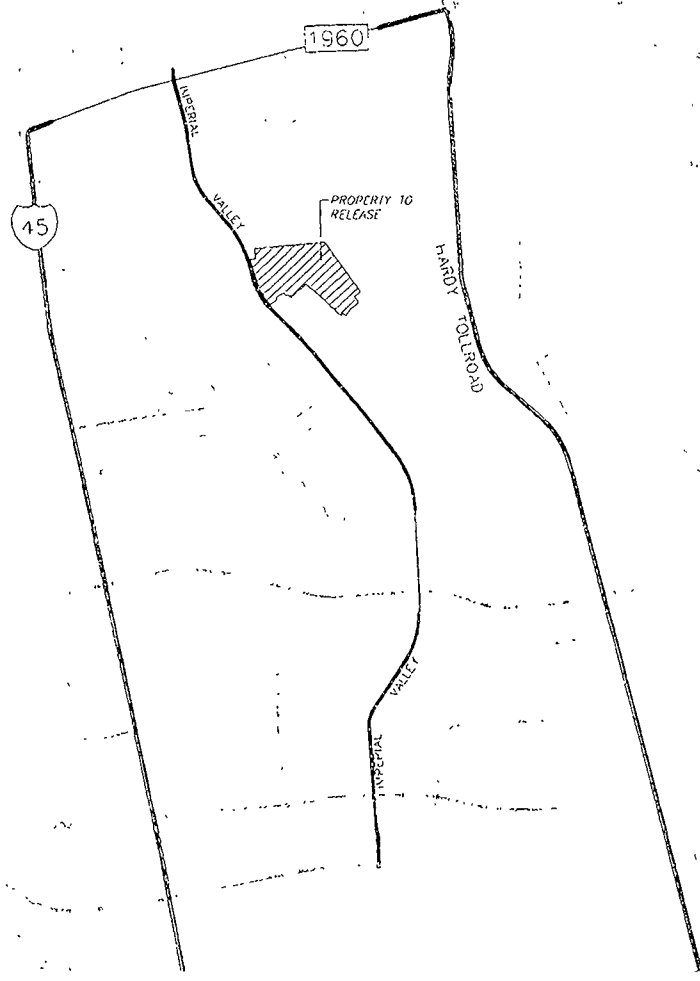


EXHIBIT	
IMPERIAL HEIGHTS	
GENERAL LOCATION MAP	
LJA Engineering, Inc.	
2929 Buena Vista Drive	Phone 714 953 5200
Suite 600	Fax 714 953 5026
Houston Texas 77042	FRN F-1386
DATE 6/1/20	SHEET NO 1 OF 1