



Control Number: 51352



Item Number: 11

Addendum StartPage: 0

DOCKET NO. 51352

2020 NOV -5 AM 10:10

PETITION OF CARNEGIE §
DEVELOPMENT, LLC TO AMEND §
JAMES A. DYCHE D/B/A CREST WATER §
COMPANY'S CCN NO. 12037 IN §
JOHNSON COUNTY BY STREAMLINED §
EXPEDITED RELEASE §

BEFORE THE
PUBLIC UTILITY COMMISSION
OF TEXAS

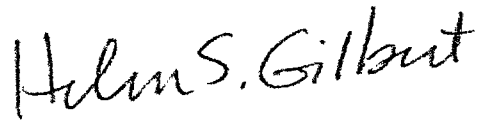
**JAMES A. DYCHE D/B/A CREST WATER COMPANY'S RESPONSE TO
COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION**

TO THE PUBLIC UTILITY COMMISSION STAFF, by and through their attorney of record Daniel Moore, Legal Division, Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326.

COMES NOW, James A. Dyché d/b/a Crest Water Company ("Crest") and submits this Response to the Public Utility Commission Staff's ("Commission Staff") First Request for Information pursuant to Tex. R. Civ. P. 190 through 198 and 16 Tex. Admin. Code § 22.144 ("TAC"). Pursuant to 16 TAC § 22.144(c)(2)(F), these responses may be treated as if they were filed under oath.

Respectfully submitted,

Helen S. Gilbert
State Bar No. 00786263
Randall B. Wilburn
State Bar No. 24033342
GILBERT WILBURN PLLC
7000 N. MoPac Expwy, Suite 200
Austin, Texas 78731
Telephone: (512) 494-5341
Telecopier: (512) 472-4014



By: _____
Helen S. Gilbert

**ATTORNEYS FOR JAMES A. DYCHE
D/B/A CREST WATER COMPANY**

11

CERTIFICATE OF SERVICE

I hereby certify that I have or will serve a true and correct copy of the foregoing document via hand delivery, facsimile, electronic mail, overnight mail, U.S. mail, or Certified Mail Return Receipt Requested on all parties on the 5th of November 2020.

Helen S. Gilbert

Helen S. Gilbert

**RESPONSES TO COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO
JAMES A. DYCHE D/B/A CREST WATER COMPANY
QUESTION NOS. STAFF 1-1 THROUGH 1-4**

Staff 1-1: Please provide any contracts for water service to the Carnegie Tract of Land executed in the last 12 months.

RESPONSE: None.

Staff 1-2: Please provide any bills for water service to the Carnegie Tract of Land issued in the last 12 months.

RESPONSE: None.

Staff 1-3: Please provide any other documents demonstrating that Crest Water Company provided water service to the Carnegie Tract of Land in the last 12 months.

RESPONSE: See Exhibit A, including correspondence from 2017-2020 from Carnegie and its predecessor/affiliates, Cynergy Development Advisors and JMJ Development.

Staff 1-4: Identify the time period(s) in the last five years during which the Carnegie Tract of Land received water or sewer services.

RESPONSE: See Response to Staff 1-3.

Carnegie Development

1755 Wittington Place, Suite 340
Dallas Texas 75243

Jim Dyché
Crest Water Co.
840 N Old Betsy Rd
Cleburne, TX 76031

Mr. Dyché:

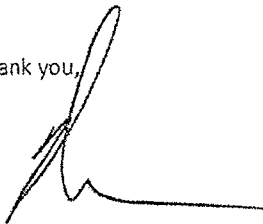
As we have discussed, the Venus, Texas area is experiencing exponential growth and Carnegie Development is proposing approximately 128 1-acre plus lots at the corner of FM 157 and CR 506. The 195-acre tract is immediately south of Crest Water's CCN and we formally request Crest Water to supply the development with water services.

There are currently 33 1-acre lots under construction along CR 501 to the south with another 700 50' builder lots proposed at the corner of FM 157 and CR 501. This is in addition to hundreds of completed homes and lots under construction by LGI along US 67 just east of Venus.

I have attached a preliminary lot layout. A similar preliminary plat is underway for approval by Johnson County. The tract is in City of Venus ETJ, but will not be annexed.

Please let me know if you need any additional information.

Thank you,

A handwritten signature in black ink, appearing to read "Michael Matthews". The signature is stylized with a large, looped initial "M" and a long horizontal stroke at the end.

Michael Matthews
Carnegie Development

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APPLICATION OF CREST WATER §
COMPANY TO AMEND A §
CERTIFICATE OF CONVENIENCE §
AND NECESSITY IN JOHNSON §
COUNTY §

RECEIVED
10/11/18 2:25 PM
PUBLIC UTILITY COMMISSION
PUBLIC UTILITY COMMISSION
FILING CLERK
OF TEXAS

NOTICE OF APPROVAL

This Notice of Approval grants the application of James A. Dyche dba Crest Water Company to amend its water certificate of convenience and necessity (CCN) number 12037 to include approximately 195 acres in Johnson County.

I. Findings of Fact

The Commission makes the following findings of fact.

Applicant

1. James A. Dyche is a Texas sole proprietorship established in 1982.
2. James A. Dyche provides water service to over 1100 connections with 16 public water systems across Ellis, Hill, Johnson, and Somervell counties.
3. James A. Dyche filed an assumed name certificate for the name Crest Water Company with the Johnson County clerk on September 1, 2009.
4. James A. Dyche dba Crest Water Company (Crest) is authorized to provide water service under CCN number 12037.

Application

5. On May 31, 2018, Crest filed an application to amend water CCN number 12037 in Johnson County.
6. Crest seeks to add approximately 195 acres of land to the CCN. The requested area has no current customers.
7. The requested area is located approximately two miles northwest of downtown Venus, Texas, and is bounded on the north by Country Road 507, on the east by a line

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approximately 2300 feet west of Farm-to-Market Road 157, on the south by County Road 506, and on the west by Farm-to-Market Road 157.

8. On July 2, August 1, and August 14, 2018, Crest supplemented the application with additional business information, a revised general location map in reference to the nearest city, a revised large scale map, a revised CCN map, a CD containing survey data, and technical information regarding water capacity.
9. No portion of the requested area is located within an incorporated city, a district, or the certificated service area of another utility.
10. In Order No. 3 issued on August 31, 2018, the administrative law judge (ALJ) found the application administratively complete, as supplemented.
11. On January 2, 2019, Crest filed a signed consent form concurring with the proposed tariff, map, and certificate prepared by Commission Staff.

Notice of Application

12. Notice of the application appeared in the June 22, 2018 issue of the *Texas Register*.
13. On September 14 and 17, 2018, Crest filed the affidavits of James A. Dyche, attesting that notice was mailed to current customers, landowners, neighboring utilities, and affected parties on September 12 and 13, 2018.
14. On October 15, 2018, Crest filed a publisher's affidavit attesting to published notice by publication in the *Cleburne Times Review*, a newspaper of general circulation in Johnson County on September 13 and 20, 2018.
15. In Order No. 5 issued on October 25, 2018, the ALJ found notice sufficient.

Evidentiary Record

16. On January 29, 2019, Commission Staff and Crest filed a joint motion to admit evidence.
17. In Order No. 7 issued on March 15, 2019, the ALJ admitted the following evidence into the record: (a) Crest's application and attachments filed on May 31, 2018; (b) *Texas Register* acknowledgement of publication filed on June 22, 2018; (c) Crest's supplemental business information filed on July 2, 2018; (d) Crest's supplement to the application filed on July 2, 2018; (e) Crest's supplement to the application filed on August 1, 2018;

CWC000003

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(f) Crest's supplement to the application filed on August 14, 2018; (g) Crest's affidavits of proof of mailed notice filed on September 14, 2018, and September 17, 2018; (h) Crest's affidavit of publication filed on October 15, 2018; (i) Crest's affidavit of firm capital commitments filed on November 9, 2018; (j) Crest's consent to the proposed tariff, map, and certificate filed on January 2, 2019; and (k) Commission Staff's recommendation on final disposition and attachments filed on January 11, 2019.

Adequacy of Existing Service—TWC § 13.246(c)(1), 16 TAC § 24.227(d)(1)

18. There are no customers in the requested area.
19. There is no water service in the requested area.
20. Crest's public water system, identification number 1260066, is adequate to serve the four single family residences planned for the first phase of a planned four phase development in the requested area.

Need for Additional Service—TWC § 13.246(c)(2), 16 TAC § 24.227(d)(2)

21. The proposed service-area addition is currently undeveloped.
22. Carnegie Development requested water service from Crest for a proposed 195-acre phased development with a total of 128 one-acre tracts.

Effect of Granting the Amendment—TWC § 13.246(c)(3), 16 TAC § 24.227(d)(3)

23. Granting the CCN amendment will enable Crest to serve the requested area in compliance with the certification requirements of the Texas Water Code and in satisfaction of the request from Carnegie Development.
24. The Commission received no protests or concerns from any other adjacent retail public utility.

Ability to Serve: Managerial and Technical—TWC §§ 13.246(c)(4), 13.241(a), 16 TAC §§ 24.227(a), 24.227(d)(4)

25. Crest has a Texas Commission on Environmental Quality (TCEQ)-approved public water system identification number 1260066, which is capable of providing drinking water that meets the requirements of Texas Health and Safety Code chapter 341 and TCEQ rules.
26. Crest's 0.0840 million gallons per day water facility enables it to provide adequate water capacity for Phase I.

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27. Crest has two class B and two class C licensed water operators.
28. The TCEQ database lists no violations for the permitted water system under public water system identification number 1260066.
29. Phase I of the subdivision will consist of four single-family residences, which is less than 10% of the existing distribution capacity and the associated number of connections needed for TCEQ approval.
30. At the beginning of construction for Phase I, the developer will deed a predetermined lot of 0.56 acres for the installation of a new water system sized to accommodate the remaining 124 single-family residences that will be constructed during the subsequent phase buildouts.

Service from Other Utilities–TWC § 13.246(c)(5), 16 TAC § 24.227(d)(5)

31. There are no other utilities that serve the requested area.

Ability to Serve: Financial Ability and Stability–TWC §§ 13.246(c)(6), 13.241(a), 16 TAC §§ 24.227(a), 24.227(d)(6), 24.11(e)

32. Crest has the financial ability and financial stability necessary to provide continuous and adequate service to the requested area.
33. Crest has a debt-to-equity ratio of 0.41.
34. Based on the financial projections submitted with the application, net income from continuing operations is expected to be positive for the next five years and there are no shortages to cover.

Environmental Integrity–TWC § 13.246(c)(7), 16 TAC § 24.227(d)(7)

35. The environmental integrity of the requested area will be minimally affected by the development of the water system to serve the 128 one-acre lots over a buildout timeframe anticipated to last nine years.

Improvement in Service–TWC § 13.246(c)(8), 16 TAC § 24.227(d)(8)

36. Granting Crest's CCN amendment for the service-area addition will enable Crest to provide water service comparable to the water service of existing customers.

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37. Crest's future plant and equipment, a new water system, or substantial additions to existing public water system identification number 1260066 should improve water service to existing and prospective customers as the phased development is constructed.

Lowering of Cost—TWC § 13.246(c)(8), 16 TAC § 24.227(d)(8)

38. Granting Crest's CCN amendment will enable future customers to receive water service comparable in cost to service provided to current customers.

Effect on the Land—TWC § 13.246(c)(9), 16 TAC § 24.227(d)(9)

39. Disturbances to the land during the phases of construction of the development will be temporary.
40. Granting Crest's CCN amendment will allow the land to be developed in an area experiencing exponential growth.

Financial Assurance—TWC § 13.246(d), 16 TAC § 24.227(e)

41. James Dyche, Crest's owner, filed an affidavit attesting that funds are available to install the plant and equipment necessary to serve the requested area, thereby ensuring continuous and adequate service without need for a bond.

Regionalization or Consolidation—TWC § 13.241(d), 16 TAC § 24.227(b)

42. Crest anticipates the installation of plant and equipment, a new water system, or substantial additions to the existing public water system to serve the requested area as the phases are completed. Regionalization or consolidation with another retail public utility is not economically feasible.

Tariff, Map, and Certificate

43. On December 21, 2018, Commission Staff emailed its proposed tariff, map, and certificate to Crest.
44. On January 2, 2019, Crest filed its consent to the proposed tariff, map, and certificate.
45. On January 11, 2019, Commission Staff filed the proposed tariff, map, and certificate as an attachment to its recommendation.

Informal Disposition

46. More than 15 days have passed since completion of the notice provided in this docket.

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47. No person filed a protest or motion to intervene.
48. Commission Staff and Crest are the only parties to the proceeding.
49. No party requested a hearing and no hearing is needed.
50. Commission Staff recommended approval of the application, as supplemented.
51. This decision is not adverse to any party.

II. Conclusions of Law

The Commission makes the following conclusions of law.

1. The Commission has authority over this application under Texas Water Code (TWC) §§ 13.041, 13.241, 13.244, and 13.246.
2. Crest is a retail public utility as defined in TWC § 13.002(19) and 16 Texas Administrative Code (TAC) § 24.3(59).
3. Notice of the application complies with TWC § 13.246 and 16 TAC § 24.235.
4. The Commission processed the application in accordance with the requirements of the Administrative Procedure Act,¹ TWC, and Commission rules.
5. Crest possesses the financial, managerial, and technical capability to provide continuous and adequate service to the requested area as required by TWC § 13.241(a) and 16 TAC § 24.227.
6. Crest has demonstrated that the application meets the requirements set forth in TWC §§ 13.241, 13.244 and 13.246 and 16 TAC § 24.225 and § 24.227 to be granted an amendment to its CCN.
7. The amendment to CCN number 12037 is required for the public convenience and necessity and is necessary for the service, accommodation, convenience, or safety of the public under TWC § 13.246(b) and 16 TAC § 24.227(c).
8. Crest must serve every customer within the added area under water CCN number 12037 and the service must be continuous and adequate under TWC § 13.250.

¹ Tex. Gov't Code ch. 2001.

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9. Crest must record a certified copy of the approved map for the certificate amendment, along with a boundary description of the service area, in the real property records of Johnson County within 31 days of receiving this Notice and submit to the Commission evidence of the recording in accordance with TWC § 13.257(r) and (s).
10. The requirements for informal disposition in 16 TAC § 22.35 have been met in this proceeding.

III. Ordering Paragraphs

In accordance with these findings of fact and conclusions of law, the Commission issues the following orders:

1. The Commission amends Crest's CCN number 12037 to include the area described by this Notice of Approval and shown on the map attached to this Notice of Approval.
2. The Commission grants the certificate attached to this Notice of Approval.
3. The Commission approves the tariff attached to Commission Staff's recommendation filed on January 11, 2019.
4. Within 10 days after the date of this Notice of Approval, Commission Staff must provide a clean copy of the tariff approved by this Notice of Approval to Central Records to be marked *Approved* and filed in the Commission's tariff book.
5. Crest must serve every customer and applicant for service within the approved area under water CCN number 12037 that requests water service and meets the terms of Crest's water service, and such service will be continuous and adequate.
6. Crest must comply with the recording requirements of TWC § 13.257(r) and (s) for the area in Johnson County affected by this application.
7. Crest must file in this docket proof of the recording required in ordering paragraph 6 not later than 45 days after the date of this Notice of Approval.
8. The Commission denies all other motions and any other requests for general or specific that have not been expressly granted.

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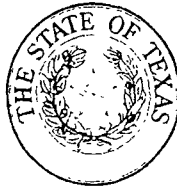
Signed at Austin, Texas the 25th day of March 2019.

PUBLIC UTILITY COMMISSION OF TEXAS



**CHRISTOPHER OAKLEY
ADMINISTRATIVE LAW JUDGE**

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Public Utility Commission Of Texas

By These Presents Be It Known To All That

James A. Dyche

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

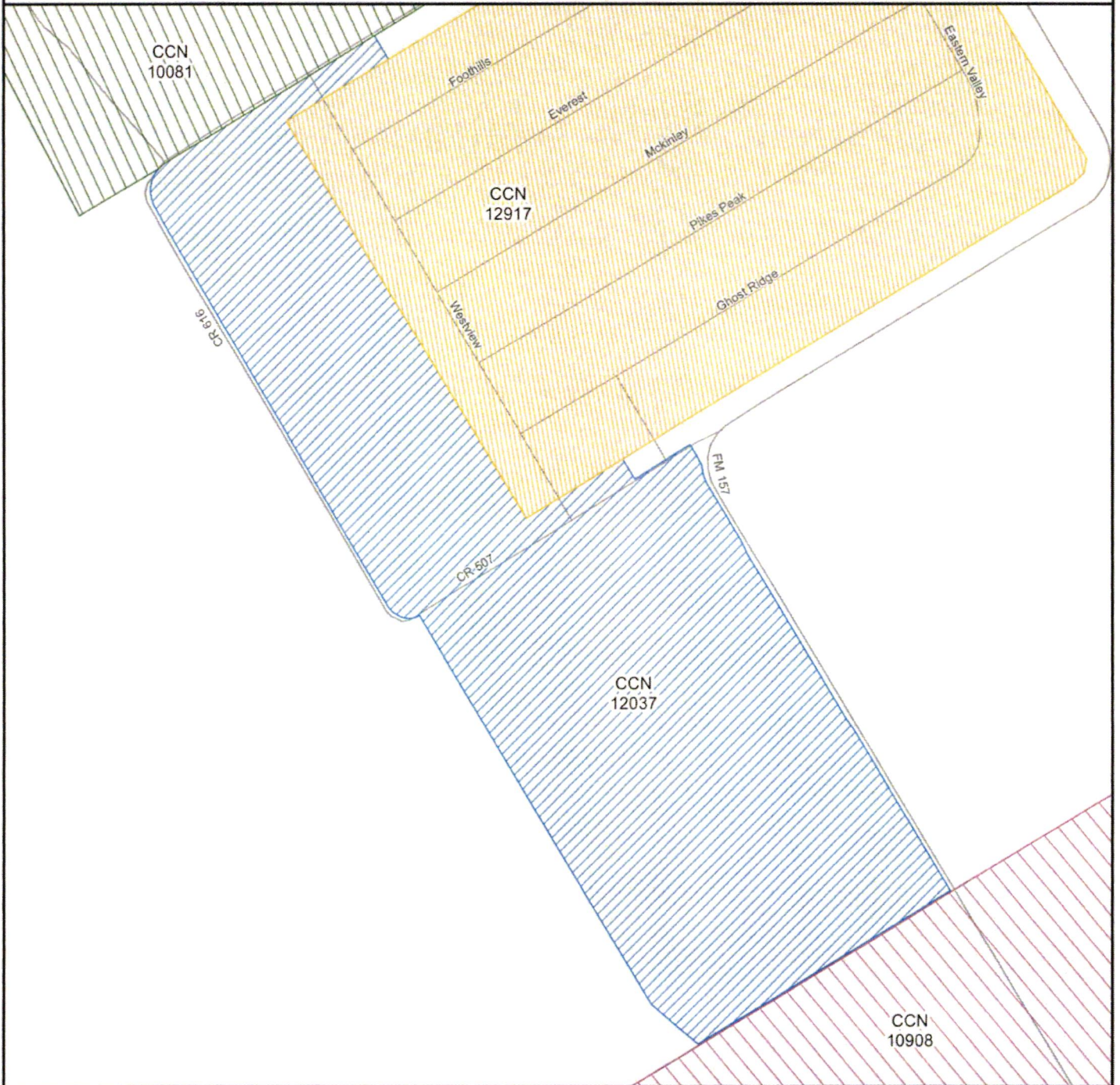
Certificate of Convenience and Necessity No. 12037

to provide continuous and adequate water utility service to that service area or those service areas in Johnson County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 48405 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the James A. Dyche to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this 25th day of March 2019.

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James A. Dyche dba Crest Water Company
 Portion of Water CCN No. 12037
 PUC Docket No. 48405
 Amended CCN No. 12037 in Johnson County



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

Water CCN

- 12037 - James A. Dyche dba Crest Water Company
- 10081 - Johnson County SUD
- 12917 - Mauka Water LTD
- 10908 - Mountain Peak SUD

0 500 1,000
 Feet



Map by: Komal Patel
 Date created: December 7, 2018
 Project Path: n:\finalmapping\48405 Crest Water.mxd
 CW00001

000010



Marcia Dyche <mldyche@gmail.com>

Re: Berkowitz Tract

Marcia Dyche <mldyche@gmail.com>
To: Chris.Matzke@jnjdevelopment.com

Tue, Jan 28, 2020 at 3:20 PM

Dear Mr. Matzke:

Regarding your email of January 23, 2020, we offer the following:

1. The "Berkowitz Tract" is now officially in our CCN giving us the sole right to serve the property.
2. Before we can serve any homes in the Berkowitz Tract we must have the following:
150'x150' lot deeded to Crest Water for new pumphouse, storage tank, pressure tank, and 6" paluxy well. Approximate cost for these facilities are:
Approximately 1000 foot 6" paluxy water well - \$100,000.
57,000 gallon galvanized bolted storage tank - \$50,000.
5,000 gallon pressure tank - \$25,000.00
TOTAL - \$175,000.

Crest Water will build the pumphouse with all electrical controls, piping and pumps and chlorination facilities on the lot and fence in the lot AT OUR EXPENSE.

3. Crest Water will install water meter taps on your water mains as you lay them at our expense. You must survey and mark property lines. Wherever possible we will install double meter boxes on property lines that will serve two lots. When the lot needs service, the following will be charged:

tap fee - \$550.00

connect fee - \$40.00

deposit - \$50.00 (unless the customer is 65 or older or can provide a record of good service with another Texas water utility). So either \$590.00 \$640.00 depending on whether or not they have to pay a deposit.

Installation of all water mains, fire hydrants, and valves in the subdivision will be at the developer's expense and according to the specifications of TCEQ, Consulting Environmental Engineers (CEE), and Crest Water Company.

4. In addition to the above, Crest Water Company will require a second lot of smaller size at the lower part of the development on which to drill a second well at our expense should a second well be required.

1/29/2020

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Gmail - Re: Berkowitz Tract

EXHIBIT A - RESPONSE TO STAFF'S FIRST RFI

5. We could furnish water immediately from the adjoining system we own (Mansfield South) to new homes built on CR 507 as soon as we receive a deed for the water system lot with easements to 507 and the approximate cost (approximately \$100,000) to drill the new well mentioned in #2 above.

If you have further questions please contact me.

Sincerely,

James A. Dyche
Crest Water

CWC000013

1/23/2020

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Gmail - Berkowitz Tract
EXHIBIT A - RESPONSE TO STAFF'S FIRST RFI



Marcia Dyche <mldyche@gmail.com>

Berkowitz Tract

1 message

Chris Matzke <Chris.Matzke@jmjdevelopment.com>

Thu, Jan 23, 2020 at 10:19 AM

To: "ceeinc@ceeinc.org" <ceeinc@ceeinc.org>, "mldyche@gmail.com" <mldyche@gmail.com>

Cc: Humberto Johnson <humberto.johnson@jmjdevelopment.com>

Gentlemen,

Please let us know what is necessary to supply water to the Berkowitz tract and meet the TCEQ requirements for pressure and fire supply and rate. Please provide an anticipated cost. Thanks in advance.


Best Regards.

Chris Matzke

JMJ Residential Manager

972-523-8962

2 attachments

 **1810231 BerkPP 07182018 Final Arch D Portrait.pdf**
1135K

 **Binder4.pdf**
1703K

CWC000014



Marcia Dyche <mldyche@gmail.com>

Proposed Development

2 messages

Marcia Dyche <mldyche@gmail.com>
To: mmatthews@cynergydev.com

Wed, Dec 13, 2017 at 3:11 PM

Michael:

I know of nothing you need to do right now. We are allowed to serve 1/4 mile outside our CCN (1320 feet) on property contiguous to our current CCN--which your property is. I have checked and the property is not in any other water company's CCN. We will of course apply for our CCN to be expanded before your development goes beyond the 1,320 feet. We will do that at our expense. Any idea when you might being construction?

James A. Dyche
Crest Water

Michael Matthews <mmatthews@cynergydev.com>
To: Marcia Dyche <mldyche@gmail.com>

Wed, Dec 13, 2017 at 3:27 PM

Its about 3300' from CR 507 to 506.

We will likely have to get a service letter in short order.

Can we go ahead and notice that you will serve just to see if there is any objection?

I'd like to get started ASAP.

Michael Matthews

Cynergy Development Advisors

214-287-0090

From: Marcia Dyche [mailto:mldyche@gmail.com]
Sent: Wednesday, December 13, 2017 3:11 PM

CWC000015





Marcia Dyche <mdladyche@gmail.com>

195 Acres at CR 506 & FM 157

1 message

Michael Matthews <mmatthews@cynergydev.com> Thu, Sep 6, 2018 at 11:29 AM
To: Jim Dyche <mdladyche@gmail.com>
Cc: Terry Tice <Terry@terryticeldcm.com>, Michael Matthews <mmatthews@cynergydev.com>

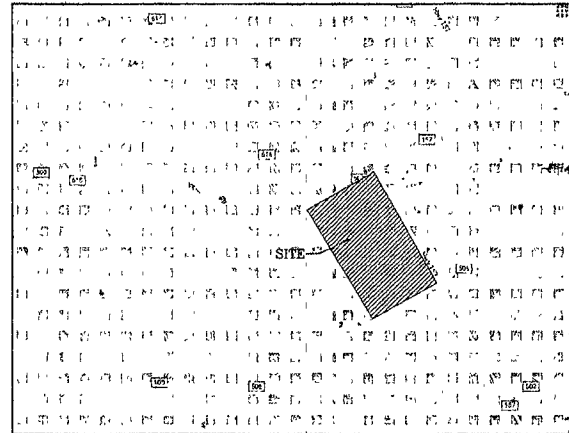
Current Owner is:

Asco Land, LLC
9911 Champa Drive
Dallas, TX 75218
214-287-0090

Michael Matthews
Cynergy Development Advisors
214-287-0090

PRELIMINARY PLANS FOR BERKOWITZ TRACT

CITY OF VENUS, TEXAS



LOCATION MAP

NOT TO SCALE

OWNER—APPLICANT

JMJ DEVELOPMENT
1755 WITTINGTON PLACE, SUITE 340
DALLAS, TEXAS 75234

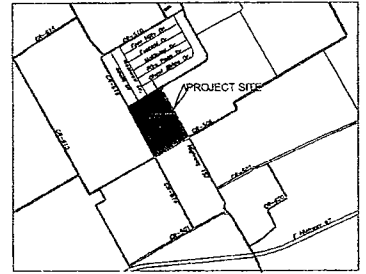
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1	PRELIMINARY PLAT
2	PRELIMINARY DRAINAGE
3	PRELIMINARY UTILITIES

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EXHIBIT A - RESPONSE TO SAFFS FIRST RFI

PRELIMINARY
This document
is for review only
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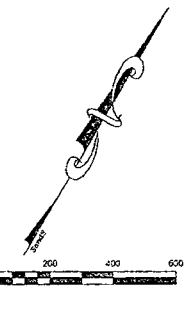
CWC000017

J. W. HARRIS SURVEY
ABSTRACT No. 913



S 30°27'55" E
162.89'
R=358.31'
L=170.81'
Ch=S 16°46'07" E 169.20'
S 30°27'37" E
165.30'
S 24°44'51" E
100.50'
(B10c)
Apparent
Texas Telephone and Telegraph Company
Right-of-Way Agreement
Volume 422 Page 155
R.P.R. J.C.T.

Lot No.	Area (Acres)	Area (Sq. Feet)
1	0.0000	0.0000
2	0.0000	0.0000
3	0.0000	0.0000
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J. WARE SURVEY
ABSTRACT No. 913

POINT OF BEGINNING


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ABSALOM WILLIAMS SURVEY
ABSTRACT No. 857

LEGEND
RF Iron Rod Found
Fire Hydrant
Oscar Underground Etc.
DOCKET NO. 51352
EXHIBIT A - RESPONSE TO STAFF'S FIRST RFI

PRELIMINARY PLAT
134 LOTS

JOHN N ELY SURVEY
ABSTRACT No. 261

 Gmail

Marcia Dyche <mdyche@gmail.com>

195 Acres at CR 506 & FM 157

1 message

Michael Matthews <mmatthews@cynergydev.com> Thu, Sep 6, 2018 at 11:29 AM
To: Jim Dyche <mdyche@gmail.com>
Cc: Terry Tice <Terry@terryticeldcm.com>, Michael Matthews
<mmatthews@cynergydev.com>

Current Owner is:

Asco Land, LLC
8811 Champs Drive
Dallas TX 75218
214-287-0090

Michael Matthews
Cynergy Development Advisors
214-287-0090



Marcia Dyché <mldyche@gmail.com>

07-20-18 PRELIMS 1ST SUB CREST-BERKOWITZ

1 message

Falguni Patel <falgunip1227@gmail.com> Fri, Jul 20, 2018 at 9:56 AM
To: mldyche@gmail.com, "Consulting Environmental Engineers, Inc." <ceeinc@ceeinc.org>
Cc: Michael Matthews <mmatthews@cynergydev.com>, Mark Hickman <markredhick@gmail.com>

Jim/Charlie

Attached is our Preliminary Plat and Preliminary Engineering Plans for your review per our discussion last week.

Please let me know if you have any questions or need hard copies.

Thanks,


Falguni Patel

Project Manager

214-995-5533

falgunip1227@gmail.com

2 attachments

 1810231 BerkPP 07182018 Final Arch D Portrait.pdf
1135K

DOCKET NO. 51352
EXHIBIT A - RESPONSE TO STAFF'S FIRST RFI

CWC000020



Marcia Dyche <mldyche@gmail.com>

Proposed Development

2 messages

Marcia Dyche <mldyche@gmail.com>

Wed, Dec 13, 2017 at 3:11 PM

To: mmatthews@cynergydev.com

Michael:

I know of nothing you need to do right now. We are allowed to serve 1/4 mile outside our CCN (1320 feet) on property contiguous to our current CCN--which your property is. I have checked and the property is not in any other water company's CCN. We will of course apply for our CCN to be expanded before your development goes beyond the 1,320 feet. We will do that at our expense. Any idea when you might being construction?

James A. Dyche
Crest Water

Michael Matthews <mmatthews@cynergydev.com>

Wed, Dec 13, 2017 at 3:27 PM

To: Marcia Dyche <mldyche@gmail.com>

Its about 3300' from CR 507 to 506.

We will likely have to get a service letter in short order.

Can we go ahead and notice that you will serve just to see if there is any objection?

I'd like to get started ASAP.

Michael Matthews

Cynergy Development Advisors

214-287-0096

From: Marcia Dyche [mailto:mldyche@gmail.com]

Sent: Wednesday, December 13, 2017 3:11 PM



Marcia Dyche <mldyche@gmail.com>

Proposed Development

2 messages

Marcia Dyche <mldyche@gmail.com>
To: mmatthews@cynergydev.com

Wed, Dec 13, 2017 at 10:00 AM

We are in the process of installing a new pumphouse and other facilities at our water system at Mansfield South. I was wondering if your proposed development is still a possibility so that we know how to plan.

Please let us know at your earliest convenience.

James A. Dyche
Crest Water Company

Michael Matthews <mmatthews@cynergydev.com>
To: Marcia Dyche <mldyche@gmail.com>

Wed, Dec 13, 2017 at 11:03 AM

Yes we are prepared to move forward.

What do we need to do apply/notice that Crest will serve the tract?

Michael Matthews

Cynergy Development Advisors

214-287-0090

From: Marcia Dyche [mailto:mldyche@gmail.com]
Sent: Wednesday, December 13, 2017 10:01 AM
To: mmatthews@cynergydev.com
Subject: Proposed Development

[Quoted text hidden]



Marcia Dyche <mldyche@gmail.com>

FW: 195 Acres at 157 and CR 507

3 messages

Michael Matthews <mmatthews@cynergydev.com>
To: Jim Dyche <mldyche@gmail.com>

Fri, Dec 29, 2017 at 3:01 PM

Michael Matthews

Cynergy Development Advisors

214-287-0090

From: Michael Matthews [mailto:mmatthews@cynergydev.com]
Sent: Thursday, November 16, 2017 8:52 AM
To: 'Jim Dyche' <mldyche@gmail.com>
Subject: 195 Acres at 157 and CR 507

Jim,

See attached survey and preliminary lot layout.

Let me know if you need anything else to prepare a proposal and budget.

Thanks

Michael Matthews

Cynergy Development Advisors

214-287-0090

2 attachments

CWC000023



Marcia Dyche <mldyche@gmail.com>

FW: 195 Acres at 157 and CR 507

1 message

Michael Matthews <mmatthews@cynergydev.com>
To: Jim Dyche <mldyche@gmail.com>

Fri, Dec 29, 2017 at 3:01 PM

Michael Matthews

Cynergy Development Advisors

214-287-0090

From: Michael Matthews [mailto:mmatthews@cynergydev.com]
Sent: Thursday, November 16, 2017 8:52 AM
To: 'Jim Dyche' <mldyche@gmail.com>
Subject: 195 Acres at 157 and CR 507

Jim,

See attached survey and preliminary lot layout.

Let me know if you need anything else to prepare a proposal and budget.

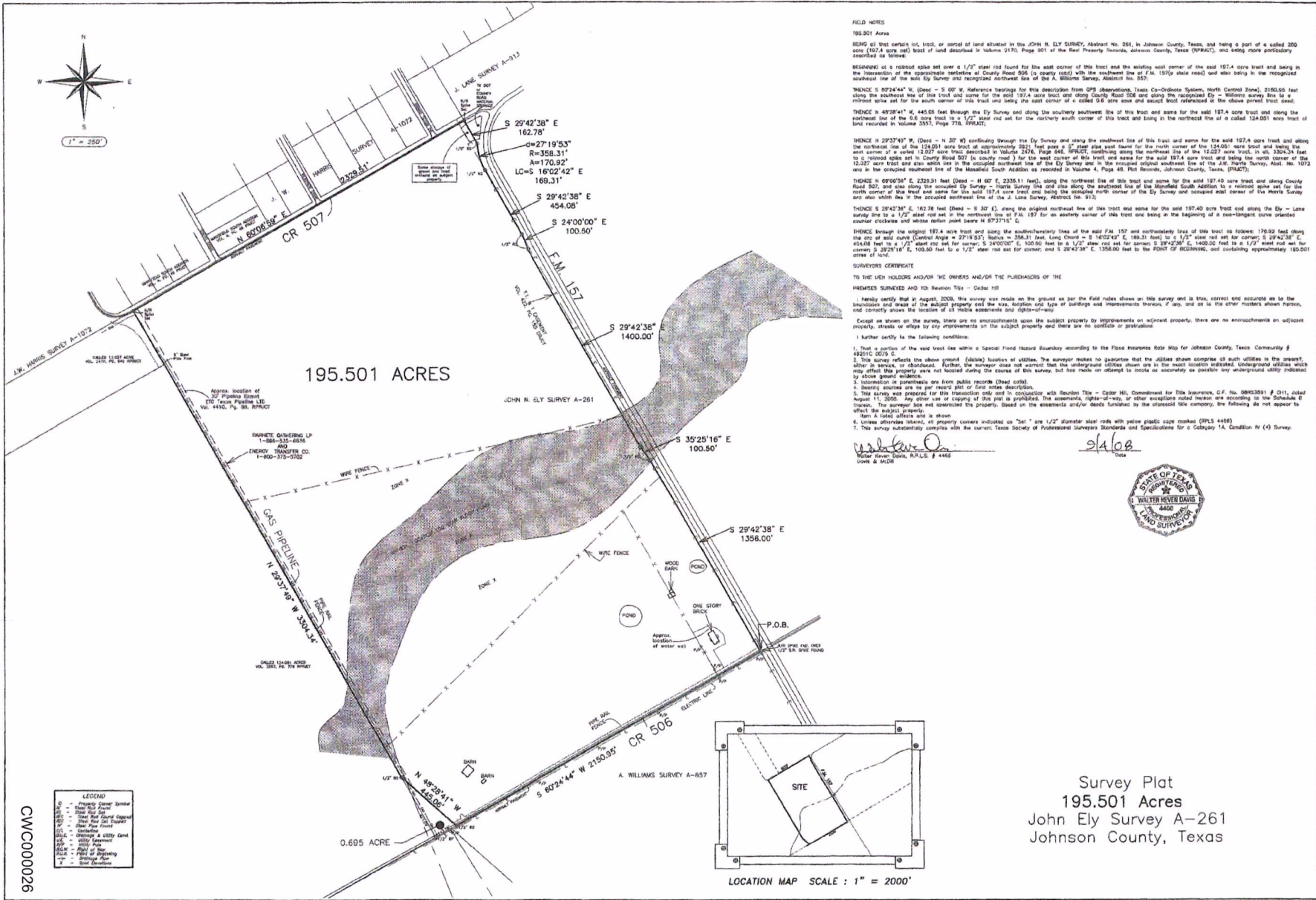
Thanks

Michael Matthews

Cynergy Development Advisors

214-287-0090

2 attachments



FIELD NOTES
 195.501 Acres
 BEING all that certain lot, tract, or parcel of land situated in the JOHN R. ELY SURVEY, Abstract No. 261, in Johnson County, Texas, and being a part of a called 200 acre (197.4 acre net) tract of land described in Volume 2170, Page 301 of the Real Property Records, Johnson County, Texas (RPRACT), and being more particularly described as follows:
 BEGINNING at a rounded spike set over a 1/2" steel rod found for the east corner of this tract and the welding post corner of the said 197.4 acre tract and being in the intersection of the approximate extension of County Road 506 (a county road) with the southeast line of F.M. 157 (a state road) and also being in the recognized southeast line of the said Ely Survey and recognized northeast line of the A. Williams Survey, Abstract No. 261;
 THENCE S 02°24'44" W, (Dist. = S 607' W, reference bearings for this description from GPS observations, Texas Co-Ordinate System, North Central Zone), 2160.65' feet along the southeast line of this tract and same for the said 197.4 acre tract and along County Road 506 and along the recognized Ely - Williams survey line to a rounded spike set for the south corner of this tract and being the east corner of a called 0.8 acre tract and subject tract referenced in the above parcel tract deed;
 THENCE N 49°28'41" W, 445.05' feet through the Ely Survey and along the southerly-southwest line of this tract and same for the said 197.4 acre tract and along the recognized northeast line of the 0.8 acre tract to a 1/2" steel rod set for the northerly-south corner of this tract and being in the northeast line of a called 124.051 acre tract of land recorded in Volume 2355, Page 378, (RPRACT).
 THENCE S 29°42'38" E, (Dist. = N 307' 00" easterly through the Ely Survey and along the southeast line of this tract and same for the said 197.4 acre tract and along the northeast line of the 124.051 acre tract of approximately 2211' feet plus a 5" steel spike set found for the north corner of the 124.051 acre tract and being the west corner of a called 12.287 acre tract referenced in Volume 2376, Page 342, (RPRACT), continuing along the northeast line of the 12.287 acre tract to an iron spike set for the north corner of the 12.287 acre tract and also being in the recognized southeast line of the Ely Survey and in the recognized original southeast line of the A.W. Harris Survey, Abstract No. 1072 and in the recognized southeast line of the Mansfield South Addition as recorded in Volume 4, Page 48, Plat Records, Johnson County, Texas, (RPRACT);
 THENCE N 02°00'50" E, 2326.51' feet (Dist. = N 607' E, 2326.11' feet), along the northeast line of this tract and same for the said 197.4 acre tract and along County Road 507; and also along the surveyed Ely Survey - Harris Survey line and also along the southeast line of the Mansfield South Addition to a rounded spike set for the north corner of this tract and same for the said 197.4 acre tract and being the southeast corner of the Ely Survey and occupied east corner of the Harris Survey and also being in the recognized southeast line of the A. Williams Survey, Abstract No. 261;
 THENCE S 29°42'38" E, 1400.00' feet (Dist. = S 307' E), along the original northeast line of this tract and same for the said 197.4 acre tract and along the Ely - Lane survey line to a 1/2" steel rod set in the northeast line of F.M. 157 for an easterly corner of this tract and being in the beginning of a non-tangent curve oriented counter clockwise and whose radius point bears N 02°37'15" S;
 THENCE through the weight 197.4 acre tract and along the southerly-southwest line of the said F.M. 157 and southerly line of this tract as follows: 179.92' feet along the arc of said curve (Central Angle = 27°18'25", Radius = 358.31' feet, Long Chord = S 16°02'49" E, 189.21' feet) to a 1/2" steel rod set for corner; S 29°42'38" E, 454.08' feet to a 1/2" steel rod set for corner; S 24°00'00" E, 100.50' feet to a 1/2" steel rod set for corner; S 29°42'38" E, 100.50' feet to a 1/2" steel rod set for corner; and S 29°42'38" E, 1358.00' feet to the POINT OF BEGINNING, and curving approximately 180.001 acres of land.
 SURVEYORS CERTIFICATE
 TO THE MEN HOLDERS AND/OR THE OWNERS AND/OR THE PURCHASERS OF THE PREMISES SURVEYED AND TO Remain True - Cedar Hill
 I hereby certify that in August, 2008, this survey was made on the ground as per the field notes shown on this survey and is true, correct and accurate as to the boundaries and area of the subject property and the size, location and type of buildings and improvements shown, if any, and as to the other matters shown hereon, and correctly shows the location of all visible easements and rights-of-way.
 Except as shown on the survey, there are no encroachments upon the subject property by improvements on adjacent property, there are no encroachments on adjacent property, streets or alleys by the improvements on the subject property and there are no conditions or prohibitions.
 I further certify in the following conditions:
 1. That a portion of the said tract lies within a Special Flood Hazard Boundary according to the Flood Insurance Rate Map for Johnson County, Texas Community # 4921C-0079.
 2. This survey reflects the above ground (visible) location of utilities. The surveyor makes no guarantee that the utilities shown comprise of such utilities in the ground, or beneath, or underground. Further, the surveyor does not warrant that the underground utilities shown are in the exact location indicated. Underground utilities which may affect the property were not located during the course of this survey, but the surveyor has attempted to locate as accurately as possible any underground utility indicated by above ground markers.
 3. Information in parentheses on from public records (deed calls).
 4. Existing easements are per record plat or field notes description.
 5. This survey was prepared for this transaction only and in conjunction with Reunion Title - Cedar Hill, Commitment for Title Insurance, C.F. No. 08033591 # 011, dated August 11, 2008. Any other use or copying of this plat is prohibited. The easements, rights-of-way, or other easements noted hereon are according to the Schedule B document.
 6. The surveyor has not conducted the property based on the easements and/or deeds furnished by the referenced title company, the following do not appear to affect the subject property.
 7. Item A listed herein is a show
 8. Unless otherwise indicated, all property corners indicated on this "as is" are 1/2" diameter steel rods with yellow plastic caps marked (RPLS 4468).
 9. This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition IV (4) Survey.
 Walter Meyer Davis, S.P.S., # 4468
 Date: 08/29/08

REVISIONS	BY
9/02/08	klc
9/04/08	klc

EXHIBIT A - RESPONSE TO STAFF'S FIRST REVIEW

DOCKET NO. 51352

ENGINEERS AND SURVEYORS
DAVIS & McDILL, INC.
 CONSULTING ENGINEERS AND SURVEYORS
 4225 W. WILSON ROAD, SUITE 100
 WILSON, TEXAS 75157
 PHONE: (972) 938-1185
 FAX: (972) 937-0307

ENGINEERS AND SURVEYORS
D & M
 SURVEYORS

Date: 08-29-08
 Scale: 1"=250'
 Drawn: KLH
 Job: 208-0429
 Sheet 1 of 1 sheets.

CWC000026

DOCKET NO. 51352
EXHIBIT A - RESPONSE TO STAFF'S FIRST RFI

CREST WATER COMPANY
P. O. BOX 460
840 N. OLD BETSY ROAD
KEENE, TX 76059
817-645-5493
FAX: 817-517-7141

C.E.E.
TO: Charlie PHONE 254-968-8134
DATE 12-14-17

RE: The developer doesn't want to start without knowing that we will have no problem getting the property into our CCN. Would like you to send me proposal ASAP of what you will charge to enlarge our CCN. The property is about 200 acres. He is concerned that someone might protest, although he has contacted several
TOTAL PAGES INCLUDING COVER 1

FROM: Jim Nyche

(Mountain Peak, City of Venus) and they said they wouldn't protest. Also would like your "guesstimate" as to how long it might take to get it through P.O.C. If this goes through, you will also be engineering water system improvements to Mansfield South, wells, tanks, Pump house, etc.
Call if you have questions. Jim