



Control Number: 51530



Item Number: 9

Addendum StartPage: 0

FORT HANCOCK WATER CONTROL & IMPROVEMENT DISTRICT

1050 S. KNOX AVE , P.O. BOX 65, FORT HANCOCK, TEXAS 79839

Phone: (915)769-3931 Fax (915)769-3938

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2021 JAN 15 AM 9:13

PUBLIC UTILITY COMMISSION
FILING CLERK

January 14, 2021

Re: Docket No. 51530

Dear Public Utility Commission,

I am submitting a copy of our intervention request regarding Docket No. 51530. The original letter and map were mailed to your organization on 1-14-21. The original mailing and copy I am providing are the same.

Thomas J. Holt

Thomas J. Holt
Fort Hancock Water Control & Improvement District
1050 S. Knox Ave.
P.O. Box 65
Fort Hancock, TX 79839
(915)769-3931
fthwcid1@yahoo.com
January 13, 2021

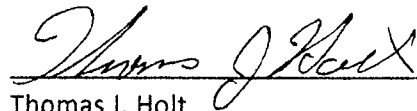
Public Utility Commission
P.O. Box 13326
Austin, TX 78711-3326

Dear Public Utility Commission:

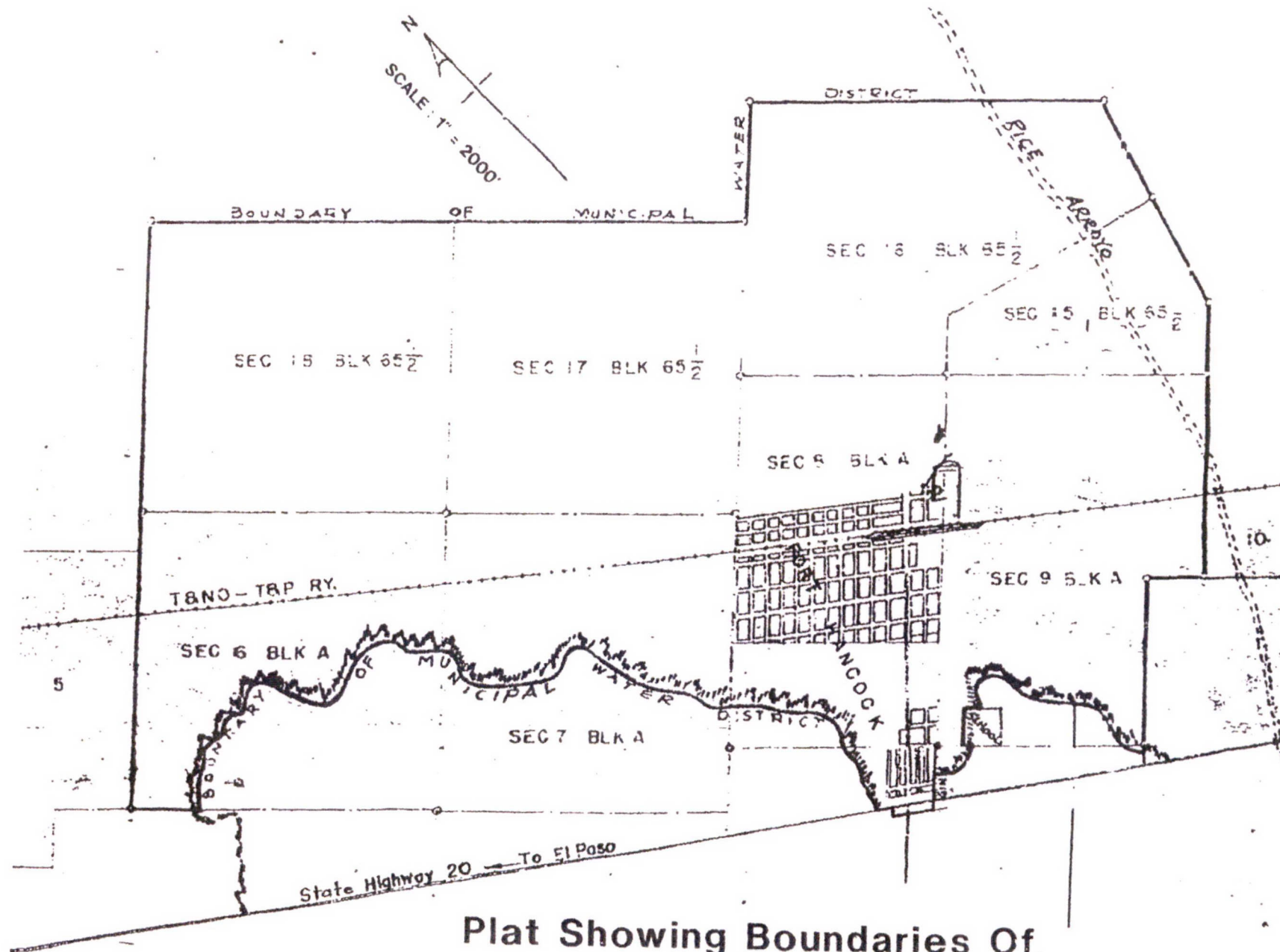
On behalf of the Fort Hancock Water Control & Improvement District, we would like to intervene in the proceedings regarding Docket No. 51530. Our intervention is to dispute the service area as presented in the notice that was mailed to our District on January 6th, 2021.

I am attaching proof of our Districts Boundaries.

Sincerely,



Thomas J. Holt
Fort Hancock Water Control & Improvement District



Plat Showing Boundaries Of Municipal Water District

Fort Hancock, Hudspeth County, Texas

SEPT 1952

PORT HANCOCK WATER CONTROL AND IMPROVEMENT DISTRICT OF HUDSPETH COUNTY

CHAPTER 76³³

S. B. No. 32

As Act validating all acts and proceedings of the Commissioners Court of Hudspeth County, Texas, in creating the Fort Hancock Municipal Water District of Hudspeth County, Texas; validating the district, all proceedings, including all hearings and elections and notices thereof, heretofore had in connection with the establishment of the district, the election of directors therefor, the issuance of notes of said district, the Board of Directors of the district and all actions of said Board of Directors heretofore taken; providing that said district shall hereafter be known as "Fort Hancock Water Control and Improvement District of Hudspeth County, Texas"; appointing directors now constituting the Board of Directors of the Fort Hancock Municipal Water District of Hudspeth County, Texas, as directors for the Fort Hancock Water Control and Improvement District of Hudspeth County, Texas; providing for the amount and kind of bonds for directors; providing the method of giving notice of directors election; setting forth the field notes of the district without making any changes in the area or boundaries of the district; providing that the district may issue bonds when such bonds have been duly authorized at an election held for the purpose and providing the method of giving notice of such bond elections; providing that no election for confirmation of the district and no hearing for exclusions shall be necessary; providing that any necessary relocation, rerouting or changing the grade of, or altering the construction of any highway, railroad, electric transmission line, telephone or telegraph properties and facilities, or pipeline, all such relocation, raising, rerouting or changing the grade of or alteration of construction shall be at the sole expense of the district; adopting the ad valorem plan of taxation for the district; finding a benefit to all land and other property within the district; providing the district was and is created to serve a public use and benefit; making the district subject to the statutes relating to water control and improvement districts except as otherwise provided; providing for a severability clause; and declaring an emergency.

Enacted by the Legislature of the State of Texas:

Section 1. All acts and proceedings of the Commissioners Court of Hudspeth County, Texas, in creating the Fort Hancock Municipal Water District of Hudspeth County, Texas, including that certain order of said Commissioners Court passed on the 17th day of July, 1952, establishing said district, be, and the same are hereby in all respects validated, ratified and confirmed.

Sec. 2. The district, all proceedings, including all hearings and elections and notices thereof, heretofore had in connection with the establishment of said district, the election of directors therefor, the issuance of notes of said district, the Board of Directors of the district and all actions of the Board of Directors heretofore taken, be, and the same are hereby in all respects validated, ratified and confirmed.

Sec. 3. It is determined and found by the Legislature that the said district shall be hereafter known as "Fort Hancock Water Control and Improvement District of Hudspeth County, Texas."

Sec. 4. The directors now constituting the Board of Directors of the Fort Hancock Municipal Water District of Hudspeth County, Texas, be, and they are hereby appointed as directors for the Fort Hancock Water Control and Improvement District of Hudspeth County, Texas, and they shall serve until the next regular directors election on the second Tuesday

³³ Vernon's Ann.Civ.St. art. 7680-1 note.

in January, 1962, and until their successors have duly qualified by making bond and taking the oath of office. All directors elected or appointed after the effective date of this Act shall subscribe to the constitutional oath of office, and each shall give bond in the amount of One Thousand Dollars (\$1,000.00) for the faithful performance of his duties, the cost of which bonds shall be paid by the district. Notice of directors election, as required by the General Laws relating to water control and improvement districts to be held on the second Tuesday in January of each year, shall be given by posting proper notice thereof at three public places within the district for at least fourteen (14) days prior to the date of such election.

Sec. 5. The area of said Fort Hancock Water Control and Improvement District of Hudspeth County, Texas, shall be the same as that embraced in the Fort Hancock Municipal Water District of Hudspeth County, Texas, as heretofore created by the Commissioners Court of Hudspeth County, Texas, on July 17, 1952. For the purpose of clarification the field notes of the district are hereby set forth but without making any changes in the area or boundaries of the district, as follows:

A 3,918 acre tract of land situated in Sections 15, 16, 17, and 18, Block 65½, Public School Lands, portions of Sections 6, 7, 8, and 9, Block A, Texas and Pacific Railway Surveys, and portions of S. A. Maverick Surveys Numbers 80 and 82, Hudspeth County, Texas, more particularly described as follows:

Beginning at a point, called point of beginning, which point is Station Number 178 on the northerly boundary line of the Hudspeth County Conservation and Reclamation District Number 1, which line is hereafter called the District Line, and which point bears South 45 deg.—25' West a distance of 369.32 feet from the southerly corner of Section 8, Block A, Texas and Pacific Railway Surveys, established by R. E. Hardaway in February-May, 1914:

Thence along said District Line South 44 deg.—52'—30" West a distance of 595.9 feet to Station 177;

Thence along said District Line South 54 deg.—03'—30" East a distance of 203.9 feet to Station 176;

Thence along said District Line South 44 deg.—29'—30" West a distance of 177.7 feet to Station 175;

Thence along said District Line North 54 deg.—03'—30" West a distance of 740.0 feet to Station 174;

Thence along said District Line South 40 deg.—50' West a distance of 67.2 feet to Station 173;

Thence along said District Line North 54 deg.—03' West a distance of 200.3 feet to Station 172;

Thence along said District Line North 44 deg.—50' East a distance of 244.9 feet to Station 171;

Thence along said District Line North 54 deg.—03'—30" West a distance of 290.00 feet to Station 170;

Thence along said District Line North 45 deg.—04' East a distance of 249.4 feet to Station 169;

Thence along said District Line North 8 deg.—45' West a distance of 525.8 feet to Station 168;

Thence along said District Line North 49 deg.—04' East a distance of 334.5 feet to Station 167;

Thence along said District Line North 6 deg.—47' East a distance of 869.3 feet to Station 166;

Thence along said District Line North 37 deg.—27' West a distance of 1,110.5 feet to Station 165;

Thence along said District Line North 44 deg.—13' West a distance of 1,166.7 feet to Station 164;
Thence along said District Line North 1 deg.—15' West a distance of 448.7 feet to Station 163;
Thence along said District Line North 44 deg.—05' 30" West a distance of 636.0 feet to Station 162;
Thence along said District Line North 12 deg.—39'—30" West a distance of 696.1 feet to Station 161;
Thence along said District Line North 5 deg.—40'—30" West a distance of 401.6 feet to Station 160;
Thence along said District Line North 15 deg.—10' West a distance of 785.1 feet to Station 159;
Thence along said District Line South 61 deg.—09' 30" West a distance of 451.8 feet to Station 158;
Thence along said District Line North 88 deg.—46'—30" West a distance of 800.5 feet to Station 157;
Thence along said District Line North 62 deg.—18' West a distance of 359.5 feet to Station 156;
Thence along said District Line North 55 deg.—44'—30" West a distance of 419.0 feet to Station 155;
Thence along said District Line North 47 deg.—38'—30" West a distance of 846.0 feet to Station 154;
Thence along said District Line North 10 deg.—28' West a distance of 611.3 feet to Station 153;
Thence along said District Line North 7 deg.—08' East a distance of 320.5 feet to Station 152;
Thence along said District Line North 39 deg.—44'—30" West a distance of 945.0 feet to Station 151;
Thence along said District Line North 11 deg.—26' West a distance of 316.4 feet to Station 150;
Thence along said District Line North 70 deg.—35' West a distance of 575.0 feet to Station 149;
Thence along said District Line South 69 deg.—58'—30" West a distance of 474.0 feet to Station 148;
Thence along said District Line North 78 deg.—19'—30" West a distance of 451.0 feet to Station 147;
Thence along said District Line North 67 deg.—37' West a distance of 491.0 feet to Station 146;
Thence along said District Line North 29 deg.—03'—30" West a distance of 325.0 feet to Station 145;
Thence along said District Line North 12 deg.—08'—30" West a distance of 427.5 feet to Station 144;
Thence along said District Line North 41 deg.—34'—30" West a distance of 329.0 feet to Station 143;
Thence along said District Line South 44 deg.—30' West a distance of 700.0 feet to Station 142;
Thence along said District Line North 52 deg.—23'—30" West a distance of 345.0 feet to Station 141;
Thence along said District Line South 49 deg.—13' West a distance of 465.0 feet to Station 140;
Thence along said District Line North 66 deg.—11' West a distance of 195.0 feet to Station 139;
Thence along said District Line South 34 deg.—56' West a distance of 951.2 feet to Station 138;
Thence North 45 deg.—50' West a distance of 1,691.74 feet to a point, the same being the most westerly corner of the Fort Hancock Municipal Water District;

Thence North 44 deg.—04'—18" East a distance of 4,511.23 feet to a point;

Thence North 46 deg.—02'—21" West a distance of 201.38 feet to a point;

Thence North 43 deg.—57'—39" East a distance of 5,277.78 feet to a point, the same being the most northerly corner of the Fort Hancock Municipal Water District;

Thence South 46 deg.—02'—21" East a distance of 10,555.55 feet to a point;

Thence North 43 deg.—57'—39" East a distance of 2,098.05 feet to a point;

Thence South 46 deg.—02'—21" East a distance of 5,760.78 feet to a point, the same being the most easterly point of the Fort Hancock Municipal Water District;

Thence South 0 deg.—12'—39" West a distance of 4,471.78 feet to a point;

Thence South 44 deg.—04'—18" West a distance of 4,845.45 feet to a point;

Thence North 45 deg.—55'—42" West a distance of 966.67 feet to a point;

Thence South 44 deg.—04'—18" West a distance of 3,030.65 feet to a point on the said District Line between Stations 193 and 194, the same being the most southerly corner of the Fort Hancock Municipal Water District;

Thence along said District Line North 15 deg.—58'—30" West a distance of 319.83 feet to Station 193;

Thence along said District Line North 20 deg.—16'—30" East a distance of 495.4 feet to Station 192;

Thence along said District Line North 18 deg.—31'—30" West a distance of 340.8 feet to Station 191;

Thence along said District Line North 42 deg.—45' West a distance of 506.4 feet to Station 190;

Thence along said District Line North 34 deg.—37' West a distance of 492.4 feet to Station 189;

Thence along said District Line North 18 deg.—20'—30" West a distance of 889.8 feet to Station 188;

Thence along said District Line North 61 deg.—23'—30" West a distance of 342.3 feet to Station 187;

Thence along said District Line South 48 deg.—01' West a distance of 526.5 feet to Station 186;

Thence North 45 deg.—07'—30" West a distance of 139.5 feet to a point;

Thence South 44 deg.—52'—30" West a distance of 659.4 feet to a point;

Thence South 45 deg.—07'—30" East a distance of 299.7 feet to a point, the same being Station 183 of said District Line;

Thence along said District Line South 44 deg.—52'—30" West a distance of 179.8 feet to Station 182;

Thence along said District Line North 45 deg.—07'—30" West a distance of 264.2 feet to Station 181;

Thence along said District Line South 39 deg.—13'—30" West a distance of 64.0 feet to Station 180;

Thence along said District Line North 74 deg.—48'—30" West a distance of 291.0 feet to Station 179;

Thence along said District Line North 45 deg.—07'—30" West a distance of 228.2 feet to Station 178, the same being the place of beginning and containing 3,918 acres of land more or less.

Sec. 6. The district is authorized to issue bonds of the district for any and all purposes permitted to water control and improvement districts when such bonds shall have first been authorized by a majority of the resident qualified property tax-paying voters of the district who own taxable property in the district and who have duly rendered the same for taxation, voting at an election held within the district for that purpose. Notice of any such bond election shall be given by posting proper notice thereof at three public places within the district for at least fourteen (14) days prior to said election.

Sec. 7. No election shall be necessary for the purpose of confirming the organization of the district and no hearing shall be necessary to determine whether any lands or property included within the boundaries of the district shall be excluded.

Sec. 8. The ad valorem plan of taxation is hereby adopted for the district and all taxes hereafter levied by the district shall be on an ad valorem basis and no hearing shall be required on a plan of taxation.

Sec. 9. It is expressly determined and found that all of the land and other property included within the area and boundaries of the district will be benefited by the works and projects which are to be accomplished by the district pursuant to the powers conferred by the provisions of Article XVI, Section 59, of the Constitution of Texas, and that said district was and is created to serve a public use and benefit.

Sec. 9a. In the event that the district, in the exercise of any powers granted herein, makes necessary the relocation, raising, rerouting, or changing the grade of, or altering the construction of any highway, railroad, electric transmission line, telephone or telegraph properties and facilities, or pipeline, all such necessary relocation, raising, rerouting, changing of grade or alteration of construction shall be accomplished at the sole expense of the district.

Sec. 10. The district shall have and exercise, and is hereby vested with all of the rights, powers, privileges, and duties conferred and imposed by the General Laws of this state now in force or hereafter enacted applicable to water control and improvement districts created under the authority of Section 59, Article 16, of the Constitution of Texas; but to the extent that the provisions of any such General Laws may be in conflict or inconsistent with the provisions of this Act, the provisions of this Act shall prevail. All such General Laws are hereby incorporated by reference with the same effect as if incorporated in full in this Act.

Sec. 11. If any word, phrase, clause, paragraph, sentence, part, portion or provision of this Act, or the application thereof to any person or circumstance, shall be held to be invalid or unconstitutional, such holding shall not affect the validity of the remaining portions of this Act; and the Legislature hereby declares it would have passed such remaining portions despite such invalidity.

Sec. 12. The fact that the works and projects and the conservation measures are immediately and urgently needed in the district hereby establishes and creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended; and this Act shall take effect from and after its passage, and it is so enacted.

Passed the Senate, February 7, 1961: Yeas 31, Nays 0; passed the House, March 15, 1961: Yeas 131, Nays 1.

Approved March 28, 1961.

Effective March 23, 1961.