



Control Number: 51979



Item Number: 1

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PUC DOCKET NO. 51979

RECEIVED  
2021 APR -5 AM 10:27  
PUBLIC UTILITY COMMISSION  
FILED CLERK

PETITION BY SIG MAGNOLIA LP §  
FOR EXPEDITED RELEASE §  
FROM WATER CCN NO. 11052 §  
HELD BY DOBBIN PLANTERSVILLE §  
WATER SUPPLY CORPORATION §

BEFORE THE  
PUBLIC UTILITY COMMISSION  
OF TEXAS

**PETITION BY SIG MAGNOLIA LP FOR EXPEDITED  
RELEASE PURSUANT TO TEXAS WATER CODE § 13.2541**

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

COMES NOW, SIG Magnolia LP (Petitioner), a Texas limited partnership and files this Petition with the Public Utility Commission of Texas (PUC) for expedited release from Dobbin Plantersville Water Supply Corporation’s (Dobbin Plantersville) water certificate of convenience and necessity (CCN) No. 11052 pursuant to Texas Water Code § 13.2541 and 16 Texas Administrative Code (TAC) § 24.245 and, support thereof, would respectfully show the following:

**I. APPLICABLE REGULATIONS**

Texas Water Code § 13.2541 provides that, within counties with populations at least one million, or within counties adjacent to counties with populations of one million, the owner of a tract of land that is at least 25 acres and is not receiving water or sewer service may petition for expedited release of the area from a CCN and is entitled to that release. Tex. Water Code § 13.2541(b). The PUC rules provide the same and recognize that Montgomery County is a county in which owners of at least 25 acres are entitled to expedited release. See 16 TAC § 24.245. Under Section 13.2541(c), the PUC “shall grant the petition not later than the 60<sup>th</sup> day after the date the landowner files the petition.”

1

## II. REQUEST FOR EXPEDITED RELEASE

Petitioner owns approximately 665.8 acres of contiguous land in Montgomery County, Texas (Property).<sup>1</sup> The Property is within the boundaries of water CCN No. 11052 held by Dobbin Plantersville. The Property does not receive water service from Dobbin Plantersville or from any other water provider. An affidavit in support of this Petition is attached hereto as **Exhibit A**. Maps showing the locations of the Property, along with the digital data, are attached hereto as **Exhibit B**. The deed showing the ownership of the Property is attached hereto as **Exhibit C**. A copy of this Petition has been mailed to Dobbin Plantersville via certified mail.

## III. CONCLUSION AND PRAYER

Texas Water Code § 13.2541 entitles the Petitioner to expedited release of the Property described herein. The Property is greater than 25 acres, is not receiving water service from Dobbin Plantersville, and is within Montgomery County, Texas. Pursuant to Section 13.2541(c), the Petitioner respectfully requests that the PUC grant this Petition no later than the 60<sup>th</sup> day after the date of filing and issue an order releasing the Property from water CCN No. 11052.

Respectfully submitted,

Emily W. Rogers  
State Bar No. 24002863  
[erogers@bickerstaff.com](mailto:erogers@bickerstaff.com)

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<sup>1</sup> Please note that the acreage stated in the deed showing ownership is slightly more than the acreage calculated for the polygon used for the mapping. The deed states that the acreage is 665.876 acres. The acreage calculated for the polygon is 665.84 acres. The difference in the two numbers is likely attributed to two different surveys of the Property that occurred at different time, which resulted in slightly different acreage numbers. For purposes of this Petition, the Petitioner recommends using 665.84 acres.

Bickerstaff Heath Delgado Acosta LLP  
3711 S. MoPac Expressway  
Building One, Suite 300  
Austin, TX 78746  
Telephone: (512) 472-8021  
Facsimile: (512) 320-5638

BY: *Emily W. Rogers*  
Emily W. Rogers

**CERTIFICATE OF SERVICE**

I hereby certify by my signature below that on the 5<sup>th</sup> day of April, 2021, a true and correct copy of the above and foregoing document was forwarded via hand delivery, facsimile, U.S. mail or electronic mail to all parties of record and a true and correct copy of the above and foregoing document has been mailed by certified mail to Dobbin Plantersville Water Supply Corporation, P.O. Box 127, Plantersville, TX, 77363.

*Emily W. Rogers*  
Emily W. Rogers

**Exhibit A**

**Affidavit of Daniel K. Signorelli**

PUC DOCKET NO. \_\_\_\_\_

PETITION BY SIG MAGNOLIA LP § BEFORE THE  
FOR EXPEDITED RELEASE §  
FROM WATER CCN NO. 11052 § PUBLIC UTILITY COMMISSION  
HELD BY DOBBIN PLANTERSVILLE §  
WATER SUPPLY CORPORATION § OF TEXAS

**AFFIDAVIT FOR PETITION BY SIG MAGNOLIA LP FOR  
EXPEDITED RELEASE PURSUANT TO WATER CODE § 13.2541**

STATE OF TEXAS §  
§  
COUNTY OF MONTGOMERY §

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


1. "My name is Daniel K. Signorelli. I am over 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 Manager of SIG Magnolia LP, a Texas limited partnership, the Petitioner in the above-captioned matter. SIG Magnolia LP owns approximately 665.8 acres of land Montgomery County, Texas, and which is located within the boundaries of water Certificate of Convenience and Necessity No. 11052 issued to Dobbin Plantersville Water Supply Corporation. Exhibit B attached to this Petition is a map that correctly identifies the property, its location, and the area of the CCN. Exhibit C attached to this Petition is a true and correct copy of the deed demonstrating SIG Magnolia LP's ownership of the tract. SIG Magnolia LP has owned the property since March 30, 2019.
3. The property in question is not receiving water service from Dobbin Plantersville Water Supply Corporation. SIG Magnolia LP has not requested that Dobbin Plantersville Water Supply Corporation provide water service to the property. SIG Magnolia has not paid any fees or charges to initiate or maintain water, and there are no billing records or other documents indicated an existing water service account with Dobbin Plantersville Water Supply Corporation for the property. Montgomery County Municipal Utility District No. 180 has been created to serve as the retail water service provider for the SIG Magnolia LP property.
4. I request that the Public Utility Commission of Texas release this property from water CCN No. 11052."

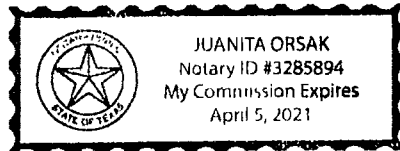
FURTHER AFFIANT SAYETH NOT.

SIG MAGNOLIA LP  
A Texas limited partnership

By: 

SWORN AND SUBSCRIBED TO BEFORE ME by  
Samuel A. Signorelli, on March 30, 2021.

  
Notary Public, State of Texas



## **Exhibit B**

### **Maps and Digital Data**

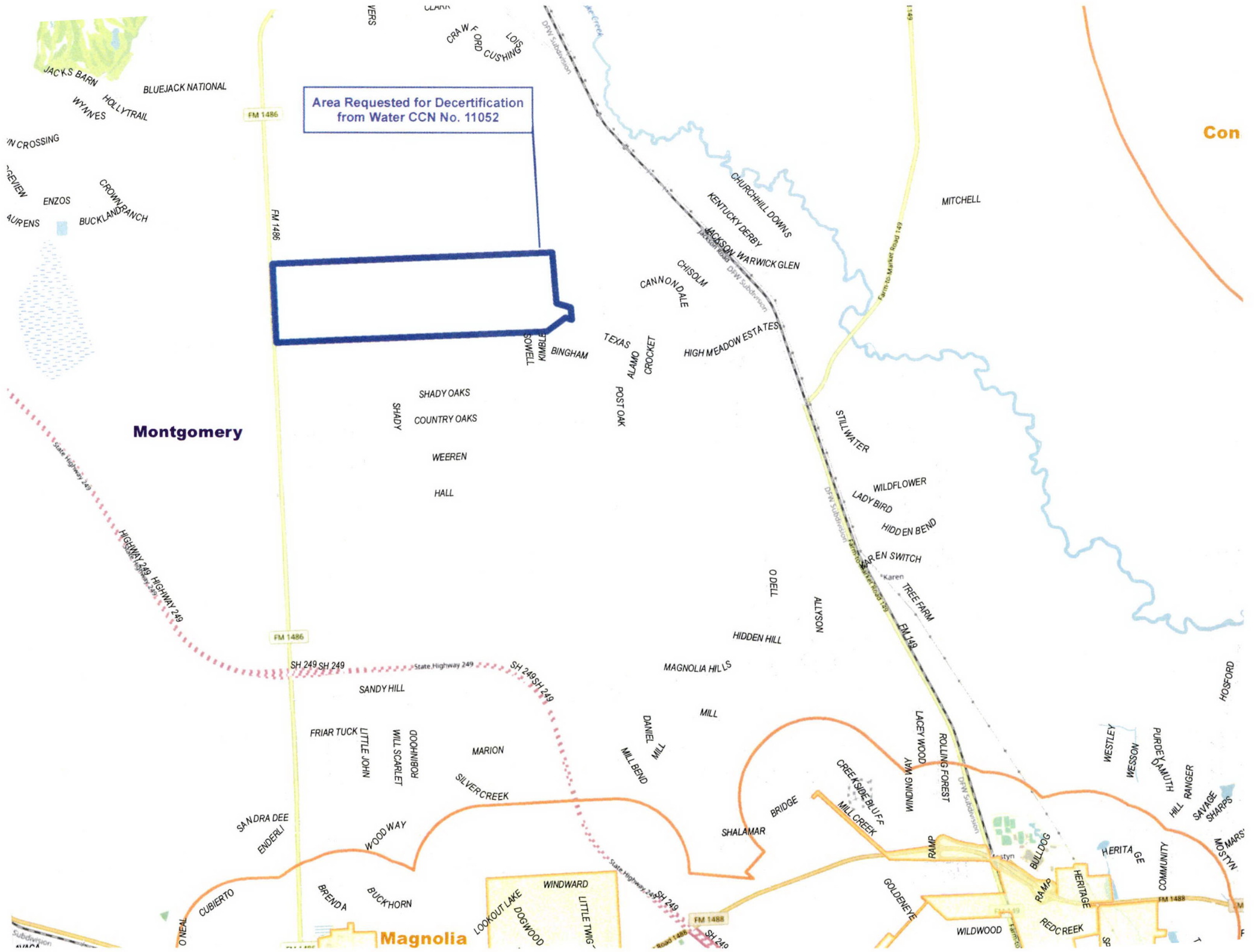


Area Requested for Decertification  
from Water CCN No. 11052

Montgomery

Magnolia

Con



Waller  
The Woodlands Spring  
Sources: Harris, Esri, Garr  
NPS

Area Requested for Decertification  
from Water CCN No. 11052

SARATOGA WOODS

HC

WILDE RIDGE

BARRET

SOWELL

TEXAS

KIMBLE

BINGHAM

Shady Oaks Boulevard SHADY OAKS

Shady Oaks Boulevard

Shady Oaks Boulevard

Shady Oaks Boulevard

SHADY  
Oaks Blvd

COUNTRY OAKS

Country Oaks Boulevard

Country Oaks Boulevard

**Exhibit C**

**Deed**

**SPECIAL WARRANTY CAPITAL CONTRIBUTION DEED  
(665.876 ACRES)**

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

THE STATE OF TEXAS                    §  
  §       KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF MONTGOMERY           §

That GRAND PRAIRIE INVESTMENTS, LLC, a Delaware limited liability company ("Grantor"), for and in consideration of the sum of \$10.00 and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, has GRANTED, BARGAINED, CONTRIBUTED and CONVEYED and by these presents does GRANT, BARGAIN, CONTRIBUTE and CONVEY unto SIG MAGNOLIA LP, a Texas limited partnership whose address is c/o The Signorelli Company, 1400 Woodloch Forest Drive, Suite 200, The Woodlands, Texas 77380 (hereinafter called "Grantee"), the tract or tracts of land located in Montgomery County, Texas, containing approximately 665.876 acres which are described on *Exhibit "A"* attached hereto and incorporated herein by reference (hereinafter called the "Land"), together with all improvements on the Land and all rights, titles, and interests appurtenant thereto, including all of Grantor's right, title, and interest in and to adjacent streets, alleys, rights-of-way, and any adjacent strips and gores of real estate, if any, (the Land, together with all of the other foregoing described property, rights, titles, and interests, is hereinafter collectively called the "Property").

This Special Warranty Capital Contribution Deed evidences the contribution of the Property by Grantor to Grantee as a capital contribution, and is made by Grantor and accepted by Grantee subject to all easements, restrictions, maintenance charges, covenants, conditions, limitations, mineral reservations, encumbrances, and other matters of record other than liens securing financing, to the extent the same are validly existing and applicable to the Property, and any matters that would be revealed by a survey of the Property (collectively, the "Permitted Encumbrances").

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

EXCEPT FOR THE WARRANTY OF TITLE SET FORTH ABOVE, GRANTOR EXPRESSLY DISCLAIMS ALL WARRANTIES OF ANY NATURE, KIND OR

CHARACTER WHATSOEVER, EXPRESS OR IMPLIED, REGARDING THE PHYSICAL AND ENVIRONMENTAL CONDITION OF THE PROPERTY OR ANY OTHER ATTRIBUTES OR ASPECTS OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, ANY WARRANTIES OF HABITABILITY, SUITABILITY, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND GRANTEE ACCEPTS THE PROPERTY "AS IS" AND "WHERE IS, WITH ANY AND ALL LATENT AND PATENT DEFECTS, AND WITH ALL FAULTS, AND WITHOUT REPRESENTATION OR WARRANTY, EITHER EXPRESS OR IMPLIED, OR ARISING BY OPERATION OF LAW. GRANTEE, BY ITS ACCEPTANCE OF THIS DEED, EXPRESSLY WAIVES ANY RIGHT OR CLAIM AGAINST GRANTOR FOR DAMAGES, REFORMATION, RESCISSION OR OTHER REMEDY AT LAW OR IN EQUITY WITH RESPECT TO OR RESULTING FROM THE PHYSICAL CONDITION OR OTHER ATTRIBUTES OR ASPECTS OF THE PROPERTY, INCLUDING WITHOUT LIMITATION, THE ENVIRONMENTAL CONDITION OF THE PROPERTY.


Ad valorem taxes on the Property for the year 2019, together with any and all rollback taxes for prior years, are hereby assumed by Grantee.

(Signature page follows)

EXECUTED as of the 30<sup>th</sup> day of March, 2019.

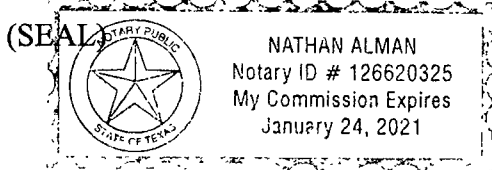
GRANTOR:

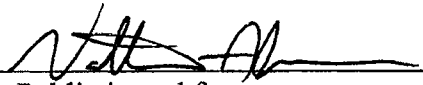
GRAND PRAIRIE INVESTMENTS, LLC,  
a Delaware limited liability

By:   
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

THE STATE OF TEXAS           §  
  §  
COUNTY OF MONTGOMERY   §

This instrument was acknowledged before me on 30 day of March, 2019 by Chris Bechtel, \_\_\_\_\_ of Grand Prairie Investments, LLC, a Delaware limited liability company, on behalf of said limited liability company.



  
\_\_\_\_\_  
Notary Public in and for  
the State of Texas

**EXHIBIT "A"**

**Tract 1:**

Being 303.862 acres of land situated in the Lorenzo Jones Survey, A-294, and the Joseph B. Artoff Survey, A-56, Montgomery County, Texas, and being out of a residual of a certain 1731.823 acres of land as described in deed recorded under County Clerk's File No. 2007-032747 of the Real Property Records of Montgomery County, Texas, said 303.862 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with survey cap (Moyer) found in the east line of F.M. 1486, a 100 foot right-of-way, for the northwest corner of a certain 73.082 acres of land as described in deed recorded under County Clerk's File No. 2008-033746 of the Real Property Records of Montgomery County, Texas, same being the southwest corner and POINT OF BEGINNING of the herein described tract;

THENCE North 02 degrees 35 minutes 18 seconds West, along the east line of said F.M. 1486 and the west boundary line of the herein described tract, a distance of 1424.40 feet to a 5/8 inch iron rod with survey cap (Moyer) set for the northwest corner of the herein described tract;

THENCE North 87 degrees 31 minutes 51 seconds East, severing the said residual of 1731.823 acres of land along the north boundary line of the herein described tract, a distance of 9,294.00 feet to a 5/8 inch iron rod with survey cap (Moyer) set for the northeast corner of the herein described tract;

THENCE South 02 degrees 28 minutes 09 seconds East, severing the said 1731.823 acres of land along the east boundary line of the herein described tract, a distance of 1424.40 feet to a 5/8 inch iron rod with survey cap (Moyer) set for the southeast corner of the herein described tract;

THENCE South 87 degrees 31 minutes 51 seconds West, severing the said 1731.823 acres of land along the south boundary line of the herein described tract, passing at 787.06 feet, a 5/8 inch iron rod with survey cap (Moyer) found for reference and the northeast corner of a certain 300.000 acres of land as described in deed recorded under County Clerk's File No. 2007-058588 of the Real Property Records of Montgomery County, Texas, passing at 6,862.31 feet a 5/8 inch iron rod with survey cap (Moyer) found for reference and the northwest corner of the said 300.000 acres of land common to the northeast corner of the said 73.082 acres of land continuing in all a distance of 9291.04 feet to the POINT OF BEGINNING and containing 303.862 acres of land.

**Tract 2:**

Being 362.014 acres of land situated in the Joseph M. Robinson Survey, A-450; the Lorenzo Jones Survey, A-294; and the Joseph B. Artoff Survey, A-56, Montgomery County, Texas, and being out of a residual of a certain 1731.823 acres of land as described in deed recorded under County Clerk's File No. 2007-032747 of the Real Property Records of Montgomery County, Texas, said 362.014 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with survey cap (Moyer) set in the east line of F.M. 1486 for the southwest corner of a certain 640.75 acres of land as described in deed recorded under County Clerk's File No. 9726626 of the Real Property Records of Montgomery County, Texas, and the northwest corner of the herein described tract from which a masonry nail found for reference and the northwest corner of the said 1731.823 acres of land bears South 87 degrees 31 minutes 52 seconds West, a distance of 50.00 feet;

THENCE North 87 degrees 31 minutes 52 seconds East, along the south boundary line of the said 640.75 acres of land common to the north boundary line of the herein described tract, a distance of 10,062.09 feet to a 5/8 inch iron rod with survey cap (Moyer) set for the northwest corner of a certain 19.000 acres of land as described in deed recorded under County Clerk's File No. 2009-107508 of the Real Property Records of Montgomery County, Texas, and the northeast corner of the herein described tract;

THENCE South 04 degrees 28 minutes 21 seconds East, along the west boundary line of the said 19.000 acres of land and continuing along the west boundary line of a 33.000 acre residual out of 52.000 acres of land as described in deed recorded under County Clerk's File No. 2008-106440 of the Real Property Records of Montgomery County, Texas, same being the east boundary line of the herein described tract, a distance of 1857.28 feet to a 5/8 inch iron rod with survey cap (Moyer) set for the southwest corner of the said 52.000 acres of land and an easterly interior corner of the herein described tract;

THENCE South 74 degrees 44 minutes 59 seconds East, along the southwest boundary line of the said 52.000 acres of land and a southeasterly boundary line of the herein described tract, a distance of 541.99 feet to a 5/8 inch iron rod with survey cap (Moyer) set for an interior southerly corner of the said 52.000 acres of land and a southeasterly corner of the herein described tract;

THENCE South 04 degrees 28 minutes 21 seconds East, along a southerly boundary line of the said 52.000 acres of land and the most easterly southeast boundary line of the herein described tract, passing at 372.00 feet, a 5/8 inch iron rod with survey cap (Moyer) set for reference, continuing in all, a distance of 437.87 feet to a 5/8 inch iron rod with survey cap (Moyer) set in a curve in the northeast boundary line of a certain 98.000 acres of land as described in deed recorded under County Clerk's File No. 2009-031792 of the



Real Property Records of Montgomery County, Texas, for a southwesterly corner of the said 52.000 acres of land and the southeast corner of the herein described tract;

THENCE in a northwesterly direction along the northeast boundary line of the said 98.000 acres of land and a southeast boundary line of the herein described tract along a non-tangent curve to the left having as its elements: a radius of 1970.00 feet, a central angle of 07 degrees 02 minutes 06 seconds, an arc length of 241.88 feet, and a chord bearing of North 73 degrees 13 minutes 22 seconds West, a distance of 241.73 feet to a 5/8 inch iron rod with survey cap (Moyer) set for the most northerly northeast corner of the said 98.000 acres of land and an interior southeasterly corner of the herein described tract;

THENCE South 53 degrees 16 minutes 44 seconds West, along a northerly boundary line of the said 98.000 acres of land and a southeasterly boundary line of the herein described tract, a distance of 835.71 feet to a 5/8 inch iron rod with survey cap (Moyer) set for a northerly angle point of the said 98.000 acres of land and a southeasterly angle point of the herein described tract;

THENCE South 87 degrees 31 minutes 51 seconds West, continuing along the north boundary line of the said 98.000 acres of land and a southeast boundary line of the herein described tract, a distance of 442.64 feet to a 5/8 inch iron rod with survey cap (Moyer) set for the southeast corner of a certain 303.862 acres of land as described in deed recorded under County Clerk's File No. 2009-002342 of the Real Property Records of Montgomery County, Texas, and the most southerly southeast corner of the herein described tract;

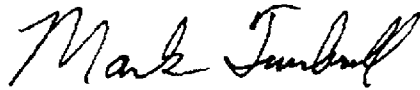
THENCE North 02 degrees 28 minutes 09 seconds West, along the east boundary line of the said 303.862 acres of land common to the westerly southeast boundary line of the herein described tract, a distance of 1424.40 feet to a 5/8 inch iron rod with survey cap (Moyer) set for the northeast corner of the said 303.862 acres of land and an interior southeasterly corner of the herein described tract;

THENCE South 87 degrees 31 minutes 51 seconds West, along the north boundary line of the said 303.862 acres of land common to the south boundary line of the herein described tract, a distance of 9,294.00 feet to a 5/8 inch iron rod with survey cap (Moyer) set in the east line of said F.M. 1486 for the northwest corner of the said 303.862 acres of land and the southwest corner of the herein described tract;

THENCE North 02 degrees 35 minutes 18 seconds West, along the east line of said F.M. 1486 and the west boundary line of the herein described tract, a distance of 1425.04 feet to the POINT OF BEGINNING and containing 362.014 acres of land.

E-FILED FOR RECORD

04/10/2019 12:32PM



COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,  
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number  
sequence on the date and time stamped herein  
by me and was duly e-RECORDED in the Official Public  
Records of Montgomery County, Texas.

04/10/2019



County Clerk  
Montgomery County, Texas