



Filing Receipt

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DOCKET NO. 52101

PETITION BY CCD NORTH SKY, LLC	§	PUBLIC UTILITY COMMISSION
FOR EXPEDITED RELEASE FROM	§	
WATER CCN NO. 10150 HELD BY	§	OF TEXAS
MARILEE SPECIAL UTILITY	§	
DISTRICT IN COLLIN COUNTY	§	
	§	

**MARILEE SPECIAL UTILITY DISTRICT’S
EVIDENCE OF RECORDING**

COMES NOW, Marilee Special Utility District (the “District”), and files this Evidence of Recording to reflect that the District has satisfied the requirements established by Ordering Paragraph 6 of the Order entered by the Commissioners of the Public Utility Commission of Texas (the “Commission”) on March 14, 2022. In support thereof, the District would respectfully show the following:

Proof of Recording

On March 14, 2022, the Commission issued the final Order in this docket, which required the District, as the CCN holder, file proof of compliance with the recording requirements in Texas Water Code (“TWC”) §§ 13.257(r) and (s).¹ TWC § 13.257(r) provides:

A utility service provider shall:

- (1) record in the real property records of each county in which the service area or a portion of the service area is located a certified copy of the map of the certificate of public convenience and necessity and of any amendment to the certificate as contained in the utility commission's records, and a boundary description of the service area by:
 - (A) a metes and bounds survey certified by a licensed state land surveyor or a registered professional land surveyor;
 - (B) the Texas State Plane Coordinate System;
 - (C) verifiable landmarks, including a road, creek, or railroad line; or

¹ Order (Ordering Paragraph 6) (Mar. 14, 2022).

(D) if a recorded plat of the area exists, lot and block number; and

(2) submit to the utility commission evidence of the recording.²

TWC § 13.257(s) provides:

Each county shall accept and file in its real property records a utility service provider's map presented to the county clerk under this section if the map meets filing requirements, does not exceed 11 inches by 17 inches in size, and is accompanied by the appropriate fee. The recording required by this section must be completed not later than the 31st day after the date a utility service provider receives a final order from the utility commission granting an application for a new certificate or for an amendment to a certificate that results in a change in the utility service provider's service area.³

Pursuant to TWC §§ 13.257(r) and (s), the District recorded the following documents, attached as "**Exhibit A**," on May 16, 2022, in the real property records of Collin County, Texas:

- Affidavit of Grayson E. McDaniel, dated April 12, 2022;
- Map of the District's amended Certificate of Convenience and Necessity ("CCN") No. 10150 as included in the Order;⁴
- The District's CCN Certificate as included in the Order;⁵
- Metes and bounds description of area decertified from the District's CCN as included in the Petition.⁶

Conclusion

By filing the proof of recording as described herein, the District satisfied the requirements of Texas Water Code § 13.257(r) and (s), and Ordering Paragraph 6 of the Commission's Order.

² TWC § 13.257(r).

³ TWC § 13.257(s).

⁴ Order at 8.

⁵ *Id.* at 9.

⁶ Petition by CCD North Sky, LLC for Expedited Release Pursuant to Texas Water Code Section 13.2541, at Exhibit C-1 (May. 10, 2021).

Respectfully submitted,

By: 

John J. Carlton
State Bar No. 03817600
Grayson E. McDaniel
State Bar No. 24078966
The Carlton Law Firm P.L.L.C.
4301 Westbank Drive, Suite B-130
Austin, Texas 78746
(512) 614-0901
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john@carltonlawaustin.com
grayson@carltonlawaustin.com

ATTORNEYS FOR MARILEE SPECIAL
UTILITY DISTRICT

CERTIFICATE OF SERVICE

I hereby certify that I have served or will serve a true and correct copy of the foregoing document via hand delivery, facsimile, electronic mail, overnight mail, U.S. mail and/or Certified Mail Return Receipt Requested to all parties on this the 30th day of June 2022.



Grayson E. McDaniel

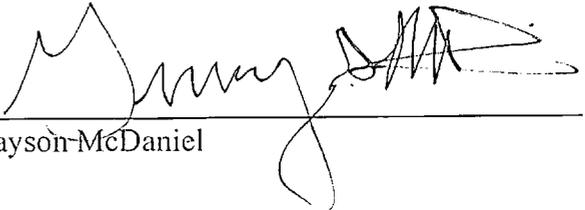
Exhibit A

PUC REQUIRED BOUNDARY DESCRIPTION

**Marilee Special Utility District; Portion of Water Service Area CCN. 10150;
PUC Docket 52101 – Petition of CCD North Sky, LLC to Amend Marilee Special Utility
District’s Certificate of Convenience and Necessity in Collin County by Expedited Release**

Pursuant to Texas Water Code § 13.257, Marilee Special Utility District, holder of Certificate of Convenience and Necessity No. 10150, hereby files this Boundary Description for the portion of Marilee Special Utility District’s CCN No. 10150 that was released by the PUC in a written order in Docket No. 52101. The portion of Marilee Special Utility District’s CCN that was released is described on the attached metes and bounds. The portion of Marilee Special Utility District’s CCN that was released is further depicted in the attached PUC map.

The Boundary Description is being filed on behalf of and at the request and instruction of Marilee Special Utility District, based upon information and belief. Marilee Special Utility District specifically authorizes the filing and recording of this Boundary Description to comply with Texas Water Code § 13.257 and its associated rules and regulations.



Grayson-McDaniel

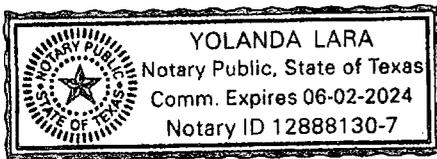
STATE OF TEXAS

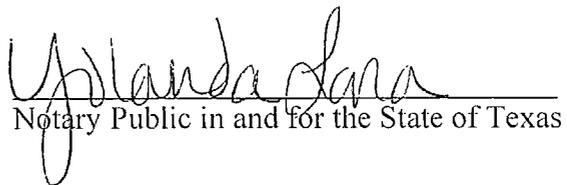
§
§
§

COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, on this date personally appeared Grayson McDaniel, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes therein described.

Given under my hand and seal of this office on this day, April 12, 2022.

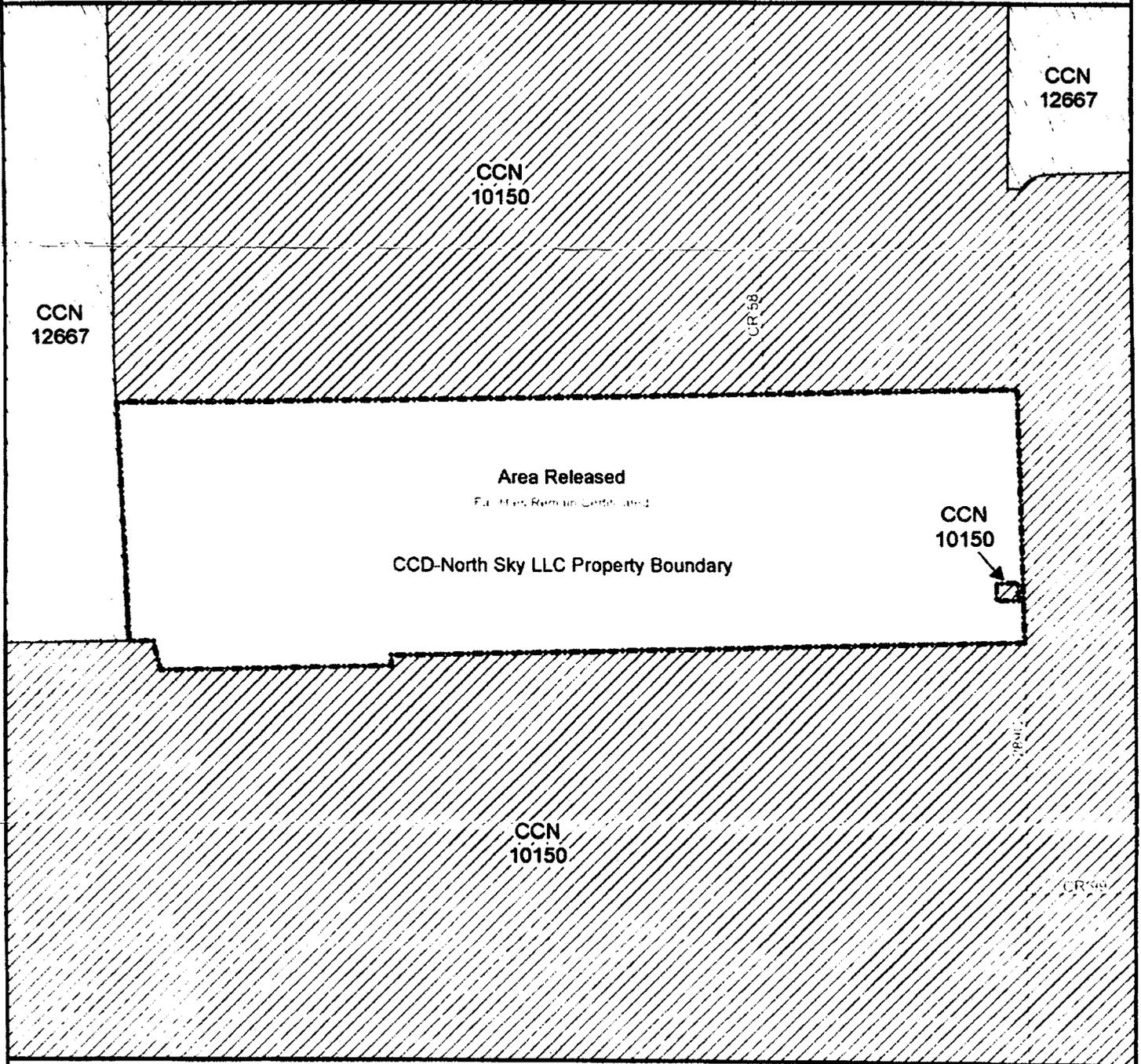




Notary Public in and for the State of Texas

After recording, please return to:
The Carlton Firm, PLLC
4301 Westbank Drive, Suite B-130
Austin, Texas 78746

Marilee Special Utility District
Portion of Water CCN No. 10150
PUC Docket No. 52101
Petition by CCD-North Sky, LLC to Amend
Marilee Special Utility District's CCN by Expedited Release in Collin County



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

Water CCN

-  10150 - Marilee SUD
-  12667 - City of Celina

-  Area Released
-  Property Boundary

0 450 900
 Feet



Map by: Komal Patel
 Date: October 13, 2021
 Project: 52101MarileeSUD.mxd



Public Utility Commission of Texas

By These Presents Be It Known To All That

Marilee Special Utility District

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, Marilee Special Utility District is entitled to this

Certificate of Convenience and Necessity No. 10150

to provide continuous and adequate water utility service to that service area or those service areas in Collin and Grayson Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No 52101 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 Marilee Special Utility District 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

Exhibit A
Property Description

TRACT 1:

BEING a tract of land situated in the German Emigration Co. Survey, Abstract No. 357, and also the G. A. Wilson Survey, Abstract No. 1072, Collin County, Texas and being all of a 153.177 Acre Tract as conveyed to Chi Chu Chan, Tsun Huei Chan, and Paul Chan and recorded in Volume 5404, Page 5581 of the Deed Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING in the centerline of Spur 483 (Business 289) at a Mag Nail set for corner, and said Mag Nail being at the northeast corner of said German Emigration Survey, and said Mag Nail also being at the southeast corner of a 57.555 Acre tract as recorded in County Clerk No. 20190208000135760 of the Official Public Records of Collin County, Texas;

THENCE South 0 degrees 18 minutes 44 seconds East following the center line of said Spur 483 a distance of 1626.11 feet to a Mag Nail set for corner

THENCE South 89 degrees 28 minutes 14 seconds West following the general course of a wire fence a distance of 4074.68 feet to a bolt found in the top of a 12 dia. wood fence corner post;

THENCE North 00 degrees 02 minutes 20 seconds East following the general course of a wire fence a distance of 1653.08 feet to a 1/2" iron rod found for corner;

THENCE North 89 degrees 50 minutes 58 seconds East the general course of a wire fence a distance of 4064.53 feet to the POINT OF BEGINNING and containing 6,672,397 square feet or 153.177 acres of land.

TRACT 2:

BEING a 66.862 acre tract of land situated in the George A. Wilson Survey, Abstract No. 1072, and the MEP and PRR Co. Survey, Abstract No. 654, in Collin County, Texas, and being part of a 115.71 tract of land conveyed to Willie Douglas Moore, Trustee of the Willie Douglas Moore Revocable Trust and recorded in Collin County Clerk No. 20160526000647060 of the Official Public Records of Collin County, Texas, and being more particularly described in metes and bounds as follows:

BEGINNING at a Bolt found for corner in a fence post at the northwest corner of a 35' access easement as recorded in Collin County Document No. 94-0073233 and in Collin County Document No. 99-0002867 of the Official Public Records of Collin County, Texas and said Bolt being the southwest corner of a called 153.177 acre tract of land as conveyed to Chi Chu Chan, Tsun Huei Chan, and Paul Chan and recorded in Volume 5404, Page 5581 of the Deed Records of Collin County, Texas;

THENCE S 00°36'40" E a distance of 70.00' to a capped 1/2" iron rod stamped "4613" set for the southeast corner;

THENCE S 89°29'14" W across the called 115.71 acre tract of land a distance of 1479.14' to a capped 1/2" iron rod stamped "4613" set for corner in the east line of a called 174.64 acre tract of land as conveyed to Ownsby 1880 Farms, LTD. and recorded in Volume 4332, Page 1047 of the Deed records of Collin County Texas;

THENCE N 13°30'40" W a distance of 195.48' to a capped 1/2" iron rod stamped "4613" set for corner;

THENCE S 89°38'20" W a distance of 152.20' to a 1" Pipe found for the southeast corner of a called 161.190 acre tract of land as conveyed to Dynavest Joint Venture in Volume 288, Page 125 of the Deed Records of Collin County, Texas;

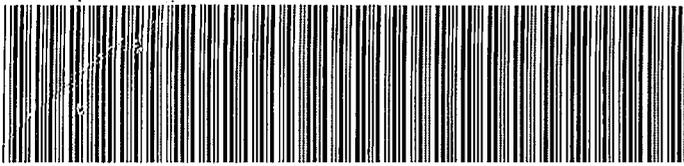
THENCE N 02°06'19" W a distance of 1548.42' to a wood corner post found for the southwest corner of a called 155.26 acre tract of land as conveyed to LMR Holdings, LTD and recorded in Collin County Clerk No. 20090213000158800 of Official Public Records of Collin County, Texas;

THENCE S 89°59'40" E a distance of 1734.20' to a 1/2" iron rod found for the northwest corner of the called 153.177 acre tract of land;

THENCE S 00°02'20" W a distance of 1688.08' to the POINT OF BEGINNING and containing 2,912,529 Square Feet or 66.862 acres of land.

TRACT 3 (Easement Estate):

NON-EXCLUSIVE EASEMENT RIGHTS CREATED BY THAT CERTAIN EASEMENT FOR RIGHT-OF-WAY FILED 05/05/1958, RECORDED IN VOLUME 539, PAGE 86, AND BY EASEMENT FOR RIGHT-OF-WAY FILED 03/19/1990, RECORDED IN VOLUME 3235, PAGE 922, REAL PROPERTY RECORDS, COLLIN COUNTY, TEXAS.



VG-58-2022-2022000077176

Collin County
Honorable Stacey Kemp
Collin County Clerk

Instrument Number: 2022000077176

Real Property

MISCELLANEOUS

Recorded On: May 16, 2022 11:23 AM

Number of Pages: 6

" Examined and Charged as Follows: "

Total Recording: \$42.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

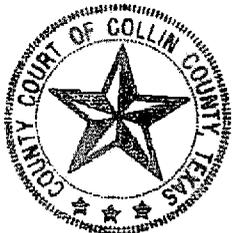
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2022000077176
Receipt Number: 20220516000666
Recorded Date/Time: May 16, 2022 11:23 AM
User: Matt M
Station: Station 12

Record and Return To:

THE CARLTON LAW FIRM
4301 WESTBANK DR #B130
AUSTIN TX 78746



STATE OF TEXAS
Collin County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Public Records of Collin County, Texas

Honorable Stacey Kemp
Collin County Clerk
Collin County, TX