

Filing Receipt

Received - 2021-09-28 09:13:40 AM Control Number - 52434 ItemNumber - 9



#### A PROFESSIONAL CORPORATION

NATALIE SCOTT DIRECTOR NSCOTT@COATSROSE.COM DIRECT: (512) 541-3846 FAX: (512) 469-9408

September 28, 2021

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

Via Electronic Filing

Re: PUC Docket No. 52434; Petition by Celina Partners, Ltd., for Expedited Release

Pursuant to Texas Water Code Section 13.2541; Public Utility Commission of

**Texas** 

Dear Sir or Madam:

Included with this letter for filing in the above-referenced matter please find (i) a Satisfaction of Deed of Trust and Lien Release Upon Final Payment, filed to supplement Petitioner's Exhibit "C-3" included in Petitioner's Petition for Expedited Release Pursuant to Texas Water Code Section 13.2541 (the "Petition"); and (ii) a General Warranty Deed regarding the 93.492-acre tract, filed to replace in its entirety Petitioner's Exhibit "C-4" included in the Petition.

Please do not hesitate to contact me should you need anything further.

Very truly yours,

Jatalie BDcoH

Natalie B. Scott

Cc (w/encl.):

**Attorneys for Marilee Special Utility District:** 

John J. Carlton - Email: john@carltonlawaustin.com

Grayson E. McDaniel - Email: grayson@carltonlawaustin.com

**Attorneys for Commission Staff:** 

Jenna Keller - Email: jenna.keller@puc.texas.gov

Terrace 2, 2700 Via Fortuna, Suite 350, Austin, Texas 78746
Phone: (512) 469-7987 Fax: (512) 469-9408

<u>coatspose.com</u>

HOUSTON | AUSTIN | DALLAS | SAN ANTONIO | NEW ORLEANS | CINCINNATI 4825-0054-9117.v1

# Exhibit C-3 Supplement Satisfaction of Deed of Trust



Prepared by and after Recording Return to:		)
Name:	Jody O'Donnell	ý
Firm/Company:	Celina Partners, Ltd.	
Address 2:	1437 Halsey Way	)
City, State, Zip:	Carrollton, TX 75007	
Phone:	972-446-0020	)
		)
		)
Assessor's Property Tax Parcel/Account Number: 993688		)
		Above This Line Reserved For Official Use Only

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY 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.

### SATISFACTION OF DEED OF TRUST

FOR VALUABLE CONSIDERATION, and other good and valuable consideration, cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, Clarence Otis Hundley, Merlin L. Hundley. and Reba Hundley, do hereby certify that a certain \( \subseteq \text{Deed of Trust} \subseteq \text{Mortgage described below is} \) hereby RELEASED AND SATISFIED IN FULL and the real estate described therein is fully released from said Deed of Trust:

Date of Deed of Trust/Mortgage;	4/9/02			
Executed by (Borrowers):	Celina Partners, Ltd., a Texas limited Partnership			
Original III.	1437 Halsey Way, Carrollton, TX 75007			
Original Trustee (if applicable):	Grady R. Thompson			
Original Beneficiary:	Clarence Otis Hundley, Merlin L. Hundley, and Reba Hundley			
Filed of Record: Volume: 5144	4 Page 3558			
Document/Instrument No. 2002	2-0052710 in the Office of the County Clerk of			
Collin County, Texas, on	4/10/02 (date).			
Property: As described in the Deed of Trust, and attached hereto on exhibit "A".				
Given: to secure a certain Promissory Note in the amount of \$431,375.00 payable to Beneficiary.				

The undersigned is the present holder of the above Deed of Trust.

IN WITNESS WHEREOF, this instrument was executed, signed and delivered by the undersigned on this the 28th day of September, 2006.

ly otis Heally of

STATE OF TEXAS COUNTY OF Collin

This instrument was acknowledged before me on 28th Sept of 200 (ate) by (name or names of person or persons acknowledging).

Notary Public

BETTY BETH JENSEN My Commission Expires April 20, 2009 My Commission Expires:

Printed Name Kethy Beth Jensen

t-20-2009

Filed and Recorded Official Public Records Stadey Kemp Collin County: TEXAS 01/24/2007 12 46 07 PM \$20.00 DLATED 26570124000107120



## Exhibit C-3 Supplement

Lien Release Upon Final Payment

20070124000107130 01/24/2007 1Z 46 07 PM RE 1/3

### LIEN RELEASE UPON FINAL PAYMENT

Upon receipt by the undersigned of check(s) from <u>Celina Partners, Ltd.</u>

in the sum of \$\frac{101,984.21}{201,984.21}\$ payable to <u>Clarence Otis Hundley. Merlin L. Hundley. and Reba Hundley</u> and when the checks have been properly endorsed and have been paid by the bank upon which it is drawn, this document shall become effective to release any lien the undersigned has on the property referenced on exhibit "A" attached hereto and made part hereof for all purposes.

This release covers the final payment to the undersigned for principal, interest, penalties, and related fees or charges related to the note payable on the property referenced in exhibit "A".

IN WITNESS WHEREOF, this instrument was executed, signed and delivered by the undersigned on this the day of september, 2006

Clarence Otis Hundley

Reba Hundley

Mellin I Hundley

STATE OF TEXES

COUNTY OF Collin

This instrument was acknowledged before me on 28th Sept of 2006 (date) by

Clarence Otis Hundley
Merlin Hundley
acknowledging).

BETTY BETH JENSEN My Commission Expires April 20, 2009

(name or names of person or persons

Printed Name: Betty

My Commission Expires:

-20-2009

### **EXHIBIT "A" - LEGAL DESCRIPTION**

BEING a tract of land situated in the John Culwell Survey, Abstract No. 208, Collin County, Texas, and also being all of a 85 acre tract as conveyed to Clarence Hundley and Reba Hundley as recorded in Volume 561, Page 54 of the Deed Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 3/8 inch iron rod found for corner at the northwest corner of said 85 acre tract, said iron rod also being in the west line of said John Culwell Survey, said iron rod also being at the southwest corner of a 22 acre tract as recorded in County Clerks No. 94-0029576, Collin County, Texas;

THENCE South 89 degrees 54 minutes 50 seconds East following the north line of said 85 acres and the south line of said 22 acre tract passing at 664.50 feet the southeast corner of said 22 acre tract in all a distance of 2671.78 feet to a being 1/2 inch iron rod found for corner in County Road No. 133;

THENCE south 00 degrees 10 minutes 43 seconds East following County Road No. 133 a distance of 1212.53 feet to a 1/2 inch iron rod found for corner at the northeast corner of a 80.875 acre tract conveyed to Jody O'Donnell as recorded in Volume 4292, Page 2081, D.R.C.C.T;

THENCE South 75 degrees 00 minutes 54 seconds West following the north line of said 80.875 acre tract a distance of 947.49 feet to a 1/2 inch iron rod found for corner;

THENCE North 88 degrees 13 minutes 06 seconds West following the north line of said 80.875 acre tract a distance of 1771.20 feet to a wood fence post found for corner in the west line of said Culwell Survey;

THENCE North 00 degrees 24 minutes 34 seconds East a distance of 1406.49 feet to the POINT OF BEGINNING and containing 3,749,476 square feet or 86.076 acres of land.

Filed and Recorded Official Public Records Stacey Kemp Coilin County: TEXAS 01/24/2007 12.46.07 PM \$24.00 DLAIRD 20070124000107130



Exhibit C-4 Replacement General Warranty Deed

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# GENERAL WARRANTY DEED (93.492 Acres)

STATE OF TEXAS

COUNTY OF COLLIN

KNOW ALL MEN BY THESE PRESENTS:

That Jody M. O'Donnell ("Grantor"), whose address is 1437 Halsey Way, Carrollton, Texas 75007-4410, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Celina Partners, Ltd., a Texas limited partnership ("Grantee"), whose mailing address is hereinbelow, the receipt and sufficiency of which are hereby acknowledged and confessed, subject to the exceptions, liens, encumbrances, terms and provisions hereinafter set forth and described, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents DOES HEREBY GRANT, BARGAIN, SELL and CONVEY, unto Grantee that certain tract of land located in Collin County, Texas, as more particularly described on Exhibit "A" attached hereto and incorporated herein by reference for all purposes (the "Property") together with all and singular the rights, benefits, privileges, easements, tenements, hereditaments and appurtenances thereon or in any way pertaining thereto; provided, however, this conveyance is made and accepted subject and subordinate to those matters set forth on Exhibit "B" attached hereto and incorporated herein by reference for all purposes (collectively, the "Permitted Exceptions").

TO HAVE AND TO HOLD the Property, subject to the Permitted Exceptions, unto Grantee, Grantee's successors and assigns forever; and Grantor does hereby bind himself, Grantor's heirs, executors, personal representatives, successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof; provided, however, the foregoing warranty of title (and any other warranty of title), which may be expressed or implied herein (or otherwise), is hereby expressly disclaimed as to any subsequent grantee other than the Grantee defined herein as the Grantee.

For the same consideration as provided herein, Grantor hereby conveys unto Grantee, all right, title and interest, if any, of Grantor in any and all strips and gores between the Property and abutting properties and any land lying in or under the bed of any street, avenue, alley, road or right-of-way, opened, closed or proposed, abutting or adjacent to the Property.

By acceptance of this General Warranty Deed (the "Deed"), Grantee assumes payment of all real property taxes and personal property taxes on the Property for the current year and subsequent years.

IN WITNESS WHEREOF, this Deed has been executed by Grantor as of the  $1^{\rm st}$  day of November, 1998.

GENERAL WARRANTY DEED - Page 1

**GRANTOR:** 

Jody My O'Donnell

#### GRANTEE'S ADDRESS:

Celina Partners, Ltd. 1437 Halsey Way Carrollton, Texas 75007-4410 Attn: Mr. Jody M. O'Donnell

# AFTER RECORDING, PLEASE RETURN TO:

Gerald D. Quast, P.C. 3011 Montecito Drive Suite 200 Denton, Texas 76205-8517 Attn: Gerald D. Quast, President

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared Jody M. O'Donnell known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this 34 day of

TONI SETSINGER
Notary Public, State of Texas
Any Commission Expires
MARCH 2 2000

Notary Public, State of Rexas Notary's name printed:

My Commission expires: 3

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GENERAL WARRANTY DEED - Page 2

### EXHIBIT "A"

BEING a tract of land situated in the Hezekiah Culwell Survey, Abstract No. 186 and the John Culwell Survey, Abstract No. 208, Collin County, Texas and also all of the tract conveyed to Joe J. Godbey and wife, Jewel L. Godbey as recorded in County Clerks No. 95-0157584 of the County Clerks Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a concrete marker found for corner at the Southwest corner of said H. Culwell Survey;

THENCE North 0 deg. 31 min. 01 sec. East following the West line of said Culwell Survey and the County Road No. 132 a distance of 2095.60 feet to a 1/2 inch iron rod set for corner at the Northwest corner of said survey;

THENCE North 87 deg. 35 min. 45 sec. East following the North line of said survey and County Road No. 131 a distance of 1879.52 feet to a 1/2 inch iron set for corner;

THENCE South 5 deg. 24 min. 15 sec. East a distance of 606.04 feet to a point in a creek;

THENCE following said creek the following calls:

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North 74 deg. 30 min. 28 sec. East, 36.57 feet;
South 26 deg. 04 min. 21 sec. East, 316.23 feet;
South 46 deg. 25 min. 24 sec. East, 126.42 feet;
North 86 deg. 27 min. 40 sec. East, 224.47 feet;
Morth 47 deg. 06 min. 11 sec. East, 122.09 feet;
South 07 deg. 01 min. 38 sec. East, 204.77 feet;
South 41 deg. 45 min. 56 sec. West, 345.84 feet;
South 58 deg. 28 min. 25 sec. West, 110.54 feet;
South 75 deg. 50 min. 13 sec. West, 187.74 feet;
South 29 deg. 19 min. 05 sec. West, 334.78 feet;
South 43 deg. 41 min. 40 sec. West, 95.55 feet;
North 77 deg. 33 min. 31 sec. West, 224.39 feet;
South 56 deg. 02 min. 43 sec. West, 301.69 feet;
North 66 deg. 58 min. 50 sec. West, 39.15 feet;
North 45 deg. 14 min. 07 sec. West, 49.03 feet;
North 54 deg. 00 min. 36 sec. West, 84.10 feet;
Morth 89 deg. 21 min. 33 sec. West, 115.44 feet;
South 75 deg. 49 min. 50 sec. West, 108.05 feet;
South 59 deg. 07 min. 49 sec. West, 70.13 feet;
South 06 deg. 03 min. 25 sec. East, 20.87 feet;
South 45 deg. 53 min. 33 sec. East, 91.28 feet;
South 26 deg. 23 min. 10 sec. East, 146.30 feet;
South 05 deg. 51 min. 41 sec. West, 89.51 feet to a point in the South line of said
survey;
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THENCE North 89 deg. 41 min. 13 sec. West following the South line of said survey passing at 153.14 feet a concrete marker and continuing in all a distance of 1058.84 feet to the POINT OF BEGINNING and containing 4,072,507 square feet or 93.492 acres of land.

EXHIBIT "A" - Solo Page

#### EXHIBIT "B"

- 1. Easement granted to Collin County by Joe J. Godbey, dated October 15, 1993, filed December 1, 1993, recorded in Clerk's File No. 93-104451, Collin County Land Records and as shown on the survey dated September 13, 1996, prepared by David J. Surdukan, R.P.L.S. No. 4613.
- 2. Easement granted to Collin County Soil and Water Conservation District by Texas Veteran's Land Board et al, dated April 8, 1966, filed June 21, 1966, recorded in Volume 675, Page 396 (Clerk's File No. 5205), Collin County Land Records and as shown on the survey dated September 13, 1996, prepared by David J. Surdukan, R.P.L.S. No. 4613.
- 3. Subject to that portion of subject property which lies within the boundaries of County Road No. 131 and County Road No. 132, as shown on the survey dated September 13, 1996, prepared by David J. Surdukan, R.P.L.S. No. 4613.
- 4. Power poles as shown on the survey dated September 13, 1996, prepared by David J. Surdukan, R.P.L.S. No. 4613.
- 5. Location of fence along the North, West and South property line as shown on surveyor's plat dated September 13, 1996, prepared by David J. Surdukan, R.P.L.S. #4613, indicates that fence does not follow surveyed property line. Any conflict over title as a result of fence not following property line is excluded from coverage under this policy.

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EXHIBIT "B" - Solo Page