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A PROFESSIONAL CORPORATION

NATALIE SCOTT
DIRECTOR

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

September 03, 2021

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

Via Electronic Filing

Re: *New PUC Docket; Petition by Clifton Van McKnight and Bryan Jeffery McKnight for Expedited Release from Water CCN No. 10150 Held by Marilee Special Utility District in Collin County*

Dear Sir or Madam:

Enclosed for filing in the above-referenced matter please find a Petition by *Clifton Van McKnight and Bryan Jeffery McKnight* for Expedited Release Pursuant to Texas Water Code Section 13.2541, as well as the corresponding digital data (polygon shapefiles) which were electronically filed today with the PUC.

Very truly yours,



Natalie B. Scott

NBS:mzp
Enclosures

Cc (w/encl.):
Marilee Special Utility District
Attn.: Donna Loiselle, General Manager
2300 West Pecan Street
Celina, Texas 75009

Via Certified Mail, Return Receipt Requested
No. 7020 1810 0002 0061 7793

TERRACE 2, 2700 VIA FORTUNA, SUITE 350, AUSTIN, TEXAS 78746
PHONE: (512) 469-7987 FAX: (512) 469-9408
coatsrose.com

HOUSTON | AUSTIN | DALLAS | SAN ANTONIO | NEW ORLEANS | CINCINNATI
000001.000001\4842-8730-9049.v1

PUC DOCKET NO. _____

PETITION BY CLIFTON VAN MCKNIGHT	§	BEFORE THE
AND BRYAN JEFFERY MCKNIGHT	§	
FOR EXPEDITED RELEASE	§	
FROM WATER CCN NO. 10150	§	PUBLIC UTILITY COMMISSION
HELD BY MARILEE SPECIAL UTILITY	§	
DISTRICT IN COLLIN COUNTY	§	OF TEXAS

**PETITION BY CLIFTON VAN MCKNIGHT AND BRYAN JEFFERY
MCKNIGHT FOR EXPEDITED RELEASE PURSUANT TO TEXAS
WATER CODE SECTION 13.2541**

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

Clifton Van McKnight and Bryan Jeffery McKnight (“Petitioners”) file their Petition with the Public Utility Commission of Texas (the “PUC”) for expedited release from Marilee Special Utility District (“Marilee SUD”) water certificate of convenience and necessity (“CCN”) No. 10150 pursuant to (i) Texas Water Code Section 13.2541; and (ii) 16 Texas Administrative Code Section 24.245; and in support show as follows:

I. APPLICABLE REGULATIONS

Section 13.2541 of the Texas Water Code provides that the owner of a tract of land that is at least 25 acres and that is not receiving water or sewer service may petition for expedited release of the area from a CCN. TEX. WATER CODE § 13.2541. For land that is located within a county with a population of at least one million, or a county adjacent to a county with a population of at least one million, the owner of the qualifying tract “is entitled to that release.” *Id.* The rule adopted by the PUC pursuant to Section 13.2541 provides the same, and it recognizes that Collin County is a county in which owners of at least 25 acres are entitled to expedited release. *See* 16 TEX. ADMIN. CODE § 24.245(h). Under Section 13.2541(c), the PUC “shall grant a petition not later than the 60th day after the date the landowner files the petition.” *See* TEX. WATER CODE § 13.2541(c).

II. REQUEST FOR EXPEDITED RELEASE

Petitioners own approximately 62.700 acres of contiguous property in Collin County (the "Property"). The Property is within the boundaries of water CCN No. 10150, held by Marilee SUD. The Property does not receive service from any water or sewer service provider. Affidavits in support of this Petition is attached hereto as Exhibit "A-1 and A-2." The Property is located in Collin County, Texas. Exhibits "B-1 and B-2" attached to this Petition are true and correct copies of an overall location map and a detailed map of the tract. Petitioners are owners of this land as evidenced by the Distribution Deed, attached as Exhibit C-1.

III. CONCLUSION AND PRAYER

Texas Water Code Section 13.2541 entitles Petitioner to expedited release of the Property described herein. The Property is greater than 25 acres, is not receiving water or sewer service, and are entirely within Collin County. Under Section 13.2541, the PUC should grant this Petition no later than the 60th day after the date of filing. Petitioners respectfully request that the PUC grant this Petition and issue an order under the authority of Section 13.2541 releasing all portions of the Property that are within the boundaries of Water CCN No. 10150.

Respectfully submitted,

COATS | ROSE

By:



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nscott@coatsrose.com
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Austin, Texas 78746
(512) 469-7987 Telephone
(512) 469-9408 Telecopier

Joshua A. Bethke
State Bar No. 24105465
14755 Preston Road, Suite 600
Dallas, Texas 75254
(972) 982-8454 (Telephone)
(972) 702-0662 (Facsimile)
jbethke@coatsrose.com (Email)

ATTORNEYS FOR PETITIONERS

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of September, 2021, a true and correct copy of the Petition by Clifton Van McKnight and Bryan Jeffery McKnight for Expedited Release Pursuant to Texas Water Code Section 13.254.1 was sent, via certified mail, return receipt requested to the following recipient at the address indicated.

Marilee Special Utility District
Attn.: Donna Loiselle, General Manager
2300 West Pecan Street
Celina, Texas 75009

Via Certified Mail, RRR



Natalie B. Scott / Joshua A. Bethke

EXHIBIT "A-1"

Affidavit of Clifton Van McKnight

(will supplement with signed, notarized copy)

PUC DOCKET NO. _____

PETITION BY CLIFTON VAN MCKNIGHT	§	BEFORE THE
AND BRYAN JEFFERY MCKNIGHT	§	
FOR EXPEDITED RELEASE	§	
FROM WATER CCN NO. 10150	§	PUBLIC UTILITY COMMISSION
HELD BY MARILEE SPECIAL UTILITY	§	
DISTRICT IN COLLIN COUNTY	§	OF TEXAS

**AFFIDAVIT OF CLIFTON VAN MCKNIGHT IN SUPPORT OF PETITION FOR
EXPEDITED RELEASE FROM WATER CCN NO. 10150 HELD BY MARILEE
SPECIAL UTILITY DISTRICT PURSUANT TO TEXAS WATER CODE
SECTION 13.2541**

STATE OF TEXAS §

COUNTY OF COLLIN §

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

1. “My name is Clifton Van McKnight. I am over the age of 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 one of the landowners and Petitioners in the above-captioned matter. Petitioners own approximately 62.700 acres of land, which are located within the boundaries of water CCN No. 10150 issued to Marilee SUD (the “Property”). The Property is located in Collin County, Texas. Exhibits “B-1 and B-2” attached to this Petition are true and correct copies of a general location map and a detailed map of the tract. Petitioner is owner of the Property as evidenced by the Distribution Warranty Deed, attached as Exhibit C-1.

3. The Property is not receiving water or sewer service from Marilee SUD or any other water or sewer service provider. The Property has not requested water or sewer service from Marilee SUD or paid any fees or charges to initiate or maintain water or sewer service, and there are no billing records or other documents indicating an existing account for the Property.

4. I request that the Public Utility Commission of Texas release the Property from Water CCN No. 10150.”

FURTHER AFFIANT SAYETH NOT.

Clifton Van McKnight

SWORN TO AND SUBSCRIBED TO BEFORE ME by Clifton Van McKnight on ____
September, 2021.

Notary Public, State of Texas

EXHIBIT "A-2"

Affidavit of Bryan Jeffery McKnight
(will supplement with signed, notarized copy)

PUC DOCKET NO. _____

PETITION BY CLIFTON VAN MCKNIGHT	§	BEFORE THE
AND BRYAN JEFFERY MCKNIGHT	§	
FOR EXPEDITED RELEASE	§	
FROM WATER CCN NO. 10150	§	PUBLIC UTILITY COMMISSION
HELD BY MARILEE SPECIAL UTILITY	§	
DISTRICT IN COLLIN COUNTY	§	OF TEXAS

**AFFIDAVIT OF BRYAN JEFFERY MCKNIGHT IN SUPPORT OF PETITION FOR
EXPEDITED RELEASE FROM WATER CCN NO. 10150 HELD BY MARILEE
SPECIAL UTILITY DISTRICT PURSUANT TO TEXAS WATER CODE
SECTION 13.2541**

STATE OF TEXAS §

COUNTY OF COLLIN §

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

1. "My name is Bryan Jeffery McKnight. I am over the age of 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.

5. I am the one of the landowners and Petitioners in the above-captioned matter. Petitioners own approximately 62.700 acres of land, which are located within the boundaries of water CCN No. 10150 issued to Marilee SUD (the "Property"). The Property is located in Collin County, Texas. Exhibits "B-1 and B-2" attached to this Petition are true and correct copies of a general location map and a detailed map of the tract. Petitioner is owner of the Property as evidenced by the Distribution Warranty Deed, attached as Exhibit C-1.

2. The Property is not receiving water or sewer service from Marilee SUD or any other water or sewer service provider. The Property has not requested water or sewer service from Marilee SUD or paid any fees or charges to initiate or maintain water or sewer service, and there are no billing records or other documents indicating an existing account for the Property.

3. I request that the Public Utility Commission of Texas release the Property from Water CCN No. 10150."

FURTHER AFFIANT SAYETH NOT.

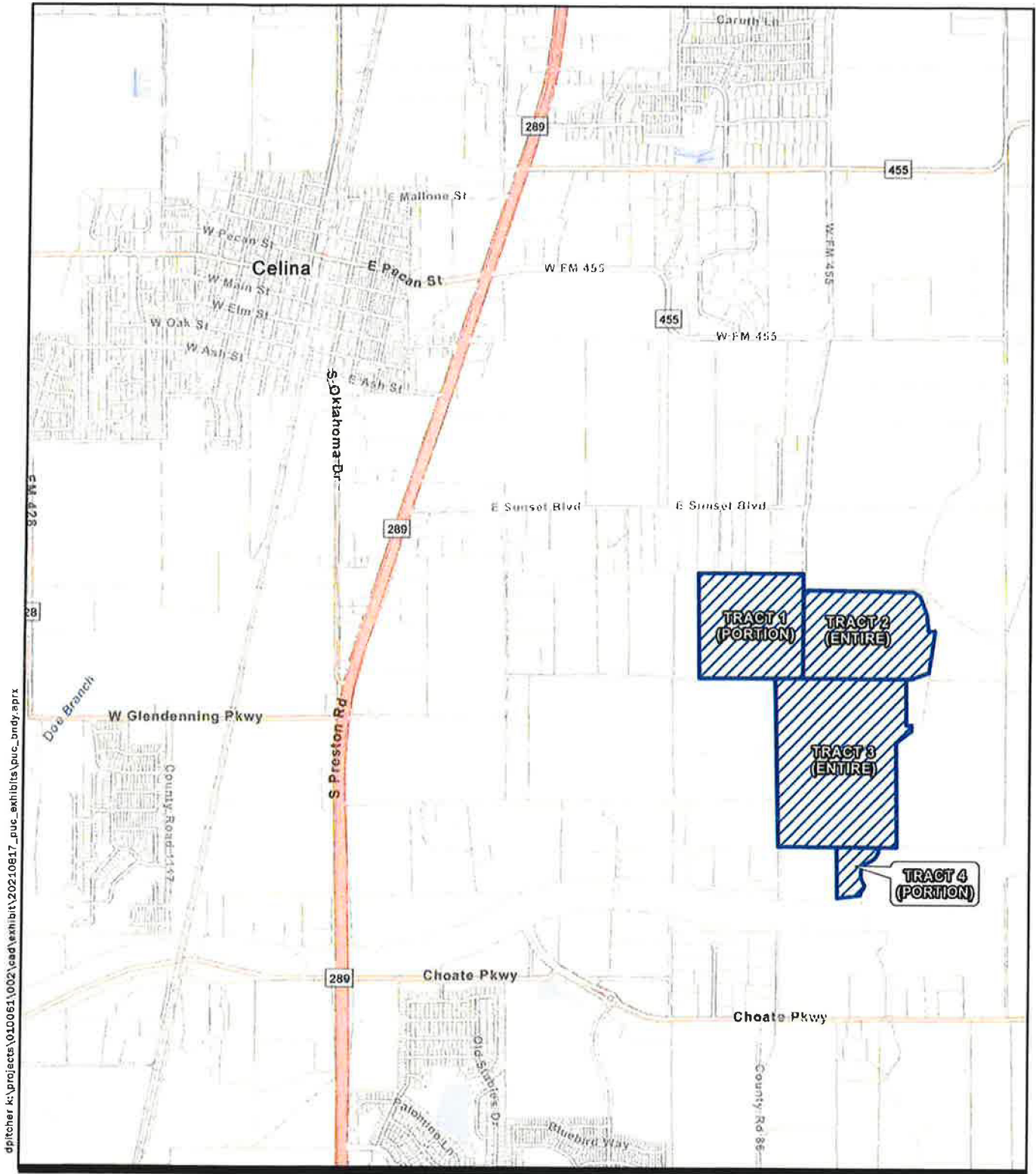
Bryan Jeffery McKnight

SWORN TO AND SUBSCRIBED TO BEFORE ME by Bryan Jeffery McKnight on
____ September, 2021.

Notary Public, State of Texas

EXHIBIT "B-1"

Overall Location Map
(McKnight Tract)



d:\pitcher_k:\projects\010061\002\cad\exhibit\20210617_puc_exhibits\puc_bndy.aprx



3501 OLYMPUS BLVD., SUITE 100
 DALLAS, TEXAS 75019
 817.416.4536
 WWW.KFM-LLC.COM
 TBPE: F-20821

TITLE
OVERALL MAP
 GENERAL LOCATION MAP

PROJECT
TUSCANY ESTATES
 CELINA, TEXAS

CLIENT
CORSON CRAMER



1 in = 2,000 ft

PROJECT NUMBER:
 010061002
 AUGUST 17, 2021

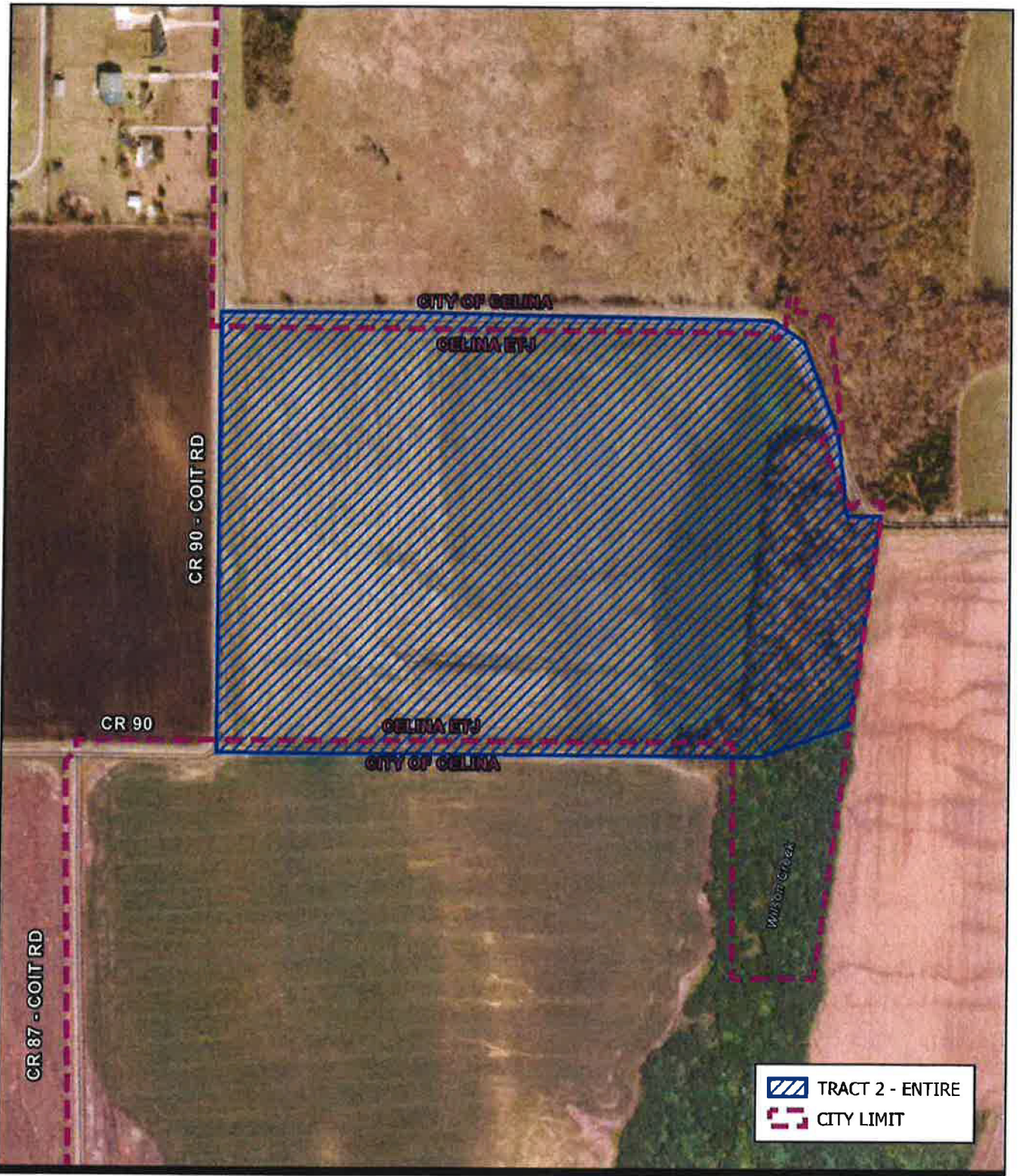
SHEET:

1 OF 1

EXHIBIT "B-2"

Detailed Map
(McKnight Tract)

d:\projects\010061\002\cad\wrt\bit\20210817_puc_exhibits\puc_bndy.aprx



 TRACT 2 - ENTIRE
 CITY LIMIT



3501 OLYMPUS BLVD., SUITE 100
 DALLAS, TEXAS 75019
 817.416.4536
 WWW.KFM-LLC.COM

TBPE: F-20821

TITLE

DETAILED MAP - MCKNIGHT TRACT
 ENTIRE TRACT (FROM DEED) OWNED BY MCKNIGHT

PROJECT

TUSCANY ESTATES
 CELINA, TEXAS

CLIENT

CORSON CRAMER



1 in = 400 ft

PROJECT NUMBER:
 010061002

AUGUST 23, 2021

SHEET:

1 OF 1

EXHIBIT "C-1"

Distribution Deed

DISTRIBUTION DEED

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

A.J. MCKNIGHT, deceased (the "Decedent"), died testate on September 14, 2017 in Celina, Collin County, Texas.

The Decedent left a valid written Last Will and Testament (the "Will") dated June 14, 2017 which Will has heretofore been duly admitted to probate court of Collin County, Texas, Case No. PB1-1374-2018, ESTATE OF A.J. MCKNIGHT, Deceased (the "Decedent").

At the time of his death, the Decedent held rights, title, and interest in and to certain tracts or parcels of real property situated in Collin County, Texas, which real property is described as on Exhibit "A" attached hereto and made a part hereof.

His wife, ELIZABETH JOAN MCKNIGHT has been duly appointed by the Probate Court as Independent Executor of the Decedent's Estate, in which capacity the Independent Executor now continue to act and serve.

Under the express terms and conditions of the Decedent's Will, the Decedent left, devised, and bequeathed all of his rights, title, and interest in and to the property to the Grantee named below.

Pursuant to Decedent's Will and as a matter of law, legal title of the Decedent in and to all of the property devised or bequeathed to the Grantee by the Decedent's Will did vest immediately in the Grantee, a distribute under the Decedent's Will and of the Decedent's Estate, subject, however, to the payment of the valid debts, taxes, expenses, and claims of the Decedent and of Decedent's Estate (except as such property may otherwise be exempted by law), and also further subject to the possessory and administrative right of the Independent Executor to hold and retain possession of all the Decedent's probate estate during the pendency of the administration of the Decedent's Estate.

All the debts, taxes, expenses, and claims of the Decedent and/or the Decedent's Estate have now either been paid or otherwise adequately provided for by the Independent Executor.

The Independent Executor now wishes to conclude the final and formal transfer and distribution in kind to the Grantee of all the rights, title, and interest of the Decedent and/or of the Decedent's Estate in and to the Property, and to formally evidence the release and discharge by the Independent Executor of their right of possession and/or of administration to the Property, which the Independent Executor may have or may have or be or have been granted either under the express terms of the Decedent's Will, under the Texas Probate Code, as amended, or otherwise as provided by law.

NOW, THEREFORE, in consideration of the sum of TEN AND 00/100 DOLLARS, (\$10.00) and other good and valuable consideration paid by the Grantee herein names, the receiver which is hereby acknowledged, ELIZABETH JOAN MCKNIGHT, acting in her capacity as Executor of the ESTATE OF A.J. MCKNIGHT, deceased, has GRANTED, SOLD, TRANSFERRED, RELEASED, and CONVEYED, and by these presents do hereby GRANT, SELL, TRANSFER, RELEASE and CONVEY unto CLIFTON VAN MCKNIGHT and BRYAN JEFFERY MCKNIGHT, Grantees and all of Grantees' heirs, Grantees and Grantees' successors, and assigns forever, all of the rights, title, and interest in the Decedent's Estate in and to all of the Property described.

The conveyance made hereby, and the warranties made hereunder, are made by Independent Executor and accepted by Grantee subject to the following matters, to the extent same are in effect at this time: any and all restrictions, covenants, conditions, liens, encumbrances, reservations, easements, and other exceptions to title, if any, relating to the Subject Property, but only to the extent they are still in force and effect and shown of record in Collin County, Texas, and to all zoning laws, regulations and ordinances of municipal and/or other governmental or quasi-governmental authorities, if any, relating to the Subject Property and to all matters which would be revealed by an inspection and/or a current survey of the Subject Property.

~~TO HAVE AND TO HOLD~~ the Subject Property, to the extent conveyed hereby, subject to the terms and provisions contained herein, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantees and Grantees' heirs, executors, administrators, personal representatives, successors and assigns forever.

EXECUTED this 26 day of October, 2018.

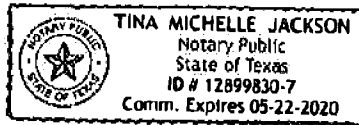
Elizabeth Joan McKnight
ELIZABETH JOAN MCKNIGHT
Independent Executor of the
ESTATE OF A.J. MCKNIGHT, deceased

STATE OF TEXAS

COUNTY OF COLLIN

§
§
§

This instrument was acknowledged before me on October 26, 2018
by ELIZABETH JOAN MCKNIGHT.



Tina Jackson
Notary Public, State of Texas
Printed Name: Tina Jackson

UNOFFICIAL

EXHIBIT "A"

BEING a tract of land situated in Collin County, Texas and being a part of the Charles P. Rice Survey, Abstract No. 771, and being all of that certain tract of land conveyed to Mrs. Guy Bunch as recorded in Volume 982, Page 244, of the Deed Records of Collin County, Texas (D.R.C.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at a 90D-Nail found for corner, said corner being in the apparent centerline of County Road No. 90 and the apparent centerline of County Road No. 92, said corner also being the southwest corner of that certain tract of land conveyed to Bennie G. Cox, as recorded under CCF#98-0023882, D.R.C.C.T. and also being on the east line of that certain tract of land conveyed to A. J. Malone, as recorded in Volume 256, Page 340, D.R.C.C.T.;

THENCE East along the south line of said Cox tract and the apparent centerline of County Road No. 92, a distance of 592.13 feet to a 1/2 inch iron rod with cap stamped "LONE STAR" set for corner (1/2 inch IRS), said corner being at the northwest corner of a called 0.690 acre tract of land also conveyed to Mrs. Guy Bunch as recorded in Volume 840, Page 685, D.R.C.C.T.;

THENCE South 89 degrees 01 minutes 57 seconds East along the south line of last said Bunch tract and the apparent centerline of County Road No. 92, a distance of 1162.19 feet to a 1/2 inch IRS;

THENCE 56 degrees 57 minutes 55 seconds East, along the south line of said Bunch tract and the apparent centerline of County Road No. 92, a distance of 120.22 feet to a 1/2 inch IRS;

THENCE South 21 degrees 21 minutes 25 seconds East, along the south line of said Bunch tract and the apparent centerline of County Road No. 92, a distance of 308.25 feet to a 1/2 inch IRS, said corner also being on the west line of the aforementioned Cox tract;

THENCE South 06 degrees 24 minutes 00 seconds East along the west line of said Cox tract, a distance of 258.73 feet to a 1/2 inch IRS;

THENCE South 89 degrees 17 minutes 59 seconds East along the south line of said Cox tract, a distance of 106.69 feet to a 1/2 inch IRS, said corner being the northwest corner of a tract of land also conveyed to Bennie G. Cox, as recorded under CCF#98-0023884, D.R.C.C.T.;

THENCE South 08 degrees 24 minutes 00 seconds West along the west line of last said Cox tract, a distance of 660.93 feet to a 1/2 inch IRS;

THENCE South 70 degrees 16 minutes 19 seconds West along said Cox tract, a distance of 299.94 feet to a 1/2 inch iron rod found for an angle point;

THENCE North 89 degrees 47 minutes 00 seconds West along said Cox tract and along the north line of that certain tract of land conveyed to Gladys Reynolds Lewis, as recorded in Volume 971, Page 762, D.R.C.C.T., a distance of 1728.31 feet to a 1/2 inch IRS, said corner being in the apparent centerline of said County Road No. 90;

THENCE North 00 degrees 09 minutes 21 seconds East along or near said centerline and the east line of said Malone tract, a distance of 1379.23 feet to the POINT OF BEGINNING;

CONTAINING a computed area of 2,731,249 square feet or 62.700 acres of land, more or less.

UNRECORDED



Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
11/16/2018 08:06:39 AM
\$38.00 SCAPELA
2018116001414940

Stacey Kemp

The following files are not convertible:

MCKNIGHT_ENTIRE.CPG
MCKNIGHT_ENTIRE.dbf
MCKNIGHT_ENTIRE.prj
MCKNIGHT_ENTIRE.sbn
MCKNIGHT_ENTIRE.sbx
MCKNIGHT_ENTIRE.shp

Please see the ZIP file for this Filing on the PUC Interchange in order to access these files.

Contact centralrecords@puc.texas.gov if you have any questions.

The following files are not convertible:

MCKNIGHT_ENTIRE.shp.xml

Please see the ZIP file for this Filing on the PUC Interchange in order to access these files.

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The following files are not convertible:

MCKNIGHT_ENTIRE.shx

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