



## Filing Receipt

**Received - 2022-10-27 01:40:10 PM**

**Control Number - 52530**

**ItemNumber - 31**

**DOCKET NO. 52530**

<b>PETITION BY E REAL ESTATE, LLC</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>FOR EXPEDITED RELEASE FROM</b>	<b>§</b>	
<b>WATER CCN NO. 10150 HELD BY</b>	<b>§</b>	<b>OF TEXAS</b>
<b>MARILEE SPECIAL UTILITY</b>	<b>§</b>	
<b>DISTRICT IN COLLIN COUNTY</b>	<b>§</b>	
	<b>§</b>	

**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 September 15, 2022. In support thereof, the District would respectfully show the following:

**Proof of Recording**

On September 15, 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).<sup>1</sup> 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

<sup>1</sup> Order (Ordering Paragraph 6) (September 15, 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.<sup>2</sup>

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.<sup>3</sup>

Pursuant to TWC §§ 13.257(r) and (s), the District recorded the following documents, attached as "**Exhibit A**," on October 17, 2022, in the real property records of Collin County, Texas:

- Affidavit of John J. Carlton, dated October 7, 2022;
- Map of the District's amended Certificate of Convenience and Necessity ("CCN") No. 10150 as included in the Order;<sup>4</sup>
- The District's CCN Certificate as included in the Order;<sup>5</sup>
- Metes and bounds description of area decertified from the District's CCN as included in the Petition.<sup>6</sup>

### **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.

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<sup>2</sup> TWC § 13.257(r).


<sup>3</sup> TWC § 13.257(s).

<sup>4</sup> Order at 8.

<sup>5</sup> *Id.* at 9.

<sup>6</sup> Petition by E REAL ESTATE, LLC for Expedited Release Pursuant to Texas Water Code Section 13.2541, at Exhibit C-1 (September 8, 2021).

Respectfully submitted,

By:   
\_\_\_\_\_

John J. Carlton  
State Bar No. 03817600  
The Carlton Law Firm P.L.L.C.  
4301 Westbank Drive, Suite B-130  
Austin, Texas 78746  
(512) 614-0901  
Fax (512) 900-2855  
[john@carltonlawaustin.com](mailto:john@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 27th day of October 2022.

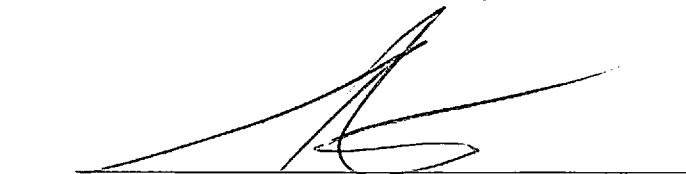
  
\_\_\_\_\_  
John J. Carlton

**PUC REQUIRED BOUNDARY DESCRIPTION**

**Marilee Special Utility District; Portion of Water Service Area CCN. 10150;  
PUC Docket 52530 – Petition of E REAL ESTATE, 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, Mustang Special Utility District, Successor to Marilee Special Utility District (the “District”), holder of Certificate of Convenience and Necessity No. 10150, hereby files this Boundary Description for the portion of the District’s CCN No. 10150 that was released by the Public Utility Commission of Texas (“PUC”) in a written order in Docket No. 52530. The portion of the District’s CCN that was released is described on the attached metes and bounds. The portion of the District’s CCN that was released is further depicted in the attached map prepared by the PUC.

The Boundary Description is being filed on behalf of and at the request and instruction of the District based upon information and belief. The 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.

  
\_\_\_\_\_  
John J. Carlton

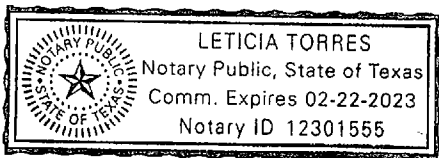
**STATE OF TEXAS**


§  
§  
§

**COUNTY OF TRAVIS**

BEFORE ME, the undersigned authority, on this date personally appeared John J. Carlton, 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.

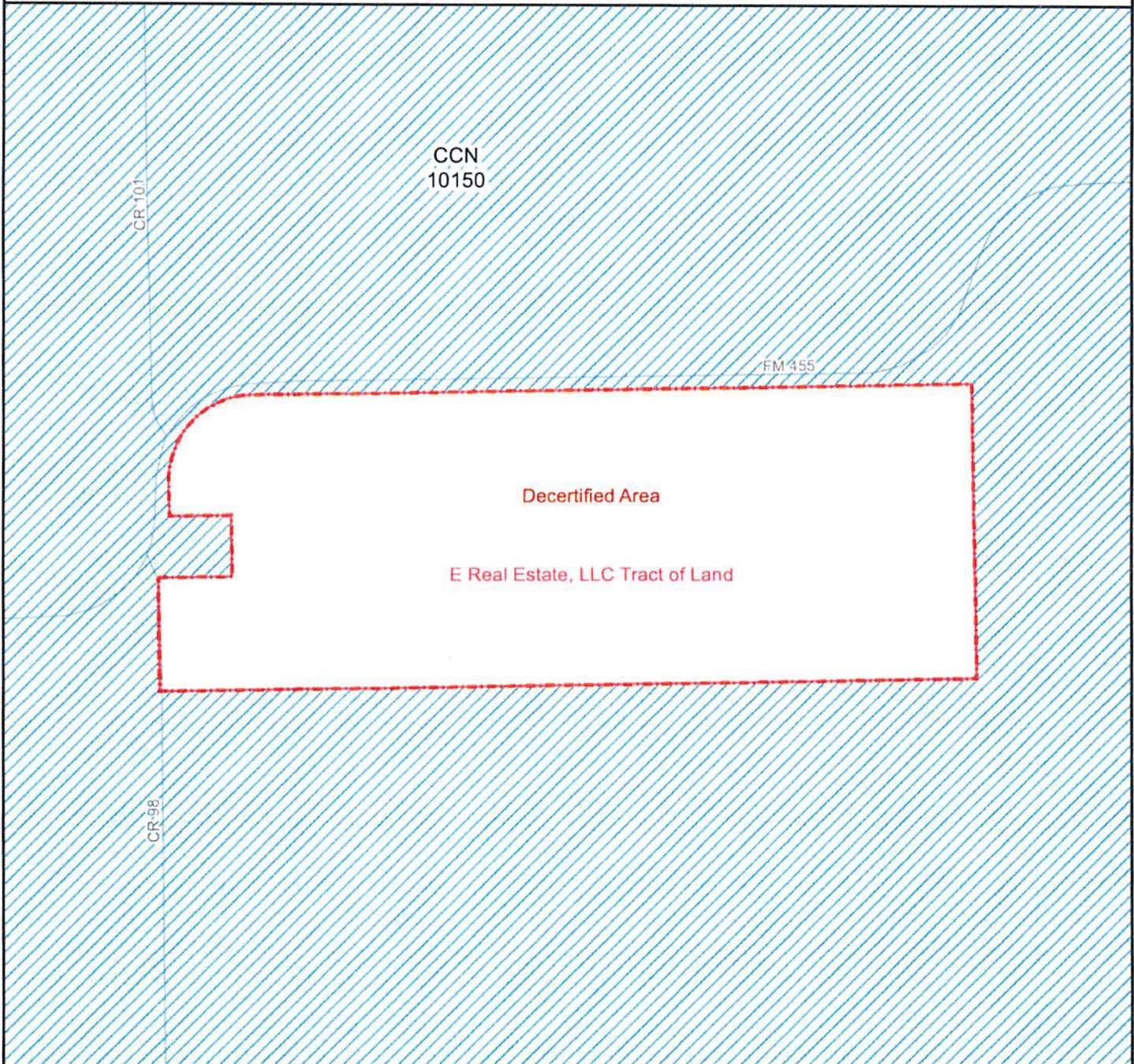
Given under my hand and seal of this office on this day, October 7, 2022.



  
\_\_\_\_\_  
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. 52530  
Petition by E Real Estate, LLC to Amend  
Marilee Special Utility District's CCN by Streamlined Expedited Release in Collin County




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

**Water CCN**

 10150 - Marilee Special Utility District

 Tract of Land

 Decertified Area

0 225 450  
Feet



Map by: Komal Patel  
Date: May 19, 2022  
Project: 52530MarileeSUD.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. 52530 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.

**BEING** a tract of land situated in the Daniel Howell Survey, Abstract No. 394, City of Celina, Collin County, Texas, and being a portion of a called "Tract Three" (59.916 acres), conveyed to E Real Estate LLC, as evidenced in a Special Warranty Deed, recorded in Instrument No. 20200212000196540 of the Official Public Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

**BEGINNING** at southeast corner of said "Tract Three" (59.916 acres), same being the northeast corner of a called 85.04-acre tract of land, conveyed to Jane Willard, as evidenced in a General Warranty Deed, recorded in County Clerk's File No. 96-0039930 of the Land Records of Collin County, Texas;

**THENCE** South 89°51'15" West, along the southerly line of said "Tract Three" (59.916 acres) and the northerly line of said 85.04-acre tract, a distance of 2639.07 feet to the southwest corner of said "Tract Three" (59.916 acres), same being on the easterly line of a called "First Tract", conveyed to Jane Willard, as evidenced in a Warranty Deed, recorded in Volume 3368, Page 434 of the Land Records of Collin County, Texas, same also being in County Road No. 98, a public use right of way, no record found;

**THENCE** North 00°04'01" West, along the westerly line of said "Tract Three" (59.916 acres), the easterly line of said "First Tract" and along said County Road No. 98, a distance of 367.34 feet to a corner

**THENCE** North 89°55'59" East, departing the westerly line of said "Tract Three" (59.916 acres), the easterly line of said "First Tract" and said County Road No. 98, crossing said "Tract Three" (59.916 acres), a distance of 240.03 feet to a point for corner;

**THENCE** North 00°04'01" West, continuing across said "Tract Three" (59.916 acres), a distance of 200.03 feet to a point for corner;

**THENCE** South 89°55'59" West, continuing across said "Tract Three" (59.916 acres), a distance of 200.12 feet to a point on the southerly right of way line of F. M. 455 (a called 90-foot wide right of way), and being at the beginning of a non-tangent curve to the having a central angle of 01°22'06", a radius of 361.04 feet, a chord bearing and distance of North 00°19'14" West, 8.62 feet;

**THENCE** in a northeasterly direction, along the common line of said "Tract Three" (59.916 acres) and said southerly right of way line of F. M. 455, with said curve to the left, an arc distance of 8.62 feet to a point for corner;

**THENCE** North 00°50'48" West, continuing along the common line of said "Tract Three" (59.916 acres) and said southerly right of way line of F. M. 455, a distance of 92.33 feet to a point at the beginning of a non-tangent curve to the right having a central angle of 92°19'04", a radius of 273.31 feet, a chord bearing and distance of North 43°41'38" East, 394.26 feet;

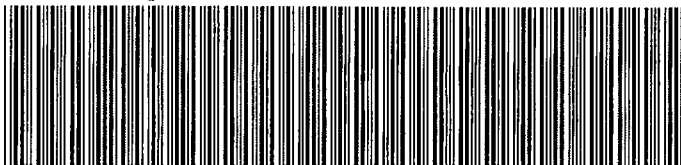
**THENCE** in a northeasterly direction, continuing along the common line of said "Tract Three" (59.916 acres) and said southerly right of way line of F. M. 455, with said curve to the right, an arc distance of 440.37 feet to a point for corner;

**THENCE** North 89°50'27" East, continuing along the common line of said "Tract Three" (59.916 acres) and said southerly right of way line of F. M. 455 for part of the way, then departing said southerly right of way line and continuing along the northerly line of said "Tract Three" (59.916 acres), a distance of 2324.45 feet to the northeast corner of said "Tract Three" (59.916 acres);



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**THENCE South 00°15'57" East, along the easterly line of said "Tract Three" (59.916 acres), a distance of 953.17 feet to the POINT OF BEGINNING and containing 55.88 acres of land, more or less.**



\*VG-58-2022-2022000153465\*

Collin County  
Honorable Stacey Kemp  
Collin County Clerk

Instrument Number: 2022000153465

Real Property

MISCELLANEOUS

Recorded On: October 17, 2022 01:54 PM

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: 2022000153465  
Receipt Number: 20221017000453  
Recorded Date/Time: October 17, 2022 01:54 PM  
User: Shannon C  
Station: Station 7

**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