



## Filing Receipt

**Received - 2021-09-13 03:41:22 PM**

**Control Number - 52556**

**ItemNumber - 1**

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

PETITION OF MONTGOMERY	§	PUBLIC UTILITY COMMISSION
ESTATES, LLC TO AMEND GULF	§	
COAST AUTHORITY'S SEWER	§	OF TEXAS
CERTIFICATE OF CONVENIENCE AND	§	
NECESSITY NO. 20465 IN CHAMBERS	§	
COUNTY BY STREAMLINED	§	
EXPEDITED RELEASE UNDER TEXAS	§	
WATER CODE § 13.2541 AND 16	§	
TAC § 24.245(h)	§	

**PETITION OF MONTGOMERY ESTATES, LLC TO AMEND GULF COAST  
AUTHORITY'S SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY NO.  
20465 IN CHAMBERS COUNTY, TEXAS BY  
STREAMLINED EXPEDITED RELEASE UNDER  
TEXAS WATER CODE § 13.2541 AND 16 TAC § 24.245(h)**

TO THE HONORABLE PUBLIC UTILITY COMMISSION OF TEXAS:

COMES NOW, Montgomery Estates, LLC (the Petitioner), and hereby files with the Public Utility Commission of Texas (the Commission) this Petition to Amend Sewer Certificate of Convenience and Necessity (CCN) No. 20465, held by Gulf Coast Authority (the Authority),<sup>1</sup> in Chambers County, Texas by Streamlined Expedited Release (Petition) under Tex. Water Code (TWC) § 13.2541 and 16 Texas Administrative Code (TAC) § 24.245(h). In support thereof, the Petitioner would respectfully show as follows:

**I. PETITION**

1. Under certain circumstances, TWC § 13.2541 and 16 TAC § 24.245(h) provide the owner of a tract of land the right to petition the Commission for the streamlined, expedited release of all or a portion of the tract of land from the service area associated with a water and/or sewer CCN. Specifically, the Commission must grant a petition for streamlined expedited release

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<sup>1</sup> On June 15, 2017, the 85<sup>th</sup> Legislature of the State of Texas changed the name of Gulf Coast Waste Disposal Authority to Gulf Coast Authority. *Notification of Name Change to CCN No. 20465*, Docket No. 51440, Letter to PUC regarding name change from Gulf Coast Waste Disposal Authority to Gulf Coast Authority (Oct. 20, 2020).

of land from a CCN if the following conditions are met: (a) the tract of land to be released is at least twenty-five (25) acres in size; (b) the tract of land is not receiving service of the type authorized by the CCN from which release is sought; (c) at least a part of the tract of land is located within the service area of the CCN from which release is sought; and (d) at least some of the tract of land to be released is located in a “qualifying county,” as such term is defined in TWC § 13.2541(b).

2. Based on the criteria in TWC § 13.2541 and 16 TAC § 24.245(h), the Petitioner is entitled to streamlined expedited release of approximately 147.36 acres of land from the Authority’s sewer CCN No. 20465 (the Authority CCN), located in Chambers County, Texas.
3. Specifically, Petitioner owns two adjacent tracts of land in Chambers County, Texas, a 100-acre tract and a 47.36-acre tract, cumulatively containing approximately 147.36 acres (the Release Tracts). Copies of the recorded deeds evidencing Petitioner’s ownership of the Release Tracts, in metes and bounds, are attached hereto as **Exhibit A**.
4. The Release Tracts lie within the boundaries of the Authority CCN.
5. The Release Tracts are depicted by large and small scale maps as well as digital mapping data in shapefile format, with metadata, which are attached hereto as **Exhibit B**.
6. Petitioner has never received retail sewer service from the Authority at the Release Tracts.
7. Petitioner is not currently receiving retail sewer service from the Authority at the Release Tracts.
8. Petitioner has never requested that the Authority provide sewer service to the Release Tracts.
9. Petitioner has no contracts with the Authority for the provision of sewer service to the Release Tracts.

10. Petitioner has not received any bills from the Authority for sewer service to the Release Tracts.
11. **Exhibits A and B** show that the Release Tracts are located wholly in Chambers County, Texas. The Commission's streamlined expedited release "Approved List of Counties" guidance document indicates that Chambers County is a qualifying county, meeting the requirements of TWC § 13.2541 and 16 TAC § 24.245(h)(2).<sup>2</sup>
12. Simultaneously with the filing of this Petition with the Commission, the Petitioner is serving a copy of the Petition on the Authority. Attached hereto as proof that a copy of the Petition was mailed to the Authority via certified mail on the same day the Petitioner submitted this Petition with the Commission is **Exhibit C**, a U.S. Postal Service Certified Mail Receipt.
13. Also attached hereto as **Exhibit D** is a notarized affidavit Iqbal "John" Khowaja, President of Montgomery Estates, LLC, which verifies and affirms the information provided herein.

## **II. CONCLUSION & PRAYER**

For these reasons, Petitioner, Montgomery Estates, LLC, respectfully requests that: (a) this Petition be deemed properly filed with the Commission; (b) this Petition be granted in all respects as provided under TWC § 13.2541 and 16 TAC § 24.245(h); (c) the Commission enter an order releasing the cumulative 147.36-acre Release Tracts from Gulf Coast Authority's sewer Certificate of Convenience and Necessity No. 20465 in Chambers County, Texas; and (d) all other orders, acts, procedures, and relief be granted as are necessary and proper to the release of the 147.3-acre Release Tracts from Gulf Coast Authority's sewer Certificate of Convenience and Necessity No. 20465 in Chambers County, Texas.

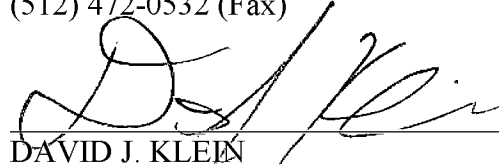
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<sup>2</sup> See also, Public Utility Commission of Texas, "Streamlined Expedited Release Guidance." Available at: [www.puc.texas.gov/industry/water/utilities/Streamline.pdf](http://www.puc.texas.gov/industry/water/utilities/Streamline.pdf).

Respectfully submitted,

**LLOYD GOSSELINK  
ROCHELLE & TOWNSEND, P.C.**

816 Congress Ave., Suite 1900  
Austin, Texas 787012  
(512) 322-5800  
(512) 472-0532 (Fax)




DAVID J. KLEIN  
State Bar No. 24041257

DANIELLE LAM  
State Bar No. 24121709

**ATTORNEYS FOR MONTGOMERY  
ESTATES, LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was transmitted by electronic mail on this the 13th day of September, 2021 to the parties of record, in accordance with Order Suspending Rules filed in Project No. 50664.



David J. Klein

**Exhibit A**

Copies of Recorded Deeds Evidencing Petitioner's Ownership



the future that will permit any drilling or production operations or structures anywhere on the subject property. Exploration, drilling or production of oil, gas or other minerals will be completed by pooling, unitization, off set drilling or slant hole drilling which is permitted by and/or through such tract of land with the bottom hole being below the surface of this tract or any other tract of land. Grantor expressly waives any rights of ingress and/or egress to or from the surface of the subject property for the purpose of production of said oil, gas and other minerals or for any other purpose, and further waives the right to use the surface for any purpose whatsoever.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantee, Grantee's heirs, executors, administrators, successors and assigns forever; and Grantor does hereby bind Grantor's heirs, executors, administrators, successors and/or assigns to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, Grantee's heirs, executors, administrators, successors and/or assigns against every person whomsoever claiming or to claim the same or any part thereof.

But it is expressly agreed that the Vendor's Lien, as well as Superior Title in and to the above described premises, is retained against the above described property, premises and improvements until the above described note and all interest thereon are fully paid according to the face, tenor, effect and reading thereof, when this Deed shall become absolute.

Taxes for the year 2019 have been prorated as of the date of this Deed; payment thereof shall be assumed by Grantee.

EXECUTED, this 26 day of February, 2019.

  
WYNONA MARIE MONTGOMERY

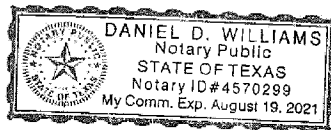
  
DONNA LYNN MONTGOMERY BRITT

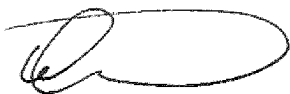


THE STATE OF TEXAS   X  
                                       X  
 COUNTY OF CHAMBERS X

BEFORE ME, the undersigned authority, a Notary Public, on this day personally appeared WYNONA MARIE MONTGOMERY, known to me/proved to me through Driver's License, to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 26 day of February, 2019.

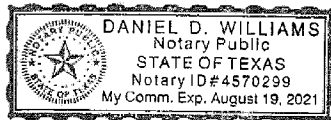



  
 \_\_\_\_\_  
 Notary Public, State of Texas

THE STATE OF TEXAS   X  
                                       X  
 COUNTY OF CHAMBERS X

BEFORE ME, the undersigned authority, a Notary Public, on this day personally appeared DONNA LYNN MONTGOMERY BRITT, known to me/proved to me through Driver's License, to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 26 day of February, 2019.



  
 \_\_\_\_\_  
 Notary Public, State of Texas

GF 284075 33/sd

Grantee's Mailing Address:

14242 Jubat Ct

Sugarland TX 77498

## EXHIBIT "A" LEGAL DESCRIPTION

File No.: 284075

FIELD NOTES of a 100.0 acre tract of land situated in the Ben Winfree Survey, Abstract No. 28, Chambers County, Texas being out of and a part of 115.2 acres conveyed to Edgar Montgomery by Elmer R. Kilgore, et al in deed dated March 23, 1920, recorded in Volume 15 at Page 309 of the Deed Records of Chambers County, Texas. This 100.0 acre tract of land is more particularly described by metes and bounds as follows to-wit:

NOTE: BEARINGS ARE BASED ON DEED BEARINGS AND FOUND MONUMENTS IN THE SOUTH LINE OF SAID 115.2 ACRES. REFERENCE IS MADE TO PLAT OF EVEN DATE ACCOMPANYING THIS METES AND BOUNDS DESCRIPTION. ALL SET 1/2 INCH IRON RODS ARE MARKED WITH A PLASTIC CAP STAMPED "MCHANDLER5292".

BEGINNING at a capped iron rod found for the Southwest corner of this tract of land, the Southwest corner of said 115.2 acres, the Southeast corner of 14.61 acres conveyed to Charles Raymond Harper by Elizabeth Rushwam Delling in deed dated July 29, 2010, recorded in Volume 1210 at Page 271 of the Official Public Records of Chambers County, Texas, and in the North line of Winfree Bayou Estates Section One Final Plat recorded at Clerk's File No. 118837 of the Map Records of Chambers County, Texas.

THENCE North 01°56'05" East with the West line of this tract of land, the West line of said 115.2 acres, the East line of said 14.61, and the East line of 18.87 acres conveyed to Jim P. Farris and Ann Wismer by Elizabeth Amanda Rushwam in deed dated September 26, 2018, recorded at File No 2018-136241 of the Official Public Records of Chambers County, Texas a distance of 1687.68 feet to a set 1/2 inch iron rod for Northwest corner of this tract of land, in the West line of said 115.2 acres, and in the East line of said 18.87 acres. From this corner a found nail for the Northwest corner of said 115.2 acres bears North 01°56'05" East 254.29 feet.

THENCE South 89°00'00" East with the North line of this tract of land, over and across said 115.2 acres a distance of 2581.43 feet to a set 1/2 inch iron rod for the Northeast corner of this tract of land, in the East line of said 115.2 acres, and in the West line of 50 acres conveyed to Chap. B. Cain by Blanche H. Piercy, et vir in deed dated March 19, 1964, recorded in Volume 23 at Page 320 of the Deed of Trust Records of Chambers County, Texas. From this corner a found 2 1/2 inch iron pipe for the Northeast corner of said 115.2 acres bears North 01°56'11" East 248.66 feet.

THENCE South 01°56'11" West with the East line of this tract of land, the East line of said 115.2 acres, and the West line of said 50 acres a distance of 1687.68 feet to a set 1/2 inch iron rod for the Southeast corner of this tract of land, the Southeast corner of said 115.2 acres, the Northeast corner of 2.80 acres conveyed to Winfree Bayou Estates, LLC by Cecil V. Winfree II in deed dated June 5, 2018, recorded at File No. 133227 of the Official Public Records of Chambers County, Texas, and in the West line of said 50 acres. From this corner a found iron rod at iron pipe tall bears South 59°41'57" East 1.01 feet.

THENCE North 89°00'00" West with the South line of this tract of land, the South line of said 115.2 acres, the North line of said 2.80 acres, the North line of 220.7 acres conveyed to Winfree Bayou Estates, LLC by Cecil V. Winfree II, et al in deed dated April 10, 2015, recorded in Volume 1561 at Page 148 of the Official Public Records of Chambers County, Texas, and the North line of said Winfree Bayou Estates at a distance of 231.07 feet found a capped iron rod, in all a total distance of 2581.37 feet to the PLACE OF BEGINNING, containing within said boundaries 100.0 acres of land, more or less.

FILED FOR RECORD IN:  
Chambers County Clerk  
On: 03/01/2019 9:19AM  
Doc Number: 2019-140088  
Number of Pages: 5  
Amount: \$38.00  
Order#: 20190301000003  
By: AM  
Heather H. Hawthorne



**WARRANTY DEED  
WITH VENDOR'S LIEN IN FAVOR OF MORTGAGEE**

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

THE STATE OF TEXAS                   §  
   §  
COUNTY OF CHAMBERS               §

THAT THE UNDERSIGNED, **EAGLE POINT HOMES, LLC**, a Texas limited liability company, (herein called "Grantor"), for and in consideration of the sum of \$10.00 cash and other good and valuable consideration to Grantor in hand paid by **MONTGOMERY ESTATES LLC**, a Texas limited liability company (herein called "Grantee"), whose address is 14242 JAUBERT COURT, SUGAR LAND, TEXAS 77498, the receipt of which is hereby acknowledged, and of further consideration of the execution and delivery by Grantee of that one certain Promissory Note of even date herewith, in the principal sum of **FOUR HUNDRED SIXTY NINE THOUSAND SIXTEEN AND NO/100 (\$469,016.00) DOLLARS** (herein called the "Note"), payable to the order of **ALLEGIANCE BANK** (herein called "Mortgagee"), bearing interest from date at the rate specified, and containing provisions for attorney's fees, Mortgagee, at the special instance and request of the Grantee, advanced the sum of said Note as part purchase price for The Land herein conveyed, the receipt of which is hereby acknowledged, Mortgagee is hereby subrogated to all of the rights of Grantor herein; the Vendor's Lien and superior title is hereby expressly transferred to and retained in favor of Mortgagee to secure the payment of the Note, the same as if Mortgagee was the Grantor herein; the Note is further and additionally secured by a Deed of Trust of even date herewith from Grantee to **RAMON A. VITULLI, III, TRUSTEE**, containing provisions for foreclosure under power of sale, to which reference is here made for all purposes;

HAVE GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto Grantee all that certain tract or parcel of land and all improvements located thereon (herein called "The Land"), more particularly described as follows:

**FIELD NOTES OF A 47.36 ACRE TRACT OF LAND SITUATED IN THE BEN WINFREE SURVEY, ABSTRACT NO. 28 CHAMBERS COUNTY, TEXAS BEING THE SAME 50 ACRES CONVEYED TO CHAP B. CAIN BY BLANCHE H. PIERCY, ET VIR IN DEED DATED MARCH 19, 1964, RECORDED IN VOLUME 23 AT PAGE 320 OF THE DEED OF TRUST RECORDS OF CHAMBERS COUNTY, TEXAS. THIS 47.36 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.**

The conveyance is made and accepted subject to the following matters, but only to the extent they are in effect at this time and only to the extent that they relate to The Land: The lien for current ad valorem taxes and maintenance assessments (if any) not in default, land use restrictions, deed restrictions, covenants, easements, outstanding mineral reservations, rights and royalties, if any, shown of record in the above mentioned county and state, and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, to which The Land is subject.

To have and to hold The Land together with all rights and appurtenances thereto in anywise belonging, subject to the foregoing terms, unto Grantee their heirs, executors, administrators, personal and legal representatives, successors and assigns forever, and Grantor does hereby bind themselves, their heirs, executors, administrators, personal and legal representatives, successors and assigns to warrant and forever defend The Land, subject to the foregoing terms, unto Grantee, their heirs, executors, administrators, personal and legal representatives, successors and assigns, against every person and entity whomsoever lawfully claiming or to claim the same or any part thereof.

**BUT IT IS EXPRESSLY AGREED AND STIPULATED** that the **VENDOR'S LIEN**, including the **SUPERIOR TITLE**, is retained against The Land in favor of Mortgagee, its successors and assigns, until the Note and all accrued interest thereon, and all renewals and/or extensions thereof, together with all interest thereon, is fully paid according to its face and tenor, effect and reading, and together with all additional sums which may become due and payable by the terms of said Note and/or by the terms of the aforesaid Deed of Trust, when this Deed shall become absolute, and Grantor herein transfers unto said Mortgagee, its successors and assigns, the Vendor's Lien and Superior Title to The Land, in the same manner and to the same extent as if the Note had been payable to the order of Grantor and by said Grantor assigned to said Mortgagee without recourse.

Whenever used in this document, unless the context clearly indicates a contrary intent or unless otherwise specifically provided herein, the pronouns of any gender shall include the other genders, including the neuter, and either the singular or plural shall include the other.

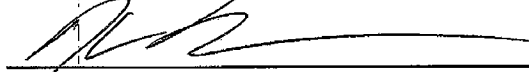
Grantee joins in the execution of this Warranty Deed for the purpose of accepting delivery hereof, and to acknowledge, consent and agree to the terms and conditions of this instrument.

All ad valorem taxes and assessments on the Property have been prorated between the parties hereto as of the date of this Deed, and Grantee assumes liability for the payment thereof and for subsequent years.

EXECUTED THIS THE 24 day of JULY, 2020.

GRANTOR:

EAGLE POINT HOMES, LLC, a Texas limited liability company



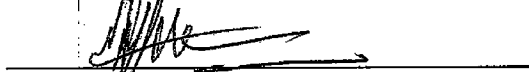
HEATH MASSENGALE, MEMBER



FRANK ESPINOZA, MEMBER

GRANTEE:

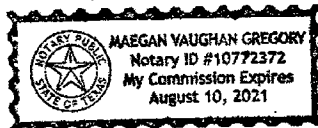
MONTGOMERY ESTATES LLC, a Texas limited liability company



IQBAL HASSAN KHOWAJA, MANAGER

THE STATE OF TEXAS                   §  
  §  
COUNTY OF HARRIS                 §

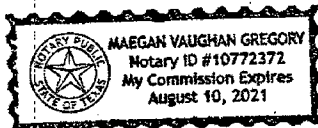
This instrument was acknowledged before me on the 24 day of July, 2020, by HEATH MASSENGALE and FRANK ESPINOZA, MEMBERS of EAGLE POINT HOMES, LLC, a Texas limited liability company, in the capacity therein stated and on behalf of said company.

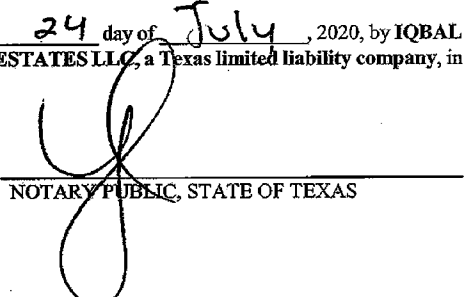


  
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS                   §  
  §  
COUNTY OF HARRIS                 §

This instrument was acknowledged before me on the 24 day of July, 2020, by IQBAL HASSAN KHOWAJA, MANAGER of MONTGOMERY ESTATES LLC, a Texas limited liability company, in the capacity therein stated and on behalf of said company.



  
NOTARY PUBLIC, STATE OF TEXAS

**EXHIBIT 'A'**File No.: **87471-GAT71 (mg)****TRACT 1: (FEE SIMPLE)**

**FIELD NOTES** of a 47.36 acre tract of land situated in the Ben Winfree Survey, Abstract No. 28 Chambers County, Texas being the same 50 acres conveyed to Chap B. Cain by Blanche H. Piercy, et vir in deed dated March 19, 1964, recorded in Volume 23 at Page 320 of the Deed of Trust Records of Chambers County, Texas. This 47.36 acre tract is more particularly described by metes and bounds as follows, to-wit:

**NOTE: BEARINGS ARE BASED ON PEAT BEARINGS AND FOUND MONUMENTS IN THE NORTH LINE OF BLOCK 1 OF THE PLAT OF WINFREE BAYOU ESTATES SECTION 2 RECORDED IN DOCUMENT NO. 2019-139266 OF CHAMBERS COUNTY, TEXAS. REFERENCE IS MADE TO PEAT OF EVEN DATE ACCOMPANYING THIS METES AND BOUNDS DESCRIPTION.**

**BEGINNING** at a 2 1/2 inch iron pipe found for the Northwest corner of this tract of land, the Northwest corner of said 50 acres, the Northeast corner of the residue of 115.2 acres conveyed to Robert Montgomery by Edgar Montgomery, et ux in deed dated February 3, 1922, recorded in Volume 15 at Page 311 of the Deed Records of Chambers County, Texas, in the South line of 36.77 acres conveyed to E. Montgomery, et al by E. R. Montgomery, et al in deed dated June 19, 1947, recorded in Volume 103 at Page 280 of the Deed Records of Chambers County, Texas, in the South line of the A. B. J. Winfree Survey, Abstract No. 306 Chambers County, Texas, and in the South line of said Ben Winfree Survey.

**THENCE** North 87°48'32" East with a North line of this tract of land, a North line of said 50 acres, the North line of said Ben Winfree Survey, the South line of said 36.77 acres, and the South line of said A. B. J. Winfree Survey at a distance of 312.47 feet pass a found 1 1/4 inch iron pipe, in all a total distance of 320.16 feet to an angle corner of this tract of land, an angle corner of said 50 acres, the Southeast corner of said 36.77 acres, and in the West line of Hackberry Gully.

**THENCE** in an Easterly direction with the North lines of this tract of land, the North lines of said 50 acres, and the West lines of Hackberry Creek the following courses:

South 30°15'43" East 37.12 feet  
 South 44°06'28" West 15.25 feet  
 South 08°59'35" East 95.45 feet  
 South 33°17'09" East 35.46 feet  
 South 65°33'34" East 31.89 feet  
 North 71°19'09" East 40.66 feet  
 North 30°08'45" East 25.41 feet  
 North 71°03'17" East 49.78 feet  
 North 58°59'18" East 50.10 feet  
 North 69°34'50" East 64.85 feet  
 South 87°45'03" East 44.86 feet  
 South 76°09'42" East 27.64 feet  
 South 60°01'01" East 33.62 feet  
 South 08°15'45" East 47.35 feet  
 South 05°34'57" West 84.18 feet  
 South 10°25'45" West 87.50 feet  
 South 35°59'23" East 52.87 feet  
 South 84°53'54" East 101.57 feet  
 North 67°33'37" East 52.21 feet

North 68°44'48" East 8.96 feet to a point for the Northeast corner of this tract of land, the Northeast corner of said 50 acres, the Northwest corner of 30 acres conveyed to Llewellyn White by Constance Allen Voortman in deed dated April 20, 1950, recorded in Volume 121 at Page 347 of the Deed Records of Chambers County, Texas, and in the South line of Hackberry Creek.

**THENCE South 02°17'10" East with the East line of this tract of land, the East line of said 50 acres, and the West line of said 30 acres at a distance of 4.74 feet pass a 1/2 inch iron pipe found, in all a total distance of 2118.92 feet to a capped iron rod found for the Southeast corner of this tract of land, the Southeast corner of said 50 acres, the Southwest corner of said 30 acres, and in a North line of said subdivision.**

**THENCE South 88°23'45" West with the South line of this tract of land, the South line of said 50 acres, and a North line of said subdivision a distance of 896.64 feet to a capped iron rod found for the Southwest corner of this tract of land, the Southwest corner of said 50 acres, and an interior corner of said subdivision.**

**THENCE North 01°15'58" West with a West line of this tract of land, a West line of said 50 acres, and an East line of said subdivision a distance of 545.36 feet to a capped iron rod found for an angle corner of this tract of land, an angle corner of said 50 acres, a Northeast corner of said subdivision, and the Southeast corner of 100.0 acres conveyed to Montgomery Estates, LLC by Wynona Marie Montgomery, et al in deed dated February 26, 2019, recorded in Document No. 20 19-140088 of Chambers County, Texas.**

**THENCE North 01°14'47" West with a West line of this tract of land, a West line of said 50 acres, the East line of said 100.0 acres, and the East line of said residue of 115.2 acres at a distance of 1687.68 feet pass a capped iron rod found, in all a total distance of 1936.34 feet to the PLACE OF BEGINNING, containing within said boundaries 47.36 acres of land, more or less,**

FILED FOR RECORD IN:  
Chambers County Clerk  
On: 07/28/2020 8:12AM  
Doc Number: 2020-156307  
Number of Pages: 5  
Amount: \$38.00  
Order#: 20200727000096  
By: PR  
Heather H. Hawthorne



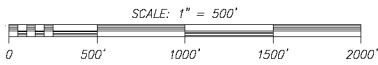


## **Exhibit B**

### Maps and Electronic Data

A copy of the digital mapping data is available on the interchange under this Docket, per the Commission's e-filing procedures

**MONTGOMERY ESTATES LLC TRACTS  
100.0 ACRES AND 47.36 ACRES WITHIN  
GULF COAST WASTE DISPOSAL AUTHORITY CCN 20465  
IN CHAMBERS COUNTY, TEXAS**



**LEGEND:**

OPRCC = OFFICIAL PUBLIC RECORDS OF CHAMBERS COUNTY, TEXAS



DATE: SEPTEMBER 10, 2021 SCALE: 1" = 500'

**RANDALL JONES & ASSOCIATES ENGINEERING, LLC**  
2900 JAZZ STREET, ROUND ROCK, TEXAS, 78664  
(512) 836-4793 FAX: (512) 836-4817 F-9784

**RJ SURVEYING & ASSOCIATES, LLC**  
2900 JAZZ STREET, ROUND ROCK, TEXAS, 78664  
(512) 836-4793 FAX: (512) 836-4817

SHEET 1 OF 1 SHEETS

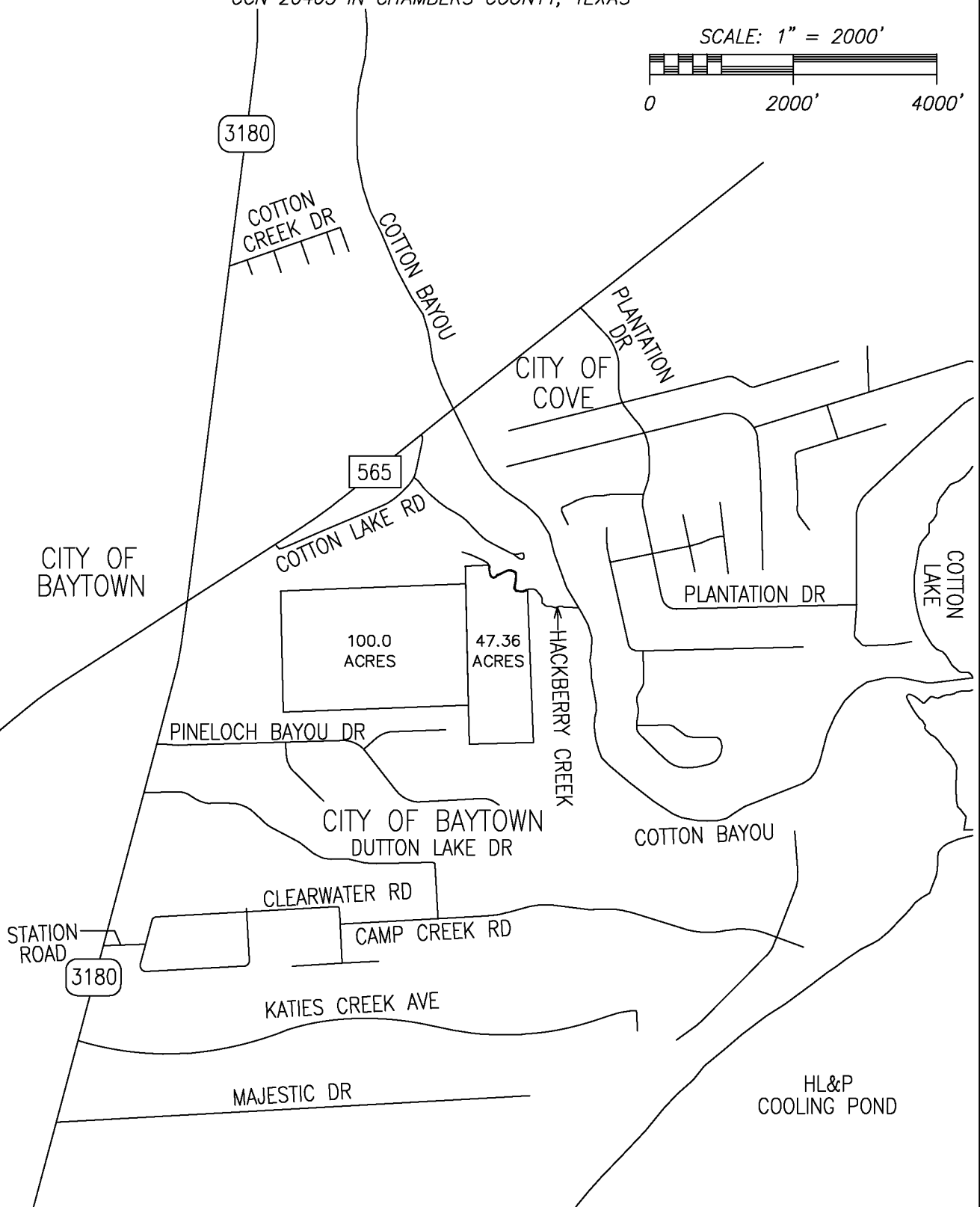
# LOCATION MAP MONTGOMERY ESTATES LLC TRACTS

100.0 ACRES AND 47.36 ACRES WITHIN GULF COAST WASTE DISPOSAL AUTHORITY  
CCN 20465 IN CHAMBERS COUNTY, TEXAS

SCALE: 1" = 2000'



S:\CIVIL 3D 2901-2950\2909 Montgomery Estates LLC CCN Decertification\CCN-Tracts-Sewer\Montgomery-Combined\Montgomery-Combined-Location-Map.dwg, 9/10/2021 4:14:07 PM



DATE: SEPTEMBER 10, 2021 SCALE: 1" = 2000'

**RJ SURVEYING & ASSOCIATES, LLC**

2900 JAZZ STREET, ROUND ROCK, TEXAS, 78664

F-10015400 (512) 836-4793 FAX: (512) 836-4817

**Exhibit C**

U.S. Postal Service Certified Mail Receipt

NEOPOST FIRST-CLASS MAIL  
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# First Class Mail

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Lloyd Gosselink  
ATTORNEYS AT LAW

Lloyd Gosselink Rochelle & Townsend, P.C.  
816 Congress Avenue Suite 1900 Austin, Texas 78701

To:  
GULF COAST AUTHORITY  
910 BAY AREA BLVD  
HOUSTON, TX 77058

Certified Mail  
Return Receipt Requested

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**OFFICIAL USE**

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<input type="checkbox"/> Return Receipt (hardcopy)	\$ 2.85
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$ 2.16
Total Postage and Fees	\$ 8.56

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GULF COAST AUTHORITY  
910 BAY AREA BLVD  
HOUSTON, TX 77058

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

**Exhibit D**

Notarized Affidavit of Iqbal “John” Khowaja

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

PETITION OF MONTGOMERY	§	PUBLIC UTILITY COMMISSION
ESTATES, LLC TO AMEND GULF	§	
COAST AUTHORITY'S SEWER	§	OF TEXAS
CERTIFICATE OF CONVENIENCE AND	§	
NECESSITY NO. 20465 IN CHAMBERS	§	
COUNTY BY STREAMLINED	§	
EXPEDITED RELEASE UNDER TEXAS	§	
WATER CODE § 13.2541 AND 16	§	
TAC § 24.245(h)	§	

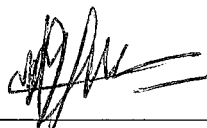
**AFFIDAVIT OF IQBAL "JOHN" KHOWAJA**

On this day, appeared before me, the undersigned notary public, Iqbal "John" Khowaja, President of Montgomery Estates, LLC ("*Montgomery Estates*"), a Texas limited partnership, and after I administered an oath to him, upon his oath, he said:

"My name is Iqbal "John" Khowaja. I am the President of Montgomery Estates, LLC. I am more than twenty-one (21) years of age and capable of making this affidavit. I have personal knowledge of the facts stated herein, which are true and correct.

1. Montgomery Estates owns a 47.36-acre tract of land and a 100-acre tract of land in Chambers County, Texas (cumulatively, the "*Release Tracts*").
2. A copy of the deed demonstrating ownership of the Release Tracts by Montgomery Estates is included as **Exhibit A** of that certain Petition of Montgomery Estates, LLC to Amend Gulf Coast Authority's Sewer Certificate of Convenience and Necessity No. 20465 in Chambers County by Streamlined Expedited Release (the "*Petition*").
3. The Petition is being submitted under Texas Water Code § 13.2541 and 16 Texas Administrative Code § 24.245(h).
4. Under the Petition, Montgomery Estates seeks streamlined expedited release of the Release Tracts from sewer Certificate of Convenience and Necessity ("*CCN*") No. 20465, held by Gulf Coast Authority.

5. Attached as **Exhibit B** to the Petition are general-location and detailed maps as well as digital mapping data in shapefile format, including a single, continuous polygon record, which depict the Release Tracts and demonstrate that they are at least 25 acres in size and located within the Gulf Coast Authority sewer CCN in Chambers County, Texas.
  6. The Release Tracts have never received retail sewer service from Gulf Coast Authority.
  7. The Release Tracts are not currently receiving retail sewer service from Gulf Coast Authority.
  8. Montgomery Estates has never requested that Gulf Coast Authority provide sewer service to the Release Tracts.
  9. Montgomery Estates has no contracts with Gulf Coast Authority for the provision of sewer service to the Release Tracts.
  10. Montgomery Estates has not received any bills from Gulf Coast Authority for sewer service to the Release Tracts.
  11. Attached as **Exhibit C** to the Petition, as proof that a copy of the Petition was mailed to Gulf Coast Authority via certified mail on the same day I submitted the Petition with the Public Utility Commission of Texas, is a U.S. Postal Service Certified Mail Receipt.”
- FURTHER AFFIANT SAYETH NOT.



---

Iqbal “John” Khowaja, President  
Montgomery Estates, LLC

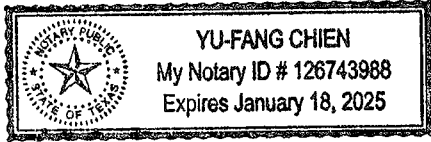


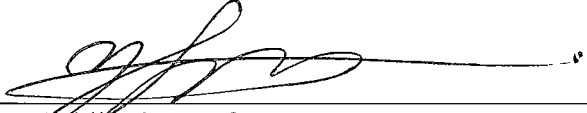
STATE OF TEXAS

COUNTY OF HarriS

§  
§  
§

Sworn to and subscribed before me the undersigned authority on this the 10th day  
of Sepe, 2021.



  
\_\_\_\_\_  
Notary Public, State of Texas

The following files are not convertible:

Combined.cpg  
Combined.dbf  
Combined.idx  
Combined.prj  
Combined.shp  
Combined.shx

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

Contact [centralrecords@puc.texas.gov](mailto:centralrecords@puc.texas.gov) if you have any questions.

TX83-SCF NAD83 Texas State Plane, South Central Zone 4204, US Foot  
EPSG Code 2278

The following files are not convertible:

Montgomery-Combined-Digital.dwg  
Montgomery-Combined-Large-Scale.dwg  
Montgomery-Combined-Location-Map.dwg

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Contact [centralrecords@puc.texas.gov](mailto:centralrecords@puc.texas.gov) if you have any questions.