



Filing Receipt

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Control Number - 52653

ItemNumber - 24

DOCKET NO. 52653

| | | |
|---------------------------------------|----------|----------------------------------|
| PETITION BY ELAND ENERGY, INC. | § | 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 May 26, 2022. In support thereof, the District would respectfully show the following:

Proof of Recording

On May 26, 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) (May 26, 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 June 13, 2022, in the real property records of Collin County, Texas:

- Affidavit of Grayson E. McDaniel, dated June 3, 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 Eland Energy, Inc. for Expedited Release Pursuant to Texas Water Code Section 13.2541, at Exhibit C-1 (Sep. 28, 2021).

Respectfully submitted,

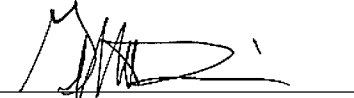
By: 

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
Fax (512) 900-2855
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 23rd day of June 2022.



Grayson E. McDaniel

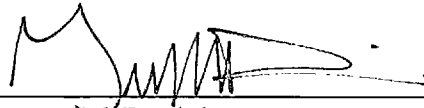
Exhibit A

PUC REQUIRED BOUNDARY DESCRIPTION

**Marilee Special Utility District; Portion of Water Service Area CCN. 10150;
PUC Docket 52653 – Petition of Eland Energy, Inc. 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. 52653. 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

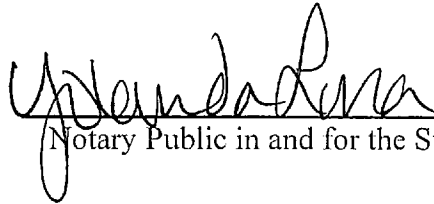
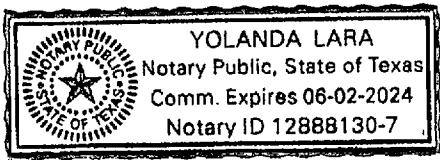
STATE OF TEXAS

§
§
§

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, June 3, 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

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Situated in the T.M. Roland Survey, Abstract Number 749, Collin County, Texas, and being a part of the called 24.035 acre tract described in the deed from Mary Ruth Leach and Emma Jean Weatherford to Ben Ownsby Choate recorded in Volume 1102, Page 653 of the Deed Records of Collin County, Texas and also being a part of the called 80 acre second tract described in the deed from Charles F. Choate to Ben Ownsby Choate recorded in Volume 642, Page 289 said Deed Records and being a part of a called 7.18 acre tract of land described in a deed to Charla Lee Choate as recorded in Volume 4630, Page 2373 of said Deed Records and also being more particularly described as follows:

BEGINNING for the Southwest corner of the tract being described herein at a 1/2" iron rod found on the North side of County Road No. 88 and the West right of way line of State Highway 289, said corner being the most Southerly Southwest corner of said 24.035 acre tract;

THENCE North 46 degrees 30 minutes 39 seconds West with the West line thereof and East line of said Highway a distance of 42.70 feet to a capped 1/2" iron rod found for and angle point in said line;

THENCE North 01 degrees 47 minutes 19 seconds West continuing with the East R.O.W. of said Highwayline, a distance of 278.30 feet to a capped 1/2" iron rod found for the Northwest corner of said 24.035 acres in the South line of said 80 acre tract;

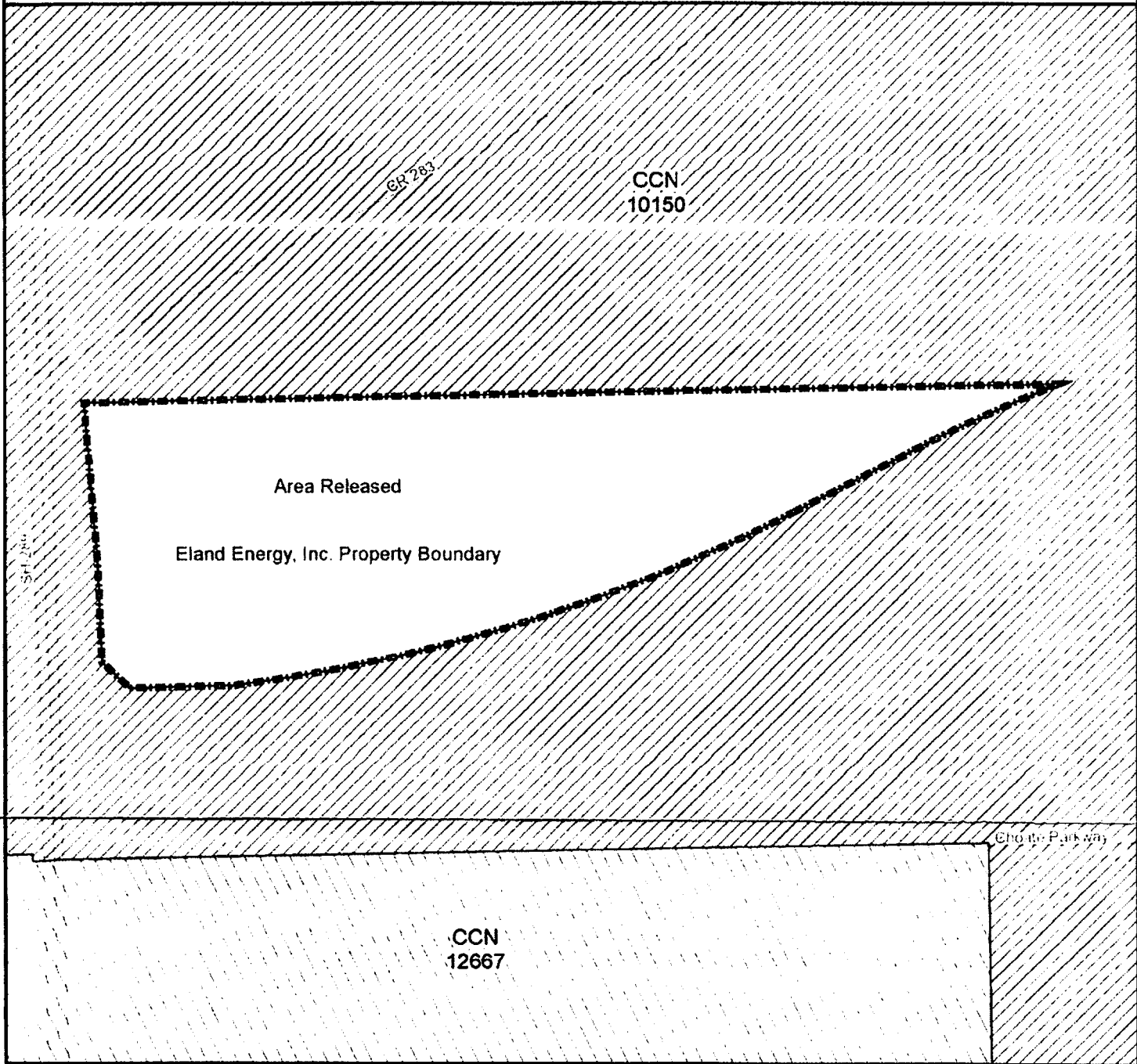
THENCE North 01 degrees 39 minutes 19 seconds West continuing with the East R.O.W. line of said Highway, a distance of 979.73 feet to a capped 1/2" iron rod found for the Northwest corner of the herein described tract;

THENCE North 89 degrees 07 minutes 33 seconds East, a distance of 2927.74 feet to a capped 1/2" iron rod found for the Northeast corner of the herein described tract;



THENCE South 00 degrees 34 minutes 47 seconds West, a distance of 1291.18 feet to a capped iron rod set in the South line of said 24.035 acre tract on the North side of said County Road, from which a 1/2" iron rod found for the Southwest corner of a certain 10.00 acre tract described in the deed recorded under Clerk's File Number 97-0061764 Deed Records; bears North 89 degrees 11 minutes 10 seconds East a distance of 60.0 feet;

THENCE South 89 degrees 11 minutes 10 seconds West with the South line of said 24.035 acre tract along the North side of said County Road, a distance of 2846.65 feet to the PLACE OF BEGINNING and enclosing 85.89 acres of land, more or less.

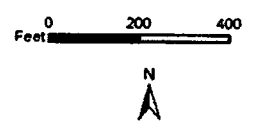
Marilee Special Utility District
 Portion of Water CCN No. 10150
 PUC Docket No. 52653
 Petition by Eland Energy, Inc. to Amend
 Marilee Special Utility District's CCN by Streamlined Expedited Release in Collin County



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

Water CCN
 10150 - Marilee SUD
 12667 - City of Celina

 Area Released
 Property Boundary



Map by: Komal Patel
 Date: January 4, 2022
 Project: 52653MarileeSUD.mxd



Public Utility Commission of Texas

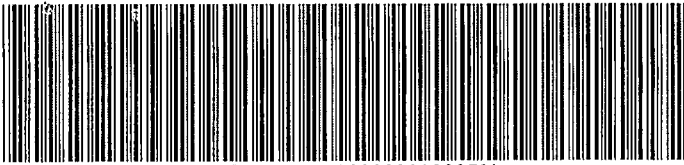
By These Presents Be It Known To All That

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. 52653 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.



VG-58-2022-202200092659

Collin County
Honorable Stacey Kemp
Collin County Clerk

Instrument Number: 202200092659

Real Property
MISCELLANEOUS

Recorded On: June 13, 2022 10:58 AM

Number of Pages: 5

" Examined and Charged as Follows: "

Total Recording: \$38.00

***** 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: 202200092659
Receipt Number: 20220613000362
Recorded Date/Time: June 13, 2022 10:58 AM
User: Amanda S
Station: Station 6

Record and Return To:

THE CARLTON LAW FIRM, P.L.L.C.
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