



## Filing Receipt

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

PETITION BY JO CAROLE HARDING	§	PUBLIC UTILITY COMMISSION
FERRIS, FOR STREAMLINED	§	
EXPEDITED RELEASE FROM WATER	§	OF TEXAS
CCN NO. 10089 HELD BY BETHESDA	§	
WATER SUPPLY CORPORATION	§	

**PETITION BY JO CAROLE HARDING FERRIS,  
FOR STREAMLINED EXPEDITED RELEASE  
PURSUANT TO TEXAS WATER CODE SECTION 13.2541**

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

COMES NOW Jo Carole Harding Ferris (“Petitioner”) and files this Petition with the Public Utility Commission of Texas (the “PUC”) for streamlined expedited release from water certificate of convenience and necessity (“CCN”) No. 10089, held by Bethesda Water Supply Corporation (“Bethesda”) pursuant to (i) Texas Water Code Section 13.2541; and (ii) Rule 24.245(h) of the Commission’s Rules found at 16 Tex. Admin. Code Section 24.245; and in support thereof would respectfully 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 streamlined expedited release of the area from a CCN.<sup>1</sup> 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.”<sup>2</sup> The rule adopted by the PUC pursuant to Section 13.2541 provides the same, and it recognizes that Tarrant County is a county in which owners of at least 25 acres are entitled to expedited release.<sup>3</sup> Under Section

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<sup>1</sup> TWC § 13.2541.

<sup>2</sup> *Id.*

<sup>3</sup> 16 Tex. Admin. Code §24.245(h)

13.2541(c), the PUC “shall grant a petition received not later than the 60<sup>th</sup> day after the date the landowner files the petition.”

## **II. REQUEST FOR STREAMLINED EXPEDITED RELEASE**

Petitioner owns approximately 105 acres of contiguous property in Tarrant County, Texas (the “Property”). The Property is located within the boundaries of water CCN No. 10089, held by Bethesda. None of the Property receives service from any water or sewer service provider. In support of this Petition, attached are the following exhibits:

1. Affidavit in support of this Petition is attached hereto as **Exhibit A**;
2. General Location Map is attached hereto as **Exhibit B**;
3. Detailed Property Map is attached hereto as **Exhibit C**; and
4. Property records (special warranty deed including metes and bounds description) is attached hereto as **Exhibit D**.

## **III. CONCLUSION AND PRAYER**

Texas Water Code Section 13.2541 entitles Petitioner to expedited release of the Property described herein and in the attached exhibits from CCN No. 10089. The Property is greater than 25 acres, is not receiving water or sewer service, and is entirely within Tarrant County. Under Section 13.2541(c), the PUC should grant this Petition no later than the 60<sup>th</sup> day after the date of filing. Petitioner respectfully requests 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. 10089.

Respectfully submitted,

WINSTEAD PC

By: /s/ Scott Eidman

Scott W. Eidman

State Bar No. 24078468

seidman@winstead.com

2728 N. Harwood Street

Suite 500

Dallas Texas 75201

Telephone: (214) 745-5484

Facsimile: (214) 745-5390

**ATTORNEY FOR PETITIONER**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 5th day of November, 2021, a true and correct copy of the Petition by Jo Carole Harding Ferris for Streamlined Expedited Release Pursuant to Texas Water Code Section 13.2541 was sent, via certified mail, return receipt requested to the following recipient at the address indicated.

**Via Certified Mail, RRR**

Bethesda Water Supply Corporation  
509 S Burleson Blvd  
Burleson, Texas 76028

/s/ Scott Eidman  
Scott W. Eidman

**EXHIBIT A**

<b>PETITION BY JO CAROLE HARDING</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>FERRIS, FOR STREAMLINED</b>	<b>§</b>	
<b>EXPEDITED RELEASE FROM WATER</b>	<b>§</b>	<b>OF TEXAS</b>
<b>CCN NO. 10089 HELD BY BETHESDA</b>	<b>§</b>	
<b>WATER SUPPLY CORPORATION</b>	<b>§</b>	

**AFFIDAVIT OF JO CAROLE HARDING FERRIS IN SUPPORT OF PETITION FOR  
STREAMLINED EXPEDITED RELEASE FROM WATER CCN NO. 10089  
HELD BY BETHESDA WATER SUPPLY CORPORATION  
PURSUANT TO TEXAS WATER CODE SECTION 13.2541**

STATE OF TEXAS           §  
  §  
COUNTY OF TARRANT   §

BEFORE ME, the undersigned notary, personally appeared Jo Carole Harding Ferris, the affiant, a person who is known to me. After administering an oath, the affiant testified that:

1.       “My name is Jo Carole Harding Ferris, 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 owner of approximately 105 acres located in Tarrant County (the “Property”). The Property is located within the boundaries of water CCN No. 10089 issued to Bethesda Water Supply Corporation. The Property is over 25 acres in size, and consists of contiguous tracts of land. Exhibit B attached to this Petition is a true and correct copy of a map identifying the Property, its location, and the area of the CCNs.

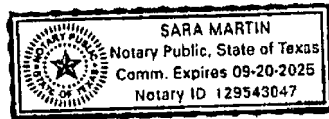
3.       The Property is not receiving water or sewer service from Bethesda Water Supply Corporation. The Petitioner has not requested water or sewer service from Bethesda Water Supply Corporation or paid any fees or charges to initiate or maintain water service, and there are no billing records or other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

5.       I request that the Public Utility Commission of Texas release this Property from water CCN No. 10089.”

FURTHER AFFIANT SAYETH NOT.

Jo Carole Harding Ferris  
Jo Carole Harding Ferris

SWORN TO AND SUBSCRIBED TO BEFORE ME by Jo Carole Harding Ferris on  
August 17, 2021

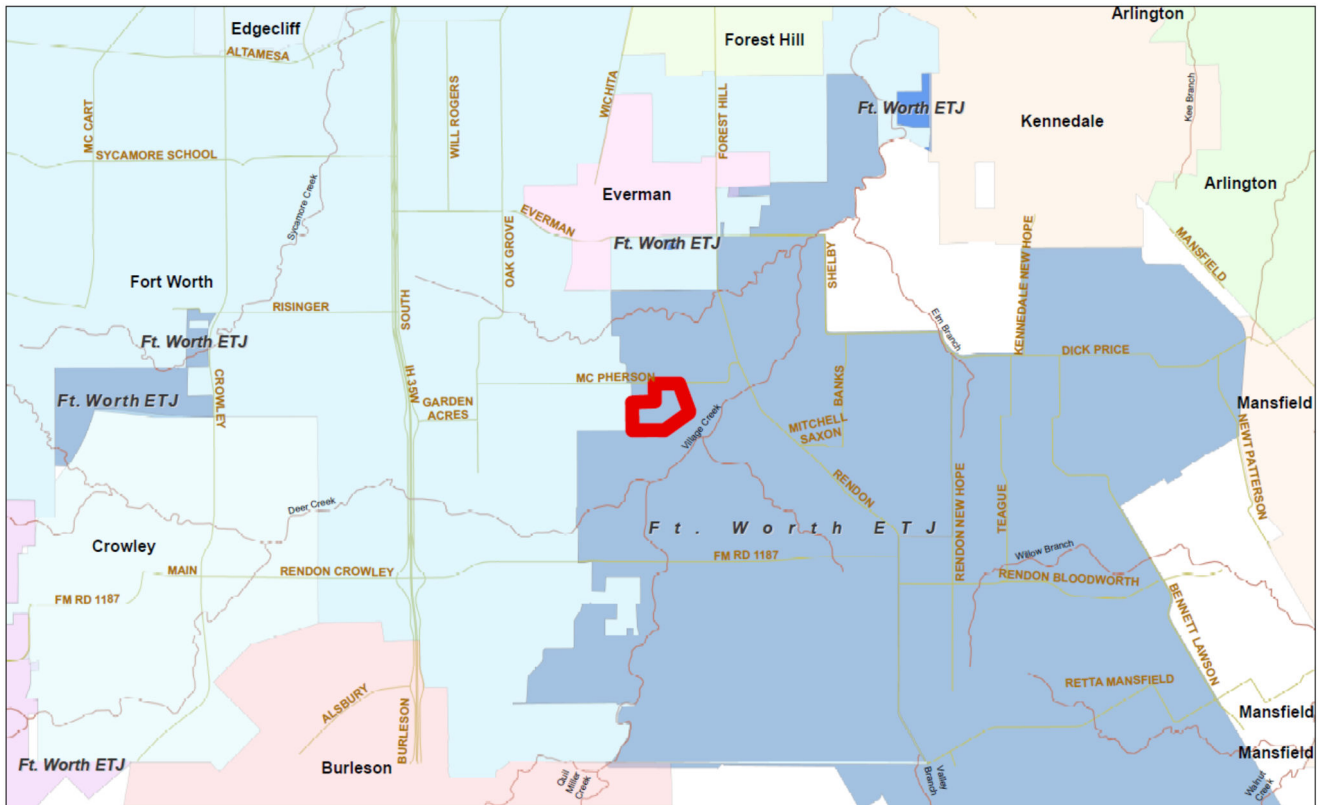


(SEAL)

[Signature]  
Notary Public, State of Texas

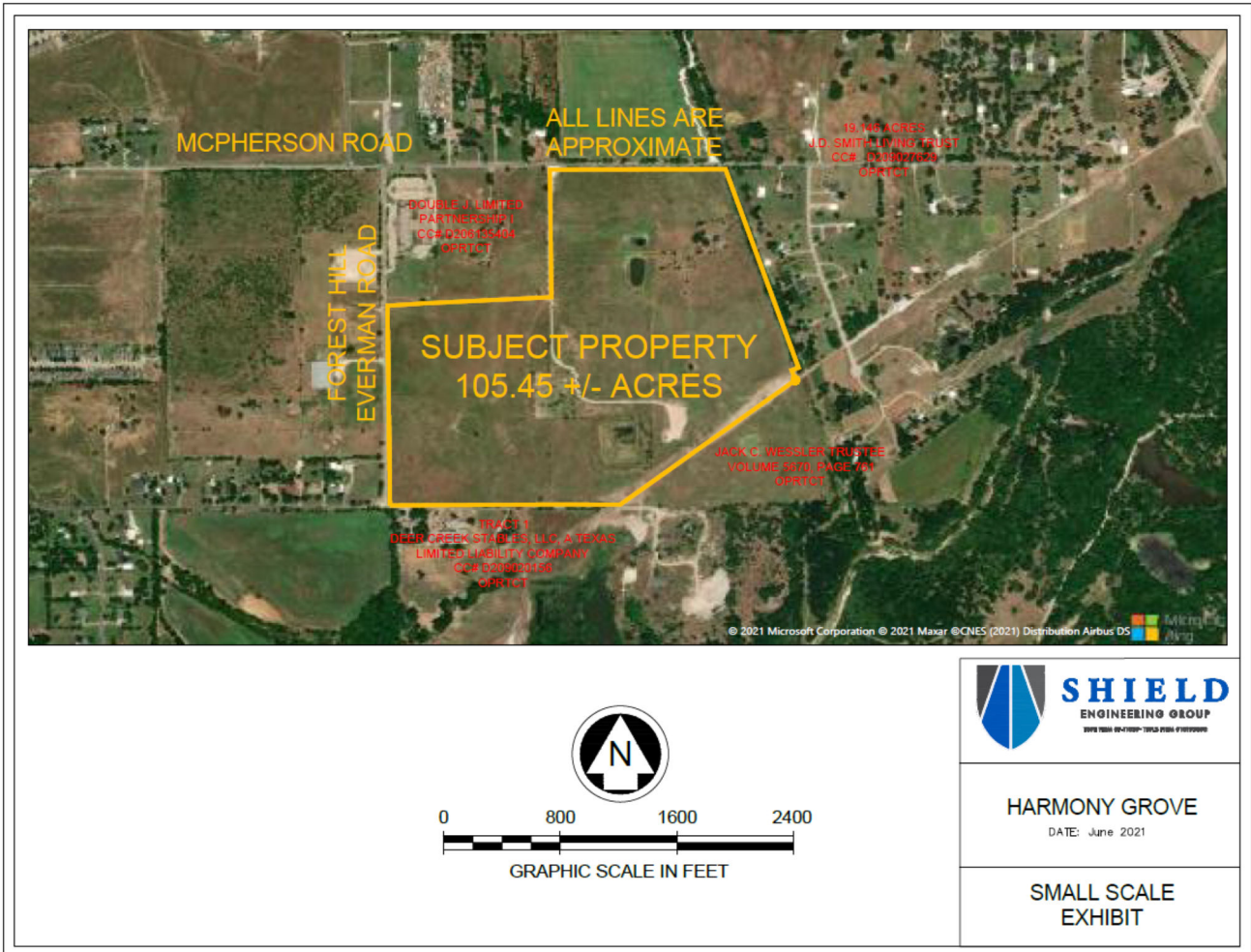
## EXHIBIT B GENERAL LOCATION MAP

Harmony Grove - Location Map





**EXHIBIT C**  
**DETAILED PROPERTY MAP**



**EXHIBIT D  
DEED**

Page 1 of 5

**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 ANY INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**SPECIAL WARRANTY DEED**

STATE OF TEXAS

COUNTY OF TARRANT

KNOW ALL MEN BY THESE PRESENTS:

That I, JO CAROLE HARDING FERRIS, Individually and as the Independent Executrix of the Estate of Robert J. Harding, M.D., deceased, of Fort Worth, Tarrant County, Texas ("Grantor") for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), other good and valuable consideration, and in accordance with the terms of the Will of Robert J. Harding, M.D., deceased, admitted to probate in Cause No. 78-4731 C in the Probate Court of Tarrant County, Texas, in accordance with the Trust created under the Will of Robert J. Harding, M.D., deceased, and the execution of that certain Family Settlement Agreement dated June 12, 2009, the receipt of all of which is hereby acknowledged, have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto JO CAROLE HARDING FERRIS, Trustee of the Trust created under the Will of Robert J. Harding, deceased, said Will being admitted to probate in Cause No. 78-4731 C in the Probate Court of Tarrant County, Texas, whose address is 4101 Coral Circle, Fort Worth, Texas 76126 ("Grantee") an undivided one-half (1/2) interest in and to the following described real property in Tarrant County, Texas, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF JUST AS IF COPIED VERBATIM HEREIN.

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, her successors and assigns forever; and I do hereby bind myself, my heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, her successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise.

This conveyance is made and accepted subject to any and all easements, restrictions and reservations of record affecting the title to the above-described property and filed in the office of the County Clerk of Tarrant County, Texas.

Witness my hand this 21<sup>st</sup> day of Dec., 2009.

*Jo Carole Harding Ferris*  
Jo Carole Harding Ferris, Individually and as  
Independent Executrix of the Estate of Robert J.  
Harding, M.D., deceased

THE STATE OF TEXAS

COUNTY OF TARRANT

This instrument was acknowledged before me on this 21<sup>st</sup> day of December, 2009,  
by Jo Carole Harding Ferris in the capacities therein stated.



*Shirley Pool*  
Notary Public, State of Texas

Grantee's address:

Ms. Jo Carole Harding Ferris, Trustee  
4101 Coral Circle  
Fort Worth, Texas 76126

AFTER RECORDING PLEASE RETURN TO:

Ms. Lisa Jamieson, Esq.  
c/o Shannon, Gracey, Ratliff & Miller, LLP  
777 Main Street, Suite 3800  
Fort Worth, Texas 76102-5304

TRACT I:

A part of the Hiram Little Survey,  
Patent No. 3, Tarrant County, Texas, and  
being more particularly described as follows:

BEGINNING at a steel rod that is South 338  
Varas, West 1889.0 Varas, and S 0 deg. 45 min.  
E. 323.75 varas from the Northeast corner of  
said Little Survey; a point in the West line  
of a tract owned by Robert J. Harding, et al;

THENCE S 0 deg. 45 min. E, 1425.7 feet  
to a 1 inch steel pipe at the Southeast corner  
of a 21.18 acre tract;

THENCE S 89 deg. 50 min. W, at 391.7  
feet passing the Southwest corner of said  
21.18 acre tract, in all 1142.2 feet to a  
steel rod at the Southwest corner of a 40.0  
acre tract, said point being in the center  
of a County Road; and in the East line of a  
tract deeded to Marshall S. Bellah and wife  
by deed recorded in vol. 1505, page 42,  
Deed Records, Tarrant County, Texas;

THENCE N 0 deg. 53 min. W, with the  
center of said Road 1366.5 feet to a point  
for corner;

THENCE N 86 deg. 10 min E, at 16.9 feet  
passing a steel rod, in all 281.7 feet to  
a steel rod;

THENCE N 87 deg. 07 min E, 864.6 feet  
to the point of beginning and containing  
16.82 Acres of land more or less.

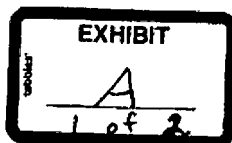
TRACT II:

BEGINNING 338 varas South and 1459 varas  
West of the Northeast corner of the Hiram  
Little Survey, said point of beginning being  
394 varas West of a tract of land out of said  
Hiram Little Survey deeded to S.J. Foust by  
John A. Parks on the 29th day of December,  
1904, said deed being of record in Vol. 200,  
Page 119, of the Deed Records of Tarrant  
County, Texas, said point of beginning being  
also in the West line of the I. & G.N. Co.'s  
right-of-way;

THENCE with said right-of-way south  
20-1/4 degrees East 437 varas;

THENCE south 69-3/4 degrees West 118  
varas;

THENCE South 20-1/4 degrees East 354  
varas;



THENCE West with fence line 508 varas;

THENCE North  $3/4$  degrees West 836 varas;

THENCE East 287 varas to the place of beginning,

LESS 10.25 acres, more or less, conveyed from Robert J. Harding to Jack C. Wessler, Trustee, by warranty deed recorded in Vol. 5670, Page 761 of the Deed Records of Tarrant County, Texas.

TRACT III:

21.18 acres, BEGINNING 338 varas South and 1746 varas West of the Northeast corner of said Little Survey, said point of beginning being 681 varas West of the Northeast corner of a tract of land deeded to S.J. Foust by John Parks on the 29th day of December, 1904, said deed being of record in Vol. 200, page 319, of the Deed Records of Tarrant County, Texas;

THENCE South  $3/4$  degrees East 836 varas;

THENCE West 143 varas;

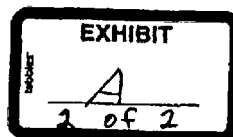
THENCE North  $3/4$  degrees West 836 varas;

THENCE East 143 varas to the place of beginning, containing 21.18 acres of land;

SAVE AND EXCEPT that portion of the above described tracts heretofore conveyed to Texas Electric Service Company by deed from Paul L. Hamilton and wife, Alice Hamilton, dated January 13th, 1962, recorded in Vol. 3643, page 191, of the Deed Records of Tarrant County, Texas; and

FURTHER SAVE AND EXCEPT any part or portion thereof in the use or occupancy of any public road or highway.

This conveyance is made subject to easement and Right-of-Way from J.W. Foust and wife, Mrs. Lula Foust, to Texas Electric Service Co., dated April 4th, 1940, recorded in Vol. 1296, page 505, of the Deed Records of Tarrant County, Texas.



SUZANNE HENDERSON

COUNTY CLERK



100 West Weatherford Fort Worth, TX 76196-0401

PHONE (817) 884-1195

C/O SHANNON GRACEY ET AL  
777 MAIN ST # 3800  
FT WORTH, TX 76102

Submitter: SHANNON GRACEY

**DO NOT DESTROY**  
**WARNING - THIS IS PART OF THE OFFICIAL RECORD.**

Filed For Registration: 12/30/2009 3:50 PM

Instrument #: D209337628

WD

5

PGS

\$28.00

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

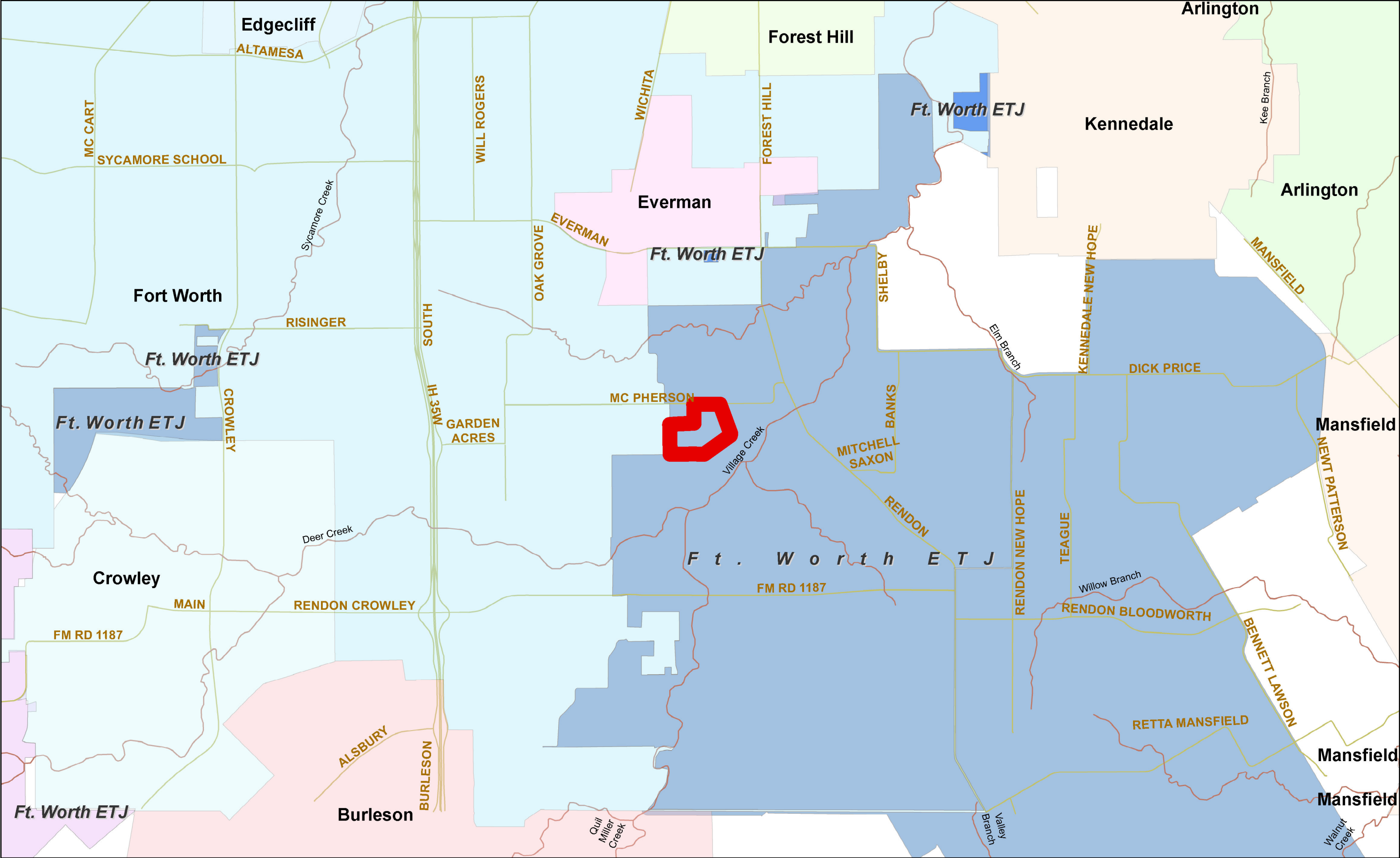
*Suzanne Henderson*

D209337628

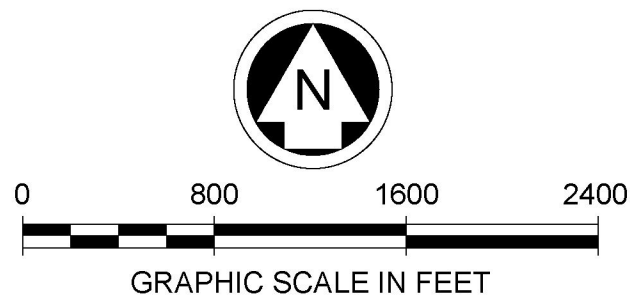
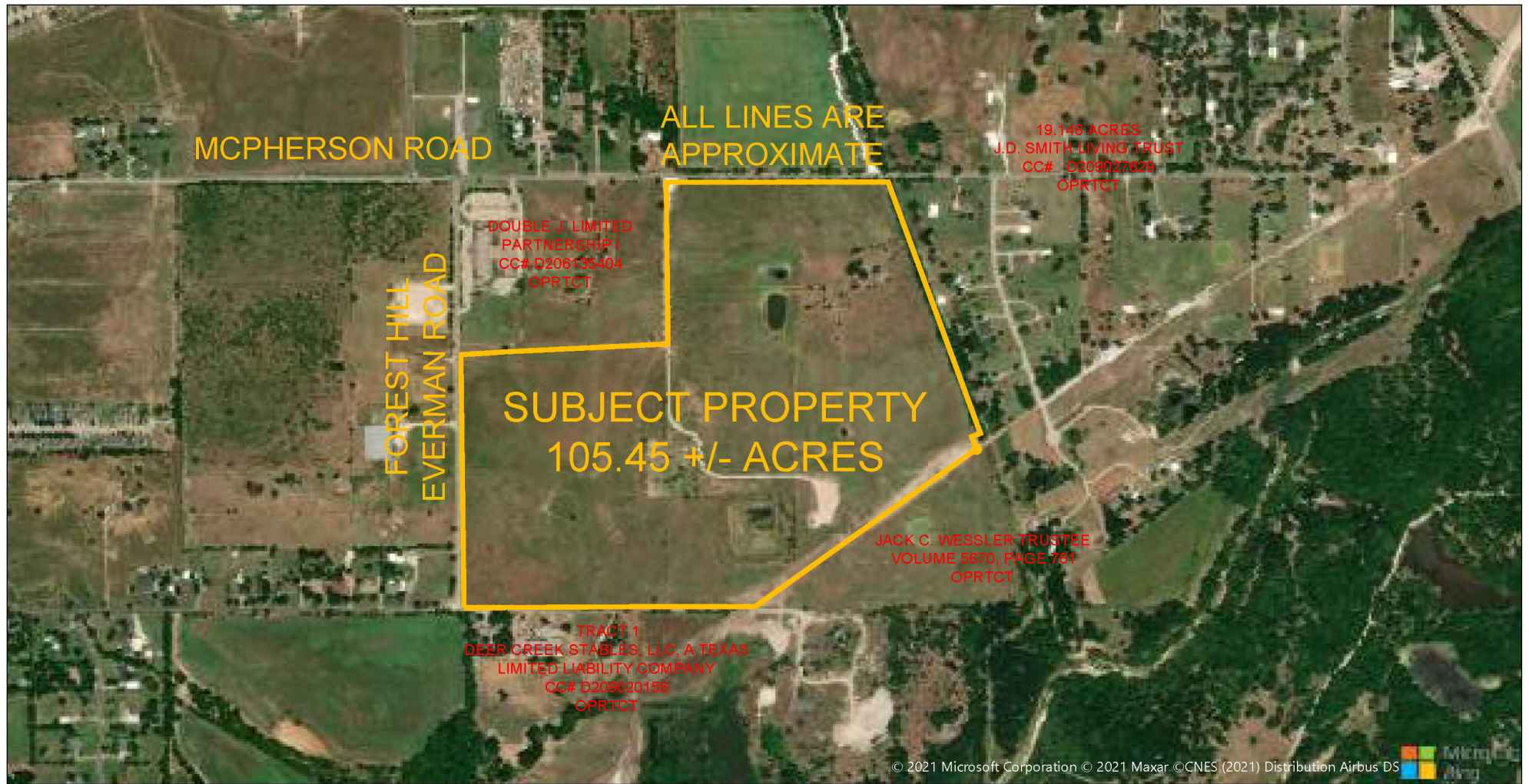
ANY PROVISION WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY  
BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

Prepared by: AKCHRISTIAN

Harmony Grove - Location Map







**HARMONY GROVE**

DATE: June 2021

**SMALL SCALE  
EXHIBIT**



The following files are not convertible:

Harmony Grove BND.cpg  
Harmony Grove BND.dbf  
Harmony Grove BND.idx  
Harmony Grove BND.prj  
Harmony Grove BND.shp  
Harmony Grove BND.shx

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