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Control Number - 52916

ItemNumber - 17

PUC DOCKET NO. 52916

PETITION BY CHARLES D. CARTER	§	BEFORE THE
FOR EXPEDITED RELEASE FROM	§	
WATER CCN NO. 10150	§	PUBLIC UTILITY COMMISSION
HELD BY MARILEE SPECIAL UTILITY	§	
DISTRICT IN COLLIN COUNTY	§	OF TEXAS

**FIRST AMENDED PETITION FOR EXPEDITED RELEASE PURSUANT TO TEXAS
WATER CODE SECTION 13.2541**

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

Petitioners, through and with their successor in interest to the property that is the subject of this docket, Sater, L.P., files this First Amended 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 shows 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. *See* 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

Sater, L.P. owns approximately 275.509 acres of property in Collin County (the “Overall Property”), which is located within the boundaries of Water CCN No. 10150 issued to Marilee Special Utility District (“Marilee SUD”). Sater, L.P. seeks release of 262.79 acres of the Overall Property (the “Requested Area”) from CCN No. 10150, as reflected on attached exhibits and shapefiles. An Affidavit in support of this Petition is attached hereto as Exhibit “A.” Exhibits “B-1 and B-2” are true and correct copies of a general location map and detailed map. The detailed map identifies the Property as Tract 1, containing 145.52 acres; and Tract 2, containing 129.977 acres. Sater, L.P. is the owner of the Overall Property as evidenced by a true and correct copy of the Special Warranty Deed attached as Exhibit “C.” The deed includes the original 145.52 acres that was the original subject of this Docket (Tract 1) as well as the 129.977 (Tract 2) acres originally the subject of Docket No. 52917, which has been dismissed. Tract 1 and Tract 2 were purchased by Sater, L.P. on or about December 17, 2021 resulting in common ownership of the Overall Property. *See* Exhibit “C.” Digital mapping identifying the Overall Property and Requested Area is being submitted in this docket. The location of water meters near the Requested Area are identified on Exhibit “D.”

III. REQUEST TO RESTYLE DOCKET TO REFLECT PROPER OWNER

Sater, L.P., a Texas limited partnership respectfully requests the Docket be restyled as *Petition of Sater, L.P. to Amend Marilee Special Utility District’s Certificate of Convenience and Necessity in Collin County By Streamlined Expedited Release* as it is the current owner of the Property and proper Petitioner. The ownership is of the same 145.52 that has always been the subject of this Docket. It also adds 129.977 acres that was the subject of Docket No. 52917.

Addition of the 129.977 to this docket is proper because both tracts now have common ownership through Sater L.P. and are within close proximity to each other. Sater L.P. requests continued consideration of decertification of the Requested Area through this Docket so that work is not duplicated and so there is not further delay in decertification of the Requested Area.

IV. CONCLUSION AND PRAYER

Texas Water Code Section 13.2541 entitles a landowner to expedited release of the Requested Area described herein. The Requested Area is greater than 25 acres, is not receiving water or sewer service, and is 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. The landowner respectfully requests that the PUC grant this Petition and issue an order under the authority of Section 13.2541 releasing all portions of the Requested Area that are within the boundaries of Water CCN No. 10150.

Respectfully submitted,

COATS | ROSE

By: 

Natalie B. Scott
State Bar No. 24027970
nscott@coatsrose.com
Terrace 2
2700 Via Fortuna, Suite 350
Austin, Texas 78746
(512) 469-7987 Telephone
(512) 469-9408 Telecopier

ATTORNEY FOR PETITIONER

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of March, 2022, a true and correct copy of the document 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
230 West Pecan Street
Celina, Texas 75009

Via Certified Mail, RRR

Attorneys for Marilee Special Utility District:

John J. Carlton and Grayson E. McDaniel
The Carlton Law Firm, P.L.L.C.
4301 Westbank Drive, Suite B-130
Austin, Texas 78746
Email: john@carltonlawaustin.com
Email: grayson@carltonlawaustin.com

Attorneys for PUC:

Anthony Kanales
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
Email: Anthony.Kanales@puc.texas.gov



Natalie B. Scott

EXHIBIT "A"

Affidavit of Jacob Allen

PUC DOCKET NO. 52916

PETITION BY CHARLES D. CARTER	§	BEFORE THE
FOR EXPEDITED RELEASE FROM	§	
WATER CCN NO. 10150	§	PUBLIC UTILITY COMMISSION
HELD BY MARILEE SPECIAL UTILITY	§	
DISTRICT IN COLLIN COUNTY	§	OF TEXAS

AFFIDAVIT OF JACOB ALLEN IN SUPPORT OF FIRST AMENDED PETITION

STATE OF TEXAS §

COUNTY OF COLLIN §

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

1. “My name is Jacob Allen. 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 a Manager of Allen’s Happy Place LLC, the general partner of Sater, L.P., the Petitioner in the above-captioned matter and owner of approximately 275.509 acres of contiguous property in Collin County, Texas (the “Overall Property), which is located within the boundaries of Water CCN No. 10150 issued to Marilee Special Utility District (“Marilee SUD”). Petitioner seeks release of 262.79 acres of the Overall Property (the “Requested Area”) from CCN No. 10150, as reflected on attached exhibits and shapefiles. Exhibits “B-1 and B-2” are true and correct copies of a general location map and detailed map. Petitioner is the owner of the Overall Property as evidenced by a true and correct copy of the Special Warranty Deed attached as Exhibit “C.” The location of water meters near the Requested Area are identified on Exhibit “D.” Digital mapping identifying the Overall Property and Requested Area is being submitted in this docket.


3. The Requested Area is not receiving water or sewer service from Marilee SUD or any other water or sewer service provider.

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

FURTHER AFFIANT SAYETH NOT.

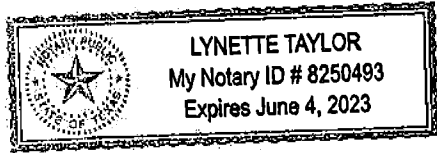
SATER, L.P., a limited partnership

By: Allen's Happy Place LLC, its general partner

By: 

Jacob Allen, Manager

SWORN TO AND SUBSCRIBED TO BEFORE ME by Jacob Allen on the 9th of
March , 2022.

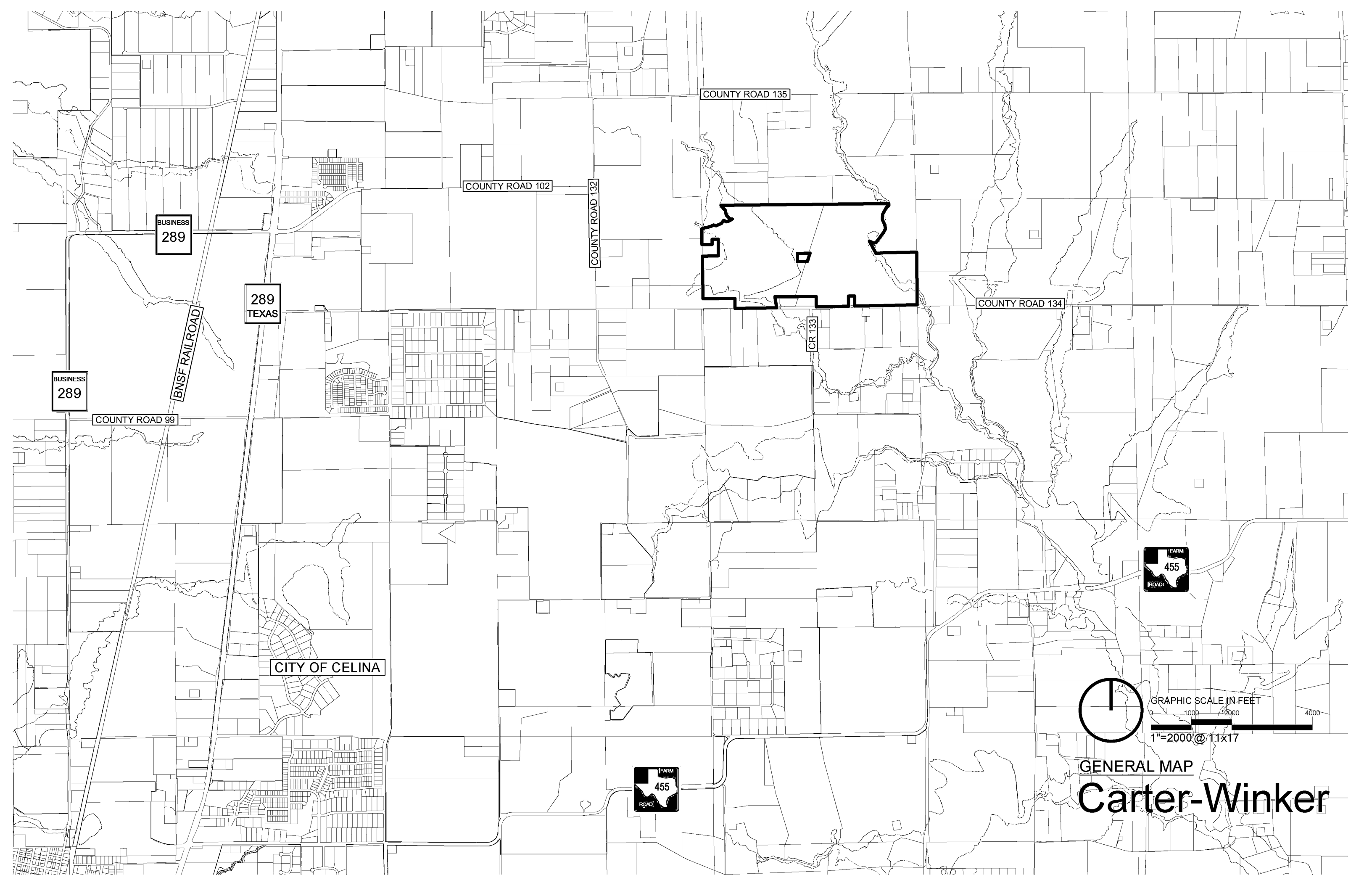




Notary Public, State of Texas.

EXHIBIT "B-1"

General Map



COUNTY ROAD 135

COUNTY ROAD 102

COUNTY ROAD 132

COUNTY ROAD 134

BUSINESS
289

289
TEXAS

BUSINESS
289

BNSF RAILROAD

COUNTY ROAD 99

CR 133

CITY OF CELINA



GRAPHIC SCALE IN FEET
0 1000 2000 4000

1"=2000' @ 11x17

GENERAL MAP

Carter-Winker

EXHIBIT "B-2"

Detailed Map

FEMA ZONE "A"
UNNAMED
TRIBUTARY

AREA TO BE DECERTIFIED
(±262.79 Ac.)

FEMA ZONE "A"
UNNAMED
TRIBUTARY

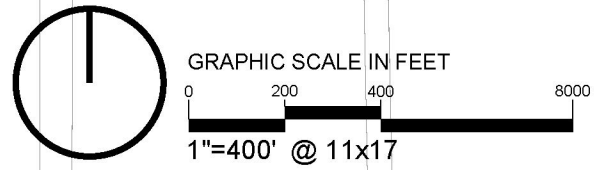
TRACT 1
145.52 Ac.
CALLED 145.532 ACRES
SATER, LP
CC NO. 20211217002551220
OPRCCT

TRACT 2
129.977 Ac.
CALLED 129.978 ACRES
SATER, LP
CC NO. 20211217002551220
OPRCCT

SOIL CONSERVATION LAKE
VOL. 506, PG. 378
DRCCT
MODIFIED IN
VOL. 513, PG. 270
DRCCT

COUNTY ROAD 134

CR 133



DETAILED MAP

Carter-Winker

DOCKET # 52916

BEING a tract of land situated in the B. E. Blackwell Survey, Abstract No. 93, and being a portion of Tract 1, a called 145.520-acre tract of land, and a portion of Tract 2, a called 129.977 acre tract of land, described in a Special Warranty Deed to Sater L.P., recorded in Instrument No. 20211217002551220 of the Official Public Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at the southeast corner of said Tract 2, a called 129.977 acre tract of land and the southwest corner of a called 0.7825-acre tract of land, described in a deed to Celina Independent School District, recorded in County Clerk's File No. 97-0036542 of the Land Records of Collin County, Texas, same also being in County Road 134, an apparent public use right of way;

THENCE South 88°49'09" West, along the southerly line of said Tract 2, a called 129.977 acre tract of land and said County Road 134, a distance of 834.38 feet to a point for corner;

THENCE South 88°48'59" West, continuing along the southerly line of said Tract 2, a called 129.977 acre tract of land and said County Road 134, a distance of 716.99 feet to a point for corner;

THENCE North 01°11'01" West, departing the southerly line of said Tract 2, a called 129.977 acre tract of land and said County Road 134, crossing said Tract 2, a called 129.977 acre tract of land, a distance of 250.00 feet to a point for corner;

THENCE South 88°48'59" West, continuing across said Tract 2, a called 129.977 acre tract of land, a distance of 150.00 feet to a point for corner;

THENCE South 01°11'01" East, continuing across said Tract 2, a called 129.977 acre tract of land, a distance of 250.00 feet to a point for corner on the southerly line of said Tract 2, a called 129.977 acre tract of land, same being in said County Road 134;

THENCE South 88°48'59" West, along the southerly line of said Tract 2, a called 129.977 acre tract of land, and said County Road 134, a distance of 802.35 feet to a point for corner;

THENCE North 00°53'33" West, departing the southerly line of said Tract 2, a called 129.977 acre tract of land and said County Road 134, crossing said Tract 2, a called 129.977 acre tract of land, a distance of 259.45 feet to a point for corner;

THENCE South 89°06'27" West, continuing across said Tract 2, a called 129.977 acre tract of land, a distance of 438.06 feet to the northeast corner of a called 3.283-acre tract of land, described in a Warranty Deed to Grayson Collin Electric Cooperative, Inc., as recorded in Volume 1238, Page 347 of the Land Records of Collin County, Texas, same being on the westerly line of said Tract 2, a called 129.977 acre tract of land;

THENCE South 89°51'50" West, along a westerly line of said Tract 2, a called 129.977 acre tract of land and the northerly line of said 3.283-acre tract, passing a southwest corner of said 129.978-acre tract and the easterly, southeast corner of said Tract 1, a called 145.520-acre tract of land, continuing along the southerly line of said Tract 1, a called 145.520-acre tract of land, a distance of 584.28 feet to feet to the northwest corner of said 3.283-acre tract;

THENCE South 09°03'35" East, along an easterly line of said Tract 1, a called 145.520-acre tract and the westerly line of said 3.283-acre tract, a distance of 276.62 feet to the southerly, southeast

corner of said Tract 1, a called 145.520-acre tract and the southwest corner of said 3.283-acre tract, same being in aforesaid County Road 134;

THENCE South 89°06'27" West, along the southerly line of said Tract 1, a called 145.520-acre tract and said County Road 134, a distance of 1,032.67 feet to a point for corner;

THENCE North 00°53'22" West, departing the southerly line of said Tract 1, a called 145.520-acre tract and said County Road 134, crossing said 145.532-acre tract, a distance of 250.00 feet to a point for corner;

THENCE South 89°06'27" West, continuing across said Tract 1, a called 145.520-acre tract, a distance of 786.16 feet to a point for corner on the westerly line of said Tract 1, a called 145.520-acre tract, same being the easterly line of a called 52.399-acre tract of land, described in a Warranty Deed with Vendor's Lien to Sater, L.P., recorded in Instrument No. 20190402000347490 of the Official Public Records of Collin County, Texas;

THENCE North 01°04'35" West, along the westerly line of said Tract 1, a called 145.520-acre tract, the easterly line of said 52.399-acre tract, a distance of 1,057.96 feet to a point for corner;

THENCE North 88°55'25" East, departing the westerly line of said Tract 1, a called 145.520-acre tract, the easterly line of said 52.399-acre tract, crossing said Tract 1, a called 145.520-acre tract, a distance of 400.54 feet to a point for corner a distance of 400.54 feet to a point for corner;

THENCE North 01°04'35" West, continuing across said Tract 1, a called 145.520-acre tract, a distance of 410.60 feet to a point for corner;

THENCE South 88°55'25" West, continuing across said Tract 1, a called 145.520-acre tract, a distance of 150.53 feet to a point for corner;

THENCE South 01°04'35" East, continuing across said Tract 1, a called 145.520-acre tract, a distance of 125.00 feet to a point for corner;

THENCE South 88°55'25" West, continuing across said Tract 1, a called 145.520-acre tract, a distance of 250.00 feet to a point for corner on the westerly line of said Tract 1, a called 145.520-acre tract, and the easterly line of said 52.399-acre tract;

THENCE North 01°04'35" West, along the westerly line of said Tract 1, a called 145.520-acre tract, the easterly line of said 52.399-acre tract and the easterly line of a called 192.24-acre tract described in a Special Warranty Deed to Sater, L.P., recorded in Volume 4124, Page 279 of the Land Records of Collin County, Texas, a distance of 389.95 feet to a point for corner in the center of a creek;

THENCE continuing along the westerly line of said Tract 1, a called 145.520-acre tract, the easterly line of said 192.24-acre tract and along the centerline of said creek, the following:

North 74°16'01" East, a distance of 57.88 feet to a point for corner;

North 61°00'40" East, a distance of 37.95 feet to a point for corner;

South 89°47'04" East, a distance of 44.28 feet to a point for corner;

North 72°31'18" East, a distance of 118.98 feet to a point for corner;

North 57°37'03" East, a distance of 53.54 feet to a point for corner;

South 70°54'28" East, a distance of 68.86 feet to a point for corner;

North 64°52'49" East, a distance of 145.32 feet to a point for corner;

North 36°34'40" East, a distance of 91.40 feet to a point for corner;

South 61°37'50" East, a distance of 71.92 feet to a point for corner;

North 74°22'27" East, a distance of 76.14 feet to a point for corner;

North 59°55'14" East, a distance of 90.75 feet to a point for corner;

North 85°47'43" West, a distance of 60.27 feet to a point for corner;

North 42°38'43" West, a distance of 132.00 feet to a point for corner;

North 10°23'43" West, a distance of 116.00 feet to a point for corner;

North 44°25'43" West, a distance of 142.30 feet to a point for corner;

North 22°41'43" West, a distance of 26.90 feet to the northwest corner of said Tract 1, a called 145.520-acre tract, same being the southwest corner of a called 4.41-acre tract, described in a General Warranty Deed to Robert Bishop and wife, Kimberly Bishop, recorded in Volume 6080, Page 3713 of the Land Records of Collin County, Texas;

THENCE North 89°26'23" East, departing said creek, along the northerly line of said Tract 1, a called 145.520-acre tract, the southerly line of said 4.41-acre tract, the southerly line of a called 10.58-acre tract, described in a Warranty Deed the Robert Bishop and Kimberly Ann Bishop, recorded in Instrument No. 20200714001089870 of the Official Public Records of Collin County, Texas and the southerly line of a called 25.549-acre tract, described in a Warranty Deed to Bill and Greta Morgan Living Trust, recorded in Instrument No. 20120109000022070 of the Official Public Records of Collin County, Texas, a distance of 2,585.07 feet to the northeast corner of said Tract 1, a called 145.520-acre tract and the northwest corner of aforesaid Tract 2, a called 129.977 acre tract of land;

THENCE North 89°26'23" East, along the northerly line of said Tract 2, a called 129.977 acre tract of land, the southerly line of said 25.549-acre tract and the southerly line of a called 14.98-acre tract of land, described in a Warranty Deed to David McCauley and wife, Mary J. McCauley, recorded in Volume 4569, Page 2331 of the Land Records of Collin County, Texas, a distance of 1,571.50 feet to the northeast corner of said Tract 2, a called 129.977 acre tract of land, same being on the westerly line of a called 110.98-acre tract of land, described in a Special Warranty Deed to John H. and Cindy E. Altus Revocable Trust, recorded in County Clerk's File No. 96-0096255 of the Land Records of Collin County, Texas, same being in the center of Honey Creek;

THENCE along the easterly line of said Tract 2, a called 129.977 acre tract of land, the westerly line of said 110.98-acre tract and along Honey Creek, the following:

South 02°59'37" West, a distance of 53.89 feet to a point for corner;
South 55°04'59" West, a distance of 63.15 feet to a point for corner;
South 30°04'32" West, a distance of 188.86 feet to a point for corner;
South 05°05'49" West, a distance of 135.41 feet to a point for corner;
South 24°34'41" East, a distance of 153.14 feet to a point for corner;
South 10°01'28" East, a distance of 97.31 feet to a point for corner;
South 27°52'50" West, a distance of 99.96 feet to a point for corner;
South 37°03'28" West, a distance of 318.47 feet to a point for corner;
South 76°16'39" West, a distance of 55.45 feet to a point for corner;
North 65°35'02" West, a distance of 119.39 feet to a point for corner;
South 28°28'11" East, a distance of 347.84 feet to the southwest corner of said 110.98-acre tract;

THENCE North 84°47'01" East, departing said Honey Creek, along the southerly line of said 110.98-acre tract and a northerly line of said 129.978-acre tract, a distance of 171.97 feet to a point for corner;

THENCE North 88°49'53" East, continuing along the southerly line of said 110.98-acre tract and a northerly line of said 129.978-acre tract, a distance of 836.73 feet to the northeast corner of said 129.978-acre tract;

THENCE South 00°40'05" East, along the easterly line of said 129.978-acre tract, a distance of 1,303.96 feet to the **POINT OF BEGINNING** and containing 264.12 acres of land, more or less, **Save and Except** the following described tract;

BEING a tract of land situated in the B. E. Blackwell Survey, Abstract No. 93, and being a portion of Tract 1, a called 145.520-acre tract of land, described in a Special Warranty Deed to Sater L.P., recorded in Instrument No. 20211217002551220 of the Official Public Records of Collin County, Texas, and being more particularly described as follows:

COMMENCING at the northeast corner of said Tract 1, a called 145.520-acre tract of land and the northwest corner of Tract 2, a called 129.977 acre tract of land, described in said Special Warranty Deed to Sater L.P., recorded in Instrument No. 20211217002551220 of the Official Public Records of Collin County, Texas;

THENCE South 17°26'05" West, along the easterly line of said Tract 1, a called 145.520-acre tract of land and the westerly line of said Tract 2, a called 129.977 acre tract of land, a distance of 1,272.43 feet to the **POINT OF BEGINNING** of the herein described tract;

THENCE South 17°26'05" West, continuing along the easterly line of said Tract 1, a called 145.520-acre tract of land and the westerly line of said Tract 2, a called 129.977 acre tract of land, a distance of 215.75 feet to a point for corner;

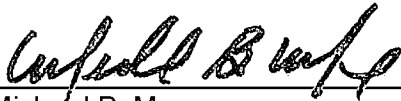
THENCE South 89°06'27" West, departing the easterly line of said Tract 1, a called 145.520-acre tract of land and the westerly line of said Tract 2, said a called 129.977 acre tract of land, crossing said Tract 1, a called 145.520-acre tract of land, a distance of 249.00 feet to a point for corner;

THENCE North 00°53'33" West, continuing across said Tract 1, a called 145.520-acre tract of land, a distance of 204.80 feet to a point for corner;

THENCE North 89°06'27" East, continuing across said Tract 1, a called 145.520-acre tract of land, a distance of 316.84 feet to the **POINT OF BEGINNING** and containing 1.33 acres of land, more or less.

LEAVING a Net Area of 262.79 acres of land, more or less.

This document was prepared under 22 TAC §138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



Michael B. Marx
Registered Professional Land Surveyor No. 5181
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy., Suite 210
Frisco, Texas 75034
Ph. 972-335-3580
michael.marx@kimley-horn.com



EXHIBIT "C"

Special Warranty Deed

TO ANY HAZARDOUS MATERIALS ON OR DISCHARGED FROM THE PROPERTY, AND GRANTEE HAS RELIED SOLELY UPON SAME AND NOT UPON ANY INFORMATION PROVIDED BY OR ON BEHALF OF GRANTOR OR ITS AGENTS OR EMPLOYEES WITH RESPECT THERETO, OTHER THAN SUCH REPRESENTATIONS, WARRANTIES AND COVENANTS OF GRANTOR AS ARE EXPRESSLY SET FORTH HEREIN OR IN THE CONTRACT. EXCEPT AS TO REPRESENTATIONS OR WARRANTIES OF GRANTOR EXPRESSLY SET FORTH HEREIN OR IN THE CONTRACT, GRANTEE ASSUMES THE RISK THAT ADVERSE MATTERS, INCLUDING, BUT NOT LIMITED TO, ADVERSE PHYSICAL OR CONSTRUCTION DEFECTS OR ADVERSE ENVIRONMENTAL, HEALTH OR SAFETY CONDITIONS, MAY NOT HAVE BEEN REVEALED BY GRANTEE'S INSPECTIONS AND INVESTIGATIONS.

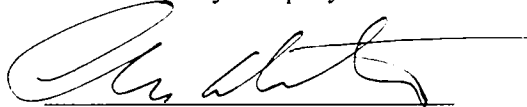
TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereunto in anywise belonging, unto Grantee, its successors and assigns forever, and Grantor does hereby bind itself, its successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the title to the Property unto the said Grantee, its 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, subject to the Permitted Exceptions.

[SIGNATURES APPEAR ON NEXT PAGES]

EXECUTED to be effective as of the 17th day of December, 2021.

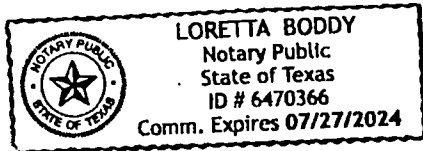
GRANTOR:

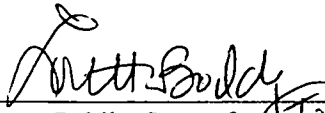
CARTER FAMILY FARMS, LLC,
a Texas limited liability company

By: 
Charles D. Carter, Sole Member

THE STATE OF Texas §
COUNTY OF Collin §
§

This instrument was acknowledged before me on the 17th day of December, 2021, by Charles D. Carter, the Sole Member of Carter Family Farms, LLC, a Texas limited liability company, on behalf of said limited liability company.




Notary Public, State of Texas
My Commission Expires _____

[signature pages continue below]

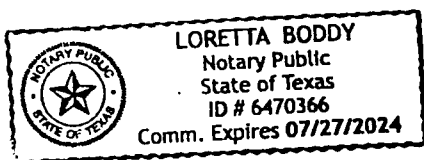
GRANTOR:

GLEND A CARTER WINKER REVOCABLE TRUST

By: Glenda Carter Winker
Glenda Carter Winker, Trustee

THE STATE OF Texas §
COUNTY OF Collin §
§

This instrument was acknowledged before me on the 17th day of December, 2021, by Glenda Carter Winker, Trustee of the Glenda Carter Winker Revocable Trust, on behalf of said revocable trust.



Loretta Boddy
Notary Public, State of Texas
My Commission Expires: _____

EXHIBITS:

- A – Property Description
- B – Permitted Exceptions

EXHIBIT A
Property Description

TRACT 1

BEING A TRACT OF LAND SITUATED IN THE B.E. BLACKWELL SURVEY, ABSTRACT NO. 93 IN COLLIN COUNTY, TEXAS, AND BEING ALL OF A 145.532 ACRE TRACT OF LAND CONVEYED TO CARTER FAMILY FARMS, LLC AS RECORDED IN COUNTY CLERK NO. 20130926001350070 OF THE OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED IN METES AND BOUNDS AS FOLLOWS:

BEGINNING IN COUNTY ROAD 134 AT A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF THE CALLED 145.532 ACRE TRACT OF LAND AND SAID IRON ROD BEING THE SOUTHEAST CORNER OF A CALLED 52.399 ACRE TRACT OF LAND CONVEYED TO SATER, L.P. AS RECORDED IN COUNTY CLERK NO. 20190402000347490 OF THE OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS;

THENCE NORTH 01°04'35" WEST PASSING AT 1155.67' A 3/4" IRON ROD FOUND FOR THE NORTHEAST CORNER OF THE CALLED 52.399 ACRE TRACT OF A LAND AND CONTINUING A TOTAL DISTANCE OF 1983.51' TO A POINT IN THE CENTERLINE OF A CREEK;

THENCE FOLLOWING THE CENTERLINE OF THE CREEK THE FOLLOWING SIXTEEN (16) CALLS:

THENCE NORTH 74°16'01" EAST A DISTANCE OF 57.88' TO A POINT;

THENCE NORTH 61°00'40" EAST A DISTANCE OF 37.95' TO A POINT;

THENCE SOUTH 89°47'04" EAST A DISTANCE OF 44.28' TO A POINT;

THENCE NORTH 72°31'18" EAST A DISTANCE OF 118.98' TO A POINT;

THENCE NORTH 57°37'03" EAST A DISTANCE OF 53.54' TO A POINT;

THENCE SOUTH 70°54'28" EAST A DISTANCE OF 68.86' TO A POINT;

THENCE NORTH 64°52'49" EAST A DISTANCE OF 145.32' TO A POINT;

THENCE NORTH 36°34'40" EAST A DISTANCE OF 91.40' TO A POINT;

THENCE SOUTH 61°37'50" EAST A DISTANCE OF 71.92' TO A POINT;

THENCE NORTH 74°22'27" EAST A DISTANCE OF 76.14' TO A POINT;

THENCE NORTH 59°55'14" EAST A DISTANCE OF 90.75' TO A POINT;

THENCE NORTH 85°47'43" WEST A DISTANCE OF 60.27' TO A POINT;

THENCE NORTH 42°38'43" WEST A DISTANCE OF 132.00' TO A POINT;

THENCE NORTH 10°23'43" WEST A DISTANCE OF 116.00' TO A POINT;

THENCE NORTH 44°25'43" WEST A DISTANCE OF 142.30' TO A POINT;

THENCE NORTH 22°41'43" WEST A DISTANCE OF 26.90' TO A POINT;

THENCE NORTH 89°26'23" EAST PASSING AT 1176.11' A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF A CALLED 10.580 ACRE TRACT OF LAND CONVEYED TO ROBERT AND WIFE, KIMBERLY BISHOP AS RECORDED IN COUNTY CLERK NO. 20200714001089870 OF THE OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS, AND CONTINUING ON FOR A TOTAL DISTANCE OF 2585.07' TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED "4613" SET FOR CORNER AND BEING THE NORTHEAST CORNER OF THE CALLED 129.978 ACRE TRACT OF LAND CONVEYED TO THE GLENDA CARTER WINKER REVOCABLE TRUST AS RECORDED IN VOLUME 5815, PAGE 324 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS;

THENCE SOUTH 17°26'05" WEST FOLLOWING THE WEST LINE OF SAID 129.978 ACRE TRACT A DISTANCE OF 2400.74' TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED "4613" SET FOR CORNER IN THE NORTH LINE OF A CALLED 3.283 ACRE TRACT OF LAND CONVEYED TO GRAYSON COLLIN ELECTRIC CO-OP, AS RECORDED IN VOLUME 1238, PAGE 347 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS;

THENCE SOUTH 89°51'50" WEST A DISTANCE OF 531.83' TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED "4613" SET FOR THE NORTHWEST CORNER OF THE CALLED 3.283 ACRE TRACT OF LAND;

THENCE SOUTH 09°03'35" EAST A DISTANCE OF 276.62' TO A MAG NAIL SET FOR CORNER IN THE NORTH EDGE OF COUNTY ROAD 134;

THENCE SOUTH 89°06'27" WEST A DISTANCE OF 1818.01' TO THE POINT OF BEGINNING AND CONTAINING 6,338,870 SQUARE FEET OR 145.520 ACRES OF LAND.

TRACT 2

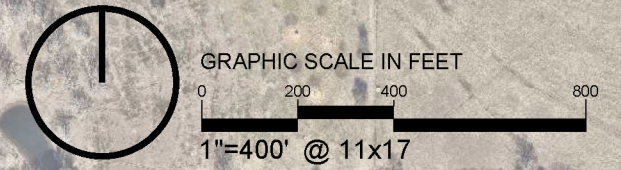
BEING A TRACT OF LAND SITUATED IN THE B.E. BLACKWELL SURVEY, ABSTRACT NO. 93 IN COLLIN COUNTY, TEXAS, AND BEING ALL OF A 129.978 ACRE TRACT OF LAND CONVEYED TO THE GLENDA CARTER WINKER REVOCABLE TRUST AS RECORDED IN VOLUME 5815, PAGE 324 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN METES AND BOUNDS AS FOLLOWS:

BEGINNING IN COUNTY ROAD 134 AT A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF THE CALLED 145.532 ACRE TRACT OF LAND AND SAID IRON ROD BEING THE SOUTHEAST CORNER OF A CALLED 52.399 ACRE TRACT OF LAND CONVEYED TO SATER, L.P. AS RECORDED IN COUNTY CLERK NO. 20190402000347490 OF THE OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS;
THENCE SOUTH 88°49'09" WEST A DISTANCE OF 834.38' TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED "4613" SET FOR CORNER;
THENCE SOUTH 88°48'59" WEST A DISTANCE OF 1669.34' TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED "4613" SET FOR CORNER;
THENCE SOUTH 00°34'43" EAST A DISTANCE OF 6.65' TO A MAG NAIL SET FOR CORNER IN THE NORTH EDGE OF COUNTY ROAD 134;
THENCE SOUTH 89°06'27" WEST A DISTANCE OF 526.16' TO A MAG NAIL SET FOR CORNER IN THE NORTH EDGE OF COUNTY ROAD 134;
THENCE NORTH 17°25'59" EAST A DISTANCE OF 280.32' TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED "4613" SET FOR THE NORTHEAST CORNER OF A CALLED 3.283 ACRE TRACT OF LAND CONVEYED TO GRAYSON COLLIN ELECTRIC CO-OP, AS RECORDED IN VOLUME 1238, PAGE 347 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS;
THENCE SOUTH 89°51'50" WEST FOLLOWING THE NORTH LINE OF SAID GRAYSON COLLIN ELECTRIC CO-OP TRACT A DISTANCE OF 52.45' TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED "4613" SET FOR CORNER;
THENCE NORTH 17°26'05" EAST A DISTANCE OF 2400.74' TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED "4613" SET FOR THE NORTHEAST CORNER OF A CALLED 145.532 ACRE TRACT OF LAND CONVEYED TO CARTER FAMILY FARMS, LLC AS RECORDED IN COUNTY CLERK NO. 20130926001350070 OF THE OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS;
THENCE NORTH 89°26'23" EAST PASSING AT 1407.43' A 1" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF A CALLED 10.580 ACRE TRACT OF LAND CONVEYED TO ROBERT AND WIFE, KIMBERLY BISHOP AS RECORDED IN COUNTY CLERK NO. 20200714001089870 OF THE OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS, THEN AT 3992.50' A 1" IRON ROD FOUND IN THE SOUTH LINE OF A CALLED 14.980 ACRE TRACT OF LAND CONVEYED TO JEFFEREY AND MARY J MCCAULEY AS RECORDED IN VOLUME 4569, PAGE 2331 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS AND CONTINUING ON FOR A TOTAL DISTANCE OF 52.' TO A POINT IN THE CENTERLINE OF HONEY CREEK;
THENCE WITH THE CENTERLINE OF HONEY CREEK THE FOLLOWING ELEVEN (11) CALLS:
THENCE SOUTH 02°59'37" WEST A DISTANCE OF 53.89' TO A POINT;
THENCE SOUTH 55°04'59" WEST A DISTANCE OF 63.15' TO A POINT;
THENCE SOUTH 30°04'32" WEST A DISTANCE OF 188.86' TO A POINT;
THENCE SOUTH 05°05'49" WEST A DISTANCE OF 135.41' TO A POINT;
THENCE SOUTH 24°34'41" EAST A DISTANCE OF 153.14' TO A POINT;
THENCE SOUTH 10°01'28" EAST A DISTANCE OF 97.31' TO A POINT;
THENCE SOUTH 27°52'50" WEST A DISTANCE OF 99.96' TO A POINT;
THENCE SOUTH 37°03'28" WEST A DISTANCE OF 318.47' TO A POINT;
THENCE SOUTH 76°16'39" WEST A DISTANCE OF 55.45' TO A POINT;
THENCE NORTH 65°35'02" WEST A DISTANCE OF 119.39' TO A POINT;
THENCE SOUTH 28°28'11" EAST A DISTANCE OF 347.84' TO A POINT;

THENCE NORTH 84°47'01" EAST DEPARTING THE CENTERLINE OF HONEY CREEK A DISTANCE OF 171.97' TO A 1/2" IRON ROD FOUND FOR CORNER;
THENCE NORTH 88°49'53" EAST A DISTANCE OF 836.73' TO A FENCE POST FOUND FOR THE EASTERN MOST NORTHEAST CORNER OF THE CALLED 129.978 ACRE TRACT OF LAND;
THENCE SOUTH 00°40'05" EAST A DISTANCE OF 1303.96' TO THE POINT OF BEGINNING AND CONTAINING 5,661,792 SQUARE FEET OR 129.977 ACRES OF LAND.

EXHIBIT "D"

Water Meter Locations



NO SERVICE

COUNTY ROAD 134

CR 133

METER #235
±119.5' FROM FENCE
(SERVES SINGLE TROUGH)

METER #334
±78' FROM EAST SIDE
OF DRIVEWAY
(SERVES MAIN BARN
COMPLEX)

METER #751
±4' FROM WEST SIDE OF
DRIVEWAY
(SERVES RENT HOUSE
AND BARN ONLY)

METER #197
±70' FROM FENCELINE
(SERVES BARN)

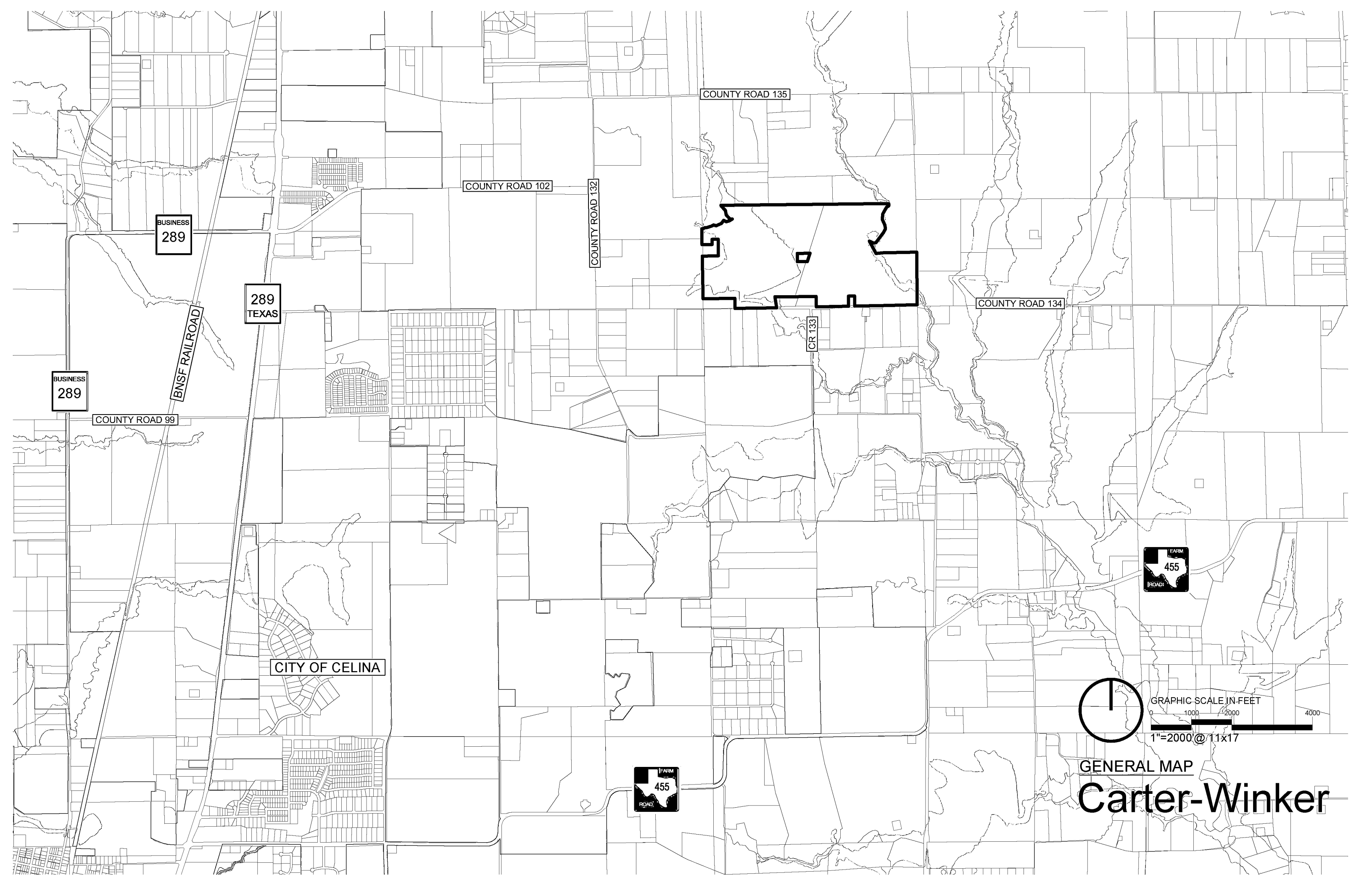
WATER METER LOCATION EXHIBIT

Carter-Winker

DOCKET # 52916

Kimley & Horn

6160 Warren Parkway, Suite 210
Frisco, Texas 75034
972-335-3580
State of Texas Registration No. F-928



BUSINESS
289

289
TEXAS

BUSINESS
289

COUNTY ROAD 99

BNSF RAILROAD

CITY OF CELINA

COUNTY ROAD 102

COUNTY ROAD 132

COUNTY ROAD 135

CR 133

COUNTY ROAD 134



GRAPHIC SCALE IN FEET
0 1000 2000 4000

1"=2000' @ 11x17

GENERAL MAP

Carter-Winker

FEMA ZONE "A"
UNNAMED
TRIBUTARY

AREA TO BE DECERTIFIED
(±262.79 Ac.)

FEMA ZONE "A"
UNNAMED
TRIBUTARY

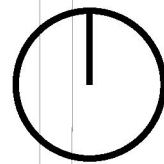
TRACT 1
145.52 Ac.
CALLED 145.532 ACRES
SATER, LP
CC NO. 20211217002551220
OPRCCT

TRACT 2
129.977 Ac.
CALLED 129.978 ACRES
SATER, LP
CC NO. 20211217002551220
OPRCCT

SOIL CONSERVATION LAKE
VOL. 506, PG. 378
DRCCT
MODIFIED IN
VOL. 513, PG. 270
DRCCT

COUNTY ROAD 134

CR 133



GRAPHIC SCALE IN FEET

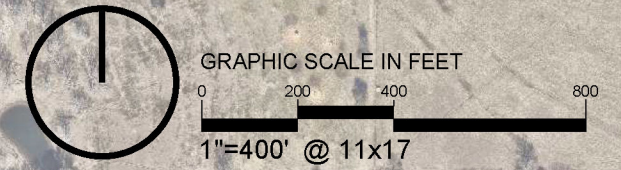
0 200 400 8000

1"=400' @ 11x17

DETAILED MAP

Carter-Winker

DOCKET # 52916



NO SERVICE

COUNTY ROAD 134

CR 133

METER #235
±119.5' FROM FENCE
(SERVES SINGLE
TROUGH)

METER #334
±78' FROM EAST SIDE
OF DRIVEWAY
(SERVES MAIN BARN
COMPLEX)

METER #751
±4' FROM WEST SIDE OF
DRIVEWAY
(SERVES RENT HOUSE
AND BARN ONLY)

METER #197
±70' FROM FENCELINE
(SERVES BARN)

WATER METER LOCATION EXHIBIT

Carter-Winker

DOCKET # 52916

Kimley >> Horn

6160 Warren Parkway, Suite 210
Frisco, Texas 75034
972-335-3580
State of Texas Registration No. F-928

The following files are not convertible:

Carter-Winker.cpg
Carter-Winker.dbf
Carter-Winker.idx
Carter-Winker.prj
Carter-Winker.shp
Carter-Winker.shx
Carter-Deed.cpg
Carter-Deed.dbf
Carter-Deed.idx
Carter-Deed.prj
Carter-Deed.shp
Carter-Deed.shx
Winker-Deed.cpg
Winker-Deed.dbf
Winker-Deed.idx
Winker-Deed.prj
Winker-Deed.shp
Winker-Deed.shx

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.