



## Filing Receipt

**Received - 2022-05-11 01:45:43 PM**

**Control Number - 53315**

**ItemNumber - 10**

P.U.C. DOCKET NO. 53315

<p>PETITION OF LGI HOMES LLC TO AMEND MOUNTAIN PEAK SPECIAL UTILITY DISTRICT'S CERTIFICATE OF CONVENIENCE AND NECESSITY IN JOHNSON COUNTY BY EXPEDITED RELEASE</p>	<p>§ § § § §</p>	<p>PUBLIC UTILITY COMMISSION OF TEXAS</p>
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**SECOND AMENDED PETITION FOR EXPEDITED RELEASE FROM CERTIFICATE  
OF CONVENIENCE AND NECESSITY FOR WATER SERVICE**

COMES NOW LGI Homes – Texas, LLC, (“Petitioner”) and files this its Second Amended Petition for Expedited Release from Certificate of Convenience and Necessity for Water Service pursuant to Texas Water Code § 13.254(a-1) and 16 Texas Administrative Code § 24.245(f), and in support thereof respectfully shows the following:

**I.**

The Petitioner holds fee simple title to a 73.5240 acre tract of land located in Johnson County, Texas (the “Property”), as evidenced by the Deeds attached hereto as **Exhibit A**. The Property is more particularly shown on the small-scale (general location) map attached hereto as **Exhibit B**, the large-scale (detailed) map attached hereto as **Exhibit C**, and digitally in the zip file, also attached. These maps are provided in compliance with 16 Texas Administrative Code § 24.245(m).

**II.**

The Property includes 0.9963 acres described in the Exhibit A Deeds and shown on the Exhibit C map as being within the centerline of Johnson County Road 109. Although this acreage is within the roadway and may not be usable by Petitioner, it is part of the Property owned by Petitioner and contained within the CCN described immediately below.

### III.

The Property is comprised of a tract of land that is at least 50 contiguous acres and is located in Johnson County, Texas.

### IV.

All 73.5240 acres of the Property are subject to certificate of convenience and necessity No. 10908 for water service (the “CCN”) held by Mountain Peak Special Utility District (the “CCN Holder”). As of the date of this Amended Petition, the Property is not receiving water service from the CCN Holder.

### V.

Petitioner hereby requests that the Property be released from the CCN, including all portions of the Property reflected in the Deeds attached hereto as **Exhibit A**.

### VI.

A written request for service was submitted to the CCN Holder on November 30, 2021, as required by Texas Water Code § 13.254(a-1)(1). A copy of the request is attached hereto as **Exhibit D**. The CCN Holder has been allowed at least 90 calendar days to review and respond to the written request. Although, since the filing of the Petition in this matter, the CCN Holder’s attorney has advised the undersigned that the CCN Holder desires to serve the Property, the CCN Holder has not responded or communicated in any way that it is presently capable of providing the service.

**VII.**

The undersigned certifies that in addition to the service of this Amended Petition on its counsel, a copy of this Amended Petition has been mailed to the CCN Holder via certified mail on the day that this Petition is filed with the Commission.

**VIII.**

Petitioner's notarized Affidavit in support of the required information to be included in this Amended Petition pursuant to 16 Texas Administrative Code § 24.245(1)(4)(A) is attached hereto as **Exhibit E**.

WHEREFORE, the Petitioner respectfully requests that this Petition be heard and granted in all respects and that such other orders, acts, procedures, and relief be granted as are proper, necessary, and appropriate to complete the release of the CCN Subject Property from the CCN, as the Commission shall deem proper and necessary.

Date: May 11, 2022

Respectfully submitted,

**Foley & Lardner LLP**  
600 Congress Avenue, Ste. 2900  
Austin, Texas 78701

/s/ Val Perkins  
By: Arthur Val Perkins  
Texas State Bar No. 15782600  
(713) 276-5008/(713) 276-5555(f)  
[vperkins@foley.com](mailto:vperkins@foley.com)

**CERTIFICATE OF SERVICE**

This is to certify that on May 11, 2022, a true and correct copy of this document was served by email on all of the parties of record in this proceeding.

/s/ Val Perkins  
Arthur Val Perkins

Attachments: Exhibit A – Deed  
Exhibit B – Small Scale (General Location) Map  
Exhibit C – Large Scale (Detailed) Map  
Exhibit D – Written Request to CCN Holder  
Exhibit E – Affidavit

# Exhibit A

RECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:  
LGI HOMES - TEXAS, LLC  
1450 LAKE ROBINS DR., SUITE 430  
THE WOODLANDS, TX 77380

GF 2194878 ETX

**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.**

SPECIAL WARRANTY DEED

THE STATE OF TEXAS                    §  
   § KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF DALLAS                    §

THIS SPECIAL WARRANTY DEED, made as of the 4 day of November, 2021, by and between Seven S Ranch, Inc. a Texas corporation ("**Grantor**"), whose address is 6610 Shiloh Road, Midlothian, Texas 76065, and LGI Homes – Texas, LLC, a Texas limited liability company, ("**Grantee**"), whose address is 1450 Lake Robbins Drive, Suite 430, The Woodlands, Texas 77380.

WITNESSETH:

FOR AND IN CONSIDERATION OF TEN DOLLARS (\$10.00) in lawful money of the United States of America, and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency of which are hereby acknowledged, Grantor has granted, bargained, sold and conveyed, and by these presents does hereby grant, bargain, sell and convey unto Grantee, that certain real property located in the County of Johnson, State of Texas, described in Exhibit A attached hereto and by this reference incorporated herein (the "**Property**").

This Special Warranty Deed is made by Grantor and accepted by Grantee subject to the those restrictions and encumbrances set forth on Exhibit B attached hereto and made a part hereof for all purposes (the "**Permitted Exceptions**"), and subject to Grantor's retention of all subsurface oil


and mineral rights, without any surface right of extraction, which subsurface rights expressly are hereby retained by Grantor, subject to the rights of third parties under the Permitted Exceptions (the "**Subsurface Reservation**").

TO HAVE AND HOLD the Property as defined above, together with any and all improvements and fixtures located thereon, if any, and all of Grantor's right, title, and interest, if any, in and to all rights, privileges, and appurtenances pertaining thereto (subject to the Permitted Exceptions and the Subsurface Reservation), including all of Grantor's right, title, and interest, if any, in and to all rights- of-way, open or proposed streets, alleys, easements, stripes or gores of land adjacent thereto, unto Grantee, its successors and assigns, FOREVER, subject to the Permitted Exceptions and the Subsurface Reservation; and Grantor does hereby bind itself, its successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the Property as aforesaid unto 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, however, to the Permitted Exceptions and the Subsurface Reservation.

Grantor (and by acceptance of this instrument, Grantee) agree that the real estate taxes assessed against the Property for the current year have been prorated between them and Grantee assumes and agrees to pay taxes for the tax year in which this instrument was executed (if and to the extent that the same have not yet been paid), and further assumes and agrees to pay taxes for all subsequent years.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed as of the date set forth in the acknowledgment below, to be effective, however, as of the date hereinabove written.

GRANTOR:  
SEVEN S RANCH, INC., a Texas corporation

By:   
Name: Jack A. Shaw  
Its: Vice President



ACKNOWLEDGMENT

STATE OF TEXAS§

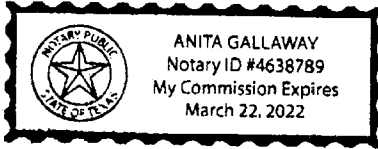
§

COUNTY OF DALLAS§

This instrument was ACKNOWLEDGED before me on this 4 day of November, 2021 by Jack A. Shaw, as Vice President of Seven S Ranch, Inc., on behalf of said corporation.

Anita Gallaway

Notary Public, State of Texas



[NOTARY SEAL]

Notary Expires: \_\_\_\_\_

3/22/22

Printed Name of Notary \_\_\_\_\_

Anita Gallaway

MAIL TAX BILLS/STATEMENTS TO:

LGI HOMES - TEXAS, LLC  
1450 LAKE ROBBINS DR., SUITE 430  
THE WOODLANDS, TX 77380

**Exhibit A to Special Warranty Deed**

**Description of the Property**

BEING the same plot, piece, or parcel of land located in the City of Venus, County of Johnson, State of Texas and being described as a 73.5240 acre tract of land situated in the William Hill Survey, Abstract Number 379 Johnson County, Texas, and also described as being that 75.19 acre tract of land, Tract II, as described in Warranty Deed from Billy G. Shaw, et ux, to Seven S Ranch, Inc. and recorded in Volume 3444, Page 97 of the Deed Records of Johnson County, Texas; and now and currently being precisely described pursuant to and in accordance with an ALTA/NSPS Land Title Survey prepared based on field work performed and completed on July 14, 2021 by J. Scott Cole, Registered Professional Land Surveyor, as follows:

BEGINNING at a point for corner in the called center of County Road 109 (60 foot Right-of-Way) and being in the Northeast line of said William Hill Survey, same being the Southeast line of the Radford Berry Survey, Abstract Number 26 and being at the North corner of said formerly described 75.19 acre tract of land, same being the East corner of that certain called 101.33 acre tract of land described in Deed to Jeff D. McGregor and Dow Anna McGregor and recorded in Volume 2178, Page 935 of said Deed Records and being in the Southeast line of County Road 109 (60 foot Right-of-Way);

THENCE South 31°13'36" East with the Northeast line of said called 75.19 acre tract, same being the Southwest line of said 101.33 acre tract at a distance of 30.00 feet passing an Axle found for reference and continuing a total distance of distance of 2,504.49 feet to a 1/2" iron rod found for corner at the East corner of said called 75.19 acre tract same being the North corner of that certain called 23.29 acre tract of land to Hau Ngo and Long T. Nguyen and recorded in Instrument Number 2015-13044 of said Deed Records and being in the Southwest line of said 101.33 acre tract;

THENCE South 59°20'46" West with the Southeast line of said called 75.19 acre tract, same being the Northwest line of said 23.29 acre tract a distance of 1,145.65 feet to a 5/8" iron rod found for corner at the South corner of said called 75.19 acre tract same being the East corner of that certain called 38.080 acre tract of land described in Deed to Lam Nguyen and recorded in Instrument Number 2012-9914 of said Deed Record;

THENCE North 30°36'44" West with the Southwest line of said called 75.19 acre tract, same being the Northeast line of said 38.080 acre tract a distance of 1,372.90 feet to a point for corner at an inside ell corner in the Southwest line of said called 75.19 acre tract same being the North corner of said 38.080 acre tract;

THENCE South 59°21'14" West with the Northwest line of said 38.080 acre tract a distance of 331.02 feet to a 1/2" iron rod found for corner at an outside ell corner in the Southwest line of said called 75.19 acre tract same being the East corner of that certain called 25.00 acre tract of land described in Deed to MJKA Corporation, INC and recorded in Instrument Number 2016-24977 of said Deed Records;

THENCE North 30°25'53" East with the Southwest line of said called 75.19 acre tract, same being the Northeast line of said 25.00 acre tract at a distance of 1,094.11 feet to a 1/2" iron rod found for reference in the Southeast line of said County Road and continuing a total distance of 1,124.11 feet to a point for

corner at the West corner of said called 75.19 acre tract same being the North corner of said 25.00 acre tract and being in the above mentioned County Road 109;

THENCE North  $59^{\circ} 03'23''$  East with the Northwest line of said called 75.19 acre tract, and with said County Road 109 a distance of 1,446.70 feet back to POINT OF BEGINNING and actually CONTAINING 73.5240 acres of land of which 0.9963 acres lie within said County Road 109 leaving a net of 3,159,705 square feet or 72.5277 acres of land, or less.

**Exhibit B to Special Warranty Deed**

**Permitted Exceptions**

1. Utility easement to Texas Power & Light Company recorded in Volume 260 at Page 545 of the Deed Records, Johnson County, Texas (the “**Official Records**”).
2. Utility easement to Texas Power & Light Company recorded in Volume 891 at Page 360 of the Official Records.
3. Oil, gas, and mineral lease granted to Wilkat Corporation recorded in Volume 3155 at Page 725 of the Official Public Records of Johnson County, Texas.
4. All matters as set forth on and revealed by that certain ALTA/NSPS Land Title Survey dated July 15, 2021 as prepared by J. Scott Cole, Registered Professional Land Surveyor of Sands Surveying Corporation.

2021-42520 11/09/2021 11:34 AM Page 7 of 7

**Johnson County  
Becky Ivey  
Johnson County  
Clerk**

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**Instrument Number:** 42520

eRecording - Real Property

Warranty Deed

Recorded On: November 09, 2021 11:34 AM

Number of Pages: 7

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**" Examined and Charged as Follows: "**

Total Recording: \$46.00

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**\*\*\*\*\* 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: 42520  
Receipt Number: 20211109000131  
Recorded Date/Time: November 09, 2021 11:34 AM  
User: Linda B  
Station: ccl30

**Record and Return To:**

Simplifile  
5072 North 300 West  
PROVO UT



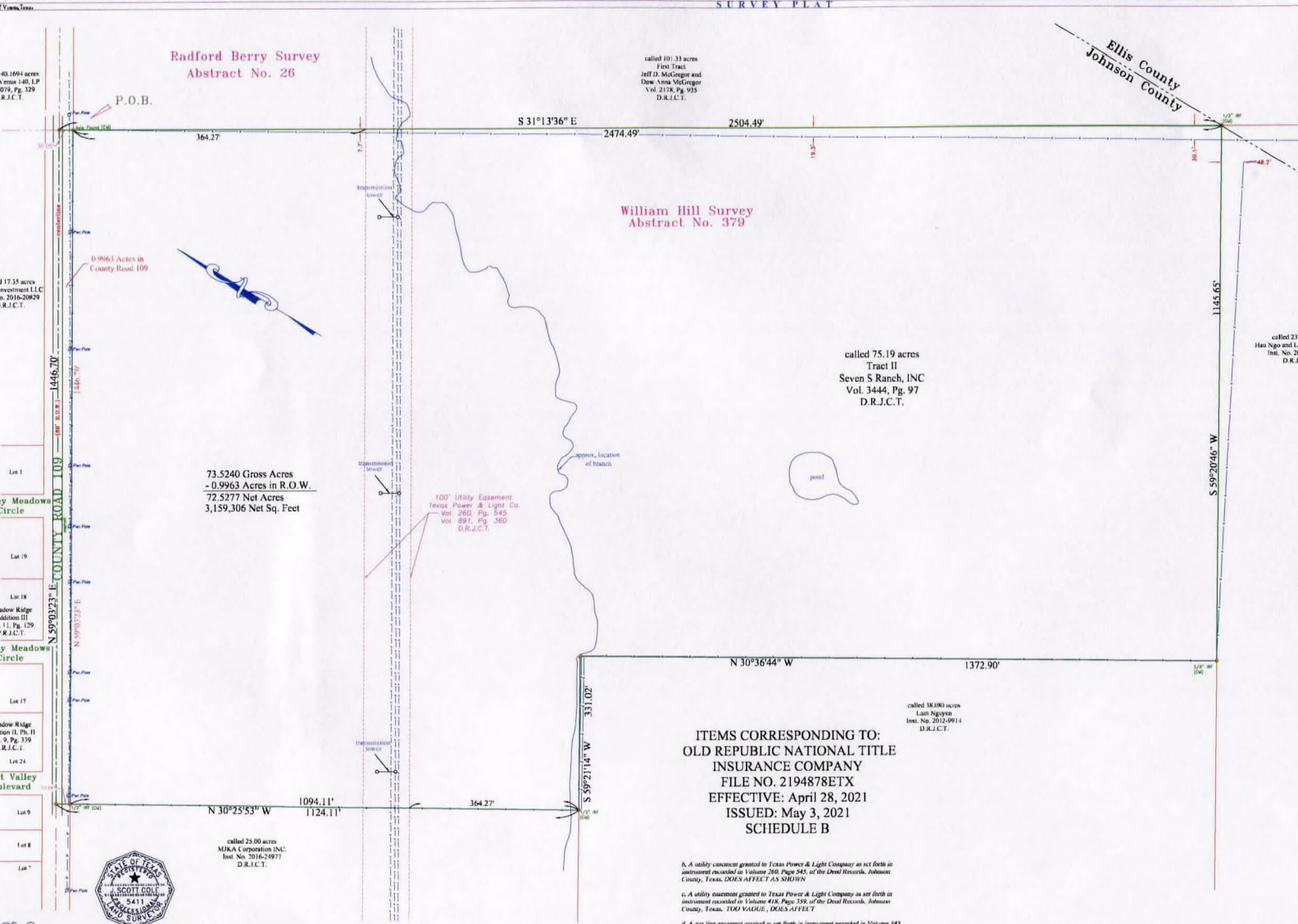
**STATE OF TEXAS  
COUNTY OF JOHNSON**

**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 Records of Johnson County, Texas.**

Becky Ivey  
Johnson County Clerk  
Johnson County, TX

*Becky Ivey*

SURVEY PLAT



VICINITY MAP

called 75.19 acres  
Tract II  
Seven S Ranch, INC  
Vol. 1444, Pg. 97  
D.R.J.C.T.

73.5240 Gross Acres  
- 0.9963 Acres in R.O.W.  
72.5277 Net Acres  
3,159,306 Net Sq. Feet

100' Utility Easement  
Texas Power & Light Co.  
Vol. 260, Pg. 545  
Vol. 391, Pg. 360  
D.R.J.C.T.

ITEMS CORRESPONDING TO:  
OLD REPUBLIC NATIONAL TITLE  
INSURANCE COMPANY  
FILE NO. 2194878ETX  
EFFECTIVE: April 28, 2021  
ISSUED: May 3, 2021  
SCHEDULE B

**Legal Description**

**BEING:** a 73.5240 acre tract of land situated in the William Hill Survey, Abstract Number 379 Johnson County, Texas and being all that certain called 75.19 acre tract of land, Tract II described in Warranty Deed from Hilley L. Shaw, et al., to Seven S Ranch, INC. and recorded in Volume 1444, Page 97 of the Deed Records of Johnson County, Texas;

**BEGINNING:** at a point for corner in the called center of County Road 109 (60 feet Right-of-Way) and being in the Northeast line of said William Hill Survey, same being the Southeast line of the Radford Berry Survey, Abstract Number 26 and being at the North corner of said 75.19 acre tract of land, same being the East corner of that certain called 101.33 acre tract of land described in Deed to Jeff D. McGregor and Dawn Anna McGregor and recorded in Volume 2178, Page 915 of said Deed Records and being in the Southeast line of County Road 109 (60 feet Right-of-Way);

**THENCE** South 31°13'36" East with the Northeast line of said 75.19 acre tract, same being the Southwest line of said 101.33 acre tract at a distance of 30.00 feet passing an A&M found for reference and continuing a total distance of 2,504.49 feet to a 1/2" iron rod found for corner at the East corner of said 75.19 acre tract same being the North corner of that certain called 23.29 acre tract of land to Han Ngo and Long T. Nguyen and recorded in Instrument Number 2015-13044 of said Deed Records and being in the Southwest line of said 101.33 acre tract;

**THENCE** South 09°20'46" West with the Southwest line of said 75.19 acre tract, same being the Northeast line of said 23.29 acre tract a distance of 1,145.83 feet to a 5/8" iron rod found for corner at the South corner of said 75.19 acre tract same being the East corner of that certain called 36,080 acre tract of land described in Deed to Lam Nguyen and recorded in Instrument Number 2012-9914 of said Deed Records;

**THENCE** North 30°36'44" West with the Southwest line of said 75.19 acre tract, same being the Northeast line of said 36,080 acre tract a distance of 1,372.90 feet to a point for corner at an inside ell corner at the Southwest line of said 75.19 acre tract same being the North corner of said 36,080 acre tract;

**THENCE** South 09°21'14" West with the Northeast line of said 36,080 acre tract a distance of 331.02 feet to a 1/2" iron rod found for corner at an outside ell corner in the Southwest line of said 75.19 acre tract same being the East corner of that certain called 35.00 acre tract of land described in Deed to HOKA Corporation, INC. and recorded in Instrument Number 2016-2877 of said Deed Records;

**THENCE** North 30°25'53" East with the Southwest line of said 75.19 acre tract, same being the Northeast line of said 35.00 acre tract at a distance of 1,094.11 feet to a 1/2" iron rod found for reference in the Southwest line of said County Road and continuing a total distance of 1,784.1 feet to a point for corner at the West corner of said 75.19 acre tract same being the North corner of said 25.09 acre tract and being in the above mentioned County Road 109;

**THENCE** North 09°03'23" East with the Northwest line of said 75.19 acre tract, and with said County Road 109 a distance of 1,446.20 feet back to POINT OF BEGINNING and CONTAINING 72,5240 acres of land of which 60.63 acres lie within said County Road 109 having a net of 3,159,305 square feet or 72,5277 acres of land, or less.

A utility easement granted to Texas Power & Light Company as set forth in instrument recorded in Volume 260, Page 545, of the Deed Records, Johnson County, Texas, DOES AFFECT AS SHOWN

C. A utility easement granted to Texas Power & Light Company as set forth in instrument recorded in Volume 414, Page 336, of the Deed Records, Johnson County, Texas, DOES AFFECT

D. A gas line easement granted as set forth in instrument recorded in Volume 543, Page 611, of the Deed Records, Johnson County, Texas, DOES NOT AFFECT

E. A utility easement granted to Texas Power & Light Company as set forth in instrument recorded in Volume 891, Page 366, of the Deed Records, Johnson County, Texas, DOES AFFECT AS SHOWN

F. A utility easement granted to Johnson County Electric Cooperative Association as set forth in instrument recorded in Volume 1900, Page 1, of the Official Public Records, Johnson County, Texas, DOES NOT AFFECT

G. A utility easement granted to Johnson County Electric Cooperative Association as set forth in instrument recorded in Volume 1930, Page 5, of the Official Public Records, Johnson County, Texas, DOES NOT AFFECT



**LEGEND OF SYMBOLS & ABBREVIATIONS**

CIRS	Capped Iron Rod Set	Electric Meter	Ⓢ
Water Meter	Ⓢ	Electric Control Box	Ⓢ
Fire Hydrant	Ⓢ	Property Line	---
Open Underground Elec.	---	Adjutant Property Line	- - - - -
Light Pole	Ⓢ	Iron Fence	⊘
Power Pole	Ⓢ	Wood Fence	⊘
Sanitary Sewer Manhole	Ⓢ	Chain Link Fence	⊘
Concrete	Ⓢ	Barbed Wire Fence	⊘
Gas Meter	Ⓢ	Overhead Powerline	---

**FLOOD NOTE:**

By graphic plotting only, the property is in Zone X of the Flood Insurance Rate Map, Community Panel No. 48231C0230 J, J, which was a Revised date of July 2, 2014 and is in a Special Flood Hazard Area. As shown on the FEMA website (http://www.fema.gov) by Floods created on May 31, 2021 we have learned the community does currently participate in the program. No field surveying was performed to determine the zone and an elevation certificate may be needed to verify the determination or apply for a variance from the Federal Emergency Management Agency.

**SANDS SURVEYING CORPORATION**  
2221 Justin Road #119-466  
Flower Mound, TX 75028  
PH: (214) 919-7883  
Texas Firm Registration No. 10014500  
www.sscix.net



**GENERAL WARRANTY DEED**

**Notice of Confidentiality Rights:** If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: Your Social Security Number or your Driver's License Number.

Date: December 29, 2004, but effective March 29, 2002

(All of Grantor's properties in Johnson County, Texas, were intended to be included in the conveyance by Grantors dated March 29, 2002 of record in Book 2808, Page 0917 et seq., Real Property Records, Johnson County, Texas; however certain properties were inadvertently omitted. This Warranty Deed is filed to supplement and add additional properties omitted from that conveyance.)

Grantor: BILLY G. SHAW and wife, JACQUELINE M. SHAW a/k/a JACQUELINE MARGARET SHAW a/k/a JACKLYN SHAW

Grantor's Mailing Address: **[include county]**

2507 Norsworthy Drive  
Dallas, Dallas County, Texas 75228

Grantee: SEVEN S RANCH, INC., a Texas Corporation

Grantee's Mailing Address: **[include county]**

6610 Shiloh Road  
Midlothian, Ellis County, Texas 76065

Consideration: The sum of Ten and No/100(\$10.00) Dollars and other good and valuable consideration.

Property (including any improvements):

All those lot, tracts, or parcels of land in Johnson County, Texas as set forth in Exhibit A attached hereto and incorporated herein.

Reservations from and Exceptions to Conveyance and Warranty:

This conveyance is made subject to the following matters, to the extent same are in effect at this time: Any and all restrictions, covenants, conditions, easements and

reservations, if any, relating to the hereinabove described property, but only to the extent they are still in effect, shown of record in hereinabove mentioned County and State, and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent that they are still in effect, relating to the hereinabove described property.

Grantor, for the Consideration and subject to the Reservations from and Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from and Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

*Billy G. Shaw*  
BILLY G. SHAW

*Jacqueline M. Shaw*  
JACQUELINE M. SHAW

(Acknowledgment)

STATE OF TEXAS       §  
                                  §  
COUNTY OF ELLIS    §

This instrument was acknowledged before me on the 29<sup>th</sup> day of December, 2004 by Billy G. Shaw and wife, Jacqueline M. Shaw.



*Dawne Schrodt*  
Notary Public, State of Texas



BK 3444 PG 0099

After Recording, return to:

Seven S. Ranch, Inc.  
6610 Shiloh Road  
Midlothian, Texas 76065

Prepared in the Law Office of:  
**(Title not examined)**  
Susan M. Mason, Attorney at Law, P.C.  
P.O. Box 915  
Midlothian, Texas 76065  
(972) 723-1033, FAX: (972) 775-2704

## EXHIBIT A-1

FIRST TRACT: A part of the William Hill Survey, Pat. No. 307, Vol. 13, Johnson County, Texas; and Beginning at the northeast corner of the William Hill Survey; Thence South 30 East, with the east line of the Hill Survey, 3615.8 feet to corner; Thence South 60 West 1144.4 feet to corner; Thence North 30 West 1373.6 feet to corner; Thence South 60 West 353.5 feet to the southeast corner of the 18.73 acre tract conveyed to James A. Shirley by Gordon L. Shirley et al by deed dated July 24, 1970; Thence North 30 West, with the east line of said 18.73 acre tract, 872.9 feet to the northeast corner thereof; Thence South 60 West, with the north line of said 18.73 acre tract, 919.1 feet to the northwest corner thereof in the east right-of-way line of F.M. Highway No. 157; Thence North 0 deg. 53 min. West, with said right-of-way line, 183.3 feet to a half-inch steel pin for corner; Thence along a curve to the left whose central angle is 118 deg. and 0 min., a distance of 103 feet to a half-inch steel pin for corner; Thence North 4 deg. 40 min. West, with the east right-of-way line of the old I. & G.N. Railroad (now abandoned), and the west right-of-way line of an abandoned county road, 1225.7 feet to a half-inch steel pin for corner in the north line of the William Hill Survey; Thence North 60 East, with said north line, 503.1 feet to a half-inch steel pin for corner, being the northwest corner of a one-acre tract of land conveyed to the Venus Cemetery Association, Venus, Texas, by W. A. Shirley by deed of record in Vol. 402, page 40, Deed Records of Johnson County, Texas; Thence South 30 East, with the west line of the cemetery tract, 688.6 feet to a stake for corner; Thence North 60 East, 567.6 feet to a stake for corner; Thence North 30 West, with the east line of the cemetery tract, 688.6 feet to the northeast corner thereof, in the north line of the Hill Survey; Thence North 60 East,

with the north line of the Hill Survey, 736.4 feet to the place of beginning; containing 123.17 acres of land, more or less;

SECOND TRACT: A part of the William Hill Survey, Pat. No. 307, Vol. 13, Johnson County, Texas, Beginning at a half-inch steel pin being in the west right-of-way of F.M. Highway No. 157, said pin being South 30 deg. East, 2222.8 feet, and South 60 West 2529.4 feet from the northeast corner of said Hill Survey; Thence South 60 West, along a fence, 318.7 feet to a half-inch steel pin, being in the east right-of-way of the I. & G.N. Railroad (now abandoned); Thence North 4 deg. 40 min. West, along said railroad right-of-way, 696.8 feet to a half-inch steel pin, being in the west right-of-way of F.M. Highway No. 157; Thence South 32 deg. 35 min. East 424.9 feet to a half-inch steel pin for corner; Thence South 31 deg. 14 min. East, with the west right-of-way of said highway, 205.6 feet to the place of beginning; and containing 3.09 acres of land; as surveyed by C. E. Recer, Registered Public Surveyor No. 1334, on August 4, 1970;

SAVE AND EXCEPT THE FOLLOWING PREVIOUSLY SOLD:

Being a part of the WILLIAM HILL SURVEY, ABSTRACT 379, Johnson County, Texas, and a part of the First Tract described in Receiver's Deed from Gordon L. Shirley, et al to Billy G. Shaw and wife recorded in Volume 548, Page 187, Deed Records, Johnson County, Texas, and being more particularly described by metes and bounds as follows;

BEGINNING at a 1/2 inch steel rod set in the center of Fifth Street, at the northeast corner of said First Tract, the northwest corner of the tract described in deed from W. A. Shirley, and wife to Venus Cemetery Assoc. of Venus, recorded in Volume 402, Page 40, Deed Records, Johnson County, Texas, and on the Southeast line of the tract described in deed from Southwest Railroad Car Parts, Inc. recorded in Volume 940, Page 535 of said Deed Records;

THENCE South 30 degrees 24 minutes 30 seconds East, with the common line of said First Tract, said Venus Cemetery tract and the tract described in deed from Gordon A. Shirley et al to Venus Memorial Park recorded in Volume 548, Page 187 of said Deed Records, at 658.60 feet passing a 1/2 inch steel rod found at the Southwest corner of said Memorial Park tract and an interior corner of said Shaw tract and another on the edge of County Road ;

THENCE with the center of said County Road and Southeast line of said Shaw tract, South 59 degrees 40 minutes 00 seconds West, 500.00 feet to a 1/2 inch steel rod set, South 64 degrees 47 minutes 37 seconds West, 479.89 feet to a 1/2 inch steel rod set on the Northeast line of F. M. Highway 157, said point being on a curve with a radius of 97.30 feet;

THENCE Northwesterly with said Highway and the arc of said curve to the left through a central angle of 54 degrees 50 minutes 50 minutes a chord bearing and distance of North 87 degrees 06 minutes 35 seconds West, 89.62 feet, an arc length of 93.14 feet to a 1/2 inch steel rod set at the end of said curve;

THENCE South 65 degrees 28 minutes 00 seconds West, continuing with the Northwest line of said Highway, 238.84 feet to a 1/2 inch steel rod set at the Southwest corner of said First Tract and the East line of Lot 3, Block 13, of the Original Town of Venus;

THENCE North 5 degrees 18 minutes 00 seconds West, with the West line of said First tract and East line of the Original Town of Venus, at 1079.39 feet passing a 1/2 inch steel rod set, in all 1110.74 feet to a 1/2 inch steel rod set at the Northwest corner of said First Tract and in the center of said Street;

THENCE North 59 degrees 35 minutes 30 seconds East, with the center of said Street and the common line of said First Tract  
Continued on next page

BK 3444 PG 0103

and Southwest Railroad Car Ports, Inc. tract 819.09 feet to the Point of Beginning and containing approximately 26.885 acres of land more or less.

## TRACT I:

Being a part of the William Hill Survey, Pat. No. 307, Vol. 13, Johnson County, Texas.

BEGINNING at a  $\frac{1}{2}$  inch steel pin being in the North line of the said William Hill Survey and being 31.4 feet (11.3 varas) and South 60 degrees, West with the Northeast corner of said William Hill Survey;

THENCE -- South 30 degrees East, 31.4 feet from and parallel to the East line of said Hill Survey, a distance of 1107.8 feet to a  $\frac{1}{2}$  inch steel pin for corner, being in the centerline of a County Road;

THENCE -- South 60 degrees West, along said County Road, 2268.7 feet to a  $\frac{1}{2}$  inch steel pin being in the East line of the Old I & G N Railroad (now abandoned);

THENCE -- North 4 degrees and 40 minutes West, along the East right-of-way of an abandoned County Road, 1225.7 feet to a  $\frac{1}{2}$  inch steel pin being in the North line of said William Hill Survey;

THENCE -- North 60 degrees East along said survey, 503.1 feet to a  $\frac{1}{2}$  inch steel pin for corner, being the Northwest corner of a 1 acre tract as described in a deed by W. A. Shirley to the Venus Cemetery Associations, Venus, Texas, recorded in Volume 402, Page 40 Deed Records of Johnson County, Texas;

THENCE -- South 30 degrees East, along the West line of the cemetery, 688.6 feet to a  $\frac{1}{2}$  inch steel pin for corner;

THENCE -- North 60 degrees East, 567.6 feet to a  $\frac{1}{2}$  inch steel pin for corner;

THENCE -- North 30 degrees West along the East line of said Venus Cemetery, 688.6 feet to a  $\frac{1}{2}$  inch steel pin for corner;

THENCE -- North 60 degrees East, 705.0 feet to the place of BEGINNING and containing 42.88 acres of land, more or less.

## TRACT II:

Being a part of the William Hill Survey, Pat. 307, Vol. 13, Johnson County, Texas;

BEGINNING at a  $\frac{1}{2}$  inch steel pin being in the East line of said Hill Survey and being South 30 degrees East, 1107.8 feet (398.80 varas) from the Northeast corner of said Hill Survey, said beginning point being in the centerline of an East-West County Road;

THENCE -- South 30 degrees East, along said survey line, 2508.0 feet to a  $\frac{1}{2}$  inch steel pin for corner;

THENCE -- South 60 degrees West, 1144.4 feet to a  $\frac{1}{2}$  inch steel pin for corner;

THENCE -- North 30 degrees West, 1373.6 feet to a 1 inch pipe for corner;

THENCE -- South 60 degrees West, 353.5 feet to a  $\frac{1}{2}$  inch steel pin for corner;

THENCE -- North 30 degrees West, 1134.4 feet to a  $\frac{1}{2}$  inch steel pin being in an East-West County Road;

THENCE -- North 60 degrees East, along a County Road, 1497.9 feet to the place of BEGINNING and containing 75.19 acres of land, more or less.

## TRACT III:

Being a part of the William Hill Survey, Pat. 307, Vol. 13, Johnson County, Texas;

BEGINNING at a  $\frac{1}{2}$  inch steel pin being South 30 degrees East, 1107.8 feet and South 60 degrees West, 1497.9 feet from the Northeast corner of said Hill Survey;

THENCE -- South 30 degrees East, 261.5 feet to a  $\frac{1}{2}$  inch steel pin for corner;

THENCE -- South 60 degrees West, 919.1 feet to a  $\frac{1}{2}$  inch steel pin being in the East right-of-way of F.M. Highway No. 157;

THENCE -- North 0 degrees and 53 minutes West, along the East right-of-way of said F.M. Highway No. 157, 183.3 feet to a  $\frac{1}{2}$  inch steel pin for corner;

THENCE -- along a curve to the left, whose central angle is 118 degrees and 00 minutes, a distance of 103 feet to a  $\frac{1}{2}$  inch steel pin for corner;

THENCE -- North 60 degrees East, along a County Road 826.6 feet to the place of BEGINNING and containing 5.10 acres of land, more or less.

## TRACT IV:

Being a part of the William Hill Survey, Pat. 307, Vol. 13, Johnson County, Texas;

BEGINNING at a  $\frac{1}{2}$  inch steel pin being South 30 degrees East, 1369.3 feet and South 60 degrees West, 1497.9 feet from the Northeast corner of said Hill Survey;

THENCE -- South 30 degrees East, 872.9 feet to a  $\frac{1}{2}$  inch steel pin for corner;

THENCE -- South 60 degrees West, 951.5 feet to a 1 inch pipe for corner, being in the East line of F.M. Highway No. 157;

THENCE -- North 31 degrees and 20 minutes West, along the East right-of-way of said Highway, 311.9 feet to a  $\frac{1}{2}$  inch steel pin for corner;

THENCE -- North 32 degrees and 52 minutes West, along said Highway right-of-way, 253.3 feet to a  $\frac{1}{2}$  inch steel pin for corner, corner being the beginning of a curve to the right whose central angle is 37 degrees and 51 minutes;

THENCE -- along said curve to the right and said East right-of-way, a distance of 360.0 feet, more or less to a  $\frac{1}{2}$  inch steel pin for corner;

THENCE -- North 60 degrees East, 919.1 feet to the place of BEGINNING and containing 18.73 acres of land, more or less.

## TRACT V:

Being a part of the William Hill Survey, Pat. 307, Vol. 13, Johnson County, Texas;

BEGINNING at a  $\frac{1}{2}$  inch steel pin being in the West right-of-way of F.M. Highway No. 157, said pin being South 30 degrees East, 2222.8 feet and South 60 degrees West, 2529.4 feet from the Northeast corner of said Hill Survey;

THENCE -- South 60 degrees West, along a fence, 318.7 feet to a  $\frac{1}{2}$  inch steel pin being in the East right-of-way of the I & G N Railroad (now abandoned);

THENCE -- North 4 degrees and 40 minutes West along said Railroad right-of-way, 696.8 feet to a  $\frac{1}{2}$  inch steel pin being in the West right-of-way of F.M. Highway No. 157;

THENCE -- South 32 degrees and 35 minutes East, 424.9 feet to a  $\frac{1}{2}$  inch steel pin for corner;

THENCE -- South 31 degrees and 14 minutes East with the West right-of-way of said Highway, 205.6 feet to the place of BEGINNING and containing 3.09 acres of land, more or less.



## TRACTS VI, VII &amp; VIII

All those certain tracts or parcels of land, herein designated as Tract 6, Tract 7, Tract 8, which lies in the Radford Berry Survey, and the William Hill Survey, Johnson County, Texas, and being a portion of the International and Great Northern Railway Right-of-Way, now abandoned, as shown on Valuation Map V-8/S-L-T-10, Venus Map, on file in the Office of the Chief Engineer, Missouri Pacific Railroad Company, St. Louis, Missouri, and being more particularly described by metes and bounds as follows:

- BEGINNING Tract 6 at an iron rod for corner, in the North right-of-way line of F.M. 157, which bears South 59 degrees, 20 minutes West, 1753.98 feet, and South 4 degrees, 59 minutes East, 1187.32 feet from the Northeast corner of the aforementioned William Hill Survey;
- THENCE -- Westerly 74.69 feet along the arc of a circular curve to the left, having a radius of 97.30 feet, to a point for corner;
- THENCE -- South 65 degrees, 47 minutes West, 27.02 feet continuing, along the North line of F.M. Road 157 to an iron rod for corner;
- THENCE -- North 04 degrees, 59 minutes West, 237.27 feet to an iron rod for corner;
- THENCE -- South 85 degrees, 01 minutes West, 200.0 feet to an iron rod for corner;
- THENCE -- North 04 degrees, 59 minutes West, 810.69 feet to an iron rod for corner;
- THENCE -- North 59 degrees, 20 minutes East, 110.96 feet to an iron rod for corner;
- THENCE -- North 4 degrees, 59 minutes West, 620.09 feet to an iron rod for corner;
- THENCE -- South 85 degrees, 01 minutes West, 50.00 feet to an iron rod for corner;
- THENCE -- North 4 degrees, 59 minutes West, 100.0 feet to an iron rod beginning a curve to the left having a radius of 1282.39 feet;
- THENCE -- Northwesterly along said curve, 506.07 feet to an iron rod for corner in the South right-of-way line of the Gulf, Colorado, and Santa Fe Railway;
- THENCE -- North 65 degrees, 51 minutes East, 300.44 feet along said right-of-way to an iron rod for corner, and being a point on a curve to the right having a radius of 1582.39 feet;
- THENCE -- Southeasterly along said curve 604.23 feet to an iron rod ending said curve;
- THENCE -- South 4 degrees, 59 minutes East, 100.0 feet to an iron rod for corner;
- THENCE -- South 85 degrees, 01 minutes West, 50.00 feet to an iron rod for corner;
- THENCE -- South 4 degrees, 59 minutes East, 1711.23 feet to the place of BEGINNING and containing 13.740 acres of land, more or less.

BEGINNING Tract 7 at an iron rod for corner which is also an ell corner of Tract 6 as described above and which bears South 59 degrees, 20 minutes West, 1753.98 feet, and South 4 degrees, 59 minutes East, 954.97 feet, and South 85 degrees, 01 minut West, 100.00 feet from the Northeast corner of said William Hill Survey;

THENCE -- South 4 degrees, 59 minutes East 237.27 feet to an iron rod for corner in the North right-of-way line of F.M. Highway 157;

THENCE -- South 65 degrees, 47 minutes West, 211.82 feet along said Right-of-way to an iron rod for corner;

THENCE -- North 04 degrees, 59 minutes West, 307.05 feet to an iron rod for corner;

THENCE -- North 85 degrees, 01 minutes East, 200.00 feet to the place of BEGINNING and containing 1.249 acres of land, more or less.

BEGINNING Tract 8 at an iron rod for corner, in the South Right-of-way line of aforementioned F.M. Highway 157, which bears South 4 degrees, 59 minutes East, 84.73 feet from the Southwest corner of Tract 7 as described above;

THENCE -- North 65 degrees, 47 minutes East, 266.76 feet along said Right-of-way line to an iron rod beginning a curve to the right having a radius of 17.3 feet;

THENCE -- Southeasterly, 35.63 feet along said curve to an iron rod ending said curve;

THENCE -- South 3 degrees, 47 minutes West, 166.00 feet to an iron rod beginning a curve to the left having a radius of 612.96 feet;

THENCE -- Southerly, 362.15 feet along said curve to an iron rod for corner;

THENCE -- South 4 degrees, 59 minutes East, 829.86 feet to an iron rod for corner;

THENCE -- South 59 degrees, 20 minutes West, 1224.92 feet to an iron rod for corner;

THENCE -- North 4 degrees, 59 minutes West, 1283.00 feet to an iron rod for corner;

THENCE -- South 85 degrees, 01 minutes West, 100.00 feet to an iron rod for corner;

THENCE -- North 4 degrees, 59 minutes West, 91.45 feet to the place of BEGINNING and containing 6.134 acres of land, more or less.

EXHIBIT A-3

Property Account Number 126-0379-00245 Prop Type - D1

ABST 379 TR 15C, 20

WM HILL

LOC - 000000 S FM 157

ACRES- 9.220

Property Account Number 126-0379-00250 Prop Type - D3

ABST 379 TR 18, 19, 23

WM HILL

LOC - 000000 S FM 157

ACRES- 197.995

Property Account Number 126-0026-00240 Prop Type - D1

ABST 26 TR 23

R BERRY

LOC - 000000

ACRES- 7.610

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

Filed For Record 1:08 AM/PM

DEC 30 2004

County Clerk Johnson County  
By [Signature] Deputy

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.

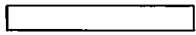
**STATE OF TEXAS**  
**COUNTY OF JOHNSON**

That I hereby certify this instrument was FILED on the date and at the  
time stamped hereon by me and was duly RECORDED in the  
OFFICIAL PUBLIC RECORDS JOHNSON COUNTY, TEXAS in the  
Volume and Page as shown hereon.

[Signature]  
CURTIS H. DOUGLAS, COUNTY CLERK  
JOHNSON COUNTY, TEXAS

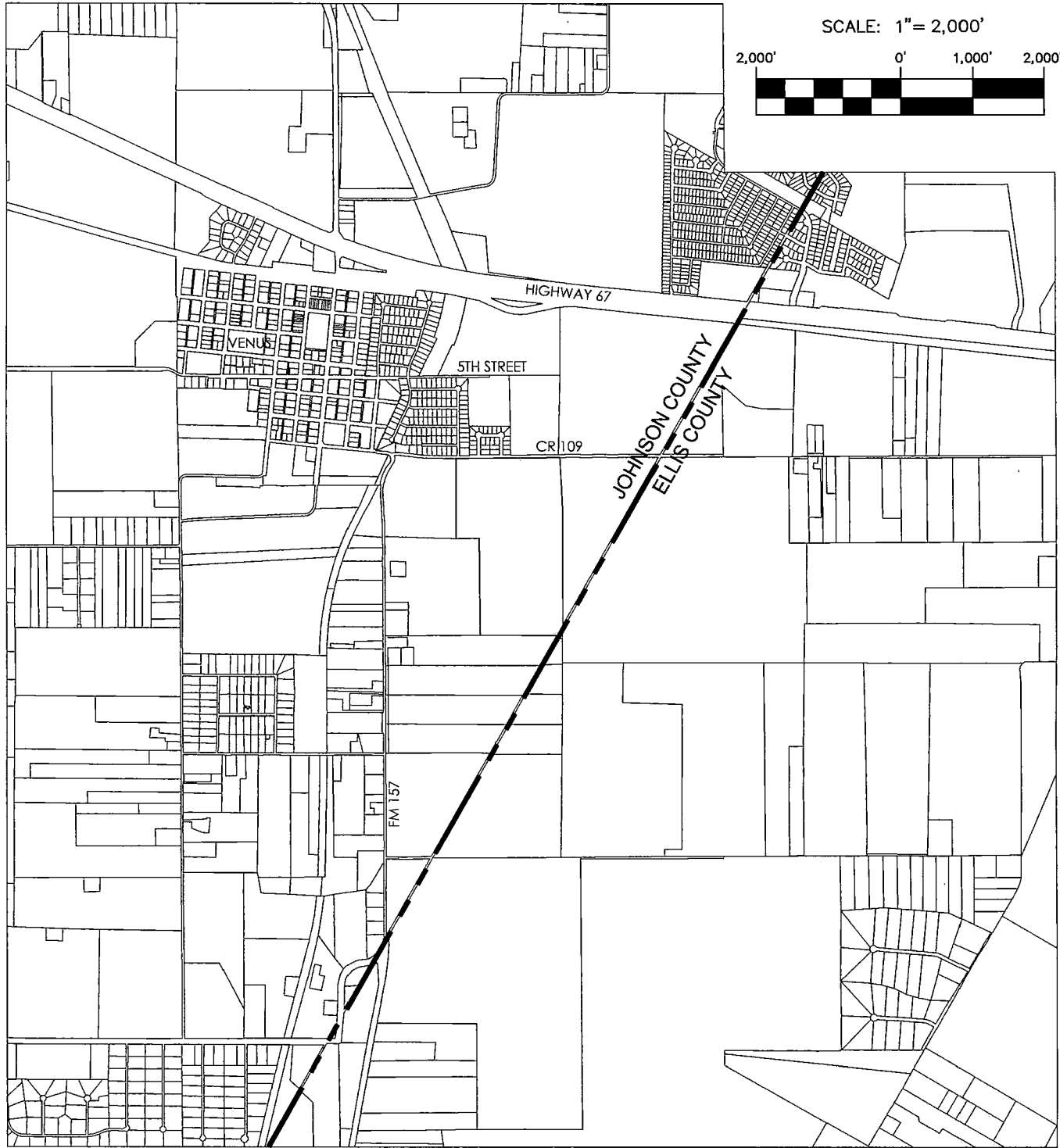
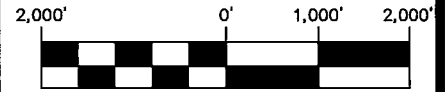
# Exhibit B

# LEGEND

 SEVEN S RANCH




SCALE: 1" = 2,000'



Date: Oct 08, 2021, 9:11am User ID: cehotz  
File: W:\Projects\70076\1512.C Design\2.4 Civil\2.4.4 Exhibit\211008 Decertification\Items\Exhibit\_B.dwg

JOB NO. 70076-15  
DATE OCT 2021  
DESIGNER COS  
CHECKED XXX DRAWN COS  
EXHIBIT **B**


**STREAMLINED EXPEDITED RELEASE (SER)**  
**MOUNTAIN PEAK SUD WATER CCN NO. 10908**  
**SEVEN S RANCH**  
**GENERAL LOCATION MAP**  
**VENUS, TEXAS**

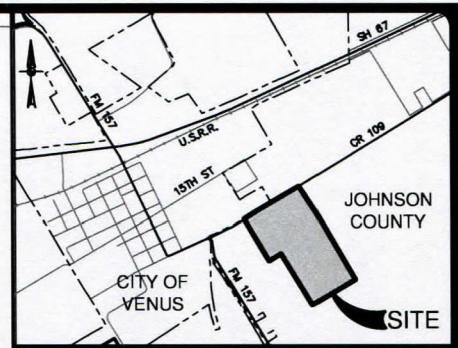


**PAPE-DAWSON ENGINEERS**  
DALLAS | SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH  
5810 TENNYSON PARKWAY, STE 425 | PLANO, TX 75024 | 214.420.8494  
TEXAS ENGINEERING #470 | TEXAS SURVEYING FIRM #10194300

THIS DOCUMENT HAS BEEN PRODUCED FROM MATERIAL THAT WAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN INADVERTENTLY ALTERED. RELY ONLY ON FINAL HARDCOPY MATERIALS BEARING THE CONSULTANT'S ORIGINAL SIGNATURE AND SEAL.

# LEGEND

 SEVEN S RANCH

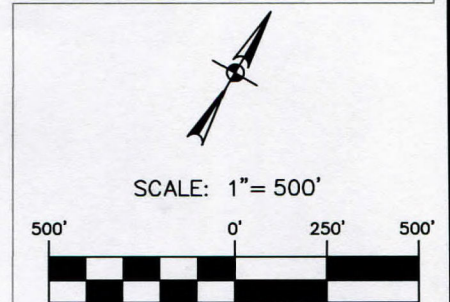


## LOCATION MAP

NOT-TO-SCALE

FULSON VENUS 140 LP  
VOL. 4079 PG. 329  
O.P.R.J.C.T.

JEFF D MCGREGOR  
VOL. 02178 PG. 935  
O.P.R.J.C.T.



Date: Oct 08, 2021, 9:46am User ID: ccahatz File: H:\Projects\700\15\2.0 Design\2.4 Civil\2.4.4 Exhibits\211008 Decertification\Decertification Itema\Exhibit C.dwg

JOB NO. 70076-15  
DATE OCT 2021  
DESIGNER COS  
CHECKED XXX DRAWN COS  
EXHIBIT C

**STREAMLINED EXPEDITED RELEASE (SER)**  
**MOUNTAIN PEAK SUD WATER CCN NO. 10908**  
**SEVEN S RANCH**  
**DETAILED MAP**  
**VENUS, TEXAS**

**Pape-Dawson**  
**ENGINEERS**

DALLAS | SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH  
5810 TENNYSON PARKWAY, STE 425 | PLANO, TX 75024 | 214.420.8494  
TEXAS ENGINEERING #470 | TEXAS SURVEYING FIRM #10194390

THIS DOCUMENT HAS BEEN PRODUCED FROM MATERIAL THAT WAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN INADVERTENTLY ALTERED. RELY ONLY ON FINAL HARD COPY MATERIALS BEARING THE CONSULTANT'S ORIGINAL SIGNATURE AND SEAL.

# Exhibit C



SURVEY PLAT

Radford Berry Survey  
Abstract No. 26

called 101.33 acres  
Elin Tract  
Jeff D. McGregor and  
Dow Anna McGregor  
Vol. 1178, Pg. 935  
D.R.J.C.T.

William Hill Survey  
Abstract No. 379

called 75.19 acres  
Tract II  
Seven S Ranch, INC  
Vol. 1444, Pg. 97  
D.R.J.C.T.

73.5240 Gross Acres  
- 0.9963 Acres in R.O.W.  
72.5277 Net Acres  
3,159,306 Net Sq. Feet

100' Utility Easement  
Texas Power & Light Co  
Vol. 260, Pg. 545  
Vol. 881, Pg. 360  
D.R.J.C.T.

ITEMS CORRESPONDING TO:  
OLD REPUBLIC NATIONAL TITLE  
INSURANCE COMPANY  
FILE NO. 2194878ETX  
EFFECTIVE: April 28, 2021  
ISSUED: May 3, 2021  
SCHEDULE B

A. A utility easement granted to Texas Power & Light Company as set forth in instrument recorded in Volume 260, Page 545, of the Deed Records, Johnson County, Texas. DOES AFFECT AS SHOWN

C. A utility easement granted to Texas Power & Light Company as set forth in instrument recorded in Volume 881, Page 360, of the Deed Records, Johnson County, Texas. DOES AFFECT AS SHOWN

D. A gas line easement granted as set forth in instrument recorded in Volume 543, Page 611, of the Deed Records, Johnson County, Texas. DOES NOT AFFECT

E. A utility easement granted to Texas Power & Light Company as set forth in instrument recorded in Volume 891, Page 360, of the Deed Records, Johnson County, Texas. DOES AFFECT AS SHOWN

F. A utility easement granted to Johnson County Electric Cooperative Association as set forth in instrument recorded in Volume 1930, Page 1, of the Official Public Records, Johnson County, Texas. DOES NOT AFFECT

G. A utility easement granted to Johnson County Electric Cooperative Association as set forth in instrument recorded in Volume 1930, Page 3, of the Official Public Records, Johnson County, Texas. DOES NOT AFFECT

LEGEND OF SYMBOLS & ABBREVIATIONS			
C/RS	Capped Iron Rod Set	Electric Meter	(M)
Water Meter	(W)	Electric Control Box	(E)
Fire Hydrant	(F)	Property Line	(P)
Underground Elec.	(U)	Adjoining Property Line	(A)
Light Pole	(L)	Iron Fence	(I)
Power Pole	(P)	Wood Fence	(W)
Sanitary Sewer Manhole	(S)	Chain Link Fence	(C)
Concrete	(C)	Barbed Wire Fence	(B)
Gas Meter	(G)	Overhead Powerline	(O)

**FLOOD NOTE:**  
No portion of this property is in Zone X of the Flood Insurance Rate Map, Community Panel No. 48251C0250 J, which was in Revised Date of July 2, 2014 and is not in a Special Flood Hazard Area. As shown on the FEMA website (<http://msc.fema.gov>) by FEMA created on May 21, 2021 we have warned this community does currently participate in the program. No field surveying was performed to determine the zone and an elevation certificate may be used to verify this determination or apply for a variance from the Federal Emergency Management Agency.

**SANDS SURVEYING CORPORATION**  
2221 Justin Road #119-466  
Flower Mound, TX 75028  
PH: (214) 919-7883  
Texas Firm Registration No. 10014600  
[www.sacct.net](http://www.sacct.net)



VICINITY MAP

called 23.29 acres  
Hao Ngu and Long T. Nguyen  
Inst. No. 2013-1304  
D.R.J.C.T.

**Legal Description**

**BEING** a 73.5240 acre tract of land situated in the William Hill Survey, Abstract Number 379 Johnson County, Texas and being all that certain called 73.19 acre tract of land, Tract II described in Warranty Deed from Billy G. Shaw, et al, to Seven S Ranch, INC and recorded in Volume 1444, Page 97 of the Deed Records of Johnson County, Texas;

**BE BEGINNING** at a point for corner in the called center of County Road 109 (60 feet Right-of-Way) and being in the Northwest line of said William Hill Survey, same being the Southeast line of the Radford Berry Survey, Abstract Number 26 and being at the North corner of said 75.19 acre tract of land, same being the East corner of that certain called 101.33 acre tract of land described in Deed to Jeff D. McGregor and Dow Anna McGregor and recorded in Volume 1178, Page 935 of said Deed Records and being in the Southeast line of County Road 109 (60 feet Right of Way);

**THENCE** South 11°13'36" East with the Northeast line of said 75.19 acre tract, same being the Southeast line of said 101.33 acre tract at a distance of 30.00 feet passing an A-86 found for reference and containing a total distance of distance of 2,304.49 feet to a 1/2" iron rod found for corner at the East corner of said 75.19 acre tract same being the North corner of that certain called 23.29 acre tract of land to Hao Ngu and Long T. Nguyen and recorded in Instrument Number 2013-1304 of said Deed Records and being in the Southwest line of said 101.33 acre tract;

**THENCE** South 59°20'46" West with the Southeast line of said 75.19 acre tract, same being the Northeast line of said 23.29 acre tract at a distance of 1,145.65 feet to a 3/8" iron rod found for corner at the South corner of said 75.19 acre tract same being the East corner of that certain called 38,000 acre tract of land described in Deed to Lam Nguyen and recorded in Instrument Number 2012-9914 of said Deed Records;

**THENCE** North 30°36'44" West with the Southwest line of said 75.19 acre tract, same being the Northeast line of said 38,000 acre tract at a distance of 1,122.90 feet to a point for corner at an inside ell corner in the Southwest line of said 75.19 acre tract same being the North corner of said 38,000 acre tract;

**THENCE** South 19°21'14" West with the Northwest line of said 38,000 acre tract at a distance of 531.80 feet to a 1/2" iron rod found for corner at an outside ell corner in the Southwest line of said 75.19 acre tract same being the East corner of that certain called 23.09 acre tract of land described in Deed to ALCA Corporation, INC and recorded in Instrument Number 2016-29977 of said Deed Records;

**THENCE** North 20°25'33" East with the Southwest line of said 75.19 acre tract, same being the Northeast line of said 75.00 acre tract at a distance of 1,094.11 feet to a 2" iron rod found for reference in the Southeast line of said County Road and containing a total distance of 1,124.11 feet in a point for corner at the West corner of said 75.19 acre tract same being the North corner of said 23.09 acre tract and being in the above mentioned County Road 109;

**THENCE** North 59° 03'23" East with the Northwest line of said 75.19 acre tract, and with said County Road 109 a distance of 1,146.70 feet back to POINT OF BEGINNING and CONTAINING 23,240 acres of land of which 0.9963 acres is within said County Road 109 having a net of 3,159,705 square feet or 72,577 acres of land, or less.

David M. Sands, Registered Professional Land Surveyor No. 5411, do hereby certify that this plat is the result of a survey made by me or by direction on the ground of the property shown hereon, the information of said property being as indicated by this plat, the location and types of buildings and improvements are as set back from the property lines the distance indicated. Use of Restrictions and Easements of record which may affect property, if any, has been limited to those provided from Schedule A of this commitment, Visible and Apparent Easements, if any, are shown.  
Source: All bearings are based on Texas State Plane Coordinate North Central Zone.  
DATE: 05/11/2021 DRAWN BY: CHRYSTIAN J.



# Exhibit D



November 30, 2021

Mr. Randel Kirk, CWP  
General Manager  
Mountain Peak Special Utility District  
5671 Waterworks Road  
Midlothian, TX 76065

Dear Mr. Kirk:

This letter shall serve as a written request for service from Mountain Peak Water Supply Corporation ("Mountain Peak" or the "CCN holder"), holder of Certificate of Convenience and Necessity No. 10908, to property owned by LGI Homes – Texas, LLC ("LGI") in Johnson County, Texas. LGI owns a tract of approximately 73.5 acres nine hundred (900) feet west of County Road 109 where it intersects with Farm-to-Market Road 157, as shown on the attached boundary survey map. LGI seeks to develop the property for a multi-residential development and seeks service in this regard, which is for other than standard residential or commercial service.

In order to develop this property, LGI needs full water and sewer service to the property no later than September 2023. Water service and fire flow capacity will be required for approximately two hundred and eighty (280) single-family residential homes. This will require approximately 1,300 GPM (max. daily flow) to serve the development, including 1,000 GPM fire flow and approximately 280 residential connections. Eight-inch waterlines are to be used throughout the development. A minimum pressure of 40 PSI will be necessary to maintain under normal conditions. A minimum pressure of 20 PSI will be maintained while delivering fire flow under maximum day conditions.

It is LGI's understanding from previous communications with Mountain Peak that it is not currently able to provide suitable service to the property and would need to construct new pipe for approximately two miles at an estimated cost of two million dollars (\$2MM). LGI requests that Mountain Peak confirm that this estimate is current and, if not, provide an updated cost of service estimate. LGI has inquired as to alternative retail public utilities to provide the necessary service to the property. The City of Venus, Texas, is able to provide service to the property without the need to construct additional water pipeline infrastructure. The City of Venus currently has twelve-inch (12") water line adjacent to the site along County Road 109 that has the capacity to serve the property for its anticipated needs.

If Mountain Peak is unable to provide service without substantial additional cost to LGI, it is LGI's intent to seek expedited release from Mountain Peak's CCN in order to obtain the available service from the City of Venus. This letter provides notice pursuant to 16 TAC 24.245 (f)(5) and the Texas Water Code. Please do not hesitate to contact us to discuss this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'ET', written over a horizontal line.

Elaine Torres  
Officer

May 27, 2021

Mr. Randy Kirk, Manager  
Mountain Peak Special Utility District  
5671 Waterworks Road  
Midlothian, Texas 76065

Re: Hydraulic Analysis for  
Seven S. Ranch (288 meters)  
Between Nodes 3243 & 3244  
Venus, TX

Dear Mr. Kirk:

In response to your request, we have examined the hydraulic capability of your system to provide the above referenced service. For this evaluation, we modeled the system for 288 meters at a 0.72 gpm per connection (max day) plus a 1,000 gpm fire flow (based on ISO requirements less than 20' spacing) for a total of 1,207 gpm. The demands were placed on the entrance to the development. We ran the model numerous times evaluating different alternatives in order to minimize the expense for the developer. We assumed the elevated tank levels at the low water setting.

At this time, in order to serve the proposed development, as well as the rest of the existing system, in conformity with Texas Commission on Environmental Quality (TCEQ) standards for water distribution, we recommend that an off-site line of the district's minimum size of 12" be extended from the intersection of V.V Jones & CR 109 approximately 9,000 LF to and across the subject property.

Please call if you have any questions or would like to meet to discuss this matter.



RTC/cv

Very truly yours,

CHILDRESS ENGINEERS

A handwritten signature in black ink, appearing to read "Robert T. Childress III".

Robert T. Childress, III, P.E.

I:\MTP\AKV\HAW\ET-SevenRanch-3-21.docx

# Exhibit E

AFFIDAVIT

THE STATE OF TEXAS       §  
  §  
COUNTY OF COLLIN       §

BEFORE ME, the undersigned authority, on this day personally appeared Elaine Torres, whom, being first duly sworn by me, upon her oath stated:

1. My name is Elaine Torres acting in my capacity as a Member of LGI Homes — Texas, LLC, ("Petitioner"). I am of sound mind, more than eighteen (18) years of age, and am capable of making this affidavit.
2. The Petitioner has submitted a Petition for Expedited Release from Certificate of Convenience and Necessity for Water Service ("Petition") with the Public Utility Commission of Texas ("PUC" or "Commission") and is now submitting a Second Amended Petition ("Amended Petition") clarifying the amount of acreage for which the Petition was originally filed ("Property") and confirming that the Property includes 0.9963 acres of land within the centerline of Johnson County Road 109. That acreage was correctly described in the descriptions of the Property contained on Exhibits "A", "B", and "C" attached to the Petition but was not fully described in the contents of the Petition itself.
3. The Amended Petition is being submitted pursuant to Texas Water Code § 13.254(a-1) and 16 Texas Administrative Code § 24.245(f).
4. The Property (as defined in the Amended Petition) is at least 50 contiguous acres in size and is not located in a platted subdivision currently receiving service.
5. The Property is subject to certificate of convenience and necessity ("CCN") No. 10908 for water service held by Mountain Peak Water Supply Corporation (the "CCN Holder"), and is located in Johnson County, Texas.
6. The Property is not receiving water service from the CCN Holder.
7. The Petitioner owns the Property, including the 0.9963 acres located within the centerline of County Road 109, as evidenced by the deeds submitted with the Amended Petition.

8. A written request for service was submitted to the CCN Holder on November 30, 2021 as required by Texas Water Code § 13.254(a-1)(1).
9. A copy of the Amended Petition shall be mailed to the CCN Holder via certified mail on the day the Petition is filed with the Commission.
10. The required mapping documents are being submitted to the Commission with the Amended Petition.

WITNESS MY HAND this 11 day of May, 2022

By:

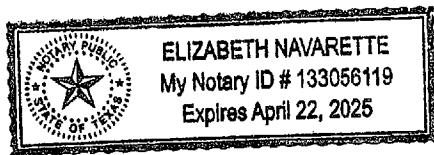
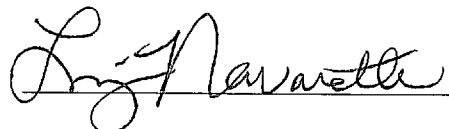


Officer L&I Homes Texas LLC

THE STATE OF TEXAS     §  
  §  
COUNTY OF COLLIN     §

This instrument was acknowledged before me on the 11 day of May, 2022, by Elaine Torres.

NOTARY SEAL



Notary Name: LIZ NAVARETTE