



## Filing Receipt

**Received - 2022-12-05 02:13:23 PM**  
**Control Number - 53450**  
**ItemNumber - 18**

**DOCKET NO. 53450**

<b>PETITION BY VPTM CROSS CREEK</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>LB, LLC TO AMEND MARILEE</b>	<b>§</b>	
<b>SPECIAL UTILITY DISTRICT'S</b>	<b>§</b>	<b>OF TEXAS</b>
<b>CERTIFICATE OF CONVENIENCE</b>	<b>§</b>	
<b>AND NECESSITY IN COLLIN</b>	<b>§</b>	
<b>COUNTY BY EXPEDITED RELEASE</b>	<b>§</b>	

**MARILEE SPECIAL UTILITY DISTRICT'S  
EVIDENCE OF RECORDING**

COMES NOW, Marilee Special Utility District (the "District"), and files this Evidence of Recording to reflect that the District has satisfied the requirements established by Ordering Paragraph 6 of the Order entered by the Commissioners of the Public Utility Commission of Texas (the "Commission") on October 20, 2022. In support thereof, the District would respectfully show the following:

**Proof of Recording**

On October 20, 2022, the Commission issued the final Order in this docket, which required the District, as the CCN holder, file proof of compliance with the recording requirements in Texas Water Code ("TWC") §§ 13.257(r) and (s).<sup>1</sup> TWC § 13.257(r) provides:

A utility service provider shall:

- (1) record in the real property records of each county in which the service area or a portion of the service area is located a certified copy of the map of the certificate of public convenience and necessity and of any amendment to the certificate as contained in the utility commission's records, and a boundary description of the service area by:
  - (A) a metes and bounds survey certified by a licensed state land surveyor or a registered professional land surveyor;
  - (B) the Texas State Plane Coordinate System;
  - (C) verifiable landmarks, including a road, creek, or railroad line; or

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<sup>1</sup> Order (Ordering Paragraph 6) (October 20, 2022).

(D) if a recorded plat of the area exists, lot and block number; and

(2) submit to the utility commission evidence of the recording.<sup>2</sup>

TWC § 13.257(s) provides:

Each county shall accept and file in its real property records a utility service provider's map presented to the county clerk under this section if the map meets filing requirements, does not exceed 11 inches by 17 inches in size, and is accompanied by the appropriate fee. The recording required by this section must be completed not later than the 31st day after the date a utility service provider receives a final order from the utility commission granting an application for a new certificate or for an amendment to a certificate that results in a change in the utility service provider's service area.<sup>3</sup>

Pursuant to TWC §§ 13.257(r) and (s), the District recorded the following documents, attached as "**Exhibit A**," on November 23, 2022, in the real property records of Collin County, Texas:

- Affidavit of John J. Carlton, dated November 11, 2022;
- Map of the District's amended Certificate of Convenience and Necessity ("CCN") No. 10150 as included in the Order;<sup>4</sup>
- The District's CCN Certificate as included in the Order;<sup>5</sup>
- Metes and bounds description of area decertified from the District's CCN as included in the Petition.<sup>6</sup>

### **Conclusion**

By filing the proof of recording as described herein, the District satisfied the requirements of Texas Water Code § 13.257(r) and (s), and Ordering Paragraph 6 of the Commission's Order.

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<sup>2</sup> TWC § 13.257(r).

<sup>3</sup> TWC § 13.257(s).

<sup>4</sup> Order at 8.

<sup>5</sup> *Id.* at 9.

<sup>6</sup> Petition by VPTM Cross Creek LB, LLC for Expedited Release Pursuant to Texas Water Code Section 13.2541, at Exhibit C-1 Special Warranty Deed, Exhibit A to Deed (April 4, 2022).

Respectfully submitted,

By: 

John J. Carlton  
State Bar No. 03817600  
The Carlton Law Firm P.L.L.C.  
4301 Westbank Drive, Suite B-130  
Austin, Texas 78746  
(512) 614-0901  
Fax (512) 900-2855  
[john@carltonlawaustin.com](mailto:john@carltonlawaustin.com)

ATTORNEYS FOR MARILEE SPECIAL  
UTILITY DISTRICT

### **CERTIFICATE OF SERVICE**

I hereby certify that I have served or will serve a true and correct copy of the foregoing document via hand delivery, facsimile, electronic mail, overnight mail, U.S. mail and/or Certified Mail Return Receipt Requested to all parties on this the 5<sup>th</sup> day of December 2022.

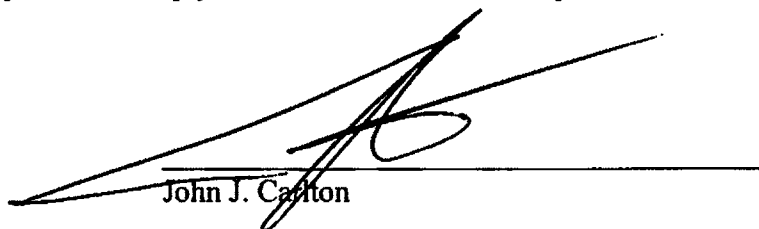
  
John J. Carlton

**PUC REQUIRED BOUNDARY DESCRIPTION**

**Marilee Special Utility District; Portion of Water Service Area CCN. 10150;  
PUC Docket 53450 – Petition of VPTM CROSS CREEK LB, LLC to Amend Marilee  
Special Utility District's Certificate of Convenience and Necessity in Collin County by  
Expedited Release**

Pursuant to Texas Water Code § 13.257, Mustang Special Utility District, Successor to Marilee Special Utility District (the "District"), holder of Certificate of Convenience and Necessity No. 10150, hereby files this Boundary Description for the portion of the District's CCN No. 10150 that was released by the Public Utility Commission of Texas ("PUC") in a written order in Docket No. 53450. The portion of the District's CCN that was released is described on the attached metes and bounds. The portion of the District's CCN that was released is further depicted in the attached map prepared by the PUC.

The Boundary Description is being filed on behalf of and at the request and instruction of the District based upon information and belief. The District specifically authorizes the filing and recording of this Boundary Description to comply with Texas Water Code § 13.257 and its associated rules and regulations.

  
\_\_\_\_\_  
John J. Carlton

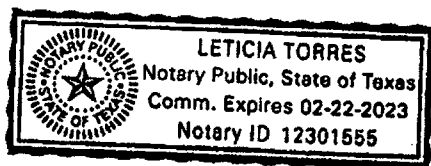
STATE OF TEXAS

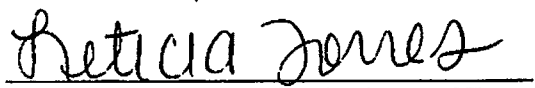
§  
§  
§

COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, on this date personally appeared John J. Carlton, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes therein described.

Given under my hand and seal of this office on this day, November 11, 2022



  
\_\_\_\_\_  
Notary Public in and for the State of Texas

After recording, please return to:  
The Carlton Firm, PLLC  
4301 Westbank Drive, Suite B-130  
Austin, Texas 78746



# **Public Utility Commission of Texas**

**By These Presents Be It Known To All That**

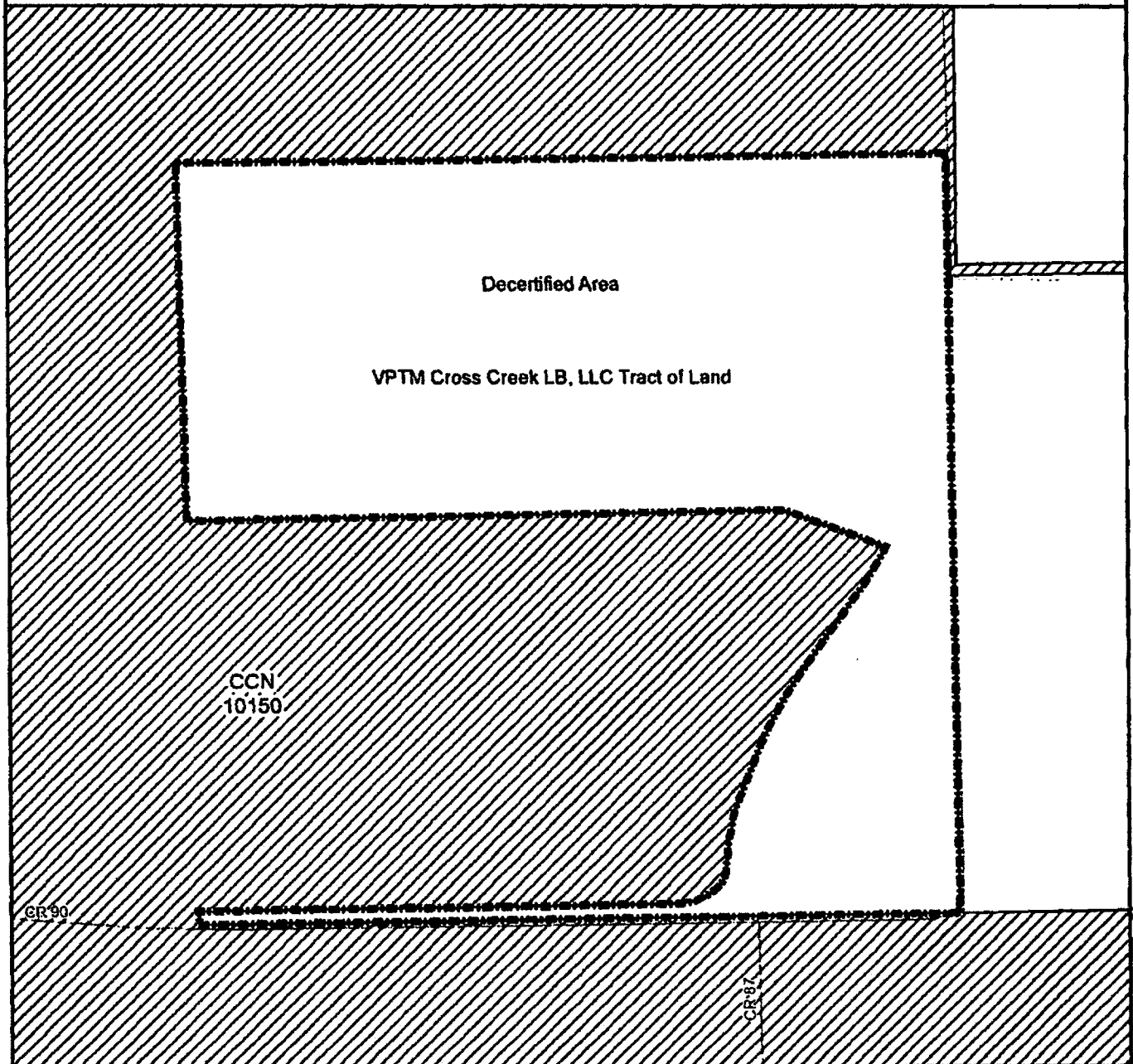
## **Marilee Special Utility District**

having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, Marilee Special Utility District is entitled to this

### **Certificate of Convenience and Necessity No. 10150**


to provide continuous and adequate water utility service to that service area or those service areas in Collin and Grayson Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 53450 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the Marilee Special Utility District to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Marilee Special Utility District  
Portion of Water CCN No. 10150  
PUC Docket No. 53450  
Petition by VPTM Cross Creek LB, LLC to Amend  
Marilee Special Utility District's CCN by Streamlined Expedited Release in Collin County



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

**Water CCN**

 10150 - Marilee SUD



Decertified Area



Tract of Land

0 150 300  
Feet



Map by: Komal Patel  
Date: June 8, 2022  
Project: 53450MarileeSUD.mxd

**EXHIBIT A to Deed**

**Legal Description**

**TRACT 1:**

Being all that certain tract or parcel of land situated in the Charles P. Rice Survey, Abstract No. 771, Collin County, Texas, being a part of a called 103.44 acre tract conveyed to A.J. Malone by deed of record in Volume 256, Page 340 of the Deed Records of Collin County, Texas, and being more particularly described by metes and bounds and follows:

BEGINNING at a 1/4" Iron Rod Found at the northwest corner of said 103.44 acre tract, same being the northeast corner of a called 41.549 acre tract conveyed to Joseph A Miller, by instrument No. 20160506000552620 of the Official Public Records of Collin County, Texas, from which a 1/2" Iron Rod Found bears N89°56'42"W a distance of 458.95 feet;

THENCE with the north line of said called 103.44 acre tract the following two (2) bearing and distances:

1. S89°48'38"E a distance of 517.04 feet to a 1/2" Iron Rod Found at the southeast corner of a called 2.00 acre tract conveyed to 1541 E Sunset 3, LLC by instrument of record in Document No. 20210119000114220 of the Official Public Records of Collin County, Texas;
2. S89°58'46"E a distance of 1151.28 feet to a 5/8" Iron Rod Set with plastic cap which reads "LANDPOINT" in County Road 90 and the west line of a called 539.914 acre tract conveyed to The Parks At Wilson Creek, L.P. by instrument of record Document No. 20130830001229380 of the Official Public Records of Collin County, Texas, for the northeast corner said 103.44 acre tract, from which a Mag Nail Found bears North 89°16'35" East, a distance of 9.17 feet;

THENCE S00°19'11"E, along the centerline of County Road 90, same being the east line of said 103.44 acre tract, same being the west line of said 539.914 acre tract, a distance of 270.54 feet to a Mag Nail Found at a southwest corner of said 539.914 acre tract, same being the northwest corner of a called 62.700 acre tract of land conveyed to Clifton Van McKnight and Bryan Jeffery McKnight by instrument of recorded in Document No. 20181116001414940 of the Official Public Records of Collin County, Texas, and being at the apparent intersection of the centerline of County Road 92 running east and west and the centerline County Road 90 running north and south.

THENCE S00°03'56"E, continuing along the centerline of County Road 90, the east line of said 103.44 acre tract, and the west line of said 62.700 acre tract, a distance of 1373.17 feet to an Iron Rod Set at southeast corner of the Fifth Part of the called 103.44 acre tract, same being the southwest corner of said 62.700 acre tract, the north line of a called 118.904 acre tract of land conveyed to CCD-Coit Land, LLC by instrument of record in Document No. 20210430000881680 of the Official Public Records of Collin County, Texas, and being at the apparent intersection of the centerline of County Road 90 running east and west and the centerline County Road 90 running north and south.



THENCE with the south line of said 103.44 acre tract and the centerline of County Road 90, the following two (2) bearing and distances:

1. N89°55'09"W a distance of 442.77 feet to a Mag Nail Found at the northwest corner of said 118.904 acre tract, same being the northeast corner of a called 44.25 acre tract conveyed to Celina Independent School District by instrument of record in Document No. 2019092331175910 of the Official Public Records of Collin County, Texas;
2. S89°57'13"W a distance of 1208.90 feet to a 1/4" Iron Rod Found at the southwest corner of the Fifth Tract of the called 103.44 acre tract, same being the southeast corner of said 41.549 acre tract;

THENCE N00°41'13"W along the east line of 41.549 acre tract a distance of 30.00 feet to a 5/8" Iron Rod Set with plastic cap which reads "LANDPOINT" set for corner;

THENCE severing said 103.44 acre tract of land following Ten (10) courses:

1. N89°57'13"E a distance of 1034.60 feet to a capped 5/8-inch iron rod set for a point of curvature;
2. Along a curve to the left, having a radius of 138.00 feet, an arc length of 100.73 feet, a delta angle of 41°49'17", and a chord which bears N69°02'35"E a distance of 98.51 feet to a capped 5/8" Iron Rod Set with plastic cap which reads "LANDPOINT" set for a point of curvature;
3. Along a curve to the left, having a radius of 50.00 feet, an arc length of 37.43 feet, a delta angle of 42°53'15", and a chord which bears N26°41'20"E a distance of 36.56 feet to a capped 5/8" Iron Rod Set with plastic cap which reads "LANDPOINT" set for a point of curvature;
4. Along a curve to the right, having a radius of 870.00 feet, an arc length of 132.08 feet, a delta angle of 08°41'54", and a chord which bears N09°35'39"E a distance of 131.95 feet to a capped 5/8" Iron Rod Set with plastic cap which reads "LANDPOINT" set for a point of tangency;
5. N22°42'33"E a distance of 149.29 feet to a capped 5/8-inch iron rod set for a point of curvature;
6. Along a curve to the right, having a radius of 860.00 feet, an arc length of 196.82 feet, a delta angle of 13°06'46", and a chord which bears N30°22'42"E a distance of 196.39 feet to a capped 5/8" Iron Rod Set with plastic cap which reads "LANDPOINT" set for a point of tangency;
7. N36°56'04"E a distance of 200.15 feet to a capped 5/8-inch iron rod set for a point of curvature;

8. Along a curve to the left, having a radius of 740.00 feet, an arc length of 115.58 feet, a delta angle of  $08^{\circ}56'56''$ , and a chord which bears  $N32^{\circ}27'36''E$  a distance of 115.46 feet to a capped 5/8" Iron Rod Set with plastic cap which reads "LANDPOINT" set for a point of tangency;
9.  $N69^{\circ}16'57''W$  a distance of 236.91 feet to a capped 5/8-inch iron rod set for corner;
10.  $S89^{\circ}46'08''W$  to a point on the West line of said 103.44 acre tract of land, a distance of 1292.70 feet to a capped 5/8-inch iron rod set for corner in the west line of said 103.44 acre tract, same being the east line of said 41.549 acre tract;

THENCE  $N00^{\circ}41'13''W$ , with the west line of said 103.44 acre tract, same being the east line of said 41.549 acre tract, a distance of 774.24 feet to the POINT OF BEGINNING and containing 37.695 acres of land.

**TRACT 2:**

BEING all that certain tract of land situated in the Charles P. Rice Survey, Abstract No. 771, Collin County, Texas, and being all of a called 62.700 acre tract of land described in the deed to Clifton Van McKnight and Bryan Jeffery McKnight, recorded in Instrument No. 20181116001414940, Official Public Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a mag nail found at the intersection of County Road 90 and County Road 92 and in the easterly line of a called 103.44 acre tract of land described in the deed to A.J. Malone, recorded in Volume 256, Page 340, Deed Records of Collin County, Texas for the northwest corner of said 62.700 acre tract, common to the western-most southwest corner of a called 517.454 acre tract of land described in the deed to The Parks at Wilson Creek, L.P., recorded in Instrument No. 20130830001229380, said Official Public Records;

THENCE South  $89^{\circ}54'49''$  East, in said County Road 92 with the northerly line of said 62.700 acre tract and a southerly line of said 517.454 acre tract, a distance of 1742.37 feet to a mag nail set for the northeast corner of said 62.700 acre tract;

THENCE South  $49^{\circ}40'37''$  East, continuing in said County Road 92 and with the easterly line of said 62.700 acre tract, a distance of 131.83 feet to a mag nail set for corner;

THENCE South  $21^{\circ}16'13''$  East, continuing in said County Road 92 and the easterly line of said 62.700 acre tract, a distance of 308.25 feet to a mag nail set for corner in a westerly line of said 517.454 acre tract;

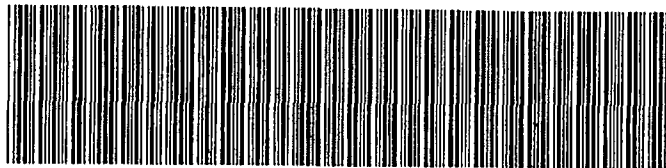
THENCE with the common line of said 62.700 acre tract and said 517.454 acre tract the following three (3) courses:

1. South 06°18'48" East, a distance of 258.73 feet to a 5/8-inch iron rod with a cap stamped "Landpoint" set (hereinafter referred to as capped iron rod set);
2. South 89°12'47" East, a distance of 106.69 feet to a mag nail found in said County Road 92 for a salient corner of said 62.700 acre tract, common to a re-entrant corner of said 517.454 acre tract;
3. South 07°36'21" West, a distance of 644.65 feet to a 5/8-inch capped iron rod set for the southeast corner of said 62.700 acre tract;

THENCE South 69°28'40" West, with the southerly line of said 62.700 acre tract, a distance of 293.24 feet to capped iron rod set for corner from which a 1/2-inch iron rod found for reference bears North 00°03'23" East, a distance of 1.47 feet;

THENCE North 89°55'09" West, continuing with the southerly line of said 62.700 acre tract, passing at a distance of 86.35 feet a 1/2-inch iron rod found for the northeast corner of a called 119.024 acre tract of land described in the deed to Celina Land Development LLC, recorded in Instrument No. 201901110000397300, said Official Public Records, continuing on said course with the northerly line of said 119.024 acre tract, a total distance of 1728.31 feet to a capped iron rod set at a bend in said County Road 90 for the southwest corner of said 62.700 acre tract, common to the southeast corner of said 103.44 acre tract, from which a mag nail found for the northwest corner of said 119.024 acre tract bears North 89°55'09" West, a distance of 442.77 feet;

THENCE North 00°03'56" West, in said County Road 90 with the westerly line of said 62.700 acre tract and the easterly line of said 103.44 acre tract, a distance of 1373.17 feet to the POINT OF BEGINNING and enclosing 62.140 acres of land, more or less.



\*VG-58-2022-2022000168450\*

**Collin County**  
**Honorable Stacey Kemp**  
Collin County Clerk

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**Instrument Number:** 2022000168450

Real Property

MISCELLANEOUS

Recorded On: November 23, 2022 09:02 AM

Number of Pages: 8

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

Total Recording: \$50.00

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\*\*\*\*\* **THIS PAGE IS PART OF THE INSTRUMENT** \*\*\*\*\*

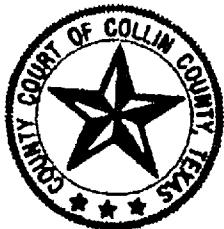
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY  
because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 2022000168450  
Receipt Number: 20221123000093  
Recorded Date/Time: November 23, 2022 09:02 AM  
User: Kacy M  
Station: Station 8

**Record and Return To:**

THE CARLTON LAW FIRM  
4301 WESTBANK DR #B130  
AUSTIN TX 78746



**STATE OF TEXAS**  
**Collin County**

**I hereby certify that this Instrument was filed in the File Number sequence on the date/time  
printed hereon, and was duly recorded in the Official Public Records of Collin County, Texas**

Honorable Stacey Kemp  
Collin County Clerk  
Collin County, TX