



Filing Receipt

Received - 2022-12-05 02:05:34 PM

Control Number - 53559

ItemNumber - 17

DOCKET NO. 53559

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

**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).¹ TWC § 13.257(r) provides:

A utility service provider shall:

(1) record in the real property records of each county in which the service area or a portion of the service area is located a certified copy of the map of the certificate of public convenience and necessity and of any amendment to the certificate as contained in the utility commission's records, and a boundary description of the service area by:

- (A) a metes and bounds survey certified by a licensed state land surveyor or a registered professional land surveyor;
- (B) the Texas State Plane Coordinate System;
- (C) verifiable landmarks, including a road, creek, or railroad line; or

¹ Order (Ordering Paragraph 6) (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.²

TWC § 13.257(s) provides:

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

Pursuant to TWC §§ 13.257(r) and (s), the District recorded the following documents, attached as "**Exhibit A**," on 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;⁴
- The District's CCN Certificate as included in the Order;⁵
- Metes and bounds description of area decertified from the District's CCN as included in the Petition.⁶

Conclusion

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

² TWC § 13.257(r).

³ TWC § 13.257(s).

⁴ Order at 8.

⁵ *Id.* at 9.

⁶ Petition by 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 (May 3, 2022).

Respectfully submitted,


By: 

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Austin, Texas 78746
(512) 614-0901
Fax (512) 900-2855
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 5th day of December 2022.



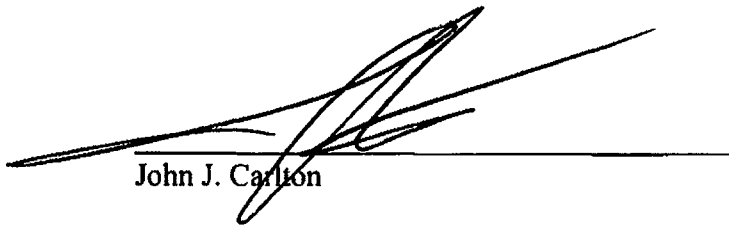
John J. Carlton

PUC REQUIRED BOUNDARY DESCRIPTION

**Marilee Special Utility District; Portion of Water Service Area CCN. 10150;
PUC Docket 53559 – 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. 53559. 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

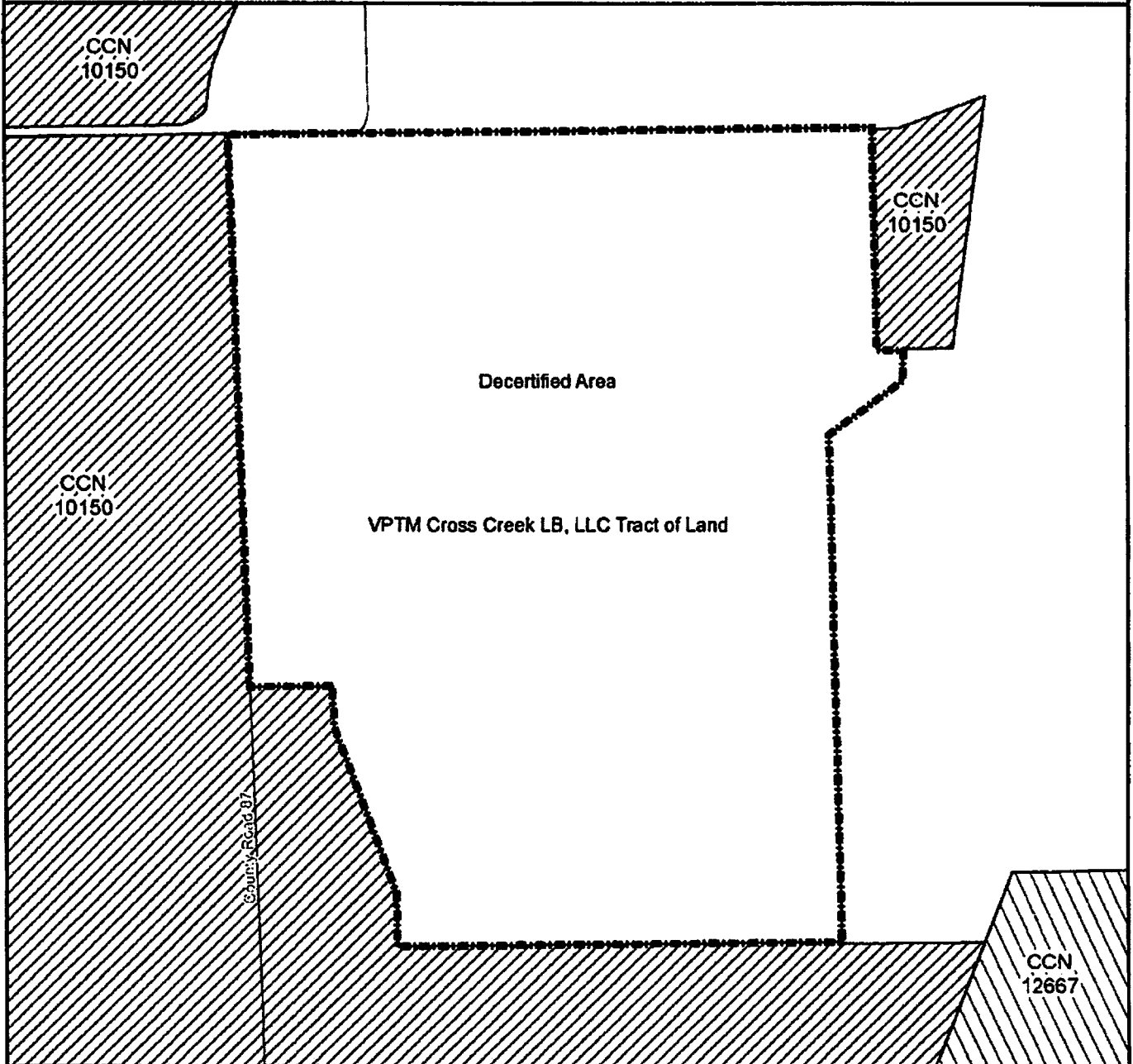
Marilee Special Utility District

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. 53559 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. 53559
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
-  12667 - City of Celina

-  Decertified Area
-  Tract of Land



Map by: Komal Patel
Date: July 11, 2022
Project: 53559MarileeSUD.mxd

EXHIBIT A to Deed

Legal Description

BEING 111.844 acres in the Levin Routh Survey, Abstract No. 779, Collin County, Texas, and being a part of a called 118.904 acre tract of land described in the deed to CCD-Coit Land, LLC, recorded in Instrument No. 202110430000881680, Official Public Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a mag nail found in County Road 90 and in the southerly 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 118.904 acre tract, common to the northeast corner of a called 44.25 acre tract of land described in the deed to Celina Independent School District, recorded in Instrument No. 2019092331175910, said Official Public Records;

THENCE South 89°55'09" East, in said County Road 90 part of the way with the northerly line of said 118.904 acre tract and the southerly line of said 103.44 acre tract, passing the southeast corner of said 103.44 acre tract, common to the southwest corner 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, said Official Public Records, continuing on said course with the southerly line of said 103.44 acre tract, a total distance of 2,084.73 feet to 1/2-inch iron rod found for the northeast corner of said 118.904 acre tract;

THENCE South 00°17'13" East, with the easterly line of said 118.904 acre tract, a distance of 722.50 feet to a 1/2-inch iron rod found for corner;

THENCE South 88°21'21" East, continuing with the easterly line of said 118.904 acre tract, a distance of 82.77 feet to a point for a salient corner of said 118.904 acre tract, common to a salient corner of a called 539.914 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, from which a 1/2-inch iron rod found for reference bears South 88°21'21" East, a distance of 15.81 feet;

THENCE with the common line of said 118.904 acre tract and said 539.914 acre tract as described in boundary line agreement recorded in Instrument No. 20190111000037290, said Official Public Records, the following Three (3) courses:

1. South 00°30'04" West, a distance of 96.46 feet to a capped 1/2-inch iron rod found for corner;
2. South 54°14'21" West, a distance of 296.98 feet to a 1/2-inch iron rod found for corner;
3. South 00°38'08" East, a distance of 1,641.53 feet to a 5/8-inch iron rod with a cap stamped "Landpoint" set (hereinafter referred to as capped iron rod set) in the northerly line of a called 317.729 acre tract of land described in the deed to Belknap FP, LTD, recorded in

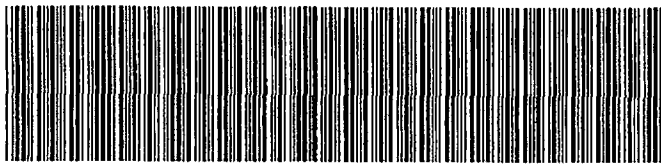
Instrument No. 98-0123881, Real Property Records of Collin County, Texas, for the southeast corner of said 118.904 acre tract, common to the southwest corner of said 539.914 acre tract;

THENCE North $89^{\circ}47'43''$ West, with the southerly line of said 118.904 acre tract and the northerly line of said 317.729 acre tract as described in said boundary line agreement, passing at a distance of 944.51 feet the northwest corner of said 317.729 acre tract, common to the northeast corner of a called 28.731 acre tract of land described in the deed to Celina Stone, LLC, recorded in Instrument No. 20160916001237420, said Official Public Records, from which a 1/2-inch iron rod found for reference bears South $00^{\circ}44'32''$ East, a distance of 2.47 feet, continuing on said course with the northerly line of said 28.731 acre tract, a total distance of 1,439.98 feet to a capped iron rod set for corner;

THENCE severing said 118.904 acre tract, the following Four (4) courses:

1. North $00^{\circ}49'50''$ West, a distance of 170.95 feet to a capped iron rod set for corner;
2. North $19^{\circ}53'53''$ West, a distance of 572.39 feet to a capped iron rod set for corner;
3. North $00^{\circ}21'18''$ West, a distance of 135.00 feet to a capped iron rod set for corner;
4. North $90^{\circ}00'00''$ West, a distance of 268.68 feet mag nail set in County Road 87 in the westerly line of said 118.904 acre tract and in the easterly line of a called 28.006 acre tract of land described in the deed to Celina Progressive Associates LLC, recorded in Instrument No. 20191213001588210, said Official Public Records;

THENCE North $01^{\circ}18'07''$ West, in said County Road 87 with the westerly line of said 118.904 acre tract and the easterly line of said 28.006 acre tract, passing at a distance of 629.33 feet a mag nail found for the northeast corner of said 28.006 acre tract, common to the southeast corner of said 44.25 acre tract, continuing on said course with the easterly line of said 44.25 acre tract, a total distance of 1,790.41 feet to the POINT OF BEGINNING and enclosing 111.844 acres of land, more or less.



VG-58-2022-2022000168448

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

Instrument Number: 2022000168448

Real Property

MISCELLANEOUS

Recorded On: November 23, 2022 09:02 AM

Number of Pages: 6

" Examined and Charged as Follows: "

Total Recording: \$42.00

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

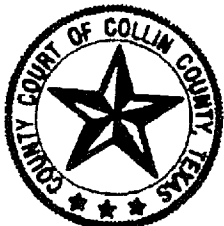
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2022000168448
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