



Control Number: 54052



Item Number: 1

DOCKET NO. _____

PETITION OF KAUFMAN	§	PUBLIC UTILITY COMMISSION
INDEPENDENT SCHOOL DISTRICT TO	§	
AMEND NORTH KAUFMAN WATER	§	OF TEXAS
SUPPLY CORPORATION'S WATER	§	
CERTIFICATE OF CONVENIENCE AND	§	
NECESSITY NO. 11205 IN KAUFMAN	§	
COUNTY, TEXAS BY STREAMLINED	§	
EXPEDITED RELEASE UNDER TEXAS	§	
WATER CODE § 13.2541 AND 16	§	
TAC § 24.245(h)	§	

**PETITION OF KAUFMAN INDEPENDENT SCHOOL DISTRICT TO AMEND NORTH
KAUFMAN WATER SUPPLY CORPORATION CERTIFICATE OF CONVENIENCE
AND NECESSITY NO. 11205 IN KAUFMAN COUNTY BY STREAMLINED
EXPEDITED RELEASE UNDER TEXAS WATER CODE § 13.2541
AND 16 TEXAS ADMINISTRATIVE CODE § 24.245(h)**

TO THE HONORABLE PUBLIC UTILITY COMMISSION OF TEXAS:

COMES NOW, Kaufman Independent School District (the Petitioner), and hereby files with the Public Utility Commission of Texas (the Commission) this Petition to Amend Water Certificate of Convenience and Necessity (CCN) No. 11205 in Kaufman County by Streamlined Expedited Release under Texas Water Code (TWC) § 13.2541 and 16 Texas Administrative Code (TAC) § 24.245(h). In support thereof, the Petitioner would respectfully show as follows:

I. PETITION

1. Under certain circumstances, TWC § 13.2541 and 16 TAC § 24.245(h) provide the owner of a tract of land the right to petition the Commission for the streamlined, expedited release of all or a portion of the tract of land from the service area associated with a water and/or sewer CCN. Specifically, the Commission must grant a petition for streamlined expedited release of land from a CCN if the following conditions are met: (a) the tract of land to be released is at least twenty-five (25) acres in size; (b) the tract of land is not receiving service

of the type authorized by the CCN from which release is sought; (c) at least a part of the tract of land is located within the service area of the CCN from which release is sought; and (d) at least some of the tract of land to be released is located in a "qualifying county," as such term is defined in TWC § 13.2541(b).

2. Based on the criteria in TWC § 13.2541 and 16 TAC § 24.245(h), the Petitioner is entitled to streamlined expedited release of approximately 56.26 acres of land located within North Kaufman Water Supply Corporation's (North Kaufman WSC) water CCN No. 11205 located in Kaufman County, Texas.
3. Specifically, the Petitioner owns a tract of land in Kaufman County, Texas, containing approximately 85.2 acres of land (the Tract). A copy of the recorded deed evidencing Petitioner's ownership of the Tract, which describe the acreage by metes and bounds, is attached hereto as **Exhibit A**.
4. A 56.26-acre portion of the Tract lies within the boundaries of North Kaufman WSC's water CCN No. 11205 (the Release Tract)
5. The Release Tract is depicted by large and small scale maps which are attached hereto as **Exhibit B**.
6. The Petitioner has never received retail water service from North Kaufman WSC at the Release Tract.
7. The Petitioner is not currently receiving retail water service from North Kaufman WSC at the Release Tract.
8. Petitioner has no contracts with the North Kaufman WSC for the provision of water service to the Release Tract.

9. Petitioner has not received any bills from North Kaufman WSC for water service to the Release Tract.
10. **Exhibits A and B** show that the Release Tract is located entirely within Kaufman County, Texas. According to the U.S. Census Bureau's April 1, 2010, Census, Kaufman County had a population of 103,350 and is adjacent to Dallas County, which had a population of 2,586,050, meeting the requirements of TWC § 13.2541 and 16 TAC § 24.245(h)(2).¹
11. Simultaneously with the filing of this Petition with the Commission, the Petitioner is serving a copy of the Petition on the North Kaufman WSC. Attached hereto as proof that a copy of the Petition was mailed to the North Kaufman WSC via certified mail on the same day Petitioner submitted this Petition with the Commission is **Exhibit C**, a U.S. Postal Service Certified Mail Receipt.
12. Also attached hereto, as **Exhibit D**, is the notarized affidavit of Loraine Blaylock, Ed. D., Superintendent of Kaufman Independent School District, which verifies and affirms the information provided herein.

II. CONCLUSION & PRAYER

For the reasons above, Petitioner, Kaufman Independent School District, respectfully requests that: (a) this Petition be deemed properly filed with the Commission; (b) this Petition be granted in all respects as provided under TWC § 13.2541 and 16 TAC § 24.245(h); (c) the Commission enter an order releasing the 56.26-acre Release Tract from the North Kaufman Water Supply Corporation's water CCN No. 11205 in Kaufman County, Texas; and (d) all other orders,

¹ See, *Petition of Montgomery Estates, LLC to Amend Gulf Coast Authority's Certificate of Convenience and Necessity in Chambers County by Expedited Release*, Docket No. 52556, Order on Certified Issue (Feb. 10, 2022) (ordering that a qualifying county determination is based upon the 2010 federal census); U.S. CENSUS BUREAU, QuickFacts Dallas County and Kaufman County, Texas, <https://www.census.gov/quickfacts/fact/table/dallascountytexas,kaufmancountytexas/PST045221>.

acts, procedures, and relief be granted as are necessary and proper to the release of the 56.26-acre Release Tract from North Kaufman Water Supply Corporation's water CCN No. 11205 in Kaufman County, Texas.

Respectfully submitted,

**LLOYD GOSSELINK ROCHELLE &
TOWNSEND, P.C.**

816 Congress Ave., Suite 1900
Austin, Texas 787012
(512) 322-5800
(512) 472-0532 (Fax)



DAVID J. KLEIN
State Bar No. 24041257

DANIELLE LAM
State Bar No. 24121709

**ATTORNEYS FOR KAUFMAN
INDEPENDENT SCHOOL DISTRICT**

CERTIFICATE OF SERVICE

I hereby certify that, unless ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on September 8, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.



David J. Klein

Exhibit A

Copy of Recorded Deed Evidencing Petitioner's Ownership

Kaufman County
Laura Hughes
County Clerk

Instrument Number: 2017-0017056

WARRANTY DEED

Party: CDDR PROPERTIES LLC

Billable Pages: 4
Number of Pages: 5

FILED AND RECORDED - REAL RECORDS	CLERKS COMMENTS
On: 07/27/2017 at 03:54 PM	WALK IN
Document Number: <u>2017-0017056</u>	
Receipt No: <u>17-17584</u>	
Amount: \$ <u>38.00</u>	
Vol/Pg: <u>V:5410 P:61</u>	



STATE OF TEXAS
COUNTY OF KAUFMAN

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the Official Public Records of Kaufman County, Texas.

Laura A. Hughes

Laura Hughes, County Clerk

Recorded By: Patrisia Leanos, 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.

Record and Return To:
KAUFMAN TITLE AND ABSTRACT
2309 S. WASHINGTON
KAUFMAN, TX 75142



GF# - KCT 2200422

WARRANTY DEED

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.

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF KAUFMAN

THAT **CDDR PROPERTIES, LLC**, hereinafter called GRANTOR, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other good and valuable consideration, to the said GRANTOR paid by **KAUFMAN INDEPENDENT SCHOOL DISTRICT**, whose mailing address is 1000 S. Houston Street, Kaufman, Texas 75142, hereinafter called GRANTEE, the receipt and sufficiency of which is hereby acknowledged; and confessed, and for which no lien, either expressed or implied, is retained, has Granted, Sold, and Conveyed, and by these presents dos Grant, Sell and Convey, unto the said GRANTEE, all of the following described property:

SEE LEGAL DESCRIPTION DESCRIBED IN EXHIBIT "A" ATTACHED AND MADE A PART HEREOF

This conveyance is subject to all existing building and use restrictions, easements and rights-of-way of record, visible or apparent, if any, and reservations of oil, gas and other mineral interests, if any.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said GRANTEE, its heirs (successors) and assigns forever.

GRANTOR hereby binds itself, its heirs, executors and administrators (successors) and assigns, to Warrant and Forever Defend all and singular the said premises unto the said GRANTEE and to the heirs (successors) and assigns of the said GRANTEE against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

Whenever used the singular shall include the plural, the plural the singular, the use of any gender shall include all genders. The words "GRANTOR(S)" and "GRANTEE(S)" shall include their heirs, executors, administrators, successors and assigns.

DATED this 25th day of July, 2017.

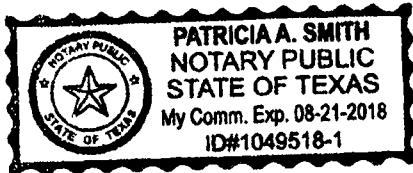
CDDR PROPERTIES, LLC

By: *Danny W. Bishop*
DANNY W. BISHOP, MANAGER

STATE OF TEXAS

COUNTY OF KAUFMAN

This instrument was acknowledged before me on the 25th day of July, 2017 by Danny W. Bishop,
Manager of CDDR Properties, LLC.



Patricia A. Smith
Notary Public, State of Texas
My Commission Expires: _____

EXHIBIT 'A'

File No.: KCT-2200422 (PS)
Property: 0000 Co. Rd. 2727, Kaufman, TX 75142

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, PART OF THE WM. PETERS SURVEY, ABSTRACT NO. 407, KAUFMAN COUNTY, TEXAS, ALL OF THAT CERTAIN CALLED 30.4095 ACRE TRACT CONVEYED TO HOWELL & ASSOCIATES. INC. BY WILLIAM SCOTT HUNSAKER ON DECEMBER 23, 1999, RECORDED IN VOL. 1419 PAGE 27 OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS AND PART OF THAT CERTAIN CALLED 91.2285 ACRES, SAVE AND EXCEPT 1.000 ACRE AND 30.4095 ACRES, CONVEYED TO HOWELL & ASSOCIATES, INC. BY WANDA LYNN HOWELL AND RONALD DEAN HUNSAKER ON OCTOBER 19, 2009, RECORDED IN VOL. 3674 PAGE 626 OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS, BEING MORE COMPLETELY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A 3/8" IRON ROD FOUND AT THE EAST CORNER OF THE ABOVE MENTIONED 30.4095 ACRE TRACT, AT THE SOUTH CORNER OF THE NETA DEAN MASSEY 57.9215 ACRE THIRD TRACT, RECORDED IN VOL. 590 PAGE 10 OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS AND BEING IN THE NORTHWEST RIGHT OF WAY LINE OF FARM TO MARKET ROAD NO. 2727.

THENCE S 46 DEG. 29 MIN. 06 SEC. W, WITH THE NORTHWEST RIGHT OF WAY LINE OF FARM TO MARKET ROAD NO. 2727, A DISTANCE OF 829.66 FT. TO A 3/8" IRON ROD SET FOR CORNER.

THENCE N 36 DEG. 15 MIN. 27 SEC. W, A DISTANCE OF 358.79 FT. TO A 3/8" IRON ROD SET FOR CORNER.

THENCE S 46 DEG, 29 MIN. 06 SEC. W, A DISTANCE OF 743.28 FT. TO A 3/8" IRON ROD SET IN THE NORTH RIGHT OF WAY LINE OF STATE HIGHWAY NO. 243.

THENCE N 71 DEG. 36 MIN. 27 SEC. W, WITH THE NORTH RIGHT OF WAY LINE OF STATE HIGHWAY NO. 243, A DISTANCE OF 1092.17 FT. TO A 5/8" IRON ROD FOUND AT THE SOUTHEAST CORNER OF THE MATTHEW BARNARD 0.636 ACRE TRACT, RECORDED IN VOL. 2796 PAGE 40 OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS.

THENCE N 20 DEG. 49 MIN. 31 SEC. E, WITH THE EAST LINE OF SAID 0.636 ACRE TRACT, A DISTANCE OF 152.89 FT. TO A 3/8" IRON ROD FOUND AT THE NORTHEAST CORNER OF SAME.

THENCE N 69 DEG. 52 MIN. 28 SEC. W, WITH THE NORTH LINE OF SAID 0.636 ACRE TRACT, A DISTANCE OF 179.04 FT. TO A 3/8" IRON ROD SET AT THE NORTHWEST CORNER OF SAME AND BEING IN THE EAST LINE OF THE DOROTHY WANDA HUNSAKER 0.559 ACRE TRACT, RECORDED IN VOL. 590 PAGE 10 OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS.

THENCE N 20 DEG. 24 MIN. 38 SEC. E, WITH THE EAST LINE OF SAID 0.559 ACRE TRACT, A DISTANCE OF 53.45 FT. TO A 3/8" IRON ROD FOUND AT THE NORTHEAST CORNER OF SAME.

THENCE N 70 DEG. 25 MIN. 07 SEC. W, WITH THE NORTH LINE OF SAID 0.559 ACRE TRACT, PASSING THE NORTHWEST CORNER OF SAME, CONTINUING A TOTAL DISTANCE OF 490.52 FT. TO A 3/8" IRON ROD FOUND AT THE NORTHWEST CORNER OF THE KIMBERLY LYNN HOWELL ZABY, ET VIR 1.000 ACRE TRACT, RECORDED IN VOL. 716 PAGE 638 OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS.

THENCE S 18 DEG. 20 MIN. 28 SEC. W, WITH THE WEST LINE OF SAID 1.000 ACRE TRACT, A DISTANCE OF 221.76 FT. TO A 3/8" IRON ROD SET AT THE SOUTHWEST CORNER OF SAME AND BEING IN THE NORTH RIGHT OF WAY LINE OF STATE HIGHWAY NO. 243.

THENCE N 71 DEG. 36 MIN. 27 SEC. W, WITH THE NORTH RIGHT OF WAY LINE OF STATE HIGHWAY NO. 243, A DISTANCE OF 114.59 FT. TO A 3/8" IRON ROD SET AT THE P.C. OF A CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS N 18 DEG. 23 MIN. 33 SEC. E- 2815.24 FT.

THENCE, CONTINUING WITH SAID RIGHT OF WAY LINE AND WITH SAID CURVE TO THE RIGHT, THE ANGLE OF WHICH IS 3 DEG. 33 MIN. 55 SEC., THE RADIUS IS 2815.24 FT. AND THE TANGENT IS 87.62 FT., A DISTANCE OF 175.18 FT. TO A 3/8" IRON ROD SET FOR CORNER.

THENCE N 6 DEG. 01 MIN. 14 SEC. E, CONTINUING WITH SAID RIGHT OF WAY LINE, A DISTANCE OF 109.88 FT. TO A 3/8" IRON ROD SET AT A CORNER IN THE SOUTHEAST LINE OF THE LEONARD G. MIZE AND CAROLYN L. MIZE 2.32 ACRE TRACT 1, RECORDED IN VOL. 2547 PAGE 291 OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS AND BEING IN THE CENTERLINE OF A GRAVEL DRIVE.

THENCE N 45 DEG. 17 MIN. 36 SEC. E, WITH THE SOUTHEAST LINE OF SAID 2.32 ACRE TRACT, PASSING THE EAST CORNER OF SAME, CONTINUING A TOTAL DISTANCE OF 1473.54 FT. TO A 2" IRON PIPE FOUND AT AN ELL CORNER OF THE LEONARD C. MIZE, ET UX 73.050 ACRE TRACT ONE, RECORDED IN VOL. 1180 PAGE 523 OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS.

THENCE S 42 DEG. 36 MIN. 03 SEC. E, WITH THE EASTERLY SOUTHWEST LINE OF SAID 73.050 ACRE TRACT, A DISTANCE OF 306.16 FT. TO A OLD FENCE CORNER POST FOUND AT THE EASTERLY SOUTH CORNER OF SAME.

THENCE N 45 DEG. 41 MIN. 50 SEC. E, WITH THE EASTERLY SOUTHEAST LINE OF SAID 73.050 ACRE TRACT, A DISTANCE OF 919.57 FT. TO A 3/8" IRON ROD FOUND AT THE WEST CORNER OF THE ABOVE MENTIONED 57.9215 ACRE TRACT.

THENCE S 43 DEG. 54 MIN. 03 SEC. E, WITH THE SOUTHWEST LINE OF SAID 57.9215 ACRE TRACT, A DISTANCE OF 1968.97 FT. TO THE POINT OF BEGINNING, CONTAINING 85.234 ACRES OF LAND.

Note: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.

A.P.N. 187223

INST # 2017-0017056
Filed for record in Kaufman County
On: 7/27/17 at 3:54 PM

Exhibit B

Maps and Electronic Data

A copy of the digital mapping data is available on the Interchange under this Docket, per the Commission's e-filing procedures.

CITY
OF
KAUFMAN

SH 34

OLA
ROAD

SH 243

FM 2727

SH 34

US 175

RAND ROAD (FM 1836)

tnp

TRACT OF LAND TO DECERTIFY FROM
NORTH KAUFMAN WSC (CCN No 11205) IN KAUFMAN COUNTY

0 1000 2000 4000



SCALE: 1" = 2000'



teague nall & perkins

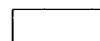
820 Watters Creek Boulevard, Suite M300
Allen, Texas 75013

214.461.9867 ph www.tnpinc.com

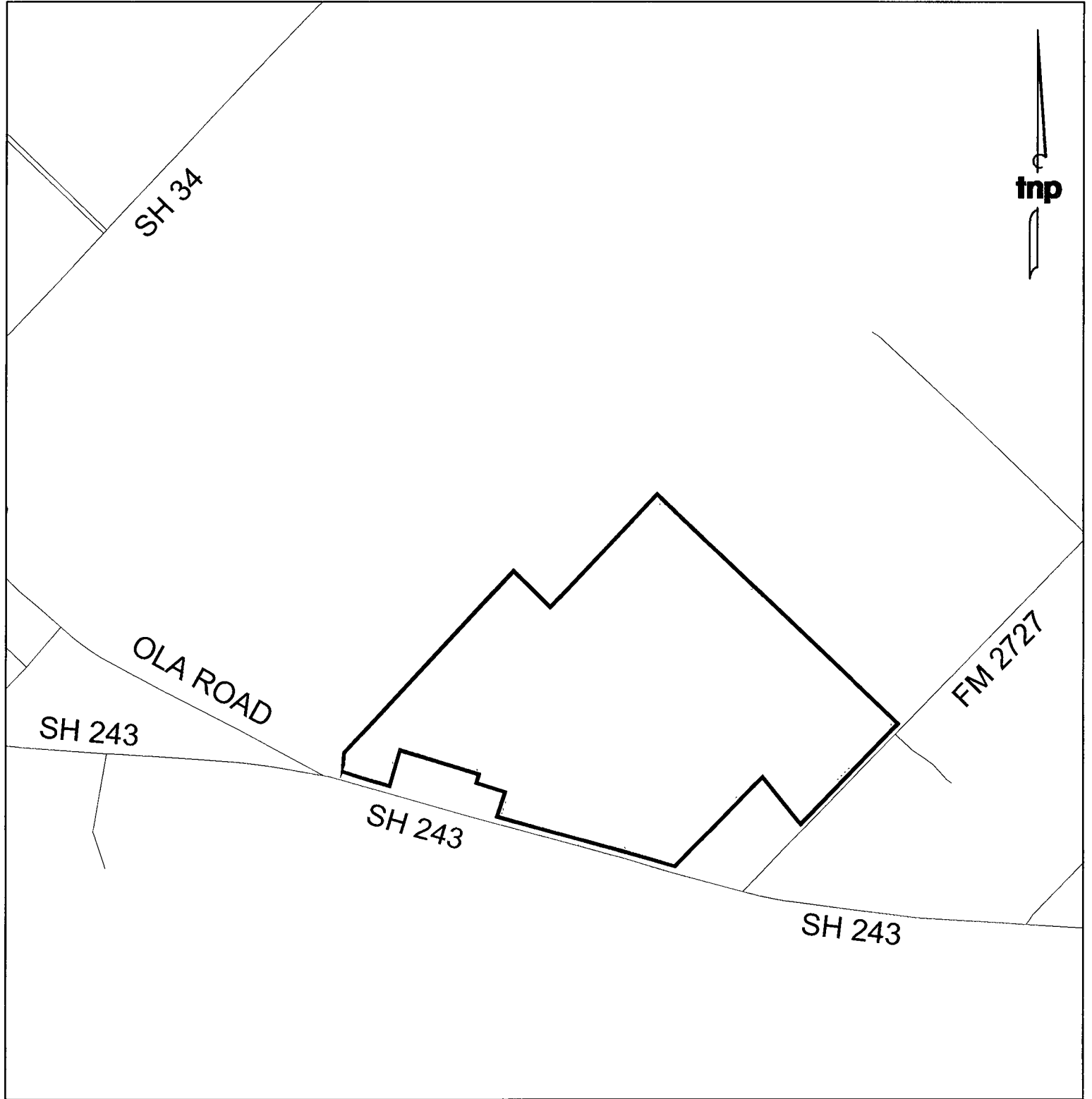
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GBPE: PEF007431; TBAE: BR 2673

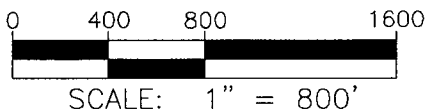
LEGEND



TRACT OF LAND TO
DECERTIFY FROM
CCN No 11205



**TRACT OF LAND TO DECERTIFY FROM
NORTH KAUFMAN WSC (CCN No 11205) IN KAUFMAN COUNTY**



teague nall & perkins
820 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph www.tnpinc.com
TBPES: ENGR F-230; SURV 10011600, 10011601, 10194381
GBPE: PEF007431; TBAE: BR 2873

LEGEND

 **TRACT OF LAND TO
DECERTIFY FROM
CCN No 11205**

Exhibit C

U.S. Postal Service Certified Mail Receipt

.

Exhibit D

Notarized Affidavit of Loraine Blaylock

DOCKET NO. _____

PETITION OF KAUFMAN	§	PUBLIC UTILITY COMMISSION
INDEPENDENT SCHOOL DISTRICT TO	§	
AMEND NORTH KAUFMAN WATER	§	OF TEXAS
SUPPLY CORPORATION'S WATER	§	
CERTIFICATE OF CONVENIENCE AND	§	
NECESSITY NO. 11205 IN KAUFMAN	§	
COUNTY, TEXAS BY STREAMLINED	§	
EXPEDITED RELEASE UNDER TEXAS	§	
WATER CODE § 13.2541 AND 16	§	
TAC § 24.245(h)		

AFFIDAVIT OF LORAIN BLAYLOCK

On this day, appeared before me, the undersigned notary public, Loraine Blaylock, Ed. D., Superintendent of Kaufman Independent School District (ISD), and after I administered an oath to her, upon her oath, she said:


“My name is Loraine Blaylock. I am the Superintendent of Kaufman ISD. I am more than twenty-one (21) years of age and capable of making this affidavit. I have personal knowledge of the facts stated herein, which are true and correct.

1. Kaufman ISD owns an 85.2-acre tract of land in Kaufman County, Texas (the Tract).
2. A copy of the deed demonstrating ownership of the Tract by Kaufman ISD is included as **Exhibit A** of that certain Petition of Kaufman ISD to Amend North Kaufman Water Supply Corporation's (WSC) Water Certificate of Convenience and Necessity No. 11205 in Kaufman County by Streamlined Expedited Release (the Petition).
3. The Petition is being submitted under Texas Water Code § 13.2541 and 16 Texas Administrative Code § 24.245(h).
4. Under the Petition, Kaufman ISD seeks streamlined expedited release of those portions of the Tract located within water Certificate of Convenience and Necessity (CCN) No.

11205, held by North Kaufman Water Supply Corporation (North Kaufman WSC), collectively containing 56.26-acres (the Release Tract).

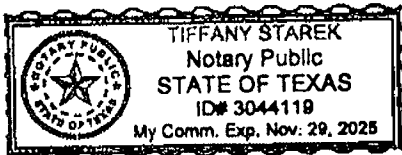
5. Attached as **Exhibit B** to the Petition are general-location and detailed maps containing digital mapping data in a shapefile format, including a single, continuous polygon record, which depict the Release Tract and demonstrate that it is at least 25 acres in size and located within the North Kaufman WSC CCN in Kaufman County, Texas.
6. The Release Tract has never received retail water service from North Kaufman WSC.
7. The Release Tract is not currently receiving retail water service from North Kaufman WSC.
8. Kaufman ISD has not received any bills from North Kaufman WSC for water service to the Release Tract.
9. Attached as **Exhibit C** to the Petition, as proof that a copy of the Petition was mailed to North Kaufman WSC via certified mail on the same day I submitted the Petition with the Public Utility Commission of Texas, is a U.S. Postal Service Certified Mail Receipt.”


FURTHER AFFIANT SAYETH NOT.


Loraine Blaylock, Ed. D., Superintendent
Kaufman ISD

STATE OF TEXAS §
 §
COUNTY OF KAUFMAN §

Sworn to me and subscribed before me the undersigned authority on this the 31 day of August, 2022.




Notary Public, State of Texas

The following files are not convertible:

- CCN - KISD Boundary-2.dbf
- CCN - KISD Boundary-2.idx
- CCN - KISD Boundary-2.prj
- CCN - KISD Boundary-2.shp
- CCN - KISD Boundary-2.shx

Please see the ZIP file for this Filing on the PUC Interchange in order to access these files.

Contact centralrecords@puc.texas.gov if you have any questions.