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**CONSOLIDATION OF MARILEE SUD
INTO MUSTANG SUD**

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**BEFORE THE
PUBLIC UTILITY COMMISSION
OF TEXAS**

**CONSOLIDATION OF MARILEE SPECIAL UTILITY DISTRICT
INTO MUSTANG SPECIAL UTILITY DISTRICT**

TO THE PUBLIC UTILITY COMMISSION OF TEXAS (COMMISSION):

COMES NOW Mustang Special Utility District (Mustang SUD) and files this documentation as evidence of the consolidation of the former Marilee Special Utility District (Marilee SUD) and Mustang SUD into the consolidated Mustang SUD.

I. Background

Marilee SUD and Mustang SUD were consolidated pursuant to Subchapter H, Chapter 65 of the Texas Water Code. The Texas Commission on Environmental Quality (TCEQ) has acknowledged the consolidation of the districts in its records as reflected in the TCEQ Water District Database.

The assets of Marilee SUD, including any customer deposits, fund balances and other property, have been transferred to the consolidated Mustang SUD. All business activities of the former Marilee SUD have been assumed by and incorporated into the consolidated Mustang SUD operations.

Marilee SUD provided water service under Certificate of Convenience and Necessity (CCN) No. 10150 in Collin County prior to consolidation with Mustang SUD and the consolidated Mustang SUD has assumed responsibility of CCN No. 10150. Mustang SUD is not currently seeking to change the boundaries of CCN No. 10150 as part of the consolidation process.

II. Documentation to Evidence Consolidation

Enclosed as evidence of the consolidation of Marilee SUD and Mustang SUD into the consolidated Mustang SUD, please find attached the following documents:

1. Consolidation Agreement executed by Marilee SUD and Mustang SUD.
2. Marilee SUD Order calling the election for consolidation.
3. Mustang SUD Order calling the election for consolidation.
4. Marilee SUD official election returns.
5. Mustang SUD official election returns.
6. Marilee SUD's Order Canvassing the Returns and Declaring the Results of November 2, 2021 Election authorizing consolidation of Marilee SUD and Mustang SUD.
7. Mustang SUD Order Canvassing the Returns and Declaring the Results of November 2, 2021 Election authorizing consolidation of Marilee SUD and Mustang SUD.
8. Marilee SUD Resolution acknowledging the District's consolidation with Mustang SUD.
9. Mustang SUD Resolution acknowledging Marilee SUD's consolidation with Mustang SUD.
10. Affidavit of Chris Boyd regarding transfer of Marilee SUD assets and customer deposits.
11. TCEQ Water District Database information for Marilee SUD.

III. Conclusion

The consolidated Mustang SUD hereby requests that the owner, holder, and/or responsible party for the former Marilee SUD's CCN No. 10150 be updated in the Commission's records to reflect *Mustang Special Utility District* as the holder of CCN No. 10150, and further, that any other outstanding dockets or records of the Commission be updated to reflect the change of the name and entity of Marilee SUD to Mustang SUD.

Respectfully submitted,

FANCHER LEGAL, PLLC
6136 Frisco Square Blvd., Suite 400
Frisco, Texas 75034
Phone: (469) 925-0022

/s/Kristen O. Fancher
KRISTEN O. FANCHER
State Bar No. 24065845
Email: kf@fancherlegal.com

**ATTORNEY FOR MUSTANG
SPECIAL UTILITY DISTRICT**

CERTIFICATE OF SERVICE

I certify that notice of the filing of this document was provided to all parties of record via electronic mail on December 8, 2023, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/Kristen O. Fancher
Kristen O. Fancher

**CONSOLIDATION AGREEMENT BY AND BETWEEN
MUSTANG SPECIAL UTILITY DISTRICT
AND
MARILEE SPECIAL UTILITY DISTRICT**

THIS CONSOLIDATION AGREEMENT (the "Agreement"), is made and entered into this ___ day of August 9 2021, by and between Mustang Special Utility District ("Mustang"), a political subdivision of the State of Texas, operating under and governed by the provisions of Chapters 49 and 65, Texas Water Code, as amended, Chapter 7209, Texas Special Districts Local Laws Code, and Section 59 of Article XVI of the Texas Constitution, and Marilee Special Utility District ("Marilee"), a political subdivision of the State of Texas, operating under and governed by the provisions of Chapters 49 and 65, Texas Water Code, as amended, Chapter 7215, Texas Special Districts Local Laws Code, and Section 59 of Article XVI of the Texas Constitution, Mustang and Marilee are collectively referred to herein as the "Districts" or, individually, as a "District."

RECITALS

WHEREAS, Mustang encompasses an area of approximately 61,000 acres, as described on Exhibit "A", attached hereto and made a part hereof for all purposes

WHEREAS, Marilee encompasses an area of approximately 51,000 acres, as described on Exhibit "B", attached hereto and made a part hereof for all purposes;

WHEREAS, the Boards of Directors of the Districts have each determined that it is in the best interests of the property owners and customers within both Districts to consolidate into one district as provided by Sections 65.723 – 65.726 of the Texas Water Code;

WHEREAS, Mustang and Marilee desire to enter into this Agreement for the purposes of setting forth the terms and conditions under which the two Districts will be consolidated into one district;

WHEREAS, the Boards of Directors of the Districts have determined to contract in the manner hereinafter set forth for the consolidation of the Districts and have further determined that the terms and conditions of this Agreement are desirable, fair and advantageous, and that the Districts are authorized to enter into this Agreement pursuant to the terms of Chapter 65, Texas Water Code, as amended, particularly Sections 65.723 – 65.726 thereof, and the Constitution and laws of the State of Texas.

AGREEMENT

For and in consideration of the premises and the mutual promises, covenants, obligations and benefits of this Agreement, Mustang and Marilee contract and agree as follows:

I. CONSOLIDATION ELECTION

Section 1.1: The Districts agree to proceed with all due diligence to consolidate Mustang and Marilee into one district (the "Consolidated District"), subject only to the passage of the elections hereinafter described (the "Consolidation Elections") and the remaining terms and conditions of the consolidation as set forth in this Agreement.

Section 1.2: Each of the Districts represents and confirms that it has not issued and outstanding bonds, notes or other obligations payable in whole or in part from taxation that would be subject to assumption by the other District.

Section 1.3: The Board of Directors of each District will proceed with all due diligence to call, hold and conduct on the November 2021 uniform election date an election in each District to approve the following terms and conditions of the consolidation:

PROPOSITION 1:

SHALL MARILEE SPECIAL UTILITY DISTRICT AND MUSTANG SPECIAL UTILITY DISTRICT BE AUTHORIZED TO CONSOLIDATE INTO ONE DISTRICT; AUTHORIZE THE NAME OF THE CONSOLIDATED DISTRICT TO BE MUSTANG SPECIAL UTILITY DISTRICT; AUTHORIZE EACH DISTRICT TO ASSUME THE OTHER DISTRICT'S BONDS, NOTES, OR OTHER OBLIGATIONS?

Section 1.4: The Consolidation Elections shall be held on the same day and the Board of Directors of each District shall give notice of its Consolidation Election for the time and in the manner provided by law for bond elections.

II. FAILURE OF CONSOLIDATION ELECTIONS

Section 2.1: In the event that any one or more of the propositions to be submitted at either of the Consolidation Elections relative to the consolidation of the Districts should fail to receive approval by a majority of votes cast at such elections relative to such proposition or propositions, then this Agreement shall, upon the official canvassing of the results of the Consolidation Elections, be automatically terminated and of no further force and effect.

Section 2.2: The Board of Directors of each District agree, in such event, to take such actions and proceedings and to pass, adopt, enter, approve and record such orders, resolutions and documents as may be necessary and appropriate to evidence the failure to consolidate the Districts into one district.

III. PASSAGE OF ELECTIONS

Section 3.1: Should all propositions submitted at both of the Consolidation Elections relative to the consolidation of the Districts receive approval by a majority of votes cast at such elections, then the Boards of Directors of the Districts agree to promptly pass, adopt, enter, approve, and record in the manner required by law such orders, resolutions, and documents as may be necessary and appropriate to evidence the consolidation of the two Districts into one district.

IV. MANAGEMENT OF DISTRICTS BEFORE CONSOLIDATION

Section 4.1: The Board of Directors of each District agree to enter into the Management Agreement, attached hereto as "Exhibit C," effective September 1, 2021.

V. GOVERNANCE OF DISTRICTS AFTER CONSOLIDATION

Section 5.1: Provided that the Consolidation Elections are both successful, during the 90-day period after the date of the Consolidation Elections, the officers of each District shall continue to act jointly as officers of the original Districts to settle the affairs of the respective District.

Section 5.2: Provided that the Consolidation Elections are successful, the Districts agree that for a period of at least two years, the Consolidated District will maintain the same number of employee positions as the combined number of positions funded by each District at the time of the Consolidation Elections.

VI. GOVERNING THE CONSOLIDATED DISTRICT

Section 6.1: Following the expiration of the 90-day period set forth in Section 5.1 hereinabove, the nine officers of Mustang as of the date of the Consolidation Elections will act as officers of the Consolidated District.

Section 6.2: The nine officers shall continue in office for the remainder of the term of office each was elected prior to the Consolidation Election. The nine member board of the Consolidated District shall serve staggered three-year terms of office.

Section 6.3: All subsequent directors' elections for the Consolidated District shall be held annually.

VII. MAINTENANCE AND OPERATION FUNDING

Section 7.1: Upon consolidation, all fund balances and revenues of the Districts shall be deposited into the accounts of the Consolidated District.

VII. GENERAL PROVISIONS

Section 8.1: This Agreement shall not be assignable by either District and may not be amended, altered or revised except by mutual written agreement of the Districts.

Section 8.2: This Agreement shall be for the sole and exclusive benefit of Mustang and Marilee and shall not be construed to confer any benefits or rights upon any other parties.

Section 8.3: This Agreement shall be and remain in full force and effect for a term commencing on the effective date of this Agreement and extending until (i) the official canvassing of the results of the Consolidation Elections which reflects the failure of either or both Consolidation Elections or (ii) 90 days after the official canvassing of the results of the Consolidation Elections which reflects the passage of both of the Consolidation Elections.

Section 8.4: The covenants, agreements, and obligations made and undertaken by each District are material inducements to the other District to make and enter into this Agreement. If any material part or provision of this Agreement is determined by a court of competent jurisdiction to be void or unenforceable, the remaining provisions hereof shall likewise be void.

IX. ASSUMPTION OF CONTRACTUAL RIGHTS AND OWNERSHIP

Section 9.1: Upon consolidation, the Consolidated District shall be the successor in interests to all existing agreements, commitments, contracts, duties, leases, liabilities, loans obligations, and rights of the District, and shall succeed as owner to all facilities and properties owned by either District.

Section 9.2: Mustang and Marilee agree that any and all rights, titles, property and obligations of either District, contractual or otherwise, shall become the rights, titles, property and obligations of the Consolidated District.

Section 9.3: The Districts agree to take such actions and proceedings and to pass, adopt, enter, approve and record such orders, resolutions and documents as may be necessary and appropriate to evidence the assumption by the Consolidated District of all rights, titles, property and obligations of Mustang and Marilee.

[SIGNATURES COMMENCE ON THE FOLLOWING PAGES]

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed in multiple original counterparts as of the date hereinabove first written.

MUSTANG SPECIAL UTILITY DISTRICT


Michael Walker, President


Attest:


Matt Gauntt, Secretary



MARILEE SPECIAL UTILITY DISTRICT




Denny Braskeem, President

Attest:



James Yearly, Secretary

EXHIBIT A
CCN 11856

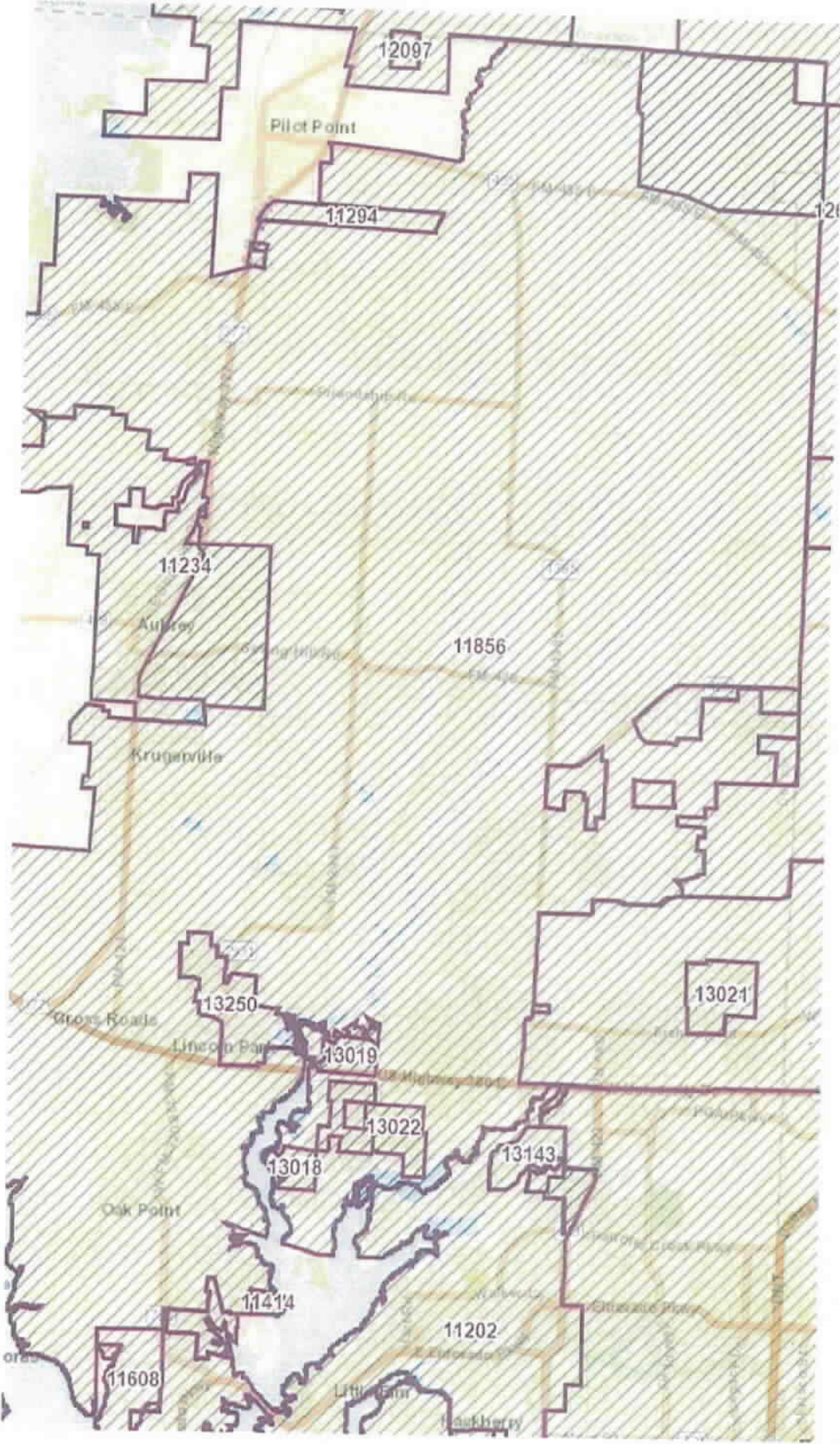
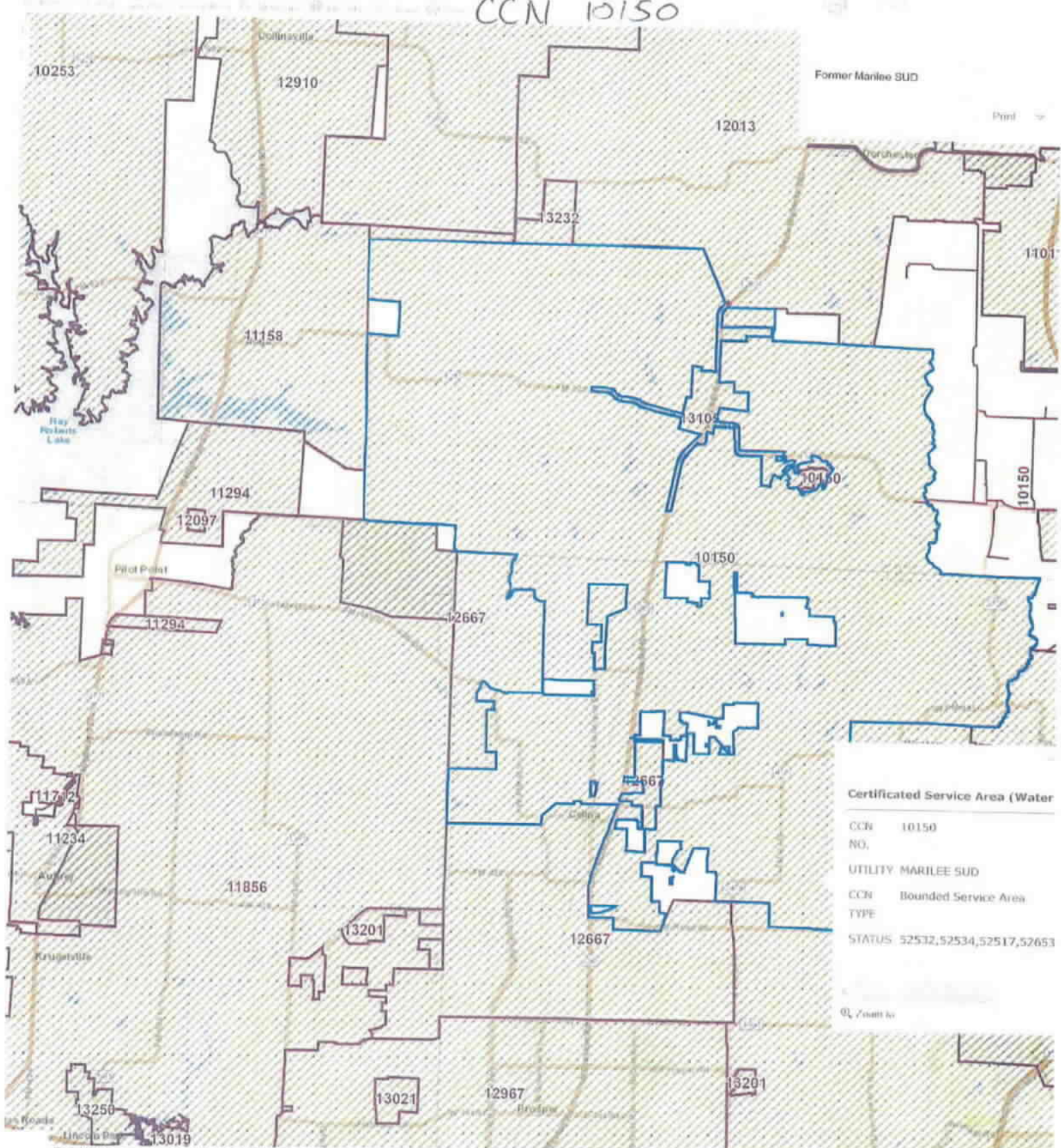


EXHIBIT 12
CCN 10150



Certified Service Area (Water)

CCN	10150
NO.	
UTILITY	MARILEE SUD
CCN	Bounded Service Area
TYPE	
STATUS	52532,52534,52517,52653

Esri, HERE, Garmin, NGA, USGS, NPS | This CCN spatial dataset is edited and managed in GIS by Komal Patel and Tracy Morley, the Senior Cartographers and CCN Data Custodians



Section 3: Voting in the election must be by the use of electronic ballots, or other methods as approved by law, and must be available in both English and Spanish and conform to the requirements of the Texas Election Code. Oral bilingual assistance must be available during the election and may be obtained by contacting the presiding judge or the alternate presiding judge at the polling location.

Section 4: At the election, the following PROPOSITION shall be submitted in accordance with the law:

PROPOSITION 1:

SHALL MARILEE SPECIAL UTILITY DISTRICT AND MUSTANG SPECIAL UTILITY DISTRICT BE AUTHORIZED TO CONSOLIDATE INTO ONE DISTRICT; AUTHORIZE THE NAME OF THE CONSOLIDATED DISTRICT TO BE MUSTANG SPECIAL UTILITY DISTRICT; AUTHORIZE EACH DISTRICT TO ASSUME THE OTHER DISTRICT'S BONDS, NOTES, OR OTHER OBLIGATIONS?

Each voter may vote for or against the proposition by placing an "X" in the square beside the word "FOR" or in the square beside the word "AGAINST".

Section 5: The election precinct(s) for the District exist as established by Collin County. The polling place for each such election precinct shall be the polling places established by Collin County for such election precincts in Collin County. Early voting dates, times, locations, as well as election day polling locations are as determined by Collin County.

The presiding judges, alternate presiding judges and clerks for the election selected and appointed by Collin County in compliance with the requirements of state law are hereby designated and appointed election officers for the holding of this election. The presiding judges, alternate presiding judges and clerks shall perform the functions and duties of their respective positions that are provided by state law. Early voting in the election by personal appearance shall begin on October 16, 2021, and shall continue through October 29, 2021, unless extended by the Governor of Texas.

The Clerk for Early Voting in Collin County is Bruce Sherbet, and early voting will be conducted at polling locations established by Collin County for early voting. The Collin County Early Voting Clerk's mailing address to which ballot applications and ballots to be voted by mail may be sent is: Collin County Elections Department, 2010 Redbud Blvd., Suite 102, McKinney, Texas 75069. The early voting clerk's email address is election@collincountytx.gov.

Section 6: The election shall be held and conducted and returns made of this election in accordance with the Texas Election Code, as modified by Chapter 65 of the Texas Water Code.

Section 7: All qualified residents of the District shall be entitled to vote in the election.

Section 8: The Secretary of the Board of Directors is hereby directed to cause notice of this election to be published in both Spanish and English in a newspaper of general circulation within the District pursuant to §4.003 of the Election Code.

SIGNED AND SEALED the 2nd day of August 2021.

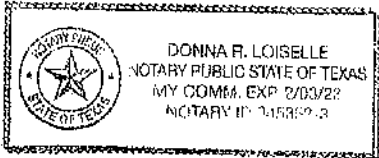
James B. Yeary

James Yeary, Secretary
Board of Directors

THE STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the 2nd day of August 2021, by James Yeary, Secretary of the Board of Directors of Marilee Special Utility District, on behalf of the District.

(seal)



Donna R. Loiseau
Notary Public Signature



ORDER NO. 080921-01

AN ORDER OF THE MUSTANG SPECIAL UTILITY DISTRICT ESTABLISHING PROCEDURES FOR A SPECIAL ELECTION TO BE HELD ON NOVEMBER 2, 2021 TO CONSIDER PROPOSITION 1; CONSOLIDATION OF MUSTANG SPECIAL UTILITY DISTRICT AND MARILEE SPECIAL UTILITY DISTRICT; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION. BE IT ORDAINED BY THE MUSTANG SPECIAL UTILITY DISTRICT BOARD OF DIRECTORS:

Section 1. In accordance with the general laws and Constitution of the State of Texas, a Special Election is hereby called and ordered for the first Tuesday in **November 2021**, the same being the 2nd day of said month, at which election all qualified voters of the District may vote for the purpose of this proposition.

Section 2. The District polling place shall be Mustang SUD offices, 7985 FM 2931, Aubrey, TX 76227. The polls shall, on said Election Day, be open from seven o'clock (7:00) a.m. to seven o'clock (7:00) p.m.

Section 3. The District will appoint at a later date the Presiding Judge and the Alternate Presiding Judge. The Presiding Judge will then appoint the clerks of the election in a number not to exceed two clerks.

Section 4. In accordance with Sec. 51 of the Election Code, the Election Administrator is hereby authorized and instructed to secure and furnish all necessary election supplies to conduct said election. Section 49.111 of the Texas Water Code Exempts Mustang SUD from the acquisition, lease, or use of an electronic voting system, therefore voting at such election shall be by paper ballots. Any voter of the District may request the use of a voting station that meets the accessibility requirements for voting in person with a disability. Requests must be received no later than the 45th day before the election. Such request should be mailed to Mustang SUD, Attention: Jennifer Bland at 7985 FM 2931, Aubrey, TX 76227. Requests may also be faxed to 940-440-9686 or emailed to jbland@mustangwater.com.

Section 5. The Assistant General Manager, the Executive Administrative Assistant, and the Public Relations Assistant are hereby appointed clerks for early voting. The early voting for the above-designated election shall be at Mustang SUD Office, 7985 FM 2931, Aubrey, TX 76227.

Said place of early voting shall remain open for at least eight (8) hours on each day for early voting which is not a Saturday or Sunday, or an official state or federal holiday, beginning on the 12th day before the election and continuing through the 4th day preceding the date of said election (**October 18, 2021 through October 29, 2021**). Section 85.001(e) for an election held on a uniform election date in November, the period for early voting by personal appearance begins on the 12th day before Election Day and continues through the 4th day before the Election Day. Said places of early voting shall remain open from eight o'clock (8:00) a.m. to five o'clock (5:00) p.m. on each day for said early voting.

The early voting clerk's address to which ballot applications may be requested and ballots voted by mail may be mailed to P.O. Box 1720, Denton, TX 76202. If you choose to use a contract carrier, applications can be delivered to:

Early Voting Clerk
Denton County Elections
701 Kimberly Drive
Denton, TX 76208
Fax your application for a ballot to: (940)349-3201

Application for ballots by mail must be received no later than the close of business on Friday, October 22, 2021.

Section 6. Early voting, both by personal appearance and by mail, shall be by paper ballots and shall be canvassed by an Early Voting Ballot Board.

Section 7. Said election shall be held in accordance with the Texas Election Code. All qualified voters of the District shall be eligible to vote at said election for the purpose of this consolidation proposition.

Section 8. The Board of Directors shall give notice of this election in accordance with the terms and provisions of the Texas Election Code, and all necessary orders and writs for said election shall be issued by the proper authority.

Section 9. The Board of Directors of the Mustang Special Utility District recognizes the following District employees for the purpose of conducting the District's Special Election. The Election Administrator and Early Voting Clerk shall be Jennifer Bland, MSUD Assistant General Manager. The Deputy Early Voting Clerks shall be Bonnie Larson, Executive Administrative Assistant and Emily Davis, Public Relations Assistant.

ADOPTED, this 9th day of August 2021 at a special meeting, with a quorum present, of the Mustang Special Utility District Board of Directors.



Michael Walker, President
Mustang SUD Board of Directors



Matt Gantt, Secretary
Mustang SUD Board of Directors

STATE OF TEXAS

§

CANVASS OF THE
MARILEE SPECIAL
UTILITY DISTRICT
SPECIAL ELECTION

COUNTY OF COLLIN

§

NOVEMBER 2, 2021

I, Bruce Sherbet, the undersigned Elections Administrator of Collin County, do hereby certify that I have made an actual check and comparison of all the ballots tabulated as voted with the Return Sheets, and the unused ballots as recorded on the Register of Official Ballots. I, therefore, make the following report of my findings from the November 2, 2021 Marilee Special Utility District Special Election that was held in Collin County, Texas.

I hereby certify the results to be a full, true and correct tabulation, audit and count of the votes cast in the said election.

WITNESS, my hand on this the 8th day of November 2021.



Bruce Sherbet
Elections Administrator
Collin County

Summary Results Report
General and Special Elections
November 2, 2021

FINAL TOTALS
Marilee SUD
Collin County

Statistics

	TOTAL	Election Day	Early Voting	Mail	Provisional	Limited
Registered Voters - Total	658,898					
Ballots Cast - Total	52,294	27,954	21,724	2,566	39	11
Ballots Cast - Blank	13	9	4	0	0	0
Voter Turnout - Total	7.94%					

Summary Results Report
 General and Special Elections
 November 2, 2021

FINAL TOTALS
 Marilee SUD
 Collin County

Marilee Special Utilities District - Proposition A
 Vote For 1

	TOTAL	VOTE %	Election Day	Early Voting	Mail	Provisional	Limited
For	123	67.21%	82	37	4	0	0
Against	60	32.79%	42	16	2	0	0
Total Votes Cast	183	100.00%	124	53	6	0	0
Overvotes	0		0	0	0	0	0
Undervotes	17		12	5	0	0	0
Contest Totals	200		136	58	6	0	0

Cumulative Results Report

Official Results

Run Time 11:02 AM
Run Date 11/09/2021

Denton County

Mustang Special Utility District Special Election

11/2/2021

Page 1

Official Results

Registered Voters
172 of 37553 = 0.46%

Precincts Reporting
15 of 15 = 100.00%

Mustang Special Utility District Proposition A

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
For		18	56.25%	39	76.47%	47	53.41%	104	60.82%
Against		14	43.75%	12	23.53%	41	46.59%	67	39.18%
Cast Votes:		32	100.00%	51	100.00%	88	100.00%	171	100.00%
Undervotes:		0		0		1		1	
Overvotes:		0		0		0		0	

*** End of report ***

**ORDER CANVASSING THE RETURNS AND DECLARING THE RESULTS OF
NOVEMBER 2, 2021 ELECTION AUTHORIZING CONSOLIDATION OF
MARILEE SPECIAL UTILITY DISTRICT
AND
MUSTANG SPECIAL UTILITY DISTRICT**

THE STATE OF TEXAS §
 §
COUNTY OF COLLIN §

WHEREAS, on November 2, 2021, an election was held in Marilee Special Utility District (the "District"), in accordance with Sections 65.723 and 65.724 of the Texas Water Code, on a proposition to authorize the District to consolidate with Mustang Special Utility District; and

WHEREAS, the Board of Directors duly ordered an election for November 2, 2021, appointed election officials required for the conduct of the election, and deemed it advisable to call the election; and

WHEREAS, the votes cast at the election have been counted and recorded on the official election returns, and the returns have been certified and filed with the Board of Directors by the appropriate election officials; and

WHEREAS, the returns show 123 votes for the proposition to authorize the District to consolidate with Mustang Special Utility District and 60 votes against; and

WHEREAS, the election was called and held in conformity with the Constitutions and laws of the State of Texas and the United States of America; and

WHEREAS, the meeting to adopt this Order was open to the public, and public notice of the time, place, and purpose of the meeting was given, all as required by Chapter 551, Government Code, as amended.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF MARILEE SPECIAL UTILITY DISTRICT THAT:

Section 1. All recitals above are true and correct and are incorporated in this Order.

Section 2. The Board finds that the November 2, 2021 election was called and notice given in accordance with law, the election was held in conformity with law, and the returns of the election have been made by the proper officials.

Section 3. The election resulted in the qualified voters of the District approving consolidation of the District with Mustang Special Utility District, authorizing the consolidated district be named Mustang Special Utility District, and authorizing each district to assume the other district's bonds, notes, and other obligations.

Section 4. The Board finds that the meeting at which this Order has been considered and adopted is open to the public as required by law, and written notice of the time, place and subject matter of the meeting, and of the proposed adoption of this Order, was given as required by Section 551, Texas Government Code. The Board of Directors confirms the written notice and the contents and posting thereof.

PASSED AND APPROVED this 9th day of November 2021.



ATTEST

MARILEE SPECIAL UTILITY DISTRICT

By: *Denny Brackeen*
Denny Brackeen, President
Board of Directors

James Yeary
James Yeary, Secretary
Board of Directors

CERTIFICATE FOR ORDER

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

The undersigned officer of the Board of Directors ("Board") of Marilee Special Utility District hereby certifies as follows:

1. The Board of Marilee Special Utility District ("District") convened in a regular meeting on the 9th day of November 2021, at 230 W. Pecan Street, Celina, Texas, and the following officers and members of the Board:

Denny Brackeen	-	President
George Woodroof	-	Vice President
James Yeary	-	Secretary / Treasurer
Jerry Henderson	-	Director
Gabe Johnson	-	Director
Gary Savanyu	-	Director
Matt Sullivan	-	Director

were present, except Director(s) Sullivan, thus constituting a quorum. Among other business, an:

**ORDER CANVASSING THE RETURNS AND DECLARING THE RESULTS OF
NOVEMBER 2, 2021 ELECTION AUTHORIZING CONSOLIDATION OF
MARILEE SPECIAL UTILITY DISTRICT
AND
MUSTANG SPECIAL UTILITY DISTRICT**

was introduced for the consideration of the Board. It was then duly moved and seconded that the Order be adopted, and, after discussion, the motion prevailed and carried by majority vote.

2. A true, full and correct copy of the Order adopted at the meeting described in the above paragraph is attached to this certificate. The Order has been duly recorded in the District's minutes of the meeting. The persons named in the paragraph above are the duly chosen, qualified and acting officers and members of the Board as indicated in paragraph 1. Each of the officers and members of the Board was notified officially and personally, in advance, of the time, place and purpose of the Board meeting, and that the Order would be introduced and considered for adoption at the meeting. Each of the officers and members consented, in advance, to holding the meeting for such purpose. The meeting was open to the public as required by law, and public notice of the time, place and subject of the meeting was given as required by Chapter 551 of the Government Code.

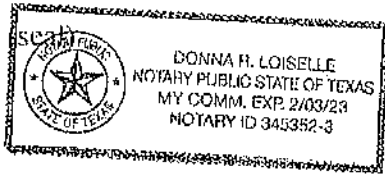
SIGNED AND SEALED the ____ day of November 2021.

James Yeary

James Yeary, Secretary
Board of Directors

THE STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the 9th day of November 2021, by James Yeary, Secretary of the Board of Directors of Marilee Special Utility District, on behalf of the District.



Donna R. Loicelle
Notary Public Signature

Section 4. The Board finds that the meeting at which this Order has been considered and adopted is open to the public as required by law, and written notice of the time, place and subject matter of the meeting, and of the proposed adoption of this Order, was given as required by Section 551, Texas Government Code. The Board of Directors confirms the written notice and the contents and posting thereof.

PASSED AND APPROVED this 10th day of November 2021.

MUSTANG SPECIAL UTILITY DISTRICT

By: Michael Walker
Michael Walker, President
Board of Directors

ATTEST:

Matt Gauntt
Matt Gauntt, Secretary
Board of Directors

CERTIFICATE FOR ORDER

STATE OF TEXAS §
 §
COUNTY OF DENTON §

The undersigned officer of the Board of Directors ("Board") of Mustang Special Utility District hereby certifies as follows:

1. The Board of Mustang Special Utility District ("District") convened in a regular meeting on the 10th day of November 2021, at 7985 FM 2931, Aubrey, Texas, and the following officers and members of the Board:

- | | | |
|------------------|---|----------------|
| Michael Walker | - | President |
| Marc Hodak | - | Vice President |
| Matt Gauntt | - | Secretary |
| Kim Lehere | - | Director |
| Kathryn Langley | - | Director |
| Kenneth Mitchell | - | Director |
| Michael Skelton | - | Director |
| Michael Bolton | - | Director |
| Jeff Stafford | - | Director |

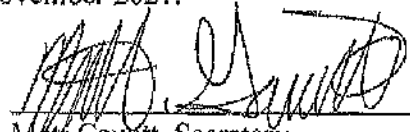
were present, except Director(s) Matt Gauntt, thus constituting a quorum. Among other business, an:

**ORDER CANVASSING THE RETURNS AND DECLARING THE RESULTS OF
NOVEMBER 2, 2021 ELECTION AUTHORIZING CONSOLIDATION OF
MUSTANG SPECIAL UTILITY DISTRICT
AND
MARILEE SPECIAL UTILITY DISTRICT**

was introduced for the consideration of the Board. It was then duly moved and seconded that the Order be adopted, and, after discussion, the motion prevailed and carried by majority vote.

2. A true, full and correct copy of the Order adopted at the meeting described in the above paragraph is attached to this certificate. The Order has been duly recorded in the District's minutes of the meeting. The persons named in the paragraph above are the duly chosen, qualified and acting officers and members of the Board as indicated in paragraph 1. Each of the officers and members of the Board was notified officially and personally, in advance, of the time, place and purpose of the Board meeting, and that the Order would be introduced and considered for adoption at the meeting. Each of the officers and members consented, in advance, to holding the meeting for such purpose. The meeting was open to the public as required by law, and public notice of the time, place and subject of the meeting was given as required by Chapter 551 of the Government Code.

SIGNED AND SEALED the 16 day of November 2021.



Matt Gauntt, Secretary
Board of Directors

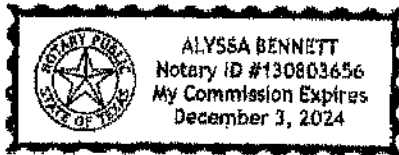
THE STATE OF TEXAS §
 §
COUNTY OF DENTON §

This instrument was acknowledged before me on the 16 day of November 2021, by Matt Gauntt, Secretary of the Board of Directors of Mustang Special Utility District, on behalf of the District.

(seal)



Notary Public Signature



RESOLUTION NO. 2022-001

A RESOLUTION OF THE BOARD OF DIRECTORS OF MARILEE SPECIAL UTILITY DISTRICT RELATING TO DESIGNATION OF THE GENERAL MANAGER AS THE AUTHORIZED REPRESENTATIVE OF THE DISTRICT REGARDING CONVEYANCE, ASSIGNMENT, AND TRANSFER OF ALL REAL AND TANGIBLE PROPERTY INTERESTS OF THE DISTRICT TO MUSTANG SPECIAL UTILITY DISTRICT

WHEREAS, the Boards of Directors of the District and Mustang Special Utility District ("Mustang SUD") (together, the "Districts") each determined that it is in the best interests of the property owners and customers within both Districts to consolidate into one district as provided by Sections 65.723 – 65.726 of the Texas Water Code ("TWC");

WHEREAS, the Boards of Directors of the Districts entered into a Consolidation Agreement on August 9, 2021, incorporated fully herein, which memorialized their agreement on the terms and conditions of consolidation;

WHEREAS, on November 2, 2021, the District and Mustang Special Utility District ("Mustang SUD") (together, the "Districts"), each held an election in their respective counties to determine whether the districts should be consolidated, in accordance with TWC § 65.724;

WHEREAS, the qualified voters in each of the Districts approved the consolidation of the Districts by a majority of votes cast;

WHEREAS, 90 days after consolidation, the officers of each District act jointly as officers of the original Districts to settle the affairs of their respective Districts, pursuant to TWC § 65.725;

WHEREAS, under the Consolidation Agreement, the Boards of Directors of the Districts agreed to promptly pass, adopt, enter, approve, and record in the manner required by law such orders, resolutions, and documents as may be necessary and appropriate to evidence the consolidation of the two Districts into one district (the "Consolidated District") named "Mustang Special Utility District";

WHEREAS, the Board of Directors of the District desires to promptly effectuate the conveyance, assignment, and transfer of the District's real and tangible personal property interests to the Consolidated District;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF MARILEE SPECIAL UTILITY DISTRICT THAT:

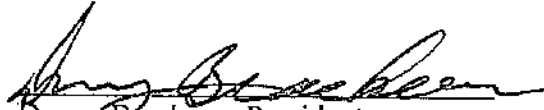
Section 1. The matters and facts recited in the preamble to this Resolution are found to be true and correct and the same are incorporated herein as a part of this Resolution.

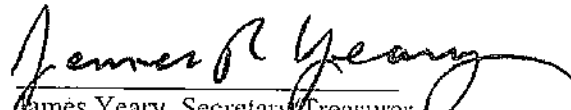
Section 2. The Board of Directors of the District hereby authorizes its General Manager, Donna Loiselle, to take any and all actions necessary, appropriate, or convenient, including, but not limited to, engaging with the District's officers, directors, legal counsel, engineer, and financial advisor to prepare, file, record, and otherwise submit any and all necessary documents and information to convey and assign the all of the District's real and personal property interests to the Consolidated District.

Section 3. Upon approval, an executed copy of this Resolution shall be retained in the permanent records of the District.

PASSED AND APPROVED this 24th day of January 2022.




Denny Brackeen, President


James Yeary, Secretary/Treasurer

CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS §

COUNTY OF COLLIN §

I, the undersigned officer of the Board of Directors of Marilee Special Utility District (the "District") hereby certify as follows:

1. The Board of Directors of Marilee Special Utility District convened in a special meeting on January 24, 2022 at 7985 FM 2931, Aubrey, Texas 76227, and the roll was called of the duly constituted officers and members of the Board, to-wit:

Denny Brackeen	President
George Woodruff	Vice President
James Yeary	Secretary/Treasurer
Jerry Henderson	Director
Gabe Johnson	Director
Gary Savanyu	Director
Matt Sullivan	Director

and all of said persons were present, thus constituting a quorum. Whereupon, among other business, the following was transacted at the meeting: a written

RESOLUTION OF MARILEE SPECIAL UTILITY DISTRICT RELATING TO DESIGNATION OF THE DISTRICT GENERAL MANAGER AS THE AUTHORIZED REPRESENTATIVE OF THE DISTRICT REGARDING THE CONVEYANCE, ASSIGNMENT, AND TRANSFER OF ALL REAL AND TANGIBLE PROPERTY INTERESTS OF THE DISTRICT TO MUSTANG SPECIAL UTILITY DISTRICT

was introduced for the consideration of the Board. It was then duly moved and seconded that the Resolution be adopted; and, after due discussion, the motion, carrying with it the adoption of the Resolution, prevailed and carried by the following vote:

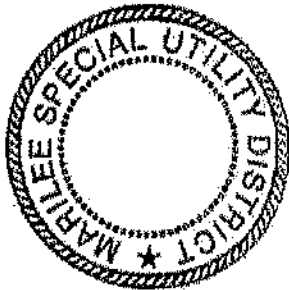
Ayes: 1

Nays: 0

(2) That a true, full and correct copy of the aforesaid Resolution was adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that the Resolution has been duly recorded in the Board's minutes of the meeting; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the Board as indicated therein; that each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid meeting, that the Resolution would be introduced and considered for adoption at the meeting, and each of the officers and members consented, in

advance, to the holding of the meeting for such purpose; that the meeting was open to the public as required by law; and that public notice of the time, place and subject of the meeting was given as required by Chapter 551, Texas Government Code, and Section 49.063, Texas Water Code.

APPROVED and PASSED by the Board of Directors of Marilee Special Utility District on this the 24th day of January, 2022.



(DISTRICT SEAL)

James Yeary
James Yeary, Secretary/Treasurer, Board of
Directors

RESOLUTION NO. 012422

A RESOLUTION OF THE BOARD OF DIRECTORS OF MUSTANG SPECIAL UTILITY DISTRICT DELEGATING THE DISTRICT GENERAL MANAGER THE AUTHORITY TO TAKE ALL REASONABLE AND NECESSARY ACTIONS TO FINALIZE THE CONSOLIDATION OF MUSTANG SPECIAL UTILITY DISTRICT WITH MARILEE SPECIAL UTILITY DISTRICT INTO ONE CONSOLIDATED DISTRICT NAMED, "MUSTANG SPECIAL UTILITY DISTRICT"

WHEREAS, the Boards of Directors of the District and Marilee Special Utility District ("Marilee SUD") (together, the "Districts") each determined that it is in the best interests of the property owners and customers within both Districts to consolidate into one district as provided by Sections 65.723 – 65.726 of the Texas Water Code ("TWC");

WHEREAS, the Boards of Directors of the Districts entered into a Consolidation Agreement on August 9, 2021, incorporated fully herein, which memorialized their agreement on the terms and conditions of consolidation;

WHEREAS, on November 2, 2021, the Districts each held an election in their respective counties to determine whether the districts should be consolidated, in accordance with TWC § 65.724;

WHEREAS, the qualified voters in each of the Districts approved the consolidation of the Districts by a majority of votes cast;

WHEREAS, 90 days after consolidation, the officers of each District act jointly as officers of the original Districts to settle the affairs of their respective Districts, pursuant to TWC § 65.725;

WHEREAS, under the Consolidation Agreement, the Boards of Directors of the Districts agreed to promptly pass, adopt, enter, approve, and record in the manner required by law such orders, resolutions, and documents as may be necessary and appropriate to evidence the consolidation of the two Districts into one district (the "Consolidated District") named "Mustang Special Utility District";

WHEREAS, the Board of Directors of the District desires to delegate to the District General Manager the authority to take all reasonable and necessary action to finalize the consolidation of the District and Marilee SUD into one Consolidated District named "Mustang Special Utility District";

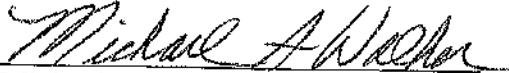
NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF MUSTANG SPECIAL UTILITY DISTRICT THAT:

Section 1. The matters and facts recited in the preamble to this Resolution are found to be true and correct and the same are incorporated herein as a part of this Resolution.

Section 2. The Board of Directors of the District hereby authorizes its General Manager, Chris Boyd, to take any and all actions necessary, appropriate, or convenient, including, but not limited to, engaging with the District's officers, directors, legal counsel, engineer, and financial advisor and Marilee SUD's officers, directors, legal counsel, engineer, and financial advisor to prepare, file, record, and otherwise submit any and all necessary documents and information to finalize the consolidation of the District and Marilee SUD into one Consolidated District named "Mustang Special Utility District."

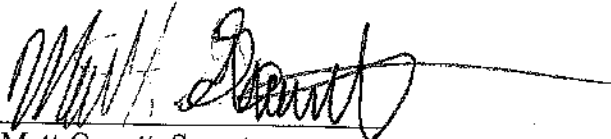
Section 3. Upon approval, an executed copy of this Resolution shall be retained in the permanent records of the District.

PASSED AND APPROVED this 24th day of January 2022.


Michael Walker, President

(DISTRICT SEAL)

ATTEST:


Matt Gauntt, Secretary

CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS §

COUNTY OF DENTON §

I, the undersigned officer of the Board of Directors of Mustang Special Utility District (the "District") hereby certify as follows:

1. The Board of Directors of Mustang Special Utility District convened in a special meeting on January 24, 2022 at the special meeting place inside the boundaries of the District, and the roll was called of the duly constituted officers and members of the Board, to-wit:

Michael Walker	President
Marc Hodak	Vice President
Matt Gauntt	Secretary
Michael Skelton	Director
Ken Mitchell	Director
Michael Bolton	Director
Kim Lehere	Director
Jeff Stafford	Director
Kathryn Langley	Director

and all of said persons were present, thus constituting a quorum. Whereupon, among other business, the following was transacted at the meeting: a written

RESOLUTION OF MUSTANG SPECIAL UTILITY DISTRICT DELEGATING THE DISTRICT GENERAL MANAGER THE AUTHORITY TO TAKE ALL REASONABLE AND NECESSARY ACTIONS TO FINALIZE THE CONSOLIDATION OF THE DISTRICT WITH MARILEE SPECIAL UTILITY DISTRICT INTO ONE CONSOLIDATED DISTRICT NAMED, "MUSTANG SPECIAL UTILITY DISTRICT"

was introduced for the consideration of the Board. It was then duly moved and seconded that the Resolution be adopted; and, after due discussion, the motion, carrying with it the adoption of the Resolution, prevailed and carried by the following vote:

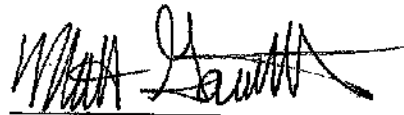
Ayes: 8

Nays: 0

(2) That a true, full and correct copy of the aforesaid Resolution was adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that the Resolution has been duly recorded in the Board's minutes of the meeting; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the Board as indicated therein; that each of the officers and

members of the Board was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid meeting, that the Resolution would be introduced and considered for adoption at the meeting, and each of the officers and members consented, in advance, to the holding of the meeting for such purpose; that the meeting was open to the public as required by law; and that public notice of the time, place and subject of the meeting was given as required by Chapter 551, Texas Government Code, and Section 49.063, Texas Water Code.

APPROVED and PASSED by the Board of Directors of Mustang Special Utility District on this the 24th day of January, 2022.



Matt Gauntt, Secretary, Board of Directors

(DISTRICT SEAL)

DOCKET NO. 54131

CONSOLIDATION OF MARILEE § PUBLIC UTILITY COMMISSION
SPECIAL UTILITY DISTRICT INTO §
MUSTANG SPECIAL UTILITY §
DISTRICT § OF TEXAS

AFFIDAVIT OF CHRIS BOYD

THE STATE OF TEXAS §
COUNTY OF DENTON §

BEFORE ME, the undersigned official on this day personally appeared Chris Boyd, who is personally known to me and first being duly sworn according to law, swore an oath that the following facts are true:

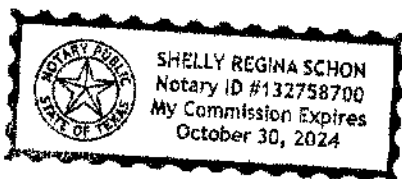
“My name is Chris Boyd, and I am the duly authorized representative for Mustang Special Utility District (Mustang SUD). I am over 18 years of age, of sound mind, and fully competent to make this affidavit. I have personal knowledge of the facts stated herein and they are all true and correct to the best of my knowledge and belief.

I attest that Marilee Special Utility District (Marilee SUD) and Mustang SUD were consolidated pursuant to Subchapter H, Chapter 65 of the Texas Water Code, and that the assets, including any customer deposits, fund balances and other property of Marilee SUD, have been transferred to the consolidated district, Mustang SUD.

FURTHER AFFIANT SAYETH NOT.”

Chris Boyd, Affiant
General Manager
Mustang Special Utility District

SUBSCRIBED AND SWORN TO BEFORE ME on this the 30 day of November, 2023, to which witness my hand and official seal.



Notary Public - The State of Texas
My Commission Exp. 10/30/24



? District Name: MARILEE SUD (4049000)

Affiliations

Documents

Responsible Party

Customers

Reference Number
CN603138702

Name
MARILEE SUD

Role
RESPONSIBLE PARTY

Official Address / Phone

Address: PO BOX 1017
CELINA, TEXAS 75009-1017

Telephone: (972) 382-3222

Properties

CR Regulated Entity Number: RN104408265

CCEDS Status: NO ACTIVE NOE EXISTS

District Type: SPECIAL UTILITY DISTRICT

Creation Type: TCEQ

Primary County: GRAYSON

Financial Status: AUDIT FILED

Directors: 9

Closure: Y

Counties

Code
43
91
Occurrences retrieved.

County Name
COLLIN
GRAYSON

Primary
N
Y

Activity

Creation Date: 09/11/2003

Activity Date: 09/15/2022

Activity Status: MERGED/ANNEXED

Activity Reason: AUDIT

Last Registration Date: 10/19/2012

Confirmation Date: 11/04/2003

Merged into: MUSTANG SUD (5891050)

[Run District Information Report](#)
[Show Map](#)

District successfully retrieved.

For all filter and queries to perform effectively best to view with IE