



## **Filing Receipt**

**Filing Date - 2025-02-26 12:49:08 PM**

**Control Number - 57761**

**Item Number - 1**

**PUC DOCKET NO. \_\_\_\_\_**

<b>PETITION OF WIND ROSE</b>	<b>§</b>	<b>THE PUBLIC UTILITY</b>
<b>DEVELOPMENT I, LLC TO AMEND</b>	<b>§</b>	
<b>AQUA TEXAS, INC.'S</b>	<b>§</b>	<b>COMMISSION OF TEXAS</b>
<b>CERTIFICATES OF CONVENIENCE</b>	<b>§</b>	
<b>AND NECESSITY IN HARRIS</b>	<b>§</b>	
<b>COUNTY</b>	<b>§</b>	

**PETITION OF WIND ROSE DEVELOPMENT I, LLC TO AMEND AQUA TEXAS, INC.'S CERTIFICATES OF CONVENIENCE AND NECESSITY IN HARRIS COUNTY PER TEXAS WATER CODE § 13.254(a)(1) AND 16 TEX. ADMIN. CODE § 24.245(d)**

TO THE HONORABLE PUBLIC UTILITY COMMISSION OF TEXAS:

COMES NOW, Wind Rose Development I, LLC ("Petitioner"), and files with the Public Utility Commission of Texas ("Commission") this Petition ("Petition") to Amend Aqua Texas, Inc.'s ("Aqua") Water Certificate of Convenience and Necessity No. 13203 and Sewer Certificate of Convenience and Necessity No. 21065 in Harris County per Texas Water Code § 13.254(a)(1) and 16 Tex. Admin. Code § 24.245(d). In support, Petitioner would respectfully show the following:

1. Petitioner is the owner of approximately 8.4250 acres of land in Harris County Texas (the "Property"). The Property is located within the Water Certificate of Convenience and Necessity No. 13203 held by Aqua. The Property is also located within the Sewer Certificate of Convenience and Necessity No. 21065 held by Aqua.

2. The deed to the Property is attached at Exhibit A. This deed shows Petitioner a the owner of the Property.

3. A survey of the Property is attached at Exhibit B.

4. A Metes and Bounds description of the Property is shown at Exhibit C.
5. Petitioner seeks to have the Property removed from Aqua's Water Certificate of Convenience and Necessity No. 13203 in Harris County.
6. Petitioner also seeks to have the Property removed from Aqua's Sewer Certificate of Convenience and Necessity No. 21065 in Harris County.
7. Aqua has never provided any water or sewer service to the Property.
8. Aqua has consented in writing to this amendment to remove the Property from its water and sewer CCN.
9. Petitioner has not requested any retail water or sewer service from Aqua, has not paid any service reservation or standby fees to Aqua, nor does it have any agreements with Aqua to provide retail water or sewer service to the Property.
10. Exhibit D is a general map showing the Property to be removed.
11. Exhibit E is a detailed map showing the Property to be removed.
12. Shape files for the Property are being submitted electronically concurrently with this Petition.
13. The certificate of service attached to this Petition provides evidence that Aqua was served with a copy of this Petition on the same day this Petition is being submitted to the Commission.

#### **Conclusion and Prayer**

For the reasons stated above, Petitioner respectfully requests that: (a) this Petition be deemed properly filed with the Commission; (b) this Petition be granted in all respects as provided under Tex. Water Code § 13.254(a)(1) and Commission rules at 16 Tex. Admin. Code §

24.245(d)(1)(A); (c) the Commission enter an order releasing the Property from Aqua's Water CCN No. 13203 in Harris County; (d) the Commission enter an order releasing the Property from Aqua's Sewer CCN No. 21065 in Harris County; and (e) all other orders, acts, procedures, and relief be granted as are necessary and proper to the remove the Property Rose Hill's CCN.

Respectfully submitted,

/s/ David Tuckfield

**THE AL LAW GROUP, PLLC**

David J. Tuckfield

State Bar No. 00795996

12400 Highway 71 West

Suite 350-150

Austin, TX 78738

(512) 576-2481

(512) 366-9949 Facsimile

david@allawgp.com

**ATTORNEYS FOR PETITIONER**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing Petition was served on Aqua Texas, Inc. on this the 26<sup>th</sup> day of February 2025, by first class mail and email as shown below:

Aqua Texas, Inc.  
1106 Clayton Lane  
Suite 400W  
Austin, Texas 78723

Danielle Jouenne, Esquire  
Senior Counsel  
Aqua Texas, Inc.  
762 W. Lancaster Avenue  
Bryn Mawr, PA 19010  
DJouenne@essential.co

/s/ David Tuckfield  
David J. Tuckfield

# **EXHIBIT A**

Old Republic National Title Insurance Company  
GFA 210021712

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.

General Warranty Deed

Date: May 12, 2021

Grantor: Darlene Keidel Jones

Grantor's Mailing Address: 17408 BONNAT TRAIL, CYPRESS, TX 77429

Grantee: Wind Rose Development, L. LLC

Grantee's Mailing Address: 25420 Kuykendahl Rd. Suite D-300 Humble, TX 77338

Consideration:

Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

FIELD NOTE DESCRIPTION OF 8.4250 ACRES (366,993 SQUARE FEET) OF LAND BEING THE RESIDUE OF THAT CERTAIN CALLED 9.1431 ACRE TRACT RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO. N238418 AND BEING OUT OF AND A PART OF COMMERCIAL RESERVE "A" OF CYPRESS FIELDS SECTION 1 (UNRECORDED) IN THE M. BUNDICK SURVEY, A-111, HARRIS COUNTY, TEXAS, SAID 8.4250 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, (BEARINGS ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83.):

BEGINNING at an "X" cut in concrete set at the intersection of the North right-of-way line of Huffmeister Road (100 feet wide) and West right-of-way line of Cypress Fields Road (60 feet wide) for the Southeast corner of that certain called 0.0112 acre easement conveyed to Harris County by deed recorded under H.C.C.F. No. 20120157008 and the Southeast corner of the herein described tract;

THENCE, South 88°48'13" West, along the North right-of-way line of Huffmeister Road, at 74.73 feet pass a 5/8 inch iron rod with cap set for the Southwest corner of said 0.0112 acre easement, at 774.49 feet pass the Southeast corner of that certain called 0.0155 acre easement conveyed to Harris County by deed recorded under H.C.C.F. No. 20120140568 and continuing a total distance of 964.40 feet to a 5/8 inch iron rod with cap set in the West line of said Commercial Reserve "A", same being the West line of said called 9.1431 acre tract for the Southwest corner of said called 0.0135 acre easement and the herein described tract;

THENCE, North 02°32'55" West, along the common West line of said called 9.1431 acre tract and said Commercial Reserve "A", at 9.29 feet pass a 5/8 inch iron rod with cap set for the Northwest corner of said 0.0135 acre easement and continuing a total distance of 380.05 feet to a 5/8 inch iron rod found for the Northwest corner of said 9.1431 acre tract, Commercial Reserve "A" and the herein described tract;

THENCE, North 88°40'13" East, along the North line of said Commercial Reserve "A", being common with the South line of Lots 1-7 of said Cypress Fields Sec. 1, a distance of 967.34 feet to a 5/8 inch iron rod with cap set in the West right-of-way line of Cypress Fields Road for the Northeast corner of the herein described tract;

THENCE, South 02°06'22" East, along the West right-of-way line of Cypress Fields Road, at 360.60 feet pass a 5/8 inch iron rod with cap set for the Northeast corner of said called 0.0112 acre easement and continuing a total distance of 380.00 feet to the POINT OF BEGINNING and containing 8.4250 acres (366,993 square feet) of land, more or

*Darlene Keidel Jones*



*Handwritten signature*



less.

Reservations from Conveyance: None.

Exceptions to Conveyance and Warranty:

Validly existing restrictive covenants common to the platted subdivision in which the Property is located; standby fees, taxes, and assessments by any taxing authority for the year 2021 and subsequent years, and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership; validly existing utility easements created by the dedication deed or plat of the subdivision in which the Property is located; any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements; homestead or community property or survivorship rights, if any, of any spouse of Grantee; and any validity existing titles or rights asserted by anyone, including but not limited to persons, the public, corporations, governments, or other entities, to (1) tidelands or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs, or oceans, (2) lands beyond the line of the harbor or bulkhead lines as established or changed by any government, (3) filled-in lands or artificial islands, (4) water rights, including riparian rights, or (5) the area extending from the line of mean low tide to the line of vegetation or the right of access to that area or easement along and across that area.

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

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

SIGNATURES ON FOLLOWING PAGE

RP-2021-266097





*Melissa Dunkirk*

County Clerk Harris County, Texas



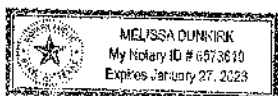
*Darlene Keidel Jones*  
Darlene Keidel Jones

STATE OF TEXAS

COUNTY OF Harris

Before me, the undersigned Notary Public, on this day personally appeared Darlene Keidel Jones, proved to me through TJL to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he or she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 12 day of May, 2021.



*Melissa Dunkirk*  
Notary Public, State of Texas

PREPARED IN THE OFFICE OF:  
Dorsett Johnson & SwiR, LLP  
407 Throckmorton, Suite 500  
Fort Worth, Texas 76102

AFTER RECORDING RETURN TO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



*Tenesha Hudspeth*

County Clerk Harris County, Texas



RP-2021-266097  
# Pages 4  
05/14/2021 08:14 AM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
TENESHIA HUDSPETH  
COUNTY CLERK  
Fees \$26.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

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.

THE STATE OF TEXAS  
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



*Tenesha Hudspeth*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS



RP-2021-266097



I, Teneshia Hudspeth, County Clerk of Harris County, Texas certify that these pages are a true and correct copy of the original record filed and recorded in my office, electronically or hard copy, as it appears on this date.

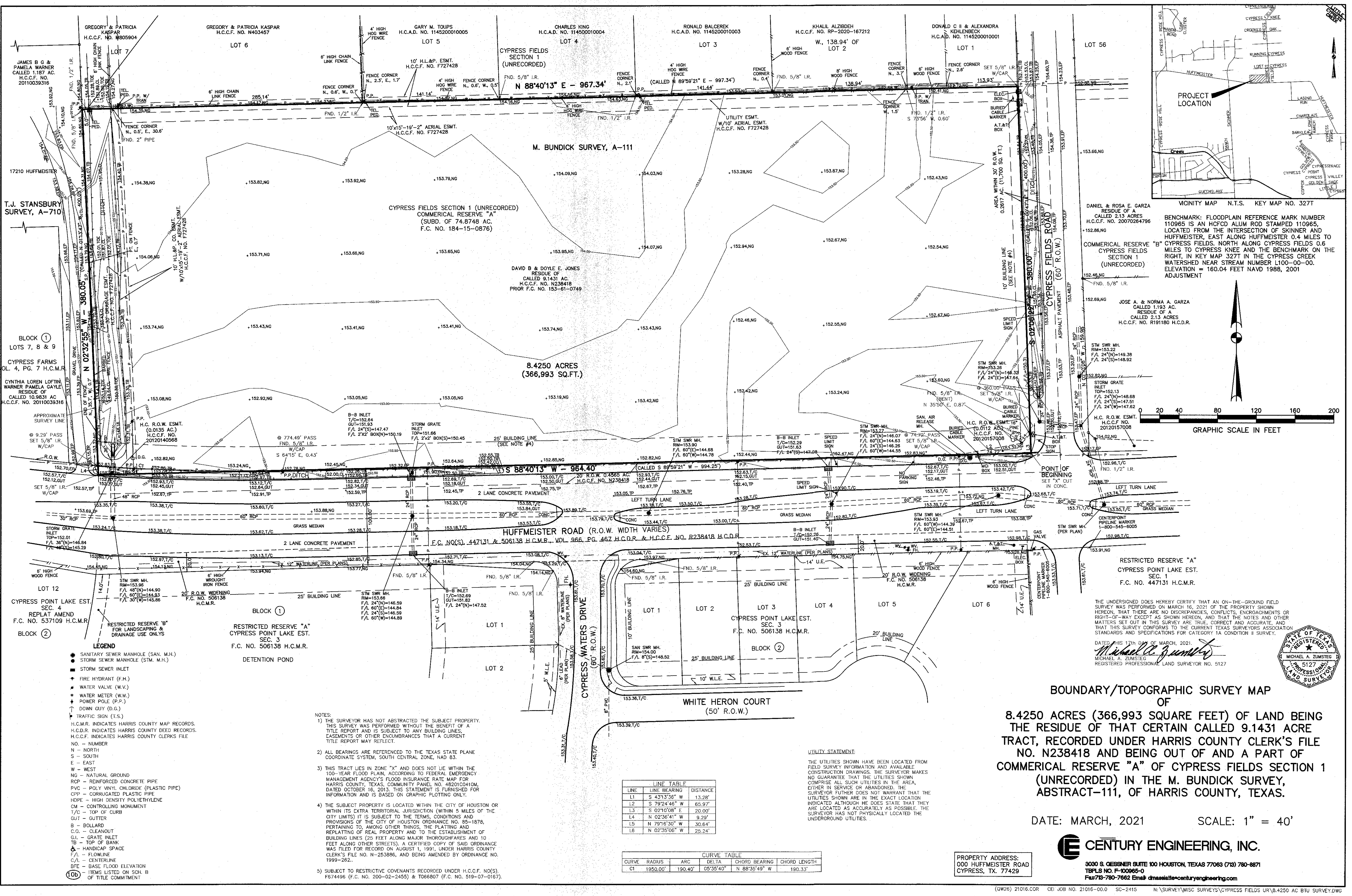
Witness my official hand and seal of office  
This February 26, 2025

Teneshia Hudspeth, County Clerk  
Harris County, Texas

Any provision herein which restrict the sale, rental or use of the described Real Property because of color or race is invalid and unenforceable under the Federal Law. Confidential information may have been redacted from the document in compliance with the Public Information Act.



## **EXHIBIT B**



**BOUNDARY/TOPOGRAPHIC SURVEY MAP**  
**OF**  
**8.4250 ACRES (366,993 SQUARE FEET) OF LAND BEING**  
**THE RESIDUE OF THAT CERTAIN CALLED 9.1431 ACRE**  
**TRACT, RECORDED UNDER HARRIS COUNTY CLERK'S FILE**  
**NO. N238418 AND BEING OUT OF AND A PART OF**  
**COMMERCIAL RESERVE "A" OF CYPRESS FIELDS SECTION 1**  
**(UNRECORDED) IN THE M. BUNDICK SURVEY,**  
**ABSTRACT-111, OF HARRIS COUNTY, TEXAS.**

DATE: MARCH, 2021 SCALE: 1" = 40'

**CENTURY ENGINEERING, INC.**

3090 S. CESSNER SUITE 100 HOUSTON, TEXAS 77068 (713) 780-8871  
TOLLS NO. F-00065-0  
Fax: 713-780-7662 Email: cmasi@centuryengineering.com

# **EXHIBIT C**

FIELD NOTE DESCRIPTION OF 8.4250 ACRES (366,993 SQUARE FEET) OF LAND BEING THE RESIDUE OF THAT CERTAIN CALLED 9.1431 ACRE TRACT RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO. N238418 AND BEING OUT OF AND A PART OF COMMERCIAL RESERVE "A" OF CYPRESS FIELDS SECTION 1 (UNRECORDED) IN THE M. BUNDICK SURVEY, A-111, HARRIS COUNTY, TEXAS, SAID 8.4250 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, (BEARINGS ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83.):

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THENCE, South 88°40'13" West, along the North right-of-way line of Huffmeister Road, at 74.72 feet pass a 5/8 inch iron rod with cap set for the Southwest corner of said 0.0112 acre easement, at 774.49 feet pass the Southeast corner of that certain called 0.0135 acre easement conveyed to Harris County by deed recorded under H.C.C.F. No. 20120140568 and continuing a total distance of 964.40 feet to a 5/8 inch iron rod with cap set in the West line of said Commercial Reserve "A", same being the West line of said called 9.1431 acre tract for the Southwest corner of said called 0.0135 acre easement and the herein described tract;

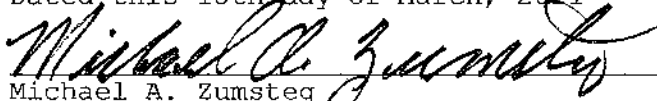
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CENTURY ENGINEERING, INC.

Dated this 18th day of March, 2021

  
Michael A. Zumsteg  
Registered Professional Land Surveyor No. 5127



CEI JOB NO. 21016-00.00  
(QW25) SV 21016A.T

# **EXHIBIT D**





GENERAL LOCATION MAP N.T.S.  
KEY MAP NO. 327T

# **EXHIBIT E**



DETAILED MAP N.T.S.  
KEY MAP NO. 327T