

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

July 1, 2022

Laurie Gharis, Chief Clerk  
Office of the Chief Clerk  
Texas Commission on Environmental Quality  
P.O. Box 13087, MC-105  
Austin, Texas 78711-3087

Re: TCEQ Docket No. 2022-0533-DIS; Collin County Municipal Utility District No. 7;  
Request filed regarding Internal Control No. D-04122021-017.

Dear Ms. Gharis:

Transmitted herewith for filing with the Texas Commission on Environmental Quality (Commission or TCEQ) are the following items to be filed as backup materials for the July 20, 2022, agenda on hearing requests for the creation of Collin County Municipal Utility District No. 7:

1. Technical memo prepared by staff;
2. Temporary Directors' Affidavits; and
3. Notice of District Petition.

Please do not hesitate to contact me if you have any questions regarding these materials. Thank you for your attention to this matter.

Respectfully submitted,

A handwritten signature in black ink that reads "Kayla Murray".

Kayla Murray, Staff Attorney  
Environmental Law Division

Enclosures

cc: Mailing list

# Texas Commission on Environmental Quality

## TECHNICAL MEMORANDUM

**To:** Justin P. Taack, Manager  
Districts Section

**Date:** May 31, 2022

**From:** Andrew Paynter, Technical Specialist  
Districts Section

**Subject:** Petition by Harrington/Turner Enterprises LP, a Texas Limited Partnership for the Creation of Collin County Municipal Utility District No. 7; Pursuant to Texas Water Code Chapters 49 and 54.  
TCEQ Internal Control No. D-04122021-017 (TC)  
CN: 605878966 RN: 111242855

### **A. GENERAL INFORMATION**

The Texas Commission on Environmental Quality (TCEQ) received a petition within the application requesting approval for the creation of Creation of Collin County Municipal Utility District No. 7 (the "District"). The petition was signed by Margaret E. Turner, manager, Harrington/Turner Enterprises Management, LLC, general partner of Harrington/Turner Enterprises, LP (Petitioner). In compliance with 30 Texas Administrative Code (30 TAC) Section 293.11(j)(1), the petition states that the Petitioner is the holder of title to the property to be included in the proposed District, as shown by the Collin County Tax Rolls and conveyances of Record, and that there are no lienholders on the property to be included in the proposed District.

The District is proposed to be created and organized according to the terms and provisions of Article XVI, Section 59, and Article III, Sections 52 and 52(a) of the Texas Constitution, and Chapter 42, Texas Local Government Code (TLGC), and Chapters 49 and 54, Texas Water Code (TWC).

#### **Location and Access**

The proposed District is located in Collin County, Texas, approximately 4 miles east of US Highway 75 and 2 miles north of FM 544, between the City of Parker and the City of Murphy, wholly within the City of Parker (the "City") extraterritorial jurisdiction (ETJ). The proposed District is currently located within the City of Parker Water Certificate of Convenience and Necessity (CCN No. 10207). The proposed District is not located within any existing sewer CCN. The proposed District can be accessed by FM 2551 (Hogge Drive) via FM 2514 (East Parker Road) to the north, and Gregory Lane via FM 2551 to the north can also provide access to the District from the City of Parker

#### **Metes and Bounds Description**

The proposed District contains approximately 101.829 acres. The metes and bounds description of the proposed District has been checked by TCEQ staff and has been found to form an acceptable closure.

### City Consent

In accordance with Local Government Code Section 42.042 and TWC Section 54.016, the Petitioner submitted a petition to the City, requesting the City's consent to the creation of the District. After more than 90 days passed without receiving consent, the Petitioner submitted a petition to the City to provide water or sewer services to the District. The 120-day period for reaching a mutually agreeable contract as established by TWC Section 54.016(c) expired and the information provided indicates that the Petitioner and the City have not executed a mutually agreeable contract for service. Pursuant to TWC Section 54.016(d), failure to execute such an agreement constitutes authorization for the Petitioner to initiate proceedings to include the land within the district.

### Statements of Filing Petition

Evidence of filing the petition with the City Secretary's office, Collin County, the TCEQ's Houston regional office, the Texas State Representative, and the Texas State Senator was included in the application.

### Notification of County

TWC Section 54.0161 requires the TCEQ to notify the County Commissioners Court of a creation application if all of the proposed District is located outside of the corporate limits of a municipality. Information provided indicates the proposed District is wholly within the extraterritorial jurisdiction of the City, and no portion of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any other city, town or village in Texas. By letter dated January 25, 2022, the Collin County Commissioners Court was notified of the subject application. A response has not been received to date.

### Type of Project

The proposed District will be considered a "developer project" as defined by 30 TAC Section 293.44(a). Therefore, developer cost participation in accordance with 30 TAC Section 293.47 will be required.

### Developer Qualifications

Application material indicates that John C. Cox, Sole Manager of Restore the Grasslands LLC will carry out the development of the proposed District. John C. Cox has over 40 years of development experience in real estate development, including but not limited to: land purchases, land planning, utility service acquisition, contracting for construction development, and establishing municipal utility districts.

### Certificate of Ownership

By certificate dated March 8, 2021, the Collin Central Appraisal District has certified that its tax rolls indicate that Harrington/Turner Enterprises, LP owns all the value of the property in the proposed District.

### Temporary Director Affidavits

The TCEQ has received affidavits for consideration of the appointment of temporary directors for the following persons:

Lvania Andrade

Skylar Sheff

Joseph Hoffman

Leonard Joanidhi

Margaret E. Moore

Each of the above persons named is qualified, as required by 30 TAC Section 293.32(a), to serve as a temporary director of the proposed District as each (1) is at least 18 years old; (2) is a resident citizen of the State of Texas; and (3) either owns land subject to taxation within the proposed District, or is a qualified voter within the proposed District. Additionally, as required by TWC Section 54.022, the majority are residents of the county in which the proposed District is located, a county adjacent to the county in which the proposed District is located, or if the proposed District is located in a county that is in a metropolitan statistical area designated by the United States Office of Management and Budget or its successor agency, a county in the same metropolitan statistical area as the county in which the proposed District is located.

#### Notice Requirements

Proper notice of the application was published on January 19, 2022 and January 26, 2022, in *The Wylie News*, a newspaper regularly published or circulated in Collin County, the county in which the district is proposed to be located. Proper notice of the application was also posted on January 18, 2022 on the bulletin board used for posting legal notices in the Collin County Courthouse. Accordingly, the notice requirements of 30 TAC Section 293.12(b) have been satisfied.

#### **B. ENGINEERING ANALYSIS**

The creation engineering report indicates the following:

##### Availability of Comparable Service

The creation engineering report indicates that the proposed District is located within the City's ETJ and the City's water CCN and will receive water service from the City. The proposed District will provide wastewater treatment through an on-site wastewater treatment plant. Application material indicates that Petitioner has not received any response from the City related to various requests for service.

##### Water Supply

The preliminary engineering report states that the proposed District will obtain its water supply from the City, who will operate and maintain the District's water system. Based on a total of 608 equivalent single-family connections (ESFCs) in the District at full development, the ultimate average daily water demand is estimated to be 0.700 million gallons per day (MGD) and the maximum daily demand is estimated at 1.064 MGD. All water supply and distribution system improvements to serve the proposed District will be designed in accordance with criteria established by the TCEQ, the City and Collin County.

##### Water Distribution

The District will construct approximately 24,800 linear feet of 8-inch to 12-inch waterline, and 4,200 linear feet of offsite 12-inch waterline and facility improvements to serve the proposed development. The water distribution system will be looped where feasible to provide alternate service routes during emergencies and maintenance periods, and to equalize pressure in the system. Valves and flushing valves are provided at intervals as required by the Texas Department of Health and the City. A preliminary master water infrastructure layout has been provided.

### Wastewater Treatment

The wastewater generated by the development within the proposed District will flow by gravity through internal wastewater lines to a lift station located at a proposed wastewater treatment plant site. A wastewater discharge permit has been submitted to the TCEQ.

### Wastewater Collection

The wastewater generated by the development within the District will flow by gravity and force main through the internal sanitary sewer collection system and lift station to a proposed onsite wastewater treatment plant. The proposed wastewater treatment plant will be located adjacent to Maxwell Creek approximately two miles north of FM 544. The wastewater collection system will consist of approximately 18,100 linear feet of 8-inch gravity sewer lines, 1,000 linear feet of 10-inch gravity sewer line, 1,500 linear feet of 4-inch force main and a lift station. The wastewater collection system will also incorporate a 182,400-gallon wastewater treatment plant. A preliminary master wastewater infrastructure layout has been provided.

### Storm Water Drainage System and Drainage Improvements

The storm water runoff within the District will be routed through a curb and gutter street system to an underground storm sewer system that will outfall into proposed detention facilities that will outfall into Maxwell Creek. The District's storm sewer system will consist of a concrete curb and gutter street system with inlets and reinforced concrete pipe. Approximately 21,300 linear feet of reinforced concrete pipe will range in size from 18-inches to 48-inches in diameter and reinforced concrete box will range from 4'x4' to 9'x5'. The storm sewers will discharge directly into the proposed detention pond system within the development and outfall to Maxwell Creek and adjacent offsite properties. A preliminary master storm water drainage infrastructure layout has been provided.

### Road Improvements

The paving within the proposed District will be concrete curb and gutter roadways provided by the proposed District. Connection to FM 2551 (Hogge Drive) will provide ingress/egress access to the site. A preliminary road improvement infrastructure layout has been provided.

### Topography/Land Elevation

The land within the District is agricultural land, utilized for farming. Elevations within the District generally fall from west to east toward FM 2551 with elevations ranging from approximately 570 feet to 615 feet above mean sea level. The District drains to Maxwell Creek, running north to south on the eastern edge of the tract. There are no known faults on the site. The United States Department of Agriculture (USDA) soil survey classifies the soil on site as clay, specifically Houston Black Clay, Burleson Clay, Eddy Gravelly Clay Loam, and Austin Silty Clay.

### Floodplain

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panel 48085C0395J shows that a portion of the tract (approximately 30 Acres) is within the studied regulatory floodway and 100-year floodplain zone of Maxwell Creek. As development progresses, it is anticipated a Letter of Map Revision (LOMR) will be submitted to remove portions of development within the proposed District from the studied regulatory 100-year floodplain.

### Subsidence

According to application material, the proposed District is anticipated to no effect on subsidence. The City will be the retail water provider of surface water to the proposed District.

### Groundwater Level/Recharge

The proposed District will not utilize groundwater and anticipates using only surface water purchased from the City. The proposed District does not lie within a significant recharge zone of the Trinity, Carrizo-Wilcox, or Woodbine aquifers, and consequently, should have no effect on their recharge.

### Water Quality

No adverse effect on the water quality of ground or surface water is anticipated since the treatment and disposal of wastewater flows by the District will be by means of the wastewater treatment facilities previously discussed. The District's treatment system will be operated pursuant to the terms of a waste discharge permit that will be obtained from the TCEQ.

### Dam Safety

There are no dam safety issues associated with the proposed District according to the TCEQ Critical Infrastructure Division as documented in a letter dated March 26, 2021.

## **C. SUMMARY OF COSTS**

### **WATER, WASTEWATER, AND DRAINAGE**

<u>Construction Costs</u>		District's <sup>(1)</sup> <u>Share</u>
1. Water Distribution System	\$	3,974,514
2. Wastewater Collection System		6,422,745
3. Storm Drainage System		7,981,672
4. Contingencies (10% of Item Nos. 1 - 3)		1,039,726
5. Engineering (15% of Item Nos. 1 - 4)		<u>1,715,548</u>
TOTAL CONSTRUCTION COSTS (76.68% of Bond Issue)	\$	21,134,205
 <u>Non-construction Costs</u>		
A. Legal Fees	\$	689,000
B. Fiscal Agent Fees		551,200
C. Interest		
1. Capitalized Interest (1 year at 4.25%)		1,171,300
2. Developer Interest (2 years at 4.25% of Construction Costs)		2,342,600 <sup>(2)</sup>
D. Bond Discount (3%)		826,800
E. Bond Issuance Expenses		248,435
F. Bond Application Report Costs		350,000
G. Creation Expenses		150,000
H. Attorney General Fee (0.10%)		27,560
I. TCEQ Bond Issuance Fee (0.25%)		<u>68,900</u>
TOTAL NON-CONSTRUCTION COSTS	\$	6,425,795

**TOTAL BOND ISSUE REQUIREMENT** **\$ 27,560,000**

Notes:

- (1) Assumes 100% funding of anticipated developer contribution items, where applicable.
- (2) Based on developer advancing funds approximately two years prior to reimbursement.

Eligibility of costs for District funding and 30% developer contribution requirements will be determined in accordance with TCEQ rules in effect at the time bond applications are reviewed.

**ROADS**

<u>Construction Costs</u>	District's <sup>(1)</sup> <u>Share</u>
1. Road and Right-of-Way Improvements	\$ 10,232,244
2. Contingencies (10% of Item No. 1)	1,023,224
3. Engineering (15% of Item Nos. 1 and 2)	<u>1,688,320</u>
TOTAL CONSTRUCTION COSTS (77.74% of Bond Issue)	\$ 12,943,789

Non-construction Costs

A. Legal Fees	\$ 416,250
B. Fiscal Agent Fees	333,000
C. Interest	
1. Capitalized Interest (1 year at 4.25%)	707,625
2. Developer Interest (2 years at 4.25% of Construction Costs)	1,415,250 <sup>(2)</sup>
D. Bond Discount (3%)	499,500
E. Bond Issuance Expenses	217,936 <sup>(3)</sup>
F. Bond Application Report Costs	100,000
G. Attorney General Fee (0.10%)	<u>16,650</u>
TOTAL NON-CONSTRUCTION COSTS	\$ 3,706,211

**TOTAL BOND ISSUE REQUIREMENT** **\$ 16,650,000**

Notes:

- (1) Assumes 100% funding of anticipated developer contribution items, where applicable.
- (2) Based on developer advancing funds approximately two years prior to reimbursement.
- (3) Currently, the TCEQ has not adopted rules requiring review and approval of the issuance of bonds for road facilities. As a result, the TCEQ fees as presented in the application material have been included in the bond issuance expense line item.

A preliminary layout of roads proposed for funding has been provided, and they appear to benefit the proposed District and the land included within the proposed District. Eligibility of costs may be subject to TCEQ review to be determined in accordance with TCEQ rules in effect at the time bond applications are reviewed.

**D. ECONOMIC ANALYSIS**

**Land Use**

The land use for the proposed District is projected in the following table:

<u>Development</u>	<u>Acres</u>	<u>ESFCs</u>
Single-Family	37.32	319
Townhome	16.63	289
Right-of-Way	31.33	0
Park and Open Space	15.75	0
Wastewater Treatment Facilities	<u>0.80</u>	<u>0</u>
Total	101.83	608

**Market Study**

A market study, prepared in March 2021, by Residential Strategies, Inc., has been submitted in support of the creation of the proposed District. The market study indicates that the proposed District is to include approximately 101.83 acres, 319 40'x115' detached lots, and 289 22'x90' townhome lots. The market study indicates that the 319 single-family lots can be expected to be absorbed at an average of approximately 50 per year at an average price of up to \$475,000. The market study indicates that the 289 townhome lots can be expected to be absorbed at an average of approximately 64 per year at an average price of up to \$360,000.

**Project Financing**

The estimated total assessed valuation of the proposed district at completion is as follows:

<u>Units Planned</u>	<u>ESFCs</u>	<u>Value per ESFC</u>	<u>Total Value at Build-Out</u>
Single-Family	319	\$475,000	\$151,525,000 <sup>(1)</sup>
Townhome	289	\$360,000	<u>\$104,040,000</u> <sup>(1)</sup>
<b>Total Assessed Valuation (AV)</b>			<b><u>\$255,565,000</u></b> <sup>(1)</sup>

Note:

- (1) Values are based on average estimated costs as presented in the engineering report and is consistent with the highest end of the price range as indicated in the market study.

The application considers an estimated bond issue requirement of \$44,210,000 (\$27,560,000 for utilities and \$16,650,000 for roads), assuming 100% financing, a bond coupon rate of 4.25%, and a 25-year bond life; therefore, the average annual debt service requirement would be \$2,905,239 (\$1,811,092 for utilities and \$1,094,147 for roads). Assuming a 98% collection rate and an ultimate assessed valuation of \$255,565,000, a tax rate of approximately \$1.16 (\$0.72 for utilities and \$0.44 for roads) per \$100 assessed valuation would be necessary to meet the annual debt service requirement. Application material also indicates a maintenance tax of \$0.04 per \$100 assessed valuation is anticipated.

The total 2021 overlapping tax rates, as obtained from Collin Central Appraisal District, on land within the proposed District are shown in the following table.

<u>Taxing Jurisdiction</u>		<u>Tax Rate</u> <sup>(1)</sup>
Collin County MUD No. 7	\$	1.200000 <sup>(2)</sup>
Collin County		0.168087
Collin College		0.081222
Plano ISD		<u>1.320750</u>
Total Tax Rate		3.400534

Notes:

- (1) Represents tax rate per \$100 assessed valuation.
- (2) Represents \$0.72 for utilities, \$0.44 for roads, and \$0.04 for operation and maintenance tax.

Based on the proposed District tax rate and the year 2021 overlapping tax rate on land within the proposed District, the project is considered economically feasible.

#### Water and Wastewater Rates

According to information provided, the City will provide retail water services to the proposed District's customers. The current water rates are as follows:

Water rate:

Monthly Base Fee (Includes 1 <sup>st</sup> 4,000 Gallons)	\$40.00 Flat Fee
4,001 - 15,000 Gallons (Per 1,000 Gallons)	\$4.35

Based on the above rates, the estimated monthly fee for 10,000 gallons of water would be \$66.10.

Proposed wastewater rates have not been established; therefore no estimated wastewater rates have been provided.

#### Comparative Water District Tax Rates

A tax rate of \$1.20 per \$100 assessed valuation for 100% financing for the proposed District is comparable to other districts in the area. Based on the requirements of 30 TAC Section 293.59, this project is considered economically feasible.

### **E. SPECIAL CONSIDERATION**

#### Request for Road Powers

A request for approval of road powers was included in the petition for creation of the proposed District. Pursuant to TWC Section 54.234, approval of road powers may be requested at the time of creation. The engineering report provided with the application included a summary of the estimated costs. The proposed roads appear to benefit the proposed District, and financing appears feasible.

**F. CONCLUSIONS**

1. Based on TCEQ policy, compliance with TCEQ rules, and review of the engineering report and supporting documents, the proposed District is considered feasible, practicable, would be a benefit to the land within the proposed District, and would be necessary as a means to finance utilities and to provide utility service to future customers.
2. Based on a review of the preliminary engineering report, market study, the proposed District's water, wastewater, drainage, road, and recreational facilities; a combined projected tax rate of \$1.20 per \$100 assessed valuation when assuming 100% financing; the proposed District obtaining a 4.25% bond coupon rate; and other supporting data, the proposed District is considered feasible under the feasibility limits prescribed by 30 TAC Section 293.59.
3. The recommendations are made under authority delegated by the Executive Director of the TCEQ.

**G. RECOMMENDATIONS**

1. Grant the petition for creation of Collin County Municipal Utility District No. 7.
2. Appoint the following to serve as temporary directors, with terms as noted, until permanent directors are elected and qualified:

Lavania Andrade	Skylar Sheff	Joseph Hoffman
Leonard Joanidhi	Margaret E. Moore	

3. The order granting the petition should include the following statements:

“This Order shall in no event be construed as an approval of any proposed agreements or of any particular items in any documents provided in support of the petition for creation, nor as a commitment or requirement of the TCEQ in the future to approve or disapprove any particular items or agreements in future applications submitted by the District for TCEQ consideration.”

**H. ADDITIONAL INFORMATION**

The petitioner's professional representatives are:

Attorney:	Mr. Samuel A. Spiers - Coats Rose, PC
Engineer:	Mr. Jaison M. Stephen, P.E. - LJA Engineering, Inc.
Market Analyst:	Mr. Ted Wilson - RSI Residential Strategies, Inc.

REQUEST FOR CONSIDERATION OF APPOINTMENT AS DIRECTOR

THE STATE OF TEXAS     §  
COUNTY OF COLLIN     §

BEFORE ME, the undersigned duly constituted authority of the State of Texas, on this day personally appeared Lavania Andrade, who expressed a desire to become a Director of COLLIN COUNTY MUNICIPAL UTILITY DISTRICT NO. 7 (hereinafter the "District"), to serve until his successor is elected or appointed, and who on oath did state:

1. I am at least eighteen years of age, a resident citizen of the State of Texas, and own land subject to taxation within the District.
2. I am a resident of Collin County, State of Texas, being the County in which the District is located.

[OR]

- I am a resident of Denton County, State of Texas, being a County adjacent to the County in which the District is located.
- I am resident of \_\_\_\_\_ County, State of Texas, being a County located in the same metropolitan statistical area (designated by the United States Office of Management and Budget) as the County in which the District is located (Collin County, Dallas County, Denton County, Ellis County, Hunt County, Johnson County, Kaufman County, Parker County, Rockwall County, Tarrant County, Wise County).
3. I am not now and have no present plans to be a developer of property in the District. (A person who owns land located within the District who has divided or proposes to divide the land into two or more parts for the purpose of laying out any subdivision or any tract of land or any addition to any town or city, or for laying out suburban lots or building lots, or any lots, streets, etc. for public use or use by other landowners within the District).
4. I am not related within the third degree of affinity (marriage) or consanguinity (blood) to a Developer of property within the District, to any of the other Directors of the District, or to the Attorney, Engineer, or Manager of the District.
5. I am not an employee of any Developer of property within the District or any other Director, the Attorney, or Engineer of the District. Nor was I, within the two years immediately preceding this proposed appointment, an employee of any Developer of property within the District or of any Director, Attorney, or Engineer of the District.
6. I am presently employed as a Property Manager by Cushman & Wakefield. I am not a State employee nor do I receive all or part of my compensation directly or indirectly from funds of the State

of Texas; or, in the alternative, I will not accept fees of office for serving on the Board of Directors of the District.

7. Neither my employer nor I have any business or other connection with the Developer of the District, the Attorney representing the District, or the Consulting Engineer for the District in regard to the District and the development therein.
8. I presently own taxable land within the District. I agree to notify the Board of Directors of the District should I become disqualified to serve on the Board by virtue of the above condition ceasing to exist. I have no plans for my land within the District other than holding said land to allow myself to serve as a Director of the District.
9. I am generally familiar with the responsibilities of a Director of a municipal utility district. I realize that as a Director I will be a public official charged with the responsibility of serving the best interests of the present and future property owners, taxpayers, and residents of the District.
10. I am aware that the District is a public agency that by law notice of its meetings must be posted, its meetings must be open to the public, and its records available for inspection by the public at all reasonable times.
11. I am aware that the District will be subject to the continuing supervision of the Texas Commission on Environmental Quality (the "Commission"). I will cooperate fully with the Commission in its exercising of supervisory powers.
12. I hereby affirm that, if appointed, I will faithfully execute the duties of the office of Director of the District and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States, and of the State of Texas; and I hereby affirm that I have not directly nor indirectly paid, offered or promised to pay, contributed or promised to contribute any money or valuable thing, or promised any public office or employment as a reward to secure this appointment.

13. Lvania Andrade  
(Full Name)

1531 Rustic Timbers Lane  
(Home Address)

Flower Mound      75028  
(City)                      (Zip Code)                      (Telephone)

\_\_\_\_\_  
(Business Address)

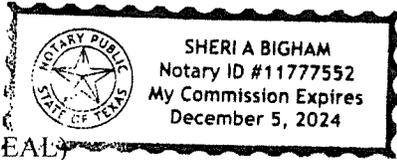
\_\_\_\_\_  
(City)                      (Zip Code)                      (Telephone)

\_\_\_\_\_  
(Home Email)                      lovie.andrade@cushwake.com  
(Work Email)

*Davania Andrade*  
Signature of Affiant

THE STATE OF TEXAS    §  
                                  §  
COUNTY OF Dallas    §

SWORN TO AND SUBSCRIBED BEFORE ME this 19<sup>th</sup> day of March,  
2021.



*Sheri A. Bigham*  
Notary Public in and for the State of Texas

REQUEST FOR CONSIDERATION OF APPOINTMENT AS DIRECTOR

THE STATE OF TEXAS     §  
COUNTY OF COLLIN     §

BEFORE ME, the undersigned duly constituted authority of the State of Texas, on this day personally appeared Skylar Sheff, who expressed a desire to become a Director of COLLIN COUNTY MUNICIPAL UTILITY DISTRICT NO. 7 (hereinafter the "District"), to serve until his successor is elected or appointed, and who on oath did state:

1. I am at least eighteen years of age, a resident citizen of the State of Texas, and own land subject to taxation within the District.
2. I am a resident of Collin County, State of Texas, being the County in which the District is located.

[OR]

- I am a resident of Denton County, State of Texas, being a County adjacent to the County in which the District is located.
- I am resident of \_\_\_\_\_ County, State of Texas, being a County located in the same metropolitan statistical area (designated by the United States Office of Management and Budget) as the County in which the District is located (Collin County, Dallas County, Denton County, Ellis County, Hunt County, Johnson County, Kaufman County, Parker County, Rockwall County, Tarrant County, Wise County).
3. I am not now and have no present plans to be a developer of property in the District. (A person who owns land located within the District who has divided or proposes to divide the land into two or more parts for the purpose of laying out any subdivision or any tract of land or any addition to any town or city, or for laying out suburban lots or building lots, or any lots, streets, etc. for public use or use by other landowners within the District).
4. I am not related within the third degree of affinity (marriage) or consanguinity (blood) to a Developer of property within the District, to any of the other Directors of the District, or to the Attorney, Engineer, or Manager of the District.
5. I am not an employee of any Developer of property within the District or any other Director, the Attorney, or Engineer of the District. Nor was I, within the two years immediately preceding this proposed appointment, an employee of any Developer of property within the District or of any Director, Attorney, or Engineer of the District.
6. I am presently employed as \_\_\_\_\_ by \_\_\_\_\_ . I am not a State employee nor do I receive all or part of my compensation directly or indirectly from funds of the State



*Skylor B...*

Signature of Affiant

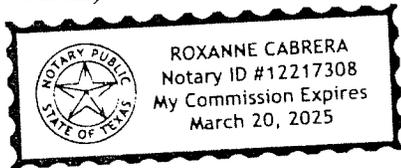
THE STATE OF TEXAS §  
COUNTY OF Dallas §

SWORN TO AND SUBSCRIBED BEFORE ME this 22 day of March,  
2021.

*Roxanne Cabrera*

Notary Public in and for the State of Texas

(NOTARY SEAL)



REQUEST FOR CONSIDERATION OF APPOINTMENT AS DIRECTOR

THE STATE OF TEXAS       §  
COUNTY OF   COLLIN     §

BEFORE ME, the undersigned duly constituted authority of the State of Texas, on this day personally appeared   Joseph Hoffman  , who expressed a desire to become a Director of COLLIN COUNTY MUNICIPAL UTILITY DISTRICT NO. 7 (hereinafter the "District"), to serve until his successor is elected or appointed, and who on oath did state:

1. I am at least eighteen years of age, a resident citizen of the State of Texas, and own land subject to taxation within the District.
2. I am a resident of Collin County, State of Texas, being the County in which the District is located.

[OR]

- I am a resident of \_\_\_\_\_ County, State of Texas, being a County adjacent to the County in which the District is located.
  - I am resident of \_\_\_\_\_ County, State of Texas, being a County located in the same metropolitan statistical area (designated by the United States Office of Management and Budget) as the County in which the District is located (Collin County, Dallas County, Denton County, Ellis County, Hunt County, Johnson County, Kaufman County, Parker County, Rockwall County, Tarrant County, Wise County).
3. I am not now and have no present plans to be a developer of property in the District. (A person who owns land located within the District who has divided or proposes to divide the land into two or more parts for the purpose of laying out any subdivision or any tract of land or any addition to any town or city, or for laying out suburban lots or building lots, or any lots, streets, etc. for public use or use by other landowners within the District).
  4. I am not related within the third degree of affinity (marriage) or consanguinity (blood) to a Developer of property within the District, to any of the other Directors of the District, or to the Attorney, Engineer, or Manager of the District.
  5. I am not an employee of any Developer of property within the District or any other Director, the Attorney, or Engineer of the District. Nor was I, within the two years immediately preceding this proposed appointment, an employee of any Developer of property within the District or of any Director, Attorney, or Engineer of the District.
  6. I am presently employed as \_\_\_\_\_ by \_\_\_\_\_ . I am not a State employee nor do I receive all or part of my compensation directly or indirectly from funds of the State

of Texas; or, in the alternative, I will not accept fees of office for serving on the Board of Directors of the District.

7. Neither my employer nor I have any business or other connection with the Developer of the District, the Attorney representing the District, or the Consulting Engineer for the District in regard to the District and the development therein.
8. I presently own taxable land within the District. I agree to notify the Board of Directors of the District should I become disqualified to serve on the Board by virtue of the above condition ceasing to exist. I have no plans for my land within the District other than holding said land to allow myself to serve as a Director of the District.
9. I am generally familiar with the responsibilities of a Director of a municipal utility district. I realize that as a Director I will be a public official charged with the responsibility of serving the best interests of the present and future property owners, taxpayers, and residents of the District.
10. I am aware that the District is a public agency that by law notice of its meetings must be posted, its meetings must be open to the public, and its records available for inspection by the public at all reasonable times.
11. I am aware that the District will be subject to the continuing supervision of the Texas Commission on Environmental Quality (the "Commission"). I will cooperate fully with the Commission in its exercising of supervisory powers.
12. I hereby affirm that, if appointed, I will faithfully execute the duties of the office of Director of the District and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States, and of the State of Texas; and I hereby affirm that I have not directly nor indirectly paid, offered or promised to pay, contributed or promised to contribute any money or valuable thing, or promised any public office or employment as a reward to secure this appointment.

13. Joseph Hoffman  
(Full Name)

8112 Stern St.  
(Home Address)

Frisco                      75035  
(City)                              (Zip Code)                      (Telephone)

\_\_\_\_\_  
(Business Address)

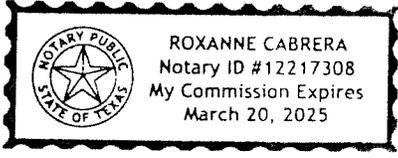
\_\_\_\_\_  
(City)                              (Zip Code)                      (Telephone)

\_\_\_\_\_  
(Home Email)                              joseph.hoffman@cushwake.com  
(Work Email)

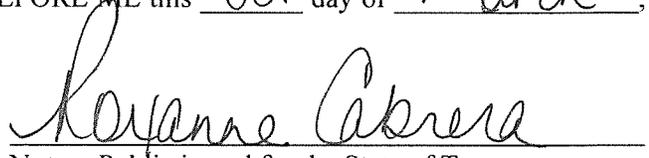
  
Signature of Affiant

THE STATE OF TEXAS §  
COUNTY OF Dallas §  
§

SWORN TO AND SUBSCRIBED BEFORE ME this 22 day of March,  
2021.



(NOTARY SEAL)

  
Notary Public in and for the State of Texas

REQUEST FOR CONSIDERATION OF APPOINTMENT AS DIRECTOR

THE STATE OF TEXAS     §  
COUNTY OF COLLIN     §

BEFORE ME, the undersigned duly constituted authority of the State of Texas, on this day personally appeared Leonard Joanidhi, who expressed a desire to become a Director of COLLIN COUNTY MUNICIPAL UTILITY DISTRICT NO. 7 (hereinafter the "District"), to serve until his successor is elected or appointed, and who on oath did state:

1. I am at least eighteen years of age, a resident citizen of the State of Texas, and own land subject to taxation within the District.
2. I am a resident of Collin County, State of Texas, being the County in which the District is located.

[OR]

- I am a resident of \_\_\_\_\_ County, State of Texas, being a County adjacent to the County in which the District is located.
  - I am resident of \_\_\_\_\_ County, State of Texas, being a County located in the same metropolitan statistical area (designated by the United States Office of Management and Budget) as the County in which the District is located (Collin County, Dallas County, Denton County, Ellis County, Hunt County, Johnson County, Kaufman County, Parker County, Rockwall County, Tarrant County, Wise County).
3. I am not now and have no present plans to be a developer of property in the District. (A person who owns land located within the District who has divided or proposes to divide the land into two or more parts for the purpose of laying out any subdivision or any tract of land or any addition to any town or city, or for laying out suburban lots or building lots, or any lots, streets, etc. for public use or use by other landowners within the District).
  4. I am not related within the third degree of affinity (marriage) or consanguinity (blood) to a Developer of property within the District, to any of the other Directors of the District, or to the Attorney, Engineer, or Manager of the District.
  5. I am not an employee of any Developer of property within the District or any other Director, the Attorney, or Engineer of the District. Nor was I, within the two years immediately preceding this proposed appointment, an employee of any Developer of property within the District or of any Director, Attorney, or Engineer of the District.
  6. I am presently employed as Sales Representative by Medical Shipment LLC. I am not a State employee nor do I receive all or part of my compensation directly or indirectly from funds of the State

of Texas; or, in the alternative, I will not accept fees of office for serving on the Board of Directors of the District.

7. Neither my employer nor I have any business or other connection with the Developer of the District, the Attorney representing the District, or the Consulting Engineer for the District in regard to the District and the development therein.
8. I presently own taxable land within the District. I agree to notify the Board of Directors of the District should I become disqualified to serve on the Board by virtue of the above condition ceasing to exist. I have no plans for my land within the District other than holding said land to allow myself to serve as a Director of the District.
9. I am generally familiar with the responsibilities of a Director of a municipal utility district. I realize that as a Director I will be a public official charged with the responsibility of serving the best interests of the present and future property owners, taxpayers, and residents of the District.
10. I am aware that the District is a public agency that by law notice of its meetings must be posted, its meetings must be open to the public, and its records available for inspection by the public at all reasonable times.
11. I am aware that the District will be subject to the continuing supervision of the Texas Commission on Environmental Quality (the "Commission"). I will cooperate fully with the Commission in its exercising of supervisory powers.
12. I hereby affirm that, if appointed, I will faithfully execute the duties of the office of Director of the District and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States, and of the State of Texas; and I hereby affirm that I have not directly nor indirectly paid, offered or promised to pay, contributed or promised to contribute any money or valuable thing, or promised any public office or employment as a reward to secure this appointment.

13. Leonard Joanidhi  
(Full Name)

1175 Montgomery Blvd, Apt. 393  
(Home Address)

<u>Allen</u>	<u>75013</u>	<u>630-340-9258</u>
(City)	(Zip Code)	(Telephone)

8060 Saint Louis Ave  
(Business Address)

<u>Skokie, IL 60076</u>	<u>847-253-3000 x117</u>
(City)	(Telephone)

<u>leojoanidhi1@gmail.com</u>	<u>Leo@MedicalShipment.com</u>
(Home Email)	(Work Email)

Signature of Affiant



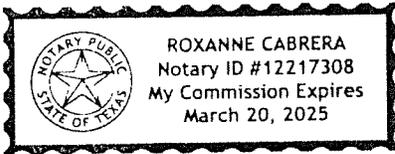
THE STATE OF TEXAS §  
COUNTY OF Dallas §

SWORN TO AND SUBSCRIBED BEFORE ME this 22 day of March, 2021.



Notary Public in and for the State of Texas

(NOTARY SEAL)



REQUEST FOR CONSIDERATION OF APPOINTMENT AS DIRECTOR

THE STATE OF TEXAS     §  
COUNTY OF COLLIN     §

BEFORE ME, the undersigned duly constituted authority of the State of Texas, on this day personally appeared Margaret E. Moore, who expressed a desire to become a Director of COLLIN COUNTY MUNICIPAL UTILITY DISTRICT NO. 7 (hereinafter the "District"), to serve until his successor is elected or appointed, and who on oath did state:

1. I am at least eighteen years of age, a resident citizen of the State of Texas, and own land subject to taxation within the District.
2. I am a resident of Collin County, State of Texas, being the County in which the District is located.

[OR]

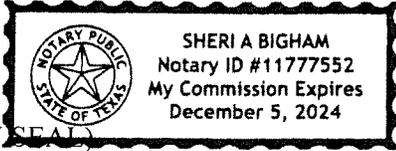
- I am a resident of \_\_\_\_\_ County, State of Texas, being a County adjacent to the County in which the District is located.
  - I am resident of \_\_\_\_\_ County, State of Texas, being a County located in the same metropolitan statistical area (designated by the United States Office of Management and Budget) as the County in which the District is located (Collin County, Dallas County, Denton County, Ellis County, Hunt County, Johnson County, Kaufman County, Parker County, Rockwall County, Tarrant County, Wise County).
3. I am not now and have no present plans to be a developer of property in the District. (A person who owns land located within the District who has divided or proposes to divide the land into two or more parts for the purpose of laying out any subdivision or any tract of land or any addition to any town or city, or for laying out suburban lots or building lots, or any lots, streets, etc. for public use or use by other landowners within the District).
  4. I am not related within the third degree of affinity (marriage) or consanguinity (blood) to a Developer of property within the District, to any of the other Directors of the District, or to the Attorney, Engineer, or Manager of the District.
  5. I am not an employee of any Developer of property within the District or any other Director, the Attorney, or Engineer of the District. Nor was I, within the two years immediately preceding this proposed appointment, an employee of any Developer of property within the District or of any Director, Attorney, or Engineer of the District.
  6. I am presently employed as Corporate Accts. Mgr. by J.P. & Associates. I am not a State employee nor do I receive all or part of my compensation directly or indirectly from funds of the State



Margaret E. Moore  
Signature of Affiant

THE STATE OF TEXAS   §  
                                  §  
COUNTY OF Dallas   §

SWORN TO AND SUBSCRIBED BEFORE ME this 19<sup>th</sup> day of March,  
2021.



(NOTARY SEAL)

Sheri A. Bigham  
Notary Public in and for the State of Texas

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF DISTRICT PETITION TCEQ Internal Control No. D-04122021-017

**PETITION.** Harrington/Turner Enterprises LP, a Texas Limited Partnership, submitted a revised petition for creation of Collin County Municipal Utility District No. 7 (District) with the Texas Commission on Environmental Quality (TCEQ). The revised petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ.

The revised petition states that: (1) the Petitioner is the holder of title to the Property as shown by the Collin County Tax Rolls and conveyances of Record in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 101.829 acres located within Collin County, Texas; and (4) all of the land within the proposed District is wholly within the extraterritorial jurisdiction of the City of Parker, Texas.

The territory to be included in the proposed District is set forth in a metes and bounds description designated as Exhibit "A" and is depicted in the vicinity map designated as Exhibit "B," both of which are attached to this document.

The revised petition further states that the general nature of the work proposed to be done by the District, as contemplated at the present time, is to: (1) construct a water supply and distribution system for domestic purposes; (2) construct a sanitary sewer conveyance and treatment system; (3) control, abate, and amend the harmful excess of waters and the reclamation and drainage of overflowed lands within the proposed District; (4) construct and finance macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; and (5) construct, install, maintain, purchase, and operate such other facilities, systems, plants, and enterprises as shall be consistent with the purposes for which the District is organized, all to the extent authorized by law from time to time.

According to the revised petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners, from the information available at this time, that the cost of said project will be approximately \$44,210,000 (\$27,560,000 for water, wastewater, and drainage facilities and \$16,650,000 for roads).

In accordance with Local Government Code §42.042 and Texas Water Code §54.016, the Petitioner submitted a petition to the City, requesting the City's consent to the creation of the District. After more than 90 days passed without receiving consent, the petitioner submitted a petition to the City to provide water and sewer services to the District. The 120-day period for reaching a mutually agreeable contract as established by Texas Water Code §54.016(c) expired and information provided indicates that the Petitioner and the City have not executed a mutually agreeable contract for service. Pursuant to Texas Water Code §54.016(d), failure to execute such an agreement constitutes authorization for the Petitioner to initiate proceedings to include the land with the district.

**CONTESTED CASE HEARING.** The TCEQ may grant a contested case hearing on this revised petition if a written hearing request is filed within 30 days after the newspaper publication of this notice.

To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the revised petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the revised petition, which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

The Executive Director may approve the revised petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the revised petition and will forward the revised petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

**INFORMATION.** Written hearing requests should be submitted to the Office of the Chief Clerk, MC-105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC-103, at the same address. General information regarding TCEQ can be found at our web site <http://www.tceq.texas.gov/>.

Issued: January 6, 2022

## Exhibit "A"

### **METES & BOUNDS DESCRIPTION**

BEING A 101.829 -ACRE TRACT OF LAND SITUATED IN THE PHILLIP ANDERSON SURVEY, ABSTRACT NO. 10, WITHIN THE ETJ OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AND PART OF A CALLED 62.822 ACRE TRACT OF LAND, AND ALL OF A CALLED 40.477 ACRE TRACT DESCRIBED TO HARRINGTON/TURNER ENTERPRISES, LP BY DEED RECORDED IN INSTRUMENT NUMBER 20081014001223870, DEED RECORDS, COLLIN COUNTY, TEXAS, SAID 101.829 -ACRE TRACT, WITH BEARINGS BASED UPON THE DOCUMENT MENTIONED ABOVE, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** AT THE SOUTHWEST CORNER OF SAID 40.477-ACRE HARRINGTON/TURNER TRACT, SAME BEING THE SOUTHWEST CORNER OF SAID PHILLIP ANDERSON SURVEY;

THENCE WITH THE BOUNDS OF SAID 40.477-ACRE AND SAID 60.822-ACRE HARRINGTON/TURNER TRACTS, THE FOLLOWING COURSES AND DISTANCES:

NORTH 01°29'40" WEST, A DISTANCE OF 1,002.43 FEET;

NORTH 88°57'12" EAST, A DISTANCE OF 1,391.03 FEET;

NORTH 88°22'14" EAST, A DISTANCE OF 263.27 FEET

NORTH 89°12'05" EAST, A DISTANCE OF 113.28 FEET TO THE NORTH COMMON CORNER OF SAID 40.477-ACRE AND SAID 60.822-ACRE TRACTS;

NORTH 89°02'10" EAST, A DISTANCE OF 888.35 FEET;

NORTH 88°53'56" EAST, A DISTANCE OF 326.30 FEET;

NORTH 88°52'29" EAST, A DISTANCE OF 326.37 FEET;

NORTH 88°46'49" EAST, A DISTANCE OF 614.30 FEET;

NORTH 88°36'08" EAST, A DISTANCE OF 63.33 FEET;

NORTH 01°43'10" WEST, A DISTANCE OF 244.84 FEET;

NORTH 88°41'07" EAST, A DISTANCE OF 992.61 FEET TO THE CALLED LOCATION OF A WESTERLY CITY LIMITS LINE BEING 300.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID PHILLIP ANDERSON SURVEY AS DESCRIBED BY JUDGEMENT RECORDED IN VOLUME 1610, PAGE 348 OF SAID DEED RECORDS OF COLLIN COUNTY, TEXAS;

THENCE SOUTH 01°29'40" EAST, WITH SAID CITY LIMITS LINE BEING 300.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID PHILLIP ANDERSON SURVEY, A DISTANCE OF 240.38 FEET TO THE SOUTHERLY LINE SAID 60.822-ACRE HARRINGTON/TURNER TRACT;

THENCE WITH THE BOUNDS OF SAID 40.477-ACRE AND SAID 60.822-ACRE HARRINGTON/TURNER TRACTS, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 88°20'46" WEST, A DISTANCE OF 756.92 FEET;

SOUTH 01°03'44" EAST, A DISTANCE OF 986.81 FEET;

SOUTH 88°36'46" WEST, A DISTANCE OF 921.90 FEET;

SOUTH 88°39'05" WEST, A DISTANCE OF 1,525.36 FEET;

SOUTH 79°08'45" WEST, A DISTANCE OF 6.81 FEET TO THE SOUTH COMMON CORNER OF SAID 40.477-ACRE AND SAID 60.822-ACRE TRACTS;

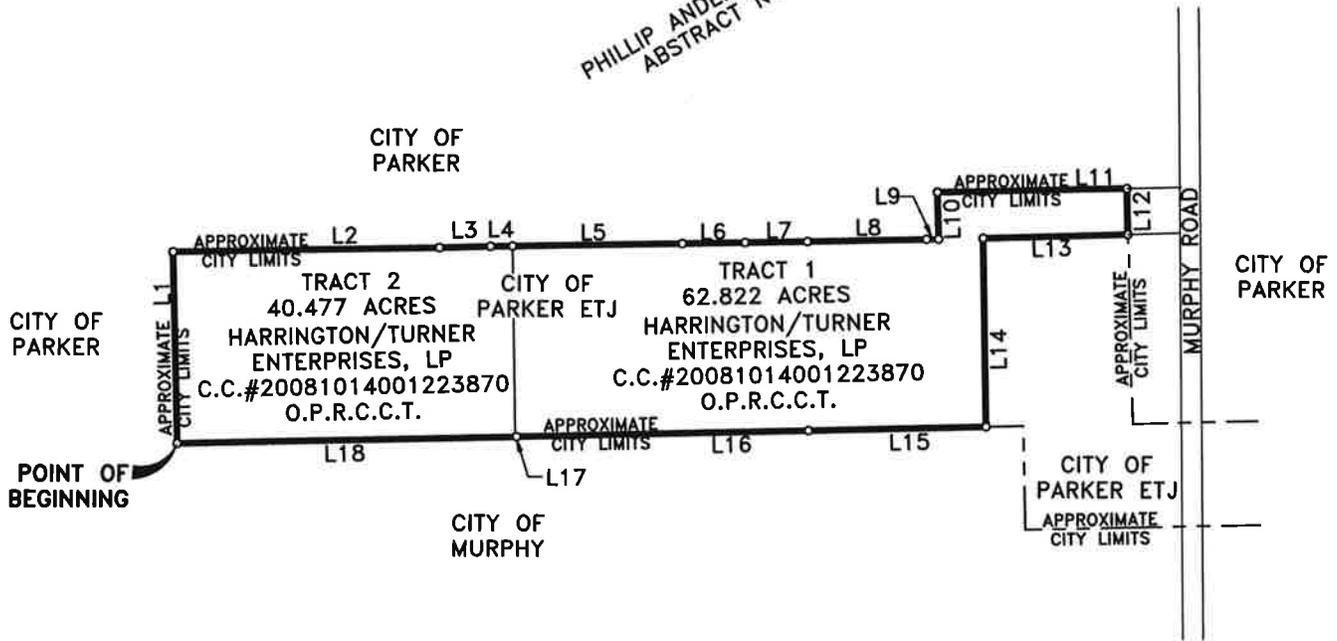
SOUTH 88°45'42" WEST, A DISTANCE OF 1,759.44 FEET TO THE **POINT OF BEGINNING** AND CONTAINING A CALCULATED AREA OF 101.829 ACRES (4,435,654 SQ. FEET), OF LAND.

THIS DOCUMENT WAS PREPARED UNDER 22 TAC §663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

Exhibit "B"



PHILLIP ANDERSON SURVEY  
ABSTRACT NO. 10



LINE	BEARING	DISTANCE
L1	N01°29'40"W	1002.43'
L2	N88°57'12"E	1391.03'
L3	N88°22'14"E	263.27'
L4	N89°12'05"E	113.28'
L5	N89°02'10"E	888.35'
L6	N88°53'56"E	326.30'
L7	N88°52'29"E	326.37'
L8	N88°46'49"E	614.30'
L9	N88°36'08"E	63.33'
L10	N01°43'10"W	244.84'
L11	N88°41'07"E	992.61'
L12	S01°29'40"E	240.38'
L13	S88°20'46"W	756.92'
L14	S01°03'44"E	986.81'
L15	S88°36'46"W	921.90'
L16	S88°39'05"W	1525.36'
L17	S79°08'45"W	6.81'
L18	S88°45'42"W	1759.44'

LEGEND

CC# COUNTY CLERK FILE No.  
O.P.R.C.C.T. OFFICIAL PROPERTY RECORDS,  
COLLIN COUNTY, TEXAS

PAGE 2  
OF 2

DATE:	02/22/2021
DRWN BY:	S.A.T.
CHKD BY:	M.J.B.
PROJ NO.	0133

**EXHIBIT "A"**  
COLLIN COUNTY MUNICIPAL DISTRICT  
No. 7 EXHIBIT  
IN THE  
PHILLIP ANDERSON SURVEY, ABSTRACT No. 10  
COLLIN COUNTY, TEXAS

**LJA Surveying, Inc.**  
6060 North Central Expressway Suite 440  
Dallas, Texas 75206  
Phone 469.621.0710  
T.B.P.E.L.S. Firm No. 10194465

S:\NTX-LAND\0133\_200 SURVEY\280 Easements\0133EX01.dwg 2/23/2021