

Jon Niermann, *Chairman*
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 21, 2022

VIA ELECTRONIC FILING

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

Re: Executive Director's Backup Documents Filed for Consideration of Hearing Requests at Agenda for Petition by Pitt Creek Ranch LLC for Creation of Lampasas County Municipal Utility District No. 1; Docket No. 2022-1653-Dis; Internal Control No. D-07062022-010

Dear Ms. Gharis:

Enclosed please find a copy of the following documents for inclusion in the background material for the creation petition. If you have any questions or comments, please call me at 512-239-1439 or email me at Harrison.malley@tceq.texas.gov.

- Technical Memo
- Notice
- Temporary Director Affidavits

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script, reading "Harrison Cole Malley".

Harrison Cole Malley, *Staff Attorney*
Environmental Law Division

Texas Commission on Environmental Quality

TECHNICAL MEMORANDUM

To: Justin P. Taack, Manager
Districts Section

Date: November 23, 2022

JPT 11/29/2022

Thru: Dan Finnegan, Team Leader
Districts Section

From: James Walker
Districts Creation Review Team

Subject: Petition by Pitt Creek Ranch LLC for Creation of Lampasas County Municipal Utility District No. 1; Pursuant to Texas Water Code Chapters 49 and 54.
TCEQ Internal Control No. D-07062022-010 (TC)
CN: 606037562 RN: 111532891

A. GENERAL INFORMATION

The Texas Commission on Environmental Quality (TCEQ) received a petition within the application requesting approval for the creation of Lampasas County Municipal Utility District No. 1 (District). The petition was signed by Prem Kalidindi as the president of Pitt Creek Ranch Manager LLC, a Texas limited liability company, Manager of Pitt Creek Ranch LLC, a Texas limited liability company (Petitioner). The petition states that the Petitioner holds title to a majority in value of the land in the proposed District and it further states that there is one lienholder, Capital Farm Credit, ACA, on the land in the proposed District and the aforementioned entity has consented to the petition.

The District is proposed to be created and organized according to the terms and provisions of Article XVI, Section 59 of the Texas Constitution, and Chapters 49 and 54 of the Texas Water Code (TWC).

Location and Access

The proposed District is located in Lampasas County, Texas, west of the City of Lampasas. The proposed District does not lie within the corporate limits or extraterritorial jurisdiction of any city or town. The proposed District is located approximately 7 miles west of downtown of the City of Lampasas, and 36 miles west of the City of Killeen. Access to the proposed District will be provided by CR 1139 to the north and CR 1255 to the south.

Metes and Bounds Description

The proposed District contains 2,931.97 acres of land. The metes and bounds description of the proposed District has been reviewed and checked by TCEQ's staff and has been found to form an acceptable closure.

City Consent

The proposed District is located outside the corporate limits and extraterritorial jurisdiction of any city, town, or village. Therefore, city consent is not required.

County Notification

In accordance with TWC Section 54.0161, a certified letter, dated July 18, 2022, was sent to the Commissioners Court of Lampasas County which provided notice of the proposed District's pending creation application and provided them an opportunity to make their recommendations. To date, the county has not provided comments to this notification.

Statements of Filing Petition

Evidence of filing a copy of the petition with the Lampasas County Clerks' office, the TCEQ's Waco regional office, the Texas state representative, and the Texas state senator was included in the application.

Type of Project

The proposed District will be considered a "developer project" as defined by 30 Texas Administrative Code (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 David Cavalier, the owner of Cavalier Real Estate Group will develop the property. Cavalier Real Estate Group are skilled professionals in all areas of the residential real estate industry, particularly in the fields of residential golf course community development, green building, conservation land development, land acquisition, market analysis, agent management, and new construction home building and sales. Since 1986, Mr. Cavalier and Cavalier Real Estate Group have sold over \$375 million in residential land and residential home transactions and has taken 36 projects through the subdivision and zoning approval process.

Certificate of Ownership

By signed certificate dated May 27, 2022, the Lampasas Central Appraisal District has certified that the appraisal rolls indicate that the Petitioner is the owner of all of the land in the proposed District.

Temporary Director Affidavits

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

Kurt Lippert

Randy Juenger

Lynn Yuan

Gerry Courtney

James Leftwich

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 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, the Petitioners are requesting to waive the requirements of TWC Section 54.022(b). Pursuant to TWC Section 54.022(c), the commission may appoint temporary directors who do not meet the requirements of Subsection (b) if the petition provides that the petitioner made reasonable efforts but failed to identify candidates meeting those requirements who were willing to serve as temporary

directors. It has been determined that the Petitioners met the requirements of TWC Section 54.022(c), and as such, the requirements of TWC Section 54.022(b) are waived.

Notice Requirements

Proper notice of the application was published on September 9 and September 16, 2022, in the *Lampasas Dispatch Record*, a newspaper regularly published or circulated in Lampasas County, the county in which the district is proposed to be located. Proper notice of the application was posted on September 9, 2022, in the County Courthouse, the place where legal notices in Lampasas County are posted. Accordingly, the notice requirements of 30 TAC Section 293.12(b) have been satisfied. The opportunity for the public to request a contested case hearing (comment period) expired October 17, 2022.

B. ENGINEERING ANALYSIS

The creation engineering report indicates the following:

Availability of Comparable Service

The proposed District will receive retail water service from Corix Utilities Texas. The proposed District is not located within any City's corporate limits or extraterritorial jurisdiction. No other comparable water services are available in the area. The proposed District will be responsible for financing the water system, drainage system, and the internal roads. Wastewater services will be provided through onsite septic systems, and therefore will not be financed by the proposed District. All water, drainage, and road projects will be designed and constructed in accordance with applicable ordinances and rules by the TCEQ and Lampasas County, as applicable.

Water Supply and Distribution Improvements

All water supply and distribution system improvements to serve the proposed District will be designed in accordance with criteria established by the TCEQ. Per the engineering report, it is estimated that the District will contain 421 equivalent single-family connections (ESFCs) at ultimate development. Further, the engineering report indicates that the water supply services will be provided by Corix Utilities Texas via an offsite 10-inch waterline. The waterline will connect to the proposed District's internal water supply system. The proposed District also plans to have an onsite water plant within its boundaries. The proposed water distribution system will consist of a network of arterial and interconnecting loop mains providing service to all lots in the proposed District. The design of the water supply and distribution system will be based on a projection of the water demand conditions based on service connection and the pressure at which it must be supplied.

Wastewater Collection and Treatment Improvements

The proposed District will not have a public wastewater collection system. Each lot within the proposed District will have its own onsite septic tank for wastewater treatment.

Storm Water Drainage System and Drainage Improvements

The storm water runoff within the proposed District will be collected in roadway ditches then conveyed to flumes or water crossings which will convey the flows to tributaries of Pitt Creek, or directly into Pitt Creek depending on location. All storm water will ultimately outfall into Pitt

Creek. Design of the drainage system will be on requirements of the County. Drainage from the proposed District will not have a negative impact on downstream landowners.

Road Improvements

Application material indicates the proposed District intends to use bonds to fund its internal roads. The developer will construct a network of primarily local streets to provide access to areas of the proposed District depending on land use. All roadway facilities will be designed in accordance with criteria established by Lampasas County.

Topography/Land Elevation

The topography of the proposed District consists of mainly farm and ranch land with minimal trees. The approximate elevation of the proposed District ranges from 1,400 feet above mean sea level (msl) in the western portion to 1,200 feet above msl in the eastern portion. The developer has no plans to significantly alter land elevations or the natural topography on the land in the proposed District. Elevations may be lowered or raised as needed to provide positive drainage. Design of street improvements based on existing natural grades will be optimized to minimize excavation. Flumes and existing draws will be used to convey runoff into creek beds with minimal excavation. Therefore, the development of the proposed District should not have any adverse effect on land elevation.

Floodplain

According to Federal Emergency Management Agency Flood Insurance Rate Map No. 4808990200B, dated January 2, 1991, the majority of the proposed District is in a minimal flood zone (Zone X); however, some areas within the proposed District lie within the 100-year floodplain.

Subsidence

The proposed District will receive its water from Corix Utilities Texas. Therefore, the proposed District is not expected to have an effect on subsidence.

Dam Safety Analysis

The TCEQ Dam Safety Program personnel reviewed the location of the District and confirmed by letter dated March 8, 2022, that there are no dam safety issues associated with the proposed District. However, there is a lake, Sulphur Creek Watershed Site 2 (TX00982), within the proposed District, and therefore, the proposed District should avoid planning any development within the easements of the referenced lake.

Groundwater Levels/Recharge

The proposed District will receive its water from Corix Utilities Texas; therefore, groundwater levels and recharge rates are not anticipated to be impacted within the proposed District.

Natural Run-off and Drainage

The natural drainage in the western and southern portion of the land is in a northeasterly direction into a tributary of Pitt Creek located in the middle of the proposed District. The eastern portion of the land drains into another tributary of Pitt Creek located east of the proposed District. Development of the proposed District may increase the natural runoff rates

minimally when compared to the present undeveloped state of the land; however, detention ponds will be added if required to mitigate any effect on downstream runoff rates.

Water Quality

No adverse effect of the water quality of ground or surface water is anticipated as a result of this development. The proposed District will not have a public wastewater collection system. Each lot within the proposed District will have its own onsite septic tank for wastewater treatment.

C. SUMMARY OF COSTS

WATER AND DRAINAGE

<u>Construction Costs</u>	<u>District Share</u> ⁽¹⁾
A. Developer Contribution Items	
1. Water Distribution System	\$ 6,181,500
2. Stormwater Drainage System	5,300,000
3. Contingencies	1,148,150
4. Engineering	<u>1,722,225</u>
Total Developer Contribution Items	\$ 14,351,875
 B. District Items	
1. Offsite Waterline	\$ 3,600,000
2. Water Treatment Plant	1,000,000
3. Offsite Waterline Easements	100,000
4. Contingencies	470,000
5. Engineering	<u>690,000</u>
Total District Items	\$ 5,860,000
 TOTAL CONSTRUCTION COSTS (75.42% of BIR)	 \$ 20,211,875
 <u>Non-Construction Costs</u>	
A. Legal Fees	\$ 804,000
B. Fiscal Agent Fees	536,000
C. Interest Costs	
1. Capitalized Interest (2 years @ 4%)	2,144,000
2. Developer Interest (2 years @ 4% of Construction Costs)	1,616,950 ⁽²⁾
D. Bond Discount	804,000
E. Bond Issuance Expenses	189,375
F. District Creation Expenses	200,000
G. Bond Application Report Costs	200,000
H. Attorney General Fee (0.1%)	26,800
I. TCEQ Bond Issuance Fee (0.25%)	<u>67,000</u>
TOTAL NON-CONSTRUCTION COSTS	\$ 6,588,125

TOTAL W & D BOND ISSUE REQUIREMENT **\$ 26,800,000**

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.

ROAD IMPROVEMENT

<u>Construction Costs</u>	<u>District Share</u> ⁽¹⁾
1. Paving	\$ 15,217,605
2. Contingencies	1,521,761
3. Engineering	<u>2,282,641</u>
TOTAL CONSTRUCTION COSTS (77.01% of BIR)	\$ 19,022,006

Non-Construction Costs

A. Legal Fees	\$ 741,000
B. Fiscal Agent Fees	494,000
C. Interest Costs	
1. Capitalized Interest (2 years @ 4%)	1,976,000
2. Developer Interest (2 years @ 4% of Construction Costs)	1,521,761 ⁽²⁾
D. Bond Discount	741,000
E. Bond Engineering Costs	40,000
F. Bond Issuance Expenses	139,533
G. Attorney General Fee (0.1%)	<u>24,700</u>
TOTAL NON-CONSTRUCTION COSTS	\$ 5,677,994

TOTAL ROAD BOND ISSUE REQUIREMENT **\$ 24,700,000**

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

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. TCEQ's review of eligibility of costs may 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 intended to accommodate single-family residential development. Planned ultimate development in the proposed District, as shown in the land use plan provided, is as follows:

<u>Land Use</u>	<u>Acreage</u>	<u>ESFCs</u>
Single Family/Residential	2,780.47	421
Park/Recreation	14.40	0
Cemetery	5.30	0
Right-of-way/Detention/etc.	<u>131.80</u>	<u>0</u>
Total	2,931.97	421

Market Study

A market study, prepared in February 2022 by Zonda, was submitted in support of the creation of the proposed District. The proposed District is expected to include approximately 421 equivalent single-family connections on a tract totaling approximately 2,932 acres. The lots will be between 2.0 and 100.0 acres each. The proposed District will target the well-established acre lot/"build on your lot" market segment in the Killeen-Temple Metro Statistical Area. The home values are expected to be approximately \$400,000 to \$2,000,000. The study indicates single-family homes for that price range within the study's market area are expected to be absorbed at a rate of approximately 18 to 36 homes/year over the first 12 to 23 years.

Project Financing

Per the engineering report, the projected taxable assessed valuation (AV) for the proposed District is as follows:

<u>Development Description</u>	<u>Lots</u>	<u>Developed Unit Value (per home per lot) (Avg.)</u>	<u>Total Buildout Value</u>
5-acre + lot	421	\$ 850,000	\$ 357,850,000
		Total Assessed Valuation	\$ 357,850,000

Considering the issuance of a total of \$51,500,000 (\$26,800,000 for water and drainage and \$24,700,000 for roads) in bonds, assuming 100% financing, a coupon bond interest rate of 4%, and a 28-year bond life, the average annual debt service requirement would be \$3,090,668 (\$1,608,348 for utilities plus \$1,482,320 for roads). Assuming a 98% collection rate and an ultimate AV of \$357,850,000, a projected ultimate tax rate of approximately \$0.89 (\$0.46 for utilities, \$0.43 for roads) per \$100 AV was indicated to be necessary to meet the annual debt service requirements for the proposed District. An additional \$0.05 per \$100 AV is projected to be levied for maintenance and operating expenses, for a combined proposed District tax rate of \$0.94.

Based on the information provided and assuming 100% financing, the total year 2021 overlapping tax rates on land within the proposed District are shown as follows:

<u>Taxing Jurisdiction</u>	<u>Tax Rates (Lampasas County)</u> ⁽¹⁾
Lampasas County MUD No. 1 (District)	\$ 0.94000 ⁽²⁾⁽³⁾
Lampasas County	\$ 0.56150
Road & Bridge	\$ 0.12350
Lampasas Independent School District	\$ <u>1.22030</u>
TOTAL TAX per \$100 AV:	\$ 2.84530

Notes: (1) Tax rate per \$100 assessed valuation.

- (2) Represents \$0.46 for utilities, \$0.43 for roads, and \$0.05 for operation and maintenance tax.
- (3) Assuming 100% funding of anticipated developer contribution items, where applicable.

Based on the proposed District tax rate and the year 2021 overlapping tax rate on land within the proposed District, and assuming 100% financing, the project is considered economically feasible.

Water Rate

According to information provided, Corix Utilities Texas will provide retail water services to the proposed District's customers. The estimated monthly fee for 10,000 gallons of water would be \$69.50.

Comparative Water District Tax Rates

A tax rate of \$0.94 (\$0.46 for utilities, \$0.43 for roads, and \$0.05 for operation and maintenance tax) for the proposed District is comparable to other districts in the target market 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, a benefit to the land within the proposed District, and 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, drainage facilities, parks and recreational facilities, and road facilities; a combined projected tax rate of \$0.94 per \$100 AV when assuming 100% financing; the proposed District obtaining a 4% bond coupon interest 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 Lampasas County Municipal Utility District No. 1.

2. Grant the District's request to acquire road powers in accordance with TWC Section 54.234 and 30 TAC Sections 293.11(d)(11), 293.201, and 293.202 subject to the requirement imposed by the TCEQ and the general laws of the state relating to the exercise of such powers.

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."

4. Appoint the following five persons to serve as temporary directors until permanent directors are elected and qualified:

Kurt Lippert

Randy Juenger

Lynn Yuan

Gerry Courtney

James Leftwich

H. ADDITIONAL INFORMATION

The Petitioner's professional representatives are:

Attorney: Mr. Richard Hamala - Tiemann, Shahady & Hamala, PC
Creation Engineer: Mr. Ken Heroy, P.E. - Jones-Heroy & Associates, Inc.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT PETITION TCEQ INTERNAL CONTROL NO. D-07062022-010

PETITION. Pitt Creek Ranch LLC, a Texas limited liability company (Petitioner) filed a petition for creation of Lampasas County Municipal Utility District No. 1 (District) with the Texas Commission on Environmental Quality (TCEQ). The 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 petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there is one lienholder, Capital Farm Credit, ACA, on the property to be included in the proposed District and information provided indicates that the lienholder consents to the creation of the proposed District; (3) the proposed District will contain approximately 2,931.97 acres located within Lampasas County, Texas; and (4) none of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any city.

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 petition further states that the proposed District will: (1) design, construct, acquire, maintain, and own a waterworks system for domestic and commercial purposes; (2) design, construct, acquire, improve, extend, maintain, and operate works, improvements, facilities, plants, equipment, and appliances helpful or necessary to provide more adequate drainage for the proposed District; (3) control, abate, and amend local storm waters or other harmful excesses of water; (4) acquire, own, develop, construct, improve, manage, maintain, and operate roads; and (5) design, construct, acquire, improve, maintain, and operate such additional facilities, systems, plants, and enterprises as shall be consonant with all of the purposes for which the proposed District is created.

According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$51,500,000 (\$26,800,000 for water and drainage and \$24,700,000 for roads).

CONTESTED CASE HEARING. The TCEQ may grant a contested case hearing on this 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 Petitioners 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 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 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 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 petition and will forward the 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: August 25, 2022

Exhibit "A"

FIELD NOTES
JOB NO. 210608

Page 1 of 3
Exhibit Attached

2931.97 ACRES

BEING 2931.97 acres of land, approximately 2490.33 acres being out of the Cheney Williams Survey, Abstract No. 716 and approximately 441.64 acres being out of the James Nichols Survey, Abstract No. 521, Lampasas County, Texas, and being a part of that tract described in a Warranty Deed with Vendor's Lien to Pitt Creek Ranch, LLC dated October 29, 2021 and recorded in Volume 591, Page 228 of the Deed Records of Lampasas County and described by metes and bounds as follows:

BEGINNING at a 3/8" iron pin with no cap found in the north margin of County Road 1255 for the southeast corner of that tract described in a Warranty Deed with Vendor's Lien to Robert S. Sellers and Jill Allison Sellers dated July 26, 2018 and recorded in Volume 545, Page 384 of said deed records and being the southwest corner of said Pitt Creek Ranch, LLC tract and this tract;

THENCE: N 20° 54' 13" W 2394.21 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" set in the east line of that tract described in a Warranty Deed with Vendor's Lien to Bobby Lee Bumpas dated May 31, 2013 and recorded in Volume 488, Page 685 of said deed records and the west line of said Pitt Creek Ranch, LLC tract and being the most westerly northwest corner of this tract,

THENCE: across said Pitt Creek Ranch, LLC tract the following courses and distances:

1. N 68°43'29" E 1886.90 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" set for an inside ell corner of this tract,
2. N 20°34'10" W 3577.51 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" set in the south line of that tract described in a Cash Deed to TX 7 Land LLC dated March 10, 2021 and recorded in Volume 580, Page 420 of said deed records and being in the north line of said Pitt Creek Ranch, LLC tract and being the most northern northwest corner of this tract,

THENCE: with the north line of said Pitt Creek Ranch, LLC tract and this tract the following courses and distances:

1. N 68° 41' 13" E 3153.79 feet to a mag nail with shiner inscribed "CCC 4835" found,
2. N 68° 49' 40" E 104.17 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" found for the southwest corner of that tract described in a Warranty Deed with Vendors Lien to Thomas M. Watson III, et ux, dated September 9, 2015 and recorded in Volume 511, Page 313 of said deed records,
3. N 84° 30' 43" E 428.84 feet to a 1/2" iron pin with an orange plastic cap inscribed "Watson" found,
4. N 65° 44' 35" E 1983.74 feet to a 2-1/2" pipe fence post found,
5. N 67° 58' 24" E 2696.65 feet to a 1/2" iron pin with no cap found in the west line of that tract described in a Warranty Deed with Vendor's Lien to Gregory Barber, er ux, dated April 2, 2018 and recorded in Volume 541, Page 523 of said deed records
6. S 21° 44' 36" E 748.78 feet to a mag nail with shiner inscribed "CCC 4835" found,
7. S 82° 47' 56" E 998.82 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" found,
8. S 87° 56' 19" E 556.50 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" found for the southeast corner of said Barber tract and being the southwest corner of that tract described in a General Warranty Deed to Terry Bratton and Melanie Bratton dated April 3, 2018 and recorded in Volume 541, Page 518 of said deed records,
9. N 87° 20' 19" E 361.16 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" found,
10. N 83° 49' 47" E 294.79 feet to a mag nail with shiner inscribed "CCC 4835" found,

2931.97 ACRES (continued)

11. N 60° 06' 24" E 253.87 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" found,
12. N 57° 40' 15" E 333.73 feet to a 22" live oak,
13. N 06° 04' 18" E 274.08 feet to a 14" live oak,
14. N 05° 57' 37" E 116.02 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" found,
15. N 01° 59' 49" W 729.47 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" found,
16. N 06° 00' 34" W 81.54 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" found,
17. N 16° 11' 08" W 64.59 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" found,
18. N 29° 17' 12" W 25.57 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" found,
19. N 77° 42' 57" E 1237.48 feet to a 1/2" iron pin with no cap found,
20. N 24° 05' 40" E 58.44 feet to a 1/2" iron pin with no cap found,
21. N 01° 08' 51" W 681.85 feet to a mag nail with shiner inscribed "CCC 4835" found,
22. N 75° 21' 30" E 132.31 feet to a spindle with a shiner inscribed "CCC 4835" set in the west margin of County Road 1139,
23. S 16° 16' 18" E 159.83 feet with the west margin of County Road 1139 to a 3/8" iron pin with no cap found,
24. N 73° 06' 56" E 1341.12 feet with the south margin of County Road 1139 to a 3/8" iron pin with no cap found for the northwest corner of that tract described in a Warranty Deed to WMC Ranch, LLC dated January 1, 2010 and recorded in Volume 458, Page 713 of said deed records and being the northeast corner of said Pitt Creek Ranch, LLC tract and this tract;

THENCE: with the west line of said Pitt Creek Ranch, LLC tract and this tract the following courses and distances:

1. S 20° 09' 38" E 3460.12 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" found,
2. S 69° 29' 48" W 1343.02 feet to a 1/2" iron pin with no cap found,
3. S 21° 18' 24" E 2713.52 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" found,
4. N 69° 34' 45" E at 4129.76 feet passing a 2-1/2" pipe fence post found, in all 4315.94 feet to a calculated point in a creek/drainage area,
5. S 20° 22' 27" E at 126.21 feet passing a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" set in a fence for reference, in all 2571.88 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" found,
6. S 69° 37' 15" W 1350.38 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" found for an inside ell corner of said Pitt Creek Ranch, LLC tract and this tract;
7. S 20° 54' 02" E 1134.38 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" found in the north margin of County Road 1255 and being the southeast corner of said Pitt Creek Ranch, LLC tract and this tract;

2931.97 ACRES (continued)

THENCE: with the north margin of County Road 1255 the following courses and distances:

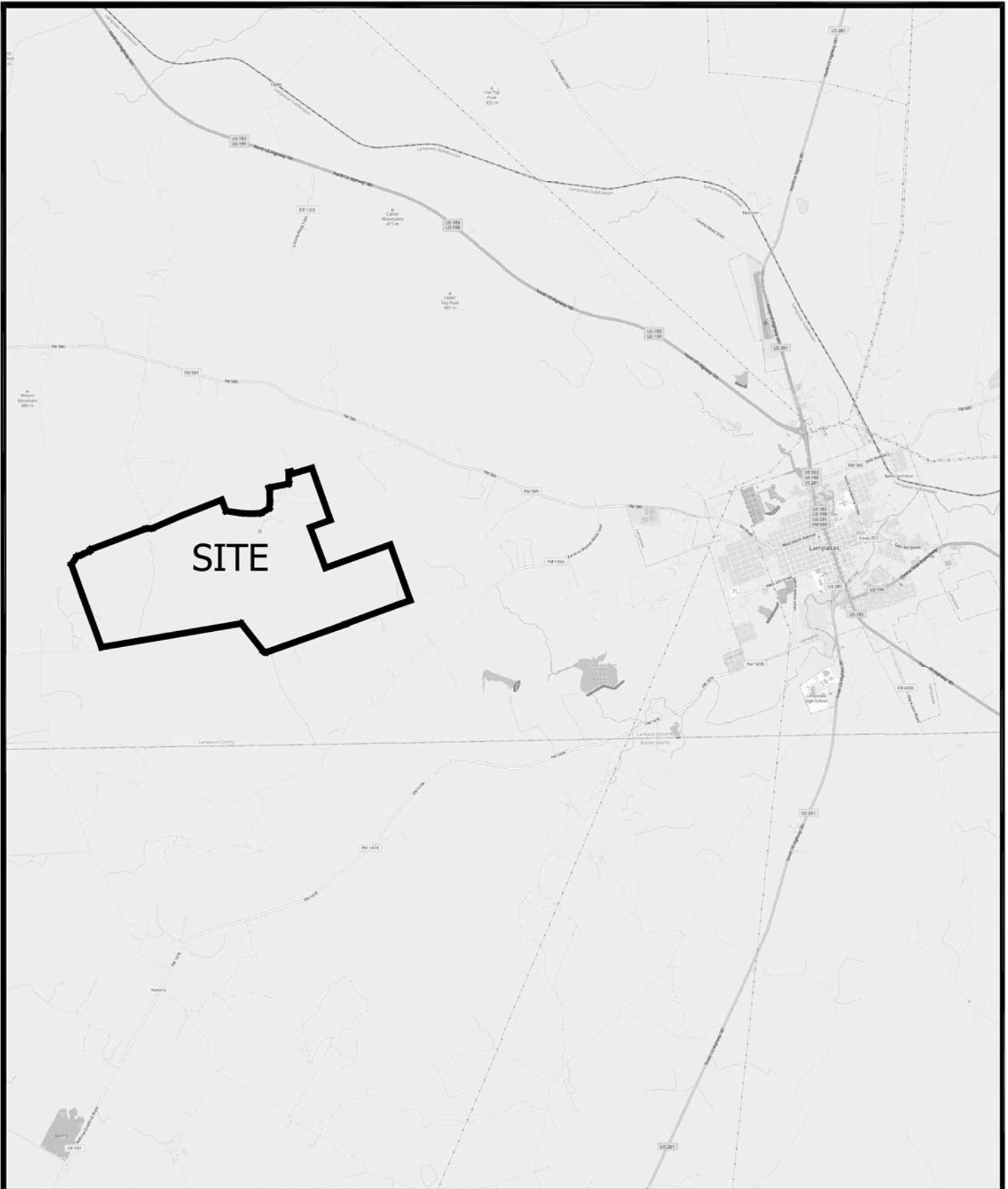
1. S 69° 05' 58" W 2985.55 feet to an 8" cedar fence post found,
2. S 15° 51' 37" E 22.93 feet to an 8" cedar fence post found,
3. S 70° 12' 16" W 458.11 feet to a 1/2" iron pin with no cap found,
4. S 69° 50' 22" W 3684.06 feet to an 8" cedar fence post found,
5. S 69° 51' 15" W 856.27 feet to a 1/2" iron pin with no cap found,
6. S 71° 54' 42" W 278.14 feet to a 1/2" iron pin with no cap found,
7. N 67° 43' 24" W 194.98 feet to a 1/2" iron pin with no cap found,
8. N 39° 07' 13" W 2147.75 feet to a 1/2" iron pin with no cap found,
9. N 49° 08' 00" W 60.98 feet to a 1/2" iron pin with no cap found,
10. S 79° 41' 09" W 4836.76 feet to a 1/2" iron pin with an orange plastic cap inscribed "Watson" found,
11. S 79° 39' 35" W 4034.37 feet to the Point of Beginning.

Bearings based on Texas State Plane Coordinate System, Central Zone NAD 83.



Clyde C. Castleberry, Jr.
Registered Professional Land Surveyor No. 4835

Triple C Surveying Co.
PO Box 544
Lampasas, Texas 76550
www.triplecsurveying.com
Firm No. 10193916



PITT CREEK RANCH

Location Map Exhibit

Exhibit "B"

ATTACHMENT: _____

DATE: 04/08/2022



VICKREY & ASSOCIATES, LLC.
CONSULTING ENGINEERS

12940 Country Parkway, San Antonio, TX 78216
Telephone: (210) 349-3271
Firm Registration No: F-159


Affidavit of Developer

Date: July 6, 2022

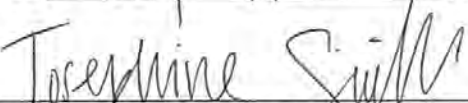
Affiant: David Cavalier

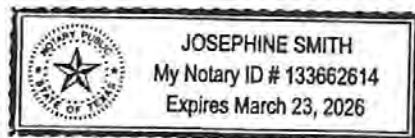
Affiant on oath swears that the following statements are true and are within the personal knowledge of Affiant:

"I am the project manager for the development of the land proposed to be included within the boundaries of Lampasas County Municipal Utility District No. 1 (the "District"). The land proposed to be included in the District is owned by Pitt Creek Ranch LLC. The owners of Pitt Creek Ranch LLC are not from the Lampasas area and know very few Lampasas county area residents. In our efforts to locate persons who would be willing to serve as temporary directors for the District, we had our local Lampasas County real estate agent Abe Caruthers and his family check with their neighbors, friends, and fellow church members. We also reached out to numerous Lampasas county residents to ask if they would be interested in being a MUD board member, and they all declined. We expanded the search for MUD board members to neighboring Burnet county, and were still unable to find anyone who was interested in being a MUD board member. Therefore, we had to resort to the Austin and Williamson County area, where I primarily conduct my real estate brokerage and land development work, to check with friends and associates. In the Austin and Williamson County area, and were able to find 5 people who were interested and willing to serve as temporary directors for the District."


David Cavalier

SUBSCRIBED AND SWORN TO before me on July 6th, 2022 by David Cavalier.


Notary Public, State of Texas





JONES - HEROY & ASSOCIATES, INC.

June 28, 2022

VIA ELECTRONIC DELIVERY

Texas Commission on Environmental Quality
District Review Team (MC 156)
Utilities & Districts Section
Water Supply Division
12100 Park 35 Circle
Austin, TX 78753

Re: County of Residence for the Temporary Directors of the Proposed Lampasas
County Municipal Utility District No. 1 (District)
JHA No. 0361-002

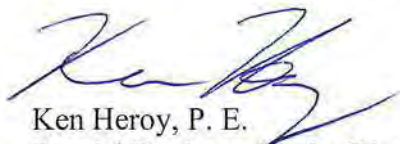
To Whom it May Concern,

On behalf of the petitioner, we hereby submit information pertaining to the county of residence for the following five (5) individuals seeking appointment by the TCEQ as temporary directors of the proposed Lampasas County Municipal Utility District No. 1:

1. Mr. Kurt Lippert - Williamson County
2. Mr. Randy Juenger - Williamson County
3. Ms. Lynn Yuan - Travis County
4. Mr. Gerry Courtney - Williamson County
5. Mr. James Leftwich - Travis County

Should you have any questions regarding the enclosed or require any additional information, please do not hesitate to contact us.

Sincerely,
JONES – HEROY & ASSOCIATES, INC.
TBPE Registration # F-006320



Ken Heroy, P. E.
Special Engineer for the District

cc: Mr. Richard Hamala, Tiemann, Shahady & Hamala, PC (Copy via elec. Delivery)

**Affidavit in Support of Request for
Consideration of Appointment as Director**

Name: Kurt Lippert
Address: 1434 HARGIS CREEK TRL
City: AUSTIN TX Zip: 78717
Name of District: **Lampasas County Municipal Utility District No. 1**

STATE OF TEXAS §
COUNTY OF TRAVIS §

Before me, the undersigned authority of the State and County aforesaid, on this day personally appeared Kurt Lippert who desires to be appointed as director of Lampasas County Municipal Utility District No. 1 (the "District") to serve until his successor is elected or appointed, and who being by me duly sworn on his oath deposed and said that every response and statement set forth herein is true and correct.

(1) State whether you are 18 or 21 years old (as applicable to the type of district), a resident citizen of Texas, and either own land subject to taxation in the district or are a qualified voter within the District.

Response: "I am at least eighteen years of age, a resident citizen of the State of Texas, and I will, at the time of this proposed appointment, own land subject to taxation within the District."

(2) State whether you are a developer of property in the district, related within the third degree of affinity or consanguinity to a developer of property in the district, any other member of the governing board of the district, or the manager, engineer, or attorney for the district, or other person providing professional services to the district.

Response: "I am not a developer of property in the District nor am I, to the best of my knowledge, related within the third degree of affinity (marriage) or consanguinity (blood) to a developer of property in the District, any other proposed director of the District, or the manager, engineer, or attorney for the District, or any other person providing professional services to the District."

(3) State your present occupation and employment. Is this your main source of income? If not, please explain.

**Response: "I am presently employed as MICROSOFT CORP.
_____ . This employment is my main source of income."**

(4) State whether you plan to live in the district. If you do not plan to live in the district, what are your plans for the use and disposition of the land?

Response: "I do not, at the present time, plan to live in the District. I do plan to retain ownership of my land in the District for the indefinite future, but I anticipate that I will eventually offer it for resale."

(5) Do you, or your employer, have any business or other connections with any developer of the proposed district, the attorney representing the proposed district, or the consulting engineer for the proposed district or developer? If so, please explain.

Response: "Neither my employer nor I have any business or other connections, relating to the proposed district or property located in the proposed district, with any developer of the District, the attorney representing the District, or the consulting engineer for the District or the developer. In the past I have personally known or have had business dealings with the developer or representatives of the developer, however, none of these dealings have any connection with the proposed district or property located in the proposed district."

(6) Are you aware that the district is a public entity and that by law notice of its meetings must be given and the meeting must be open to the public and its records shall be available for public inspection at all reasonable times?

Response: "I am aware that the District is a public entity and that by law notice of its meetings must be given and the meeting must be open to the public and its records shall be available for public inspection at all reasonable times."

(7) Are you aware that the district is subject to the continuing supervision of the Texas Commission on Environmental Quality, and will you fully cooperate with the Texas Commission on Environmental Quality?

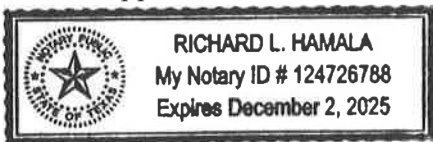
Response: "I am aware that the district is subject to the continuing supervision of the Texas Commission on Environmental Quality, and I will fully cooperate with the Texas Commission on Environmental Quality."

(8) Do you affirm that you will faithfully execute the duties of the office of director of the district of the State of Texas, and will to the best of your ability preserve, protect, and defend the constitution and laws of the United States and of the this state; do you affirm that you have not directly nor indirectly paid, offered or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment as a reward to secure your appointment?

Response: "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, nor promised to contribute any money, or valuable thing, or promised any public office or employment as a reward to secure my appointment."

Signature of Proposed Director: *Kurt Lippert*

SWORN TO AND SUBSCRIBED before me on March 7, 2022 by
Kurt Lippert.



Richard L. Hamala
Notary Public, State of Texas

**Affidavit in Support of Request for
Consideration of Appointment as Director**

Name: Randy Juenger

Address: 102 Broad Vista Ct _____

City: Georgetown Zip: 78628 _____

Name of District: **Lampasas County Municipal Utility District No. 1**

STATE OF TEXAS §
COUNTY OF Travis §

Before me, the undersigned authority of the State and County aforesaid, on this day personally appeared Randy Juenger who desires to be appointed as director of Lampasas County Municipal Utility District No. 1 (the "District") to serve until his successor is elected or appointed, and who being by me duly sworn on his oath deposed and said that every response and statement set forth herein is true and correct.

(1) State whether you are 18 or 21 years old (as applicable to the type of district), a resident citizen of Texas, and either own land subject to taxation in the district or are a qualified voter within the District.

Response: "I am at least eighteen years of age, a resident citizen of the State of Texas, and I will, at the time of this proposed appointment, own land subject to taxation within the District."

(2) State whether you are a developer of property in the district, related within the third degree of affinity or consanguinity to a developer of property in the district, any other member of the governing board of the district, or the manager, engineer, or attorney for the district, or other person providing professional services to the district.

Response: "I am not a developer of property in the District nor am I, to the best of my knowledge, related within the third degree of affinity (marriage) or consanguinity (blood) to a developer of property in the District, any other proposed director of the District, or the manager, engineer, or attorney for the District, or any other person providing professional services to the District."

(3) State your present occupation and employment. Is this your main source of income? If not, please explain.

**Response: "I am presently employed as an engineer at Dell _____
_____. This employment is my main source of income."**

(4) State whether you plan to live in the district. If you do not plan to live in the district, what are your plans for the use and disposition of the land?

Response: "I do not, at the present time, plan to live in the District. I do plan to retain ownership of my land in the District for the indefinite future, but I anticipate that I will eventually offer it for resale."

(5) Do you, or your employer, have any business or other connections with any developer of the proposed district, the attorney representing the proposed district, or the consulting engineer for the proposed district or developer? If so, please explain.

Response: "Neither my employer nor I have any business or other connections, relating to the proposed district or property located in the proposed district, with any developer of the District, the attorney representing the District, or the consulting engineer for the District or the developer. In the past I have personally known or have had business dealings with the developer or representatives of the developer, however, none of these dealings have any connection with the proposed district or property located in the proposed district."

(6) Are you aware that the district is a public entity and that by law notice of its meetings must be given and the meeting must be open to the public and its records shall be available for public inspection at all reasonable times?


Response: "I am aware that the District is a public entity and that by law notice of its meetings must be given and the meeting must be open to the public and its records shall be available for public inspection at all reasonable times."

(7) Are you aware that the district is subject to the continuing supervision of the Texas Commission on Environmental Quality, and will you fully cooperate with the Texas Commission on Environmental Quality?

Response: "I am aware that the district is subject to the continuing supervision of the Texas Commission on Environmental Quality, and I will fully cooperate with the Texas Commission on Environmental Quality."

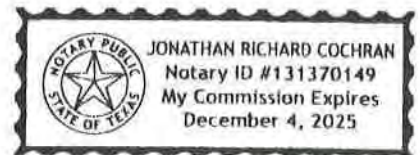
(8) Do you affirm that you will faithfully execute the duties of the office of director of the district of the State of Texas, and will to the best of your ability preserve, protect, and defend the constitution and laws of the United States and of the this state; do you affirm that you have not directly nor indirectly paid, offered or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment as a reward to secure your appointment?

Response: "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, nor promised to contribute any money, or valuable thing, or promised any public office or employment as a reward to secure my appointment."

Signature of Proposed Director: 

SWORN TO AND SUBSCRIBED before me on March 14, 2022 by
Randy Juenger.


Notary Public, State of Texas



**Affidavit in Support of Request for
Consideration of Appointment as Director**

Name: Lynn Yuan

Address: 11770 Jollyville Road

City: Austin Zip: 78759

Name of District: **Lampasas County Municipal Utility District No. 1**

STATE OF TEXAS §
COUNTY OF Travis §

Before me, the undersigned authority of the State and County aforesaid, on this day personally appeared Lynn Yuan who desires to be appointed as director of Lampasas County Municipal Utility District No. 1 (the "District") to serve until his successor is elected or appointed, and who being by me duly sworn on his oath deposed and said that every response and statement set forth herein is true and correct.

(1) State whether you are 18 or 21 years old (as applicable to the type of district), a resident citizen of Texas, and either own land subject to taxation in the district or are a qualified voter within the District.

Response: "I am at least eighteen years of age, a resident citizen of the State of Texas"

(2) State whether you are a developer of property in the district, related within the third degree of affinity or consanguinity to a developer of property in the district, any other member of the governing board of the district, or the manager, engineer, or attorney for the district, or other person providing professional services to the district.

Response: "I am not a developer of property in the District nor am I, to the best of my knowledge, related within the third degree of affinity (marriage) or consanguinity (blood) to a developer of property in the District, any other proposed director of the District, or the manager, engineer, or attorney for the District, or any other person providing professional services to the District."

(3) State your present occupation and employment. Is this your main source of income? If not, please explain.

Response: "I am presently employed as a broker and founder of Real International. This employment is my main source of income."

(4) State whether you plan to live in the district. If you do not plan to live in the district, what are your plans for the use and disposition of the land?

Response: "I do not, at the present time, plan to live in the District"

(5) Do you, or your employer, have any business or other connections with any developer of the proposed district, the attorney representing the proposed district, or the consulting engineer for the proposed district or developer? If so, please explain.

Response: "Neither my employer nor I have any business or other connections, relating to the proposed district or property located in the proposed district, with any developer of the District, the attorney representing the District, or the consulting engineer for the District or the developer"

(6) Are you aware that the district is a public entity and that by law notice of its meetings must be given and the meeting must be open to the public and its records shall be available for public inspection at all reasonable times?


Response: "I am aware that the District is a public entity and that by law notice of its meetings must be given and the meeting must be open to the public and its records shall be available for public inspection at all reasonable times."

(7) Are you aware that the district is subject to the continuing supervision of the Texas Commission on Environmental Quality, and will you fully cooperate with the Texas Commission on Environmental Quality?

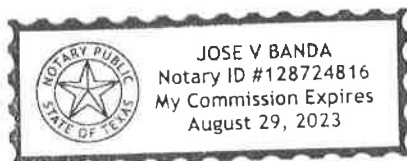
Response: "I am aware that the district is subject to the continuing supervision of the Texas Commission on Environmental Quality, and I will fully cooperate with the Texas Commission on Environmental Quality."

(8) Do you affirm that you will faithfully execute the duties of the office of director of the district of the State of Texas, and will to the best of your ability preserve, protect, and defend the constitution and laws of the United States and of the this state; do you affirm that you have not directly nor indirectly paid, offered or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment as a reward to secure your appointment?

Response: "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, nor promised to contribute any money, or valuable thing, or promised any public office or employment as a reward to secure my appointment."

Signature of Proposed Director: 

SWORN TO AND SUBSCRIBED before me on February 11, 2022 by
Lynn Yuan.




Notary Public, State of Texas

**Affidavit in Support of Request for
Consideration of Appointment as Director**

Name: Gerry Courtney
Address: 308 Kettleman Lane South
City: Austin Zip: 78717
Name of District: **Lampasas County Municipal Utility District No. 1**

STATE OF TEXAS §
COUNTY OF TRAVIS §

Before me, the undersigned authority of the State and County aforesaid, on this day personally appeared Gerry Courtney who desires to be appointed as director of Lampasas County Municipal Utility District No. 1 (the "District") to serve until his successor is elected or appointed, and who being by me duly sworn on his oath deposed and said that every response and statement set forth herein is true and correct.

(1) State whether you are 18 or 21 years old (as applicable to the type of district), a resident citizen of Texas, and either own land subject to taxation in the district or are a qualified voter within the District.

Response: "I am at least eighteen years of age, a resident citizen of the State of Texas, and I will, at the time of this proposed appointment, own land subject to taxation within the District."

(2) State whether you are a developer of property in the district, related within the third degree of affinity or consanguinity to a developer of property in the district, any other member of the governing board of the district, or the manager, engineer, or attorney for the district, or other person providing professional services to the district.

Response: "I am not a developer of property in the District nor am I, to the best of my knowledge, related within the third degree of affinity (marriage) or consanguinity (blood) to a developer of property in the District, any other proposed director of the District, or the manager, engineer, or attorney for the District, or any other person providing professional services to the District."

(3) State your present occupation and employment. Is this your main source of income? If not, please explain.

Response: "I am presently employed as an Engineer . This employment is my main source of income."

(4) State whether you plan to live in the district. If you do not plan to live in the district, what are your plans for the use and disposition of the land?

Response: "I do not, at the present time, plan to live in the District. I do plan to retain ownership of my land in the District for the indefinite future, but I anticipate that I will eventually offer it for resale."

(5) Do you, or your employer, have any business or other connections with any developer of the proposed district, the attorney representing the proposed district, or the consulting engineer for the proposed district or developer? If so, please explain.

Response: "Neither my employer nor I have any business or other connections, relating to the proposed district or property located in the proposed district, with any developer of the District, the attorney representing the District, or the consulting engineer for the District or the developer. In the past I have personally known or have had business dealings with the developer or representatives of the developer, however, none of these dealings have any connection with the proposed district or property located in the proposed district."

(6) Are you aware that the district is a public entity and that by law notice of its meetings must be given and the meeting must be open to the public and its records shall be available for public inspection at all reasonable times?

Response: "I am aware that the District is a public entity and that by law notice of its meetings must be given and the meeting must be open to the public and its records shall be available for public inspection at all reasonable times."

(7) Are you aware that the district is subject to the continuing supervision of the Texas Commission on Environmental Quality, and will you fully cooperate with the Texas Commission on Environmental Quality?

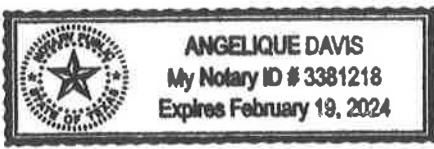
Response: "I am aware that the district is subject to the continuing supervision of the Texas Commission on Environmental Quality, and I will fully cooperate with the Texas Commission on Environmental Quality."


(8) Do you affirm that you will faithfully execute the duties of the office of director of the district of the State of Texas, and will to the best of your ability preserve, protect, and defend the constitution and laws of the United States and of the this state; do you affirm that you have not directly nor indirectly paid, offered or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment as a reward to secure your appointment?

Response: "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, nor promised to contribute any money, or valuable thing, or promised any public office or employment as a reward to secure my appointment."

Signature of Proposed Director: 

SWORN TO AND SUBSCRIBED before me on February 24, 2022 by Gerry Courtney.




Notary Public, State of Texas

**Affidavit in Support of Request for
Consideration of Appointment as Director**

Name: James Leftwich
Address: 1301 FAIRWOOD RD
City: AUSTIN Zip: 78722
Name of District: **Lampasas County Municipal Utility District No. 1**

STATE OF TEXAS §
COUNTY OF TRAVIS §

Before me, the undersigned authority of the State and County aforesaid, on this day personally appeared James Leftwich who desires to be appointed as director of Lampasas County Municipal Utility District No. 1 (the "District") to serve until his successor is elected or appointed, and who being by me duly sworn on his oath deposed and said that every response and statement set forth herein is true and correct.

(1) State whether you are 18 or 21 years old (as applicable to the type of district), a resident citizen of Texas, and either own land subject to taxation in the district or are a qualified voter within the District.

Response: "I am at least eighteen years of age, a resident citizen of the State of Texas, and I will, at the time of this proposed appointment, own land subject to taxation within the District."

(2) State whether you are a developer of property in the district, related within the third degree of affinity or consanguinity to a developer of property in the district, any other member of the governing board of the district, or the manager, engineer, or attorney for the district, or other person providing professional services to the district.

Response: "I am not a developer of property in the District nor am I, to the best of my knowledge, related within the third degree of affinity (marriage) or consanguinity (blood) to a developer of property in the District, any other proposed director of the District, or the manager, engineer, or attorney for the District, or any other person providing professional services to the District."

(3) State your present occupation and employment. Is this your main source of income? If not, please explain.

Response: "I am presently employed as retired. This employment is my main source of income."

(4) State whether you plan to live in the district. If you do not plan to live in the district, what are your plans for the use and disposition of the land?

Response: "I do not, at the present time, plan to live in the District. I do plan to retain ownership of my land in the District for the indefinite future, but I anticipate that I will eventually offer it for resale."

(5) Do you, or your employer, have any business or other connections with any developer of the proposed district, the attorney representing the proposed district, or the consulting engineer for the proposed district or developer? If so, please explain.

Response: "Neither my employer nor I have any business or other connections, relating to the proposed district or property located in the proposed district, with any developer of the District, the attorney representing the District, or the consulting engineer for the District or the developer. In the past I have personally known or have had business dealings with the developer or representatives of the developer, however, none of these dealings have any connection with the proposed district or property located in the proposed district."

(6) Are you aware that the district is a public entity and that by law notice of its meetings must be given and the meeting must be open to the public and its records shall be available for public inspection at all reasonable times?

Response: "I am aware that the District is a public entity and that by law notice of its meetings must be given and the meeting must be open to the public and its records shall be available for public inspection at all reasonable times."

(7) Are you aware that the district is subject to the continuing supervision of the Texas Commission on Environmental Quality, and will you fully cooperate with the Texas Commission on Environmental Quality?

Response: "I am aware that the district is subject to the continuing supervision of the Texas Commission on Environmental Quality, and I will fully cooperate with the Texas Commission on Environmental Quality."

(8) Do you affirm that you will faithfully execute the duties of the office of director of the district of the State of Texas, and will to the best of your ability preserve, protect, and defend the constitution and laws of the United States and of the this state; do you affirm that you have not directly nor indirectly paid, offered or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment as a reward to secure your appointment?

Response: "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, nor promised to contribute any money, or valuable thing, or promised any public office or employment as a reward to secure my appointment."

Signature of Proposed Director: _____

SWORN TO AND SUBSCRIBED before me on April 4, 2022 by James Leftwich.

Notary Public, State of Texas

