

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Erin E. Chancellor, *Interim Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 22, 2023

Ms. 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. 2023-0256-DIS; Consideration of a Petition for Creation of Austin County Municipal Management District No.1

Dear Ms. Gharis:

Enclosed for filing with the Texas Commission on Environmental Quality are the following supplemental backup materials for the March 31, 2023, agenda item on the above referenced matter:

1. Austin County Appraisal District Certificate of Ownership;
2. Affidavits for Temporary Directors; and
3. Lienholders' Consent.

Please do not hesitate to contact me at (512) 239-4761 if you have any questions regarding this material. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Kayla Murray". The signature is fluid and cursive.

Kayla Murray  
Staff Attorney  
Environmental Law Division

Cc Mailing List

EX. 1 - Austin County Appraisal District  
Certificate of Ownership

CERTIFICATE OF OWNERSHIP

THE STATE OF TEXAS           §  
  §  
COUNTY OF AUSTIN           §

I, the undersigned, hereby certify that I have examined the tax rolls of Austin County, Texas and find that the property described in the attached Exhibit "A" is assessed on the rolls of Austin County, Texas, for the tax year 2022 in the name(s) of:

**Owner: Beckendorf Columbus Farooqi LLC**  
**Property ID: 19856**

**Legal Description: A234 H&TCRR and A221 H&TCRR, acres 224.640**

**Owner: Austin County NKFS LLC**  
**Property ID: 69139**

**Legal Description: A234 H&TCRR and A221 H&TCRR, acres 13.830**

**Owner: Zashko Fuels Inc**  
**Property ID: 18025**

**Legal Description: A234 H&TCRR, acres 59.440**

CERTIFIED by this office on this the 27th day of July, 2022.

AUSTIN COUNTY APPRAISAL DISTRICT

By: Michelle Mitchell  
Name: Michelle Mitchell  
Title: Deputy Chief Appraiser



TBPE No. F-726  
TBPLS No. 10092300

***AUSTIN COUNTY  
MUNICIPAL MANAGEMENT DISTRICT No. 1  
291.53 ACRES***

FIELD NOTES of a 291.53 acre tract of land situated in the H. & T.C. R.R. CO. Survey, Section 203 Abstract No. 234 and in the H. & T.C. R.R. CO. Survey, Section 195, Abstract No. 221, Austin County, Texas; said 291.53 acre tract of land being out of and a part of a called 244.64 acre tract as described in deed and recorded in Austin County Clerk's File Number (A.C.C.F. No.) 217209, all of a called 13.83 acre tract and all of a called 59.44 acre tract as described in deed and recorded in A.C.C.F. No. 217278; said 291.53 acre tract of land being more particularly described by metes and bounds as follows:

NOTE: All bearings are Lambert grid bearings and all coordinates refer to the Texas State Plane Coordinate System, South Central Zone (#4204), as defined by article 21.071 of the Natural Resources Code of the State of Texas, 1983 Datum. All distance are actual distances. Scale factor = 0.999884020285. Reference is made to exhibit drawing of even date accompanying this metes and bounds description.

**BEGINNING** at a 1/2-inch capped iron pipe stamped "Kalkomey Surveying" found for the Westerly corner of the herein described tract, the Northwestern corner of said 59.44 acre tract and at the Easterly intersection of the Southeasterly right-of-way line of Old Columbus Road and the Northeasterly right-of-way line of Beckendorff Road.

- 1) **THENCE** N 42°32'00" E, along the Northwestern line of the herein described tract, the Southeasterly right-of-way line of said Old Columbus Road and the Northwestern line of said 59.44 acre tract, a distance of 3,446.58 feet to a 1/2-inch iron pipe found for an angle point.



EXHIBIT A



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- 2) **THENCE** N 42°20'32" E, continuing along the Northwesterly line of the herein described tract and said 224.64 acre tract, and the Southeasterly right-of-way line of said Old Columbus Road, a distance of 1,080.64 feet to the Northerly corner of the herein described tract and said 224.64 acre tract, and the Westerly corner of a called 375.00 acre tract described in deed and recorded under A.C.C.F. No. 206036.
- 3) **THENCE** S 47°39'28" E, along the common line being the Northeasterly line of the herein described tract and said 224.64 acre tract and the Southwesterly line of said 375.00 acre tract a distance of 1,925.14 feet to an angle point in the centerline of Crooked Branch Creek.

**THENCE** along the centerline of Crooked Branch Creek the following ten (10) courses and distances:

- 4) S 03°16'03" E, continuing along said common line a distance of 17.99 feet to an angle point.
- 5) S 41°02'59" E continuing along said common line a distance of 256.39 feet to an angle point.
- 6) S 16°09'29" E continuing along said common line a distance of 239.46 feet to an angle point.
- 7) S 18°24'27" E continuing along said common line a distance of 208.51 feet to an angle point.
- 8) S 43°59'52" E continuing along said common line a distance of 58.54 feet to an angle point.
- 9) S 69°16'13" E continuing along said common line a distance of 285.52 feet to an angle point.

EXHIBIT A



TBPE No. F-726  
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- 10) S 39°51'48" E continuing along said common line a distance of 96.89 feet to an angle point.
- 11) S 01°04'42" W continuing along said common line a distance of 117.47 feet to an angle point.
- 12) S 10°57'02" W continuing along said common line a distance of 43.64 feet to an angle point.
- 13) S 18°08'25" W continuing along said common line a distance of 22.89 feet to a point in the Southwesterly line of said 375 acre tract and the Northeasterly line of the residue of a called 41.774 acre tract as described in deed and recorded under A.C.C.F. No. 983302.
- 14) **THENCE** N 56°56'05" W with the Southeasterly line of said 224.64 acre tract a distance of 37.99 feet to the Northerly corner of said residue of a called 41.774 acre tract.
- 15) **THENCE** S 42°13'18" W continuing with the Southeasterly line of said 224.64 acre tract and the Northwesterly line of said residue of a called 41.774 acre tract a distance of 746.66 feet to a 1/2-inch capped iron rod stamped "2085" found for the Westerly corner of said residue of a called 41.774 acre tract and an angle point in the Southeasterly line of said 224.64 acre tract.
- 16) **THENCE** S 47°20'19" E, continuing with the Southeasterly line of said 224.64 acre tract and the Southwesterly line of said residue of a called 41.774 acre tract, a distance of 378.13 feet to a 5/8-inch iron rod found for the Northeasterly corner of a called 10.187 acre tract as described in deed and recorded in A.C.C.F. No. 047134.

EXHIBIT A



TBPE No. F-726  
TBPLS No. 10092300

17) **THENCE** S 47°25'26" E, with the Southwesterly line of said 10.187 acre tract a distance of 196.15 feet to a point in the centerline of Crooked Branch Creek.

**THENCE** along the centerline of said Crooked Branch Creek the following eight (8) courses and distances:

- 18) S 55°28'56" W, a distance of 131.37 feet to an angle point.
- 19) S 64°27'17" W, a distance of 78.05 feet to an angle point.
- 20) S 46°04'48" W, a distance of 58.45 feet to an angle point.
- 21) S 60°47'48" W, a distance of 51.74 feet to an angle point.
- 22) S 37°33'17" W, a distance of 109.44 feet to an angle point.
- 23) S 08°58'43" W, a distance of 117.72 feet to an angle point.
- 24) S 05°26'25" W, a distance of 102.79 feet to an angle point.
- 25) S 04°18'30" E, a distance of 101.22 feet to the Southeasterly corner of the herein described tract and in the right-of-way line of Interstate Highway 10.
- 26) **THENCE** S 80°55'19" W, continuing along the Southerly line of the herein described tract and said 224.64 acre tract, and along the Northwesterly right-of-way line of said Interstate Highway 10, a distance of 779.88 feet to a point for corner from which a found concrete monument bears N 08°07'32" W, 0.30 feet.



EXHIBIT A



TBPE No. F-726  
TBPLS No. 10092300

- 27) **THENCE** S 05°56'01" E, continuing along the Southerly line of the herein described tract and the Northwesternly right-of-way line of said Interstate Highway 10, a distance of 14.72 feet to a point for corner.
- 28) **THENCE** S 80°51'39" W, continuing along the Southerly line of the herein described tract and the Northwesternly right-of-way line of said Interstate Highway 10, a distance of 371.05 feet to a 5/8-inch iron rod found for the Southwesterly corner.
- 29) **THENCE** S 80°55'42" W, continuing along the Southerly line of the herein described tract and the Northwesternly right-of-way line of said Interstate 10, a distance of 1,445.03 feet to the Southerly angle point of said 13.83 acre tract.
- 30) **THENCE** N 78°39'06" W, continuing along the Southerly line of the herein described tract and the Southerly line of said 13.83 acre tract and the Northwesternly right-of-way line of said Interstate 10, a distance of 299.11 feet to a TxDot disc in concrete found for corner.
- 31) **THENCE** N 69°14'32" W, continuing along the Southerly line of the herein described tract and the Southerly line of said 13.83 acre tract and the Northwesternly right-of-way line of said Interstate 10, a distance of 172.89 feet to a TxDot disc in concrete found for corner at the intersection with the Northeasterly right-of-way line of the aforementioned Beckendorff Road.
- 32) **THENCE** N 54°06'22" W, continuing along the Southerly line of the herein described tract and along the Northeasterly right-of-way line of said Beckendorff Road, a distance of 439.86 feet to a point in the Southerly line of said 59.44 acre tract, from which a found concrete monument (leaning) bears S89°16'25" W, a distance of 0.60 feet.

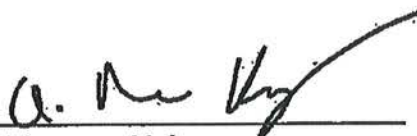
EXHIBIT A



TBPE No. F-726  
TBPLS No. 10092300

- 33) **THENCE** S 80°56'54" W, continuing along the Southerly line of the herein described tract and said 59.44 acre tract, and the Northeasterly right-of-way line of said Beckendorff Road, a distance of 612.49 feet to a concrete monument found for the Southerly corner of said 59.44 acre tract.
- 34) **THENCE** N 47°12'34" W, continuing along the Southerly line of the herein described tract and said 59.44 acre tract, and the Northeasterly right-of-way line of said Beckendorff Road, a distance of 943.77 feet to the **PLACE OF BEGINNING**; containing within said boundaries a calculated area of 291.53 acres (12,698,961 sq.ft.) of land.

**EDMINSTER, HINSHAW, RUSS & ASSOCIATES, INC. d/b/a/ EHRA**

  
A. Munroe Kelsay  
Texas Registration No. 5580  
10011 Meadowglen Lane  
Houston, Texas 77042  
713-784-4500



Date: 02/014/2022

Job No: 211-085-00

File No: R:\2021\211-085-00\Docs\Description\Boundary\211-085-00 MUD (291.53 acres).docx

EX. 2 – Affidavits for  
Temporary Directors



AFFIDAVIT FOR CONSIDERATION OF  
APPOINTMENT AS TEMPORARY DIRECTOR

THE STATE OF TEXAS           §  
  §  
COUNTY OF AUSTIN           §

BEFORE ME, the undersigned authority of the State and County aforesaid, on this day personally appeared Mark Evetts, a resident of Fort Bend County, Texas, being a county adjacent to the county in which Austin County Municipal Management District No. 1 (hereinafter the "District" or "Austin County MM District No. 1") is located, who desires to be appointed a director of 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 not 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 of purchasers or owners of lots fronting thereon or adjacent thereto).

3. I am not, to the best of my knowledge, related within the third degree of affinity (marriage) or consanguinity (blood) to a developer of property within the District, or to any of the other temporary directors of the District, or to the attorney, engineer or manager of the District or other person providing professional services to the District or property located in the District.

4. I am not an employee of any developer of property within the District or any other temporary director, the attorney, engineer or manager of the District or other person providing professional services to the District or property located in the District.

5. I am not serving as an attorney, consultant, engineer, manager, architect, or in some other professional capacity for the District or a developer of property in the District in connection with the District or property located in the District.

6. I am presently retired.

7. 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.

8. 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. I am not a party to

a contract with a developer of property within the District relating to the District or to property therein other than as allowed by Texas Water Code §49.052(a)(5)(A).

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 will be a public entity and 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, and I will fully cooperate with, the Texas Commission on Environmental Quality.

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.

Mark Evetts

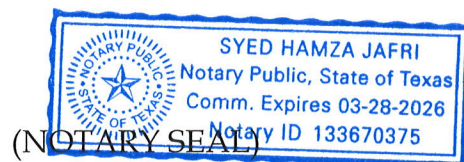
Mark Evetts

Phone Number: (832) 289-2213

Address: 3906 Everett Terrace Ln.  
Missouri City, TX 77459

Before me, the undersigned authority, on this day personally appeared Mark Evetts, who desires to be appointed as director of Austin County ~~Improvement~~ District No. ~~7~~ to serve until his successor is elected or appointed, and who being by me duly sworn on his oath depose and said that every response and statement set forth herein is true and correct. v j

SWORN TO AND SUBSCRIBED before me this 29<sup>th</sup> day of August, 2022.



[Signature]  
Notary Public, State of Texas



AFFIDAVIT FOR CONSIDERATION OF  
APPOINTMENT AS TEMPORARY DIRECTOR

THE STATE OF TEXAS           §  
  §  
COUNTY OF AUSTIN           §

BEFORE ME, the undersigned authority of the State and County aforesaid, on this day personally appeared Syed Asad, a resident of Fort Bend County, Texas, being a county adjacent to the county in which Austin County Municipal Management District No. 1 (hereinafter the "District" of "Austin County MM District No. 1") is located, who desires to be appointed a director of 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 not 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 of purchasers or owners of lots fronting thereon or adjacent thereto).
3. I am not, to the best of my knowledge, related within the third degree of affinity (marriage) or consanguinity (blood) to a developer of property within the District, or to any of the other temporary directors of the District, or to the attorney, engineer or manager of the District or other person providing professional services to the District or property located in the District.
4. I am not an employee of any developer of property within the District or any other temporary director, the attorney, engineer or manager of the District or other person providing professional services to the District or property located in the District.
5. I am not serving as an attorney, consultant, engineer, manager, architect, or in some other professional capacity for the District or a developer of property in the District in connection with the District or property located in the District.
6. I am presently employed as a construction general manager at Texas Oasis Construction. This employment is my main source of income.
7. 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.
8. 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

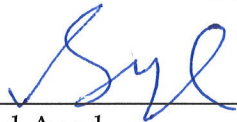
for the District in regard to the District and the development therein. I am not a party to a contract with a developer of property within the District relating to the District or to property therein other than as allowed by Texas Water Code §49.052(a)(5)(A).

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 will be a public entity and 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.

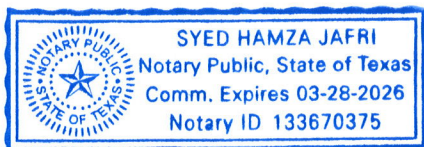
11. I am aware that the District will be subject to the continuing supervision of, and I will fully cooperate with, the Texas Commission on Environmental Quality.

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.

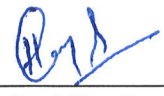
  
\_\_\_\_\_  
Syed Asad  
Phone Number: (832) 670-3874  
Address: 519 Summer Trace Lane  
Richmond, TX 77406

Before me, the undersigned authority, on this day personally appeared Syed Asad, who desires to be appointed as director of Austin County Improvement District No. 1 to serve until his successor is elected or appointed, and who being by me duly sworn on his oath depose and said that every response and statement set forth herein is true and correct. V. g

SWORN TO AND SUBSCRIBED before me this 29 day of August, 2022.



(NOTARY SEAL)

  
\_\_\_\_\_  
Notary Public, State of Texas



AFFIDAVIT FOR CONSIDERATION OF  
APPOINTMENT AS TEMPORARY DIRECTOR

THE STATE OF TEXAS           §  
  §  
COUNTY OF AUSTIN           §

BEFORE ME, the undersigned authority of the State and County aforesaid, on this day personally appeared Shereen Sayed Qurban Ali, a resident of Fort Bend County, Texas, being a county adjacent to the county in which Austin County Municipal Management District No. 1 (hereinafter the "District" or "Austin County MM District No. 1") is located, who desires to be appointed a director of the District, to serve until her 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 not 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 of purchasers or owners of lots fronting thereon or adjacent thereto).

3. I am not, to the best of my knowledge, related within the third degree of affinity (marriage) or consanguinity (blood) to a developer of property within the District, or to any of the other temporary directors of the District, or to the attorney, engineer or manager of the District or other person providing professional services to the District or property located in the District.

4. I am not an employee of any developer of property within the District or any other temporary director, the attorney, engineer or manager of the District or other person providing professional services to the District or property located in the District.

5. I am not serving as an attorney, consultant, engineer, manager, architect, or in some other professional capacity for the District or a developer of property in the District in connection with the District or property located in the District.

6. I am presently retired.

7. 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.

8. 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

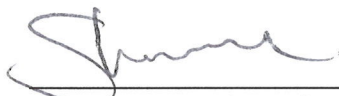
for the District in regard to the District and the development therein. I am not a party to a contract with a developer of property within the District relating to the District or to property therein other than as allowed by Texas Water Code §49.052(a)(5)(A).

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 will be a public entity and 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, and I will fully cooperate with, the Texas Commission on Environmental Quality.

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.



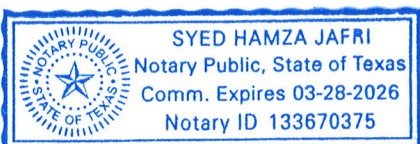
Shereen Sayed Qurban Ali

Phone Number: 832-933-6474

Address: 5811 Martinique Pass  
Sugar Land, TX 77479

v.g. m.m. Before me, the undersigned authority, on this day personally appeared Shereen Sayed Qurban Ali, who desires to be appointed as director of Austin County Improvement District No. 3 to serve until her successor is elected or appointed, and who being by me duly sworn on her oath deposed and said that every response and statement set forth herein is true and correct.

SWORN TO AND SUBSCRIBED before me this 29<sup>th</sup> day of August, 2022.



(NOTARY SEAL)



Notary Public, State of Texas



AFFIDAVIT FOR CONSIDERATION OF  
APPOINTMENT AS TEMPORARY DIRECTOR

THE STATE OF TEXAS           §  
  §  
COUNTY OF AUSTIN           §

BEFORE ME, the undersigned authority of the State and County aforesaid, on this day personally appeared Maher F. Qaddumi, a resident of Harris County, Texas, being a county in the same metropolitan statistical area (designated by the United States Office of Management and Budget or its successor agency) as the county in which Austin County Municipal Management District No. 1 (hereinafter the "District" or "Austin County MM District No. 1") is located, who desires to be appointed a director of 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 not 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 of purchasers or owners of lots fronting thereon or adjacent thereto).

3. I am not, to the best of my knowledge, related within the third degree of affinity (marriage) or consanguinity (blood) to a developer of property within the District, or to any of the other temporary directors of the District, or to the attorney, engineer or manager of the District or other person providing professional services to the District or property located in the District.

4. I am not an employee of any developer of property within the District or any other temporary director, the attorney, engineer or manager of the District or other person providing professional services to the District or property located in the District.

5. I am not serving as an attorney, consultant, engineer, manager, architect, or in some other professional capacity for the District or a developer of property in the District in connection with the District or property located in the District.

6. I am presently employed as engineer and architect at Interfield Group. This employment is my main source of income.

7. 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.


8. 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. I am not a party to a contract with a developer of property within the District relating to the District or to property therein other than as allowed by Texas Water Code §49.052(a)(5)(A).

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 will be a public entity and 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.

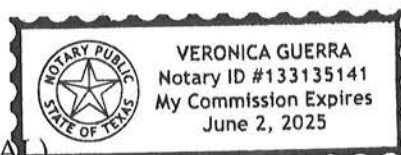
11. I am aware that the District will be subject to the continuing supervision of, and I will fully cooperate with, the Texas Commission on Environmental Quality.

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.

  
\_\_\_\_\_  
Maher F. Qaddumi  
Phone Number: (713) 478-7771  
Address: 401 Studewood St. Unit 300  
Houston, TX 77007

Before me, the undersigned authority, on this day personally appeared Maher F. Qaddumi, who desires to be appointed as director of Austin County Improvement District No. 3 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. v.g.

SWORN TO AND SUBSCRIBED before me this 2nd day of August, 2022.



  
\_\_\_\_\_  
Notary Public, State of Texas

AFFIDAVIT FOR CONSIDERATION OF  
APPOINTMENT AS TEMPORARY DIRECTOR

THE STATE OF TEXAS           §  
  §  
COUNTY OF AUSTIN           §

BEFORE ME, the undersigned authority of the State and County aforesaid, on this day personally appeared Yasmin Rehman, a resident of Fort Bend County, Texas, being a county adjacent to the county in which Austin County Municipal Management District No. 1 (hereinafter the "District" or "Austin County MM District No. 1") is located, who desires to be appointed a director of the District, to serve until her 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 not 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 of purchasers or owners of lots fronting thereon or adjacent thereto).

3. I am not, to the best of my knowledge, related within the third degree of affinity (marriage) or consanguinity (blood) to a developer of property within the District, or to any of the other temporary directors of the District, or to the attorney, engineer or manager of the District or other person providing professional services to the District or property located in the District.

4. I am not an employee of any developer of property within the District or any other temporary director, the attorney, engineer or manager of the District or other person providing professional services to the District or property located in the District.

5. I am not serving as an attorney, consultant, engineer, manager, architect, or in some other professional capacity for the District or a developer of property in the District in connection with the District or property located in the District.

6. I am presently self-employed as a real estate investor. This employment is my main source of income.

7. 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.

8. 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. I am not a party to a contract with a developer of property within the District relating to the District or to property therein other than as allowed by Texas Water Code §49.052(a)(5)(A).

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 will be a public entity and 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, and I will fully cooperate with, the Texas Commission on Environmental Quality.


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.



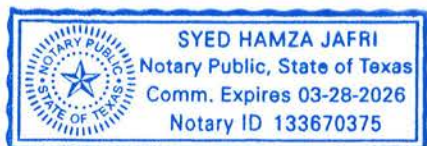
Yasmin Rehman

Phone Number: 623-986-5220

Address: 3715 Lone Rock Lane  
Sugar Land, TX 77479

Before me, the undersigned authority, on this day personally appeared Yasmin Rehman, who desires to be appointed as director of Austin County Improvement District No. 1 to serve until her successor is elected or appointed, and who being by me duly sworn on her oath deposed and said that every response and statement set forth herein is true and correct. 

SWORN TO AND SUBSCRIBED before me this 24 day of August, 2022.



(NOTARY SEAL)

  
Notary Public, State of Texas

## EX. 3 – Lienholders' Consent

CERTIFICATE OF LIENHOLDER'S CONSENT

CAPITAL FARM CREDIT, ACA, a federally chartered instrumentality of the United States, being a lienholder on some of the land in proposed Austin County Municipal Management District No. 1 the boundaries which are attached hereto as Exhibit "A," hereby consents to the creation of Austin County Municipal Management District No. 1, MS

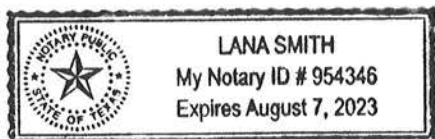
WITNESS MY HAND this 2nd day of September, 2022.

CAPITAL FARM CREDIT, ACA  
a federally chartered instrumentality of  
the United States

By: Mike Tippit  
Name: Dennis M. Tippit  
Title: Regional VP

THE STATE OF TEXAS       §  
  §  
COUNTY OF Fort Bend   §

This instrument was acknowledged before me on the 2nd day of September 2022, by Mike Tippit, Regional VP of CAPITAL FARM CREDIT, ACA, a federally chartered instrumentality of the United States, on behalf of said instrumentality.



(NOTARY SEAL)

Lana Smith  
Notary Public, State of Texas





TBPE No. F-726  
TBPLS No. 10092300

***AUSTIN COUNTY  
MUNICIPAL MANAGEMENT DISTRICT No. 1  
291.53 ACRES***

FIELD NOTES of a 291.53 acre tract of land situated in the H. & T.C. R.R. CO. Survey, Section 203 Abstract No. 234 and in the H. & T.C. R.R. CO. Survey, Section 195, Abstract No. 221, Austin County, Texas; said 291.53 acre tract of land being out of and a part of a called 244.64 acre tract as described in deed and recorded in Austin County Clerk's File Number (A.C.C.F. No.) 217209, all of a called 13.83 acre tract and all of a called 59.44 acre tract as described in deed and recorded in A.C.C.F. No. 217278; said 291.53 acre tract of land being more particularly described by metes and bounds as follows:

NOTE: All bearings are Lambert grid bearings and all coordinates refer to the Texas State Plane Coordinate System, South Central Zone (#4204), as defined by article 21.071 of the Natural Resources Code of the State of Texas, 1983 Datum. All distance are actual distances. Scale factor = 0.999884020285. Reference is made to exhibit drawing of even date accompanying this metes and bounds description.

**BEGINNING** at a 1/2-inch capped iron pipe stamped "Kalkomey Surveying" found for the Westerly corner of the herein described tract, the Northwesternly corner of said 59.44 acre tract and at the Easterly intersection of the Southeasterly right-of-way line of Old Columbus Road and the Northeasterly right-of-way line of Beckendorff Road.

- 1) **THENCE** N 42°32'00" E, along the Northwesternly line of the herein described tract, the Southeasterly right-of-way line of said Old Columbus Road and the Northwesternly line of said 59.44 acre tract, a distance of 3,446.58 feet to a 1/2-inch iron pipe found for an angle point.



TBPE No. F-726  
TBPLS No. 10092300

- 2) **THENCE** N 42°20'32" E, continuing along the Northwesterly line of the herein described tract and said 224.64 acre tract, and the Southeasterly right-of-way line of said Old Columbus Road, a distance of 1,080.64 feet to the Northerly corner of the herein described tract and said 224.64 acre tract, and the Westerly corner of a called 375.00 acre tract described in deed and recorded under A.C.C.F. No. 206036.
- 3) **THENCE** S 47°39'28" E, along the common line being the Northeasterly line of the herein described tract and said 224.64 acre tract and the Southwesterly line of said 375.00 acre tract a distance of 1,925.14 feet to an angle point in the centerline of Crooked Branch Creek.

**THENCE** along the centerline of Crooked Branch Creek the following ten (10) courses and distances:

- 4) S 03°16'03" E, continuing along said common line a distance of 17.99 feet to an angle point.
- 5) S 41°02'59" E continuing along said common line a distance of 256.39 feet to an angle point.
- 6) S 16°09'29" E continuing along said common line a distance of 239.46 feet to an angle point.
- 7) S 18°24'27" E continuing along said common line a distance of 208.51 feet to an angle point.
- 8) S 43°59'52" E continuing along said common line a distance of 58.54 feet to an angle point.
- 9) S 69°16'13" E continuing along said common line a distance of 285.52 feet to an angle point.



EXHIBIT A



TBPE No. F-726  
TBPLS No. 10092300

- 10) S 39°51'48" E continuing along said common line a distance of 96.89 feet to an angle point.
- 11) S 01°04'42" W continuing along said common line a distance of 117.47 feet to an angle point.
- 12) S 10°57'02" W continuing along said common line a distance of 43.64 feet to an angle point.
- 13) S 18°08'25" W continuing along said common line a distance of 22.89 feet to a point in the Southwesterly line of said 375 acre tract and the Northeasterly line of the residue of a called 41.774 acre tract as described in deed and recorded under A.C.C.F. No. 983302.
- 14) **THENCE** N 56°56'05" W with the Southeasterly line of said 224.64 acre tract a distance of 37.99 feet to the Northerly corner of said residue of a called 41.774 acre tract.
- 15) **THENCE** S 42°13'18" W continuing with the Southeasterly line of said 224.64 acre tract and the Northwesterly line of said residue of a called 41.774 acre tract a distance of 746.66 feet to a 1/2-inch capped iron rod stamped "2085" found for the Westerly corner of said residue of a called 41.774 acre tract and an angle point in the Southeasterly line of said 224.64 acre tract.
- 16) **THENCE** S 47°20'19" E, continuing with the Southeasterly line of said 224.64 acre tract and the Southwesterly line of said residue of a called 41.774 acre tract, a distance of 378.13 feet to a 5/8-inch iron rod found for the Northeasterly corner of a called 10.187 acre tract as described in deed and recorded in A.C.C.F. No. 047134.

EXHIBIT A



TBPE No. F-726  
TBPLS No. 10092300

17) **THENCE** S 47°25'26" E, with the Southwesterly line of said 10.187 acre tract a distance of 196.15 feet to a point in the centerline of Crooked Branch Creek.

**THENCE** along the centerline of said Crooked Branch Creek the following eight (8) courses and distances:

- 18) S 55°28'56" W, a distance of 131.37 feet to an angle point.
- 19) S 64°27'17" W, a distance of 78.05 feet to an angle point.
- 20) S 46°04'48" W, a distance of 58.45 feet to an angle point.
- 21) S 60°47'48" W, a distance of 51.74 feet to an angle point.
- 22) S 37°33'17" W, a distance of 109.44 feet to an angle point.
- 23) S 08°58'43" W, a distance of 117.72 feet to an angle point.
- 24) S 05°26'25" W, a distance of 102.79 feet to an angle point.
- 25) S 04°18'30" E, a distance of 101.22 feet to the Southeasterly corner of the herein described tract and in the right-of-way line of Interstate Highway 10.
- 26) **THENCE** S 80°55'19" W, continuing along the Southerly line of the herein described tract and said 224.64 acre tract, and along the Northwesterly right-of-way line of said Interstate Highway 10, a distance of 779.88 feet to a point for corner from which a found concrete monument bears N 08°07'32" W, 0.30 feet.

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- 27) **THENCE** S 05°56'01" E, continuing along the Southerly line of the herein described tract and the Northwesternly right-of-way line of said Interstate Highway 10, a distance of 14.72 feet to a point for corner.
- 28) **THENCE** S 80°51'39" W, continuing along the Southerly line of the herein described tract and the Northwesternly right-of-way line of said Interstate Highway 10, a distance of 371.05 feet to a 5/8-inch iron rod found for the Southwesterly corner.
- 29) **THENCE** S 80°55'42" W, continuing along the Southerly line of the herein described tract and the Northwesternly right-of-way line of said Interstate 10, a distance of 1,445.03 feet to the Southerly angle point of said 13.83 acre tract.
- 30) **THENCE** N 78°39'06" W, continuing along the Southerly line of the herein described tract and the Southerly line of said 13.83 acre tract and the Northwesternly right-of-way line of said Interstate 10, a distance of 299.11 feet to a TxDot disc in concrete found for corner.
- 31) **THENCE** N 69°14'32" W, continuing along the Southerly line of the herein described tract and the Southerly line of said 13.83 acre tract and the Northwesternly right-of-way line of said Interstate 10, a distance of 172.89 feet to a TxDot disc in concrete found for corner at the intersection with the Northeasterly right-of-way line of the aforementioned Beckendorff Road.
- 32) **THENCE** N 54°06'22" W, continuing along the Southerly line of the herein described tract and along the Northeasterly right-of-way line of said Beckendorff Road, a distance of 439.86 feet to a point in the Southerly line of said 59.44 acre tract, from which a found concrete monument (leaning) bears S89°16'25" W, a distance of 0.60 feet.



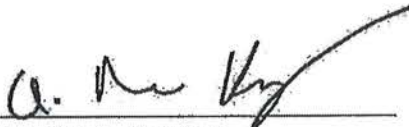
EXHIBIT A



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- 34) **THENCE** N 47°12'34" W, continuing along the Southerly line of the herein described tract and said 59.44 acre tract, and the Northeasterly right-of-way line of said Beckendorff Road, a distance of 943.77 feet to the **PLACE OF BEGINNING**; containing within said boundaries a calculated area of 291.53 acres (12,698,961 sq.ft.) of land.

**EDMINSTER, HINSHAW, RUSS & ASSOCIATES, INC. d/b/a/ EHRA**

  
A. Munroe Kelsay  
Texas Registration No. 5580  
10011 Meadowglen Lane  
Houston, Texas 77042  
713-784-4500



Date: 02/014/2022

Job No: 211-085-00

File No: R:\2021\211-085-00\Docs\Description\Boundary\211-085-00 MUD (291.53 acres).docx



CERTIFICATE OF LIENHOLDER'S CONSENT

VERITEX COMMUNITY BANK, a Texas banking association, being a lienholder on some of the land in proposed Austin County Municipal Management District No. 1 the boundaries which are attached hereto as Exhibit "A," hereby consents to the creation of Austin County Municipal Management District No. 1.

WITNESS MY HAND this 15<sup>th</sup> day of SEPTEMBER, 2022.

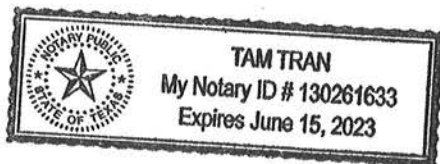
VERITEX COMMUNITY BANK  
a Texas banking association

By: \_\_\_\_\_

Ash Puthuchirayil  
Senior Vice President

THE STATE OF TEXAS       §  
  §  
COUNTY OF Harris       §

This instrument was acknowledged before me on the 15<sup>th</sup> day of sept, 2022, by Ash Puthuchirayil, Senior Vice President of VERITEX COMMUNITY BANK, a Texas banking association, on behalf of said bank.



(NOTARY SEAL)

\_\_\_\_\_  
Notary Public, State of Texas



TBPE No. F-726  
TBPLS No. 10092300

***AUSTIN COUNTY  
MUNICIPAL MANAGEMENT DISTRICT No. 1  
291.53 ACRES***

FIELD NOTES of a 291.53 acre tract of land situated in the H. & T.C. R.R. CO. Survey, Section 203 Abstract No. 234 and in the H. & T.C. R.R. CO. Survey, Section 195, Abstract No. 221, Austin County, Texas; said 291.53 acre tract of land being out of and a part of a called 244.64 acre tract as described in deed and recorded in Austin County Clerk's File Number (A.C.C.F. No.) 217209, all of a called 13.83 acre tract and all of a called 59.44 acre tract as described in deed and recorded in A.C.C.F. No. 217278; said 291.53 acre tract of land being more particularly described by metes and bounds as follows:

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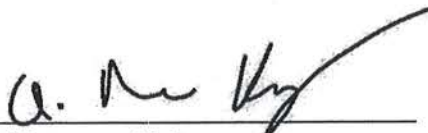
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**EDMINSTER, HINSHAW, RUSS & ASSOCIATES, INC. d/b/a/ EHRA**

  
A. Munroe Kelsay  
Texas Registration No. 5580  
10011 Meadowglen Lane  
Houston, Texas 77042  
713-784-4500



Date: 02/014/2022

Job No: 211-085-00

File No: R:\2021\211-085-00\Docs\Description\Boundary\211-085-00 MUD (291.53 acres).docx

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Erin E. Chancellor, *Interim Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 10, 2023

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. 2023-0256-DIS; Consideration of a Petition for Creation of Austin County Municipal Management District No.1

Dear Ms. Gharis:

Enclosed for filing with the Texas Commission on Environmental Quality (Commission) are the following backup materials for the March 31, 2023 agenda item on the above referenced matter:

1. Proposed Order;
  - a. Exhibit A: Metes and Bounds
  - b. Exhibit B: Staff Memorandum;
2. Petition for Creation;
3. Certificate and Notice of Hearing;
4. Affidavit of Publication and Tear Sheets;
5. Notice to Property Owners;
6. Mailing List; and
7. Caption.

Please do not hesitate to contact me at (512) 239-4761 if you have any questions regarding this material. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Kayla Murray". The signature is fluid and cursive.

Kayla Murray  
Staff Attorney  
Environmental Law Division



## 1. Proposed Order

- a. Exhibit A: Metes and Bounds
- b. Exhibit B: Staff Memorandum

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## AN ORDER GRANTING THE PETITION FOR CREATION OF AUSTIN COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 1 AND APPOINTING INITIAL DIRECTORS

**DOCKET NO. 2023-0256-DIS**

On March 31, 2023, the Texas Commission on Environmental Quality (Commission) met in regular session at its offices in Austin, Texas, with notice of the meeting issued in compliance with the Open Meetings Act, Texas Government Code §§ 551.001-551.146, and the Administrative Procedure Act, Texas Government Code §§ 2001.001-2001.902, to consider the petition (Petition) filed by Beckendorf Columbus Farooqi, LLC, a Texas limited liability company, Austin County NKFS, LLC, a Texas limited liability company, and Zashko Fuels, Inc., a Texas corporation, as authorized, to create Austin County Municipal Management District No. 1 (District) pursuant to Article XVI, § 59, and Article III, §§ 52 and 52(a) of the Texas Constitution and Chapter 375 Texas Local Government Code, and Chapter 49, Texas Water Code.

The Commission has jurisdiction to consider this matter and the following Findings of Fact and Conclusions of Law are appropriate after examining the application and supporting documentation:

### FINDINGS OF FACT

1. On October 18, 2022, an application (including the Petition) by Beckendorf Columbus Farooqi, LLC Zashko Fuels, Inc., and Austin County NKFS, LLC (Petitioners) was filed with the Commission pursuant to Chapter 375, Texas Local Government Code; Chapter 49, Texas Water Code; and Chapter 293, Title 30 Texas Administrative Code.
2. The Petition was signed by duly authorized officers of the Petitioners.
3. The Petitioners hold a majority in value of title to the land to be included within the proposed District's boundaries.
4. Petitioners requested that the Commission hold a public hearing on the question of the creation of the District pursuant to Texas Local Government Code §375.023; Chapter 49, Texas Water Code; and Title 30 Texas Administrative Code §293.12(g).
5. The Petition contains a metes and bounds description of the boundaries of the District; states the specific purpose for which the District will be created; states the general nature of the work, the necessity for the work, and the approximate cost of the work; includes the name of the District; includes a proposed list of initial directors, their experience, and their initial term of service.
6. There are two lienholders, Capital Farm Credit, ACA and Veritex Community Bank, on the land in the proposed District.
7. Austin County is the county in which the District is to be located.

8. Notice of the hearing on the application was published on February 24 and March 3, 2023, in the *Houston Chronicle*, a newspaper regularly published and generally circulated in Austin County, Texas, which is the county in which the proposed District is to be located.

9. The notices of the hearing on the application contained the statement, "Each person has a right to appear and present evidence and testify for or against the allegations in the petition, the form of the petition, the necessity and feasibility of the district's project, and the benefits to accrue."

10. Submitted within the petition were notarized affidavits for each of the proposed initial directors, listed as follows and indicating that each metes the qualification requirements of Texas Local Government Code § 375.063:

<u>Two-Year Term</u>	<u>Four-Year Term</u>
Syed Asad	Mahaer F. Qaddumi
Shereen Sayed Qurban Ali	Mark Evetts
	Yasmin Rehman

Pursuant to Texas Local Government Code § 375.062, Petitioners request that the Commission divide the initial directors into two groups, with two directors serving two-year terms and three directors serving four-year terms, as indicated above.

11. The Executive Director conducted a review of the application and memorialized his findings in a technical memorandum dated December 21, 2022 (Memorandum). The Memorandum is attached as Exhibit "B" and is incorporated as part of this Order.

12. The creation of the District as set out in the Petition is feasible, necessary, and would be a benefit to the land to be included in the District.

13. The District and its system and subsequent development within the District will not have an unreasonable effect on the following: land elevations; subsidence; groundwater level within the region; recharge capability of a groundwater source; natural run-off rates and drainage; and water quality.

### CONCLUSIONS OF LAW

1. The Commission has jurisdiction to consider this Petition and is authorized to make and enter its Findings of Fact, Conclusions of Law, and Orders with respect to the creation of the proposed District.

2. All of the land and property proposed may properly be included within the District.

3. The Petition conforms to the requirement of Texas Local Government Code § 375.022.

4. Proper notice of this application was given pursuant to Texas Local Government Code §§ 375.023 and 375.024.

5. All statutory and regulatory requirement for creation of Austin County Municipal Management District No. 1 have been fulfilled in accordance with Chapter 375, Texas Local Government Code and Title 30 Texas Administrative Code § 293.11(j).



NOW THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY THAT:

1. The Petition for the creation of Austin County Municipal Management District No. 1 is hereby granted.

2. The District is created under the terms and conditions of Article XVI, § 59, and Article III, §§ 52 and 52(a) of the Texas Constitution, and Chapter 375, Texas Local Government Code, and Chapter 49, Texas Water Code.

3. The District shall have, and shall be subject to, all of the rights, duties, powers, privileges, authority, and functions conferred and imposed by the Commission and the general laws of the State of Texas relating to municipal management districts.

4. The general nature of the work proposed to be done by the District at the present time is to purchase, design, construct, acquire, maintain, own, operate, repair, improve and extend a waterworks and sanitary sewer system for residential and commercial purposes; to construct, acquire, improve, extend, maintain, and operate works, improvements, facilities, plants, equipment, and appliances helpful or necessary to provide more adequate drainage for the District; to control, abate, and amend local storm waters or other harmful excesses of waters as shall be consonant with the purposes for which the District is created, all as more particularly described in an engineer's report filed simultaneously with the filing of the petition, to which reference is made for a more detailed description, and such other purchase, construction, acquisition, maintenance, ownership, operation, repair, improvement and extension of additional facilities, including roads, systems, plants, and enterprises, as shall be consistent with all of the purposes for which the District is created.

5. The District shall be composed of the area situated within Austin County, Texas, described by metes and bounds in Exhibit "A" attached hereto and incorporated herein for all purposes. The District does not lie within the corporate limits or extraterritorial jurisdiction of any city.

6. The following five persons with terms, as noted, are hereby named, and appointed as initial directors of the District to serve until their successors are elected or have been appointed in accordance with applicable law:

<u>Two-Year Term</u>	<u>Four-Year Term</u>
Syed Asad	Mahaer F. Qaddumi
Shereen Sayed Qurban Ali	Mark Evetts
	Yasmin Rehman

7. The foregoing initial directors shall, as soon as practicable after the date of entry of this Order, execute their official bonds and take their official oath of office. All such bonds shall be approved by the Board of Directors of the District and each bond and oath shall be filed with the District and retained in its records.

8. 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 Commission in the future to approve or disapprove any particular items or agreements in future applications submitted by the District for Commission consideration.

9. The Chief Clerk of the Texas Commission on Environmental Quality shall forward a copy of this Order to all affected persons.

10. If any provision, sentence, clause, or phrase of this Order is for any reason held to be invalid, the invalidity of any portion shall not affect the validity of the remaining portions of the Order.

Issue Date: (DRAFT)

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For the Commission

## EX. A. Metes and Bounds





TBPE No. F-726  
TBPLS No. 10092300

***AUSTIN COUNTY  
MUNICIPAL MANAGEMENT DISTRICT No. 1  
291.53 ACRES***

FIELD NOTES of a 291.53 acre tract of land situated in the H. & T.C. R.R. CO. Survey, Section 203 Abstract No. 234 and in the H. & T.C. R.R. CO. Survey, Section 195, Abstract No. 221, Austin County, Texas; said 291.53 acre tract of land being out of and a part of a called 244.64 acre tract as described in deed and recorded in Austin County Clerk's File Number (A.C.C.F. No.) 217209, all of a called 13.83 acre tract and all of a called 59.44 acre tract as described in deed and recorded in A.C.C.F. No. 217278; said 291.53 acre tract of land being more particularly described by metes and bounds as follows:

NOTE: All bearings are Lambert grid bearings and all coordinates refer to the Texas State Plane Coordinate System, South Central Zone (#4204), as defined by article 21.071 of the Natural Resources Code of the State of Texas, 1983 Datum. All distance are actual distances. Scale factor = 0.999884020285. Reference is made to exhibit drawing of even date accompanying this metes and bounds description.

**BEGINNING** at a 1/2-inch capped iron pipe stamped "Kalkomey Surveying" found for the Westerly corner of the herein described tract, the Northwesterly corner of said 59.44 acre tract and at the Easterly intersection of the Southeasterly right-of-way line of Old Columbus Road and the Northeasterly right-of-way line of Beckendorff Road.

- 1) **THENCE** N 42°32'00" E, along the Northwesterly line of the herein described tract, the Southeasterly right-of-way line of said Old Columbus Road and the Northwesterly line of said 59.44 acre tract, a distance of 3,446.58 feet to a 1/2-inch iron pipe found for an angle point.





## Exhibit "A"

TBPE No. F-726  
TBPLS No. 10092300

- 2) **THENCE** N 42°20'32" E, continuing along the Northwesterly line of the herein described tract and said 224.64 acre tract, and the Southeasterly right-of-way line of said Old Columbus Road, a distance of 1,080.64 feet to the Northerly corner of the herein described tract and said 224.64 acre tract, and the Westerly corner of a called 375.00 acre tract described in deed and recorded under A.C.C.F. No. 206036.
- 3) **THENCE** S 47°39'28" E, along the common line being the Northeasterly line of the herein described tract and said 224.64 acre tract and the Southwesterly line of said 375.00 acre tract a distance of 1,925.14 feet to an angle point in the centerline of Crooked Branch Creek.

**THENCE** along the centerline of Crooked Branch Creek the following ten (10) courses and distances:

- 4) S 03°16'03" E, continuing along said common line a distance of 17.99 feet to an angle point.
- 5) S 41°02'59" E continuing along said common line a distance of 256.39 feet to an angle point.
- 6) S 16°09'29" E continuing along said common line a distance of 239.46 feet to an angle point.
- 7) S 18°24'27" E continuing along said common line a distance of 208.51 feet to an angle point.
- 8) S 43°59'52" E continuing along said common line a distance of 58.54 feet to an angle point.
- 9) S 69°16'13" E continuing along said common line a distance of 285.52 feet to an angle point.





TRIPLE No. F-726  
TRIPLE No. 10092300

- 10) S 39°51'48" E continuing along said common line a distance of 96.89 feet to an angle point.
- 11) S 01°04'42" W continuing along said common line a distance of 117.47 feet to an angle point.
- 12) S 10°57'02" W continuing along said common line a distance of 43.64 feet to an angle point.
- 13) S 18°08'25" W continuing along said common line a distance of 22.89 feet to a point in the Southwesterly line of said 375 acre tract and the Northeasterly line of the residue of a called 41.774 acre tract as described in deed and recorded under A.C.C.F. No. 983302.
- 14) **THENCE** N 56°56'05" W with the Southeasterly line of said 224.64 acre tract a distance of 37.99 feet to the Northerly corner of said residue of a called 41.774 acre tract.
- 15) **THENCE** S 42°13'18" W continuing with the Southeasterly line of said 224.64 acre tract and the Northwesterly line of said residue of a called 41.774 acre tract a distance of 746.66 feet to a 1/2-inch capped iron rod stamped "2085" found for the Westerly corner of said residue of a called 41.774 acre tract and an angle point in the Southeasterly line of said 224.64 acre tract.
- 16) **THENCE** S 47°20'19" E, continuing with the Southeasterly line of said 224.64 acre tract and the Southwesterly line of said residue of a called 41.774 acre tract, a distance of 378.13 feet to a 5/8-inch iron rod found for the Northeasterly corner of a called 10.187 acre tract as described in deed and recorded in A.C.C.F. No. 047134.





TBPE No. F-72b  
TBPLS No. 10092300

17) **THENCE** S 47°25'26" E, with the Southwesterly line of said 10.187 acre tract a distance of 196.15 feet to a point in the centerline of Crooked Branch Creek.

**THENCE** along the centerline of said Crooked Branch Creek the following eight (8) courses and distances:

- 18) S 55°28'56" W, a distance of 131.37 feet to an angle point.
- 19) S 64°27'17" W, a distance of 78.05 feet to an angle point.
- 20) S 46°04'48" W, a distance of 58.45 feet to an angle point.
- 21) S 60°47'48" W, a distance of 51.74 feet to an angle point.
- 22) S 37°33'17" W, a distance of 109.44 feet to an angle point.
- 23) S 08°58'43" W, a distance of 117.72 feet to an angle point.
- 24) S 05°26'25" W, a distance of 102.79 feet to an angle point.
- 25) S 04°18'30" E, a distance of 101.22 feet to the Southeasterly corner of the herein described tract and in the right-of-way line of Interstate Highway 10.
- 26) **THENCE** S 80°55'19" W, continuing along the Southerly line of the herein described tract and said 224.64 acre tract, and along the Northwesterly right-of-way line of said Interstate Highway 10, a distance of 779.88 feet to a point for corner from which a found concrete monument bears N 08°07'32" W, 0.30 feet.





TBPE No. F-726  
TBPLS No. 10092300

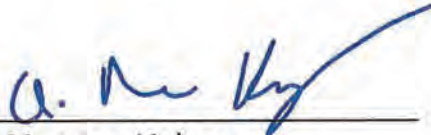
- 27) **THENCE** S 05°56'01" E, continuing along the Southerly line of the herein described tract and the Northwesternly right-of-way line of said Interstate Highway 10, a distance of 14.72 feet to a point for corner.
- 28) **THENCE** S 80°51'39" W, continuing along the Southerly line of the herein described tract and the Northwesternly right-of-way line of said Interstate Highway 10, a distance of 371.05 feet to a 5/8-inch iron rod found for the Southwesterly corner.
- 29) **THENCE** S 80°55'42" W, continuing along the Southerly line of the herein described tract and the Northwesternly right-of-way line of said Interstate 10, a distance of 1,445.03 feet to the Southerly angle point of said 13.83 acre tract.
- 30) **THENCE** N 78°39'06" W, continuing along the Southerly line of the herein described tract and the Southerly line of said 13.83 acre tract and the Northwesternly right-of-way line of said Interstate 10, a distance of 299.11 feet to a TxDot disc in concrete found for corner.
- 31) **THENCE** N 69°14'32" W, continuing along the Southerly line of the herein described tract and the Southerly line of said 13.83 acre tract and the Northwesternly right-of-way line of said Interstate 10, a distance of 172.89 feet to a TxDot disc in concrete found for corner at the intersection with the Northeasterly right-of-way line of the aforementioned Beckendorff Road.
- 32) **THENCE** N 54°06'22" W, continuing along the Southerly line of the herein described tract and along the Northeasterly right-of-way line of said Beckendorff Road, a distance of 439.86 feet to a point in the Southerly line of said 59.44 acre tract, from which a found concrete monument (leaning) bears S89°16'25" W, a distance of 0.60 feet.



TBPL No. F-729  
TBPLS No. 10092300

- 33) **THENCE** S 80°56'54" W, continuing along the Southerly line of the herein described tract and said 59.44 acre tract, and the Northeasterly right-of-way line of said Beckendorff Road, a distance of 612.49 feet to a concrete monument found for the Southerly corner of said 59.44 acre tract.
- 34) **THENCE** N 47°12'34" W, continuing along the Southerly line of the herein described tract and said 59.44 acre tract, and the Northeasterly right-of-way line of said Beckendorff Road, a distance of 943.77 feet to the **PLACE OF BEGINNING**; containing within said boundaries a calculated area of 291.53 acres (12,698,961 sq.ft.) of land.

**EDMINSTER, HINSHAW, RUSS & ASSOCIATES, INC. d/b/a/ EHRA**

  
A. Munroe Kelsay  
Texas Registration No. 5580  
10011 Meadowglen Lane  
Houston, Texas 77042  
713-784-4500



Date: 02/014/2022

Job No: 211-085-00

File No: R:\2021\211-085-00\Docs\Description\Boundary\211-085-00 MUD (291.53 acres).docx

## EX. B. Staff Memorandum



# Texas Commission on Environmental Quality

## TECHNICAL MEMORANDUM

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

**Date:** December 21, 2022

**Thru:** Michael Briscoe, Team Lead  
Districts Creation Review Team Districts Section

**From:** James Walker  
Districts Creation Review Team

**Subject:** Docket No. 2023-0256-DIS; Petition by Beckendorf Columbus Farooqi, LLC Zashko Fuels, Inc., and Austin County NKFS, LLC for the Creation of Austin County Management District No. 1; Pursuant to Chapter 375, Texas Local Government Code and Chapter 49, Texas Water Code.  
TCEQ Internal Control No. D-10182022-031 (TC)  
CN: 606069870 RN: 111589800

### A. GENERAL INFORMATION

The Texas Commission on Environmental Quality (TCEQ) received a petition within the application requesting approval for the creation of Austin County Municipal Management District No. 1 (District). The petition was signed by Nighat Khawar as the president of AFM Sahara Tamiraat, Inc., a Texas corporation, a managing member of Beckendorf Columbus Farooqi, LLC a Texas limited liability company, and as the president of Austin County NKFS, LLC, a Texas limited liability company and Shayan Farooqi as the CEO of Zashko Fuels, Inc., a Texas corporation (Petitioners). In compliance with 30 Texas Administrative Code (30 TAC) § 293.11(j)(1), the petition states that the Petitioner constitutes a majority of the value of the holders of title of the land within the proposed District, as indicated by the tax rolls of Austin County Appraisal District. The petition further states that there are two lienholders, Capital Farm Credit, ACA and Veritex Community Bank, on the land in the proposed District and information provided indicates that the aforementioned entities have consented to the petition.

The District is proposed to be created and organized according to the terms and provisions of Article XVI, § 59, and Article III, §§ 52 and 52(a) of the Texas Constitution, and Chapter 375, Texas Local Government Code (TLGC), and Chapter 49, Texas Water Code (TWC).

#### Location and Access

The proposed District is located in Austin County, Texas, approximately 7.5 miles west of the downtown area of the City of Sealy (City), north of IH-10, and east of Beckendorff Road. The proposed District is not located within the extraterritorial jurisdiction or corporate limits of any city. Access to the proposed District will be provided by IH-10 and Beckendorff Road.

#### Metes and Bounds Description

The proposed District contains one tract of land totaling 291.53 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

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

### Statements of Filing Petition

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

### Notice Requirements

Proper notice of the application was published on February 24 and March 3, 2023, in the *Houston Chronicle*, a newspaper regularly published or circulated in Austin County, the county in which the District is proposed to be located. Accordingly, the notice requirements of 30 TAC § 293.12(g) have been satisfied.

### Type of Project

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

### Developer Qualifications

Application material indicates that Khawar & Sons, Inc. will develop the land. Khawar & Sons, Inc. have been in the real estate development business in the Houston Area since 2004.

### Appraisal District Certificate

By certificate dated July 27, 2022, the Austin County Appraisal District has certified that the appraisal roll indicates that the Petitioner represents the majority of value of the property in the proposed District. It is noted that subsequent to the appraisal district certificate, the developer deeded a lot to each of the directors in order to meet director qualifications, which does not affect the Petitioner's majority value.

### Initial Director Affidavits

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

<u>Two-Year Term</u>	<u>Four-Year Term</u>
Syed Asad	Mahaer F. Qaddumi
Shereen Sayed Qurban Ali	Mark Evetts
	Yasmin Rehman

Submitted within the application were notarized affidavits for each of the proposed initial directors, indicating that each meets the qualification requirements of Texas Local Government Code § 375.063.

Pursuant to Texas Local Government Code § 375.062, the Petitioner requests that the TCEQ divide the initial directors into two groups, with two directors serving two-year terms and three directors serving four-year terms, as indicated above.

## **B. ENGINEERING ANALYSIS**

### **Availability of Comparable Service**

The proposed District is not located with any city's corporate limits or extraterritorial jurisdiction. The proposed District will provide retail water and wastewater services to its customers within its boundaries. No other comparable water or wastewater services are available in the area.

All water, wastewater, storm sewer, and road project for the proposed District will be designed and constructed in accordance with applicable ordinances and rules adopted by Austin County and the TCEQ. All water and wastewater plans will be submitted to the TCEQ as required for review and approval prior to construction. Road projects will be reviewed by Austin County.

### **Water Supply and Distribution System**

Per the engineering report, it is estimated that the District will contain 568 equivalent single-family connections (ESFCs) at ultimate development. The proposed District is not located within a water service Certificate of Convenience and Necessity (CCN) of any entity.

The proposed District will be served by its own onsite water plant. The source of water will be groundwater from a proposed well within the proposed District. The proposed District will provide retail water service to its customers within its boundaries.

The proposed water distribution system will consist of a network of arterial and interconnecting loop mains. The design of the water supply and distribution system will be based on a projection of the water demand conditions based on service connections, and the pressure at which it must be supplied. The proposed system design will meet or exceed the minimum standards established by the TCEQ.

### **Wastewater Treatment and Collection System**

The proposed District is not located within the wastewater CCN of any entity. The proposed District will provide wastewater collection and treatment services to customers within its boundaries. The wastewater collected within the proposed District will be treated at the District's wastewater treatment plant.

The proposed wastewater collection will consist of gravity wastewater lines that flow into collector mains, then to a lift station to transport the flow to the wastewater treatment plant. The wastewater system will be designed to meet or exceed the minimum state requirements for the land uses and development plan.

### **Storm Water Drainage System and Drainage Improvements**

The stormwater runoff within the proposed District will be collected in curb and gutter streets into flumes or inlets which will convey the flows via underground culverts. Storm water from the proposed storm sewer system will typically outfall into detention ponds prior to discharging into Crooked Branch. Design of the storm sewer system will be based on requirements of Austin County. The proposed storm drainage system is adequate for the land uses and development plan.

### Road Improvements

The proposed District intends to use bonds to fund an internal collector road that will also serve as the main entrance to the proposed District. The developer will construct a network of primarily local streets to provide access to the areas of the proposed District depending on land use.

### Topography/Land Elevation

The topography of the proposed District is farm and ranch land with minimal trees. Elevations range from 250 feet above mean sea level (msl) in the western portion to 200 feet above msl in the eastern portion. The developer has no plans to significantly alter land elevations or the natural topography on land in the proposed District. Proposed lots are anticipated to maintain a natural state whenever possible. 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. Therefore, development of the proposed District should not have any adverse effects on land elevation.

### Floodplain

According to Federal Emergency Management Agency Flood Insurance Rate Map No. 48015C0325F, dated October 18, 2019, , the majority of the area in the proposed District is in a minimal flood zone (Zone X). A small portion of the land (approximately 20.2 acres) along the eastern boundary of the proposed District lies within the 100-year floodplain.

### Subsidence

The proposed District will receive its water from remote groundwater wells. The proposed District will obtain required well operating permits from Bluebonnet Groundwater Conservation District, which regulates groundwater use in the county. Therefore, the proposed District will have no effect on subsidence.

### Dam Safety Analysis

The TCEQ Dam Safety Program personnel reviewed the location of the District and confirmed by letter dated November 23, 2021, there are three small dams within the proposed District. These dams are not in the Inventory of Dams in Texas. It is assumed that these dams will be removed. However, if they are to remain, a dam safety analysis may be required. A water rights permit may also be required if they are to remain.

### Groundwater Level/Recharge

The proposed District will receive its water from remote groundwater wells. Austin County is located within the Bluebonnet Groundwater Conservation District which regulated groundwater use in the county. Therefore, the proposed District should have little to no effect on groundwater levels and recharge rate in the region.

### Water Quality

No adverse effect on the water quality of ground or surface water is anticipated due to the treatment and disposal of wastewater flows from the proposed District. All construction within the proposed District will include erosion control measures which comply with the Storm Water Pollution Prevention Plans overseen by the TCEQ. Wastewater will be collected and treated in a wastewater treatment facility permitted and approved by the TCEQ, which should minimize the effects on surface water quality.



### C. SUMMARY OF COSTS

#### WATER, WASTEWATER, AND DRAINAGE

<u>Construction Costs</u>	District's <sup>(1)</sup> <u>Share</u>
A. Developer Contribution Items	
1. Water, Wastewater, and Drainage	\$ 5,584,500
2. Detention	2,343,800
3. Contingencies	792,830
4. Engineering Costs	<u>792,830</u>
Total Developer Contribution Items	\$ 9,513,960
B. District Contribution Items	
1. Water Treatment Plant	2,931,200
2. Wastewater Treatment Plant and Lift Stations	6,424,100
3. Remote Well	1,657,700
4. Contingencies	1,101,300
5. Engineering Costs	<u>1,101,300</u>
Total District Contribution Items	\$ 13,215,600
TOTAL CONSTRUCTION COSTS (79.89% of Bond Issue)	\$ 22,729,560
<u>Non-construction Costs</u>	
A. Legal Fees	\$ 853,500
B. Fiscal Agent Fees	569,000
C. Interest	
1. Capitalized Interest (1.5 years at 3%)	1,280,250
2. Developer Interest (2 years at 3% of Construction Costs)	1,363,774 <sup>(2)</sup>
D. Bond Discount (3%)	853,500
E. Bond Issuance Expenses	28,450
F. Bond Application Report Costs	220,000
G. Creation & Operating Expenses	188,737
H. Attorney General Fee (0.10%)	71,125
I. TCEQ Bond Issuance Fee (0.25%)	<u>292,104</u>
TOTAL NON-CONSTRUCTION COSTS	\$ 5,720,440
<b>TOTAL W, WW, &amp; D BOND ISSUE REQUIREMENT</b>	<b>\$ 28,450,000</b>

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. Roads	\$	6,974,550
2. Contingencies		697,455
3. Engineering Costs		<u>697,455</u>
TOTAL CONSTRUCTION COSTS (81.26% of Bond Issue)	\$	8,369,460

### Non-construction Costs

A. Legal Fees	\$	309,000
B. Fiscal Agent Fees		206,000
C. Interest		
1. Capitalized Interest (1.5 years at 3%)		463,500
2. Developer Interest (2 years at 3% of Construction Costs)		502,168 <sup>(2)</sup>
D. Bond Discount (3%)		309,000
E. Bond Issuance Expenses		65,572
F. Bond Engineering Costs		65,000
G. Attorney General Fee (0.10%)		<u>10,300</u>
TOTAL NON-CONSTRUCTION COSTS	\$	1,930,540

## TOTAL ROAD BOND ISSUE REQUIREMENT

**\$ 10,300,000**

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. 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 intended to accommodate single-family residential and commercial development. Planned ultimate development in the proposed District, as shown in the land use plan provided in the engineering report, is as follows:

<u>Land Use</u>	<u>Acreage</u>	<u>ESFCs</u>
Single Family/Residential	124.10	462
Commercial	79.10	106
Detention	45.60	0
Open Space	7.63	0
Future Right-of-way	7.60	0
Water Well, Water Plant, Wastewater Treatment Plant	7.30	0
Floodplain	<u>20.20</u>	<u>0</u>
<b>Total</b>	<b>291.53</b>	<b>568</b>

### Market Study

A market study, prepared in February 2022 by Location Strategy, LLC, was submitted in support of the creation of the proposed District. The proposed District is expected to include approximately 462 equivalent single-family connections on a tract totaling approximately 291.53 acres. The home values are expected to be approximately \$257,500 for 45-foot lots, \$355,000 for 50-foot lots, and \$462,500 for 60-foot lots. 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 92 homes/year over the first five years.

### Project Financing

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

<u>Development Description</u>	<u>Lots</u>	<u>Developed Unit Value (per home per lot)</u>	<u>Total Buildout Value</u>
45-foot single-family lots	222	\$ 240,000	\$ 53,280,000
50-foot single-family lots	142	\$ 330,000	\$ 46,860,000
60-foot single-family lots	98	\$ 425,000	\$ 41,650,000
Commercial			\$ 77,431,200
<b>Total Assessed Valuation</b>			<b>\$ 219,221,200</b>

The application considers an estimated bond issue requirement of \$38,750,000 (\$28,450,000 for utilities and \$10,300,000 for roads), assuming 100% financing, a bond coupon rate of 3%, and a 28-year bond life; therefore, the average annual debt service requirement would be \$2,065,113 (\$1,516,192 for utilities and \$548,920 for roads). Assuming a 98% collection rate and an ultimate assessed valuation of \$219,221,200, a tax rate of approximately \$0.96 (\$0.70 for utilities and \$0.26 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 on land within the proposed District are shown in the following table.

<u>Taxing Jurisdiction</u>	<u>Tax Rate</u> <sup>(1)</sup>
Austin County MMD No. 1 (District)	\$ 1.00000 <sup>(2)</sup>
Austin County	0.42456
Sealy ISD	1.21580
Farm/Market Rd.	0.07832
Austin Co. ESD No. 2	0.10000
Special Road & Bridge	<u>0.06455</u>
Total Tax Rate	\$ 2.88323

Notes:

(1) Represents tax rate per \$100 assessed valuation.

(2) Represents \$0.70 for utilities, \$0.26 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 proposed District will provide retail water and wastewater services to the proposed District's customers. The estimated monthly fee for 10,000 gallons of water and wastewater would be \$97.60.

### Comparative Water District Tax Rates

A tax rate of \$1.00 (\$0.70 for utilities, \$0.26 for roads, and \$0.04 for operation and maintenance tax) 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 § 293.59, this project is considered economically feasible.

## **E. SPECIAL CONSIDERATIONS**

### 1. Hearing Action

Pursuant to Texas Local Government Code § 375.023, the TCEQ shall conduct a hearing to consider the petition received requesting the creation of a municipal management district and its necessity, the feasibility of the proposed District's projects, and the benefit it represents for the land within its boundary.

### 2. Powers of Municipal Management Districts

Municipal management districts have the general powers granted to conservation and reclamation districts pursuant to Article XVI, § 59 of the Texas Constitution, including those conferred by Chapter 49, Texas Water Code. Pursuant to Article III, §§ 52 and 52(a) of the Texas Constitution municipal management districts also have the powers and authorities granted to road utility districts which includes the power to levy ad valorem taxes for construction and maintenance of roads, and for the provision of mass transit services. Municipal management districts may borrow money, purchase, or lease property, enter into agreements for joint use of facilities, establish fees for use of district facilities or property, pursue grants from government or private entities, among other things. Municipal management districts do not have the power of eminent domain.

A municipal management district may issue either general obligation or revenue bonds to finance improvements or services. Bonds payable from taxes may only be issued after first holding an election.

## **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 \$1.00 per \$100 assessed valuation when assuming 100% financing; the proposed District obtaining a 3% bond coupon rate; and other supporting data, the proposed District is considered feasible under the feasibility limits prescribed by 30 TAC § 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 Austin County Municipal Management District No. 1.
2. Appoint the following to serve as initial directors, with terms as noted, until permanent directors are elected and qualified:

<u>Two-Year Term</u>	<u>Four-Year Term</u>
Syed Asad	Mahaer F. Qaddumi
Shereen Sayed Qurban Ali	Mark Evetts
	Yasmin Rehman

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. Stephen Robinson – Allen Boone Humphries Robinson, LLP  
Engineer: Mr. Ken Heroy, P.E. – Jones-Heroy & Associates, Inc.

## 2. Petition for Creation

PETITION FOR CREATION OF  
AUSTIN COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 1

THE STATE OF TEXAS           §  
  §  
COUNTY OF AUSTIN           §

TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

**BECKENDORF COLUMBUS FAROOQI LLC**, a Texas limited liability company, **ZASHKO FUELS, INC.**, a Texas corporation, **AUSTIN COUNTY NKFS LLC**, a Texas limited liability company (collectively, the "Petitioners") holding title to a majority in value of the land described in Exhibit A attached hereto and incorporated herein for all purposes, as indicated by the certificate of ownership provided by the Austin County Appraisal District, and acting pursuant to the provisions of Chapter 375, Texas Local Government Code, and Chapter 49, Texas Water Code, together with all amendments and additions thereto, respectfully petition the Commissioners of the Texas Commission on Environmental Quality (the "TCEQ") for the creation of a municipal utility district, and in support thereof would respectfully show the following:

I.

The name of the proposed District shall be AUSTIN COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 1 (herein the "District"). There is no other conservation and reclamation district in Austin County, Texas, with the same name.

II.

The District shall be created and organized under the terms and provisions of Article XVI, Section 59, Article III, Section 52, and Article III, Section 52-a, of the Texas Constitution and Chapter 375, Texas Local Government Code, together with all amendments and additions thereto.

III.

The District shall have all the rights, powers, privileges, authority and functions conferred by and be subject to all duties imposed by the Texas Water Code and the general laws relating to municipal management districts. The District shall contain 291.53 acres of land, more or less, situated in Austin County, Texas. All of the land proposed to be included may properly be included in the District. The land proposed to be included within the District consists of one tract, as described by metes and

bounds in Exhibit A which exhibit is attached hereto and incorporated herein for all purposes (the "Land").

#### IV.

The Petitioners hold fee simple title to the Land as described by metes and bounds in Exhibit A. The Petitioners hereby represent that they own a majority in value of the Land which is proposed to be included in the District, as indicated by the certificate of ownership provided by the Austin County Appraisal District.

#### V.

Beckendorf Columbus Farooqi LLC represents that there are no lienholders, except Capital Farm Credit, ACA, and there are no residents on the Land owned by Beckendorf Columbus Farooqi LLC. Zachko Fuels, Inc. represents that there are no lienholders, except Veritex Community Bank, and there are no residents on the Land owned by Zachko Fuels, Inc. Austin County NKFS, LLC represents that there are no lienholders and there are no residents on the Land owned by Austin County NKFS, LLC.

#### VI.

The general nature of the work proposed to be done by the District at the present time is the purchase, design, construction, acquisition, maintenance, ownership, operation, repair, improvement and extension of a waterworks and sanitary sewer system for residential and commercial purposes, and the construction, acquisition, improvement, extension, maintenance and operation of works, improvements, facilities, plants, equipment and appliances helpful or necessary to provide more adequate drainage for the District, and to control, abate and amend local storm waters or other harmful excesses of waters, all as more particularly described in an engineer's report filed simultaneously with the filing of this petition, to which reference is hereby made for more detailed description, and such other purchase, construction, acquisition, maintenance, ownership, operation, repair, improvement and extension of such additional facilities, including roads, systems, plants and enterprises as shall be consistent with all of the purposes for which the District is created (the "Project").

#### VII.

There is a necessity for the improvements above described. The territory to be included in said proposed District is not within the corporate boundaries or extraterritorial jurisdiction of any city and will be developed for residential and commercial purposes. There is not available within the area proposed to be included in the District an adequate waterworks system, sanitary sewer system, drainage and storm sewer system, or roads and the health and welfare of the present and future inhabitants of the District and of the areas adjacent thereto require the purchase, construction,



acquisition, maintenance and operation of an adequate waterworks system, sanitary sewer system, and drainage and storm sewer system, and roads.

#### VIII.

The proposed improvements are feasible and practicable. There is an ample supply of water available, and the terrain of the territory to be included in the proposed District is such that a waterworks system, a sanitary sewer system, and drainage and storm sewer system, and roads can be constructed at a reasonable cost.

#### IX.

A preliminary investigation has been made to determine the cost of the proposed District's waterworks system, sanitary sewer system, and drainage and storm sewer system projects, and it is now estimated by the Petitioners, from such information as they have at this time, that such cost will be approximately \$28,450,000.

#### X.

A preliminary investigation has been made to determine the cost of the proposed District's road projects, and it is now estimated by the Petitioners, from such information as they have at this time, that such cost will be approximately \$10,300,000.

#### XI.

The total cost of the proposed District's projects is estimated by the Petitioners to be approximately \$38,750,000.

#### XII.

The following five (5) individuals are duly qualified to serve on the governing body of the District and are proposed to be appointed to the initial board of directors of the District:

1. Maher F. Qaddumi, engineer (four-year term)
2. Mark Evetts, retired, (four-year term)
3. Yasmin Rehman, Real Estate Investor (four-year term)
4. Syed Asad, Construction General Manager (two-year term)
5. Shereen Sayed Qurban Ali, retired (two-year term)

The Petitioners request that the commissions divide the initial directors into two groups, with two directors serving two-year terms and three directors serving four-year terms, as described above.

WHEREFORE, the Petitioners respectfully pray that this petition be properly filed, as provided by law; that all interested persons be notified of the procedures for requesting a public hearing on this petition as required by 30 Tex. Admin. Code §293.12; that this petition be set for consideration at a date to be fixed in keeping with the provisions of Chapter 49 of the Texas Water Code, Chapter 375 of the Local Government Code and the rules of the TCEQ; that, if necessary, a hearing be held and notice thereof be given as provided in Chapter 49 of the Texas Water Code, Chapter 375 of the Local Government Code and the rules of the TCEQ; that this petition be in all things granted; that the District be created and five directors thereof appointed to serve until their successors are duly elected, appointed, and/or qualified; and that such other orders, acts, procedure and relief be granted as are proper and necessary and appropriate to the creation and organization of the District, as the TCEQ shall deem proper and necessary.

[EXECUTION PAGES FOLLOW]

RESPECTFULLY SUBMITTED this 29th day of August, 2022.

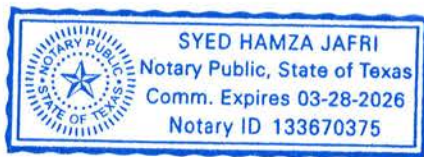
**BECKENDORF COLUMBUS FAROOQI LLC**  
a Texas limited liability company

By: AFM Sahara Tamiraat, Inc.  
a Texas corporation  
its managing member

By: Nighat Unwar  
Name: Nighat Unwar  
Title: President

THE STATE OF TEXAS §  
§  
COUNTY OF Harris §

This instrument was acknowledged before me on the 29 day of August, 2022, by Nighat Unwar as President, of AFM Sahara Tamiraat, Inc., a Texas corporation and managing member of **BECKENDORF COLUMBUS FAROOQI LLC**, a Texas limited liability company, on behalf of said limited liability company and corporation.



(NOTARY SEAL)

A handwritten signature in blue ink, appearing to be "HJ", written over a horizontal line.

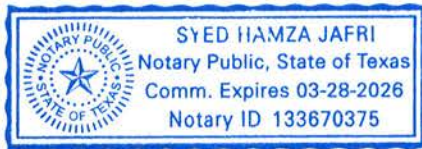
Notary Public, State of Texas

**ZASHKO FUELS, INC.**  
a Texas corporation

By: [Signature]  
Name: Shayan Farooqi  
Title: CEO

THE STATE OF TEXAS   §  
  §  
COUNTY OF Harris   §

This instrument was acknowledged before me on the 29 day of August, 2022, by Shayan Farooqi as President, of **ZASHKO FUELS, INC.**, a Texas corporation, on behalf of said corporation.



(NOTARY SEAL)

[Signature]  
Notary Public, State of Texas

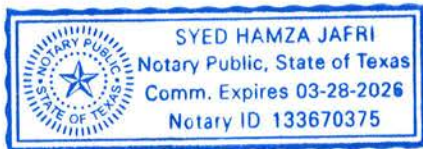


AUSTIN COUNTY NKFS LLC  
a Texas limited liability company

By: Mughat Khawar  
Name: Mughat Khawar  
Title: President

THE STATE OF TEXAS   §  
  §  
COUNTY OF Harris   §

This instrument was acknowledged before me on the 29 day of August, 2022, by Mughat Khawar as President, of AUSTIN COUNTY NKFS LLC, a Texas limited liability company, on behalf of said limited liability company.



(NOTARY SEAL)

[Signature]  
Notary Public, State of Texas

EXHIBIT A



TBPE No. F-726  
TBPLS No. 10092300

***AUSTIN COUNTY  
MUNICIPAL MANAGEMENT DISTRICT No. 1  
291.53 ACRES***

FIELD NOTES of a 291.53 acre tract of land situated in the H. & T.C. R.R. CO. Survey, Section 203 Abstract No. 234 and in the H. & T.C. R.R. CO. Survey, Section 195, Abstract No. 221, Austin County, Texas; said 291.53 acre tract of land being out of and a part of a called 244.64 acre tract as described in deed and recorded in Austin County Clerk's File Number (A.C.C.F. No.) 217209, all of a called 13.83 acre tract and all of a called 59.44 acre tract as described in deed and recorded in A.C.C.F. No. 217278; said 291.53 acre tract of land being more particularly described by metes and bounds as follows:

NOTE: All bearings are Lambert grid bearings and all coordinates refer to the Texas State Plane Coordinate System, South Central Zone (#4204), as defined by article 21.071 of the Natural Resources Code of the State of Texas, 1983 Datum. All distance are actual distances. Scale factor = 0.999884020285. Reference is made to exhibit drawing of even date accompanying this metes and bounds description.

**BEGINNING** at a 1/2-inch capped iron pipe stamped "Kalkomey Surveying" found for the Westerly corner of the herein described tract, the Northwestern corner of said 59.44 acre tract and at the Easterly intersection of the Southeasterly right-of-way line of Old Columbus Road and the Northeasterly right-of-way line of Beckendorff Road.

- 1) **THENCE** N 42°32'00" E, along the Northwestern line of the herein described tract, the Southeasterly right-of-way line of said Old Columbus Road and the Northwestern line of said 59.44 acre tract, a distance of 3,446.58 feet to a 1/2-inch iron pipe found for an angle point.

EXHIBIT A



TBPE No. F-726  
TBPLS No. 10092300

- 2) **THENCE** N 42°20'32" E, continuing along the Northwesterly line of the herein described tract and said 224.64 acre tract, and the Southeasterly right-of-way line of said Old Columbus Road, a distance of 1,080.64 feet to the Northerly corner of the herein described tract and said 224.64 acre tract, and the Westerly corner of a called 375.00 acre tract described in deed and recorded under A.C.C.F. No. 206036.
- 3) **THENCE** S 47°39'28" E, along the common line being the Northeasterly line of the herein described tract and said 224.64 acre tract and the Southwesterly line of said 375.00 acre tract a distance of 1,925.14 feet to an angle point in the centerline of Crooked Branch Creek.

**THENCE** along the centerline of Crooked Branch Creek the following ten (10) courses and distances:

- 4) S 03°16'03" E, continuing along said common line a distance of 17.99 feet to an angle point.
- 5) S 41°02'59" E continuing along said common line a distance of 256.39 feet to an angle point.
- 6) S 16°09'29" E continuing along said common line a distance of 239.46 feet to an angle point.
- 7) S 18°24'27" E continuing along said common line a distance of 208.51 feet to an angle point.
- 8) S 43°59'52" E continuing along said common line a distance of 58.54 feet to an angle point.
- 9) S 69°16'13" E continuing along said common line a distance of 285.52 feet to an angle point.

EXHIBIT A



TBPE No. F-726  
TBPLS No. 10092300

- 10) S 39°51'48" E continuing along said common line a distance of 96.89 feet to an angle point.
- 11) S 01°04'42" W continuing along said common line a distance of 117.47 feet to an angle point.
- 12) S 10°57'02" W continuing along said common line a distance of 43.64 feet to an angle point.
- 13) S 18°08'25" W continuing along said common line a distance of 22.89 feet to a point in the Southwesterly line of said 375 acre tract and the Northeasterly line of the residue of a called 41.774 acre tract as described in deed and recorded under A.C.C.F. No. 983302.
- 14) **THENCE** N 56°56'05" W with the Southeasterly line of said 224.64 acre tract a distance of 37.99 feet to the Northerly corner of said residue of a called 41.774 acre tract.
- 15) **THENCE** S 42°13'18" W continuing with the Southeasterly line of said 224.64 acre tract and the Northwesterly line of said residue of a called 41.774 acre tract a distance of 746.66 feet to a 1/2-inch capped iron rod stamped "2085" found for the Westerly corner of said residue of a called 41.774 acre tract and an angle point in the Southeasterly line of said 224.64 acre tract.
- 16) **THENCE** S 47°20'19" E, continuing with the Southeasterly line of said 224.64 acre tract and the Southwesterly line of said residue of a called 41.774 acre tract, a distance of 378.13 feet to a 5/8-inch iron rod found for the Northeasterly corner of a called 10.187 acre tract as described in deed and recorded in A.C.C.F. No. 047134.



EXHIBIT A



TBPE No. F-726  
TBPLS No. 10092300

17) **THENCE** S 47°25'26" E, with the Southwesterly line of said 10.187 acre tract a distance of 196.15 feet to a point in the centerline of Crooked Branch Creek.

**THENCE** along the centerline of said Crooked Branch Creek the following eight (8) courses and distances:

- 18) S 55°28'56" W, a distance of 131.37 feet to an angle point.
- 19) S 64°27'17" W, a distance of 78.05 feet to an angle point.
- 20) S 46°04'48" W, a distance of 58.45 feet to an angle point.
- 21) S 60°47'48" W, a distance of 51.74 feet to an angle point.
- 22) S 37°33'17" W, a distance of 109.44 feet to an angle point.
- 23) S 08°58'43" W, a distance of 117.72 feet to an angle point.
- 24) S 05°26'25" W, a distance of 102.79 feet to an angle point.
- 25) S 04°18'30" E, a distance of 101.22 feet to the Southeasterly corner of the herein described tract and in the right-of-way line of Interstate Highway 10.
- 26) **THENCE** S 80°55'19" W, continuing along the Southerly line of the herein described tract and said 224.64 acre tract, and along the Northwesterly right-of-way line of said Interstate Highway 10, a distance of 779.88 feet to a point for corner from which a found concrete monument bears N 08°07'32" W, 0.30 feet.

EXHIBIT A



TBPE No. F-726  
TBPLS No. J0092300

- 27) **THENCE** S 05°56'01" E, continuing along the Southerly line of the herein described tract and the Northwestern right-of-way line of said Interstate Highway 10, a distance of 14.72 feet to a point for corner.
- 28) **THENCE** S 80°51'39" W, continuing along the Southerly line of the herein described tract and the Northwestern right-of-way line of said Interstate Highway 10, a distance of 371.05 feet to a 5/8-inch iron rod found for the Southwesterly corner.
- 29) **THENCE** S 80°55'42" W, continuing along the Southerly line of the herein described tract and the Northwestern right-of-way line of said Interstate 10, a distance of 1,445.03 feet to the Southerly angle point of said 13.83 acre tract.
- 30) **THENCE** N 78°39'06" W, continuing along the Southerly line of the herein described tract and the Southerly line of said 13.83 acre tract and the Northwestern right-of-way line of said Interstate 10, a distance of 299.11 feet to a TxDot disc in concrete found for corner.
- 31) **THENCE** N 69°14'32" W, continuing along the Southerly line of the herein described tract and the Southerly line of said 13.83 acre tract and the Northwestern right-of-way line of said Interstate 10, a distance of 172.89 feet to a TxDot disc in concrete found for corner at the intersection with the Northeasterly right-of-way line of the aforementioned Beckendorff Road.
- 32) **THENCE** N 54°06'22" W, continuing along the Southerly line of the herein described tract and along the Northeasterly right-of-way line of said Beckendorff Road, a distance of 439.86 feet to a point in the Southerly line of said 59.44 acre tract, from which a found concrete monument (leaning) bears S89°16'25" W, a distance of 0.60 feet.

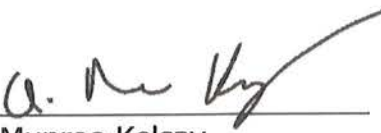
EXHIBIT A



TBPE No. F-726  
TBPLS No. 10092300

- 33) **THENCE** S 80°56'54" W, continuing along the Southerly line of the herein described tract and said 59.44 acre tract, and the Northeasterly right-of-way line of said Beckendorff Road, a distance of 612.49 feet to a concrete monument found for the Southerly corner of said 59.44 acre tract.
- 34) **THENCE** N 47°12'34" W, continuing along the Southerly line of the herein described tract and said 59.44 acre tract, and the Northeasterly right-of-way line of said Beckendorff Road, a distance of 943.77 feet to the **PLACE OF BEGINNING**; containing within said boundaries a calculated area of 291.53 acres (12,698,961 sq.ft.) of land.

**EDMINSTER, HINSHAW, RUSS & ASSOCIATES, INC. d/b/a/ EHRA**

  
A. Munroe Kelsay  
Texas Registration No. 5580  
10011 Meadowglen Lane  
Houston, Texas 77042  
713-784-4500



Date: 02/014/2022

Job No: 211-085-00

File No: R:\2021\211-085-00\Docs\Description\Boundary\211-085-00 MUD (291.53 acres).docx

### 3. Certificate and Notice of Hearing



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## **CERTIFICATE OF SETTING NOTICE OF HEARING REGARDING THE CREATION OF AUSTIN COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 1**

I, Laurie Gharis, Chief Clerk of the Texas Commission on Environmental Quality, do hereby establish the following date, time, and place for the public hearing on the Petition for Creation of Austin County Municipal Management District No. 1. TCEQ Docket No. 2023-0256-DIS has been assigned to this matter.

**DATE:** Friday, March 31, 2023  
**TIME:** 9:30 a.m.  
**PLACE:** Building E, Room 201S  
12100 Park 35 Circle, Austin, Texas

Due to the ongoing pandemic, the agenda meeting may be held in person in Room 201S of Building E at the Commission's offices located at 12100 Park 35 Circle in Austin, Texas, virtually, or both in person and virtually. To confirm how the meeting will be held, please visit the Commissioners' Agenda webpage at:

[https://www.tceq.texas.gov/agency/decisions/agendas/comm/comm\\_agendas.html](https://www.tceq.texas.gov/agency/decisions/agendas/comm/comm_agendas.html) eight days before the Agenda.

**Applicant's Attorney:** Stephen Robinson, Partner  
Allen Boone Humphries Robinson, LLP  
3200 Southwest Freeway, Suite 2600  
Houston, Texas 77027-7537

**TCEQ Staff Attorney:** Kayla Murray

**TCEQ Technical Staff:** James Walker

A copy of the Notice of Hearing was mailed to each party on the attached Mailing List on February 17, 2023. All cities which have extraterritorial jurisdiction in the county or counties in which the proposed district is located and which have formally requested notice have been included in the attached Mailing List.

Signed this the 17th day of February, 2023.

A handwritten signature in cursive script that reads "Laurie Gharis".

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Laurie Gharis, Chief Clerk  
Texas Commission on Environmental Quality

**SEAL**

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Erin E. Chancellor, *Interim Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

February 17, 2023

Stephen Robinson, Partner  
Allen Boone Humphries Robinson, LLP  
3200 Southwest Freeway, Suite 2600  
Houston, Texas 77027-7537

Re: Notice of Hearing regarding the Creation of Austin County Municipal Management District No. 1  
TCEQ Docket No. 2023-0256-DIS; TCEQ Internal Control No. D-10182022-031

Dear Mr. Robinson:

Enclosed is a copy of the notice for the above-referenced petition. Please carefully review the notice for accuracy prior to publication and distribution. Contact James Walker in the Districts Section at (512) 239-2532 if the notice is found to contain errors.

This full notice, including Exhibit A, must be published in accordance with 30 Texas Administrative Code Section 293.12, at your client's expense, in a newspaper (or newspapers) regularly published or circulated in the county or counties in which the proposed district is to be located. **Publication shall be once a week for two consecutive weeks. The first publication of the notice should occur no later than February 28, 2023.**

After notice has been published and mailed in accordance with 293.12, the publisher's affidavit and proof of publication and mailing may be filed with the Chief Clerk electronically at [www.tceq.texas.gov/goto/efilings](http://www.tceq.texas.gov/goto/efilings). The proof for newspaper publication shall be the TCEQ affidavit of publication completed and notarized by the newspaper and a tear sheet from the newspaper. **Proof of publication should be received by the Office of the Chief Clerk no later than March 10, 2023.**

If you have any questions regarding these publication requirements, please contact Meghan Taack in this office at (512) 239-3313.

Sincerely,

A handwritten signature in cursive script that reads "Laurie Gharis".

Laurie Gharis  
Chief Clerk

LG/mt

Enclosures

## MAILING LIST

Austin County Municipal Management District No. 1  
TCEQ Docket No. 2023-0256-DIS; TCEQ Internal Control No. D-10182022-031

<p>Stephen Robinson, Partner Allen Boone Humphries Robinson, LLP 3200 Southwest Freeway, Suite 2600 Houston, Texas 77027-7537</p> <p>Ken Heroy, P.E. Jones-Heroy &amp; Associates, Inc. 13915 N. Mopac Expressway, Suite 408 Austin, Texas 78728</p> <p>The Honorable Angelia Orr State Representative, District No. 13 Room E1.218 P.O. Box 2910 Austin, Texas 78768-2910</p> <p>The Honorable Lois Kolkhorst State Senator, District No. 18 P.O. Box 12068 Capitol Station Austin, Texas 78711-2068</p> <p>Austin County Attn: Carrie Gregor, County Clerk One East Main St. Bellville, Texas 77418-1521</p> <p>Chuck Wemple, Executive Director Houston-Galveston Area Council 3555 Timmons Lane, Suite 120 Houston, Texas 77227-6466</p>	<p>Texas Commission on Environmental Quality <i>via electronic mail:</i></p> <p>Todd Galiga, Senior Attorney, Environmental Law Division, MC-173</p> <p>Kayla Murray, Staff Attorney, Environmental Law Division, MC-173</p> <p>Justin P. Taack, Manager, Districts Section, MC-152</p> <p>James Walker, Technical Manager, Districts Section, MC-152</p> <p>Stephanie DeSouza, Technical Staff, Districts Section, MC-152</p> <p>Sean Ables, Technical Staff, Drinking Water Special Functions Section, MC-153</p> <p>Garrett T. Arthur, Attorney, Office of the Public Interest Counsel, MC-103</p> <p>Nicole Bealle, Regional Director, TCEQ Region 12</p>
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# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## **NOTICE OF HEARING TCEQ Docket No. 2023-0256-DIS TCEQ Internal Control No. D-10182022-031**

**PETITION.** Beckendorf Columbus Farooqi, LLC, a Texas limited liability company, Austin County NKFS, LLC, a Texas limited liability company, and Zashko Fuels, Inc., a Texas corporation (Petitioners) have filed a petition with the Texas Commission on Environmental Quality (TCEQ) for the creation of Austin County Municipal Management District No. 1 (District). The TCEQ will conduct this hearing under the authority of Chapter 375, Texas Local Government Code; Chapter 49 of the Texas Water Code; Title 30, Chapter 293 of the Texas Administrative Code and the procedural rules of the TCEQ. The TCEQ will conduct the hearing at:

**9:30 a.m., Friday, March 31, 2023  
Building E, Room 201S  
12100 Park 35 Circle  
Austin, Texas**

Due to the ongoing pandemic, the agenda meeting may be held in person in Room 201S of Building E at the Commission's offices located at 12100 Park 35 Circle in Austin, Texas, virtually, or both in person and virtually. To confirm how the meeting will be held, please visit the Commissioners' Agenda webpage at: [https://www.tceq.texas.gov/agency/decisions/agendas/comm/comm\\_agendas.html](https://www.tceq.texas.gov/agency/decisions/agendas/comm/comm_agendas.html) eight days before the Agenda.

The proposed District will contain approximately 291.53 acres of land within Austin County, Texas. None of the land to be included in 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 and is depicted in the vicinity map designated as Exhibit "A," which is attached to this document. The Petition states that the creation of the proposed District would be a benefit to the land within its boundary.

**HEARING.** As required by the Texas Local Government Code §§ 375.023 and 375.024 and Title 30 of the Texas Administrative Code § 293.12(g)(2)(A), the above hearing regarding this application will be held no earlier than 31 days after notice of this hearing is published in a newspaper with general circulation in the county or counties in which the District is located. The purpose of this hearing is to provide all interested persons the opportunity to appear and offer testimony for or against the proposal contained in the petition. Each person has a right to appear and present evidence and testify for or against the allegations in the petition, the form of the petition, the necessity and feasibility of the district's project, and the benefits to accrue.

At the hearing, pursuant to Chapter 375, Texas Local Government Code; Chapter 49 of the Texas Water Code; and Chapter 293 of Title 30 of the Texas Administrative Code, the TCEQ will determine if creating Austin County Municipal Management District No. 1 would be a benefit to the land and property included in the District, or, if there is any opposition to the proposed



creation, the Commission may refer the application to the State Office of Administrative Hearings for a contested case hearing on the application.

**INFORMATION.** For information regarding the date and time this application will be heard before the Commission, please submit written inquiries to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087, or by phone at (512) 239-3300. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact James Walker of the Districts Creation Review Team at (512) 239-2532. General information regarding TCEQ can be found at our web site at [www.tceq.texas.gov](http://www.tceq.texas.gov).

**Si desea información en Español, puede llamar al (512) 239-0200.**

Persons with disabilities who plan to attend this hearing and who need special accommodations at the hearing should call the TCEQ External Relations Division at (800) 687-4040 or (800) RELAY-TX (TDD), at least one week prior to the hearing.

Issued: February 17, 2023

#### 4. Affidavit of Publication and Tear Sheets

ALLEN BOONE HUMPHRIES ROBINSON LLP

ATTORNEYS AT LAW

PHOENIX TOWER  
3200 SOUTHWEST FREEWAY  
SUITE 2600  
HOUSTON, TEXAS 77027  
TEL (713) 860-6400  
FAX (713) 860-6401  
abhr.com

Direct Line: (713) 860-6424  
Direct Fax: (713) 860-6624

lsotirake@abhr.com

Linda Sotirake  
Legal Assistant

March 7, 2023

**VIA OVERNIGHT DELIVERY AND EMAIL**

Ms. Laurie Gharis  
Texas Commission on Environmental Quality  
Chief Clerks Office, MC105  
12100 Park 35 Circle  
Austin, Texas 78753

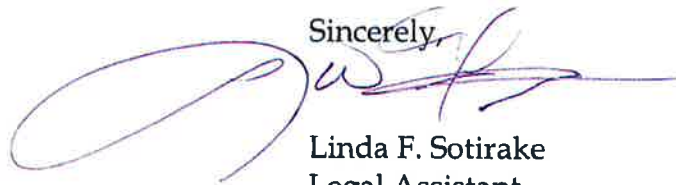
Re: Austin County Municipal Management District No. 1 (the "District")

Dear Ms. Gharis:

Enclosed please find the affidavit from the publications of the Notice of Hearing and copies of the certified letters sent to the property owners regarding the Notice of Hearing.

Should you have any questions, please feel free to call me at (713) 860-6424.

Sincerely,



Linda F. Sotirake  
Legal Assistant

Enclosures

cc: Mr. James Walker (via email w/enc.)  
Texas Commission on Environmental Quality  
Water Supply Division, MC-152  
Districts Section  
P.O. Box 13087  
Austin, TX 78711-3087

TCEQ - Office of the Chief Clerk  
MC-105 Attention: Agenda Team  
PO Box 13087  
Austin TX 78711-3087

Applicant Name: Austin County MMD No. 1  
TCEQ Tracking No. 2023-0256-DIS CID Item No. 131396  
Application Type: CREATION

### AFFIDAVIT OF PUBLICATION

STATE OF TEXAS §

COUNTY OF: Harris §

Before me, the undersigned authority, on this day personally appeared

Victoria Bond, who being by me duly  
(name of newspaper representative)

sworn, deposes and says that (s)he is the

AK Clerk  
(title of newspaper representative)

of the

Houston Chronicle  
(name of newspaper)

; that said newspaper is

regularly published or circulated in

Austin  
(name of county or counties)

County/Countries,

Texas; that the attached notice was published in said newspaper on the following dates:

February 24, & March 3, 2023, Ad #34259887  
(date or dates of publication)

Victoria Bond

Newspaper Representative's Signature

Subscribed and sworn to before me this the 6 day of March,  
20 23, to certify which witness my hand and seal of office.

Erin Acuña

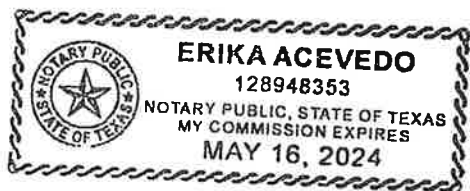
Notary Public in and for the State of Texas

ERIKA ACEVEDO

Print or type Name of Notary Public

My Commission Expires MAY 16, 2024

(Seal)





# Legal Notices

To place legal notices  
email [legals@chron.com](mailto:legals@chron.com) or call 713.224.6868.

Legal/Public Notices Legal/Public Notices Legal/Public Notices Legal/Public Notices

Legal/Public Notices Legal/Public Notices Legal/Public Notices Legal/Public Notices

Legal/Public Notices Legal/Public Notices Legal/Public Notices Legal/Public Notices

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



### NOTICE OF HEARING

**TCEQ Docket No. 2023-0214-DIS**  
**TCEQ Internal Control No. D-1016/2022-031**  
**PETITION.** Beckendorf Columbus Forroa, LLC, a Texas limited liability company, Austin County NPS, LLC, a Texas limited liability company, and Zedillo Fuel, Inc., a Texas corporation (Petitioners) have filed a petition with the Texas Commission on Environmental Quality (TCEQ) for the creation of Austin County Municipal Management District No. 1 (District). The TCEQ will conduct this hearing under the authority of Chapter 275, Texas Local Government Code and the procedural rules of the TCEQ. The TCEQ will conduct the hearing at:

1:30 a.m., Friday, March 31, 2023  
Building E, Room 2015  
12100 Park 35 Circle  
Austin, Texas

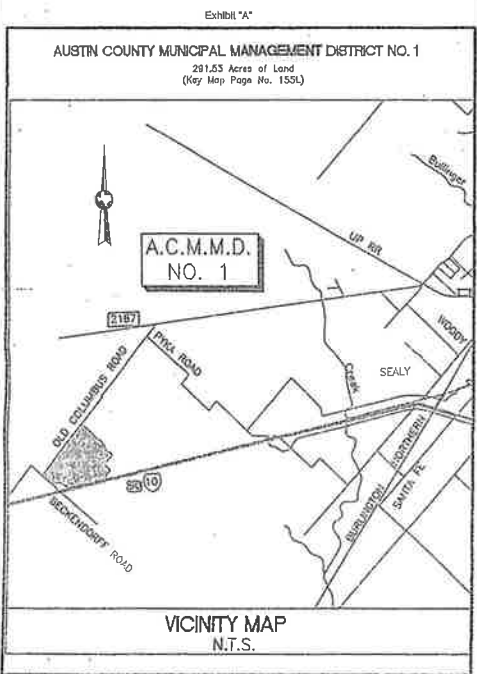
Due to the ongoing pandemic, the agenda meeting may be held in person in Room 2015 of Building E at the Commission's offices located at 12100 Park 35 Circle in Austin, Texas, virtually, or both in person and virtually. To confirm how the meeting will be held, please visit the Commissioners' Agenda website at: <https://www.tceq.texas.gov/agenda/>. The proposed District will contain approximately 291.55 acres of land within Austin County, Texas. None of the land to be included in the proposed District is within the corporate limits or extrajurisdictional jurisdiction of any city. The territory to be included in the proposed District is set forth in a metes and bounds description and is depicted in the vicinity map designated as Exhibit "A," which is attached to this document. The Petition states that the creation of the proposed District would be a benefit to the land within its boundary.

**HEARING.** As required by the Texas Local Government Code §§ 275.023 and 275.024 and Title 30 of the Texas Administrative Code § 272.12(a)(2)(A), the above hearing regarding this application will be held no earlier than 31 days after notice of this hearing is published in a newspaper with general circulation in the county or counties in which the District is located. The purpose of this hearing is to provide all interested persons the opportunity to appear and offer testimony for or against the proposal contained in the petition. Each person has a right to appear and present evidence and testify for or against the allocations in the petition, the form of the petition, the necessity and feasibility of the district's project, and the benefits to accrue.

At the hearing, pursuant to Chapter 375, Texas Local Government Code; Chapter 49 of the Texas Water Code; and Chapter 293 of Title 30 of the Texas Administrative Code, the TCEQ will determine if creating Austin County Municipal Management District No. 1 would be a benefit to the land and property included in the District, or, if there is any opposition to the proposed creation, the Commission may refer the application to the State Office of Administrative Hearings for a contested case hearing on the application.

**INFORMATION.** For information regarding the date and time this application will be heard before the Commission, please submit written inquiries to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087, or by phone at (512) 227-2300. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact James Walker of the Districts Creation Review Team at (512) 227-2332. General information regarding TCEQ can be found at our web site at [www.tceq.texas.gov](http://www.tceq.texas.gov).

Si desea información en Español, puede llamar al (512) 227-2300. Persons with disabilities who plan to attend this hearing and who need special accommodations at the hearing should call the TCEQ External Relations Division at (609) 487-4040 or (800) RELAY-TX (TDD), at least one week prior to the hearing. Issued: February 17, 2023.



## RAILROAD COMMISSION OF TEXAS OIL AND GAS DIVISION

DISTRICT 03 Rule 37 Case No. 0038701  
Feb 22, 2023 Status/Permit No. 866813

**NOTICE OF PROTEST**  
**DEADLINE:** 5:00 P.M., Mar 15, 2023  
**Address:** Railroad Commission of Texas  
**ATTN:** Drilling Permit Unit  
P.O. Box 12947  
Austin, Texas 78711-2947  
**Fax:** (512) 463-6782  
**Email:** [SWR37@RC.TEXAS.GOV](mailto:SWR37@RC.TEXAS.GOV)

### NOTICE OF APPLICATION

**NOTICE IS HEREBY GIVEN** that the GORDY OIL COMPANY, (RRC Operator No. 317150) has made application for a spacing exception permit under the provisions of Railroad Commission Statewide Rule 37 (16 Tex. Admin. Code section 3.77). Applicant seeks exception to the lease line distance requirement because the Applicant is less than the required Rule 37 lease line distance to an unleased or non-pooled interest within the subject unit.

Applicant also seeks exception to the LEASE LINE requirement because the location is less than the required Rule 37 distance to an external lease line for the NEW DRILL permit in Sec. B1, MERRY, J Survey, A-49, RANKIN and RANKIN COOK MTN. IV and WILDCAT Fields, HARRIS County, being 0 miles within direction from HUFFMAN, Texas. PURSUANT TO THE TERMS of Railroad Commission rules and regulations, this application may be granted WITHOUT A HEARING if no protest to the application is received within the deadline. An affected person is entitled to protest this application. Affected persons include owners of record and the operator or lessees of records of adjacent tracts and the operator or proposed well than the minimum lease line spacing distance. If you have questions which are specific to the Application or the information set forth in this Notice, please contact the Commission's Drilling Permit Unit at (512) 463-6751. If a hearing is called, the applicant has the burden to prove the need for an exception. A protestant should be prepared to establish standing as an affected person, and to appear at the hearing either in person or by qualified representative and protest the application with cross-examination or presentation of a direct case. The rules of evidence are applicable in the hearing. If you have any questions regarding the hearing process, please contact the Commission's Docket Services Department at (512) 463-6848.

**IF YOU WISH TO REQUEST A HEARING ON THIS APPLICATION, AN INTENT TO APPEAR IN PROTEST MUST BE RECEIVED IN THE RAILROAD COMMISSION'S AUSTIN OFFICE AT THE ADDRESS, FAX NUMBER, OR E-MAIL ADDRESS SET OUT ABOVE BY MAR 15, 2023 AT 5:00 P.M. YOU WILL LOSE YOUR RIGHT TO PROTEST AND THE REQUESTED PERMIT MAY BE GRANTED ADMINISTRATIVELY.**

### THIS NOTICE OF APPLICATION REQUIRES PUBLICATION

The location and identity of the well is as shown below:

**FIELD: RANKIN**  
Lease/Unit Name : MILKY WAY  
Lease/Unit Well No. :  
Lease/Unit Acres : 55.64  
Nearest Lease Line (ft) : null  
Lease Lines : 112.0 F N L, 593.0 F E L  
Survey Lines : 5000.0 F N L, 13193.0 F E L  
Wellbore Profile(s) : Directional

Bottom Hole: BH1  
Lease Lines : 424.0 F SW L, 165.0 F W L  
Survey Lines : 2619.0 F S L, 13541.0 F E L

**FIELD: RANKIN (COOK MTN. IV)**  
Lease/Unit Name : MILKY WAY  
Lease/Unit Well No. :  
Lease/Unit Acres : 55.64  
Nearest Lease Line (ft) : null  
Lease Lines : 112.0 F N L, 593.0 F E L  
Survey Lines : 5000.0 F N L, 13193.0 F E L  
Wellbore Profile(s) : Directional  
Bottom Hole: BH1  
Lease Lines : 424.0 F SW L, 165.0 F W L  
Survey Lines : 2619.0 F S L, 13541.0 F E L

**FIELD: WILDCAT**  
Lease/Unit Name : MILKY WAY  
Lease/Unit Well No. :  
Lease/Unit Acres : 55.64  
Nearest Lease Line (ft) : null  
Lease Lines : 112.0 F N L, 593.0 F E L  
Survey Lines : 5000.0 F N L, 13193.0 F E L  
Wellbore Profile(s) : Directional  
Bottom Hole: BH1  
Lease Lines : 424.0 F SW L, 165.0 F W L  
Survey Lines : 2619.0 F S L, 13541.0 F E L

Field rules for ALL fields on the permit application are as follows:

**RANKIN :** OIL Special Rules  
330/933, 40.0 acres.  
**RANKIN (COOK MTN. IV) :** GAS Statewide rules  
467/1200, 40.0 acres.  
**WILDCAT :** Statewide rules  
467/1200, 40.0 acres.

This well is to be drilled to an approximate depth of 9500 feet.

If you have questions regarding this application, please contact the Applicant's representative, Matthew Sansone, at (713) 224-4444.

## NOTICE OF SALE

**MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 88**  
(A political subdivision of the State of Texas located within Montgomery County)

\$11,200,000

Unlimited Tax Bonds, Series 2023

"Not Qualified Tax-Exempt Obligations"

The Board of Directors of Montgomery County Municipal Utility District No. 88, (the "District") will publicly receive bids on up to \$11,200,000 Unlimited Tax Bonds, Series 2023 (the "Bonds"), on Thursday, March 9, 2023, at 1:15 P.M., Houston Time at the offices of the District's Financial Advisor, Masterson Advisors LLC, 3 Greenway Plaza, Suite 1100, Houston, Texas 77046. At a Board of Directors meeting on Thursday, March 9, 2023, at 6:00 P.M., Houston Time, at the District meeting location of 25003 Pitkin Road, Suite D600, Spring, Texas 77386, the Board will immediately take action to reject any and all bids or accept the bid resulting in the lowest net interest cost to the District.

A bid for the Bonds may be delivered to the District electronically, by telephone or delivered directly to the District in a sealed envelope addressed to the "President and Board of Directors, Montgomery County Municipal Utility District No. 88" at the above address of Masterson Advisors LLC. All bidders must submit a signed "Official Bid Form" and a bank cashier's check in the amount of \$224,000 payable to the order of "Montgomery County Municipal Utility District No. 88," as a Good Faith Deposit. Additional terms and conditions related to the submission of a bid for the Bonds are included in the "Official Notice of Sale."

The Bonds will mature serially on September 1, 2027 through 2049, and will be dated April 1, 2023. The "Official Notice of Sale," "Preliminary Official Statement," and "Official Bid Form" may be obtained from the District's Financial Advisor, Masterson Advisors LLC, 3 Greenway Plaza, Suite 1100, Houston, Texas 77046. This notice does not constitute an offer to sell the Bonds but is merely notice of sale of the Bonds as required by Texas law. The offer to sell the Bonds will be made by means of the "Official Notice of Sale," "Preliminary Official Statement," and "Official Bid Form."

Mr. Ryan Temple  
President, Board of Directors  
Montgomery County Municipal Utility District No. 88  
Montgomery County, Texas

## NOTICE OF THE UNITED STATES MARSHAL'S SALE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION CIVIL ACTION NO. 422-cv-03668

Approximately 23,500 metric tons of cement will be sold in one or in multiple lots "WHERE IS - AS IS" by the United States Marshals Service to the highest bidder, free of all claims and liens, at public auction on March 24, 2023, at 10:00 a.m., at the United States District Courthouse, 515 Rusk Street, Houston, Texas 77002. The sale will be conducted subject to the Southern District of Texas local admiralty rules. Objections to the sale must be filed with the U.S. Marshals Service within seven (7) days of the sale date. Anybody interested in viewing the cement must make arrangements with the U.S. Marshals Service beforehand. The winning bidder must deposit the higher of \$1,000,000 or 10% of the winning bid with the U.S. Marshals Service at the time of the auction, in the form of cash, cashier's check, or certified check drawn upon a first-class commercial bank with an office or branch within the Southern District of Texas, with the remaining balance due within seven (7) days of the auction. The failure to pay the balance will result in the forfeiture of the deposit for the benefit of the parties to this case as their respective interest may appear, and the U.S. Marshals Service may thereupon sell the cement to the next highest bidder who satisfies the conditions set down by the Court. Questions must be directed to U.S. Deputy Marshal Joseph Castro at (713) 235-6220.

Veritas Community Bank, 824 Westchester, Suite 800 Dallas, TX 75225, intends to apply to the Federal Reserve Bank for permission to establish a branch at 9655 Katy Freeway, Houston, TX 77024 (Village Towers). The Federal Reserve considers a number of factors in deciding whether to approve the application including the record of performance of applicant banks in helping to meet local credit needs. You are invited to submit comments in writing on this application to the Federal Reserve Bank of Dallas, P.O. Box 655906, Dallas, Texas 75265-5906 or via email to [comments@frb.org](mailto:comments@frb.org). The comment period will not end before March 11, 2023. The Board's procedures for processing applications may be found at 12 C.F.R. Part 262. Procedures for processing protected applications may be found at 12 C.F.R. 262.25. To obtain a copy of the Federal Reserve Board's procedures, or if you need more information about how to submit your comments on the application, contact Karen Smith, Director - Mergers & Acquisitions, at (214) 922-6765. The Federal Reserve will consider your comments and any request for a public meeting or formal hearing on the application if they are received in writing by the Reserve Bank on or before the last day of the comment period.

## Legal Bids & Proposals Legal Bids & Proposals Legal Bids & Proposals

**COMPETITIVE SEALED BIDS WILL BE RECEIVED BY PROCUREMENT SERVICES, FORT HOUSTON, UNTIL 1:00 P.M. ON MARCH 9, 2023, FOR THE FOLLOWING:**

(CS0-2631) SAFETY FOOTWEAR FOR TURNING BASIN TERMINAL, BARBOURS CUT TERMINAL, AND BAYPORT CONTAINER TERMINAL.

A PRE-BID CONFERENCE WILL BE NOT BE HELD FOR THIS PROCUREMENT.

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY


**NOTICE OF HEARING**  
**TCEQ Docket No. 2023-0252-DIS**  
**TYCEQ Internal Control No. D-1016222-031**

**PETITION.** Beckendorf Columbus Farooq, LLC, a Texas limited liability company, Austin County NRE, LLC, a Texas limited liability company, and Zasko Fuels, Inc., a Texas corporation (Petitioners) have filed a petition with the Texas Commission on Environmental Quality (TCEQ) for the creation of Austin County Municipal Management District No. 1 (District). The TCEQ will conduct this hearing under the authority of Chapter 375, Texas Local Government Code; Chapter 49 of the Texas Water Code; Title 30, Chapter 293 of the Texas Administrative Code and the procedural rules of the TCEQ. The TCEQ will conduct the hearing at:

5:30 a.m., Friday, March 31, 2023  
 Building E, Room 2015  
 12100 Park 35 Circle  
 Austin, Texas

Due to the ongoing pandemic, the agenda meeting may be held in person in Room 2015 of Building E at the Commission's offices located at 12100 Park 35 Circle in Austin, Texas, virtually, or both in person and virtually. To confirm how the meeting will be held, please visit the Commission's Agenda webpage at <https://www.tceq.texas.gov/agenda/>. Petitioners are requested to appear at the hearing in person or virtually. The proposed District will contain approximately 91.53 acres of land within Austin County, Texas. None of the land to be included in the proposed District is within the corporate limits or extrajurisdictional jurisdiction of any city. The territory to be included in the proposed District is set forth in a map and a boundary description and is depicted in the vicinity map designated as Exhibit "A", which is attached to this document. The Petition states that the creation of the proposed District would be a benefit to the land within its boundary.

**HEARING.** As required by the Texas Local Government Code §§ 375.023 and 375.024 and Title 30 of the Texas Administrative Code § 293.12(a)(2)(A), the above hearing regarding this application will be held no earlier than 11 days after notice of this hearing is published in a newspaper with general circulation in the county or counties in which the District is located.

The purpose of this hearing is to provide all interested persons the opportunity to appear and offer testimony for or against the proposal contained in the petition. Each person has a right to appear and present evidence and testify for or against the allegations in the petition, the terms of the petition, the necessity and feasibility of the district's project, and the benefits to occur.

At the hearing, pursuant to Chapter 375, Texas Local Government Code; Chapter 49 of the Texas Water Code; and Chapter 293 of Title 30 of the Texas Administrative Code, the TCEQ will determine if creating Austin County Municipal Management District No. 1 would be a benefit to the land and property included in the District, or, if there is any opposition to the proposed creation, the Commission may refer the application to the State Office of Administrative Hearings for a contested case hearing on the petition.

**INFORMATION.** For information regarding the date and time this application will be heard before the Commission, please submit written inquiries to the Office of the Chief Clerk, Mr. Ted, TCEQ, P.O. Box 13669, Austin, Texas 78711-0967, or by phone at (512) 229-3360. For information concerning the hearing process, please contact the Public Interest Counsel, Mr. Ted, of the same address. For additional information, individual members of the general public may contact James Walker of the Districts Creation Review Team at (512) 229-2332. General information regarding TCEQ can be found at our web site at [www.tceq.texas.gov](https://www.tceq.texas.gov).

Additional information in Spanish, pseudo Bimarr at (512) 229-0200.

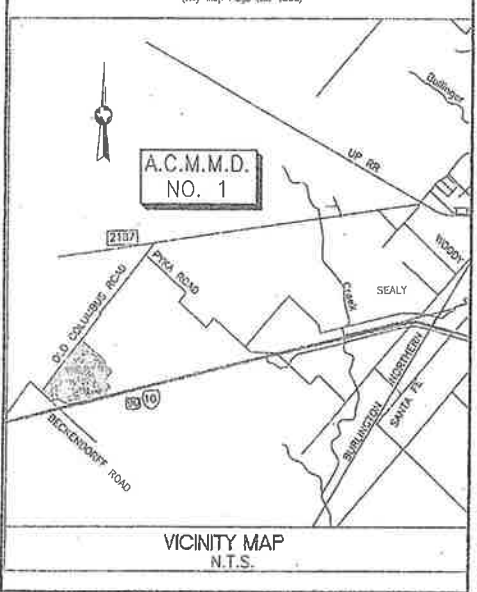
Persons with disabilities who plan to attend this hearing and who need special accommodations at the hearing should call the TCEQ External Relations Division at (800) 457-4200 or (800) RELAY-TX (TDD), at least one week prior to the hearing.

Issued: February 17, 2023

Exhibit "A"

## AUSTIN COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 1

20.13 Acres of land  
 (May Map Page 16, 15SL)



## 5. Notice to Property Owners

ALLEN BOONE HUMPHRIES ROBINSON LLP

ATTORNEYS AT LAW

PHOENIX TOWER  
3200 SOUTHWEST FREEWAY  
SUITE 2600  
HOUSTON, TEXAS 77027  
TEL (713) 860-6400  
FAX (713) 860-6401  
abhr.com

Direct Line: (713) 860-6424  
Direct Fax: (713) 860-6624

lsotirake@abhr.com

Linda F. Sotirake  
Legal Assistant

February 23, 2023

VIA CERTIFIED MAIL -  
RETURN RECEIPT REQUESTED

Mr. Maher F. Qaddumi  
401 Studewood St. Unit 300  
Houston, TX 77007

Re: Austin County Municipal Management District No. 1 (the "District")

Dear Mr. Qaddumi:

In connection with the proposed creation of the District, please find enclosed the Texas Commission on Environmental Quality's Notice of Hearing ("Notice") scheduled for March 31, 2023. Pursuant to Title 30 of the Texas Administrative Code, §293.12(g)(2)(B) and Texas Local Government Code §375.024, you are receiving this Notice as a property owner in the District.

Should you have any questions, please feel free to call me at (713) 860-6424.

Sincerely,



Linda F. Sotirake  
Legal Assistant

Enclosures



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF HEARING TCEQ Docket No. 2023-0256-DIS TCEQ Internal Control No. D-10182022-031

**PETITION.** Beckendorf Columbus Farooqi, LLC, a Texas limited liability company, Austin County NKFS, LLC, a Texas limited liability company, and Zashko Fuels, Inc., a Texas corporation (Petitioners) have filed a petition with the Texas Commission on Environmental Quality (TCEQ) for the creation of Austin County Municipal Management District No. 1 (District). The TCEQ will conduct this hearing under the authority of Chapter 375, Texas Local Government Code; Chapter 49 of the Texas Water Code; Title 30, Chapter 293 of the Texas Administrative Code and the procedural rules of the TCEQ. The TCEQ will conduct the hearing at:

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[https://www.tceq.texas.gov/agency/decisions/agendas/comm/comm\\_agendas.html](https://www.tceq.texas.gov/agency/decisions/agendas/comm/comm_agendas.html) eight days before the Agenda.

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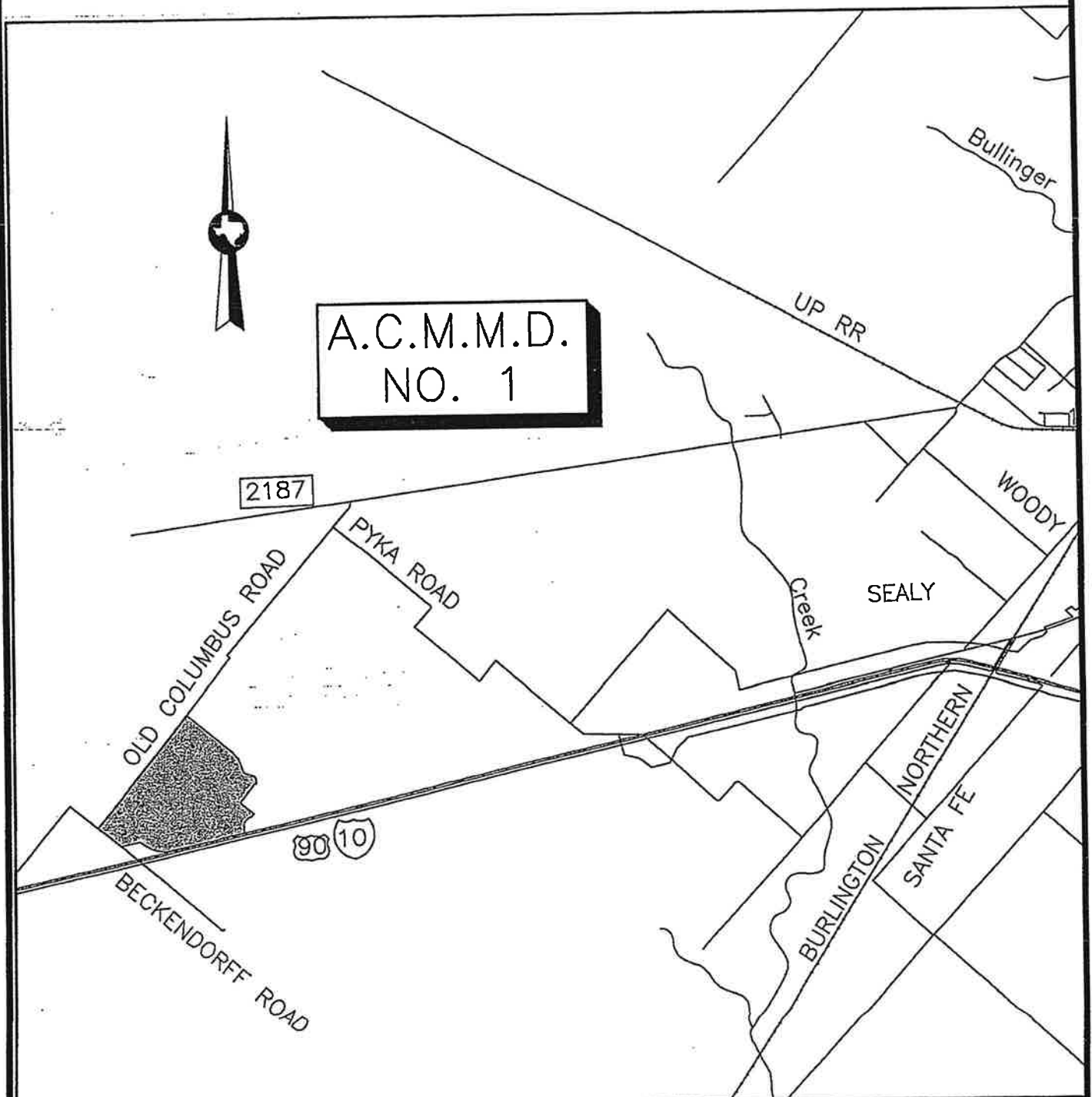
**Si desea información en Español, puede llamar al (512) 239-0200.**

Persons with disabilities who plan to attend this hearing and who need special accommodations at the hearing should call the TCEQ External Relations Division at (800) 687-4040 or (800) RELAY-TX (TDD), at least one week prior to the hearing.

Issued: February 17, 2023

# AUSTIN COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 1

291.53 Acres of Land  
(Key Map Page No. 155L)



**VICINITY MAP**  
N.T.S.

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE



7013 0600 0001 7061 3137

U.S. Postal Service™  
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Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	

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Sent To

Mr. Maher F. Qaddumi  
401 Studewood St., Unit 300  
Houston, Texas 77007

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Maher F. Qaddumi  
401 Studewood St., Unit 300  
Houston, Texas 77007

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes ☐ No  
If YES, enter delivery address below:

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7013 0600 0001 7061 3137



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Total Postage & Fees	\$

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FEB 2025  
HOUSTON TEXAS 77007

**Sent To**

Street, Apt. No.,  
or PO Box No.  
City, State, ZIP+4

Mr. Maher F. Qaddumi  
401 Studewood St., Unit 300  
Houston, Texas 77007

ALLEN BOONE HUMPHRIES ROBINSON LLP

ATTORNEYS AT LAW

PHOENIX TOWER  
3200 SOUTHWEST FREEWAY  
SUITE 2600  
HOUSTON, TEXAS 77027  
TEL (713) 860-6400  
FAX (713) 860-6401  
abhr.com

Direct Line: (713) 860-6424  
Direct Fax: (713) 860-6624

lsotirake@abhr.com

Linda F. Sotirake  
Legal Assistant

February 23, 2023

VIA CERTIFIED MAIL -  
RETURN RECEIPT REQUESTED

Mr. Mark Evetts  
3906 Everett Terrace Ln.  
Missouri City, TX 77459

Re: Austin County Municipal Management District No. 1 (the "District")

Dear Mr. Evetts:

In connection with the proposed creation of the District, please find enclosed the Texas Commission on Environmental Quality's Notice of Hearing ("Notice") scheduled for March 31, 2023. Pursuant to Title 30 of the Texas Administrative Code, §293.12(g)(2)(B) and Texas Local Government Code §375.024, you are receiving this Notice as a property owner in the District.

Should you have any questions, please feel free to call me at (713) 860-6424.

Sincerely,



Linda F. Sotirake  
Legal Assistant

Enclosures

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF HEARING TCEQ Docket No. 2023-0256-DIS TCEQ Internal Control No. D-10182022-031

**PETITION.** Beckendorf Columbus Farooqi, LLC, a Texas limited liability company, Austin County NKFS, LLC, a Texas limited liability company, and Zashko Fuels, Inc., a Texas corporation (Petitioners) have filed a petition with the Texas Commission on Environmental Quality (TCEQ) for the creation of Austin County Municipal Management District No. 1 (District). The TCEQ will conduct this hearing under the authority of Chapter 375, Texas Local Government Code; Chapter 49 of the Texas Water Code; Title 30, Chapter 293 of the Texas Administrative Code and the procedural rules of the TCEQ. The TCEQ will conduct the hearing at:

**9:30 a.m., Friday, March 31, 2023  
Building E, Room 201S  
12100 Park 35 Circle  
Austin, Texas**

Due to the ongoing pandemic, the agenda meeting may be held in person in Room 201S of Building E at the Commission's offices located at 12100 Park 35 Circle in Austin, Texas, virtually, or both in person and virtually. To confirm how the meeting will be held, please visit the Commissioners' Agenda webpage at:  
[https://www.tceq.texas.gov/agency/decisions/agendas/comm/comm\\_agendas.html](https://www.tceq.texas.gov/agency/decisions/agendas/comm/comm_agendas.html) eight days before the Agenda.

The proposed District will contain approximately 291.53 acres of land within Austin County, Texas. None of the land to be included in 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 and is depicted in the vicinity map designated as Exhibit "A," which is attached to this document. The Petition states that the creation of the proposed District would be a benefit to the land within its boundary.

**HEARING.** As required by the Texas Local Government Code §§ 375.023 and 375.024 and Title 30 of the Texas Administrative Code § 293.12(g)(2)(A), the above hearing regarding this application will be held no earlier than 31 days after notice of this hearing is published in a newspaper with general circulation in the county or counties in which the District is located. The purpose of this hearing is to provide all interested persons the opportunity to appear and offer testimony for or against the proposal contained in the petition. Each person has a right to appear and present evidence and testify for or against the allegations in the petition, the form of the petition, the necessity and feasibility of the district's project, and the benefits to accrue.

At the hearing, pursuant to Chapter 375, Texas Local Government Code; Chapter 49 of the Texas Water Code; and Chapter 293 of Title 30 of the Texas Administrative Code, the TCEQ will determine if creating Austin County Municipal Management District No. 1 would be a benefit to the land and property included in the District, or, if there is any opposition to the proposed

creation, the Commission may refer the application to the State Office of Administrative Hearings for a contested case hearing on the application.

**INFORMATION.** For information regarding the date and time this application will be heard before the Commission, please submit written inquiries to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087, or by phone at (512) 239-3300. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact James Walker of the Districts Creation Review Team at (512) 239-2532. General information regarding TCEQ can be found at our web site at [www.tceq.texas.gov](http://www.tceq.texas.gov).

**Si desea información en Español, puede llamar al (512) 239-0200.**

Persons with disabilities who plan to attend this hearing and who need special accommodations at the hearing should call the TCEQ External Relations Division at (800) 687-4040 or (800) RELAY-TX (TDD), at least one week prior to the hearing.

Issued: February 17, 2023



# AUSTIN COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 1

291.53 Acres of Land  
(Key Map Page No. 155L)



A.C.M.M.D.  
NO. 1

2187

OLD COLUMBUS ROAD

PYKA ROAD

90 10

BECKENDORFF ROAD

UP RR

Bullinger

WOODY

SEALY

BURLINGTON  
NORTHERN  
SANTA FE

VICINITY MAP  
N.T.S.

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2013 1090 0000 1077 9647  
2013 1090 0000 1077 9647

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

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Mr. Mark Evetts  
3906 Everett Terrace Ln.  
Missouri City, Texas 77459

PS Form 3800, August 2006 See Reverse for Instructions

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1. Article Addressed to:

Mr. Mark Evetts  
3906 Everett Terrace Ln.  
Missouri City, Texas 77459

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number  
(Transfer from service label)

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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Sent To

Street, Apt. No.,  
or PO Box No.  
City, State, ZIP+4

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Missouri City, Texas 77459

PS Form 3800, August 2006

See Reverse for Instructions

7013 1090 0000 1077 9647



ALLEN BOONE HUMPHRIES ROBINSON LLP

ATTORNEYS AT LAW

PHOENIX TOWER  
3200 SOUTHWEST FREEWAY  
SUITE 2600  
HOUSTON, TEXAS 77027  
TEL (713) 860-6400  
FAX (713) 860-6401  
abhr.com

Direct Line: (713) 860-6424

Direct Fax: (713) 860-6624

lsotirake@abhr.com

Linda F. Sotirake  
Legal Assistant

February 23, 2023

VIA CERTIFIED MAIL -  
RETURN RECEIPT REQUESTED

Ms. Yasmin Rehman  
3715 Lone Rock Lane  
Sugar Land, TX 77479

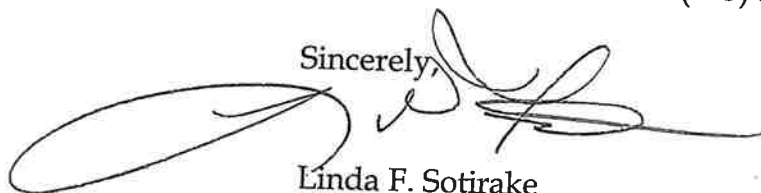
Re: Austin County Municipal Management District No. 1 (the "District")

Dear Ms. Rehman

In connection with the proposed creation of the District, please find enclosed the Texas Commission on Environmental Quality's Notice of Hearing ("Notice") scheduled for March 31, 2023. Pursuant to Title 30 of the Texas Administrative Code, §293.12(g)(2)(B) and Texas Local Government Code §375.024, you are receiving this Notice as a property owner in the District.

Should you have any questions, please feel free to call me at (713) 860-6424.

Sincerely,



Linda F. Sotirake  
Legal Assistant

Enclosures

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF HEARING TCEQ Docket No. 2023-0256-DIS TCEQ Internal Control No. D-10182022-031

**PETITION.** Beckendorf Columbus Farooqi, LLC, a Texas limited liability company, Austin County NKFS, LLC, a Texas limited liability company, and Zashko Fuels, Inc., a Texas corporation (Petitioners) have filed a petition with the Texas Commission on Environmental Quality (TCEQ) for the creation of Austin County Municipal Management District No. 1 (District). The TCEQ will conduct this hearing under the authority of Chapter 375, Texas Local Government Code; Chapter 49 of the Texas Water Code; Title 30, Chapter 293 of the Texas Administrative Code and the procedural rules of the TCEQ. The TCEQ will conduct the hearing at:

**9:30 a.m., Friday, March 31, 2023  
Building E, Room 201S  
12100 Park 35 Circle  
Austin, Texas**

Due to the ongoing pandemic, the agenda meeting may be held in person in Room 201S of Building E at the Commission's offices located at 12100 Park 35 Circle in Austin, Texas, virtually, or both in person and virtually. To confirm how the meeting will be held, please visit the Commissioners' Agenda webpage at:  
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The proposed District will contain approximately 291.53 acres of land within Austin County, Texas. None of the land to be included in 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 and is depicted in the vicinity map designated as Exhibit "A," which is attached to this document. The Petition states that the creation of the proposed District would be a benefit to the land within its boundary.

**HEARING.** As required by the Texas Local Government Code §§ 375.023 and 375.024 and Title 30 of the Texas Administrative Code § 293.12(g)(2)(A), the above hearing regarding this application will be held no earlier than 31 days after notice of this hearing is published in a newspaper with general circulation in the county or counties in which the District is located. The purpose of this hearing is to provide all interested persons the opportunity to appear and offer testimony for or against the proposal contained in the petition. Each person has a right to appear and present evidence and testify for or against the allegations in the petition, the form of the petition, the necessity and feasibility of the district's project, and the benefits to accrue.

At the hearing, pursuant to Chapter 375, Texas Local Government Code; Chapter 49 of the Texas Water Code; and Chapter 293 of Title 30 of the Texas Administrative Code, the TCEQ will determine if creating Austin County Municipal Management District No. 1 would be a benefit to the land and property included in the District, or, if there is any opposition to the proposed



creation, the Commission may refer the application to the State Office of Administrative Hearings for a contested case hearing on the application.

**INFORMATION.** For information regarding the date and time this application will be heard before the Commission, please submit written inquiries to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087, or by phone at (512) 239-3300. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact James Walker of the Districts Creation Review Team at (512) 239-2532. General information regarding TCEQ can be found at our web site at [www.tceq.texas.gov](http://www.tceq.texas.gov).

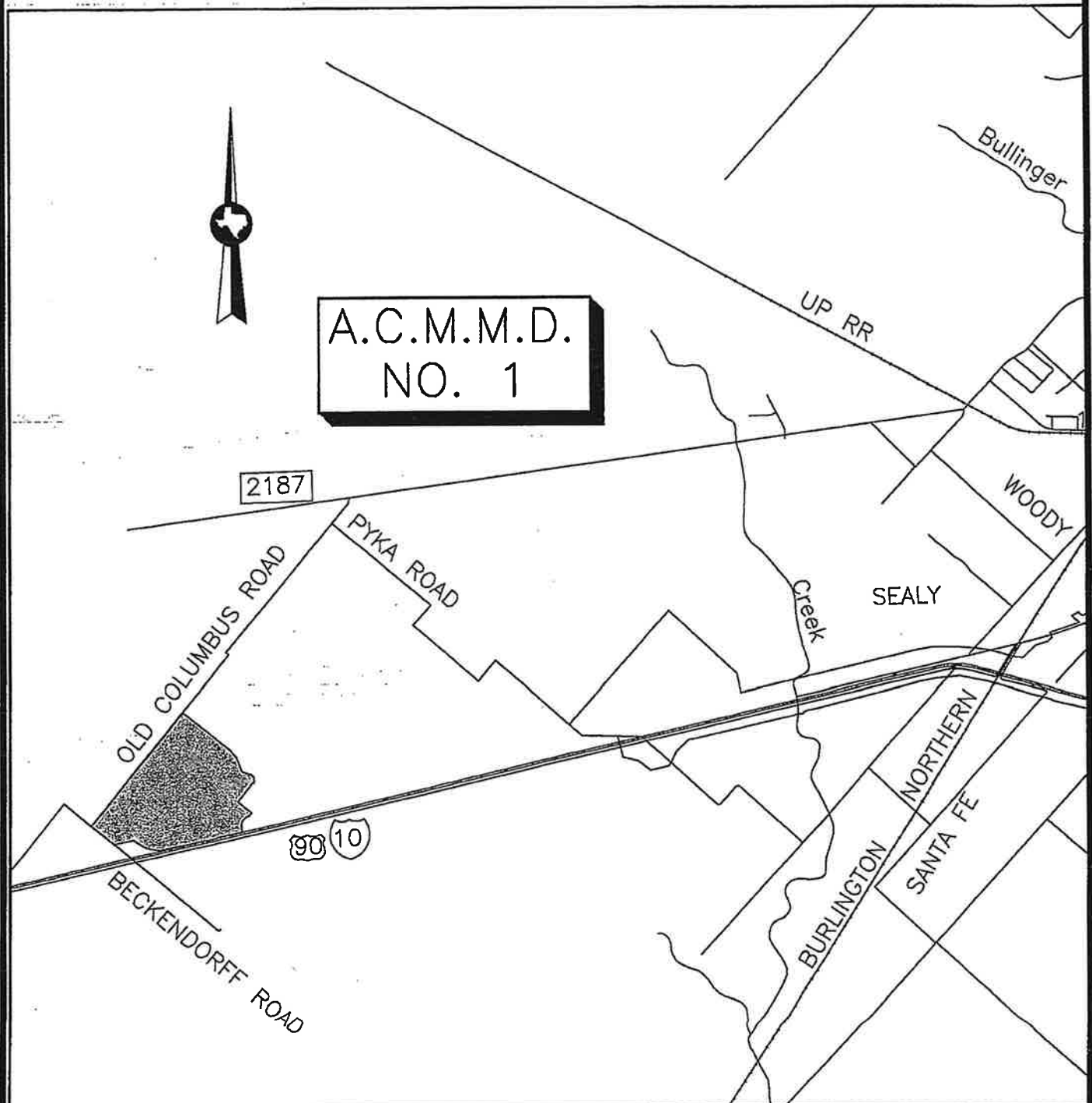
**Si desea información en Español, puede llamar al (512) 239-0200.**

Persons with disabilities who plan to attend this hearing and who need special accommodations at the hearing should call the TCEQ External Relations Division at (800) 687-4040 or (800) RELAY-TX (TDD), at least one week prior to the hearing.

Issued: February 17, 2023

# AUSTIN COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 1

291.53 Acres of Land  
(Key Map Page No. 155L)



VICINITY MAP  
N.T.S.

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
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Ms. Yasmin Rehman  
3715 Lone Rock Lane  
Sugar Land, Texas 77479

Street, Apt. No.,  
or PO Box No.  
City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

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1. Article Addressed to:

Ms. Yasmin Rehman  
3715 Lone Rock Lane  
Sugar Land, Texas 77479

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- B. Received by (Printed Name) C. Date of Delivery
- D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type ☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
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4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number 7013 0600 0001 7061 3151  
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Postage	\$
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<b>Sent To</b>	
Street, Apt. No., or PO Box No.	Ms. Yasmin Rehman 3715 Lone Rock Lane
City, State, ZIP+4	Sugar Land, Texas 77479
PS Form 3800, August 2006 See Reverse for Instructions	

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*FEB 2021*

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ALLEN BOONE HUMPHRIES ROBINSON LLP

ATTORNEYS AT LAW

PHOENIX TOWER  
3200 SOUTHWEST FREEWAY  
SUITE 2600  
HOUSTON, TEXAS 77027  
TEL (713) 860-6400  
FAX (713) 860-6401  
abhr.com

Direct Line: (713) 860-6424  
Direct Fax: (713) 860-6624

lsotirake@abhr.com

Linda F. Sotirake  
Legal Assistant

February 23, 2023

VIA CERTIFIED MAIL -  
RETURN RECEIPT REQUESTED

Mr. Syed Asad  
519 Summer Trace Lane  
Richmond, TX 77406

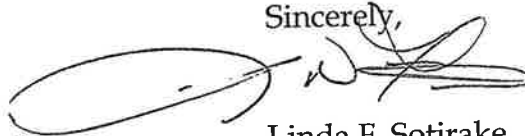
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Sincerely,



Linda F. Sotirake  
Legal Assistant

Enclosures



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF HEARING TCEQ Docket No. 2023-0256-DIS TCEQ Internal Control No. D-10182022-031

**PETITION.** Beckendorf Columbus Farooqi, LLC, a Texas limited liability company, Austin County NKFS, LLC, a Texas limited liability company, and Zashko Fuels, Inc., a Texas corporation (Petitioners) have filed a petition with the Texas Commission on Environmental Quality (TCEQ) for the creation of Austin County Municipal Management District No. 1 (District). The TCEQ will conduct this hearing under the authority of Chapter 375, Texas Local Government Code; Chapter 49 of the Texas Water Code; Title 30, Chapter 293 of the Texas Administrative Code and the procedural rules of the TCEQ. The TCEQ will conduct the hearing at:

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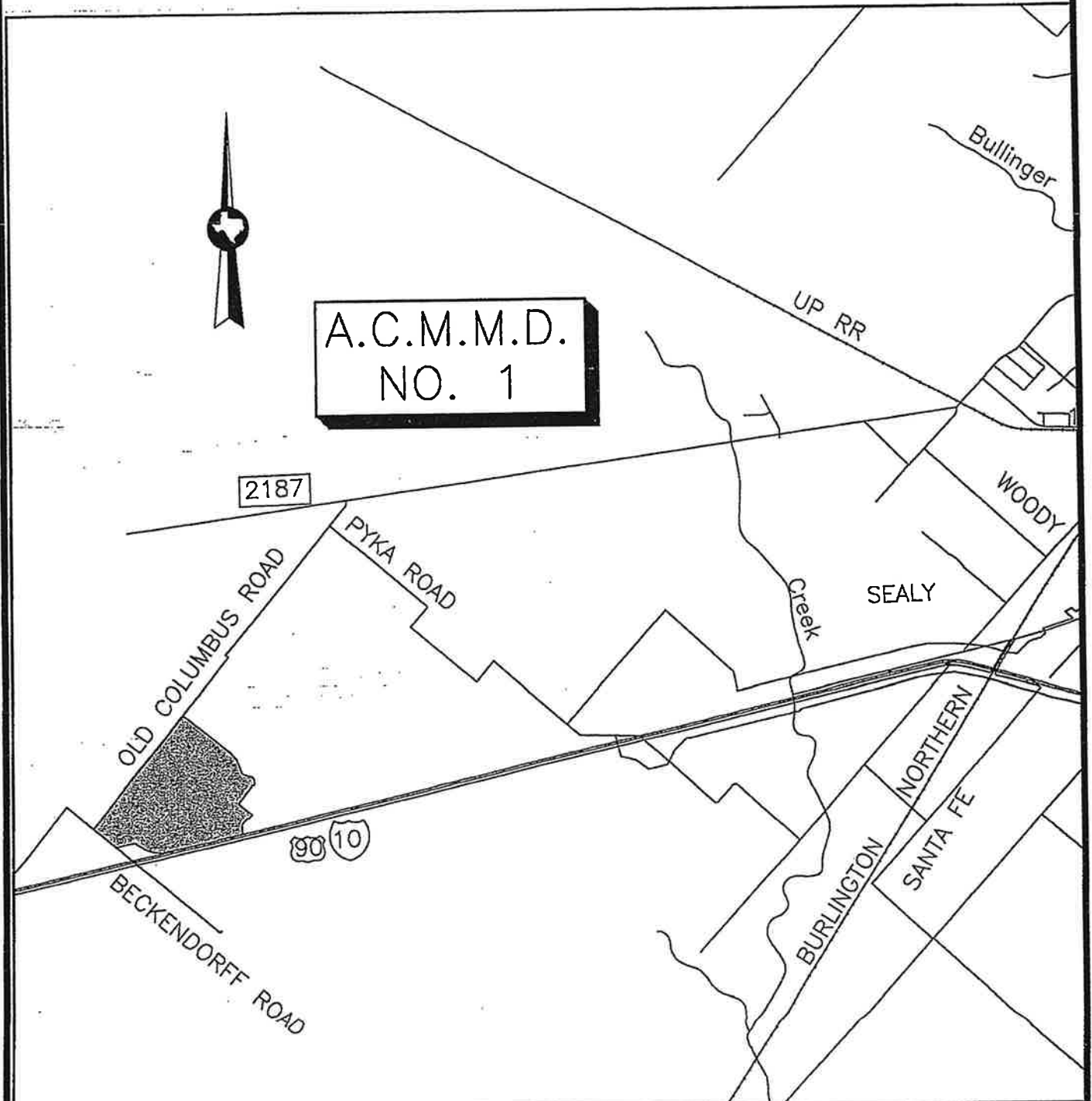
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Issued: February 17, 2023

# AUSTIN COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 1

291.53 Acres of Land  
(Key Map Page No. 155L)



**VICINITY MAP**  
N.T.S.



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447E 7902 7000 0090 E702

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Sent To  
Mr. Syed Asad  
519 Summer Trace Lane  
Richmond, Texas 77406  
Street, Apt. No.  
or PO Box No.  
City, State, Zip

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

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519 Summer Trace Lane  
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COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes ☐ No  
If YES, enter delivery address below:

3. Service Type ☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number  
(Transfer from service label)

7013 0600 0001 7061 3144

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

7013 0600 0001 7061 3144

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<b>OFFICIAL USE</b>	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
<div>Postmark Here</div> <div>11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31</div> <div>POST OFFICE</div> <div>FEB 2008</div> <div>HOUSTON TEXAS 77007</div>	
<div>Sent To</div> <div>Street, Apt. No. or PO Box No.</div> <div>City, State, Zip</div> <div>Mr. Syed Asad</div> <div>519 Summer Trace Lane</div> <div>Richmond, Texas 77406</div>	
PS Form 3800, August 2006 See Reverse for Instructions	



ALLEN BOONE HUMPHRIES ROBINSON LLP

ATTORNEYS AT LAW

PHOENIX TOWER  
3200 SOUTHWEST FREEWAY  
SUITE 2600  
HOUSTON, TEXAS 77027  
TEL (713) 860-6400  
FAX (713) 860-6401  
abhr.com

Direct Line: (713) 860-6424  
Direct Fax: (713) 860-6624

lsotirake@abhr.com

Linda F. Sotirake  
Legal Assistant

February 23, 2023

VIA CERTIFIED MAIL -  
RETURN RECEIPT REQUESTED

Ms. Shereen Sayed Qurban Ali  
5811 Martinique Pass  
Sugar Land, TX 77479

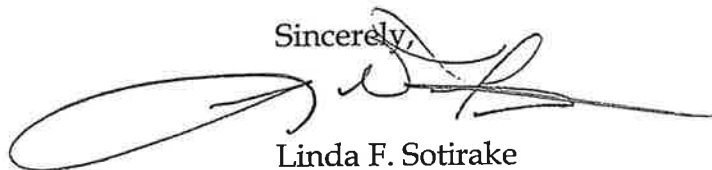
Re: Austin County Municipal Management District No. 1 (the "District")

Dear Ms. Ali:

In connection with the proposed creation of the District, please find enclosed the Texas Commission on Environmental Quality's Notice of Hearing ("Notice") scheduled for March 31, 2023. Pursuant to Title 30 of the Texas Administrative Code, §293.12(g)(2)(B) and Texas Local Government Code §375.024, you are receiving this Notice as a property owner in the District.

Should you have any questions, please feel free to call me at (713) 860-6424.

Sincerely,



Linda F. Sotirake  
Legal Assistant

Enclosures

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF HEARING TCEQ Docket No. 2023-0256-DIS TCEQ Internal Control No. D-10182022-031

**PETITION.** Beckendorf Columbus Farooqi, LLC, a Texas limited liability company, Austin County NKFS, LLC, a Texas limited liability company, and Zashko Fuels, Inc., a Texas corporation (Petitioners) have filed a petition with the Texas Commission on Environmental Quality (TCEQ) for the creation of Austin County Municipal Management District No. 1 (District). The TCEQ will conduct this hearing under the authority of Chapter 375, Texas Local Government Code; Chapter 49 of the Texas Water Code; Title 30, Chapter 293 of the Texas Administrative Code and the procedural rules of the TCEQ. The TCEQ will conduct the hearing at:

**9:30 a.m., Friday, March 31, 2023  
Building E, Room 201S  
12100 Park 35 Circle  
Austin, Texas**

Due to the ongoing pandemic, the agenda meeting may be held in person in Room 201S of Building E at the Commission's offices located at 12100 Park 35 Circle in Austin, Texas, virtually, or both in person and virtually. To confirm how the meeting will be held, please visit the Commissioners' Agenda webpage at:  
[https://www.tceq.texas.gov/agency/decisions/agendas/comm/comm\\_agendas.html](https://www.tceq.texas.gov/agency/decisions/agendas/comm/comm_agendas.html) eight days before the Agenda.

The proposed District will contain approximately 291.53 acres of land within Austin County, Texas. None of the land to be included in 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 and is depicted in the vicinity map designated as Exhibit "A," which is attached to this document. The Petition states that the creation of the proposed District would be a benefit to the land within its boundary.

**HEARING.** As required by the Texas Local Government Code §§ 375.023 and 375.024 and Title 30 of the Texas Administrative Code § 293.12(g)(2)(A), the above hearing regarding this application will be held no earlier than 31 days after notice of this hearing is published in a newspaper with general circulation in the county or counties in which the District is located. The purpose of this hearing is to provide all interested persons the opportunity to appear and offer testimony for or against the proposal contained in the petition. Each person has a right to appear and present evidence and testify for or against the allegations in the petition, the form of the petition, the necessity and feasibility of the district's project, and the benefits to accrue.

At the hearing, pursuant to Chapter 375, Texas Local Government Code; Chapter 49 of the Texas Water Code; and Chapter 293 of Title 30 of the Texas Administrative Code, the TCEQ will determine if creating Austin County Municipal Management District No. 1 would be a benefit to the land and property included in the District, or, if there is any opposition to the proposed

creation, the Commission may refer the application to the State Office of Administrative Hearings for a contested case hearing on the application.

**INFORMATION.** For information regarding the date and time this application will be heard before the Commission, please submit written inquiries to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087, or by phone at (512) 239-3300. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact James Walker of the Districts Creation Review Team at (512) 239-2532. General information regarding TCEQ can be found at our web site at [www.tceq.texas.gov](http://www.tceq.texas.gov).

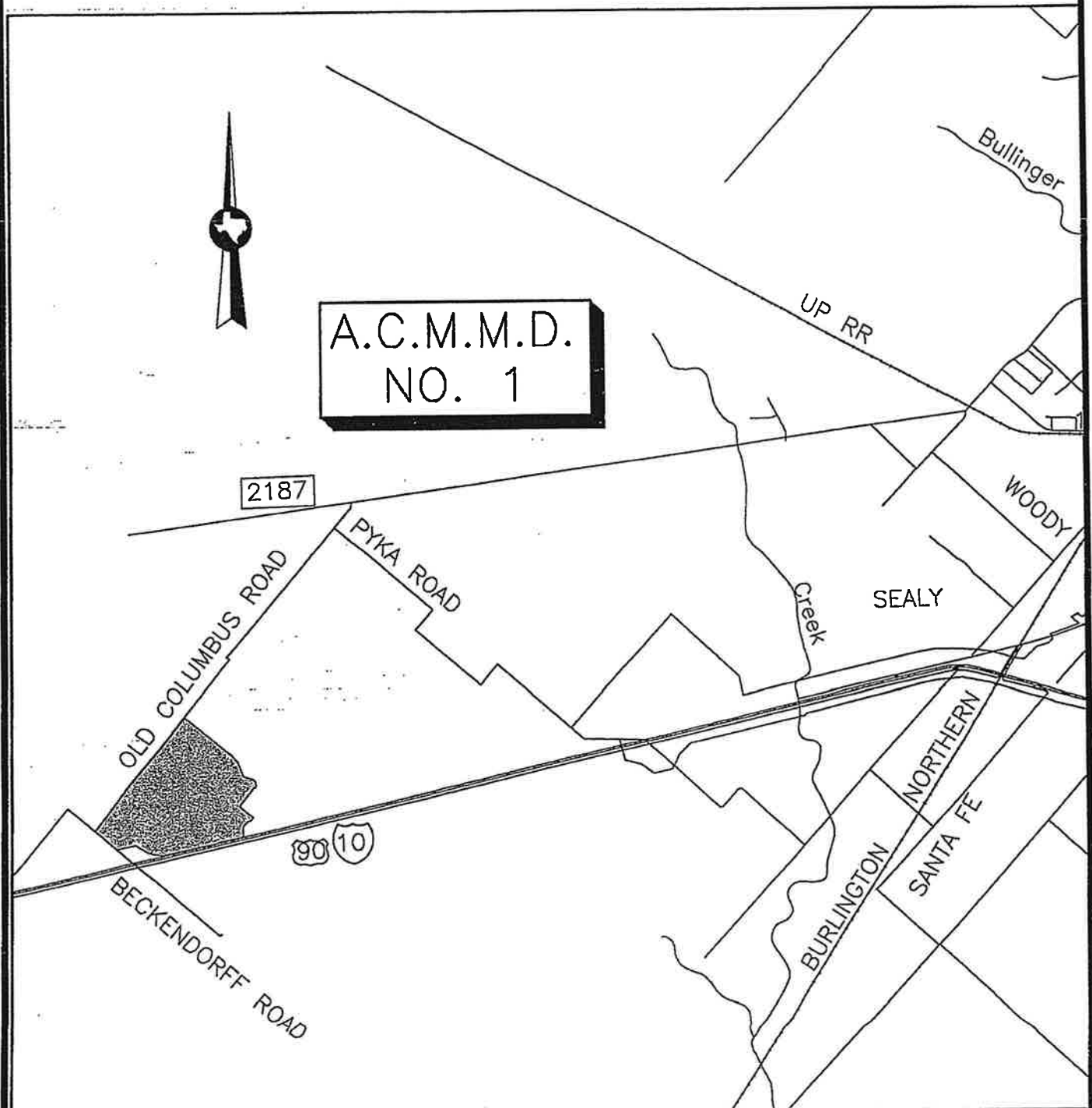
**Si desea información en Español, puede llamar al (512) 239-0200.**

Persons with disabilities who plan to attend this hearing and who need special accommodations at the hearing should call the TCEQ External Relations Division at (800) 687-4040 or (800) RELAY-TX (TDD), at least one week prior to the hearing.

Issued: February 17, 2023

# AUSTIN COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 1

291.53 Acres of Land  
(Key Map Page No. 155L)



**VICINITY MAP**  
N.T.S.



7013 0600 0001 7061 3120  
7013 0600 0001 7061 3120



Postage \$	
Certified Fee	
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Total Postage & Fees \$	

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Sent To

Ms. Shereen Sayed Qurban Ali  
5811 Martinique Pass  
Sugar Land, Texas 77479

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SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

Ms. Shereen Sayed Qurban Ali  
5811 Martinique Pass  
Sugar Land, Texas 77479

2. Article Number  
(Transfer from service label)

7013 0600 0001 7061 3120

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-N-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type ☒ Certified Mail ☐ Express Mail  
☒ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes



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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Sent To

Street, Apt. No.,  
or PO Box No.

City, State, ZIP+4

Ms. Shereen Sayed Qurban Ali  
5811 Martinique Pass  
Sugar Land, Texas 77479

PS Form 3800, August 2006

See Reverse for Instructions

301 BECOOL-04

1428063728293037

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ALLEN BOONE HUMPHRIES ROBINSON LLP

ATTORNEYS AT LAW

PHOENIX TOWER  
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lsotirake@abhr.com

Linda F. Sotirake  
Legal Assistant

February 23, 2023

VIA CERTIFIED MAIL -  
RETURN RECEIPT REQUESTED

Mr. Nighat Khawar  
Beckendorf Columbus Farooqi LLC  
9217 Summerbell Lane  
Houston, TX 77074

Re: Austin County Municipal Management District No. 1 (the "District")

Dear Mr. Khawar:

In connection with the proposed creation of the District, please find enclosed the Texas Commission on Environmental Quality's Notice of Hearing ("Notice") scheduled for March 31, 2023. Pursuant to Title 30 of the Texas Administrative Code, §293.12(g)(2)(B) and Texas Local Government Code §375.024, you are receiving this Notice as a property owner in the District.

Should you have any questions, please feel free to call me at (713) 860-6424.

Sincerely,



Linda F. Sotirake  
Legal Assistant

Enclosures

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF HEARING TCEQ Docket No. 2023-0256-DIS TCEQ Internal Control No. D-10182022-031

**PETITION.** Beckendorf Columbus Farooqi, LLC, a Texas limited liability company, Austin County NKFS, LLC, a Texas limited liability company, and Zashko Fuels, Inc., a Texas corporation (Petitioners) have filed a petition with the Texas Commission on Environmental Quality (TCEQ) for the creation of Austin County Municipal Management District No. 1 (District). The TCEQ will conduct this hearing under the authority of Chapter 375, Texas Local Government Code; Chapter 49 of the Texas Water Code; Title 30, Chapter 293 of the Texas Administrative Code and the procedural rules of the TCEQ. The TCEQ will conduct the hearing at:

9:30 a.m., Friday, March 31, 2023  
Building E, Room 201S  
12100 Park 35 Circle  
Austin, Texas

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**HEARING.** As required by the Texas Local Government Code §§ 375.023 and 375.024 and Title 30 of the Texas Administrative Code § 293.12(g)(2)(A), the above hearing regarding this application will be held no earlier than 31 days after notice of this hearing is published in a newspaper with general circulation in the county or counties in which the District is located. The purpose of this hearing is to provide all interested persons the opportunity to appear and offer testimony for or against the proposal contained in the petition. Each person has a right to appear and present evidence and testify for or against the allegations in the petition, the form of the petition, the necessity and feasibility of the district's project, and the benefits to accrue.

At the hearing, pursuant to Chapter 375, Texas Local Government Code; Chapter 49 of the Texas Water Code; and Chapter 293 of Title 30 of the Texas Administrative Code, the TCEQ will determine if creating Austin County Municipal Management District No. 1 would be a benefit to the land and property included in the District, or, if there is any opposition to the proposed

creation, the Commission may refer the application to the State Office of Administrative Hearings for a contested case hearing on the application.

**INFORMATION.** For information regarding the date and time this application will be heard before the Commission, please submit written inquiries to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087, or by phone at (512) 239-3300. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact James Walker of the Districts Creation Review Team at (512) 239-2532. General information regarding TCEQ can be found at our web site at [www.tceq.texas.gov](http://www.tceq.texas.gov).

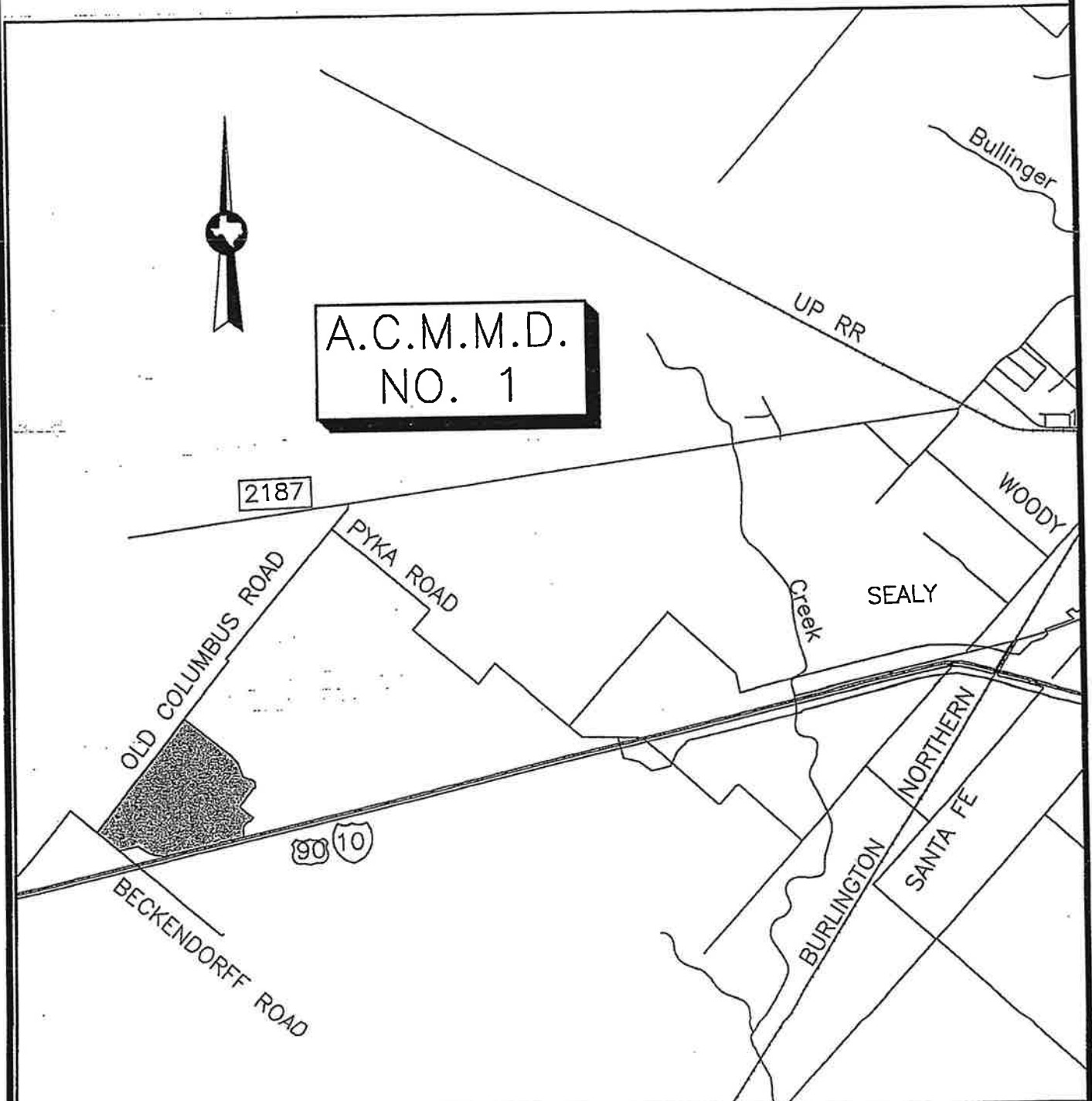
**Si desea información en Español, puede llamar al (512) 239-0200.**

Persons with disabilities who plan to attend this hearing and who need special accommodations at the hearing should call the TCEQ External Relations Division at (800) 687-4040 or (800) RELAY-TX (TDD), at least one week prior to the hearing.

Issued: February 17, 2023

# AUSTIN COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 1

291.53 Acres of Land  
(Key Map Page No. 155L)



**VICINITY MAP**  
N.T.S.





4742 2207 0000 0607 E702  
4742 2207 0000 0607 E702

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Total Postage & Fees	\$

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Sent To  
Mr. Nighat Khawar  
Beckendorf Columbus Farooqi LLC  
9217 Summerbell Lane  
Houston, Texas 77074  
PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Nighat Khawar  
Beckendorf Columbus Farooqi LLC  
9217 Summerbell Lane  
Houston, Texas 77074

COMPLETE THIS SECTION ON DELIVERY

A. Signature <b>X</b>	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
B. Received by (Printed Name)	C. Date of Delivery
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	

3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail	<input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D.
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OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Sent To	
Street or PO	Mr. Nighat Khawar
City	Beckendorf Columbus Farooqi LLC
	9217 Summerbell Lane
	Houston, Texas 77074
PS Form 3800, August 2006	
See Reverse for Instructions	



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Direct Line: (713) 860-6424  
Direct Fax: (713) 860-6624

lsotirake@abhr.com

Linda F. Sotirake  
Legal Assistant

February 23, 2023

VIA CERTIFIED MAIL -  
RETURN RECEIPT REQUESTED

Ms. Shayan Farooqi  
Zashko Fuels, Inc.  
9217 Summerbell Lane  
Houston, TX 77074

Re: Austin County Municipal Management District No. 1 (the "District")

Dear Ms. Farooqi:

In connection with the proposed creation of the District, please find enclosed the Texas Commission on Environmental Quality's Notice of Hearing ("Notice") scheduled for March 31, 2023. Pursuant to Title 30 of the Texas Administrative Code, §293.12(g)(2)(B) and Texas Local Government Code §375.024, you are receiving this Notice as a property owner in the District.

Should you have any questions, please feel free to call me at (713) 860-6424.

Sincerely,



Linda F. Sotirake  
Legal Assistant

Enclosures

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF HEARING TCEQ Docket No. 2023-0256-DIS TCEQ Internal Control No. D-10182022-031

**PETITION.** Beckendorf Columbus Farooqi, LLC, a Texas limited liability company, Austin County NKFS, LLC, a Texas limited liability company, and Zashko Fuels, Inc., a Texas corporation (Petitioners) have filed a petition with the Texas Commission on Environmental Quality (TCEQ) for the creation of Austin County Municipal Management District No. 1 (District). The TCEQ will conduct this hearing under the authority of Chapter 375, Texas Local Government Code; Chapter 49 of the Texas Water Code; Title 30, Chapter 293 of the Texas Administrative Code and the procedural rules of the TCEQ. The TCEQ will conduct the hearing at:

**9:30 a.m., Friday, March 31, 2023  
Building E, Room 201S  
12100 Park 35 Circle  
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The proposed District will contain approximately 291.53 acres of land within Austin County, Texas. None of the land to be include in 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 and is depicted in the vicinity map designated as Exhibit "A," which is attached to this document. The Petition states that the creation of the proposed District would be a benefit to the land within its boundary.

**HEARING.** As required by the Texas Local Government Code §§ 375.023 and 375.024 and Title 30 of the Texas Administrative Code § 293.12(g)(2)(A), the above hearing regarding this application will be held no earlier than 31 days after notice of this hearing is published in a newspaper with general circulation in the county or counties in which the District is located. The purpose of this hearing is to provide all interested persons the opportunity to appear and offer testimony for or against the proposal contained in the petition. Each person has a right to appear and present evidence and testify for or against the allegations in the petition, the form of the petition, the necessity and feasibility of the district's project, and the benefits to accrue.

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**Si desea información en Español, puede llamar al (512) 239-0200.**

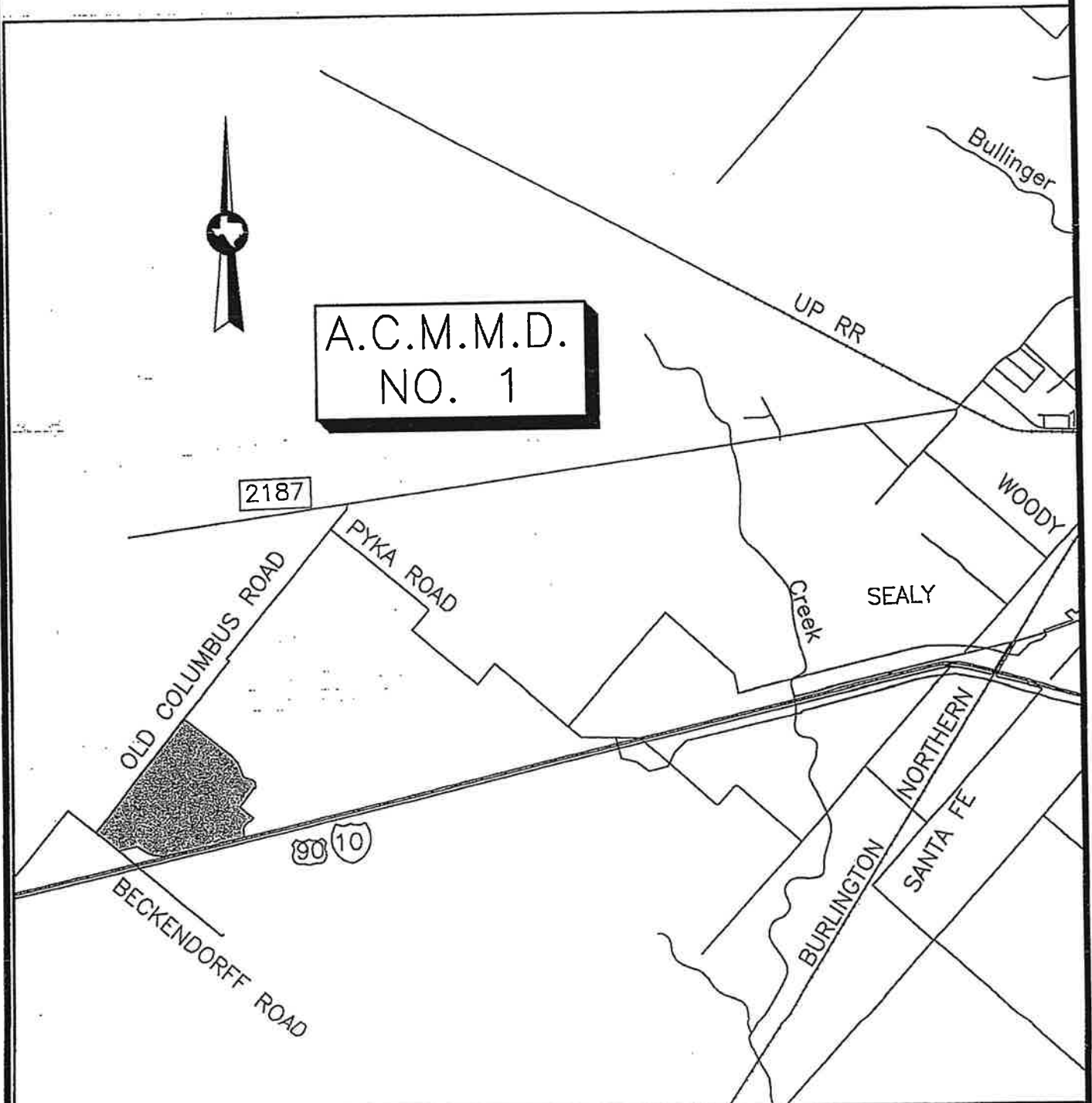
Persons with disabilities who plan to attend this hearing and who need special accommodations at the hearing should call the TCEQ External Relations Division at (800) 687-4040 or (800) RELAY-TX (TDD), at least one week prior to the hearing.

Issued: February 17, 2023



# AUSTIN COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 1

291.53 Acres of Land  
(Key Map Page No. 155L)



**VICINITY MAP**  
N.T.S.

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Total Postage & Fees	\$

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**Sent To**  
 Ms. Shayan Farooqi  
 Zashko Fuels, Inc.  
 9217 Summerbell Lane  
 Houston, Texas 77074

PS Form 3800, August 2006 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ms. Shayan Farooqi  
 Zashko Fuels, Inc.  
 9217 Summerbell Lane  
 Houston, Texas 77074

2. Article Number  
 (Transfer from service fee)

PS Form 3811, February 2004

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☒ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
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4. Restricted Delivery? (Extra Fee) ☐ Yes

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Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	Postmark Here

Sent To

Ms. Shayan Farooqi

Street, Apt. No.,  
or PO Box No.

Zashko Fuels, Inc.  
9217 Summerbell Lane

City, State, ZIP+4

Houston, Texas 77074

PS Form 3800, August 2006

See Reverse for Instructions

7013 1090 0000 1077 7407

ALLEN BOONE HUMPHRIES ROBINSON LLP

ATTORNEYS AT LAW

PHOENIX TOWER  
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lsotirake@abhr.com

Linda F. Sotirake  
Legal Assistant

February 23, 2023

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RETURN RECEIPT REQUESTED

Mr. Nighat Khawar  
Austin County NKFS LLC  
9217 Summerbell Lane  
Houston, TX 77074

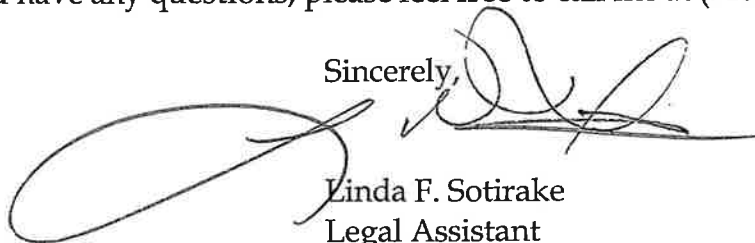
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Linda F. Sotirake  
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Enclosures

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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The proposed District will contain approximately 291.53 acres of land within Austin County, Texas. None of the land to be include in 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 and is depicted in the vicinity map designated as Exhibit "A," which is attached to this document. The Petition states that the creation of the proposed District would be a benefit to the land within its boundary.

**HEARING.** As required by the Texas Local Government Code §§ 375.023 and 375.024 and Title 30 of the Texas Administrative Code § 293.12(g)(2)(A), the above hearing regarding this application will be held no earlier than 31 days after notice of this hearing is published in a newspaper with general circulation in the county or counties in which the District is located. The purpose of this hearing is to provide all interested persons the opportunity to appear and offer testimony for or against the proposal contained in the petition. Each person has a right to appear and present evidence and testify for or against the allegations in the petition, the form of the petition, the necessity and feasibility of the district's project, and the benefits to accrue.

At the hearing, pursuant to Chapter 375, Texas Local Government Code; Chapter 49 of the Texas Water Code; and Chapter 293 of Title 30 of the Texas Administrative Code, the TCEQ will determine if creating Austin County Municipal Management District No. 1 would be a benefit to the land and property included in the District, or, if there is any opposition to the proposed



creation, the Commission may refer the application to the State Office of Administrative Hearings for a contested case hearing on the application.

**INFORMATION.** For information regarding the date and time this application will be heard before the Commission, please submit written inquiries to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087, or by phone at (512) 239-3300. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact James Walker of the Districts Creation Review Team at (512) 239-2532. General information regarding TCEQ can be found at our web site at [www.tceq.texas.gov](http://www.tceq.texas.gov).

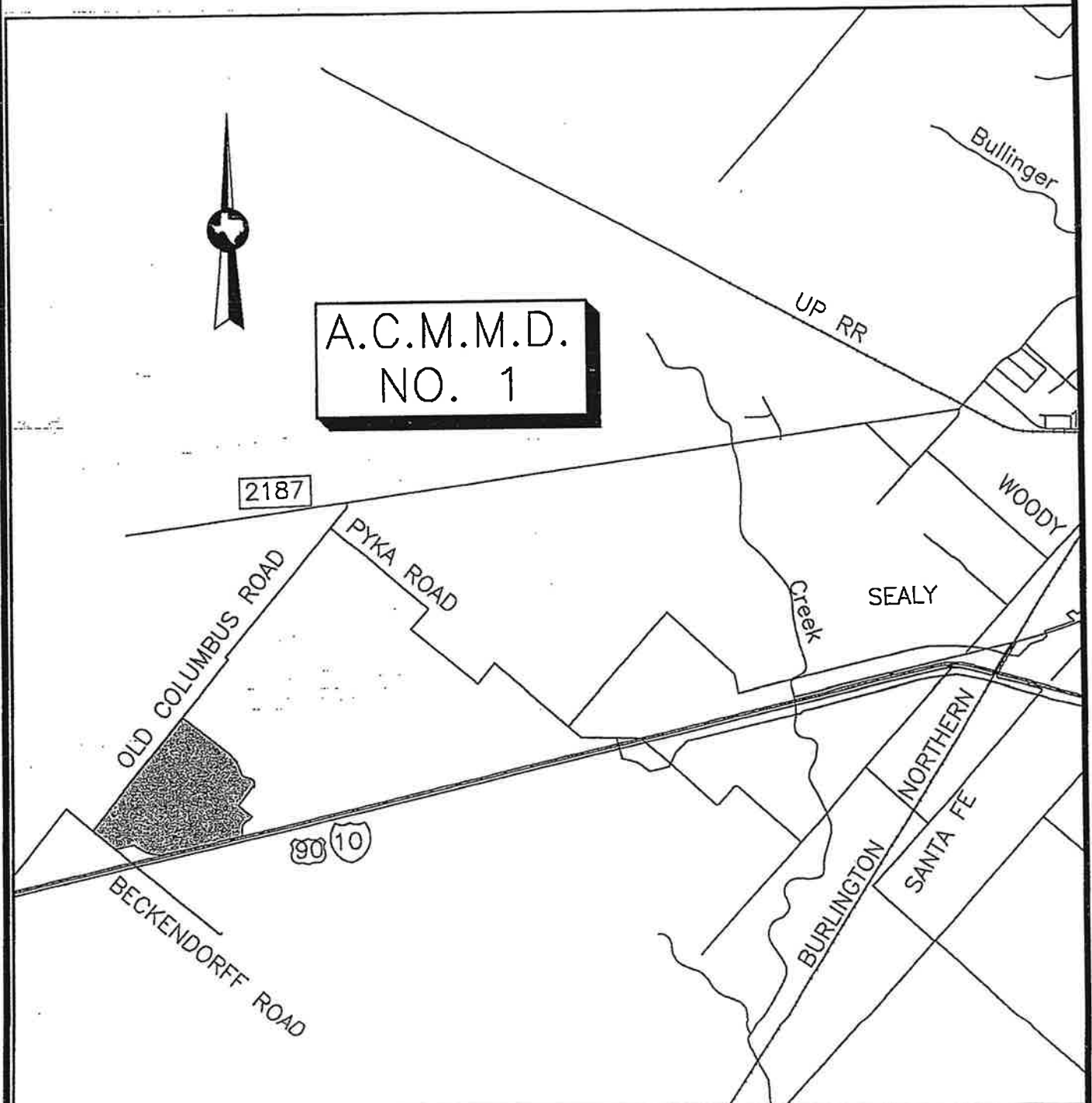
**Si desea información en Español, puede llamar al (512) 239-0200.**

Persons with disabilities who plan to attend this hearing and who need special accommodations at the hearing should call the TCEQ External Relations Division at (800) 687-4040 or (800) RELAY-TX (TDD), at least one week prior to the hearing.

Issued: February 17, 2023

# AUSTIN COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 1

291.53 Acres of Land  
(Key Map Page No. 155L)



VICINITY MAP  
N.T.S.



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**Austin County NKFS LLC**  
9217 Summerbell Lane  
Houston, Texas 77074

PS Form 3800, August 2006 See Reverse for Instructions

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Mr. Nighat Khawar  
Austin County NKFS LLC  
9217 Summerbell Lane  
Houston, Texas 77074

2. Article Number  
(Transfer from service label)

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PS Form 3811, February 2004

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**Mr. Nighat Khawar**  
**Austin County NKFS LLC**  
**9217 Summerbell Lane**  
**Houston, Texas 77074**

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## 6. Mailing List



## MAILING LIST

Austin County Municipal Management District No. 1  
TCEQ Docket No. 2023-0256-DIS; TCEQ Internal Control No. D-10182022-031

<p>Stephen Robinson, Partner Allen Boone Humphries Robinson, LLP 3200 Southwest Freeway, Suite 2600 Houston, Texas 77027-7537</p> <p>Ken Heroy, P.E. Jones-Heroy &amp; Associates, Inc. 13915 N. Mopac Expressway, Suite 408 Austin, Texas 78728</p> <p>The Honorable Angelia Orr State Representative, District No. 13 Room E1.218 P.O. Box 2910 Austin, Texas 78768-2910</p> <p>The Honorable Lois Kolkhorst State Senator, District No. 18 P.O. Box 12068 Capitol Station Austin, Texas 78711-2068</p> <p>Austin County Attn: Carrie Gregor, County Clerk One East Main St. Bellville, Texas 77418-1521</p> <p>Chuck Wemple, Executive Director Houston-Galveston Area Council 3555 Timmons Lane, Suite 120 Houston, Texas 77227-6466</p>	<p>Texas Commission on Environmental Quality <i>via electronic mail:</i></p> <p>Todd Galiga, Senior Attorney, Environmental Law Division, MC-173</p> <p>Kayla Murray, Staff Attorney, Environmental Law Division, MC-173</p> <p>Justin P. Taack, Manager, Districts Section, MC-152</p> <p>James Walker, Technical Manager, Districts Section, MC-152</p> <p>Stephanie DeSouza, Technical Staff, Districts Section, MC-152</p> <p>Sean Ables, Technical Staff, Drinking Water Special Functions Section, MC-153</p> <p>Garrett T. Arthur, Attorney, Office of the Public Interest Counsel, MC-103</p> <p>Nicole Bealle, Regional Director, TCEQ Region 12</p>
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## 7. Caption

Docket No. 2023-0256-DIS. Consideration and hearing on a petition from Beckendorf Columbus Farooqi, LLC, Austin County NKFS, LLC, and Zashko Fuels, Inc. (Petitioners) for creation of Austin County Municipal Management District No. 1 ("District"), pursuant to Chapter 375, Texas Local Government Code. The proposed District is comprised of approximately 291.53 acres of land within Austin County, Texas. (Kayla Murray, James Walker)