

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Kelly Keel, *Interim Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

August 17, 2023

VIA ELECTRONIC FILING

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

Re: Executive Director's Backup Documents Filed for Consideration of Hearing  
Requests at Agenda for Petition by Bahamas Laguna Azure, LLC for the creation of  
Rockwall County Municipal Utility District No. 11; TCEQ Docket No. 2023-0858-DIS

Dear Ms. Gharis:

Enclosed please find a copy of the following documents for inclusion in the background material for this permit application. If you have any questions or comments, please call me at 512-239-1439 or email me at [Harrison.malley@tceq.texas.gov](mailto:Harrison.malley@tceq.texas.gov).

- Revised Petition;
- Notice of Petition;
- Technical Memo prepared by staff; and
- Temporary Director Affidavits.

Thank you for your attention to this matter.

Sincerely,

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

Harrison Cole Malley, *Staff Attorney*  
Environmental Law Division



IV.

On February 14, 2022, Petitioner served the Petition for Consent to Include Land in Rockwall County Municipal Utility District No. 11 (the “**Petition for Consent**”) onto the City Secretary for the City of Royse City. A copy of the Petition for Consent is attached hereto as **Exhibit B**. The Petitioner has not received any response from the City related to the Petition for Consent.

V.

On April 24, 2022, Petitioner posted the Notice of Petition in three places convenient to the public within the boundaries of the Land sought to be added to the District. The affidavit of posting of the Notice of the Petition (the “**Affidavit of Posting**”) is attached hereto as **Exhibit C**.

On April 28, 2022, the Petitioner published Notice of Petition to City of Royse City, Texas for Water and Sanitary Sewer Service (the “**Notice of Petition**”), in the Royse City Herald-Banner, a newspaper of general circulation within and around the District. The affidavit of publication of the Notice of Petition (the “**Affidavit of Publication**”) and the Notice of Petition is attached hereto as **Exhibit D**.

VI.

On May 17, 2022, Petitioner petitioned the City of Royse City to provide water and sanitary sewer services to the Land in accordance with Sec. 42.042(b) of the Texas Local Government Code. Such petition is attached hereto as **Exhibit E**. The City has not contractually agreed to provide water and wastewater service to the Land and now more than 120 days have passed since Petitioner submitted its Petition for Water and Sanitary Sewer Service to the City. The City has not consented to the creation of the District and has failed to execute a contract providing for the water or sanitary sewer services requested by the Petitioner within the time limits prescribed by Section 42.042, Texas Local Government Code.

VII.

Petitioner is the record owner of the described land, as evidenced by the execution of this Petition. Petitioner represents that there is one lienholder, MCI Preferred Income Fund II, LLC, a Delaware limited liability company.

VIII.

The District shall be created for all of the purposes set forth in Article XVI, Section 59 and Article III, Section 52, Texas Constitution; Chapters 49 and 54, Texas

Water Code, as amended; and purposes and authority concurrently or subsequently acquired and approved for roadways by Chapter 54, Water Code or other applicable law.

#### IX.

The general nature of the work proposed to be done by the District at the present time is the construction, maintenance and operation of a waterworks system, including the purchase and sale of water, for domestic and commercial purposes; the construction, maintenance and operation of a sanitary sewer collection, treatment and disposal system, for domestic and commercial purposes; the construction, installation, maintenance, purchase and operation of drainage and roadway facilities and improvements; and the construction, installation, maintenance, purchase and operation of facilities, systems, plants and enterprises of such additional facilities as shall be consonant with the purposes for which the District is organized.

#### X.

There is a necessity for the improvements described above for the following reasons: The area of the District is urban in nature and is in close proximity to populous and developed sections of Rockwall County. The District's area will, within the immediate future, experience a substantial and sustained residential and commercial growth. Said area is not supplied with adequate water and sanitary sewer facilities and services or with adequate drainage facilities and does not have adequate fire suppression facilities, parks and recreational land and facilities, or roads or improvements in aid thereof. The health and welfare of the future inhabitants of the area and of territories adjacent thereto require the installation and acquisition of an adequate water supply and sewage disposal system, an adequate drainage system for and within the area of the District, adequate fire suppression facilities, adequate parks and recreational land and facilities, and roads or improvements in aid thereof.

A public necessity exists for the organization of such District to provide for the purchase, construction, extension, improvement, maintenance and operation of such waterworks and sanitary sewer system, such drainage facilities, such fire suppression facilities, parks and recreational land and facilities, and roads or improvements in aid thereof, in order to promote and protect the purity and sanitary condition of the State's waters and the public health and welfare of the community.

#### XI.

Said proposed improvements are practicable and feasible, in that the terrain of the territory to be included in the District is of such a nature that a waterworks, sanitary sewer, drainage, storm sewer and roadway system can be constructed at a reasonable cost, currently estimated at \$55,440,000, with reasonable ad valorem tax and assessment rates and water and sewer rates, and said territory will be developed for residential and commercial purposes. The District shall be designated a noncity service district in the

meaning of Section 54.016, Texas Water Code, as the District does not currently propose to connect to the City's water or sewer system or propose to contract with a regional water and wastewater facilities provider serving the area within the District, as of the date this Petition is filed.

## XII.

The following named persons are (i) all over eighteen (18) years of age, (ii) resident citizens of the State of Texas, (iii) reside in Rockwall County or a county in the same metropolitan statistical area as Rockwall County, (iv) owners of land subject to taxation within the District, and (v) are otherwise qualified to serve as directors of the District under the provisions of the Texas Water Code:

1. Calvin Jackson
2. Sherry Savoie
3. Kelli Green
4. Peggy Helge
5. D. Jan Pippard

WHEREFORE, the undersigned respectfully pray that this Petition be properly filed, as provided by law; that notice of the application be given as provided therein, that a hearing be held if necessary and that this Petition be in all things granted; that the proposed municipal utility district be organized; that the five (5) persons named herein be appointed to serve as temporary directors until their successors are duly elected and qualified; and for such other orders, acts, procedures and relief as are proper, necessary and appropriate to the purpose of creating and organizing the District.

[SIGNATURE PAGE FOLLOWS]

RESPECTFULLY SUBMITTED, this 14th day of January, 2023

PETITIONER:

BAHAMAS LAGUNA AZURE, LLC  
a Wyoming limited liability company

By:

Name: Armin Afzalipour

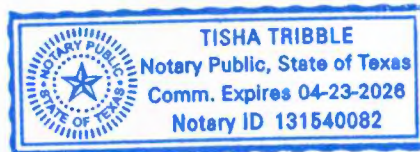
Title: Co-President

STATE OF TEXAS       §  
                                  §  
COUNTY OF DALLAS   §

This instrument was acknowledged before me on this the 14th day of January, 2023, by Armin Afzalipour, as Co-President of Bahamas Laguna Azure, LLC, on behalf of said limited liability company.

  
Notary Public, State of Texas

(SEAL)



**EXHIBIT "A"**  
**Metes and Bounds**

Megatel Homes, LLC  
430.45 Acres

FIGURE 2

John S. Griffith Survey  
Abstract No. 96  
Thomas Crittenden Survey  
Abstract No. 56  
E.S. Alexander Survey  
Abstract No. 4  
J.W. Love Survey  
Abstract No. 140  
James Melloun Survey  
Abstract No. 162

STATE OF TEXAS                    §

COUNTY OF ROCKWALL           §

A **METES & BOUNDS** description of a certain 430.45 acres of land situated in the John S. Griffith Survey, Abstract No. 96; Thomas Crittenden Survey, Abstract No. 56; E.S. Alexander Survey, Abstract No. 4; J.W. Love Survey, Abstract No. 140 and the James Melloun Survey, Abstract No. 162 in Rockwall County, Texas, being all of the remainder of a called 340.92 acre tract conveyed to Jack H. Hittson and Elizabeth W. Hittson by Warranty Deed with Venders Lien recorded in Volume 149, Page 828 D.R.R.C., and conveyed to Hittson Family Partnership by Special Warranty Deed recorded in Clerk's File No. 2013-00480423, Official Public Records Rockwall County (OPRC), and all of a called 114.8 acre tract conveyed to Nancy Evans Keim by Warranty Deed recorded in Clerks File No. 2012-00467776 (OPRC) and Volume 6799, Page 24 Deed Records Rockwall County (DRRC) and Tract I, called 73.363 acres, Tract II, called 20.116 acres and Tract III, called one acre tract conveyed to Nancy Evans Keim by Warranty Deed recorded in 2010-00444178 (OPRC) and Volume 6332, Page 138 (DRRC); said 430.45 acre tract being more particularly described as follows with all being based on the Texas Coordinate System of 1983, North Central Zone;

**BEGINNING** at a 1/2-inch iron rod found in the east right-of-way line of Crenshaw Road recorded in Volume 1657, Page 182 (DRRC) being the south corner of said 340.92 acre tract;

THENCE, North 46°28'36" West, 2463.38 feet with the east line of said road, southwest line of said 340.92 acre tract to a point for corner, a 5/8-inch iron rod found for the southwest corner of said 340.92 acre tract bears North 46°28'36" West, 1391.54 feet;

THENCE, over and across said tracts as follows:

North 00°32'47" West, 1,271.24 feet to a point for corner;

South 89°51'32" East, 665.28 feet to a point for corner;

North 00°39'20" West, 1,416.43 feet to a point for corner;

North 89°04'48" West, 666.36 feet to a point for corner;

North 00°54'06" West, 2,045.08 feet to a point for corner south line of Lot 29, Starlight Ranch recorded in Clerks File No. 2001-0000246 (OPRC);

Megate! Homes, LLC  
430.45 Acres

John S. Griffith Survey  
Abstract No. 96  
Thomas Crittenden Survey  
Abstract No. 56  
E.S. Alexander Survey  
Abstract No. 4  
J.W. Love Survey  
Abstract No. 140  
James Melloun Survey  
Abstract No. 162

THENCE, North 89°02'26" East, 2,254.15 feet with the north line of said 73.363 acre tract, south line of said Starlight Ranch to a 5/8-inch iron rod set for the southeast corner of Lot 20 for said Starlight Ranch, being in the west line of a called 64.674 acre tract (Tract 1) conveyed to Tony Wright by General Warranty Deed recorded in Clerks File No. 2016-0000018817 (OPRR) and near the east line of said Love Survey, west line of said Melloun Survey;

THENCE, South 03°12'38" East, 99.08 feet with the west line of said 64.674 acre tract to a 1/2-inch iron rod found for the southwest corner of same, an ell corner of said 73.363 acre tract;

THENCE, South 89°53'17" East, 1022.18 feet with the south line of said 64.674 acre tract, north line of said 73.363 acre tract to a 5/8-inch iron rod set with cap stamped "Jones|Carter" for the southwest corner of same from which a 3/8-inch iron rod found bears North 63°14'42" East, 16.91 feet;

THENCE, with the east line of said 73.363 acre tract, southwest line of said 64.674 acre tract as follows:

South 42°09'37" East, 74.09 feet to a 1/2-inch iron rod found;

South 03°17'35" West, 167.21 feet to a 5/8-inch iron rod found;

South 50°21'24" East, 111.63 feet to a 1/2-inch iron rod found;

South 84°30'09" East, 89.65 feet to a 5/8-inch iron rod set with plastic cap stamped "Jones|Carter", from which a 3/8-inch iron rod found bears North 51°53'37" East, 12.33 feet;

South 60°54'39" East, 190.04 feet to a 5/8-inch iron rod found;

South 23°03'11" East, 92.50 feet to a 1/2-inch iron rod found;

South 12°18'30" West, 243.91 feet to a 1/2-inch iron rod found;

South 13°38'38" East, 94.18 feet to a 5/8-inch iron rod found;

South 29°29'42" East, 68.90 feet to a 5/8-inch iron rod found;

South 07°13'40" West, 140.15 feet to a 5/8-inch iron rod found;

South 27°47'37" West, 93.43 feet to a 5/8-inch iron rod found;

South 13°15'36" West, 135.32 feet to a 5/8-inch iron rod set with cap stamped "Jones|Carter", from which a 5/8-inch iron rod found (disturbed) bears North 84°29'50" West, 3.69 feet;

South 05°53'34" East, 68.55 feet to a 1/2-inch iron rod found;

North 83°16'37" West, 181.88 feet to a 5/8-inch iron rod found;



Megatel Homes, LLC  
430.45 Acres

John S. Griffith Survey  
Abstract No. 96  
Thomas Crittenden Survey  
Abstract No. 56  
E.S. Alexander Survey  
Abstract No. 4  
J.W. Love Survey  
Abstract No. 140  
James Melloun Survey  
Abstract No. 162

South 30°06'28" West, 212.02 feet to a 5/8-inch iron rod found;

South 39°27'47" West, 63.98 feet to a 5/8-inch iron rod found;

South 67°05'28" West, 174.11 feet to a concrete monument found for the southeast corner of said 73.363 acre tract, northeast corner of said 114.8 acre tract and in the west line of a called 100 acre tract conveyed to John Wesley Crenshaw in Clerks File No. 2009-00410787 (DRRC) from which a concrete monument found bears North 31°16'04" West, 603.91 feet;

THENCE, with the east line of said 114.8 tract, west line of said 100 acre tract as follows:

South 31°16'04" East, 47.97 feet to a 5/8-inch iron rod set with cap stamped "Jones|Carter";

South 63°54'22" West, 113.77 feet to a 5/8-inch iron rod set with cap stamped "Jones|Carter";

South 09°54'22" West, of 69.44 feet to a 5/8-inch iron rod set with cap stamped "Jones|Carter";

South 31°05'38" East, 138.89 feet to a 5/8-inch iron rod set with cap stamped "Jones|Carter";

South 15°54'22" West, 97.22 feet to a 5/8-inch iron rod set with cap stamped "Jones|Carter";

South 88°54'22" West, 45.59 feet to a 1/2-inch iron rod found for the southeast corner of said 114.8 acre tract, northeast corner of said 340.92 acre tract;

THENCE, with the east line of said 340.92 tract, west line of said 100 acre tract as follows:

South 47°16'56" East, 41.52 feet to a 1/2-inch iron rod found stamped "Tri-Point";

South 38°27'00" West, 132.42 feet to a 1/2-inch iron rod found;

South 20°17'37" West, 57.46 feet to a 5/8-inch iron rod set with cap stamped "Jones|Carter";

South 18°50'07" East, of 418.27 feet to a 1/2-inch iron rod found stamped "Tri-Point";

South 30°00'28" West, 97.46 feet to a 1/2-inch iron rod found;

Thence South 86°43'31" East, 252.35 feet to a 5/8-inch iron rod set with cap stamped "Jones|Carter";

THENCE, South 45°56'14" East, 1567.30 feet with the east line of said 340.92 acre tract west line of said 100 acre tract to a 1/2-inch iron rod found stamped "Tri-Point" for the south corner of same, southeast corner of said 340.92 acre tract in the west line of a called 167.341 acre tract conveyed to Mary E. Pullen recorded in Volume 126, Page 887 (DRRC);

THENCE, South 45°42'16" West, 1085.58 feet with the south line of said 340.92 acre tract west line of said 167.341 acre tract to a 5/8-inch iron rod set with plastic cap stamped "Jones|Carter";

Megatel Homes, LLC  
430.45 Acres

John S. Griffith Survey  
Abstract No. 96  
Thomas Crittenden Survey  
Abstract No. 56  
E.S. Alexander Survey  
Abstract No. 4  
J.W. Love Survey  
Abstract No. 140  
James Melloun Survey  
Abstract No. 162

THENCE, South 43°31'54" West, 2625.58 feet with the south line of said 340.92 acre tract west line of a called 190.032 acre tract conveyed to H-C Trust recorded in Volume 298, Page 48 (DRRC) to the **POINT OF BEGINNING, CONTAINING** 430.45 acres of land in Rockwall County, Texas.

**NOTE:** "This document was prepared under 22 TAC 138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the political subdivision for which it was prepared".

 8/25/2022

Eduardo Martinez  
Registered Professional Land Surveyor No. 5274



Telephone 972-488-3880 Ext. 7177  
Texas Board of Engineers and Land Surveyors  
Engineer Registration No. F-23290  
Survey Registration No. 10046100



**EXHIBIT "B"**  
Petition for Consent filed with City

RECEIVED

FEB 11 2022

Per ds

PETITION FOR CONSENT TO CREATION OF POLITICAL SUBDIVISION  
IN THE EXTRATERRITORIAL JURISDICTION  
OF THE CITY OF ROYSE CITY, TEXAS

THE STATE OF TEXAS                   §  
                                                 §  
COUNTY OF ROCKWALL               §

TO THE HONORABLE MAYOR AND  
CITY COUNCIL OF THE CITY OF ROYSE CITY:

The undersigned petitioner (herein the "Petitioner", whether one or more), being a majority of the persons who hold title to land(s) situated within the area hereinafter described, which represents a total value of more than 50% of the value of all such area, and being a majority in value of the holders of title of the land within said area as indicated by the tax rolls of the Rockwall County Appraisal District, acting pursuant to the applicable provisions of the Texas Water Code, as amended, and Section 42.042, Texas Local Government Code, together with all amendments and additions thereto, respectfully petitions this Honorable Body for consent to the creation of a conservation and reclamation district and political subdivision of the State of Texas under Article XVI, Section 59 and Article III, Section 52 of the Texas Constitution within the extraterritorial jurisdiction of the City of Royse City, Texas (the "City"), and would respectfully show the following:

I.

The name of the proposed district shall be "ROCKWALL COUNTY MUNICIPAL UTILITY DISTRICT NO. 10" (the "District"). There is no other conservation or reclamation district in Rockwall County, Texas with the same name.

II.

The District shall be created and organized and shall exist under the terms and provisions of Article XVI, Section 59 and Article III, Section 52 of the Texas Constitution and Chapters 49 and 54 of the Texas Water Code, as amended, together with all amendments and additions thereto.

III.

The District shall contain an area of approximately 430.626 acres of land, situated within Rockwall County, Texas, described by metes and bounds in **Exhibit "A"**, which is attached hereto and made a part hereof for all purposes. The described property is wholly located within the extraterritorial jurisdiction of the City of Rockwall, Texas.

IV.

The undersigned constitute the current landowners of the property to be included within the District. The lienholder for the land consented to this petition, as evidenced by the Certificate of Lienholder's Consent, which is attached hereto as Exhibit "B", and incorporated herein for all purposes.

V.

The District shall be created for all of the purposes set forth in Article XVI, Section 59 and Article III, Section 52, Texas Constitution; Chapters 49 and 54, Texas Water Code, as amended; and purposes and authority concurrently or subsequently acquired and approved for roadways by Chapter 54, Water Code or other applicable law.

VI.

The general nature of the work proposed to be done by the District at the present time is the construction, maintenance and operation of a waterworks system, including the purchase and sale of water, for domestic and commercial purposes; the construction, maintenance and operation of a sanitary sewer collection, treatment and disposal system, for domestic and commercial purposes; the construction, installation, maintenance, purchase and operation of drainage and roadway facilities and improvements; and the construction, installation, maintenance, purchase and operation of facilities, systems, plants and enterprises of such additional facilities as shall be consonant with the purposes for which the District is organized.

VII.

There is a necessity for the improvements described above for the following reasons: The area of the District is urban in nature and is in close proximity to populous and developed sections of Rockwall County. The District's area will, within the immediate future, experience a substantial and sustained residential and commercial growth. Said area is not supplied with adequate water and sanitary sewer facilities and services or with adequate drainage facilities and does not have adequate fire suppression facilities, parks and recreational land and facilities, or roads or improvements in aid thereof. The health and welfare of the future inhabitants of the area and of territories adjacent thereto require the installation and acquisition of an adequate water supply and sewage disposal system, an adequate drainage system for and within the area of the District, adequate fire suppression facilities, adequate parks and recreational land and facilities, and roads or improvements in aid thereof.

A public necessity exists for the organization of such District to provide for the purchase, construction, extension, improvement, maintenance and operation of such waterworks and sanitary sewer system, such drainage facilities, such fire suppression facilities, parks and recreational land and facilities, and roads or improvements in aid

thereof, in order to promote and protect the purity and sanitary condition of the State's waters and the public health and welfare of the community.

VIII.

Said proposed improvements are practicable and feasible, in that the terrain of the territory to be included in the District is of such a nature that a waterworks, sanitary sewer, drainage, storm sewer and roadway system can be constructed at a reasonable cost, currently estimated at \$95,000,000, with reasonable ad valorem tax and assessment rates and water and sewer rates, and said territory will be developed for residential and commercial purposes. The District shall be designated a noncity service district in the meaning of Section 54.106, Texas Water Code, as the District does not currently propose to connect to the City's water or sewer system or propose to contract with a regional water and wastewater facilities provider serving the area within the District, as of the date this Petition is filed.

WHEREFORE, the undersigned respectfully pray that this Petition be granted in all respects and that the City of Royse City give its written consent to the creation of the District, and for such other orders, acts, procedure and relief as are proper and necessary and appropriate to the purpose of creating and organizing the District and to the execution of the purposes for which the District shall be organized.

THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

EXECUTED THIS 9<sup>th</sup> day of February, 2022.

PETITIONER:

Bahamas Laguna Azur, LLC,  
a Wyoming limited liability company

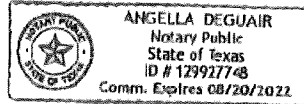
By: [Signature]  
Name: Armin Afzalipour  
Title: Co-President

STATE OF TEXAS     §  
                                  §  
COUNTY OF DALLAS   §

This instrument was acknowledged before me on this the 9<sup>th</sup> day of February, 2022, by Armin Afzalipour as Co president of Bahamas Laguna Azur, LLC, on behalf of said limited liability company.

[Signature]  
Notary Public, State of Texas

(SEAL)



4891-1192-9612v.1

## EXHIBIT A

### LEGAL DESCRIPTION

430.626 ACRES

Being a 541.94 acres of land situated in the John S. Griffith Survey, Abstract No. 96, the Thomas Crittenden Survey, Abstract No. 56, the E.S. Alexander Survey, Abstract No. 4, the J.W. Love Survey, Abstract No. 140 and the James Melloun Survey, Abstract No. 162 in Rockwall County, Texas, being all of the remainder of a called 340.92 acre tract conveyed to Jack H. Hittson and Elizabeth W. Hittson by Warranty Deed with Venders Lien recorded in Volume 149, Page 828 D.R.R.C., and conveyed to Hittson Family Partnership by Special Warranty Deed recorded in Clerk's File No. 2013-00480423, Official Public Records Rockwall County (OPRRC), and all of a called 114.8 acre tract conveyed to Nancy Evans Keim by Warranty Deed recorded in Clerks File No. 2012-00467776 (OPRRC) and Volume 6799, Page 24 Deed Records Rockwall County (DRRC) and Tract I, called 73.363 acres, Tract II, called 20.116 acres and Tract III, called one acre tract conveyed to Nancy Evans Keim by Warranty Deed recorded in 2010-00444178 (OPRRC) and Volume 6332, Page 138 (DRRC); said 541.94 acre tract being more particularly described as follows with all being based on the Texas Coordinate System of 1983, North Central Zone;

**BEGINNING** at a found 5/8-inch iron rod found in the east right-of-way line of F.M. Highway 548 (80 foot R.O.W.) recorded in Volume 46, Page 363 (DRRC) being the southwest corner of said 340.92 acre tract;

**THENCE**, North 00°41'54" West, 617.00 feet along said east right-of-way line to a 5/8-inch iron rod stamped "Hultt-Zollars" found for the southwest corner of a called 7.66 acre tract conveyed to Matthew Douglas Robb and Jennifer Robb by Warranty Deed with Venders Lien recorded in Clerks File No. 2016000009517 (OPRRC);

**THENCE**, North 89°24'19" East, 666.07 feet with the south line of said 7.66 acre tract to a 1/2-inch iron rod found for the southeast corner of same;

**THENCE**, North 00°39'20" West, 499.62 feet with the east line of said 7.66 acre tract to a 1/2-inch iron rod found for the northeast corner of same;

**THENCE**, South 89°25'52" West, 665.99 feet with the north line of said 7.66 acre tract to a 5/8-inch iron rod found stamped "Hultt-Zollars" for the northwest corner of same and being in the east R.O.W. of said highway;

**THENCE**, North 00°41'24" West, 371.74 with the east R.O.W. of said highway, and the west line of said 340.92 acre tract to a 1/2-inch iron rod found for the southwest corner of a tract conveyed to James H. Cross by Deed of Trust recorded in Volume 83, Page 65 (DRRC);

**THENCE**, North 87°53'01" East, 169.63 feet with the south line of said Cross tract to a 1/2-inch iron rod stamped "Tri-Point" found for the southeast corner of same;

4891-1192-9612v.1

4866-8868-6107v.1

THENCE, North 00°40'59" West, 208.76 feet with the east line of said Cross tract to a 1/2-inch iron rod stamped Tripoint found for the northeast corner of same, in the south line of said 114.8 acre tract;

THENCE, South 89°04'48" West, 169.60 feet with the north line of said Cross tract, south line of said 114.8 acre tract to a 5/8-inch iron rod set for the southwest corner of same, northwest corner of said Cross tract and in the east R.O.W. line of said highway;

THENCE, North 00°54'06" West, 2106.45 feet with the east R.O.W. of said highway, west line of said 114.8 acre tract to a 5/8-inch iron rod set for the northwest corner of said 73.363 acre tract, southwest corner of a remainder of called 5.175 acre tract conveyed to William Pierce Jr. in Volume 537, Page 172 (DRRC) from which a 5/8-inch iron rod found bears North 00°53'06" West, 740.31 feet;

THENCE, North 89°07'23" East, 603.23 feet with the south line of said remainder of 5.175 acre tract, north line of said 73.363 acre tract to a concrete monument found for an ell corner of same, being in the west line of Lot 30, Starlight Ranch recorded in Clerks File No. 2001-0000246 (OPRR) from which a concrete monument found bears North 05°23'28" West, 30.71 feet;

THENCE, South 01°59'28" East, 38.79 feet with the west line of said Lot 30 to a 5/8-inch iron rod found for the southwest corner of same;

THENCE, North 89°02'26" East, 2650.52 feet with the easterly north line of said 73.363 acre tract, south line of said Starlight Ranch to a 5/8-inch iron rod set for the southeast corner of Lot 20 for said Starlight Ranch, being in the west line of a called 64.674 acre tract (Tract 1) conveyed to Tony Wright by General Warranty Deed recorded in Clerks File No. 2016-0000018817 (OPRR) and near the east line of said Love Survey, west line of said Melloun Survey;

THENCE, South 03°12'38" East, 99.08 feet with the west line of said 64.674 acre tract to a 1/2-inch iron rod found for the southwest corner of same, an ell corner of said 73.363 acre tract;

THENCE, South 89°53'17" East, 1022.18 feet with the south line of said 64.674 acre tract, north line of said 73.363 acre tract to a 5/8-inch iron rod set with cap stamped "Jones/Carter" for the southwest corner of same from which a 3/8-inch iron rod found bears North 63°14'42" East, 16.91 feet;

THENCE, with the east line of said 73.363 acre tract, southwest line of said 64.674 acre tract as follows:

South 42°09'37" East, 74.09 feet to a 1/2-inch iron rod found;

South 03°17'35" West, 167.21 feet to a 5/8-inch iron rod found;

South 50°21'24" East, 111.63 feet to a 1/2-inch iron rod found;



South 88°54'22" West, 45.59 feet to a 1/2-inch iron rod found for the southeast corner of said 114.8 acre tract, northeast corner of said 340.92 acre tract;

THENCE, with the east line of said 340.92 tract, west line of said 100 acre tract as follows:

South 47°16'56" East, 41.52 feet to a 1/2-inch iron rod found stamped "Tri-Point";

South 38°27'00" West, 132.42 feet to a 1/2-inch iron rod found;

South 20°17'37" West, 57.46 feet to a 5/8-inch iron rod set with cap stamped "Jones|Carter";

South 18°50'07" East, of 418.27 feet to a 1/2-inch iron rod found stamped "Tri-Point";

South 30°00'28" West, 97.46 feet to a 1/2-inch iron rod found;

THENCE South 86°43'31" East, 252.35 feet to a 5/8-inch iron rod set with cap stamped "Jones|Carter";

THENCE, South 45°56'14" East, 1567.30 feet with the east line of said 340.92 acre tract west line of said 100 acre tract to a 1/2-inch iron rod found stamped "Tri-Point" for the south corner of same, southeast corner of said 340.92 acre tract in the west line of a called 167.341 acre tract conveyed to Mary E. Pullen recorded in Volume 126, Page 887 (DRRC);

THENCE, South 45°42'16" West, 1085.58 feet with the south line of said 340.92 acre tract west line of said 167.341 acre tract to a 5/8-inch iron rod set with plastic cap stamped "Jones|Carter";

THENCE, South 43°31'54" West, 2625.58 feet with the south line of said 340.92 acre tract west line of a called 190.032 acre tract conveyed to H-C Trust recorded in Volume 298, Page 48 (DRRC) to a 1/2-inch iron rod found for the southwest corner of said 340.92 acre tract and in the east R.O.W. of Crenshaw Road;

THENCE, North 46°28'36" West, 3854.92 feet with the east line of said road, southwest line of said 340.92 acre tract to the **POINT OF BEGINNING**, and **CONTAINING** 541.94 acres of land, more or less.

**SAVE** and **EXCEPT** the following;

Being a 111.311 acres of land situated in the John S. Griffith Survey, Abstract No. 96, the Thomas Crittenden Survey, Abstract No. 56, the E.S. Alexander Survey, Abstract No. 4, the J.W. Love Survey, Abstract No. 140 and the James Melloun Survey, Abstract No. 162 in Rockwall County, Texas, being part of the remainder of a called 340.92 acre tract conveyed to Jack H. Hittson and Elizabeth W. Hittson by Warranty Deed with Venders Lien recorded in Volume 149, Page 828 D.R.R.C., and conveyed to Hittson Family Partnership by Special Warranty Deed recorded in Clerk's File No. 2013-00480423, Official Public Records Rockwall County (OPRRC), part of a called 114.8 acre tract

South 84°30'09" East, 89.65 feet to a 5/8-inch iron rod set with plastic cap stamped "Jones|Carter", from which a 3/8-inch iron rod found bears North 51°53'37" East, 12.33 feet;

South 60°54'39" East, 190.04 feet to a 5/8-inch iron rod found;

South 23°03'11" East, 32.50 feet to a 1/2-inch iron rod found;

South 12°18'30" West, 243.91 feet to a 1/2-inch iron rod found;

South 13°38'38" East, 94.18 feet to a 5/8-inch iron rod found;

South 29°29'42" East, 68.90 feet to a 5/8-inch iron rod found;

South 07°13'40" West, 140.15 feet to a 5/8-inch iron rod found;

South 27°47'37" West, 93.43 feet to a 5/8-inch iron rod found;

South 13°15'36" West, 135.32 feet to a 5/8-inch iron rod set with cap stamped "Jones|Carter", from which a 5/8-inch iron rod found (disturbed) bears North 84°29'50" West, 3.69 feet;

South 05°53'34" East, 68.55 feet to a 1/2-inch iron rod found;

North 83°16'37" West, 181.88 feet to a 5/8-inch iron rod found;

South 30°06'28" West, 212.02 feet to a 5/8-inch iron rod found;

South 39°27'47" West, 63.98 feet to a 5/8-inch iron rod found;

South 67°05'28" West, 174.11 feet to a concrete monument found for the southeast corner of said 73.363 acre tract, northeast corner of said 114.8 acre tract and in the west line of a called 100 acre tract conveyed to John Wesley Crenshaw in Clerks File No. 2009-00410787 (DRRC) from which a concrete monument found bears North 31°16'04" West, 603.91 feet;

THENCE, with the east line of said 114.8 tract, west line of said 100 acre tract as follows:

South 31°16'04" East, 47.97 feet to a 5/8-inch iron rod set with cap stamped "Jones|Carter";

South 63°54'22" West, 113.77 feet to a 5/8-inch iron rod set with cap stamped "Jones|Carter";

South 09°54'22" West, of 69.44 feet to a 5/8-inch iron rod set with cap stamped "Jones|Carter";

South 31°05'38" East, 138.89 feet to a 5/8-inch iron rod set with cap stamped "Jones|Carter";

South 15°54'22" West, 97.22 feet to a 5/8-inch iron rod set with cap stamped "Jones|Carter";

conveyed to Nancy Evans Keim by Warranty Deed recorded in Clerks File No. 2012-00467776 (OPRR) and Volume 6799, Page 24 Deed Records Rockwall County (DRRC) and part of Tract I, called 73.363 acres, part of Tract II, called 20.116 acres and part of Tract III, a called one acre tract, all being conveyed to Nancy Evans Keim by Warranty Deed recorded in 2010-00444178 (OPRR) and Volume 6332, Page 138 (DRRC); said 541.94 acre tract being more particularly described as follows with all being based on the Texas Coordinate System of 1983, North Central Zone;

**BEGINNING** at a found 5/8-inch iron rod found in the east right-of-way line of F.M. Highway 548 (80 foot R.O.W.) recorded in Volume 46, Page 363 (DRRC) being the southwest corner of said 340.92 acre tract;

THENCE, North 00°41'54" West, 617.00 feet along said east right-of-way line to a 5/8-inch iron rod stamped "Huitt-Zollars" found for the southwest corner of a called 7.66 acre tract conveyed to Matthew Douglas Robb and Jennifer Robb by Warranty Deed with Venders Lien recorded in Clerks File No. 2018000009517 (OPRR);

THENCE, North 89°24'19" East, 666.07 feet with the south line of said 7.66 acre tract to a 1/2-inch iron rod found for the southeast corner of same;

THENCE, North 00°39'20" West, 499.62 feet with the east line of said 7.66 acre tract to a 1/2-inch iron rod found for the northeast corner of same;

THENCE, South 89°25'52" West, 665.93 feet with the north line of said 7.66 acre tract to a 5/8-inch iron rod found stamped "Huitt-Zollars" for the northwest corner of same and being in the east R.O.W. of said highway;

THENCE, North 00°41'24" West, 371.74 with the east R.O.W. of said highway, and the west line of said 340.92 acre tract to a 1/2-inch iron rod found for the southwest corner of a tract conveyed to James H. Cross by Deed of Trust recorded in Volume 83, Page 65 (DRRC);

THENCE, North 87°53'01" East, 169.63 feet with the south line of said Cross tract to a 1/2-inch iron rod stamped "Tri-Point" found for the southeast corner of same;

THENCE, North 00°40'59" West, 208.76 feet with the east line of said Cross tract to a 1/2-inch iron rod stamped Tripoint found for the northeast corner of same, in the south line of said 114.8 acre tract;

THENCE, South 89°04'48" West, 169.60 feet with the north line of said Cross tract, south line of said 114.8 acre tract to a 5/8-inch iron rod set for the southwest corner of same, northwest corner of said Cross tract and in the east R.O.W. line of said highway;

THENCE, North 00°54'06" West, 2105.45 feet with the east R.O.W. of said highway, west line of said 114.8 acre tract to a 5/8-inch iron rod set for the northwest corner of said 73.363 acre tract, southwest corner of a remainder of called 5.175 acre tract conveyed to William Pierce Jr. in Volume 537, Page 172 (DRRC) from which a 5/8-inch iron rod found bears North 00°53'06" West, 740.31 feet;

4891-1192-9612v.1

4866-8868-6107v.1

THENCE, North 89°07'23" East, 603.23 feet with the south line of said remainder of 5.175 acre tract, north line of said 73.363 acre tract to a concrete monument found for an ell corner of same, being in the west line of Lot 30, Starlight Ranch recorded in Clerks File No. 2001-0000246 (OPRR) from which a concrete monument found bears North 05°23'28" West, 30.71 feet;

THENCE, South 01°59'28" East, 38.79 feet with the west line of said Lot 30 to a 5/8-inch iron rod found for the southwest corner of same;

THENCE, North 89°02'26" East, 396.04 feet with the easterly north line of said 73.363 acre tract, south line of said Starlight Ranch to a point for corner in the east City Limit line of Royse City;

THENCE, South 00°54'06" East, 396.04 feet with the east City Limit line of said Royse City to a point for corner;

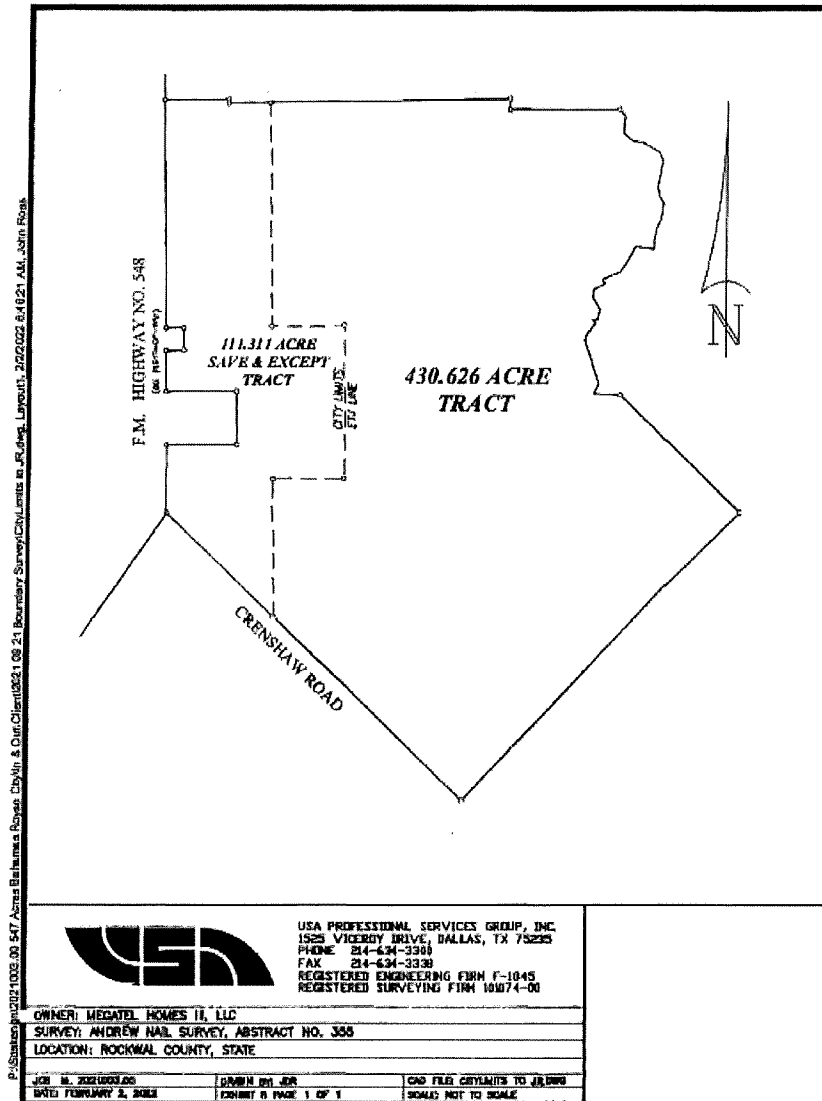
THENCE, South 89°04'48" East, 666.36 feet with said east City Limit line of said Royse City to a point for corner;

THENCE, South 00°39'20" East, 1,416.43 feet with the east City Limit line of said Royse City to a point for corner;

THENCE, North 89°51'32" West, 665.28 feet with said east City Limit line of said Royse City to a point for corner;

THENCE, South 00°32'47" East, 1,271.24 feet with said east City Limit line of said Royse City to a point for corner in the south line of said 340.92 acre tract and in the east R.O.W. of Crenshaw Road;

THENCE, North 46°28'36" West, 1,391.54 feet with the east line of said road, southwest line of said 340.92 acre tract to the **POINT OF BEGINNING**, and **CONTAINING** 111.311 acres of land, more or less.



4891-1192-9612v.1

4866-8868-6107v.1

EXHIBIT B

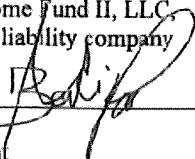
CERTIFICATE OF LIENHOLDER'S CONSENT

STATE OF TEXAS       §  
                                  §  
COUNTY OF DALLAS   §

The undersigned being the holder of a lien on all or a portion of the land as described in the Petition for Consent to Creation of Political Subdivision in the Extraterritorial Jurisdiction of Royse City (the "Petition") and to which this certificate is attached, hereby consents to the Petition.

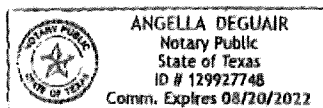
LIENHOLDER:

MCI Preferred Income Fund II, LLC,  
a Delaware limited liability company

By:   
Name: Zach Ipour  
Title: Co-President

STATE OF TEXAS       §  
                                  §  
COUNTY OF COLLIN   §

This instrument was acknowledged before me on this the 9<sup>th</sup> day of February, 2022, by ZACH IPOUR, as Co-president of MCI Preferred Income Fund II, LLC, on behalf of said limited liability company.



**EXHIBIT "C"**

Certificate of Posting Petition for Services in 3 Locations in District

**CERTIFICATE OF POSTING OF**  
**PETITION FOR SERVICES OTHERWISE PROVIDED BY**  
**ROCKWALL COUNTY MUNICIPAL UTILITY DISTRICT NO. 10**

THE STATE OF TEXAS

§

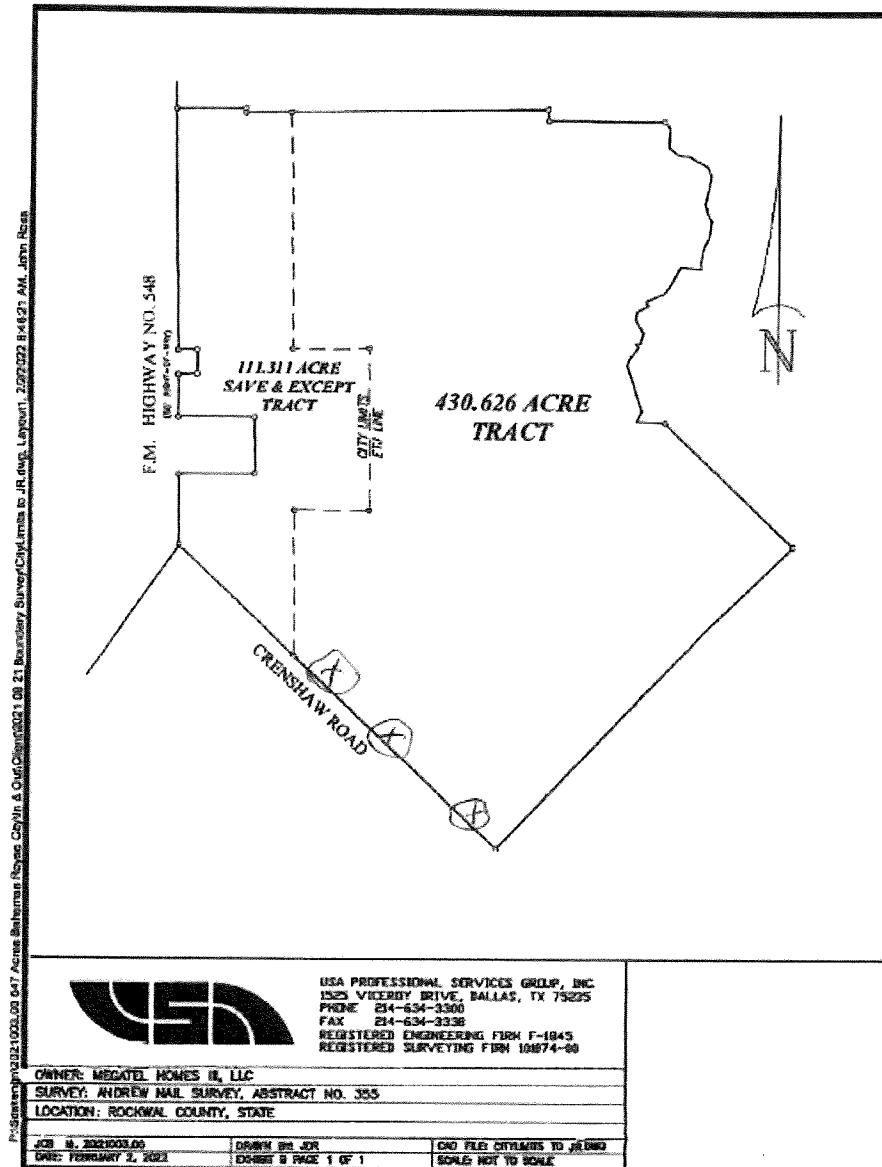
COUNTY OF ROCKWALL

§

W. GARRETT WESP  
I, \_\_\_\_\_, the undersigned, hereby state that I posted the Petition  
for Services Otherwise Provided by Rockwall County Municipal Utility District No. 10  
to the City of Royse City, attached hereto, at three locations convenient to the public,  
within the boundaries of the land proposed to be added to the district, as shown on the  
map also attached hereto, on the 24<sup>th</sup> day of April, 2022, at 4:30  
p.m.

W. Garrett Wesp  
Signature of Person Posting

Printed Name of  
Person Posting: W GARRETT WESP



4891-1192-9612v.1

4866-8868-6107v.1



**EXHIBIT "D"**

**Affidavit of Publication of the Notice of Petition**

**AFFIDAVIT**

STATE OF TEXAS  
COUNTY OF ROCKWALL

Advertiser: Winstead, P.C.


Before me, the undersigned authority, in this day personally appeared  
Andrew Walker

who duly swears, deposes and says that he/she is the Publisher / Advertising Manager / Editor  
of the Royse City Herald-Banner; that said newspaper is regularly published in Greenville,  
Hunt County, Rockwall County, Texas; and that the attached notice was published in said  
newspaper on the following date(s):  
04/23/2022

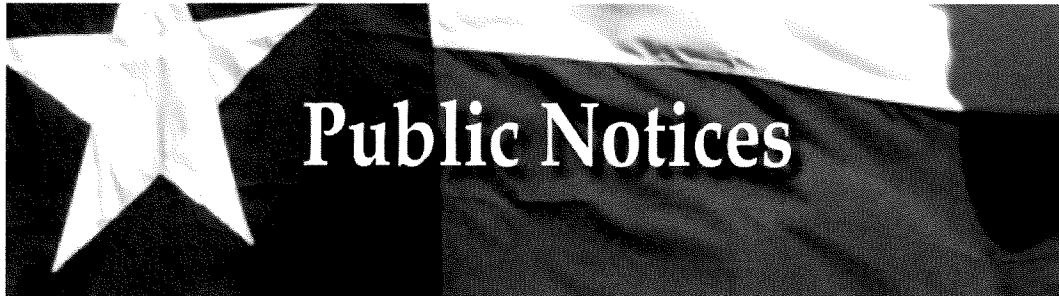
[Signature]  
Publisher / Advertising Manager / Editor

Subscribed and sworn to, before me, this date 5-10-2022

Witness my hand and seal of office.  
[Signature]



## CLASSIFIEDS



## Public Notices

**LEGAL NOTICE  
REQUEST FOR COMPETITIVE  
SEALED PROPOSALS  
ROCKWALL INDEPENDENT SCHOOL DISTRICT  
Document Management  
RFCSP 2122.04-001**

The Rockwall Independent School District will accept responses for the category listed above until 2:00 P.M. (CST), Thursday, May 5, 2022, at the office of the Director of Purchasing, 1050 Williams Street, Rockwall TX 75087. Proposal packages are available on the District's website: <https://www.rockwallisd.com/Page/380> or may be requested by email to [jana.hunter@rockwallisd.org](mailto:jana.hunter@rockwallisd.org).

Responses must be submitted in a sealed envelope to the Director of Purchasing and be marked with the proposal name and number. The Board of Trustees reserves the right to reject any and all bids/proposals and to waive any irregularities, technicalities, or informalities in any bids or the bid process.

**THE COUNTY OF** Rockwall is soliciting proposals for multiple lines of coverage including: Pharmacy Benefit Manager in conjunction with its self-insured group medical benefit plan, Dental, Vision, Life and AD&D, Short Term and Long Term Disability.

The County of Rockwall will solicit proposals through its Benefits Consultant, Arthur J. Gallagher. An electronic request for proposal is available at the office of The Director of Human Resources located at: 915 Whitmore Drive, Suite D, Rockwall, Texas 75087.

The proposed effective date is to be January 1, 2023. Proposals must be delivered electronically to Gallagher no later than 2:00 pm CST on Friday, May 13, 2022.

**PETITION FOR SERVICES OTHERWISE  
PROVIDED BY ROCKWALL COUNTY MUNICIPAL  
UTILITY DISTRICT NO. 10**

**THE STATE OF TEXAS**

**COUNTY OF ROCKWALL  
TO THE HONORABLE MAYOR AND  
CITY COUNCIL OF THE CITY OF ROYSE CITY:**

The undersigned petitioner (herein the "Petitioner", whether one or more), being a majority of the persons who hold title to land(s) situated within the area hereinafter described, which represents a total value of more than 50% of the value of all such area, and being a majority in value of the holders of title of the land within said area as indicated by the tax rolls of the Rockwall County Appraisal District, acting pursuant to the applicable provisions of the Texas Water Code, as amended, and Section 42.042, Texas Local Government Code, as amended, previously petitioned the City Council of the City of Royse City on February 14, 2022, for consent to the creation of Rockwall County Municipal Utility District No. 10 (the "District").

The City Council of the City of Royse City failed or refused to give such consent within 90 days of the date it received the petition; therefore, Petitioner now respectfully petitions that the City of Royse City make available to such land the water and sanitary sewer services that would otherwise be provided by the District. In support of this petition, Petitioner shows as follows:

**I**

Petitioner is the owner of the land sought to be served by the City of Royse City, as indicated by the tax rolls of the central appraisal district of Rockwall County, Texas. The lienholder for the land consented to this petition, as evidenced by the Certificate of Lienholder's Consent, which is attached hereto as Exhibit "B", and incorporated herein for all purposes.

**II**

The land sought to be served by the City of Royse City contains approximately 430.626 acres of land, more or less, and lies wholly within Rockwall County, Texas. No part of said area is within the limits of any incorporated city or town. Under the provisions of Section 42.001, Local Government Code, as amended, said area is within the extraterritorial jurisdiction of the City of Royse City and is not within such jurisdiction of any other city.

**III**

**CITY OF ROCKWALL  
REQUEST FOR PROPOSAL  
DESIGN-BUILD SERVICES  
Public Notice**

The City of Rockwall invites the submittal of responses to this RFP from qualified firms interested in providing design-build services in connection with Equipment Covers located at the Public Works Service Center. Responses are solicited for this service in accordance with the terms, conditions and instructions set forth in the RFP guidelines.

The City will receive responses to this RFP at the office of Lea Ann Ewing, Purchasing Agent, 385 S. Gohad, Rockwall, Texas 75087 until **3:00 pm, May 6, 2022**. The Request for Proposal document may be obtained on the City's website at [www.rockwall.com/finance/asp](http://www.rockwall.com/finance/asp). Bid, Performance, Payment bonds, liability and statutory worker's compensation insurances are required for this project. Pre bid meeting begins at 10 am on April 28, 2022 at the City's Service Center, 1600 Airport Road.

Receipt of responses does not bind the City to any contract for said services, nor does it guarantee that a contract for the Project will be awarded. For additional information, contact Lea Ann Ewing at [leawing@rockwall.com](mailto:leawing@rockwall.com) and John Cranson, Streets and Drainage Superintendent at [jcranson@rockwall.com](mailto:jcranson@rockwall.com).

**PUBLIC NOTICE**

Rockwall County invites sealed bids on the following bid numbers for road construction materials for the Road & Bridge Department:

The proposed effective date is to be January 1, 2023. Proposals must be delivered electronically to Gallagher no later than 2:00 pm CST on Friday, May 15, 2022.

Any questions or requests for additional information should be directed via email to:

Kelsey Julian  
Arthur J. Gallagher  
Kelsey.julian@ajg.com

**ADVERTISEMENT FOR BIDS  
Bid No. CIP 2021-001**

Sealed competitive bids or proposals as set forth and required in the plans and specifications (either of which shall hereinafter be referred to as the "Bid") addressed to the City Engineer of Rockwall, Texas will be received at the office of the City Engineer at the Engineering Department at 385 S. Goliad, City Hall, 1st Floor, Rockwall, Texas 75087 until 2:00 p.m. on Tuesday, May 17, 2022, for the following project:

**780 Zone I.H. 30 Water Line Crossings**

As set forth in the plans and specifications, the project is designed to 685 LF of 16" Water Line with 28" Steel Encasement by Dry Bore Across I.H. 30 in two locations. The project includes Twelve 16" Butterfly Valves and 3 locations for cutting and Plugging Existing 16" and 12" Water Lines to revise a new pressure zone boundary.

Bids will be opened and publicly read at 2:00 p.m. on Tuesday, May 17, 2022, at the City of Rockwall, City Hall located at 385 S. Goliad, City Hall, 2nd Floor, Rockwall, Texas 75087, in the Council Chambers Conference Room.

A pre-bid conference will be held at 2:00 p.m. on Wednesday, May 11, 2022, at the City of Rockwall, City Hall located at 385 S. Goliad, City Hall, 2nd Floor, Rockwall, Texas 75087, in the Council Chambers Conference Room.

Instructions to Bidders, proposal forms, plans and specifications (the "Bid Documents") may be obtained via CityCastusa.com beginning Friday, April 29, 2022.

The Bid shall be submitted on the form provided in the Bid Documents.

Bidder must submit, with their Bid, and a Bid Bond from an approved surety company, in the amount of five percent (5%) of their Bid as a guarantee that the Bidder will enter into a contract and guarantee forms, if required, within 10 days after notice of award of contract.

The successful bidder must furnish Performance Bond and Payment Bond, each in the amount of 100 percent (100%) of the contract price, from an approved Surety company holding a permit from the State of Texas to act as surety, and acceptable according to the latest list of companies holding Certificates of Authority from the Secretary of the Treasury of the United States, or another Surety acceptable to the City. A ten percent (10%) Maintenance Bond (2-year) is required for this project.

The right is reserved by the City of Rockwall to reject any and all bids.

CITY OF ROCKWALL, TEXAS

CIP 2021-001

Published: April 29, 2022  
May 06, 2022

provisions of Section 42.001, Local Government Code, as amended, said area is within the extraterritorial jurisdiction of the City of Royse City and is not within such jurisdiction of any other city.

**III.**

The land sought to be served by the City of Royse City is described by metes and bounds in Exhibit "A" attached hereto and incorporated herein for all purposes.

**IV.**

The general nature of the work proposed to be done in the area sought to be served shall be the construction, maintenance and operation of a waterworks system, including the purchase and sale of water, for domestic and commercial purposes; the construction, maintenance and operation of a sanitary sewer collection, treatment and disposal system, for domestic and commercial purposes; the construction, installation, maintenance, purchase and operation of drainage and roadway facilities and improvements; and the construction, installation, maintenance, purchase and operation of facilities, systems, plants and enterprises of such additional facilities as shall be consonant with the purposes for which the District is organized.

**V.**

The land sought to be served by the Royse City is urban in nature, is within the growing environs of the City of Royse City, and is in close proximity to populous and developed sections of Rockwall County. There is a necessity for the improvements described above because the land sought to be served by the City of Royse City is not supplied with adequate water, sanitary sewer, drainage or roadway facilities, nor is it presently economically feasible for such facilities to be added to said land. The health and welfare of the present and future inhabitants of the land sought to be served by the City of Royse City and of the territories adjacent thereto require the installation and acquisition of adequate water and sanitary sewer facilities for and within such land.

A public necessity exists for the service of said lands by the City of Royse City to promote and protect the purity and sanitary condition of the State's waters and the public health and welfare of the community, by and through the construction, extension, improvement, maintenance and operation of water and sanitary sewer facilities.

WHEREFORE, Petitioner respectfully prays that this petition be granted in all respects and that the City of Royse City execute a legally binding contract on commercially reasonable terms providing for the services requested herein within the time limits prescribed by Section 42.0425, Texas Local Government Code, as amended.

**PETITIONER:**

BAHAMAS LAGUNA AZUR, LLC  
a Wyoming limited liability company

**EXHIBIT "A"**

A portion of land situated in the John S. Griffith Survey, Abstract No. 96; the Thomas Crittenden Survey, Abstract No. 56; the E.S. Alexander Survey, Abstract No. 4; the J.W. Love Survey, Abstract No. 140; and the James Melloun Survey, Abstract No. 162, all in Rockwall County, Texas. The metes and bounds description for the proposed District is on file and available for review at the offices of Winstead PC, 2728 N. Harwood Street, Suite 500, Dallas, Texas 75201.

**EXHIBIT "B"**

The certificate of lienholder's consent is on-file and available for review at the offices of Winstead PC, 2728 N. Harwood Street, Suite 500, Dallas, Texas 75201.

**PUBLIC NOTICE**

Rockwall County invites sealed bids on the following bid numbers for road construction materials for the Road & Bridge Department:

Bid 22-05 018 Aggregate for Surface Treatment  
Bid 22-05 021 Lime Slurry  
Bid 22-05 022 Aggregate Hauling

Bid specifications are on file in the Rockwall County Auditor's office, 1111 E. Yellowjacket Lane, Ste 202, Rockwall, Texas and on the County website at [www.rockwallcountytx.com](http://www.rockwallcountytx.com).

Bids must state a unit price for the materials and be submitted in a sealed envelope marked on the outside with the appropriate Bid Number and Product Name, to Lisa Constant Wylie, Rockwall County Auditor, 1111 E. Yellowjacket Lane, Ste 202, Rockwall, Texas 75087, on or before Monday, May 16th, 2022 at 10:00 A.M. Central Standard Time.

Rockwall County reserves the right to accept or reject any and all bids.

Upon acceptance of bid and award of a contract by Rockwall County Commissioners Court, remittance shall be made through invoicing at the awarded price.

BY ORDER OF THE COMMISSIONERS COURT  
Rockwall County  
Lisa Constant Wylie  
Rockwall County Auditor

**- PUBLIC NOTICE -**

The City of Rockwall Planning and Zoning Commission will hold a public hearing on Tuesday, May 10, 2022 and the Rockwall City Council will hold a public hearing on Monday, May 16, 2022 to consider the following item(s). Both hearings will take place at 6:00 PM in the Council Chambers at Rockwall City Hall, 385 S. Goliad Street, Rockwall, Texas.

**22022-019: Zoning Change from AG to PD**  
Hold a public hearing to discuss and consider a request by Fred Gans of CDC Equities, LLC for the approval of a Zoning Change from an Agricultural (AG) District and Commercial (C) District to a Planned Development District for limited Commercial (C) District land uses on a 13.55-acre tract of land identified as Lots 8R, 9R & 10 of the Rainbow Acres Subdivision, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Commercial (C) District, addressed as 5879, 5917 & 5981 FM-3097 [Horizon Road], and take any action necessary.

All interested parties are welcome to attend these meetings. Interested parties that wish to submit public comments via email may do so by sending the comments to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be provided to the Planning and Zoning Commission and/or City Council at the public hearing meeting. For all questions concerning these cases, please contact the City of Rockwall Planning and Zoning Department staff at (972) 771-7745 or email [Planning@rockwall.com](mailto:Planning@rockwall.com). Additional information on all current development cases can be found on the City's website: <https://sites.google.com/site/rockwallplanning/development/development-cases>.

**AFFIDAVIT OF DELIVERY**

THE STATE OF TEXAS

§

COUNTY OF DALLAS

§

§

BEFORE ME, the undersigned authority, on this day personally appeared CLAYTON BETHMANN who, after being by me first duly sworn, deposed as follows:

1. My name is Clayton Bethmann. I am over twenty-one (21) years of age, of sound mind and competent to attest to the matter stated herein. I have personal knowledge of the facts stated herein and based upon such personal knowledge each matter stated herein is true and correct.

2. I am an employee/messenger for Special Delivery.

3. On May 17, 2022 at 11:15 a.m. I delivered one (1) Petition for Services Otherwise Provided By Rockwall County Municipal Utility District No. 10 to City Secretary of Royse City, Texas.

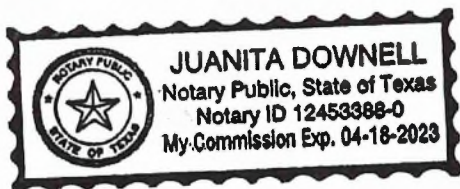
4. The above-referenced document was accepted by Deborah Sorensen, City Secretary.

FURTHER AFFIANT SAYETH NOT.

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

Clayton Bethman  
Special Delivery

SUBSCRIBED AND SWORN TO BEFORE ME, on this 17<sup>th</sup> day of May, 2022, by the said Clayton Bethmann, to certify which witness my hand and seal of office.



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

10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1041 1042 1043 1044

၁၁

§

20

100

III.

The land sought to be served by the City of Royse City is described by metes and bounds in Exhibit "A" attached hereto and incorporated herein for all purposes.

IV.

The general nature of the work proposed to be done in the area sought to be served shall be the construction, maintenance and operation of a waterworks system, including the purchase and sale of water, for domestic and commercial purposes; the construction, maintenance and operation of a sanitary sewer collection, treatment and disposal system, for domestic and commercial purposes; the construction, installation, maintenance, purchase and operation of drainage and roadway facilities and improvements; and the construction, installation, maintenance, purchase and operation of facilities, systems, plants and enterprises of such additional facilities as shall be consonant with the purposes for which the District is organized.

V.

The land sought to be served by the Royse City is urban in nature, is within the growing environs of the City of Royse City, and is in close proximity to populous and developed sections of Rockwall County. There is a necessity for the improvements described above because the land sought to be served by the City of Royse City is not supplied with adequate water, sanitary sewer, drainage or roadway facilities, nor is it presently economically feasible for such facilities to be added to said land. The health and welfare of the present and future inhabitants of the land sought to be served by the City of Royse City and of the territories adjacent thereto require the installation and acquisition of adequate water and sanitary sewer facilities for and within such land.

A public necessity exists for the service of said lands by the City of Royse City to promote and protect the purity and sanitary condition of the State's waters and the public health and welfare of the community, by and through the construction, extension, improvement, maintenance and operation of water and sanitary sewer facilities.

WHEREFORE, Petitioner respectfully prays that this petition be granted in all respects and that the City of Royse City execute a legally binding contract on commercially reasonable terms providing for the services requested herein within the time limits prescribed by Section 42.0425, Texas Local Government Code, as amended.

THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

EXECUTED THIS 22<sup>nd</sup> day of April, 2022.

PETITIONER:

BAHAMAS LAGUNA AZUR, LLC  
a Wyoming limited liability company

By: [Signature]

Name: Armin Afzalipour

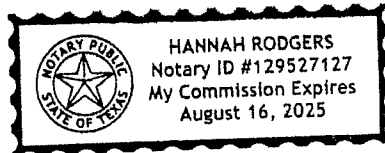
Title: Co-President

STATE OF TEXAS §

§

COUNTY OF DALLAS §

This instrument was acknowledged before me on this the 22<sup>nd</sup> day of April, 2022, by Armin Afzalipour, as Co-President of Bahamas Laguna, LLC, on behalf of said limited liability company.



[Signature]  
Notary Public, State of Texas

(SEAL)

## EXHIBIT A

### LEGAL DESCRIPTION

#### 430.626 ACRES

Being a 541.94 acres of land situated in the John S. Griffith Survey, Abstract No. 96, the Thomas Crittenden Survey, Abstract No. 56, the E.S. Alexander Survey, Abstract No. 4, the J.W. Love Survey, Abstract No. 140 and the James Melloun Survey, Abstract No. 162 in Rockwall County, Texas, being all of the remainder of a called 340.92 acre tract conveyed to Jack H. Hittson and Elizabeth W. Hittson by Warranty Deed with Venders Lien recorded in Volume 149, Page 828 D.R.R.C., and conveyed to Hittson Family Partnership by Special Warranty Deed recorded in Clerk's File No. 2013-00480423, Official Public Records Rockwall County (OPRRC), and all of a called 114.8 acre tract conveyed to Nancy Evans Keim by Warranty Deed recorded in Clerks File No. 2012-00467776 (OPRRC) and Volume 6799, Page 24 Deed Records Rockwall County (DRRC) and Tract I, called 73.363 acres, Tract II, called 20.116 acres and Tract III, called one acre tract conveyed to Nancy Evans Keim by Warranty Deed recorded in 2010-00444178 (OPRRC) and Volume 6332, Page 138 (DRRC); said 541.94 acre tract being more particularly described as follows with all being based on the Texas Coordinate System of 1983, North Central Zone;

**BEGINNING** at a found 5/8-inch iron rod found in the east right-of-way line of F.M. Highway 548 (80 foot R.O.W.) recorded in Volume 45, Page 363 (DRRC) being the southwest corner of said 340.92 acre tract;

THENCE, North 00°41'54" West, 617.00 feet along said east right-of-way line to a 5/8-inch iron rod stamped "Huitt-Zollars" found for the southwest corner of a called 7.66 acre tract conveyed to Matthew Douglas Robb and Jennifer Robb by Warranty Deed with Venders Lien recorded in Clerks File No. 20180000009517 (OPRRC);

THENCE, North 89°24'19" East, 666.07 feet with the south line of said 7.66 acre tract to a 1/2-inch iron rod found for the southeast corner of same;

THENCE, North 00°39'20" West, 499.62 feet with the east line of said 7.66 acre tract to a 1/2-inch iron rod found for the northeast corner of same;

THENCE, South 89°25'52" West, 665.99 feet with the north line of said 7.66 acre tract to a 5/8-iron rod found stamped "Huitt-Zollars" for the northwest corner of same and being in the east R.O.W. of said highway;

THENCE, North 00°41'24" West, 371.74 with the east R.O.W. of said highway, and the west line of said 340.92 acre tract to a 1/2-inch iron rod found for the southwest corner of a tract conveyed to James H. Cross by Deed of Trust recorded in Volume 83, Page 65 (DRRC);

THENCE, North 87°53'01" East, 169.63 feet with the south line of said Cross tract to a 1/2-inch iron rod stamped "Tri-Point" found for the southeast corner of same;



THENCE, North 00°40'59" West, 208.76 feet with the east line of said Cross tract to a 1/2-inch iron rod stamped Tripoint found for the northeast corner of same, in the south line of said 114.8 acre tract;

THENCE, South 89°04'48" West, 169.60 feet with the north line of said Cross tract, south line of said 114.8 acre tract to a 5/8-inch iron rod set for the southwest corner of same, northwest corner of said Cross tract and in the east R.O.W. line of said highway;

THENCE, North 00°54'06" West, 2105.45 feet with the east R.O.W of said highway, west line of said 114.8 acre tract to a 5/8-inch iron rod set for the northwest corner of said 73.363 acre tract, southwest corner of a remainder of called 5.175 acre tract conveyed to William Pierce Jr. in Volume 537, Page 172 (DRRC) from which a 5/8-iron rod found bears North 00°53'06" West, 740.31 feet;

THENCE, North 89°07'23" East, 603.23 feet with the south line of said remainder of 5.175 acre tract, north line of said 73.363 acre tract to a concrete monument found for an ell corner of same, being in the west line of Lot 30, Starlight Ranch recorded in Clerks File No. 2001-0000246 (OPRRC) from which a concrete monument found bears North 05°23'28" West, 30.71 feet;

THENCE, South 01°59'28" East, 38.79 feet with the west line of said Lot 30 to a 5/8-inch iron rod found for the southwest corner of same;

THENCE, North 89°02'26" East, 2650.52 feet with the easterly north line of said 73.363 acre tract, south line of said Starlight Ranch to a 5/8-inch iron rod set for the southeast corner of Lot 20 for said Starlight Ranch, being in the west line of a called 64.674 acre tract (Tract 1) conveyed to Tony Wright by General Warranty Deed recorded in Clerks File No. 2016-0000018817 (OPRRC) and near the east line of said Love Survey, west line of said Melloun Survey;

THENCE, South 03°12'38" East, 99.08 feet with the west line of said 64.674 acre tract to a 1/2-inch iron rod found for the southwest corner of same, an ell corner of said 73.363 acre tract;

THENCE, South 89°53'17" East, 1022.18 feet with the south line of said 64.674 acre tract, north line of said 73.363 acre tract to a 5/8-inch iron rod set with cap stamped "Jones|Carter" for the southwest corner of same from which a 3/8-inch iron rod found bears North 63°14'42" East, 16.91 feet;

THENCE, with the east line of said 73.363 acre tract, southwest line of said 64.674 acre tract as follows:

South 42°09'37" East, 74.09 feet to a 1/2-inch iron rod found;

South 03°17'35" West, 167.21 feet to a 5/8-inch iron rod found;

South 50°21'24" East, 111.63 feet to a 1/2-inch iron rod found;

South 84°30'09" East, 89.65 feet to a 5/8-inch iron rod set with plastic cap stamped "Jones|Carter", from which a 3/8-inch iron rod found bears North 51°53'37" East, 12.33 feet;

South 60°54'39" East, 190.04 feet to a 5/8-inch iron rod found;

South 23°03'11" East, 92.50 feet to a 1/2-inch iron rod found;

South 12°18'30" West, 243.91 feet to a 1/2-inch iron rod found;

South 13°38'38" East, 94.18 feet to a 5/8-inch iron rod found;

South 29°29'42" East, 68.90 feet to a 5/8-inch iron rod found;

South 07°13'40" West, 140.15 feet to a 5/8-inch iron rod found;

South 27°47'37" West, 93.43 feet to a 5/8-inch iron rod found;

South 13°15'36" West, 135.32 feet to a 5/8-inch iron rod set with cap stamped "Jones|Carter", from which a 5/8-inch iron rod found (disturbed) bears North 84°29'50" West, 3.69 feet;

South 05°53'34" East, 68.55 feet to a 1/2-inch iron rod found;

North 83°16'37" West, 181.88 feet to a 5/8-inch iron rod found;

South 30°06'28" West, 212.02 feet to a 5/8-inch iron rod found;

South 39°27'47" West, 63.98 feet to a 5/8-inch iron rod found;

South 67°05'28" West, 174.11 feet to a concrete monument found for the southeast corner of said 73.363 acre tract, northeast corner of said 114.8 acre tract and in the west line of a called 100 acre tract conveyed to John Wesley Crenshaw in Clerks File No. 2009-00410787 (DRRC) from which a concrete monument found bears North 31°16'04" West, 603.91 feet;

THENCE, with the east line of said 114.8 tract, west line of said 100 acre tract as follows:

South 31°16'04" East, 47.97 feet to a 5/8-inch iron rod set with cap stamped "Jones|Carter";

South 63°54'22" West, 113.77 feet to a 5/8-inch iron rod set with cap stamped "Jones|Carter";

South 09°54'22" West, of 69.44 feet to a 5/8-inch iron rod set with cap stamped "Jones|Carter";

South 31°05'38" East, 138.89 feet to a 5/8-inch iron rod set with cap stamped "Jones|Carter";

South 15°54'22" West, 97.22 feet to a 5/8-inch iron rod set with cap stamped "Jones|Carter";

South 88°54'22" West, 45.59 feet to a 1/2-inch iron rod found for the southeast corner of said 114.8 acre tract, northeast corner of said 340.92 acre tract;

THENCE, with the east line of said 340.92 tract, west line of said 100 acre tract as follows:

South 47°16'56" East, 41.52 feet to a 1/2-inch iron rod found stamped "Tri-Point";

South 38°27'00" West, 132.42 feet to a 1/2-inch iron rod found;

South 20°17'37" West, 57.46 feet to a 5/8-inch iron rod set with cap stamped "Jones|Carter";

South 18°50'07" East, of 418.27 feet to a 1/2-inch iron rod found stamped "Tri-Point";

South 30°00'28" West, 97.46 feet to a 1/2-inch iron rod found;

THENCE South 86°43'31" East, 252.35 feet to a 5/8-inch iron rod set with cap stamped "Jones|Carter";

THENCE, South 45°56'14" East, 1567.30 feet with the east line of said 340.92 acre tract west line of said 100 acre tract to a 1/2-inch iron rod found stamped "Tri-Point" for the south corner of same, southeast corner of said 340.92 acre tract in the west line of a called 167.341 acre tract conveyed to Mary E. Pullen recorded in Volume 126, Page 887 (DRRC);

THENCE, South 45°42'16" West, 1085.58 feet with the south line of said 340.92 acre tract west line of said 167.341 acre tract to a 5/8-inch iron rod set with plastic cap stamped "Jones|Carter";

THENCE, South 43°31'54" West, 2625.58 feet with the south line of said 340.92 acre tract west line of a called 190.032 acre tract conveyed to H-C Trust recorded in Volume 298, Page 48 (DRRC) to a 1/2-inch iron rod found for the southwest corner of said 340.92 acre tract and in the east R.O.W. of Crenshaw Road;

THENCE, North 46°28'36" West, 3854.92 feet with the east line of said road, southwest line of said 340.92 acre tract to the **POINT OF BEGINNING**, and **CONTAINING** 541.94 acres of land, more or less.

**SAVE** and **EXCEPT** the following;

Being a 111.311 acres of land situated in the John S. Griffith Survey, Abstract No. 96, the Thomas Crittenden Survey, Abstract No. 56, the E.S. Alexander Survey, Abstract No. 4, the J.W. Love Survey, Abstract No. 140 and the James Melloun Survey, Abstract No. 162 in Rockwall County, Texas, being part of the remainder of a called 340.92 acre tract conveyed to Jack H. Hittson and Elizabeth W. Hittson by Warranty Deed with Venders Lien recorded in Volume 149, Page 828 D.R.R.C., and conveyed to Hittson Family Partnership by Special Warranty Deed recorded in Clerk's File No. 2013-00480423, Official Public Records Rockwall County (OPRRC), part of a called 114.8 acre tract

conveyed to Nancy Evans Keim by Warranty Deed recorded in Clerks File No. 2012-00467776 (OPRR) and Volume 6799, Page 24 Deed Records Rockwall County (DRRC) and part of Tract I, called 73.363 acres, part of Tract II, called 20.116 acres and part of Tract III, a called one acre tract, all being conveyed to Nancy Evans Keim by Warranty Deed recorded in 2010-00444178 (OPRR) and Volume 6332, Page 138 (DRRC); said 541.94 acre tract being more particularly described as follows with all being based on the Texas Coordinate System of 1983, North Central Zone;

**BEGINNING** at a found 5/8-inch iron rod found in the east right-of-way line of F.M. Highway 548 (80 foot R.O.W.) recorded in Volume 45, Page 363 (DRRC) being the southwest corner of said 340.92 acre tract;

THENCE, North 00°41'54" West, 617.00 feet along said east right-of-way line to a 5/8-inch iron rod stamped "Huitt-Zollars" found for the southwest corner of a called 7.66 acre tract conveyed to Matthew Douglas Robb and Jennifer Robb by Warranty Deed with Venders Lien recorded in Clerks File No. 20180000009517 (OPRR);

THENCE, North 89°24'19" East, 666.07 feet with the south line of said 7.66 acre tract to a 1/2-inch iron rod found for the southeast corner of same;

THENCE, North 00°39'20" West, 499.62 feet with the east line of said 7.66 acre tract to a 1/2-inch iron rod found for the northeast corner of same;

THENCE, South 89°25'52" West, 665.99 feet with the north line of said 7.66 acre tract to a 5/8-iron rod found stamped "Huitt-Zollars" for the northwest corner of same and being in the east R.O.W. of said highway;

THENCE, North 00°41'24" West, 371.74 with the east R.O.W. of said highway, and the west line of said 340.92 acre tract to a 1/2-inch iron rod found for the southwest corner of a tract conveyed to James H. Cross by Deed of Trust recorded in Volume 83, Page 65 (DRRC);

THENCE, North 87°53'01" East, 169.63 feet with the south line of said Cross tract to a 1/2-inch iron rod stamped "Tri-Point" found for the southeast corner of same;

THENCE, North 00°40'59" West, 208.76 feet with the east line of said Cross tract to a 1/2-inch iron rod stamped Tripoint found for the northeast corner of same, in the south line of said 114.8 acre tract;

THENCE, South 89°04'48" West, 169.60 feet with the north line of said Cross tract, south line of said 114.8 acre tract to a 5/8-inch iron rod set for the southwest corner of same, northwest corner of said Cross tract and in the east R.O.W. line of said highway;

THENCE, North 00°54'06" West, 2105.45 feet with the east R.O.W of said highway, west line of said 114.8 acre tract to a 5/8-inch iron rod set for the northwest corner of said 73.363 acre tract, southwest corner of a remainder of called 5.175 acre tract conveyed to William Pierce Jr. in Volume 537, Page 172 (DRRC) from which a 5/8-iron rod found bears North 00°53'06" West, 740.31 feet;

THENCE, North 89°07'23" East, 603.23 feet with the south line of said remainder of 5.175 acre tract, north line of said 73.363 acre tract to a concrete monument found for an ell corner of same, being in the west line of Lot 30, Starlight Ranch recorded in Clerks File No. 2001-0000246 (OPRR) from which a concrete monument found bears North 05°23'28" West, 30.71 feet;

THENCE, South 01°59'28" East, 38.79 feet with the west line of said Lot 30 to a 5/8-inch iron rod found for the southwest corner of same;

THENCE, North 89°02'26" East, 396.04 feet with the easterly north line of said 73.363 acre tract, south line of said Starlight Ranch to a point for corner in the east City Limit line of Royse City;

THENCE, South 00°54'06" East, 396.04 feet with the east City Limit line of said Royse City to a point for corner;

THENCE, South 89°04'48" East, 666.36 feet with said east City Limit line of said Royse City to a point for corner;

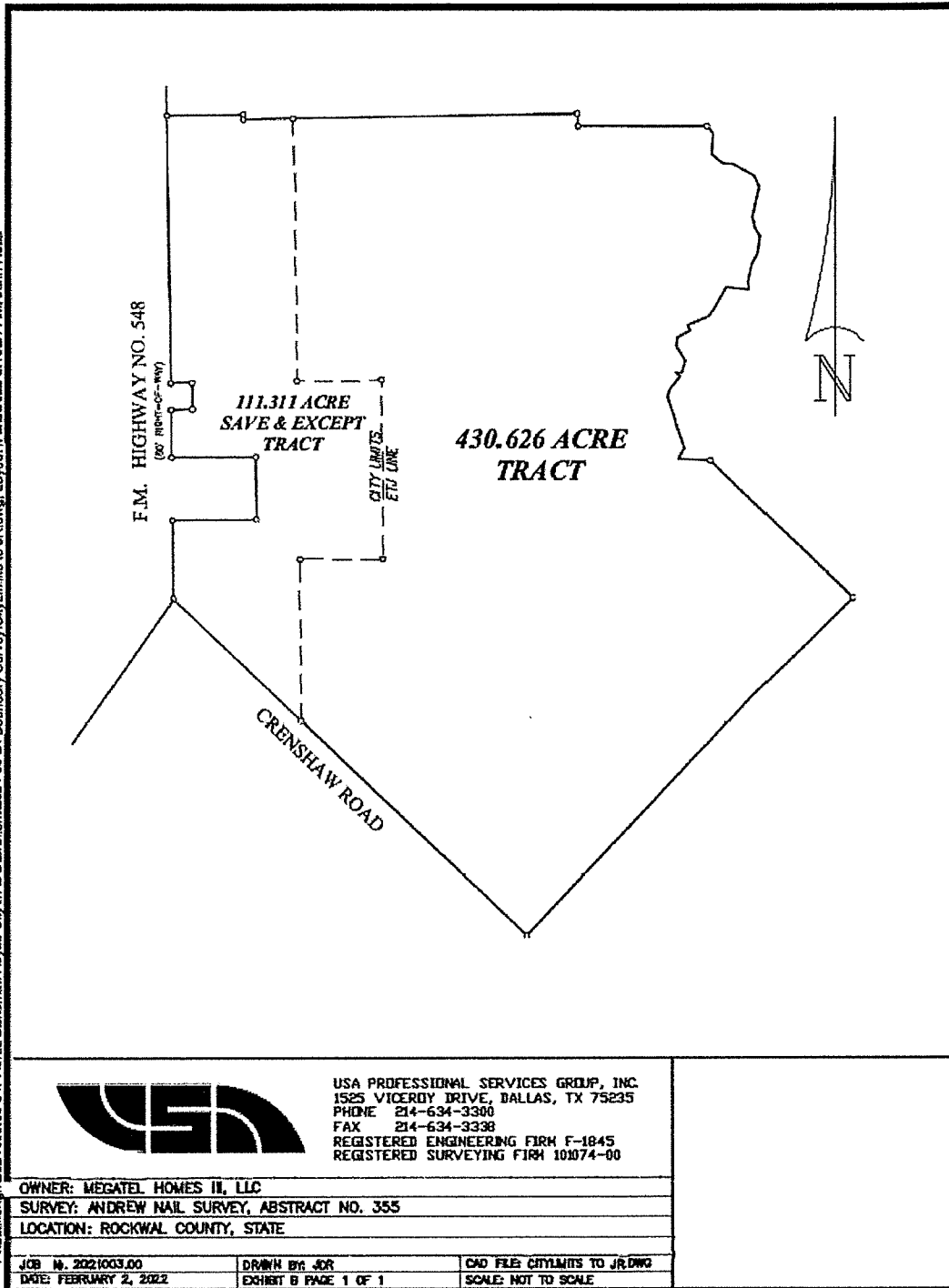
THENCE, South 00°39'20" East, 1,416.43 feet with the east City Limit line of said Royse City to a point for corner;

THENCE, North 89°51'32" West, 665.28 feet with said east City Limit line of said Royse City to a point for corner;

THENCE, South 00°32'47" East, 1,271.24 feet with said east City Limit line of said Royse City to a point for corner in the south line of said 340.92 acre tract and in the east R.O.W. of Crenshaw Road;

THENCE, North 46°28'36" West, 1,391.54 feet with the east line of said road, southwest line of said 340.92 acre tract to the **POINT OF BEGINNING**, and **CONTAINING** 111.311 acres of land, more or less.

P:\Sdsk\en\m\2021003.00 647 Acres Bahamas Royce City\In & Out\Cli\m\2021 08 21 Boundary Survey\Ctyl\limits to JR.dwg, Layout1, 2/22/2022 8:46:21 AM, John Roas



USA PROFESSIONAL SERVICES GROUP, INC.  
1525 VICEROY DRIVE, DALLAS, TX 75235  
PHONE 214-634-3300  
FAX 214-634-3338  
REGISTERED ENGINEERING FIRM F-1845  
REGISTERED SURVEYING FIRM 101074-00

OWNER: MEGATEL HOMES II, LLC  
SURVEY: ANDREW NAIL SURVEY, ABSTRACT NO. 355  
LOCATION: ROCKWAL COUNTY, STATE

JOB No. 2021003.00	DRAWN BY: JCR	CAD FILE: CITYLIMITS TO JR.DWG
DATE: FEBRUARY 2, 2022	EXHIBIT B PAGE 1 OF 1	SCALE: NOT TO SCALE

**EXHIBIT B**

**CERTIFICATE OF LIENHOLDER'S CONSENT**

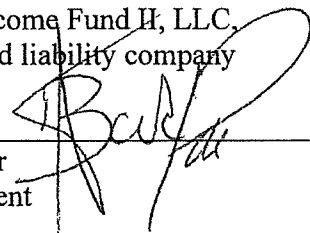
STATE OF TEXAS       §  
                                  §  
COUNTY OF DALLAS   §

The undersigned being the holder of a lien on all or a portion of the land as described in the Petition for Services Otherwise Provided by Rockwall County Municipal District No. 10 in the Extraterritorial Jurisdiction of Royse City (the "Petition") and to which this certificate is attached, hereby consents to the Petition.

LIENHOLDER:

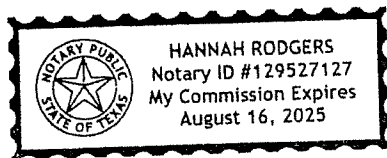
MCI Preferred Income Fund II, LLC,  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: Zach Ipour  
Title: Co-President



STATE OF TEXAS       §  
                                  §  
COUNTY OF DALLAS   §

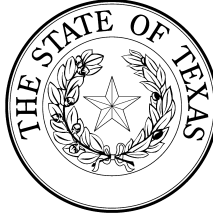
This instrument was acknowledged before me on this the 22nd day of April, 2022, by Zach Ipour, as Co-President of MCI Preferred Income Fund II, LLC, on behalf of said limited liability company.



(SEAL)

Hannah Rodgers  
Notary Public, State of Texas

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF DISTRICT PETITION TCEQ Internal Control No. D-09222022-043

**PETITION.** Bahamas Laguna Azure, LLC, a Wyoming limited liability corporation, ("Petitioner") filed a petition for creation of Rockwall County Municipal Utility District No. 11 (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, Section 59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ.

The petition states that: (1) the Petitioner is the owner of a majority of the assessed value of the land to be included in the proposed District; (2) there is one lienholder on the property to be included in the proposed District, and the lienholder has given written consent to the creation petition; (3) the proposed District will contain approximately 430.45 acres, located within Rockwall County, Texas; (4) the proposed District is entirely within the extraterritorial jurisdiction of the City of Royse City, Texas; and (5) although the City of Royse City (City) has not consented to creation of the District, the Petitioner has satisfied the requirements of Texas Water Code Section 54.016(b) and (c) and Texas Local Government Code Section 42.042, so that the authorization for inclusion of the land in the proposed District may be assumed pursuant to the cited statutes.

The territory to be included in the proposed District is depicted on the vicinity map designated as Exhibit "A," which is attached to this document.

The petition further states that the proposed District will construct, maintain, and operate a waterworks system including the purchase and sale of water for domestic and commercial purposes; to construct, maintain and operate a sanitary sewer collection, treatment and disposal system, for domestic and commercial purposes; to construct, install, maintain, purchase and operate drainage and roadway facilities and improvements; and to construct, install, operate, purchase and maintain facilities, systems, plants and enterprises of such additional facilities as shall be consonant with the purposes for which the District is organized.

According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner, from the information available at this time, that the cost of said project will be approximately \$55,440,000.

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

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



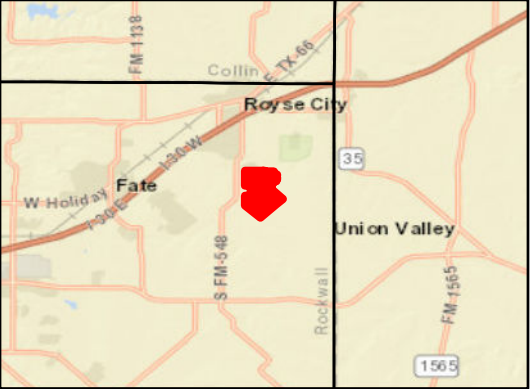
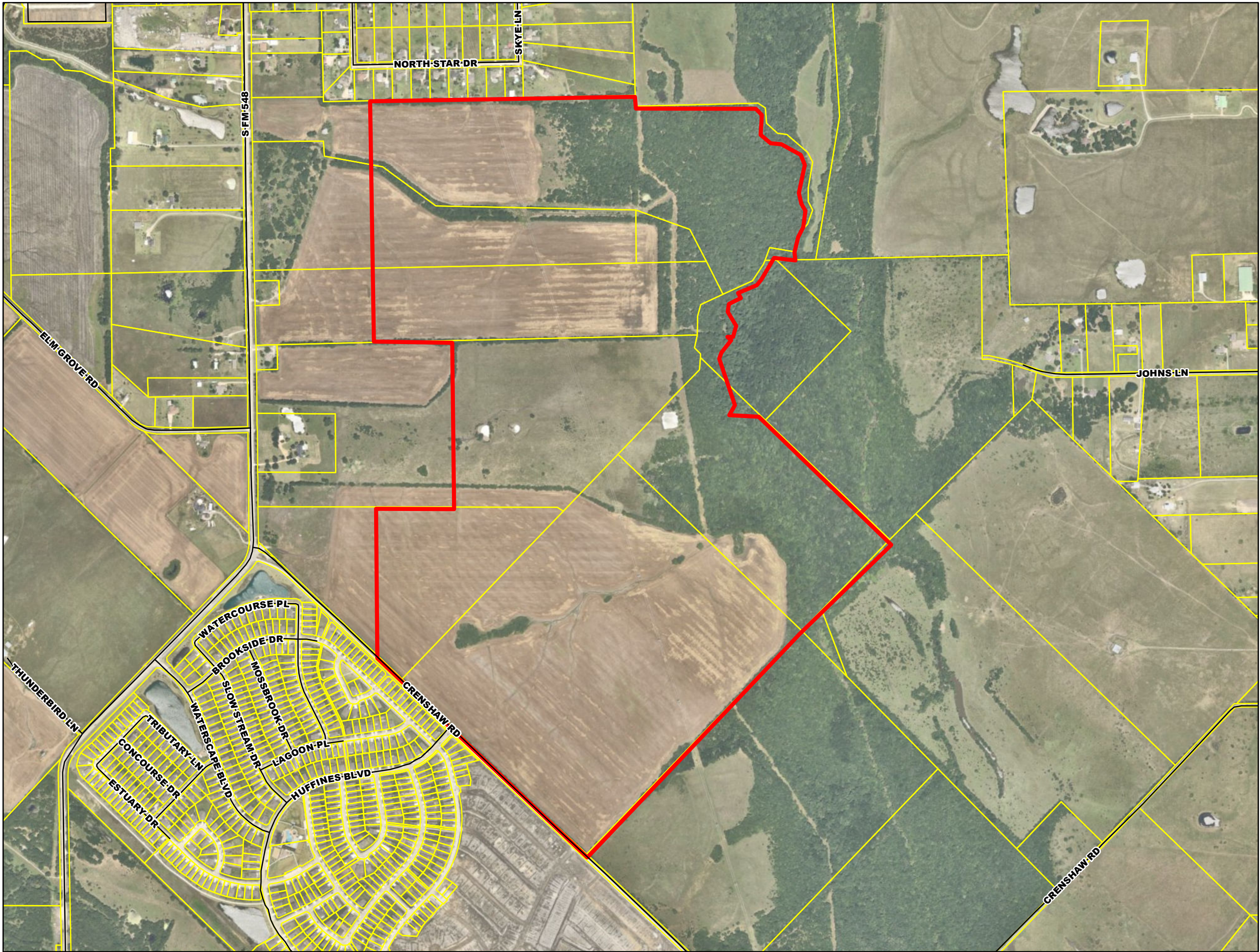
adjustments to the petition which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

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

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

Issued: January 18, 2023





**VICINITY MAP**  
Scale: 1 inch equals 5 miles

**LEGEND**

- Roads
- ▭ Tract
- ▭ Parcels

**Figure 3**  
**Vicinity Map**

**RCMUD 11**  
**430.45 ACRES**  
**ROCKWALL COUNTY**



1 inch = 800 feet

Disclaimer: This product is offered for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property, governmental and/or political boundaries or related facilities to said boundary. No express warranties are made by Quiddity Engineering concerning the accuracy, completeness, reliability, or usability of the information included within this exhibit.





# Texas Commission on Environmental Quality

## TECHNICAL MEMORANDUM

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

**Date:** March 31, 2023

**Through:** Dan Finnegan, Lead  
Districts Bond Team

**From:** Daniel Harrison  
Districts Bond Team

**Subject:** Petition by Bahamas Laguna Azure, LLC for Creation of Rockwall County Municipal Utility District No. 11; Pursuant to Texas Water Code Chapters 49 and 54.  
TCEQ Internal Control No. D-09222022-043 (TC)  
CN: 606061422 RN: 111574679

### A. GENERAL INFORMATION

The Texas Commission on Environmental Quality (TCEQ) received a petition within the application requesting approval for the creation of Rockwall County Municipal Utility District No. 11 (District). The petition was signed by Zach Ipour, Co-president, Bahamas Laguna Azure, LLC (Petitioner). A certificate was provided from the Rockwall Central Appraisal District confirming that Bahamas Laguna Azure, LLC holds title to at least a 50% majority of the assessed value of real property in the proposed District. The Petitioner states that there is one lienholder on the lands included in the proposed District, and written documentation of the consent of that lienholder was provided.

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

#### Location and Access

The proposed District is located entirely within the extraterritorial jurisdiction of the City of Royse City (City). Physically, the proposed district is located north of Crenshaw Road and east of FM 548. Access to the proposed District will be via a proposed collector road to Crenshaw Road and another collector intersecting FM 548.

#### Metes and Bounds Description

The proposed District contains one tract of land, consisting of 430.45 acres. TCEQ's staff has checked the metes and bounds legal description, and it has been found to form an acceptable closure.

#### City Consent

In accordance with Local Government Code Section 42.042 and TWC Section 54.016, the Petitioner submitted a petition to the City, requesting the City's consent to the creation of the District. After more than 90 days passed without receiving consent, the Petitioner submitted a petition to the City to provide water or sewer services to the District. The 120-day period for reaching a mutually agreeable contract as established by TWC

Section 54.016(c) expired and the information provided indicates that the Petitioner and the City have not executed a mutually agreeable contract for service. Pursuant to TWC Section 54.016(d), failure to execute such an agreement constitutes authorization for the Petitioner to initiate proceedings to include the land within the district.

#### Statements of Filing Petition

Evidence of filing the petition with the City, the Rockwall County Clerk's Office, the TCEQ's Fort Worth Regional office, the applicable Texas state representative and the applicable Texas state senator has been provided.

#### Type of Project

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

#### Developer Qualifications

Megatel Homes, LLC will be the developer of the land within the proposed District. Information provided supports that the developer has considerable experience in residential development within the Rockwall County area.

#### Certificate of Ownership

By certificate dated November 4, 2022, the Rockwall Central Appraisal District has certified that its tax rolls indicate that Bahamas Laguna Azure, LLC owns at least a 50% majority of the assessed value of the real property in the proposed District.

#### Temporary Director Affidavits

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

Kelli Green  
Peggy Helge

Calvin Jackson  
Sherry Savoie

D. Jan Pippard

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

#### Notice Requirements

Proper notice of the application was published on February 2 and 9, 2023, in the *Royse City Herald-Banner*, a newspaper regularly published or circulated in Rockwall County, the county in which the district is proposed to be located. Proper notice of the

application was also posted on January 24, 2023 at the Rockwall County Clerk's Office. The 30-day comment period ended March 13, 2023. Accordingly, the notice requirements of 30 TAC Section 293.12(b) have been satisfied.

## **B. ENGINEERING ANALYSIS**

The creation preliminary engineering report indicates the following:

### **Availability of Comparable Service**

The preliminary engineering report indicates, and TCEQ staff have verified, that the District land is currently within the water service area of the City of Royse City. The District land is also near the water service area for the Certificate of Convenience and Necessity (CCN) held by BHP Water Supply Corporation, but this supplier declined to provide service. The Petitioner has requested water service from the City, but the City has not responded to this request. The Petitioner proposes to supply water service for District residents from the District's own water supply and distribution system.

According to the preliminary engineering report, and based on TCEQ staff determination, the area of the proposed District is within the service area for wastewater service of the City. As previously stated, the City has not responded to the request for wastewater service. The Petitioner determined it is most economical to construct and operate a District wastewater treatment plant to serve the District.

### **Water Supply**

The preliminary engineering report states that the proposed District will construct and operate one water plant with water wells. To serve the estimated 1,145 single-family connections (ESFCs) planned for the District, an average daily demand of 0.4122 million-gallons-per-day (MGD) at full build-out will be required. The District plans to construct the water supply system phased to coincide with the rate of development.

### **Water Distribution Improvements**

The water distribution system for full development of the proposed District is to consist of a network of 8-inch and 12-inch water lines to ensure that all connections are provided with an ample supply of water at adequate pressure.

### **Wastewater System**

The District will construct a wastewater treatment system to serve the District. The District plans to construct a wastewater treatment plant (WWTP) capable of treating an ultimate capacity of 0.3435 MGD, which is the estimated capacity requirement for the 1,145 ESFCs in the District. The WWTP will be located within the District and will discharge to a tributary of the South Fork Sabine River.

The District will construct a gravity wastewater collection system designed to accommodate normal infiltration and sewage flows from the District's customers.

### **Storm Water Drainage**

Storm water runoff within the proposed District will be directed through curb-and-gutter streets, buried drain pipes and onsite detention basins. The drainage pipes will

have a minimum diameter of 24 inches, a minimum flow velocity of three feet per second and be designed following approved City of Royse City and Rockwall County design criteria. Detention storage of storm water will be located onsite, will convey the runoff through the floodplain and discharge into a tributary of South Fork of the Sabine River. Storm water will be discharged to Sabine Creek, the South Fork Sabine River and ultimately to Lake Tawakoni.

#### Road Improvement

Application material indicates the proposed District will fund roadway improvements including major thoroughfares and collector roads within its boundary.

#### Topography/ Floodplain / Elevation

The land within the proposed District is sloped to the east to Sabine Creek and to the southeast down South Fork Sabine River with elevations ranging from approximately 502 feet above to 550 feet above mean sea level.

According to Federal Emergency Management Agency Flood Insurance Rate Map Panels No. 448397C-0055L and 48397C-0065L dated September 26, 2008, approximately 225 acres of the District are within the 100-year floodplain. According to the Preliminary Engineering Report, most proposed development will be outside the 100-year floodplain. In addition, a flood study will be completed prior to design to confirm floodplain limits, and in areas where development encroaches upon the floodplain, a mitigation strategy will be included in the flood study and implemented to assure there are no adverse impacts to downstream or adjacent properties.

The proposed District will comply with rules and regulations for subdivision insurance pursuant to Section 203(b) of Title II of the National Housing Act of 1934, and as a result, no major land elevation changes of any type are planned, according to the preliminary engineering report.

#### Impact on Natural Resources

The creation of the proposed District is expected to have minimal effects on runoff rates and drainage, subsidence, groundwater recharge capability or surface water quality. The area of the District is currently gently sloped agricultural fields, and the surface flow drains to a creek which eventually discharges to Lake Tawakoni. The preliminary engineering report states that planned detention improvements should prevent significant problems from the increased run-off resulting from the development. According to the preliminary engineering report, the domestic water usage by the District will not contribute significantly to the rate of subsidence. Regarding groundwater levels, the preliminary engineering report states that the District is located over the Trinity and Nacatoch aquifers, and ultimate water usage is estimated to be 412,200 gallons-per-day (gpd) average daily flow. No adverse effect is anticipated on the quality of ground or surface water since wastewater disposal for the District will be by a WWTP which will discharge treated effluent to a tributary of South Fork Sabine River, according to application material.

#### Dam Safety

There are no dams associated with the proposed District according to a letter dated August 26, 2022 from the TCEQ Critical Infrastructure Division.

### **C. SUMMARIES OF COSTS**

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

<u>Construction Costs</u>	<u>Total Costs</u>	District's <u>Share</u> <sup>(1)</sup>
A. Water Treatment Plant Facilities	\$ 5,665,000	\$ 4,815,250
B. Wastewater Treatment Plant Facilities	8,070,000	6,859,500
C. Water, Wastewater & Drainage Internal Facilities	10,478,000	8,906,300
D. Water & Wastewater Trunk Line Facilities	860,000	731,000 <sup>(2)</sup>
E. Detention Pond Facilities	1,351,000	1,148,350
F. Land Acquisition Costs	11,764,000	9,999,400 <sup>(3)</sup>
D. Contingencies for Items A through F	3,963,600	3,369,060
F. Engineering for Items A through F	<u>4,756,320</u>	<u>4,042,872</u>
<b>TOTAL CONSTRUCTION COSTS (77.4% OF BIR)</b>	<b>\$ 46,907,920</b>	<b>\$ 39,871,732</b>
<u>Non-Construction Costs</u>		
A. Legal Fees (2.5%)		\$ 1,289,000
B. Fiscal Agent Fees (2%)		1,031,000
C. Interest		
1. Capitalized Interest (12 months @ 5.0%)		2,577,000
2. Developer Interest (24 months @ 5.0%)		3,987,000
D. Bond Discount (3%)		1,546,000
E. Bond Issuance Costs		237,268
F. Creation and Operating Costs		400,000 <sup>(4)</sup>
G. Bond Report Engineering		400,000
H. Market Study		20,000
I. Attorney General Fee (0.1% per bond issue)		52,000
J. TCEQ Bond Issuance Fee (0.25% per bond issue)		<u>129,000</u>
<b>TOTAL NON-CONSTRUCTION COSTS</b>		<b>\$ 11,668,268</b>
<b>TOTAL BOND ISSUE REQUIREMENT</b>		<b>\$ 51,540,000</b>

- Notes: (1) Assumes 85% District funding of anticipated developer contribution items, where applicable, according to application material.  
(2) According to estimate provided, the \$860,00 total includes \$510,000 for Trunk Water Distribution plus \$350,000 for Trunk Wastewater Distribution.  
(3) Represents 85% of estimated costs of \$11,764,000 for 6 acres for the water and wastewater plants at \$30,000 per acre plus 231.68 acres of detention and drainage at \$50,000 per acre, according to application material.  
(4) Includes \$300,000 for Operating Costs plus \$100,000 for Creation Costs, according to application material.

#### **ROADS**

<u>Construction Costs</u>	<u>Total Cost</u>	District's <u>Share</u>
A. Roadways	\$ 2,250,000	\$ 2,250,000
B. Contingencies	337,500	337,500
C. Engineering (18%)	<u>405,000</u>	<u>405,000</u>
<b>TOTAL CONSTRUCTION COSTS (78.2% OF BIR)</b>	<b>\$ 2,992,500</b>	<b>\$ 2,992,500</b>

Non-Construction Costs

A. Legal Fees (2.5%)	\$ 98,000
B. Fiscal Agent Fees (2%)	78,000
C. Interest	
1. Capitalized Interest (12 months @ 5.0%)	195,000
2. Developer Interest (24 months @ 5.0%)	299,000
D. Bond Discount (3%)	117,000
E. Bond Issuance Costs	66,500
F. Bond Report Engineering	50,000
F. Attorney General Fee (0.1%)	<u>4,000</u>
<b>TOTAL NON-CONSTRUCTION COSTS</b>	<b>\$ <u>907,500</u></b>
<b>TOTAL ROAD BOND ISSUE REQUIREMENT</b>	<b>\$ 3,900,000</b>

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

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

**D. ECONOMIC ANALYSIS**

Land Use

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

<u>Development</u>	<u>Acres</u>	<u>ESFCs</u>
Single-Family Residential	192.8	1,145
Floodplain/Detention Pond/Open Space	231.7	0
Water and Wastewater Plants	<u>6.0</u>	<u>0</u>
Totals	430.5	1,145

Market Study

A market study, prepared by John Burns Real Estate Consulting, dated May 26, 2022, has been submitted in support of the creation of the proposed District. The market study indicates that the proposed District is located in the extra territorial jurisdiction (ETJ) of the City of Royse City and is generally south of Royse City and northeast of Rockwall. The study indicates single-family homes within the subject community are expected to be absorbed at a rate sufficient to sell all 1,145 homes in the District by the year 2035.



### Project Financing

The District's ability to amortize the required bond debt is based on ultimate improvements and full development of the District. Each particular bond issue will be reviewed and justified on its own economic feasibility merits prior to the issuance of any bonds by the District. The projected taxable assessed valuation (AV) for the proposed District is as follows:

<u>Development Type</u>	<u>Acres/Units</u>	<u>Average Unit Value</u>	<u>Total Value at Build Out</u>
Single-Family Homes	1,145	\$399,350	\$457,255,750
<b>TOTAL ASSESSED VALUATION</b>			<b>\$457,288,750</b>

Considering an estimated utility and road bond issue requirement of \$55,440,000 (\$51,540,000 in water and drainage bonds plus \$3,900,000 in road bonds), a coupon bond interest rate of 5.0%, a 25-year bond life, the average annual debt service requirement would be approximately \$3,934,000. Assuming a 98% collection rate, 12 months of capitalized interest, and an ultimate assessed valuation (AV) of \$457,288,750, a tax rate of approximately \$0.88 per \$100 AV would be necessary to meet the annual debt service requirement. In addition, the District estimates that a maintenance tax rate of \$0.12 per \$100 AV would be required, resulting in a combined District tax rate of \$1.00 per \$100 AV.

The total year 2021 overlapping tax rates on land within the proposed District are shown in the following table:

<u>Taxing Jurisdiction</u>	<u>Tax Rates</u>
Royse City Independent School District (ISD)	\$1.4603
Rockwall County	0.3131
Proposed District	<u>1.0000</u>
Total tax per \$100 AV	\$2.7734

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 District will provide retail water service to the proposed District's customers. The proposed water rates are as follows:

#### Water:

<u>Consumption</u>	<u>Single-Family Rate</u>	<u>Commercial/Multi-Family Rate</u>
Up to 10,000 gallons	\$32.00 (flat)	\$50.00 (flat)
10,001 to 20,000 gallons	\$2.90 per 1,000 gallons	\$2.90 per 1,000 gallons
20,001 to 25,000 gallons	\$3.30 per 1,000 gallons	\$3.30 per 1,000 gallons
Above 25,000	\$4.40 per 1,000 gallons	\$4.40 per 1,000 gallons

Based on the above rates, the estimated monthly fee for a single-family residential connection and 10,000 gallons of water service would be approximately \$32.00.

The District will provide wastewater service to the customers in the District. The estimated wastewater rates will be as follows:

Wastewater:

Consumption	Single-Family Rate	Commercial/Multi-Family Rate
Up to 10,000 gallons	\$32.00 (flat)	\$50.00 (flat)
10,001 to 20,000 gallons	\$1.50 per 1,000 gallons	\$1.50 per 1,000 gallons
20,001 to 25,000 gallons	\$1.75 per 1,000 gallons	\$1.75 per 1,000 gallons
Above 25,000	\$2.00 per 1,000 gallons	\$2.00 per 1,000 gallons

Based on the above rates, the estimated monthly fee for a single-family residential customer for 10,000 gallons of wastewater service would be approximately \$32.00.

Comparative Water District Tax Rates

A combined tax rate of \$1.00 per \$100 assessed valuation for the proposed District appears to be acceptable for this type of development. Based on the requirements of 30 TAC Section 293.59, this project is considered economically feasible.

**E. SPECIAL CONSIDERATION**

Request for Road Powers

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

**F. CONCLUSIONS**

1. Based on TCEQ policy, compliance with TCEQ rules, and review of the engineering report and supporting documents, the proposed District is considered feasible, practicable, would be a benefit to the land within the proposed District, and would be necessary as a means to finance utilities and to provide utility service to future customers.
2. Based on a review of the preliminary engineering report; market study; the proposed District's water, drainage and road facilities; a combined projected tax rate of \$1.00 per \$100 AV; the proposed District obtaining a 5.0% bond coupon interest rate; and other supporting data, the proposed District is considered feasible under the feasibility limits prescribed by 30 TAC Section 293.59.
3. The recommendations are made under authority delegated by the Executive Director of the TCEQ.

**G. RECOMMENDATIONS**

1. Grant the petition for creation of Rockwall County Municipal Utility District No. 11.

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

3. The Order granting the petition should include the following statement:

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

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

Kelli Green  
Peggy Helge  
Calvin Jackson

D. Jan Pippard  
Sherry Savoie

#### **H. ADDITIONAL INFORMATION**

The Petitioner's professional representatives are:

Attorney:	Mr. Ross Martin - Winstead, PC
Engineer:	Mr. Alex Pfefferkorn, P.E. - Quiddity Engineering, LLC
Financial Advisor:	Mr. Ryan R. Nesmith - Robert W. Baird & Co., Inc.

AFFIDAVIT OF TEMPORARY DIRECTOR

THE STATE OF TEXAS           §  
                                          §  
COUNTY OF DALLAS           §

BEFORE ME, the undersigned duly constituted authority of the State and County aforesaid, on this day personally appeared Calvin Jackson who expressed a desire to be appointed a director of Rockwall County Municipal Utility District No. 11 (hereinafter the "District"), and who on oath did state:

1.           I am at least eighteen (18) years of age, a resident citizen of the State of Texas, and own land subject to taxation within the District. I am a resident of Dallas County, being a county that is adjacent to the county in which the District is located.

2.           I am not now and have no present plans to be a developer of property in the District as defined in Section 49.052(d), Texas Water Code, as amended (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, alleys or parks or other portions intended for public use or the 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 proposed Directors of the District; or to the attorney, engineer or manager of the District or other person providing professional services to the District.

4.           I am not an employee of any developer of property within the District or any other Director or any attorney, engineer or manager of the District, or other person providing professional services to the District or a developer of property in the District in connection with 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 within the District.

6.           Neither my employer nor I have any business or other connection with the developer of the District, the attorney representing the District, or any consulting engineer for the District in regard to the District and the development therein.

7. I am not a party to a contract with or along with the District (except, possibly, for the purchase of public services furnished by the District to the public generally) or a contract with or along with a developer of property in the District relating to the District or property within the District (except, possibly, a contract related solely to the purpose of purchasing or conveying real property in the District for the purpose of qualifying as a director).

8. 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.

9. I am generally familiar with the responsibilities of a director of a municipal utility district. I realize that as a Director I will be a public official charged with the responsibility of serving the best interests of the present and future property owners, taxpayers and residents of the District.


10. I am aware that the District is a public agency, that by law notice of its meetings must be posted, and that, subject to certain exceptions, its meetings must be open to the public and its records must be available for inspection by the public at all reasonable times.

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

12. I am not presently an officer, director or official of the State of Texas or any other district, city, county, school district or political subdivision of this State.

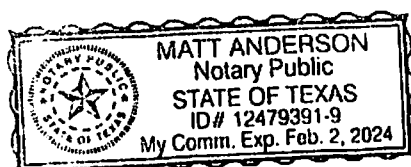
13. I hereby affirm that I will faithfully execute the duties of the office of Director of the District and will to the best of my ability preserve, protect and defend the Constitution and laws of the United States and of the State of Texas; and I hereby affirm that I have not directly or indirectly 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.

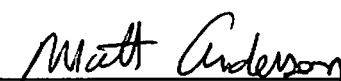
AFFIANT:

  
\_\_\_\_\_  
Calvin Jackson

SWORN AND SUBSCRIBED BEFORE ME this 20 day of September, 2022.

[SEAL]



  
\_\_\_\_\_  
Notary Public in and for the State of Texas

AFFIDAVIT OF TEMPORARY DIRECTOR

THE STATE OF TEXAS

§

COUNTY OF Collin

§

§

BEFORE ME, the undersigned duly constituted authority of the State and County aforesaid, on this day personally appeared D. Jan Pippard who expressed a desire to be appointed a director of Rockwall County Municipal Utility District No. 11 (hereinafter the "District"), and who on oath did state:

1. I am at least eighteen (18) years of age, a resident citizen of the State of Texas, and own land subject to taxation within the District. I am a resident of Collin County, being a county adjacent to the county in which the District is located.

2. I am not now and have no present plans to be a developer of property in the District as defined in Section 49.052(d), Texas Water Code, as amended (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, alleys or parks or other portions intended for public use or the 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 proposed Directors of the District; or to the attorney, engineer or manager of the District or other person providing professional services to the District.

4. I am not an employee of any developer of property within the District or any other Director or any attorney, engineer or manager of the District, or other person providing professional services to the District or a developer of property in the District in connection with 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 within the District.

6. Neither my employer nor I have any business or other connection with the developer of the District, the attorney representing the District, or any consulting engineer for the District in regard to the District and the development therein.

7. I am not a party to a contract with or along with the District (except, possibly, for the purchase of public services furnished by the District to the public generally) or a contract

with or along with a developer of property in the District relating to the District or property within the District (except, possibly, a contract related solely to the purpose of purchasing or conveying real property in the District for the purpose of qualifying as a director).

8. 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.

9. I am generally familiar with the responsibilities of a director of a municipal utility district. I realize that as a Director I will be a public official charged with the responsibility of serving the best interests of the present and future property owners, taxpayers and residents of the District.

10. I am aware that the District is a public agency, that by law notice of its meetings must be posted, and that, subject to certain exceptions, its meetings must be open to the public and its records must be available for inspection by the public at all reasonable times.

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

12. I am not presently an officer, director or official of the State of Texas or any other district, city, county, school district or political subdivision of this State.

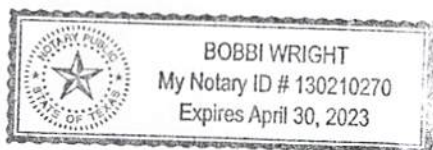
13. I hereby affirm that I will faithfully execute the duties of the office of Director of the District and will to the best of my ability preserve, protect and defend the Constitution and laws of the United States and of the State of Texas; and I hereby affirm that I have not directly or indirectly 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.

AFFIANT:

D. Jan Pippard  
D. Jan Pippard

SWORN AND SUBSCRIBED BEFORE ME this 15 day of Sept., 2022.

[SEAL]



Bobbie W. Wright  
Notary Public in and for the State of Texas

**AFFIDAVIT OF TEMPORARY DIRECTOR**

THE STATE OF TEXAS           §  
                                          §  
COUNTY OF DALLAS         §

BEFORE ME, the undersigned duly constituted authority of the State and County aforesaid, on this day personally appeared Kelli Green who expressed a desire to be appointed a director of Rockwall County Municipal Utility District No. 11 (hereinafter the "District"), and who on oath did state:

1.           I am at least eighteen (18) years of age, a resident citizen of the State of Texas, and own land subject to taxation within the District. I am a resident of Dallas County, being a county that is adjacent to the county in which the District is located.

2.           I am not now and have no present plans to be a developer of property in the District as defined in Section 49.052(d), Texas Water Code, as amended (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, alleys or parks or other portions intended for public use or the 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 proposed Directors of the District; or to the attorney, engineer or manager of the District or other person providing professional services to the District.

4.           I am not an employee of any developer of property within the District or any other Director or any attorney, engineer or manager of the District, or other person providing professional services to the District or a developer of property in the District in connection with 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 within the District.

6.           Neither my employer nor I have any business or other connection with the developer of the District, the attorney representing the District, or any consulting engineer for the District in regard to the District and the development therein.



7. I am not a party to a contract with or along with the District (except, possibly, for the purchase of public services furnished by the District to the public generally) or a contract with or along with a developer of property in the District relating to the District or property within the District (except, possibly, a contract related solely to the purpose of purchasing or conveying real property in the District for the purpose of qualifying as a director).

8. 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.

9. I am generally familiar with the responsibilities of a director of a municipal utility district. I realize that as a Director I will be a public official charged with the responsibility of serving the best interests of the present and future property owners, taxpayers and residents of the District.

10. I am aware that the District is a public agency, that by law notice of its meetings must be posted, and that, subject to certain exceptions, its meetings must be open to the public and its records must be available for inspection by the public at all reasonable times.

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

12. I am not presently an officer, director or official of the State of Texas or any other district, city, county, school district or political subdivision of this State.


13. I hereby affirm that 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 or 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.

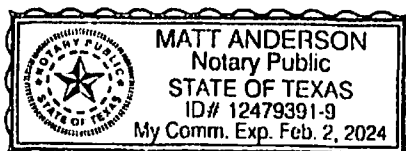
AFFIANT:

  
Kelli Green

SWORN AND SUBSCRIBED BEFORE ME this 14<sup>th</sup> day of September, 2022.

[SEAL]

  
Notary Public in and for the State of Texas





AFFIDAVIT OF TEMPORARY DIRECTOR

THE STATE OF TEXAS

§

COUNTY OF Hunt

§

§

BEFORE ME, the undersigned duly constituted authority of the State and County aforesaid, on this day personally appeared Peggy Helge who expressed a desire to be appointed a director of Rockwall County Municipal Utility District No. 11 (hereinafter the "District"), and who on oath did state:

1. I am at least eighteen (18) years of age, a resident citizen of the State of Texas, and own land subject to taxation within the District. I am a resident of Hunt County, being a county adjacent to the county in which the District is located.

2. I am not now and have no present plans to be a developer of property in the District as defined in Section 49.052(d), Texas Water Code, as amended (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, alleys or parks or other portions intended for public use or the 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 proposed Directors of the District; or to the attorney, engineer or manager of the District or other person providing professional services to the District.

4. I am not an employee of any developer of property within the District or any other Director or any attorney, engineer or manager of the District, or other person providing professional services to the District or a developer of property in the District in connection with 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 within the District.

6. Neither my employer nor I have any business or other connection with the developer of the District, the attorney representing the District, or any consulting engineer for the District in regard to the District and the development therein.

7. I am not a party to a contract with or along with the District (except, possibly, for the purchase of public services furnished by the District to the public generally) or a contract



with or along with a developer of property in the District relating to the District or property within the District (except, possibly, a contract related solely to the purpose of purchasing or conveying real property in the District for the purpose of qualifying as a director).

8. 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.

9. I am generally familiar with the responsibilities of a director of a municipal utility district. I realize that as a Director I will be a public official charged with the responsibility of serving the best interests of the present and future property owners, taxpayers and residents of the District.

10. I am aware that the District is a public agency, that by law notice of its meetings must be posted, and that, subject to certain exceptions, its meetings must be open to the public and its records must be available for inspection by the public at all reasonable times.

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

12. I am not presently an officer, director or official of the State of Texas or any other district, city, county, school district or political subdivision of this State.

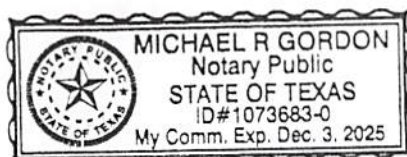
13. I hereby affirm that I will faithfully execute the duties of the office of Director of the District and will to the best of my ability preserve, protect and defend the Constitution and laws of the United States and of the State of Texas; and I hereby affirm that I have not directly or indirectly 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.

AFFIANT:

Peggy Helge  
Peggy Helge

SWORN AND SUBSCRIBED BEFORE ME this 16<sup>TH</sup> day of SEPT., 2022.

[SEAL]



Michael R. Gordon  
Notary Public in and for the State of Texas

**AFFIDAVIT OF TEMPORARY DIRECTOR**

THE STATE OF TEXAS           §  
                                          §  
COUNTY OF DALLAS         §

BEFORE ME, the undersigned duly constituted authority of the State and County aforesaid, on this day personally appeared Sherry Savoie who expressed a desire to be appointed a director of Rockwall County Municipal Utility District No. 11 (hereinafter the "District"), and who on oath did state:

1.           I am at least eighteen (18) years of age, a resident citizen of the State of Texas, and own land subject to taxation within the District. I am a resident of Dallas County, being a county that is adjacent to the county in which the District is located.

2.           I am not now and have no present plans to be a developer of property in the District as defined in Section 49.052(d), Texas Water Code, as amended (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, alleys or parks or other portions intended for public use or the 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 proposed Directors of the District; or to the attorney, engineer or manager of the District or other person providing professional services to the District.

4.           I am not an employee of any developer of property within the District or any other Director or any attorney, engineer or manager of the District, or other person providing professional services to the District or a developer of property in the District in connection with 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 within the District.

6.           Neither my employer nor I have any business or other connection with the developer of the District, the attorney representing the District, or any consulting engineer for the District in regard to the District and the development therein.

7. I am not a party to a contract with or along with the District (except, possibly, for the purchase of public services furnished by the District to the public generally) or a contract with or along with a developer of property in the District relating to the District or property within the District (except, possibly, a contract related solely to the purpose of purchasing or conveying real property in the District for the purpose of qualifying as a director).

8. 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.

9. I am generally familiar with the responsibilities of a director of a municipal utility district. I realize that as a Director I will be a public official charged with the responsibility of serving the best interests of the present and future property owners, taxpayers and residents of the District.

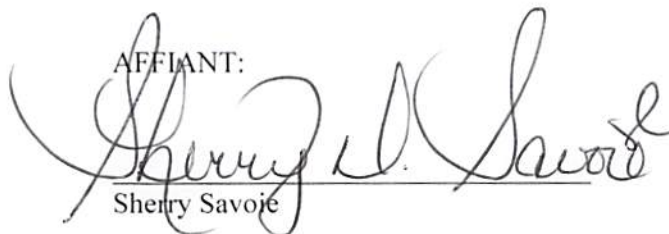
10. I am aware that the District is a public agency, that by law notice of its meetings must be posted, and that, subject to certain exceptions, its meetings must be open to the public and its records must be available for inspection by the public at all reasonable times.

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

12. I am not presently an officer, director or official of the State of Texas or any other district, city, county, school district or political subdivision of this State.

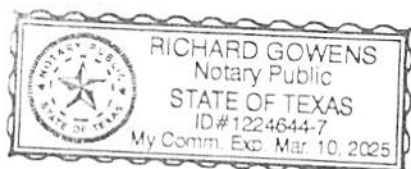
13. I hereby affirm that I will faithfully execute the duties of the office of Director of the District and will to the best of my ability preserve, protect and defend the Constitution and laws of the United States and of the State of Texas; and I hereby affirm that I have not directly or indirectly 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.


AFFIANT:

  
Sherry Savoie

SWORN AND SUBSCRIBED BEFORE ME this 20<sup>th</sup> day of September, 2022.

[SEAL]



  
Notary Public in and for the State of Texas