

Adopt the Administrative Law Judge's proposed Order with the following changes:

- A. Because the District creation petition and the Denton County Central Appraisal District's affidavit provide that the owner of the land at the time the Petition was filed was White Oaks Ranch Land, L.P., revise Finding of Fact No. 9 to state:
 - 9. The proposed District is for a planned residential development on a tract owned wholly by White Oaks Ranch Land, L.P., in unincorporated Denton County, located south of FM 455, north of Saint John Road, and west of US 377, generally southwest of the City of Pilot Point. The proposed District is not within the corporate limits or extraterritorial jurisdiction (ETJ) of any city, town, or village.
- B. Because the revised Preliminary Engineering Report, dated November 10, 2022, and admitted as ED JW-4, states that the District is comprised of 379 acres and is planning to serve 317 acres of single-family residential development; 37 acres of open space, parks, and floodplain; three acres for an amenity center; two acres of perimeter right of way dedication; seven acres of internal collector right of way dedication; and 13 acres for water and wastewater facilities, Revise Finding of Fact No. 11 to state:
 - 11. While the District would serve approximately 379 acres, only 317 acres would be developed as single-family residential lots. The rest of the property includes 37 acres allocated to open spaces, three acres for an amenity center, two acres of perimeter right of way dedication, seven acres of internal collector right of way dedication, and 13 acres for water and wastewater facilities.
- C. Because construction costs in the Preliminary Engineering Report dated, November 10, 2022, are reasonable, revise Finding of Fact No. 15 to state:
 - 15. In the preliminary engineering report (Engineering Report) dated November 10, 2022, Applicant estimated the District's total construction costs will be \$106,836,000, including \$20,761,000 for the water distribution system; \$36,352,000 for the wastewater system; \$19,093,000 for a storm drainage system; and \$30,630,000 for the roadway system.
- D. To emphasize that the regulatory preliminary engineering report content requirements are not a separate burden from the necessary statutory determination, delete the regulatory cite to 30 Tex. Admin. Code § 293.11(d)(5)(J) in Conclusion of Law 13 to state:
 - 13. Applicant has met its burden of proving that the projects and District are feasible, practicable, and necessary and would be a benefit to the land included in the District. Tex. Water Code § 54.021.

- E. Because Applicant has requested road powers under Texas Water Code § 54.234 and has met the requirements in 30 Texas Administrative Code § 293.202, add the following Finding of Facts, Conclusions of Law, and Ordering Provision and revise Ordering Provision 1, to state the following:

Findings of Fact:

Request for Road Powers

- 42a. The Petition requests the TCEQ grant the District the authority to provide roads.
- 42b. Applicant provided a preliminary layout as to the major thoroughfares and a cost estimate of the proposed road facilities.
- 42c. Applicant established that the funding of the road improvements is financially and economically feasible.

Conclusion of Law:

- 13a. Applicant's requests for road powers meets all applicable requirements. Tex. Water Code § 54.234; 30 Tex. Admin. Code §§ 293.11 (d)(11), .202(a), (b).

Ordering Provisions:

- 1. The Petition by White Oaks Ranch Land, L.P. for creation of the White Oaks Municipal Utility District of Denton County and the request to acquire road powers is granted, and the District is created under the terms and conditions of Article XVI, Section 59 of the Texas Constitution and Texas Water Code Chapters 49 and 54.
 - 1b. The District shall have, and shall be subject to, all of the rights, duties, powers, privileges, authority, and functions conferred and imposed by the TCEQ and the general laws of the State of Texas relating to municipal utility districts, including road powers under Texas Water Code section 54.234, subject to the requirements of the TCEQ and the general laws of the State of Texas relating to the exercise of such powers.
- F. To memorialize that all of the land within the proposed District shall be included in the District, add Ordering Provision 1a. to state:
- 1a. The District shall be composed of approximately 379 acres of land in Denton County, Texas, contained in the metes and bounds description in Applicant's Exhibit 2 and attached as Exhibit A.

- G. Because Roberta Mathews Corbett, Elizabeth Marie Brooks, Alounsananh Viengluang, Cole David Filley, and Tom O'Brien each meet the requirements in Texas Water Code sections 54.022 and 54.102 and are not disqualified under Texas Water Code section 49.052, add the following Finding of Fact, Conclusion of Law, and Ordering Provision:

Finding of Fact:

Appointment of Temporary Directors

- 42d. Applicant established that Roberta Mathews Corbett, Elizabeth Marie Brooks, Alounsananh Viengluang, Cole David Filley, and Tom O'Brien requested to be temporary directors and (1) are each at least 18 years old; (2) are each a resident of the State of Texas; and (3) each either owns land subject to taxation within the proposed District or is a qualified voter within the proposed District. Additionally, 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.

Conclusion of Law:

- 14a. Roberta Mathews Corbett, Elizabeth Marie Brooks, Alounsananh Viengluang, Cole David Filley, and Tom O'Brien qualify to be temporary directors under Texas Water Code sections 54.022 and 54.102.

Ordering Provision:

- 1c. Roberta Mathews Corbett, Elizabeth Marie Brooks, Alounsananh Viengluang, Cole David Filley, and Tom O'Brien are named and appointed as temporary directors and shall, as soon as practicable after the date of entry of this Order, execute their official bonds and take their official oaths of office. All such bonds shall be approved by the Board of Directors of the District, and each bond and oath shall be filed with the District and retained in its records.
- H. To ensure this Order is sent to all affected persons, amend Ordering Provision No. 5 to state:
5. The Commission's Chief Clerk shall forward a copy of this Order to all parties and all affected persons.

Commissioner's Recommended Motion for Item No. 2, June 18, 2025, TCEQ Agenda

- I. To acknowledge that this order does not approve future agreements, add Ordering Provision No. 7 to state:
 7. 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.