

Brooke T. Paup, *Chairwoman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 10, 2025

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

Re: TCEQ Docket No. 2025-0288-DIS; Williamson County Municipal Utility District
No. 60; Request filed regarding Internal Control No. D-09182024-033

Dear Ms. Gharis:

Transmitted herewith for filing with the Texas Commission on Environmental Quality (Commission or TCEQ) are the following items to be filed as backup materials for the May 1, 2025, agenda on a hearing request for the creation of Williamson County Municipal Utility District No. 60.

1. Technical memo prepared by staff;
2. Petition for Creation (includes metes and bounds);
3. Temporary Directors' Affidavits; and
4. Notice of District Petition.

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

Respectfully submitted,

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

Kayla Murray, Staff Attorney
Environmental Law Division

Enclosures

Texas Commission on Environmental Quality

TECHNICAL MEMORANDUM

To: Justin P. Taack, Manager *For*
Districts Section *1/24/2025*

Date: December 6, 2024

Thru: Michael Briscoe, Team Lead
Districts Creation Review Team

From: Cheyenne Connors
Districts Creation Review Team

Subject: Petition by OP III ATX Georgetown 220, LP for Creation of Williamson County Municipal Utility District No. 60; Pursuant to Texas Water Code Chapter 49 and Chapter 54.
TCEQ Internal Control No. D-09182024-033 (TC)
CN: 606307205 RN: 112050075

A. GENERAL INFORMATION

The Texas Commission on Environmental Quality (TCEQ) received a petition within the application requesting approval for the creation of Williamson County Municipal Utility District No. 60 (District). The petition was signed by Luke Phillippi, EVP of EOP II Sub GP, LLC, a Delaware limited liability company, managing general partner of OP III ATX Georgetown 220, LP, a Delaware limited partnership (Petitioner). The petition states that the Petitioner holds title to a majority in value of the land in the proposed District, and that there are no lienholders on the property to be included in the proposed District.

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

Location and Access

The proposed District is located in the central portion of Williamson County (County), approximately six miles from the City of Georgetown (City). The proposed District is located west of State Highway (SH) 130 and north of County Road (CR) 107. The proposed District is located outside the corporate boundaries and extraterritorial jurisdiction of any city, town, or village. The proposed District can be accessed from State Highway 130. Access to the proposed District is provided by two points of access, one from CR 105 and one from CR 107.

Metes and Bounds Description

The proposed District contains one tract of land totaling 219.998 acres. The metes and bounds description of the proposed District has been checked by TCEQ staff and has been found to form an acceptable closure.

City Consent

The proposed District is located outside the corporate limits and extraterritorial jurisdiction of any city, town, or village. Therefore, the requirements of Texas Local Government Code Section 42.042 and TWC Section 54.016 are not applicable.

Statements of Filing Petition

Evidence of filing the petition with the Williamson County Clerk's office, the TCEQ's Austin regional office, the Texas state representative, and the Texas state senator was included in the application.

Notification of County

Information provided indicates the proposed District is entirely outside the corporate limits of any municipality. In accordance with TWC Section 54.0161 a certified letter dated September 26, 2024, was sent to the Williamson Commissioners Court notifying them of the subject application. A response has not been received to date.

Type of Project

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

Developer Qualifications

Application material indicates the developer will be OP III ATX Georgetown 220, LP, a Delaware limited partnership, as managed by its general partner, EOP III Sub GP, LLC, a Delaware limited liability company. OP III ATX Georgetown 220, LP, has experience providing full-service land development to assist their clients in the development of their property.

Appraisal District Certificate

By signed certificate dated August 7, 2024, the Williamson Central Appraisal District has certified that the appraisal roll indicates that the Petitioner is the owner of the majority in value of the land in the proposed District.

Temporary Director Affidavits

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

Harrison Hudson
Jonathan Moseley

Jonah Mankovsky
Matt Pohl

Jonathan E. McKee

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 October 16 and October 23, 2024, in the *Williamson County Sun*, a newspaper regularly published or circulated in Williamson County, the county in which the District is proposed to be located. Proper notice of the application was posted October 16, 2024, at the place for posting legal notices at the Williamson County Courthouse. Accordingly, the notice requirements of 30 TAC Section 293.12(b) have been satisfied. The opportunity for the public to request a contested case hearing (comment period) expired November 22, 2024.

B. ENGINEERING ANALYSIS

The Creation engineering report indicates the following:

Availability of Comparable Service

The land within the proposed District lies entirely within water Certificate of Convenience and Necessity (CCN) of Jonah Special Utility District (SUD) (Permit No. 10970). Jonah SUD will provide retail water to the proposed District. Construction of the wastewater facilities serving the proposed District is necessary since there are no other sources which have the facilities or capacity to serve the project at this time.

Water Supply and Water Distribution

Per the engineering report, it is estimated that the proposed District will contain 764 equivalent single-family connections (ESFCs). The source of the treated water will be Jonah SUD per a service agreement and a water distribution system will be provided by the developer. The proposed District will connect to the existing Jonah SUD waterlines on CR 105 and CR 107 with a 24-inch waterline. The homebuilder will be required to pay connections fees to Jonah SUD for each water service connection in the proposed District.

The water distribution system for full development of the proposed District will consist of approximately 13,069 linear feet of 8-inch onsite waterline along with all related appurtenances. All water and distribution systems to serve the proposed District will be designed in accordance with applicable criteria established by the TCEQ and the County.

Wastewater Treatment and Collection

It is estimated that the proposed District will contain 764 ESFCs at ultimate development, requiring 270,000 gallons per day of wastewater treatment capacity. A wastewater collection system and wastewater treatment plant will be constructed and operated to serve the entirety of the proposed District. The proposed District will provide retail wastewater service within the boundaries of the District.

The wastewater collection will consist of approximately 15,880 linear feet of 8-inch gravity sanitary sewer lines. It is anticipated that the proposed wastewater collection system for the proposed District will consist primarily of solid wall PVC wastewater mains, with manholes and related appurtenances. The collection system will be designed to meet TCEQ and County design criteria.

Storm Water Drainage System and Drainage Improvements

Storm water runoff within the proposed District will be collected in channels then to flumes or inlets which will convey the flows to a detention pond, before discharging into the tributaries of the San Gabriel River. All stormwater and drainage improvements will be designed in accordance with the requirements of the County and the TCEQ.

Road Improvements

The proposed District will construct and finance roads within the boundaries of the proposed District, including the main entrance and local streets. All roadway improvements internal to the site will be owned, operated, and maintained by the proposed District. All roadway improvements will be designed in accordance with the design criteria established by the County.

Recreational Improvements

The proposed recreational facilities include parks, an amenity center, and open space.

Floodplain

According to Federal Emergency Management Agency Flood Insurance Rate Maps No. 48491C0505F dated December 20, 2019, no part of the proposed District is located within the 100-year Zone "AE".

Topography/Land Elevation

The existing elevations within the proposed District range from 800 to 750 feet above mean sea level based on USGS 7.5-minute topographic maps. Proposed lots are anticipated to maintain a natural state whenever possible. Design of street improvements based on existing natural grades will be optimized to minimize excavation. Existing draws will be used to convey runoff into creek beds with minimal excavation. Therefore, development within the proposed District, is not expected to have an unreasonable effect on overall land elevations.

Subsidence

The proposed District will receive its water from Jonah SUD. Jonah SUD sources both groundwater and surface water. The groundwater comes from Edwards and associated limestones (Balcones Fault) and surface water comes from East Williamson County Regional Water System. Jonah SUD purchases water from the Brazos River Authority Water Treatment Plant. No facilities are proposed that will cause or contribute to subsidence. According to the information provided, it is anticipated that there will be no unreasonable effect on ground subsidence.

Groundwater Level/Recharge

There is no indication that groundwater supply is a concern in this area and supplied by groundwater and surface water. It is anticipated that there will be no unreasonable effect on recharge.

Natural Run-off and Drainage

Development of the proposed District will increase the natural runoff amounts when compared to the present undeveloped state of the land; however, the ponds will be designed to mitigate any effect on downstream runoff rates. Therefore, no adverse impact on run-off rates or drainage is anticipated.

Water Quality

All construction within the proposed District will include erosion control measures which comply with the Storm Water Pollution Prevention Plan regulated by TCEQ. Also, all wastewaters will be collected and treated in a wastewater treatment facility that is permitted and approved by TCEQ, which should minimize the effects on surface water quality. Adverse impacts on water quality are not anticipated.

Dam Safety Analysis

The Dam Safety Section of the TCEQ has conducted a review of the proposed creation of the subject District and confirmed by letter dated May 2, 2024. There are a few small ponds within the District boundaries. The ponds will need to be evaluated to determine if they will remain or be removed. If they will remain and are classified as dams in our jurisdiction, they will need to be evaluated for hydraulic adequacy and hazard classification.

C. SUMMARY OF COSTS

WATER, WASTEWATER, AND DRAINAGE

<u>Construction Costs</u>	District's ⁽¹⁾ <u>Share</u>
A. Developer Contribution Items	
1. Water, Wastewater, and Drainage	\$ 18,329,984
2. Erosion Control	363,028
3. Contingencies (15% of Items 1 and 2)	2,803,952
4. Engineering Costs (12% of Items 1 and 2)	<u>2,243,161</u>
Total Developer Contribution Items	\$ 23,740,125
B. District Items	
1. Wastewater Collection system	\$ 4,320,000
2. Offsite Waterlines and Improvements	1,693,406
3. Contingencies (15% of Items 1 and 2)	902,011
4. Engineering Costs (12% of Items 1 and 2)	<u>721,609</u>
Total District Items	\$ 7,637,026
 TOTAL CONSTRUCTION COSTS (79.6% of Bond Issues)	 \$ 31,377,151
 <u>Nonconstruction Costs</u>	
A. Legal Fees	\$ 1,182,000
B. Fiscal Agent Fees	985,000
C. Interest	
1. Capitalized Interest (12 months at 3.75%)	1,477,500
2. Developer Interest (24 months at 3.75%)	2,353,286 ⁽²⁾
D. Bond Discount (3%)	1,182,000
E. Bond Issuance Expenses	293,763
F. Bond Application Report Costs	236,400
G. Creation and Organization Expenses	75,000
H. Administration and Operating Expenses	100,000

I. Attorney General Fee (0.10%)	39,400
J. TCEQ Bond Issuance Fee (0.25%)	<u>98,500</u>
TOTAL NONCONSTRUCTION COSTS	\$ 8,022,849
TOTAL BOND ISSUE REQUIREMENT	\$ 39,400,000

Notes:

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

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

ROADS

<u>Construction Costs</u>	District's ⁽¹⁾ <u>Share</u>
A. Roads	\$ 16,261,638
B. Contingencies (15% of Item A)	2,439,246
C. Engineering Costs (10% of Item A)	<u>1,626,164</u>
TOTAL CONSTRUCTION COSTS (80.7% of Bond Issues)	\$ 20,327,048
<u>Nonconstruction Costs</u>	
A. Legal Fees	\$ 755,250
B. Fiscal Agent Fees	629,375
C. Interest	
1. Capitalized Interest (12 months at 3.75%)	944,063
2. Developer Interest (24 months at 3.75%)	1,524,529 ⁽²⁾
D. Bond Discount (3%)	755,250
E. Bond Issuance Expenses	134,310
F. Bond Engineering Costs	80,000
G. Attorney General Fee (0.10%)	<u>25,175</u>
TOTAL NONCONSTRUCTION COSTS	\$ 4,847,952
TOTAL BOND ISSUE REQUIREMENT	\$ 25,175,000

Notes:

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

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

RECREATIONAL IMPROVEMENTS

		District's ⁽¹⁾ <u>Share</u>
<u>Construction Costs</u>		
A. Park and Amenity	\$	600,000
B. Contingencies (15% of Item A)		90,000
C. Design and Permitting Costs (10% of Item A)		<u>60,000</u>
TOTAL CONSTRUCTION COSTS (75.0% of Bond Issues)	\$	750,000
<u>Nonconstruction Costs</u>		
A. Legal Fees	\$	30,000
B. Fiscal Agent Fees		25,000
C. Interest		
1. Capitalized Interest (12 months at 3.75%)		37,500
2. Developer Interest (24 months at 3.75%)		56,250 ⁽²⁾
D. Bond Discount (3%)		30,000
E. Bond Application Report Costs		30,000
F. Bond Issuance Expenses		37,750
G. Attorney General Fee (0.10%)		1,000
H. TCEQ Bond Issuance Fee (0.25%)		<u>2,500</u>
TOTAL NONCONSTRUCTION COSTS	\$	250,000
TOTAL BOND ISSUE REQUIREMENT	\$	1,000,000

Notes:

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

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

D. ECONOMIC ANALYSIS

Land Use

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

<u>Development</u>	<u>Acres</u>	<u>ESFCs</u>
Single-Family	153.000	764
Amenity/Storage Areas	4.300	2
Right of Way	11.600	0
Floodplain	10.900	0
Open Space/Drainage/Detention Ponds/Parks	33.598	0
Wastewater Treatment Plant	<u>6.600</u>	<u>1</u>
Total	219.998	767

Market Study

A market study, prepared in April 2024, by Zonda, was submitted in support of the creation of the proposed District. The market study indicates that the proposed District will contain 411 single-family homes on 45-foot lots priced on average at \$407,000 and 353 single-family homes on 50-foot lots priced on average at \$477,000 and are expected to be absorbed at a rate of 10 to 12 units per month among all lot sizes.

Project Financing

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

<u>Units Planned</u>	<u>Number of Units/Acreage</u>	<u>Average Unit Value</u>	<u>Total Value at Build-Out</u>
Single-Family (45-Foot Lots)	411	\$407,000	\$167,277,000
Single-Family (50-Foot Lots)	353	\$477,000	<u>\$168,381,000</u>
Total Assessed Valuation			\$335,658,000

The application considers an estimated bond issue requirement of \$65,575,000 (\$39,400,000 for utilities, \$25,175,000 for roads, and \$1,000,000 for recreation), assuming 100% financing as indicated above, a bond coupon rate of 3.75%, and a 30-year bond life; therefore, the average annual debt service requirement would be \$3,677,946 (\$2,209,852 for utilities, \$1,412,006 for roads, and \$56,088 for recreation). Assuming a 98% collection rate and an ultimate assessed valuation of \$355,658,000 a tax rate of approximately \$1.12 per \$100 of assessed value (\$0.67 for utilities, \$0.02 for recreational, and \$0.43 for roads) per \$100 assessed valuation would be necessary to meet the annual debt service requirement. Application material also indicates a maintenance tax of \$0.05 per \$100 assessed valuation is anticipated.

The total 2023 overlapping tax rates on land within the proposed District are shown in the following table.

<u>Taxing Jurisdiction</u>	<u>Tax Rate</u> ⁽¹⁾
Proposed Williamson County	⁽²⁾
MUD No. 60 (District)	\$ 1.1700
Williamson County	0.3331
Williamson County ESD No. 8	0.0941
Williamson County RD-FM	0.0443
Georgetown ISD	<u>1.0467</u>
Total Tax Rate	\$ 2.6822

Notes:

- (1) Represents tax rate per \$100 assessed valuation.
- (2) Includes a \$1.12 debt service tax rate (utilities, roads, and recreation) and a \$0.05 maintenance tax rate.

Based on the proposed District tax rate and the year 2023 overlapping tax rate on land within the proposed District, and assuming 100% financing as indicated above, the project is considered economically feasible.

Water and Wastewater Rates

According to information provided, the estimated monthly fee for 10,000 gallons of water and wastewater service would be \$134.06.

Comparative Water District Tax Rates

A combined projected tax rate of \$1.17 per \$100 assessed valuation, as indicated above, for 100% financing for the proposed District is comparable to other districts in the area. Based on the requirements and intent of 30 TAC Section 293.59, this project is considered economically feasible. Each particular bond issue will be evaluated based on its own economic feasibility merits and the rules and regulations in place at the time prior to the issuance of any bonds by the proposed District.

E. SPECIAL CONSIDERATIONS

Request for Road Powers

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

F. CONCLUSIONS

1. Based on TCEQ policy, compliance with TCEQ rules, and review of the engineering report and supporting documents, the proposed District is considered feasible, practicable, would be a benefit to the land within the proposed District, and would be necessary as a means to finance utilities and to provide utility service to future customers.
2. Based on a review of the preliminary engineering report, market study, the proposed District's water, wastewater, drainage, roads, and recreational facilities, a combined projected tax rate of \$1.17 per \$100 assessed valuation, the proposed District obtaining a 3.75% bond coupon rate, and other supporting data, the proposed District is considered feasible under the intent of 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 Williamson County Municipal District No. 60.
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:

Harrison Hudson

Jonah Mankovsky

Jonathan E. McKee

Jonathan Moseley

Matt Pohl

H. ADDITIONAL INFORMATION

The petitioner's professional representatives are:

Attorney: Ms. John Bartram – Armbrust & Brown, PLLC

Engineer: Mr. Ken Heroy, P.E. – Jones-Heroy & Associates, Inc.

Market Analyst: Mr. Bryan Glasshagel – Zonda

**PETITION FOR CREATION
OF A MUNICIPAL UTILITY DISTRICT**

STATE OF TEXAS §
 §
COUNTY OF WILLIAMSON §

TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

The undersigned (the “*Petitioner*”), holding title to a majority in value of the land more particularly described on **Exhibit “A”** (the “*Land*”), as indicated by the tax rolls of Williamson County, Texas, and acting pursuant to the provisions of Chapters 49 and 54 of the Texas Water Code, as amended, respectfully petitions for the creation of a municipal utility district over the Land and, in support of this Petition, would show the following:

I.

The name of the proposed district is WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 60 (or the next available numerical designation at the time of filing of this Petition) (the “*District*”). There is no other conservation or reclamation district in Williamson County, Texas, with the same name.

II.

The District will be created and organized under the terms and provisions of Article XVI, Section 59 of the Texas Constitution and Chapters 49 and 54 of the Texas Water Code, together with all amendments and additions thereto. The District will have all of the rights, powers, privileges, authority, and functions conferred by and be subject to all of the duties imposed by the Texas Water Code and the general laws of the State of Texas, in each case, as amended, relating to municipal utility districts. It is also proposed that the District be granted road powers under the authority of Article III, Section 52 of the Texas Constitution, as amended.

III.

The Land proposed to be contained within the District consists of the 219.998 acres of land, more or less, situated in Williamson County, Texas, as more particularly described on **Exhibit “A”**. The Land is not currently located within the extraterritorial jurisdiction of any city in Texas. All of the territory proposed to be included may be properly included in the District.

IV.

The Petitioner holds title to and is the owner of a majority in value of the Land, as indicated by the tax rolls of Williamson County, Texas. There are no lienholders on the Land.

V.

The general nature of the work proposed to be done by the District, as contemplated at the present time, is the design, construction, acquisition, improvement, extension, financing, and issuance of bonds for: (i) maintenance, operation, and conveyance of an adequate and efficient water works and sanitary sewer system for domestic purposes; (ii) maintenance, operation, and conveyance of works, improvements, facilities, plants, equipment, and

appliances helpful or necessary to provide more adequate drainage for the District, and to control, abate, and amend local storm waters or other harmful excesses of waters; (iii) maintenance, operation, and conveyance of park and recreational facilities; (iv) conveyance of road and improvements in aid of roads; and (v) maintenance, operation, and conveyance of such other additional facilities, systems, plants, and enterprises as may be consistent with any or all of the purposes for which the District is created.

VI.

The Petitioner requests that the District be granted the power, under the authority of Article III, Section 52 of the Texas Constitution, as amended, to design, acquire, construct, finance, issue bonds for, and convey to the State, a county, or a municipality for operation and maintenance one or more roads, or any improvement in aid of such roads, pursuant to Section 54.234 of the Texas Water Code, as amended.

VII.

There is a necessity for the work and improvements described above because there is not currently available within the area, an adequate waterworks system, sanitary sewer system, drainage and storm sewer system, park and recreational facilities system, or roadway system to serve the Land, which is proposed to be developed for single-family residential uses. The health and welfare of the present and future inhabitants of the area and adjacent areas requires the purchase, design, construction, acquisition, ownership, operation, repair, improvement, and extension of an adequate waterworks system, sanitary sewer system, drainage and storm sewer system, park and recreational facilities system, roadway system, and other facilities and systems. A public necessity therefore exists for the creation of the District, in order to provide for the purchase, design, construction, acquisition, ownership, operation, repair, improvement, and extension of a waterworks system, sanitary sewer system, drainage and storm sewer system, park and recreational facilities system, roadway system, and other facilities and systems to promote the purity and sanitary condition of the State's waters and the public health and welfare of the community.

VIII.

The proposed improvements are feasible and practicable, and the terrain of the Land to be included in the proposed District is such that a waterworks system, sanitary sewer system, drainage and storm sewer system, park and recreational facility system, roadway system, and other facilities and systems can be constructed at a reasonable cost.

IX.

A preliminary investigation has been made to determine the cost of the proposed District's projects, and it is now estimated by the Petitioner, from such information as is available at this time, that such cost will be approximately \$65,575,000.

X.

THEREFORE, the Petitioner respectfully prays that this Petition be properly filed as provided by law; that it be set down for hearing at a date to be fixed in keeping with the provisions of Chapter 54 of the Texas Water Code, as amended; that notice of the hearing be given as provided by law; that the hearing be held and this Petition be in all things granted; that the District be lawfully created; that five directors be appointed to serve until their successors

are duly elected and qualified; and that such other orders, acts, procedures, and relief be granted as are proper, necessary, and appropriate for the creation and organization of the District.

EXECUTED to be effective the 7th day of August, 2024.

* * *

[SIGNATURE PAGE FOLLOWS]

PETITIONER:

OP III ATX GEORGETOWN 220, LP, a Delaware limited partnership

By: EOP III SUB GP, LLC, a Delaware limited liability company, its Managing General Partner

By: _____
Name: Luke Phillippi
Title: EVP

STATE OF TEXAS §
COUNTY OF Travis §

BEFORE ME, the undersigned Notary Public in and for the State of Texas, on this the 23rd day of May, 2024 personally appeared Luke Phillippi, EVP of EOP III SUB GP, LLC, a Delaware limited liability company, Managing General Partner of OP III ATX GEORGETOWN 220, LP, a Delaware limited partnership, on behalf of said limited liability company and limited partnership.

(seal)

Mary Harrington
Notary Public, State of Texas

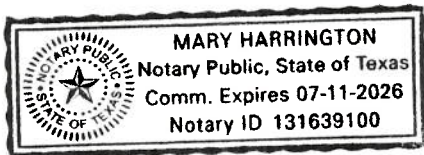


Exhibit "A"
The Land



FIELD NOTES
FOR

A 219.998 TRACT OF LAND SITUATED IN THE JOHN MCQUEEN SURVEY, ABSTRACT NO. 426, BEING ALL OF A CALLED 219.998 ACRE TRACT OF LAND CONVEYED TO OP III ATX GEORGETOWN 220, LP, RECORDED IN DOCUMENT NO. 2023085197 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS. SAID 219.998 ACRE TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00;

BEGINNING at a ½" iron rod with yellow cap marked "Pape-Dawson" found on a point on the west boundary line of a Remnant Portion of a called 150 acre tract of land conveyed to Viola E. Horbatsch and Marvin H. Domel, by instrument recorded in Cause No. 02-0495-CP1 of the Probate Records of Williamson County, Texas, said point being the southeast corner of Bell Meadows, Section Three, a subdivision according to the plat recorded in Cabinet R, Slide 205 of the Plat Records of Williamson County, Texas, same being the northeast corner of said 219.998 acre tract for the easternmost northeast corner and **POINT OF BEGINNING** hereof;

THENCE S 21°30'52" E, with the west boundary line of said 150 acre tract, same being the east boundary line of said 219.998 acre tract, a distance of **1432.82 feet** to a Type III TXDOT Monument found on the west right-of-way line of SH 130 Tollway, a variable width-right-of-way, said point being the south corner of said 150 acre tract for an angle point hereof;

THENCE, departing the south corner of said 150 acre tract, with the west right-of-way line of said SH 130 Tollway, same being the east boundary line of said 219.998 acre tract, the following two (2) courses and distances:

1. **S 14°03'13" E** for a distance of **515.98 feet** to a ½" iron rod with Illegible cap found for an angle point hereof, and
2. **S 21°05'50" E** for a distance of **1119.19 feet** to a ½" iron rod found on a point on the intersection of the north right-of-way line of County Road 107, a variable width right-of-way, and the west right-of-way line of said SH 130 Tollway, said point being the southeast corner of said 219.998 acre tract for the southeast corner hereof,

THENCE S 68°24'11" W, departing the west right-of-way line of said SH 130 Tollway, with the north right-of-way line of said County Road 107, same being the south boundary line of said 219.998 acre tract, a distance of **2106.67 feet** to a TXDOT Type I Monument found on the southeast corner of a called 8.99 acre tract, conveyed to W.K. Jennings Electric Co. Inc. recorded in Document No. 2020126779 of the Official Public Records of Williamson County, Texas, same being the southwest corner of said 219.998 acre tract for the southwest corner hereof;

THENCE N 21°26'49" W, departing the north right-of-way line of said County Road 107, with the east boundary line of said 8.99 acre tract, in part, with the east boundary line of a called 8.00 acre tract, conveyed to Russell D. Leatherwood and Sally G. Leatherwood, recorded in Document No. 2001076490 of said Official Public Records, and in part, with the east boundary line of a called 10.56 acre tract, conveyed to Harold Aubrey Browne and Karen Lynn Thompson, recorded in Volume 1150, Page 784 of the Official Records of Williamson County, Texas, same being the west boundary line of said 219.998 acre tract, a distance of **2339.51 feet** to a ½" iron rod found on the northeast corner of said 10.56 acre tract, same being an interior corner of said 219.998 acre tract for an angle point hereof;

THENCE, with the southern boundary line of said 219.998 acre tract, same being, in part, the northern boundary lines of: said 10.56-acre tract, called 10.58 acre tract of land conveyed to Mark Silla and Susan L. Silla, by instrument recorded in Document No. 2000065078 of said Official Public Records and a called 21.12 acre tract of land conveyed to Jane Elizabeth Spangler and Dennis Raymond Spangler, by instrument recorded in Volume 1226, Page 117 of said Official Records, the following four (4) courses and distances:

1. **S 34°30'26" W** for a distance of **545.12 feet** to a ½" iron rod with cap stamped "Pape-Dawson" set for an angle point hereof,
2. **S 06°11'16" E** for a distance of **127.60 feet** to a 60d nail found for an angle point hereof,
3. **S 69°16'24" W** for a distance of **120.55 feet** to a ½" iron rod with cap stamped "Pape-Dawson" set for an angle point hereof, and
4. **S 67°51'28" W** for a distance of **173.75 feet** to a ½" iron rod found on a point being the southeast corner of a called 21.132 acre tract of land conveyed to Pinehurst Builders, LLC, recorded in Document No. 2024007678 of said Official Public Records, same being the southwest corner of said 219.998 tract for the southwest corner hereof;

THENCE N 21°24'07" W, departing the north boundary line of said 21.12-acre tract, with the east boundary line of said 12.132 tract, a distance of **3743.79 feet** to a ½" iron rod found on a point in the south right-of-way line of County Road 105, a variable width right-of-way, said point being the northeast corner of said 12.132 acre tract, same being the northwest corner of said 219.998 acre tract, for the northwest corner hereof;

THENCE, departing the east boundary line of said 12.132 acre tract, with the south right-of-way line of said County Road 105, same being the north boundary line of said 219.998 acre tract, the following two (2) courses and distances:

1. **N 27°00'37" E**, a distance of **320.31 feet** to a ½" iron rod with illegible cap found for a point of non-tangent curvature hereof;



2. along a non-tangent curve to the right, said curve having a radius of **1432.00 feet**, a central angle of **23°21'52"**, a chord bearing and distance of **N 47°17'42" E, 579.91 feet**, for an arc length of **583.95 feet** to a ½" iron rod with cap stamped "Pape-Dawson" set on a point in the west boundary line of Bell Meadows Section One, a subdivision according to the plat recorded in Cabinet O, Slide 95 of said Plat Records, same being the northeast corner of said 219.998 acre tract for the northernmost northeast corner hereof;

THENCE departing the south right-of-way line of said County Road 105, with the west boundary line of Bell Meadows Section One, same being the east boundary line of said 219.998 acre tract, the following four (4) courses and distances:

1. **S 22°00'22" E** for a distance of **177.82 feet** to a ½" iron rod with cap stamped "Pape-Dawson" set on an angle point hereof,
2. **S 21°18'20" E** for a distance of **871.55 feet** to a ½" iron rod with cap stamped "Pape-Dawson" set on an angle point hereof,
3. **S 21°35'17" E** for a distance of **400.24 feet** to a ½" iron rod with cap stamped "Pape-Dawson" set on an angle point hereof, and
4. **S 21°29'42" E** for a distance of **1568.52 feet** to a ½" iron rod with illegible cap found on a point being the southwest corner of said Bell Meadows Section One, same being an interior ell corner of said 219.998 acre tract for an angle point hereof;

THENCE N 68°17'02" E, with a north boundary line of said 219.998 acre tract, in part, the south boundary line of said Bell meadows Section One and, in part, the south boundary line of Bell Meadows Section Three, a subdivision according to the plat recorded in Cabinet R, Slide 205 of said Plat Records, a distance of **2172.76 feet** to the **POINT OF BEGINNING** and containing 219.998 acres in the City of Georgetown, Williamson County Texas. Said tract being described in accordance with an exhibit made under Job No. 51452-05 by Pape-Dawson Consulting Engineers, LLC.

PREPARED BY Pape-Dawson Consulting Engineers, LLC.
DATE June 11, 2024
Job No. 51452-05
DOC. ID. H:\Survey\CIVIL\51452-05\MUD\Word\FN51452-05 219.998 Ac.docx
TBPE Firm Registration #470
TBPLS Firm Registration #100288-01

Parker Graham



**PAPE-DAWSON
ENGINEERS**

**REQUEST FOR CONSIDERATION OF APPOINTMENT
AS TEMPORARY DIRECTOR**

Name of District: **Williamson County Municipal Utility District No. 60**
(or the next available numerical designation at the time of the
filing of the creation application)

Name: Harrison Hudson
Address: 4121 Honeycomb Rock Circle
Austin, Texas 78731

STATE OF TEXAS §
COUNTY OF Travis §

BEFORE ME, the undersigned, a duly constituted authority of the State of Texas, on this day personally appeared **Harrison Hudson**, who desires to be appointed as a director of Williamson County Municipal Utility District No. 60 (or the next available numerical designation at the time of the filing of the creation application) (the "*District*"), to serve until his/her successor is elected or appointed, and who, being by me duly sworn, upon his/her oath, deposed and said that every response and statement set forth herein is true and correct:

1. I am at least eighteen years of age, a resident citizen of the State of Texas, and own land subject to taxation within the District. I do not, at the present time, plan to live in the District. I plan to retain ownership of my land in the District for the indefinite future.
2. I am a resident of Williamson County, State of Texas, being the County in which the District is located.

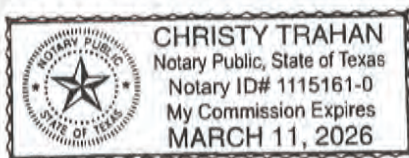
[OR]

- ☒ I am a resident of Travis County, State of Texas, being a County adjacent to Williamson County, the County in which the District is located.
- ☐ I am a resident of _____ County, State of Texas, being a County located in the same metropolitan statistical area (designated by the United States Office of Management and Budget) as the County in which the District is located (Bastrop County, Caldwell County, Hays County, Travis County).
- ☐ I am not a resident of the County in which the District is located, a County adjacent to the County in which the District is located, or a County located in the same metropolitan statistical area (designated by the United States Office of Management and Budget) as the County in which the District is located. *(Pursuant to Section 54.022(b) of the Texas Water Code, only a majority of temporary directors appointed under Section 54.022(a) must meet one of the above residence requirements.)*

3. I am not now and have no present plans to be a developer of property in the District (a person who owns land located within the District who has divided or proposes to divide the land into two or more parts for the purpose of laying out any subdivision or any tract of land or any addition to any town or city, for laying out suburban lots or building lots, or any lots, streets, etc., for public use or by use by other landowners within the District).
4. I am not related within the third degree of affinity or consanguinity to a developer of property within the District, to any other member of the governing body of the District, to the manager, engineer or attorney for the District, or to any other person providing professional services to the District.
5. I am not an employee of any developer of the property in the District or any director, manager, engineer, or attorney for the District. I am not serving as an attorney, consultant, engineer, manager, or architect or in any other professional capacity for the District or a developer of property in the District in connection with the District or property located in the District.
6. My present occupation and employment is Civil Engineer. This is my main source of income. My employer is Kimley-Horn and Associates, Inc., with offices located at 6800 Burleson Road, Building 312, Suite 150, Austin, Texas 78744.
7. I am not a party to a contract with the District or a developer of property within the District relating to the District or to the property therein (other than a contract limited solely to the purpose of purchasing or conveying real property in the District for the purpose of either establishing a permanent residence, establishing a commercial business within the District or qualifying to serve as a director).
8. I am aware that the District is a public entity and that, by law, notice of its meetings must be given and its meetings must be open to the public and its records must be available for inspection by the public at all reasonable times.
9. I am aware that the District is subject to the continuing supervision of the Texas Commission on Environmental Quality and I will fully cooperate with the Commission in my capacity as director for the District.
10. I hereby affirm that, if appointed, I will faithfully execute the duties of the office of director of the District and will, to the best of my ability, preserve, protect and defend the Constitution and laws of the United States, and of this State; 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 my appointment.


Harrison Hudson

SWORN TO AND SUBSCRIBED BEFORE me this 26th day of July, 2024, by Harrison Hudson.




NOTARY PUBLIC, STATE OF TEXAS

REQUEST FOR CONSIDERATION OF APPOINTMENT
AS TEMPORARY DIRECTOR

Name of District: **Williamson County Municipal Utility District No. 60**
(or the next available numerical designation at the time of the
filing of the creation application)

Name: Jonah Mankovsky
Address: 3111 Stanwood Drive
Austin, Texas 78757

STATE OF TEXAS §
COUNTY OF Tarrant §

BEFORE ME, the undersigned, a duly constituted authority of the State of Texas, on this day personally appeared **Jonah Mankovsky**, who desires to be appointed as a director of Williamson County Municipal Utility District No. 60 (or the next available numerical designation at the time of the filing of the creation application) (the "District"), to serve until his/her successor is elected or appointed, and who, being by me duly sworn, upon his/her oath, deposed and said that every response and statement set forth herein is true and correct:

1. I am at least eighteen years of age, a resident citizen of the State of Texas, and own land subject to taxation within the District. I do not, at the present time, plan to live in the District. I plan to retain ownership of my land in the District for the indefinite future.
2. I am a resident of Williamson County, State of Texas, being the County in which the District is located.

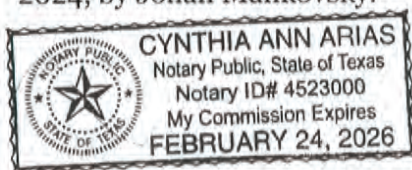
[OR]

- ☒ I am a resident of Travis County, State of Texas, being a County adjacent to Williamson County, the County in which the District is located.
- ☐ I am a resident of _____ County, State of Texas, being a County located in the same metropolitan statistical area (designated by the United States Office of Management and Budget) as the County in which the District is located (Bastrop County, Caldwell County, Hays County, Travis County).
- ☐ I am not a resident of the County in which the District is located, a County adjacent to the County in which the District is located, or a County located in the same metropolitan statistical area (designated by the United States Office of Management and Budget) as the County in which the District is located. *(Pursuant to Section 54.022(b) of the Texas Water Code, only a majority of temporary directors appointed under Section 54.022(a) must meet one of the above residence requirements.)*

3. I am not now and have no present plans to be a developer of property in the District (a person who owns land located within the District who has divided or proposes to divide the land into two or more parts for the purpose of laying out any subdivision or any tract of land or any addition to any town or city, for laying out suburban lots or building lots, or any lots, streets, etc., for public use or by use by other landowners within the District).
4. I am not related within the third degree of affinity or consanguinity to a developer of property within the District, to any other member of the governing body of the District, to the manager, engineer or attorney for the District, or to any other person providing professional services to the District.
5. I am not an employee of any developer of the property in the District or any director, manager, engineer, or attorney for the District. I am not serving as an attorney, consultant, engineer, manager, or architect or in any other professional capacity for the District or a developer of property in the District in connection with the District or property located in the District.
6. My present occupation and employment is SENIOR PROJECT MANAGER. This is my main source of income. My employer is GARZA EMC, LLC, with offices located at 9442 N. CAPITAL OF TEXAS HIGHWAY, PLAZA 1, SUITE 340, AUSTIN, TX 78759.
7. I am not a party to a contract with the District or a developer of property within the District relating to the District or to the property therein (other than a contract limited solely to the purpose of purchasing or conveying real property in the District for the purpose of either establishing a permanent residence, establishing a commercial business within the District or qualifying to serve as a director).
8. I am aware that the District is a public entity and that, by law, notice of its meetings must be given and its meetings must be open to the public and its records must be available for inspection by the public at all reasonable times.
9. I am aware that the District is subject to the continuing supervision of the Texas Commission on Environmental Quality and I will fully cooperate with the Commission in my capacity as director for the District.
10. I hereby affirm that, if appointed, I will faithfully execute the duties of the office of director of the District and will, to the best of my ability, preserve, protect and defend the Constitution and laws of the United States, and of this State; 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 my appointment.

Jonah Mankovsky
Jonah Mankovsky

SWORN TO AND SUBSCRIBED BEFORE me this 30th day of July, 2024, by Jonah Mankovsky.



Cynthia Ann Arias
NOTARY PUBLIC, STATE OF TEXAS

REQUEST FOR CONSIDERATION OF APPOINTMENT
AS TEMPORARY DIRECTOR

Name of District: **Williamson County Municipal Utility District No. 60**
(or the next available numerical designation at the time of the
filing of the creation application)

Name: Jonathan E. McKee
Address: 113 Valley View Drive E
Leander, Texas 78641

STATE OF TEXAS §
COUNTY OF Williamson §

BEFORE ME, the undersigned, a duly constituted authority of the State of Texas, on this day personally appeared **Jonathan E. McKee**, who desires to be appointed as a director of Williamson County Municipal Utility District No. 60 (or the next available numerical designation at the time of the filing of the creation application) (the "District"), to serve until his/her successor is elected or appointed, and who, being by me duly sworn, upon his/her oath, deposed and said that every response and statement set forth herein is true and correct:

1. I am at least eighteen years of age, a resident citizen of the State of Texas, and own land subject to taxation within the District. I do not, at the present time, plan to live in the District. I plan to retain ownership of my land in the District for the indefinite future.
2. I am a resident of Williamson County, State of Texas, being the County in which the District is located.

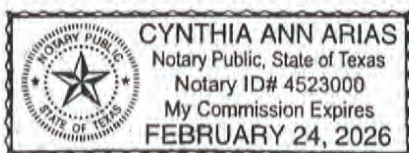
[OR]

- ☐ I am a resident of _____ County, State of Texas, being a County adjacent to Williamson County, the County in which the District is located.
- ☐ I am a resident of _____ County, State of Texas, being a County located in the same metropolitan statistical area (designated by the United States Office of Management and Budget) as the County in which the District is located (Bastrop County, Caldwell County, Hays County, Travis County).
- ☐ I am not a resident of the County in which the District is located, a County adjacent to the County in which the District is located, or a County located in the same metropolitan statistical area (designated by the United States Office of Management and Budget) as the County in which the District is located. *(Pursuant to Section 54.022(b) of the Texas Water Code, only a majority of temporary directors appointed under Section 54.022(a) must meet one of the above residence requirements.)*

3. I am not now and have no present plans to be a developer of property in the District (a person who owns land located within the District who has divided or proposes to divide the land into two or more parts for the purpose of laying out any subdivision or any tract of land or any addition to any town or city, for laying out suburban lots or building lots, or any lots, streets, etc., for public use or by use by other landowners within the District).
4. I am not related within the third degree of affinity or consanguinity to a developer of property within the District, to any other member of the governing body of the District, to the manager, engineer or attorney for the District, or to any other person providing professional services to the District.
5. I am not an employee of any developer of the property in the District or any director, manager, engineer, or attorney for the District. I am not serving as an attorney, consultant, engineer, manager, or architect or in any other professional capacity for the District or a developer of property in the District in connection with the District or property located in the District.
6. My present occupation and employment is Civil Engineer. This is my main source of income. My employer is Garza EMC, with offices located at 9442 Capital of Texas Hwy N Plaza One #340 Austin Tx.
7. I am not a party to a contract with the District or a developer of property within the District relating to the District or to the property therein (other than a contract limited solely to the purpose of purchasing or conveying real property in the District for the purpose of either establishing a permanent residence, establishing a commercial business within the District or qualifying to serve as a director).
8. I am aware that the District is a public entity and that, by law, notice of its meetings must be given and its meetings must be open to the public and its records must be available for inspection by the public at all reasonable times.
9. I am aware that the District is subject to the continuing supervision of the Texas Commission on Environmental Quality and I will fully cooperate with the Commission in my capacity as director for the District.
10. I hereby affirm that, if appointed, I will faithfully execute the duties of the office of director of the District and will, to the best of my ability, preserve, protect and defend the Constitution and laws of the United States, and of this State; 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 my appointment.


Jonathan E. McKee

SWORN TO AND SUBSCRIBED BEFORE me this 30th day of July, 2024
by Jonathan E. McKee.




NOTARY PUBLIC, STATE OF TEXAS

**REQUEST FOR CONSIDERATION OF APPOINTMENT
AS TEMPORARY DIRECTOR**

Name of District: **Williamson County Municipal Utility District No. 60**
(or the next available numerical designation at the time of the
filing of the creation application)

Name: Jonathan Moseley
Address: 626 Canyon Rim Drive
Dripping Springs, Texas 78620

STATE OF TEXAS §
COUNTY OF WILLIAMSON §

BEFORE ME, the undersigned, a duly constituted authority of the State of Texas, on this day personally appeared **Jonathan Moseley**, who desires to be appointed as a director of Williamson County Municipal Utility District No. 60 (or the next available numerical designation at the time of the filing of the creation application) (the "District"), to serve until his successor is elected or appointed, and who, being by me duly sworn, upon his oath, deposed and said that every response and statement set forth herein is true and correct:

1. I am at least eighteen years of age, a resident citizen of the State of Texas, and own land subject to taxation within the District. I do not, at the present time, plan to live in the District. I plan to retain ownership of my land in the District for the indefinite future.
2. I am a resident of Williamson County, State of Texas, being the County in which the District is located.

[OR]

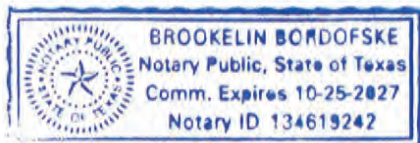
- ☐ I am a resident of _____ County, State of Texas, being a County adjacent to Williamson County, the County in which the District is located.
- ☒ I am a resident of Hays County, State of Texas, being a County located in the same metropolitan statistical area (designated by the United States Office of Management and Budget) as the County in which the District is located (Bastrop County, Caldwell County, Hays County, Travis County).
- ☐ I am not a resident of the County in which the District is located, a County adjacent to the County in which the District is located, or a County located in the same metropolitan statistical area (designated by the United States Office of Management and Budget) as the County in which the District is located. *(Pursuant to Section 54.022(b) of the Texas Water Code, only a majority of temporary directors appointed under Section 54.022(a) must meet one of the above residence requirements.)*
3. I am not now and have no present plans to be a developer of property in the District (a person who owns land located within the District who has divided or proposes to divide the land into two or more parts for the purpose of laying out any subdivision or any tract

of land or any addition to any town or city, for laying out suburban lots or building lots, or any lots, streets, etc., for public use or by use by other landowners within the District).

4. I am not related within the third degree of affinity or consanguinity to a developer of property within the District, to any other member of the governing body of the District, to the manager, engineer or attorney for the District, or to any other person providing professional services to the District.
5. I am not an employee of any developer of the property in the District or any director, manager, engineer, or attorney for the District. I am not serving as an attorney, consultant, engineer, manager, or architect or in any other professional capacity for the District or a developer of property in the District in connection with the District or property located in the District.
6. My present occupation and employment is Attorney / Real Estate Developer. This is my main source of income. My employer is MADRONE RE, LLC, with offices located at 4400 626 CANYON Rim Drive, Dripping Springs, TX 78620.
7. I am not a party to a contract with the District or a developer of property within the District relating to the District or to the property therein (other than a contract limited solely to the purpose of purchasing or conveying real property in the District for the purpose of either establishing a permanent residence, establishing a commercial business within the District or qualifying to serve as a director).
8. I am aware that the District is a public entity and that, by law, notice of its meetings must be given and its meetings must be open to the public and its records must be available for inspection by the public at all reasonable times.
9. I am aware that the District is subject to the continuing supervision of the Texas Commission on Environmental Quality and I will fully cooperate with the Commission in my capacity as director for the District.
10. I hereby affirm that, if appointed, I will faithfully execute the duties of the office of director of the District and will, to the best of my ability, preserve, protect and defend the Constitution and laws of the United States, and of this State; 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 my appointment.


Jonathan Moseley

SWORN TO AND SUBSCRIBED BEFORE me this 30th day of July, 2024, by Jonathan Moseley.




NOTARY PUBLIC, STATE OF TEXAS

**REQUEST FOR CONSIDERATION OF APPOINTMENT
AS TEMPORARY DIRECTOR**

Name of District: **Williamson County Municipal Utility District No. 60**
(or the next available numerical designation at the time of the
filing of the creation application)

Name: Matt Pohl
Address: 2506 Janice Drive
Austin, Texas 78703

STATE OF TEXAS §
COUNTY OF WILLIAMSON §

BEFORE ME, the undersigned, a duly constituted authority of the State of Texas, on this day personally appeared **Matt Pohl**, who desires to be appointed as a director of Williamson County Municipal Utility District No. 60 (or the next available numerical designation at the time of the filing of the creation application) (the "District"), to serve until his/her successor is elected or appointed, and who, being by me duly sworn, upon his/her oath, deposed and said that every response and statement set forth herein is true and correct:

1. I am at least eighteen years of age, a resident citizen of the State of Texas, and own land subject to taxation within the District. I do not, at the present time, plan to live in the District. I plan to retain ownership of my land in the District for the indefinite future.
2. I am a resident of Williamson County, State of Texas, being the County in which the District is located.

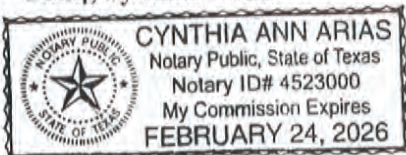
[OR]

- ☒ I am a resident of Travis County, State of Texas, being a County adjacent to Williamson County, the County in which the District is located.
- ☐ I am a resident of _____ County, State of Texas, being a County located in the same metropolitan statistical area (designated by the United States Office of Management and Budget) as the County in which the District is located (Bastrop County, Caldwell County, Hays County, Travis County).
- ☐ I am not a resident of the County in which the District is located, a County adjacent to the County in which the District is located, or a County located in the same metropolitan statistical area (designated by the United States Office of Management and Budget) as the County in which the District is located. *(Pursuant to Section 54.022(b) of the Texas Water Code, only a majority of temporary directors appointed under Section 54.022(a) must meet one of the above residence requirements.)*

3. I am not now and have no present plans to be a developer of property in the District (a person who owns land located within the District who has divided or proposes to divide the land into two or more parts for the purpose of laying out any subdivision or any tract of land or any addition to any town or city, for laying out suburban lots or building lots, or any lots, streets, etc., for public use or by use by other landowners within the District).
4. I am not related within the third degree of affinity or consanguinity to a developer of property within the District, to any other member of the governing body of the District, to the manager, engineer or attorney for the District, or to any other person providing professional services to the District.
5. I am not an employee of any developer of the property in the District or any director, manager, engineer, or attorney for the District. I am not serving as an attorney, consultant, engineer, manager, or architect or in any other professional capacity for the District or a developer of property in the District in connection with the District or property located in the District.
6. My present occupation and employment is Managing Director. This is my main source of income. My employer is Walker + Dunlop, with offices 1111 W. 6th Street, Suite 220, Austin, TX 78703 located at.
7. I am not a party to a contract with the District or a developer of property within the District relating to the District or to the property therein (other than a contract limited solely to the purpose of purchasing or conveying real property in the District for the purpose of either establishing a permanent residence, establishing a commercial business within the District or qualifying to serve as a director).
8. I am aware that the District is a public entity and that, by law, notice of its meetings must be given and its meetings must be open to the public and its records must be available for inspection by the public at all reasonable times.
9. I am aware that the District is subject to the continuing supervision of the Texas Commission on Environmental Quality and I will fully cooperate with the Commission in my capacity as director for the District.
10. I hereby affirm that, if appointed, I will faithfully execute the duties of the office of director of the District and will, to the best of my ability, preserve, protect and defend the Constitution and laws of the United States, and of this State; 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 my appointment.


Matt Pohl

SWORN TO AND SUBSCRIBED BEFORE me this 31st day of July, 2024, by Matt Pohl.




NOTARY PUBLIC, STATE OF TEXAS

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT PETITION TCEQ INTERNAL CONTROL NO. D-09182024-033

PETITION. Luke Phillippi, EVP of EOP III SUB GP, LLC, a Delaware limited liability company, and managing general partner of OP III ATX Georgetown 220, LP, a Delaware limited partnership (Petitioner) filed a petition for creation of Williamson County Municipal Utility District No. 60 (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 holds title to a majority in value of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 219.998 acres located within Williamson County, Texas; and (4) the proposed District is not located within the extraterritorial jurisdiction or corporate boundaries of any city.

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

The petition further states that the general nature of the work proposed to be done by the District is the design, construction, acquisition, improvement, extension, financing, and issuance of bonds for: (i) maintenance, operation, and conveyance of an adequate and efficient water works and sanitary sewer system for domestic purposes; (ii) maintenance, operation, and conveyance of works, improvements, facilities, plants, equipment, and appliances helpful or necessary to provide more adequate drainage for the District, and to control, abate, and amend local storm waters or other harmful excesses of waters; (iii) maintenance, operation, and conveyance of park and recreational facilities; (iv) conveyance of road and improvements in aid of roads; and (v) maintenance, operation, and conveyance of such other additional facilities, systems, plants, and enterprises as may be consistent with any or all of the purposes for which the District is created.

According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner that the cost of said project will be approximately \$65,575,000 (\$39,400,000 for utilities, \$1,000,000 for recreational, and \$25,175,00 for roads).

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

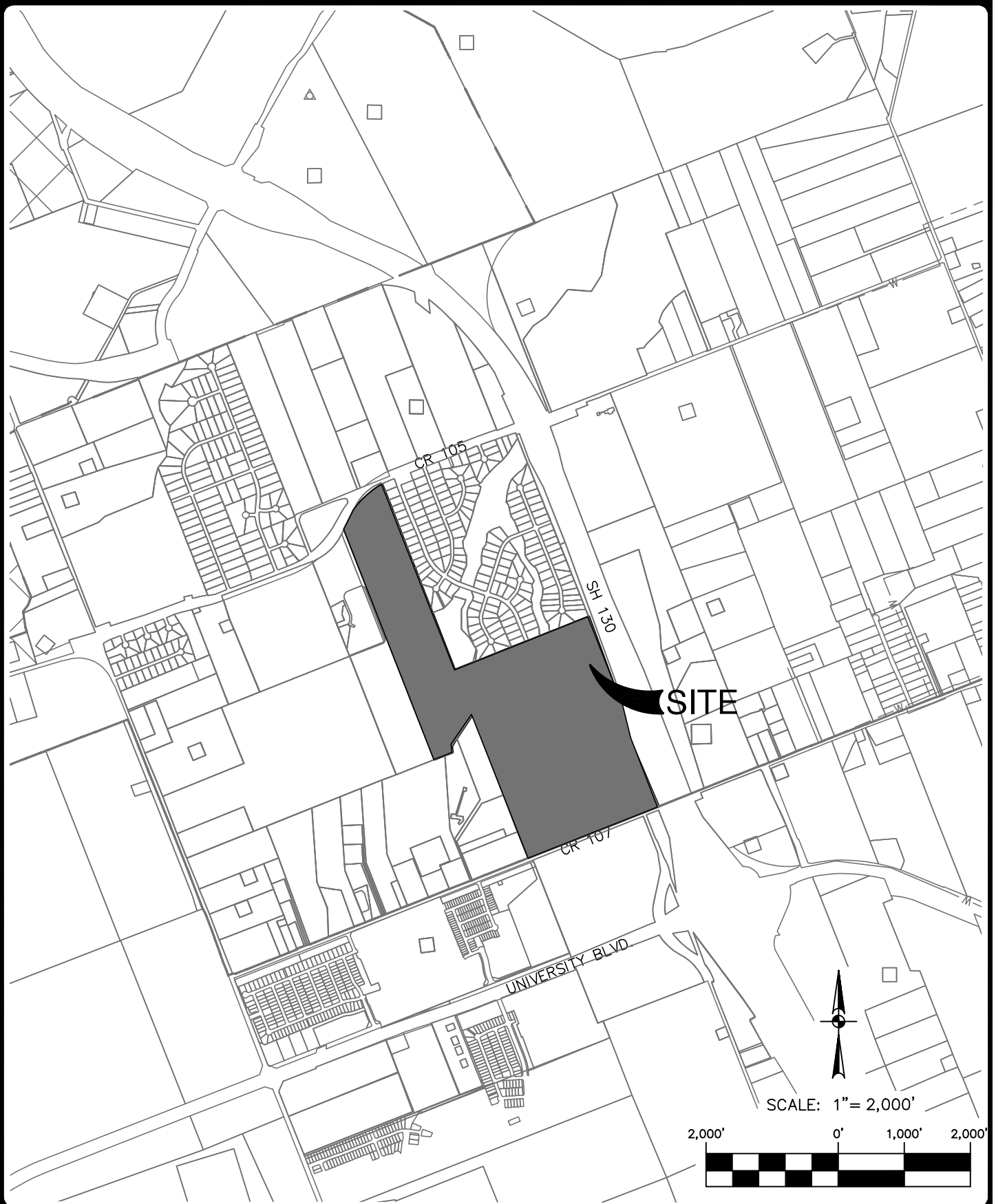
To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request 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/>.

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Date: Jul 16, 2024, 2:29pm User ID: oherandez
File: H:\Projects\51452\04\237_MUD Creation\Revised MUD 60\Engineer\Black and White Vicinity Map\Map_RES.dwg



JOB NO. 51452-04
DATE JULY 2024
DESIGNER AC
CHECKED SC DRAWN WT
SHEET 1 of 1

WILLIAMSON COUNTY MUD #60
GEORGETOWN, TEXAS
VICINITY MAP Exhibit "A"

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