

Brooke T. Paup, *Chairwoman*
Catarina R. Gonzalez, *Commissioner*
Tonya R. Miller, *Commissioner*
Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 10, 2025

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 Supplemented Backup Documents Filed for Consideration of Hearing Requests at Agenda for Petition by Sunny Jane Elizabeth Ahrens and Thomas Edward O'Kelley for the Creation of Kelly Farms Municipal Utility District of Johnson County.

Dear Ms. Gharis:

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

- Petition
- Metes and Bounds

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

cc: Mailing List

**PETITION FOR THE CREATION OF
KELLY FARMS MUNICIPAL UTILITY DISTRICT OF JOHNSON COUNTY**

THE STATE OF TEXAS §

COUNTY OF JOHNSON §

TO THE HONORABLE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

Sunny Jane Elizabeth Ahrens (f/k/a/ Jane O'Kelley Early), an individual, and Thomas Edward O'Kelley, an individual (collectively, the "Petitioners") respectfully petition the Texas Commission on Environmental Quality (the "Commission") for the creation of a municipal utility district in Johnson County, Texas. Petitioners hold title to a majority of the assessed value of the real property described in Exhibit "A" attached hereto and incorporated herein for all purposes, as indicated by the appraisal rolls of Johnson County, Texas. Petitioners, acting pursuant to the provisions of Chapters 49 and 54 of the Texas Water Code, together with all amendments and additions thereto, would respectfully show the following:

I.

The name of the proposed district shall be "KELLY FARMS MUNICIPAL UTILITY DISTRICT OF JOHNSON COUNTY" (the "District"). There is no other conservation or reclamation district in Johnson 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, Texas Water Code, together with all amendments and additions thereto.

III.

The area proposed to be within the District is approximately 410.25 acres (the "Property"), situated in Johnson County, Texas. The Property consists of a tract of land described by metes and bounds in Exhibit "A" attached hereto and incorporated herein for all purposes. The Property is located outside the corporate boundaries and extraterritorial jurisdiction of any municipality. All of the Property may be properly included in the District.

IV.

The Petitioners constitute a majority of the value of the holders of title of the land within the proposed District, as indicated by the tax rolls of the Central Appraisal District of Johnson County, Texas, and by conveyances of record since the date of preparation of said tax rolls. There are no lienholders on the Property.

V.

The general nature of the work proposed to be done by the District at the present time is to purchase, construct, acquire, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; to collect, transport, process, dispose of and control domestic, and commercial wastes; to gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the District; to design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; and to purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the District is created, all as more particularly described in an engineer's report filed simultaneously with the filing of this Petition, to which reference is made for a more detailed description.

VI.

There is, for the following reasons, a necessity for the above-described work, services and improvements: The area proposed to be within the District is in a developing area of Johnson County, Texas, and within the foreseeable future will experience a substantial and sustained residential growth. There is not now available within the area, which will be developed as residential subdivisions, an adequate water supply and distribution system, sanitary sewer system, and drainage system. The protection of the purity and sanitary condition of the State's water and the health and welfare of the present and future inhabitants of the area and of territories adjacent thereto require the purchase, construction, acquisition, provision, operation, maintenance, repair, improvement, extension, and development of an adequate water supply and distribution system, sanitary sewer system, and drainage system. Petitioners petition the Commission for the authority to design, acquire, construct, finance, and issue bonds for a roadway system consisting of macadamized, graveled or paved roads and turnpikes pursuant to Section 54.234, Texas Water Code. A public necessity therefore exists for the organization of the District to provide for the purchase, construction, acquisition, improvement, extension, and development of a water supply and distribution system, sanitary sewer system, drainage system, and roadway system.

VII.

The proposed improvements are feasible and practicable, and the terrain of the territory to be included within the District is such that a waterworks system, a sanitary sewer system, a drainage and storm sewer system, and a roadway system can be constructed and developed at a reasonable cost. A preliminary investigation has been instituted to determine the cost of the project, and it is now estimated by the Petitioners, from such information they have at this time, that the ultimate cost of the project contemplated will be approximately \$170,750,000.

VIII.

The following named persons are each and all over eighteen (18) years of age, resident citizens of the State of Texas, owners of land subject to taxation within the District, and are

otherwise qualified to serve as directors of the District under the provisions of the Texas Water Code:

1. Jeffrey M. Lively
2. M. Aziz Bah
3. Joseph Margiotta III
4. Beau Weiss
5. Daren Harber

IX.

WHEREFORE, the Petitioners 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 and five (5) temporary directors named herein be appointed to serve 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 and to the execution of the purposes for which the District shall be organized, as you may deem proper and necessary.

[EXECUTION PAGES FOLLOW]

RESPECTFULLY SUBMITTED, this 4th day of MARCH, 2025.

PETITIONER:

Sunny J Ahrens
Sunny Jane Elizabeth Ahrens (f/k/a/ Jane O'Kelley
(a/k/a Early Jane O'Kelley)

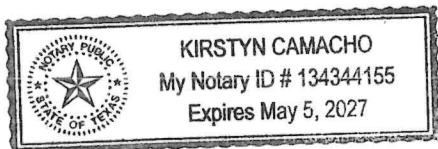
Early)

THE STATE OF TEXAS §
COUNTY OF Nueces §

This instrument was acknowledged before me on this 4th day of March, 2025 by Sunny Jane Elizabeth Ahrens (f/k/a/ Jane O'Kelley Early), in the capacity stated therein.

Kirstyn Camacho
Notary Public in and for the State of Texas

(NOTARY SEAL)



RESPECTFULLY SUBMITTED, this 13 day of February, 2025.

PETITIONER:

Thomas Edward O'Kelley
Thomas Edward O'Kelley (a/k/a (Thomas Edward))

THE STATE OF TEXAS §
COUNTY OF Johnson §

This instrument was acknowledged before me on this 13th day of FEBRUARY, 2025 by Thomas Edward O'Kelley, in the capacity stated therein.


Notary Public in and for the State of Texas

(NOTARY SEAL)

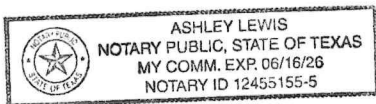


EXHIBIT "A"
JOHNSON COUNTY, TEXAS
410.25 ACRE BOUNDARY DESCRIPTION

APRIL 15, 2025
Sheet 1 of 2

LEGAL DESCRIPTION

Being 410.25 acres out of the R. E. Campbell Survey, Abstract No. 123 and the I. B. Sessions Survey, Abstract 765, Johnson County, Texas, being a part and out of a called 416.272 acre tract to Jane O'Kelley Early and Thomas Edward O'Kelley, recorded in Volume 3834, Page 59, Official Public Records, Johnson County, Texas (O.P.R.J.C.T.), as described in deeds recorded in Volume 147, Page 591, Deed Records, Johnson County, Texas (D.R.J.C.T.), Volume 157, Page 523, Deed Records, Johnson County, Texas (D.R.J.C.T.), Volume 186, Page 605, Deed Records, Johnson County, Texas (D.R.J.C.T.), Volume 396, Page 396, Deed Records, Johnson County, Texas (D.R.J.C.T.), Volume 396, Page 397, Deed Records, Johnson County, Texas (D.R.J.C.T.) and Volume 241, Page 224, Deed Records, Johnson County, Texas (D.R.J.C.T.) said 410.25 acre tract being more particularly described by metes and bounds as follows:

Beginning (P.O.B., X: 2376880.21, Y: 6802992.80) at a 1/2-inch iron rod with cap stamped "TOPOGRAPHIC" set for the most westerly Northeast corner of said 410.25 acre tract within County Road 203, being the East corner of a called 48.717 acre tract of land, described in deed to Grandview Estates, LLC, recorded in Instrument No. 2021-28015, Official Public Records, Johnson County, Texas (O.P.R.J.C.T.);

THENCE South 30°09'22" East, a distance of 813.46 feet to a 1-inch iron pipe found within said County Road 203, being the Southwest corner of a called 160 acre tract of land, described in deed as Second Tract in Instrument No. 2019-30028, Official Public Records, Johnson County, Texas (O.P.R.J.C.T.);

THENCE North 59°34'06" East, along the Southeast line of said 160 acre tract, a distance of 2,532.57 feet to a fence corner post found for the most northerly Northeast corner of said 410.25 acre tract;

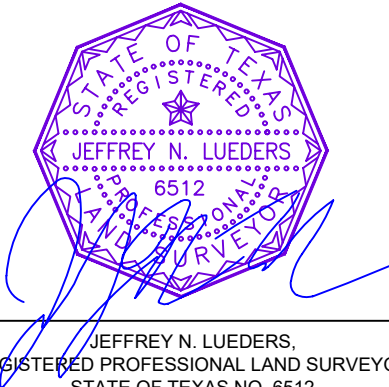
THENCE South 31°59'19" East, a distance of 69.35 feet to a fence corner post found for an angle point of said 410.25 acre tract, being the West corner of a called 140.33 acre tract of land, described in deed to John Abney and Lydia Abney, recorded in Instrument No. 2019-1744, Official Public Records, Johnson County, Texas (O.P.R.J.C.T.);

THENCE South 30°12'51" East, along the Southwest line of said 140.33 acre tract, a distance of 1,685.14 feet to a fence corner post found for the most Western corner of said 410.25 acre tract being an interior ell corner of said 140.33 acre tract;

THENCE South 59°27'11" West, along with a Northwest line of said 140.33 acre tract, a distance of 2,513.58 feet to a 1/2-inch iron rod with cap stamped "TOPOGRAPHIC" set within said County Road 203, being the West corner of a called 13.5 acre tract of land described in deed to Donna Welborn Bell, recorded in Instrument No. 2018-13928, Official Public Records, Johnson County, Texas (O.P.R.J.C.T.);

THENCE South 30°55'20" East, with said County Road 203, a distance of 2,325.06 feet to a 1/2-inch iron rod with cap stamped "TOPOGRAPHIC" set for the Southeast corner of said 410.25 acre tract, being an interior ell corner on the West line of a called 193.635 acre tract of land described in deed to Jerry Davenport and Freida Davenport, recorded in Instrument No. 2022-1264, Official Public Records, Johnson County, Texas (O.P.R.J.C.T.);

THENCE South 59°48'44" West, passing a 1/2-inch iron rod found at a distance of 79.88 feet, being Northeast corner of a called 84.92 acre tract of land described in deed to Jaonn McMinn, recorded in Instrument No. 2015-2109, Official Public Records, Johnson County, Texas (O.P.R.J.C.T.), and being the most western Northwest corner of said 193.635 acre tract, continuing a total distance of 3,142.04 feet to a 1/2-inch iron rod with cap stamped "WIER AND ASSOC", found on the Northwest line of said 84.92 acre tract, for the Southwest corner of said 410.25 acre tract and being the Southeast corner of a called 22.826 acre tract of land, described in deed to John Leighton Cox, Jr., recorded in Volume 3297, Page 381, Official Public Records, Johnson County, Texas (O.P.R.J.C.T.);



JEFFREY N. LUEDERS,
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 6512
CERTIFICATION: APRIL 15, 2025
ORIGINAL SURVEY COMPLETED: SEPTEMBER 18, 2024

Topographic, Co.
481 Winscott Road Suite 200
Benbrook, TX 76126

EXHIBIT "A"
JOHNSON COUNTY, TEXAS
410.25 ACRE BOUNDARY DESCRIPTION

APRIL 15, 2025
Sheet 2 of 2

THENCE North 30°11'46" West, a distance of 1,386.90 feet to a 1/2-inch iron rod with cap stamped "TOPOGRAPHIC" set for the for an angle corner on the Southwest line of said 410.25 acre tract, being the Northeast corner of a said 22.826 acre tract, and being the most southern Southeast corner of a called 21.50 acre tract of land, described in deed to Diveley Holding Company, LLC, recorded in Instrument No. 2018-2643, Official Public Records, Johnson County, Texas (O.P.R.J.C.T.);

THENCE North 30°12'03" West, along the east line of said 21.50 acre tract, a distance of 36.83 feet to a 1/2-inch iron rod with cap stamped "TOPOGRAPHIC" set for an exterior ell corner on the Southwest line of said 410.25 acre tract, being an interior ell corner on the Southeast line of a said 21.50 acre tract;

THENCE North 59°48'03" East, a distance of 1,217.41 feet to a to a 1/2-inch iron rod with cap stamped "TOPOGRAPHIC" set for an interior ell corner on the Southwest line of said 410.25 acre tract, being the East corner of a said 21.50 acre tract;

THENCE North 30°11'57" West, a distance of 635.55 feet to a to a 1/2-inch iron rod with cap stamped "TOPOGRAPHIC" set for an interior ell corner on the Southwest line of said 410.25 acre tract, being the North corner of a said 21.50 acre tract;

THENCE South 59°48'03" West, a distance of 1,429.73 feet to a to a 1/2-inch iron rod with cap stamped "TOPOGRAPHIC" set for an exterior angle corner on the Southwest line of said 410.25 acre tract on the Northeast right-of-way line of Interstate Highway 35 West., being the Northwest corner of a said 21.50 acre tract, from which a destroyed TXDOT highway monument found, bears: North 11°26'12" West, a distance of 12.25 feet;

THENCE North 10°47'28" West, along said Northeast right-of-way line of Interstate Highway 35 West., passing a concrete TXDOT monument found at a distance of 12.25 feet, then passing a concrete TXDOT monument at a distance of 1452.57 feet, continuing a total distance of 1,454.84 feet to a concrete TXDOT monument found, being point on the Southeast line of a called 53.84 acre tract of land, described in deed as Third Tract to Texas Christian University of Tarrant County, recorded in Volume 536, Page 867, Deed Records, Johnson County, Texas (D.R.J.C.T.);

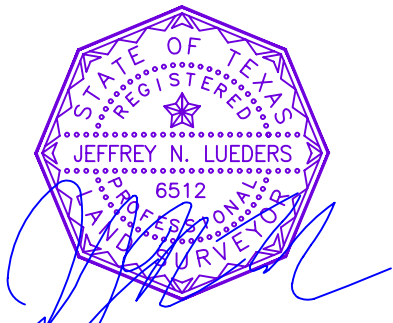
THENCE North 59°59'30" East, a distance of 408.96 feet to a 1/2-inch iron rod with cap stamped "TOPOGRAPHIC" set for an interior ell corner on the Southwest line of said 410.25 acre tract, being the East corner of a said 53.84 acre tract;

THENCE North 30°00'30" West, a distance of 1,455.90 feet to a 1/2-inch iron rod with cap stamped "TOPOGRAPHIC" set on the Northeast right-of-way line of S. Interstate Highway 35 West;

THENCE North 16°34'58" West, along said Northeast right-of-way a distance of 19.02 feet to a 1/2-inch iron rod with cap stamped "WIER AND ASSOC" found for the Southwest corner of said 48.717 acre tract;

THENCE North 59°58'31" East, along the Southeast line of said 48.717 acre tract, a distance of 2,402.23 fee to the place of beginning and containing 410.25 acres of land.

Topographic, Co.
481 Winscott Road Suite 200
Benbrook, TX 76126



JEFFREY N. LUEDERS,
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 6512
CERTIFICATION: APRIL 15, 2025
ORIGINAL SURVEY COMPLETED: SEPTEMBER 18, 2024

Brooke T. Paup, *Chairwoman*
Catarina R. Gonzalez, *Commissioner*
Tonya R. Miller, *Commissioner*
Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 31, 2025

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 Sunny Jane Elizabeth Ahrens and Thomas Edward O'Kelley for the Creation of Kelly Farms Municipal Utility District of Johnson County; Internal Control Number D-03312025-063; TCEQ Docket Number 2025-1450-DIS.

Dear Ms. Gharis:

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

- Technical Memo
- Notice
- Temporary Director Affidavits

Thank you for your attention to this matter.

Sincerely,

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

Harrison Cole Malley, *Staff Attorney*
Environmental Law Division

Texas Commission on Environmental Quality

TECHNICAL MEMORANDUM

To: Justin P. Taack, Manager *JPT*
Districts Section *7/30/2025*

Date: July 30, 2025

Thru: Michael Briscoe, Team Lead
Districts Creation Review Team

From: Jacob Houston
Districts Creation Review Team

Subject: Petition by Sunny Jane Elizabeth Ahrens and Thomas Edward O'Kelley for Creation of Kelly Farms Municipal Utility District of Johnson County; Pursuant to Texas Water Code Chapters 49 and 54.
TCEQ Internal Control No. D-03312025-063 (TC)
CN: 606372050 RN: 112188644

A. GENERAL INFORMATION

The Texas Commission on Environmental Quality (TCEQ) received a petition within the application requesting approval for the creation of Kelly Farms Municipal Utility District of Johnson County (District). The petition was signed by Sunny Jane Elizabeth Ahrens, an individual, and Thomas Edward O'Kelley, an individual (Petitioners). The petition states that the Petitioners hold title to a majority of the assessed value of the real property in the proposed District and it further states that there are no lienholders on the land 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 east of Interstate Highway (IH) 35 West, west of County Road (CR) 106, and approximately three miles north of the City of Grandview (City) in southeastern Johnson County (County), Texas. The proposed District is located entirely outside the corporate limits and extraterritorial jurisdiction of any city, town, or village. Primary access to the proposed District will be from IH 35 and CR 203. The proposed District will also have access from IH 35 and Farm-to-Market Road (FM) 2258.

Metes and Bounds Description

The proposed District contains 410.25 acres of land. The metes and bounds description of the proposed District has been checked by TCEQ's staff and has been found to form an acceptable closure.

City Consent

The proposed District is located outside the corporate limits and extraterritorial jurisdiction of any city, town, or village. Accordingly, the requirements of Texas Local Government Code Section 42.042 and TWC Section 54.016 have been satisfied.

County Notification

In accordance with TWC Section 54.0161, a certified letter, dated April 9, 2025, was sent to the Commissioners Court of Johnson County which provided notice of the proposed District's pending creation application and provided them an opportunity to make their recommendations. To date, the County has not responded to this notification.

Statements of Filing Petition

Evidence of filing a copy of the petition with the Johnson County Clerks' office, the TCEQ's Dallas/Fort Worth regional office, the Texas state representative, and the Texas state senator was included in the application.

Type of Project

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

Developer Qualifications

Application material indicates that MLCED Grandview, LLC will coordinate the development of the proposed District. MLCED Grandview, LLC has purchased and closed over 10 pieces of real estate for development and/or resale. MLCED Grandview, LLC has experience in contract assignments, raw land improvements, multi-family complexes, RV Parks, and manufactured housing communities.

Certificate of Ownership

By signed certificate dated March 21, 2025, the Central Appraisal District of Johnson County has certified that the appraisal rolls indicate that the Petitioners are the owners 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 the following five temporary directors:

M. Aziz Bah

Jeffrey Michael
Lively

Joseph Margiotta III

Beau Weiss

Daren Harber

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 May 6 and May 13, 2025, in the *Cleburne Times Review*, a newspaper regularly published or circulated in Johnson County, the county in which the district is proposed to be located. Proper notice of the application was posted on May 6, 2025, at the place for posting legal notices at the Johnson 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 June 12, 2025.

B. ENGINEERING ANALYSIS

The creation engineering report indicates the following:

Availability of Comparable Service

The proposed district is located within the water Certificate of Convenience and Necessity (CCN) of Johnson County Special Utility District (SUD). Johnson County SUD will provide retail water service to all areas of the proposed District as needed in the future. No other comparable water servicers are available in the area.

The proposed district is not located within the sewer CCN of any wastewater provider. A wastewater collection system and wastewater treatment plant will be constructed and operated to serve the entire proposed District. No other comparable wastewater services are available in the area.

Water Supply and Distribution Improvements

Per the engineering report, Johnson County SUD will provide retail water service to the proposed District and that it has the capacity to do so, the terms of which are currently being negotiated in a Development Agreement. The proposed District intends to upgrade and construct water distribution lines, appurtenances, pumping facilities, install ground storage, and chlorine booster stations for the existing Johnson County SUD water system to serve the needs of the proposed District. The proposed District intends to install various pipe sizes and add additional improvements to the proposed pipes in Pressure Planes 01 and 03 to help serve the proposed development, upsize the existing infrastructure at Plant 17, and participate in the installation of the proposed elevated storage tank in Pressure Plane 01. The proposed District will be required to pay connection fees to Johnson County SUD for each water service connection. The proposed District will construct a 16-inch offsite waterline to connect to the upgraded Johnson County SUD waterline on CR 203 and plans to construct a 12-inch offsite waterline to the proposed District to connect to an existing 8-inch Johnson County SUD waterline on CR 204.

The proposed water distribution system will consist of a network of arterial and interconnecting 8-inch and 12-inch loop mains providing service to all lots within the proposed District. The design of the water supply and distribution system will be based on a projection of the water demand conditions based on service connections, and the pressure at which it must be supplied. The proposed water supply and distribution system design will meet or exceed the minimum standards established by Johnson County SUD and TCEQ.

Wastewater Treatment and Collection Improvements

The proposed District will construct a wastewater treatment facility to serve the ultimate build-out demands of the District. Wastewater will be collected in a gravity collection system and treated on-site. The proposed District will provide retail wastewater service within the proposed District's boundaries.

Wastewater will be collected through a combination of 8-inch and 12-inch gravity and forced wastewater collection system within the proposed District. The collected wastewater will be transferred to the wastewater treatment plant via wastewater lines, lift stations, and force mains.

It is estimated that the proposed District will contain 1,967 equivalent single-family connections (ESFCs). Based on 300 gallons per day per ESFC, the wastewater treatment plant would need a capacity of 590,100 gallons per day. The proposed wastewater collection and treatment system will be designed to meet or exceed the minimum state requirements for the land uses and development plan. The proposed wastewater collection and treatment system design will meet or exceed the minimum standards established by TCEQ. All wastewater plans will be submitted to the TCEQ as required for review and approval prior to construction.

Storm Water Drainage System and Drainage Improvements

Stormwater runoff within the proposed District will be collected in curb and gutter streets into flumes or inlets which will convey the flows overland or via underground lines, respectively. Stormwater from the proposed storm sewer and drainage system will typically pass through and be detained in detention ponds before discharging into the tributaries of the South Fork Chambers Creek.

The proposed storm sewer and drainage system will be designed to accommodate 2-year and 100-year storm events as required for the land uses and development plan. Detention ponds will be designed to prevent impacts on any downstream landowners. The storm sewer and drainage system will be designed to meet the requirements of the County.

Road Improvements

The developer will construct a network of major collector roads, minor collectors, and local streets to provide access to the areas of the proposed District depending on land use. The proposed road improvements will be designed in accordance with County standards.

Floodplain

According to Federal Emergency Management Agency Flood Insurance Rate Map No. 48251C0050J, dated December 4, 2012, none of the proposed District lies within the 100-year floodplain.

Topography/Land Elevation

The existing elevations within the proposed District range from approximately 680 feet above mean sea level (msl) in the northeaster corner to approximately 700 feet above msl in the southern and northwestern portions, and to approximately 730 feet above msl in the central northern portion.

The developer has no plans to significantly alter land elevations or the natural topography on the land in the proposed District. Proposed lots are anticipated to maintain a natural state whenever possible. Elevations may be lowered or raised as needed to provide positive drainage. Design of street improvements based on existing natural grades will be optimized to minimize excavation. Therefore, development of the proposed District is not anticipated to have an unreasonable effect on land elevation.

Subsidence

The proposed District will receive its water from Johnson County SUD, which has two main water production sources; 30% is well water from Trinity and Paluxy Aquifers, and approximately 70% is purchased surface water from Brazos Regional public Utility Agency Surface Water Advanced Treatment Systems on Lake Granbury and surface water from the City of Mansfield. There is reportedly not a problem with subsidence in this part of the state. Therefore, the proposed District is not anticipated to have an unreasonable effect on subsidence.

Groundwater Levels/Recharge

The proposed District anticipates receiving all water service from Johnson County SUD, which relies on a combination of surface water and proven groundwater sources. The runoff from the proposed District will generally follow existing drainage patterns. All project plans will be reviewed by jurisdictional agencies similar to other developments in this part of the County, so no changes are anticipated to any existing aquifer recharge. Therefore, development of the proposed District is not anticipated to have an unreasonable effect on groundwater levels or recharge.

Natural Run-off and Drainage

The proposed District consists mainly of farm and ranch land with minimal trees, located within the North Fork Chambers Creek Watershed and the Upper South Fork Chambers Creek Sub Watershed in the Trinity River Basin. The natural drainage is in a generally southerly direction flowing to the South Fork Chambers Creek.

Runoff from the proposed District will be collected in detention ponds before outfalling into tributaries of the South Fork Chambers Creek. Development of the proposed District will increase the natural runoff rates when compared to the present undeveloped state of the land; however, the ponds will be designed to mitigate effects on downstream runoff rates. All drainage plans will be reviewed and approved by the County prior to construction to ensure there are no impacts on downstream areas. All drainage projects will comply with County regulations. Therefore, the proposed District is not anticipated to have an unreasonable effect on run-off or drainage.

Water Quality

All construction within the proposed District will include erosion control measures which comply with the Stormwater Pollution Prevention Plan overseen by TCEQ. Also, all wastewater will be collected and treated in a wastewater treatment facility that is permitted by TCEQ, which should minimize the effects on water quality. All drainage projects will be designed to comply with County regulations, including any regulations related to stormwater quality. Therefore, the proposed District is not anticipated to have an unreasonable effect on water quality.

Dam Safety Analysis

The TCEQ Dam Safety Program personnel reviewed the location of the District and confirmed by letter dated November 25, 2024, that there appears to be a small pond within the proposed District boundaries. The pond does not appear to be a dam in TCEQ jurisdiction. However, if it is classified as a dam in TCEQ jurisdiction, it will need to be evaluated for hydraulic adequacy and hazard classification.

C. SUMMARY OF COSTS

WATER, WASTEWATER, AND DRAINAGE

<u>Construction Costs</u>	<u>District Share</u> ⁽¹⁾
A. Developer Contribution Items	
1. Water	\$ 7,115,601
2. Wastewater	9,568,378
3. Drainage	8,626,699
4. Erosion Control	1,188,022
5. Contingencies (15% of item nos. 1-4)	3,974,805
6. Engineering (10% of item nos. 1-4)	<u>2,649,870</u>
Total Developer Contribution Items	\$ 33,123,375
B. District Items	
1. Offsite Water Improvements	\$ 54,904,545
2. Wastewater Treatment Plant	13,572,300
3. Lift Station	500,000
4. Contingencies (15% of item nos. 1-2)	10,346,527
5. Engineering (10% of item nos. 1-2)	<u>6,897,685</u>
Total District Items	\$ 86,221,057
 TOTAL CONSTRUCTION COSTS (79.41% of BIR)	 \$ 119,344,432
 <u>Non-Construction Costs</u>	
A. Legal Fees	\$ 4,508,400
B. Fiscal Agent Fees	3,757,000
C. Interest Costs	
1. Capitalized Interest (1 year at 4%)	6,011,200
2. Developer Interest (2 years at 4% of Construction Costs)	9,547,554 ⁽²⁾

D. Bond Discount (3%)	4,508,400
E. Bond Issuance Expenses	975,354
F. Bond Application Report Costs	901,680
G. Creation / Organization	100,000
H. Administration and Operations	100,000
I. Attorney General Fee (0.1%)	150,280
J. TCEQ Bond Issuance Fee (0.25%)	<u>375,700</u>
TOTAL NON-CONSTRUCTION COSTS	\$ 30,935,568
TOTAL W, WW, & D BOND ISSUE REQUIREMENT	\$ 150,280,000

Notes:

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

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

ROAD IMPROVEMENTS

<u>Construction Costs</u>	<u>District Share</u> ⁽¹⁾
A. Roads	13,128,368
B. Contingencies (15% of item no. 1)	1,969,255
C. Engineering Costs (10% of item no. 1)	<u>1,312,837</u>
TOTAL CONSTRUCTION COSTS (80.17% of BIR)	\$ 16,410,460

<u>Non-Construction Costs</u>	
A. Legal Fees	\$ 614,100
B. Fiscal Agent Fees	511,750
C. Interest Costs	
1. Capitalized Interest (1 years at 4%)	818,800
2. Developer Interest (2 years at 4% of Construction Costs)	1,312,837 ⁽²⁾
D. Bond Discount (3%)	614,100
E. Bond Issuance Expenses	106,073
F. Bond Engineering Costs	61,410
G. Attorney General Fee (0.1%)	<u>20,470</u>
TOTAL NON-CONSTRUCTION COSTS	\$ 4,059,540
TOTAL ROAD BOND ISSUE REQUIREMENT	\$ 20,470,000

Notes:

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

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

D. ECONOMIC ANALYSIS

Land Use

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

<u>Land Use</u>	<u>Acreage</u>	<u>ESFCs</u>
Single Family	347.15	1,947
Commercial	5.00	13
Amenity Center	3.30	5
Parks	3.10	0
Wastewater Treatment Plant/Lift Stations	6.00	2
Detention	31.90	0
Open Space/Easements	<u>13.80</u>	<u>0</u>
Total	410.25	1,967

Market Study

A market study, prepared in October 2024 by Zonda, was submitted in support of the creation of the proposed District. The proposed District is expected to include approximately 1,847 ESFCs on a tract totaling approximately 410.25 acres. The home values are expected to be approximately \$292,500 for 40-foot lots and \$355,300 for 50-foot lots. The study indicates single-family homes for that price range within the study's market area are expected to be absorbed at a rate of approximately 144 homes/year over the first thirteen years.

Project Financing

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

<u>Development Description</u>	<u>Lots</u>	<u>Developed Unit Value (per home per lot)</u>	<u>Total Buildout Value</u>
40-foot single-family lots	966	\$ 292,500	\$ 282,555,000
50-foot single-family lots	981	\$ 355,300	\$ <u>348,549,300</u>
Total Assessed Valuation			\$ 631,104,300

Considering the issuance of a total of \$170,750,000 (\$150,280,000 for utilities and \$20,470,000 for roads) in bonds, assuming 100% financing, a bond coupon rate of 4%, and a 28-year bond life, the average annual debt service requirement would be \$10,247,216 (\$9,018,750 for utilities plus \$1,228,466 for roads). Assuming a 98% collection rate and an ultimate AV of \$631,104,300, a projected ultimate tax rate of approximately \$1.66 (\$1.46 for utilities and \$0.20 for roads) per \$100 AV was indicated to be necessary to meet the annual debt service requirements for the

proposed District. An additional \$0.05 per \$100 AV is projected to be levied for maintenance and operating expenses, for a combined proposed District tax rate of \$1.28. However, the tax rate limitation pursuant to 30 TAC Section 293.59 is \$1.00 in Johnson County. Therefore, a total issuance of \$97,430,000 (approximately 57.06% financing) can be recommended in order to remain under the \$1.00 tax rate limitation. Assuming a 98% collection rate and an ultimate AV of \$631,104,300, a projected ultimate tax rate of approximately \$0.95 (\$0.83 for utilities and \$0.12 for roads) per \$100 AV was indicated to be necessary to meet the annual debt service requirements for the proposed District. An additional \$0.05 per \$100 AV is projected to be levied for maintenance and operating expenses, for a combined tax rate of \$1.00.

Based on the information provided, the total year 2024 overlapping tax rates on land within the proposed District are shown as follows:

<u>Taxing Jurisdiction</u>	<u>Tax Rates</u> <u>(Johnson County)</u> ⁽¹⁾
Kelly Farms MUD of Johnson County (District)	\$ 1.0000 ⁽²⁾
Lateral Road	\$ 0.0500
Johnson County ESD No. 1	\$ 0.0575
Johnson County	\$ 0.3293
Hill College GVS	\$ 0.0497
Grandview ISD	\$ 0.9966
TOTAL TAX per \$100 AV:	\$ 2.4831

Notes:

- (1) Tax rate per \$100 assessed valuation.
- (2) Represents \$0.95 debt service tax rate (utility and roads) and a \$0.05 maintenance and operation tax.

Based on the proposed District tax rate and the year 2024 overlapping tax rate on land within the proposed District, the project is considered economically feasible.

Water and Wastewater Rates

According to the information provided, Johnson County SUD will provide retail water service and the proposed District will provide wastewater service to the proposed District's customers. The estimated monthly fee for 10,000 gallons of water and wastewater service would be \$173.25.

Comparative Water District Tax Rates

A tax rate of \$1.00 (\$0.83 for utilities, \$0.12 for roads, and \$0.05 for operation and maintenance tax) for the proposed District is comparable to other districts in the target market area. Based on the requirements 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 CONSIDERATION

Request for Road Powers

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

F. CONCLUSIONS

1. Based on TCEQ policy, compliance with TCEQ rules, and review of the engineering report and supporting documents, the proposed District is considered feasible, practicable, a benefit to the land within the proposed District, and necessary as a means to finance utilities and to provide utility service to future customers.
2. Based on a review of the preliminary engineering report; market study; the proposed District's water, wastewater, drainage and road facilities; a combined projected tax rate of \$1.00 per \$100 AV; the proposed District obtaining a 4% 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 Kelly Farms Municipal Utility District of Johnson County.
2. Grant the District's request to acquire road powers in accordance with TWC Section 54.234 and 30 TAC Sections 293.11(d)(11), 293.201, and 293.202 subject to the requirement imposed by the TCEQ and the general laws of the state relating to the exercise of such powers.
3. The Order granting the petition should include the following 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."

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

M. Aziz Bah

Jeffrey Michael Lively

Joseph Margiotta III

Beau Weiss

Daren Harber

Justin P. Taack, Manager

Page 11

July 30, 2025

H. ADDITIONAL INFORMATION

The Petitioner's professional representatives are:

Attorney: Ms. Mindy Koehne - Coats Rose, PC

Creation Engineer: Mr. Chris S. Ulmann, P.E. - Jones-Heroy & Associates, Inc.

Markey Analyst: Mr. Bryan Glasshagel - Zonda

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT PETITION TCEQ INTERNAL CONTROL NO. D-03312025-063

PETITION. Sunny Jane Elizabeth Ahrens and Thomas Edward O'Kelley, (Petitioners) filed a petition for creation of Kelly Farms Municipal Utility District of Johnson County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ.

The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 410.25 acres located within Johnson County, Texas; and (4) none of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any city.

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

The petition further states that the proposed District will: (1) purchase, construct, acquire, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; (2) collect, transport, process, dispose of and control domestic, and commercial wastes; (3) gather, conduct, divert, abate, amend and control local storm water or other harmful excesses of water in the proposed District; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; and, (5) purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the proposed District is created.

According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$170,750,000 (\$150,280,000 for water, wastewater, and drainage plus \$20,470,000 for roads).

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

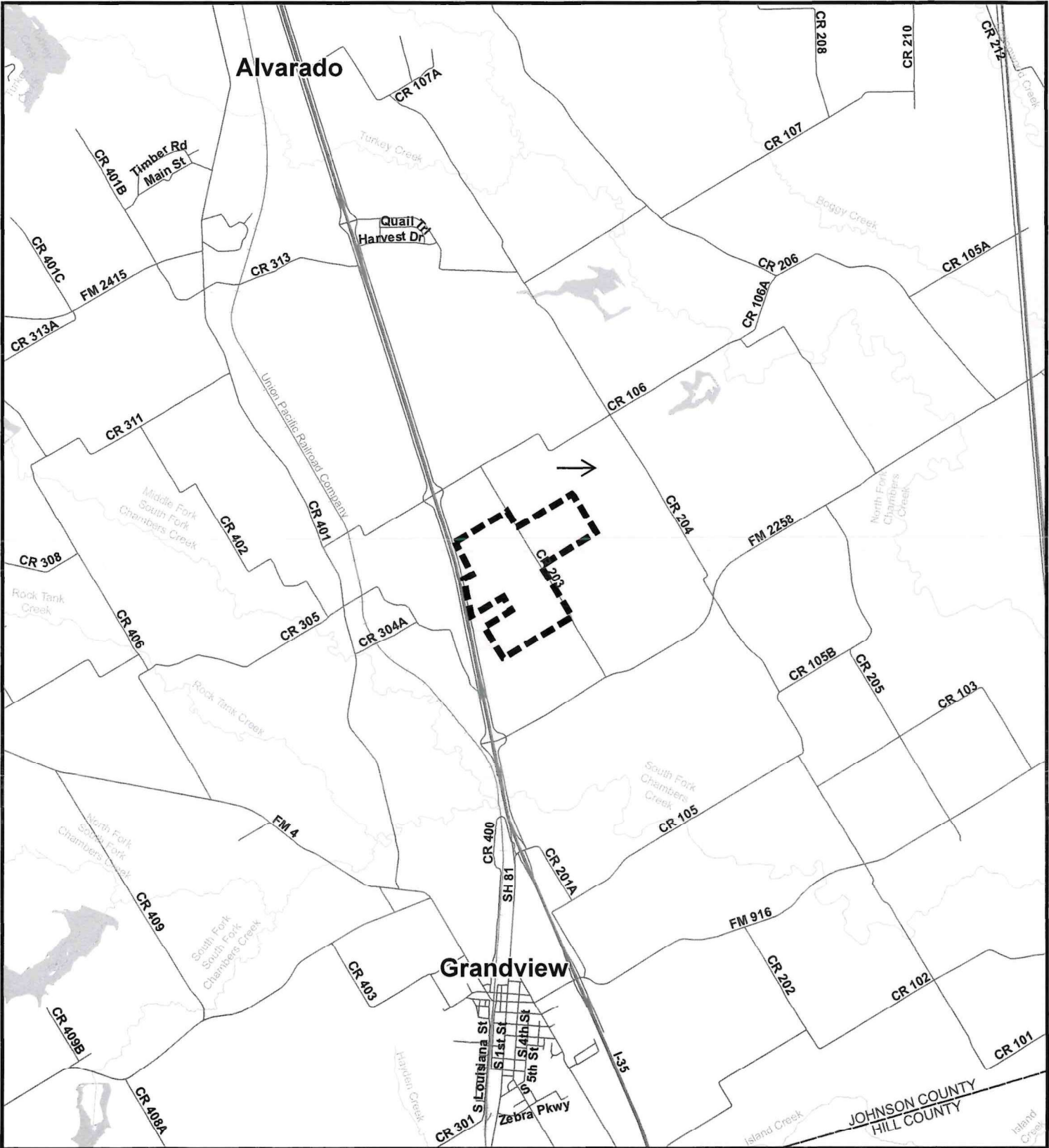
To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioners and the TCEQ Internal Control Number; (3) the statement "I/we request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

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

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

Issued: April 22, 2025

Exhibit "A"



Legend:  District Boundary  Major Roads		Kelly Farms Municipal Utility District Vicinity Map	
Project Name: Kelly Farms MUD Creation Project Number: 0752-002 Date: November 2024			0 5,000 10,000 Feet JONES - HEROY & ASSOCIATES, INC. 13915 N. Mopac Expy Suite 200 Austin, Texas 78728 Office: (512) 989-2200 Fax: (512) 989-2213 TBPE Reg. Firm F-006320

REQUEST FOR CONSIDERATION OF APPOINTMENT AS DIRECTOR

THE STATE OF TEXAS §
COUNTY OF JOHNSON §

BEFORE ME, the undersigned duly constituted authority of the State of Texas, on this day personally appeared M. Aziz Bah, who expressed a desire to become a Director of KELLY FARMS MUNICIPAL UTILITY DISTRICT OF JOHNSON COUNTY (hereinafter the "District"), to serve until his successor is elected or appointed, and who on oath did state:

3. 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.
4. I am a resident of Johnson 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 the County in which the District is located.

☒ I am a resident of Denton 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 (Collin County, Dallas County, Denton County, Ellis County, Hunt County, Johnson County, Kaufman County, Parker County, Rockwall County, Tarrant County, Wise County).

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, or for laying out suburban lots or building lots, or any lots, streets, etc. for public use or use by other landowners within the District).
4. I am not related within the third degree of affinity (marriage) or consanguinity (blood) to a Developer of property within the District, to any of the other Directors of the District, or to the Attorney, Engineer, or Manager of the District.
5. I am not an employee of any Developer of property within the District or any other Director, the Attorney, or Engineer of the District. Nor was I, within the two years immediately preceding this proposed appointment, an employee of any Developer of property within the District or of any Director, Attorney, or Engineer of the District.
6. I am presently employed as Hometown Lending (Loan Broker) by Hometown Lending. I am not a State employee nor do I receive all or part of my compensation directly or indirectly from funds of the State of Texas;

or, in the alternative, I will not accept fees of office for serving on the Board of Directors of the District.

7. Neither my employer nor I have any business or other connection with the Developer of the District, the Attorney representing the District, or the Consulting Engineer for the District in regard to the District and the development therein.
8. I presently own taxable land within the District. I agree to notify the Board of Directors of the District should I become disqualified to serve on the Board by virtue of the above condition ceasing to exist. I have no plans for my land within the District other than holding said land to allow myself to serve as a Director of the District.
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, its meetings must be open to the public, and its records available for inspection by the public at all reasonable times.
11. I am aware that the District will be subject to the continuing supervision of the Texas Commission on Environmental Quality (the "Commission"). I will cooperate fully with the Commission in its exercising of supervisory powers.
12. I hereby affirm that, if appointed, I will faithfully execute the duties of the office of Director of the District and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States, and of the State of Texas; and I hereby affirm that I have not directly nor indirectly paid, offered or promised to pay, contributed or promised to contribute any money or valuable thing, or promised any public office or employment as a reward to secure this appointment.

M. Aziz Bah

(Full Name)

4079 Sechrist Dr

(Home Address)

Frisco

(City)

75034

(Zip Code)

214.502.7703

(Telephone)

15305 DALLAS PKWAY #100

(Business Address)

Addison

(City)

75001

(Zip Code)

214.502.7703

(Telephone)

azizbah75@gmail.com

(Home Email)

azizb@Hometownlend.co

(Work Email)

M. Aziz Bah

Signature of Affiant

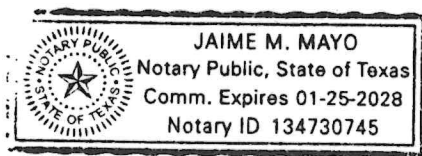
THE STATE OF TEXAS §

COUNTY OF Dallas §

SWORN TO AND SUBSCRIBED BEFORE ME this 22 day of October,
2024.

Jaime M. Mayo
Notary Public in and for the State of Texas

(NOTARY SEAL)



REQUEST FOR CONSIDERATION OF APPOINTMENT AS DIRECTOR

THE STATE OF TEXAS §
COUNTY OF JOHNSON §

BEFORE ME, the undersigned duly constituted authority of the State of Texas, on this day personally appeared Jeffrey M. Lively, who expressed a desire to become a Director of KELLY FARMS MUNICIPAL UTILITY DISTRICT OF JOHNSON COUNTY (hereinafter the "District"), to serve until his successor is elected or appointed, and who on oath did state:

1. I am at least eighteen years of age, a resident citizen of the State of Texas, and own land subject to taxation within the District.
2. I am a resident of Johnson 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 the County in which the District is located.

☒ I am a resident of Collin 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 (Collin County, Dallas County, Denton County, Ellis County, Hunt County, Johnson County, Kaufman County, Parker County, Rockwall County, Tarrant County, Wise County).

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, or for laying out suburban lots or building lots, or any lots, streets, etc. for public use or use by other landowners within the District).
4. I am not related within the third degree of affinity (marriage) or consanguinity (blood) to a Developer of property within the District, to any of the other Directors of the District, or to the Attorney, Engineer, or Manager of the District.
5. I am not an employee of any Developer of property within the District or any other Director, the Attorney, or Engineer of the District. Nor was I, within the two years immediately preceding this proposed appointment, an employee of any Developer of property within the District or of any Director, Attorney, or Engineer of the District.
6. I am presently employed as VP, Investor Services
by Mr. Cooper, Inc. I am not a State employee nor do I receive all or part of my compensation directly or indirectly from funds of the State of Texas;

or, in the alternative, I will not accept fees of office for serving on the Board of Directors of the District.

7. Neither my employer nor I have any business or other connection with the Developer of the District, the Attorney representing the District, or the Consulting Engineer for the District in regard to the District and the development therein.
8. I presently own taxable land within the District. I agree to notify the Board of Directors of the District should I become disqualified to serve on the Board by virtue of the above condition ceasing to exist. I have no plans for my land within the District other than holding said land to allow myself to serve as a Director of the District.
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, its meetings must be open to the public, and its records available for inspection by the public at all reasonable times.
11. I am aware that the District will be subject to the continuing supervision of the Texas Commission on Environmental Quality (the "Commission"). I will cooperate fully with the Commission in its exercising of supervisory powers.
12. I hereby affirm that, if appointed, I will faithfully execute the duties of the office of Director of the District and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States, and of the State of Texas; and I hereby affirm that I have not directly nor indirectly paid, offered or promised to pay, contributed or promised to contribute any money or valuable thing, or promised any public office or employment as a reward to secure this appointment.

Jeffrey Michael Lively (AKA - Jeffery)
(Full Name)

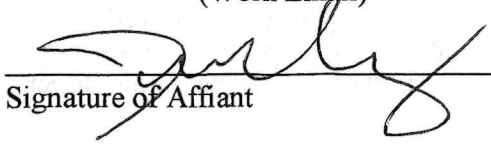
2004 Webley Drive
(Home Address)

Plano 75023 214-686-4314
(City) (Zip Code) (Telephone)

8950 Cypress Waters Blvd
(Business Address)

Coppell 75019 214-686-4316
(City) (Zip Code) (Telephone)

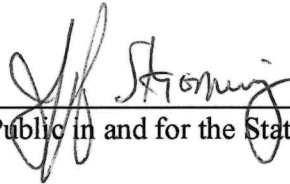
jeff.lively@outlook.com jeff.lively@mrcooper.com
(Home Email) (Work Email)


Signature of Affiant

THE STATE OF TEXAS §

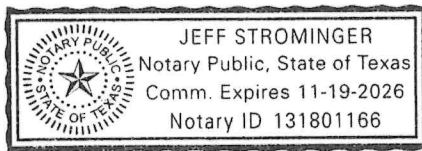
COUNTY OF COLLIER §

SWORN TO AND SUBSCRIBED BEFORE ME this 4TH day of NOVEMBER,
2024. BY JEFFERY MICHAEL LIVELY



Notary Public in and for the State of Texas

(NOTARY SEAL)



REQUEST FOR CONSIDERATION OF APPOINTMENT AS DIRECTOR

THE STATE OF TEXAS §
COUNTY OF JOHNSON §

BEFORE ME, the undersigned duly constituted authority of the State of Texas, on this day personally appeared Joseph Margiotta III, who expressed a desire to become a Director of KELLY FARMS MUNICIPAL UTILITY DISTRICT OF JOHNSON COUNTY (hereinafter the "District"), to serve until his successor is elected or appointed, and who on oath did state:

5. 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.
6. I am a resident of Johnson 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 the County in which the District is located.
 - ☒ I am a resident of Collin 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 (Collin County, Dallas County, Denton County, Ellis County, Hunt County, Johnson County, Kaufman County, Parker County, Rockwall County, Tarrant County, Wise County).
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, or for laying out suburban lots or building lots, or any lots, streets, etc. for public use or use by other landowners within the District).
 4. I am not related within the third degree of affinity (marriage) or consanguinity (blood) to a Developer of property within the District, to any of the other Directors of the District, or to the Attorney, Engineer, or Manager of the District.
 5. I am not an employee of any Developer of property within the District or any other Director, the Attorney, or Engineer of the District. Nor was I, within the two years immediately preceding this proposed appointment, an employee of any Developer of property within the District or of any Director, Attorney, or Engineer of the District.
 6. I am presently employed as Managing Director by Trinity Home Advisors LLC. I am not a State employee nor do I receive all or part of my compensation directly or indirectly from funds of the State of Texas;

REQUEST FOR CONSIDERATION OF APPOINTMENT AS DIRECTOR

THE STATE OF TEXAS §
COUNTY OF JOHNSON §

BEFORE ME, the undersigned duly constituted authority of the State of Texas, on this day personally appeared Beau Weiss, who expressed a desire to become a Director of KELLY FARMS MUNICIPAL UTILITY DISTRICT OF JOHNSON COUNTY (hereinafter the "District"), to serve until his successor is elected or appointed, and who on oath did state:

7. 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.
8. I am a resident of Johnson 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 the County in which the District is located.
- ☒ I am a resident of Denton 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 (Collin County, Dallas County, Denton County, Ellis County, Hunt County, Johnson County, Kaufman County, Parker County, Rockwall County, Tarrant County, Wise County).
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, or for laying out suburban lots or building lots, or any lots, streets, etc. for public use or use by other landowners within the District).
 4. I am not related within the third degree of affinity (marriage) or consanguinity (blood) to a Developer of property within the District, to any of the other Directors of the District, or to the Attorney, Engineer, or Manager of the District.
 5. I am not an employee of any Developer of property within the District or any other Director, the Attorney, or Engineer of the District. Nor was I, within the two years immediately preceding this proposed appointment, an employee of any Developer of property within the District or of any Director, Attorney, or Engineer of the District.
 6. I am presently employed as Mortgage Loan Officer by Highland Home Loans, LLC. I am not a State employee nor do I receive all or part of my compensation directly or indirectly from funds of the State of Texas;

or, in the alternative, I will not accept fees of office for serving on the Board of Directors of the District.

7. Neither my employer nor I have any business or other connection with the Developer of the District, the Attorney representing the District, or the Consulting Engineer for the District in regard to the District and the development therein.
8. I presently own taxable land within the District. I agree to notify the Board of Directors of the District should I become disqualified to serve on the Board by virtue of the above condition ceasing to exist. I have no plans for my land within the District other than holding said land to allow myself to serve as a Director of the District.
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, its meetings must be open to the public, and its records available for inspection by the public at all reasonable times.
11. I am aware that the District will be subject to the continuing supervision of the Texas Commission on Environmental Quality (the "Commission"). I will cooperate fully with the Commission in its exercising of supervisory powers.
12. I hereby affirm that, if appointed, I will faithfully execute the duties of the office of Director of the District and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States, and of the State of Texas; and I hereby affirm that I have not directly nor indirectly paid, offered or promised to pay, contributed or promised to contribute any money or valuable thing, or promised any public office or employment as a reward to secure this appointment.

Beau Weiser

(Full Name)

4400 Mueller LN

(Home Address)

Prosper

(City)

75078

(Zip Code)

248-867-8277

(Telephone)

5700 Granite Parkway, Suite 100

(Business Address)

Plano

(City)

75024

(Zip Code)

972-714-6880

(Telephone)

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Beau Weiser

Signature of Affiant

REQUEST FOR CONSIDERATION OF APPOINTMENT AS DIRECTOR

THE STATE OF TEXAS §
COUNTY OF JOHNSON §

BEFORE ME, the undersigned duly constituted authority of the State of Texas, on this day personally appeared Daren Harber, who expressed a desire to become a Director of KELLY FARMS MUNICIPAL UTILITY DISTRICT OF JOHNSON COUNTY (hereinafter the "District"), to serve until his successor is elected or appointed, and who on oath did state:

9. 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.
10. I am a resident of Johnson 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 the County in which the District is located.
 - ☒ I am a resident of Collin 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 (Collin County, Dallas County, Denton County, Ellis County, Hunt County, Johnson County, Kaufman County, Parker County, Rockwall County, Tarrant County, Wise County).
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, or for laying out suburban lots or building lots, or any lots, streets, etc. for public use or use by other landowners within the District).
 4. I am not related within the third degree of affinity (marriage) or consanguinity (blood) to a Developer of property within the District, to any of the other Directors of the District, or to the Attorney, Engineer, or Manager of the District.
 5. I am not an employee of any Developer of property within the District or any other Director, the Attorney, or Engineer of the District. Nor was I, within the two years immediately preceding this proposed appointment, an employee of any Developer of property within the District or of any Director, Attorney, or Engineer of the District.
 6. I am presently employed as SVP Managed Services by Aptany. I am not a State employee nor do I receive all or part of my compensation directly or indirectly from funds of the State of Texas;

or, in the alternative, I will not accept fees of office for serving on the Board of Directors of the District.

7. Neither my employer nor I have any business or other connection with the Developer of the District, the Attorney representing the District, or the Consulting Engineer for the District in regard to the District and the development therein.
8. I presently own taxable land within the District. I agree to notify the Board of Directors of the District should I become disqualified to serve on the Board by virtue of the above condition ceasing to exist. I have no plans for my land within the District other than holding said land to allow myself to serve as a Director of the District.
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, its meetings must be open to the public, and its records available for inspection by the public at all reasonable times.
11. I am aware that the District will be subject to the continuing supervision of the Texas Commission on Environmental Quality (the "Commission"). I will cooperate fully with the Commission in its exercising of supervisory powers.
12. I hereby affirm that, if appointed, I will faithfully execute the duties of the office of Director of the District and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States, and of the State of Texas; and I hereby affirm that I have not directly nor indirectly paid, offered or promised to pay, contributed or promised to contribute any money or valuable thing, or promised any public office or employment as a reward to secure this appointment.

Daren Harber

(Full Name)

4243 S. Capistrano Dr.

(Home Address)

Dallas

(City)

75287

(Zip Code)

214-450-5753

(Telephone)

Same

(Business Address)

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(Home Email)

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(Work Email)

Daren Harber
Signature of Affiant

THE STATE OF TEXAS §

COUNTY OF Collin §

SWORN TO AND SUBSCRIBED BEFORE ME this 1 day of November,
2024.

Jaime M. Mayo
Notary Public in and for the State of Texas

(NOTARY SEAL)

