

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



STATE OF TEXAS §

COUNTY OF TRAVIS §

I, Laurie Gharis, Chief Clerk of the Texas Commission on Environmental Quality, do hereby certify that the attached mailing list provides the persons to whom the amended notice of the public hearing for the Rockwood Municipal Utility District No. 1, SOAH Docket No. 582-23-22767, TCEQ Docket No. 2023-0528-DIS, was mailed on August 11, 2023.

Given under my hand and the seal of the Texas Commission on Environmental Quality, this the 11th day of August 2023.

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

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

SEAL

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF HEARING **Rockwood Municipal Utility District No. 1** **SOAH Docket No. 582-23-22767** **TCEQ Docket No. 2023-0528-DIS** **TCEQ Internal Control No. D-07212022-032**

PETITION.

JLMCG Properties, LLC, a Nevada limited liability company, and Cendei Sherwood, (Petitioners) filed a petition for creation of Rockwood Municipal Utility District No. 1 of Denton 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 Petitioners hold 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 359 acres located within Denton County, Texas; and (4) all of the land within the proposed District is within the extraterritorial jurisdiction of the City of Ponder.

The petition further states that the proposed District will: (1) construct a water distribution system for domestic purposes; (2) construct a wastewater system; (3) control, abate, and amend harmful excesses of water and the reclamation and drainage of overflowed lands within the proposed District; (4) construct and finance macadamized, graveled, or paved roads, or improvements in aid of those roads; and (5) construct, install, maintain, purchase and operate such additional facilities, systems, plants, and enterprises as shall be consonant with all of the purposes for which the proposed District is created. Additionally, the proposed District will be granted the authority to design, acquire, construct, finance, issue bonds, operate, maintain, and convey to the State of Texas, a county, or a municipality for operation and maintenance, a road, or any improvement in aid of the road.

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 \$55,215,000 (\$37,685,000 for water, wastewater, and drainage and \$17,530,000 for roads).

CONTESTED CASE HEARING.

The State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing via Zoom videoconference. A Zoom meeting is a secure, free meeting held over the internet that allows video, audio, or audio/video conferencing.

10:00 a.m. – September 11, 2023

To join the Zoom meeting via computer:

<https://soah-texas.zoomgov.com/>

Meeting ID: 160 135 6697

Password: TCEQ276

or

To join the Zoom meeting via telephone:

(669) 254-5252 or (646) 828-7666

Meeting ID: 160 135 6697

Password: 6564783

**Visit the SOAH website for registration at: <http://www.soah.texas.gov/>
or call SOAH at 512-475-4993.**

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding, which will occur at a later date, will be similar to a civil trial in state district court. The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapters 49 and 54, Texas Water Code; Chapter 395, Texas Local Government Code; TCEQ rules, including 30 Texas Administrative Code (TAC) Chapter 293; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. To participate in the hearing as a party, you must attend the hearing and show you would be affected by the petition in a way not common to members of the general public.

In accordance with 1 Tex. Admin. Code § 155.401(a), Notice of Hearing, “Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH.”

INFORMATION.

For information concerning the hearing process, please contact the TCEQ Office of the Public Interest Counsel (MC 103), P.O. Box 13087, Austin, Texas 78711-3087, telephone (512) 239-6363. For additional information, contact the TCEQ Water Supply Division, Districts Section (MC 152), P.O. Box 13087, Austin, Texas 78711-3087, telephone (512) 239-4691. General information regarding the TCEQ can be found at our web site at www.tceq.texas.gov

Persons with disabilities who plan to attend this hearing and who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-4993, at least one week prior to the hearing.

Issued: August 11, 2023

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

MAILING LIST
Rockwood Municipal Utility District No. 1
TCEQ Docket No. 2023-0528-DIS; SOAH Docket No. 582-23-22767

FOR THE APPLICANT:

Natalie B. Scott, Attorney
Kevin R. Bartz, Attorney
Coats Rose PC
Terrace 2
2700 Via Fortuna, Suite 350
Austin, Texas 78746

Tim Green, Attorney
Mindy Koehne, Attorney
Coats Rose PC
16000 North Dallas Parkway, Suite 350
Dallas, Texas 75248

Thomas Fletcher
Kimley-Horn
6160 Warren Parkway, Suite 210
Frisco, Texas 75034

INTERESTED PERSON(S):

David J. Klein
Lloyd Gosselink Rochelle & Townsend PC
816 Congress Avenue, Suite 1900
Austin, Texas 78701

FOR THE EXECUTIVE DIRECTOR

via electronic mail:

Harrison "Cole" Malley, Staff Attorney
Texas Commission on Environmental
Quality
Environmental Law Division, MC-173
P.O. Box 13087
Austin, Texas 78711

James Walker, Technical Staff
Texas Commission on Environmental
Quality
Water Supply Division, MC-152
P.O. Box 13087
Austin, Texas 78711

Ryan Vise, Deputy Director
Texas Commission on Environmental
Quality
External Relations Division, MC-108
P.O. Box 13087
Austin, Texas 78711

FOR PUBLIC INTEREST COUNSEL
via electronic mail:

Pranjal M. Mehta, Attorney
Texas Commission on Environmental
Quality
Public Interest Counsel, MC-103
P.O. Box 13087
Austin, Texas 78711

FOR THE CHIEF CLERK

via eFilings

<https://www.tceq.texas.gov/goto/efilings>:

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

THE HONORABLE TAN PARKER
TEXAS SENATE
DISTRICT ROOM 1E.5
TEXAS STATE CAPITOL
tan.parker@senate.texas.gov

THE HONORABLE DREW SPRINGER
TEXAS SENATE
DISTRICT ROOM E1.712
TEXAS STATE CAPITOL
drew.springer@senate.texas.gov

THE HONORABLE BEN BUMGARNER
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM 1W.11
TEXAS STATE CAPITOL
ben.bumgarner@house.texas.gov

THE HONORABLE RICHARD HAYES
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM E2.806
TEXAS STATE CAPITOL
richard.hayes@house.texas.gov

THE HONORABLE JARED PATTERSON
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM E1.310
TEXAS STATE CAPITOL
jared.patterson@house.texas.gov

THE HONORABLE LYNN STUCKY
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM E2.822
TEXAS STATE CAPITOL
Lynn.stucky@house.texas.gov

THE HONORABLE KRONDA THIMESCH
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM E2.506
TEXAS STATE CAPITOL
kronda.thimesch@house.texas.gov

JAMES T ALDREDGE
LLOYD GOSSELINK ROCHELLE & TOWNSEND
STE 1900
816 CONGRESS AVE
AUSTIN TX 78701-2442

STEVEN L BACCHUS ASST CITY MGR
CITY OF LEWISVILLE
PO BOX 299002
LEWISVILLE TX 75029-9002

JERRY W CHAPMAN GENERAL MANAGER
GREATER TEXOMA UTILITY AUTHORITY
5100 AIRPORT DR
DENISON TX 75020-8448

GARY BEDFORD DAVIS
10241 COLE RD
PILOT POINT TX 76258-6717

STEPHEN C DICKMAN ATTORNEY
KELLY HART & HALLMAN LLP
STE 2000
303 COLORADO ST
AUSTIN TX 78701-4653

LAUREN J KALISEK
LLOYD GOSSELINK ROCHELLE & TOWNSEND
STE 1900
816 CONGRESS AVE
AUSTIN TX 78701-2442

DAVID J KLEIN
LLOYD GOSSELINK ROCHELLE & TOWNSEND
STE 1900
816 CONGRESS AVE
AUSTIN TX 78701-2442

JASON LAUMER CITY MANAGER
CITY OF CELINA
142 N OHIO ST
CELINA TX 75009-6201

NATALIE MARQUEZ
STE 1900
816 CONGRESS AVE
AUSTIN TX 78701-2442

LARRY MCDANIEL GENERAL MANAGER
DALLAS COUNTY PARK CITIES MUD
1811 REGAL ROW
DALLAS TX 75235-2301

ROSANA NAREZ
TEX MEX NOTICIAS
PO BOX 93331
SOUTHLAKE TX 76092-0113

JASON PIERCE
UPPER TRINITY REGIONAL WATER DISTRICT
PO BOX 305
LEWISVILLE TX 75067-0305

MARTIN C REAMY PRESIDENT
MCR ENGINEERING SERVICE
PO BOX 866336
PLANO TX 75086-6336

AILEEN SAARTY
RJN GROUP INC
STE 710
14755 PRESTON RD
DALLAS TX 75254-6815

MITCH SCHMITTOU
4599 S HIGHWAY 377
AUBREY TX 76227-5097

KYTINNA SOTO OWNER
LA PRENSA COMUNIDAD
PO BOX 732
TOLAR TX 76476-0732

THOMAS E TAYLOR EXECUTIVE DIRECTOR
UPPER TRINITY WATER DISTRICT
PO BOX 305
LEWISVILLE TX 75067-0305

STACY WALTERS
200 TEXAS ST
FORT WORTH TX 76102-6314

JOHN & JULIE WEHLAGE
LANDFILL RELATIONS CONSULTANTS
1111 S MAIN ST APT 2210
CARROLLTON TX 75006-6247

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

Applicant Name: ROCKWOOD COUNTY MUD 1
TCEQ Tracking No. D-07212022-032 CID Item No. 130214
Application Type: PETITION FOR CREATION OF A DISTRICT

AFFIDAVIT OF PUBLICATION

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2022 DEC -2 AM 9:47
CHIEF CLERKS OFFICE

STATE OF TEXAS §

COUNTY OF: Denton §

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

Alice McConaughy

(name of newspaper representative)

, who being by me duly

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

Authorized Designer

(title of newspaper representative)

of the

Denton Record-Chronicle

(name of newspaper)

; that said newspaper is

regularly published or circulated in

Denton

(name of county or counties)

County/Countries,

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

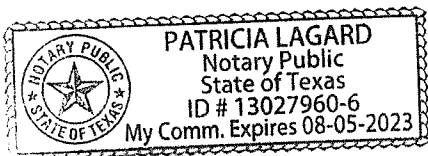
November 19 & 26, 2022

(date or dates of publication)

Alice McConaughy
Newspaper Representative's Signature

Subscribed and sworn to before me this the 28 day of November,
20 22, to certify which witness my hand and seal of office.

(Seal)



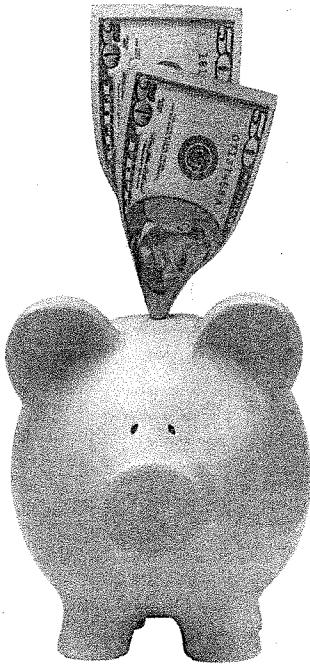
Patricia La Gard

Notary Public in and for the State of Texas

Patricia La Gard

Print or type Name of Notary Public

My Commission Expires 08-05-2023 00008



SAVE MONEY WITH THE CLASSIFIEDS

You'll find great deals
every day in the
Denton Record-Chronicle
Classifieds.

From a new car to a new
home to a new job, the
Classifieds deliver!

Need to Sell Something?
Merchandise Under \$3000
Runs For \$10

- 10 days Denton Record-Chronicle
- 10 days DentonRC.com
- Free Print Photo and
Online Color Photo

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT PETITION TCEQ INTERNAL CONTROL NO. D-07212022-032

PETITION. JLMCG Properties, LLC, a Nevada limited liability company, and Cende Sherwood, (Petitioners) filed a petition for creation of Rockwood Municipal Utility District No.1 of Denton 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 Petitioners hold 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 359 acres located within Denton County, Texas; and (4) all of the land within the proposed District is within the extraterritorial jurisdiction of the City of Ponder.

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) construct a water distribution system for domestic purposes; (2) construct a wastewater system; (3) control, abate, and amend harmful excesses of water and the reclamation and drainage of overflowed lands within the proposed District; (4) construct and finance macadamized, graveled, or paved roads, or improvements in aid of those roads; and (5) construct, install, maintain, purchase and operate such additional facilities, systems, plants, and enterprises as shall be consonant with all of the purposes for which the proposed District is created. Additionally, the proposed District will be granted the authority to design, acquire, construct, finance, issue bonds, operate, maintain, and convey to the State of Texas, a county, or a municipality for operation and maintenance, a road, or any improvement in aid of the road.

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 \$55,215,000 (\$37,685,000 for water, wastewater, and drainage and \$17,530,000 for roads).

The Property depicted in Exhibit "A" is located within the extraterritorial jurisdiction of the City of Ponder, Denton County, Texas (the "City"). In accordance with Local Government Code §42.042 and Texas Water Code §54.016, the Petitioners submitted a petition to the City, requesting the City's consent to the creation of the District. After more than 90 days passed without receiving consent, the Petitioners submitted a petition to the City to provide water and sewer services to the proposed District. The 120-day period for reaching a mutually agreeable contract as established by the Texas Water Code §54.016(c) expired and the information provided indicates that the Petitioners and the City have not executed a mutually agreeable contract for service. Pursuant to Texas Water Code §54.016(d), failure to execute such an agreement constitutes authorization for the Petitioners to initiate proceedings to include the land within the proposed District.

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 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.

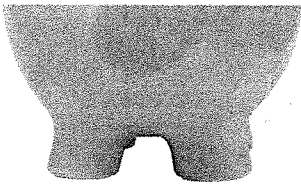
INFORMATION. Written hearing requests should be submitted to the Office of the Chief Clerk, MC-105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC-103, at the same address. General information regarding TCEQ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

Issued: November 9, 2022

Exhibit "A"



00011



SAVE MONEY WITH THE CLASSIFIEDS

You'll find great deals
every day in the
Denton Record-Chronicle
Classifieds.

From a new car to a new
home to a new job, the
Classifieds deliver!

Need to Sell Something?
Merchandise Under \$3000
Runs For \$10

- 10 days Denton Record-Chronicle
- 10 days DentonRC.com
- Free Print Photo and Online Color Photos
- Restrictions may apply
- * Online Only FREE

Over \$3000? 10 day print plus online with free photos.
Rates starting at \$27.40

Go to DentonRC.com/classifieds or
call 940-387-7755 to place your ad!



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) construct a water distribution system for domestic purposes; (2) construct a wastewater system; (3) control, abate, and amend harmful excesses of water and the reclamation and drainage of overflowed lands within the proposed District; (4) construct and finance macadamized, graveled, or paved roads, or improvements in aid of those roads; and (5) construct, install, maintain, purchase and operate such additional facilities, systems, plants, and enterprises as shall be consonant with all of the purposes for which the proposed District is created. Additionally, the proposed District will be granted the authority to design, acquire, construct, finance, issue bonds, operate, maintain, and convey to the State of Texas, a county, or a municipality for operation and maintenance, a road, or any improvement in aid of the road.

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 \$55,215,000 (\$37,685,000 for water, wastewater, and drainage and \$17,530,000 for roads).

The Property depicted in Exhibit "A" is located within the extraterritorial jurisdiction of the City of Ponder, Denton County, Texas (the "City"). In accordance with Local Government Code §42.042 and Texas Water Code §54.016, the Petitioners submitted a petition to the City, requesting the City's consent to the creation of the District. After more than 90 days passed without receiving consent, the Petitioners submitted a petition to the City to provide water and sewer services to the proposed District. The 120-day period for reaching a mutually agreeable contract as established by the Texas Water Code §54.016(c) expired and the information provided indicates that the Petitioners and the City have not executed a mutually agreeable contract for service. Pursuant to Texas Water Code §54.016(d), failure to execute such an agreement constitutes authorization for the Petitioners to initiate proceedings to include the land within the proposed District.

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 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 website <http://www.tceq.texas.gov/>.

Issued: November 9, 2022



Exhibit "A"

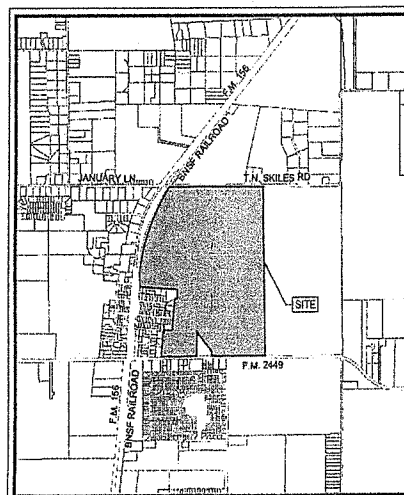


Exhibit 1
Rockwood MUD No. 1
Denton County, Texas
June 2022

Kimley-Horn
2022-11-09
Rockwood MUD No. 1
Denton County, Texas

CERTIFICATE OF POSTING OF NOTICE OF DISTRICT PETITION

THE STATE OF TEXAS

§

COUNTY OF DENTON

§

I, Michele Boutwell, hereby certify that I am more than eighteen (18) years of age and capable of executing this certificate; and that the attached is a true and correct copy of a Notice of District Petition for Rockwood Municipal Utility District No. 1 of Denton County (TCEQ Internal Control No. D-07212022-032), which I caused to be posted on the bulletin board used for posting legal notices in Grayson County on the 15th day of November, 2022.

Signature: Michele Boutwell

Printed Name: Michele Boutwell

Title: Senior Clerk



CHIEF CLERKS OFFICE

2022 DEC -2 AM 9:47

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

COATS | ROSE

A PROFESSIONAL CORPORATION

MELISA MONTAGUE
PARALEGAL

MMONTAGUE@COATSROSE.COM
DIRECT: (972) 419-4782
FAX: (972) 702-0662

November 30, 2022

VIA FEDERAL EXPRESS

Ms. Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality (MC 105)
12100 Park 35 Circle, Building F
Austin, Texas 78753

Re: Petition for Creation of Rockwood Municipal Utility District No. 1 of Denton
County (TCEQ Internal Control No. D-07212022-032)

Dear Ms. Gharis:

Enclosed please find the Affidavit of Publication of the Notice of District Petition published on November 19, 2022 and November 26, 2022 in the *Denton Record Chronicle*. Additionally, I have attached proof of sending the posting of the Notice of District Petition by the Grayson County Clerk on November 15, 2022.

If you have any questions, or if you need additional materials, please contact me.

Very truly yours,



Melisa Montague

Enclosures

14755 PRESTON ROAD, SUITE 600, DALLAS, TEXAS 75254
PHONE: (972) 788-1600 FAX: (972) 702-0662
coatsrose.com

HOUSTON | AUSTIN | DALLAS | SAN ANTONIO | NEW ORLEANS | CINCINNATI

ORIGIN ID:PNXA (972) 788-1600
 MELISSA MONTAGUE
 COATS ROSE P.C.
 14755 PRESTON ROAD, SUITE 600

DALLAS, TX 75254
 UNITED STATES US

SHIP DATE: 30NOV22
 ACTWGT: 0.50 LB
 CAD: 103556403/NET/4530

BILL SENDER

TEXAS
 COMMISSION
 ON ENVIRONMENTAL
 QUALITY

TO LAURIE GHARIS, CHIEF CLERK

2022 DEC -2 AM 9:46

TCEQ (MC 105)

12100 PARK 35 CIRCLE
 BUILDING F

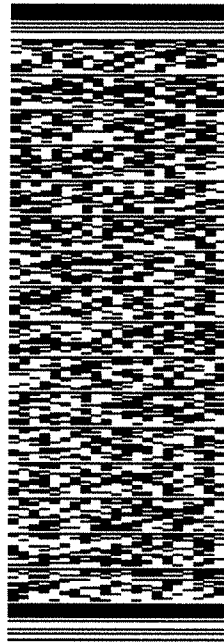
AUSTIN TX 78753

(512) 239-1000
 INV/ PO

REF: 176132 (ROCKWOOD CREATION)

DEPT.

CHIEF CLERKS OFFICE
 581339A97FE2D



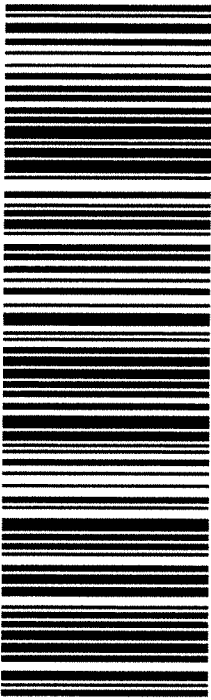
J224222101881uv

TRK# 7706 3791 4456
 0201

THU - 01 DEC 10:30A
 PRIORITY OVERNIGHT

48 MMRA

78753
 TX-US AUS



After printing this label:

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1,000, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT PETITION TCEQ INTERNAL CONTROL NO. D-07212022-032

PETITION. JLMCG Properties, LLC, a Nevada limited liability company, and Cendei Sherwood, (Petitioners) filed a petition for creation of Rockwood Municipal Utility District No. 1 of Denton 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 Petitioners hold 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 359 acres located within Denton County, Texas; and (4) all of the land within the proposed District is within the extraterritorial jurisdiction of the City of Ponder.

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) construct a water distribution system for domestic purposes; (2) construct a wastewater system; (3) control, abate, and amend harmful excesses of water and the reclamation and drainage of overflowed lands within the proposed District; (4) construct and finance macadamized, graveled, or paved roads, or improvements in aid of those roads; and (5) construct, install, maintain, purchase and operate such additional facilities, systems, plants, and enterprises as shall be consonant with all of the purposes for which the proposed District is created. Additionally, the proposed District will be granted the authority to design, acquire, construct, finance, issue bonds, operate, maintain, and convey to the State of Texas, a county, or a municipality for operation and maintenance, a road, or any improvement in aid of the road.

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 \$55,215,000 (\$37,685,000 for water, wastewater, and drainage and \$17,530,000 for roads).

The Property depicted in Exhibit "A" is located within the extraterritorial jurisdiction of the City of Ponder, Denton County, Texas (the "City"). In accordance with Local Government Code §42.042 and Texas Water Code §54.016, the Petitioners submitted a petition to the City, requesting the City's consent to the creation of the District. After more than 90 days passed without receiving consent, the Petitioners submitted a petition to the City to provide water and sewer services to the proposed District. The 120-day period for reaching a mutually agreeable contract as established by the Texas Water Code §54.016(c) expired and the information provided indicates that the Petitioners and the City have not executed a mutually agreeable contract for service. Pursuant to Texas Water Code §54.016(d), failure to execute such an agreement constitutes authorization for the Petitioners to initiate proceedings to include the land within the proposed District.

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: November 9, 2022



PLANTED BY
THE NAME
LAST SAID

Kimley»»Horn
81493 Union, Parkersburg

8100 Warren Parkway
Suite 210
Frisco, Texas 75034
972-335-3583
State of Texas Registration No. F-425

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Protecting Texas by Reducing and Preventing Pollution

November 9, 2022

Ms. Mindy Koehne
Coats Rose, PC
14755 Preston Road, Suite 600
Dallas, Texas 75254-6825

Re: Publication of Notice of District Petition regarding creation of Rockwood
Municipal Utility District No. 1
TCEQ Internal Control No. D-07212022-032

Dear Ms. Koehne:

Enclosed is a copy of the notice for the above petition. Please carefully review the notice for accuracy prior to publication and distribution. Contact James Walker in the District Administration Office at 512/239-2532 if the notice is found to be in error.

This full notice, including Exhibit A, must be published in accordance with 30 Texas Administrative Code Section 293.12, at your client's expense, in a newspaper (or newspapers) regularly published or circulated in the county or counties in which the proposed district is to be located. Publication shall be once a week for two consecutive weeks. The 30-day comment period will begin on the day after the date of the **second** publication.

In addition, pursuant to 30 Texas Administrative Code 293.12, you are required to post the enclosed notice, including Exhibit A, on the bulletin board used for posting legal notices in each county in which all or part of the proposed district is to be located. This notice should be posted so that it is available to the public no later than the date of your second newspaper publication.

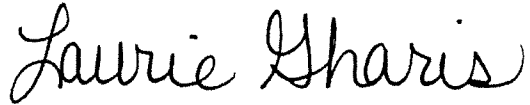
After notice has been published and posted in accordance with 293.12, please provide proof of these actions to the Chief Clerks Office (Mail Code 105). The proof for newspaper publication shall be the original TCEQ affidavit of publication completed and notarized by the newspaper and an original tear sheet from the newspaper. The proof of posting can be in the form of an affidavit signed by a representative for the proposed district, stating all facts of the posting action.

The Chief Clerk's Office should receive all affidavits no later than 14 days after the

second publication of the notice in the newspaper.

If you have any questions regarding these publication requirements, please contact Georgia Carroll-Warren in this office at 512/239-3314.

Sincerely,

A handwritten signature in black ink that reads "Laurie Gharis". The script is cursive and fluid, with the first name "Laurie" and last name "Gharis" clearly distinguishable.

Laurie Gharis
Chief Clerk

LG/ka
Enclosures

cc: To all on attached mailing list.

MAILING LIST

Rockwood Municipal Utility District No. 1 of Denton County
TCEQ Internal Control No. D-07212022-032

Ms. Mindy Koehne
Coats Rose, PC
14755 Preston Road, Suite 600
Dallas, Texas 75254-6825

Mr. Thomas Fletcher, P.E.
Kimley-Horn
6160 Warren Pkwy., Suite 210
Frisco, Texas 75034-9741

Ms. Alyssa Taylor
TCEQ Region 4
2309 Gravel Drive
Fort Worth, Texas 76118-6951

The Honorable Tan Parker
State Representative, District No. 63
Tan.parker@house.texas.gov

The Honorable Jane Nelson
State Senator, District No. 12
Jane.nelson@senate.texas.gov

Sheri Clearman, City Secretary
City of Ponder
102 West Bailey Street
Ponder, Texas 76259-7035

The Honorable Juli Luke
Denton County Clerk
1450 East McKinney Street
Denton, Texas 76209-4524

Mike Eastland, Executive Director
North Central Texas Council of Governments
Centerpoint III
616 Six Flags Drive
Arlington, Texas 76011-6347

Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Todd Galiga, Senior Attorney, Environmental
Law Division, MC-173

Harrison Cole Malley, Attorney, Environmental
Law Division, MC-173

James Walker, Technical Manager, Districts
Creation Review Team, MC-152

Stephanie DeSouza, Districts Creation Review
Team, MC-152

Justin P. Taack, Manager, Districts Section,
MC-152

Michelle Voytko, Districts Section, Water
Supply Division, MC-153

Garrett Arthur, Office of the Public Interest
Counsel, MC-103

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

Applicant Name: ROCKWOOD COUNTY MUD 1
TCEQ Tracking No. D-07212022-032 CID Item No. 130214
Application Type: PETITION FOR CREATION OF A DISTRICT

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS §

COUNTY OF: _____ §

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

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

sworn, deposes and says that (s)he is the _____
(title of newspaper representative)

of the _____ ; that said newspaper is
(name of newspaper)

regularly published or circulated in _____ County/Countries,
(name of county or counties)

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

(date or dates of publication)

Newspaper Representative's Signature

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

(Seal)

Notary Public in and for the State of Texas

Print or type Name of Notary Public

My Commission Expires _____