

# 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 Hunt County Municipal Utility District No. 5, SOAH Docket No. 582-23-26773, TCEQ Docket No. 2023-0560-DIS, was mailed on September 28, 2023.

Given under my hand and the seal of the Texas Commission on Environmental Quality, this the 28th day of September 2023.

*Laurie Gharis*

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Laurie Gharis, Chief Clerk  
Texas Commission on Environmental Quality

**SEAL**

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**NOTICE OF HEARING**  
**Hunt County Municipal Utility District No. 5**  
**SOAH Docket No. 582-23-26773**  
**TCEQ Docket No. 2023-0560-DIS**  
**TCEQ Internal Control No. D-10212022-034**

**PETITION.**

HMH Caddo Mills Land, LP, a Texas limited partnership, (Petitioner) filed a petition for creation of Hunt County Municipal Utility District No. 5 (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 128 acres located within Hunt County, Texas; and (4) all of the land within the proposed District is wholly within the extraterritorial jurisdiction of the City of Caddo Mills.

The petition further states that the proposed District will: (1) construct, maintain, and operate a waterworks system, including the purchase and sale of water for domestic and commercial purposes; (2) construct, maintain, and operate a sanitary sewer collection, treatment, and disposal system for domestic and commercial purposes; construct, install, maintain, purchase, and operate drainage and roadway facilities and improvements; and (3) construct, install, maintain, purchase, and operate facilities, systems, plants, and enterprises of such additional facilities as shall be consonant with all of 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 Petitioner that the cost of said project will be approximately \$23,785,000 (\$15,860,000 for water, wastewater, and drainage and \$7,925,000 for roads).

The territory to be included in the proposed District is located wholly within the extraterritorial jurisdiction of the City of Caddo Mills, Hunt County, Texas (the "City"). In accordance with Local Government Code §42.042 and Texas Water Code §54.016, the Petitioner submitted a petition to the City, requesting the City's consent to the creation of the District. After more than 90 days passed without receiving consent, the Petitioner submitted a petition to the City to provide water 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 Petitioner 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 Petitioner to initiate proceedings to include the land within the proposed District.

**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. – October 26, 2023**

**To join the Zoom meeting via computer:**

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

Meeting ID: 161 706 2552

Password: TCEQ73

or

**To join the Zoom meeting via telephone:**

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

Meeting ID: 161 706 2552

Password: 502992

**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](http://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) 239-3144. 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](http://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: September 28, 2023

Laurie Gharis, Chief Clerk  
Texas Commission on Environmental Quality

MAILING LIST  
Hunt County Municipal Utility District No. 5  
TCEQ Docket No. 2023-0560-DIS; SOAH Docket No. 582-23-26773

FOR THE APPLICANT:

Ross S. Martin, Attorney  
Winstead PC  
2728 North Harwood Street, Suite 500  
Dallas, Texas 75201

Todd Hensley  
Kimley-Horn and Associates, Inc.  
400 North Oklahoma Drive, Suite 105  
Celina, Texas 75009

INTERESTED PERSON(S):

Stephen C. Dickman  
Law Office of Stephen C. Dickman  
6005 Upvalley Run  
Austin, Texas 78731

FOR THE EXECUTIVE DIRECTOR  
via electronic mail:

Bobby Salehi, 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  
Public Education Program, MC-108  
P.O. Box 13087  
Austin, Texas 78711

FOR PUBLIC INTEREST COUNSEL  
via electronic mail:

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

FOR ALTERNATIVE DISPUTE  
RESOLUTION  
via electronic mail:

Kyle Lucas  
Texas Commission on Environmental  
Quality  
Alternative Dispute Resolution, MC-222  
P.O. Box 13087  
Austin, Texas 78711

FOR THE CHIEF CLERK  
via eFilings:

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

ERIC ALLMON  
PERALES ALLMON & ICE PC  
1206 SAN ANTONIO ST  
AUSTIN TX 78701-1834

JOSH BROCKMAN-WEBER  
STE C150  
4201 W PARMER LN  
AUSTIN TX 78727-4109

MR STEPHEN C DICKMAN  
LAW OFFICE OF STEPHEN C DICKMAN  
6005 UPVALLEY RUN  
AUSTIN TX 78731-3671

R REEVES HAYTER  
HAYTER ENGINEERING INC  
4445 SE LOOP 286  
PARIS TX 75460-6523

ANDY MESSER  
STE 200  
6371 PRESTON RD  
FRISCO TX 75034-7979

MR JOHN D PHILIPS  
JOHN D PHILIPS REALTY  
PO BOX 400  
CELESTE TX 75423-0400

MARK PLEMMONS  
5325 COUNTY ROAD 2594  
ROYSE CITY TX 75189-4809

JIM STARK  
1867 FM 513 S  
CAMPBELL TX 75422-5183

BETHANIE WALLGREN  
316 MAIN ST  
JOSEPHINE TX 75173-1211

**Georgia Carroll-Warren**

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**From:** TexReg@sos.texas.gov  
**Sent:** Wednesday, December 21, 2022 9:45 AM  
**To:** Mehgan Taack  
**Subject:** TEXAS REGISTER ACKNOWLEDGMENT OF RECEIPT

**ACKNOWLEDGMENT OF RECEIPT**

Please note that this email acknowledges receipt of your filing only. If we find that the document or submission form does not conform to statutory filing requirements or our administrative rules, we may refuse to accept it for filing and publication. If we refuse your filing, we will notify you.

**TRD Number:** 202205150  
**For Issue of:** 12/30/2022  
**Submission Date:** 2022-12-21 09:25 AM  
**Receipt Date:** 2022-12-21 09:44 AM

**Miscellaneous Document Submission**

**Agency Name:** Texas Commission on Environmental Quality  
**Agency Code:** 0152  
**Liaison:** Mehgan Taack  
**Title of Document:** NOTICE OF DISTRICT PETITION

**File Name:** 2DIS122122.docx

D-10212022-034

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

Applicant Name: Hunt County MUD 5  
TCEQ Tracking No. D-10212022-034 CID Item No. 130689  
Application Type: PETITION FOR CREATION OF A DISTRICT

**AFFIDAVIT OF PUBLICATION**

STATE OF TEXAS §

COUNTY OF: Hunt §

Before me, the undersigned authority, on this day personally appeared  
Andrew Walker, who being by me duly  
*(name of newspaper representative)*

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

of the Herald-Banner; that said newspaper is  
*(name of newspaper)*

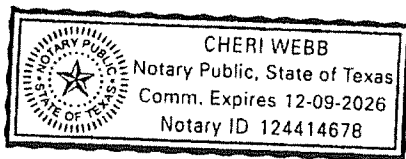
regularly published or circulated in Hunt County/Countries,  
*(name of county or counties)*

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

12/31/2022 01/07/2023  
*(date or dates of publication)*

\_\_\_\_\_  
Newspaper Representative's Signature

Subscribed and sworn to before me this the 9<sup>th</sup> day of January,  
20 23, to certify which witness my hand and seal of office.



(Seal)

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

Cheri Webb  
Print or type Name of Notary Public

My Commission Expires 12-09-2026



CLASSIFIEDS

PUBLIC NOTICES

**Texas Parks and Wildlife Dept.** will conduct a prescribed burn sometime between January 2023 and April 2023 on Lake Tawakoni State Park. For additional information, call 903-560-7123.

**PROPOSAL ADVERTISEMENT**

**HUNT MEMORIAL HOSPITAL DISTRICT  
HUNT REGIONAL MEDICAL CENTER**

**PROPOSAL INSTRUCTIONS**

Hunt Memorial Hospital District plans to perform a **buildout of a 6,497 square foot shell space** at a shopping center at 5000 East 130, Suite 130, Fats, TX 75189 to accommodate an Urgent Care & Medical Office. This Request for Proposal is intended for General Contractors capable of executing Design / Build Projects. Project Scope and specifications - to include a site visit of the structure, are available for request from:

**Pete Harrell, Project Manager**  
Hunt Regional Medical Center  
Facilities Management Office  
Phone: 318-381-9643  
Email: [pharrell@huntregional.org](mailto:pharrell@huntregional.org)

Three (3) hard copies or one (1) electronic copy of all proposal documents shall be sealed and submitted to:

Materials Management Office  
Hunt Regional Medical Center  
4215 Joe Ramsey Blvd  
Mailing Address: P. O. Drawer 1059  
Greenville, Texas 75403-1059  
Attention: **Billy Robinson**  
Email: [brob@huntregional.org](mailto:brob@huntregional.org)

At least 1 electronic version must be received no later than 11:00 a.m. on February 2, 2023. Mark envelope & email shall read "SEAL" and "RFP" for "Hunt Regional Healthcare Fate - Buildout". Electronic copy can be emailed before the deadline. Hard copies will be required to be received until 11:00 am CST February 2, 2023.

Hunt Memorial Hospital District appreciates your time and effort in preparing this proposal. Please note that all proposals must be received at the designated location by the deadline shown. Proposals received after the deadline will not be considered for the award of the contract and shall be considered void and unacceptable.

Proposals will be received and publicly announced. Proposers, their representatives and interested persons may be present.

Hunt Memorial Hospital District is exempt by law from payment of Texas Sales Tax; therefore, the proposal shall not include sales taxes.

Successful proposer shall defend, indemnify and save harmless Hunt Memorial Hospital District and all its officers, agents and employees from all suits, actions, and other claims of any character, name and description brought for or on account of any injuries or damages received or sustained by any person, persons, or property on account of any negligent act or fault of the successful proposer, or any agent, employee, subcontractor or supplier, in the execution of or performance under any contract which may result from award. Successful proposer shall pay any judgment with costs, which may be obtained, against Hunt Memorial Hospital District growing out of such injury or damages.

The specifications listed in the RFP are minimum requirements and are intended to govern the type of construction / materials needed. Variations from these specifications may be acceptable provided such differences are clearly noted on the proposal and are deemed to be advantageous to the Hospital District. A written explanation describing the scope of each exception should be included with a summary of the advantages each represents. For proper comparison and evaluation, the proposal should refer to each item of the RFP by number and note compliance or exception, and where indicated, provide description.

The award of the contract shall be made to the responsible offeror whose proposal is determined to be the most acceptable evaluated offer resulting from negotiation, taking into consideration the relative importance and other evaluation factors set forth in the Request for Proposals in accordance with the Texas Local Government Code, Chapter 262.

Hunt Memorial Hospital District has determined criteria evaluation requirements noted in specification section.

Hunt Memorial Hospital District reserves the right to reject any or all proposals, to waive technicalities, to re-advertise, to proceed otherwise when in the best interest of the district.

Having examined Project Scope & Specifications, to include at least one (1) site visit, prepared by Hunt Memorial Hospital District, and having examined site conditions, the undersigned proposes to furnish all architectural design layouts, permitting, construction schedule, labor, equipment and materials and perform all work in accordance with agreed-upon scope and applicable code requirements for the completion of the above-named project for the sum indicated below.

In submitting this proposal, the undersigned agrees to the following:

One (1) site visit/examination for all contractors/proposers will be held on Friday January 13th, 2023 at 10:00 a.m.

Specified allowances are include in the Base Proposal and agrees that unexpected balance of allowance sums will revert to the owner in the final settlement of the contract.

Means and Methods of construction are solely responsibility of the Contractor, including trenching and shoring operations and any anticipated costs associated with shoring engineering services are included in the base proposal.

Lump Sum Base BID Proposal Amount in Figures:

Lump Sum Base Proposal Amount in Words:

Bid Bond in figures:  
N/A

Bid Bond Amount in Words:  
N/A

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

**NOTICE OF DISTRICT PETITION  
TCEQ INTERNAL CONTROL NO. D-10212022-034**

**PETITION.** IIMI Caddo Mills Land, LP, a Texas limited partnership, (Petitioner) filed a petition for creation of Hunt County Municipal Utility District No. 5 (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 128 acres located within Hunt County, Texas; and (4) all of the land within the proposed District is wholly within the extraterritorial jurisdiction of the City of Caddo Mills.

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, maintain, and operate a waterworks system, including the purchase and sale of water for domestic and commercial purposes; (2) construct, maintain, and operate a sanitary sewer collection, treatment, and disposal system for domestic and commercial purposes; construct, install, maintain, purchase, and operate drainage and roadway facilities and improvements; and (3) construct, install, maintain, purchase, and operate facilities, systems, plants, and enterprises of such additional facilities as shall be consonant with all of 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 Petitioner that the cost of said project will be approximately \$23,785,000 (\$15,860,000 for water, wastewater, and drainage and \$7,925,000 for roads).

The Property depicted in Exhibit "A" is located wholly within the extraterritorial jurisdiction of the City of Caddo Mills, Hunt County, Texas (the "City"). In accordance with Local Government Code §42.042 and Texas Water Code §54.016, the Petitioner submitted a petition to the City, requesting the City's consent to the creation of the District. After more than 90 days passed without receiving consent, the Petitioner submitted a petition to the City to provide water 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 Petitioner 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 Petitioner 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.

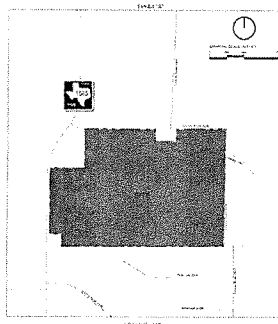
To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioners and the TCEQ Internal Control Number; (3) the statement "I/we request 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: December 21, 2022

Exhibit "A"



CLASSIFIEDS

# PUBLIC NOTICES

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

**NOTICE OF DISTRICT PETITION  
TCEQ INTERNAL CONTROL NO. D-10212022-034**

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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 128 acres located within Hunt County, Texas; and (4) all of the land within the proposed District is wholly within the extraterritorial jurisdiction of the City of Caddo Mills.

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, maintain, and operate a waterworks system, including the purchase and sale of water for domestic and commercial purposes; (2) construct, maintain, and operate a sanitary sewer collection, treatment, and disposal system for domestic and commercial purposes; construct, install, maintain, purchase, and operate drainage and roadway facilities and improvements; and (3) construct, install, maintain, purchase, and operate facilities, systems, plants, and enterprises of such additional facilities as shall be consonant with all of 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 Petitioner that the cost of said project will be approximately \$23,785,000 (\$15,860,000 for water, wastewater, and drainage and \$7,925,000 for roads).

The Property depicted in Exhibit "A" is located wholly within the extraterritorial jurisdiction of the City of Caddo Mills, Hunt County, Texas (the "City"). In accordance with Local Government Code §42.042 and Texas Water Code §54.016, the Petitioner submitted a petition to the City, requesting the City's consent to the creation of the District. After more than 90 days passed without receiving consent, the Petitioner submitted a petition to the City to provide water 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 Petitioner 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 Petitioner to initiate proceedings to include the land within the proposed District.

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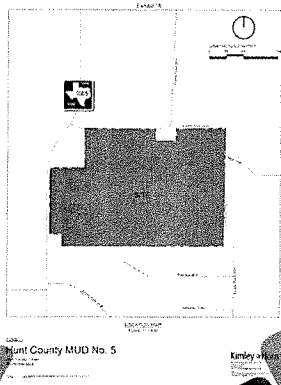
To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request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

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Issued: December 21, 2022

Exhibit "A"



Texas Parks and Wildlife Dept. will conduct a prescribed burn sometime between January 2023 and April 2023 on Lake Tawakoni State Park. For additional information, call 903-560-7123.

**HUNT COUNTY COMMISSIONERS COURT  
NOTICE OF APPLICATION FOR REPLAT OF  
OR PORTIONS THEREOF**

TO THE PUBLIC:

Application has been made to revise and replat approximately 4.13 acres of Lots #27 & #28 of Tom Sawyers Crazy Horse Ranches Installment No. 2, an addition to Hunt County, Texas, in the Amos Strickland Survey, Abst. No 941. More specifically, the owners propose to create 3 residential lots.

PLEASE BE ADVISED that the above referenced Application for Replat will be considered and possibly acted upon at a public hearing by the Hunt County Commissioner's Court at their regular meeting in the Commissioner's Courtroom, Courthouse Auxiliary Building, 2700 Johnson Street, Greenville, TX, 75401 on January 24, 2023, beginning at 10:00 a.m. The court will meet at that time to consider the Application and hear comments and protests to the revision of the plat.

**PUBLIC HEARING NOTICE**

**Caddo Mills  
Economic Development Corporation**

In accordance with the Development Corporation Act, Section 505.159 of the Texas Local Government Code, a public hearing will be held by the Caddo Mills Economic Development Corporation, a Type B economic development corporation, on **Monday, 9 January, 2023, at 6:00 P.M. at the Caddo Mills City Hall** located at 2313 Main Street, Caddo Mills, Texas, to consider and take action upon the following project: **\$20,000.00** in financial assistance to the **Twilight Coffee Shop** generally located at **2012 Gilmer Street, Caddo Mills, Texas**, for renovations and repairs. It is requested that you make your views known, either in person or by writing to the Caddo Mills Economic Development Corporation.

**STATE OF TEXAS  
COUNTY OF HUNT County Court at Law #1**

**CITATION BY PUBLICATION**

To ALL UNKNOWN HEIRS interested in the ESTATE of **RICHARD SAMUEL WRIGHT**:

On **08/23/2022**, Pamela Kellum-Wright filed a(n) Application For Determination of Heirship and Letters of Independent Administration in Cause No. 19557 in the County Court at Law #1 of Hunt County, Texas.

Said application may be heard and acted upon by said court after 10 o'clock a.m. on the first Monday next after the expiration of ten days from the date of publication of this citation.

ALL persons interested in said estate are hereby cited to appear before said court by filing a written answer contesting same should they desire to do so.

Given under my hand and seal of office in Hunt County, Texas, this 4th day of January, 2023.

BECKY LANDRUM, Clerk  
County Court at Law #1  
P.O. Box 1316  
Greenville, Texas 75403

BY: *Is/ Heather Gibson*  
HEATHER GIBSON / Deputy Clerk

What if  
**America**  
didn't NOTICE?

Public notices help expose:

- fraud in government!
- dishonest businesses!
- unfair competitive practices!

Find out about these and much more in your local newspaper!

**Participate in Democracy.**  
**Read your Public Notices.**

FILED FOR RECORD  
BECKY LANDRUM  
COUNTY CLERK HUNT CO. TX

22 DEC 28 AM 7:49

*April Vroman*  
DEPUTY

CERTIFICATE OF POSTING NOTICE

THE STATE OF TEXAS §  
§  
COUNTY OF HUNT §

I, April Vroman, do hereby certify that at 7:49 am/pm on Dec 28<sup>th</sup>, 2022, I posted the attached and foregoing Notice of District Petition for Creation of Hunt County Municipal Utility District No. 5 from the Texas Commission on Environmental Quality on the bulletin board used for posting legal notices at the Hunt County Clerk's Office as required by 30 Texas Administrative Code §293.12(b)(2).

EXECUTED this 28<sup>th</sup> day of December, 2022.



Hunt County Clerk  
Becky Landrum, County Clerk  
2507 Lee Street  
2nd Floor  
Greenville, TX 75401  
(903) 408-4130

By: *April Vroman*  
Name: *April Vroman*

Receipt: 22-25025

Product	Name	Extended
PUBNOT	PUBLIC NOTICE	\$3.00
	No Charge	false
	Public Notice	\$2.00
	Courthouse Security	\$1.00
<b>Total</b>		<b>\$3.00</b>
Tender (On Account)		\$3.00
Account #	VERANDAH	
Account Name	WINSTEAD/VERANDAH	
Balance	(\$262.00)	

Thank You for Your Business

12/28/22 7:57 AM avroman

**Laurie Gharis**

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**From:** Hahn, Vicki <vhahn@winstead.com>  
**Sent:** Monday, January 9, 2023 2:57 PM  
**To:** PROOFS  
**Cc:** James Walker  
**Subject:** Hunt County Municipal Utility District No. 5 - D-10212022-034 ("District") - Proofs of Publishing and Posting Notice of District Petition  
**Attachments:** HCMUD No. 5 - Executed Certificate of Posting Notice of District Petition on County Website on December 28, 2022 4862-9554-6183 1.pdf; HCMUD No. 5 - Affidavit of Publication and Tearsheets for Notice of District Petition - 12-31-22 and 1-7-23 4888-7534-3688 1.pdf

Good afternoon,

In accordance with 30 T.A.C. 293.12, attached are the following proofs for the District:

1. Affidavit of Publication of the Notice of District Petition in the Herald Democrat on December 31, 2022 and January 7, 2023 ; and
2. Certificate of Posting of Notice of District Petition on the County website dated December 28, 2022.

If you need anything else, please let me know.

Best regards,

Vicki

**Vicki Hahn**  
**Paralegal**

Winstead PC | 401 Congress Avenue, Suite 2100 | Austin, Texas 78701  
(512) 370-2931 *direct* | (310) 490-5060 *cell* | [vhahn@winstead.com](mailto:vhahn@winstead.com) | [www.winstead.com](http://www.winstead.com)

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Information contained in this transmission is attorney privileged and confidential. It is intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone.

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF DISTRICT PETITION TCEQ INTERNAL CONTROL NO. D-10212022-034

**PETITION.** HMH Caddo Mills Land, LP, a Texas limited partnership, (Petitioner) filed a petition for creation of Hunt County Municipal Utility District No. 5 (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 128 acres located within Hunt County, Texas; and (4) all of the land within the proposed District is wholly within the extraterritorial jurisdiction of the City of Caddo Mills.

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, maintain, and operate a waterworks system, including the purchase and sale of water for domestic and commercial purposes; (2) construct, maintain, and operate a sanitary sewer collection, treatment, and disposal system for domestic and commercial purposes; construct, install, maintain, purchase, and operate drainage and roadway facilities and improvements; and (3) construct, install, maintain, purchase, and operate facilities, systems, plants, and enterprises of such additional facilities as shall be consonant with all of 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 Petitioner that the cost of said project will be approximately \$23,785,000 (\$15,860,000 for water, wastewater, and drainage and \$7,925,000 for roads).

The Property depicted in Exhibit "A" is located wholly within the extraterritorial jurisdiction of the City of Caddo Mills, Hunt County, Texas (the "City"). In accordance with Local Government Code §42.042 and Texas Water Code §54.016, the Petitioner submitted a petition to the City, requesting the City's consent to the creation of the District. After more than 90 days passed without receiving consent, the Petitioner submitted a petition to the City to provide water 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 Petitioner 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 Petitioner 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.

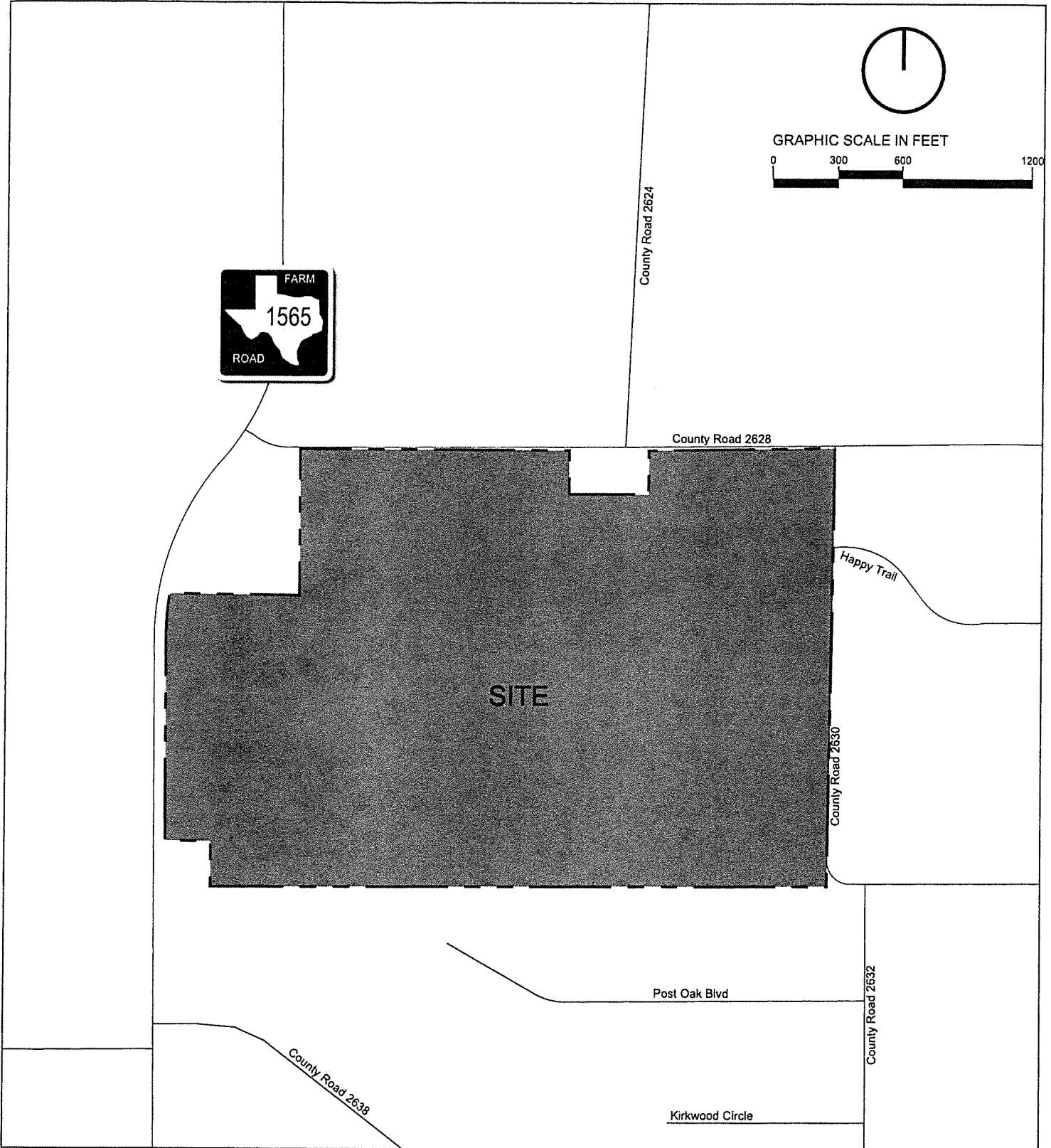
To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioners and the TCEQ Internal Control Number; (3) the statement "I/we request 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: December 21, 2022

Exhibit "A"



LOCATION MAP  
SCALE: 1" = 600'

EXHIBIT 1

# Hunt County MUD No. 5

Hunt County, Texas  
September 2022

## Kimley»Horn

409 North Oklahoma Drive, Suite 105  
Coles, TX 75009  
409-501-2200  
State of Texas Registration No. F-928

NOTES:  
1. THIS PLAN IS CONCEPTUAL IN NATURE AND IS NOT TO BE USED FOR CONSTRUCTION.  
2. ANY CHANGES TO THIS PLAN SHALL BE MADE BY A CHANGE ORDER OR ADDENDUM.  
3. ANY WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, ETC.  
4. ANY WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, ETC.

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Erin E. Chancellor, *Interim Executive Director*



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

December 21, 2022

Mr. Ross Martin  
Winstead, PC  
410 Congress Avenue, Suite 2100  
Austin, Texas 78701-3798

Re: Publication of Notice of District Petition regarding creation of Hunt County  
Municipal Utility District No. 5  
TCEQ Internal Control No. D-10212022-034

Dear Mr. Martin:

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.

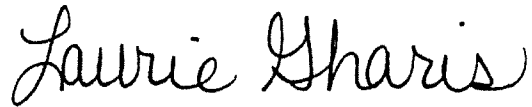
The Chief Clerk's Office should receive all affidavits no later than 14 days after the



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 signature is written in a cursive, flowing style.

Laurie Gharis  
Chief Clerk

LG/ka  
Enclosures

cc: To all on attached mailing list.

## MAILING LIST

Hunt County Municipal Utility District No. 5  
TCEQ Internal Control No. D-10212022-034

Mr. Ross Martin  
Winstead, PC  
410 Congress Avenue, Suite 2100  
Austin, Texas 78701-3798

Mr. Todd Hensley, P.E.  
Kimley-Horn & Associates  
400 North Oklahoma Drive, Suite 105  
Celina, Texas 75009-6259

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

The Honorable Bryan Slaton  
State Representative, District No. 2  
Bryan.slaton@house.texas.gov

The Honorable Bob Hall  
State Senator, District No. 2  
Bob.hall@senate.texas.gov

Becky Pattillo, City Secretary  
City of Caddo Mills  
2313 Main Street  
Caddo Mills, Texas 75135-6485

Becky Landrum, County Clerk  
Hunt County  
2507 Lee Street, 2<sup>nd</sup> Floor  
Greenville, Texas 75401-4245

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

BHP Water Supply Corporation  
P.O. Box 370  
Royse City, Texas 75189-0370

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

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

Bobby Salehi, 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

Sean Ables, 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: Hunt County MUD 5  
TCEQ Tracking No. D-10212022-034 CID Item No. 130689  
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.

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

(Seal)

\_\_\_\_\_  
Print or type Name of Notary Public

My Commission Expires \_\_\_\_\_

# Texas Commission on Environmental Quality

## INTEROFFICE MEMORANDUM

**To:** Notice Team Leader  
Office of the Chief Clerk

**Date:** December 14, 2022

**From:** James Walker  
Districts Creation Review Team

**Subject:** Petition for Creation of Hunt County Municipal Utility District No. 5  
TCEQ Internal Control No. D-10212022-034  
CN: 606072361                      RN: 111594487

The above referenced application was declared administratively complete on November 1, 2022. Pursuant to Title 30 Texas Administrative Code Section 293.12, please send a copy of the appropriate notice to the applicant indicating that an application has been received and notifying interested persons of the procedures for requesting a public hearing. Please advise the applicant to carefully review the notice for accuracy before publishing and to contact our office if any errors are found.

The applicant is requesting approval to create Hunt County Municipal Utility District No. 5 under Article XVI, Section 59 of the Texas Constitution and Chapters 49 and 54 of the Texas Water Code. The proposed District shall consist of approximately 128 acres of land and is depicted in the vicinity map designated as Exhibit "A".

Attachments: Notice  
Vicinity Map (Exhibit "A")  
Mailing List  
Petition for Creation

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF DISTRICT PETITION TCEQ INTERNAL CONTROL NO. D-10212022-034

**PETITION.** HMH Caddo Mills Land, LP, a Texas limited partnership, (Petitioner) filed a petition for creation of Hunt County Municipal Utility District No. 5 (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 128 acres located within Hunt County, Texas; and (4) all of the land within the proposed District is wholly within the extraterritorial jurisdiction of the City of Caddo Mills.

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, maintain, and operate a waterworks system, including the purchase and sale of water for domestic and commercial purposes; (2) construct, maintain, and operate a sanitary sewer collection, treatment, and disposal system for domestic and commercial purposes; construct, install, maintain, purchase, and operate drainage and roadway facilities and improvements; and (3) construct, install, maintain, purchase, and operate facilities, systems, plants, and enterprises of such additional facilities as shall be consonant with all of 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 Petitioner that the cost of said project will be approximately \$23,785,000 (\$15,860,000 for water, wastewater, and drainage and \$7,925,000 for roads).

The Property depicted in Exhibit "A" is located wholly within the extraterritorial jurisdiction of the City of Caddo Mills, Hunt County, Texas (the "City"). In accordance with Local Government Code §42.042 and Texas Water Code §54.016, the Petitioner submitted a petition to the City, requesting the City's consent to the creation of the District. After more than 90 days passed without receiving consent, the Petitioner submitted a petition to the City to provide water 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 Petitioner 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 Petitioner 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.

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**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/>.

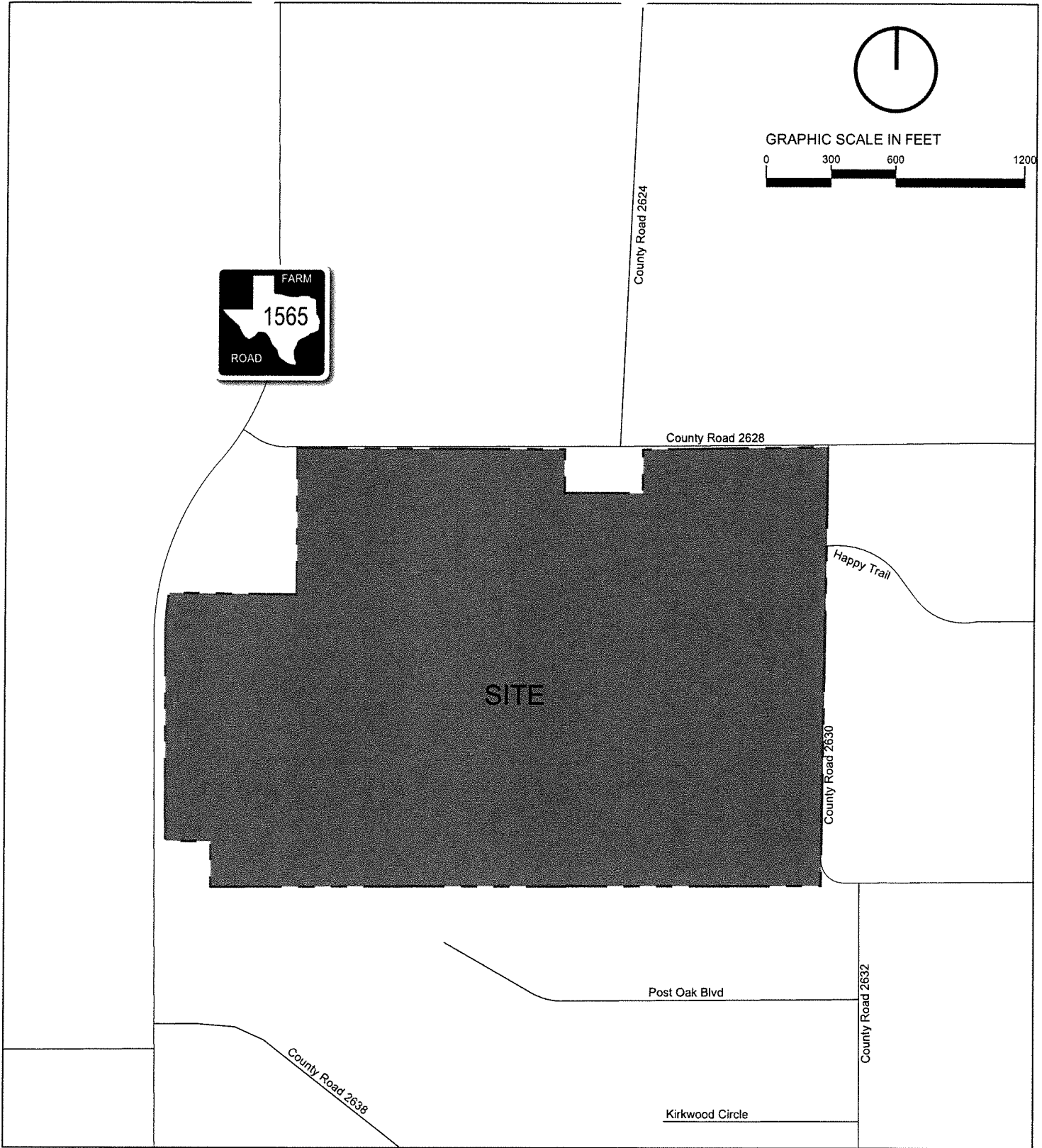
Issued:

## MAILING LIST

Hunt County Municipal Utility District No. 5  
TCEQ Internal Control No. D-10212022-034

<p>Mr. Ross Martin Winstead, PC 410 Congress Ave., Suite 2100 Austin, Texas 78701-3798</p> <p>Mr. Todd Hensley, P.E. Kimley-Horn &amp; Associates 400 N. Oklahoma Dr., Suite 105 Celina, Texas 75009-6259</p> <p>Ms. Alyssa Taylor TCEQ Region 4 2309 Gravel Drive Fort Worth, Texas 76118-6951</p> <p>The Honorable Bryan Slaton State Representative, District No. 2 Room E2.420 P.O. Box 2910 Austin, Texas 78768-2910</p> <p>The Honorable Bob Hall State Senator, District No. 2 P.O. Box 12068 Capital Station Austin, Texas 78711-2068</p> <p>City of Caddo Mills Attn: Becky Pattillo, City Secretary 2313 Main St. Caddo Mills, Texas 75135-6485</p> <p>Hunt County Attn: Becky Landrum, County Clerk 2507 Lee St., 2<sup>nd</sup> Floor Greenville, Texas 75401-4245</p> <p>Mike Eastland, Executive Director North Central Texas Council of Governments Centerpoint III 616 Six Flags Drive Arlington, Texas 76011-6347</p> <p>BHP Water Supply Corporation P.O. Box 370 Royse City, Texas 75189-0370</p>	<p>Texas Commission on Environmental Quality P. O. Box 13087 Austin, Texas 78711-3087</p> <p>Todd Galiga, Senior Attorney, Environmental Law Division, MC-173</p> <p>Bobby Salehi, Attorney, Environmental Law Division, MC-173</p> <p>James Walker, Technical Manager, Districts Creation Review Team, MC-152</p> <p>Stephanie DeSouza, Districts Creation Review Team, MC-152</p> <p>Justin P. Taack, Manager, Districts Section, MC-152</p> <p>Sean Ables, Districts Section, Water Supply Division, MC-153</p> <p>Garrett Arthur, Office of the Public Interest Counsel, MC-103</p>
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Exhibit "A"



LOCATION MAP  
SCALE: 1" = 600'

EXHIBIT 1

# Hunt County MUD No. 5

Hunt County, Texas  
September 2022

## Kimley»Horn

400 North Oklahoma Drive, Suite 105  
Celine, TX 75009  
409-501-2200  
State of Texas Registration No. F-928

NOTES:  
1. THIS PLAN IS CONCEPTUAL IN NATURE AND HAS NOT BEEN PRODUCED WITH THE  
BEST OF A SURVEY OR CONDUCT WITH THE OFFICE OF THE COUNTY CLERK, ETC.  
2. AERIAL IMAGE BY HERE MAPS. COPYRIGHT © 2022



**PETITION FOR THE CREATION OF THE HUNT COUNTY MUNICIPAL  
UTILITY DISTRICT NO. 5**

THE STATE OF TEXAS                               §  
   §  
COUNTY OF HUNT                               §

TO THE HONORABLE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

The undersigned petitioner, (herein the "Petitioner", whether one or more), being a majority of the landowners who hold title to land(s) situated within the area hereinafter described, which represents a total value of more than 50% of the value of all such area, and being a majority in value of the holders of title of said area described by metes and bounds in Exhibit A attached hereto (the "Land"), respectfully petitions the Texas Commission on Environmental Quality ("TCEQ") for the creation of a municipal utility district in Hunt County, Texas, pursuant to the provisions of Chapters 49 and 54 of the Texas Water Code, together with all amendments and additions thereto, and would respectfully show the following:

I.

The name of the proposed district shall be HUNT COUNTY MUNICIPAL UTILITY DISTRICT NO. 5 ("District"). There is no other conservation or reclamation district in Hunt County, Texas with the same name.

II.

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

III.

The District shall contain an area of approximately 128 acres of land, situated within Hunt County, Texas, described by metes and bounds in Exhibit "A", which is attached hereto and made a part hereof for all purposes. The described property is wholly located within the extraterritorial jurisdiction of the City of Caddo Mills, Texas (the "City").

IV.

On October 19, 2021, Petitioner served the Petition for Consent to Creation of Political Subdivision in the Extraterritorial Jurisdiction of the City of Caddo Mills, Texas

(the "Petition for Consent") on the City Secretary for the City of Caddo Mills, Texas. A copy of the Petition for Consent is attached hereto as **Exhibit B**. The City has not consented to the creation of the District.

V.

On January 22, 2022, Petitioner posted the Notice of Petition to the City of Caddo Mills, Texas for Water and Sanitary Sewer Service (the "Notice of Petition"), in three places convenient to the public within the boundaries of the Land sought to be added to the District. The affidavit of posting of the Notice of the Petition (the "Affidavit of Posting") is attached hereto as **Exhibit C**.

On January 27, 2022, the Petitioner published the Notice of Petition in the Herald-Banner, a newspaper of general circulation within and around the District. The Notice of Petition and proof of publication of the Notice of Petition are attached hereto as **Exhibit D**.

VI.

On February 15, 2022, Petitioner petitioned the City to provide water and sanitary sewer services to the Land in accordance with Sec. 42.042(b) of the Texas Local Government Code. Such petition is attached hereto as **Exhibit E**. The City has not contractually agreed to provide water and wastewater service to the Land and now more than 120 days have passed since Petitioner submitted its Petition for Water and Sanitary Sewer Service to the City. The City has not consented to the creation of the District and has failed to execute a contract providing for the water or sanitary sewer services requested by the Petitioner within the time limits prescribed by Section 42.042, Texas Local Government Code.

VII.

Petitioners are the record owner of the described land, as evidenced by the execution of this Petition. Petitioners represent that there are no lienholders with respect to the Land.

VIII.

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

IX.

The general nature of the work proposed to be done by the District at the present time is the construction, maintenance and operation of a waterworks system, including the

purchase and sale of water, for domestic and commercial purposes; the construction, maintenance and operation of a sanitary sewer collection, treatment and disposal system, for domestic and commercial purposes; the construction, installation, maintenance, purchase and operation of drainage and roadway facilities and improvements; and the construction, installation, maintenance, purchase and operation of facilities, systems, plants and enterprises of such additional facilities as shall be consonant with the purposes for which the District is organized.

#### X.

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

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

#### XI.

Said proposed improvements are practicable and feasible, in that the terrain of the territory to be included in the District is of such a nature that a waterworks, sanitary sewer, drainage and roadway system can be constructed at a reasonable cost, currently estimated at \$23,785,000, with reasonable ad valorem tax and assessment rates and water and sewer rates, and said territory will be developed for residential and commercial purposes. The District shall be designated a noncity service district in the meaning of Section 54.016, Texas Water Code, as the District does not currently propose to connect to the City's water or sewer system or propose to contract with a regional water and wastewater provider to which the City has made a capital contribution for the water and wastewater facilities serving the area within the proposed District, as of the date this Petition is filed.

XII.

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

1. Jason Cooper
2. Logan Pruitt
3. John King
4. Dana Allen Nollette
5. Dylan Patel

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

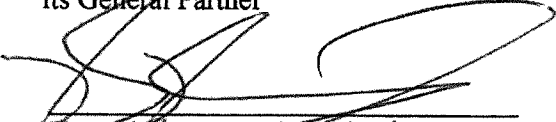
*[Signature Page Follows]*

RESPECTFULLY SUBMITTED, this 20<sup>th</sup> day of September, 2022

PETITIONER:

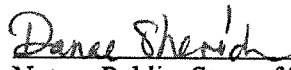
HMH CADDO MILLS LAND, LP,  
a Texas limited partnership

By: BNM Land, LLC,  
a Texas limited liability company,  
its General Partner

By:   
Name: B. Nelson Mitchell, Jr.  
Title: President

THE STATE OF TEXAS           §  
  §  
COUNTY OF Tarrant           §

This instrument was acknowledged before me on this the 20<sup>th</sup> day of September, 2022, by B. Nelson Mitchell, Jr. President of BNM Land, LLC, a Texas limited liability company, General Partner of HMH Caddo Mills Land, LP, a Texas limited partnership, on behalf of said limited partnership.

  
Notary Public, State of Texas

