

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, 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

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

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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.

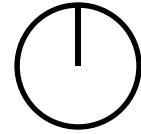
To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioners and the TCEQ Internal Control Number; (3) the statement "I/we request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

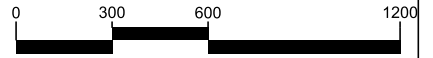
INFORMATION. Written hearing requests should be submitted to the Office of the Chief Clerk, MC-105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC-103, at the same address. General information regarding TCEQ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

Issued: December 21, 2022

Exhibit "A"



GRAPHIC SCALE IN FEET



County Road 2624

County Road 2628

Happy Trail

SITE

County Road 2630

Post Oak Blvd

County Road 2632

Kirkwood Circle

County Road 2638

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
Celina, TX 75009
469-501-2200
State of Texas Registration No. F-928

NOTES:
1. THIS PLAN IS CONCEPTUAL IN NATURE AND SHOULD NOT BE USED WITHOUT THE
BENEFIT OF A SURVEY OR CONTACT WITH THE CITY/COUNTY, ETC.
2. AERIAL IMAGE BY NEARMAP, COPYRIGHT 2021

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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)

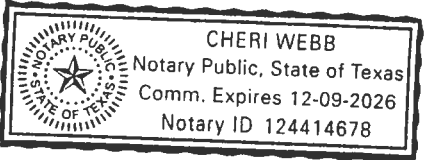
regularly published or circulated in Hunt County/Countries,
(name of county or counties)

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 9th day of January,
20 23, to certify which witness my hand and seal of office.



(Seal)

Cheri Webb
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 I30, Suite 130, Fate, 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: dharrell@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: brobinson@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 "SEALED PROPOSAL 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

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TCEQ INTERNAL CONTROL NO. D-10212022-034**

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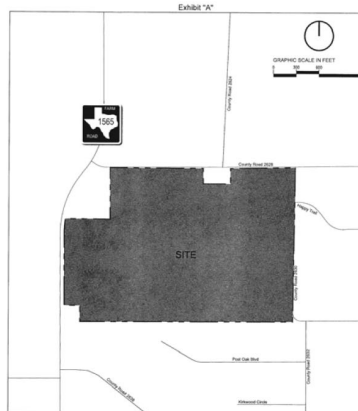
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Issued: December 21, 2022

Exhibit "A"



Hunt County MUD No. 5

Kimley-Horn

CLASSIFIEDS

PUBLIC NOTICES

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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TCEQ INTERNAL CONTROL NO. D-10212022-034**

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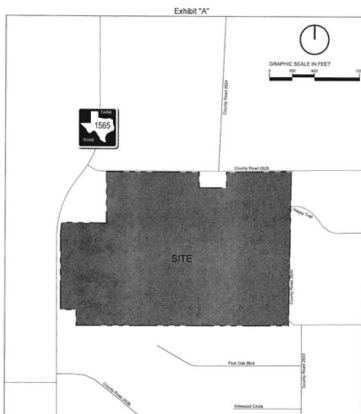
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Exhibit "A"



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 427 & 428 of Tom Sawyers Crazy Horse Ranchos 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: */s/ 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 7:41 am/pm on Dec 28th, 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 28th 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
Total		\$3.00
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

**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.

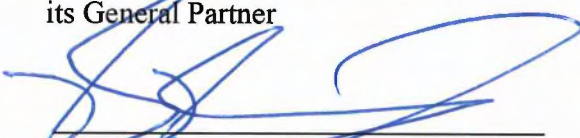
[Signature Page Follows]

RESPECTFULLY SUBMITTED, this 20th 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 20th 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.

Danae Sheridan
Notary Public, State of Texas

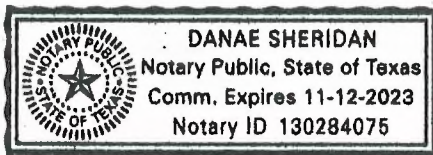
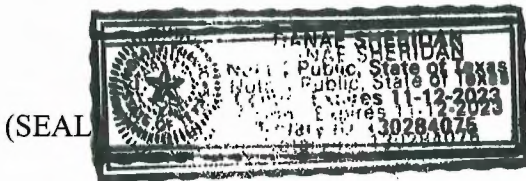


EXHIBIT "A"
Legal Descripti

MUD BOUNDARY DESCRIPTION

BEING all that tract of land in Hunt County, Texas, out of the Clements Bustilla Survey, A-49, and being all of that called 123.93 acres of land described in a deed to HMH Caddo Mills Land, L.P. as recorded under Document No. 2020-22751 of the Official Public Records of Hunt County, Texas, and being all of that called 4.33 acres of land described in deed to HMH Caddo Mills Land, L.P. as recorded under Document No. 2021-23280 of the Official Public Records of Hunt County, Texas, and being further described as follows:

BEGINNING at a 60d nail found at the centerline intersection of County Road No. 2628 and County Road No. 2630, same being the Northeast corner of said 123.93 acres;

THENCE South 00 degrees 43 minutes 40 seconds West, 2015.01 feet along the center of said County Road No. 2630 to a 1/2 inch steel rod found at centerline intersection of a turn in said County Road No. 2630, and at the Southeast corner of said 123.93 acres;

THENCE South 89 degrees 50 minutes 07 seconds West (Directional Control Line), 2813.63 feet along the South line of said 123.93 acres to a 1/2 inch steel rod found at the Southerly most Southwest corner of said 123.93 acres, and at the Southeast corner of that called 1.00 acres of land described in deed to Edward J. Armstrong as recorded under Document No. 2013-11756 of the Official Public Records of Hunt County, Texas;

THENCE North 00 degrees 14 minutes 43 seconds West, 208.31 feet to a 1/2 inch steel rod found at an inside corner of said 123.93 acres, and at the Northeast corner of said 1.00 acres;

THENCE North 89 degrees 24 minutes 21 seconds West, 208.56 feet to a 1/2 inch steel rod found on the East line of F.M. Highway No. 1565, at the Westerly most Southwest corner of said 123.93 acres, and at the Northwest corner of said 1.00 acres;

THENCE North 00 degrees 13 minutes 26 seconds West, 943.66 feet along the East line of said F.M. Highway No. 1565 to a 5/8 inch steel rod set at point of curve;

THENCE Northeasterly, 195.46 feet along said highway and a curve to the right having a radius of 1095.92 feet and a central angle of 10 degrees 13 minutes 08 seconds (Chord bears North 04 degrees 53 minutes 08 seconds East, 195.20 feet) to a 1/2 inch steel rod found at the Westerly most Northwest corner of said 123.93 acres, and at the Southwest corner of that called 6.83 acres of land described in a deed to Henry E. Morris and Eunice K. Morris as recorded under Document No. 2012-8130 of the Official Public Records of Hunt County, Texas;

THENCE South 89 degrees 25 minutes 27 seconds East, 582.88 feet to a 5/8 inch steel rod set at the Southwest corner of said 4.33 acres;

THENCE North 00 degrees 29 minutes 31 seconds East, 672.18 feet to a point in the center of said County Road No. 2628, and the Northwest corner of said 4.33 acres, from which a 5/8 inch steel rod set bears South 00 degrees 29 minutes 31 seconds East, 20.00 feet for witness;

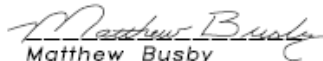
THENCE South 89 degrees 47 minutes 36 seconds East, 1231.96 feet along the center of said County Road No. 2628 to a pk nail found at a Northeast corner of said 123.93 acres, and at the Northwest corner of that called 1.64 acres of land described in a deed to Ann Taylor as recorded under Document No. 2011-7287 of the Official Public Records of Hunt County, Texas;

THENCE South 00 degrees 06 minutes 14 seconds West, 200.00 feet to a 5/8 inch steel rod set at an inside corner of said 123.93 acres, and at the Southwest corner of said 1.64 acres;

THENCE South 89 degrees 53 minutes 46 seconds East, 360.50 feet to a 5/8 inch steel rod set at another inside corner of said 123.93 acres, and at the Southeast corner of said 1.64 acres;

THENCE North 00 degrees 06 minutes 14 seconds East, 200.00 feet to a pk nail found in the center of said County Road No. 2628, at a Northwest corner of said 123.93 acres, and at the Northeast corner of said 1.64 acres;

THENCE North 89 degrees 07 minutes 15 seconds East, 854.75 feet along the center of said County Road No. 2628 to the POINT OF BEGINNING, containing 128.26 acres of land.


Matthew Busby

R.P.L.S. No. 5751

September 13, 2022



2209-009

on – Metes and Bounds

EXHIBIT "B"
Petition for Consent – Filed with City

RECEIVED
OCT 19 2021

PETITION FOR CONSENT TO CREATION OF POLITICAL SUBDIVISION.....
IN THE EXTRATERRITORIAL JURISDICTION
OF THE CITY OF CADDO MILLS, TEXAS

THE STATE OF TEXAS §
 §
COUNTY OF HUNT §

TO THE HONORABLE MAYOR AND
CITY COUNCIL OF THE CITY OF CADDO MILLS:

The undersigned petitioner (herein the "Petitioner", whether one or more), being a majority of the persons 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 the land within said area as indicated by the tax rolls of the Hunt County Appraisal District, acting pursuant to the applicable provisions of the Texas Water Code, as amended, and Section 42.042, Texas Local Government Code, together with all amendments and additions thereto, respectfully petitions this Honorable Body for consent to the creation of a conservation and reclamation district and political subdivision of the State of Texas under Article XVI, Section 59 and Article III, Section 52 of the Texas Constitution within the extraterritorial jurisdiction of the City of Caddo Mills, Texas (the "City"), and would respectfully show the following:

I.

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

II.

The District shall be created and organized and shall exist under the terms and provisions of Article XVI, Section 59 and Article III, Section 52 of the Texas Constitution and Chapters 49 and 54 of the Texas Water Code, as amended, together with all amendments and additions thereto.

III.

The District shall contain an area of approximately 128.26 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 located within the extraterritorial jurisdiction of the City of Caddo Mills.

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IV.

The undersigned constitute the current landowners of the property to be included within the District.

V.

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 if required by law, subsequently acquired and approved by an election held within the District, Chapter 257, Texas Transportation Code, or by any other State law.

VI.

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.

VII.

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.

4829-0995-8654v.1 49198-10 10/8/2021

VIII.

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, storm sewer and roadway system can be constructed at a reasonable cost, currently estimated at \$37,086,000, 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 facilities provider serving the area within the District, as of the date this Petition is filed.

WHEREFORE, the undersigned respectfully pray that this Petition be granted in all respects and that the City of Caddo Mills give its written consent to the creation of the District, and for such other orders, acts, procedure and relief as are proper and necessary and appropriate to the purpose of creating and organizing the District and to the execution of the purposes for which the District shall be organized.

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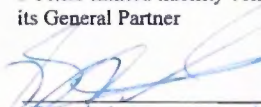
4829-0995-8654v.1 49198-10 10/8/2021

EXECUTED THIS 18th day of October, 2021.

PETITIONER:

HMH CADDO MILLS LAND, LP,
a Texas limited partnership

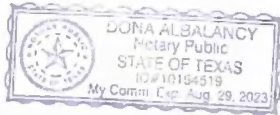
By: BNM Land, LLC,
a Texas limited liability company,
its General Partner

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

THE STATE OF TEXAS §
 §
COUNTY OF Tarrant §

This instrument was acknowledged before me on this the 18th day of October, 2021, 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.

(SEAL)



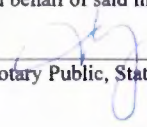

Notary Public, State of Texas

EXHIBIT "A"

TRACT A

BEING all that tract of land in Hunt County, Texas, out of the Clements Bustilla Survey, A-49, and being all of that called 123.59 acres of land described in a deed to Laura L. Morris as Volume 788, Page 400 of the Official Public Records of Hunt County, Texas, and being further described as follows:

BEGINNING at a 60d nail found at the centerline intersection of County Road No. 2628 and County Road No. 2630, same being the Northeast corner of said 123.59 acres;

THENCE South 00 degrees 43 minutes 40 seconds West, 2015.01 feet along the center of said County Road No. 2630 to a 1/2 inch steel rod found at centerline intersection of a turn in said County Road No. 2630, and at the Southeast corner of said 123.59 acres;

THENCE South 89 degrees 50 minutes 07 seconds West (Directional Control Line), 2813.63 feet along the South line of said 123.59 acres to a 1/2 inch steel rod found at the Southerly most Southwest corner of said 123.59 acres, and at the Southeast corner of that called 1.00 acres of land described in deed to Edward J. Armstrong as recorded under Document No. 2013-11756 of the Official Public Records of Hunt County, Texas;

THENCE North 00 degrees 14 minutes 43 seconds West, 208.31 feet to a 1/2 inch steel rod found at an inside corner of said 123.59 acres, and at the Northeast corner of said 1.00 acres;

THENCE North 89 degrees 24 minutes 21 seconds West, 208.56 feet to a 1/2 inch steel rod found on the East line of F.M. Highway No. 1565, at the Westerly most Southwest corner of said 123.59 acres, and at the Northwest corner of said 1.00 acres;

THENCE North 00 degrees 13 minutes 26 seconds West, 943.66 feet along the East line of said F.M. Highway No. 1565 to a 5/8 inch steel rod set at point of curve;

THENCE Northeasterly, 195.46 feet along said highway and a curve to the right having a radius of 1095.92 feet and a central angle of 10 degrees 13 minutes 08 seconds (Chord bears North 04 degrees 53 minutes 08 seconds East, 195.20 feet) to a 1/2 inch steel rod found at the Westerly most Northwest corner of said 123.59 acres, and at the Southwest corner of that called 6.83 acres of land described in a deed to Henry E. Morris and Eunice K. Morris as recorded under Document No. 2012-8130 of the Official Public Records of Hunt County, Texas;

THENCE South 89 degrees 25 minutes 27 seconds East, 863.07 feet to a 1/2 inch steel rod found at an ell corner of said 123.59 acres, and at the Southeast corner of that called 4.32 acres of land described in deed to Stanley J. Young and Nelda S. Young as recorded in Volume 18, Page 726 of the Real Records of Hunt County, Texas;

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THENCE North 00 degrees 29 minutes 31 seconds East, 673.99 feet to a point in the center of said County Road No. 2628, at the Northerly most Northwest corner of said 123.59 acres, and at the Northeast corner of said 4.32 acres, from which a 3/8 inch steel rod found bears South 00 degrees 29 minutes 31 seconds West, 14.78 feet for witness;

THENCE South 89 degrees 47 minutes 36 seconds East, 951.76 feet along the center of said County Road No. 2628 to a pk nail found at a Northeast corner of said 123.59 acres, and at the Northwest corner of that called 1.64 acres of land described in a deed to Ann Taylor as recorded under Document No. 2011-7287 of the Official Public Records of Hunt County, Texas;

THENCE South 00 degrees 06 minutes 14 seconds West, 200.00 feet to a 5/8 inch steel rod set at an inside corner of said 123.59 acres, and at the Southwest corner of said 1.64 acres;

THENCE South 89 degrees 53 minutes 46 seconds East, 360.50 feet to a 5/8 inch steel rod set at another inside corner of said 123.59 acres, and at the Southeast corner of said 1.64 acres;

THENCE North 00 degrees 06 minutes 14 seconds East, 200.00 feet to a pk nail found in the center of said County Road No. 2628, at a Northwest corner of said 123.59 acres, and at the Northeast corner of said 1.64 acres;

THENCE North 89 degrees 07 minutes 15 seconds East, 854.75 feet along the center of said County Road No. 2628 to the POINT OF BEGINNING, containing 123.93 acres of land.

TRACT B

BEING all that tract of land in Hunt County, Texas, out of the Clements Bustilla Survey, A-49, and being all of that called 4.32 acres of land described in a deed to Stanley J. Young and Nelda S. Young as recorded in Volume 18, Page 726 of the Real Records of Hunt County, Texas, and being further described as follows:

BEGINNING at a point in the center of County Road No. 2628, at the Northeast corner of said 4.32 acres, and at the Northerly most Northwest corner of that called 123.93 acres of land described in a deed to HMH Caddo Mills Land, L.P. as recorded under Document No. 2020-22751 of the Official Public Records of Hunt County, Texas, from which a 3/8 inch steel rod found bears South 00 degrees 29 minutes 31 seconds West, 14.78 feet for witness;

THENCE South 00 degrees 29 minutes 31 seconds West (Directional Control Line), 673.99 feet along the common line of said 4.32 acres and said 123.93 acres to a 1/2 inch steel rod found at the Southeast corner of said 4.32 acres, and at an ell corner of said 123.93 acres;

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THENCE North 89 degrees 25 minutes 27 seconds West, 280.20 feet to a 5/8 inch steel rod set at the Southwest corner of said 4.32 acres, and at the Southeast corner of that called 6.83 acres of land described in deed to Henry E. Morris and Eunice K. Morris as recorded under Document No. 2012-8130 of the Official Public Records of Hunt County, Texas;

THENCE North 00 degrees 29 minutes 31 seconds East, 672.18 feet to a point in the center of said County Road No. 2628, at the Northwest corner of said 4.32 acres, and at the Northeast corner of said 6.83 acres, from which a 5/8 inch steel rod set bears South 00 degrees 29 minutes 31 seconds West, 20.00 feet for witness;

THENCE South 89 degrees 47 minutes 36 seconds East, 280.20 feet along the center of said County Road No. 2628 to the POINT OF BEGINNING, containing 4.33 acres of land.

4829-0995-8654v.1 49198-10 10/8/2021

EXHIBIT "C"
Affidavit of Posting

CERTIFICATE OF POSTING OF
PETITION FOR SERVICES OTHERWISE PROVIDED BY
HUNT COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

THE STATE OF TEXAS

§

COUNTY OF HUNT

§

I, W. GARRETT WESP, the undersigned, hereby state that I posted the Petition for Services Otherwise Provided by Hunt County Municipal Utility District No. 5 to the City of Caddo Mills, attached hereto, at three locations convenient to the public, within the boundaries of the land proposed to be added to the district, as shown on the map also attached hereto, on the 22 day of JANUARY, 2022, at 11:30 A.m.

W. Garrett Wesp
Signature of Person Posting

Printed Name of

Person Posting: W. GARRETT WESP

4839-0660-4259v.3 57279-12 4/1/2021



EXHIBIT "D"
Notice of Petition and Proof of Publication

AFFIDAVIT

STATE OF TEXAS
COUNTY OF HUNT

Advertiser: Winstead

Before me, the undersigned authority, in this day personally appeared
Lisa Chappell

who duly swears, deposes and says that he/she is the Publisher / Advertising Manager / Editor
of the **Herald-Banner**; that said newspaper is regularly published in Greenville, Hunt County,
Texas; and that the attached notice was published in said newspaper on the following date(s):
01/27/2022

Cheri Webb
Publisher / Advertising Manager / Editor

Subscribed and sworn to, before me, this date 2-28-22

Witness my hand and seal of office.
Cheri Webb

CHERI WEBB
Notary Public, State of Texas
Comm. Expires 12-09-2022
Notary ID 12441467-8



PETITION FOR SERVICES OTHERWISE PROVIDED BY HUNT COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

STATE OF TEXAS §
 §
COUNTY OF HUNT §

TO THE HONORABLE MAYOR AND
CITY COUNCIL OF THE CITY OF CADDO MILLS:

The undersigned petitioner (herein the "Petitioner", whether one or more), being the holder of title to all of, and therefore, a majority in value of the land hereinafter described, as such values are indicated by the tax rolls of the central appraisal district of Hunt County, Texas, acting pursuant to the provisions of the Section 42.042, Texas Local Government Code, as amended, previously petitioned the City Council of the City of Caddo Mills on October 19, 2021, for consent to the creation of Hunt County Municipal Utility District No. 5 (the "District"). The City Council of the City of Caddo Mills failed or refused to give such consent within 90 days of the date it received the petition; therefore, Petitioner now respectfully petitions that the City of Caddo Mills make available to such land the water and sanitary sewer services that would otherwise be provided by the District. In support of this petition, Petitioner shows as follows:

I.

Petitioner is the sole owner of the land sought to be served by the City of Caddo Mills, as indicated by the tax rolls of the central appraisal district of Hunt County, Texas.

II.

The land sought to be served by the City of Caddo Mills contains approximately 128.26 acres of land, more or less, and it lies wholly within Hunt County, Texas. No part of said area is within the limits of any incorporated city or town. Under the provisions of Section 42.001, Local Government Code, as amended, said land is within the extraterritorial jurisdiction of the City of Caddo Mills and is not within the jurisdiction of any other city.

III.

The land sought to be served by the City of Caddo Mills is described by metes and bounds in Exhibit "A" attached hereto and incorporated herein for all purposes.

IV.

The general nature of the work proposed to be done in the area sought to be served shall be 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 consistent with the purposes for which the District is organized.

V.

The land sought to be served by the City of Caddo Mills is urban in nature and is in close proximity to populous and developed sections of Hunt County. There is a necessity for the improvements described above because the land sought to be served by the City of Caddo Mills is not supplied with adequate water, sanitary sewer, drainage or roadway facilities, nor is it presently economically feasible for such facilities to be added to said land. The health and welfare of the present and future inhabitants of the land sought to be served by the City of Caddo Mills and of the territories adjacent thereto require the installation and acquisition of adequate water and sanitary sewer facilities for and within such land.

A public necessity exists for the service of said lands by the City of Caddo Mills to promote and protect the purity and sanitary condition of the State's water and the public health and welfare of the community, by and through the construction, extension, improvement, maintenance and operation of water and sanitary sewer facilities.

WHEREFORE, Petitioner respectfully prays this petition be granted in all respects and that the City of Caddo Mills execute a legally binding contract on commercially reasonable terms providing for the services requested herein within the time limits prescribed by Section 42.042, Texas Local Government Code, as amended

EXECUTED THIS 19th day of January, 2022.

PETITIONER:
EMH CADDO MILLS LAND, LP
a Texas limited partnership

EXHIBIT "A"

A portion of land situated in the Clements Bustilla Survey, Abstract Number A-49, all in Hunt County, Texas. The metes and bounds description for the proposed District is on-file and available for review at the offices of Winstead PC, 2728 N. Harwood Street, Suite 500, Dallas, Texas 75201.

EXHIBIT "E"
Petition for Services – Filed with City

RECEIVED
FEB 15 2022
BY: *Jana Sanchez*

**PETITION FOR SERVICES OTHERWISE PROVIDED BY
HUNT COUNTY MUNICIPAL UTILITY DISTRICT NO. 5**

STATE OF TEXAS §
 §
COUNTY OF HUNT §

TO THE HONORABLE MAYOR AND
CITY COUNCIL OF THE CITY OF CADDO MILLS:

The undersigned petitioner (herein the "Petitioner", whether one or more), being the holder of title to all of, and therefore, a majority in value of the land hereinafter described, as such values are indicated by the tax rolls of the central appraisal district of Hunt County, Texas, acting pursuant to the provisions of the Section 42.042, Texas Local Government Code, as amended, previously petitioned the City Council of the City of Caddo Mills on October 19, 2021, for consent to the creation of Hunt County Municipal Utility District No. 5 (the "District"). The City Council of the City of Caddo Mills failed or refused to give such consent within 90 days of the date it received the petition; therefore, Petitioner now respectfully petitions that the City of Caddo Mills make available to such land the water and sanitary sewer services that would otherwise be provided by the District. In support of this petition, Petitioner shows as follows:

I.

Petitioner is the sole owner of the land sought to be served by the City of Caddo Mills, as indicated by the tax rolls of the central appraisal district of Hunt County, Texas.

II.

The land sought to be served by the City of Caddo Mills contains approximately 128.26 acres of land, more or less, and it lies wholly within Hunt County, Texas. No part of said area is within the limits of any incorporated city or town. Under the provisions of Section 42.001, Local Government Code, as amended, said land is within the extraterritorial jurisdiction of the City of Caddo Mills and is not within the jurisdiction of any other city.

III.

The land sought to be served by the City of Caddo Mills is described by metes and bounds in Exhibit "A" attached hereto and incorporated herein for all purposes.

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IV.

The general nature of the work proposed to be done in the area sought to be served shall be 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 consistent with the purposes for which the District is organized.

V.

The land sought to be served by the City of Caddo Mills is urban in nature and is in close proximity to populous and developed sections of Hunt County. There is a necessity for the improvements described above because the land sought to be served by the City of Caddo Mills is not supplied with adequate water, sanitary sewer, drainage or roadway facilities, nor is it presently economically feasible for such facilities to be added to said land. The health and welfare of the present and future inhabitants of the land sought to be served by the City of Caddo Mills and of the territories adjacent thereto require the installation and acquisition of adequate water and sanitary sewer facilities for and within such land.

A public necessity exists for the service of said lands by the City of Caddo Mills to promote and protect the purity and sanitary condition of the State's water and the public health and welfare of the community, by and through the construction, extension, improvement, maintenance and operation of water and sanitary sewer facilities.

WHEREFORE, Petitioner respectfully prays this petition be granted in all respects and that the City of Caddo Mills execute a legally binding contract on commercially reasonable terms providing for the services requested herein within the time limits prescribed by Section 42.042, Texas Local Government Code, as amended.

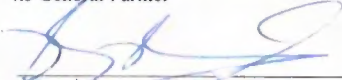
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EXECUTED THIS 19th day of January, 2022.

PETITIONER:

HMH CADDO MILLS LAND, L.P.
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 19th day of January, 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



EXHIBIT "A"

TRACT A

BEING all that tract of land in Hunt County, Texas, out of the Clements Bustilla Survey, A-49, and being all of that called 123.59 acres of land described in a deed to Laura L. Morris as Volume 788, Page 400 of the Official Public Records of Hunt County, Texas, and being further described as follows:

BEGINNING at a 60d nail found at the centerline intersection of County Road No. 2628 and County Road No. 2630, same being the Northeast corner of said 123.59 acres;

THENCE South 00 degrees 43 minutes 40 seconds West, 2015.01 feet along the center of said County Road No. 2630 to a 1/2 inch steel rod found at centerline intersection of a turn in said County Road No. 2630, and at the Southeast corner of said 123.59 acres;

THENCE South 89 degrees 50 minutes 07 seconds West (Directional Control Line), 2813.63 feet along the South line of said 123.59 acres to a 1/2 inch steel rod found at the Southerly most Southwest corner of said 123.59 acres, and at the Southeast corner of that called 1.00 acres of land described in deed to Edward J. Armstrong as recorded under Document No. 2013-11756 of the Official Public Records of Hunt County, Texas;

THENCE North 00 degrees 14 minutes 43 seconds West, 208.31 feet to a 1/2 inch steel rod found at an inside corner of said 123.59 acres, and at the Northeast corner of said 1.00 acres;

THENCE North 89 degrees 24 minutes 21 seconds West, 208.56 feet to a 1/2 inch steel rod found on the East line of F.M. Highway No. 1565, at the Westerly most Southwest corner of said 123.59 acres, and at the Northwest corner of said 1.00 acres;

THENCE North 00 degrees 13 minutes 26 seconds West, 943.66 feet along the East line of said F.M. Highway No. 1565 to a 5/8 inch steel rod set at point of curve;

THENCE Northeasterly, 195.46 feet along said highway and a curve to the right having a radius of 1095.92 feet and a central angle of 10 degrees 13 minutes 08 seconds (Chord bears North 04 degrees 53 minutes 08 seconds East, 195.20 feet) to a 1/2 inch steel rod found at the Westerly most Northwest corner of said 123.59 acres, and at the Southwest corner of that called 6.83 acres of land described in a deed to Henry E. Morris and Eunice K. Morris as recorded under Document No. 2012-8130 of the Official Public Records of Hunt County, Texas;

THENCE South 89 degrees 25 minutes 27 seconds East, 863.07 feet to a 1/2 inch steel rod found at an ell corner of said 123.59 acres, and at the Southeast corner of that called 4.32 acres of land described in deed to Stanley J. Young and Nelda S. Young as recorded in Volume 18, Page 726 of the Real Records of Hunt County, Texas;

THENCE North 00 degrees 29 minutes 31 seconds East, 673.99 feet to a point in the center of said County Road No. 2628, at the Northerly most Northwest corner of said 123.59 acres, and at

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the Northeast corner of said 4.32 acres, from which a 3/8 inch steel rod found bears South 00 degrees 29 minutes 31 seconds West, 14.78 feet for witness;

THENCE South 89 degrees 47 minutes 36 seconds East, 951.76 feet along the center of said County Road No. 2628 to a pk nail found at a Northeast corner of said 123.59 acres, and at the Northwest corner of that called 1.64 acres of land described in a deed to Ann Taylor as recorded under Document No. 2011-7287 of the Official Public Records of Hunt County, Texas;

THENCE South 00 degrees 06 minutes 14 seconds West, 200.00 feet to a 5/8 inch steel rod set at an inside corner of said 123.59 acres, and at the Southwest corner of said 1.64 acres;

THENCE South 89 degrees 53 minutes 46 seconds East, 360.50 feet to a 5/8 inch steel rod set at another inside corner of said 123.59 acres, and at the Southeast corner of said 1.64 acres;

THENCE North 00 degrees 06 minutes 14 seconds East, 200.00 feet to a pk nail found in the center of said County Road No. 2628, at a Northwest corner of said 123.59 acres, and at the Northeast corner of said 1.64 acres;

THENCE North 89 degrees 07 minutes 15 seconds East, 854.75 feet along the center of said County Road No. 2628 to the POINT OF BEGINNING, containing 123.93 acres of land.

TRACT B

BEING all that tract of land in Hunt County, Texas, out of the Clements Bustilla Survey, A-49, and being all of that called 4.32 acres of land described in a deed to Stanley J. Young and Nelda S. Young as recorded in Volume 18, Page 726 of the Real Records of Hunt County, Texas, and being further described as follows:

BEGINNING at a point in the center of County Road No. 2628, at the Northeast corner of said 4.32 acres, and at the Northerly most Northwest corner of that called 123.93 acres of land described in a deed to HMH Caddo Mills Land, L.P. as recorded under Document No. 2020-22751 of the Official Public Records of Hunt County, Texas, from which a 3/8 inch steel rod found bears South 00 degrees 29 minutes 31 seconds West, 14.78 feet for witness;

THENCE South 00 degrees 29 minutes 31 seconds West (Directional Control Line), 673.99 feet along the common line of said 4.32 acres and said 123.93 acres to a 1/2 inch steel rod found at the Southeast corner of said 4.32 acres, and at an ell corner of said 123.93 acres;

THENCE North 89 degrees 25 minutes 27 seconds West, 280.20 feet to a 5/8 inch steel rod set at the Southwest corner of said 4.32 acres, and at the Southeast corner of that called 6.83 acres of land described in deed to Henry E. Morris and Eunice K. Morris as recorded under Document No. 2012-8130 of the Official Public Records of Hunt County, Texas;

THENCE North 00 degrees 29 minutes 31 seconds East, 672.18 feet to a point in the center of said County Road No. 2628, at the Northwest corner of said 4.32 acres, and at the Northeast

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corner of said 6.83 acres, from which a 5/8 inch steel rod set bears South 00 degrees 29 minutes 31 seconds West, 20.00 feet for witness;

THENCE South 89 degrees 47 minutes 36 seconds East, 280.20 feet along the center of said County Road No. 2628 to the POINT OF BEGINNING, containing 4.33 acres of land.

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