

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 22, 2024

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

RE: TCEQ Docket No. 2023-0847-DIS; Regarding Petition by Cipriani Island Laguna Azure, LLC for the Creation of Johnson County Municipal Utility District No. 2

Dear Ms. Gharis:

Enclosed you will find the Executive Director's portion of the Administrative Record consisting of those documents specified at 30 TAC § 80.118(a)(1)-(4) and (6).

Please do not hesitate to contact me at Harrison.Malley@tceq.texas.gov if you have any questions. Thank you for your attention to this matter.

Sincerely,

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

Cole Malley, Staff Attorney - Environmental Law Division

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT PETITION TCEQ Internal Control No. D-10132022-026

PETITION. Cipriani Island Laguna Azure, LLC (Petitioner) filed a revised petition (petition) for creation of Johnson County Municipal Utility District No. 2 (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 in the proposed District; (2) there are two lienholders, First Guaranty Bank and MCI Preferred Income Fund IV, LLC, on the property to be included in the proposed District; (3) the proposed District will contain approximately 184.30 acres located within Johnson County, Texas; and (4) all of the land within the proposed district is located wholly within the extraterritorial jurisdiction of the City of Mansfield (City).

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

The petition further states that the 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.

According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$30,980,000 (including \$26,100,000 for water, wastewater, and drainage plus \$4,880,000 for roads).

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 District. The 120-day period for reaching a mutually agreeable contract as established by the Texas Water Code § 54.016(c) expired and 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 proceed to the TCEQ for inclusion of their Property into the District.

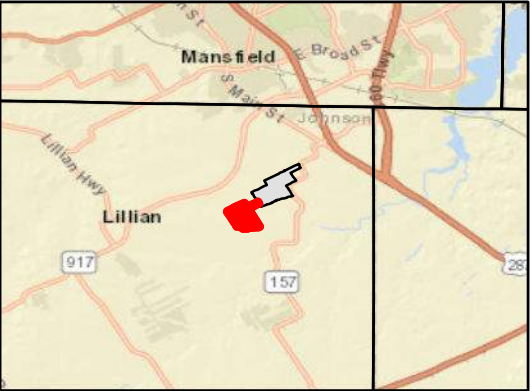
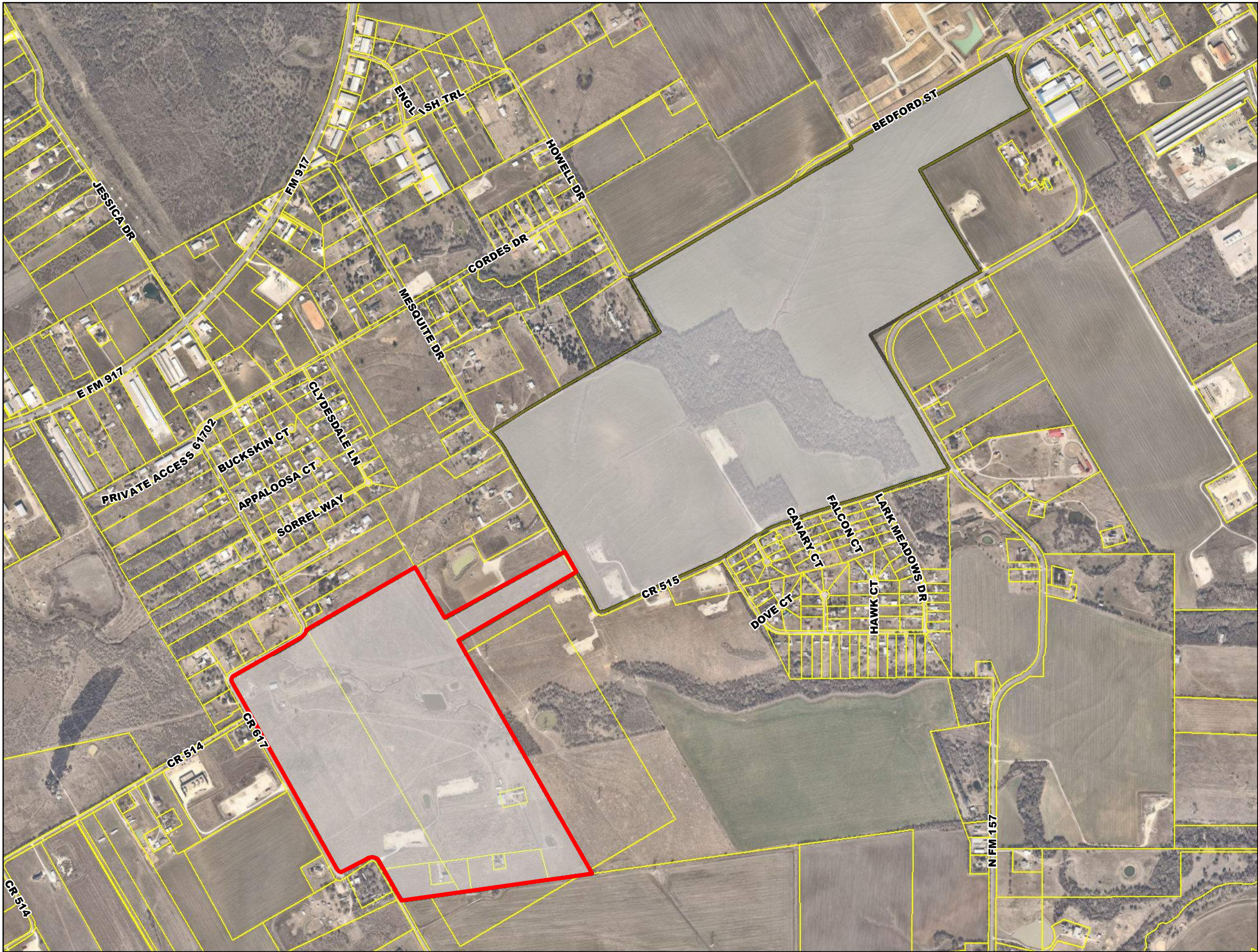
CONTESTED CASE HEARING. The TCEQ may grant a contested case hearing on this petition if a written hearing request is filed within 30 days after the newspaper publication of this notice.

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: March 23, 2023



VICINITY MAP
Scale: 1 inch equals 5 miles

Exhibit "A"

LEGEND

- JCMUD 2
- Development Boundary
- Parcels

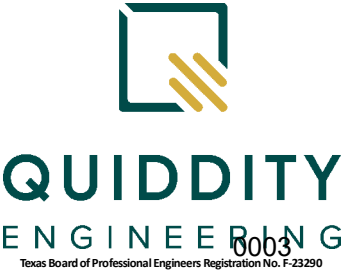
**FIGURE 3
VICINITY MAP**

**JCMUD 2
184.30 ACRES
JOHNSON COUNTY**



1 inch = 1,000 feet

Disclaimer: This product is offered for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property, governmental and/or political boundaries or related facilities to said boundary. No express warranties are made by Quiddity Engineering concerning the accuracy, completeness, reliability, or usability of the information included within this exhibit.



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF HEARING Johnson County Municipal Utility District No. 2 SOAH Docket No. 582-24-08886 TCEQ Docket No. 2023-0847-DIS TCEQ Internal Control No. D-10132022-026

PETITION.

Cipriani Island Laguna Azure, LLC (Petitioner) filed a revised petition (petition) for creation of Johnson County Municipal Utility District No. 2 (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 in the proposed District; (2) there are two lienholders, First Guaranty Bank and MCI Preferred Income Fund IV, LLC, on the property to be included in the proposed District; (3) the proposed District will contain approximately 184.30 acres located within Johnson County, Texas; and (4) all of the land within the proposed district is located wholly within the extraterritorial jurisdiction of the City of Mansfield (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 District. The 120-day period for reaching a mutually agreeable contract as established by the Texas Water Code § 54.016(c) expired and 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 proceed to the TCEQ for inclusion of their Property into the District.

The petition further states that 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. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$30,980,000 (including \$26,100,000 for water, wastewater, and drainage plus \$4,880,000 for roads).

CONTESTED CASE HEARING.

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

10:00 a.m. - February 26, 2024

To join the Zoom meeting via computer:

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

Meeting ID: 161 354 4787

Password: CEQ886

or

To join the Zoom meeting via telephone:

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

Meeting ID: 161 354 4787

Password: 434570

**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. 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: January 29, 2024

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

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

Applicant Name: JOHNSON COUNTY MUD 2
TCEQ Tracking No. D-10132022-026 CID Item No. 131409
Application Type: PETITION FOR CREATION OF A DISTRICT

AFFIDAVIT OF PUBLICATION

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2023 APR 13 AM 10:08
CHIEF CLERKS OFFICE

STATE OF TEXAS §

COUNTY OF: Johnson §

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

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

sworn, deposes and says that (s)he is the Major Accounts Sales Manager
(title of newspaper representative)

of the Gleburne Times Review; that said newspaper is
(name of newspaper)

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

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

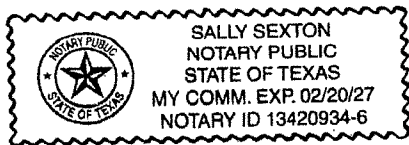
April 1st + April 8th, 2023
(date or dates of publication)

Becky Dahn

Newspaper Representative's Signature

Subscribed and sworn to before me this the 11 day of April,
20 23, to certify which witness my hand and seal of office.

(Seal)



Sally Sexton
Notary Public in and for the State of Texas

Sally Sexton
Print or type Name of Notary Public

My Commission Expires 2/20/27

CLASSIFIEDS

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Legals

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT PETITION TCEQ Internal Control No. D-10132022-026

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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 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.

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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 District. The 120-day period for reaching a mutually agreeable contract as established by the Texas Water Code § 54.016(c) expired and 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 proceed to the TCEQ for inclusion of their property into the 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.

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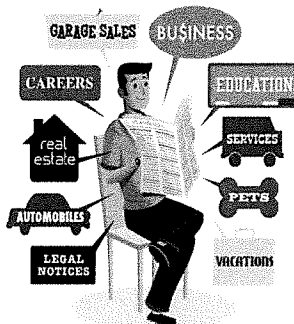
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Issued: March 23, 2023



THE MESQUITE SOCIAL CLUB is applying for a Private Club Registration Permit (N) through the Texas Alcoholic Beverage Commission Location: 125 Hwy 171, Godley, Texas 76044 Owner and Officers: Chris Garcia - Owner, Director & President Marcus Balch - Director & Secretary Garrett Balch - Director & Officer Aaron Greene - Director & Secretary

PUBLIC NOTICE
Pecan Valley Centers for Behavioral and Developmental Healthcare has released a request for proposal for laboratory testing services. Please visit our website at www.pecanvalley.org for more information about the RFP under Quick Links.



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Legals

CITY OF CLEBURNE PLANNING & ZONING COMMISSION NOTICE OF PUBLIC HEARING MONDAY, APRIL 24, 2023 AT 6:30 P.M. CITY HALL, 10 NORTH ROBINSON STREET, CLEBURNE, TEXAS 76031

The Planning & Zoning Commission will hold a public hearing and consider a recommendation regarding the following requests:

1. CONSIDER REQUEST TO REZONE FROM PD (PLANNED DEVELOPMENT DISTRICT) TO PD (PLANNED DEVELOPMENT DISTRICT) TO AMEND REGULATIONS FOR THE MULTI-FAMILY TRACT WITHIN CUSTARD FARMS, ORDINANCE NO. 10-2020-59, ON ±180.00 ACRES GENERALLY LOCATED ON THE EAST SIDE OF NORTH MAIN STREET, BETWEEN E. VAUGHN ROAD AND BURGESS ROAD, CASE ZC23-011
2. CONSIDER REQUEST TO REZONE FROM CI (COMMERCIAL/INDUSTRIAL FLEX DISTRICT) TO RC (REGIONAL COMMERCIAL DISTRICT) ON ±0.80 ACRES LOCATED AT 1840 NORTH MAIN STREET, CASE ZC23-013
3. CONSIDER REQUEST TO AMEND THE SPECIFIC USE PERMIT (SUP) ORDINANCE NO 08-2022-61 TO AUTHORIZE AMENDMENTS TO THE SITE PLAN AND BUILDING DESIGN FOR THE EXPANSION OF A HEAVY EQUIPMENT SALES AND REPAIR FACILITY ON ±6.98 ACRES, LOCATED AT 2637 AND 2825 NORTH NOLAN RIVER ROAD, CASE ZC23-016
4. CONSIDER REQUEST TO REZONE FROM SF-7 (SINGLE-FAMILY DWELLING DISTRICT) TO SF-6 (SINGLE-FAMILY DWELLING DISTRICT) ON ±1.88 ACRES FOR THE PROPERTIES LOCATED AT 225, 227, 229, 231, 302, 303, 304, AND 305 MECHANIC STREET, AND 301 AND 303 EASTLAND STREET, CASE ZC23-017

Following consideration by the Planning & Zoning Commission, City Council will hold a public hearing on the items above at its regular meeting on Tuesday, May 9, 2023 at 5:00 P.M. in the Council Chambers of City Hall, 10 North Robinson Street, Cleburne, Texas 76031. The City Council may vote to take final action on these items following the public hearing.

Planning & Zoning Commission meetings are open to the public. A member of the general public wishing to participate in the meeting may do so via the following options:

In person: Complete a speaker/comment registration card and turn in to City Staff at the meeting.

Submit questions/comments online: Complete a speaker/comment registration card found on the City's Online Agenda Center (<https://www.cleburne.net/agendacenter>).

Registration cards received by 5:30 p.m. the same day will be distributed to the Commission for their consideration.

Address the Commission by phone: Call (346) 248-7799 or (888) 788-0099 at the start of the meeting. Enter Meeting ID 983 5079 8710 and then press #.

Reasonable accommodations to furnish auxiliary aids or special accommodations to assist persons with special needs will be provided when 72 hours advance notice is given. For further information contact Danielle Castillo between 8:00 and 5:00 Monday-Friday, at (817) 645-0947 or danielle.castillo@cleburne.net.

NOTICE TO CREDITORS

Notice is hereby given that original Letters Testamentary for the Estate of SANDRA LYNN RENK DUNCAN, Deceased, were issued on March 27, 2023, in Cause No. CC-P202325136, pending in the County Court at Law Number Two of Johnson County, Texas, to GERALD RENK.

All persons having claims against this Estate which is currently being administered are required to present them to the undersigned within the time and in the manner prescribed by law.

c/o: Gerald Renk
c/o Jackson, Landrith & Kulesz, P.C.
601 W. Abram St.
Arlington, Texas 76010

DATED the 3rd day of April, 2023

Kris L. Landrith
Jackson, Landrith & Kulesz, P.C.
Attorney for Independent Executor
State Bar No.: 11867500
601 West Abram
Arlington, Texas 76010
Telephone: (817) 226-1100
Facsimile: (817) 226-2727
Email: kris@lkatorneys.com



CERTIFICATE OF POSTING OF NOTICE OF DISTRICT PETITION

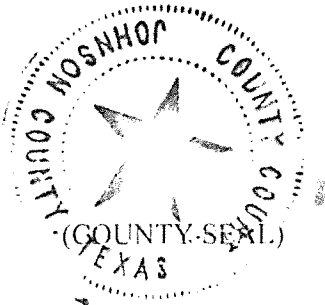
THE STATE OF TEXAS

§

COUNTY OF JOHNSON

§

I, Heidi Pierce, hereby certify that I am more than eighteen (18) years of age and capable of executing this certificate; and that the attached is a true and correct copy of a Notice of District Petition for Johnson County Municipal Utility District No. 2 (TCEQ Internal Control No. D-10132022-026), which I caused to be posted on the bulletin board used for posting legal notices in Johnson County on the 28th day of March, 2023.



Signature: Heidi Pierce

Printed Name: Heidi Pierce

Title: Recording Supervisor
Johnson County Clerk

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



POSTED

10:27 A.M. ____ P.M.

MAR 28 2023

April Long, County Clerk
Johnson County Texas

NOTICE OF DISTRICT PETITION
TCEQ Internal Control No. D-10132022-026 By Deputy

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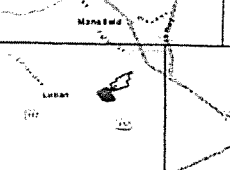
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Issued: March 23, 2023

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2023 APR 13 AM 10:08
CHIEF CLERKS OFFICE





VICINITY MAP
Scale: 1 inch equals 6 miles


Exhibit "A"

LEGEND


- JCMUD 2
- Development Boundary
- Parcels

FIGURE 3
VICINITY MAP

JCMUD 2
184.30 ACRES
JOHNSON COUNTY


 1 inch = 1,000 feet

Disclaimer: This product is offered for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on the ground survey and represents only the approximate relative location of properties, governmental and/or political boundaries or related facilities to said boundary. No express warranties are made by Quiddity Engineering concerning the accuracy, completeness, reliability, or usability of the information included within this exhibit.


QUIDDITY
ENGINEERING

CHIEF CLERKS OFFICE

2013 APR 13 AM 10:08

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

March 23, 2023

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

Re: Publication of Notice of District Petition regarding creation of Johnson County
Municipal Utility District No. 2
TCEQ Internal Control No. D-10132022-026

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 Darryl Smith in the District Administration Office at 512/239-4172 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,



Laurie Gharis
Chief Clerk

LG/ka
Enclosures

cc: To all on attached mailing list.

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2023 APR 13 AM 10:08
CHIEF CLERKS OFFICE

MAILING LIST

**Johnson County MUD No. 2
TCEQ Internal Control No. D-10132022-026**

**Mr. Ross Martin
Winstead PC
2728 N. Harwood Street, Suite 500
Dallas, Texas 75201**

**Mr. Alex S. Pfefferkorn, P.E.
Quiddity Engineering, LLC
2805 Dallas Parkway, Suite 600
Plano, Texas 75093**

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

**The Honorable DeWayne Burns
State Representative District No. 58
Dewayne.burns@house.texas.gov**

**The Honorable Brian Birdwell
Senate District No. 22
Brian.birdwell@senate.texas.gov**

**The Honorable Becky Ivey
Johnson County Clerk
2 North Main Street
Cleburne, Texas 76033**

**c/o The Honorable Roger Harmon,
County Judge
Commissioners Court of Johnson County
2 North Main Street
Cleburne, Texas 76033**

**Ms. Susana Marin
City Secretary
The City of Mansfield
1200 East Broad Street
Mansfield, Texas 76063**

**Mike Eastland, Executive Director
North Central Texas Council of
Governments
PO Box 5888
Arlington, Texas 76005-5888**

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

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

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

**Justin Taack, Technical Manager,
Districts Creation Review Team, MC-
152**

**Michael Briscoe, Leader, Districts
Creation Review Team, MC-152**

**Darryl Smith, Districts Bond
Team, MC-152**

**Michelle Voytko, Drinking Water
Technical Review, Water Supply
Division, MC-155**

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

**TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2023 APR 13 AM 10:09
CHIEF CLERKS OFFICE**

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

Applicant Name: JOHNSON COUNTY MUD 2
TCEQ Tracking No. D-10132022-026 CID Item No. 131409
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 _____;
(name of newspaper)

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

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

(date or dates of publication)

Newspaper Representative's Signature

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

(Seal)

Notary Public in and for the State of Texas

Print or type Name of Notary Public

My Commission Expires _____

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A PROFESSIONAL CORPORATION

BRITTANY FELARCA
PARALEGAL

BFELARCA@COATSROSE.COM
DIRECT: (972) 419-4715
FAX: (972) 702-0662

April 12, 2023

VIA FEDERAL EXPRESS

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

Re: Petition for Creation of Johnson County Municipal Utility District No. 2
(TCEQ Internal Control No. D-10132022-026)

Dear Ms. Gharis:

Enclosed please find the Affidavit of Publication of the Notice of District Petition published on April 1, 2023 and April 8, 2023 in the *Cleburne Times Review*, a newspaper of general circulation in Johnson County. Additionally, I have enclosed proof of posting of the Notice of District Petition by the Johnson County Clerk's Office on March 28, 2023.

If you have any questions, or if you need additional materials, please contact Taylor Elliott at 972-419-4722 or telliott@coatsrose.com.

Very truly yours,



Brittany Felarca

BF:

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2023 APR 13 AM 10:07
CHIEF CLERKS OFFICE

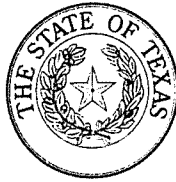
16000 NORTH DALLAS PARKWAY, SUITE 350, DALLAS, TEXAS 75248
PHONE: (972) 788-1600 FAX: (972) 702-0662
coatsrose.com

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0017

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT PETITION TCEQ Internal Control No. D-10132022-026

PETITION. Cipriani Island Laguna Azure, LLC (Petitioner) filed a revised petition (petition) for creation of Johnson County Municipal Utility District No. 2 (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 in the proposed District; (2) there are two lienholders, First Guaranty Bank and MCI Preferred Income Fund IV, LLC, on the property to be included in the proposed District; (3) the proposed District will contain approximately 184.30 acres located within Johnson County, Texas; and (4) all of the land within the proposed district is located wholly within the extraterritorial jurisdiction of the City of Mansfield (City).

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

The petition further states that the 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.

According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$30,980,000 (including \$26,100,000 for water, wastewater, and drainage plus \$4,880,000 for roads).

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 District. The 120-day period for reaching a mutually agreeable contract as established by the Texas Water Code § 54.016(c) expired and 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 proceed to the TCEQ for inclusion of their Property into the District.

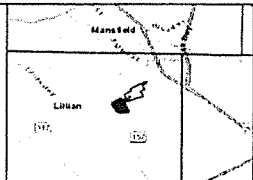
CONTESTED CASE HEARING. The TCEQ may grant a contested case hearing on this petition if a written hearing request is filed within 30 days after the newspaper publication of this notice.

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: March 23, 2023



VICINITY MAP
Scale: 1 inch equals 5 miles

Exhibit "A"

LEGEND

- JCMUD 2
- Development Boundary
- Parcels

**FIGURE 3
VICINITY MAP**

**JCMUD 2
184.30 ACRES
JOHNSON COUNTY**



1 inch = 1,000 feet

Disclaimer: This product is offered for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property, governmental and/or political boundaries or related facilities to said boundary. No express warranties are made by Quiddity Engineering concerning the accuracy, completeness, reliability, or usability of the information included within this exhibit.



**QUIDDITY
ENGINEERING**
Real Estate & Professional Engineering, Surveying and More

Project Number: 2000-15 Date: 8/7/2012 User Name: JMS

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

March 23, 2023

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

Re: Publication of Notice of District Petition regarding creation of Johnson County
Municipal Utility District No. 2
TCEQ Internal Control No. D-10132022-026

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 Darryl Smith in the District Administration Office at 512/239-4172 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.

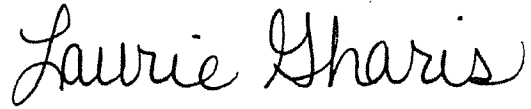
After notice has been published and posted in accordance with 293.12, please provide proof of these actions to the Chief Clerks Office (Mail Code 105). The proof for newspaper publication shall be the original TCEQ affidavit of publication completed and notarized by the newspaper and an original tear 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 cursive script that reads "Laurie Gharis". The signature is written in black ink and is positioned above the typed name and title.

Laurie Gharis
Chief Clerk

LG/ka
Enclosures

cc: To all on attached mailing list.

MAILING LIST

Johnson County MUD No. 2
TCEQ Internal Control No. D-10132022-026

Mr. Ross Martin
Winstead PC
2728 N. Harwood Street, Suite 500
Dallas, Texas 75201

Mr. Alex S. Pfefferkorn, P.E.
Quiddity Engineering, LLC
2805 Dallas Parkway, Suite 600
Plano, Texas 75093

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

The Honorable DeWayne Burns
State Representative District No. 58
Dewayne.burns@house.texas.gov

The Honorable Brian Birdwell
Senate District No. 22
Brian.birdwell@senate.texas.gov

The Honorable Becky Ivey
Johnson County Clerk
2 North Main Street
Cleburne, Texas 76033

c/o The Honorable Roger Harmon,
County Judge
Commissioners Court of Johnson County
2 North Main Street
Cleburne, Texas 76033

Ms. Susana Marin
City Secretary
The City of Mansfield
1200 East Broad Street
Mansfield, Texas 76063

Mike Eastland, Executive Director
North Central Texas Council of
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PO Box 5888
Arlington, Texas 76005-5888

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152

Michael Briscoe, Leader, Districts
Creation Review Team, MC-152

Darryl Smith, Districts Bond
Team, MC-152

Michelle Voytko, Drinking Water
Technical Review, Water Supply
Division, MC-155

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: JOHNSON COUNTY MUD 2
TCEQ Tracking No. D-10132022-026 CID Item No. 131409
Application Type: PETITION FOR CREATION OF A DISTRICT

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS §

COUNTY OF: _____ §

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

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

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

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

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

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

(date or dates of publication)

Newspaper Representative's Signature

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

(Seal)

Notary Public in and for the State of Texas

Print or type Name of Notary Public

My Commission Expires _____