

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



STATE OF TEXAS §

COUNTY OF TRAVIS §

I, Laurie Gharis, Chief Clerk of the Texas Commission on Environmental Quality, do hereby certify that the attached mailing list provides the persons to whom the notice of the public hearing for Persimmon Municipal Utility District , SOAH Docket No. 582-24-19652, TCEQ Docket No. 2023-1665-DIS, was mailed on July 19, 2024.

Given under my hand and the seal of the Texas Commission on Environmental Quality, this the 19th day of July 2024.

A handwritten signature in black ink that reads "Laurie Gharis".

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

SEAL

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF HEARING
Persimmon Municipal Utility District
SOAH Docket No. 582-24-19652
TCEQ Docket No. 2023-1665-DIS
TCEQ Internal Control No. D-06162023-032

PETITION.

Bailey Land Investments, LP, a Texas limited partnership and Armbruster Land Investments, LP, a Texas limited partnership, (Petitioners) filed a petition for creation of Persimmon Municipal Utility District (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ.

The petition states that: (1) the Petitioners hold title to a majority in value of the land to be included in the proposed District; (2) there are two lienholders, International Bank of Commerce and Labenski Branch, LP, a Texas limited partnership, on the property to be included in the proposed District and information provided indicates that the lienholders consent to the creation of the proposed District; (3) the proposed District will contain approximately 459 acres located within Hays County, Texas; and (4) the land within the proposed District is within the extraterritorial jurisdiction of the City of Buda.

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

The petition further states that the proposed District will purchase, construct, acquire, repair, extend and improve land, easements, works, improvements, facilities, plants, equipment, and appliances necessary to: (1) provide a water supply for municipal uses and commercial purposes; (2) collect, transport, process, dispose of and control all domestic, industrial, or communal wastes whether in fluid, solid, or composite state; (3) gather, conduct, divert, and control local stormwater or other local harmful excesses of water in the proposed District and the payment of organization expenses, operational expenses during construction and interest during construction; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads, or improvements in aid of those roads; and (5) provide such other facilities, systems, plants, and enterprises 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 Petitioners that the cost of said project will be approximately \$110,840,000 (\$91,320,000 for water, wastewater, and drainage plus \$19,520,000 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. – August 19, 2024

To join the Zoom meeting via computer:

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

Meeting ID: 160 871 9306

Password: CEQ652

or

To join the Zoom meeting via telephone:

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

Meeting ID: 160 871 9306

Password: 867766

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

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

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

INFORMATION.

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

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

Issued: July 19, 2024

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

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REPRESENTATIVE
HOUSE OF REPRESENTATIVES
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MARTHA TERREL
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JACK WILLIAMS
15160 PEPPER LN
SARATOGA CA 95070-6450

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

Applicant Name: Persimmon MUD
TCEQ Tracking No. D-06162023-032 CID Item No. 133410
Application Type: PETITION FOR CREATION OF A DISTRICT

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS §
COUNTY OF: Hays §

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

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

of the San Marcos Daily Record; that said newspaper is
(name of newspaper)

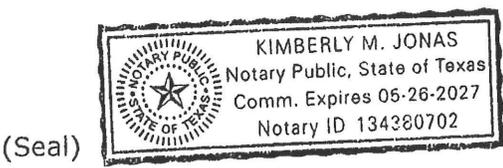
regularly published or circulated in Hays County/Countries,
(name of county or counties)

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

August 17, 2023 & August 24, 2023
(date or dates of publication)

[Signature]
Newspaper Representative's Signature

Subscribed and sworn to before me this the 29 day of August,
20 20, to certify which witness my hand and seal of office.



(Seal)

Kimberly Jones
Notary Public in and for the State of Texas
Kimberly Jones
Print or type Name of Notary Public
My Commission Expires 5-26-27

San Marcos Daily Record

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Place a classified
Call 512-392-2458
or email:
kjonas@sanmarcosrecord.com or
sanmarcosclassifieds@sanmarcosrecord.com
Hours are 8:00 am - 5:00 pm
Monday - Friday

View the Classifieds Online at: www.sanmarcosrecord.com

WE ACCEPT



Public Notice Autos

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

NOTICE OF DISTRICT PETITION
TCEQ INTERNAL CONTROL NO. D-062#2023-060

PETITION. Hays Commons Land Investments, LP, a Texas limited partnership, (Petitioner) filed a petition for creation of Hays Commons Municipal Utility District (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 is one lienholder, Horizon Bank, SSB, on the property to be included in the proposed District and the lienholder consents to the creation of the proposed District; (3) the proposed District will contain approximately 290.388 acres located within Hays County, Texas; and (4) the land within the proposed District is within the extraterritorial jurisdiction of the City of Hays.

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

The petition further states that the proposed District will: (1) purchase, construct, acquire, repair, extend and improve land, easements, works, improvements, facilities, plants, equipment, and appliances necessary to provide a water supply for municipal uses, domestic uses, and commercial purposes; (2) purchase, construct, acquire, repair, extend and improve land, easements, works, improvements, facilities, plants, equipment, and appliances necessary to collect, transport, process, dispose of and control all domestic, industrial, or commercial wastes, whether in fluid, solid, or composite state; (3) purchase, construct, acquire, repair, extend and improve land, easements, works, improvements, facilities, plants, equipment, and appliances necessary to gather, conduct, divert and control local storm water or other local harmful excesses of water in the proposed District and the payment of organization expenses, operational expenses during construction and interest during construction; (4) purchase, construct, acquire, repair, extend and improve land, easements, works, improvements, facilities, plants, equipment, and appliances necessary to design, acquire, construct, finance, improve, operate, and maintain macadamized, gravelled, or paved roads, or improvements in aid of those roads; and (5) purchase, construct, acquire, repair, extend and improve land, easements, works, improvements, facilities, plants, equipment, and appliances necessary to provide such other facilities, systems, plants and enterprises 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 Petitioners that the cost of said project will be approximately \$30,000,000 (\$24,500,000 for water, wastewater, and drainage and \$5,500,000 for roads).

The Property depicted in Exhibit "A" is located within the extraterritorial jurisdiction of the City of Hays, Hays 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: August 7, 2023

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

NOTICE OF DISTRICT PETITION
TCEQ INTERNAL CONTROL NO. D-06162023-032

PETITION. Bailey Land Investments, LP, a Texas limited partnership and Ambruster Land Investments, LP, a Texas limited partnership, (Petitioners) filed a petition for creation of Persimmon Municipal Utility District (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.

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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.

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

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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: August 7, 2023

WANTED: CARS/TRUCKS.
Any cond.
Running or not.
Willis Mitchell,
353-4511

Help Wanted

RETIRED
individual needs
housekeeper. Free
room & board
512-393-9224

Rentals

GREAT DEALS!
512-355-5001,
5775-
2/1, water pd, \$875-
2/1, WD con, pf.

Estate Sale

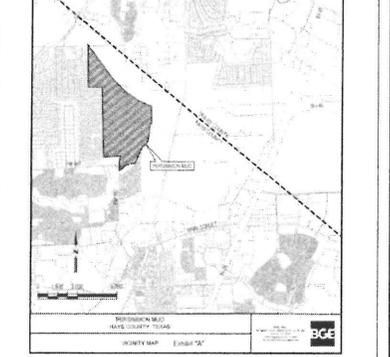
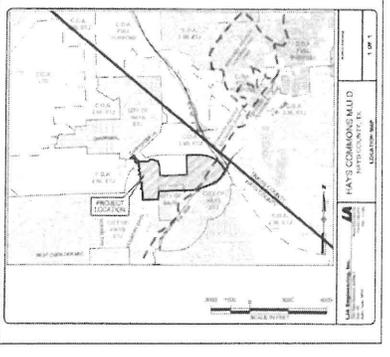
LARGE ESTATE SALE
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Table with 7 columns: Public Notice, Public Notice, Public Notice, Public Notice, Public Notice, Public Notice, Autos

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

NOTICE OF DISTRICT PETITION TCEQ INTERNAL CONTROL NO. D-06162023-032

PETITION. Bailey Land Investments, LP, a Texas limited partnership and Armbruster Land Investments, LP, a Texas limited partnership, (Petitioners) filed a petition for creation of Permian Commons Municipal Utility District (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas, Chapters 49 and 54 of the Texas Water Code, 30 Texas Administrative Code Chapter 293, and the procedural rules of the TCEQ.

The petition states that: (1) the Petitioners hold title to a majority in value of the land to be included in the proposed District; (2) there are two landholders, International Bank of Commerce and Lahenski Branch, LP, a Texas limited partnership, on the property to be included in the proposed District and information provided indicates that the landholders consent to the creation of the proposed District; (3) the proposed District will contain approximately 459 acres located within Hays County, Texas; and (4) the land within the proposed District is within the extraterritorial jurisdiction of the City of Buda.

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.

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

The petition further states that the proposed District will purchase, construct, acquire, repair, extend and improve land, easements, works, improvements, facilities, plants, equipment, and appliances necessary to: (1) provide a water supply for municipal use and commercial purposes; (2) collect, transport, process, dispose of and control all domestic, industrial, or commercial wastes whether in fluid, solid, or composite state; (3) gather, conduct, divert, and control local stormwater or other local harmful excesses of water in the proposed District and the payment of organization expenses, operational expenses during construction and interest during construction; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, gravelled, or paved roads, or improvements in aid of those roads; and (5) provide such other facilities, systems, plants, and enterprises 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 Petitioners that the cost of said project will be approximately \$110,840,000 (\$91,320,000 for water, wastewater, and drainage plus \$19,520,000 for roads).

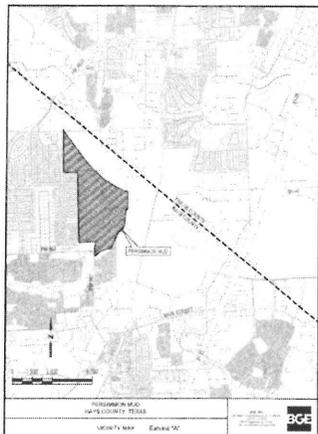
CONTESTED CASE HEARING. The TCEQ may grant a contested case hearing on this petition if a written hearing request is filed within 30 days after the newspaper publication of this notice.

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

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

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

Issued: August 7, 2023



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

NOTICE OF DISTRICT PETITION TCEQ INTERNAL CONTROL NO. D-06282023-060

PETITION. Hays Commons Land Investments, LP, a Texas limited partnership, (Petitioner) filed a petition for creation of Hays Commons Municipal Utility District (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 is one landholder, Horizon Bank, SSB, on the property to be included in the proposed District and the landholder consents to the creation of the proposed District; (3) the proposed District will contain approximately 290,388 acres located within Hays County, Texas; and (4) the land within the proposed District is within the extraterritorial jurisdiction of the City of Hays.

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

The petition further states that the proposed District will: (1) purchase, construct, acquire, repair, extend and improve land, easements, works, improvements, facilities, plants, equipment, and appliances necessary to provide a water supply for municipal use, domestic uses, and commercial purposes; (2) purchase, construct, acquire, repair, extend and improve land, easements, works, improvements, facilities, plants, equipment, and appliances necessary to collect, transport, process, dispose of and control all domestic, industrial, or commercial wastes whether in fluid, solid, or composite state; (3) purchase, construct, acquire, repair, extend and improve land, easements, works, improvements, facilities, plants, equipment, and appliances necessary to gather, conduct, divert, and control local stormwater or other local harmful excesses of water in the proposed District and the payment of organization expenses, operational expenses during construction and interest during construction; (4) purchase, construct, acquire, repair, extend and improve land, easements, works, improvements, facilities, plants, equipment, and appliances necessary to design, acquire, construct, finance, improve, operate, and maintain macadamized, gravelled, or paved roads, or improvements in aid of those roads; and (5) purchase, construct, acquire, repair, extend and improve land, easements, works, improvements, facilities, plants, equipment, and appliances necessary to provide such other facilities, systems, plants and enterprises 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 Petitioners that the cost of said project will be approximately \$30,000,000 (\$24,500,000 for water, wastewater, and drainage and \$5,500,000 for roads).

The Property depicted in Exhibit "A" is located within the extraterritorial jurisdiction of the City of Hays, Hays 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.

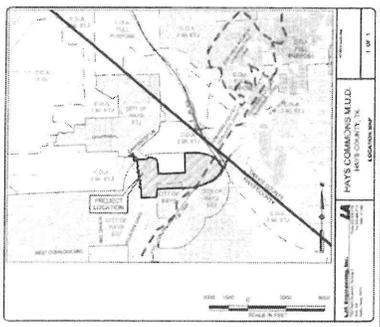
CONTESTED CASE HEARING. The TCEQ may grant a contested case hearing on this petition if a written hearing request is filed within 30 days after the newspaper publication of this notice.

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: August 7, 2023



2006 TOYOTA CAMRY standard transmission, clean cond., except front bumper damage, 2nd owner, power everything, \$4,000, 512-428-8527

WANTED: CARS/TRUCKS. Any cond. Running or not. Willis Mitchell, 353-4511

CASH FOR JUNK Cars & Trucks, Free Towing, Lost Title Ok. 210-776-9796

Rentals

GREAT DEALS! 512-353-5001, \$775-2/1, water pd, \$875-2/1, WD, conl., fp

HANDYMAN ONE BR HOUSE OFF HWY 123 \$600/month plus utilities 609-492-6363

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3 BEAUTIFUL male 5 month old mastif husky mix \$75 each test for pics 727-641-7297



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CERTIFICATE OF POSTING NOTICE

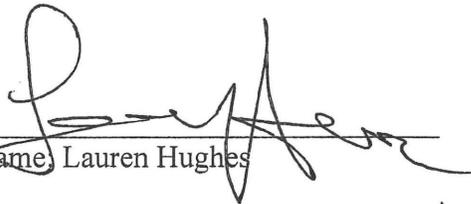
THE STATE OF TEXAS

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§
§

COUNTY TRAVIS

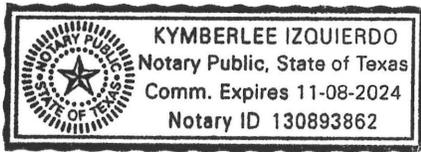
I, Lauren Hughes, do hereby certify that at 9:36 a.m. on August 11, 2023, I posted the attached Notice of District Petition for Persimmon Municipal Utility District at a place convenient to the public at the Hays County Courthouse, which place is the place used for posting notices of meetings of political subdivisions in Hays County.

EXECUTED this 20th day of August, 2023.

By: 
Name: Lauren Hughes

This document was acknowledged before me by Lauren Hughes, on this 20th day of August, 2023.


Notary Public
State of Texas



[Seal]

AUG 11 2023

Elaine A. Cardenas
COUNTY CLERK

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT PETITION
TCEQ INTERNAL CONTROL NO. D-06162023-032

PETITION. Bailey Land Investments, LP, a Texas limited partnership and Armbruster Land Investments, LP, a Texas limited partnership, (Petitioners) filed a petition for creation of Persimmon Municipal Utility District (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ.

The petition states that: (1) the Petitioners hold title to a majority in value of the land to be included in the proposed District; (2) there are two lienholders, International Bank of Commerce and Labenski Branch, LP, a Texas limited partnership, on the property to be included in the proposed District and information provided indicates that the lienholders consent to the creation of the proposed District; (3) the proposed District will contain approximately 459 acres located within Hays County, Texas; and (4) the land within the proposed District is within the extraterritorial jurisdiction of the City of Buda.

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.

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

The petition further states that the proposed District will purchase, construct, acquire, repair, extend and improve land, easements, works, improvements, facilities, plants, equipment, and appliances necessary to: (1) provide a water supply for municipal uses and commercial purposes; (2) collect, transport, process, dispose of and control all domestic, industrial, or communal wastes whether in fluid, solid, or composite state; (3) gather, conduct, divert, and control local stormwater or other local harmful excesses of water in the proposed District and the payment of organization expenses, operational expenses during construction and interest during construction; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads, or improvements in aid of those roads; and (5) provide such other facilities, systems, plants, and enterprises 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 Petitioners that the cost of said project will be approximately \$110,840,000 (\$91,320,000 for water, wastewater, and drainage plus \$19,520,000 for roads).

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

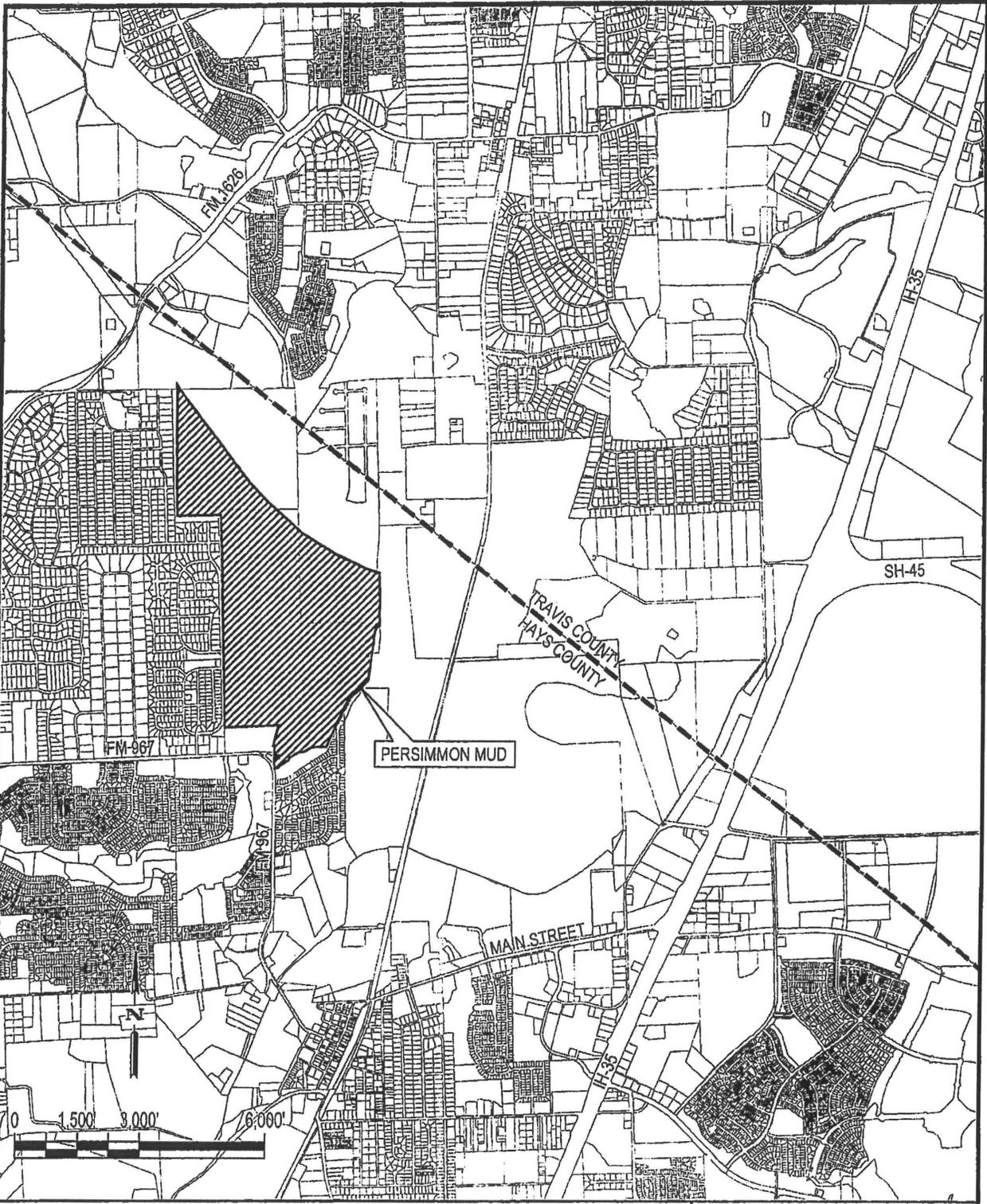
To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioners and the TCEQ Internal Control Number; (3) the statement "I/we request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

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

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Issued: August 7, 2023

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PERSIMMON MUD
HAYS COUNTY, TEXAS

VICINITY MAP Exhibit "A"

BGE, INC.
101 WEST LOUIS HENNA BLVD. SUITE 400
AUSTIN, TX 78728
BGE Registration No. F-1046
TEL: 512-875-0400 www.bgina.com





Hays County

Elaine H. Cárdenas, MBA, PhD, County Clerk
Hays Government Center
712 S. Stagecoach Trail Ste. 2008
San Marcos, Texas 78666
512-393-7330

Receipt: 23-22892

Product	Name	Extended
PUBNOTICE	PUBLIC NOTICE	\$3.00
	# of Notices	1
Total		\$3.00
Tender (On Account)		\$3.00
Account #	285	
Account Name	MCLEAN & HOWARD, LLP	
Balance	(\$40.00)	

Thank You

Georgia Carroll-Warren

From: Lauren Hughes <lhughes@mcleanhowardlaw.com>
Sent: Tuesday, August 29, 2023 1:14 PM
To: Cindy Rojas Annicchiarico; Georgia Carroll-Warren; PROOFS
Cc: Tony Corbett
Subject: TCEQ Internal Control No. D-06162023-032
Attachments: affidavit tceq Signed Pers.pdf; August 17, 2023 Tear Sheet Pers.pdf; August 24, 2023 Tear Sheet Pers.pdf; Affidavit of Posting.pdf

Good afternoon,

Attached please find proof of publication once a week for two consecutive weeks and proof of posting on the bulletin board used for posting legal notices in Hays County for Persimmon Commons Municipal Utility District for the Notice of District Petition regarding the creation of Persimmon Commons Municipal Utility District TCEQ Internal Control No. D-06162023-032. We will mail the originals to you as soon as we receive them.

Please confirm receipt of this email.

Thanks,

Lauren Hughes

Legal Assistant

lhughes@mcleanhowardlaw.com

4301 Bull Creek Road Ste. 150

Austin, Texas 78731

737.309.0704 phone

512.328.2409 fax

www.mcleanhowardlaw.com

M&H

McLEAN & HOWARD, L.L.P.

Real Property Lawyers

CONFIDENTIALITY NOTICE: This communication is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If you are not the intended recipient of this information, you are notified that any use, dissemination, distribution, or copying of the communication is strictly prohibited.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT PETITION TCEQ INTERNAL CONTROL NO. D-06162023-032

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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.

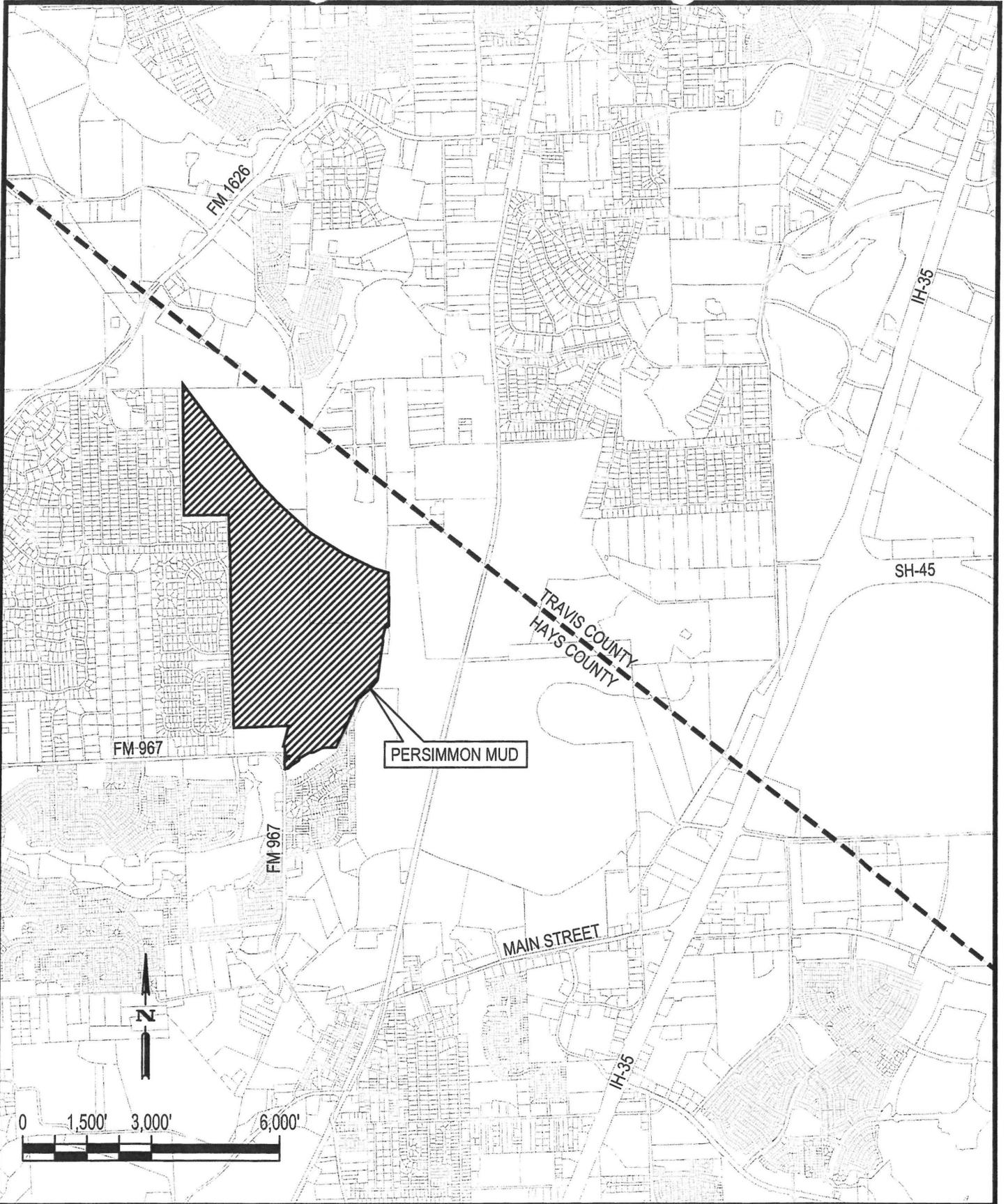
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INFORMATION. Written hearing requests should be submitted to the Office of the Chief Clerk, MC-105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC-103, at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

Issued: August 7, 2023

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PERSIMMON MUD
 HAYS COUNTY, TEXAS

VICINITY MAP Exhibit "A"

BGE, INC.
 101 WEST LOUIS HENNA BLVD. SUITE 400
 AUSTIN, TX 78728
 TBPE Registration No. F-1016
 TEL: 512-879-0400 www.bgeinc.com



Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Kelly Keel, *Interim Executive Director*



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

August 7, 2023

Mr. Anthony Corbett
McLean & Howard, LLP
4301 Bull Creek Road, Suite 150
Austin, Texas 78731-5937

Re: Publication of Notice of District Petition regarding creation of Persimmon
Municipal Utility District
TCEQ Internal Control No. D-06162023-032

Dear Mr. Corbett:

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

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

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

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

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

MAILING LIST

Persimmon Municipal Utility District
TCEQ Internal Control No. D-06162023-032

Mr. Anthony Corbett
McLean & Howard, LLP
4301 Bull Creek Road, Suite 150
Austin, Texas 78731-5937

Mr. Joseph Yaklin, P.E.
BGE, Inc.
101 W. Louis Henna Blvd., Suite 400
Austin, Texas 78728-1284

Ms. Lori Wilson
TCEQ Region 11
MC R11
P.O. Box 13087
Austin, Texas 78711-3087

The Honorable Erin Zwiener
State Representative, District No. 45
Room E2.908
P.O. Box 2910
Austin, Texas 78768-2910

The Honorable Donna Campbell
State Senator, District No. 25
P.O. Box 12068
Capital Station
Austin, Texas 78711-2068

City of Buda
Attn: Alicia Ramirez, City Secretary
405 E. Loop Street, Bldg. 100
Buda, Texas 78610-4003

Hays County
Attn: Elaine Cárdenas, County Clerk
712 S. Stagecoach Trail
San Marcos, Texas 78666-5999

Betty Voights, Executive Director
Capital Area Council of Governments
6800 Burluson Road, Bldg. 310, Suite 165
Austin, TX 78744-2325

City of Buda Utility Department
405 E. Loop St., Bldg. 100
Buda, Texas 78610-4003

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

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

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

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

Stephanie DeSouza, Districts Creation
Review Team, MC-152

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

Sean Ables, Districts Section, Water
Supply Division, MC-153

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

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

Applicant Name: Persimmon MUD
TCEQ Tracking No. D-06162023-032 CID Item No. 133410
Application Type: PETITION FOR CREATION OF A DISTRICT

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS §

COUNTY OF: _____ §

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

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

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

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

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

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

(date or dates of publication)

Newspaper Representative's Signature

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

Notary Public in and for the State of Texas

(Seal) _____
Print or type Name of Notary Public

My Commission Expires _____

ANTHONY CORBETT
MCLEAN & HOWARD, LLP
4301 BULL CREEK RD, STE 150
AUSTIN, TX 78731-5937

JOSEPH YAKLIN, P.E.
BGE, INC.
101 W. LOUIS HENNA BLVD., STE 400
AUSTIN, TX 78728-1284

THE HONORABLE ERIN ZWIENER
STATE REPRESENTATIVE, DISTRICT NO. 45
ROOM E2.908
PO BOX 2910
AUSTIN, TX 78768-2910

THE HONORABLE DONNA CAMPBELL
STATE SENATOR, DISTRICT NO. 25
PO BOX 12068
CAPITAL STATION
AUSTIN, TX 78711-2068

HAYS COUNTY
ATTN: ELAINE CÁRDENAS, COUNTY CLERK
712 S. STAGECOACH TRAIL
SAN MARCOS, TX 78666-5999

BETTY VOIGHTS, EXECUTIVE DIRECTOR
CAPITAL AREA COUNCIL OF GOVERNMENTS
6800 BURLESON RD, BLDG. 310, STE 165
AUSTIN, TX 78744-2325

CITY OF BUDA UTILITY DEPARTMENT
405 E. LOOP ST, BLDG. 100
BUDA, TX 78610-4003

CITY OF BUDA
ATTN: ALICIA RAMIREZ, CITY SECRETARY
405 E. LOOP ST, BLDG. 100
BUDA, TX 78610-4003