

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 Ellis County Municipal Utility District FM 984, SOAH Docket No. 582-24-19086, TCEQ Docket No. 2024-0671-DIS, was mailed on June 18, 2024.

Given under my hand and the seal of the Texas Commission on Environmental Quality, this the 18th day of June 2024.

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

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

SEAL

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF HEARING Ellis County Municipal Utility District FM 984 SOAH Docket No. 582-24-19086 TCEQ Docket No. 2024-0671-DIS TCEQ Internal Control No. D-05012023-025

PETITION.

Stephen Selinger, an individual (Petitioner), filed a petition for creation of Ellis County Municipal Utility District FM 984 (the "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) the proposed District will contain approximately 530.573 acres located within Ellis County, Texas; and (3) all of the land within the proposed District is wholly within the extraterritorial jurisdiction of the City of Ennis, Texas (City), and no portion of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any other city, town or village in Texas. Additionally, the Petitioner has attested that there are no lienholders on the property to be included in the proposed District.

In accordance with Local Government Code §42.042 and TWC §54.016, the then owner of a majority in value of the land to be included in the proposed District submitted a petition to the City of Ennis, requesting the City's consent to the creation of the District, followed by a petition for the City to provide water and sewer services to the District. According to the petition, neither such petitioner nor the Petitioner has received any response from the City related to the Petition for Consent or the Petition for Service.

The petition further states that the proposed District will: (1) purchase, construct, acquire, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; (2) collect, transport, process, dispose of and control domestic, and commercial wastes; (3) gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the District; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; (5) purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the proposed 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 Petitioner, from the information available at this time, that the cost of said project will be approximately \$57,775,000.

DIRECT REFERRAL.

The Notice of District Petition was published in English on June 7, 2023, and June 14, 2023. On April 30, 2024, the Petitioner filed a request for direct referral to the State Office of Administrative Hearings (SOAH). Therefore, the chief clerk has referred this application directly to SOAH for a hearing on whether the application complies with all applicable statutory and regulatory requirements.

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. – July 22, 2024

To join the Zoom meeting via computer:
<https://soah-texas.zoomgov.com/>

Meeting ID: 161 392 6051

Password: TCE684

or

To join the Zoom meeting via telephone:
(669) 254-5252 or (646) 828-7666

Meeting ID: 160 392 6051

Password: 159952

**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: June 18, 2024

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

MAILING LIST
Ellis County Municipal Utility District FM 984
TCEQ Docket No. 2024-0671-DIS; SOAH Docket No. 582-24-19086
Internal Control No. D-05012023-025

FOR THE APPLICANT:

Mindy Koene, Attorney
Coats Rose, P.C.
14755 Preston Road, Suite 600
Dallas, Texas 75254

Floyd Middleton
Middleton & Associates, LLC
2785 Rockbrook Drive, Suite 105
Lewisville, Texas 75067

INTERESTED PERSON(S):

See attached list.

FOR THE EXECUTIVE DIRECTOR
via electronic mail:

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

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

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

FOR PUBLIC INTEREST COUNSEL
via electronic mail:

Eli Martinez, Public Interest Counsel
Texas Commission on Environmental
Quality
Public Interest Counsel, MC-103
P.O. Box 13087
Austin, Texas 78711

FOR THE CHIEF CLERK:
via eFilings:

Docket Clerk
Texas Commission on Environmental
Quality
Office of Chief Clerk, MC-105
P.O. Box 13087
Austin, Texas 78711
<https://www.tceq.texas.gov/goto/efilings>

THE HONORABLE BRIAN BIRDWELL
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ELLIS COUNTY JUDGE
COUNTY COURTHOUSE
101 W MAIN ST
WAXAHACHIE TX 75165-0405

NORTH CENTRAL TEXAS COUNCIL OF
DEPT OF ENVIRONMENTAL
PO BOX 5888
ARLINGTON TX 76005-5888

PUBLIC HEALTH REGION 2/3
TEXAS DEPARTMENT OF STATE HEAL
1301 S BOWEN RD STE 200
ARLINGTON TX 76013-2262

US ARMY CORPS OF ENGINEERS REG
CESWS-PER-R
PO BOX 17300
FORT WORTH TX 76102-0300

FIELD SUPERVISOR
US FISH & WILDLIFE SERVICE
3233 CURTIS DR
FORT WORTH TX 76116-5100

GLENN C CLINGENPEEL
TRINITY RIVER AUTHORITY OF TEX
5300 S COLLINS ST
ARLINGTON TX 76018-1710

MR BRENTON DUNN REG MANAGER
TARRANT REGIONAL WATER DISTRICT
800 E NORTHSIDE DR
FORT WORTH TX 76102-1016

LARRY JINKS
ELLIS COUNTY HEALTH OFFICER
802 W LAMPASAS ST
ENNIS TX 75119-4536

KATHY TURNER JONES MANAGER
PRAIRIELANDS GROUNDWATER CONSE
208 KIMBERLY DR
CLEBURNE TX 76031-8704

AUDRA DAHL
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C R DAUBITZ JR
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MIDLOTHIAN TX 76065-5021

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CHAPARRAL STEEL MIDLOTHIAN LP
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MIDLOTHIAN TX 76065-1787

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

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

GLENN & SUSIE TOAL
1401 NEWTON RD
FERRIS TX 75125-9457

JANE VOISARD
MIDLOTHIAN BREATHE
5030 VERNON PT
MIDLOTHIAN TX 76065-7091

VELDA YARBROUGH
28144 COUNTY ROAD 2428
KEMP TX 75143-6948

EDGAR YARBROUGH
28144 COUNTY ROAD 2428
KEMP TX 75143-6948

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

Applicant Name: Ellis County Municipal Utility District FM 984
TCEQ Tracking No. D-05012023-025 CID Item No. 132400
Application Type: PETITION FOR CREATION OF A DISTRICT

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS §

COUNTY OF: Ellis §

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

Lisa Drafall

(name of newspaper representative)

, who being by me duly

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

VP of Sales

(title of newspaper representative)

of the Waxahachie Daily Light

(name of newspaper)

; that said newspaper is

regularly published or circulated in

Ellis

(name of county or counties)

County/Countries,

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

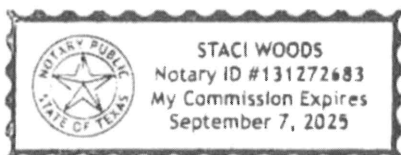
June 7th, 14th, 2023

(date or dates of publication)

[Signature]
Newspaper Representative's Signature

Subscribed and sworn to before me this the 15th day of June,
20 23, to certify which witness my hand and seal of office.

(Seal)



[Signature]
Notary Public in and for the State of Texas

Staci Woods
Print or type Name of Notary Public

My Commission Expires September 7, 2025

WAXAHACHIE

DAILY LIGHT CLASSIFIEDS

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

NOTICE OF DISTRICT PETITION
TCEQ Internal Control No. D-05012023-025

PETITION: Stephen Selinger, an individual (Petitioner), filed a petition for creation of Ellis County Municipal Utility District FM 984 (the "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) the proposed District will contain approximately 330.573 acres located within Ellis County, Texas; and (3) all of the land within the proposed District is wholly within the extraterritorial jurisdiction of the City of Ennis, Texas (City), and no portion of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any other city, town or village in Texas. Additionally, the Petitioner has attested that there are no lienholders on the property to be included in the proposed District.

In accordance with Local Government Code §42.042 and TWC §54.016, the then owner of a majority in value of the land to be included in the proposed District submitted a petition to the City of Ennis, requesting the City's consent to the creation of the District, followed by a petition for the City to provide water and sewer services to the District. According to the petition, neither such petitioner nor the Petitioner has received any response from the City related to the Petition for Consent or the Petition for Service.

The territory to be included in the proposed District is set forth in a metes and bounds description designated as Exhibit "A" and is depicted in the vicinity map designated as Exhibit "B" both of which are attached to this document.

The petition further states that the proposed District will: (1) purchase, construct, acquire, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; (2) collect, transport, process, dispose of and control domestic and commercial wastes; (3) gather, conduct, divert, abate, amend and control local storm water or other harmful excesses of water in the District; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, gravelled, or paved roads and turnpikes, or improvements in said roads; (5) purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the proposed 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 Petitioner, from the information available at this time, that the cost of said project will be approximately \$27,775,000.

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 petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

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: May 17, 2023

Exhibit "A"

LEGAL DESCRIPTION

STATE OF TEXAS
COUNTY OF ELLIS

All of that certain tract or parcel of land being situated in the Sutherland Mayfield Survey, Abstract No. 670, Ellis County, Texas, and being a portion of that certain tract of land described in a deed to Waxahachie Creek Ranch, LLC and filed in Instrument No. 173,1497, Deed Records of Ellis County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with a yellow plastic cap marked "4466" found in the north line of F.M. Highway No. 984 said point being in the most southerly east line of that certain tract of land conveyed to Charles W. Cope according to the deed filed of record in Volume 868, Page 666, Official Public Records of Ellis County, Texas, and being in the west line of and the most southerly corner of this tract;

THENCE N 30°48'17" W, along the most southerly east line of said Cope tract, a distance of 837.70 feet to a 1/2 inch iron rod found, an inside oil corner of said Cope tract and the southwest corner of this tract;

THENCE S 99°06'51" E, along the most southerly south line of said Cope tract, a distance of 879.72 feet to a 1/2 inch iron rod with a yellow plastic cap marked "4466" for an inside oil corner of this tract;

THENCE N 29°53'57" W, along the most southerly east line of said Cope tract, at a distance of 5.86 feet begin a barbed wire fence, continuing along or near said barbed wire fence, in all a distance of 1241.36 feet to a 1/2 inch iron rod found, the north east corner of said Cope tract and an inside oil corner of this tract;

THENCE S 58°16'27" W, a distance of 908.72 feet to a 1/2 inch iron rod with a yellow plastic cap marked "W5LCL", the southeast corner of that certain tract of land conveyed to the Simon D. Cannon Testamentary Trust according to the deed filed of record in Volume 2533, Page 1352, Official Public Records of Ellis County, Texas, for a corner of this tract;

THENCE N 31°02'29" W, along or near a fence, along the east line of said Cannon tract, a distance of 2602.51 feet to a 1/2 inch iron rod with a yellow plastic cap marked "OSW Surveyors" set in Jenkins Road for a corner of this tract;

THENCE S 58°36'04" E, generally with the alignment of said Jenkins Road a distance of 1743.09 feet to a 1/2 inch iron rod with a yellow plastic cap marked "OSW Surveyors" set at the east line of that certain tract of land conveyed to Luis F. Suarez according to the deed filed of record as County Clerk Instrument #1520176, Official Public Records of Ellis County, Texas, said point also being an oil corner of this tract;

THENCE N 58°36'04" E, generally with the alignment of said Jenkins Road a distance of 411.52 feet to a 4 inch steel fence post, the northwest corner of a tract of land conveyed to Gregory T. Burdette, according to the deed filed of record in Volume 2025, Page 1168, Official Public Records of Ellis County, Texas and an oil corner of this tract;

016129.000202-0442-090-1 (138-1)

THENCE S 34°2'45" E, along or near a fence, along the west line of said Burdette tract, a distance of 1749.60 feet to a 60d nail found driven in the base of a leaning 10 inch cypress fence corner post, the southwest corner of said Burdette tract for an oil corner of this tract;

THENCE N 56°29'06" E, along or near a fence and along the south line of said Burdette tract, a distance of 796.40 feet to a 1/2 inch iron rod with a yellow plastic cap marked "OSW Surveyors" set for a corner of this tract;

THENCE N 10°45'06" E, along the south line of said Burdette tract, a distance of 269.50 feet, to a 1/2 inch iron rod with a yellow plastic cap marked "OSW Surveyors" set for a corner of this tract;

THENCE N 43°15'06" E, along the south line of said Burdette tract, a distance of 388.00 feet to a 1/2 inch iron rod with a yellow plastic cap marked "OSW Surveyors" set for a corner of this tract;

THENCE N 79°23'54" W, along the south line of said Burdette tract, a distance of 272.00 feet to a point in a branch;

THENCE along the south line of said Burdette tract, generally with the meanders of said branch as follows:

N 45°09'06" E, a distance of 330.00 feet; N 87°55'09" E, a distance of 55.00 feet;
N 12°39'54" W, a distance of 110.00 feet; N 57°15'06" E, a distance of 80.00 feet;
N 28°09'54" W, a distance of 90.00 feet; N 39°40'41" E, a distance of 66.70 feet to the
confluence of Waxahachie Creek and said branch, said point being the east corner of said
Burdette tract for a corner of this tract;

THENCE generally with the meanders of Waxahachie Creek as follows:

N 64°50'23" E, a distance of 50.09 feet; S 59°40'18" E, a distance of 55.88 feet; S 01°27'23" E, a distance of 142.89 feet;
S 60°29'07" E, a distance of 188.60 feet; N 72°02'27" E, a distance of 91.32 feet; N 40°40'25" E, a distance of 131.77 feet;
N 60°17'22" W, a distance of 184.51 feet; N 25°12'51" E, a distance of 44.19 feet; N 80°32'25" E, a distance of 42.94 feet;
S 50°30'44" E, a distance of 100.15 feet; S 73°18'37" E, a distance of 49.13 feet; N 54°52'41" E, a distance of 104.67 feet;
S 62°25'1" E, a distance of 110.73 feet; N 76°40'59" E, a distance of 61.98 feet; N 12°12'27" E, a distance of 180.15 feet;
N 57°06'37" E, a distance of 64.27 feet; S 78°24'52" E, a distance of 63.19 feet; S 52°09'54" E, a distance of 115.53 feet;
N 32°34'05" E, a distance of 94.18 feet; N 33°42'21" E, a distance of 165.89 feet; N 45°01'30" E, a distance of 62.85 feet;
S 62°45'31" E, a distance of 117.82 feet; S 33°16'59" E, a distance of 237.18 feet; S 79°34'07" E, a distance of 122.66 feet;
N 77°19'37" E, a distance of 130.15 feet; S 69°28'01" E, a distance of 132.68 feet to a point in the southwest line of the Burlington Northern Santa Fe Railway (formerly Burlington Rock Island Railway, and Texas & Brazos Valley Railway right-of-way for a corner of this tract;

THENCE S 27°09'03" E, along the southwest line of said railway right-of-way a distance of 1090.38 feet to a 1/2 inch iron rod with a yellow plastic cap marked "OSW Surveyors" set for a corner of this tract;

THENCE S 58°04'55" W, a distance of 36.13 feet to a 1/2 inch iron rod with a yellow plastic cap marked "OSW Surveyors" set for a corner of this tract;

THENCE S 31°55'05" E, along said right-of-way a distance of 433.11 feet to a 1/2 inch iron rod with a yellow plastic cap marked "OSW Surveyors" set for a corner of this tract;

THENCE S 27°09'03" E, along said right of way, a distance of 1691.88 feet to a 1/2 inch iron rod with a yellow plastic cap marked "OSW Surveyors" set for the southeast corner of this tract;

THENCE S 58°17'09" W, partially along the projection of a fence line situated southwest of Copehollow Road, a distance of 3084.98 feet to a 1/2 inch iron rod with a yellow plastic cap marked "4466" found in the approximate north line of said road, for a corner of this tract;

THENCE S 29°57'59" E, a distance of 193.81 feet to a 1/2 inch iron rod with a yellow plastic cap marked "4466" found in the approximate north line of said road, for a corner of this tract;

THENCE S 20°19'53" W, partially along or near a fence line, a distance of 1755.02 feet to a 1/2 inch iron rod with a yellow plastic cap marked "4466" found for a corner of this tract;

THENCE S 64°43'57" W, a distance of 351.53 feet to a 1/2 inch iron rod with a yellow plastic cap marked "4466" found for a corner of this tract, in the north right-of-way line of F. M. Highway No. 984, said point being the beginning of a non-tangent curve to the left;

THENCE along the north right-of-way line of said highway and along said curve, having a radius of 2146.51 feet and a central angle of 04°34'07", the long chord of which bears N 80°24'01" W, a chord distance of 171.11 feet, an arc length of 171.16 feet, to a 1/2 inch iron rod with a yellow plastic cap marked "4466", said point being the southeast corner of that certain tract of land conveyed to Brazos Electric Cooperative, Inc., according to the deed filed of record in Volume 2321, Page 342, Official Public Records of Ellis County, Texas, for a corner of this tract;

THENCE N 08°04'37" E, along the east line of said Brazos Electric tract, and along or near a fence, a distance of 11.95 feet to a 1/2 inch iron rod found, the northeast corner of said Brazos Electric tract, for a corner of this tract;

THENCE N 73°24'22" W, along the northeast line of said tract, a distance of 507.83 feet to a 1/2 inch iron rod found, for the north corner of said Brazos Electric tract, for a corner of this tract;

THENCE S 60°17'40" W, along the northwest line of said Brazos Electric tract, a distance of 479.77 feet to a 1/2 inch iron rod found, the west corner of said Brazos Electric tract, said point being in the north right-of-way line of said highway and being the beginning of a non-tangent curve to the left;

THENCE along said right-of-way and along said curve, having a radius of 2146.51 feet, and a central angle of 12°36'44", the long chord of which bears S 60°27'40" W, a chord distance of 471.55 feet, an arc length of 472.50 feet, to a wooden highway monument found, for a corner of this tract;

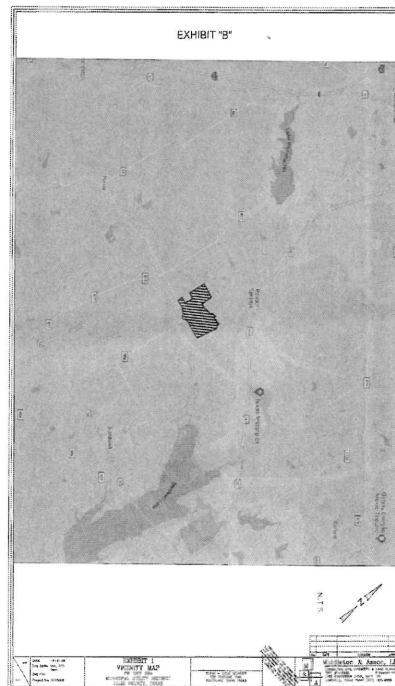
THENCE S 60°14'26" W, along the southwest line of said highway, a distance of 341.39 feet to a wooden highway monument, for a corner of this tract, said point being the beginning of a curve to the left;

THENCE along said right-of-way and along said curve, having a radius 1064.93 feet and a central angle of 121°53'11", the long chord of which is S 54°12'40" W, a chord distance of 214.60 feet, an arc length of 215.01 feet, to a wooden highway monument, for a corner of this tract;

THENCE S 48°08'19" W, along the northwest line of said highway, a distance of 269.33 feet to a wooden highway monument, for a corner of this tract, said point being the beginning of a curve to the right;

THENCE along the northwest line of said highway and along said curve, having a radius of 904.93 feet, and a central angle of 02°42'13", the long chord of which bears S 48°20'12" W, a chord distance of 42.70 feet, an arc length of 42.71 feet, to the PLACE OF BEGINNING, and containing 536.573 acres of land, more or less.

Grid North of the Texas State Plane Coordinate System, NAD 83, North Central Zone, 4202.



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT PETITION
TCEQ Internal Control No. D-05012023-025

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The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) the proposed District will contain approximately 530.573 acres located within Ellis County, Texas; and (3) all of the land within the proposed District is wholly within the extrajurisdictional jurisdiction of the City of Ennis, Texas (City), and no portion of the land within the proposed District is within the corporate limits or extrajurisdictional jurisdiction of any other city, town or village in Texas. Additionally, the Petitioner has attested that there are no lienholders on the property to be included in the proposed District.

In accordance with Local Government Code §42.042 and TWC §54.016, the then owner of a majority in value of the land to be included in the proposed District submitted a petition to the City of Ennis, requesting the City's consent to the creation of the District, followed by a petition for the City to provide water and sewer services to the District. According to the petition, neither such petition nor the Petitioner has received any response from the City related to the Petition for Consent or the Petition for Service.

The territory to be included in the proposed District is set forth in a meter and bounds description designated as Exhibit "A" and is depicted in the vicinity map designated as Exhibit "B" both of which are attached to this document.

The petition further states that the proposed District will: (1) purchase, construct, acquire, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; (2) collect, transport, process, dispose of and control domestic, and commercial wastes; (3) gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the District; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, gravelled, or paved roads and turnpikes, or improvements in aid of those roads; (5) purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the proposed 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 Petitioner, from the information available at this time, that the cost of said project will be approximately \$57,775,000.

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 petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

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: May 17, 2023

Exhibit "A"

LEGAL DESCRIPTION

STATE OF TEXAS
COUNTY OF ELLIS

All of that certain tract or parcel of land being situated in the Sutherland Mayfield Survey, Abstract No. 670, Ellis County, Texas, and being a portion of that certain tract of land described in a deed to Waxahatche Creek Ranch, LLC and filed in Instrument No. 173497, Deed Records of Ellis County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with a yellow plastic cap marked "4466" found in the north line of F.M. Highway No. 984 said point being in the most southerly east line of that certain tract of land conveyed to Charles W. Cope according to the deed filed of record in Volume 868, Page 666, Official Public Records of Ellis County, Texas, and being in the west line of and the most southerly corner of this tract;

THENCE N 30°48'17" W, along the most southerly east line of said Cope tract, a distance of 837.70 feet to a 1/2 inch iron rod found, an inside oil corner of said Cope tract and the northwest corner of this tract;

THENCE N 59°06'52" E, along the most northerly south line of said Cope tract, a distance of 879.72 feet to a 1/2 inch iron rod with a yellow plastic cap marked "4466" for an inside oil corner of this tract;

THENCE N 29°53'57" W, along the most northerly east line of said Cope tract, at a distance of 5.86 feet begin a barbed wire fence, continuing along or near said barbed wire fence, in all a distance of 1341.26 feet to a 1/2 inch iron rod found, the north east corner of said Cope tract and an inside oil corner of this tract;

THENCE S 88°16'27" W, a distance of 908.72 feet to a 1/2 inch iron rod with a yellow plastic cap marked "WJL-C", the southeast corner of that certain tract of land conveyed to the Simon D. Cannon Testamentary Trust according to the deed filed of record in Volume 2533, Page 1352, Official Public Records of Ellis County, Texas, for a corner of this tract;

THENCE N 31°06'29" W, along or near a fence, along the east line of said Cannon tract, a distance of 2602.51 feet to a 1/2 inch iron rod with a yellow plastic cap marked "GSW Surveyors" set in Jenkins Road for a corner of this tract;

THENCE N 38°36'46" E, generally with the alignment of said Jenkins Road a distance of 1743.09 feet to a 1/2 inch iron rod with a yellow plastic cap marked "GSW Surveyors" set at the east line of that certain tract of land conveyed to Luis P. Suarez according to the deed filed of record in County Clerk Instrument #1520176, Official Public Records of Ellis County, Texas, said point also being an oil corner of this tract;

THENCE N 58°38'46" E, generally with the alignment of said Jenkins Road a distance of 411.52 feet to a 4 inch steel fence post, the northwest corner of a tract of land conveyed to Gregory T. Burdette, according to the deed filed of record in Volume 2023, Page 1168, Official Public Records of Ellis County, Texas and an oil corner of this tract;

016125.000024942-4991-1158-1

THENCE S 34°24'54" E, along or near a fence, along the west line of said Burdette tract, a distance of 1749.68 feet to a 686 said found driven in the form of a leaning 10 inch concrete fence corner post, the southwest corner of said Burdette tract for an oil corner of this tract;

THENCE N 56°29'06" E, along or near a fence and along the south line of said Burdette tract, a distance of 796.40 feet to a 1/2 inch iron rod with a yellow plastic cap marked "GSW Surveyors" set for a corner of this tract;

THENCE N 10°45'06" E, along the south line of said Burdette tract, a distance of 209.50 feet, to a 1/2 inch iron rod with a yellow plastic cap marked "GSW Surveyors" set for a corner of this tract;

THENCE N 43°19'06" E, along the south line of said Burdette tract, a distance of 988.00 feet to a 1/2 inch iron rod with a yellow plastic cap marked "GSW Surveyors" set for a corner of this tract;

THENCE N 29°25'54" W, along the south line of said Burdette tract, a distance of 272.00 feet to a point in a branch;

THENCE along the south line of said Burdette tract, generally with the meanders of said branch as follows:

N 43°20'06" E, a distance of 130.08 feet; N 87°57'06" E, a distance of 85.00 feet;
N 12°59'54" W, a distance of 110.00 feet; N 57°15'00" E, a distance of 88.00 feet;
N 28°09'54" W, a distance of 90.00 feet; N 39°40'41" E, a distance of 66.70 feet to the
confluence of Waxahatche Creek and said branch, said point being the east corner of said
Burdette tract for a corner of this tract;

THENCE generally with the meanders of Waxahatche Creek as follows:

N 84°50'23" E, a distance of 50.09 feet; S 59°40'18" E, a distance of 55.88 feet; S 61°72'23"
E, a distance of 162.81 feet;
S 69°29'07" E, a distance of 188.60 feet; N 72°02'27" E, a distance of 91.52 feet; N 40°40'25"
E, a distance of 131.77 feet;
N 60°13'22" W, a distance of 184.51 feet; N 25°12'51" E, a distance of 44.19 feet; N
80°32'35" E, a distance of 42.94 feet;
S 54°30'44" E, a distance of 100.15 feet; S 73°18'17" E, a distance of 49.13 feet; N 54°52'41"
E, a distance of 104.67 feet;
S 67°42'51" E, a distance of 110.73 feet; N 70°49'59" E, a distance of 61.98 feet; N 12°12'27"
E, a distance of 180.15 feet;
N 57°06'37" E, a distance of 64.27 feet; S 78°24'52" E, a distance of 63.19 feet; S 52°49'54"
E, a distance of 115.53 feet;
N 32°38'05" E, a distance of 94.18 feet; N 33°42'21" W, a distance of 165.89 feet; N
45°01'02" E, a distance of 62.83 feet;
S 67°43'31" E, a distance of 117.82 feet; S 33°16'50" E, a distance of 217.18 feet; S
79°14'07" E, a distance of 122.66 feet;
N 77°19'37" E, a distance of 130.15 feet; S 69°28'01" E, a distance of 132.68 feet to a point
in the southwest line of the Burlington Northern Santa Fe Railway (formerly Burlington Rock
Island Railway, and Texas & Brazos Valley Railway right-of-way for a corner of this tract;

THENCE S 27°09'03" E, along the southwest line of said railway right-of-way a distance of 1990.38
feet to a 1/2 inch iron rod with a yellow plastic cap marked "GSW Surveyors" set for a corner of this
tract;

THENCE S 58°04'55" W, a distance of 36.12 feet to a 1/2 inch iron rod with a yellow plastic cap
marked "GSW Surveyors" set for a corner of this tract;

THENCE S 31°53'05" E, along said right-of-way a distance of 433.11 feet to a 1/2 inch iron rod with
a yellow plastic cap marked "GSW Surveyors" set for a corner of this tract;

THENCE S 27°09'03" E, along said right of way, a distance of 1491.88 feet to a 1/2 inch iron rod
with a yellow plastic cap marked "GSW Surveyors" set for the southeast corner of this tract;

THENCE S 58°17'09" W, partially along the projection of a fence line situated northwest of
Cottonwood Road and partially along said fence, a distance of 3084.98 feet to a 1/2 inch iron rod
found in said fence line, for an oil corner of this tract;

THENCE S 29°57'59" E, a distance of 193.81 feet to a 1/2 inch iron rod with a yellow plastic cap
marked "4466" found in the approximate north line of said road, for a corner of this tract;

THENCE S 20°19'53" W, partially along or near a fence line, a distance of 375.02 feet to a 1/2 inch
iron rod with a yellow plastic cap marked "4466" found for a corner of this tract;

THENCE S 64°43'37" W, a distance of 351.53 feet to a 1/2 inch iron rod with a yellow plastic cap
marked "4466" found for a corner of this tract, in the north right-of-way line of F. M. Highway No.
984, said point being the beginning of a non-tangent curve to the left;

THENCE along the north right-of-way line of said highway and along said curve, having a radius of
2146.51 feet and a central angle of 06°34'07", the long chord of which bears N 80°34'17" W, a chord
distance of 171.11 feet, an arc length of 171.16 feet, to a 1/2 inch iron rod with a yellow plastic cap
marked "4466", said point being the southeast corner of that certain tract of land conveyed to Brazos
Electric Cooperative, Inc., according to the deed filed of record in Volume 2321, Page 242, Official
Public Records of Ellis County, Texas, for a corner of this tract;

THENCE N 08°04'57" E, along the east line of said Brazos Electric tract, and along or near a fence, a
distance of 11.95 feet to a 1/2 inch iron rod found, the northeast corner of said Brazos Electric tract,
for a corner of this tract;

THENCE N 73°24'22" W, along the northeast line of said tract, a distance of 507.83 feet to a 1/2 inch
iron rod found, for the north corner of said Brazos Electric tract, for a corner of this tract;

THENCE S 60°17'49" W, along the northwest line of said Brazos Electric tract, a distance of 479.77
feet to a 1/2 inch iron rod found, the west corner of said Brazos Electric tract, said point being in the
north right-of-way line of said highway and being the beginning of a non-tangent curve to the left;

THENCE along said right-of-way and along said curve, having a radius of 2146.51 feet, and a central
angle of 12°36'42", the long chord of which bears S 66°27'40" W, a chord distance of 471.55 feet, an
arc length of 472.50 feet, to a wooden highway monument found, for a corner of this tract;

THENCE S 60°14'26" W, along the northwest line of said highway, a distance of 341.59 feet to a
wooden highway monument, for a corner of this tract, said point being the beginning of a curve to the
left;

THENCE along said right-of-way and along said curve, having a radius 1004.93 feet and a central
angle of 12°13'31", the long chord of which is S 54°12'49" W, a chord distance of 214.60 feet, an arc
length of 215.01 feet, to a wooden highway monument, for a corner of this tract;

THENCE S 48°08'10" W, along the northwest line of said highway, a distance of 309.33 feet to a
wooden highway monument, for a corner of this tract, said point being the beginning of a curve to the
right;

THENCE along the northwest line of said highway and along said curve, having a radius of 904.93
feet, and a central angle of 02°42'13", the long chord of which bears S 48°26'12" W, a chord distance
of 42.70 feet, an arc length of 42.71 feet, to the PLACE OF BEGINNING, and containing 558.573
acres of land, more or less.

Grid North of the Texas State Plane Coordinate System, NAD 83, North Central Zone, 4202.



CERTIFICATE OF POSTING OF NOTICE OF DISTRICT PETITION

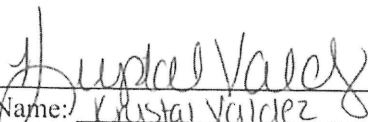
THE STATE OF TEXAS

§

COUNTY OF ELLIS

§

I, Krystal Valdez, 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 Ellis County Municipal Utility District FM 984 (TCEQ Internal Control No. D-05012023-025), which I caused to be posted on the bulletin board used for posting legal notices in Ellis County on the 6th day of June, 2023.


Name: Krystal Valdez
Ellis County Clerk

FW: FM 984 MUD Notice for Publication and Posting - D-05012023-025

Brad Patterson <Brad.Patterson@tceq.texas.gov>

Wed 6/21/2023 11:09 AM

To:PROOFS <PROOFS@tceq.texas.gov>

 1 attachments (3 MB)

Affidavit of Publication Notice of District Petition (Ellis County MUD 984).pdf;

From: Victor Cristales <vcristales@coatsrose.com>

Sent: Wednesday, June 21, 2023 11:07 AM

To: Justin Taack <Justin.Taack@tceq.texas.gov>

Cc: Steve Selinger <steve_selinger@yahoo.com>; Timothy Green <tgreen@coatsrose.com>; Melisa Montague <mmontague@coatsrose.com>; Brad Patterson <Brad.Patterson@tceq.texas.gov>

Subject: FM 984 MUD Notice for Publication and Posting - D-05012023-025

Good morning,

Please see attached the affidavit of publication and tear sheets for the two publications of the notice of district petition for Ellis County MUD FM 984 (D-05012023-025). These will be mailed to the Chief Clerk's Office as well. Please let us know if you need anything else.

Thanks,

Victor Cristales

Associate

COATS | ROSE

A PROFESSIONAL CORPORATION

16000 North Dallas Parkway, Suite 350

Dallas, Texas 75248

Direct: 972-419-4704 Fax: 972-702-0662

VCristales@coatsrose.com

www.coatsrose.com

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Georgia Carroll-Warren

From: TexReg@sos.texas.gov
Sent: Wednesday, May 17, 2023 11:22 AM
To: Mehgan Taack
Subject: TEXAS REGISTER ACKNOWLEDGMENT OF RECEIPT

ACKNOWLEDGMENT OF RECEIPT

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

TRD Number: 202301824
For Issue of: 05/26/2023

Submission Date: 2023-05-17 11:15 AM
Receipt Date: 2023-05-17 11:22 AM

Miscellaneous Document Submission

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

File Name: 1DIS051723.docx

ELLIS CO MUD 984
D-05012023-025

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT PETITION TCEQ Internal Control No. D-05012023-025

PETITION. Stephen Selinger, an individual (Petitioner), filed a petition for creation of Ellis County Municipal Utility District FM 984 (the "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) the proposed District will contain approximately 530.573 acres located within Ellis County, Texas; and (3) all of the land within the proposed District is wholly within the extraterritorial jurisdiction of the City of Ennis, Texas (City), and no portion of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any other city, town or village in Texas. Additionally, the Petitioner has attested that there are no lienholders on the property to be included in the proposed District.

In accordance with Local Government Code §42.042 and TWC §54.016, the then owner of a majority in value of the land to be included in the proposed District submitted a petition to the City of Ennis, requesting the City's consent to the creation of the District, followed by a petition for the City to provide water and sewer services to the District. According to the petition, neither such petitioner nor the Petitioner has received any response from the City related to the Petition for Consent or the Petition for Service.

The territory to be included in the proposed District is set forth in a metes and bounds description designated as Exhibit "A" and is depicted in the vicinity map designated as Exhibit "B" both of which are attached to this document.

The petition further states that the proposed District will: (1) purchase, construct, acquire, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; (2) collect, transport, process, dispose of and control domestic, and commercial wastes; (3) gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the District; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; (5) purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the proposed 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 Petitioner, from the information available at this time, that the cost of said project will be approximately \$57,775,000.

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 petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

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: May 17, 2023

Exhibit "A"

LEGAL DESCRIPTION

STATE OF TEXAS
COUNTY OF ELLIS

All of that certain tract or parcel of land being situated in the Sutherland Mayfield Survey, Abstract No. 670, Ellis County, Texas, and being a portion of that certain tract of land described in a deed to Waxahachie Creek Ranch, LLC and filed in Instrument No. 1733497, Deed Records of Ellis County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with a yellow plastic cap marked "4466" found in the north line of F.M. Highway No. 984 said point being in the most southerly east line of that certain tract of land conveyed to Charles W. Cope according to the deed filed of record in Volume 868, Page 666, Official Public Records of Ellis County, Texas, and being in the west line of and the most southerly corner of this tract;

THENCE N 30°48'17" W, along the most southerly east line of said Cope tract, a distance of 837.70 feet to a 1/2 inch iron rod found, an inside ell corner of said Cope tract and the northwest corner of this tract;

THENCE N 59°06'52" E, along the most northerly south line of said Cope tract, a distance of 879.72 feet to a 1/2 inch iron rod with a yellow plastic cap marked "4466" for an inside ell corner of this tract;

THENCE N 29°53'57" W, along the most northerly east line of said Cope tract, at a distance of 5.86 feet begin a barbed wire fence, continuing along or near said barbed wire fence, in all a distance of 1241.36 feet to a 1/2 inch iron rod found, the north east corner of said Cope tract and an inside ell corner of this tract;

THENCE S 58°16'27" W, a distance of 908.72 feet to a 1/2 inch iron rod with a yellow plastic cap marked "WSLC", the southeast corner of that certain tract of land conveyed to the Simon D. Cannon Testamentary Trust according to the deed filed of record in Volume 2533, Page 1352, Official Public Records of Ellis County, Texas, for a corner of this tract;

THENCE N 31°00'29" W, along or near a fence, along the east line of said Cannon tract, a distance of 2602.51 feet to a 1/2 inch iron rod with a yellow plastic cap marked "GSW Surveyors" set in Jenkins Road for a corner of this tract;

THENCE N 58°36'46" E, generally with the alignment of said Jenkins Road a distance of 1743.09 feet to a 1/2 inch iron rod with a yellow plastic cap marked "GSW Surveyors" set at the east line of that certain tract of land conveyed to Luis P. Suarez according to the deed filed of record as County Clerk Instrument #1529176, Official Public Records of Ellis County, Texas, said point also being an ell corner of this tract;

THENCE N 58°36'46" E, generally with the alignment of said Jenkins Road a distance of 411.52 feet to a 4 inch steel fence post, the northwest corner of a tract of land conveyed to Gregory T. Burdette, according to the deed filed of record in Volume 2025, Page 1168, Official Public Records of Ellis County, Texas and an ell corner of this tract;

THENCE S 34°24'54" E, along or near a fence, along the west line of said Burdette tract, a distance of 1749.60 feet to a 60d nail found driven in the base of a leaning 10 inch creosote fence corner post, the southwest corner of said Burdette tract for an ell corner of this tract;

THENCE N 56°29'06" E, along or near a fence and along the south line of said Burdette tract, a distance of 796.40 feet to a 1/2 inch iron rod with a yellow plastic cap marked "GSW Surveyors" set for a corner of this tract;

THENCE N 10°45'06" E, along the south line of said Burdette tract, a distance of 209.50 feet, to a 1/2 inch iron rod with a yellow plastic cap marked "GSW Surveyors" set for a corner of this tract;

THENCE N 43°19'06" E, along the south line of said Burdette tract, a distance of 988.00 feet to a 1/2 inch iron rod with a yellow plastic cap marked "GSW Surveyors" set for a corner of this tract;

THENCE N 29°25'54" W, along the south line of said Burdette tract, a distance of 272.00 feet to a point in a branch;

THENCE along the south line of said Burdette tract, generally with the meanders of said branch as follows:

N 45°20'06" E, a distance of 330.00 feet; N 87°55'06" E, a distance of 85.00 feet;
N 12°59'54" W, a distance of 110.00 feet; N 57°15'06" E, a distance of 80.00 feet;
N 28°09'54" W, a distance of 90.00 feet; N 39°40'41" E, a distance of 66.70 feet to the
confluence of Waxahachie Creek and said branch, said point being the east corner of said
Burdette tract for a corner of this tract;

THENCE generally with the meanders of Waxahachie Creek as follows:

N 84°50'23" E, a distance of 50.09 feet; S 59°40'18" E, a distance of 55.88 feet; S 01°27'23"
E, distance of 162.81 feet;
S 66°29'07" E, a distance of 188.60 feet; N 72°02'27" E, a distance of 91.52 feet; N 40°40'25"
E, a distance of 131.77 feet;
N 06°13'22" W, a distance of 184.51 feet; N 25°12'51" E, a distance of 44.19 feet; N
80°32'35" E, a distance of 42.94 feet;
S 56°30'44" E, a distance of 100.15 feet; S 73°18'37" E, a distance of 49.13 feet; N 54°52'41"
E, a distance of 104.67 feet;
S 62°42'51" E, a distance of 110.73 feet; N 76°40'59" E, a distance of 61.98 feet; N 12°12'27"
E, a distance of 180.15 feet;
N 57°06'37" E, a distance of 64.27 feet; S 78°24'52" E, a distance of 63.19 feet; S 52°49'54"
E, a distance of 115.53 feet;
N 32°38'05" E, a distance of 94.18 feet; N 33°42'21" W, a distance of 165.89 feet; N
45°01'02" E, a distance of 62.83 feet;
S 62°45'31" E, a distance of 117.82 feet; S 33°16'50" E, a distance of 237.18 feet; S
79°34'07" E, a distance of 122.66 feet;
N 77°19'37" E, a distance of 130.15 feet; S 60°28'01" E, a distance of 132.68 feet to a point
in the southwest line of the Burlington Northern Santa Fe Railway(formerly Burlington Rock
Island Railway, and Texas & Brazos Valley Railway right-of-way for a corner of this tract;

THENCE S 27°09'03" E, along the southwest line of said railway right-of-way a distance of 1090.38 feet to a 1/2 inch iron rod with a yellow plastic cap marked "GSW Surveyors" set for a corner of this tract;

THENCE S 58°04'55" W, a distance of 36.12 feet to a 1/2 inch iron rod with a yellow plastic cap marked "GSW Surveyors" set for a corner of this tract;

THENCE S 31°55'05" E, along said right-of-way a distance of 433.11 feet to a 1/2 inch iron rod with a yellow plastic cap marked "GSW Surveyors" set for a corner of this tract;

THENCE S 27°09'03" E, along said right of way, a distance of 1693.88 feet to a 1/2 inch iron rod with a yellow plastic cap marked "GSW Surveyors" set for the southeast corner of this tract;

THENCE S 58°17'09" W, partially along the projection of a fence line situated northwest of Getzendaner Road and partially along said fence, a distance of 3084.98 feet to a 1/2 inch iron rod found in said fence line, for an ell corner of this tract;

THENCE S 29°57'59" E, a distance of 193.81 feet to a 1/2 inch iron rod with a yellow plastic cap marked "4466" found in the approximate north line of said road, for a corner of this tract;

THENCE S 20°19'53" W, partially along or near a fence line, a distance of 375.02 feet to a 1/2 inch iron rod with a yellow plastic cap marked "4466" found for a corner of this tract;

THENCE S 64°43'57" W, a distance of 351.53 feet to a 1/2 inch iron rod with a yellow plastic cap marked "4466" found for a corner of this tract, in the north right-of-way line of F. M. Highway No. 984, said point being the beginning of a non-tangent curve to the left;

THENCE along the north right-of-way-line of said highway and along said curve, having a radius of 2146.51 feet and a central angle of 04°34'07", the long chord of which bears N 80°34'17" W, a chord distance of 171.11 feet, an arc length of 171.16 feet, to a 1/2 inch iron rod with a yellow plastic cap marked "4466", said point being the southeast corner of that certain tract of land conveyed to Brazos Electric Cooperative, Inc., according to the deed filed of record in Volume 2321, Page 242, Official Public Records of Ellis County, Texas, for a corner of this tract;

THENCE N 08°04'57" E, along the east line of said Brazos Electric tract, and along or near a fence, a distance of 11.95 feet to a 1/2 inch iron rod found, the northeast corner of said Brazos Electric tract, for a corner of this tract;

THENCE N 73°24'22" W, along the northeast line of said tract, a distance of 507.83 feet to a 1/2 inch iron rod found, for the north corner of said Brazos Electric tract, for a corner of this tract;

THENCE S 60°17'49" W, along the northwest line of said Brazos Electric tract, a distance of 479.77 feet to a 1/2 inch iron rod found, the west corner of said Brazos Electric tract, said point being in the north right-of-way line of said highway and being the beginning of a non-tangent curve to the left;

THENCE along said right-of-way and along said curve, having a radius of 2146.51 feet, and a central angle of 12°36'44", the long chord of which bears S 66°27'40" W, a chord distance of 471.55 feet, an arc length of 472.50 feet, to a wooden highway monument found, for a corner of this tract;

THENCE S 60°14'26" W, along the northwest line of said highway, a distance of 341.59 feet to a wooden highway monument, for a corner of this tract, said point being the beginning of a curve to the left;

THENCE along said right-of-way and along said curve, having a radius 1004.93 feet and a central angle of 12°15'31", the long chord of which is S 54°12'49" W, a chord distance of 214.60 feet, an arc length of 215.01 feet, to a wooden highway monument, for a corner of this tract;

THENCE S 48°08'10" W, along the northwest line of said highway, a distance of 309.33 feet to a wooden highway monument, for a corner of this tract, said point being the beginning of a curve to the right;

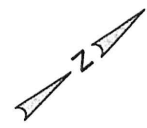
THENCE along the northwest line of said highway and along said curve, having a radius of 904.93 feet, and a central angle of 02°42'15", the long chord of which bears S 48°26'12" W, a chord distance of 42.70 feet, an arc length of 42.71 feet, to the PLACE OF BEGINNING, and containing 530.573 acres of land, more or less.

Grid North of the Texas State Plane Coordinate System, NAD 83, North Central Zone, 4202.

EXHIBIT "B"



N.T.S.



Date: 12-3-20
 Dwg Scale: Hor, HTS
 Vert.
 Dwg File:
 Project No. 0095008

EXHIBIT 1
VICINITY MAP
 FM HWY 984
 MUNICIPAL UTILITY DISTRICT
 ELLIS COUNTY, TEXAS

CLIENT - STEVE SELINGER
 620 TRUELOVE TRL
 SOUTHLAKE, TEXAS 76092

This drawing is the property of Middleton & Assoc., LLC. It is to be used only for the project and location identified on this drawing. It is not to be reproduced, copied, or used for any other purpose without the written consent of Middleton & Assoc., LLC.

No.	DATE	REVISION	APPROV.

Middleton & Assoc., LLC.
 CONSULTING CIVIL ENGINEERS & LAND PLANNERS
 TDR # 47-10900
 2765 ROCKBROOK DRIVE, SUITE 103
 LEWISVILLE, TEXAS 75087 (972) 393-9800

00020

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

May 17, 2023

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

Re: Publication of Notice of District Petition regarding creation of Ellis County
Municipal Utility District FM 984
TCEQ Internal Control No. D-05012023-025

Dear Ms. Koehne:

Enclosed is a copy of the notice for the above petition. Please carefully review the notice for accuracy prior to publication and distribution. Contact Justin Taack in the District Administration Office at 512/239-0418 if the notice is found to be in error.

This full notice, including Exhibits A and B, 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 Exhibits A and B, 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.

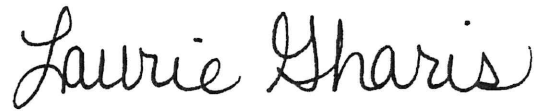
After notice has been published and posted in accordance with 293.12, please provide proof of these actions to the Chief Clerks Office (Mail Code 105). The proof for newspaper publication shall be the original TCEQ affidavit of publication completed and notarized by the newspaper and an original tear 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".

Laurie Gharis
Chief Clerk

LG/ka
Enclosures

cc: To all on attached mailing list.

MAILING LIST

Ellis County Municipal Utility District FM 984
TCEQ Internal Control No. D-05012023-025

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

Mr. Floyd E. Middleton Jr., P.E.
Middleton & Associates, LLC
2785 Rockbrook Drive, Suite 105
Lewisville, Texas 75069

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

The Honorable Bob Hall
Texas State Senate District No. 2
P.O. Box 12068
Capitol Station
Austin, Texas 78711

The Honorable Brian Harrison
Texas State House District No. 10
P.O. Box 2910
Austin, Texas 78768

Ms. Krystal Valdez, County Clerk
Ellis County
Ellis County Clerk's Office
P.O. Box 250
Waxahachie, Texas 75168

Ms. Angie Wade, City Secretary
City of Ennis
107 North Sherman Street
Ennis, Texas 75119

Capital Area Council of Governments
Ms. Betty Voights, Executive Director
6800 Burleson Road, Building 310,
Suite 165
Austin, Texas 78744

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

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

Kayla Murray, Attorney, Environmental
Law Division, MC-173

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

Garrett T. 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: Ellis County Municipal Utility District FM 984
TCEQ Tracking No. D-05012023-025 CID Item No. 132400
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 _____

MINDY L. KOEHNE
COATS ROSE, PC
14755 PRESTON RD, STE 600
DALLAS, TX 75254

FLOYD E. MIDDLETON JR., P.E.
MIDDLETON & ASSOCIATES, LLC
2785 ROCKBROOK DRIVE, STE 105
LEWISVILLE, TX 75069

THE HONORABLE BOB HALL
TX STATE SENATE DISTRICT NO. 2
PO BOX 12068
CAPITOL STATION
AUSTIN, TX 78711

THE HONORABLE BRIAN HARRISON
TX STATE HOUSE DISTRICT NO. 10
PO BOX 2910
AUSTIN, TX 78768

KRYSTAL VALDEZ, COUNTY CLERK
ELLIS COUNTY
ELLIS COUNTY CLERK'S OFFICE
PO BOX 250
WAXAHACHIE, TX 75168

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

ANGIE WADE, CITY SECRETARY
CITY OF ENNIS
107 N SHERMAN ST
ENNIS, TX 75119

NOTICE MAILED OUT TO ABOVE ON:
5-17-2023