

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 Circle S West Municipal Utility District of Ellis County , SOAH Docket No. 582-25-04018, TCEQ Docket No. 2024-1226-DIS, was mailed on November 5, 2024.

Given under my hand and the seal of the Texas Commission on Environmental Quality, this the 15th day of November 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 Circle S West Municipal Utility District of Ellis County SOAH Docket No. 582-25-04018 TCEQ Docket No. 2024-1226-DIS TCEQ Internal Control No. D-10062023-008

PETITION.

Circle S Midlothian, LLC, a Texas limited liability company, (Petitioner) filed a petition for the creation of Circle S West Municipal Utility District of Ellis County (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, AgTexas Farm Credit Services, on the property to be included in the proposed District and the aforementioned entity has consented to the creation of the District; (3) the proposed District will contain approximately 584.0 acres of land, more or less, located within Ellis County, Texas; and (4) all of the land to be included within the proposed District is within the extraterritorial jurisdiction of the City of Midlothian (City) and is not located within the corporate limits of any city or town.

The petition further states that the proposed District will: (1) construct, maintain, and operate a waterworks system, including the purchase and sale of water, for domestic and commercial purposes; (2) construct, maintain, and operate a sanitary sewer collection, treatment, and disposal system, for domestic and commercial purposes; (3) construct, install, maintain, purchase, and operate drainage and roadway facilities and improvements; and (4) construct, install, maintain, purchase, and operate such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the District is created. It further states that the planned residential and commercial development of the area and the present and future inhabitants of the area will be benefited by the above-referenced work, which will promote the purity and sanitary condition of the State's waters and the public health and welfare of the community.

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 \$102,800,000 (\$74,400,000 for water, wastewater, and drainage facilities and \$28,400,000 for road facilities).

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. – December 17, 2024

To join the Zoom meeting via computer:

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

Meeting ID: 161 468 7099

Password: 9523841

or

To join the Zoom meeting via telephone:

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

Meeting ID: 161 468 7099

Password: 9523841

**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: November 15, 2024

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

MAILING LIST

Circle S West Municipal Utility District of Ellis County
TCEQ Docket No. 2024-1226-DIS; SOAH Docket No. 582-25-04018
TCEQ Internal Control No. D-10062023-008

FOR THE APPLICANT

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

Ken Heroy
Jones - Heroy & Associates Inc
13915 North Mopac Expressway, Suite 200
Austin, Texas 78728

INTERESTED PERSON(S):

See attached list.

FOR THE EXECUTIVE DIRECTOR
via electronic mail:

Allie Soileau, Staff Attorney
Kayla Murray, Staff Attorney
Texas Commission on Environmental
Quality
Environmental Law Division, MC-173
P.O. Box 13087
Austin, Texas 78711

Pirainder Lall, 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:

Sheldon P. Wayne, 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>

STEFANIE P ALBRIGHT
BICKERSTAFF HEATH DELGADO ACOSTA LLP
STE C400
1601 S MOPAC EXPY
AUSTIN TX 78746-7009

AUDRA DAHL
5641 MULBERRY LN
MIDLOTHIAN TX 76065-5297

C R DAUBITZ JR
481 N WARD RD
MIDLOTHIAN TX 76065-5021

PHILLIP GANDY ENVIRONMENTAL SCIENTIST
CHAPARRAL STEEL MIDLOTHIAN LP
300 WARD RD
MIDLOTHIAN TX 76065-9646

DR. LAURA T HUNT
MIDLOTHIAN BREATHE
2941 AMERICAN SPARROW DR
MIDLOTHIAN TX 76065-1787

THOMAS D JEFFERSON
294 ARROWHEAD RD
WAXAHACHIE TX 75167-8613

JOSHUA D KATZ
BICKERSTAFF HEATH DELGADO ACOSTA LLP
STE C400
1601 S MOPAC EXPY
AUSTIN TX 78746-7009

KIMBERLY G KELLEY
BICKERSTAFF HEATH DELGADO ACOSTA LLP
STE C400
1601 S MOPAC EXPY
AUSTIN TX 78746-7009

JOSEPH MANN
UNIT A
951 FM 2258
VENUS TX 76084-4712

ROSANA NAREZ
TEX MEX NOTICIAS
PO BOX 93331
SOUTHLAKE TX 76092-0113

DOROTHY PRACHYL
1005 S PARIS ST
ENNIS TX 75119-6614

EMILY W ROGERS
BICKERSTAFF HEATH DELGADO ACOSTA LLP
STE C400
1601 S MOPAC EXPY
AUSTIN TX 78746-7009

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 P
MIDLOTHIAN TX 76065-7091

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

Applicant Name: Circle S West MUD of Ellis County
TCEQ Tracking No. D-10062023-008 CID Item No. 136108
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

Sherry Groves

, who being by me duly

(name of newspaper representative)

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

Agent

(title of newspaper representative)

of the Waxahachie Daily Light

(name of newspaper)

; that said newspaper is

Elis

regularly published or circulated in

(name of county or counties)

County/Countries,

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

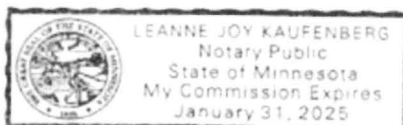
March 2 and March 9, 2024

(date or dates of publication)

Sherry Groves
Newspaper Representative's Signature

Subscribed and sworn to before me this the 14 day of March,
20 24, to certify which witness my hand and seal of office.

(Seal)



Leanne Kaufenberg
Notary Public in and for the State of Texas

Leanne Kaufenberg
Print or type Name of Notary Public

My Commission Expires 1-31-25

WAXAHACHIE

DAILY LIGHT CLASSIFIEDS

785-992-0001
ext. 2189
dnelson@cherryroad.com

PUBLIC NOTICE

REQUEST FOR INFORMATION

The purpose of this request is to gather information and best practices to provide cost effective and easily available telehealth care options for the citizens of Red Oak in partnership with a qualified health care provider. **PLEASE NOTE THIS IS A REQUEST FOR INFORMATION ONLY, NOT A FORMAL REQUEST FOR BIDS/PROPOSALS. NO OTHER DOCUMENTS WILL BE PROVIDED AND RESPONSES ARE TO BE SUBMITTED USING THE INFORMATION PROVIDED IN THE RFI DOCUMENT.** No contract will be awarded based on the responses received to this RFI. Red Oak may or may not choose to issue a solicitation to contract for these or similar services. Red Oak may or may not choose to incorporate information gathered through this RFI into possible future requirements. Responding to the RFI is not a pre-requisite to submitting a proposal for any subsequent procurement. Responders should not provide confidential or proprietary information. Submissions, in accordance with the requirements, will be accepted until Tuesday, 2:00 p.m. March 12th, 2024 in the office of the City Secretary at the following address: City of Red Oak Attn: Caryn Stevens, 101 S. Live Oak Red Oak, Texas 75154

Published in Waxahachie Daily Light February 24, March 2, 2024.

1985770

NOTICE OF SELF STORAGE SALE

Please take notice Small Town Storage - Red Oak located at 722 Valley View Ave, Red Oak, TX 75154 intends to hold a public sale to the highest bidder of the property stored by the following tenants at the storage facility. The sale will occur as an on-line auction via www.storageauction.com on 3/19/2024 at 10:00AM. Unless stated otherwise the description of the contents are household goods and furnishings. Natasha Davis; Isaac Martinez; Qiana Nixon; Kourtney Applewhite. All property is being stored at the above self-storage facility. This sale may be withdrawn at any time without notice. Certain terms and conditions apply. See manager for details.

Published in Waxahachie Daily Light February 24, March 2, 2024.

1989020

NOTICE OF SELF STORAGE SALE

Please take notice FreeUp Storage - Waxahachie located at 1832 FM66, Waxahachie, TX 75167 intends to hold a public sale to the highest bidder of the property stored by the following tenants at the storage facility. The sale will occur as an online auction via www.selfstorageauction.com on 3/19/2024 at 10:00AM. Unless stated otherwise the description of the contents are household goods and furnishings. Heather Ivey; James Dixon; Christy Culp-Kester; Lanisha Herrera; Rachel Miller; James Dixon; Janie Gallegos. All property is being stored at the above self-storage facility. This sale may be withdrawn at any time without notice. Certain terms and conditions apply. See manager for details.

Published in Waxahachie Daily Light February 24, March 2, 2024.

1989030

NOTICE OF TABC APPLICATION QUICK PANTRY

Application has been made for a Wine and Malt Beverage Retail Dealer's Off Premise Permit for: BN Active Partners LLC; Khari Neoraj; Manager DBA: Quick Pantry 5788 FM 879 Garrett, Texas 75119 Ellis County Said application has

PUBLIC NOTICE

been made to the Texas Alcoholic Beverage Commission in accordance with the provisions of the Texas Alcoholic Beverage Code. Published in Waxahachie Daily Light March 2, 9, 2024.

1996620

NOTICE OF TABC APPLICATION TEQUILA COCINA COMIDA MEXICANA

Application has been made for a Mixed Beverage / Food and Beverage Certificate for: Tequila Mexican Cuisine LLC; Rosendo Portillo-Member DBA: Tequila Cocina Comida Mexicana 108 N 8th Street Ellis County Texas 76065 Said application has been made to the Texas Alcoholic Beverage Commission in accordance with the provisions of the Texas Alcoholic Beverage Code. Published in Waxahachie Daily Light March 2, 9, 2024.

1996690

CITATION BY PUBLICATION CAUSE NO. 105677

THE STATE OF TEXAS: TO LINDA ANN BEY-HEIR AT LAW OF MARK WATSON, DECEASED

Greetings: NOTICE TO DEFENDANT. You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the first Monday next following the expiration of 42 days after the date this citation was issued, a default judgment may be taken against you.

YOU ARE HEREBY COMMANDED to appear before the 40TH Judicial District Court of Ellis County, Texas, in the Courthouse thereof, at 109 S. Jackson St., Waxahachie, TX, by filing a written answer to the plaintiff's ORIGINAL PETITION, at or before ten o'clock A.M. of the first Monday next after the expiration of forty-two (42) days from the date of the issuance of this citation, in cause number 105677 filed on 04/15/2021, on the docket of said Court and styled:

U.S. BANK TRUST NATIONAL ASSOCIATION AS TRUSTEE FOR GIFM HOLDINGS TRUST VS. MARK WATSON AND THE HEIRS AT LAW OF MARK WATSON, DECEASED

A brief summary of the nature of this suit is: The Petition seeks an order to foreclose the lien on the property and assert a claim to the property located at 615 Jordan Lane, Waxahachie, TX 75165 and legally described as: ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND BEING LOT 26 IN BLOCK "D" OF CLIFT ESTATES, PHASE III, AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN CABINET H, SLIDE 239, PLAT RECORDS, ELLIS COUNTY, TEXAS.

ATTORNEY for the petitioner: Ronny George, 13105 Northwest Freeway, Suite 950, Houston, TX 77040

ISSUED and given under my hand and the seal of said Court, at Waxahachie, Texas, this 22nd day of February, 2024.

MELANIE REED
Ellis County District Clerk
109 S. Jackson St.
Waxahachie, Texas 75165
By: /s/ Cheryl Wilson
Deputy
Published in Waxahachie Daily Light March 2, 9, 16, 23, 2024.

2006560

Classified shoppers aren't desperate... just smart consumers that like to save money.

Hide while you seek? Our "Blind Boxes" protect your privacy.

cars • garage sales • tickets • antiques • motorcycles
computers • boats sports • equipment • pets
instruments • jewelry • furniture • auctions
collectibles • jobs • appliances
yard sales • tablets • cameras • coins

SELL IT BUY IT FIND IT
Place your classified ad today!

SELL IT
BUY IT
FIND IT
Place your classified ad today.

Need privacy and speed? Ask about our "blind boxes."

Qualified buyers don't investigate every ad, just the ones that offer a good deal.

SELL IT BUY IT FIND IT

Place your classified ad today.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT PETITION TCEQ Internal Control No. D-10062023-008

PETITION. Circle S Midlothian, LLC, a Texas limited liability company, (Petitioner) filed a petition for the creation of Circle S West Municipal Utility District of Ellis County (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, AgTexas Farm Credit Services, on the property to be included in the proposed District and the aforementioned entity has consented to the creation of the District; (3) the proposed District will contain approximately 584.0 acres of land, more or less, located within Ellis County, Texas; and (4) all of the land to be included within the proposed District is within the extrajurisdictional jurisdiction of the City of Midlothian (City) and is not located within the corporate limits of any city or town.

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

The petition further states that the proposed District will: (1) construct, maintain, and operate a waterworks system, including the purchase and sale of water, for domestic and commercial purposes; (2) construct, maintain, and operate a sanitary sewer collection, treatment, and disposal system, for domestic and commercial purposes; (3) construct, install, maintain, purchase, and operate drainage and roadway facilities and improvements; and (4) construct, install, maintain, purchase, and operate such additional facilities, systems, plans, and enterprises as shall be consistent with the purposes for which the District is created. It further states that the planned residential and commercial development of the area and the present and future inhabitants of the area will be benefited by the above-referenced work, which will promote the purity and sanitary condition of the State's waters and the public health and welfare of the community.

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 \$102,800,000 (\$74,400,000 for water, wastewater, and drainage facilities and \$28,400,000 for road facilities).

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

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

To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the 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: February 14, 2024



Published in Waxahachie Daily Light March 2, 9, 2024

1994670

PUBLIC NOTICE

Classified shoppers
aren't desperate...
just smart
consumers that like
to save money.

Get a good website? Include
the URL in your ad.

PUBLIC NOTICE

Hide While You Seek? Our "Blind
Seals" track your privacy.



PUBLIC NOTICE

Need privacy and speed? Ask
about our "blind boxes."

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

NOTICE OF DISTRICT PETITION
TCEQ Internal Control No. D-10662023-408

PETITION. Circle S Midlothian, LLC, a Texas limited liability company, (Petitioner) filed a petition for the creation of Circle S West Municipal Utility District of Ellis County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, S 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, Ag Texas Farm Credit Services, on the property to be included in the proposed District and the aforementioned entity has consented to the creation of the District; (3) the proposed District will contain approximately 584.9 acres of land, more or less, located within Ellis County, Texas; and (4) all of the land to be included within the proposed District is within the extrajurisdictional jurisdiction of the City of Midlothian (City) and is not located within the corporate limits of any city or town.

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

The petition further states that the proposed District will: (1) construct, maintain, and operate a waterworks system, including the purchase and sale of water, for domestic and commercial purposes; (2) construct, maintain, and operate a sanitary sewer collection, treatment, and disposal system, for domestic and commercial purposes; (3) construct, install, maintain, purchase, and operate drainage and roadway facilities and improvements; and (4) construct, install, maintain, purchase, and operate such additional facilities, systems, plants, and enterprises as shall be consistent with the purposes for which the District is created. It further states that the planned residential and commercial development of the area and the present and future inhabitants of the area will be benefited by the above-referenced work, which will promote the purity and sanitary condition of the State's waters and the public health and welfare of the community.

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 \$102,800,000 (\$74,400,000 for water, wastewater, and drainage facilities and \$28,400,000 for road facilities).

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Issued February 14, 2024



Published in Waxahachie Daily Light March 2, 9, 2024.

Midlothian becomes 'sanctuary for unborn'

Council approves ordinance banning abortion in Midlothian

Bill Spinks
b.spinks@chattahoochee.com

The Midlothian City Council waded into a controversial topic for the third time in nearly two years last Tuesday, this time approving an ordinance outlawing abortion in the city and declaring Midlothian a "Sanctuary City for the Unborn."

The council spent a total of more than three hours on the ordinance, including two executive sessions, before approving as presented. A total of 19 public speakers addressed the council, with local speakers on either side of the issue.

Council members Ed Gardner and Hud Hartson moved and seconded respectively, and the vote was 5-2 with Gardner, Hartson, Mayor Justin Coffman, Anna Hammonds and Mike Rodgers voting for the measure. Mayor Pro Tem Clark Wickliffe and Allen Moorman did not vote in favor.

Wickliffe, who said he was against abortion, was adamant in his opposition to the ordinance. He suggested three alternatives: passing a non-binding resolution, passing a zoning ordinance prohibiting abortion clinics, or placing the matter on a citywide referendum.

"To do what we're doing now is a complete overreach of what municipal government should be doing," Wickliffe said.

Moorman, who also

said he opposed abortion, echoed Wickliffe's sentiments.

The ordinance bans abortion from the moment of conception in Midlothian city limits and contains civil penalties, not criminal. The ordinance does not punish the mother, only the abortion provider and anyone who assists in an abortion taking place.

The ordinance had come up before the council in September 2022 but was defeated by a 4-3 vote. Three of the four "no" votes at the time were cast by councilmembers who are no longer serving, including former Mayor Richard Reno, who said the ordinance was unnecessary and divisive.

The City Council first visited the topic in April 2022 and considered a harsher ordinance that would have provided for criminal penalties. The council voted to table the ordinance and form a committee to study the ordinance and make recommendations.

Dan Altman, the chair of that committee, told the council last Tuesday that the ordinance is unchanged from two years ago, other than a removed section that provided for an undue burden defense.

Altman said the ordinance employs a citizen's "private right to action" where any citizen can bring legal action against what they find objectionable. He said zoning ordinances prohibiting abortion clinics

were studied but found to be on legal shaky ground.

Altman also said the ordinance provides carve-outs for contraception and medical emergencies.

Abortion pills being sent by U.S. mail to a Midlothian resident would be prohibited by the ordinance but would be a very difficult case to prove, Altman conceded.

Other Items

A \$150,000 residential homestead exemption for persons 65 years of age and older and disabled persons was unanimously approved to go into effect in October. City Manager Chris Dick said the final impact to city revenue is projected to be between \$468,000 and \$620,000 in the 2024-2025 fiscal year, depending on final reappraisal district figures. Seniors whose property taxes are already capped won't see a tax increase.

The council discussed and took no action on the possibility of assuming maintenance and operation of the Midlothian Historic Gymnasium at 700 West Avenue H. Adding air conditioning to the newly-refurbished facility to make it available for summer use is estimated to cost \$157,000, which the nonprofit organization running the gym cannot afford. Dick said the city has the right of first refusal to purchase the gym if it ever reverts back to the school district over a 25-year period.

GUEST COLUMNIST

Vulnerable Senate Democrats face immigration challenges



Joe Guzzardi

The House of Representatives impeached Department of Homeland Security Alejandro Mayorkas for high crimes and misdemeanors. The next step is a Senate vote that will require a two-thirds majority to remove Mayorkas from his Cabinet position. But because at least six Senate Democrats are vulnerable in their 2024 re-election bids, Majority Leader Chuck Schumer may table the impeachment resolution.

By setting the House resolution aside, an action that's never occurred in the nation's history, Schumer would spare at-risk Democrats in states that the alien invasion has dramatically affected from voting against impeachment. An angered enough electorate sector that favors impeachment could represent

the difference that turns over not only the individual Democratic seat to the GOP challenger, but might also shift Senate majority.

About twenty Senate Democrats and Independents who caucus with the party are up for re-election. But, if no impeachment vote is held, the six Democratic senators that would benefit most from Schumer's safe-haven play are Ohio's Sherrod Brown, Montana's Jon Tester, Nevada's Jacky Rosen, Pennsylvania's Bob Casey, Wisconsin's Tammy Baldwin, and Arizona's Kyrsten Sinema, an Independent who caucuses with Democrats. If immigration is voters' top concern, then the six senators could be in deep water.

Analyzing the susceptible in the order listed above, Brown is campaigning in a state that has been trending Republican for several election cycles. Ohio voted for Trump in 2016 and 2020, and elected Republican JD Vance, an enforcement proponent over Rep. Tim Ryan (D). Ohio has had a continuous presence on the border since October 2020, when Governor Mike DeWine

deployed approximately 115 members of the Ohio National Guard to support the Southwest Border operations. DeWine has also supplemented his national guard troops with an Ohio State Highway Patrol contingent. Brown, on the other hand, voted earlier this year for S.Amdt.1388 to H.R.815 to allow 5,000 illegal entries per day. The Republican senate primary is March 19.

Montana's Tester is a Senate fixture who's been elected in three consecutive cycles that began in 2006. Tester has repeatedly voted against bills that would enhance border and interior security. However, other high-ranking Montana officials differ with Tester on immigration. Attorney General Austin Knudsen pledged to work with Texas AG Ken Paxton to help stem the illegal alien tide. Knudsen also urged Congress to impeach Mayorkas. Earlier this month, Governor Greg Gianforte directed the Montana National Guard to work with Paxton on border security. The GOP senate primary is June 4. Top of Form.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



POSTED

FEB 20 2024

**COUNTY CLERK
ELLIS COUNTY, TEXAS**

**NOTICE OF DISTRICT PETITION
TCEQ Internal Control No. D-10062023-008**

PETITION. Circle S Midlothian, LLC, a Texas limited liability company, (Petitioner) filed a petition for the creation of Circle S West Municipal Utility District of Ellis County (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, AgTexas Farm Credit Services, on the property to be included in the proposed District and the aforementioned entity has consented to the creation of the District; (3) the proposed District will contain approximately 584.0 acres of land, more or less, located within Ellis County, Texas; and (4) all of the land to be included within the proposed District is within the extraterritorial jurisdiction of the City of Midlothian (City) and is not located within the corporate limits of any city or town.

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

The petition further states that the proposed District will: (1) construct, maintain, and operate a waterworks system, including the purchase and sale of water, for domestic and commercial purposes; (2) construct, maintain, and operate a sanitary sewer collection, treatment, and disposal system, for domestic and commercial purposes; (3) construct, install, maintain, purchase, and operate drainage and roadway facilities and improvements; and (4) construct, install, maintain, purchase, and operate such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the District is created. It further states that the planned residential and commercial development of the area and the present and future inhabitants of the area will be benefited by the above-referenced work, which will promote the purity and sanitary condition of the State's waters and the public health and welfare of the community.

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 \$102,800,000 (\$74,400,000 for water, wastewater, and drainage facilities and \$28,400,000 for road facilities).

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

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

To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the 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: February 14, 2024

CERTIFICATE OF POSTING NOTICE OF DISTRICT PETITION

THE STATE OF TEXAS §
 §
COUNTY ELLIS §

I, Darla Rieper, do hereby certify that at 4:30 am/pm on February 20, 2024, I posted the attached and foregoing Notice of District Petition for Creation of Circle S West Municipal Utility District of Ellis County from the Texas Commission on Environmental Quality (TCEQ Internal Control No. D-08232023-044) on the bulletin board used for posting legal notices at the Ellis County Clerk's Office as required by 30 Texas Administrative Code §293.12(b)(2).

EXECUTED this 20 day of February, 2024.

Signature: Darla Rieper
Printed Name: DARLA RIEPER

Juliet Varra

From: Hahn, Vicki <vhahn@winstead.com>
Sent: Friday, March 15, 2024 9:11 AM
To: PROOFS
Cc: Montague, Melisa
Subject: Circle S West Municipal Utility District of Ellis County - D-10062023-008 ("District") - Proofs of Publishing and Posting Notice of District Petition
Attachments: Circle S West - Affidavit of Publication of Notice of District Petition and tear sheets for Waxahachie Daily Light - 3-2-24 and 3-9-24 4~.pdf; Circle S West - Certificate of Posting Notice of District Petition - Ellis County - 2-20-24 4871-7603-7031 1.pdf

Good morning,

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

1. Affidavit of Publication for the Notice of District Petition and the tear sheets for the Waxahachie Daily Light for March 2, 2024 and March 9, 2024; and
2. Certificate of Posting of Notice of District Petition by the county dated February 20, 2024.

If you need anything else, please let me know.

Best regards,

Vicki

Vicki Hahn
Paralegal

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

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

Georgia Carroll-Warren

From: TexReg@sos.texas.gov
Sent: Wednesday, February 21, 2024 11:25 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: 202400750
For Issue of: 03/01/2024

Submission Date: 2024-02-21 11:13 AM
Receipt Date: 2024-02-21 11:25 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: 3DIS022124.doc

D-10062023-008
Circle & West HUD of
Ellis Co.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT PETITION
TCEQ Internal Control No. D-10062023-008

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The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there is one lienholder, AgTexas Farm Credit Services, on the property to be included in the proposed District and the aforementioned entity has consented to the creation of the District; (3) the proposed District will contain approximately 584.0 acres of land, more or less, located within Ellis County, Texas; and (4) all of the land to be included within the proposed District is within the extraterritorial jurisdiction of the City of Midlothian (City) and is not located within the corporate limits of any city or town.

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

The petition further states that the proposed District will: (1) construct, maintain, and operate a waterworks system, including the purchase and sale of water, for domestic and commercial purposes; (2) construct, maintain, and operate a sanitary sewer collection, treatment, and disposal system, for domestic and commercial purposes; (3) construct, install, maintain, purchase, and operate drainage and roadway facilities and improvements; and (4) construct, install, maintain, purchase, and operate such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the District is created. It further states that the planned residential and commercial development of the area and the present and future inhabitants of the area will be benefited by the above-referenced work, which will promote the purity and sanitary condition of the State's waters and the public health and welfare of the community.

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 \$102,800,000 (\$74,400,000 for water, wastewater, and drainage facilities and \$28,400,000 for road facilities).

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

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Issued: February 14, 2024

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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Issued: February 13, 2024

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



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

February 14, 2024

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

Re: Publication of Notice of Petition for Creation of Circle S West Municipal Utility
District of Ellis County
TCEQ Internal Control No. D-10062023-008

Dear Mr. Martin:

Enclosed is a copy of the notice for the above petition. Please carefully review the notice for accuracy prior to publication and distribution. Contact Pirainder Lall in the District Administration Office at 512/239-0881 if the notice is found to be in error.

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

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


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

district, stating all facts of the posting action.

The Chief Clerk's Office should receive all affidavits no later than 14 days after the second publication of the notice in the newspaper.

If you have any questions regarding these publication requirements, please contact Georgia Carroll-Warren in this office at 512/239-3314.

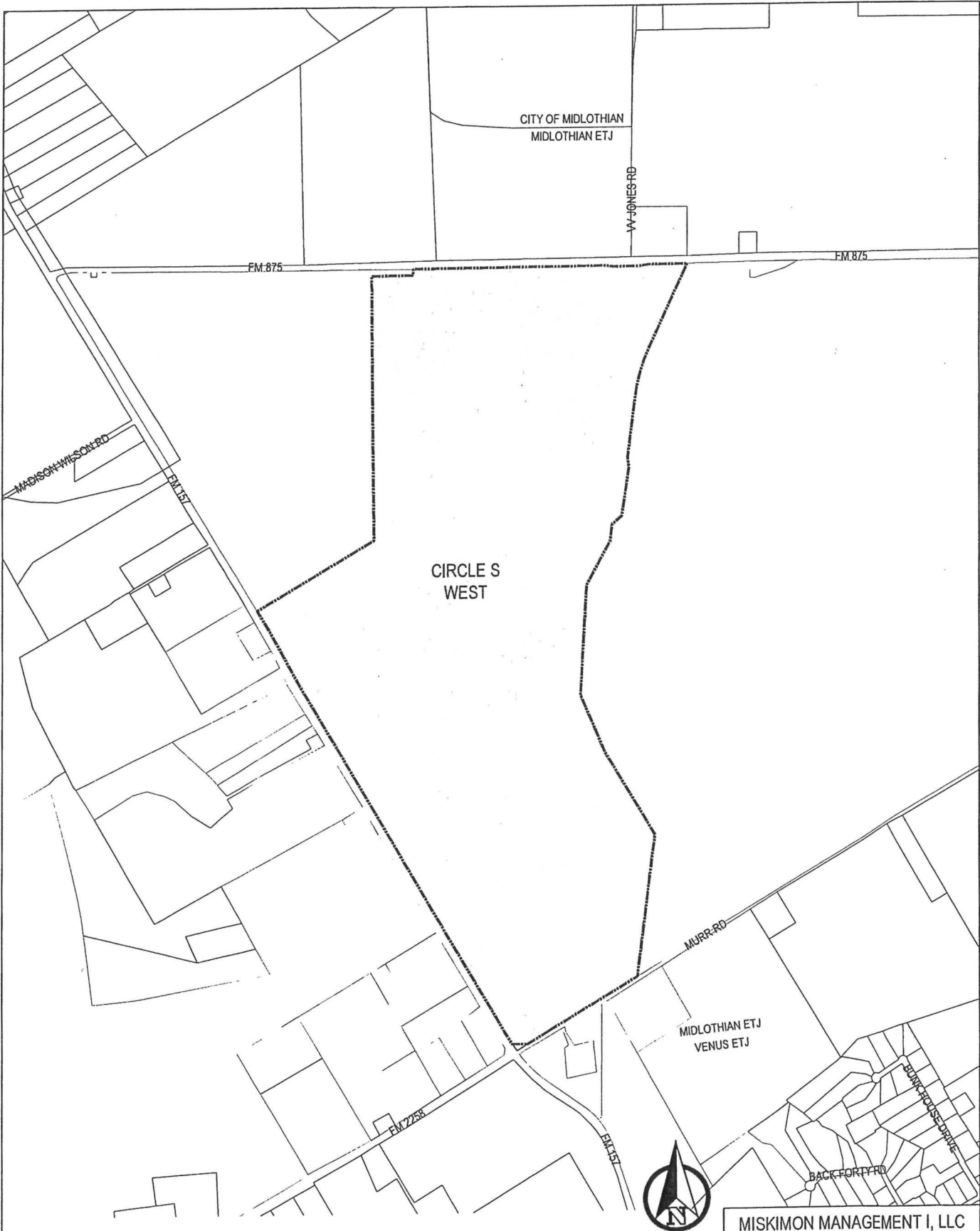
Sincerely,

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

Laurie Gharis
Chief Clerk

LG/ ev
Enclosures

cc: To all on attached mailing list.



SHEET:
1 OF 1

SCALE:
1" = 1000'

DATE:
04/26/2023

CIRCLE S WEST
LOCATION MAP

MISKIMON MANAGEMENT I, LLC
5940 S. WEST MCGEE CREEK RD.
LANE, OK 74555
TBPE FIRM NO. F-22396

00021

Jon Niemann, *Chairman*
Catarina Gonzales, *Commissioner*
Bobby Janecka, *Commissioner*
Kelly Keel, *Executive Director*



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February 13, 2024

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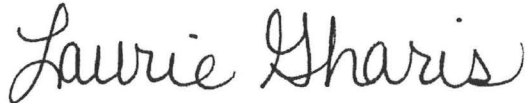
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If you have any questions regarding these publication requirements, please contact Georgia Carroll-Warren in this office at 512/239-3314.

Sincerely,

A handwritten signature in cursive script that reads "Laurie Gharis". The signature is written in dark ink and is positioned above the typed name and title.

Laurie Gharis
Chief Clerk

LG/ ev
Enclosures

cc: To all on attached mailing list.

MAILING LIST

Circle S West Municipal Utility District of Ellis County
TCEQ Internal Control No. D-10062023-008

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

Mr. Ken Heroy, P.E.
Jones-Heroy & Associates, Inc.
13915 North Mopac Expressway, Suite 408
Austin, Texas 78728

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

The Honorable Brian Harrison
State Representative, District 10
100 North College Street, Suite 306
Waxahachie, Texas 75165

The Honorable Brian Birdwell
State Senator, District 22
1315 Waters Edge Drive, Suite 116
Granbury, Texas 76048

The Honorable Krystal Valdez
County Clerk, Ellis County
109 South Jackson Street
Second Floor / Ground Floor
Waxahachie, Texas 75165

Mr. Monte Mercer, Executive Director
North Central Texas Council of Governments
Centerpoint II
616 Six Flags Drive
Arlington, Texas 76011

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

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

Allie Soileau, Attorney, Environmental Law
Division, MC-173

Pirainder Lall, Technical Manager, Districts
Bond Review Team, MC-152

Daniel Finnegan, Team Lead, Districts Bond
Review Team, MC-152

Michelle Voytko, Data Infrastructure Specialist,
Water Supply Division, MC-155

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: Circle S West MUD of Ellis County
TCEQ Tracking No. D-10062023-008 CID Item No. 136108
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 _____,
(name of newspaper representative), who being by me duly

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

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

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

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

(date or dates of publication)

Newspaper Representative's Signature

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

(Seal)

Notary Public in and for the State of Texas

Print or type Name of Notary Public

My Commission Expires _____
00025