TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF HEARING Grayson County Municipal Utility District No. 6A SOAH Docket No. 582-25-02903 TCEQ Docket No. 2024-1401-DIS TCEQ Internal Control No. D-03172022-031

PETITION.

Treasure Island Laguna Azure, LLC, a Wyoming limited liability company (Petitioner), filed a revised petition for the creation of Grayson County Municipal Utility District No. 6A (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, MCI Preferred Income Fund II, LLC, a Delaware limited liability company, on the property to be included in the proposed District and information provided indicates that the aforementioned entity has consented to the petition; (3) the proposed District will contain approximately 596.73 acres located within Grayson County, Texas; and (4) the land within the proposed District is located within the extraterritorial jurisdiction of the City of Van Alstyne, Texas (City).

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 facilities, systems, plants, and enterprises of such additional facilities as shall be consonant with all of the purposes for which the proposed District is created.

According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner that the cost of said project will be approximately \$108,335,000 (\$93,895,000 for water, wastewater, and drainage plus \$14,440,000 for roads).

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

DIRECT REFERRAL.

The Notice of District Petition was published in English on December 21, 2022, and December 28, 2022. On September 12, 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. - November 12, 2024

To join the Zoom meeting via computer:

https://soah-texas.zoomgov.com/ Meeting ID: 161 984 4430

Password: TCQ293 or **To join the Zoom meeting via telephone:**

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

Meeting ID: 161 984 4430 Password: 951735

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 <u>www.soah.texas.gov</u>, 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 <u>www.tceq.texas.gov</u>

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: October 11, 2024

Laurie Gharis, Chief Clerk Texas Commission on Environmental Quality

REVISED PETITION FOR THE CREATION OF GRAYSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 6-A

THE STATE OF TEXAS §
COUNTY OF GRAYSON §

TO THE HONORABLE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

Treasure Island Laguna Azure, LLC, a Wyoming limited liability company (herein the "Petitioner," whether one or more), respectfully petitioned the Commission of the Texas Commission on Environmental Quality (the "Commission" or "TCEQ") on the 4th day of March 2024 (the "Original Petition") for the creation of a municipal utility district in Grayson County, Texas. Petitioner now respectfully wishes to supplement and revise the Original Petion to provide a fifth named prospective director, Clare Carona, and to replace one of the prospective directors named in the Original Petition, Phil Flink, with Jonathan Platt. Additionally, Petitioner respectfully wishes to clarify that a predecessor to the Petitioner filed a Petition for Consent to the creation of the District with the City of Van Alstyne, Texas ("City") and filed a Petition for Services with the City.

Pursuant to Section 42.024, Texas Local Government Code, MBA McKinney Properties II LTD, William H. Rasor, Laura Rasor Smith, Lura Beth Smith, and William H. Rasor, III, the predecessor to the Petitioner ("Predecessor Petitioner") filed a Petition for Consent to the Creation of the District (as defined below) with the City on April 23, 2021, attached hereto as Exhibit "A". The City did not respond.

On August 3, 2021, the Predecessor Petitioner posted a Notice of Petition to the City of Van Alstyne, Texas for Water Service and Sanitary Sewer Service (the "Notice of Petition") in three places for each Notice of Petition convenient to the public within the boundaries of the property sought to be included in the District. The affidavits of posting of the Notices of Petition are attached hereto as Exhibit "B".

On August 4, 2021, the Predecessor Petitioner published the Petition for Services with the City of Van Alstyne, Texas (the "Petition for Services") in the *Herald Democrat*, a newspaper of general circulation within and around the District. The affidavit of publication of the Petition for Services with the City is attached hereto as Exhibit "C".

On August 23, 2021, the Predecessor Petitioner filed a Petition for Services with the City, dated July 23, 2021, with the City of Van Alstyne, Texas. Copies of the Petition for Services attached hereto as Exhibit "D".

The City failed to execute a contract providing for the water or sanitary sewer services requested by the Predecessor Petitioner within the time limits prescribed.

Therefore, the Petitioner, being a majority of the persons who hold title to land(s) situated within the area hereinafter described, which represents a total value of more than 50% of the value of all such area, and being a majority in value of the holders of title of

said area described by metes and bounds in Exhibit "E" attached hereto (the "Land"), respectfully petitions the TCEQ for the creation of a municipal utility district in Grayson County, Texas, pursuant to the provisions of Chapters 49 and 54 of the Texas Water Code, together with all amendments and additions thereto, and would respectfully show the following:

I.

The name of the proposed district shall be "GRAYSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 6-A" (the "<u>District</u>"). There is no other conservation or reclamation district in Grayson County, Texas with the same name.

II.

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

III.

The District shall contain an area of approximately 596.73 acres of land, situated within Grayson County, Texas, described by metes and bounds in Exhibit "A", which is attached hereto and made a part hereof for all purposes. The described property is wholly located within the extraterritorial jurisdiction of the City of Van Alstyne, Texas. Notice will be provided to Grayson County by the TCEQ in accordance with Section 54.0161, Texas Water Code.

IV.

The undersigned Petitioner constitutes a majority of the persons who hold title to lands within the District which represents a total value of more than 50% of the value of all lands within the District, as well as a majority in value of the holders of title of the property to be included within the District.

V.

Petitioners are the record owner of the described land, as evidenced by the execution of this Petition. Petitioners represent that MCI Preferred Income Fund II, LLC, a Delaware limited liability company is the only lienholder with respect to the Land.

VI.

The District shall be created for all of the purposes set forth in Article XVI, Section 59 and Article III, Section 52, Texas Constitution; Chapters 49 and 54, Texas Water Code, as amended; and purposes and authority concurrently or subsequently acquired and approved for roadways by Chapter 54, Water Code or other applicable law.

The general nature of the work proposed to be done by the District at the present time is the construction, maintenance and operation of a waterworks system, including the purchase and sale of water, for domestic and commercial purposes; the construction, maintenance and operation of a sanitary sewer collection, treatment and disposal system, for domestic and commercial purposes; the design, acquisition, construction, financing, improving, operating, and maintaining of macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; the construction, installation, maintenance, purchase and operation of drainage facilities and improvements; and the construction, installation, maintenance, purchase and operation of facilities, systems, plants and enterprises of such additional facilities as shall be consonant with the purposes for which the District is organized.

VIII.

There is a necessity for the improvements described above for the following reasons: The area of the District is urban in nature and is in close proximity to populous and developed sections of Grayson County. The District's area will, within the immediate future, experience a substantial and sustained residential and commercial growth. Said area is not supplied with adequate water and sanitary sewer facilities and services or with adequate drainage facilities and does not have adequate fire suppression facilities, parks and recreational land and facilities, or roads or improvements in aid thereof. The health and welfare of the future inhabitants of the area and of territories adjacent thereto require the installation and acquisition of an adequate water supply and sewage disposal system, an adequate drainage system for and within the area of the District, adequate fire suppression facilities, adequate parks and recreational land and facilities, and roads or improvements in aid thereof.

A public necessity exists for the organization of such District to provide for the purchase, construction, extension, improvement, maintenance and operation of such waterworks and sanitary sewer system, such drainage facilities, such fire suppression facilities, parks and recreational land and facilities, and roads or improvements in aid thereof, in order to promote and protect the purity and sanitary condition of the State's waters and the public health and welfare of the community.

IX.

Said proposed improvements are practicable and feasible, in that the terrain of the territory to be included in the District is of such a nature that a waterworks, sanitary sewer, drainage, storm sewer and roadway system can be constructed at a reasonable cost, currently estimated at \$108,335,000, with reasonable ad valorem tax and assessment rates and water and sewer rates, and said territory will be developed for residential and commercial purposes. The District shall be designated a noncity service district in the meaning of Section 54.016, Texas Water Code, as the District does not currently propose to connect to the City's water or sewer system or propose to contract with a regional water

and wastewater facilities provider serving the area within the District, as of the date this Petition is filed.

Х.

The following named persons are each and all over eighteen (18) years of age, resident citizens of the State of Texas, owners of land subject to taxation within the District, and are otherwise qualified to serve as directors of the District under the provisions of the Texas Water Code:

- 1. Jason K. Ringstad
- 2. Jonathan Platt
- 3. Cathy Ackmann
- 4. Cliff Fielden
- 5. Clare Carona

Petitioner made reasonable efforts to identify candidates meeting the requirements of Section 54.022, Texas Water Code. However, after exercising said reasonable efforts, Petitioner has been unable to identify candidates meeting the requirements set out in Section 54.022(b), Texas Water Code, due to only one of the prospective directors residing within a county adjacent to Grayson County (Jason K. Ringstad). Accordingly, Petitioner seeks appointment of the otherwise qualified above-named persons pursuant to Section 54.022(c), Texas Water Code.

WHEREFORE, the undersigned respectfully pray that this Petition be properly filed, as provided by law; that notice of the application be given as provided therein and in accordance with Section 54.0161, Texas Water Code; that a hearing be held if necessary and that this Petition be in all things granted; that the proposed municipal utility district be organized; that the five (5) persons named herein be appointed to serve as temporary directors until their successors are duly elected and qualified; and for such other orders, acts, procedures and relief as are proper, necessary and appropriate to the purpose of creating and organizing the District.

[SIGNATURE PAGE FOLLOWS]

RESPECTFULLY SUBMITTED this the <u>9</u> day of <u>July</u>, 2024.

PETITIONER:

This instrument was acknowledged before me on the day of 2024 by Armin Afzalipour, Co-President of Treasure Island Laguna Azure, LLC, a Wyoming limited liability company, on behalf of said limited liability company.

Notary Public, State of Texas

(SEAL)



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT PETITION TCEQ INTERNAL CONTROL NO. D-03172022-031

PETITION. Treasure Island Laguna Azure, LLC, a Wyoming limited liability company (Petitioner), filed a petition for the creation of Grayson County Municipal Utility District No. 6-A (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, MCI Preferred Income Fund II, LLC, a Delaware limited liability company, on the property to be included in the proposed District and information provided indicates that the aforementioned entity has consented to the petition; (3) the proposed District will contain approximately 596.73 acres located within Grayson County, Texas; and (4) the land within the proposed District is located wholly within the extraterritorial jurisdiction of the City of Van Alstyne, Texas (City).

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

The petition further states that the 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 facilities, systems, plants, and enterprises of such additional facilities as shall be consonant with all of the purposes for which the proposed District is created.

According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner that the cost of said project will be approximately \$108,335,000 (\$93,895,000 for water, wastewater, and drainage plus \$14,440,000 for roads).

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

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

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

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

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

Issued: December 14, 2022

Exhibit "A"

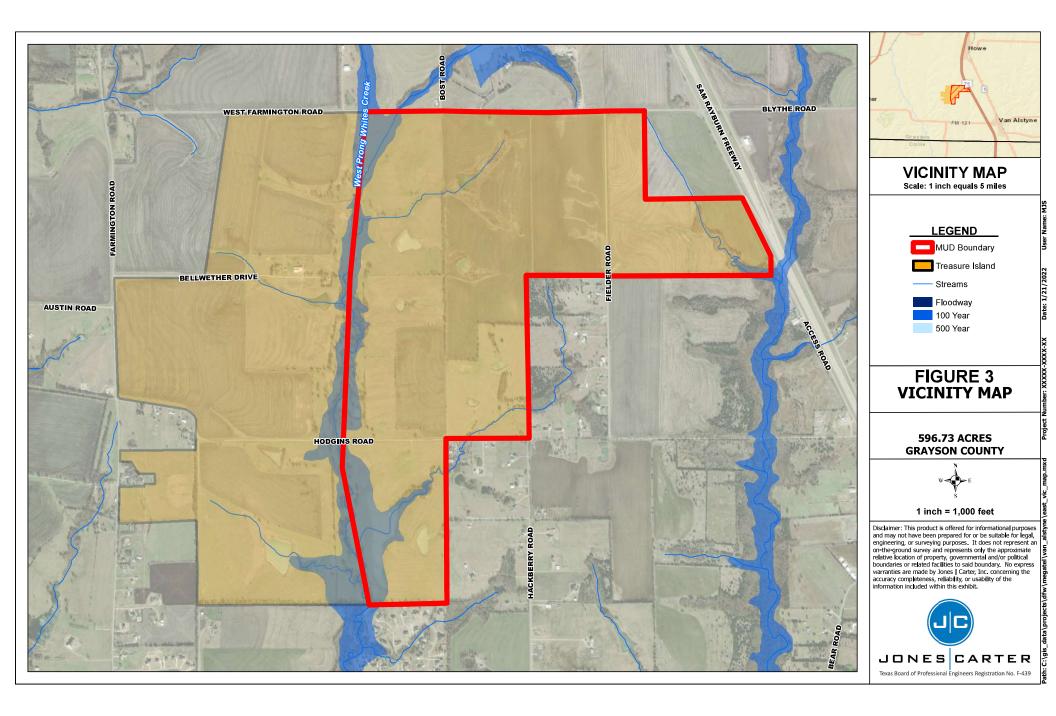


Exhibit "A"

FIGURE 2

<u>GRAYSON COUNTY MUNICIPAL UTILITY DISTRICT</u> NO.6A 596.73 ACRES GRAYSON COUNTY, TEXAS

AYSON COUNTY, TE January 18, 2022

596.73 Acres

Del D. Fox Survey, Abstract Number 423 Jahiel Fox Survey, Abstract Number 424 Christopher Nolan Survey, Abstract Number 905 Michael West Survey, Abstract Number 1323 Alexander Wilson Survey, Abstract Number 1337

A **METES AND BOUNDS** description of a 596.7 acre tract of land situated in the Vel D. Fox Survey, Abstract Number 423, the Jahiel Fox Survey, Abstract Number 424, the Christopher Nolan Survey, Abstract Number 905, the Michael West Survey, Abstract Number 1323, and the Alexander Wilson Survey, Abstract Number 1337, Grayson County, Texas; being part of a called 243.936 acre tract (Tract 2) conveyed to MBA McKinney Properties, II, LTD. by Special Warranty Deed dated December 24, 2012 and filed for record in Volume 5227, Page 395 of the Official Public Records of Grayson County, out of and a part of called 801.197 acre tract conveyed to William H. Rasor, Lura Rasor Smith and Winnie Rasor by Special Warranty Deed dated November 28, 2000 and filed for record in Volume 3004, Page 484 of the Official Public Records of Grayson County, and out of and part of a called 129.01 acre tract conveyed to MBA McKinney Properties, II, LTD. by Special Warranty Deed dated December 24, 2012 and filed for record in Volume 3024, Page 484 of the Official Public Records of Grayson County, and out of and part of a called 129.01 acre tract conveyed to MBA McKinney Properties, II, LTD. by Special Warranty Deed dated December 24, 2012 and filed for record in Volume 5227, Page 418 of the Official Public Records of Grayson County; said 596.73 acre tract being more particularly described as follows with all bearings based on the Texas Coordinate System of 1983, North Central Zone:

COMMENCING at a set PK nail (with shiner stamped "Jones|Carter") in the asphalt pavement of Farmington Road, in the west right-of-way of U.S. Highway 75 (width varies), for the northeast corner of a said 129.01 acres and the northwest corner a called 18.825 acre tract conveyed to the State of Texas by Judgement (Cause No. 2118) dated June 13, 1967 and filed for record in Volume 1086, Page 243 of the of the Official Public Records of Grayson County, from which a found concrete monument (broken) bears North 24°20'44" West, 19.87 feet;

THENCE, along the west right-of-way of said U.S. Highway 75 and the east line of said 129.01 acres the following courses:

South 24°39'39" East, 23.85 feet to a found 1/2-inch iron rod;

South 41°47'34" East, 180.50 feet to a found 1/2-inch iron rod;

South 25°38'41" East, 442.23 feet to a found 1/2-inch iron rod;

South 26°51'46" East, 700.39 feet to a found 1/2-inch iron rod (bent);

South 25°38'09" East, 261.73 feet to a set 5/8-inch iron rod (with cap stamped "Jones|Carter Property Corner") for the **POINT OF BEGINNING** and most easterly northeast corner of the herein described tract;

THENCE, South 25°56'20" East, continuing along the west right-of-way of said U.S. Highway 75, a distance of 1020.77 feet to a found concrete monument;

THENCE, South 00°38'02" East, 307.96 feet to a set 5/8-inch iron rod (with cap stamped "Jones|Carter Property Corner") in the north line of a called 159.983 acre tract conveyed to Dr. B. Alexander Badie by Special Warranty Deed dated May 11, 2015 and filed for record in Volume 5623, Page 825 of the Official Public Records of Grayson County, for the southeast corner of said 129.01 acres, from which a found concrete monument bears North 89°52'08" East, 130.30 feet;

THENCE, South 89°52'08" West, 2612.95 feet, departing the west right-of-way of said U.S. Highway 75, along the north line of said 159.983 acres and the south line of said 129.01 acres to a found 1/2-inch iron rod in the asphalt pavement of Fielder Road, for the northeast corner of a called 5.000 acre tract conveyed to Peggy J. Hiegert by Warranty Deed With Vendor's Lien dated Janaury 25, 1974 and filed for record in Volume 1271, Page 767 of the Official Public Records of Grayson County, the northwest corner of said 159.983 acres, the most easterly southeast corner of said 801.197 acres and the southwest corner of said 129.01 acres;

THENCE, South 89°40'39" West, 1313.08 feet along the north line of said 5.000 acres and a south line of said 801.197 acres to a found 5/8-inch iron rod for the northwest corner of said 5.000 acres and a reentrant corner of said 801.197 acres;

THENCE, South 00°43'21" East, along the west line of said 5.000 acres, the west line of a called 5.000 acre tract conveyed to Peggy J. Hiegert by Warranty Deed With Vendor's Lien dated May 5, 1972 and filed for record in Volume 1217, Page 658 of the Official Public Records of Grayson County, the west line of a called 3.00 acre tract conveyed to T. N. Chapman and Mary J. Chapman by General Warranty Deed dated May 10, 1996 and filed for record in Volume 2464, Page 780 of the Official Public Records of Grayson County, the west line of the remainder of a called 20.000 acre tract conveyed to Thomas N. Chapman by Contract of Sale and Purchase dated June 7, 1971 and filed for record in Volume 1190, Page 323 of the Official Public Records of Grayson County, the west line of a called 15.29 acre tract conveyed to Loren L. Demers by Warranty Deed With Vendor's Lien dated July 18, 2008 and filed for record in Volume 4512, Page 843 of the Official Public Records of Grayson County, the west line of Lake Hills Estates as shown on a plat filed for record in Volume 9, Page 54 of the Grayson County Plat Records and an east line of 801.197 acres, passing a found 3/8-inch iron rod at 1492.70 feet, 0.17 feet left and a found 4"x4" concrete monument at 2619.14 feet, 0.50 feet right, continuing for a total distance of 2640.13 feet to a set PK nail (with shiner stamped "Jones | Carter") in asphalt pavement at the intersection of Hodgins Road and Hackberry Road;

THENCE, along the south line of said 801.197 acres the following courses:

South 89°40'34" West, passing a found 1/2-inch iron rod (with cap stamped "Busby 4967") at 30.44 feet, 30.12 feet left, a found 1-inch iron rod at 505.00 feet, 33.30 feet left, a found 1/2-inch iron rod (bent) at 704.58 feet, 35.00 feet left, a found 1/2-inch iron rod at 904.34 feet, 36.63 feet left, and a found PK nail at 991.59 feet, 9.39 feet left, continuing for a total distance of 1320.76 feet to a set PK nail (with shiner stamped "Jones | Carter") in the asphalt pavement of Hodgins Road;

North 00°57'25" West, 13.70 feet to a set 5/8-inch iron rod (with cap stamped "Jones|Carter Property Corner");

South 89°24'41" West, 1299.24 feet to a set 5/8-inch iron rod (with cap stamped "Jones|Carter Property Corner");

South 00°32'21" East, 14.63 feet to a set PK nail (with shiner stamped "Jones|Carter") in the asphalt pavement of Hodgins Road and the north line of said 243.396 acres;

THENCE, North 89°47'46" East, 1298.15 feet along the north line of said 243.396 acres to a set PK nail (with shiner stamped "Jones|Carter") in the asphalt pavement of Hodgins Road, for the northeast corner of said 243.396 acres;

THENCE, South 00°29'06" East, along the west line of a called 2.22 acre tract conveyed to Brad Butler by Warranty Deed dated February 6, 2017 and filed for record in Volume 5947, Page 285 of the Official Public Records of Grayson County, the west line of a called 17.913 acre tract conveyed to Melanie Hunter and Neal Hunter by General Warranty dated August 16, 2017 and filed for record under Clerk's File No. 2017-18323 of the Official Public Records of Grayson County, the west line of a called 10.155 acre tract conveyed to Wendell Stephens and Wife Sheri T. Stephens by Warranty Deed With Vendor's Lien dated March 5, 1999 and filed for record in Volume 2765, Page 229 of the Official Public Records of Grayson County, the west line of a called 5.00 acre tract conveyed to Douglass Scott Shaw and wife, Nancy Jan Shaw by Warranty Deed dated July 18, 2003 and filed for record in Volume 3493, Page 502 of the Official Public Records of Grayson County, the west line of a called 10.49 acre tract conveyed to Douglas Scott Shaw and Wife, Nancy Jan Shaw by Warranty Deed With Vendor's Lien dated July 12, 1996 and filed for record in Volume 2479, Page 678 of the Official Public Records of Grayson County, the west line of a called 7.19 acre tract conveyed to Douglas Scott Shaw and Wife, Nancy Jan Shaw by Warranty Deed dated July 18, 2003 and filed for record in Volume 3493, Page 502 of the Official Public Records of Grayson County and the east line of said 243.396 acres, passing a found 1/2-inch iron rod at 2118.40 feet, 1.03 feet right and a found 1/2-inch iron rod (bent) at 2458.20 feet, continuing for a total distance of 2642.20 feet to a 1/2inch iron rod (bent) in the west line of said 7.19 acres, for the northeast corner of Hackberry Heights, Phase Three as shown on a plat filed for record in Volume 11, Page 81 of the Grayson County Plat Records, the southeast corner of said 243.396 acres and the most southerly southeast corner of the herein described tract;

THENCE, South 89°51'44" West, departing the west line of said 7.19 acres, along the north line of said Hackberry Heights, Phase Three, a distance of 1258.64 feet to a point for corner in the approximate center of West Fork of Whites Creek.

THENCE, departing the north line of said Hackberry Heights, Phase Three, over and across said 243.936 acre tract and said 801.197 acre tract, the following courses:

North 11°03'42" West, a distance of 2251.10 feet to a point for corner;

North 02°22'21" East, a distance of 3067.05 feet to a point for corner;

North 05°30'20" East, a distance of 2678.29 feet to a point in the north line of said 801.197 acre tract;

THENCE, in an easterly direction, along the north line of said 801.197 acre tract, the following courses:

North 89°37'08" East, 1197.59 feet to a set PK nail (with shiner stamped "Jones|Carter") in the asphalt pavement of Farmington Road;

South 88°52'24" East, 1506.86 feet to a set PK nail (with shiner stamped "Jones | Carter") in the asphalt pavement of Farmington Road;

North 88°56'57" East, 1131.98 feet to a set PK nail (with shiner stamped "Jones|Carter") in the asphalt pavement of Farmington Road at its intersection with Fielder Road, for the northwest corner of said 129.01 acres;

THENCE, North 89°16'59" East, 628.03 feet along the north line of said 129.01 acres to a set PK nail (with shiner stamped "Jones|Carter") in the asphalt pavement of Farmington Road;

THENCE, South 00°43'19" East, 1424.99 feet, over and across said 129.01 acres to a set 5/8-inch iron rod (with cap stamped "Jones|Carter Property Corner");

THENCE, North 89°16'41" East, 1567.18 feet, continuing over and across said 129.01 acres to the **POINT OF BEGINNING** and containing 596.73 acres of land in Grayson County, Texas.

NOTE: "This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the political subdivision for which it was prepared".

halo Martina 1/18/2022

Eduardo Martinez Registered Professional Land Surveyor No. 5274 JONES | CARTER Telephone 972-488-3880 Ext. 7177 Texas Board of Professional Engineers & Land Surveyors Registration No. 100461-03



Issued: January 18, 2022

Print Form

TCEQ - Office of the Chief Clerk	Applicant Name: Grayson County MUD	6A	
MC-105 Attention: Notice Team	TCEQ Tracking No. D-03172022-031	CID Item No. 129508	
PO Box 13087	Application Type: PETITION FOR CREATION OF A DISTRICT		
Austin TX 78711-3087			

AFFIDAVIT OF PUBLICATION

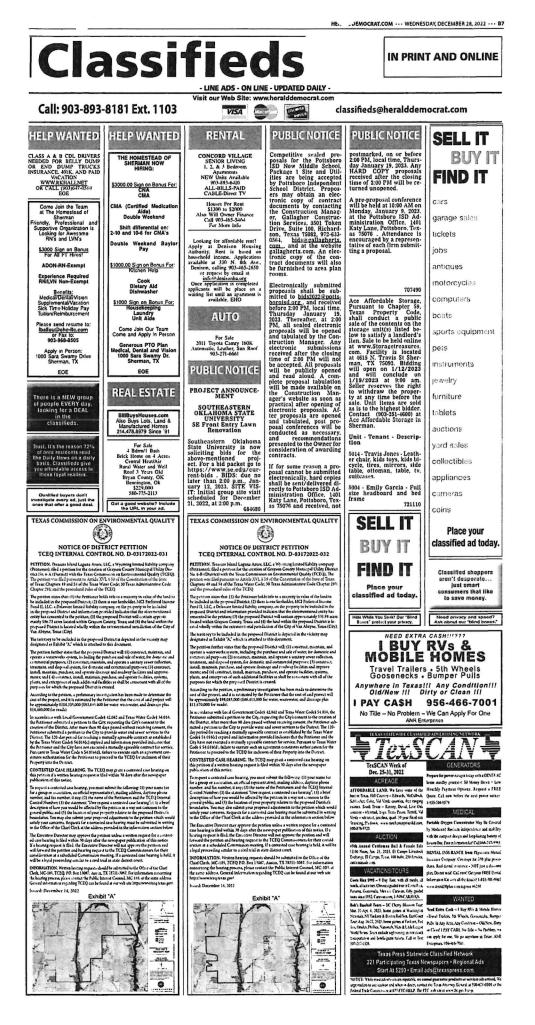
STATE OF TEXAS	5		
COUNTY OF:	Grayson	§	
Before me, the u	ndersigned authority, on t	his day personally appeared	
	Lisa Drafall		, who being by me duly
	(name of newspaper i		, , , , , , , , , , , , , , , , ,
sworn, deposes and says that (s)he is the Vp of Sales			S
		(title of newspaper)	representative)
of the	Herald Democrat		_ ; that said newspaper is
(name of newspaper)			
regularly publishe	ed or circulated in	Grayson (name of county or counties)	County/Counties,
Texas; that the a	December 21, 2022 and De		owing dates:
	(date or dates of p		
		Newspaper Representative's	Signature
	STACI WOODS Notary ID #131272683	a 289 day of DECT hand and seal of office.	\mathcal{A}
(Seal)	My Commission Expires	Stac W	loods

Staci Woods Print or type Name of Notary Public

My Commission Expires September 7,2025

HEI. JEMOCRAT.COM ··· WEDNESDAY, DECEMBER 21, 2022 ··· B7					
Classifieds IN PRINT AND ONLINE					
Call: 903-893-	LINE ADS - ON LINE - UPDATED DAILY - Visit our Web Site: www.heralddemocrat.com Call: 903-893-8181 Ext. 1103 VISIA				
HELP WANTED	HELP WANTED	RENTAL	PUBLIC NOTICE	PUBLIC NOTICE	PUBLIC NOTICE
CLASS A & B CDL DRIVERS NEEDED FOR BELLY DUMP OR END DUMP TRUCKS INSURANCE, 401K, AND PAID VACATION WWW RKHALLNET OR CALL (903):641-0569	THE HOMESTEAD OF SHERMAN NOW HIRING: \$3000.00 Sign on Bonus For;	CONCORD VILLAGE SEVIOR LIVING 1, 2, & 3 Bedroom Apartments NEW Units Available 903-893-6410 ALL-BILLS-PAID	above-mentioned proj- ect. For a bid packet go to https://www.sc.cdu/ current-bids. BIDS: due no later than 2:00 p.m., January 5, 2023. SITE VIS- IT: Initial group site visit scheduled for December 70, 2022 at 10:00 a.m.	a.m., January 02, 2023, which is the first Monday next after the expiration of 10 days from the date of posting this citation, at the Grayson County Court- house, 100 W. Houston.	of Grayson County, Texas, to DEBRA ANN WEGER, Claims may be presented in care of the attorney for the Independent Execu- trix addressed as follows:
EOE Come Join the Team at The Homestead of Sherman Friendly, Protessional and Supportive Ornanization is	SJ000.00 Sign on Bonus For: CNA CMA CMA CMA (Certilied Medication Alde) Double Weekend Shift differential on: 2-10 and 10-6 for CNA's	Houses For Rent \$1300 to \$2000 Also Will Owner Finance Call 903-465-5464	PROJECT ANNOUNCE- MENT	All persons interested in this case are cited to ap- pear before this Honorable	DEBRA ANN WEGER, Independent Executrix of the Estate of MARY STELLA MURPHY, De- ceased c/o Boverley Rogers, At- torney at Law
RN's and UN's <u>\$3000 Sign on Bonus</u> For All FI Hirest ADON-RN-Exempt	2-10 and 10-6 for CNA's Double Weekend Baylor Pay \$1000.00 Sign on Bonus For: Kitchen Help	Fur More Info Luoking for affordable rent? Apply at Denison Housing Authority: Rent is based on bouschold income. Applications available at 300 N/s Md Acc. Denisorn, applications and info@denisorba.org Once applications is consolered	SOUTHEASTERN OKLAHOMA STATE UNIVERSITY SE Front Entry Lawn Renovation Southeastern Oklahoma	contest or answer to this Application should they desire to do so. To ensure its consideration, you or your altorney must file any objection, inter- vention, or response in writing with the County	torney at Law MUNSON, MUNSON, CARDWELL, TILLETT & BROWN, P.C. 123 South Travis Sherman, Texas 75090- 5928
Experience Regulred RN/LYN Non-Exempt Beneits: Medical/Dental/Vision Supplemental/Vacation Sick Time/Holiday Pay	Cook Dietary Ald Dishwasher <u>\$1000 Sign on Bonus For:</u> Housekeeping	available at 310 N, 8th Ave Denison, calling 903-465-2650 or request by email at <u>info@denisonha.org</u> Once application is completed applicants will be place on a waiting list until an apartment is available EIO	Southeastern Oklahoma State University is now soliciting bids for the above-mentioned, proj- cet. For a bid packet go to https://www.dedu/cur- rent-bids. BIDS: due no- later than 2:00 pm., Jan- later than 2:00 pm., Jan- later than 2:00 pm., Jan- scheduled for December	vention, or response in writing with the County Clerk of Grayson County, Texas on or before the above-noted date and time. Given under my hand and seal of the Probate Court	All persons having claims against this Estate which is currently being admin- istered are required to present them within the time and in the manner prescribed by law.
Tuitlon/Reimbursement Please send resume to: Iballou@ohc-ttc.com or Fax to: 903-968-8505 Apply in Person:	Laundry Unit Alde Come Join Our Team Come and Apply in Person Generous PTO Plan Medical, Dental and Vision	AUTO	117: Initia group site visit scheduled for December 21, 2022, at 2:00 p.m. 684680 CITATION BY PUBLI- CATION- DETERMINA- TION OF HEIRSHIP	Given under my hand and seal of the Probate Court of Grayson County, Texas at the office of the Grayson County Clerk in Sherman, Texas on this the 16th day of December, 2022. DEANA PATTERSON, COUNTY CLERK	DATED the 19th day of December, 2022. MUNSON, MUNSON, CARDWELL, TILLETT & BROWN, P.C.
Apply in Person: 1000 Sara Swamy Drive Sherman, TX EOE CTX Services is Luxking for Helpers	1000 Sara Swamy Dr. Sherman, TX EOE REAL ESTATE	For Sale 2011 Toyota Campy 160K Automatic, Leather, Sun Roof 903-271-6661	The State of Texas To all persons interested in the	CRAYSON COUNTY, TEX- AS BY Bailey Patterson Deputy Clerk 705800	123 South Travis Sherman, Texas 75090- 5928 Telephone: 903-893-19161 Facsimile: 903-893-1345 brogers@munsonlaw.com wbmunson@munsonlaw.com
Temperary/Part-Time \$20.00/Mile Call Tony at 430-422-9131 Get first shot at the	BillBuysHouses.com Also Buys Lots, Land & Manulactured Homes 214,478,8979 Since '91	PUBLIC NOTICE PROJECT ANNOUNCE-	Estate of LAWRENCE MERZON CLARK, Deccased, Cause No.: 2022-602P, In the County Court of Grayson County, Texas LESLIE, CLARK, filed, an	No. 2022-551P IN THE ESTATE OF MARY STELLA MUR- PHY, DECEASED IN THE COUNTY COURT OF	com By: Beverley Rogers State Bar No. 24084427 William B. Munson State Bar No. 14674000 Attorneys for Indepen- dent Executrix
best prospects! Give lliem a reason to call you lirst.	For Sale 4 Bdnn/l Buth Brick Home on 4 Acres Central Heat/Air Rural Water and Well Brod J Verser Old	SOUTHEASTERN OKLAHOMA STATE UNIVERSITY FINE ARTS/ MATHE- MATICS / WELCOME CENTER DATA UNERASTRUC	Application to Determine Heirship in this estate on 12/16/2022, requesting that the Court determine who are the heirs and only heirs of ESTATE OF LAW- RENCE MERZON CLARK, DECEASED, and their re- spective shares and inter-	GRAYSON COUNTY, TEXAS	706900
Qualifind buyers don't investigate every ad, just the ones that offer a good deal. Hide While You Seek! Our "Bind Boxes" project your privacy.	Ryan County, OK Bennington, Ok \$229,000 \$80-775-2113 Need privacy and speed? Ask about our "blind boxes."	DATA INFRASTRUC- TURE Southeastern Oklahoma State University is now soliciting bids for the	DECEASED, and their re- spective shares and inter- ests in such estate. The court may act on this application at any call of the docket on or after 10:00	Notice is hereby given that original Letters Testa- mentary for the Estate of MARY STELLA MURPHY, Deceased, were issued on December 7, 2022, pend- ing in the County Court	Classified shoppers aren't desperate just smart consumers that like lo save money.
TEXAS COMMISSION ON EN	VIRONMENTAL QUALITY	TEXAS COMMISSION ON E	NVIRONMENTAL QUALITY	TEXAS COMMISSION ON I	ENTRONMENTAL QUALITY
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INTOBALATION. Writes hearing reports does Carle MC-105, TCOL, PO, Ber J. Mark, Annua. In bearing provers, place contact for Public Into General to kernation regarding TCT (2018) for Journel: December 14, 2022 Exhibit	terest Counsel, MC-103, at the same address, and at our web site http://www.iceq.texas.gov/.	Issued: December 14, 2022	ibit "A"		172
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		月长		EXHIBIT A Junset Ranch MUD of Grays	on County Kardey a

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CERTIFICATE OF POSTING NOTICE

THE STATE OF TEXAS § COUNTY OF GRAYSON §

I, <u>Tere Burned</u>, do hereby certify that at $\frac{2'.33}{2}$ am/fm on <u>December 16</u>^m, 2022, I posted the attached and foregoing Notice of District Petition for Creation of Grayson County Municipal Utility District No. 6-A from the Texas Commission on Environmental Quality on the bulletin board used for posting legal notices at the Grayson County Clerk's Office as required by 30 Texas Administrative Code §293.12(b)(2).

EXECUTED this 19th day of becamer, 2022.

By: mand prouty Clark

Name: Tere Burged

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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NOTICE OF DISTRICT PETITION TCEQ INTERNAL CONTROL NO. D-03172022-031

PETITION. Treasure Island Laguna Azure, LLC, a Wyoming limited liability company (Petitioner), filed a petition for the creation of Grayson County Municipal Utility District No. 6-A (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, MCI Preferred Income Fund II, LLC, a Delaware limited liability company, on the property to be included in the proposed District and information provided indicates that the aforementioned entity has consented to the petition; (3) the proposed District will contain approximately 596.73 acres located within Grayson County, Texas; and (4) the land within the proposed District is located wholly within the extraterritorial jurisdiction of the City of Van Alstyne, Texas (City).

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

The petition further states that the 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 facilities, systems, plants, and enterprises of such additional facilities as shall be consonant with all of the purposes for which the proposed District is created.

According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner that the cost of said project will be approximately \$108,335,000 (\$93,895,000 for water, wastewater, and drainage plus \$14,440,000 for roads).

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

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

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

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

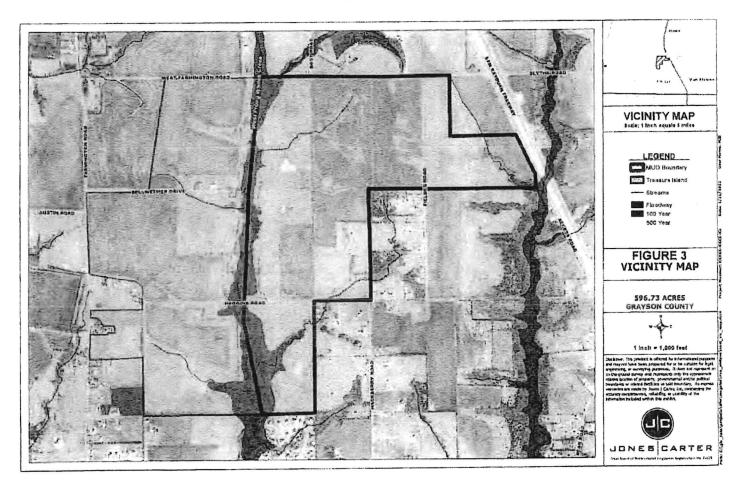
INFORMATION. Written hearing requests should be submitted to the Office of the Chief Clerk, MC-105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC-103, at the same address. General information regarding TCEQ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

Issued: December 14, 2022

TED LOU VECOND 0EC 19 P 3: w

FILED FOR RECORD 2022 DEC 19 P 3: 33 DEANA PATTERSON GRAYSON COUNTY. TX

Exhibit "A"



Laurie Gharis

From:	Hahn, Vicki <vhahn@winstead.com></vhahn@winstead.com>
Sent:	Thursday, December 29, 2022 10:09 AM
То:	PROOFS
Cc:	Justin Taack
Subject:	Grayson County Municipal Utility District No. 6-A - D-03172022-031 ("District") - Proofs
	of Publishing and Posting Notice of District Petition
Attachments:	GCMUD No. 6-A - Executed Certificate of Posting on County bulletin board
	4855-9065-3253 1.pdf; GCMUD No. 6-A - Affidavit of Publication and Tearsheets for
	Notice of District Petition published 12-21-22 and 12-28-22 4854-4711-6615 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 of the Notice of District Petition in the Herald Democrat on December 21, 2022 and December 28, 2022 ; and

2. Certificate of Posting of Notice of District Petition on the County website dated December 19, 2022.

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 | <u>vhahn@winstead.com</u> | <u>www.winstead.com</u>

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