

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF HEARING

Preston Road Municipal Utility District of Grayson County

SOAH Docket No. 582-25-08956

TCEQ Docket No. 2024-1611-DIS

TCEQ Internal Control No. D-12272023-031

PETITION.

Preston 56, L.P., a Texas limited partnership (Petitioner), filed a petition for the creation of Preston Road Municipal Utility District of Grayson County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article III, § 52 and 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 of the assessed value of the real property to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 295.131 acres located within Grayson County, Texas; and (4) the land within the proposed District is located within the extraterritorial jurisdiction of the City of Southmayd (City).

The petition further states that the proposed District will: (1) purchase, construct, acquire, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; (2) collect, transport, process, dispose of and control domestic and commercial wastes; (3) gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the proposed District; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; and (5) purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the proposed District is 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 \$51,980,000. It is noted that application material provided indicates that the cost of said project will be approximately \$48,980,000 (\$42,025,000 for water, wastewater, and drainage plus \$6,955,000 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 the land into the District.

CONTESTED CASE HEARING.

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

10:00 a.m. – February 6, 2025

To join the Zoom meeting via computer:

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

Meeting ID: 160 707 4016

Password: TCQ956

or

To join the Zoom meeting via telephone:

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

Meeting ID: 160 707 4016

Password: 658198

**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: January 7, 2025
Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

PETITION FOR THE CREATION OF
PRESTON ROAD MUNICIPAL UTILITY DISTRICT OF GRAYSON COUNTY

RECEIVED
DEC 27 2023
Districts Section

THE STATE OF TEXAS §

COUNTY OF GRAYSON §

TO THE HONORABLE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

PRESTON 56, L.P., a Texas limited partnership (the "Petitioner"), respectfully petitions the Texas Commission on Environmental Quality (the "Commission") for the creation of a municipal utility district in Grayson County, Texas. The Petitioner holds title to a majority of the assessed value of the real property described in Exhibit "A" attached hereto and incorporated herein for all purposes, as indicated by the appraisal rolls of Grayson County, Texas. The Petitioner, acting pursuant to the provisions of Chapters 49 and 54 of the Texas Water Code, together with all amendments and additions thereto, would respectfully show the following:

I.

The name of the proposed district shall be "PRESTON ROAD MUNICIPAL UTILITY DISTRICT OF GRAYSON COUNTY" (the "District"). 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 area proposed to be within the District is approximately 295.131 acres (the "Property"), situated in Grayson County, Texas. The Property consists of a tract of land described by metes and bounds in Exhibit "A" attached hereto and incorporated herein for all purposes. The approximately 295.131 acres described in Exhibit "A" is located within the extraterritorial jurisdiction of the City of Southmayd, Grayson County, Texas (the "City"), and the District is not within the corporate limits or extraterritorial jurisdiction of any other city, town or village. All of the Property may be properly included in the District.

IV.

The Petitioner constitutes the holder of title to a majority of value of the land within the proposed District, as indicated by the tax rolls of the central appraisal district of Grayson County, Texas, and by conveyances of record since the date of preparation of said tax rolls. There are no lienholders on the Property.

V.

Four individuals are tenants on the Property. Ben Wibal, Chandler Strong, Joseph Marshall, and Jamie Marshall have all consented to the Petition for Creation of the District.

VI.

Pursuant to Section 42.042, Texas Local Government Code, should a municipality such as the City fail or refuse to give its consent to the creation of the District within ninety (90) days after the date the governing body of the City receives a written request for consent, the owners of at least fifty (50%) percent of the land in the proposed District may petition the governing body of the City to make available to the area the water, sanitary sewer services, or both, that would be provided by the District.

Furthermore, if, within one hundred twenty (120) days after the date the governing body of the City receives the petition for water and sanitary sewer services, the City fails to make a contract with the owners of the land in the proposed District to provide those services, such failure constitutes the City's consent to the creation of the proposed District and authorizes the landowners to initiate proceedings through the Commission to create the District.

The City has not consented to the creation of the District and has failed to execute a contract providing for the water or sanitary sewer services requested by the Petitioner within the time limits prescribed by Section 42.042, Texas Local Government Code.

VII.

On September 8, 2022, the Petitioner filed a Petition for Consent to Creation of Preston Road Municipal Utility District of Grayson County (the "Petition for Consent"), dated August 17, 2022, with the City of Waxahachie, Texas. A copy of the Petition for Consent is attached hereto as Exhibit "B." A copy of Certificate of Receipt of the Petition for Consent (the "Certificate of Receipt of Petition for Consent") is attached hereto as Exhibit "C."

On December 7, 2022, the Petitioner posted a Notice of Petition for Water Service and Sanitary Sewer Service (the "Notice of Petition"), attached hereto as Exhibit "D," in three places convenient to the public within the boundaries of the Property sought to be included in the District. The affidavit of posting of the Notice of Petition (the "Affidavit of Posting") is attached hereto as Exhibit "E."

On December 11, 2022, the Petitioner published the Notice of Petition in the *Herald Democrat*, a newspaper of general circulation within and around the District. The affidavit of publication of the Notice of Petition (the "Affidavit of Publication") is attached hereto as Exhibit "F."

On February 6, 2023, the Petitioner filed a Petition for Water Service and Sanitary Sewer Service (the "Petition for Service") with the City of Southmayd, Texas. A copy of the Petition for Service is attached hereto as Exhibit "G." A Certificate of Receipt of the Petition for Service (the "Certificate of Receipt of Petition for Service") is attached hereto as Exhibit "H."

VIII.

The general nature of the work proposed to be done by the District at the present time is to purchase, construct, acquire, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; to collect, transport, process, dispose of and control domestic and commercial wastes; to gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the District; to design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; and to purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the District is created, all as more particularly described in an engineer's report filed simultaneously with the filing of this Petition, to which reference is made for a more detailed description. It is further proposed that the District be granted road powers pursuant to Texas Water Code, Section 54.234.

IX.

There is, for the following reasons, a necessity for the above-described work, services and improvements: the area proposed to be within the District is in a developing area of Grayson County, Texas, and within the foreseeable future will experience a substantial and sustained residential growth. There is not now available within the area, which will be developed as residential subdivisions, an adequate water supply and distribution system, sanitary sewer system, drainage system, and public road system. The protection of the purity and sanitary condition of the State's water and the health and welfare of the present and future inhabitants of the area and of territories adjacent thereto require the purchase, construction, acquisition, provision, operation, maintenance, repair, improvement, extension, and development of an adequate water supply and distribution system, sanitary sewer system, and drainage system. A public necessity therefore exists for the organization of the District to provide for the purchase, construction, acquisition, improvement, extension, and development of a water supply and distribution system, sanitary sewer system, drainage system, and roadway system.

X.

The proposed improvements are feasible and practicable, and the terrain of the territory to be included within the District is such that a waterworks system, a sanitary sewer system, a drainage and storm sewer system, and a roadway system can be constructed and developed at a reasonable cost. A preliminary investigation has been instituted to determine the cost of the project, and it is now estimated by the Petitioners, from such information as it has at this time, that the ultimate cost of the project contemplated will be approximately \$51,980,000.

XI.

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. Cindy O'Brien
2. Sarah C. Lamb
3. Matthew Zimmerman
4. Ashtyn Hicks
5. Ronald Anthony Filley

XII.

WHEREFORE, the Petitioner respectfully prays that this Petition be properly filed, as provided by law, that notice of the application be given as provided therein, that a hearing be held if necessary and that this Petition be in all things granted, that the proposed municipal utility district be organized and five (5) temporary directors named herein be appointed to serve 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 and to the execution of the purposes for which the District shall be organized, as you may deem proper and necessary.

[EXECUTION PAGE FOLLOWS]

RESPECTFULLY SUBMITTED this the 27 day of July, 2023.

PETITIONER:

Preston 56, L.P.,
a Texas limited partnership

By: Preston (GP) 56, LLC
a Texas limited liability company
its General Partner

By: [Signature]

Name: Justin Whitman

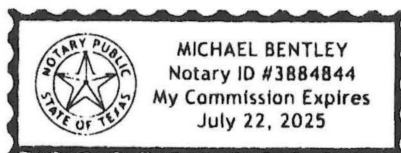
Title: Manager

THE STATE OF TEXAS §
§
COUNTY OF Dallas §

This instrument was acknowledged before me on this 27 day of July, 2023, by Justin Whitman, MANAGER of Preston (GP) 56, LLC, a Texas limited liability company, General Partner of Preston 56, L.P., a Texas limited partnership, on behalf of said limited partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 27 day of July, 2023.

(NOTARY SEAL)



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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT PETITION TCEQ INTERNAL CONTROL NO. D-12272023-031

PETITION. Preston 56, L.P., a Texas limited partnership (Petitioner), filed a petition for the creation of Preston Road Municipal Utility District of Grayson County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article III, § 52 and 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 of the assessed value of the real property to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 295.131 acres located within Grayson County, Texas; and (4) the land within the proposed District is located within the extraterritorial jurisdiction of the City of Southmayd (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) purchase, construct, acquire, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; (2) collect, transport, process, dispose of and control domestic and commercial wastes; (3) gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the proposed District; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; and (5) purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the proposed District is 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 \$51,980,000. It is noted that application material provided indicates that the cost of said project will be approximately \$48,980,000 (\$42,025,000 for water, wastewater, and drainage plus \$6,955,000 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 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 Petitioners and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

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

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

Issued: February 8, 2024

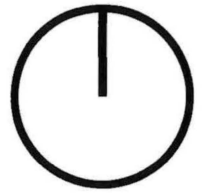
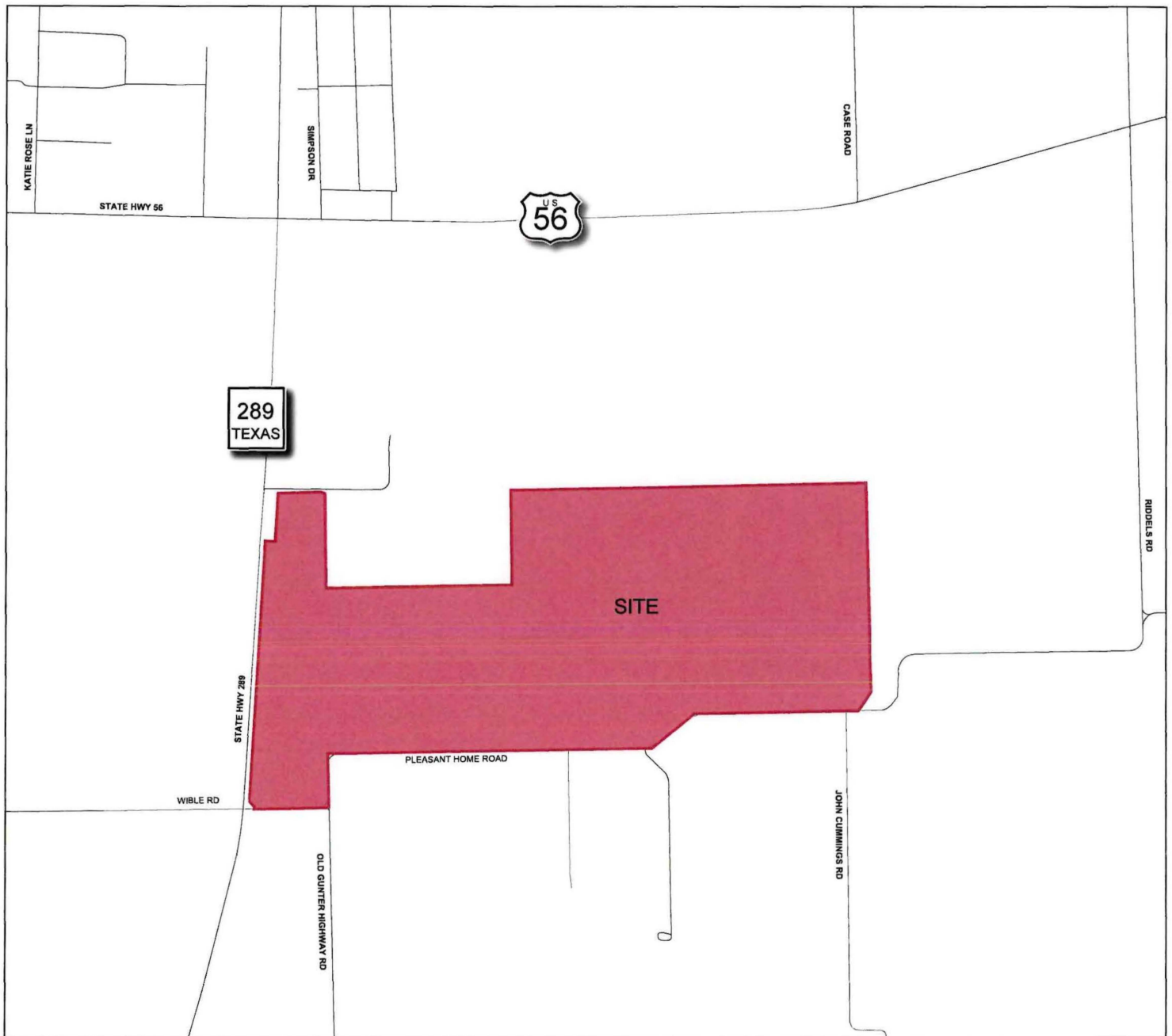


Exhibit "A"



LOCATION MAP
SCALE: N.T.S.

EXHIBIT 1A

Preston Road MUD of Grayson County

City of Southmayd ETJ, Grayson County, Texas
August 2022

DWG NAME: 1. PRESTON ROAD MUD OF GRAYSON COUNTY EXHIBIT 1A LOCATION MAP.DWG
LAST SAVED: 8/3/2022 1:10 AM

Kimley»Horn

400 North Oklahoma Drive, Suite 105
Celina, TX 75009
469-501-2200
State of Texas Registration No. F-928

NOTES:
1. THIS PLAN IS CONCEPTUAL IN NATURE AND HAS BEEN PRODUCED WITHOUT THE
BENEFIT OF A SURVEY OR CONTACT WITH THE CITY, COUNTY, ETC.
2. AERIAL IMAGE BY GEBCO/NAVCO COPYRIGHT 2011

0010

EXHIBIT "A"

BEING A 295.131 ACRE TRACT OF LAND SITUATED IN THE GEORGE W. LAVALLAY SURVEY, ABSTRACT NUMBER 716, THE JAMES VADEN SURVEY, ABSTRACT NUMBER 1289, THE M. JENNINGS SURVEY, ABSTRACT NUMBER 648, AND THE DAVID VANCE SURVEY, ABSTRACT NUMBER 1287, IN GRAYSON COUNTY, TEXAS, AND BEING ALL OF A CALLED 45.75 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO PRESTON 56, L.P., AS RECORDED IN VOLUME 4557, PAGE 461, OF THE OFFICIAL RECORDS OF GRAYSON COUNTY, TEXAS, AND BEING ALL OF A CALLED 250.00 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO PRESTON 56, L.P., AS RECORDED IN VOLUME 3906, PAGE 679, OF SAID OFFICIAL RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD WITH A 2" ALUMINUM CAP STAMPED "GRAYSON COUNTY R.O.W. SH289/RPLS 4709" FOUND AT THE NORTHWEST CORNER OF SAID 45.75 ACRE TRACT, THE NORTHEAST CORNER OF A CALLED 1.004 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO THE STATE OF TEXAS, AS RECORDED IN VOLUME 4766, PAGE 443, OF SAID OFFICIAL RECORDS, AND FOR THE NORTHERNMOST NORTHWEST CORNER OF THE TRACT BEING DESCRIBED HEREIN;

THENCE N88°17'43"E, A DISTANCE OF 406.16 FEET TO A POINT FOR CORNER;

THENCE S70°09'36"E, A DISTANCE OF 44.28 FEET TO A 1/2" IRON ROD FOUND FOR CORNER;

THENCE S00°51'13"E, A DISTANCE OF 916.27 FEET TO A T-POST FOUND IN CONCRETE FOR CORNER, FROM WHICH A 3/8" IRON ROD FOUND BEARS S85°36'30"E, A DISTANCE OF 18.26 FEET;

THENCE N88°53'12"E, A DISTANCE OF 1783.00 FEET TO A POINT FOR CORNER;

THENCE N00°51'20"W, A DISTANCE OF 916.15 FEET TO A 1/2" IRON ROD FOUND FOR CORNER;

THENCE N88°59'14"E, A DISTANCE OF 1315.82 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED "PLS INC." FOUND FOR CORNER;

THENCE N88°40'54"E, A DISTANCE OF 2109.42 FEET TO 12" BOIS D'ARC FENCE POST FOUND FOR CORNER;

THENCE S01°29'57"E, A DISTANCE OF 1466.29 FEET TO A 3/4" IRON PIPE FOUND FOR CORNER;

THENCE S00°16'07"E, A DISTANCE OF 203.51 FEET TO A 1/2" IRON ROD FOUND FOR CORNER;

THENCE S02°01' 14"E, A DISTANCE OF 353.60 FEET TO A POINT FOR CORNER, FROM WHICH A RAILROAD SPIKE FOUND BEARS S02°01' 14"E, A DISTANCE OF 178.74 FEET;

THENCE S33°19'42"W, A DISTANCE OF 110.36 FEET TO A POINT FOR CORNER;

THENCE S34°39'51"W, A DISTANCE OF 108.11 FEET TO A POINT FOR CORNER, FROM WHICH SAID RAILROAD SPIKE FOUND BEARS N88°53' 06"E, A DISTANCE OF 128.45 FEET;

THENCE S88°53'06"W, A DISTANCE OF 1576.83 FEET TO 1/2" IRON ROD WITH PLASTIC CAP (ILLEGIBLE) FOUND FOR CORNER;

THENCE S50°28'38"W, A DISTANCE OF 528.25 FEET TO 1/2" IRON ROD WITH PLASTIC CAP (ILLEGIBLE) FOUND FOR CORNER;

THENCE S88°59'58"W, A DISTANCE OF 3120.00 FEET TO 1/2" IRON ROD FOUND FOR CORNER;

THENCE S00°42'01"E, A DISTANCE OF 5.64 FEET TO A POINT FOR CORNER;

THENCE S01°20'24"E, A DISTANCE OF 181.36 FEET TO 60-D NAIL FOUND FOR CORNER;

THENCE S01°24'00"E, A DISTANCE OF 337.24 FEET TO A 60-D NAIL FOUND FOR CORNER;

THENCE S88°56'02"W, A DISTANCE OF 717.34 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP (ILLEGIBLE) FOUND FOR CORNER;

THENCE N03°25'04"E, A DISTANCE OF 22.81 FEET TO A TxDOT TYPE II CONCRETE MONUMENT FOUND FOR CORNER;

THENCE N41°39'24"W, A DISTANCE OF 69.60 FEET TO A TxDOT TYPE II CONCRETE MONUMENT FOUND FOR CORNER;

THENCE N03°20'58"E, A DISTANCE OF 2526.55 FEET TO A 1/2" IRON ROD FOUND FOR CORNER;

THENCE S86°34'00"E, A DISTANCE OF 93.87 TO AN IRON ROD WITH 2" ALUMINUM CAP STAMPED "GRAYSON COUNTY R.O.W. SH289/RPLS 4709" FOUND FOR CORNER;

THENCE N03°20'51"E, A DISTANCE OF 468.62 FEET TO THE POINT OF BEGINNING AND CONTAINING 295.131 ACRES OF LAND.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT PETITION TCEQ INTERNAL CONTROL NO. D-12272023-031

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

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FILED FOR RECORD
2024 FEB 19 A 10:11
DEANA PATTERSON
COUNTY CLERK
GRAYSON COUNTY, TX

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 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.

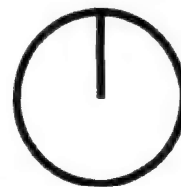
To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioners and the TCEQ Internal Control Number; (3) the statement "I/we request 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.

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

Issued: February 8, 2024

FILED FOR RECORD
2024 FEB 19 A 10:11
DEANA PATTERSON
COUNTY CLERK
GRAYSON COUNTY, TX



FILED FOR RECORD

2024 FEB 19 A 10:11

DEANA PATTERSON
COUNTY CLERK
GRAYSON COUNTY, TX



LOCATION MAP
SCALE: N.T.S.

EXHIBIT 1A

Preston Road MUD of Grayson County

City of Southmayd ETJ, Grayson County, Texas
August 2022

Kimley»Horn

450 North Chisholm Street, Suite 100
Cotton, TX 75949
409-681-3300
State of Texas Registration No. F-826

NOTES:
1. This is a preliminary drawing. It is not to be used for construction or other purposes without the approval of the engineer.
2. All work shall conform to the latest edition of the Texas Department of Transportation Standard Specifications for Road and Bridge Construction.

0015

CERTIFICATE OF POSTING OF NOTICE OF DISTRICT PETITION

THE STATE OF TEXAS

§

COUNTY OF GRAYSON

§

I, RACHELLE R. CHEAIRS, hereby certify that I am more than eighteen (18) years of age and capable of executing this certificate; and that the attached is a true and correct copy of a Notice of District Petition for Preston Road Municipal Utility District of Grayson County (TCEQ Internal Control No. D-12272023-031), which I caused to be posted on the bulletin board used for posting legal notices in Grayson County on the 19TH day of February, 2024.



(COUNTY SEAL)

Signature: Rachelle R Cheairs

Printed Name: RACHELLE R. CHEAIRS

Title: DEPUTY CLERK

COATS | ROSE

A PROFESSIONAL CORPORATION

VICTOR CRISTALES
ASSOCIATE

VCRISTALES@COATSROSE.COM
DIRECT: (972) 419-4704
FAX: (972) 702-0662

February 15, 2024

VIA FEDERAL EXPRESS

Honorable Deana Patterson
Grayson County Clerk
100 W. Houston, Ste. 17
Sherman, Texas 75090

Re: Proposed Preston Road Municipal Utility District of Grayson County

Dear Ms. Patterson:

Pursuant to 30 Texas Administrative Code, Section 293.12, enclosed for posting on the bulletin board used for posting legal notices in Grayson County, Texas is a Notice of District Petition for the proposed Preston Road Municipal Utility District of Grayson County.

I have also attached three (3) Certificates of Posting of the Notice of District Petition. Please return them to me in the FedEx ticket and envelope I have included.

If you need any additional information, please contact me at (972) 419-4704.

Very truly yours,



Victor Cristales

Enclosures

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

HOUSTON | AUSTIN | DALLAS | CINCINNATI

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

Applicant Name: Preston Road MUD
TCEQ Tracking No. D-12272023-031 CID Item No. 136028
Application Type: PETITION FOR CREATION OF A DISTRICT

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS §

COUNTY OF: Grayson §

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 Herald Democrat; that said newspaper is
(name of newspaper)

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

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

February 25 and March 3, 2024
(date or dates of publication)

Sherry Groves

Newspaper Representative's Signature

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

Staci Woods
Notary Public in and for the State of Texas

Staci Woods
Print or type Name of Notary Public

My Commission Expires September 7, 2025

(Seal)

