

SKLAW

Sanford | Kuhl | Hagan | Kugle | Parker | Kahn LLP

1330 POST OAK BOULEVARD
SUITE 2650
HOUSTON, TEXAS 77056

KATHRYN HANCOCK

(713) 850-9000
FAX: (713) 850-1330
www.sklaw.us

khancock@sklaw.us

January 17, 2025

VIA FEDERAL EXPRESS

Ms. Teneshia Hudspeth
Harris County Clerk
Harris County Civil Courthouse
201 Caroline, Suite 310
Houston, Texas 77002

Re: Harris County Municipal Utility District No. 610 (the "District")

Mr. Hudspeth:

Enclosed is a copy of the Petition to the Texas Commission on Environmental Quality for the Creation of Harris County Municipal Utility District No. 610 (the "Petition"). The Texas Commission on Environmental Quality (the "TCEQ") rules require that we file a copy of the Petition with the Harris County Clerk. The Petition will be filed in Austin with the TCEQ, and this copy is being provided to you for your information.

Additionally, enclosed are five (5) County Clerk Certificates of Filing (the "Certificates"). Upon receipt of the Petition, please execute the Certificates and return to the undersigned in the enclosed postage prepaid envelope.

Thank you for your attention to this matter. Please do not hesitate to contact me or Julianne Kugle if you have any questions.

Sincerely,



Kathryn Hancock

Enclosure

PETITION FOR CREATION OF A MUNICIPAL UTILITY DISTRICT

THE STATE OF TEXAS

§

COUNTY OF HARRIS

§

§

TO THE HONORABLE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

The undersigned (the "Petitioner"), being the holder of title to all of the land within the territory described by metes and bounds in Exhibit "A" attached hereto, as shown by the tax rolls of Harris County, Texas, and the conveyances subsequent, respectfully petitions for the creation of a municipal utility district (the "District") in Harris 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 Harris County Municipal Utility District No. 610. There is no other conservation or reclamation district in Harris County, Texas, with the same name.

II.

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

III.

The District shall have all the rights, powers, privileges, authority and functions conferred by and shall be subject to all duties imposed by the Texas Water Code and the general laws relating to municipal utility districts. The District shall contain an area of approximately 196.466 acres of land, more or less, situated wholly within Harris County, Texas (as described in Exhibit "A"). No part of the area within the District is within the corporate boundaries of any incorporated city, town, or village, nor the extraterritorial jurisdiction of any other city, town, or village. All of the territory proposed to be included may properly be included in the District. The area proposed to be included in the District consists of that certain land described in Exhibit "A," attached hereto and incorporated herein for all purposes.

IV.

The Petitioner is the owner of and holds title to all of the value of the land within the proposed District as indicated by the tax rolls of Harris County, Texas, and the conveyances subsequent. There are no liens against the lands within the proposed District.

V.

The general nature of the work proposed to be done by the District at the present time is to purchase, construct, acquire, provide, operate, maintain, repair, 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, industrial, or commercial purposes or provide adequate drainage for the District; to collect, transport, process, dispose of and control domestic, industrial, or commercial wastes; to gather, conduct, divert, abate, amend, and control local storm water or other local

harmful excesses of water in the District; and to purchase, construct, acquire, provide, operate, maintain, repair, 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. Additional work and services which may be performed by the District include the purchase, construction, acquisition, provision, operation, maintenance, repair, improvement, extension and development of a roadway system for the District.

VI.

There is, for the following reasons, a necessity for the above-described work, services and improvements: The area proposed to be within the District will, within the immediate future, experience a substantial and sustained residential and commercial growth. There is not now available within the area, which will be developed as residential subdivisions and commercial development, an adequate water supply and distribution system, drainage and storm water system, nor roadway 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, drainage and storm water system, and roadway and such other systems as the needs of the inhabitants of the District may require. A public necessity therefore exists for the organization of the District to provide for the purchase, construction, acquisition, provision, operation, maintenance, repair, improvement, extension and development of a water supply and distribution system, drainage and storm water system, and roadway system.

VII.

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 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 Petitioner, from such information as it has at this time, that the ultimate cost of the development contemplated will be approximately \$24,190,000.

VIII.

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

1. Ryan Bruns
2. Cody Cagle
3. Hollis Gasper
4. Samuel Gibson
5. Andrew Stelling

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 temporary directors thereof 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.

[SIGNATURE PAGE FOLLOWS]

RESPECTFULLY SUBMITTED this 4 day of November 2024.

PETITIONER:

MARGERSTADT, LLC
a Delaware limited liability company

By: [Signature]
Name: James Bohannon
Title: Manager

THE STATE OF Texas
COUNTY OF Montgomery

§
§
§

This instrument was acknowledged before me on the 4th day of November, 2024, by James Bohannon, Manager of **MARGERSTADT, LLC**, a Delaware limited liability company on behalf of said limited liability company.



(SEAL)

[Signature]
NOTARY PUBLIC, STATE OF TEXAS

EXHIBIT "A"

Legal Description



Exhibit A

A description of a 196.466 acre, (8,558,059 square feet) tract of land, consisting of a called 17.0115 acre tract of land, a called 105.3435 acre tract of land, a called 2.000 acre tract of land, and a called 72.426 acre tract of land conveyed to Margerstadt, LLC, as recorded in clerk's file number RP-2024-146652 of the Official Public Records of Real Property of Harris County, Texas, situated in Block 8 of the South Half of the Jesse Denson League (Susan H. Boone Partition), as recorded in Volume 1, Page 123 of the Map Records of Harris County, Texas, the Jesse Denson League, Abstract No. 14, Harris County, Texas, said 196.466 acres being more fully described by metes and bounds as follows; the bearings shown hereon are referenced to the Texas State Plane Coordinate System, southcentral zone, (4204) NAD83, were derived using GPS observations and the distances shown hereon are US Survey Feet ground distances, the coordinates shown hereon are GRID coordinates referenced to the Texas State Plane Coordinate System, southcentral zone, (4204) NAD83, the scale factor used for this survey is 1.00013:

BEGINNING at a 3/4 inch, outside diameter, iron pipe, found approximately 10 feet south of the south high bank of Spring Creek, for the northwest corner of a called 100.00 acre tract conveyed to James Calvin Smith and wife, Martha Faye Smith, by deed recorded in Volume 5387, Page 520 of the Deed Records of Harris County, Texas, the northeast corner of said 17.0115 acre tract and the northeast corner of the tract herein described, said iron pipe having GRID coordinates of N: 13,962,728.00 and E: 2,960,969.05;

THENCE, South 02°30'19" East, along and with the west line of said 100.00 acre tract, the east lines of said 17.0115 acre tract and said 105.3435 acre tract, at 973.54 feet passing a 5/8 inch iron rod found for the southeast corner of said 17.0115 acre tract and the northeast corner of said 105.3435 acre tract, at 2,060.46 feet passing a 5/8 inch iron rod found for reference, for a total distance of 4,234.66 feet to a 3/4 inch iron rod found for the northeast corner of a called 130.00 acre tract conveyed to Thomas Murrell by deed recorded in clerk's file number 20150251401 of the Official Public Records of Real Property of Harris County, Texas, the southeast corner of said 105.3435 acre tract, and the southeast corner of the tract herein described;



THENCE, South $87^{\circ}31'10''$ West, along and with the north line of said 130.00 acre tract and the south line of said 105.3435 acre tract, a distance of 1,001.87 feet to a 1/2 inch iron rod found for an angle point in the eastern most line of a called 153.42 acre tract conveyed to TLI Land Fund II, LLC by deed recorded in clerk's file number RP-2022-96142 of the Official Public Records of Real Property of Harris County, Texas, for the southern most southeast corner of said 105.3435 acre tract and of the tract herein described, from which a 1/2 iron rod found for the southeast corner of said 153.42 acre tract bears South $02^{\circ}31'53''$ East - 283.42 feet;

THENCE, North $02^{\circ}28'13''$ West, along and with the east line of said 153.42 acre tract, the west line of said 105.3435 acre tract, and the southernmost west line of the tract herein described, a distance of 715.95 feet to a 5/8 inch iron rod with cap stamped A&S 10194881 set for an interior corner of said 153.42 acre tract, the southeast corner of the aforementioned 72.426 acre tract, and an interior corner of the tract herein described;

THENCE, South $87^{\circ}35'07''$ West, along and with a north line of said 153.42 acre tract, the south line of said 72.426 acre tract, and the northern most south line of the tract herein described, a distance of 1,196.54 feet to a 1/2" iron pipe found for an interior corner of said 153.42 acre tract the southwest corner of said 72.426 acre tract, and the northernmost southwest corner of the tract herein described;

THENCE, North $02^{\circ}42'48''$ West, along and with a east line of said 153.42 acre tract, the west line of said 72.426 acre tract, and the west line of the tract herein described, a distance of 1,462.64 feet to a 5/8 inch iron rod found for the northern most northeast corner of said 153.42 acre tract, the southeast corner of a called 20.01 acre tract conveyed to John Timothy Jenkinson and Joan M. Jenkinson, by deed recorded in clerk's file number RP-2017-227459 of the Official Public Records of Real Property of Harris County, Texas, an interior corner of said 72.426 acre tract, and of the tract herein described;

THENCE, North $02^{\circ}24'23''$ West, along and with the east line of said 20.01 acre tract, the west line of said 72.426 acre tract, and the west line of the tract herein described, a distance of 895.31 feet to a 5/8 inch iron rod found for angle in the east line of said 20.01 acre tract , the west line of said 72.426 acre tract, and the west line of the tract herein described;

THENCE, North $02^{\circ}31'01''$ West, along and with the east line of said 20.01 acre tract, the west line of said 72.426 acre tract, and the west line of the tract herein described, at 1,217.41 feet passing a 1/2 inch iron pipe found for the northeast corner of said 20.01 acre tract, for a total distance of 1,229.24 feet to a 5/8 inch iron rod with cap stamped A&S 10194881 set in the south line of Margerstadt Road, Volume 1, Page 123 of the Map Records of Harris County, Texas for the northwest corner of said 72.426 acre tract and the northwest corner of the tract herein described;

