

COATS | ROSE

A PROFESSIONAL CORPORATION

THOMAS J. AYALA
ASSOCIATE

TAYALA@COATSROSE.COM
DIRECT: (972) 419-4701

May 28, 2024

VIA FEDERAL EXPRESS

Ms. Amanda Campos
City Secretary
Burleson City Hall
141 W Renfro
Burleson, TX 76028

Re: Proposed Southard Farm Municipal Utility District No. 2 of Johnson County

Dear Ms. Campos:

Enclosed please find a copy of the Petition for Consent to Creation of Southard Farm Municipal Utility District No. 2 of Johnson County. I have also enclosed three (3) copies of a certificate of receipt of the petition. I would appreciate it if you would sign these certificates and return them to me in the enclosed overnight envelope.

Please do not hesitate to contact me should you have any questions or wish to discuss.

Very truly yours,



Thomas J. Ayala

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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CERTIFICATE OF RECEIPT

THE STATE OF TEXAS

§

JOHNSON COUNTY

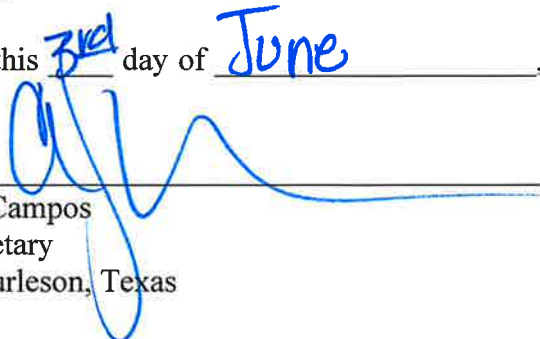
§

I, Amanda Campos, City Secretary for the City of Burleson, Texas, do hereby certify that the attached and foregoing is a true and correct copy of the Petition for Consent to the Creation of Southard Farm Municipal Utility District No. 2 of Johnson County, as was filed with the City of Burleson, Texas on the 3rd day of June, 2024.

WITNESS my hand and the Seal of said City this 3rd day of June, 2024.

(CITY SEAL)




Amanda Campos
City Secretary
City of Burleson, Texas

CERTIFICATE OF RECEIPT

THE STATE OF TEXAS

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JOHNSON COUNTY

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JOHNSON COUNTY

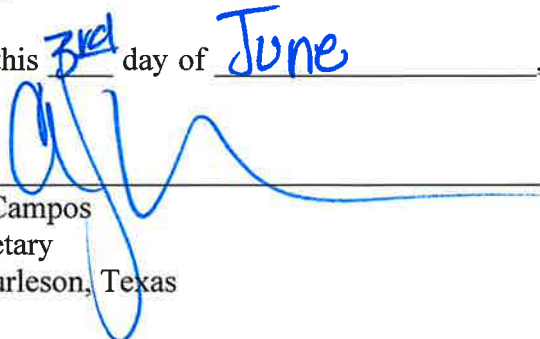
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WITNESS my hand and the Seal of said City this 3rd day of June, 2024.

(CITY SEAL)




Amanda Campos
City Secretary
City of Burleson, Texas

PETITION FOR CONSENT TO THE CREATION
OF SOUTHARD FARM MUNICIPAL UTILITY DISTRICT NO. 2 OF JOHNSON COUNTY

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF BURLESON,
TEXAS:

The undersigned (collectively, "Petitioners"), appearing through their duly authorized agent(s) and representative(s), acting pursuant to the applicable provisions of Chapter 54, Texas Water Code, and Texas Local Government Code 42.042, as amended, respectfully petition the City Council of the City of Burleson, Texas, a home-rule municipality (the "City"), for its written consent to the creation of a municipal utility district and would show the following:

I.

The name of the proposed District is "Southard Farm Municipal Utility District No. 2 of Johnson County" (the "District").

II.

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

III.

The District contains an area of approximately 284.317 acres of land (the "Property"), situated in Johnson County, Texas (the "County"). The Property is described by metes and bounds in Exhibit "A" attached hereto and incorporated herein for all purposes. The Property is located partially within the extraterritorial jurisdiction ("ETJ") of the City, and partially within the County, and is not within the corporate limits or ETJ of any other city or village.

IV.

The undersigned constitute a majority in value of the holders of title to the lands in the proposed District, as shown by the county tax rolls and conveyances of record since the date of preparation of said county tax rolls.

V.

The proposed District shall be organized for the following purposes:

- (1) provide a water supply for the District for municipal uses, domestic uses, and commercial purposes;
- (2) collect, transport, process, dispose of, and control all domestic, industrial, or communal wastes whether in fluid, solid, or composite state;

- (3) gather, conduct, divert, and control local storm water or other local harmful excesses of water in the District;
- (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads, or improvements in aid of those roads; and
- (5) such other construction, installation, maintenance, purchase, and operation of such additional facilities, systems, plants and enterprises as shall be consistent with the purposes for which the District is organized.

The aforementioned purposes may be accomplished by any mechanical and chemical means and processes incident, necessary, or helpful to such purposes, to the extent authorized by law and the creation of the District, to the end that public health and welfare may be conserved and prompted and the purity and sanitary condition of the State's waters protected, effected, and restored.

VI.

The general nature of the work to be done by and within the District at the present time is: (i) the construction of a water distribution system for domestic and commercial purposes; (ii) the construction of a sanitary sewer system; (iii) the control, abatement, and amendment of the harmful excess of waters and the reclamation and drainage of overflowed lands within the District; (iv) the construction of macadamized, graveled, or paved roads, or improvements in aid of those roads; and (v) such other construction, installation, maintenance, purchase, and operation of such additional facilities, systems, plants, and enterprises, all to the extent authorized by law from time to time.

VII.

There is a necessity for the improvements above described because the District is located within an area which will experience a substantial and sustained residential growth within the foreseeable future, is urban in nature and is not supplied with adequate water, sanitary sewer, drainage facilities and services, and roads. The health and welfare of the future inhabitants of the District require the provision of adequate water, storm and sanitary sewer facilities and services, and roads.

The provision of such water, storm and sanitary sewer facilities and services, and roads will conserve and preserve the natural resources of this State by promoting and protecting the purity and sanitary condition of the State's waters, and will promote and protect the public health and welfare of the community; therefore, a public necessity exists for the organization of said District.

The Property cannot be developed without the creation of the District to finance the water, sanitary sewer, drainage facilities and services, and roads; therefore a public necessity exists.

VIII.

The proposed improvements are practicable and feasible, in that the terrain of the territory to be included in the proposed District is of such a nature that water, storm and sanitary sewer facilities and services, and roads can be constructed or provided at a reasonable cost; and said territory will be rapidly developed primarily for residential purposes with some commercial and retail use.

IX.

A preliminary investigation has been made to determine the total cost of the District's projects, and it is now estimated by the Petitioner, from such information as it has at this time, that such cost will be approximately \$67,325,000.

WHEREFORE, the Petitioners pray that this petition be heard and that the City Council duly pass and approve an ordinance or resolution granting the consent to the creation of the District and authorizing the inclusion of the Property within the District.

[EXECUTION PAGE FOLLOWS.]

RESPECTFULLY SUBMITTED to be effective this 17 day of May, 2024.

PETITIONERS

SOUTHARD FARM, LLC
a Texas limited liability company

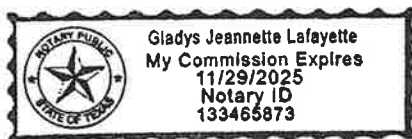
By: George Williams
Name: George Williams
Title: Manager

Executed on May 17, 2024

STATE OF TEXAS §
 §
COUNTY OF Johnson §

BEFORE ME, the undersigned authority, on this day personally appeared George Williams, manager of Southard Farm, LLC, a Texas limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this 17 day of May, 2024.



Gladys J. Lafayette

Notary Public in and for the State of Texas

[Seal]

BIG COUNTRY FUNDING, LLC
a Texas limited liability company

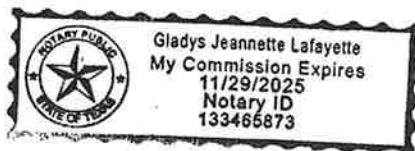
By: 
Name: Jason Z. Chandler
Title: Managing Manager

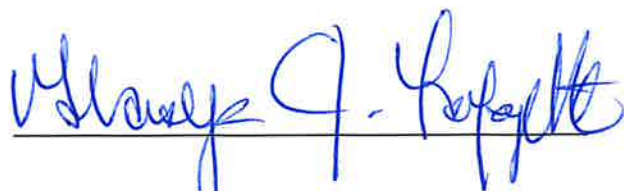
Executed on May 22, 2024

STATE OF TEXAS §
 §
COUNTY OF Johnson §

BEFORE ME, the undersigned authority, on this day personally appeared Jason Z. Chandler, Managing Member of Big County Funding, LLC, a Texas limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this 22nd day of May, 2024.





Notary Public in and for the State of Texas

[Seal]

KTV CADDO, LP
a Texas limited partnership

By: Kelly Brooks Keller
Name: Kelly Brooks Keller
Title: President

Executed on 5-23-24, 2024

STATE OF TEXAS §
 §
COUNTY OF Tarrant §

BEFORE ME, the undersigned authority, on this day personally appeared Kelly Brooks Keller, President of KTV Caddo, LP, a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this 23 day of May, 2024.



Tina M. Lewis

Notary Public in and for the State of Texas

[Seal]

Rodney Lee Wilson

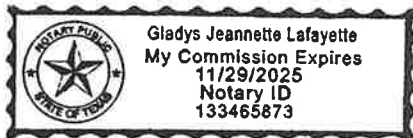
Rodney Lee Wilson,
attorney-in-fact for Patricia Wilson

Executed on May 22, 2024

STATE OF TEXAS §

COUNTY OF Johnson §
§

This instrument was acknowledged before me on this 22nd day of MAY, 2024, by
Rodney Wilson as attorney-in-fact on behalf of Patricia Wilson.



Gladys J. Lafayette
Notary Public in and for the State of Texas

[Seal]

EXHIBIT A

PROPERTY DESCRIPTION

284.317 ACRES

BEING A TRACT OF LAND LOCATED IN THE J. R. LEONARD SURVEY, ABSTRACT NO. 510, THE J. WATSON SURVEY, ABSTRACT NO. 886, THE E. B. GLASSCOCK SURVEY, ABSTRACT NO. 323, THE W. H. CATHEY SURVEY, ABSTRACT NO. 187, THE C. L. DICKSON SURVEY, ABSTRACT NO. 230, AND THE H. SYKES SURVEY, ABSTRACT NO. 805, JOHNSON COUNTY, TEXAS AND BEING PART OF A CALLED 254 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN VOLUME 4405, PAGE 911, OFFICIAL PUBLIC RECORDS, JOHNSON COUNTY, TEXAS (O.P.R.J.C.T.), ALL OF A CALLED 25.00 ACRE "TRACT A" AS DESCRIBED IN A DEED RECORDED IN VOLUME 2001, PAGE 26, O.P.R.J.C.T., ALL OF A CALLED 26.30 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN INSTRUMENT NO. 2023-33412, O.P.R.J.C.T. AND ALL OF A CALLED 190 ACRE "TRACT ONE" AS DESCRIBED IN A DEED RECORDED IN VOLUME 2841, PAGE 953, O.P.R.J.C.T., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL DISTANCES RECITED HEREIN ARE GRID. SCALE FACTOR IS 1.000000000. ALL BEARINGS RECITED HEREIN ARE CORRELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202), NAD83 (NA2011). AS SURVEYED DURING THE MONTHS OF FEBRUARY, MARCH AND APRIL, 2024 UNDER THE SUPERVISION OF ROBERT L. YOUNG, R.P.L.S. NO. 5400.

BEGINNING AT A 1/2" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "MCCULLAH SURVEYING" FOUND (N:6866755.70, E:2287776.97) IN COUNTY ROAD NO. 915B, FOR THE SOUTHWESTERLY CORNER OF SAID 254 ACRE TRACT AND BEING THE NORTHWESTERLY CORNER OF A CALLED 120.17 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN INSTRUMENT NO. 2011-1051, O.P.R.J.C.T.;

THENCE, WITH THE WESTERLY LINE OF SAID 254 ACRE TRACT AND WITH SAID COUNTY ROAD NO. 915B, THE FOLLOWING BEARINGS AND DISTANCES:

N 00°17'19" W, A DISTANCE OF 660.78 FEET TO A 1/2" IRON ROD FOUND IN ASPHALT AT THE INTERSECTION OF SAID COUNTY ROAD NO. 915B AND COUNTY ROAD NO. 915;

N 00°12'06" W, CONTINUING WITH SAID COUNTY ROAD NO. 915B, A DISTANCE OF 130.66 FEET TO A 5/8" IRON ROD WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING" SET, FROM WHICH A 5/8" IRON ROD WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING" SET IN ASPHALT TO RECONSTRUCT A BENT 1/2" IRON ROD FOUND FOR THE NORTHWESTERLY CORNER OF SAID 254 ACRE TRACT AND BEING THE SOUTHWESTERLY CORNER OF A CALLED 35.8542 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN INSTRUMENT NO. 2016-10663, O.P.R.J.C.T. BEARS, N 00°12'06" W, A DISTANCE OF 1828.80 FEET;

THENCE, CROSSING SAID 254 ACRE TRACT, THE FOLLOWING BEARINGS AND DISTANCES:

S 88°27'59" E, A DISTANCE OF 853.28 FEET TO A 5/8" IRON ROD WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING" SET;

S 11°41'59" W, A DISTANCE OF 19.48 FEET TO A 5/8" IRON ROD WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING" SET;

N 89°57'17" E, A DISTANCE OF 1015.44 FEET TO A 5/8" IRON ROD WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING" SET;

N 89°48'30" E, A DISTANCE OF 3400.32 FEET TO A 5/8" IRON ROD WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING" SET IN COUNTY ROAD NO. 1014 AND IN THE EASTERLY LINE SAID 254 ACRE TRACT, FROM WHICH A 1/2" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "McCULLAH SURVEY" FOUND FOR THE NORTHEASTERLY CORNER OF SAID 254 ACRE TRACT BEARS, N 01°33'03" E, A DISTANCE OF 1823.10 FEET;

THENCE, S 01°33'03" W, WITH SAID COUNTY ROAD NO. 1014 AND WITH THE EASTERLY LINE OF SAID 254 ACRE TRACT, A DISTANCE OF 10.00 FEET TO A 5/8" IRON ROD WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING" FOUND FOR THE EASTERNMOST SOUTHEASTERLY CORNER OF SAID 254 ACRE TRACT AND BEING IN THE NORTHERLY LINE OF A CALLED 2.002 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN VOLUME 1436, PAGE 753, O.P.R.J.C.T.;

THENCE, S 89°48'30" W, WITH THE UPPER SOUTH LINE OF SAID 254 ACRE TRACT, A DISTANCE OF 1946.89 FEET TO A 5/8" IRON ROD FOUND FOR THE NORTHEASTERLY CORNER OF SAID 26.30 ACRE TRACT AND BEING THE NORTHWESTERLY CORNER OF LOT 1, BLOCK 1, BLUMENTHAL ADDITION, ACCORDING TO THE PLAT RECORDED IN INSTRUMENT NO. 2023-58, PLAT RECORDS, JOHNSON COUNTY, TEXAS (P.R.J.C.T.);

THENCE, S 00°02'25" E, A DISTANCE OF 1537.32 FEET TO A 5/8" IRON ROD FOUND IN THE NORTHERLY LINE OF SAID 190 ACRE TRACT, FOR THE SOUTHEASTERLY CORNER OF SAID 26.30 ACRE TRACT AND BEING THE SOUTHWESTERLY CORNER OF LOT 2, BLOCK 1, SAID BLUMENTHAL ADDITION;

THENCE, N 89°35'32" E, WITH THE NORTHERLY LINE OF SAID 190 ACRE TRACT, A DISTANCE OF 2324.52 FEET TO A 1/2" IRON ROD WITH A YELLOW PLASTIC CAP FOUND IN ASPHALT IN SAID COUNTY ROAD NO. 1014, FOR THE NORTHEASTERLY CORNER OF SAID 190 ACRE TRACT AND BEING THE SOUTHEASTERLY CORNER OF A CALLED 3.000 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN VOLUME 2448, PAGE 429, O.P.R.J.C.T.;

THENCE, S 00°12'43" W, WITH THE EASTERLY LINE OF SAID 190 ACRE TRACT AND WITH SAID COUNTY ROAD NO. 1014, A DISTANCE OF 2336.28 FEET TO A 5/8" IRON ROD WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING" SET ON THE WESTERLY EDGE OF ASPHALT OF SAID COUNTY ROAD NO. 1014, FOR THE SOUTHEASTERLY CORNER OF SAID 190 ACRE TRACT AND BEING THE

NORTHEASTERLY CORNER OF LOT 28, BLOCK 3, PIESTER PLACE, PHASE ONE, ACCORDING TO THE PLAT RECORDED IN VOLUME 8, PAGE 468-470, P.R.J.C.T., FROM WHICH A 3" STEEL FENCE POST FOUND BEARS, N 79°53'35" W, A DISTANCE OF 5.00 FEET;

THENCE, S 89°53'45" W, WITH THE SOUTHERLY LINE OF SAID 190 ACRE TRACT, A DISTANCE OF 3733.33 FEET TO A 5/8" IRON ROD WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING" SET FOR THE SOUTHWESTERLY CORNER OF SAID 190 ACRE TRACT AND BEING THE SOUTHEASTERLY CORNER OF SAID 120.17 ACRE TRACT, FROM WHICH AN OLD CEDAR FENCE POST FOUND IN AN OLD BOIS D'ARC TREE BEARS, S 00°30'49" E, A DISTANCE OF 2.40 FEET;

THENCE, N 00°40'49" W, WITH THE WESTERLY LINE OF SAID 190 ACRE TRACT AND WITH THE EASTERLY LINE OF SAID 120.17 ACRE TRACT, A DISTANCE OF 2316.38 FEET TO A 5/8" IRON ROD WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING" SET TO RECONSTRUCT A 5/8" BENT IRON ROD FOUND, FOR THE NORTHWESTERLY CORNER OF SAID 190 ACRE TRACT AND BEING THE SOUTHWESTERLY CORNER OF SAID 25.00 ACRE TRACT;

THENCE, N 00°20'32" W, WITH THE WESTERLY LINE OF SAID 25.00 ACRE TRACT AND WITH THE EASTERLY LINE OF SAID 120.17 ACRE TRACT, A DISTANCE OF 836.39 FEET TO A 5/8" IRON ROD WITH A RED PLASTIC CAP STAMPED "TRANS TEXAS SURVEYING" SET, FOR THE SOUTHERNMOST SOUTHEASTERLY CORNER OF SAID 254 ACRE TRACT AND BEING THE NORTHEASTERLY CORNER OF SAID 120.17 ACRE TRACT;

THENCE, S 88°57'25" W, WITH THE SOUTHERLY LINE OF SAID 254 ACRE TRACT AND WITH THE NORTHERLY LINE OF SAID 120.17 ACRE TRACT, A DISTANCE OF 1865.22 FEET TO THE PLACE OF BEGINNING AND CONTAINING 284.317 ACRES OF LAND. SEE THE ACCOMPANYING SURVEY MAP ATTACHED HERETO AND MADE A PART HEREOF.

04/13/2024

Robert L. Young

