



Town Council

Monday, August 08, 2022 at 6:00 PM
102 W. Bailey Street, Ponder, TX 76259

NOTICE

THE TOWN COUNCIL FOR THE TOWN OF PONDER, TEXAS, WILL CONVENE IN REGULAR SESSION AT 6:00 P.M. ON AUGUST 8, 2022, IN PONDER TOWN HALL, AT 102 W. BAILEY STREET, PONDER.

REGULAR SESSION AGENDA

CALL TO ORDER

ROLL CALL

INVOCATION AND PLEDGE OF ALLEGIANCE

OPEN FORUM FOR CITIZEN INPUT (Please limit to 5 minutes per person and if you wish to speak on a particular agenda item, please list the agenda item next to your name).

This is a time for the public to address the Town Council on any subject. However, the Texas Open Meetings Act prohibits the Town Council from discussing issues which the public has not been given seventy-two (72) hours' notice. Issues raised may be referred to Town Staff for research and possible future action.

CONSENT AGENDA

1. Consider and act on approval of June 13, 2022 minutes and July 11, 2022 minutes.
2. Acceptance of the July 2022 Financial Statement

ORAL STAFF REPORTS

ITEMS OF BUSINESS

3. Consider and act on approval of Resolution 22-11, approving a negotiated settlement between the ACSC and Atmos Energy Corporation.
4. Reading of a Proclamation, proclaiming September 2022 as Suicide Prevention Awareness Month.

5. Consider and act on authorizing the Mayor and Town Attorney to negotiate with the Rockwood Municipal Utility District of Denton County, and bring decisions back to Council for final approval.

ITEMS FOR NEXT AGENDA

ADJOURN

The Town Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code, Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development)

CERTIFICATION

I hereby certify that the above notice was posted on the bulletin board at the Ponder Town Hall at 102 W. Bailey Street, Ponder, Texas on the 4th day of August 2022, at 11:00 a.m.

Sheri Clearman, Town Secretary

If you plan to attend this public meeting and you have a disability that requires special arrangements at the meeting, please contact our office at 940-479-7009. Reasonable accommodations will be made to assist your needs.



Town of Ponder

Monday, July 11, 2022 at 6:00 PM
102 W. Bailey Street, Ponder, TX 76259

NOTICE

THE TOWN COUNCIL FOR THE TOWN OF PONDER, TEXAS, WILL CONVENE IN REGULAR SESSION AT 6:00 P.M. ON JULY 11, 2022, IN PONDER TOWN HALL, AT 102 W. BAILEY STREET, PONDER.

REGULAR SESSION AGENDA

CALL TO ORDER

Mayor Poole called the meeting to order at 6:00 pm.

ROLL CALL

Those present were Council Member Deussen, Council Member McWilliams, Council Member Couch, Mayor Pro-Tem McGregor, and Mayor Poole. Council Member Lynch was absent.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Poole led both.

OPEN FORUM FOR CITIZEN INPUT (Please limit to 5 minutes per person and if you wish to speak on a particular agenda item, please list the agenda item next to your name).

This is a time for the public to address the Town Council on any subject. However, the Texas Open Meetings Act prohibits the Town Council from discussing issues which the public has not been given seventy-two (72) hours' notice. Issues raised may be referred to Town Staff for research and possible future action.

No one signed up to speak.

ITEMS OF BUSINESS

- 1. Consider and act on approval of Ordinance 22-09, approving the 2022 Annual Service Plan Update to the Service and Assessment Plan for Ponder Public Improvement District, No. 1.**

Mayor Pro-Tem McGregor moved to approve Ordinance 22-09, approving the 2022 Annual

Service Plan Update to the Service and Assessment Plan for Ponder Public Improvement District No. 1. Motion seconded by Council Member Couch. Ayes: Council Member Couch, Council Member Deussen, Council Member McWilliams and Mayor Pro-Tem McGregor. Nays: None. Abstentions: None. Motion passed with 4 ayes 0 nays and 0 abstentions.

2. Conduct a Public Hearing relative to an unsafe building located at 406 Frederick St, Ponder, TX.

Mayor Pro-Tem McGregor moved to open the public hearing. Motion seconded by Council Member Deussen. Ayes: Council Member Couch, Council Member Deussen, Council Member McWilliams and Mayor Pro-Tem McGregor. Nays: None. Abstentions: None. Motion passed with 4 ayes 0 nays and 0 abstentions.

Mayor Poole asked if there was anyone to speak for or against the unsafe building located at 406 Frederick Street. No one responded.

Mayor Pro-Tem McGregor moved to close the public hearing. Motion seconded by Council Member Couch. Ayes: Council Member Couch, Council Member Deussen, Council Member McWilliams and Mayor Pro-Tem McGregor. Nays: None. Abstentions: None. Motion passed with 4 ayes 0 nays and 0 abstentions.

3. Consider and act on any action to be taken relative to the unsafe building located at 406 Frederick Street, Ponder, TX.

Council Member Couch moved for Code Enforcement to notify the owner that they shall provide the Council with a decision, whether to demolish or rehabilitate the property and include estimates of such within 30 days from this date. Motion seconded by Mayor Pro-Tem McGregor. Ayes: Council Member Couch, Mayor Pro-Tem McGregor, Council Member Deussen and Council Member McWilliams. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

4. Consider and act on approval of Ordinance 22-10, authorizing the issuance and sale of Town of Ponder, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2022.

Mayor Pro-Tem McGregor moved to approve Ordinance 22-10, authorizing the sale and issuance of Town of Ponder, Combination Tax and Revenue Certificates of Obligation. Motion seconded by Council Member Deussen. Ayes: Council Member Couch, Council Member Deussen, Council Member McWilliams and Mayor Pro-Tem McGregor. Nays: None. Abstentions: None. Motion passed with 4 ayes 0 nays and 0 abstentions.

ITEMS FOR NEXT AGENDA

None at this time.

ADJOURN

Mayor Pro-Tem McGregor moved to adjourn at 6:20 pm. Motion seconded by Council Member McWilliams. Ayes: Council Member Couch, Council Member Deussen, Council Member McWilliams and Mayor Pro-Tem McGregor. Nays: None. Abstentions: None. Motion passed with 4 ayes 0 nays and 0 abstentions.

APPROVED:

ATTEST:

Matthew Poole, Mayor

Sheri Clearman, Town Secretary



Town Council

Monday, June 13, 2022 at 6:00 PM
102 W. Bailey Street, Ponder, TX 76259

NOTICE

THE TOWN COUNCIL FOR THE TOWN OF PONDER, TEXAS, WILL CONVENE IN REGULAR SESSION AT 6:00 P.M. OR DIRECTLY FOLLOWING THE P&Z MEETING ON JUNE 13, 2022, IN PONDER TOWN HALL, AT 102 W. BAILEY STREET, PONDER.

REGULAR SESSION AGENDA

CALL TO ORDER

Mayor Pro-Tem McGregor called the meeting to order at 6:08 pm.

ROLL CALL

Those present were Council Member Lynch, Council Member Deussen, Council Member Couch, Council Member McWilliams and Mayor Pro-Tem McGregor. Mayor Poole was absent.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Pro-Tem McGregor led both.

OPEN FORUM FOR CITIZEN INPUT (Please limit to 5 minutes per person and if you wish to speak on a particular agenda item, please list the agenda item next to your name).

This is a time for the public to address the Town Council on any subject. However, the Texas Open Meetings Act prohibits the Town Council from discussing issues which the public has not been given seventy-two (72) hours' notice. Issues raised may be referred to Town Staff for research and possible future action.

No one signed up to speak.

CONSENT AGENDA

- 1. Consider and act on approval of the April 11, 2022, May 9, 2022 and May 18, 2022 minutes.**

Council Member Lynch moved to approve the April 11, 2022 minutes, the May 9, 2022 minutes and the May 18, 2022 minutes. Motion seconded by Council Member Couch. Ayes: Council Member Lynch, Council Member Couch, Council Member Deussen, Council Member McWilliams and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

ORAL STAFF REPORTS

Chief Genova read over the Police Department activity report and introduced Andrew Mills, Code Enforcement Officer, to the Council. He also reported that Andrew will be beginning the process of dealing with dangerous properties.

Gary Morris, Director of Public Works recommended to the Council that they approve the request for water from UTRWD.

Alexandria Mills, Library Director reported that she has been working to get the word out about the library being open. She stated that there were 103 visitors in May and so far in June there have been 108 visitors. She has several new library members since school let out for summer. She is conducting summer book clubs, reading hour for children and craft time.

ITEMS OF BUSINESS

2. **Consider and appoint three new members to the Planning & Zoning Commission Board.**
Council Member Lynch moved to appoint Jeriana Staton, Paul Gillilan and Alyssa Nordie to the Planning & Zoning board. Motion seconded by Council Member Couch. Ayes: Council Member Lynch, Council Member Couch, Council Member Deussen, Council Member McWilliams and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.
3. **Consider and act on approval of the Sonic Site Plan.**
Mayor Pro-Tem McGregor moved to approve the Sonic Site Plan as submitted and contingent upon satisfaction of the deficiencies in the Engineer's Letter and to allow one access drive and live screening in lieu of a wall. Motion seconded by Council Member Lynch. Ayes: Council Member Lynch, Council Member Couch, Council Member Deussen, Council Member McWilliams and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.
4. **Consider and act on approval of a request to Upper Trinity Regional Water District.**
Mike Anderson, Town Engineer and the Town's representative for UTRWD spoke to the Council regarding the need for water in the very near future.

Mayor Pro-Tem Gorman moved to approve the letter to Upper Trinity Regional Water District as submitted. Motion seconded by Council Member Lynch. Ayes: Council Member Lynch, Council Member Couch, Council Member Deussen, Council Member McWilliams and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

5. **Consider and act on approval of appointing and compensating the Town Secretary to serve as the Interim P&Z Coordinator.**
Council Member Couch moved that the Town Secretary serve as the Planning and Zoning Coordinator until the position is filled and trained, and to be compensated for such. Motion seconded by Council Member Lynch. Ayes: Council Member Lynch, Council Member Couch, Council Member Deussen, Council Member McWilliams and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

ITEMS FOR NEXT AGENDA

None at this time.

ADJOURN

Council Member Lynch moved to adjourn at 6:45 pm. Motion seconded by Council Mayor Pro-Tem McGregor. Ayes: Council Member Lynch, Council Member Couch, Council Member Deussen, Council Member McWilliams and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

APPROVED:

ATTEST:

Matthew Poole, Mayor

Sheri Clearman, Town Secretary

Town of Ponder Financial Statement As of August 31, 2022

001 - General Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Property & Sales Tax	0.00	142,513.28	(142,513.28)	1,876,277.82	1,710,844.00	109.67%	(165,433.82)
Business & Franchise	0.00	0.00	0.00	101,058.80	120,000.00	84.22%	18,941.20
Licenses & Permits	50.00	19,249.97	(19,199.97)	369,664.80	231,000.00	160.03%	(138,664.80)
Other Revenue Sources	0.00	9,990.25	(9,990.25)	723.33	119,883.00	0.60%	119,159.67
Fines, Fees & Forfeitures	0.00	1,317.16	(1,317.16)	36,730.72	16,810.00	218.51%	(19,920.72)
Interest Income	0.00	166.67	(166.67)	344.83	2,000.00	17.24%	1,655.17
Lease & Rent Income	0.00	141.61	(141.61)	5,042.57	1,700.00	296.62%	(3,342.57)
Sales & Receipts	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Revenue Totals	<u>50.00</u>	<u>173,378.94</u>	<u>(173,328.94)</u>	<u>2,389,842.87</u>	<u>2,202,237.00</u>	<u>108.52%</u>	<u>(187,605.87)</u>
Expense Summary							
Payroll/Personnel	24,418.15	71,540.01	(47,121.86)	717,417.03	865,267.00	82.91%	147,849.97
Office & Supplies	0.00	4,209.47	(4,209.47)	48,459.06	57,025.00	84.98%	8,565.94
Repairs & Maintenance	0.00	8,386.42	(8,386.42)	88,862.03	100,647.00	88.29%	11,784.97
Other Expenses	0.00	666.67	(666.67)	262,900.54	11,800.00	2227.97%	(251,100.54)
Taxes, Fees & Fines	0.00	9,648.72	(9,648.72)	43,330.53	115,831.00	37.41%	72,500.47
Legal & Professional Fees	0.00	6,249.50	(6,249.50)	215,535.32	90,000.00	239.48%	(125,535.32)
Contracted Services	0.00	9,174.76	(9,174.76)	98,313.50	142,600.00	68.94%	44,286.50
Utilities	0.00	4,415.73	(4,415.73)	52,024.86	56,000.00	92.90%	3,975.14
Insurance Expense	0.00	1,082.90	(1,082.90)	34,784.50	33,000.00	105.41%	(1,784.50)
Fines, Fees & Taxes	0.00	2,197.53	(2,197.53)	11,723.97	26,376.00	44.45%	14,652.03
Community Programs & Donations	0.00	12,995.38	(12,995.38)	133,060.33	156,000.00	85.30%	22,939.67
Capital	0.00	4,166.33	(4,166.33)	48,437.39	53,600.00	90.37%	5,162.61
Leases, Rents & Contractual	0.00	1,000.00	(1,000.00)	0.00	12,000.00	0.00%	12,000.00
Debt & Bond Service	0.00	39,325.22	(39,325.22)	108,205.39	472,091.00	22.92%	363,885.61
Grants Expense	0.00	833.00	(833.00)	0.00	10,000.00	0.00%	10,000.00

Town of Ponder Financial Statement As of August 31, 2022

001 - General Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Expense Totals	24,418.15	175,891.64	(151,473.49)	1,863,054.45	2,202,237.00	84.60%	339,182.55

Town of Ponder Financial Statement As of August 31, 2022

001 - General Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Property & Sales Tax							
001-4001 Property tax	0.00	69,521.76	(69,521.76)	882,065.88	834,595.00	105.69%	(47,470.88)
001-4002 Sales Tax	0.00	19,297.44	(19,297.44)	327,541.30	231,662.00	141.39%	(95,879.30)
001-4003 Street Maintenance Tax	0.00	4,824.31	(4,824.31)	81,885.41	57,915.00	141.39%	(23,970.41)
001-4019 EDC Tax	0.00	9,648.72	(9,648.72)	87,384.96	115,831.00	75.44%	28,446.04
001-4038 Debt Service Tax Fund	0.00	39,221.05	(39,221.05)	497,400.27	470,841.00	105.64%	(26,559.27)
Property & Sales Tax Totals	0.00	142,513.28	(142,513.28)	1,876,277.82	1,710,844.00	109.67%	(165,433.82)
Business & Franchise							
001-4004 Franchise Fee	0.00	0.00	0.00	101,058.80	120,000.00	84.22%	18,941.20
Business & Franchise Totals	0.00	0.00	0.00	101,058.80	120,000.00	84.22%	18,941.20
Licenses & Permits							
001-4005 Building and Permits	0.00	19,166.67	(19,166.67)	368,789.80	230,000.00	160.34%	(138,789.80)
001-4043 Contractor Registration	50.00	83.30	(33.30)	875.00	1,000.00	87.50%	125.00
Licenses & Permits Totals	50.00	19,249.97	(19,199.97)	369,664.80	231,000.00	160.03%	(138,664.80)
Other Revenue Sources							
001-4007 Unappropriated Contingency	0.00	9,981.92	(9,981.92)	500.00	119,783.00	0.42%	119,283.00
001-4050 Local Truancy Prevention-	0.00	8.33	(8.33)	223.33	100.00	223.33%	(123.33)
001-4056 Capital Project Funds - Texpool	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Other Revenue Sources Totals	0.00	9,990.25	(9,990.25)	723.33	119,883.00	0.60%	119,159.67
Fines, Fees & Forfeitures							
001-4009 Administrative Fees	0.00	41.67	(41.67)	23,401.29	500.00	4680.26%	(22,901.29)
001-4020 Citation - Local	0.00	208.33	(208.33)	0.00	2,500.00	0.00%	2,500.00
001-4021 Citation - State	0.00	166.67	(166.67)	0.00	2,000.00	0.00%	2,000.00
001-4022 Municipal Court Building Security	0.00	10.00	(10.00)	224.85	120.00	187.38%	(104.85)

Town of Ponder Financial Statement As of August 31, 2022

001 - General Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Fines, Fees & Forfeitures							
001-4023 Municipal Technology Fund Fee	0.00	12.50	(12.50)	186.66	150.00	124.44%	(36.66)
001-4027 Citation Child Safety Fund	0.00	15.83	(15.83)	0.00	190.00	0.00%	190.00
001-4033 Inspection Fees	0.00	416.50	(416.50)	500.00	5,000.00	10.00%	4,500.00
001-4034 Engineering Fees	0.00	416.50	(416.50)	6,600.00	5,000.00	132.00%	(1,600.00)
001-4044 ROW Fees	0.00	24.99	(24.99)	288.56	300.00	96.19%	11.44
001-4047 Code Violation Fees	0.00	0.00	0.00	0.00	1,000.00	0.00%	1,000.00
001-4051 Municipal Jury Fund	0.00	4.17	(4.17)	4.46	50.00	8.92%	45.54
001-4052 Court Fine Revenue	0.00	0.00	0.00	4,808.90	0.00	0.00%	(4,808.90)
001-4053 Court Costs	0.00	0.00	0.00	716.00	0.00	0.00%	(716.00)
001-4054 Time Payment	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-4055 Omnibase Reimbursement Fee	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Fines, Fees & Forfeitures Totals	0.00	1,317.16	(1,317.16)	36,730.72	16,810.00	218.51%	(19,920.72)
Interest Income							
001-4014 Interest Income	0.00	166.67	(166.67)	344.83	2,000.00	17.24%	1,655.17
Interest Income Totals	0.00	166.67	(166.67)	344.83	2,000.00	17.24%	1,655.17
Lease & Rent Income							
001-4039 Royalties	0.00	141.61	(141.61)	5,042.57	1,700.00	296.62%	(3,342.57)
Lease & Rent Income Totals	0.00	141.61	(141.61)	5,042.57	1,700.00	296.62%	(3,342.57)
Sales & Receipts							
001-4048 Ponder PID No 1 Revenue	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Sales & Receipts Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Revenue Totals	50.00	173,378.94	(173,328.94)	2,389,842.87	2,202,237.00	108.52%	(187,605.87)

Town of Ponder
Financial Statement
As of August 31, 2022

001 - General Fund Administrative	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Capital	0.00	3,333.00	(3,333.00)	48,437.39	40,000.00	121.09%	(8,437.39)
Community Programs & Donations	0.00	10,829.00	(10,829.00)	124,108.38	130,000.00	95.47%	5,891.62
Contracted Services	0.00	6,099.96	(6,099.96)	87,594.90	105,700.00	82.87%	18,105.10
Debt & Bond Service	0.00	39,325.22	(39,325.22)	108,205.39	472,091.00	22.92%	363,885.61
Fines, Fees & Taxes	0.00	1,249.83	(1,249.83)	6,078.00	15,000.00	40.52%	8,922.00
Insurance Expense	0.00	1,082.90	(1,082.90)	12,712.00	13,000.00	97.78%	288.00
Leases, Rents & Contractual	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Legal & Professional Fees	0.00	5,832.83	(5,832.83)	215,535.32	85,000.00	253.57%	(130,535.32)
Office & Supplies	0.00	2,168.22	(2,168.22)	14,839.84	27,525.00	53.91%	12,685.16
Other Expenses	0.00	0.00	0.00	227,236.16	1,800.00	12624.23%	(225,436.16)
Payroll/Personnel	4,908.84	21,861.87	(16,953.03)	252,888.27	264,928.00	95.46%	12,039.73
Repairs & Maintenance	0.00	7,736.42	(7,736.42)	86,408.98	92,847.00	93.07%	6,438.02
Taxes, Fees & Fines	0.00	9,648.72	(9,648.72)	43,330.53	115,831.00	37.41%	72,500.47
Utilities	0.00	4,415.73	(4,415.73)	49,525.94	53,000.00	93.45%	3,474.06
Administrative Totals	<u>4,908.84</u>	<u>113,583.70</u>	<u>(108,674.86)</u>	<u>1,276,901.10</u>	<u>1,416,722.00</u>	<u>90.13%</u>	<u>139,820.90</u>

001 - General Fund Public Works	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Payroll/Personnel	100.77	4,524.18	(4,423.41)	3,392.18	54,312.00	6.25%	50,919.82
Public Works Totals	<u>100.77</u>	<u>4,524.18</u>	<u>(4,423.41)</u>	<u>3,392.18</u>	<u>54,312.00</u>	<u>6.25%</u>	<u>50,919.82</u>

001 - General Fund Police Department	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Capital	0.00	833.33	(833.33)	0.00	13,600.00	0.00%	13,600.00
Community Programs & Donations	0.00	708.05	(708.05)	0.00	8,500.00	0.00%	8,500.00

Town of Ponder
 Financial Statement
 As of August 31, 2022

Contracted Services	0.00	2,524.80	(2,524.80)	6,318.60	30,300.00	20.85%	23,981.40
Grants Expense	0.00	833.00	(833.00)	0.00	10,000.00	0.00%	10,000.00
Insurance Expense	0.00	0.00	0.00	22,072.50	20,000.00	110.36%	(2,072.50)
Leases, Rents & Contractual	0.00	1,000.00	(1,000.00)	0.00	12,000.00	0.00%	12,000.00
Legal & Professional Fees	0.00	416.67	(416.67)	0.00	5,000.00	0.00%	5,000.00
Office & Supplies	0.00	1,999.58	(1,999.58)	25,471.81	26,500.00	96.12%	1,028.19
Other Expenses	0.00	0.00	0.00	31,823.45	2,000.00	1591.17%	(29,823.45)
Payroll/Personnel	18,646.45	40,648.16	(22,001.71)	426,388.32	490,947.00	86.85%	64,558.68
Repairs & Maintenance	0.00	650.00	(650.00)	2,453.05	7,800.00	31.45%	5,346.95
Utilities	0.00	0.00	0.00	2,498.92	3,000.00	83.30%	501.08
Police Department Totals	<u>18,646.45</u>	<u>49,613.59</u>	<u>(30,967.14)</u>	<u>517,026.65</u>	<u>629,647.00</u>	<u>82.11%</u>	<u>112,620.35</u>

001 - General Fund Municipal Court	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Contracted Services	0.00	550.00	(550.00)	4,400.00	6,600.00	66.67%	2,200.00
Fines, Fees & Taxes	0.00	947.70	(947.70)	5,645.97	11,376.00	49.63%	5,730.03
Office & Supplies	0.00	41.67	(41.67)	4,704.99	1,000.00	470.50%	(3,704.99)
Payroll/Personnel	0.00	2,141.63	(2,141.63)	22,619.39	26,710.00	84.69%	4,090.61
Municipal Court Totals	<u>0.00</u>	<u>3,681.00</u>	<u>(3,681.00)</u>	<u>37,370.35</u>	<u>45,686.00</u>	<u>81.80%</u>	<u>8,315.65</u>

001 - General Fund Library	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Community Programs & Donations	0.00	833.33	(833.33)	0.00	10,000.00	0.00%	10,000.00
Payroll/Personnel	762.09	2,364.17	(1,602.08)	12,128.87	28,370.00	42.75%	16,241.13
Library Totals	<u>762.09</u>	<u>3,197.50</u>	<u>(2,435.41)</u>	<u>12,128.87</u>	<u>38,370.00</u>	<u>31.61%</u>	<u>26,241.13</u>

Town of Ponder
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001 - General Fund Council	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Community Programs & Donations	0.00	625.00	(625.00)	8,951.95	7,500.00	119.36%	(1,451.95)
Office & Supplies	0.00	0.00	0.00	3,442.42	2,000.00	172.12%	(1,442.42)
Other Expenses	0.00	666.67	(666.67)	3,840.93	8,000.00	48.01%	4,159.07
Council Totals	0.00	1,291.67	(1,291.67)	16,235.30	17,500.00	92.77%	1,264.70
Expense Total	24,418.15	175,891.64	(151,473.49)	1,863,054.45	2,202,237.00	84.60%	339,182.55

Town of Ponder
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001 - General Fund Administrative	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
001-01-5101 Salaries	4,243.35	15,957.28	(11,713.93)	198,504.44	191,564.00	103.62%	(6,940.44)
001-01-5102 Overtime	0.00	0.00	0.00	182.31	500.00	36.46%	317.69
001-01-5107 Employee Insurance	461.54	4,000.00	(3,538.46)	20,830.25	48,000.00	43.40%	27,169.75
001-01-5108 Longevity Pay	0.00	146.94	(146.94)	1,876.00	1,764.00	106.35%	(112.00)
001-01-5109 Payroll Taxes	139.54	499.80	(360.26)	3,294.81	6,000.00	54.91%	2,705.19
001-01-5110 Retirement	64.41	666.40	(601.99)	9,520.45	8,000.00	119.01%	(1,520.45)
001-01-5201 Office Supplies	0.00	416.67	(416.67)	4,050.13	5,000.00	81.00%	949.87
001-01-5202 Computer Supplies	0.00	125.00	(125.00)	0.00	1,500.00	0.00%	1,500.00
001-01-5203 Computer Software	0.00	1,259.91	(1,259.91)	0.00	15,125.00	0.00%	15,125.00
001-01-5204 Fuel	0.00	291.67	(291.67)	7,433.87	3,500.00	212.40%	(3,933.87)
001-01-5209 Uniform Expenses	0.00	50.00	(50.00)	0.00	600.00	0.00%	600.00
001-01-5301 Repair & Maintenance -	0.00	1,000.00	(1,000.00)	22,392.35	12,000.00	186.60%	(10,392.35)
001-01-5302 Repair & Maintenance -	0.00	2,082.50	(2,082.50)	236.00	25,000.00	0.94%	24,764.00
001-01-5303 Repair & Maintenance -	0.00	1,416.67	(1,416.67)	7,230.63	17,000.00	42.53%	9,769.37
001-01-5304 Miscellaneous Expenses	0.00	0.00	0.00	211,678.14	0.00	0.00%	(211,678.14)
001-01-5312 EDC Expenses	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-01-5313 Street Maintenance Tax	0.00	3,237.25	(3,237.25)	56,550.00	38,847.00	145.57%	(17,703.00)
001-01-5314 EDC Tax Funds	0.00	9,648.72	(9,648.72)	43,330.53	115,831.00	37.41%	72,500.47
001-01-5401 Accounting	0.00	833.00	(833.00)	8,500.00	10,000.00	85.00%	1,500.00
001-01-5402 Ambulance Service	0.00	3,000.00	(3,000.00)	36,000.00	36,000.00	100.00%	0.00
001-01-5403 Animal Control	0.00	1,125.00	(1,125.00)	11,085.00	13,500.00	82.11%	2,415.00
001-01-5404 Bank Charges	0.00	0.00	0.00	15,558.02	1,800.00	864.33%	(13,758.02)
001-01-5405 Contract Labor	0.00	933.33	(933.33)	3,950.00	11,200.00	35.27%	7,250.00
001-01-5406 Copiers	0.00	74.97	(74.97)	2,245.17	900.00	249.46%	(1,345.17)
001-01-5407 Dues and Subscriptions	0.00	541.45	(541.45)	17,400.80	6,500.00	267.70%	(10,900.80)
001-01-5408 Electricity	0.00	2,083.33	(2,083.33)	29,131.47	25,000.00	116.53%	(4,131.47)

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001 - General Fund Administrative	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
001-01-5409 Engineering Fees	0.00	2,500.00	(2,500.00)	45,020.08	30,000.00	150.07%	(15,020.08)
001-01-5411 Insurance Property/Liability	0.00	1,082.90	(1,082.90)	12,712.00	13,000.00	97.78%	288.00
001-01-5412 Legal Notices & Publications	0.00	0.00	0.00	81.60	500.00	16.32%	418.40
001-01-5413 Legal Service	0.00	416.50	(416.50)	7,109.14	5,000.00	142.18%	(2,109.14)
001-01-5414 Pest Control	0.00	83.30	(83.30)	899.90	1,000.00	89.99%	100.10
001-01-5415 PVFD Funding	0.00	0.00	0.00	25,000.00	32,500.00	76.92%	7,500.00
001-01-5416 Postage	0.00	0.00	0.00	1,029.07	1,000.00	102.91%	(29.07)
001-01-5417 Tax Assessor Fees	0.00	416.50	(416.50)	6,078.00	5,000.00	121.56%	(1,078.00)
001-01-5418 Training Expenses	0.00	0.00	0.00	0.00	1,000.00	0.00%	1,000.00
001-01-5419 Travel/Mileage Expenses	0.00	0.00	0.00	1,279.21	1,000.00	127.92%	(279.21)
001-01-5420 Telephone Services	0.00	2,332.40	(2,332.40)	20,394.47	28,000.00	72.84%	7,605.53
001-01-5421 Park and Recreation	0.00	10,829.00	(10,829.00)	124,108.38	130,000.00	95.47%	5,891.62
001-01-5422 Planning & Zoning Fees &	0.00	2,083.33	(2,083.33)	154,906.10	25,000.00	619.62%	(129,906.10)
001-01-5424 Inspection Fees	0.00	833.33	(833.33)	0.00	10,000.00	0.00%	10,000.00
001-01-5430 Tech Services	0.00	833.33	(833.33)	9,716.08	10,000.00	97.16%	283.92
001-01-5433 Planner Fees	0.00	0.00	0.00	0.00	15,000.00	0.00%	15,000.00
001-01-5434 Health Inspector Fees	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-01-5502 Computers - Capital Expense	0.00	833.00	(833.00)	2,834.00	10,000.00	28.34%	7,166.00
001-01-5506 Codification	0.00	125.00	(125.00)	943.92	1,500.00	62.93%	556.08
001-01-5528 Town Hall Project	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-01-5531 Robinson Road	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-01-5533 Drainage Project	0.00	0.00	0.00	2,070.00	0.00	0.00%	(2,070.00)
001-01-5534 Sports Complex	0.00	0.00	0.00	43,533.39	0.00	0.00%	(43,533.39)
001-01-5536 Future Land	0.00	2,500.00	(2,500.00)	0.00	30,000.00	0.00%	30,000.00
001-01-5537 PD Office Lease	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-01-5602 Tax Notes	0.00	39,221.05	(39,221.05)	108,005.39	470,841.00	22.94%	362,835.61

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001 - General Fund Administrative	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
001-01-5603 Bond Agent Fees	0.00	104.17	(104.17)	200.00	1,250.00	16.00%	1,050.00
Administrative Totals	4,908.84	113,583.70	(108,674.86)	1,276,901.10	1,416,722.00	90.13%	139,820.90

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001 - General Fund Public Works	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
001-02-5101 Salaries	0.00	4,387.16	(4,387.16)	806.19	52,667.00	1.53%	51,860.81
001-02-5102 Overtime	0.00	0.00	0.00	211.68	0.00	0.00%	(211.68)
001-02-5107 Employee Insurance	0.00	0.00	0.00	38.80	0.00	0.00%	(38.80)
001-02-5108 Longevity Pay	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-02-5109 Payroll Taxes	0.00	137.02	(137.02)	0.00	1,645.00	0.00%	1,645.00
001-02-5110 Retirement	100.77	0.00	100.77	2,335.51	0.00	0.00%	(2,335.51)
Public Works Totals	<u>100.77</u>	<u>4,524.18</u>	<u>(4,423.41)</u>	<u>3,392.18</u>	<u>54,312.00</u>	<u>6.25%</u>	<u>50,919.82</u>

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001 - General Fund Police Department	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
001-03-2726 Grant Expenditures	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-03-5101 Salaries	14,823.40	32,406.94	(17,583.54)	332,220.84	389,039.00	85.40%	56,818.16
001-03-5102 Overtime	0.00	0.00	0.00	441.42	0.00	0.00%	(441.42)
001-03-5107 Employee Insurance	2,653.86	5,050.00	(2,396.14)	59,163.94	60,600.00	97.63%	1,436.06
001-03-5108 Longevity Pay	0.00	150.60	(150.60)	1,548.00	1,808.00	85.62%	260.00
001-03-5109 Payroll Taxes	251.81	624.75	(372.94)	5,722.84	7,500.00	76.30%	1,777.16
001-03-5110 Retirement	917.38	1,666.00	(748.62)	20,633.68	20,000.00	103.17%	(633.68)
001-03-5201 Office Supplies	0.00	124.95	(124.95)	2,862.18	1,500.00	190.81%	(1,362.18)
001-03-5203 Computer Software	0.00	333.33	(333.33)	1,893.71	4,000.00	47.34%	2,106.29
001-03-5204 Fuel	0.00	916.30	(916.30)	10,923.04	11,000.00	99.30%	76.96
001-03-5209 Uniform Expenses	0.00	166.67	(166.67)	42.75	2,000.00	2.14%	1,957.25
001-03-5214 Printer Supplies	0.00	0.00	0.00	0.00	1,500.00	0.00%	1,500.00
001-03-5303 Repair & Maintenance -	0.00	566.67	(566.67)	2,453.05	6,800.00	36.07%	4,346.95
001-03-5304 Miscellaneous Expenses	0.00	0.00	0.00	31,823.45	2,000.00	1591.17%	(29,823.45)
001-03-5317 Repair & Maintenance Radios	0.00	83.33	(83.33)	0.00	1,000.00	0.00%	1,000.00
001-03-5405 Contract Labor	0.00	1,733.33	(1,733.33)	0.00	20,800.00	0.00%	20,800.00
001-03-5407 Dues and Publications	0.00	333.20	(333.20)	6,102.50	4,000.00	152.56%	(2,102.50)
001-03-5411 Insurance Property/Liability	0.00	0.00	0.00	22,072.50	20,000.00	110.36%	(2,072.50)
001-03-5413 Legal Service	0.00	416.67	(416.67)	0.00	5,000.00	0.00%	5,000.00
001-03-5416 Postage	0.00	0.00	0.00	129.60	1,000.00	12.96%	870.40
001-03-5418 Training Expenses	0.00	250.00	(250.00)	512.35	3,000.00	17.08%	2,487.65
001-03-5419 Travel/Mileage Expenses	0.00	0.00	0.00	0.00	2,500.00	0.00%	2,500.00
001-03-5420 Telephone Services	0.00	0.00	0.00	2,498.92	3,000.00	83.30%	501.08
001-03-5430 Tech Services	0.00	291.67	(291.67)	6,318.60	3,500.00	180.53%	(2,818.60)
001-03-5431 Printing	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-03-5501 Vehicle	0.00	833.33	(833.33)	0.00	10,000.00	0.00%	10,000.00

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001 - General Fund Police Department	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
001-03-5502 Computers - Capital Expense	0.00	0.00	0.00	0.00	3,600.00	0.00%	3,600.00
001-03-5537 PD Office Lease	0.00	1,000.00	(1,000.00)	0.00	12,000.00	0.00%	12,000.00
001-03-5716 Other Police Equipment	0.00	625.00	(625.00)	9,663.28	7,500.00	128.84%	(2,163.28)
001-03-5720 Denton County	0.00	499.80	(499.80)	0.00	6,000.00	0.00%	6,000.00
001-03-5721 Children's Advocacy Center	0.00	708.05	(708.05)	0.00	8,500.00	0.00%	8,500.00
001-03-5726 Grant Expenditures	0.00	833.00	(833.00)	0.00	10,000.00	0.00%	10,000.00
001-03-5727 Medical & Phsysc.	0.00	0.00	0.00	0.00	500.00	0.00%	500.00
Police Department Totals	<u>18,646.45</u>	<u>49,613.59</u>	<u>(30,967.14)</u>	<u>517,026.65</u>	<u>629,647.00</u>	<u>82.11%</u>	<u>112,620.35</u>

Town of Ponder Financial Statement As of August 31, 2022

001 - General Fund Municipal Court	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
001-04-5101 Salaries	0.00	1,976.20	(1,976.20)	20,604.04	23,724.00	86.85%	3,119.96
001-04-5107 Employee Insurance	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-04-5108 Longevity Pay	0.00	0.00	0.00	236.00	0.00	0.00%	(236.00)
001-04-5109 Payroll Taxes	0.00	66.64	(66.64)	281.40	800.00	35.18%	518.60
001-04-5110 Retirement	0.00	98.79	(98.79)	1,297.95	1,186.00	109.44%	(111.95)
001-04-5201 Office Supplies	0.00	41.67	(41.67)	2,704.99	500.00	541.00%	(2,204.99)
001-04-5202 Computer Supplies	0.00	0.00	0.00	0.00	250.00	0.00%	250.00
001-04-5203 Computer Software	0.00	0.00	0.00	2,000.00	250.00	800.00%	(1,750.00)
001-04-5418 Training Expenses	0.00	0.00	0.00	0.00	500.00	0.00%	500.00
001-04-5419 Travel/Mileage Expenses	0.00	0.00	0.00	200.00	500.00	40.00%	300.00
001-04-5706 MC Judge	0.00	300.00	(300.00)	2,400.00	3,600.00	66.67%	1,200.00
001-04-5707 MC Prosecuting Attorney	0.00	250.00	(250.00)	2,000.00	3,000.00	66.67%	1,000.00
001-04-5711 State Citation Fees	0.00	240.00	(240.00)	8,257.19	2,880.00	286.71%	(5,377.19)
001-04-5713 Court Security	0.00	9.99	(9.99)	0.00	120.00	0.00%	120.00
001-04-5714 Court Technology	0.00	12.49	(12.49)	0.00	150.00	0.00%	150.00
001-04-5717 Child Safety	0.00	685.22	(685.22)	(2,611.22)	8,226.00	(31.74%)	10,837.22
Municipal Court Totals	0.00	3,681.00	(3,681.00)	37,370.35	45,686.00	81.80%	8,315.65

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001 - General Fund Library	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
001-05-5101 Salaries	668.50	2,231.67	(1,563.17)	10,663.56	26,780.00	39.82%	16,116.44
001-05-5109 Payroll Taxes	51.81	20.83	30.98	810.52	250.00	324.21%	(560.52)
001-05-5110 Retirement	41.78	111.67	(69.89)	654.79	1,340.00	48.86%	685.21
001-05-5538 Library Funding	0.00	833.33	(833.33)	0.00	10,000.00	0.00%	10,000.00
Library Totals	<u>762.09</u>	<u>3,197.50</u>	<u>(2,435.41)</u>	<u>12,128.87</u>	<u>38,370.00</u>	<u>31.61%</u>	<u>26,241.13</u>

Town of Ponder
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001 - General Fund Council	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
001-06-5205 City Council Expenses	0.00	0.00	0.00	3,442.42	2,000.00	172.12%	(1,442.42)
001-06-5206 Elections	0.00	666.67	(666.67)	3,840.93	8,000.00	48.01%	4,159.07
001-06-5207 Promotional Items	0.00	625.00	(625.00)	8,951.95	7,500.00	119.36%	(1,451.95)
Council Totals	0.00	1,291.67	(1,291.67)	16,235.30	17,500.00	92.77%	1,264.70
Expense Totals	24,418.15	175,891.64	(151,473.49)	1,863,054.45	2,202,237.00	84.60%	339,182.55

Town of Ponder Financial Statement As of August 31, 2022

002 - Water and Sewer Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Other Revenue Sources	0.00	0.00	0.00	100.00	0.00	0.00%	(100.00)
Lease & Rent Income	0.00	333.20	(333.20)	0.00	4,000.00	0.00%	4,000.00
Fines, Fees & Forfeitures	(20.00)	36,268.82	(36,288.82)	607,994.94	463,200.00	131.26%	(144,794.94)
Interest Income	0.00	1,250.00	(1,250.00)	403.10	15,000.00	2.69%	14,596.90
Sales & Receipts	(172.74)	121,618.17	(121,790.91)	1,255,435.86	1,460,000.00	85.99%	204,564.14
Licenses & Permits	0.00	0.00	0.00	1,750.00	300.00	583.33%	(1,450.00)
Revenue Totals	<u>(192.74)</u>	<u>159,470.19</u>	<u>(159,662.93)</u>	<u>1,865,683.90</u>	<u>1,942,500.00</u>	<u>96.05%</u>	<u>76,816.10</u>
Expense Summary							
Payroll/Personnel	10,596.01	35,258.35	(24,662.34)	320,695.64	427,858.00	74.95%	107,162.36
Utilities	0.00	10,816.41	(10,816.41)	102,187.55	129,800.00	78.73%	27,612.45
Insurance Expense	0.00	1,499.40	(1,499.40)	22,072.50	18,000.00	122.63%	(4,072.50)
Office & Supplies	0.00	4,791.05	(4,791.05)	28,494.52	63,000.00	45.23%	34,505.48
Repairs & Maintenance	0.00	39,705.66	(39,705.66)	306,248.84	476,500.00	64.27%	170,251.16
Other Expenses	0.00	2,207.53	(2,207.53)	25,387.73	26,500.00	95.80%	1,112.27
Taxes, Fees & Fines	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Legal & Professional Fees	0.00	4,499.17	(4,499.17)	28,951.00	54,000.00	53.61%	25,049.00
Contracted Services	0.00	4,703.31	(4,703.31)	48,686.94	56,454.00	86.24%	7,767.06
Leases, Rents & Contractual	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Not Categorized	0.00	1,000.00	(1,000.00)	0.00	12,000.00	0.00%	12,000.00
Capital	0.00	11,096.67	(11,096.67)	319,826.61	149,200.00	214.36%	(170,626.61)
Debt & Bond Service	0.00	44,081.36	(44,081.36)	77,560.03	529,188.00	14.66%	451,627.97
Fines, Fees & Taxes	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Expense Totals	<u>10,596.01</u>	<u>159,658.91</u>	<u>(149,062.90)</u>	<u>1,280,111.36</u>	<u>1,942,500.00</u>	<u>65.90%</u>	<u>662,388.64</u>

Town of Ponder Financial Statement As of August 31, 2022

002 - Water and Sewer Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Other Revenue Sources							
002-4006 Miscellaneous	0.00	0.00	0.00	100.00	0.00	0.00%	(100.00)
002-4007 Unappropriated Contengancy	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-4018 Repair/Emergency Fund	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-4056 Capital Project Funds - Texpool	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Other Revenue Sources Totals	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>100.00</u>	<u>0.00</u>	<u>0.00%</u>	<u>(100.00)</u>
Lease & Rent Income							
002-4008 Rental Income	0.00	333.20	(333.20)	0.00	4,000.00	0.00%	4,000.00
Lease & Rent Income Totals	<u>0.00</u>	<u>333.20</u>	<u>(333.20)</u>	<u>0.00</u>	<u>4,000.00</u>	<u>0.00%</u>	<u>4,000.00</u>
Fines, Fees & Forfeitures							
002-4009 Administrative Fees	0.00	0.00	0.00	490.00	2,800.00	17.50%	2,310.00
002-4010 Tap Fees - Water	0.00	2,499.00	(2,499.00)	41,700.00	30,000.00	139.00%	(11,700.00)
002-4011 Tap Fees - Sewer	0.00	2,499.00	(2,499.00)	40,100.00	30,000.00	133.67%	(10,100.00)
002-4012 Impact Fees - Water	0.00	12,603.29	(12,603.29)	195,580.00	151,300.00	129.27%	(44,280.00)
002-4013 Impact Fees - Sewer	0.00	18,667.53	(18,667.53)	286,848.00	224,100.00	128.00%	(62,748.00)
002-4015 Inspection Fees	0.00	0.00	0.00	15,716.94	0.00	0.00%	(15,716.94)
002-4033 Inspection Fees	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-4034 Engineering Fees	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-4042 Late Fees	(20.00)	0.00	(20.00)	27,560.00	25,000.00	110.24%	(2,560.00)
002-4046 Irrigation Inspections	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Fines, Fees & Forfeitures Totals	<u>(20.00)</u>	<u>36,268.82</u>	<u>(36,288.82)</u>	<u>607,994.94</u>	<u>463,200.00</u>	<u>131.26%</u>	<u>(144,794.94)</u>
Interest Income							
002-4014 Interest Income	0.00	1,250.00	(1,250.00)	403.10	15,000.00	2.69%	14,596.90
Interest Income Totals	<u>0.00</u>	<u>1,250.00</u>	<u>(1,250.00)</u>	<u>403.10</u>	<u>15,000.00</u>	<u>2.69%</u>	<u>14,596.90</u>

Town of Ponder
Financial Statement
As of August 31, 2022

002 - Water and Sewer Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Sales & Receipts							
002-4016 Water Sales	(195.05)	77,469.00	(77,664.05)	797,045.53	930,000.00	85.70%	132,954.47
002-4017 Bulk Water Sales	0.00	416.67	(416.67)	39,380.29	5,000.00	787.61%	(34,380.29)
002-4031 Meter Deposit Refunds	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-4041 Sewer Sales	22.31	43,732.50	(43,710.19)	419,010.04	525,000.00	79.81%	105,989.96
Sales & Receipts Totals	<u>(172.74)</u>	<u>121,618.17</u>	<u>(121,790.91)</u>	<u>1,255,435.86</u>	<u>1,460,000.00</u>	<u>85.99%</u>	<u>204,564.14</u>
Licenses & Permits							
002-4035 Septic Inspections Permit	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-4045 Irrigation Permit	0.00	0.00	0.00	1,750.00	300.00	583.33%	(1,450.00)
Licenses & Permits Totals	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>1,750.00</u>	<u>300.00</u>	<u>583.33%</u>	<u>(1,450.00)</u>
Revenue Totals	<u>(192.74)</u>	<u>159,470.19</u>	<u>(159,662.93)</u>	<u>1,865,683.90</u>	<u>1,942,500.00</u>	<u>96.05%</u>	<u>76,816.10</u>

Town of Ponder
 Financial Statement
 As of August 31, 2022

002 - Water and Sewer Fund Administrative	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Insurance Expense	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Payroll/Personnel	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Utilities	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Administrative Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00

002 - Water and Sewer Fund Public Works	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Capital	0.00	11,096.67	(11,096.67)	81,285.22	141,200.00	57.57%	59,914.78
Contracted Services	0.00	3,453.31	(3,453.31)	47,726.94	41,454.00	115.13%	(6,272.94)
Debt & Bond Service	0.00	22,082.33	(22,082.33)	77,560.03	265,094.00	29.26%	187,533.97
Fines, Fees & Taxes	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Insurance Expense	0.00	1,499.40	(1,499.40)	22,072.50	18,000.00	122.63%	(4,072.50)
Leases, Rents & Contractual	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Legal & Professional Fees	0.00	4,499.17	(4,499.17)	28,951.00	54,000.00	53.61%	25,049.00
Not Categorized	0.00	1,000.00	(1,000.00)	0.00	12,000.00	0.00%	12,000.00
Office & Supplies	0.00	3,791.33	(3,791.33)	21,920.53	49,000.00	44.74%	27,079.47
Other Expenses	0.00	2,207.53	(2,207.53)	25,387.73	26,500.00	95.80%	1,112.27
Payroll/Personnel	10,596.01	20,171.82	(9,575.81)	320,695.64	245,008.00	130.89%	(75,687.64)
Repairs & Maintenance	0.00	22,539.71	(22,539.71)	224,915.30	270,500.00	83.15%	45,584.70
Taxes, Fees & Fines	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Utilities	0.00	6,483.07	(6,483.07)	67,892.70	77,800.00	87.27%	9,907.30
Public Works Totals	10,596.01	98,824.34	(88,228.33)	918,407.59	1,200,556.00	76.50%	282,148.41

002 - Water and Sewer Fund Sewer	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
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Town of Ponder Financial Statement As of August 31, 2022

Capital	0.00	0.00	0.00	238,541.39	8,000.00	2981.77%	(230,541.39)
Contracted Services	0.00	1,250.00	(1,250.00)	960.00	15,000.00	6.40%	14,040.00
Debt & Bond Service	0.00	21,999.03	(21,999.03)	0.00	264,094.00	0.00%	264,094.00
Insurance Expense	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Office & Supplies	0.00	999.72	(999.72)	6,573.99	14,000.00	46.96%	7,426.01
Payroll/Personnel	0.00	15,086.53	(15,086.53)	0.00	182,850.00	0.00%	182,850.00
Repairs & Maintenance	0.00	17,165.95	(17,165.95)	81,333.54	206,000.00	39.48%	124,666.46
Taxes, Fees & Fines	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Utilities	0.00	4,333.34	(4,333.34)	34,294.85	52,000.00	65.95%	17,705.15
Sewer Totals	<u>0.00</u>	<u>60,834.57</u>	<u>(60,834.57)</u>	<u>361,703.77</u>	<u>741,944.00</u>	<u>48.75%</u>	<u>380,240.23</u>
Expense Total	<u><u>10,596.01</u></u>	<u><u>159,658.91</u></u>	<u><u>(149,062.90)</u></u>	<u><u>1,280,111.36</u></u>	<u><u>1,942,500.00</u></u>	<u><u>65.90%</u></u>	<u><u>662,388.64</u></u>

Town of Ponder
Financial Statement
As of August 31, 2022

002 - Water and Sewer Fund Administrative	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
002-01-5101 Salaries	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-01-5107 Employee Insurance	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-01-5108 Longevity Pay	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-01-5109 Payroll Taxes	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-01-5110 Retirement	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-01-5408 Electricity	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-01-5410 Gas Heating	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-01-5411 Insurance Property/Liability	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-01-5420 Telephone Services	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Administrative Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00

Town of Ponder
 Financial Statement
 As of August 31, 2022

002 - Water and Sewer Fund Public Works	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
002-02-5101 Salaries	8,232.09	11,503.73	(3,271.64)	224,165.71	138,100.00	162.32%	(86,065.71)
002-02-5102 Overtime	0.00	166.67	(166.67)	182.31	2,000.00	9.12%	1,817.69
002-02-5107 Employee Insurance	1,707.70	3,748.50	(2,040.80)	41,672.05	45,000.00	92.60%	3,327.95
002-02-5108 Longevity Pay	0.00	208.91	(208.91)	1,940.00	2,508.00	77.35%	568.00
002-02-5109 Payroll Taxes	108.14	541.45	(433.31)	3,021.04	6,500.00	46.48%	3,478.96
002-02-5110 Retirement	548.08	1,499.40	(951.32)	15,043.53	18,000.00	83.58%	2,956.47
002-02-5201 Office Supplies	0.00	250.00	(250.00)	1,015.14	3,000.00	33.84%	1,984.86
002-02-5202 Computer Supplies	0.00	125.00	(125.00)	0.00	1,500.00	0.00%	1,500.00
002-02-5203 Computer Software	0.00	1,333.33	(1,333.33)	0.00	16,000.00	0.00%	16,000.00
002-02-5204 Fuel	0.00	500.00	(500.00)	4,342.60	6,000.00	72.38%	1,657.40
002-02-5208 Chemical Supplies	0.00	833.00	(833.00)	5,015.80	10,000.00	50.16%	4,984.20
002-02-5209 Uniform Expenses	0.00	0.00	0.00	529.30	750.00	70.57%	220.70
002-02-5210 Labs & Locates	0.00	0.00	0.00	2,656.45	3,500.00	75.90%	843.55
002-02-5212 Mechanical Supplies	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5301 Repair & Maintenance -	0.00	333.20	(333.20)	4,528.16	4,000.00	113.20%	(528.16)
002-02-5302 Repair & Maintenance -	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5303 Repair & Maintenance -	0.00	791.67	(791.67)	8,436.68	9,500.00	88.81%	1,063.32
002-02-5304 Miscellaneous Expenses	0.00	999.60	(999.60)	23,809.93	12,000.00	198.42%	(11,809.93)
002-02-5305 Emergency Repair	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5306 Sanitary.Sewers	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5307 Lift Stations	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5308 WWTP	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5309 Water Systems	0.00	4,581.50	(4,581.50)	54,338.81	55,000.00	98.80%	661.19
002-02-5310 Water Towers/Tanks	0.00	7,666.67	(7,666.67)	95,554.55	92,000.00	103.86%	(3,554.55)
002-02-5311 Meters and Settings	0.00	4,166.67	(4,166.67)	48,257.10	50,000.00	96.51%	1,742.90
002-02-5315 Water Wells Repair	0.00	5,000.00	(5,000.00)	13,800.00	60,000.00	23.00%	46,200.00

Town of Ponder
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002 - Water and Sewer Fund Public Works	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
002-02-5316 Septic Inspection Permit	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5401 Accounting	0.00	750.00	(750.00)	8,500.00	9,000.00	94.44%	500.00
002-02-5404 Bank Charges	0.00	208.33	(208.33)	1,461.70	2,500.00	58.47%	1,038.30
002-02-5405 Contract Labor	0.00	2,915.50	(2,915.50)	41,076.19	35,000.00	117.36%	(6,076.19)
002-02-5406 Copiers	0.00	125.00	(125.00)	158.06	1,500.00	10.54%	1,341.94
002-02-5407 Dues and Subscriptions	0.00	2,503.16	(2,503.16)	33,108.70	30,050.00	110.18%	(3,058.70)
002-02-5408 Electricity	0.00	5,833.33	(5,833.33)	59,239.06	70,000.00	84.63%	10,760.94
002-02-5409 Engineering Fees	0.00	2,082.50	(2,082.50)	18,401.00	25,000.00	73.60%	6,599.00
002-02-5410 Gas Heating	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5411 Insurance Property/Liability	0.00	1,499.40	(1,499.40)	22,072.50	18,000.00	122.63%	(4,072.50)
002-02-5412 Legal Notices & Publications	0.00	125.00	(125.00)	0.00	1,500.00	0.00%	1,500.00
002-02-5413 Legal Service	0.00	1,666.67	(1,666.67)	2,050.00	20,000.00	10.25%	17,950.00
002-02-5414 Pest Control	0.00	58.31	(58.31)	899.90	700.00	128.56%	(199.90)
002-02-5416 Postage	0.00	500.00	(500.00)	8,732.48	6,000.00	145.54%	(2,732.48)
002-02-5418 Training Expenses	0.00	0.00	0.00	1,033.00	1,500.00	68.87%	467.00
002-02-5419 Travel/Mileage Expenses	0.00	0.00	0.00	0.00	600.00	0.00%	600.00
002-02-5420 Telephone Services	0.00	649.74	(649.74)	8,653.64	7,800.00	110.94%	(853.64)
002-02-5423 Miscellaneous	0.00	999.60	(999.60)	0.00	12,000.00	0.00%	12,000.00
002-02-5425 Computer Lease	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5426 Waste Disposal	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5430 Tech Services	0.00	479.50	(479.50)	5,750.85	5,754.00	99.95%	3.15
002-02-5435 Lead/Copper 120 Water	0.00	1,000.00	(1,000.00)	0.00	12,000.00	0.00%	12,000.00
002-02-5501 Vehicle	0.00	1,100.00	(1,100.00)	0.00	13,200.00	0.00%	13,200.00
002-02-5502 Computers - Capital Expense	0.00	0.00	0.00	2,780.00	8,000.00	34.75%	5,220.00
002-02-5503 Mower	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5504 Sewer Repair - Smoke Test	0.00	0.00	0.00	0.00	0.00	0.00%	0.00

Town of Ponder
 Financial Statement
 As of August 31, 2022

002 - Water and Sewer Fund Public Works	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
002-02-5505 Mini Excavator	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5506 Codification	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5507 MPRG - Zoning Ordinance	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5508 Thermostats - Digital	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5509 Video Camera	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5510 Well #6	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5511 156 Water Line	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5512 Phone System	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5516 "10" Water System	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5521 WWTP Improvements	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5522 PRV ALTITUDE VALVE	0.00	1,666.67	(1,666.67)	0.00	20,000.00	0.00%	20,000.00
002-02-5523 John Deere - Due to General	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5526 Vehicles	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5527 Capital Improvements	0.00	8,330.00	(8,330.00)	78,505.22	100,000.00	78.51%	21,494.78
002-02-5530 Public Works Annex	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5535 2018 A CO Projects	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5602 Tax Notes	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5603 Bond Agent Fees	0.00	83.30	(83.30)	200.00	1,000.00	20.00%	800.00
002-02-5604 Bond Payment	0.00	21,999.03	(21,999.03)	77,360.03	264,094.00	29.29%	186,733.97
002-02-5605 Tap Reimbursement Fee	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5715 Meter Deposits Payable	0.00	0.00	0.00	116.10	0.00	0.00%	(116.10)
002-02-5719 Contingency Funds	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Public Works Totals	10,596.01	98,824.34	(88,228.33)	918,407.59	1,200,556.00	76.50%	282,148.41

Town of Ponder
 Financial Statement
 As of August 31, 2022

002 - Water and Sewer Fund Sewer	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
002-07-5101 Salaries	0.00	11,503.73	(11,503.73)	0.00	138,100.00	0.00%	138,100.00
002-07-5102 Overtime	0.00	0.00	0.00	0.00	1,000.00	0.00%	1,000.00
002-07-5107 Employee Insurance	0.00	2,250.00	(2,250.00)	0.00	27,000.00	0.00%	27,000.00
002-07-5108 Longevity Pay	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-07-5109 Payroll Taxes	0.00	499.80	(499.80)	0.00	6,000.00	0.00%	6,000.00
002-07-5110 Retirement	0.00	833.00	(833.00)	0.00	10,000.00	0.00%	10,000.00
002-07-5201 Office Supplies	0.00	0.00	0.00	0.00	1,000.00	0.00%	1,000.00
002-07-5202 Computer Supplies	0.00	0.00	0.00	0.00	1,000.00	0.00%	1,000.00
002-07-5204 Fuel	0.00	291.67	(291.67)	581.50	3,500.00	16.61%	2,918.50
002-07-5208 Chemical Supplies	0.00	708.05	(708.05)	5,992.49	8,500.00	70.50%	2,507.51
002-07-5209 Uniform Expenses	0.00	0.00	0.00	0.00	750.00	0.00%	750.00
002-07-5212 Mechanical Supplies	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-07-5301 Repair & Maintenance -	0.00	291.55	(291.55)	2,851.33	3,500.00	81.47%	648.67
002-07-5303 Repair & Maintenance -	0.00	791.67	(791.67)	3,796.62	9,500.00	39.96%	5,703.38
002-07-5306 Sanitary.Sewers	0.00	2,500.00	(2,500.00)	1,883.25	30,000.00	6.28%	28,116.75
002-07-5307 Lift Stations	0.00	1,499.40	(1,499.40)	14,263.61	18,000.00	79.24%	3,736.39
002-07-5308 WWTP	0.00	12,083.33	(12,083.33)	58,538.73	145,000.00	40.37%	86,461.27
002-07-5316 Septic Inspection Permit	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-07-5405 Contract Labor	0.00	1,250.00	(1,250.00)	960.00	15,000.00	6.40%	14,040.00
002-07-5408 Electricity	0.00	4,166.67	(4,166.67)	33,968.49	50,000.00	67.94%	16,031.51
002-07-5411 Insurance Property/Liability	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-07-5420 Telephone Services	0.00	166.67	(166.67)	326.36	2,000.00	16.32%	1,673.64
002-07-5432 Tank Demolition	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-07-5504 Sewer Repair - Smoke Test	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-07-5505 Mini Excavator	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-07-5527 Capital Improvements - King	0.00	0.00	0.00	0.00	0.00	0.00%	0.00

Town of Ponder
Financial Statement
As of August 31, 2022

002 - Water and Sewer Fund Sewer	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
002-07-5529 WWTP - Expansion	0.00	0.00	0.00	217,652.38	0.00	0.00%	(217,652.38)
002-07-5532 Mini-Excavator Trailer	0.00	0.00	0.00	0.00	8,000.00	0.00%	8,000.00
002-07-5535 2018 A CO Projects	0.00	0.00	0.00	20,889.01	0.00	0.00%	(20,889.01)
002-07-5604 Bond Payment	0.00	21,999.03	(21,999.03)	0.00	264,094.00	0.00%	264,094.00
Sewer Totals	<u>0.00</u>	<u>60,834.57</u>	<u>(60,834.57)</u>	<u>361,703.77</u>	<u>741,944.00</u>	<u>48.75%</u>	<u>380,240.23</u>
Expense Totals	<u><u>10,596.01</u></u>	<u><u>159,658.91</u></u>	<u><u>(149,062.90)</u></u>	<u><u>1,280,111.36</u></u>	<u><u>1,942,500.00</u></u>	<u><u>65.90%</u></u>	<u><u>662,388.64</u></u>

RESOLUTION 22-11

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PONDER, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2022 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL.

WHEREAS, the Town of Ponder Texas (“Town”) is a gas utility customer of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), and a regulatory authority with an interest in the rates, charges, and services of Atmos Mid-Tex; and

WHEREAS, the Town is a member of the Atmos Cities Steering Committee (“ACSC”), a coalition of similarly-situated cities served by Atmos Mid-Tex (“ACSC Cities”) that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

WHEREAS, ACSC and the Company worked collaboratively to develop a Rate Review Mechanism (“RRM”) tariff that allows for an expedited rate review process by ACSC Cities as a substitute to the Gas Reliability Infrastructure Program (“GRIP”) process instituted by the

RESOLUTION NO. 22-11

Legislature, and that will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

WHEREAS, the current RRM tariff was adopted by the Town in a rate ordinance in 2018; and

WHEREAS, on about April 1, 2022, Atmos Mid-Tex filed its 2022 RRM rate request with ACSC Cities based on a test year ending December 31, 2021; and

WHEREAS, ACSC coordinated its review of the Atmos Mid-Tex 2022 RRM filing through its Executive Committee, assisted by ACSC's attorneys and consultants, to resolve issues identified in the Company's RRM filing; and

WHEREAS, the Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities approve an increase in base rates for Atmos Mid-Tex of \$115 million on a system-wide basis with an Effective Date of October 1, 2022; and

WHEREAS, ACSC agrees that Atmos' plant-in-service is reasonable; and

WHEREAS, with the exception of approved plant-in-service, ACSC is not foreclosed from future reasonableness evaluation of costs associated with incidents related to gas leaks; and

WHEREAS, the attached tariffs (Attachment 1) implementing new rates are consistent with the recommendation of the ACSC Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, the settlement agreement sets a new benchmark for pensions and retiree medical benefits (Attachment 2); and

WHEREAS, the RRM Tariff contemplates reimbursement of ACSC's reasonable expenses associated with RRM applications;

RESOLUTION NO. 22-11

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PONDER, TEXAS:

Section 1. That the findings set forth in this Resolution are hereby in all things approved.

Section 2. That, without prejudice to future litigation of any issue identified by ACSC, the Town Council finds that the settled amount of an increase in revenues of \$115 million on a system-wide basis represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2022 RRM filing, is in the public interest, and is consistent with the Town's authority under Section 103.001 of the Texas Utilities Code.

Section 3. That despite finding Atmos Mid-Tex's plant-in-service to be reasonable, ACSC is not foreclosed in future cases from evaluating the reasonableness of costs associated with incidents involving leaks of natural gas.

Section 4. That the existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached hereto and incorporated herein as Attachment 1, are just and reasonable, and are designed to allow Atmos Mid-Tex to recover annually an additional \$115 on a system-wide basis, over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

Section 5. That the ratemaking treatment for pensions and retiree medical benefits in Atmos Mid-Tex's next RRM filing shall be as set forth on Attachment 2, attached hereto and incorporated herein.

Section 6. That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC in processing the Company's 2022 RRM filing.

RESOLUTION NO. 22-11

Section 7. That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Resolution, it is hereby repealed.

Section 8. That the meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 9. That if any one or more sections or clauses of this Resolution is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, and the remaining provisions of the Resolution shall be interpreted as if the offending section or clause never existed.

Section 10. That consistent with the Town Ordinance that established the RRM process, this Resolution shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after October 1, 2022.

Section 11. That a copy of this Resolution shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Thomas Brocato, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

RESOLUTION NO. 22-11

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PONDER, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE _____ DAY OF _____, 2022.

Mayor

ATTEST:

Town Secretary

**Proclamation:
Suicide Prevention Awareness Month in the Town of Ponder 2022**

WHEREAS addressing the prevention of suicide needs of children, youth, and adults today is fundamental to the future of the Town of Ponder; and

WHEREAS the citizens of the Town of Ponder value their overall health and life and that of their families and fellow citizens and are proud to support observances such as Suicide Prevention Awareness Month; and

WHEREAS suicide is the 3rd leading cause of death for ages 10-19, the 2nd leading cause of death for ages 20-34 and the 4th leading cause of death for ages 35-44 and 1/3 of all suicide deaths were ages 55 and older; and

WHEREAS there is an average of 130 suicide deaths per day in the US; and

WHEREAS 10% of adults experience suicidal thoughts in the US; and

WHEREAS nearly 1 and 5 Texas high school students reported seriously thinking about suicide and 15% making a plan and 10% making an attempt; and

WHEREAS the need for comprehensive, coordinated mental health and suicide prevention services for individuals and families places upon our community is a critical responsibility; and

WHEREAS there is a strong body of research that supports specific tools that all Americans can use, to better handle challenges, and protect their overall health and well-being; and

WHEREAS each citizen, local business, school, government agency, healthcare provider, and faith-based organization shares the weight of suicide concerns and has a responsibility to promote mental wellness, recovery, and support prevention efforts; and

WHEREAS the Denton County Behavioral Health Leadership Team, Denton County MHMR Center, Denton County Zero Suicide Task Force, and Denton County Suicide Prevention Coalition are effectively addressing the mental health and suicide prevention needs of children, youth, adults, and families in our community; and

WHEREAS it is appropriate that a month should be set apart each year for the direction of our thoughts toward suicide prevention education and the support of treatment and recovery; and

THEREFORE, BE IT RESOLVED that, I, Matthew Poole, Mayor of the Town of Ponder, do hereby proclaim:

September 2022 as *Suicide Prevention Awareness Month* and I call upon our citizens and all agencies and organizations interested in helping to prevent suicide to unite this month in the observance of such exercises as will commit the people of Denton to increasing awareness and understanding of suicide, the steps our citizens can take to help prevent suicide, and the need for appropriate and accessible services for all people experiencing suicidal thoughts.

PETITION FOR THE CREATION OF
ROCKWOOD MUNICIPAL UTILITY DISTRICT NO. 1 OF DENTON COUNTY

THE STATE OF TEXAS §

COUNTY OF DENTON §

TO THE HONORABLE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

JLMCG PROPERTIES, LLC, a Nevada limited liability company, and Cendei Sherwood (the "Petitioners"), respectfully petition the Commissioners of the Texas Commission on Environmental Quality (the "Commission") for the creation of a municipal utility district in Denton County, Texas. Petitioners hold 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 Denton County, Texas. Petitioners, 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 "ROCKWOOD MUNICIPAL UTILITY DISTRICT NO. 1 OF DENTON COUNTY" (the "District"). There is no other conservation or reclamation district in Denton 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, and Article III, Section 52, of the Texas Constitution and Chapters 49 and 54, Texas Water Code, together with all amendments and additions thereto.

III.

The area proposed to be within the District is approximately 359 acres (the "Property"), situated in Denton County, Texas. The Property consists of two tracts of land described by metes and bounds in Exhibit "A" attached hereto and incorporated herein for all purposes. The proposed District is located within the extraterritorial jurisdiction of the Town of Ponder, Texas (the "Town"), 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 Petitioners constitute a majority of value of the holders of title of the land within the proposed District, as indicated by the tax rolls of the central appraisal district of Denton County, Texas, and by conveyances of record since the date of preparation of said tax rolls. There are no lienholders on the Property.

V.

Pursuant to Section 42.042, Texas Local Government Code, should a municipality such as the Town 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 Town 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 Town 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 Town receives the petition for water and sanitary sewer services, the Town fails to make a contract with the owners of the land in the proposed District to provide those services, such failure constitutes the Town's consent to the creation of the proposed District and authorizes the landowners to initiate proceedings through the Commission to create the District.

The Town 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 Petitioners within the time limits prescribed by Section 42.042, Texas Local Government Code.

VI.

On August 26, 2021, the Petitioner filed a Petition for Consent to Creation of Rockwood Municipal Utility District No. 1 of Denton County (the "Petition for Consent"), dated August 19, 2021, with the Town of Ponder, Texas. A copy of the Petition for Consent is attached hereto as Exhibit "B." A copy of the receipt of delivery of the Petition for Consent (the "Town Consent Receipt of Delivery") is attached hereto as Exhibit "C." The Petitioner has not received a response from the Town of Ponder related to the Petition for Consent.

On November 28, 2021, the Petitioner published a Notice of Petition for Water and Sanitary Sewer Service (the "Notice of Petition"), attached hereto as Exhibit "D," in the *Denton Record-Chronicle*, 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 "E."

On November 30, 2021, the Petitioner posted the Notice of Petition 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 "F."

On January 18, 2022, the Petitioner filed a Petition for Water and Sanitary Sewer Service (the "Petition for Service") with the Town of Ponder, Texas. A copy of the Petition for Service is attached hereto as Exhibit "G." The Receipt of Delivery of the Petition for Service (the "Receipt of Petition for Service") is attached hereto as Exhibit "H."

The Petitioner has not received any response from the Town related to the Petition for Service.

VII.

The general nature of the work anticipated to be done by the District at the present time is: (i) the construction of a water distribution system for domestic 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 and financing 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 as shall be consistent with the purposes for which the District is organized, all to the extent authorized by law from time to time. It is specifically proposed that the District be granted the authority to design, acquire, construct, finance, issue bonds for, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance, a road or any improvement in aid of the road, pursuant to Texas Water Code, Section 54.234.

VIII.

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, or 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.

It is specifically proposed that the District be granted the authority to design, acquire, construct, finance, issue bonds for, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance, a road or any improvement in aid of the road, pursuant to Texas Water Code, Section 54.234. The property cannot be developed without the creation of the District to finance the water, sanitary sewer, and drainage facilities and services, and roads; therefore, a public necessity exists.

IX.

A preliminary investigation has been instituted to determine the cost of the proposed improvements to be constructed by the District, and it is now estimated by those filing this petition, from such information as they have at this time, that the ultimate cost of such improvements will be approximately \$55,215,000.

X.

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. Jared Clarke
- 2. Caleb Dunn
- 3. Landon Geary
- 4. Ryan Hill
- 5. Travis Patton

XI.

WHEREFORE, the Petitioners respectfully pray 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.

RESPECTFULLY SUBMITTED, this 26th day of May, 2022.

PETITIONER

JLMCG Properties, LLC,
a Nevada limited liability company

By: Sandra Mahon

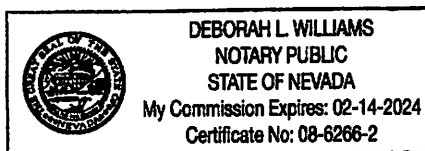
Name: Sandra Mahon

Title: Partner
Manager - JLMCG Properties, LLC

THE STATE OF Nevada §
COUNTY OF Washoe §

This instrument was acknowledged before me on this 26 day of May, 2022, by Sandra Mahon, Manager of JLMCG Properties, LLC, a Nevada limited liability company, on behalf of said limited liability company.

(SEAL)



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

PETITIONER:

CENDEI SHERWOOD

By: _____

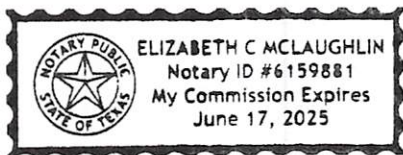
Cendei Sherwood

Name: Cendei Sherwood

STATE OF TEXAS §

COUNTY OF DENTON §

This instrument was acknowledged before me on the 2nd day of June, 2022 by Cendei Sherwood, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.



(SEAL)

Elizabeth C. McLaughlin
Notary Public in and for the State of Texas

EXHIBIT "A"

TRACT 1

BEING a tract of land situated in the Nathaniel Rudder Survey, Abstract No. 1060, Denton County, Texas, and being all of a called 180.585 acre tract of land described in a deed to JLMCG Properties, L.L.C., as recorded in Document No. 2007-38542 of the Official Records of Denton County, Texas and being more particularly described as follows:

BEGINNING at a concrete monument found for the southeast corner of said 180.585 acre tract, common to the northeast corner of a called 180.498 acre tract of land described in a deed to Cendei Sherwood, as recorded in Document No. 2011-18575 of the Official Records of Denton County, Texas, same being on the westerly line of a called 541.11 acre tract of land described as Tract 3 in a deed to J. Young Land & Cattle, Ltd., as recorded in Document No. 2003-203076 of the Official Records of Denton County, Texas;

THENCE South 89°09'13" West, along the southerly line of said 180.585 acre tract and the northerly line of said 180.498 acre tract, a distance of 3798.78 feet to a concrete monument found for the southwest corner of said 180.585 acre tract, common to the northwest corner of said 180.498 acre tract, same being on the easterly right-of-way line of Gulf, Colorado and Santa Fe Railway Company Railroad, a variable width right-of-way and at the beginning of a non-tangent curve to the right having a central angle of 25°21'31", a radius of 5679.58 feet, a chord bearing and distance of North 20°53'39" East, 2493.27 feet;

THENCE along the westerly line of said 180.585 acre tract and along the easterly right-of-way line of said Gulf, Colorado and Santa Fe Railway Company Railroad and in a northeasterly direction, with said curve to the right, an arc distance of 2513.74 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said 180.585 acre tract, common to the southwest corner of a called 89.9487 acre tract of land described in a deed to Samuel J Malone and Wife, Kathy A. Malone, as recorded in Document No. 93-0037220, of the Official Records of Denton County, Texas, same also being in T.N. Skiles Road, a variable width right-of-way, no record found;

THENCE South 89°46'46" East, departing the easterly right-of-way line of said Gulf, Colorado and Santa Fe Railway Company Railroad, and along the southerly line of said 89.9487 acre tract, the northerly line of said 180.585 acre tract, the southerly line of a called 48.646 acre tract of land described in a deed to Riding Unlimited Inc, as recorded in Document No. 93-0059495, of the Deed Record of Collin County Texas, and said T.N. Skiles Road, a distance of 2873.10 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northeast corner of said 180.585 acre tract, common to the northwest corner of said 541.11 acre tract;

THENCE South 0°54'50" East, departing the southerly line of said 48.646 acre tract and said T.N. Skiles Road, along the easterly line of said 180.585 acre tract and the westerly line of said 541.11 acre tract, a distance of 2262.44 feet to the

POINT OF BEGINNING and containing 180.880 acres (7,879,120 square feet) of land, more or less.

TRACT 2 LEGAL DESCRIPTION

BEING a tract of land situated in the Nathaniel Rudder Survey, Abstract No. 1060, Denton County, Texas, and being the remainder of a called 180.498 acre tract of land described in a deed to Cendei Sherwood, as recorded in Document No. 2011-18575 of the Official Records of Denton County, Texas, same also being all of Lot 1, Block 1 and all of Lots 1 and 2, Block 2 of the Original Town of Ponder, according to the plat thereof recorded in Volume 75, Page 80 of the Deed Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a concrete monument found for the northeast corner of said 180.498 acre tract, common to the southeast corner of a called 180.585 acre tract of land described in a deed to JLMCG Properties, L.L.C., as recorded in Document No. 2007-38542 of the Official Records of Denton County, Texas, same being on the westerly line of a called 541.11 acre tract of land described as Tract 3 in a deed to J. Young Land & Cattle, Ltd., as recorded in Document No. 2003-203076 of the Official Records of Denton County, Texas;

THENCE South $0^{\circ}54'50''$ East, along the easterly line of said 180.498 acre tract and the westerly line of said 541.11 acre tract, a distance of 2569.90 feet to a 5/8 inch iron rod found for the southeast corner of said 180.498 acre tract, common to the southwest corner of said 541.11 acre tract, same being on the northerly right-of-way line of F.M. Highway 2449, a 90 foot wide right-of-way, and at the beginning of a non-tangent curve to the left having a central angle of $1^{\circ}56'15''$, a radius of 5729.66 feet, a chord bearing and distance of North $89^{\circ}34'31''$ West, 193.74 feet;

THENCE in a northwesterly direction along the southerly line of said 180.498 acre tract and the northerly right-of-way line of said F.M. Highway 2449, and with said curve to the left, an arc distance of 193.75 feet to a 1/2 inch iron rod found for corner;

THENCE South $89^{\circ}27'27''$ West, continuing along the southerly line of said 180.498 acre tract and the northerly right-of-way line of said F.M. Highway 2449, a distance of 1461.09 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for a southwest corner of said 180.498 acre tract, common to the southeast corner of a tract of land described in a deed to Cendei Sherwood, as recorded in Document No. 2011-18576 of the Official Records of Denton County, Texas;

THENCE North $1^{\circ}08'09''$ West, departing the northerly right-of-way line of said F.M. Highway 2449, and along the common line of said 180.498 acre tract and said Sherwood tract, a distance of 134.71 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE North $38^{\circ}36'16''$ West, continuing along said common line, a distance of 700.83 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northerly corner of said Sherwood tract, common to an ell corner of said 180.498 acre tract;

THENCE South $2^{\circ}08'23''$ West, continuing along said common line, a distance of 687.25 feet to the southwest corner of said Sherwood tract, common to a southeast corner of said 180.498 acre tract, same being on the northerly right-of-way line of said F.M. Highway 2449, from which, a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for witness bears North $25^{\circ}11'$ West, 0.35 feet;

THENCE South 89°27'27" West, along the southerly line of said 180.498 acre tract and the northerly right-of-way line of said F.M. Highway 2449, a distance of 874.68 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left having a central angle of 2°13'12", a radius of 5729.65 feet, a chord bearing and distance of South 88°20'51" West, 221.99 feet;

THENCE in a southwesterly direction continuing along the southerly line of said 180.498 acre tract and the northerly right-of-way line of said F.M. Highway 2449, and with said curve to the left, an arc distance of 222.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southwest corner of said 180.498 acre tract, being on the easterly line of aforesaid the Original Town of Ponder;

THENCE North 5°35'35" East, departing the northerly right-of-way line of said F.M. Highway 2449, along a westerly line of said 180.498 acre tract and the easterly line of said the Original Town of Ponder, a distance of 682.87 feet to a mag nail set for the southwest corner of a called 0.0620 acre tract of land described in a deed to Town of Ponder, Texas, as recorded in Document No. 2011-71518 of the Official Records of Denton County, Texas, being on the southerly right-of-way line of Doyle Street, a variable width right-of-way;

THENCE South 84°24'25" East, departing the easterly line of said the Original Town of Ponder, along the southerly line of said 0.0620 acre tract and the southerly right-of-way line of said Doyle Street, a distance of 33.00 feet to the southeast corner of said 0.0620 acre tract, common to the south end of the easterly terminus of said Doyle Street, from which, a metal post found for witness bears North 26°31' West, 0.46 feet;

THENCE North 5°35'35" East, along the easterly line of said 0.0620 acre tract and the easterly terminus of said Doyle Street, a distance of 82.02 feet to the northeast corner of said 0.0620 acre tract, common to the north end of the easterly terminus of said Doyle Street, same being on a northerly line of said 180.498 acre tract and the southerly line of called 1.01 acre tract of land described in a deed to James Norman Brooks, et al, as recorded in Document No. 2013-13723 of the Official Records of Denton County, Texas;

THENCE South 84°31'22" East, departing said terminus, along said northerly line of said 180.498 acre tract and the southerly line of said 1.01 acre tract, a distance of 241.84 feet to a 1/2 inch iron rod found for the southeast corner of said 1.01 acre tract, common to an ell corner of said 180.498 acre tract;

THENCE North 5°37'17" East, along a westerly line of said 180.498 acre tract, the easterly line of said 1.01 acre tract, the easterly line of a called 0.28 acre tract of land described in a deed to Kenneth and Christopher Corby, as recorded in Document No. 2008-66374 of the Official Records of Denton County, Texas, the easterly terminus of Bailey Street, a variable width right-of-way, the easterly line of a tract of land described as Tract 1 in a deed to Charlie E. Bostick and Janice Bostick, as recorded in Document No. 2008-66493 of the Official Records of Denton County, Texas, and the easterly line of Crider Addition, according to the plat thereof recorded in Cabinet Q, Page 135 of the Plat Records of Denton County, Texas, a distance of 699.82 feet to a 1/2 inch iron rod with plastic cap (illegible) found for the northeast corner of said Crider Addition, common to an ell corner of said 180.498 acre tract;

THENCE North 84°29'06" West, along a southerly line of said 180.498 acre tract and the northerly line of said Crider Addition, a distance of 247.18 feet to the southeast corner of a called 0.0514 acre tract of land described in a deed to Town of Ponder, Texas, as recorded in Document No. 2011-71507 of the Official

Records of Denton County, Texas, same being at the intersection of the southerly right-of-way line of James Street, a variable width right-of-way, with the easterly right-of-way line of Eddie Street, a variable width right-of-way;

THENCE North 5°35'35" East, departing said southerly line of said 180.498 acre tract and the southerly right-of-way line of said James Street, along the easterly line of said 0.0514 acre tract and the easterly right-of-way line of said Eddie Street, a distance of 80.65 feet to the northeast corner of said 0.0514 acre tract, being at the intersection of the northerly right-of-way line of said James Street with the easterly right-of-way line of said Eddie Street, and on a northerly line of said 180.498 acre tract, and on the southerly line of Lot 1, Block A of David Lott Addition, according to the plat thereof recorded in Document No. 2017-388 of the Plat Records of Denton County, Texas;

THENCE South 85°48'52" East, departing the easterly right-of-way line of said Eddie Street, along the common line of said 180.498 acre tract and said Lot 1, a distance of 47.48 feet to a 5 inch metal post found for the southerly southeast corner of said Lot 1, common to an ell corner of said 180.498 acre tract;

THENCE North 64°04'09" East, continuing along said common line, a distance of 331.56 feet to a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for the southeast corner of said Lot 1, common to an ell corner of said 180.498 acre tract;

THENCE North 3°36'41" West, continuing along said common line, a distance of 227.16 feet to a 5 inch metal post found for the northeast corner of said Lot 1, common an ell corner of said 180.498 acre tract;

THENCE South 88°36'14" West, continuing along said common line, a distance of 324.16 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said Lot 1, common to the northeast corner of said Block 8, the south end of the easterly terminus of Greene Street, an 80 foot wide right-of-way, and a southwest corner of said 180.498 acre tract;

THENCE North 5°35'35" East, along a westerly line of said 180.498 acre tract and the easterly terminus of said Greene Street, a distance of 80.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the north end of said terminus, common to the southeast corner of aforesaid Lot 1, Block 1, and an ell corner of said 180.498 acre tract, from which, a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for witness bears South 24°36' West, 0.98 feet;

THENCE North 84°24'25" West, along the southerly line of said Lot 1, Block 1, a southerly line of said 180.498 acre tract, and the northerly right-of-way line of said Greene Street, a distance of 333.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southwest corner of said Lot 1, Block 1, common to a southwest corner of said 180.498 acre tract, and at the intersection of the northerly right-of-way line of said Greene Street with the easterly right-of-way line of Frederick Street, an 80 foot wide right-of-way, from which, a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for witness bears South 41°21' East, 1.53 feet;

THENCE North 5°35'35" East, along the westerly line of said Lot 1, Block 1, a westerly line of said 180.498 acre tract, and the easterly right-of-way line of said Frederick Street, a distance of 443.88 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said Lot 1, Block 1, common to an ell corner of said 180.498 acre tract, and the east end of the northerly terminus of Frederick Street, from which, a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for witness bears South 32°55' East, 1.84 feet;

THENCE South 89°30'35" West, along a southerly line of said 180.498 acre tract and along said terminus, a distance of 80.45 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northeast corner of aforesaid Block 2, common to an ell corner of said 180.498 acre tract, and the west end of said terminus, same being on the westerly right-of-way line of said Frederick Street, from which, a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for witness bears South 17°03' East, 1.54 feet;

THENCE South 5°35'35" West, departing said terminus, along the easterly line of said Block 2, an easterly line of said 180.498 acre tract, and the westerly right-of-way line of said Frederick Street, a distance of 435.35 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southeast corner of said Block 2, common to a southeast corner of said 180.498 acre tract, and at the intersection of the westerly right-of-way line of said Frederick Street with the northerly right-of-way line of said Greene Street;

THENCE North 84°24'25" West, along the southerly line of said Block 2, a southerly line of said 180.498 acre tract, and the northerly right-of-way line of said Greene Street, a distance of 410.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southwest corner of said Block 2, common to a southwest corner of said 180.498 acre tract, same being on the easterly right-of-way line of Gulf, Colorado and Santa Fe Railway Company Railroad, a variable width right-of-way;

THENCE North 5°35'35" East, along the westerly line of said Block 2, a westerly line of said 180.498 acre tract, and the easterly right-of-way line of Gulf, Colorado and Santa Fe Railway Company Railroad, a distance of 391.66 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said Block 2, common to an ell corner of said 180.498 acre tract;

THENCE South 89°30'35" West, along a southerly line of said 180.498 acre tract and continuing along the easterly right-of-way line of said Gulf, Colorado and Santa Fe Railway Company Railroad, a distance of 48.52 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the right having a central angle of 1°01'05", a radius of 5679.58 feet, a chord bearing and distance of North 7°42'21" East, 100.91 feet;

THENCE in a northeasterly direction along a westerly line of said 180.498 acre tract, continuing along the easterly right-of-way line of said Gulf, Colorado and Santa Fe Railway Company Railroad, and with said curve to the right, an arc distance of 100.91 feet to a concrete monument found for the northwest corner of said 180.498 acre tract, common to the southwest corner of aforesaid 180.585 acre tract;

THENCE North 89°09'13" East, departing the easterly right-of-way line of said Gulf, Colorado and Santa Fe Railway Company Railroad, and along a northerly line of said 180.498 acre tract and the southerly line of said 180.585 acre tract, a distance of 3798.78 feet to the **POINT OF BEGINNING** and containing 178.547 acres (7,777,489 square feet) of land, more or less, save an except the following described tract of land:

BEING a tract of land situated in the Nathaniel Rudder Survey, Abstract No. 1060, Denton County, Texas, and being all of a called 0.586 acre tract of land described in a deed to Jerry E. Inman and wife, Dannie M. Inman, also known as Danny Inman, as recorded in Volume 3211, Page 852 of the Deed Records of Denton County, Texas, and being more particularly described as follows:

COMMENCING at a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southeast corner of Block 8 of the Original Town of Ponder, according to the plat thereof recorded in Volume 75, Page 80 of the Deed Records of Denton County, Texas, common to the southwest corner of Lot 1, Block A of David Lott Addition, according to the plat thereof recorded in Document No. 2017-388 of the Plat Records of Denton County, Texas, an ell corner of a called 180.498 acre tract of land described in a deed to Cendei Sherwood, as recorded in Document No. 2011-18575 of the Official Records of Denton County, Texas, the north end of the easterly terminus of James Street, an 80 foot wide right-of-way, and the southerly northwest corner of a 20 foot wide ingress/egress easement recorded in said deed recorded in Volume 3211, Page 852 of the Deed Records of Denton County, Texas;

THENCE South 85°48'52" East, departing the easterly terminus of said James Street, along the southerly line of said Lot 1, Block A, the northerly line of said easement and crossing said 180.498 acre tract, a distance of 75.49 feet to a 5 inch metal post found for the southerly southeast corner of said Lot 1, Block A, common to an ell corner of said easement;

THENCE North 64°04'09" East, continuing along the southerly line of said Lot 1, Block A, the northerly line of said easement, and across said 180.498 acre tract, passing at a distance of 331.56 feet a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for the northerly southeast corner of said Lot 1, Block A, common to an ell corner of said easement, and continuing along the same course, for a total distance of 474.32 feet to an ell corner of said easement;

THENCE North 27°01'33" East, continuing along the northerly line of said easement and across said 180.498 acre tract, a distance of 117.66 feet to the northerly northwest corner of said easement;

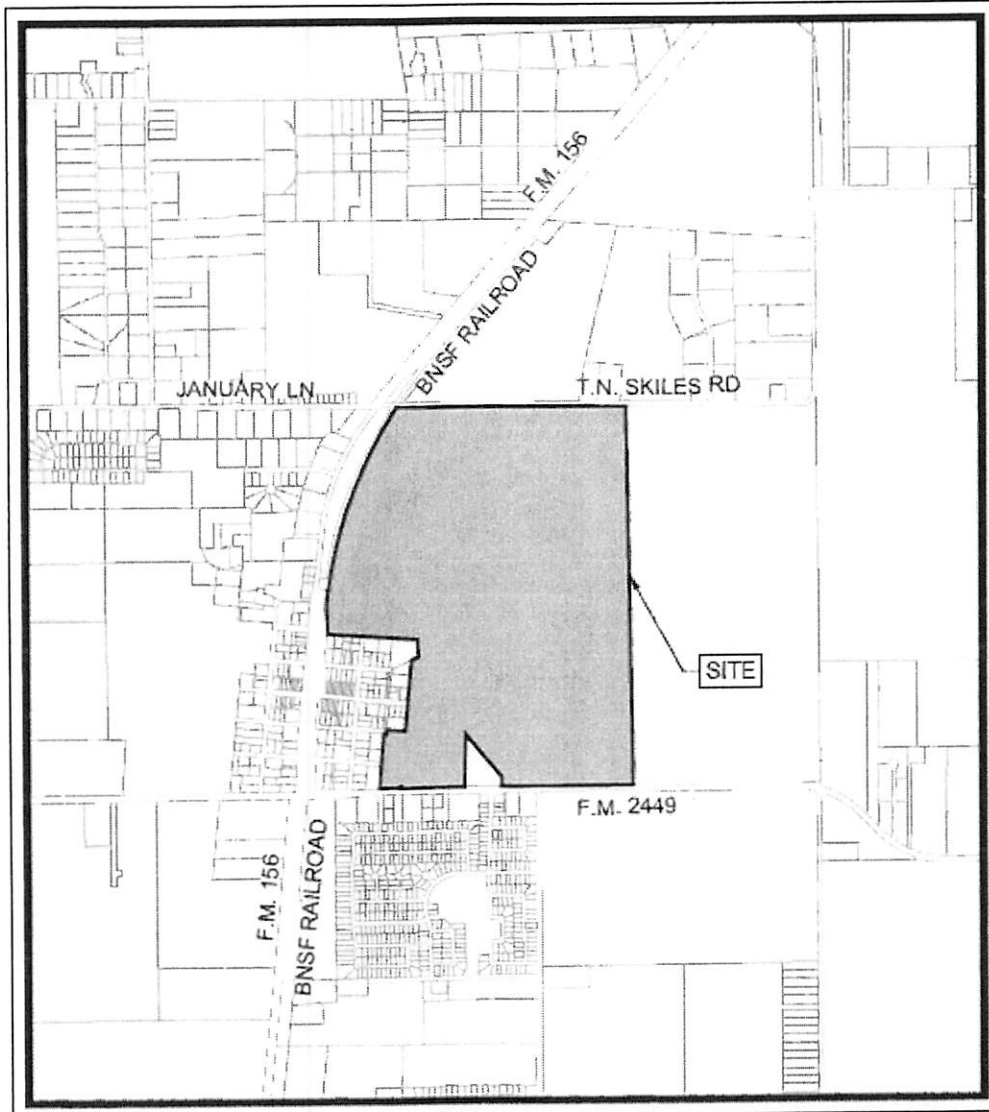
THENCE South 86°14'52" East, continuing along the northerly line of said easement and across said 180.498 acre tract, a distance of 17.59 feet a metal fence post found for the northeast corner of said easement, common to the northwest corner of said 0.586 acre tract, and the **POINT OF BEGINNING** of the herein described tract;

THENCE South 86°12'18" East, along the northerly line of said 0.586 acre tract and continuing across said 180.498 acre tract, and along a fence and the northerly face of an existing barn, a distance of 184.41 feet to a metal fence post found for the northeast corner of said 0.586 acre tract;

THENCE South 6°21'45" West, along the easterly line of said 0.586 acre tract and continuing across said 180.498 acre tract, and along a fence, a distance of 144.19 feet to a metal fence post found for the southeast corner of said 0.586 acre tract;

THENCE North 82°43'14" West, along the southerly line of said 0.586 acre tract and continuing across said 180.498 acre tract, and along a fence, a distance of 177.04 feet to a 1/2 inch iron rod found for the southwest corner of said 0.586 acre tract;

THENCE North 3°15'39" East, along the westerly line of said 0.586 acre tract and the easterly line of said easement, continuing across said 180.498 acre tract and along a fence, a distance of 133.29 feet to the **POINT OF BEGINNING**, and containing 0.575 of an acre (25,052 square feet) of land, more or less, and leaving a net acreage of 177.971 acres (7,752,437 square feet) of land, more or less.



LOCATION MAP
SCALE: 1" = 2000'

SRINGE, TRACY 6/8/2022 8:24 AM
KAYLA, ENRIQUEZ 6/8/2022 8:24 AM
KAYLA, ENRIQUEZ 6/8/2022 8:24 AM
KAYLA, ENRIQUEZ 6/8/2022 8:24 AM

DATE: 6/8/2022 8:24 AM
BY: KAYLA ENRIQUEZ
LAST SAVE: 6/8/2022 8:24 AM

Exhibit 1
Rockwood MUD No. 1
Denton County, Texas
June 2022

Kimley»Horn

6100 Warren Parkway
Suite 210
Frisco, Texas 75034
972-330-3000
State of Texas Registration No. F-425

EXHIBIT "B"
(Petition for Consent to Town of Ponder)

**PETITION FOR CONSENT TO CREATION OF
ROCKWOOD MUNICIPAL UTILITY DISTRICT NO. 1 OF DENTON COUNTY**

THE STATE OF TEXAS §

COUNTY OF DENTON §

TO THE HONORABLE MAYOR AND TOWN COUNCIL OF THE TOWN OF PONDER:

The undersigned (the "Petitioners"), acting pursuant to the provisions of Chapters 49 and 54 of the Texas Water Code, and Section 42.042 of the Texas Local Government Code, respectfully petitions this Honorable Council for its consent to the creation of a municipal utility district, and for cause would respectfully show the following:

I.

The name of the proposed District shall be "Rockwood Municipal Utility District No. 1 of Denton County" (the "District").

II.

The District shall be organized under the terms and provisions of Article III, Section 52, and Article XVI, Section 59, of the Texas Constitution, 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 359 acres of land (the "Property"), situated within Denton County, Texas, described by metes and bounds in Exhibit "A," attached hereto and incorporated herein. The District is located wholly within the extraterritorial jurisdiction of the Town of Ponder, Denton County, Texas, and the District is not within the corporate limits or extraterritorial jurisdiction of any other city, town 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 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 and domestic uses;
- (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) construct, acquire, improve, maintain and operate macadamized, graveled, or paved roads and turnpikes, or other 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 promoted, and the purity and sanitary condition of the State's waters protected, effected and restored.

VI.

The general nature of the work anticipated to be done by the District at the present time is: (i) the construction of a water distribution system for domestic 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 and financing of macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; and (v) such other construction, installation, maintenance, purchase and operation of such other facilities, systems, plants and enterprises as shall be consistent with the purposes for which the District is organized, 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, or 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 provisions 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, and 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 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 for residential use.

IX.

A preliminary investigation has been instituted to determine the cost of the proposed improvements to be constructed by the District, and it is now estimated by those filing this petition, from such information as they have at this time, that the ultimate cost of such improvements will be approximately \$46,438,781.30.

X.

WHEREFORE, the undersigned respectfully pray that this Petition be granted in all respects and that the Town Council of the Town of Ponder, Texas, adopt a resolution giving its written consent to the creation of the District.

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PETITIONER:

CENDEI SHERWOOD

By: *Cendei Sherwood*
Name: Cendei Sherwood

STATE OF Texas §
 §
COUNTY OF Denton §

This instrument was acknowledged before me on the 16 day of August, 2021 by Cendei Sherwood, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Charla K. Pepper
Notary Public in and for the State of Texas

(SEAL)

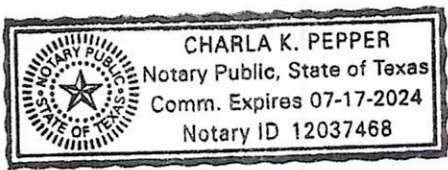


EXHIBIT "A"

TRACT 1

BEING a tract of land situated in the Nathaniel Rudder Survey, Abstract No. 1060, Denton County, Texas, and being all of a called 180.585 acre tract of land described in a deed to JLMCG Properties, L.L.C., as recorded in Document No. 2007-38542 of the Official Records of Denton County, Texas and being more particularly described as follows:

BEGINNING at a concrete monument found for the southeast corner of said 180.585 acre tract, common to the northeast corner of a called 180.498 acre tract of land described in a deed to Cendei Sherwood, as recorded in Document No. 2011-18575 of the Official Records of Denton County, Texas, same being on the westerly line of a called 541.11 acre tract of land described as Tract 3 in a deed to J. Young Land & Cattle, Ltd., as recorded in Document No. 2003-203076 of the Official Records of Denton County, Texas;

THENCE South $89^{\circ}09'13''$ West, along the southerly line of said 180.585 acre tract and the northerly line of said 180.498 acre tract, a distance of 3798.78 feet to a concrete monument found for the southwest corner of said 180.585 acre tract, common to the northwest corner of said 180.498 acre tract, same being on the easterly right-of-way line of Gulf, Colorado and Santa Fe Railway Company Railroad, a variable width right-of-way and at the beginning of a non-tangent curve to the right having a central angle of $25^{\circ}21'31''$, a radius of 5679.58 feet, a chord bearing and distance of North $20^{\circ}53'39''$ East, 2493.27 feet;

THENCE along the westerly line of said 180.585 acre tract and along the easterly right-of-way line of said Gulf, Colorado and Santa Fe Railway Company Railroad and in a northeasterly direction, with said curve to the right, an arc distance of 2513.74 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said 180.585 acre tract, common to the southwest corner of a called 89.9487 acre tract of land described in a deed to Samuel J Malone and Wife, Kathy A. Malone, as recorded in Document No. 93-0037220, of the Official Records of Denton County, Texas, same also being in T.N. Skiles Road, a variable width right-of-way, no record found;

THENCE South $89^{\circ}46'46''$ East, departing the easterly right-of-way line of said Gulf, Colorado and Santa Fe Railway Company Railroad, and along the southerly line of said 89.9487 acre tract, the northerly line of said 180.585 acre tract, the southerly line of a called 48.646 acre tract of land described in a deed to Riding Unlimited Inc, as recorded in Document No. 93-0059495, of the Deed Record of Collin County Texas, and said T.N. Skiles Road, a distance of 2873.10 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northeast corner of said 180.585 acre tract, common to the northwest corner of said 541.11 acre tract;

THENCE South $0^{\circ}54'50''$ East, departing the southerly line of said 48.646 acre tract and said T.N. Skiles Road, along the easterly line of said 180.585 acre tract and the westerly line of said 541.11 acre tract, a distance of 2262.44 feet to the

POINT OF BEGINNING and containing 180.880 acres (7,879,120 square feet) of land, more or less.

TRACT 2

BEING a tract of land situated in the Nathaniel Rudder Survey, Abstract No. 1060, Denton County, Texas, and being the remainder of a called 180.498 acre tract of land described in a deed to Cendei Sherwood, as recorded in Document No. 2011-18575 of the Official Records of Denton County, Texas, same also being all of Lot 1, Block 1 and all of Lots 1 and 2, Block 2 of the Original Town of Ponder, according to the plat thereof recorded in Volume 75, Page 80 of the Deed Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a concrete monument found for the northeast corner of said 180.498 acre tract, common to the southeast corner of a called 180.585 acre tract of land described in a deed to JLMCG Properties, L.L.C., as recorded in Document No. 2007-38542 of the Official Records of Denton County, Texas, same being on the westerly line of a called 541.11 acre tract of land described as Tract 3 in a deed to J. Young Land & Cattle, Ltd., as recorded in Document No. 2003-203076 of the Official Records of Denton County, Texas;

THENCE South 0°54'50" East, along the easterly line of said 180.498 acre tract and the westerly line of said 541.11 acre tract, a distance of 2569.90 feet to a 5/8 inch iron rod found for the southeast corner of said 180.498 acre tract, common to the southwest corner of said 541.11 acre tract, same being on the northerly right-of-way line of F.M. Highway 2499, a 90 foot wide right-of-way, and at the beginning of a non-tangent curve to the left having a central angle of 1°56'15", a radius of 5729.66 feet, a chord bearing and distance of North 89°34'31" West, 193.74 feet;

THENCE in a northwesterly direction along the southerly line of said 180.498 acre tract and the northerly right-of-way line of said F.M. Highway 2499, and with said curve to the left, an arc distance of 193.75 feet to a 1/2 inch iron rod found for corner;

THENCE South 89°27'27" West, continuing along the southerly line of said 180.498 acre tract and the northerly right-of-way line of said F.M. Highway 2499, a distance of 1461.09 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for a southwest corner of said 180.498 acre tract, common to the southeast corner of a tract of land described in a deed to Cendei Sherwood, as recorded in Document No. 2011-18576 of the Official Records of Denton County, Texas;

THENCE North 1°08'09" West, departing the northerly right-of-way line of said F.M. Highway 2499, and along the common line of said 180.498 acre tract and said Sherwood tract, a distance of 134.71 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE North 38°36'16" West, continuing along said common line, a distance of 700.83 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northerly corner of said Sherwood tract, common to an ell corner of said 180.498 acre tract, from which, a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for witness bears North 25°11' West, 0.35 feet;

THENCE South 2°08'23" West, continuing along said common line, a distance of 687.25 feet to the southwest corner of said Sherwood tract, common to a southeast corner of said 180.498 acre tract, same being on the northerly right-of-way line of said F.M. Highway 2499;

THENCE South 89°27'27" West, along the southerly line of said 180.498 acre tract and the northerly right-of-way line of said F.M. Highway 2499, a distance of 874.68 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left having a central angle of 2°13'12", a radius of 5729.65 feet, a chord bearing and distance of South 88°20'51" West, 221.99 feet;

THENCE in a southwesterly direction continuing along the southerly line of said 180.498 acre tract and the northerly right-of-way line of said F.M. Highway 2499, and with said curve to the left, an arc distance of 222.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southwest corner of said 180.498 acre tract, being on the easterly right-of-way line of aforesaid the Original Town of Ponder;

THENCE North 5°35'35" East, departing the northerly right-of-way line of said F.M. Highway 2499, along a westerly line of said 180.498 acre tract and the easterly line of said the Original Town of Ponder, a distance of 764.82 feet to a mag nail set for a northwest corner of said 180.498 acre tract, common to the southeast corner of Block 16 of said the Original Town of Ponder, and the southwest corner of called 1.01 acre tract of land described in a deed to James Norman Brooks, et al, as recorded in Document No. 2013-13723 of the Official Records of Denton County, Texas, and the north end of the easterly terminus of Doyle Street, an 80 foot wide right-of-way, as dedicated in said plat of the Original Town of Ponder;

THENCE South 84°31'22" East, departing said terminus, along the a northerly line of said 180.498 acre tract and the southerly line of said 1.01 acre tract, a distance of 274.84 feet to a 1/2 inch iron rod found for the southeast corner of said 1.01 acre tract, common to an ell corner of said 180.498 acre tract;

THENCE North 5°37'17" East, along a westerly line of said 180.498 acre tract, the easterly line of said 1.01 acre tract, the easterly line of a called 0.28 acre tract of land described in a deed to Kenneth and Christopher Corby, as recorded in Document No. 2008-66374 of the Official Records of Denton County, Texas, the easterly terminus of Bailey Street, a variable width right-of-way, the easterly line of a tract of land described as Tract 1 in a deed to Charlie E. Bostick and Janice Bostick, as recorded in Document No. 2008-66493 of the Official Records of Denton County, Texas, and the easterly line of Crider Addition, according to the plat thereof recorded in Cabinet Q, Page 135 of the Plat Records of Denton County, Texas, a distance of 699.82 feet to a 1/2 inch iron rod with plastic cap (illegible) found for the northeast corner of said Crider Addition, common to an ell corner of said 180.498 acre tract;

THENCE North 84°29'06" West, along a southerly line of said 180.498 acre tract and the northerly line of said Crider Addition, a distance of 275.18 feet to a mag nail set for a southwest corner of said 180.498 acre tract, common to the northwest corner of said Crider Addition, the northeast corner of Block 9 of said the Original Town of Ponder, and the south end of the easterly

terminus of James Street, an 80 foot wide right-of-way, same being in Eddie Street, a variable width right-of-way;

THENCE North 5°35'35" East, departing said Eddie Street, along a westerly line of said 180.498 acre tract and said terminus, a distance of 80.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for a northwest corner of said 180.498 acre tract, common to the north end of said terminus, the southeast corner of Block 8 of said the Original Town of Prosper, and the southwest corner of Lot 1, Block A of David Lott Addition, according to the plat thereof recorded in Document No. 2017-388 of the Plat Records of Denton County, Texas;

THENCE South 85°48'52" East, departing said terminus, along the common line of said 180.498 acre tract and said Lot 1, a distance of 75.49 feet to a 5 inch metal post found for the southerly southeast corner of said Lot 1, common to an ell corner of said 180.498 acre tract;

THENCE North 64°04'09" East, continuing along said common line, a distance of 331.56 feet to a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for the southeast corner of said Lot 1, common to an ell corner of said 180.498 acre tract;

THENCE North 3°36'41" West, continuing along said common line, a distance of 227.16 feet to a 5 inch metal post found for the northeast corner of said Lot 1, common an ell corner of said 180.498 acre tract;

THENCE South 88°36'14" West, continuing along said common line, a distance of 324.16 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said Lot 1, common to the northeast corner of said Block 8, the south end of the easterly terminus of Greene Street, an 80 foot wide right-of-way, and a southwest corner of said 180.498 acre tract;

THENCE North 5°35'35" East, along a westerly line of said 180.498 acre tract and the northerly right-of-way line of said Greene Street, a distance of 80.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the north end of said terminus, common to the southeast corner of aforesaid Lot 1, Block 1, and an ell corner of said 180.498 acre tract, from which, a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for witness bears South 24°36' West, 0.98 feet;

THENCE North 84°24'25" West, along the southerly line of said Lot 1, Block 1, a southerly line of said 180.498 acre tract, and the northerly right-of-way line of said Greene Street, a distance of 333.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southwest corner of said Lot 1, Block 1, common to a southwest corner of said 180.498 acre tract, and at the intersection of the northerly right-of-way line of said Greene Street with the easterly right-of-way line of Frederick Street, an 80 foot wide right-of-way, from which, a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for witness bears South 41°21' East, 1.53 feet;

THENCE North 5°35'35" East, along the westerly line of said Lot 1, Block 1, a westerly line of said 180.498 acre tract, and the easterly right-of-way line of said Frederick Street, a distance of 443.88 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said Lot 1, Block 1, common to an ell corner of said 180.498 acre tract, and the east end of the

northerly terminus of Frederick Street, from which, a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for witness bears South 32°55' East, 1.84 feet;

THENCE South 89°30'35" West, along a southerly line of said 180.498 acre tract and along said terminus, a distance of 80.45 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northeast corner of aforesaid Block 2, common to an ell corner of said 180.498 acre tract, and the west end of said terminus, same being on the westerly right-of-way line of said Frederick Street, from which, a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for witness bears South 17°03' East, 1.54 feet;

THENCE South 5°35'35" West, departing said terminus, along the easterly line of said Block 2, an easterly line of said 180.498 acre tract, and the westerly right-of-way line of said Frederick Street, a distance of 435.35 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southeast corner of said Block 2, common to a southeast corner of said 180.498 acre tract, and at the intersection of the westerly right-of-way line of said Frederick Street with the northerly right-of-way line of said Greene Street;

THENCE North 84°24'25" West, along the southerly line of said Block 2, a southerly line of said 180.498 acre tract, and the northerly right-of-way line of said Greene Street, a distance of 410.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southwest corner of said Block 2, common to a southwest corner of said 180.498 acre tract, same being on the easterly right-of-way line of Gulf, Colorado and Santa Fe Railway Company Railroad, a variable width right-of-way;

THENCE North 5°35'35" East, along the westerly line of said Block 2, a westerly line of said 180.498 acre tract, and the easterly right-of-way line of Gulf, Colorado and Santa Fe Railway Company Railroad, a distance of 391.66 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said Block 2, common to an ell corner of said 180.498 acre tract;

THENCE South 89°30'35" West, along a southerly line of said 180.498 acre tract and continuing along the easterly right-of-way line of said Gulf, Colorado and Santa Fe Railway Company Railroad, a distance of 48.52 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the right having a central angle of 1°01'05", a radius of 5679.58 feet, a chord bearing and distance of North 7°42'21" East, 100.91 feet;

THENCE in a northeasterly direction along a westerly line of said 180.498 acre tract, continuing along the easterly right-of-way line of said Gulf, Colorado and Santa Fe Railway Company Railroad, and with said curve to the right, an arc distance of 100.91 feet to a concrete monument found for the northwest corner of said 180.498 acre tract, common to the southwest corner of aforesaid 180.585 acre tract;

THENCE North 89°09'13" East, departing the easterly right-of-way line of said Gulf, Colorado and Santa Fe Railway Company Railroad, and along a northerly line of said 180.498 acre tract and the southerly line of said 180.585 acre tract, a distance of 3798.78 feet to the **POINT OF BEGINNING** and containing 178.660 acres (7,782,444 square feet) of land, more or less, save an except the following described tract of land:

BEING a tract of land situated in the Nathaniel Rudder Survey, Abstract No. 1060, Denton County, Texas, and being all of a called 0.586 acre tract of land described in a deed to Jerry E. Inman and wife, Dannie M. Inman, also known as Danny Inman, as recorded in Volume 3211, Page 852 of the Deed Records of Denton County, Texas, and being more particularly described as follows:

COMMENCING at a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southeast corner of Block 8 of the Original Town of Ponder, according to the plat thereof recorded in Volume 75, Page 80 of the Deed Records of Denton County, Texas, common to the southwest corner of Lot 1, Block A of David Lott Addition, according to the plat thereof recorded in Document No. 2017-388 of the Plat Records of Denton County, Texas, an ell corner of a called 180.498 acre tract of land described in a deed to Cendei Sherwood, as recorded in Document No. 2011-18575 of the Official Records of Denton County, Texas, the north end of the easterly terminus of James Street, an 80 foot wide right-of-way, and the southerly northwest corner of a 20 foot wide ingress/egress easement recorded in said deed recorded in Volume 3211, Page 852 of the Deed Records of Denton County, Texas;

THENCE South 85°48'52" East, departing the easterly terminus of said James Street, along the southerly line of said Lot 1, Block A, the northerly line of said easement and crossing said 180.498 acre tract, a distance of 75.49 feet to a 5 inch metal post found for the southerly southeast corner of said Lot 1, Block A, common to an ell corner of said easement;

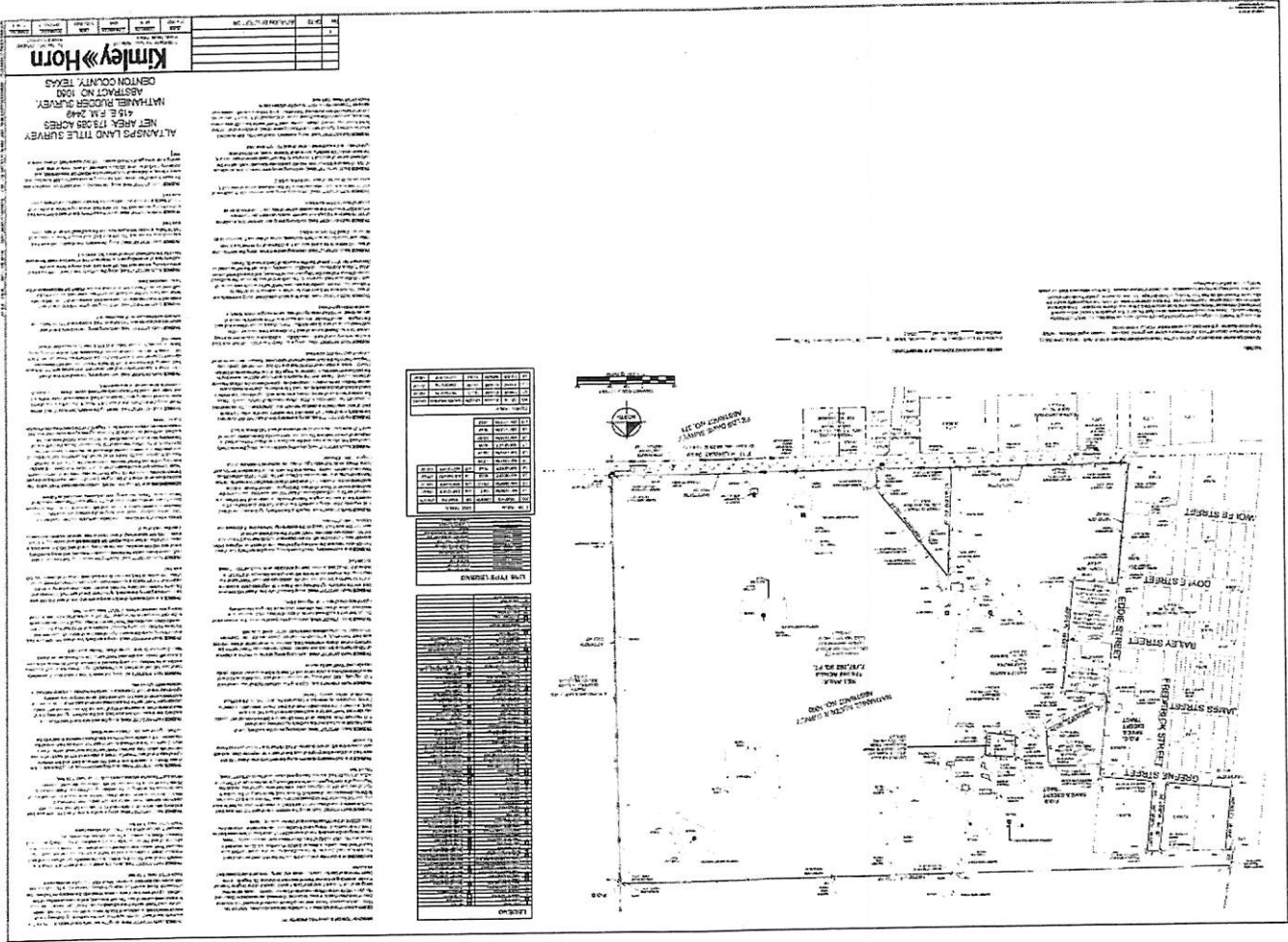
THENCE North 64°04'09" East, continuing along the southerly line of said Lot 1, Block A, the northerly line of said easement, and across said 180.498 acre tract, passing at a distance of 331.56 feet a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for the northerly southeast corner of said Lot 1, Block A, common to an ell corner of said easement, and continuing along the same course, for a total distance of 474.32 feet to an ell corner of said easement;

THENCE North 27°01'33" East, continuing along the northerly line of said easement and across said 180.498 acre tract, a distance of 117.66 feet to the northerly northwest corner of said easement;

THENCE South 86°14'52" East, continuing along the northerly line of said easement and across said 180.498 acre tract, a distance of 17.59 feet a metal fence post found for the northeast corner of said easement, common to the northwest corner of said 0.586 acre tract, and the **POINT OF BEGINNING** of the herein described tract;

THENCE South 86°12'18" East, along the northerly line of said 0.586 acre tract and continuing across said 180.498 acre tract, and along a fence and the northerly face of an existing barn, a distance of 184.41 feet to a metal fence post found for the northeast corner of said 0.586 acre tract;

THENCE South 6°21'45" West, along the easterly line of said 0.586 acre tract and continuing across said 180.498 acre tract, and along a fence, a distance of 144.19 feet to a metal fence post found for the southeast corner of said 0.586 acre tract;



THECE North 82°43'14" West, along the southerly line of said 0.586 acre tract and continuing across said 180.498 acre tract, and along a fence, a distance of 177.04 feet to a 1/2 inch iron rod found for the southwest corner of said 0.586 acre tract;

THECE North 3°15'39" East, along the westerly line of said 0.586 acre tract and the easterly line of said easement, continuing across said 180.498 acre tract and along a fence, a distance of 133.29 feet to the POINT OF BEGINNING, and containing 0.575 of an acre (25,052 square feet) of land, more or less, and leaving a net acreage of 178.085 acres (7,757,392 square feet) of land, more or less.

EXHIBIT "C"
(Confirmation of Delivery of Petition for Consent to Town of Ponder)

AFFIDAVIT OF RECEIPT OF PETITION FOR CONSENT TO CREATION OF
ROCKWOOD MUNICIPAL UTILITY DISTRICT NO. 1 OF DENTON COUNTY

THE STATE OF TEXAS

§

COUNTY OF DENTON

§

TOWN OF PONDER

§

I, Sheri Clearman, Town Secretary of the Town of Ponder, Texas, do hereby certify that the attached and foregoing is a true and correct copy of the Petition for Consent to Creation of Rockwood Municipal Utility District No. 1 of Denton County, dated Aug. 25, 2021 which was received by office on the 26 day of August, 2021.

WITNESS my hand and the Seal of said City this 6 day of October, 2021.

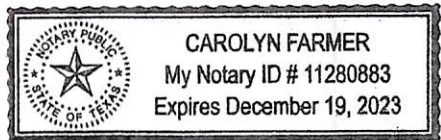
Sheri Clearman

Sheri Clearman
Town Secretary
Town of Ponder, Texas

THE STATE OF TEXAS
COUNTY OF DENTON

§
§

This instrument was acknowledged before me on this 6 day of October, 2021, by Sheri Clearman, Town Secretary of the Town of Ponder, Texas.



(NOTARY SEAL)

Carolyn Farmer

Notary Public in and for the State of Texas

EXHIBIT "D"
(Notice of Petition)

**NOTICE OF PETITION TO TOWN OF PONDER, TEXAS
FOR WATER SERVICE AND SANITARY SEWER SERVICE**

TO THE OWNERS OF PROPERTY AND VOTERS WITHIN THE REAL PROPERTY DESCRIBED IN THE ATTACHED EXHIBIT "A" AND ALL OTHER PERSONS INTERESTED IN THE PETITION FOR WATER SERVICE AND SANITARY SEWER SERVICE TO BE SUBMITTED TO THE TOWN OF PONDER FOR SUCH PROPERTY:

Notice is hereby given that a Petition for Water Service and Sanitary Sewer Service (the "Petition") will be submitted to the Town of Ponder, Texas (the "Town") requesting that the Town make available to the approximately 359 acres of land described in the attached Exhibit "A" the water service and sanitary sewer contemplated to be provided by the proposed Rockwood Municipal Utility District No. 1 of Denton County.

PETITIONER:

**JLMCG Properties, LLC,
a Nevada limited liability company**

**By: _____
Name: David Turner
Title: Manager**

PETITIONER:

CENDEI SHERWOOD

**By: _____
Name: Cendei Sherwood**

PETITION FOR WATER SERVICE AND SANITARY SEWER SERVICE

THE STATE OF TEXAS §

COUNTY OF DENTON §

TO THE HONORABLE MAYOR AND TOWN COUNCIL OF THE TOWN OF PONDER:

The undersigned, acting pursuant to the provisions of Chapters 49 and 54 of the Texas Water Code, and Sections 42.042 and 42.043 of the Texas Local Government Code, respectfully petition the governing body of the Town of Ponder, Texas (the "Town") to make available water service and sanitary sewer service to serve the land described below and located within the Town's extraterritorial jurisdiction.

I.

The undersigned filed with the Town on August 26, 2021, a Petition for Consent to Creation of Rockwood Municipal Utility District No. 1 of Denton County (the "Petition"), requesting the Town's consent to creation of Rockwood Municipal Utility District No. 1 of Denton County (the "District").

II.

The proposed District will contain approximately 359 acres of land depicted by map and described in Exhibit "A" attached hereto and incorporated herein (the "Land"). The proposed District, including the Land, is located within the extraterritorial jurisdiction of the Town of Ponder, Denton County, Texas, and the District is not within the corporate limits or extraterritorial jurisdiction of any other city, town or village.

III.

The Town has failed to give its consent to the creation of the District within ninety (90) days after the Petition was filed with the Town.

IV.

The undersigned hereby petitions the governing body of the Town and requests that the Town make available water service and sanitary sewer service to the Land by entering into a mutually agreeable contract with the undersigned providing for the requested water service and sanitary sewer service as provided under Sections 54.016(b) and (c), Texas Water Code, as amended, and Sections 42.042(b) and (c), Texas Local Government Code, as amended.

V.

A preliminary investigation has been instituted to determine the cost of the proposed improvements to be constructed by the District, and it is now estimated by those filing this petition,

from such information as they have at this time, that the ultimate cost of such improvements will be approximately \$46,438,781.30

RESPECTFULLY SUBMITTED this the _____ day of _____, 2021.

PETITIONER:

*Pursuant to Section 42.043(a)(6),
Texas Local Government Code, the
Petitioner owns approximately
180.880 acres of the Land to be serviced.*

JLMCG Properties, LLC,
a Nevada limited liability company

By: _____

Name: David Turner

Title: Manager

PETITIONER:

CENDEI SHERWOOD

*Pursuant to Section 42.043(a)(6),
Texas Local Government Code, the
Petitioner owns approximately
178.085 acres of the Land to be serviced.*

By: _____
Name: Cendei Sherwood

EXHIBIT "A"

TRACT 1

BEING a tract of land situated in the Nathaniel Rudder Survey, Abstract No. 1060, Denton County, Texas, and being all of a called 180.585 acre tract of land described in a deed to JLMCG Properties, L.L.C., as recorded in Document No. 2007-38542 of the Official Records of Denton County, Texas and being more particularly described as follows:

BEGINNING at a concrete monument found for the southeast corner of said 180.585 acre tract, common to the northeast corner of a called 180.498 acre tract of land described in a deed to Cendei Sherwood, as recorded in Document No. 2011-18575 of the Official Records of Denton County, Texas, same being on the westerly line of a called 541.11 acre tract of land described as Tract 3 in a deed to J. Young Land & Cattle, Ltd., as recorded in Document No. 2003-203076 of the Official Records of Denton County, Texas;

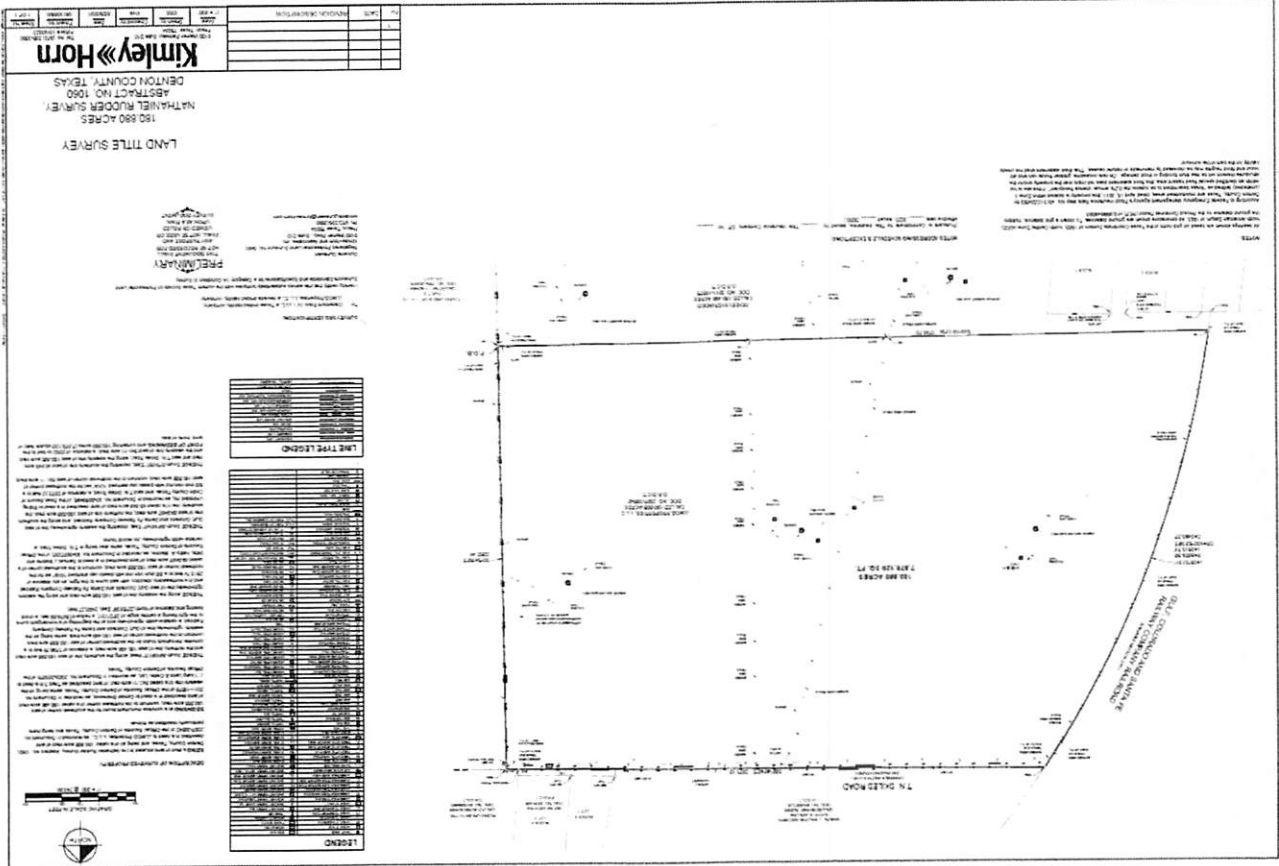
THENCE South 89°09'13" West, along the southerly line of said 180.585 acre tract and the northerly line of said 180.498 acre tract, a distance of 3798.78 feet to a concrete monument found for the southwest corner of said 180.585 acre tract, common to the northwest corner of said 180.498 acre tract, same being on the easterly right-of-way line of Gulf, Colorado and Santa Fe Railway Company Railroad, a variable width right-of-way and at the beginning of a non-tangent curve to the right having a central angle of 25°21'31", a radius of 5679.58 feet, a chord bearing and distance of North 20°53'39" East, 2493.27 feet;

THENCE along the westerly line of said 180.585 acre tract and along the easterly right-of-way line of said Gulf, Colorado and Santa Fe Railway Company Railroad and in a northeasterly direction, with said curve to the right, an arc distance of 2513.74 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said 180.585 acre tract, common to the southwest corner of a called 89.9487 acre tract of land described in a deed to Samuel J Malone and Wife, Kathy A. Malone, as recorded in Document No. 93-0037220, of the Official Records of Denton County, Texas, same also being in T.N. Skiles Road, a variable width right-of-way, no record found;

THENCE South 89°46'46" East, departing the easterly right-of-way line of said Gulf, Colorado and Santa Fe Railway Company Railroad, and along the southerly line of said 89.9487 acre tract, the northerly line of said 180.585 acre tract, the southerly line of a called 48.646 acre tract of land described in a deed to Riding Unlimited Inc, as recorded in Document No. 93-0059495, of the Deed Record of Collin County Texas, and said T.N. Skiles Road, a distance of 2873.10 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northeast corner of said 180.585 acre tract, common to the northwest corner of said 541.11 acre tract;

THENCE South 0°54'50" East, departing the southerly line of said 48.646 acre tract and said T.N. Skiles Road, along the easterly line of said 180.585 acre tract and the westerly line of said 541.11 acre tract, a distance of 2262.44 feet to the

POINT OF BEGINNING and containing 180.880 acres (7,879,120 square feet) of land, more or less.



TRACT 2

BEING a tract of land situated in the Nathaniel Rudder Survey, Abstract No. 1060, Denton County, Texas, and being the remainder of a called 180.498 acre tract of land described in a deed to Cendei Sherwood, as recorded in Document No. 2011-18575 of the Official Records of Denton County, Texas, same also being all of Lot 1, Block 1 and all of Lots 1 and 2, Block 2 of the Original Town of Ponder, according to the plat thereof recorded in Volume 75, Page 80 of the Deed Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a concrete monument found for the northeast corner of said 180.498 acre tract, common to the southeast corner of a called 180.585 acre tract of land described in a deed to JLMCG Properties, L.L.C., as recorded in Document No. 2007-38542 of the Official Records of Denton County, Texas, same being on the westerly line of a called 541.11 acre tract of land described as Tract 3 in a deed to J. Young Land & Cattle, Ltd., as recorded in Document No. 2003-203076 of the Official Records of Denton County, Texas;

THENCE South $0^{\circ}54'50''$ East, along the easterly line of said 180.498 acre tract and the westerly line of said 541.11 acre tract, a distance of 2569.90 feet to a 5/8 inch iron rod found for the southeast corner of said 180.498 acre tract, common to the southwest corner of said 541.11 acre tract, same being on the northerly right-of-way line of F.M. Highway 2499, a 90 foot wide right-of-way, and at the beginning of a non-tangent curve to the left having a central angle of $1^{\circ}56'15''$, a radius of 5729.66 feet, a chord bearing and distance of North $89^{\circ}34'31''$ West, 193.74 feet;

THENCE in a northwesterly direction along the southerly line of said 180.498 acre tract and the northerly right-of-way line of said F.M. Highway 2499, and with said curve to the left, an arc distance of 193.75 feet to a 1/2 inch iron rod found for corner;

THENCE South $89^{\circ}27'27''$ West, continuing along the southerly line of said 180.498 acre tract and the northerly right-of-way line of said F.M. Highway 2499, a distance of 1461.09 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for a southwest corner of said 180.498 acre tract, common to the southeast corner of a tract of land described in a deed to Cendei Sherwood, as recorded in Document No. 2011-18576 of the Official Records of Denton County, Texas;

THENCE North $1^{\circ}08'09''$ West, departing the northerly right-of-way line of said F.M. Highway 2499, and along the common line of said 180.498 acre tract and said Sherwood tract, a distance of 134.71 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE North $38^{\circ}36'16''$ West, continuing along said common line, a distance of 700.83 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northerly corner of said Sherwood tract, common to an ell corner of said 180.498 acre tract, from which, a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for witness bears North $25^{\circ}11'$ West, 0.35 feet;

THENCE South 2°08'23" West, continuing along said common line, a distance of 687.25 feet to the southwest corner of said Sherwood tract, common to a southeast corner of said 180.498 acre tract, same being on the northerly right-of-way line of said F.M. Highway 2499;

THENCE South 89°27'27" West, along the southerly line of said 180.498 acre tract and the northerly right-of-way line of said F.M. Highway 2499, a distance of 874.68 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left having a central angle of 2°13'12", a radius of 5729.65 feet, a chord bearing and distance of South 88°20'51" West, 221.99 feet;

THENCE in a southwesterly direction continuing along the southerly line of said 180.498 acre tract and the northerly right-of-way line of said F.M. Highway 2499, and with said curve to the left, an arc distance of 222.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southwest corner of said 180.498 acre tract, being on the easterly right-of-way line of aforesaid the Original Town of Ponder;

THENCE North 5°35'35" East, departing the northerly right-of-way line of said F.M. Highway 2499, along a westerly line of said 180.498 acre tract and the easterly line of said the Original Town of Ponder, a distance of 764.82 feet to a mag nail set for a northwest corner of said 180.498 acre tract, common to the southeast corner of Block 16 of said the Original Town of Ponder, and the southwest corner of called 1.01 acre tract of land described in a deed to James Norman Brooks, et al, as recorded in Document No. 2013-13723 of the Official Records of Denton County, Texas, and the north end of the easterly terminus of Doyle Street, an 80 foot wide right-of-way, as dedicated in said plat of the Original Town of Ponder;

THENCE South 84°31'22" East, departing said terminus, along the a northerly line of said 180.498 acre tract and the southerly line of said 1.01 acre tract, a distance of 274.84 feet to a 1/2 inch iron rod found for the southeast corner of said 1.01 acre tract, common to an ell corner of said 180.498 acre tract;

THENCE North 5°37'17" East, along a westerly line of said 180.498 acre tract, the easterly line of said 1.01 acre tract, the easterly line of a called 0.28 acre tract of land described in a deed to Kenneth and Christopher Corby, as recorded in Document No. 2008-66374 of the Official Records of Denton County, Texas, the easterly terminus of Bailey Street, a variable width right-of-way, the easterly line of a tract of land described as Tract 1 in a deed to Charlie E. Bostick and Janice Bostick, as recorded in Document No. 2008-66493 of the Official Records of Denton County, Texas, and the easterly line of Crider Addition, according to the plat thereof recorded in Cabinet Q, Page 135 of the Plat Records of Denton County, Texas, a distance of 699.82 feet to a 1/2 inch iron rod with plastic cap (illegible) found for the northeast corner of said Crider Addition, common to an ell corner of said 180.498 acre tract;

THENCE North 84°29'06" West, along a southerly line of said 180.498 acre tract and the northerly line of said Crider Addition, a distance of 275.18 feet to a mag nail set for a southwest corner of said 180.498 acre tract, common to the northwest corner of said Crider Addition, the northeast corner of Block 9 of said the Original Town of Ponder, and the south end of the easterly

terminus of James Street, an 80 foot wide right-of-way, same being in Eddie Street, a variable width right-of-way;

THENCE North 5°35'35" East, departing said Eddie Street, along a westerly line of said 180.498 acre tract and said terminus, a distance of 80.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for a northwest corner of said 180.498 acre tract, common to the north end of said terminus, the southeast corner of Block 8 of said the Original Town of Prosper, and the southwest corner of Lot 1, Block A of David Lott Addition, according to the plat thereof recorded in Document No. 2017-388 of the Plat Records of Denton County, Texas;

THENCE South 85°48'52" East, departing said terminus, along the common line of said 180.498 acre tract and said Lot 1, a distance of 75.49 feet to a 5 inch metal post found for the southerly southeast corner of said Lot 1, common to an ell corner of said 180.498 acre tract;

THENCE North 64°04'09" East, continuing along said common line, a distance of 331.56 feet to a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for the southeast corner of said Lot 1, common to an ell orner of said 180.498 acre tract;

THENCE North 3°36'41" West, continuing along said common line, a distance of 227.16 feet to a 5 inch metal post found for the northeast corner of said Lot 1, common an ell corner of said 180.498 acre tract;

THENCE South 88°36'14" West, continuing along said common line, a distance of 324.16 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said Lot 1, common to the northeast corner of said Block 8, the south end of the easterly terminus of Greene Street, an 80 foot wide right-of-way, and a southwest corner of said 180.498 acre tract;

THENCE North 5°35'35" East, along a westerly line of said 180.498 acre tract and the northerly right-of-way line of said Greene Street, a distance of 80.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the north end of said terminus, common to the southeast corner of aforesaid Lot 1, Block 1, and an ell corner of said 180.498 acre tract, from which, a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for witness bears South 24°36' West, 0.98 feet;

THENCE North 84°24'25" West, along the southerly line of said Lot 1, Block 1, a southerly line of said 180.498 acre tract, and the northerly right-of-way line of said Greene Street, a distance of 333.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southwest corner of said Lot 1, Block 1, common to a southwest corner of said 180.498 acre tract, and at the intersection of the northerly right-of-way line of said Greene Street with the easterly right-of-way line of Frederick Street, an 80 foot wide right-of-way, from which, a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for witness bears South 41°21' East, 1.53 feet;

THENCE North 5°35'35" East, along the westerly line of said Lot 1, Block 1, a westerly line of said 180.498 acre tract, and the easterly right-of-way line of said Frederick Street, a distance of 443.88 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said Lot 1, Block 1, common to an ell corner of said 180.498 acre tract, and the east end of the

northerly terminus of Frederick Street, from which, a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for witness bears South 32°55' East, 1.84 feet;

THENCE South 89°30'35" West, along a southerly line of said 180.498 acre tract and along said terminus, a distance of 80.45 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northeast corner of aforesaid Block 2, common to an ell corner of said 180.498 acre tract, and the west end of said terminus, same being on the westerly right-of-way line of said Frederick Street, from which, a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for witness bears South 17°03' East, 1.54 feet;

THENCE South 5°35'35" West, departing said terminus, along the easterly line of said Block 2, an easterly line of said 180.498 acre tract, and the westerly right-of-way line of said Frederick Street, a distance of 435.35 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southeast corner of said Block 2, common to a southeast corner of said 180.498 acre tract, and at the intersection of the westerly right-of-way line of said Frederick Street with the northerly right-of-way line of said Greene Street;

THENCE North 84°24'25" West, along the southerly line of said Block 2, a southerly line of said 180.498 acre tract, and the northerly right-of-way line of said Greene Street, a distance of 410.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southwest corner of said Block 2, common to a southwest corner of said 180.498 acre tract, same being on the easterly right-of-way line of Gulf, Colorado and Santa Fe Railway Company Railroad, a variable width right-of-way;

THENCE North 5°35'35" East, along the westerly line of said Block 2, a westerly line of said 180.498 acre tract, and the easterly right-of-way line of Gulf, Colorado and Santa Fe Railway Company Railroad, a distance of 391.66 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said Block 2, common to an ell corner of said 180.498 acre tract;

THENCE South 89°30'35" West, along a southerly line of said 180.498 acre tract and continuing along the easterly right-of-way line of said Gulf, Colorado and Santa Fe Railway Company Railroad, a distance of 48.52 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the right having a central angle of 1°01'05", a radius of 5679.58 feet, a chord bearing and distance of North 7°42'21" East, 100.91 feet;

THENCE in a northeasterly direction along a westerly line of said 180.498 acre tract, continuing along the easterly right-of-way line of said Gulf, Colorado and Santa Fe Railway Company Railroad, and with said curve to the right, an arc distance of 100.91 feet to a concrete monument found for the northwest corner of said 180.498 acre tract, common to the southwest corner of aforesaid 180.585acre tract;

THENCE North 89°09'13" East, departing the easterly right-of-way line of said Gulf, Colorado and Santa Fe Railway Company Railroad, and along a northerly line of said 180.498 acre tract and the southerly line of said 180.585 acre tract, a distance of 3798.78 feet to the **POINT OF BEGINNING** and containing 178.660 acres (7,782,444 square feet) of land, more or less, save an except the following described tract of land:

BEING a tract of land situated in the Nathaniel Rudder Survey, Abstract No. 1060, Denton County, Texas, and being all of a called 0.586 acre tract of land described in a deed to Jerry E. Inman and wife, Dannie M. Inman, also known as Danny Inman, as recorded in Volume 3211, Page 852 of the Deed Records of Denton County, Texas, and being more particularly described as follows:

COMMENCING at a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southeast corner of Block 8 of the Original Town of Ponder, according to the plat thereof recorded in Volume 75, Page 80 of the Deed Records of Denton County, Texas, common to the southwest corner of Lot 1, Block A of David Lott Addition, according to the plat thereof recorded in Document No. 2017-388 of the Plat Records of Denton County, Texas, an ell corner of a called 180.498 acre tract of land described in a deed to Cendei Sherwood, as recorded in Document No. 2011-18575 of the Official Records of Denton County, Texas, the north end of the easterly terminus of James Street, an 80 foot wide right-of-way, and the southerly northwest corner of a 20 foot wide ingress/egress easement recorded in said deed recorded in Volume 3211, Page 852 of the Deed Records of Denton County, Texas;

THENCE South 85°48'52" East, departing the easterly terminus of said James Street, along the southerly line of said Lot 1, Block A, the northerly line of said easement and crossing said 180.498 acre tract, a distance of 75.49 feet to a 5 inch metal post found for the southerly southeast corner of said Lot 1, Block A, common to an ell corner of said easement;

THENCE North 64°04'09" East, continuing along the southerly line of said Lot 1, Block A, the northerly line of said easement, and across said 180.498 acre tract, passing at a distance of 331.56 feet a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for the northerly southeast corner of said Lot 1, Block A, common to an ell corner of said easement, and continuing along the same course, for a total distance of 474.32 feet to an ell corner of said easement;

THENCE North 27°01'33" East, continuing along the northerly line of said easement and across said 180.498 acre tract, a distance of 117.66 feet to the northerly northwest corner of said easement;

THENCE South 86°14'52" East, continuing along the northerly line of said easement and across said 180.498 acre tract, a distance of 17.59 feet a metal fence post found for the northeast corner of said easement, common to the northwest corner of said 0.586 acre tract, and the **POINT OF BEGINNING** of the herein described tract;

THENCE South 86°12'18" East, along the northerly line of said 0.586 acre tract and continuing across said 180.498 acre tract, and along a fence and the northerly face of an existing barn, a distance of 184.41 feet to a metal fence post found for the northeast corner of said 0.586 acre tract;

THENCE South 6°21'45" West, along the easterly line of said 0.586 acre tract and continuing across said 180.498 acre tract, and along a fence, a distance of 144.19 feet to a metal fence post found for the southeast corner of said 0.586 acre tract;

EXHIBIT "E"
(Affidavit of Publication)

DRC MEDIA COMPANY

NEWS & ADVERTISING SOLUTIONS

One company delivers it all.

3555 Duchess Drive
P.O. Box 369
Denton, TX 76202
940-387-3811

Publication(s): Denton Record-Chronicle

PROOF OF PUBLICATION

Being duly sworn (s)he is the Publisher/authorized designee of Denton Record-Chronicle, in City of Denton/surrounding areas in Denton County; Newspaper of general circulation which has been continuously and regularly published for a period of not less than one year preceding the date of the attached notice, and that the said notice was published in said newspaper Denton Record-Chronicle on the following dates below:

11/28/2021

Alice McConaughy

(signature of Authorized Designee)

Subscribed and sworn to before me
this 28th day of November, 2021 by

Alice McConaughy

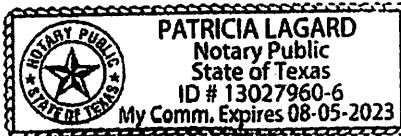
(printed name of Designee)

Witness my hand and official seal:

Patricia Lagard

(signature name of Designee)

Notary Public, Denton County, Texas



COATS ROSE PC
14755 PRESTON ROAD, SUITE 600
DALLAS TX 75254

Ad Number: 40909

Price: \$1101.00

EXHIBIT "F"
(Affidavit of Posting)

CERTIFICATE OF POSTING

THE STATE OF TEXAS §

COUNTY OF Tarrant §

BEFORE ME, the undersigned authority, on this day personally appeared Josh Dyer, whom, being first duly sworn by me, upon his oath stated:

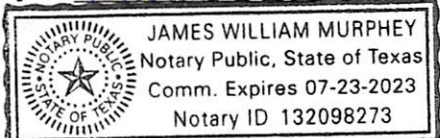
1. My name is Josh Dyer.
2. On the 30ⁿ day of November, 2021, I posted the attached Notice of Petition to the Town of Ponder, Texas for Water Service and Sanitary Sewer Service attached hereto in the following places convenient to the public within the boundaries of the proposed Rockwood Municipal Utility District No. 1 of Denton County (the "District"):
 - (i) Southeast corner of property;
 - (ii) Around 800 ft west of the first pin;
 - (iii) Around 1,800 ft west of the second pin.
3. As of this date, there are no qualified voters residing within the proposed District.
4. There are approximately 359 acres of land in the area encompassing the proposed District.

WITNESS MY HAND this 30 day of November, 2021.

[Signature]
Printed Name: Josh Dyer

THE STATE OF TEXAS §
COUNTY OF Tarrant §

This instrument was sworn to, subscribed to, and acknowledged before me on the 30 day of November, 2021 by Josh Dyer.



(NOTARY SEAL)

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

EXHIBIT "G"
(Petition for Service)

PETITION FOR WATER SERVICE AND SANITARY SEWER SERVICE

THE STATE OF TEXAS §

COUNTY OF DENTON §

TO THE HONORABLE MAYOR AND TOWN COUNCIL OF THE TOWN OF PONDER:

The undersigned, acting pursuant to the provisions of Chapters 49 and 54 of the Texas Water Code, and Sections 42.042 and 42.043 of the Texas Local Government Code, respectfully petition the governing body of the Town of Ponder, Texas (the "Town") to make available water service and sanitary sewer service to serve the land described below and located within the Town's extraterritorial jurisdiction.

I.

The undersigned filed with the Town on August 26, 2021, a Petition for Consent to Creation of Rockwood Municipal Utility District No. 1 of Denton County (the "Petition"), requesting the Town's consent to creation of Rockwood Municipal Utility District No. 1 of Denton County (the "District").

II.

The proposed District will contain approximately 359 acres of land depicted by map and described in Exhibit "A" attached hereto and incorporated herein (the "Land"). The proposed District, including the Land, is located within the extraterritorial jurisdiction of the Town of Ponder, Denton County, Texas, and the District is not within the corporate limits or extraterritorial jurisdiction of any other city, town or village.

III.

The Town has failed to give its consent to the creation of the District within ninety (90) days after the Petition was filed with the Town.

IV.

The undersigned hereby petitions the governing body of the Town and requests that the Town make available water service and sanitary sewer service to the Land by entering into a mutually agreeable contract with the undersigned providing for the requested water service and sanitary sewer service as provided under Sections 54.016(b) and (c), Texas Water Code, as amended, and Sections 42.042(b) and (c), Texas Local Government Code, as amended.

V.

A preliminary investigation has been instituted to determine the cost of the proposed improvements to be constructed by the District, and it is now estimated by those filing this petition,

from such information as they have at this time, that the ultimate cost of such improvements will be approximately \$46,438,781.30

RESPECTFULLY SUBMITTED this the 28th day of December, 2021.

PETITIONER:

*Pursuant to Section 42.043(a)(6),
Texas Local Government Code, the
Petitioner owns approximately
180.880 acres of the Land to be serviced.*

JLMCG Properties, LLC,
a Nevada limited liability company

By: *Sandra A. Mahon*

Name: Sandra A. Mahon

Title: Manager

PETITIONER:

CENDEI SHERWOOD

*Pursuant to Section 42.043(a)(6),
Texas Local Government Code, the
Petitioner owns approximately
178.085 acres of the Land to be serviced.*

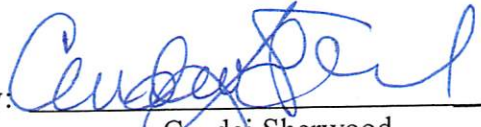
By: 
Name: Cendei Sherwood

EXHIBIT "A"

TRACT 1

BEING a tract of land situated in the Nathaniel Rudder Survey, Abstract No. 1060, Denton County, Texas, and being all of a called 180.585 acre tract of land described in a deed to JLMCG Properties, L.L.C., as recorded in Document No. 2007-38542 of the Official Records of Denton County, Texas and being more particularly described as follows:

BEGINNING at a concrete monument found for the southeast corner of said 180.585 acre tract, common to the northeast corner of a called 180.498 acre tract of land described in a deed to Cendei Sherwood, as recorded in Document No. 2011-18575 of the Official Records of Denton County, Texas, same being on the westerly line of a called 541.11 acre tract of land described as Tract 3 in a deed to J. Young Land & Cattle, Ltd., as recorded in Document No. 2003-203076 of the Official Records of Denton County, Texas;

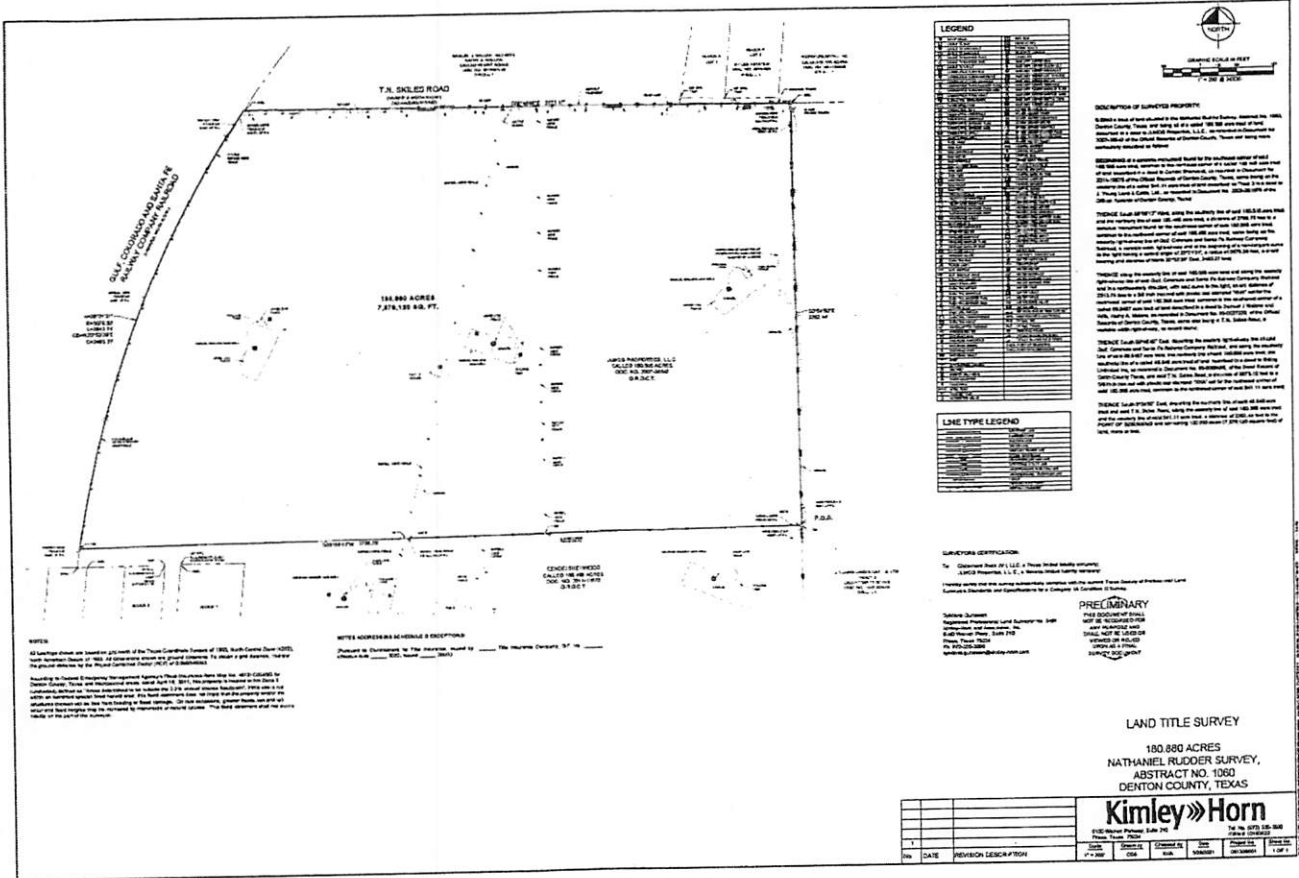
THENCE South 89°09'13" West, along the southerly line of said 180.585 acre tract and the northerly line of said 180.498 acre tract, a distance of 3798.78 feet to a concrete monument found for the southwest corner of said 180.585 acre tract, common to the northwest corner of said 180.498 acre tract, same being on the easterly right-of-way line of Gulf, Colorado and Santa Fe Railway Company Railroad, a variable width right-of-way and at the beginning of a non-tangent curve to the right having a central angle of 25°21'31", a radius of 5679.58 feet, a chord bearing and distance of North 20°53'39" East, 2493.27 feet;

THENCE along the westerly line of said 180.585 acre tract and along the easterly right-of-way line of said Gulf, Colorado and Santa Fe Railway Company Railroad and in a northeasterly direction, with said curve to the right, an arc distance of 2513.74 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said 180.585 acre tract, common to the southwest corner of a called 89.9487 acre tract of land described in a deed to Samuel J Malone and Wife, Kathy A. Malone, as recorded in Document No. 93-0037220, of the Official Records of Denton County, Texas, same also being in T.N. Skiles Road, a variable width right-of-way, no record found;

THENCE South 89°46'46" East, departing the easterly right-of-way line of said Gulf, Colorado and Santa Fe Railway Company Railroad, and along the southerly line of said 89.9487 acre tract, the northerly line of said 180.585 acre tract, the southerly line of a called 48.646 acre tract of land described in a deed to Riding Unlimited Inc, as recorded in Document No. 93-0059495, of the Deed Record of Collin County Texas, and said T.N. Skiles Road, a distance of 2873.10 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northeast corner of said 180.585 acre tract, common to the northwest corner of said 541.11 acre tract;

THENCE South 0°54'50" East, departing the southerly line of said 48.646 acre tract and said T.N. Skiles Road, along the easterly line of said 180.585 acre tract and the westerly line of said 541.11 acre tract, a distance of 2262.44 feet to the

POINT OF BEGINNING and containing 180.880 acres (7,879,120 square feet) of land, more or less.



LEGEND

1	Survey Boundary
2	Section Boundary
3	Quarter Section Boundary
4	Tract Boundary
5	Well Location
6	Easement
7	Right-of-Way
8	Water Course
9	Other

LINE TYPE LEGEND

1	Survey Boundary
2	Section Boundary
3	Quarter Section Boundary
4	Tract Boundary
5	Well Location
6	Easement
7	Right-of-Way
8	Water Course
9	Other

DESCRIPTION OF SURVEYED PROPERTY

180,880 acres of land situated in the Northwest Quarter of Section 10, T.10N., R.10E., S.10E., Denton County, Texas, and 180,880 acres of land situated in the Northwest Quarter of Section 10, T.10N., R.10E., S.10E., Denton County, Texas, and being more particularly described as follows:

180,880 acres of land situated in the Northwest Quarter of Section 10, T.10N., R.10E., S.10E., Denton County, Texas, and being more particularly described as follows:

180,880 acres of land situated in the Northwest Quarter of Section 10, T.10N., R.10E., S.10E., Denton County, Texas, and being more particularly described as follows:

NOTES

All location data are based on the north-south line of the T.A. Skiles Road (2000) and the east-west line of the Gulf, Colorado and Texas Railway (1900) and are subject to the provisions of the Texas Surveying Act of 1909.

NOTES ADDRESSING EASEMENTS & EXCEPTIONS

Portions of the survey are subject to the provisions of the Texas Surveying Act of 1909.

LICENSURE CERTIFICATION

I, the undersigned, being duly qualified and licensed as a Professional Land Surveyor in the State of Texas, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the same.

PRELIMINARY

This is a preliminary survey and is not to be used for any purpose other than to show the location of the survey and the location of the survey monuments.

LAND TITLE SURVEY

180,880 ACRES
NATHANIEL RUDDER SURVEY,
ABSTRACT NO. 1080
DENTON COUNTY, TEXAS

NO.	DATE	REVISION DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

Kimley»Horn

1115 West Parkway, Suite 700, Dallas, Texas 75241
Tel: 972.336.5500
Fax: 972.336.5501
www.kimleyhorn.com

TRACT 2

BEING a tract of land situated in the Nathaniel Rudder Survey, Abstract No. 1060, Denton County, Texas, and being the remainder of a called 180.498 acre tract of land described in a deed to Cendei Sherwood, as recorded in Document No. 2011-18575 of the Official Records of Denton County, Texas, same also being all of Lot 1, Block 1 and all of Lots 1 and 2, Block 2 of the Original Town of Ponder, according to the plat thereof recorded in Volume 75, Page 80 of the Deed Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a concrete monument found for the northeast corner of said 180.498 acre tract, common to the southeast corner of a called 180.585 acre tract of land described in a deed to JLMCG Properties, L.L.C., as recorded in Document No. 2007-38542 of the Official Records of Denton County, Texas, same being on the westerly line of a called 541.11 acre tract of land described as Tract 3 in a deed to J. Young Land & Cattle, Ltd., as recorded in Document No. 2003-203076 of the Official Records of Denton County, Texas;

THENCE South 0°54'50" East, along the easterly line of said 180.498 acre tract and the westerly line of said 541.11 acre tract, a distance of 2569.90 feet to a 5/8 inch iron rod found for the southeast corner of said 180.498 acre tract, common to the southwest corner of said 541.11 acre tract, same being on the northerly right-of-way line of F.M. Highway 2499, a 90 foot wide right-of-way, and at the beginning of a non-tangent curve to the left having a central angle of 1°56'15", a radius of 5729.66 feet, a chord bearing and distance of North 89°34'31" West, 193.74 feet;

THENCE in a northwesterly direction along the southerly line of said 180.498 acre tract and the northerly right-of-way line of said F.M. Highway 2499, and with said curve to the left, an arc distance of 193.75 feet to a 1/2 inch iron rod found for corner;

THENCE South 89°27'27" West, continuing along the southerly line of said 180.498 acre tract and the northerly right-of-way line of said F.M. Highway 2499, a distance of 1461.09 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for a southwest corner of said 180.498 acre tract, common to the southeast corner of a tract of land described in a deed to Cendei Sherwood, as recorded in Document No. 2011-18576 of the Official Records of Denton County, Texas;

THENCE North 1°08'09" West, departing the northerly right-of-way line of said F.M. Highway 2499, and along the common line of said 180.498 acre tract and said Sherwood tract, a distance of 134.71 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE North 38°36'16" West, continuing along said common line, a distance of 700.83 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northerly corner of said Sherwood tract, common to an ell corner of said 180.498 acre tract, from which, a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for witness bears North 25°11' West, 0.35 feet;

THENCE South 2°08'23" West, continuing along said common line, a distance of 687.25 feet to the southwest corner of said Sherwood tract, common to a southeast corner of said 180.498 acre tract, same being on the northerly right-of-way line of said F.M. Highway 2499;

THENCE South 89°27'27" West, along the southerly line of said 180.498 acre tract and the northerly right-of-way line of said F.M. Highway 2499, a distance of 874.68 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left having a central angle of 2°13'12", a radius of 5729.65 feet, a chord bearing and distance of South 88°20'51" West, 221.99 feet;

THENCE in a southwesterly direction continuing along the southerly line of said 180.498 acre tract and the northerly right-of-way line of said F.M. Highway 2499, and with said curve to the left, an arc distance of 222.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southwest corner of said 180.498 acre tract, being on the easterly right-of-way line of aforesaid the Original Town of Ponder;

THENCE North 5°35'35" East, departing the northerly right-of-way line of said F.M. Highway 2499, along a westerly line of said 180.498 acre tract and the easterly line of said the Original Town of Ponder, a distance of 764.82 feet to a mag nail set for a northwest corner of said 180.498 acre tract, common to the southeast corner of Block 16 of said the Original Town of Ponder, and the southwest corner of called 1.01 acre tract of land described in a deed to James Norman Brooks, et al, as recorded in Document No. 2013-13723 of the Official Records of Denton County, Texas, and the north end of the easterly terminus of Doyle Street, an 80 foot wide right-of-way, as dedicated in said plat of the Original Town of Ponder;

THENCE South 84°31'22" East, departing said terminus, along the a northerly line of said 180.498 acre tract and the southerly line of said 1.01 acre tract, a distance of 274.84 feet to a 1/2 inch iron rod found for the southeast corner of said 1.01 acre tract, common to an ell corner of said 180.498 acre tract;

THENCE North 5°37'17" East, along a westerly line of said 180.498 acre tract, the easterly line of said 1.01 acre tract, the easterly line of a called 0.28 acre tract of land described in a deed to Kenneth and Christopher Corby, as recorded in Document No. 2008-66374 of the Official Records of Denton County, Texas, the easterly terminus of Bailey Street, a variable width right-of-way, the easterly line of a tract of land described as Tract 1 in a deed to Charlie E. Bostick and Janice Bostick, as recorded in Document No. 2008-66493 of the Official Records of Denton County, Texas, and the easterly line of Crider Addition, according to the plat thereof recorded in Cabinet Q, Page 135 of the Plat Records of Denton County, Texas, a distance of 699.82 feet to a 1/2 inch iron rod with plastic cap (illegible) found for the northeast corner of said Crider Addition, common to an ell corner of said 180.498 acre tract;

THENCE North 84°29'06" West, along a southerly line of said 180.498 acre tract and the northerly line of said Crider Addition, a distance of 275.18 feet to a mag nail set for a southwest corner of said 180.498 acre tract, common to the northwest corner of said Crider Addition, the northeast corner of Block 9 of said the Original Town of Ponder, and the south end of the easterly

terminus of James Street, an 80 foot wide right-of-way, same being in Eddie Street, a variable width right-of-way;

THENCE North 5°35'35" East, departing said Eddie Street, along a westerly line of said 180.498 acre tract and said terminus, a distance of 80.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for a northwest corner of said 180.498 acre tract, common to the north end of said terminus, the southeast corner of Block 8 of said the Original Town of Prosper, and the southwest corner of Lot 1, Block A of David Lott Addition, according to the plat thereof recorded in Document No. 2017-388 of the Plat Records of Denton County, Texas;

THENCE South 85°48'52" East, departing said terminus, along the common line of said 180.498 acre tract and said Lot 1, a distance of 75.49 feet to a 5 inch metal post found for the southerly southeast corner of said Lot 1, common to an ell corner of said 180.498 acre tract;

THENCE North 64°04'09" East, continuing along said common line, a distance of 331.56 feet to a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for the southeast corner of said Lot 1, common to an ell orner of said 180.498 acre tract;

THENCE North 3°36'41" West, continuing along said common line, a distance of 227.16 feet to a 5 inch metal post found for the northeast corner of said Lot 1, common an ell corner of said 180.498 acre tract;

THENCE South 88°36'14" West, continuing along said common line, a distance of 324.16 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said Lot 1, common to the northeast corner of said Block 8, the south end of the easterly terminus of Greene Street, an 80 foot wide right-of-way, and a southwest corner of said 180.498 acre tract;

THENCE North 5°35'35" East, along a westerly line of said 180.498 acre tract and the northerly right-of-way line of said Greene Street, a distance of 80.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the north end of said terminus, common to the southeast corner of aforesaid Lot 1, Block 1, and an ell corner of said 180.498 acre tract, from which, a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for witness bears South 24°36' West, 0.98 feet;

THENCE North 84°24'25" West, along the southerly line of said Lot 1, Block 1, a southerly line of said 180.498 acre tract, and the northerly right-of-way line of said Greene Street, a distance of 333.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southwest corner of said Lot 1, Block 1, common to a southwest corner of said 180.498 acre tract, and at the intersection of the northerly right-of-way line of said Greene Street with the easterly right-of-way line of Frederick Street, an 80 foot wide right-of-way, from which, a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for witness bears South 41°21' East, 1.53 feet;

THENCE North 5°35'35" East, along the westerly line of said Lot 1, Block 1, a westerly line of said 180.498 acre tract, and the easterly right-of-way line of said Frederick Street, a distance of 443.88 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said Lot 1, Block 1, common to an ell corner of said 180.498 acre tract, and the east end of the

northerly terminus of Frederick Street, from which, a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for witness bears South 32°55' East, 1.84 feet;

THENCE South 89°30'35" West, along a southerly line of said 180.498 acre tract and along said terminus, a distance of 80.45 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northeast corner of aforesaid Block 2, common to an ell corner of said 180.498 acre tract, and the west end of said terminus, same being on the westerly right-of-way line of said Frederick Street, from which, a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for witness bears South 17°03' East, 1.54 feet;

THENCE South 5°35'35" West, departing said terminus, along the easterly line of said Block 2, an easterly line of said 180.498 acre tract, and the westerly right-of-way line of said Frederick Street, a distance of 435.35 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southeast corner of said Block 2, common to a southeast corner of said 180.498 acre tract, and at the intersection of the westerly right-of-way line of said Frederick Street with the northerly right-of-way line of said Greene Street;

THENCE North 84°24'25" West, along the southerly line of said Block 2, a southerly line of said 180.498 acre tract, and the northerly right-of-way line of said Greene Street, a distance of 410.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southwest corner of said Block 2, common to a southwest corner of said 180.498 acre tract, same being on the easterly right-of-way line of Gulf, Colorado and Santa Fe Railway Company Railroad, a variable width right-of-way;

THENCE North 5°35'35" East, along the westerly line of said Block 2, a westerly line of said 180.498 acre tract, and the easterly right-of-way line of Gulf, Colorado and Santa Fe Railway Company Railroad, a distance of 391.66 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said Block 2, common to an ell corner of said 180.498 acre tract;

THENCE South 89°30'35" West, along a southerly line of said 180.498 acre tract and continuing along the easterly right-of-way line of said Gulf, Colorado and Santa Fe Railway Company Railroad, a distance of 48.52 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the right having a central angle of 1°01'05", a radius of 5679.58 feet, a chord bearing and distance of North 7°42'21" East, 100.91 feet;

THENCE in a northeasterly direction along a westerly line of said 180.498 acre tract, continuing along the easterly right-of-way line of said Gulf, Colorado and Santa Fe Railway Company Railroad, and with said curve to the right, an arc distance of 100.91 feet to a concrete monument found for the northwest corner of said 180.498 acre tract, common to the southwest corner of aforesaid 180.585 acre tract;

THENCE North 89°09'13" East, departing the easterly right-of-way line of said Gulf, Colorado and Santa Fe Railway Company Railroad, and along a northerly line of said 180.498 acre tract and the southerly line of said 180.585 acre tract, a distance of 3798.78 feet to the **POINT OF BEGINNING** and containing 178.660 acres (7,782,444 square feet) of land, more or less, save an except the following described tract of land:

BEING a tract of land situated in the Nathaniel Rudder Survey, Abstract No. 1060, Denton County, Texas, and being all of a called 0.586 acre tract of land described in a deed to Jerry E. Inman and wife, Dannie M. Inman, also known as Danny Inman, as recorded in Volume 3211, Page 852 of the Deed Records of Denton County, Texas, and being more particularly described as follows:

COMMENCING at a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southeast corner of Block 8 of the Original Town of Ponder, according to the plat thereof recorded in Volume 75, Page 80 of the Deed Records of Denton County, Texas, common to the southwest corner of Lot 1, Block A of David Lott Addition, according to the plat thereof recorded in Document No. 2017-388 of the Plat Records of Denton County, Texas, an ell corner of a called 180.498 acre tract of land described in a deed to Cendei Sherwood, as recorded in Document No. 2011-18575 of the Official Records of Denton County, Texas, the north end of the easterly terminus of James Street, an 80 foot wide right-of-way, and the southerly northwest corner of a 20 foot wide ingress/egress easement recorded in said deed recorded in Volume 3211, Page 852 of the Deed Records of Denton County, Texas;

THENCE South 85°48'52" East, departing the easterly terminus of said James Street, along the southerly line of said Lot 1, Block A, the northerly line of said easement and crossing said 180.498 acre tract, a distance of 75.49 feet to a 5 inch metal post found for the southerly southeast corner of said Lot 1, Block A, common to an ell corner of said easement;

THENCE North 64°04'09" East, continuing along the southerly line of said Lot 1, Block A, the northerly line of said easement, and across said 180.498 acre tract, passing at a distance of 331.56 feet a 1/2 inch iron rod with plastic cap stamped "Coleman RPLS 4001" found for the northerly southeast corner of said Lot 1, Block A, common to an ell corner of said easement, and continuing along the same course, for a total distance of 474.32 feet to an ell corner of said easement;

THENCE North 27°01'33" East, continuing along the northerly line of said easement and across said 180.498 acre tract, a distance of 117.66 feet to the northerly northwest corner of said easement;

THENCE South 86°14'52" East, continuing along the northerly line of said easement and across said 180.498 acre tract, a distance of 17.59 feet a metal fence post found for the northeast corner of said easement, common to the northwest corner of said 0.586 acre tract, and the **POINT OF BEGINNING** of the herein described tract;

THENCE South 86°12'18" East, along the northerly line of said 0.586 acre tract and continuing across said 180.498 acre tract, and along a fence and the northerly face of an existing barn, a distance of 184.41 feet to a metal fence post found for the northeast corner of said 0.586 acre tract;

THENCE South 6°21'45" West, along the easterly line of said 0.586 acre tract and continuing across said 180.498 acre tract, and along a fence, a distance of 144.19 feet to a metal fence post found for the southeast corner of said 0.586 acre tract;

THENCE North 82°43'14" West, along the southerly line of said 0.586 acre tract and continuing across said 180.498 acre tract, and along a fence, a distance of 177.04 feet to a 1/2 inch iron rod found for the southwest corner of said 0.586 acre tract;

THENCE North 3°15'39" East, along the westerly line of said 0.586 acre tract and the easterly line of said easement, continuing across said 180.498 acre tract and along a fence, a distance of 133.29 feet to the POINT OF BEGINNING, and containing 0.575 of an acre (25,052 square feet) of land, more or less, and leaving a net acreage of 178.085 acres (7,757,392 square feet) of land, more or less.

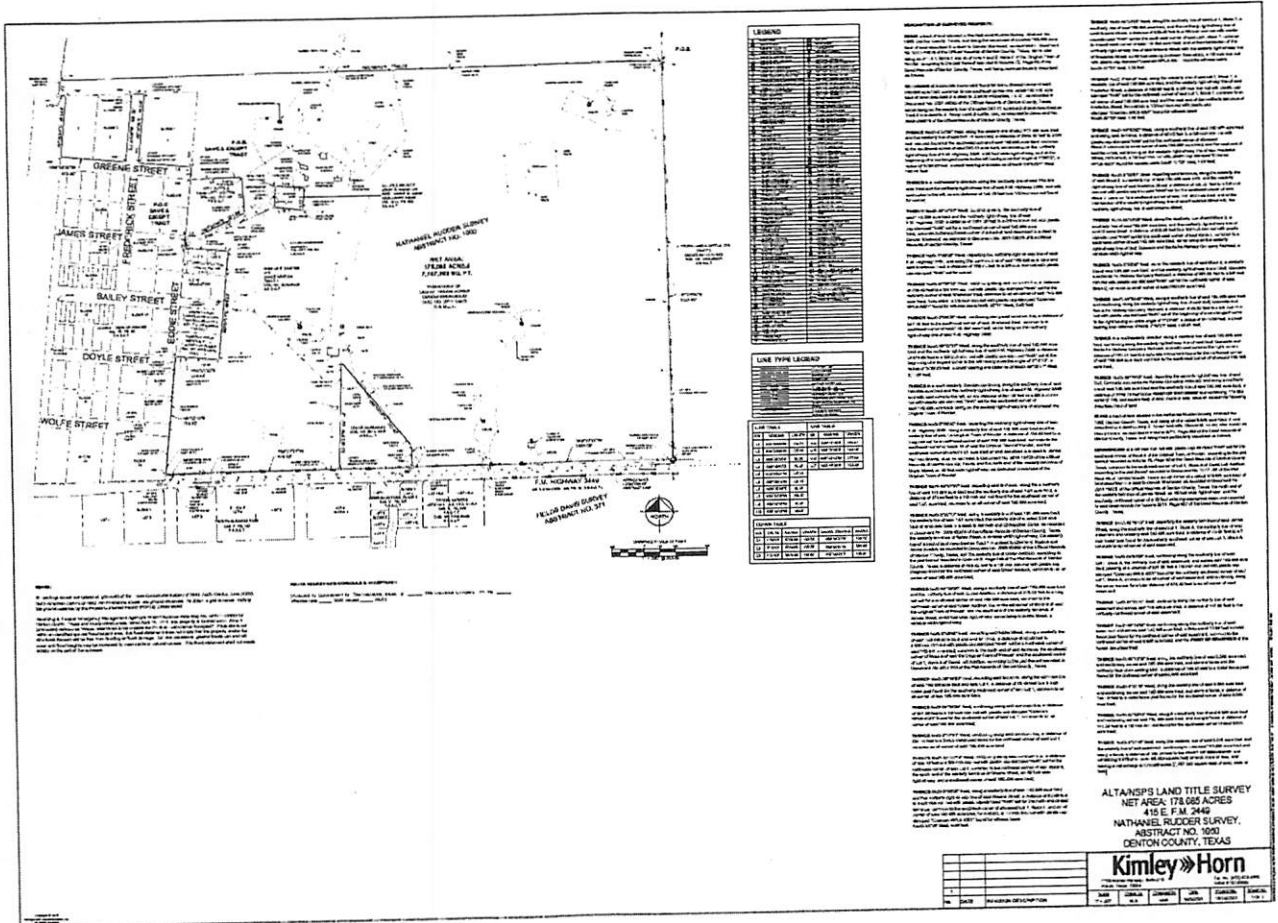


EXHIBIT "H"
(Receipt of Petition for Service)

AFFIDAVIT OF RECEIPT OF PETITION FOR WATER SERVICE AND SANITARY SEWER SERVICE FOR ROCKWOOD MUNICIPAL UTILITY DISTRICT NO. 1 OF DENTON COUNTY

THE STATE OF TEXAS §
COUNTY OF DENTON §
TOWN OF PONDER §

I, Sheri Clearman, Town Secretary of the Town of Ponder, Texas, do hereby certify that the attached and foregoing is a true and correct copy of the Petition for Water Service and Sanitary Sewer Service requesting said service for the proposed Rockwood Municipal Utility District No. 1 of Denton County, dated December 28, 2021, which was received by my office on the 18 day of January, 2022.

WITNESS my hand and the Seal of said Town this 18 day of January, 2022.

Sheri Clearman
Town Secretary
Town of Ponder, Texas

THE STATE OF TEXAS §
COUNTY OF DENTON §

This instrument was acknowledged before me on this 18 day of January, 2022, by Sheri Clearman, Town Secretary of the Town of Ponder, Texas.

Carolyn Farmer
Notary Public in and for the State of Texas

