

TYLER COUNTY COMMISSIONERS COURT
PUBLIC HEARING
August 8, 2016 11:00 A.M.

THE STATE OF TEXAS ON THIS THE 8th day of August, 2016 the
Commissioners' Court in and for Tyler County, Texas convened in a Public Hearing at
the Commissioners' Courtroom in Woodville, Texas, the following members of the Court
present, to wit:

JACQUES L. BLANCHETTE	COUNTY JUDGE, Presiding
MARTIN NASH	COMMISSIONER, PCT. #1
RUSTY HUGHES	COMMISSIONER, PCT. #2
MIKE MARSHALL	COMMISSIONER, PCT. #3
JACK WALSTON	COMMISSIONER, PCT. #4
DONECE GREGORY	COUNTY CLERK, EX OFFICIO

The following were absent: none thereby constituting a quorum. In addition to the
above were:

JACKIE SKINNER	COUNTY AUDITOR
BEN KISSEE	ASST. CRIMINAL DISTRICT ATTORNEY

Judge Blanchette called the meeting to order stating this meeting/public hearing has been
duly called in accordance with the open meetings act, and introduced members of the
court, County Clerk, County Auditor and judge's administrative assistant as requested.

John Stover stated the County Clerk has the original petition as signed and certified by
the Tax Assessor/Collector. He presented the publisher's affidavit as published by the
Beaumont Enterprise as required by the statute and a copy of the notice posted at the
courthouse door. He acknowledged that members of the board of directors of the
Lake Amanda Property Owners Association requesting the formation of the district
would be making the presentation. SEE ATTACHED DOCUMENTS IN BLACK
NOTEBOOK

Kirwin Drouet, president of the LAPOA, introduced directors of the property owners
association present and supporting the creation of a water control and improvement
district:

Hayward Fetner, vice president
Kathy Fetner, treasurer
Bobby Lane, secretary
Susan Lane, director
Kay Mendoza, director
Ray Baker, director
Glenn Andrew, director
Clyde LeJune, director
Gene Cappadonna, director

Mr. Drouet stated his resume and addressed the necessity of the water control and
improvement district:

- Family owned home since 1972, the lake being part of his family heritage for 44
years
- Elected secretary of Lake Amanda Property Owners Assn., May 2016 (13 days
before the Lake Amanda dam broke); elected president on July 24, 2016.
- After the catastrophic loss of Lake Amanda due to the breach of the dam on May
27th, every property owner lost significant value in their homes. Some lost
personal property such as boats & docks; loss as much as 50% of their appraised
value, "looks like a bomb went off", which affects property taxes for the county,
Colmesneil school district and other taxing authorities will not be able to collect
because of the loss. For this reason it is imperative that residents and the WCID
get the lake back in a short amount of time and at a reasonable cost.
- Repairing the dam (200 ft section): estimated cost could be as high as a million
dollars
- LAPOA was formed in 2001 many years after lots were sold by the developer.
The bylaws ask for voluntary donations for maintenance of the dam and other

operating cost of the association. The suggested dues are \$50 yearly and many property owners do not even pay that. The LAPOA does not have the ability to impose mandatory dues nor any mechanism to collect such dues. Thus the LAPOA is not able to borrow money to help finance the repair to the dam, to which repayment could be spread out over as much as 25 years in some cases. No lender will lend money to LAPOA for the dam repair project because of this situation.

- Immediately after the dam broke, several people began to look for alternative financing to fund the dam repair for benefit of the private owners. Inquiries to state and local governments for any funds available.
- Because the President declared Tyler County within a disaster area, an application to SBA through FEMA was made and denied (“no way of assuring payment of these funds”)
- Only possible source of funding was a grant through the USDA-Department of Agriculture Rural Development Program. After careful review of the requirements in the application, by board of directors and advice of legal counsel, it was determined that would not be feasible and declined to pursue further.
- The LAPOA is faced with one of two choices:
 - 1) Create a WCID that provides a structure to issue bonds and levy taxes to district residents only to pay for the dam repairs.
 - 2) Hope that enough donations can be raised to pay for dam repairs without incurring any debt. Based upon the experience of collecting and not collecting the voluntary dues, believe it would take several years of bake sales and car washes to garner enough funds to repair the dam and get the lake back.
- Benefits to the WCID are numerous:
 - Votes needed to confirm the creation of the WCID, in November, then finance the engineering, construction and administration cost through the issuance of long-term low interest rate bonds that spread the re-payment over as much as 25 years
 - Dam repaired, if the weather cooperates, and have lake filling up at the end of next year. The bake sale/car wash/big unexpected contribution could take as long as seven to eight years- not acceptable
 - The quick repair schedule under WCID scenario would return the loss value to homes and enable Tyler County, Colmesneil school district and other taxing authorities to return to the cash flow levels they enjoyed before the loss of the lake. Residents who were trying to sell their homes, before the dam collapsed, could find a ready market again to sell their lake front homes.
 - Insure all residents in the WCID would pay their fair share of the cost of the repairs to the dam. Since the tax obligations would be enforceable instead of voluntary as they are now in the LAPOA.
 - Levy taxes for maintenance fees to ensure the repaired dam would be there for their grandchildren.
- The feasibility of the dam project:
 - Likelihood of finding lenders to finance the repairs, they have been working with GMS, LLC in Houston, Texas (a municipal security dealer) and experts in tax free municipal bonds. John Howell, senior vice-president, believes if the WCID is formed he would be able to sell the bonds needed to finance the repairs to the dam on favorable terms in a short period of time. The GMS group prepared two examples of how the WCID could issue bonds and finance the dam repairs. The examples are in “tab 7” in the book presented by John Stover to the court. These are for illustrative purposes only because there are some variables that are unknown at this time such as total appraised value in the WCID, actual cost of the repairs, bond offering, goal to keep the tax rate as low as possible, etc.

Mr. Drouet concluded by “we, board of directors of the property owners association being duly elected members unanimously and strongly recommend that the Tyler County Commissioners’ Court approve the creation of the Lake Amanda Water Control and Improvement District No. 1 for Tyler County.”

Judge Blanchette reported several persons had signed the list to speak.

Amanda Haralson, daughter of the Virginal and Jim Haralson who built Lake Amanda. She has been on the land all of her life and currently as a water front property owner, owns and manages the forestland surrounding the property owners. She commended the board who has diligently researched for a funding mechanism that is fair, efficient, inclusive and sustainable. She thanked the commissioners and Judge Blanchette for being there the day the dam breached.

- She backs the formation of the Water Control and Improvement District.
- Has over 30 years as a grant writer; felt there would not be grant money available for a private lake; ascertained that the moneys being considered to apply for a grant would require that the lake be made public; that other entities that sought grant money had been unable to get it and incurred delays for two to 10 years with projects still not built.
- Felt most wanted the lake to be rebuilt as quickly in a sustainable way; with little or no government intrusion.

Claudia Hamilton, homeowner, submitted document for the court to consider. SEE ATTACHED

- All scrambling for solutions. Focus is to get the lake back
- Keep the lake private, being the heritage of the lake. The WCID does not address the privacy of the lake.
- Anticipates the lake would have to be “deeded in trust” to the LAPOA to the WCID. Most homeowners were not aware of this.
- Have not had the opportunity to come up with any other solution. The board has arbitrarily decided “this is what’s best for the lake, this is what best for the property owners” without much if any input from the property owners.
- Feels very strongly that this petition should not go forward as it was collected. No time for due diligence; no time for disclosure. Never disclosed any information that needed to read and understand prior to calling for signatures.
- If this is the will of the people, let’s get a petitioned signed with full disclose and full understanding of the ramifications of the WCID. It’s another taxing authority that will not go away
- To raise a million dollars: for a 165 property owners equates to \$6000.61 each. She thinks is doable, but have not had the opportunity
- Insure that a grant is not an option, not cooperating and not filing the paper work would miss a great opportunity they do not try
- People on the lake can afford easily opposed to those that this would be a significant “blow”
- Had a problem that the “board has decided what’s best for us”; had no notice from the board about the hearing today other than the publication in the paper.
- Believes they should have the opportunity to proceed as a group, in good faith as a group, “this has been denied us”.
- Sent a mass email to the association to try to generate some interest of people that were not aware of the hearing and did not have good information about the WCID
- Wants this set aside to insure there is a valid petition with full disclosure
- Ask the County Clerk about the cost of an election if held next year to give them some time; the County Clerk answered cost of an election would be about \$3000.00

Leigh Cowart, from Galveston, Texas been coming to Lake Amanda for 21 years. She is a property owner on County Road 3180.

- Process is going too fast and details of all financial opportunities of rebuilding are not being thoroughly shared will all members of the LAPOA
- Has no definitive information of what the WCID is going to mean
- Need time to review what the financial obligations are going to be
- Need more involvement with the people, not just the few that are handpicked by the board

- Need more time than the 10 weeks since the dam broke
- This decision will impact their finances in ways they not sure they “are prepared for.” Not sure the elderly folks that live on fixed incomes fully understand the impact the WCID would have on their futures and possibly their children.

In closing, Mrs. Cowart requested the court to “table the vote until more financial information and structure is available to all members” and “have accurate votes to move forward if that’s what they choose to do.”

11:30 a.m. Judge Blanchette announced a posted agenda of a vote was scheduled to begin at 11:30 a.m., but having not heard from all those wishing to speak, will suspend any action in regards to a decision. He felt personally that he was not adequately informed by those who wish to make a presentation. Consensus was that the court wished to continue the Public Hearing; not pressed to make that decision today, prepared to if they were ready. They want to be “fully informed of the impact this would have.”

Ray, (last name not spoken by the judge) chose not to speak

Rhonda Hopkins, her father had the property for 42 years that she now lives on.

- Felt all property owners should have a say in what goes on whether they living here or not
- Wants all options shared - doesn’t think that was done; felt all information on a grant hasn’t been “put out there”.
- Wants the lake to remain private. Doesn’t want the district to be able to make the lake public.
- Given time, felt a grant would be an option
- Concerned about taxes; “people could lose their homes that have been living here for many, many years.”
- Wants the opportunity to seek grants that might be available to them

Bobby Lord, property owner, dad purchased property in 1961; he purchased lot next to his dad in 1982

- He was at the meeting and “these things were presented and asked to sign a paper to go forward with investigations to put forward the WCID.” He signed the paper thinking, at the time, it was a good option. Started getting phone calls of people that were not there, with questions. He started doing research of WCIDs and provisions of funding
- Concerned that WCID, “not totally against it”, felt it should be the last option not the first.
- His “Investigations” found it seems to be the right of the directors of a WCID to establish a lot of rules and regulations, have right of eminent domain as to what he read in a publication put out by the state, right to establish a police force to enforce their regulations. Will have to have an office; have to have a full time legal counsel; have to have a CPA; concerned not able to find good clarification as to exactly what the parameters of the authority of the WCID directors would be. Understands LAPOA would have to turn the ownership of the lake to the WCID. Does that mean he would no longer “have the say so”? Does that mean the WCID could do anything they want; increase the tax rate at their discretion?
- If there are grants that they qualify for, go forward with an application
- Long term is taxes. In 25 years, when “this thing” is paid off, does the WCID dissolve, do the taxes stop, or does it continue on as a “forever” entity? The people who are concerned, the board and other residents need to have time to fully investigate these things and make sure we are fully aware of what the obligation is before going forward with this vote.
- People need a full understanding as to what they are voting for and “what they are obligating their heirs to.”
- Don’t throw the WCID in the “trash” but “set it on the side” until all these questions, the membership has, can be answered to the full understanding.

Mr. Lord conveyed his appreciation to the board and other members for all the work that has been done. Need to do our due diligence to make sure everyone is aware of what they are signing up for; it’s simply a matter of disclosure and full understanding then let’s go forward with the vote.

Christine Martin, owns property on Lake Amanda, lived there long enough to see it flourishing for six years.

- Agrees that “we need time.”
- Did not know about this meeting
- Felt pressured at the [*Lake Amanda*]meeting where they were going to “talk about the dam” to sign the paper; therefore left
- Not having clear communication with the board members; they had put Diquat in the lake saying it was not harmful. Wikipedia says fatal if swallowed, (?) skin for a long period of time; skin will be in contact with the Diquat; concerned about her grandchildren swallowing the water when swimming in the lake. Saw the beautiful lake go from lush environment with lots of birds, fish and turtles to a dead environment just before the dam broke.
- Asking for time to find new ways to find money

Christopher Bennett,

- “Except for Ms. Claudia, we had no idea there was a board meeting.”
- Had received three letters from the LAPOA, but they did not tell of the meeting today; they did not tell of “what all of our options are”.
- As what was said about the poison that was put in the lake, the EPA had not told them what the proper dosage was; noticed a drastic in the wildlife, fish and turtle population.
- Can’t trust people who were not giving a full accounting of all options.

11: 50 a.m. Judge Blanchette reported the court had identified all that wish to speak.

Frank Vance, was not going to comment but felt need to speak now.

- Sees people “here that I’ve never seen before”; saw people at the meeting in droves “that I’ve never seen before”. “Point being: get involved before something hits the fan”. Invited everyone to “Come down and do your business in our meetings.”

John Stover asked to respond to “things” that had “come up here”. **Judge Blanchette** replied they did not want to get into a debate, understanding that he was the one that had petitioned the court. **Judge Blanchette** responded, in the spirit of unity, everybody’s had the opportunity to make comments being for or against and wants to respect that side of it; being presented generic information as whether to move forward with the request to confirm the petition or not at this point.

John Stover wanted to clarify that the action of the court was not the last step, it was the initial step. The court was being asked to approve the creation subject to a confirmation election. **Judge Blanchette and Commissioner Nash** asked for an explanation. **John Stover**: The Texas Water Code, Chapters 51 and 49 required a confirmation election where the registered voters within the district will be asked to vote “for” or “against” the creation of the district; no entity can levy taxes without approval of the voters, that has to be approved; also need temporary directors to serve now until that confirmation is held in order to call that election. The deadline for calling the election is August 22nd. Commissioners are being asked to create the district and appoint the temporary directors, whose job will be to call the election and have the district confirmed or not confirmed, authorize the issuance of bonds to be repaid through taxes as a separate proposition on the ballot. “Delay is the deadliest form of denial” Pogo. The people petitioning have laid out a practical, feasible plan to go forward but have to hear the people opposing it, an alternative. There can’t be a grant without a corresponding loan, in his 45 years of experience of dealing with the USDA. Mr. Stover asked the court not to delay because the election must be on a uniform election day. The next uniform election day will not be until next May. He reported that July 9th there was over a two hour meeting at the Colmesneil Community Center where “all this was laid out”. Anyone that says this hasn’t been discussed was either not at that meeting or was not listening. Nobody has been asked to do anything without being informed. While they might get some grant, through the USDA, it would be the grandchildren that may get to enjoy “it”.

Public Hearing
August 8, 2016

Judge Blanchette stated before the court was a petition or request, to take action on what has been presented, to vote in favor of the petition to establish this WCID. "It's obvious there are high emotions on both side". Some information made available to some, maybe not available in that person's experience. The court experiences that same thing in that they take action in open meetings. There's not a medium to convey to the public what they do on a daily basis. The courts has received comments and conducted the public hearing and now "have a request for the court to take action on this."

A motion was made by **Commissioner Nash** and seconded by **Commissioner Walston** to close the public hearing. All voted yes and none no

Judge Blanchette reported there was an action item posted for 11: 30 a.m. as an agenda to consider and possible approve the creation of a special taxing district to support Lake Amanda dam reconstruction as put on the agenda by Commissioner Marshall.

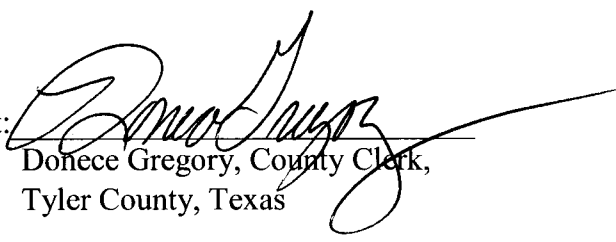
Clerk's notation: refer to the minutes of the meeting, August 8, 2016 posted for 11:30 a.m.

THE PUBLIC HEARING CLOSED: 12:00 p.m.

I, Donece Gregory, County Clerk and ex officio member of the Tyler County Commissioners' Court, do hereby certify to the fact that the above is a true and correct record of the Tyler County Commissioners' Court session as a public hearing held on August 8, 2016.

Witness my hand and seal of office on this the 26th day of August, 2016.

Attest:


Donece Gregory, County Clerk,
Tyler County, Texas

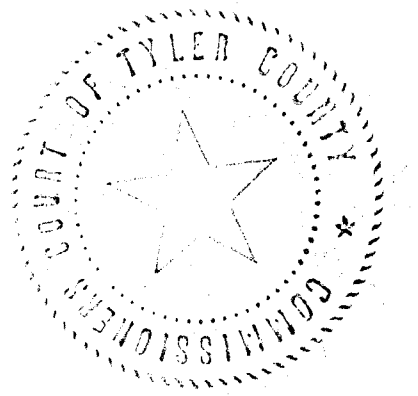



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3. Proof of Posting Notice
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5. Need for District
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8. Affidavits of Qualifications and Request for Appointment:
 Don Sousley
 Kirwin Drouet
 Gene Cappadonna
 Kaye Mendoza
 Heyward Fetner
9. Proposed Order

NO. Ex 1 TIME 11:10 AM

AUG 08 2016

DONECE GREGORY, COUNTY CLERK
TYLER COUNTY, TEXAS

By 


**LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1**

CERTIFICATE OF TAX ASSESSOR

This is to certify as to the following:


1. I have examined the Petition for Creation of Lake Amanda Water Control and Improvement District No. 1, a copy of which is attached.
2. The petition was signed by fifty (50) or more persons holding title to land within the District.

SIGNED this the 12th day of July, 2016.


Lynette Cruse, Tax Assessor

NO. _____ TIME 12:15 PM

PETITION FOR THE CREATION
OF
LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

JUL 11 2016
DORNECE GREGORY, COUNTY CLERK
TYLER COUNTY, TEXAS
By _____ 

TO THE HONORABLE COMMISSIONERS' COURT OF TYLER COUNTY, TEXAS

WE, THE UNDERSIGNED, being owners of the property within the proposed Lake Amanda Water Control and Improvement District No. 1 (the "District"), request the creation of the District by the Commissioners' Court of Tyler County, Texas.

1. The name of the proposed District is "Lake Amanda Water Control and Improvement District No. 1."

2. The area and boundaries of the District are described on Exhibit "A" attached to this petition.

3. The District is to be organized under Texas Water Code Chapters 49 and 51 and Texas Constitution Article III, Section 52, and Article XVI, Section 59.

4. The creation of the District is sought for:

- A. (1) the control, storage, preservation, and distribution of its water and flood water and the water of its rivers and streams for irrigation, and all other useful purposes;
- (2) the reclamation, drainage, conservation, and development of its forests and water;
- (3) the control, abatement, and change of any shortage or harmful excess of water;

- (4) the protection, preservation, and restoration of the purity and sanitary condition of water within the District;
 - (5) the preservation and conservation of all natural resources of the District;
 - (6) the improvement of rivers, creeks, and streams to prevent overflows, to permit irrigation or to aid in these purposes; and
 - (7) the construction and maintenance of pools, lakes, reservoirs, dams, canals, and waterways for irrigation or drainage, or to aid these purposes;
- B. the construction, maintenance, and operation of works and improvements necessary:
- (1) for the prevention of floods;
 - (2) for the irrigation of land in the district;
 - (3) for the drainage of land in the district, including drainage ditches or other facilities for drainage;
 - (4) for the construction of levees to protect the land in the district from overflow;
 - (5) to alter land elevations where correction is needed; and
 - (6) to supply water for municipal uses, domestic uses, power and commercial purposes, and all other beneficial uses or controls;

C. all other purposes for which a District can be organized for under Texas Water Code Chapters 49 and 51.

5. The boundaries of the District include all of the lots and properties adjacent to Lake Amanda as well as the dam and lake itself. It is necessary to make repairs and modifications to the Lake Amanda Dam. The District will engage engineers and other consultants to design the necessary repairs and modifications. Once the necessary approvals have been obtained for the repairs and modifications, the District will seek loans to pay for the costs. The District will have the authority to levy ad valorem taxes to repay the loans and to operate and maintain the District and its facilities. It will be able to obtain the loans and financing at rates much lower than would be available to private borrowers and even non-profit corporations. The estimated cost for the dam repair and modifications, based on the information currently available, is less than One Million Dollars (\$1,000,000.00). The exact amount will not be known until engineering plans are approved and bids for the work are received.

6. The District is feasible and needed.

7. This petition is being signed by 50 or more owners of property within the District limits as there are more than 50 such owners.

8. The following persons are requested to be appointed as Temporary Directors to serve until permanent directors are elected:

Don Sousley
547 CR 3170
Colmesneil, Texas 75938

Heyward Fetner
6505 T Bar M Blvd.
Houston, Texas 77069

Kirwin Drouet
1314 Kent Oak Dr.
Houston, Texas 77077

Gene Cappadonna
29 Westchester Drive
Conroe, Texas 77304

Kaye Mendoza
2111 Walker Lane
Nederland, Texas 77627

The Commissioners' Court is requested to create the proposed District because it is feasible and practicable; the land to be included in it and the residents in it will be benefitted by its creation; there is a public necessity and need for it; and the creation of the District will further the public welfare.

(Signature pages follow)

SIGNATURE PAGE FOR PETITION FOR CREATION OF
LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

Name: Clyde LeJune (Printed)
C. LeJune (Signature)
Address: 482 CR 3190 Lake Amanda Lot # 34 35 36 37
Colmesneil TX 75938

Name: Herman H. Mendoza JR (Printed)
Herman H. Mendoza JR (Signature)
Address: 2111 WALKER Ln Lake Amanda Lot # 33
Nederland TX 77627

Name: Eugenia Kaye Mendoza (Printed)
Eugenia Kaye Mendoza (Signature)
Address: 2111 WALKER Lane Lake Amanda Lot # 33
Nederland TX

Name: Christine Andrepont (Printed)
Christine Andrepont (Signature)
Address: 206 Cambridge Circle Lake Amanda Lot # 10
Port Neches, TX 77651

Name: Renay Walker Wilson (Printed)
Renay Walker Wilson (Signature)
Address: 2219 Ave N Lake Amanda Lot # 48, 11, 12
Nederland, Tx 77627

Name: CHRISTIAN Wilson (Printed)
Christian Wilson (Signature)
Address: 2219 Ave. N Lake Amanda Lot # 48, 11, 12
NEDERLAND, TX 77627

SIGNATURE PAGE FOR PETITION FOR CREATION OF
LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

Name: ROBERT DON JR (Printed)
[Signature] (Signature)
Address: P.O. Box 1044 Lake Amanda Lot # 14
Almond

Name: Bob Shapley (Printed)
[Signature] (Signature)
Address: 7820 Weaver Dr Lake Amanda Lot # 40 Gate 2 NW
Beaumont TX 77706

Name: Cindy Shapley (Printed)
[Signature] (Signature) 456 ce 3140
Address: 7820 WEAVER DR Lake Amanda Lot # 40 Gate 2 NW
BEAUMONT TX 77706

Name: A. F. STAPLETON (Printed)
[Signature] (Signature)
Address: 2 BELLECHASE GARDNS DR Lake Amanda Lot # 31+32
BEAUMONT TX 77706 ~~32+33~~

Name: LOIS STAPLETON (Printed)
[Signature] (Signature)
Address: 2 BELLECHASE GARDNS DR Lake Amanda Lot # 31+32
BEAUMONT TX 77706 ~~32+33~~

Name: Grace Spurlock (Printed)
GRACE Spurlock (Signature)
Address: 3540 LAKE ARTHUR Lake Amanda Lot # 801
Port Arthur, Tx 77642

SIGNATURE PAGE FOR PETITION FOR CREATION OF
LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

Name: Richard Prince (Printed)
Richard Prince (Signature)
Address: CR 3170 Lake Amanda Lot # 593

Name: Dana Morgan Wasser (Printed) ^{Revocable Trust}
Dana Morgan Wasser (Signature) (The ~~estate~~ of Jack N. Morgan)
Address: 6780 Ridgewood Dr. Lake Amanda Lot # 52
Port Neches, TX 77651

Name: ROBBIE EARLES (Printed)
[Signature] (Signature)
Address: 4202 MOONLIGHT SHADOW Lake Amanda Lot # 905
HOUSTON TX 77059 CR 3170

Name: ROBERT DILLARD (Printed)
[Signature] (Signature)
Address: 16631 BREWTON OAKS DR. Lake Amanda Lot # 6
SPRING, TX 77379

Name: TERESA DILLARD (Printed)
[Signature] (Signature)
Address: 16631 BREWTON OAKS DR Lake Amanda Lot # 6
SPRING TX 77379

Name: JANE FOUNTAIN (Printed)
Jane Fountain (Signature)
Address: 1215 Vista Del Lago Lake Amanda Lot # 9
Huffman, Tx 77336

SIGNATURE PAGE FOR PETITION FOR CREATION OF
LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

Name: Jean Fountain (Printed)
Jean Fountain (Signature)
Address: 1215 Vista Del Lago Lake Amanda Lot # 9
Huffman, TX.

Name: Deborah Smith (Printed)
Deborah Smith (Signature)
Address: 354 CR 3180 Lake Amanda Lot # 59, 60, 61, 62
Colmesneil TX 75938

Name: Brian R. Smith (Printed)
Brian R. Smith (Signature)
Address: 354 C.R. 3180 Lake Amanda Lot # 59, 60, 61, 62
Colmesneil TX 75938

Name: Sharon E. Andrew (Printed)
Sharon Andrew (Signature)
Address: 1814 Round Spring Dr Lake Amanda Lot # _____
Kingwood, TX 77339

Name: George Glenn Andrew, Jr. (Printed)
George Glenn Andrew, Jr. (Signature)
Address: 1814 Round Spring Dr Lake Amanda Lot # _____
Kingwood, TX 77339

Name: DEBBIE MORGAN (Printed)
Debbie Morgan (Signature)
Address: 2914 Blueberry Lake Amanda Lot # 30
Pasadena TX 77502

SIGNATURE PAGE FOR PETITION FOR CREATION OF
LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

Name: KEITH MCSWAIN (Printed)
Keith McSwain (Signature)
Address: P.O. BOX 897 Lake Amanda Lot # 19
COLMESNEIL TX
75938

Name: JOHN WESLEY HARDIN (Printed)
[Signature] (Signature)
Address: 648 CR 3180 Lake Amanda Lot # _____
COLMESNEIL, TX 75938

Name: Fay Cappadona (Printed)
Fay Cappadona (Signature)
Address: 802 Prashorn Lake Amanda Lot # 51
Fort Worth 77

Name: James A Smith (Printed)
James A Smith (Signature)
Address: PO BOX 207 Lake Amanda Lot # 1022 CR 3180
Colmesneil TX

Name: DAVID G. PARSLEY (Printed)
[Signature] (Signature)
Address: 230 CANYON OAK DR. Lake Amanda Lot # 24
LAKE JACKSON, TX
77566

Name: Shelly Parsley (Printed)
Shelly Parsley (Signature)
Address: _____ Lake Amanda Lot # 24
230 Canyon Oak
Lake Jackson, TX 77566

SIGNATURE PAGE FOR PETITION FOR CREATION OF
LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

Name: Bobby R Lord (Printed)
Bobby R Lord (Signature)
Address: P.O. Box 415 Lake Amanda Lot # 33x34
Colmesneil, TX 75531

Name: FRANCES K. LORD (Printed)
Frances K Lord (Signature)
Address: P.O. Box 415 Lake Amanda Lot # 33x34
Colmesneil, TX 75531

Name: J. G. WATSON II (Printed)
J. G. Watson II (Signature)
Address: 804 CR 3190 Lake Amanda Lot # 15E/16
Colmesneil, TX

Name: LONNIE R. ROGERS (Printed)
Lonnie R. Rogers (Signature)
Address: 12719 Rocky Branch Lane Lake Amanda Lot # 16x17
Tomball, TX 77377

Name: James D. Whiteley (Printed)
J. Whiteley (Signature)
Address: ~~784 CR 3180~~ Lake Amanda Lot # 35E
3007 Massengale Lane Webster TX 77598

Name: Tandra Tut (Printed)
Tandra Tut (Signature)
Address: PO Box 670 Lake Amanda Lot # _____
Colmesneil, TX
75938

SIGNATURE PAGE FOR PETITION FOR CREATION OF
LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

Name: Bethel Wayne Parker (Printed)
B. Wayne Parker (Signature)
Address: 188 CR 3218 Lake Amanda Lot # _____
Colmesneil, TX 75938

Name: Madlyn Benton (Printed)
Madlyn Benton (Signature)
Address: 6680 Woodwind Ln Lake Amanda Lot # _____
Beaumont, TX 77706

Name: Don J. Benton (Printed)
Don J. Benton (Signature)
Address: 6680 Woodwind Ln. Lake Amanda Lot # _____
Beaumont, TX 77706

Name: AMANDA HARALSON (Printed)
Amanda Haralson, trustee AmANDA HARALSON
Amanda Haralson (Signature) STOVER TRUST
Address: 2025 Beachlak Dr Lake Amanda Lot # _____
Brookeland, TX 75931

Name: Debris J. Maddox (Printed)
Debris J. Maddox (Signature)
Address: 115 Hummingbird Ct Lake Amanda Lot # _____
Richwood, TX 77566

Name: Jeffrey L. Maddox (Printed)
Jeffrey L. Maddox (Signature)
Address: 115 Hummingbird Court Lake Amanda Lot # _____
Richwood, TX 77566

SIGNATURE PAGE FOR PETITION FOR CREATION OF
LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

Name: Connie B David (Printed)

1000 B CR 3190 (Signature) Hickory Bend

mailing Address: 311 E School St Lake Amanda Lot #
Lake Charles, LA 70605

Name: Mack S Smith (Printed)

Mack S Smith
2421 CR 4472 (Signature)

Address: 2421 CR 4472 Lake Amanda Lot # E6 F E 7
WARREN TX 77664

Name: Peggy J Smith (Printed)

Peggy J Smith (Signature)

Address: 2421 CR 4472 Lake Amanda Lot # E6 F E 7
WARREN TX

Name: Lauri Butler (Printed)

Lauri Butler (Signature)

Address: 1306 W Morris Lake Amanda Lot # 14-15
McKinney TX 75069 Fisherman's Row

Name: Frank Butler (Printed)

F Butler (Signature)

Address: 1306 W Morris Lake Amanda Lot # 14-15
McKinney TX 75069 Fisherman's Row

Name: Carole J Flenniken (Printed)

CJ Flenniken (Signature)

Address: 952 CR 3180 Lake Amanda Lot # 20
Cilmesville TX 75938

SIGNATURE PAGE FOR PETITION FOR CREATION OF
LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

Name: Robert Smith (Printed)
Robert Smith (Signature)
Address: 1501 10th St Lake Amanda Lot # 10
Port Neches TX

Hickory Bend

Name: Scott Reid (Printed)
Scott Reid (Signature)
Address: 595 Woodland St Lake Amanda Lot # _____
Vidor TX 77662

Name: James R. Jackson (Printed)
Jan R. Jak (Signature)
Address: P.O. Box 659 Lake Amanda Lot # E-8
Colmesneil TX 75938

Name: Melba Hoffman (Printed)
Melba Hoffman (Signature)
Address: P.O. Box 370 Lake Amanda Lot # 48W
Colmesneil, TX 75938

Name: Betty A. Hughes (Printed)
Betty A. Hughes (Signature)
Address: 1118 CR 3180 Lake Amanda Lot # 9W
P.O. Box 271-MAIL

Name: Bill Crutcher (Printed)
Bill Crutcher (Signature)
Address: P.O. Box 900 CR 3180 Lake Amanda Lot # 43
P.O. Box 5635

SIGNATURE PAGE FOR PETITION FOR CREATION OF
LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

Name: ROD JERNIGAN (Printed)
Rod Jernigan (Signature)
Address: 6514 Greenwald Ln Lake Amanda Lot # 701 CR 3170
Houston, TX 77066

Name: Byron P. Walker Jr (Printed)
Byron P. Walker Jr (Signature)
Address: 532 CR 3170 Lake Amanda Lot # 572 CR 3190
P O Box 170
Nederland, TX 77627

Name: PAT CHEEK (Printed)
Pat Cheek (Signature)
Address: 7141 FREDERICK LN Lake Amanda Lot # 27
ORANGE TX 77632

Name: TRUETT CHEEK (Printed)
RT Cheek (Signature)
Address: 7141 FREDERICK LN Lake Amanda Lot # 27
ORANGE, TX 77632

Name: MARCUS HEYWARDS FETNER (Printed)
Marcus Fetner (Signature) Fisherman's Row
Address: PO Box 713 Lake Amanda Lot # 22
Colmesneil, Tx

Name: Kathy Fetner (Printed)
Kathy Fetner (Signature)
Address: P O Box 713 Lake Amanda Lot # 22
Colmesneil, TX 75938

SIGNATURE PAGE FOR PETITION FOR CREATION OF
LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

Name: Kenneth Wilson (Printed)
Kenneth Wilson (Signature)
Address: 101150 23RDS Lake Amanda Lot # 7-8 SW
NEDELLAND, TX

Name: Rhonda Bigby (Printed)
Rhonda Bigby (Signature)
Address: 783 CR 3170 Lake Amanda Lot # 15+ 16
Colmesneil, TX

Name: Bill + Paula Roberts (Printed)
Bill + Paula Roberts (Signature)
Address: PO BOX 586 Lake Amanda Lot # _____
Colmesneil, TX

Name: David Murray (Printed)
DAVID W. Murray (Signature)
Address: 4788 McKinley Lake Amanda Lot # 47
Groves TX 77619

Name: Dana Rozas - Dana Rozas (Printed)
Dana Rozas (Signature)
Address: 4788 McKinley Lake Amanda Lot # 47
Groves TX 77619

Name: Michael Jacob (Printed)
Michael Jacob (Signature)
Address: PO Box 272 Lake Amanda Lot # _____
Hauriceville, TX 77626

SIGNATURE PAGE FOR PETITION FOR CREATION OF
LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

Name: Timothy W. Landrum (Printed)

Timothy W. Landrum (Signature)

Address: 7980 MAHOGANY RUN Lake Amanda Lot # 32
BEAUMONT, TX 77707 CR 3218

Name: Edwina S. Landrum (Printed)

Edwina S. Landrum (Signature)

Address: 7980 MAHOGANY RUN Lake Amanda Lot # 32
BEAUMONT, TX 77707 CR 3218

Name: Brenda Jackson (Printed)

Brenda Jackson (Signature)

Address: 5075 Oakmont Dr. Lake Amanda Lot # 3, 4
Beaumont, TX 77706 CR 3170

Name: Ronald E Jackson (Printed)

Ronald E Jackson (Signature)

Address: 5075 Oakmont Dr. Lake Amanda Lot # 3, 4
Beaumont, TX 77706 CR 3170

Name: Timothy Meehan (Printed)

Timothy Meehan (Signature)

Address: 270 Southland Dr Lake Amanda Lot # _____
Lumberton, TX 77657 CR 3194

Name: Linda Meehan (Printed)

Linda Meehan (Signature)

Address: 270 Southland Dr Lake Amanda Lot # _____
Lumberton, TX 77657 CR 3194

SIGNATURE PAGE FOR PETITION FOR CREATION OF
LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

Name: MARVIN WAYNE MORGAN (Printed)
Marvin Wayne Morgan (Signature)
Address: 2914 BLUEBERRY Lake Amanda Lot # 30
PARMOUR TX 77582

Name: Bobbie Bush (Printed)
Bobbie Bush (Signature)
Address: P.O. BOX 78 Lake Amanda Lot # 47W
Nederland, Tex 77627 Angela Leick

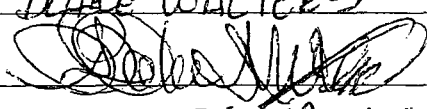
Name: Barbara Jenkins (Printed)
Barbara Jenkins (Signature)
Address: 14380 Northwood Cr Lake Amanda Lot # 26
New Caney, Tx 77357

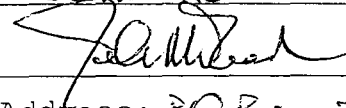
Name: James R. Carrell (Printed)
JAMES R. CARRELL (Signature)
Address: 311 W. PINESHADOWS Lake Amanda Lot # 1415
SOUR LAKE, TX 77659


Name: PAMELA BAUERLEW-Risinger (Printed)
Pamela Bauerlew Risinger (Signature)
Address: 26215 SHADY ACRES Lake Amanda Lot # _____
SAN ANTONIO TX 78240

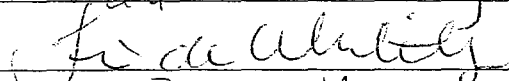
Name: MIKE RISINGER (Printed)
Mike Risinger (Signature)
Address: 26215 SHADY ACRES Lake Amanda Lot # _____
SAN ANTONIO TX 78260

SIGNATURE PAGE FOR PETITION FOR CREATION OF
LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

Name: BLAKE WALTERS (Printed)
 (Signature)
Address: 75 WREN ST Lake Amanda Lot # A9, block E, lot 4
LUMBERTON, TEXAS 77657

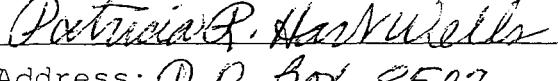
Name: John REED (Printed)
 (Signature) Block NW LOT 9
Address: P.O. Box 232 Lake Amanda Lot # ~~8~~ 9
Colmesneil, TX 78930 (922 CR 3190 gate 2NW)

Name: Avis Garrett (Printed)
 (Signature)
Address: 110 McCadell Lane Lake Amanda Lot # 51
Livingston, TX 77351

Name: Linda Whiteley (Printed)
 (Signature)
Address: 3007 Massengale Lake Amanda Lot # _____
Webster TX 77598

Name: _____ (Printed)

Address: _____ Lake Amanda Lot # _____

Name: Patricia R. Hart Wells (Printed)
 (Signature)
Address: P.O. Box 8507 Lake Amanda Lot # 3
Lumberton, TX
77657

SIGNATURE PAGE FOR PETITION FOR CREATION OF
LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

Name: SUSAN S. NIXON (Printed)
Susan Nixon (Signature)
Address: 264 Point Clear Lake Amanda Lot # 39
Panorama Village TX 77304

Name: Beulah M. Vance (Printed)
Beulah M. Vance (Signature)
Address: P.O. Box 493 Lake Amanda Lot # 40
Colmesneil, Tex. 75938

Name: ~~XXXXXXXXXXXXXXXXXXXX~~ (Printed)

(Signature)
Address: _____ Lake Amanda Lot # _____

Name: FRANCES MARTIN (Printed)
Frances Martin (Signature)
Address: 750 CR 3190 Lake Amanda Lot # 21
PO Box 533

Name: FRANK VANCE JR (Printed)
Frank R Vance Jr (Signature)
Address: 728 CR 3180 Lake Amanda Lot # 40
Colmesneil TX 75938

Name: _____ (Printed)

(Signature)
Address: _____ Lake Amanda Lot # _____

SIGNATURE PAGE FOR PETITION FOR CREATION OF
LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

Name: Jim Mingle (Printed)
Jim Mingle (Signature)
Address: PO Box 363 Lake Amanda Lot # 6
Colmesneil TX 75938

Name: Angel Garcia (Printed) 908 CR 3180
Angel Garcia (Signature)
Address: 245 Track Lane Lake Amanda Lot #
Lumberton, TX 77657

Name: Sheri Gallien (Printed)
Sheri Gallien (Signature)
Address: 890 CR 3180 Lake Amanda Lot # 23
Colmesneil

Name: Howard William Collins Jr (Printed)
H. William Collins Jr (Signature)
Address: 1 Towers Park Lane # 2105 Lake Amanda Lot # 16
San Antonio, TX 78209

Name: MARK HENRY RAMSEY (Printed)
Mark Henry Ramsey (Signature)
Address: ~~4864~~ 4864 EVERGREEN DR. Lake Amanda Lot #
ORANGE, TX 77630

Name: _____ (Printed)

Address: _____ Lake Amanda Lot # _____

SIGNATURE PAGE FOR PETITION FOR CREATION OF
LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

Name: Bobby Lane (Printed)
Bobby Lane (Signature) 154CR 3218
Address: 110 Beechwood Lane Lake Amanda Lot # 45E
Silsbee, TX. 77656

Name: CAROLYN WALSH (Printed)
Carolyn Walsh (Signature)
Address: PO Box 1073 Lake Amanda Lot # 23
Colmesneil TX (692 CR 3190)
75938

Name: Alford B. Gorman (Printed)
Alford B. Gorman (Signature)
Address: 6465 Coolidge Lake Amanda Lot # 38 + 39
Graves, Texas 77649

Name: Susan Lane (Printed)
Susan Lane (Signature)
Address: 110 Beechwood Ln. Lake Amanda Lot # 45E
Silsbee TX 77656

Name: Kyu Clock (Printed)
Kyu Clock (Signature)
Address: 890 CR 3180 Lake Amanda Lot # 23
Colmesneil, TX 75938 (3180 CR)

Name: _____ (Printed)

Address: _____ (Signature)

Lake Amanda Lot # _____

SIGNATURE PAGE FOR PETITION FOR CREATION OF
LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

Name: William T. Jones (Printed)
William T. Jones (Signature)
Address: PO Box 190 Lake Amanda Lot # 18
Colmesneil, Tx

Name: DAVID + VICKIE Russell (Printed)
David Vickie Russell (Signature)
Address: P.O. Box 387 Lake Amanda Lot # 29 / 30
Ret Neches TX

Name: _____ (Printed)

Address: _____ Lake Amanda Lot # _____

Name: _____ (Printed)

Address: _____ Lake Amanda Lot # _____

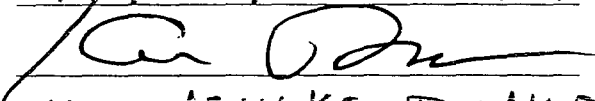
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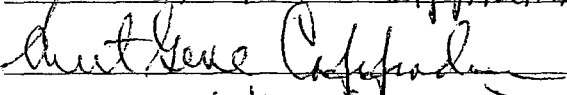
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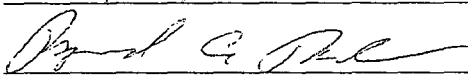
Name: _____ (Printed)

Address: _____ Lake Amanda Lot # _____

SIGNATURE PAGE FOR PETITION FOR CREATION OF
LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

Name: KIRWIN DROUET (Printed)
 (Signature)
Address: 1314 KENT OAK DR Lake Amanda Lot # _____
HOUSTON, TX
77077

Name: ERNEST Gene Cappadona (Printed)
 (Signature)
Address: 24 Westchester Dr. Lake Amanda Lot # _____
COORDE, TEX 77304

Name: RAYmond A BAKER (Printed)
 (Signature)
Address: PO Box 483 Lake Amanda Lot # NW 3
COLMESNEIL TX 75938

Name: _____ (Printed)

(Signature)
Address: _____ Lake Amanda Lot # _____

Name: _____ (Printed)

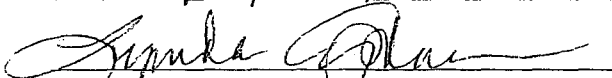
(Signature)
Address: _____ Lake Amanda Lot # _____

Name: _____ (Printed)

(Signature)
Address: _____ Lake Amanda Lot # _____

SIGNATURE PAGE FOR PETITION FOR CREATION OF
LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

Name: LYNDA APODACA (Printed)

 (Signature)

Address: P.O. Box 569 Lake Amanda Lot # 53 & 54
Colmesneil, TX 75938

Name: _____ (Printed)

(Signature)

Address: _____ Lake Amanda Lot # _____

Name: _____ (Printed)

(Signature)

Address: _____ Lake Amanda Lot # _____

Name: _____ (Printed)

(Signature)

Address: _____ Lake Amanda Lot # _____

Name: _____ (Printed)

(Signature)

Address: _____ Lake Amanda Lot # _____

Name: _____ (Printed)

(Signature)

Address: _____ Lake Amanda Lot # _____

DESCRIPTION TO THE LIMITS OF LAKE AMANDA OCCUPYING
216.278 ACRES WITHIN THE
WILLIAM CAMPBELL SURVEY ABSTRACT 9
M. PEVITO SURVEY ABSTRACT 505, IRA PARKER SURVEY ABSTRACT 499
TYLER COUNTY, TEXAS

Being all that certain tract or parcel of land located in the William Campbell Survey Abstract 9, the M. Pevito Survey Abstract 505 and the Ira Parker Survey Abstract 499 in Tyler County, Texas, and being all of those tracts and parcels of land as described in a Special Warranty Deed to Lake Amanda Property Owners Association, Inc. dated October 2, 2002 and recorded in Volume 730, Page 906 of the Deed Records of Tyler County, Texas (D.R.T.C.T.) and being described along the outer limits as follows, to wit:

BEGINNING at an iron rod at the West Northwest corner of Lake Amanda – The Northwest Series on Lake Amanda, (originally recorded as Plat Number 47 of the Plat Records of Tyler County, Texas (P.R.T.C.T), now called the relocation of lots NW-32 thru NW-39 and Lots NW-40 thru NW-46 & W Series Lots W-1 thru W-34 of Lake Amanda – recorded as Plat Number 59 PRTCT, The Northwest Series on Lake Amanda from which a concrete monument for the Southeast corner of Skyline Park as recorded in Plat 211 PRTCT, bears N27°47'59"E, a distance of 747.91 feet;

THENCE with the North line of the aforesaid Plat 59 with the following call:

1. S71°29'18"E, a distance of 1006.00 feet to an angle point, same being the Northeast corner of the reserved area and the Northwest corner of Lot NW-31;

THENCE with the North line and the West line of the original Plat 47 with the following calls:

1. S73°17'17"E a distance of 253.93 feet, to an angle point;
2. S76°19'42"E a distance of 640.00 feet, to an angle point;
3. N17°30'25"E a distance of 1434.00 feet, to an angle point;
4. N39°29'35"W a distance of 224.00 feet, to an angle point;
5. N42°30'25"E a distance of 200.00 feet, to the North corner of Plat 47 and the limits of Lake Amanda;

THENCE N15°05'18"W, along the West limits of Lake Amanda, a distance of 141.58 feet, to the Southwest corner of a tract described in a Deed to Colmesneil I.S.D. in Volume 168, Page 463 DRTCT;

THENCE S55°55'35"E, along the Colmesneil I.S.D. tract and The North limits for Lake Amanda, a distance of 239.00 feet, to the Southeast corner of the said Colmesneil I.S.D. tract;

THENCE S38°08'34"E, continuing with the Northeast limits of Lake Amanda, a distance of 564.10 feet, to an angle point for the Northwest corner of a tract described as E-54, recorded in Volume 507, Page 977 DRTCT;

THENCE S84°24'48"E, a distance of 89.00 feet, along the North line of Lot E-54, to an angle point;

THENCE continuing with the East limits of Lake Amanda, the East boundary lines of various owners with Tracts designated from E-54 thru E-30 with the following calls:

1. S20°54'48"E, a distance of 400.45 feet, to an angle point;
2. S22°36'03"E, a distance of 99.89 feet, to an angle point and the Southeast corner of tract E-50;
3. S07°41'11"E, a distance of 9.96 feet, to an angle point, same being the Northeast corner of tract E-49;
4. S02°52'22"E, a distance of 156.20 feet, to an angle point;

EXHIBIT "A"

5. S01°40'04"W, a distance of 115.23 feet, to an angle point;
6. S38°12'18"W, a distance of 102.00 feet, to an angle point;
7. S49°12'18"W, a distance of 101.00 feet, to an angle point;
8. S69°12'18"W, a distance of 125.00 feet, to an angle point;
9. S22°12'18"W, a distance of 210.00 feet, to an angle point;
10. S03°50'20"W, a distance of 139.37 feet, to an angle point;
11. S05°18'01"E, a distance of 210.00 feet, to an angle point;
12. S22°11'04"E, a distance of 50.55 feet, to an angle point;
13. S41°05'01"E, a distance of 399.97 feet, to the Southeast corner of tract E-30, as described in Volume 393, Page 199 DRTCT;

THENCE S48°51'41"W, along the South line of tract E-30, a distance of 195.95 feet;

THENCE S26°11'41"E, a distance of 50.00 feet, to the Northwest corner of tract E-29, as described in Volume 461, Page 603 DRTCT;

THENCE S78°51'41"E, along the North line of tract E-29, a distance of 249.00 feet, to an angle point;

THENCE continuing with the East limits of Lake Amanda, the East boundary lines of various owners with Tracts designated from E-29 thru E-21 with the following calls:

1. S18°58'19"W, a distance of 120.00 feet;
2. S25°11'41"E, a distance of 200.00 feet;
3. S41°41'41"E, a distance of 239.86 feet, to a point in the Northwesterly line of tract E-21, as described in Volume 176, Page 259 DRTCT;

THENCE along the East limits of Lake Amanda, the North and East line of tract E-21 with the following calls:

1. N48°18'19"E, a distance of 54.00 feet;
2. S08°59'09"W, a distance of 190.00 feet, to the South corner of tract E-21 and the West corner of tract E-20;

THENCE continuing with the Northwest line of tract E-20, N49°55'12"E, a distance of 209.05 feet, to an angle point;

THENCE continuing with the East limits of Lake Amanda, the East boundary lines of various owners with Tracts designated from E-20 thru E-6 with the following calls:

1. S40°04'48"E, a distance of 478.00 feet, to an angle point;
2. S41°13'42"E, a distance of 100.00 feet, to an angle point;
3. S11°11'52"E, a distance of 239.89 feet, to an angle point;
4. S71°56'01"E, a distance of 64.89 feet, to an angle point;
5. N59°48'17"E, a distance of 160.52 feet, to the North corner of tract E-6, described in Volume 401, Page 457 DRTCT;

THENCE S30°11'43"E, along the Northeast line of tract E-6, a distance of 170.00 feet, to the East corner of tract E-6;

THENCE S64°18'37"E, along the East limit of Lake Amanda, a distance of 47.00 feet, to the Northwest corner of tract E-5 described in Volume 181, Page 410 DRTCT;

THENCE continuing with the East limits of Lake Amanda, the East boundary lines of various owners with Tracts designated from E-5 thru E-1 with the following calls:

1. S71°07'57"E, a distance of 187.00 feet, to an angle point;
2. S27°30'42"W, a distance of 80.28 feet, to an angle point;
3. S20°02'18"W, a distance of 150.00 feet, to an angle point;
4. S72°57'42"E, a distance of 150.00 feet, to an angle point;

5. S20°32'18"W, a distance of 173.00 feet, to the South corner of tract E-1 as described in Volume 578, Page 318 DRTCT;
THENCE S48°31'15"E, along the East limit of Lake Amanda, a distance of 248.83 feet, to the West line of a tract known as the Hellberg tract, described in Volume 1118, Page 479 DRTCT as the First and Second tract;

THENCE continuing along the Southeast Limits of Lake Amanda with the following calls:

1. N07°10'40"W, a distance of 325.03 feet, to an angle point;
2. S76°53'52"E, a distance of 422.92 feet, to the Northwest corner of a tract described in Volume 194, Page 453;
3. S00°30'12"E, a distance of 204.76 feet;
4. S00°36'33"E, passing at 314.25 feet, the Southeast corner of a tract described in Volume 194, Page 453, and continuing for a total distance of 437.04 feet, to the Southeast corner of the Hellberg tract;

THENCE N71°10'03"W, along the South line of the Hellberg tract, a distance of 577.75 feet, to a point on the Southeast side of Lake Amanda Dam and the South Limits of Lake Amanda;

THENCE continuing with the South limits of Lake Amanda, with the following calls:

1. S58°05'41"W, a distance of 434.40 feet, to an angle point;
2. S34°47'31"W, a distance of 104.85 feet, to an angle point;
3. N70°29'55"W, a distance of 117.21 feet, to an angle point, and the Northeast corner of a 0.634 acre tract survey for Amanda Haralson;

THENCE continuing with the South limits of Lake Amanda, around the 0.634 acre Haralson tract with the following calls:

S34°43'55"E, a distance of 83.06 feet, to an angle point;
S22°45'46"W, a distance of 198.39 feet, to an angle point;
N50°00'48"W, a distance of 113.30 feet, to an angle point;
N14°01'34"W, a distance of 111.37 feet, to an angle point;

THENCE S74°15'00"W, continuing with the South limits of Lake Amanda, a distance of 127.72 feet, to the Southeast corner of Lot 1, of a Subdivision Plat entitled "S.W. Lakefront, Lake Amanda", as surveyed by T.B. Barclay RPLS Number 108 – in September of 1974, an unrecorded subdivision;

THENCE continuing with the Southwest limits of Lake Amanda, the West and South boundary lines of various owners with Tracts designated from Lot 1 thru Lot 46 with the following calls:

S88°25'19"W, along the South line of Lot 1, a distance of 191.50 feet, to an angle point;
N17°42'19"E, a distance of 285.15 feet, to an angle point;
N44°54'38"W, a distance of 331.74 feet, to an angle point;
N42°21'23"W, a distance of 462.00 feet, to an angle point;
S75°31'19"W, a distance of 441.65 feet, to an angle point;
S87°59'22"W, a distance of 654.14 feet, to an angle point;
N78°18'15"W, a distance of 385.00 feet, to an angle point;
N62°25'19"W, a distance of 151.00 feet, to an angle point;
N57°08'53"W, a distance of 359.88 feet, to an angle point;
N79°21'05"W, a distance of 354.67 feet, to an angle point;
S32°27'35"W, a distance of 115.00 feet, to the Southwest corner of Lot 46, to an angle point;

THENCE N57°32'25"W, along the Southwest line of Lot 46, a distance of 135.00 feet, to an angle point;

THENCE N53°11'10"W, along the West limits of Lake Amanda, a distance of 338.44 feet, to the Southeast corner of Lot W-64, of a Plat entitled "Lot W-36 thru W-64 on Lake Amanda of the Haralson Lakes Development", as recorded in Plat 95 PRTCT; THENCE continuing with the West limits of Lake Amanda, the North boundary lines of various owners of Lots designated from W-64 thru W-36 with the following calls:

1. THENCE N77°54'09"W, along the South line of Lot W-64, a distance of 222.17 feet;
2. THENCE N11°56'25"E, a distance of 273.45 feet, to an angle point;
3. THENCE N49°54'43"E, a distance of 473.59 feet, to an angle point;
4. THENCE N67°59'17"E, a distance of 282.18 feet, to an angle point;
5. THENCE S79°03'33"E, a distance of 296.84 feet, to an angle point;
6. THENCE N81°30'20"E, a distance of 346.03 feet, to an angle point;
7. THENCE S64°01'14"E, a distance of 495.49 feet, to an angle point;
8. THENCE N72°03'03"E, a distance of 479.68 feet, to an angle point, same being on the West line of Lot W-34 of the aforesaid Plat 95 PRTCT;

THENCE continuing with the West limits of Lake Amanda, the South and North boundary lines of various owners with Lots designated from W-34 thru W-1 with the following calls:

1. N43°48'58"W, a distance of 588.18 feet, to an angle point;
2. N63°09'56"W, a distance of 1179.71 feet, to an angle point;
3. N73°10'24"W, a distance of 885.67 feet, to the Southwest corner of Lot W-1;
4. N18°40'20"E, a distance of 178.46 feet, to the Northwest corner of Lot W-1;

THENCE N16°49'19"W, with the West limits of Lake Amanda, a distance of 265.00 feet, to an angle point;

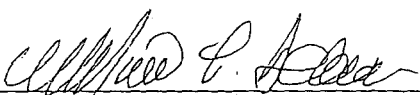
THENCE N49°52'18"E, with the West limits of Lake Amanda, a distance of 52.88 feet, to the Southwest corner of Lot NW-46 of the aforesaid Plat 59;

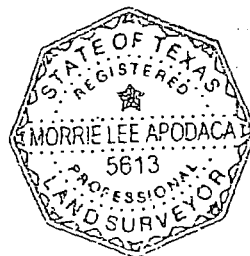
THENCE continuing with the West limits of Lake Amanda, the West line of Lot NW-46 with the following calls:

1. N31°29'18"W, a distance of 90.00 feet, to an angle point;
2. N18°30'42"E, a distance of 200.00 feet to the Point of Beginning of Lake Amanda, to the Point of Beginning and containing an area of 216.85 acres, more or less.

NOTE: This description is based on information taken off a survey performed by Goodwin – Laster during August through September of 1995, various maps and/or deed compilation or known surveys performed and are for graphic purposes only. This does not represent a current on the ground survey.

Bearings are based on Plat of survey for Haralson Property by Goodwin – Lasiter.


Morrie L. Apodaca, R.P.L.S. No. 5613
Lufkin, Texas June 29, 2016



Goodwin – Lasiter – Strong
1609 S. Chestnut St., Suite. 202
Lufkin, Texas 75901
TBPLS Firm No. 10110900

TEXAS WATER CODE

Sec. 51.014. CONTENTS OF PETITION. The petition shall include:

- (1) the name of the district;
- (2) the area and boundaries of the district;
- (3) the provision of the Texas Constitution under which the district is to be organized;
- (4) the purpose or purposes of the district;
- (5) a statement of the general nature of the work to be done and the necessity and feasibility of the project, with reasonable detail and definiteness to assist the court or commission passing on the petition in understanding the purpose, utility, feasibility, and need; and
- (6) a statement of the estimated cost of the project based on the information available to the person filing the petition at the time of filing.

Acts 1971, 62nd Leg., p. 110, ch. 58, Sec. 1, eff. Aug. 30, 1971

.Sec. 51.020. SINGLE-COUNTY DISTRICT: TESTIMONY AT HEARING. (a) At the hearing on the petition, any person whose land is included in or would be affected by the creation of the district may appear and contest the creation of the district and may offer testimony to show that the district:

- (1) is or is not necessary;
 - (2) would or would not be a public utility or benefit to land in the district; and
 - (3) would or would not be feasible or practicable.
- (b) The hearing may be adjourned from day to day.

Acts 1971, 62nd Leg., p. 110, ch. 58, Sec. 1, eff. Aug. 30, 1971.

Sec. 51.021. SINGLE-COUNTY DISTRICT: GRANTING OR REFUSING PETITION. (a) The commissioners court or the commission shall grant the petition requesting the creation of a district if it appears at the hearing that:

- (1) organization of the district as requested is feasible and practicable;

(2) the land to be included and the residents of the proposed district will be benefited by the creation of the district;

(3) there is a public necessity or need for the district; and

(4) the creation of the district would further the public welfare.

(b) If the commissioners court or the commission fails to make the findings required by Subsection (a) of this section, it shall refuse to grant the petition.

(c) If the commissioners court or the commission finds that any of the land sought to be included in the proposed district will not be benefited by inclusion in the district, it may exclude those lands not to be benefited and shall redefine the boundaries of the proposed district to include only the land that will receive benefits from the district.

(d) Repealed by Acts 1989, 71st Leg., ch. 936, Sec. 19, eff. Sept. 1, 1989.

Acts 1971, 62nd Leg., p. 110, ch. 58, Sec. 1, eff. Aug. 30, 1971. Amended by Acts 1989, 71st Leg., ch. 936, Sec. 19, eff. Sept. 1, 1989.

TO: ALL PERSONS INTERESTED IN THE PETITION FOR CREATION OF LAKE AMANDA WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 OF TYLER COUNTY, TEXAS

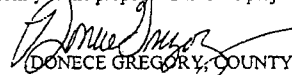
Notice is given that a public hearing will be held at ~~11:00~~ o'clock ~~A~~.m., on 8/8, 2016, before the Commissioners' Court of Tyler County, Texas in the Commissioners' Courtroom in the Tyler County Courthouse at 100 West Bluff Street, Woodville, Texas, Tyler County, Texas, upon a Petition for the Creation of LAKE AMANDA WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 (the "Petition") relating to the proposed district in Tyler County, Texas (the "District"). The Petition was filed and the hearing will be held under the authority of Chapter 51 of the Texas Water Code. The Petition reflects that it has been signed by fifty (50) or more persons who hold title to land within the proposed District.

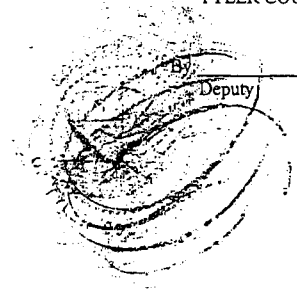
The nature and purpose of the Petition is for the organization, creation and establishment of the District under the provisions of Texas Constitution Article XVI, Section 59 and Texas Constitution Article III, Section 52, and Chapters 49 and 51, Texas Water Code, as amended. District shall have the powers provided for in the Texas Water Code. The general nature of the work to be done is the construction, acquisition, ownership, operation, repair, improvement and repairs to lakes, dams, and levees, all as more particularly described in the Petition, to which reference is made for a more detailed description of the District's proposed facilities and boundaries.

The territory to be included within the proposed District is described generally as the lots adjacent to Lake Amanda. A copy of the Petition is on file in the Office of the County Clerk of Tyler County in Woodville, Texas.

Any person may appear at the hearing and present evidence and testify for or against the allegations in the petition, the necessity and feasibility of the proposed District's project, and the benefits to accrue.

ISSUED: 7-12-2016


DONECE GREGORY, COUNTY CLERK,
TYLER COUNTY, TEXAS


By _____
Deputy

CERTIFICATE OF POSTING

This is to certify that on the 13TH day of JULY,
2016, the attached Notice was posted in the Tyler County
Courthouse at the place for posting such notices.

SIGNED this the 13TH day of JULY, 2016.

Bryan Weatherford
SHERIFF, TYLER COUNTY, TEXAS

By: Wade Skinner
~~Deputy Constable Pct. 3~~

Publishers Affidavit

Acct #025410103 Job =200182102
Name STOVER, JOHN LAW OFFICE

Tear Sheet Attached
3876877

STATE OF TEXAS
COUNTY OF JEFFERSON

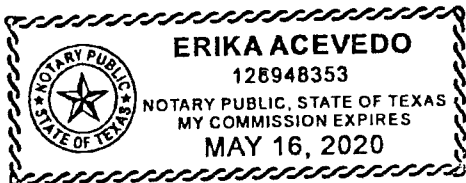
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Victoria Bond
WHO BEING BY ME DULY SWORN, DEPOSES AND SAYS THAT HE/SHE IS A NEWSPAPER REPRESENTATIVE
FOR THE BEAUMONT ENTERPRISE; THAT SAID NEWSPAPER REGULARLY PUBLISHED IN JEFFERSON COUNTY
CIRCULATED IN JEFFERSON, HARDIN, TYLER, NEWTON, ORANGE, JASPER, LIBERTY, SABINE, CHAMBERS,
SAN AUGUSTINE, ANGELINA AND GALVESTON COUNTY(COUNTIES), TEXAS; THAT THE ATTACHED NOTICE
IN SAID NEWSPAPER ON THE FOLLOWING DATE(S), TO WIT:

07-13-16 07-20-16

Victoria Bond
NEWSPAPER REPRESENTATIVE

SWORN AND SUBSCRIBED TO BEFORE ME, THIS 21ST DAY OF JULY 2016,

TO CERTIFY WHICH WITNESS MY HAND AND SEAL OF OFFICE.



Erika Acevedo
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
ERIKA ACEVEDO
PRINT OR TYPE NAME OF NOTARY PUBLIC
MY COMMISSION EXPIRES MAY 16, 2020

Legal Notices

the court to hear your case. There may be a court form that can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court. There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡OJO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación. Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted

Legal Notices

pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia. Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desear el caso. The captioned litigation seeks to quiet title to the following described real property from paid but not reconveyed aged Deeds of Trust. THAT PORTION OF LOT 30 OF ANAHEIM EXTENSION, IN THE CITY OF ANAHEIM, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP OF SURVEY MADE BY WILLIAM

Legal Notices

dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es): GEL CRIS A. KLINGERMAN, 626-967-4302 626-967-9216, NIA, LOW ROBERT E. WEISS, INC., 920 BEG S. VILLAGE OAKS DRIVE, EAS COVINA, CA 91724 30 DATE (Fecha): 9/17/15 TIO/ Alan Carlson, Clerk of the LINE court (Secretario), by /s/ Rita WES F. Strom, Deputy (Adjunto) ON (SEAL) SOL 7/13, 7/20, 7/27, 8/3/16 388. SOL TO: ALL PERSONS INTERESTED IN THE PETITION FOR CREATION OF LAKE AMANDA WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 OF TYLER COUNTY, TEXAS Notice is given that a public hearing will be held at 11:00 o'clock a.m., on August 8, 2016, before the Commissioners' Court of Tyler County, Texas in the Commissioners' Courtroom in the Tyler County Courthouse at 100 West Bluff Street, Woodville, Texas, Tyler County, Texas, upon a Petition for the Creation of LAKE AMANDA WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 (the "Petition") relating to the proposed district in Tyler County, Texas (the "District"). The Petition was filed and the hearing will be held under the authority of Chapter 51 of the Texas Water Code. The Petition reflects that it has been signed by fifty (50) or more persons who hold title to land within the proposed District. The nature and purpose of the Petition is for the organization, creation and establishment of the District under the provisions of Texas Constitution Article XVI, Section 59 and Texas Constitution Article III, Section 52, and Chapters 49 and 51, Texas Water Code, as amended. District shall have the powers provided for in the Texas Water Code. The general nature of the work to be done is the construction, acquisition, ownership, operation, repair, improvement and repairs to lakes, dams, and levees, all as more particularly described in the Petition, to which reference is made for a more detailed description of the District's proposed facilities and boundaries. The territory to be included within the proposed District is described generally as the lots adjacent to Lake Amanda. A copy of the Petition is on file in the Office of the County Clerk of Tyler County in Woodville, Texas. Any person may appear at the hearing and present evidence and testify for or against the allegations in the petition, the necessity and feasibility of the proposed District's project, and the benefits to accrue. DONECE GREGORY, COUNTY CLERK TYLER COUNTY, TEXAS



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Robert at (409) 838-2879 or

Email RHollier@BeaumontEnterprise.com

General

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Fax resume to: 409-296-8212 or apply in person at: 1215 Hwy 124, Winnie, TX. Call 409-296-8200

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Fax resume 409-296-8212 apply in person 1215 Hwy 124 Winnie, TX Call 409-296-8200

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Immediate openings for experienced DISH Satellite installers. Great pay and benefits, company van, gas, tools and materials. Profit package offered. clean-cut, hard working, dependable. Must have driving record, pass background and drug test. 21 years of age. Apply at: www.newdishjobs.com

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Looking for experienced house painters. Please call Rich at 409-617-1111 for more information.

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HOME OF THE WEEK
3848 Cobblestone, Nederland

JUST REDUCED IN NEDERLAND ISD!

Wonderful brick 3/2.5/2 in nice subdivision. With over 2,300 sq. ft. of living area, features include: spacious family room with FP; kitchen with granite countertops; master bedroom with double sinks, jetted tub & 2 walk-in closets; large dining area and security system. In need of some TLC. Call today to see this spacious home! \$145,000

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more in a civil case. The court's lien must be paid before the court will dismiss the case.

¡AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

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The captioned litigation seeks to quiet title to the following described real property from paid but not reconveyed aged Deeds of Trust. THAT PORTION OF LOT 30 OF ANAHEIM EXTENSION, IN THE CITY OF ANAHEIM, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP OF SURVEY MADE BY WILLIAM HAMEL AND RECORDED IN BOOK 3, PAGES 162, 163 AND 164 OF MISCELLANEOUS RECORDS OF LOS ANGELES COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

Legal Notices

TRACT; THENCE SOUTH 89° 50' 50" EAST 248.85 FEET OF THE SOUTHWESTERLY LINE OF SAID WEST STREET, THENCE AT RIGHT ANGLES TO THE CENTER LINE OF WEST STREET NORTH 74° 19' 56" EAST 33.00 FEET TO SAID CENTER LINE; THENCE SOUTH 15° 40' 04" EAST 407.50 FEET TO THE POINT OF BEGINNING EXCEPT THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON SAID CENTER LINE OF WEST STREET, NORTH 15° 40' 04" WEST 201.85 FEET FROM THE INTERSECTION OF SAID CENTER LINE WITH THE CENTER LINE OF SAID BALL ROAD; THENCE SOUTH 15° 40' 40" EAST 201.85 FEET; THENCE ALONG SAID CENTER LINE OF BALL ROAD SOUTH 89° 58' 05" WEST 196.70 FEET; THENCE NORTH 0° 01' 04" WEST 154.52 FEET TO A LINE BEARING NORTH 74° 19' 56" EAST AND PASSING THROUGH THE POINT OF BEGINNING; THENCE NORTH 74° 13' 56" EAST 147.73 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THOSE PORTIONS OF THE AFOREMENTIONED LAND CONTAINED WITHIN PARCELA AND B DESCRIBED IN EXHIBIT A-1 OF THAT CERTAIN ORDER OF CONDEMNATION WHICH RECORDED MARCH 9, 2001 AS INSTRUMENT NO. 01-137694, OF OFFICIAL RECORDS.

Assessor's Parcel No. 036-241-09
Address: 1057 West Ball Road, Anaheim, California
The name and address of the court is (El nombre y dirección de la corte es): ORANGE COUNTY SUPERIOR COURT, 700 CIVIC CENTER DRIVE WEST, SANTA ANA, CA 92701

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es): CRIS A. KLINGERMAN, 626-967-4302 626-967-9216, ROBERT E. WEISS, INC., 920 S. VILLAGE OAKS DRIVE, COVINA, CA 91724
DATE (Fecha): 9/17/15
Alan Carlson, Clerk of the court (Secretario), by /s/ Rita F. Strom, Deputy (Adjunto) (SEAL)
7/13, 7/20, 7/27, 8/3/16

Legal Notices

TO: ALL PERSONS INTERESTED IN THE PETITION FOR CREATION OF LAKE AMANDA WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 OF TYLER COUNTY, TEXAS

Notice is given that a public hearing will be held at 11:00 o'clock a.m., on August 8, 2016, before the Commissioners' Court of Tyler County, Texas in the Commissioners' Courtroom in the Tyler County Courthouse at 100 West Bluff Street, Woodville, Texas, Tyler County, Texas, upon a Petition for the Creation of LAKE AMANDA WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 (the "Petition") relating to the proposed district in Tyler County, Texas (the "District"). The Petition was filed and the hearing will be held under the authority of Chapter 51 of the Texas Water Code. The Petition reflects that it has been signed by fifty (50) or more persons who hold title to land within the proposed District.

The nature and purpose of the Petition is for the organization, creation and establishment of the District under the provisions of Texas Constitution Article XVI, Section 59 and Texas Constitution Article III, Section 52, and Chapters 49 and 51, Texas Water Code, as amended. District shall have the powers provided for in the Texas Water Code. The general nature of the work to be done is the construction, acquisition, ownership, operation, repair, improvement and repairs to lakes, dams, and levees, all as more particularly described in the Petition, to which reference is made for a more detailed description of the District's proposed facilities and boundaries.

The territory to be included within the proposed District is described generally as the lots adjacent to Lake Amanda. A copy of the Petition is on file in the Office of the County Clerk of Tyler County in Woodville, Texas.

Any person may appear at the hearing and present evidence and testify for or against the allegations in the petition, the necessity and feasibility of the proposed District's project, and the benefits to accrue.

DONECE GREGORY,
COUNTY CLERK
TYLER COUNTY, TEXAS

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR TPDES PERMIT FOR INDUSTRIAL WASTEWATER RENEWAL

Permit No. WQ0000462000

APPLICATION AND PRELIMINARY DECISION. ExxonMobil Oil Corporation, P.O. Box 3311, Beaumont, Texas 77704, which operates the ExxonMobil Oil Corporation Beaumont Chemical Plant a petrochemical plant manufacturing...



SUBCHAPTER B: DESIGN AND EVALUATION OF DAMS
§§299.11 - 299.17
Effective January 1, 2009

§299.11. General.

The executive director shall evaluate the hydrologic, hydraulic, and structural adequacy of the dam in determining whether a proposed or existing dam is considered a deficient dam.

(1) The executive director shall evaluate the hydrologic and hydraulic adequacy of the dam and spillways using the criteria in the most current version, at the time of the evaluation, of the agency's *Hydrologic and Hydraulic Guidelines for Dams in Texas*.

(2) The executive director may also take into consideration the condition of the dam, including the possibility that the dam might be endangered by:

- (A) overtopping;
- (B) seepage;
- (C) piping;
- (D) settlement;
- (E) erosion;
- (F) cracking;
- (G) sinkholes;
- (H) earth movement;
- (I) uplift;
- (J) overturning;
- (K) failure of gates or operation of gates;
- (L) failure of spillways;
- (M) failure of conduits; or
- (N) other conditions, as appropriate.

Adopted December 10, 2008

Effective January 1, 2009

§299.12. Classification of Dams.

(a) The executive director shall classify all proposed and existing dams based on size (small, intermediate, or large) and downstream hazard (low, significant, or high) and not on the physical condition of the dam.

(b) The executive director may reclassify the hazard classification of a dam at any time based on:

(1) an inspection and downstream hazard evaluation by the executive director;

(2) a report of an inspection and downstream hazard evaluation by the owner's professional engineer;

(3) a breach analysis performed by either the executive director or the owner's professional engineer as described in §299.15(a)(4)(A)(i) of this title (relating to Hydrologic and Hydraulic Criteria for Dams); or

(4) a review of current aerial photography and topographic maps, along with information obtained in the field.

Adopted December 10, 2008

Effective January 1, 2009

§299.13. Size Classification Criteria.

The executive director shall classify dams for size based on the larger of the height of the dam or the maximum storage capacity.

Figure: 30 TAC §299.13

SIZE CLASSIFICATION		
Category	Impoundment Maximum Storage (Acre-Foot)	Height (Ft.)
Small	Equal to or Greater than 15 & Less than 1,000	Equal to or Greater than 25 & Less than 40
	Equal to or Greater than 50 & Less than 1,000	Greater than 6 & Less than 40
Intermediate	Equal to or Greater than 1,000 & Less than 50,000	Equal to or Greater than 40 & Less than 100
Large	Equal to or Greater than 50,000	Equal to or Greater than 100

Adopted December 10, 2008

Effective January 1, 2009

§299.14. Hazard Classification Criteria.

The executive director shall classify dams for hazard based on either potential loss of human life or property damage, in the event of failure or malfunction of the dam or appurtenant structures, within affected developments, that are existing at the time of the classification. The hazard classification may include use of a breach analysis that addresses the incremental impact of the potential breach over and above the impact of the flood that may have caused the breach, as defined in §299.15(a)(4)(A)(i) of this title (relating to Hydrologic and Hydraulic Criteria for Dams). The classification must be according to the following.

(1) Low. A dam in the low-hazard potential category has:

(A) no loss of human life expected (no permanent habitable structures in the breach inundation area downstream of the dam); and

(B) minimal economic loss (located primarily in rural areas where failure may damage occasional farm buildings, limited agricultural improvements, and minor highways as defined in §299.2(38) of this title (relating to Definitions)).

(2) Significant. A dam in the significant-hazard potential category has:

(A) loss of human life possible (one to six lives or one or two habitable structures in the breach inundation area downstream of the dam); or

(B) appreciable economic loss, located primarily in rural areas where failure may cause:

(i) damage to isolated homes;

(ii) damage to secondary highways as defined in §299.2(58);

(iii) damage to minor railroads; or

(iv) interruption of service or use of public utilities, including the design purpose of the utility.

(3) High. A dam in the high-hazard potential category has:

(A) loss of life expected (seven or more lives or three or more habitable structures in the breach inundation area downstream of the dam); or

(B) excessive economic loss, located primarily in or near urban areas where failure would be expected to cause extensive damage to:

- (i) public facilities;
- (ii) agricultural, industrial, or commercial facilities;
- (iii) public utilities, including the design purpose of the utility;
- (iv) main highways as defined in §299.2(33); or
- (v) railroads used as a major transportation system.

Adopted December 10, 2008

Effective January 1, 2009

§299.15. Hydrologic and Hydraulic Criteria for Dams.

(a) Hydrologic criteria.

(1) Minimum hydrologic criteria for proposed dams. The following minimum hydrologic criteria includes those proposed dams to be constructed according to Texas Water Code, §11.142.

(A) A proposed dam design must meet the minimum design flood hydrograph criteria.

Figure: 30 TAC §299.15(a)(1)(A)

HYDROLOGIC CRITERIA FOR DAMS		
Classification		
Hazard, as defined in §299.14 of this title (relating to Hazard Classification Criteria)	Size, as defined in §299.13 of this title (relating to Size Classification Criteria)	Minimum Design Flood Hydrograph (expressed as a percentage of the probable maximum flood (PMF)).
Low	Small	25% PMF
	Intermediate	25% PMF to 50% PMF
	Large	50% to 75% PMF
Significant	Small	50% PMF
	Intermediate	50% PMF to 75% PMF
	Large	75% to PMF
High	Small	75% PMF
	Intermediate	75% to PMF

	Large	PMF
<p>When a range is given, the minimum flood hydrograph must be determined by straight-line interpolation within the given range. Interpolation must be based on either height of dam or maximum storage capacity, whichever results in the highest percentage of PMF. The interpolation for large, low-hazard dams for height must be between end points of 100 feet and 50% PMF and 200 feet and 75% PMF. The interpolation for large, low-hazard dams for maximum storage capacity must be between the end points of 50,000 acre-feet and 50% PMF and 300,000 acre-feet and 75% PMF. The interpolation for large, significant-hazard dams for height must be between end points of 100 feet and 75% PMF and 200 feet and PMF. The interpolation for large, significant-hazard for maximum storage capacity must be between the end points of 50,000 acre-feet and 75% PMF and 300,000 acre-feet and PMF.</p>		

(B) The minimum design flood hydrograph must be based on the size and hazard classification of a proposed dam at the time of the design and calculated using the criteria in the most current version, at the time of the analysis, of the agency's *Hydrologic and Hydraulic Guidelines of Dams in Texas*.

(C) Proposed dams and spillways or dams and spillway to be reconstructed, modified, enlarged, rehabilitated, or altered using hydrologic procedures of the Natural Resources Conservation Service will be acceptable, provided that the procedures are shown to be equal to or more conservative than the procedures provided in the most current version, at the time of the analysis, of the agency's *Hydrologic and Hydraulic Guidelines for Dams in Texas*.

(2) Exemptions to minimum hydrologic criteria for proposed dams. Any dam designed to withstand overtopping without failure of the dam, including the foundation and abutments, as demonstrated by studies prepared by the owner's professional engineer will be exempt from the minimum hydrologic criteria.

(3) Minimum hydrologic criteria for existing dams. The following criteria applies to dams that existed before the effective date of this subchapter.

(A) An owner of a large- or high-hazard existing dam that was required to meet 100% of the probable maximum flood (PMF) before the effective date of these rules and that is shown by an evaluation by a professional engineer to meet 75% or more of the PMF will not be required to upgrade the dam to meet minimum hydrologic criteria in paragraph (1)(A) of this subsection. The dam will be considered adequate to meet the minimum hydrologic criteria, provided the owner:

(i) has an emergency action plan that meets the requirements in §299.61 of this title (relating to Emergency Action Plans);

(ii) has an operation and maintenance plan for the dam as described in §299.43 of this title (relating to Operation and Maintenance);

(iii) has an inspection program that has been implemented as described in §299.42 of this title (relating to Inspections); and

(iv) submits an annual report to the executive director documenting compliance with the requirements in clauses (ii) and (iii) of this subparagraph, beginning 12 months after the effective date of this section.

(B) An owner of a dam not specified in paragraph (3)(A) of this subsection that was required to meet the minimum hydrologic criteria before the effective date of these rules, but is shown by an evaluation by a professional engineer to meet the minimum hydrologic criteria in paragraph (1)(A) of this subsection, will not be required to be upgraded and the dam will be considered adequate to meet the minimum hydrologic criteria.

(C) An owner of an existing dam that does not meet the minimum hydrologic criteria in paragraph (1)(A) of this subsection or the size or hazard classification has been raised and the dam does not meet the minimum hydrologic criteria in paragraph (1)(A) of this subsection for the new size or hazard classification may be required to submit to the executive director any of the following, prepared by a professional engineer:

(i) final construction plans and specifications as described in §299.22 of this title (relating to Review and Approval of Construction Plans and Specifications) for modifying, enlarging, or altering the dam or spillways to meet the minimum hydrologic criteria as described in paragraph (1)(A) of this subsection, provided the minimum hydrologic criteria at least meets 75% of the PMF and the owner addresses the requirements in paragraph (3)(A) of this subsection;

(ii) an analysis or other option to request a reduction in the minimum hydrologic criteria as described in paragraph (4) of this subsection; or

(iii) a plan for alternatives to upgrading as described in §299.17 of this title (relating to Alternatives to Upgrading Dams).

(D) An owner of an existing dam that meets the requirements of subparagraph (A) of this paragraph and that is required to be modified due to structural deficiencies shall be required to submit to the executive director final construction plans and specifications for the structural modifications as described in §299.22 of this title. The dam will not be required to be upgraded to meet the minimum design criteria in paragraph (1)(A) of this subsection.

(E) An owner of a dam that has been evaluated under this paragraph shall be advised of the requirements for the owner's dam by letter. The owner shall be required to submit a written plan of action to address the requirements and a time frame to complete the requirements.

(4) Reduction of minimum hydrologic criteria. The minimum hydrologic criteria may be reduced as follows.

(A) The owner may request that the executive director reduce the minimum hydrologic criteria if the owner submits:

(i) dam breach analysis, prepared by a professional engineer and using the normal storage capacity non-flood event, the barely overtopping flood event, and the design flood

event, if applicable, that demonstrate existing downstream improvements would not be adversely affected, which is defined as the downstream flooding differentials being less than or equal to one foot between breach and non-breach simulations in the affected area;

(ii) one or more technical options included in the most current version, at the time of the analysis, of the agency's *Hydrologic and Hydraulic Guidelines of Dams in Texas*, demonstrating that existing downstream improvements would not be adversely affected;

(iii) documentation of the purchase, or an easement for, the property downstream of the dam that would be impacted by a dam failure and showing that it has been dedicated to non-residential and non-commercial use; or

(iv) documentation that the property downstream has been dedicated by the property owner to non-residential and non-commercial use.

(B) The executive director shall evaluate the owner's request for reduction in the minimum hydrologic criteria to determine if the request is appropriate. If the executive director agrees with the analysis, the executive director shall approve the request in writing.

(C) If the executive director does not agree with the owner's request for reduction in the minimum hydrologic criteria, the executive director shall deny the request in writing.

(b) Hydraulic criteria for proposed dams or dams proposed to be reconstructed, modified, enlarged, rehabilitated, or altered.

(1) The owner shall have a professional engineer evaluate the hydraulic adequacy of the dam and spillways using the guidelines in the most current version, at the time of the analysis, of the agency's *Hydrologic and Hydraulic Guidelines of Dams in Texas*.

(2) The owner shall have a professional engineer address the stability of the spillways to determine if the spillways will adequately meet the minimum design storm without being significantly damaged.

(3) The owner shall have a professional engineer determine a minimum freeboard for a proposed large size dam as defined in §299.13 of this title (relating to Size Classification Criteria) as outlined in the most current version, at the time of the analysis, of the agency's *Hydrologic and Hydraulic Guidelines for Dams in Texas*.

(c) Hydraulic criteria for existing dams. If it becomes necessary for an owner of an existing dam to reevaluate the hydraulic adequacy of the dam and spillways, the owner shall have a professional engineer evaluate the hydraulic adequacy of the dam and spillways using the guidelines in the most current version, at the time of the analysis, of the agency's *Hydrologic and Hydraulic Guidelines of Dams in Texas*.

§299.16. Structural Evaluation of Dams.

(a) The owner shall have a professional engineer submit a geotechnical, geological, and structural evaluation in a report to the executive director with the final construction plans and specifications as described in §299.22 of this title (relating to Review and Approval of Construction Plans and Specifications) to support the design of a proposed dam or a dam that is proposed to be reconstructed, or structurally modified, enlarged, rehabilitated, or altered. The report must include, as applicable:

- (1) details of the geology of the project site and vicinity;
- (2) location and logs of test borings, pits, and shafts;
- (3) results of field and laboratory tests on structural and foundation materials;
- (4) seepage studies;
- (5) stability analyses of embankments, spillways, retaining walls, and inlet structures, as described in subsection (b) of this section; and
- (6) recommendations concerning:
 - (A) embankment slopes, crest width, and berms;
 - (B) core trench size and depths;
 - (C) moisture-density and strength requirements;
 - (D) soil dispersion requirements;
 - (E) minimum compressive strength for concrete;
 - (F) construction sequence procedures and techniques for excavations and embankments;
 - (G) types of compaction equipment; and
 - (H) seepage control requirements.

(b) The owner shall have a professional engineer develop a stability analysis as outlined in the most current version, at the time of the analysis, of the agency's *Design and Construction Guidelines for Dams in Texas* to support the design of proposed large- and intermediate-size dams, as defined in §299.13 of this title (relating to Size Classification Criteria), and large- and intermediate-size dams that are proposed to be reconstructed or structurally modified, enlarged, rehabilitated, or altered. The analysis must be submitted to the executive director with the final construction plans and specifications as described in §299.22 of this title.

(c) The executive director may require the owner of an existing dam to have a professional engineer perform a geotechnical and structural evaluation or a stability analysis and submit a report, as described in subsections (a) and (b) of this section, following an inspection, as described in §299.42 of this title (relating to Inspections), if the executive director determines that the dam was found to be deficient and the integrity of the dam was threatened. If the owner has a professional engineer prepare a report, the owner shall submit the professional engineer's report to the executive director for review upon completion of the report.

(d) When a person proposes one of the following activities near the owner's dam, the owner or the executive director may request that the person have a professional engineer perform an evaluation to determine if the integrity of the dam would be compromised. If the person has a report prepared by a professional engineer, the person shall submit the evaluation report to the executive director and the owner for review and approval before any work is performed for a proposal to:

- (1) dredge the reservoir within 200 feet of the dam;
- (2) install a utility line or pipeline in the dam or in the spillways that requires significant excavation in the dam or spillways;
- (3) construct a road across the dam or spillways or within 200 feet of the dam;
- (4) drill oil or gas wells, perform horizontal drilling or fracturing, or perform oil or gas exploration within 500 feet of the dam and spillways; or
- (5) blast within 1/2 mile of the dam.

Adopted December 10, 2008

Effective January 1, 2009

§299.17. Alternatives to Upgrading Dams.

(a) An owner may elect to implement alternative methods, instead of upgrading the dam using structural methods, to meet minimum hydrologic criteria by submitting to the executive director:

- (1) a plan for meeting the requirements in §299.15(a)(3) of this title (relating to Hydrologic and Hydraulic Criteria for Dams);
- (2) a plan for meeting the requirements in §299.15(a)(4) of this title;
- (3) a plan for removing the dam, as described in §299.51 of this title (relating to Removal or Breach of Dams);
- (4) a plan for lowering the reservoir level to a level that will allow it to meet the appropriate minimum hydrologic criteria; or
- (5) a plan using a combination of structural and non-structural methods as proposed by the owner's professional engineer.

(b) The executive director shall review the owner's proposal and respond as described in §299.22(e) of this title (relating to Review and Approval of Construction Plans and Specifications).

Adopted December 10, 2008

Effective January 1, 2009

LAKE AMANDA "DISTRICT"

Bond Issue Sizing/Hypothetical Tax Rate Discussion

Assumes 15 Bank Private Placement - TCEQ Regulated District

Pro-Forma Tax Rate Analysis

Assume 1/1/2016 Assessed Value of	\$8,500,000	(a) per LAPOA
Amount to be Financed	\$960,000	(b) see below for potential bond issue sizing
Projected Debt Ratio	11.29%	(c) facility needs to be deemed a drainage facility NOT an amenity (per TCEQ rules)
Assumed Interest Rate	3.50%	(d) assumes non-rated bonds
Assumed Amortization Period (in years)	15	
Average Annual Debt Service Requirements	\$83,352	
Estimated Annual Maintenance and Operating	\$5,000	
Assumed Tax Collection Factor	98%	
Pro-Forma Tax Rate For Debt Service	\$ 1.00	(e) per \$100 of Assessed Valuation
Pro-Forma Tax Rate for Maintenance and Op.	\$ 0.06	(f) per \$100 of Assessed Valuation
Total Pro-Forma Tax Rate	<u>\$ 1.06</u>	

Potential Bond Issue Sizing Analysis

Project Costs	\$800,000
Capitalized Interest (1 year)	\$33,600
District Creation Costs	\$30,000
Bond Cost of Issuance Factor	\$95,956
Total Bond Issue	\$959,556
Bond Issue Size Rounded	\$960,000

LAKE AMANDA "DISTRICT"

Bond Issue Sizing/Hypothetical Tax Rate Discussion Assumes 25 Year Public Offering of Bonds by TCEQ Regulated District

Pro-Forma Tax Rate Analysis

Assume 1/1/2016 Assessed Value of	\$8,500,000	(a) per LAPOA
Amount to be Financed	\$1,000,000	(b) see below for potential bond issue sizing
Projected Debt Ratio	11.76%	(c) facility needs to be deemed a drainage facility NOT an amenity (per TCEQ rules)
Assumed Interest Rate	4.50%	(d) assumes non-rated bonds
Assumed Amortization Period (in years)	25	
Average Annual Debt Service Requirements	\$67,439	
Estimated Annual Maintenance and Operating Costs	\$5,000	
Assumed Tax Collection Factor	98%	
Pro-Forma Tax Rate for Debt Service	\$ 0.81	(e) per \$100 of Assessed Valuation
Pro-Forma Tax Rate for Maintenance and Operating Cos	\$ 0.06	(f) per \$100 of Assessed Valuation
Total Pro-Forma Tax Rate	<u>\$ 0.87</u>	

Potential Bond Issue Sizing Analysis

Project Costs	\$800,000
Capitalized Interest (1 year)	\$45,000
District Creation Costs	\$30,000
Bond Cost of Issuance Factor	\$125,000
Total Bond Issue	\$1,000,000



Community Facilities Direct Loan & Grant Program Program 101

Abbreviated Fact Sheet

Program Status: Open

What does this program do?

This program provides affordable funding to develop essential community facilities in rural areas. An essential community facility is defined as a facility that provides an essential service to the local community for the orderly development of the community in a primarily rural area, and does not include private, commercial or business undertakings.

Who may apply for this program?

Eligible borrowers include:

- Public bodies
- Community-based non-profit corporations
- Federally-recognized Tribes

What is an eligible area?

Rural areas including cities, villages, townships and towns including Federally Recognized Tribal Lands with no more than 20,000 residents according to the latest U.S. Census Data are eligible for this program.

How may funds be used?

Funds can be used to purchase, construct, and / or improve essential community facilities, purchase equipment and pay related project expenses.

Examples of essential community facilities include:

- Health care facilities such as hospitals, medical clinics, dental clinics, nursing homes or assisted living facilities
- Public facilities such as town halls, courthouses, airport hangars or street improvements
- Community support services such as child care centers, community centers, fairgrounds or transitional housing
- Public safety services such as fire departments, police stations, prisons, police vehicles, fire trucks, public works vehicles or equipment
- Educational services such as museums, libraries or private schools
- Utility services such as telemedicine or distance learning equipment
- Local food systems such as community gardens, food pantries, community kitchens, food banks, food hubs or greenhouses

For a complete list see Code of Federal Regulations 7 CFR, Part 1942.17(d) for loans; 7 CFR, Part 3570.62 for grants.

What kinds of funding are available?

- Low interest direct loans

- Grants
- A combination of the two above, as well as our loan guarantee program. These may be combined with commercial financing to finance one project if all eligibility and feasibility requirements are met.

What are the funding priorities?

- Priority point system based on population, median household income
 - Small communities with a population of 5,500 or less
 - Low-income communities having a median household income below 80% of the state nonmetropolitan median household income.

What are the terms?

Funding is provided through a competitive process.

Direct Loan:

- Loan repayment terms may not be longer than the useful life of the facility, state statutes, the applicants authority, or a maximum of 40 years, whichever is less
- Interest rates are set by Rural Development, contact us for details and current rates
- Once the loan is approved, the interest rate is fixed for the entire term of the loan, and is determined by the median household income of the service area and population of the community
- There are no pre-payment penalties
- Contact us for details and current interest rates applicable for your project

Grant Approval:

1. Applicant must be eligible for grant assistance, which is provided on a graduated scale with smaller communities with the lowest median household income being eligible for projects with a higher proportion of grant funds. Grant assistance is limited to the following percentages of eligible project costs:Maximum of 75 percent when the proposed project is:
 - Located in a rural community having a population of 5,000 or fewer; and
 - The median household income of the proposed service area is below the higher of the poverty line or 60 percent of the State nonmetropolitan median household income.
2. Maximum of 55 percent when the proposed project is:
 - Located in a rural community having a population of 12,000 or fewer; and
 - The median household income of the proposed service area is below the higher of the poverty line or 70 percent of the State nonmetropolitan median household income.
3. Maximum of 35 percent when the proposed project is:
 - Located in a rural community having a population of 20,000 or fewer; and
 - The median household income of the proposed service area is below the higher of the poverty line or 80 percent of the State nonmetropolitan median household income.
4. Maximum of 15 percent when the proposed project is:
 - Located in a rural community having a population of 20,000 or fewer; and
 - The median household income of the proposed service area is below the higher of the poverty line or 90 percent of the State nonmetropolitan median household income. The proposed project must meet both percentage criteria. Grants are further limited.

- Grant funds must be available

Are there additional requirements?

- Applicants must have legal authority to borrow money, obtain security, repay loans, construct, operate, and maintain the proposed facilities
- Applicants must be unable to finance the project from their own resources and/or through commercial credit at reasonable rates and terms
- Facilities must serve rural area where they are/will be located
- Project must demonstrate substantial community support
- Environmental review must be completed/acceptable

How do we get started?

- Contact your local office to discuss your specific project
- Applications for this program are accepted year round
- Program resources are available online (includes forms needed, guidance, certifications)
- Request a Data Universal Number System (DUNS) number if your organization doesn't already have one. It should not take more than a few business days to get your number.
- Register your organization with the System for Award Management (SAM) if you aren't already registered. The registration is free, but you need to complete several steps.

Who can answer questions?

Contact your local RD office.

What governs this program?

- Direct Loans: 7 CFR Part 1942, Subpart A
- Grants: 7 CFR Part 3570, Subpart A

NOTE: Because citations and other information may be subject to change please always consult the program Instructions listed in the section above titled "What Law Governs this Program?" You may also contact your local office for assistance.

Forms & Resources

NOTE: If state specific forms are not shown above, please refer to the application materials listed below to start the process of applying. Please ensure that your state is selected in the dropdown menu above to find the State Office contact information for this program and speak to a [Community Programs Specialist](#) before attempting to fill out any forms or applications. This will save you valuable time in the process.

Application Checklist for use with this program:

RD Form 1942-40, Checklist - Public Body (pdf) or

RD Form 1942-39, Checklist - Other Than Public Bodies (pdf)

Engineering

Individual states may have particular requirements based on state and local regulations. Please select your state in the dropdown menu above to find your local contact for this program.

Environmental

Individual states may have particular requirements based on state and local regulations. Please select your state in the dropdown menu above to find your local contact for this program.

Architect

Rural Development (RD) Programs, such as Community Facilities (CF) and Multi-Family Housing (MFH), involve the construction of new buildings or renovation of existing facilities. The development of these facilities involves the need for architectural services for the preparation of plans, specifications, public bidding, contracting, construction, and construction monitoring.

Applicants, at the earliest possible time, should provide a Preliminary Architectural Feasibility Report, including the Cost Estimate, for the review by the RD Area Loan Specialist and RD State Architect. These two documents are needed to determine the project's feasibility. RD's State Architect will evaluate and provide architectural/construction guidance to the Applicants and their Architects, for RD financed architectural projects, in the following areas:

- Initial site visit & evaluation of the proposed project
- Preliminary Architectural Feasibility Report
- Agency concurrence of Owner/Architect Agreements
- Agency acceptance of Plans & Specifications
- Agency concurrence of Construction Contract documents
- Construction & construction monitoring

Interest Rates

Current interest rates for 4th Quarter 2016, effective July 1 - September 30, 2016

Poverty: 4.500%*
Intermediate: 3.625%*
Market: 2.75%

For this quarter, all loans will be given at the lower market rate.

MEMORANDUM

TO: John Stover
FROM: Rana
DATE: August 4, 2016
IN RE: USDA Grant/Loan

I met with Benita at the USDA Rural Development office. She confirmed that the Community Facilities Loans and Grants program is the correct program for the Lake Amanda project. She also stated that there are no 100% funding grants. The application has to be processed before knowing how much grant would be awarded.

APPLICATION FOR FEDERAL ASSISTANCE

Version 7/03

1. TYPE OF SUBMISSION: Application		2. DATE SUBMITTED	Applicant Identifier
<input type="checkbox"/> Construction	Pre-application	3. DATE RECEIVED BY STATE	State Application Identifier
<input type="checkbox"/> Non-Construction	<input type="checkbox"/> Construction	4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
<input type="checkbox"/> Non-Construction	<input type="checkbox"/> Non-Construction		
5. APPLICANT INFORMATION			
Legal Name:		Organizational Unit: Department:	
Organizational DUNS:		Division:	
Address: Street:		Name and telephone number of person to be contacted on matters involving this application (give area code)	
City:		Prefix:	First Name:
County:		Middle Name	
State:		Last Name	
Zip Code	Suffix:		
Country:		Email:	
6. EMPLOYER IDENTIFICATION NUMBER (EIN): □□-□□□□□□□□		Phone Number (give area code)	Fax Number (give area code)
8. TYPE OF APPLICATION: <input type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify) <input type="checkbox"/> <input type="checkbox"/>		7. TYPE OF APPLICANT: (See back of form for Application Types) Other (specify)	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: Community Facilities Loans and Grants 10-766		9. NAME OF FEDERAL AGENCY:	
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.):		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:	
13. PROPOSED PROJECT Start Date: Ending Date:		14. CONGRESSIONAL DISTRICTS OF: a. Applicant b. Project	
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
a. Federal	\$.00	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON	
b. Applicant	\$.00	DATE:	
c. State	\$.00	b. No. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372	
d. Local	\$.00	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
e. Other	\$.00	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?	
f. Program Income	\$.00	<input type="checkbox"/> Yes If "Yes" attach an explanation. <input type="checkbox"/> No	
g. TOTAL	\$.00		
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.			
a. Authorized Representative			
Prefix	First Name	Middle Name	
Last Name		Suffix	
b. Title		c. Telephone Number (give area code)	
d. Signature of Authorized Representative		e. Date Signed	

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Standard Form 424 (Rev.9-2003)
Prescribed by OMB Circular A-102

LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

AFFIDAVIT OF QUALIFICATION AND
REQUEST FOR APPOINTMENT

THE STATE OF TEXAS §

COUNTY OF TYLER §

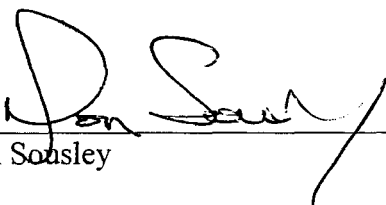
BEFORE ME, the undersigned Notary Public, on the date indicated below, DON SOUSLEY personally appeared, known to me, who after being duly sworn, upon his oath, stated as follows:

“My name is Don Sousley. I am over the age of 18 and am of sound mind and capable of making this sworn statement.

“I am a resident of the State of Texas. I own land that is subject to taxation in the proposed Lake Amanda Water Control and Improvement District No. 1.

“I am requesting the Commissioners’ Court of Tyler County, Texas, appoint me as a temporary director of the proposed Lake Amanda Water Control and Improvement District No. 1.”

SIGNED this the 25 day of July, 2016.

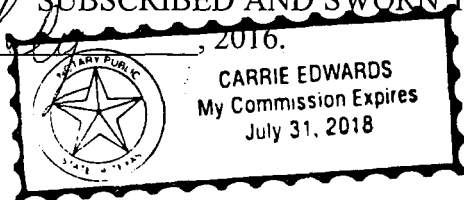


Don Sousley

THE STATE OF TEXAS §

COUNTY OF TYLER §

SUBSCRIBED AND SWORN TO BEFORE ME by Don Sousley this the 25th day of July, 2016.





Notary Public – State of Texas

LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

AFFIDAVIT OF QUALIFICATION AND
REQUEST FOR APPOINTMENT

THE STATE OF TEXAS §

COUNTY OF TYLER §

BEFORE ME, the undersigned Notary Public, on the date indicated below, GENE CAPPADONNA personally appeared, known to me, who after being duly sworn, upon his oath, stated as follows:

“My name is Gene Cappadonna. I am over the age of 18 and am of sound mind and capable of making this sworn statement.

“I am a resident of the State of Texas. I own land that is subject to taxation in the proposed Lake Amanda Water Control and Improvement District No. 1.

“I am requesting the Commissioners’ Court of Tyler County, Texas, appoint me as a temporary director of the proposed Lake Amanda Water Control and Improvement District No. 1.”

SIGNED this the 25th day of July, 2016.

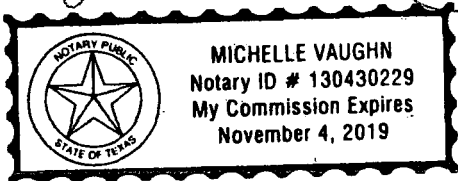
Gene Cappadonna
Gene Cappadonna

THE STATE OF TEXAS §
COUNTY OF Lewis & Montgomery §

SUBSCRIBED AND SWORN TO BEFORE ME by Gene Cappadonna this the 25th day of July, 2016.

Michelle Vaughn
Notary Public – State of Texas

4844-7772-6261, v.



**LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1**

**AFFIDAVIT OF QUALIFICATION AND
REQUEST FOR APPOINTMENT**

THE STATE OF TEXAS §

COUNTY OF TYLER §

BEFORE ME, the undersigned Notary Public, on the date indicated below, KIRWIN DROUET personally appeared, known to me, who after being duly sworn, upon his oath, stated as follows:

“My name is Kirwin Drouet. I am over the age of 18 and am of sound mind and capable of making this sworn statement.

“I am a resident of the State of Texas. I own land that is subject to taxation in the proposed Lake Amanda Water Control and Improvement District No. 1.

“I am requesting the Commissioners’ Court of Tyler County, Texas, appoint me as a temporary director of the proposed Lake Amanda Water Control and Improvement District No. 1.”

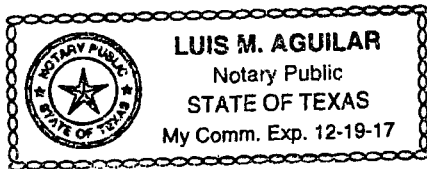
SIGNED this 29th day of JULY, 2016.

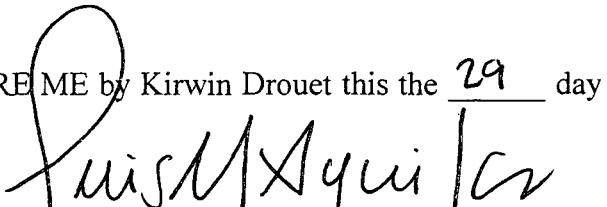


Kirwin Drouet

THE STATE OF TEXAS §
 §
COUNTY OF Harris §

SUBSCRIBED AND SWORN TO BEFORE ME by Kirwin Drouet this the 29 day of July, 2016.





Notary Public – State of Texas

LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

AFFIDAVIT OF QUALIFICATION AND
REQUEST FOR APPOINTMENT

THE STATE OF TEXAS §

COUNTY OF TYLER §


BEFORE ME, the undersigned Notary Public, on the date indicated below, KAYE MENDOZA personally appeared, known to me, who after being duly sworn, upon her oath, stated as follows:

“My name is Kaye Mendoza. I am over the age of 18 and am of sound mind and capable of making this sworn statement.

“I am a resident of the State of Texas. I own land that is subject to taxation in the proposed Lake Amanda Water Control and Improvement District No..

“I am requesting the Commissioners’ Court of Tyler County, Texas, appoint me as a temporary director of the proposed Lake Amanda Water Control and Improvement District No. 1.”

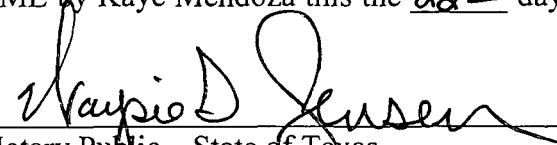
SIGNED this the 22nd day of July, 2016.

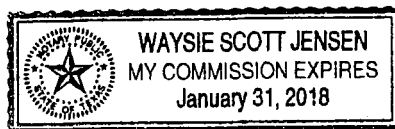

Kaye Mendoza

THE STATE OF TEXAS §

COUNTY OF Jefferson §

SUBSCRIBED AND SWORN TO BEFORE ME by Kaye Mendoza this the 22nd day of July, 2016.


Notary Public – State of Texas



LAKE AMANDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

AFFIDAVIT OF QUALIFICATION AND
REQUEST FOR APPOINTMENT

THE STATE OF TEXAS §

COUNTY OF TYLER §

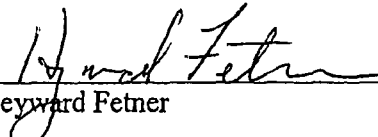
BEFORE ME, the undersigned Notary Public, on the date indicated below, HEYWARD FETNER personally appeared, known to me, who after being duly sworn, upon his oath, stated as follows:

"My name is Heyward Fetner. I am over the age of 18 and am of sound mind and capable of making this sworn statement.

"I am a resident of the State of Texas. I own land that is subject to taxation in the proposed Lake Amanda Water Control and Improvement District No. 1.

"I am requesting the Commissioners' Court of Tyler County, Texas, appoint me as a temporary director of the proposed Lake Amanda Water Control and Improvement District No. 1."

SIGNED this the 3rd day of August, 2016.

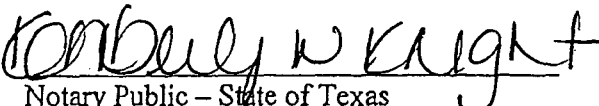


Heyward Fetner

THE STATE OF TEXAS §

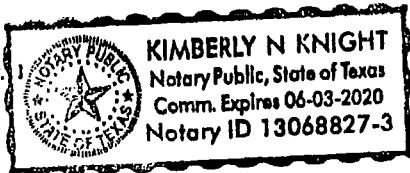
COUNTY OF Harris §

SUBSCRIBED AND SWORN TO BEFORE ME by Heyward Fetner this the 3rd day of August, 2016.



Notary Public - State of Texas

4837-7190-3541, v. 1



IN THE COMMISSIONERS' COURT OF TYLER COUNTY
STATE OF TEXAS

**ORDER GRANTING REQUEST FOR CREATION OF LAKE AMANDA
WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1
OF TYLER COUNTY, TEXAS;
APPOINTING TEMPORARY DIRECTORS;
CONTAINING FINDINGS OF FACT;
AND CONCLUSIONS OF LAW
AND GRANTING OTHER RELIEF PRAYED FOR**

On August 8, 2016 at 11:00 o'clock a.m., the Commissioners' Court of Tyler County, Texas (the "Commissioners' Court") convened at a duly called special meeting at the Commissioners' Courtroom, of the Tyler County Courthouse located at 100 West Bluff Street, Woodville, Texas. The roll was called of the duly constituted members of said Commissioners' Court, to-wit:

Jacque Blanchette, County Judge
Martin Nash, Commissioner
James T. Hughes, Commissioner
Michael Marshall, Commissioner
Julius Walston, Commissioner

with all such members being present except the following absentees: _____, thus constituting a quorum.

There came on for hearing a Petition for Creation of Lake Amanda Water Control and Improvement District No. 1 (the "District") to be situated wholly within Tyler County, Texas, the appointment of five (5) temporary directors for such proposed district, and such other orders, acts, procedure, and relief as may be necessary and proper in connection therewith.

Upon the hearing being convened, the following persons entered their appearance in their respective capacities on behalf of the signatories to said Petition (herein the "Petitioners"):

John D. Stover, Attorney;
Kirwin Drouet, Representative of Petitioner;
Don Sousley, Representative of Petitioner;
Heyward Fetner, Representative of Petitioner;
Gene Cappadonna, Representative of Petitioner; and
Kaye Mendoza, Representative of Petitioner.

Following the administration of oaths to all persons appearing, the Petitioners moved and the Commissioners' Court duly ordered that official notice be taken and that all persons, agencies and parties be on notice of and that the official record of the proceedings of such hearing include the status of the Beaumont Enterprise as a newspaper of general circulation within the county in which the proposed District is to be situated.

Petitioners thereupon submitted for the record and as evidence: (1) affidavits of publication of notice of such hearing once a week for two (2) consecutive weeks in the Beaumont Enterprise, the first such publication occurring at least fourteen (14) days prior to the date of such hearing; and (2) notice showing the posting thereof at the Tyler County Courthouse.

The Commissioners' Court then invited any interested person to offer testimony or other evidence on the sufficiency of the Petition and the allegations contained in it. Thereupon, the

person appearing on behalf of the Petitioners offered testimony, exhibits and documentary evidence in favor of the allegations contained in the Petition, the form thereof, the necessity and feasibility of the District's proposed projects and the benefits to accrue therefrom. Petitioners offered evidence and exhibits relative to the land use, projections and requirements within the proposed district and the Petitioners' ability to accomplish same. Petitioners offered further testimony as to the economic feasibility, necessity and practicability of the District and its proposed projects; the public necessity or need for the District; and the furtherance to the public welfare by the District.

After official notice of the foregoing matters and following receipt of all testimony, other evidence, exhibits and statements of counsel for all persons, agencies and parties, the Commissioners' Court makes the following findings of fact:

FINDINGS OF FACT

1. Notice of this hearing and meeting of the Commissioners' Court was duly posted and published in accordance with the Open Meetings Law, Tex. Gov. Code Section 551.041, as amended;
2. The District will be situated solely within the boundaries of Tyler County, Texas;
3. Notice of the hearing containing a statement of the nature and purpose of the Petition, the date, time and

place of hearing, and informing all persons of their right to appear and present evidence and testify for or against the allegations in the Petition, the form of the Petition, the necessity and feasibility of the District and its projects and the benefits to accrue has been published in a newspaper with general circulation in Tyler County once a week for two (2) consecutive weeks, with the first such publication occurring at least fourteen (14) days before the date of this hearing, all as required by Section 51.018 of the Texas Water Code, as amended; and said notice was posted at the courthouse as required by law;

4. The Petition contains the matters required by Section 51.014, the Texas Water Code, as amended, and has been executed by more than fifty (50) persons holding title to land within the District;
5. There is no other water control and improvement district within Tyler County, Texas, with the same name as is proposed for the District in the Petition;
6. The District includes all of the lots and property adjacent to Lake Amanda situated near Colmesneil, Tyler County. It is necessary to make repairs and modifications to the Lake Amanda Dam which will require the services of engineers and other consultants and the

approval by the Texas Commission on Environmental Quality. The current Lake Amanda Property Owners Association, Inc., does not have any revenues to pledge as security for a loan to pay for the repairs. The District will be able to obtain loans and/or grants to pay for the dam repair and modification and to pay the cost to maintain the dam;

7. After consideration of the evidence before the Court:
 - A. The organization of the District as requested is feasible and practicable;
 - B. The land to be included in the proposed District will be benefitted by the creation of the District;
 - C. There is a public necessity or need for the District; and
 - D. The creation of the District will further the public welfare.
8. Each of the following named persons have requested appointment as temporary directors:

Don Sousley
547 CR 3170
Colmesneil, Texas 75938

Heyward Fetner
6505 T Bar M Blvd.
Houston, Texas 77069

Kirwin Drouet
1314 Kent Oak Dr.
Houston, Texas 77077

Gene Cappadonna
29 Westchester Drive
Conroe, Texas 77304

Kaye Mendoza
2111 Walker Lane
Nederland, Texas 77627

Based upon the foregoing matters officially noticed and the findings of fact and rulings of the Commissioners' Court, the Commissioners' Court concludes and sets forth its conclusions of law as follows:

CONCLUSIONS OF LAW

1. The Commissioners' Court has duly received, filed and set this hearing upon the Petition, and the Commissioners' Court has jurisdiction and authority to consider the request for creation of the District and to make and enter its findings of fact, rulings and orders with respect to the creation of the District;
2. The Petition submitted to and filed with the Commissioners' Court is in due, proper and sufficient form; there being more than fifty (50) persons holding title to land within the proposed District, the Petition has been signed by more than fifty (50) of them;
3. All of the allegations contained in such Petition and each of same are true, complete and correct and, taken as a whole, entitled the Petitioners to the relief prayed for in such Petition;
4. All notices of all actions, proceedings and matters had incident to this hearing and the creation of the District have been made, given, published and posted as required by applicable law;

5. All of the lands and properties proposed to be included within the District as described on the attached Exhibit "A" may properly be included within the District;
6. This hearing has been set, called, convened and conducted in full compliance with all applicable laws of the State of Texas;
7. The five (5) persons named above who have requested to be appointed as temporary directors of the proposed District are each and all fully qualified in all respects to serve as temporary directors of the proposed District; and
8. The request for creation should be granted by the Commissioners' Court.

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS' COURT OF TYLER COUNTY, TEXAS, THAT:

1. The Petition is hereby in all things granted, and Lake Amanda Water Control and Improvement District No. 1 of Tyler County, Texas, is hereby created, organized and established as prayed for in the Petition as to the land described in the attached Exhibit "A."
2. The District is created, organized and established under the terms and conditions of Article III, Section 52 and Article XVI, Section 59 of the Constitution of

Texas and Chapters 49 and 51 of the Texas Water Code, together with all amendments and additions thereto.

3. The District shall have all the rights, powers, privileges, authority and functions conferred by and shall be subject to all duties imposed by the Texas Commission on Environmental Quality and the General Laws of the State of Texas relating to districts.
4. The District shall be composed of the area situated within Tyler County, Texas, described by metes and bounds in Exhibit "A" attached hereto and incorporated herein for all purposes.
5. The following five (5) persons are named and appointed as temporary directors of said District to serve until their successors are elected or have been appointed in accordance with applicable law:

Don Sousley 547 CR 3170 Colmesneil, Texas 75938	Heyward Fetner 6505 T Bar M Blvd. Houston, Texas 77069
Kirwin Drouet 1314 Kent Oak Dr. Houston, Texas 77077	Gene Cappadonna 29 Westchester Drive Conroe, Texas 77304
Kaye Mendoza 2111 Walker Lane Nederland, Texas 77627	
6. The foregoing temporary directors shall as soon as practicable after the date of this Order execute their official bonds and take their official oaths of office,

and each bond and oath shall be filed with the
Secretary of State.

Upon the foregoing proposed Order being read and considered
by the Commissioners' Court, it was duly moved and seconded that
the same be passed and adopted, and upon the question being
called, said motion, carrying with it the adoption of said Order,
was duly passed and adopted, with members of the Commissioners'
Court present voting as follows:

Ayes _____

Nos _____

Jacque Blanchette, County Judge

THE COMMISSIONERS' COURT OF TYLER COUNTY
STATE OF TEXAS

IN THE MATTER OF §
THE CREATION OF §
§
LAKE AMANDA WATER CONTROL AND §
IMPROVEMENT DISTRICT NO. 1 §

NO. _____ TIME 10:25 Am

JUL 12 2016

DONECE GREGORY, COUNTY CLERK
TYLER COUNTY, TEXAS

By [Signature]

ORDER

The Petition for the Creation of LAKE AMANDA WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 was presented to me on this date. The Court finds that the petition complies with the requirements set forth in Texas Water Code Section 51.013 in that it contains the signatures of more than fifty (50) persons holding title to land within the proposed district and with Sections 51.014 for its contents.

It is therefore ORDERED that the petition is set for hearing before the Commissioners' Court on 8/8, 2016 in the Commissioners' Courtroom, of the Tyler County Courthouse located at 100 West Bluff Street, Woodville, Texas at 11:00 o'clock A.m. The Clerk of this Court is directed to issue notice of the hearing by the form attached to this Order.

SIGNED this 12th day of JULY, 2016.

[Signature]
Jacques Blanchette, County Judge

TO: ALL PERSONS INTERESTED IN THE PETITION FOR CREATION OF LAKE AMANDA WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 OF TYLER COUNTY, TEXAS

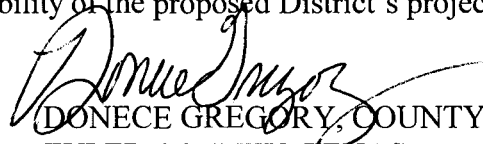
Notice is given that a public hearing will be held at 11:00 o'clock A.m., on 8/8, 2016, before the Commissioners' Court of Tyler County, Texas in the Commissioners' Courtroom in the Tyler County Courthouse at 100 West Bluff Street, Woodville, Texas, Tyler County, Texas, upon a Petition for the Creation of LAKE AMANDA WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 (the "Petition") relating to the proposed district in Tyler County, Texas (the "District"). The Petition was filed and the hearing will be held under the authority of Chapter 51 of the Texas Water Code. The Petition reflects that it has been signed by fifty (50) or more persons who hold title to land within the proposed District.

The nature and purpose of the Petition is for the organization, creation and establishment of the District under the provisions of Texas Constitution Article XVI, Section 59 and Texas Constitution Article III, Section 52, and Chapters 49 and 51, Texas Water Code, as amended. District shall have the powers provided for in the Texas Water Code. The general nature of the work to be done is the construction, acquisition, ownership, operation, repair, improvement and repairs to lakes, dams, and levees, all as more particularly described in the Petition, to which reference is made for a more detailed description of the District's proposed facilities and boundaries.

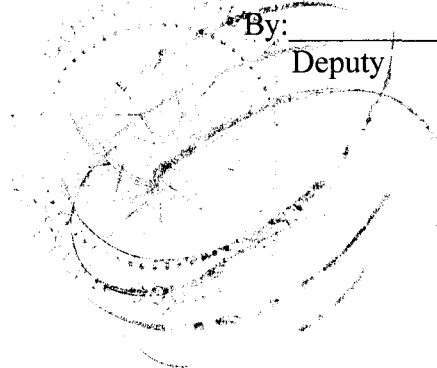
The territory to be included within the proposed District is described generally as the lots adjacent to Lake Amanda. A copy of the Petition is on file in the Office of the County Clerk of Tyler County in Woodville, Texas.

Any person may appear at the hearing and present evidence and testify for or against the allegations in the petition, the necessity and feasibility of the proposed District's project, and the benefits to accrue.

ISSUED: 7-12-2016


DONECE GREGORY, COUNTY CLERK,
TYLER COUNTY, TEXAS

By: _____
Deputy



CERTIFICATE OF POSTING

This is to certify that on the 13TH day of July, 2016, the attached Notice was posted in the Tyler County Courthouse at the place for posting such notices.

SIGNED this the 13TH day of July, 2016.

Bryan Weatherford
SHERIFF, TYLER COUNTY, TEXAS

By: *Wade Skinner*
~~Deputy~~ CONSTABLE PCT. 3

TO: ALL PERSONS INTERESTED IN THE PETITION FOR CREATION OF LAKE AMANDA WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 OF TYLER COUNTY, TEXAS

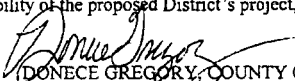
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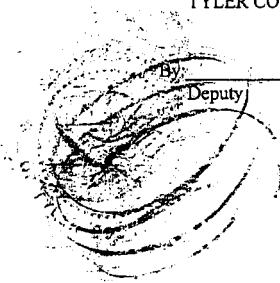
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Any person may appear at the hearing and present evidence and testify for or against the allegations in the petition, the necessity and feasibility of the proposed District's project, and the benefits to accrue.

ISSUED: 7-12-2016


DONECE GREGORY, COUNTY CLERK,
TYLER COUNTY, TEXAS

By _____
Deputy



NO. Ex. 2 TIME 11:00AM

AUG 08 2016

DONECE GREGORY, COUNTY CLERK
TYLER COUNTY, TEXAS

By _____ 

CERTIFICATE OF POSTING

This is to certify that on the 13th day of July, 2016, the attached Notice was posted in the Tyler County Courthouse at the place for posting such notices.

SIGNED this the 13th day of July, 2016.

BRYAN WENTHER FORD
SHERIFF, TYLER COUNTY, TEXAS

By: Wade Skinner
~~Deputy~~ CONSTABLE PCT. 3

Exhibit
2

NO. Ex 3 TIME 11:11 AM

AUG 08 2016

Publishers Affidavit

DONECE GREGG, COUNTY CLERK
TYLER COUNTY, TEXAS

By [Signature]

Acct #025410103 Job =200182102
Name STOVER, JOHN LAW OFFICE

Tear Sheet Attached
3876877

STATE OF TEXAS
COUNTY OF JEFFERSON

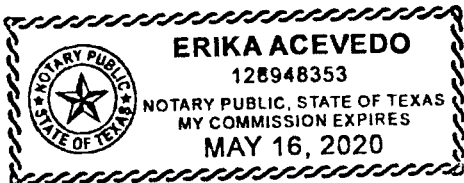
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Victoria Bond
WHO BEING BY ME DULY SWORN, DEPOSES AND SAYS THAT HE/SHE IS A NEWSPAPER REPRESENTATIVE
FOR THE BEAUMONT ENTERPRISE; THAT SAID NEWSPAPER REGULARLY PUBLISHED IN JEFFERSON COUNTY
CIRCULATED IN JEFFERSON, HARDIN, TYLER, NEWTON, ORANGE, JASPER, LIBERTY, SABINE, CHAMBERS,
SAN AUGUSTINE, ANGELINA AND GALVESTON COUNTY(COUNTIES), TEXAS; THAT THE ATTACHED NOTICE
IN SAID NEWSPAPER ON THE FOLLOWING DATE(S), TO WIT:

07-13-16 07-20-16

Victoria Bond
NEWSPAPER REPRESENTATIVE

SWORN AND SUBSCRIBED TO BEFORE ME, THIS 21ST DAY OF JULY 2016,

TO CERTIFY WHICH WITNESS MY HAND AND SEAL OF OFFICE.



Erika Acevedo
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
ERIKA ACEVEDO
PRINT OR TYPE NAME OF NOTARY PUBLIC
MY COMMISSION EXPIRES MAY 16, 2020

Exhibit 3

Legal Notices

de dirección y el número de
 teléfono del abogado del de-
 mandante, o del demandante
 que no tiene abogado, es):
 CRIS A. KLINGERMÁN,
 626-967-4302 626-967-9216,
 ROBERT E. WEISS, INC. 920
 S. VILLAGE OAKS DRIVE,
 COVINA, CA 91724
 DATE (Fecha): 9/17/15
 Alan Carlson, Clerk of the
 court (Secretario), by /s/ Rita
 F. Strom, Deputy (Adjunto)
 (SEAL)
 7/13, 7/20, 7/27, 8/3/16

TO: ALL PERSONS INTER-
 ESTED IN THE PETITION
 FOR CREATION OF LAKE A-
 MANDA WATER CONTROL
 AND IMPROVEMENT DIS-
 TRICT NO. 1 OF TYLER
 COUNTY, TEXAS

Notice is given that a public hearing will be held at 11:00 o'clock a.m., on August 8, 2016, before the Commissioners' Court of Tyler County, Texas in the Commissioners' Courtroom in the Tyler County Courthouse at 100 West Bluff Street, Woodville, Texas, Tyler County, Texas, upon a Petition for the Creation of LAKE AMANDA WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 (the "Petition") relating to the proposed district in Tyler County, Texas (the "District"). The Petition was filed and the hearing will be held under the authority of Chapter 51 of the Texas Water Code. The Petition reflects that it has been signed by fifty (50) or more persons who hold title to land within the proposed District.

The nature and purpose of the Petition is for the organization, creation and establishment of the District under the provisions of Texas Constitution Article XVI, Section 59 and Texas Constitution Article III, Section 52, and Chapters 49 and 51, Texas Water Code, as amended. District shall have the powers provided for in the Texas Water Code. The general nature of the work to be done is the construction, acquisition, ownership, operation, repair, improvement and repairs to lakes, dams, and levees, all as more particularly described in the Petition, to which reference is made for a more detailed description of the District's proposed facilities and boundaries.

The territory to be included within the proposed District is described generally as the lots adjacent to Lake Amanda. A copy of the Petition is on file in the Office of the County Clerk of Tyler County in Woodville, Texas.

Any person may appear at the hearing and present evidence and testify for or against the allegations in the petition, the necessity and feasibility of the proposed District's project, and the benefits to accrue.

DONECE GREGORY,
 COUNTY CLERK
 TYLER COUNTY, TEXAS



JOBS

TO PLACE YOUR FREE CLASSIFIED AD GO TO

www.SoutheastTexas.com/classifieds

TO PLACE AN EMPLOYMENT AD CALL

Robert at (409) 838-2879 or

Email RHollier@BeaumontEnterprise.com

General

BE YOUR OWN BOSS!



Keller Williams SETX, the world's #1 real estate company wants to help you become your own boss.

Call Mike Deluna today to learn how. 409.860.3170 or email your resume to: mdeluna@kw.com

Health Care

The Arboretum of Winnie

Due to our continued success, we are now taking applications for

RN
Weekend Shift
 We offer competitive pay. Join our TEAM!

Fax resume to: 409-296-8212 or apply in person at: 1215 Hwy 124, Winnie, TX. Call 409-296-8200

Health Care

The Arboretum of Winnie

Due to our continued success, we are now taking applications for

LVN
 full-time/part-time, day/night shift positions. We offer competitive pay. Come join our TEAM!

Fax resume to: 409-296-8212 or apply in person at: 1215 Hwy 124, Winnie, TX. Call 409-296-8200

Trades, Skilled

DISH TV INSTALLER

Immediate openings for experienced DISH Satellite TV installers. Great pay and benefits, company van, gas card, tools and materials. Full benefit package offered. Must be clean-cut, hard working & dependable. Must have a good driving record, pass background and drug test. Must be 21 years of age.

Apply at: www.newdishjobs.com

HOUSE PAINTERS NEEDED
 Looking for experienced house painters. Please call Rich at 409-617-1100 for more information.

**NEED A RIDE?
 FIND ONE,
 IN THE
 CLASSIFIEDS**

NO. EX 7 TIME 11:00 PUBLIC MEETING

August 5, 2016

AUG 08 2016

SHINECE GREGORY, COUNTY CLERK
TYLER COUNTY, TEXAS

To: Judge J. Blanchette, Tyler County District

Mike Marshall, Pct.3 Commissioner

Re: Petition for Lake Amanda Water Control and Improvement District #1

Contents: Request to disallow petition with signatures collected during LAPOA Membership Meeting July 9, 2016 and consequent actions to form WCID

Overview:

Lake Amanda is a private lake held in trust by the Lake Amanda Property Owners Association, Inc., a Non-profit Corporation organized under the Laws of the State of Texas, Charter number 01635569 7-11-2001. Governance Bylaws contain Articles 1-8. All property owners are members of the LAPOA.

On May 27, 2016 Tyler County experienced record rainfalls resulting in the Lake Amanda dam to breach, causing the necessity of extensive and costly dam repairs to restore the lake level. The LAPOA board and several individuals began searching for solutions to cover the financial shortfall of the current LAPOA budget to enable the dam restoration.

On July 9, 2016 a Special LAPOA General Meeting was held at the Colmesneil Community Center for attendance of all Lake Amanda Property Owners. There was no notice of agenda items provided to the general membership prior to the meeting, and there were insufficient agendas for distribution to all members in attendance.

During the course of the meeting, there was a brief verbal presentation of the activities of the LAPOA Board in the pursuit of funding for the Dam Restoration Project. One of the options, the formation of a Water Improvement District (incorrect) was presented verbally as the choice of the Board of Directors, and the membership in attendance was called to sign a petition allowing the progression necessary to form a Water Control and Improvement District.

This resulted in the collection of 103 LAPOA member signatures for the "Petition for the creation of Lake Amanda Water Control and Improvement District No.1".

Objections supporting request to disallow petition:

1. **As a matter of business conveyed in the General Meeting, the Petition falls under the governance of the LAPOA bylaws.**

Petition signatures were collected during LAPOA General Meeting, governed by the bylaws of the association. Articles 5 and 6 direct timely advanced written notice, proxy voting for all major business decisions, proxy votes be presented to BOD before the meeting begins and 2/3 majority approval subject to a quorum of 30 voters in the event of low meeting attendance. Upon meeting adjournment, the following bylaws had not been observed:

- The progression of the WCID petition was never brought to the floor for membership approval by 2/3 majority vote
- No advanced written notice was given by the BOD to allow member proxy voting
- Proxy votes were not presented to the BOD because due process was not followed
- The 103 signatures collected only amount to 45% of the possible 230 (owners of record) signatures. This does not satisfy the 2/3 (66%) majority vote bylaw directive, even if above mentioned bylaw directives were set aside and the petition be considered a group membership vote.

2. Deficient Due Process by LAPOA BOD

Petition signatures were acquired without advance notice to the LAPOA members that they would be called to sign a petition to advance the WCID to filing, public hearing and possibly to Tyler County ballot. The result of this insufficient notice is:

- Lack of Membership due diligence regarding the WCID regulatory information for the majority of the signatories. Simply put, many did not know the ramifications of what they signed at the time.

3. Insufficient or misleading disclosure by the LAPOA BOD regarding WCID actions

The LAPOA BOD did not disclose intention to pursue the WCID as anything other than dam restoration funding through County bond election, resulting in mandatory taxation.

At no time did they disclose any information regarding:

-As to Insufficiency:

- Texas Water Code: Chapters 49 and 51, and encourage Members to read and understand it
- Costs associated with the administration of the WCID
- Any pro/con issues related to the authority of the WCID Directors (i.e. the ability to issue more bonds up to the 25% property valuation ceiling in addition to the estimated \$1M dam restoration budget, ability to restrict member access to the lake and/or grant public access to the lake, condemnation/eminent domain rights, etc.)
- References to any US Regulatory, State of Texas Law, or Texas Water Code statute to support any information provided to LAPOA members (see: Delinquent taxes do not cause a foreclosure)

-As to Misleading:

- Any other sources of funding fully vetted by the BOD. In fact, a USDA grant opportunity discovered and pursued by an individual member has been dismissed by the BOD and the individual has been told to cease all activity to advance the grant (supporting documents)
- Why the board holds the belief the WCID is the most effective, time efficient avenue for funding and the most equitable to members
- The transfer of Deed to the WCID would be necessary, effectively ending the heritage of the lake as a privately held property under the control and management of LAPOA Members

4. The formation of the WCID will result in the exclusion of the majority of property owners to vote on any measure brought to ballot in Tyler County

Of the 165 property owners included within the Lake Amanda District metes and bounds of the WCID Petition, 104 properties are owned by residents who live outside of the voting precinct. Per ownership information on the TCAD rolls, accounting for single and multiple owners, approximately 164 individuals out of 230 will be denied voting privileges on the directorship of the WCID, bond issuance, and et.al directly affecting them.

Understandably, this may be a unique situation in regards to WCID populations, but currently no Texas Water Code statue extends voting privilege provisions to non-residents.

As a result, non-residents will basically be thrust back to the colonial-day practice of Taxation without Representation. This should force the issue of deference to a higher authority or law in regards to the constitutionality of the institution of the WCID, in this case.

In conclusion:

Based on any and/or all objections cited here, it is requested the Petition be removed from the Tyler County Commissioners Court schedule for public hearing on August 8, 2016 at 11:00 am to grant approval for the Lake Amanda Water and Improvement District #1 to proceed to ballot.

Any and all objections stated here would affect the signatures collected and it is highly likely the minimum 50 signatures would not be gathered to allow the petition to be presented to Tyler County.

Until a petition is:

- properly presented to LAPOA members in writing, observing all LAPOA Bylaws of proper procedure,
- time is allowed for member due diligence on Texas Water Code, Chapters 49 and 51,
- the issue of non-resident denial of voting privilege on WCID ballot proposals is rectified,

it would be punitive to proceed with the petition in its current state, as the only remedy for opposition after approval of the WCID petition by the Commissioners Court is a \$2500 appeal bond to proceed to higher court consideration.

Please allow the time for all Lake Amanda property owners to fully understand this very important decision and how it will affect them.

Thank you for your thoughtful consideration on this request.

**Regards,
Claudia Hamilton**

EQUAL SHARE VOLUNTARY FUNDING VS. WCID TAXATION COMPARISON

NOTE: ALL INFORMATION IS HYPOTHETICAL- IN NO WAY DOES THIS REPRESENT THE FUNDING BUDGET NEEDED. THIS IS A TOOL TO UNDERSTAND DIFFERENT FUNDING OPTIONS AND INDIVIDUAL FINANCIAL IMPACT TO EACH PROPERTY OWNER

USE THIS LINK TO FIND YOUR PROPERTY MARKET VALUE BY ADDRESS:
<http://search.tyler.manatron.com/search.php?searchType=address>

GOAL **\$1,000,000.00** (HYPOTHETICAL)
 RESIDENTS 165
 EQUAL SHARE CASH CONTRIBUTION \$6,060.61

	NUMBER OF PAYMENTS	AMOUNT
1 YEAR		
SEMI-ANNUAL	2	\$3,030.30
MONTHLY	12	\$505.05
2 YEAR		
SEMI-ANNUAL	4	\$1,515.15
MONTHLY	24	\$252.53

3 YEAR		
SEMI-ANNUAL	6	\$1,010.10
MONTHLY	36	\$168.35

4 YEAR		
SEMI-ANNUAL	8	\$757.58
MONTHLY	48	\$126.26

5 YEAR		
SEMI-ANNUAL	10	\$606.06
MONTHLY	60	\$101.01

165
 TAX ROLL MARKET VALUE **\$47,700.00**
 AVG PER LAPOA BOD
 HANDOUT- \$47,700

	YOUR COST	FUND \$ TO WCID
AT \$47,700 AVG. MARKET VALUE WITH NO CHANGE RESULTING IN TAXATION INCREASE.		
Ex. 1	\$5,056.20	\$834,273.00
Ex. 2	\$7,727.40	\$1,275,021.00
Ex. 3	\$10,374.75	\$1,711,833.75

TO FIND YOUR PROPOSED WCID TAX BURDEN BY EXAMPLES PROVIDED AT LAPOA MEETING ON 7/9/16

AD VALOREM TAXATION A TAX BASED ON THE ASSESSED VALUE OF REAL ESTATE OR PERSONAL PROPERTY

TAX ROLL MARKET VALUE **\$0.00***
 ENTER YOUR MARKET VALUE IN BOX

	YOUR COST TOTAL IN NUMBER OF YEARS	FUND \$ TO WCID
COMBINED MARKET VALUE OF ALL RESIDENTS \$85,000,000.00		
AT \$ 8.5M COMBINED MARKET VALUE WITH NO CHANGE RESULTING IN TAXATION INCREASE.		
Ex. 1	\$0.00	\$901,000.00
Ex. 2	\$0.00	\$1,377,000.00
Ex. 3	\$0.00	\$1,848,750.00

* MAY NOT INCLUDE ANY EXEMPTIONS YOU QUALIFY FOR- THEY WILL BE DETERMINED BY WCID BOD

ALL VALUES ARE PER THE HANDOUTS PROVIDED AT LAPOA MEETING ON 7/9/16

NO. & 5 TIME 11:00 Public Hearing
 AUG 08 2016
 DONELE SNEEGURY, CLERK
 TYLER COUNTY, TEXAS
 BY