



Required Documentation of Eminent Domain Authority in Texas

What action must be taken: Per Senate Bill 18 enacted by the 82nd Legislature, all public and private entities authorized to exercise the power of eminent domain in Texas are **required to submit a letter to the Comptroller of Public Accounts detailing their legal authority to exercise this power. The letter must be sent by certified, return receipt mail not later than December 31, 2012.** (Per the bill, the authority of an entity to exercise the power of eminent domain expires on September 1, 2013, unless the letter has been submitted by the deadline.)

About this form: This form is designed to guide entities in submitting the required information on eminent domain authority. Once the fields have been completed, the form can be printed and mailed via certified, return receipt to the address provided to meet the requirements of the bill.

Entity Information

- Full, legal name of entity: Denton County Fresh Water Supply District No. 1-C
- Alternate name of entity (if any): _____
- Primary address: Street or P.O. Box 201 Main Street, Suite 2500
City, State, Zip Code Fort Worth, Texas 76102
- Primary phone number (with area code): (817) 332-2500
- Entity contact: First name Ross Last name Martin
Phone number (with area code): (817) 878-3517 E-mail address: ross.martin@kellyhart.com
- Alternate contact: First name Judy Last name McAngus
Phone number (with area code): (830) 438-1902 E-mail address: judy.mcangus@kellyhart.com

Eminent Domain Authority

- Does your entity have eminent domain authority in Texas? Yes No
- If "yes" to question 7, please identify all of the applicable provisions of state law that grant eminent domain authority to this entity. Please cite as Title of Code or Article, Section Number/Name (for example, Texas Government Code, Section 43.136 or Article 7849, Auxiliary Water Laws).

Denton County Fresh Water Supply District No. 1-C has the power of eminent domain under Texas Water Code §49.222 to acquire land, easements and other property by condemnation in the manner provided in the Texas Property Code.

- Please indicate the first year in which this entity exercised eminent domain authority (if known): _____

DISCLAIMER: Chapter 2206, Subchapter C, Government Code (as added by Senate Bill 18, 82nd Regular Session) requires the Comptroller of Public Account to collect information and report to the Legislature all entities in the state of Texas that have the authority to exercise the power of eminent domain. Entities that provide information to the Comptroller represent and warrant that the information is accurate and complete to the best of their knowledge. **Entities that provide information acknowledge that it is their responsibility to submit a letter by certified mail, return receipt requested to the Comptroller's office, indicating that the Entity is authorized to exercise eminent domain authority and to identify each law that grants such authority.** The Entity further acknowledges that the Comptroller's office is not responsible to submit said letter, nor is it responsible for the Entity's failure to submit said letter as required by law, and that such failure may cause the entity's power of eminent domain to expire on September 1, 2013. The Entity also acknowledges that the Comptroller of Public Accounts is a state agency subject to Chapter 552 of the Texas Gov't Code (the "Texas Public Information Act") and court interpretations thereof, and that the information submitted to this office may be subject to disclosure to the public under Section 552.101, et seq., of the Code.

Under Ch. 559, Government Code, you are entitled to review, request, and correct information we have on file about you, with limited exceptions in accordance with Ch. 552, Government Code. To request information for review or to request error correction, contact us at the address on this form or sb18compliance@cpa.state.tx.us.

By signing, I agree that the information is true and correct.

Mail this form via **certified mail** to:
COMPTROLLER OF PUBLIC ACCOUNTS
P.O. Box 13942
Austin, Texas 78711

sign here

David R Moore
Signature

08/21/12

Date

David Moore, President

Print Name/Title

972-899-4000

Phone (area code and number)

For questions or additional information, please e-mail: sb18compliance@cpa.state.tx.us or go to: www.window.texas.gov/sb18compliance

DENTON COUNTY FRESH WATER SUPPLY DISTRICT NO. 1-C

c/o

**KELLY HART & HALLMAN LLP
201 MAIN STREET, SUITE 2500
FORT WORTH, TEXAS 76102**

August 21, 2012

Via Certified Mail No. 7010 1060 0001 3320 8002

Return Receipt Requested

Texas Comptroller of Public Accounts
P.O. Box 13528, Capitol Station
Austin, Texas 78711-3528

Re: Denton County Fresh Water Supply District No. 1-C

Dear Comptroller Combs:

Denton County Fresh Water Supply District No. 1-C is a political subdivision of the State of Texas operating under Article XVI, Section 59 and Article III, Section 52 of the Texas Constitution and under Chapters 49, 51, and 53 of the Texas Water Code, as amended. Pursuant to Texas Government Code § 2206.101(b), we write to inform you and confirm that:

- (1) Denton County Fresh Water Supply District No. 1-C is authorized by the State of Texas to exercise the power of eminent domain; and
- (2) Denton County Fresh Water Supply District No. 1-C has the power of eminent domain under Texas Water Code §49.222 to acquire land, easements and other property by condemnation in the manner provided in the Texas Property Code and reserves the right to utilize such power now and in the future for any lawful purpose of the District.

The District's copy of your SB 18 Compliance Form is attached for your records.

Thank you for your attention to this matter. If you have any questions regarding this letter or need any additional information, please contact me at the numbers above.

Sincerely,



David Moore, President