

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION  
NASHVILLE, TENNESSEE

<b>IN RE:</b>  <b>APPLICATION OF LIMESTONE WATER UTILITY OPERATING COMPANY, LLC, FOR AUTHORITY TO PURCHASE TITLE TO THE ASSETS, PROPERTY, AND REAL ESTATE OF A WASTEWATER SYSTEM, CHAPEL WOODS, AND FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY</b>	<b>DOCKET NO. 21-00060</b>
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**RESPONSE OF LIMESTONE WATER UTILITY OPERATING COMPANY,  
LLC, TO THE CONSUMER ADVOCATE MFR LETTER**

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COMES NOW Limestone Water Utility Operating Company, LLC (Limestone), and, in response to the letter concerning minimum filing requirements provided by the Consumer Advocate on August 16, 2021 (MFR Letter), states as follows to the Tennessee Public Utility Commission (TPUC):

**Attachment A**

As to the items set out on Attachment A to the MFR Letter, and for which the Consumer Advocate seeks information or clarification, Limestone responds as follows:

**Rule 1220-04-13-.17(2)(a) General Information**

1. *Rule 1220-04-13-.17(2)(a)7.* The map provided is not legible. Additionally, Limestone states that "[m]aps depicting the area served by Chapel Woods are on file with the Commission, and those maps are incorporated into the Application by reference." Chapel Woods has not been before the Commission; therefore, no maps are on file with the Commission. The Consumer Advocate utilized TDEC's Water Resources Permit Dataviewer to locate publicly available documents. Chapel Woods submitted a plat map to the Marshall County Planning Commission which was approved by the Marshall County Codes Department. Chapel Woods also identified the lots for which there were sewer commitments and provided it to the Tennessee Department of

Environment and Conservation (TDEC). If Chapel Woods no longer has copies of these documents, Limestone may need to file Public Records Requests with TDEC and Marshall County. Please provide maps that meet the requirements set forth in Tenn. Comp. R. & Regs. 1220-04-13-.17(2)(a)7(i)-(v).

**RESPONSE:** Concurrent with the filing of this document, Limestone has provided the Consumer Advocate with an original pdf file containing the referenced map that should provide better visibility.

Rule 1220-04-13-.17(2)(c) Sufficient Managerial Ability

*1. Rule 1220-04-13-.17(2)(c)3.* The Consumer Advocate could not locate "copies of all contracts related to any pending merger or acquisition of" Limestone or Limestone's corporate parent or affiliate. Please provide the required information.

**RESPONSE:** Attached as **Appendix A** is a copy of the Agreement and Plan of Merger concerning Limestone's Missouri affiliates. There are no other pending mergers or acquisitions.

Rule 1220-04-13-.17(2)(d) Sufficient Technical Ability

*1. Rule 1220-04-13-.17(2)(d)1.* Limestone provided the existing permit as Exhibit 16 to the Petition. Again, the Consumer Advocate utilized TDEC's Water Resources Permit Dataviewer to locate publicly available documents. During this review, the Consumer Advocate located the Permit Application and TDEC's Letter of Complete Application. However, the Consumer Advocate could not locate "any engineering and/or design reports submitted to TDEC, such as the Design Development Report and the Detailed Soils Investigation Report." If Chapel Woods no longer has copies of these documents, Limestone may need to file Public Records Requests with TDEC. Please provide the required information.

**RESPONSE:** Chapel Woods has indicated that it has supplied those documents it has, as many of its documents are no longer available as a result of a flood. Attached as **Appendix B** is a copy of the request for public records made by Limestone and the response received. Attached as **Appendix C1 – C7** please find the documents Limestone has been able to obtain from the TDEC.

2. *Rule 1220-04-13-.17(2)(d)4.* In the Petition, Limestone states that there are currently no complaints or notices of violation or administrative action issued by any federal state or local regulatory agency ;9 however, the Consumer Advocate interprets the rule to require a list of *any* complaints-not just current complaints-relating to the Chapel Woods wastewater system, as well as an explanation of how the issue was or is being resolved. Once again, the Consumer Advocate utilized TDEC' s Water Resources Permit Dataviewer to find any publicly available documents. The Consumer Advocate located correspondence about two Compliance Evaluation Inspection (CEI) Letters.

- The first CEI Letter identified documentation that needed to be provided to TDEC:

Discussions during the inspection indicated that the treatment plant experiences in.flow & infiltration (I&I) during some rain events. A collections maintenance program needs to be adopted to determine the cause and location of the I&I. Septic tanks installed at each home should have a water-tight seal and proper fittings used to connect the piping from the septic tank to the gravity sewer line.

The metal treatment reactor has developed external rust along the top two sections of the unit which needs to be addressed. Iron content from inside of this tank is affecting the output of the ultraviolet (UV) disinfection unit.

- The second CEI Letter identified an issue of concern:

Monthly Operation Reports (MORs) are being submitted to the Columbia Environmental Field Office. The iron content from the rust on the inside of the reactor still blocks the effectiveness of the UV system, causing occasional E-coli violations. The plant uses bleach to disinfect prior to the UV disinfection in an attempt to prevent future violations. The plant uses Norweco Bio-Max tablets to dechlorinate the wastewater.

The Consumer Advocate was unable to locate Chapel Woods' responses to TDEC following the two CEI Letters. The Consumer Advocate requests that you provide Chapel Woods' responses and provide any other similar correspondence between TDEC and Chapel Woods. If Chapel Woods no longer has copies of these documents, Limestone may need to file Public Records Requests with TDEC. Please provide the required information.

**RESPONSE:** See the information in item 1 above, in regard to availability of information.

Attached as **Appendix D** please find a letter regarding a CEI letter. The current owner has

confirmed that the attached communications are all that are available.

Rule 1220-04-13-.17(2)(e) Sufficient Financial Ability

1. Rule 1220-04-13-.17(2)(e)2. In the Petition, the Consumer Advocate located only two years of Proforma income statements. However, the rule requires the wastewater utility to provide "Proforma income statements . . . for the first three (3) years of operations. . . . In the calculations of utility revenues show the number of consumers and the rates used in the calculations. Show operation and maintenance expenses by account number and provide the basis and/or assumptions used to arrive at these amounts." Please provide this required information.

**RESPONSE:** Please see the attached Pro Forma financials (Confidential Appendix E1 and E2) representing both a standalone view of Chapel Woods, and a view that consolidated Limestone with Chapel Woods along with a chart showing relevant operation and maintenance expense by account number (Appendix F).

2. Rule 1220-04-13-.17(2)(e)5. In its Petition, Limestone states that it will be using depreciation rates last approved by the Commission for Chapel Woods. However, Chapel Woods has not appeared before the Commission requesting authorization of depreciation rates. Please provide the required "depreciation rates the applicant intends to use for each plant account that will be on the wastewater utility's books. Include the estimated useful life of each account. If no depreciation study has been performed, explain the basis for these rates." Please provide this required information.

**RESPONSE:** Upon further due diligence with the current owner of Chapel Woods, Limestone has been unable to confirm depreciation rates. As such, Limestone has attached the depreciation rates it proposes to use post-closing (Appendix G), which are consistent with the depreciation rates utilized by CSWR-affiliated companies in other jurisdictions.

3. *Rule 1220-04-13-.17(2)(e)7.* In TDEC's Notice of Violation, TDEC stated that the plant was owned by Chapel Woods, but the property itself was owned by Connelly Group. Chapel Woods informed TDEC that an agreement to transfer the property was signed June 10, 2017.<sup>15</sup> The warranty deed was drawn and recorded with the Marshall County Register of Deeds on January 26, 2018. Since Chapel Woods has not appeared before the Commission, it is the Consumer Advocate's position that the deed showing ownership by Chapel Woods should be filed with

the Commission. If Chapel Woods no longer has copies of these documents, Limestone may need to file a Public Records Requests with TDEC. Please provide this required information

**RESPONSE:** The referenced Deed is attached as **Appendix H**.

4. *Rule 1220-04-13-.17(2)(e)8.* In Exhibit 20<sup>16</sup> to the Petition, Limestone included a Tariff for "Berkshire Glen/Walnut Hills Estates, Bar-B Acres, Countryside Meadows Subdivision, Wil-Mar Estates Subdivision, Fox Run Subdivision, Country Hills Subdivision, and Private Gardens-Prairie Field." Also, Sheet 2 of the Tariff shows no "Schedule of Rates." However, Josiah Cox stated that initially Limestone proposes to adopt Chapel Woods rates. In a Request for Information (RFI), TDEC requested the sewer service agreements, the planned rates structure for services and the basis for the establishment of the rates. If Chapel Woods no longer has copies of these documents, Limestone may need to file a Public Records Requests with TDEC. The proposed Tariff appears to be for different developments and does not set out the rates. Please file a corrected Tariff in this Docket.

**RESPONSE:** Attached as **Appendix I** is a copy of the Chapel Woods tariff.

5. *Rule 1220-04-13-.17(2)(e)13.* This rule requires a demonstration of compliance with the financial security requirements set forth in Rule 1220-04-13-.07(2)(b), which states that:

On or before July 1 of each year, any public wastewater utility holding a CCN and providing service shall file proof with the Commission of a security in the amount of fifty percent (50%) of annual wastewater revenues in the most recent annual or \$20,000, whichever is greater. The minimum financial security amount is \$20,000.

Limestone's filing shows a financial security of \$20,000.00. Please confirm whether this amount was filed due to a lack of a full year of revenue for Limestone.

**RESPONSE:** Chapel Woods Surety Bond remains in place currently to provide protection as to the subject assets (see **Appendix J**). As an applicant seeking authority to obtain an existing CCN (or, in the alternative, obtain a new CCN), Limestone believes the Commission's rule only requires a \$20,000 bond at this point. If the Commission grants Limestone's application, a bond complying with Rule 1220-04-13-.17(2)(e)13 will be obtained post-closing. However,

attached as **Appendix K** for further information is a copy of the Surety Bond filed on or before July 1, 2021, by Limestone as a public wastewater utility holding a CCN in the amount of \$127,116.00.

Respectfully submitted,



Charles B. Welch, Jr., Esq.  
Tyler A. Cosby, Esq.  
Farris Bobango PLC  
414 Union Street, Suite 1105  
Nashville, TN 37219  
(615) 726-1200 (telephone)  
[cwelch@farris-law.com](mailto:cwelch@farris-law.com)  
[tcosby@farris-law.com](mailto:tcosby@farris-law.com)

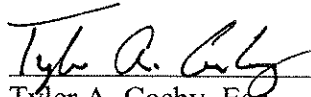
Dean L. Cooper MBE#36592  
BRYDON, SWEARENGEN & ENGLAND P.C.  
312 E. Capitol Avenue  
P. O. Box 456  
Jefferson City, MO 65102  
(573) 635-7166  
[dcooper@brydonlaw.com](mailto:dcooper@brydonlaw.com)

*Attorneys for Applicant Limestone Water  
Utility Operating Company, LLC*

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served via either U.S. Mail, postage prepaid, or electronically to the following this 20<sup>th</sup> day of October, 2021.

Vance Broemel Karen H. Stachowski Terra Allen Rachel C. Bowen Consumer Protection and Advocate Division Office of the Attorney General P.O. Box 20207 Nashville, TN 37202	
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Tyler A. Cosby, Esq.

## AGREEMENT AND PLAN OF MERGER

Pursuant to the provisions of Section 351.410 of the Missouri Revised Statutes, the undersigned entities certify the following:

- (1) The name, state or country of organization and nature or type of each constituent entity proposing to merge are:

ELM HILLS UTILITY OPERATING COMPANY, INC., a Missouri corporation;  
 HILLCREST UTILITY OPERATING COMPANY, INC., a Missouri corporation;  
 INDIAN HILLS UTILITY OPERATING COMPANY, INC., a Missouri corporation;  
 OSAGE UTILITY OPERATING COMPANY, INC., a Missouri corporation;  
 RACCOON CREEK UTILITY OPERATING COMPANY, INC., a Missouri corporation; and  
 CONFLUENCE RIVERS UTILITY OPERATING COMPANY, INC., a Missouri corporation (the "Surviving Entity").

- (2) The terms and conditions of the merger are as follows:

The effective date of the merger will be the date upon which the Missouri Secretary of State files the Articles of Merger. Upon the effective date of the merger, the merger shall have the effects specified in Section 351.447 of the Missouri Revised Statutes and this Agreement, including but not limited to: the separate existence of the Merging Entities will cease; title to all real estate and other property owned by the Merging Entities will be vested in the Surviving Entity without reversion or impairment; and the Surviving Entity will assume all liabilities of the Merging Entities. Any proceeding pending by or against the Surviving Entity may be continued as if such merger did not occur.

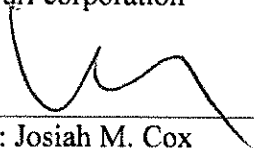
- (3) The interests in the Merging Entities shall be converted or exchanged into interests, cash, obligations or other property and upon the effective date of the merger become interests, cash, obligations or other property in the Surviving Entity. The former holder of such interests, cash, obligations or other property shall be entitled only to the rights provided in this agreement or the rights otherwise provided by law.
- (4) The Articles of Incorporation of the Surviving Entity filed with the Missouri Secretary of State on August 11, 2016, as amended on November 21, 2016, shall not be further amended and shall remain in full force and effect upon the effective date of the merger.

In affirmation of the truth and correctness of the facts stated above, the above-mentioned Surviving Entity and Merging Entities have executed this Agreement of Merger as of this \_\_\_\_ day of April 28, 2021.




**SURVIVING ENTITY**

CONFLUENCE RIVERS UTILITY  
OPERATING COMPANY, INC., a  
Missouri corporation

By   
Name: Josiah M. Cox  
Title: President

**MERGING ENTITIES**

ELM HILLS UTILITY OPERATING  
COMPANY, INC., a Missouri corporation

By   
Name: Josiah M. Cox  
Title: President

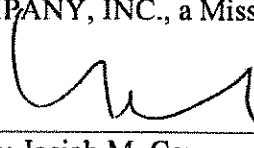
HILLCREST UTILITY OPERATING  
COMPANY, INC., a Missouri corporation

By   
Name: Josiah M. Cox  
Title: President

INDIAN HILLS UTILITY OPERATING  
COMPANY, INC., a Missouri corporation

By   
Name: Josiah M. Cox  
Title: President

OSAGE UTILITY OPERATING  
COMPANY, INC., a Missouri corporation

By   
Name: Josiah M. Cox  
Title: President

RACCOON CREEK UTILITY  
OPERATING COMPANY, INC., a  
Missouri corporation

By 

Name: Josiah M. Cox

Title: President

**EXHIBIT 1**  
**ARTICLES OF MERGER CONSTITUENT ENTITIES**

1. The constituent corporations are:

Confluence Rivers Utility Operating Company, Inc., Charter No. 001369511 of Missouri;  
Elm Hills Utility Operating Company, Inc., Charter No. 001368460 of Missouri;  
Hillcrest Utility Operating Company, Inc., Charter No. 01378396 of Missouri;  
Indian Hills Utility Operating Company, Inc., Charter No. 001366614 of Missouri;  
Osage Utility Operating Company, Inc., Charter No. 001375522 of Missouri; and  
Raccoon Creek Utility Operating Company, Inc., Charter No. 01378395 of Missouri.

**From:** Wade Murphy <Wade.Murphy@tn.gov>

**Sent:** Friday, September 24, 2021 12:16 PM

**To:** Jonathan Meany <jmeany@cswrgroup.com>

**Cc:** Shirley Pruitt <Shirley.Pruitt@tn.gov>; Gary Horne <Gary.Horne@tn.gov>; Katherine Watts <Katherine.Watts@tn.gov>

**Subject:** RE: [EXTERNAL] Public Records Request Chapel Woods STP (Site ID: 5723, NPDES TN0062073)\_Email 1 of 5

Hello Mr. Meany (Jonathon). I am assisting my colleagues on the public records request below regarding the engineering plans. TDEC no longer has these records officially. They predate our electronic files. Additionally, our Records Disposition Authorization (RDA) enables us to keep approved engineering plans on file for 30 years, and these plans are more than 30 years old. However, I have some copies of plans on my computer that someone in Chapel Woods sent to me about 5 years ago while working together on a permit issue. I'm happy to send them to you so perhaps it will help ensure their longevity. I'm not allowed to file them back into our files due to their age.

There may be some duplicates. The attached are six associated with the outfall line that I renamed when working on the past permit issue. I will send you the other 48 plan sheets in groups of 12. I will send the other 4 emails to you and not bother the remainder of the email string.

Best wishes on this endeavor with Chapel Woods.



**Wade D. Murphy | E.I.**

Division of Water Resources, Water-Based Systems Unit

William R. Snodgrass TN Tower, 11<sup>th</sup> Fl

312 Rosa L. Parks Ave 37243

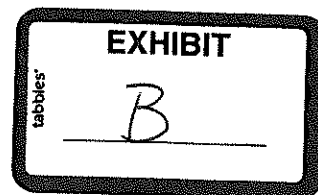
p. 615-532-0666

[wade.murphy@tn.gov](mailto:wade.murphy@tn.gov)

[tn.gov/environment](http://tn.gov/environment)

**Internal Customers:** We value your feedback! Please complete our [customer satisfaction survey](#).

**External Customers:** We value your feedback! Please complete our [customer satisfaction survey](#).





**Formstack Submission For: Public Records Request (RDA SW35)**  
**Submitted at 09/23/21 3:50 PM**

**Requestor's Name:** Jonathan Meany

**Phone:** (314) 482-0342

**Requestor's E-mail:** [jmeany@cswrgroup.com](mailto:jmeany@cswrgroup.com)

**Is this request for information related to anticipated or existing litigation?:** No

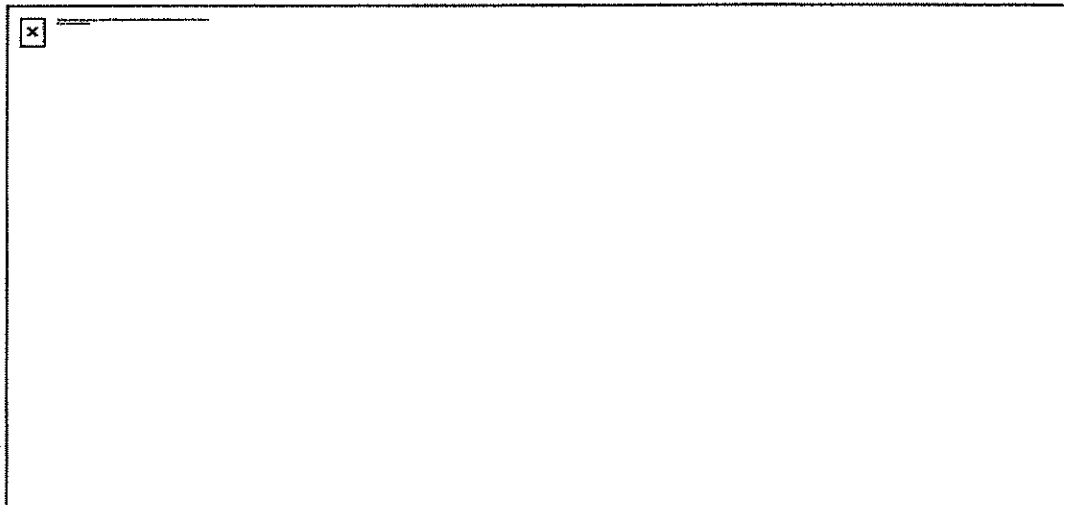
**Is the requestor a Tennessee citizen?:** No

**Request::**

**If costs for copies are assessed, the requestor has a right to receive an estimate. Do** Yes

you wish to  
waive your  
right to an  
estimate and  
agree to pay  
copying and  
production  
costs in an  
amount not  
to exceed the  
amount  
entered by  
the requestor  
below?:

If yes, then  
initial below:



Direct Link to Image

Dollar  
amount to  
not exceed:

Delivery  
Preference::

Electronic

Provide a  
detailed  
description of  
the record(s)  
requested,  
including: (1)  
type of

Limestone Utility Operating Company (a division of CSWR) is in the process of applying NPDES TN0062073).  
The consumer advocate involved in reviewing the acquisition approval application no submitted to TDEC, such as the Design Development Report and the Detailed Soils Im for the system and has requested that Limestone submit a Public Records Request to these documents several years ago.  
Additionally, the consumer advocate noted they were unable to locate the utility's re

record; (2) timeframe or dates for the records sought; and (3) subject matter or key words related to the records. Under the TPRA, record requests must be sufficiently detailed to enable a governmental entity to identify the specific records sought. As such, your record request must provide enough detail to enable the records custodian responding to the request to identify the specific records you are seeking.:

concerning a need document I&I flows to the facility and a second concerning failure effluent blocking the effectiveness of disinfection. We would also, therefore, like to r

Please let me know if it is possible to obtain copies of any engineering and/or design pdf format.

Thanks,  
Jon Meany  
Central States Water Resources  
1650 Des Peres Rd, Suite 303,  
St. Louis, MO 63131  
Mobile: 314-482-0342  
Office: 314-380-8537  
Fax: 314-736-4743  
[www.centralstateswaterresources.com](http://www.centralstateswaterresources.com)

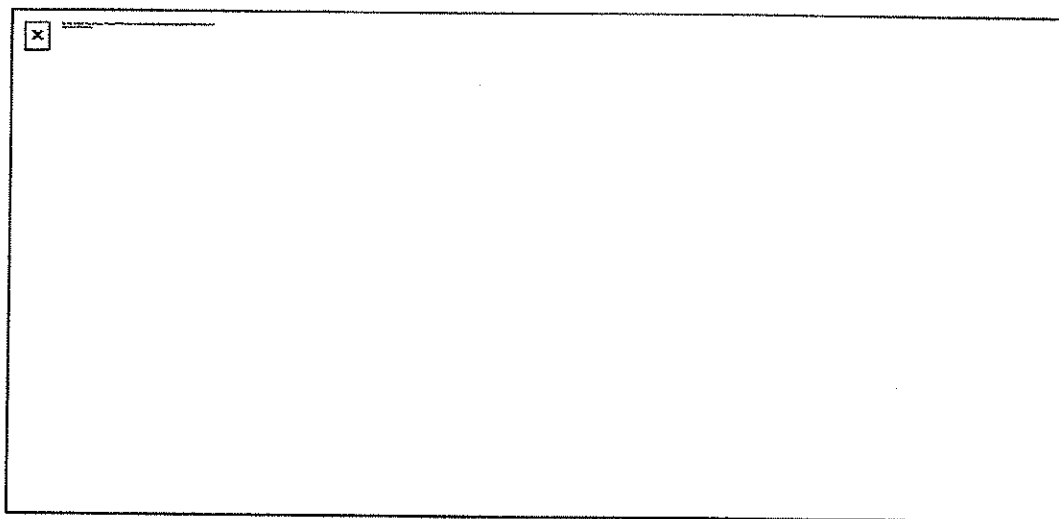
If site specific, choose the county:

Marshall County

If needed, upload any

supporting  
documents or  
maps. :

Signature of  
Requestor:



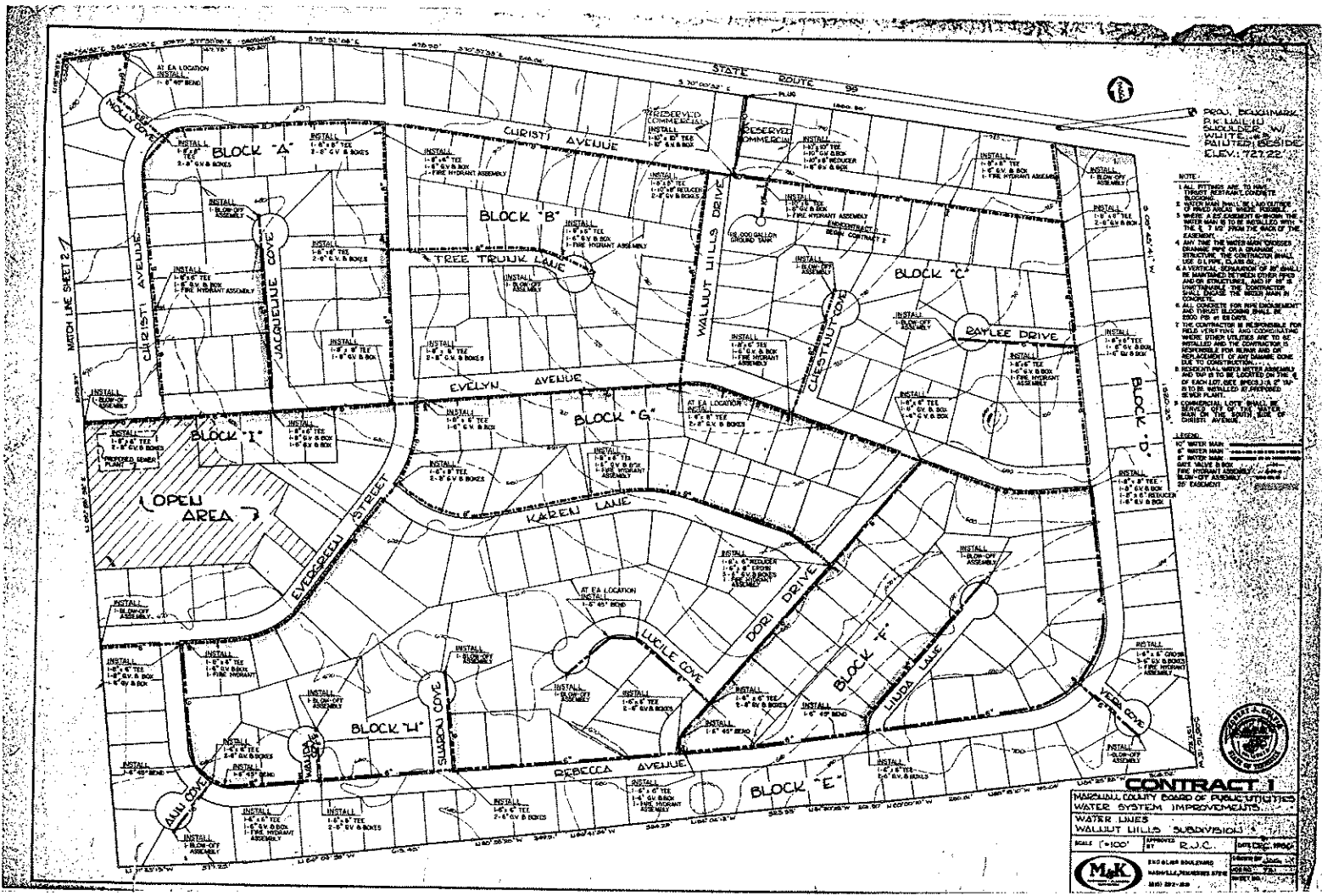
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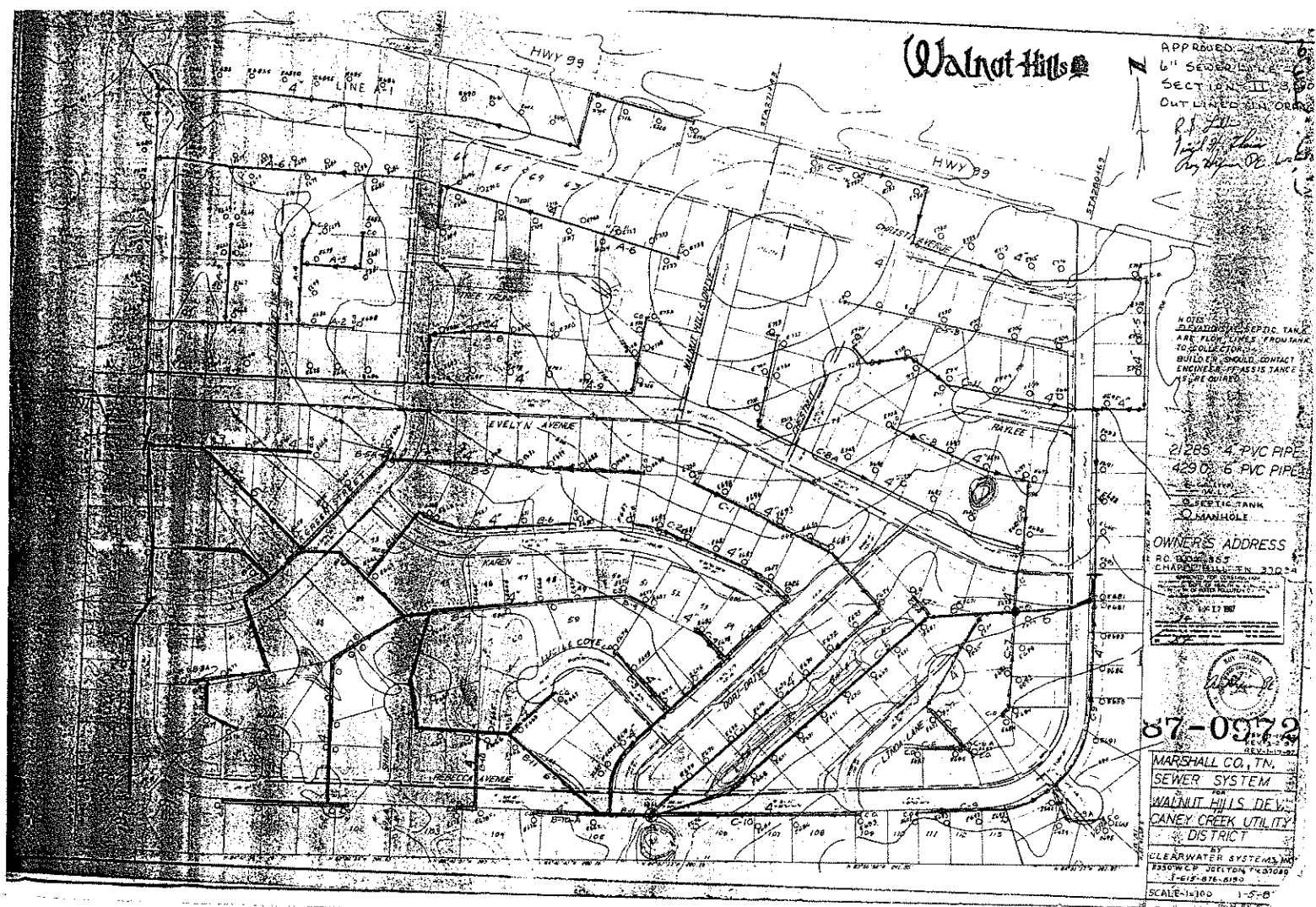
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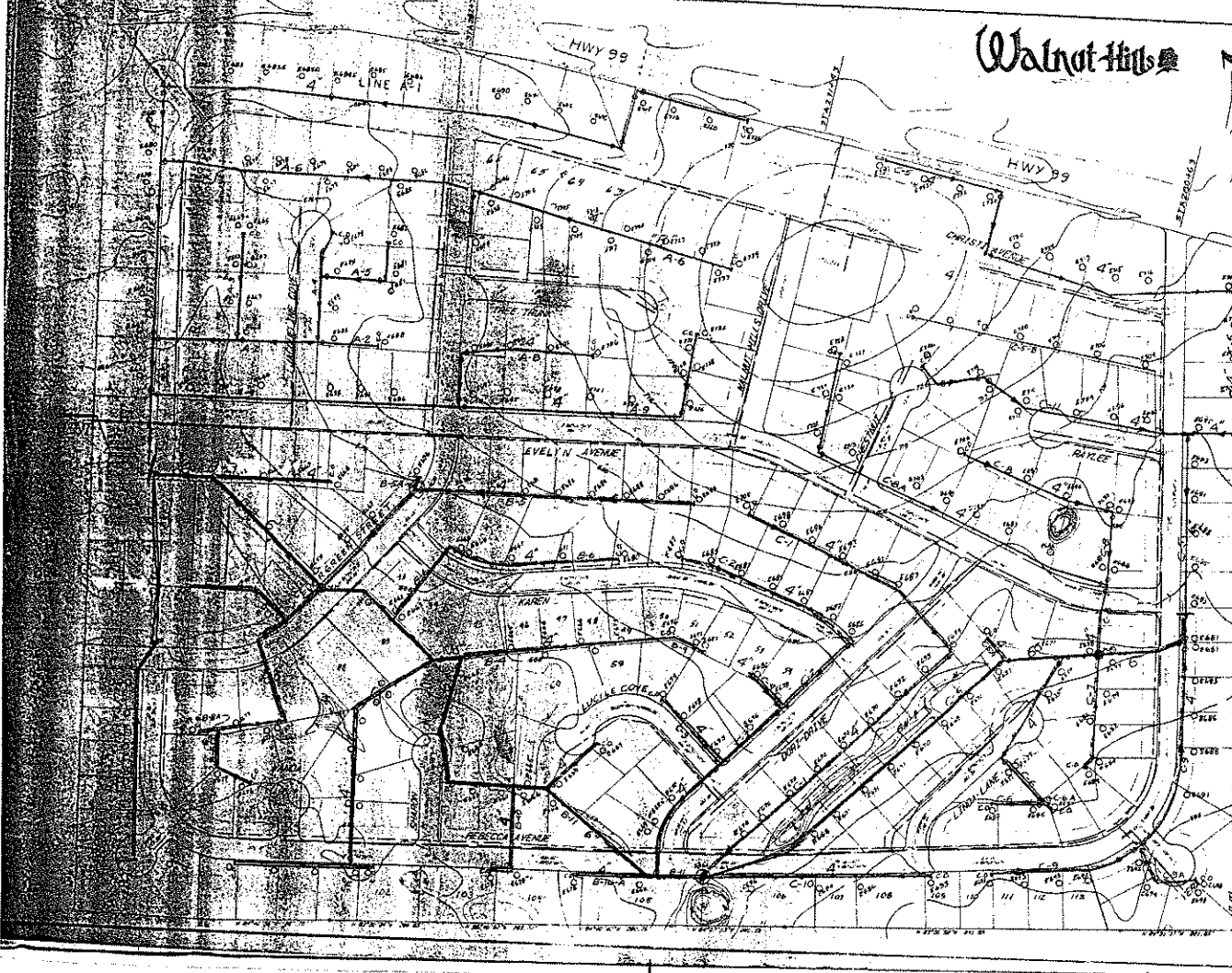




EXHIBIT

CI





Walnut Hills

APPROVED  
6" SEWER LINE  
SECTION II-3  
OUTLINED IN DRAWING  
P. J. F.  
1/24/74  
By: [Signature]

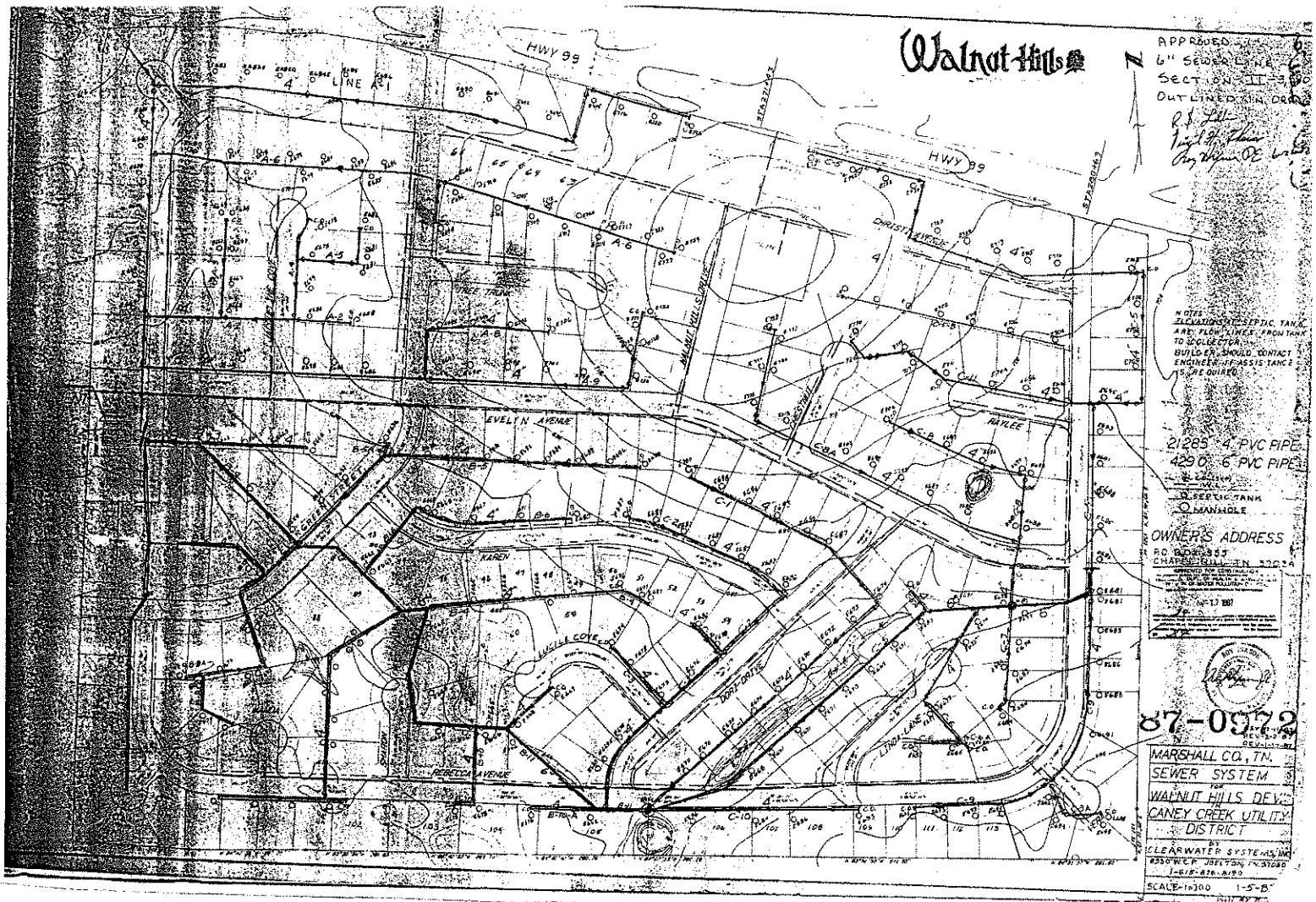
NOTES: ALL SEPTIC TANKS ARE FLOW LINES FROM TANK TO COLLECTOR. BUILDERS SHOULD CONTACT ENGINEER FOR ASSISTANCE IF NOT GUIDED.

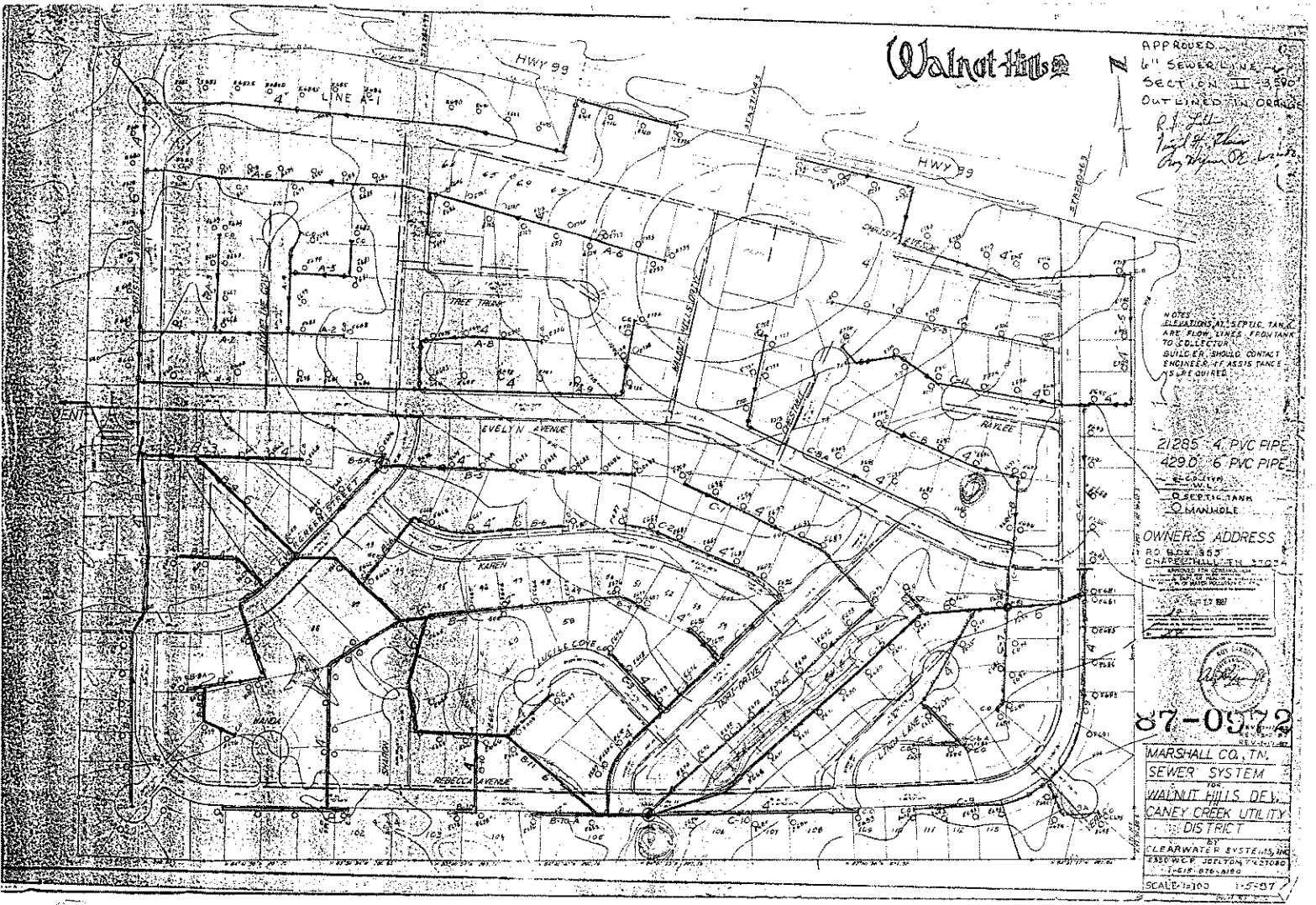
21285 4" PVC PIPE  
429 6" PVC PIPE  
SEPTIC TANK  
MANHOLE

OWNER'S ADDRESS  
RD 100, BOX 553  
CHAPMAN, TN 37024  
[Stamp]

87-0972

MARSHALL CO., TN  
SEWER SYSTEM  
FOR  
WALNUT HILLS DEV.  
CANYON CREEK UTILITY  
DISTRICT  
BY  
CLEARWATER SYSTEMS, INC.  
8330 W. 130th St., Suite 100  
Overland Park, KS 66204  
1-816-876-8190  
SCALE: 1"=100' 1-5-B





Walnut Hills

APPROVED  
6" SEWER LINE  
SECTION II-3590  
OUTLINED IN ORANGE  
R. L. Hill  
10/14/80  
City Engineer

NOTES:  
ELEVATIONS ALL SEPTIC TANK  
AND FLOW LINES FROM TANK  
TO COLLECTOR  
BUILDER SHOULD CONTACT  
ENGINEER AT ASSISTANCE  
IS REQUIRED

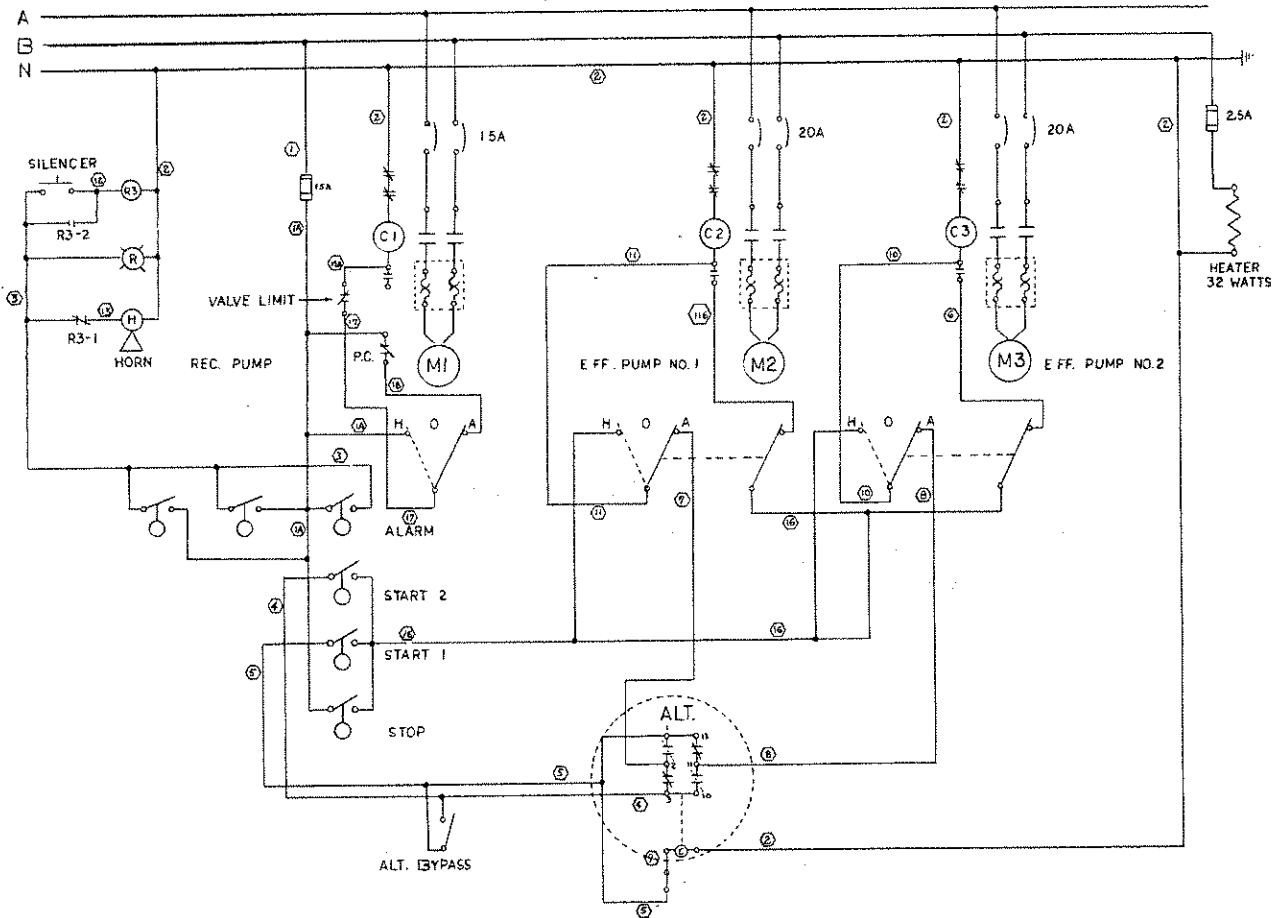
21285' 4" PVC PIPE  
4290' 6" PVC PIPE  
2" COLLECTOR  
SEPTIC TANK  
MANHOLE

OWNER'S ADDRESS  
RD BOX 303  
CHAPPEL HILL, TN 37024  
10/14/80

87-0972

MARSHALL CO., TN  
SEWER SYSTEM  
FOR  
WALNUT HILLS DEV.  
CANBY CREEK UTILITY  
DISTRICT  
BY  
CLEARWATER SYSTEMS, INC.  
1330 W. JEFFERSON AVE.  
MEMPHIS, TN 38103  
SCALE: 1"=50'

220 / 110

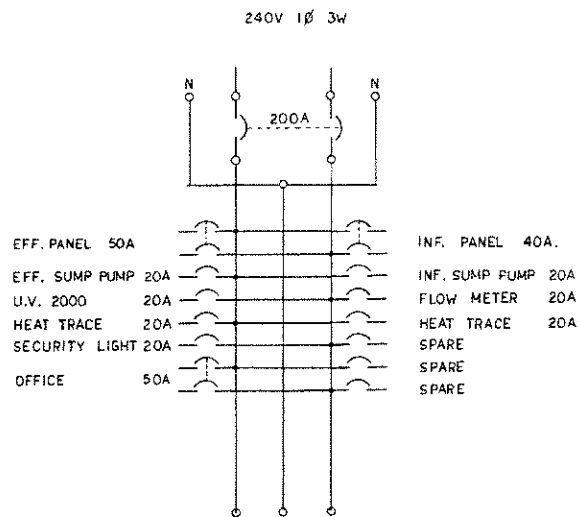


*Eff. Schematic*

REVISIONS	BY

*Project Management Service*  
*Walnut Hills Subdivision*

CHECKED
DATE 5/18/80
SCALE N.T.S.
JOB NO.
SHEET 12
OF 13 SHEETS



## Service Panel Schedule

REVISION	BY

*Project Management Service*

*Walnut Hills Subdivision*

DATE  
5/16/89

CHECKED  
H.T.S.

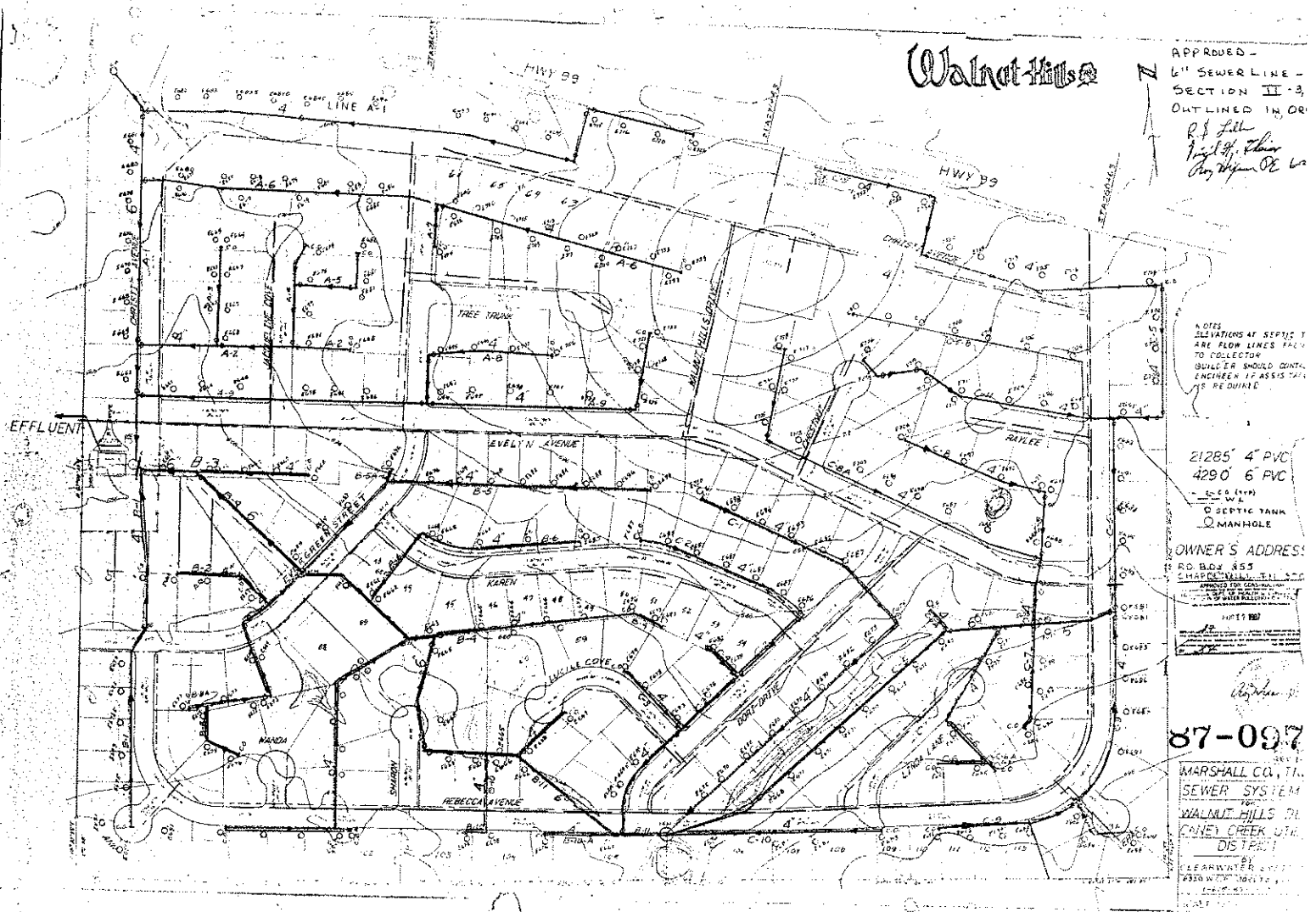
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5/16/89

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N.T.S.

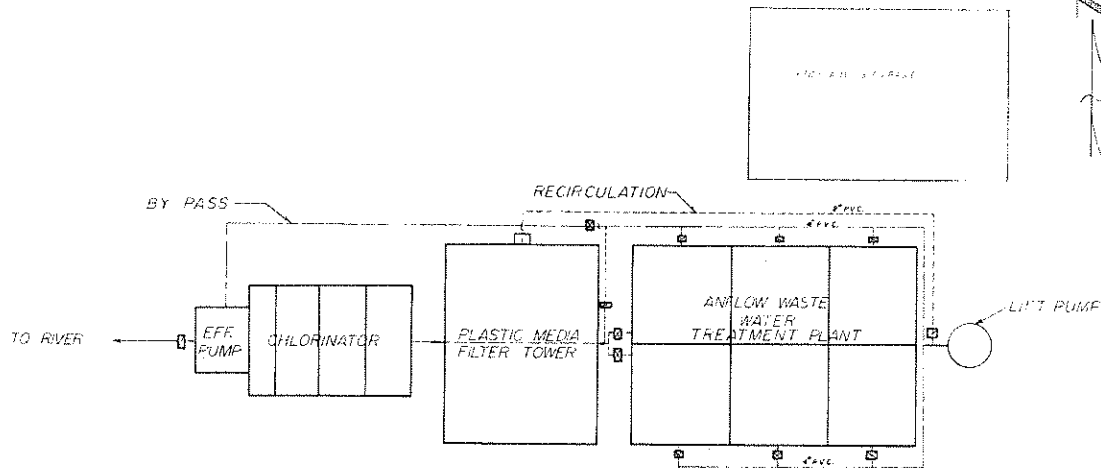
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SHEET  
13

OF 13 SHEETS





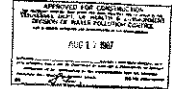


#### GENERAL NOTES

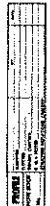
1. ALL NEW CONSTRUCTION SHALL BE IN ACCORDANCE WITH SPECIFICATIONS OF THE TENNESSEE DEPARTMENT OF PUBLIC SAFETY.
2. THE DESIGN OF THE FACILITY SHALL BE BASED ON ANY AND ALL CONDITIONS WHICH MAY ARISE AS TO THE QUALITY AND QUANTITY OF THE WASTEWATER TO BE TREATED, THE RATE OF FLOW, THE NATURE OF THE WASTEWATER, AND THE DATA TO BE OBTAINED IN THE WORK. OF SUCH DESIGN ALL CONDITIONS WHICH MAY ARISE AS TO THE INTERPRETATION OF THE PLANS OR SPECIFICATIONS, ACCEPTABLE FULFILLMENT OF THE CONTRACT, AND ALL UNEXPECTED AND UNUSUAL EVENTS BY THE CONTRACTOR.
3. THE CONTRACTOR SHALL PROVIDE ADEQUATE RECORD OF ANY FIELD CHANGES MADE DURING CONSTRUCTION.
4. THE CONTRACTOR SHALL HAVE MAINTAINED THE OWNER, HIS AGENT, THE ENGINEER, AND ANY OTHER AGENCIES FROM BEARING ANYTHING FROM THE LACK OF COMPLIANCE WITH THE SAFETY REQUIREMENTS. THE CONTRACTOR SHALL BE IN FULL COMPLIANCE WITH THE REQUIREMENTS OF STATE AND FEDERAL SAFETY REQUIREMENTS.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CLEARING OF THE JOB SITE, REMOVAL AND STORAGE OF DEBRIS AND OTHER OBSTRUCTIONS.
6. THE CONTRACTOR IS RESPONSIBLE FOR LOSS OR DAMAGE TO ANY EXISTING PIPE, OR LOT, OR FUNDING, OR FUNDING, AND SHALL BEAT THE COST OF REPLACEMENT.
7. THE CONTRACTOR IS CAPABLE AND SHALL BE RESPONSIBLE FOR PROVIDING THE ENGINEER OF ANY LOSS OF DAMAGE TO THE PLANS, WHICH MAY BECAUSE OF NEGLIGENCE OR NEGLIGENCE BY THE CONTRACTOR.
8. THE CONTRACTOR SHALL PROVIDE THE OWNER WITH A WRITTEN GUARANTEE, COVERING MATERIALS AND WORKMANSHIP. THE GUARANTEE SHALL BE FOR A PERIOD OF ONE YEAR COMMENCING ON THE DATE OF FINAL ACCEPTANCE. ANY DEFICIENCIES OBSERVED WITHIN THE GUARANTEE PERIOD SHALL BE PROMPTLY CORRECTED BY THE CONTRACTOR.
9. AFTER CONSTRUCTION, ALL BASINS SHALL BE PERMANENTLY PROTECTED BY ESTABLISHING A VISIBLE CODE. DURING THE WORK WITH APPROVED EQUIPMENT, FERTILIZERS AND WHICH WILL BE REQUIRED ON ALL BASIN SLOPES EXCEPT JOINT JOINTS.
10. THAT AT ALL TIMES THE CONTRACTOR SHALL HAVE ON SITE QUALIFIED SUPERVISING PERSONNEL, CAPABLE OF STAFFING AND REPORTING TO THE PLANS AND SPECIFICATIONS PROVIDED.
11. ALL CONCRETE IN ANION WASTE WATER TREATMENT PLANT, HANDLES SHALL BE COVERED WITH WATER PROOF.

#### LAYOUT OF TREATMENT FACILITY

87-0972



MARSHALL CO. TN  
SEWER SYSTEM FOR  
WALNUT HILLS DEV.  
IN CANEY CREEK  
UTILITY DISTRICT  
BY CLEVERLY SYSTEMS INCORPORATED  
1000 W. 10TH ST. TULSA, OK  
918-776-5100  
DATE: 8-17-87  
SCALE: 1/2" = 1'-0"

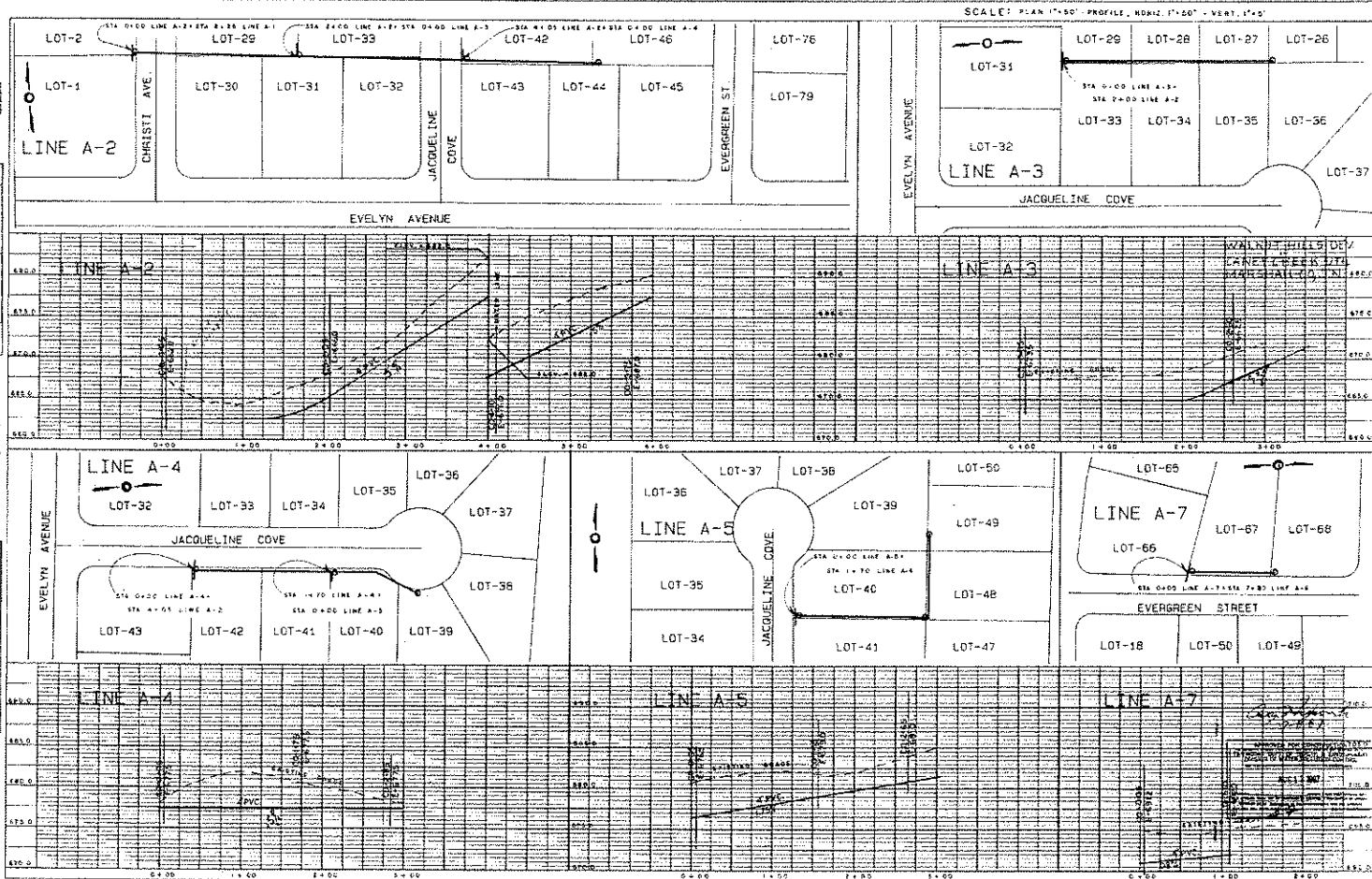


STATE OF MISSISSIPPI  
COUNTY OF HANCOCK

PLAT  
DATE  
BY  
FOR

WATER-RESISTANT

PLAT  
DATE  
BY  
FOR



PLAT DOUBLE PLAT AND PROFILE FULL

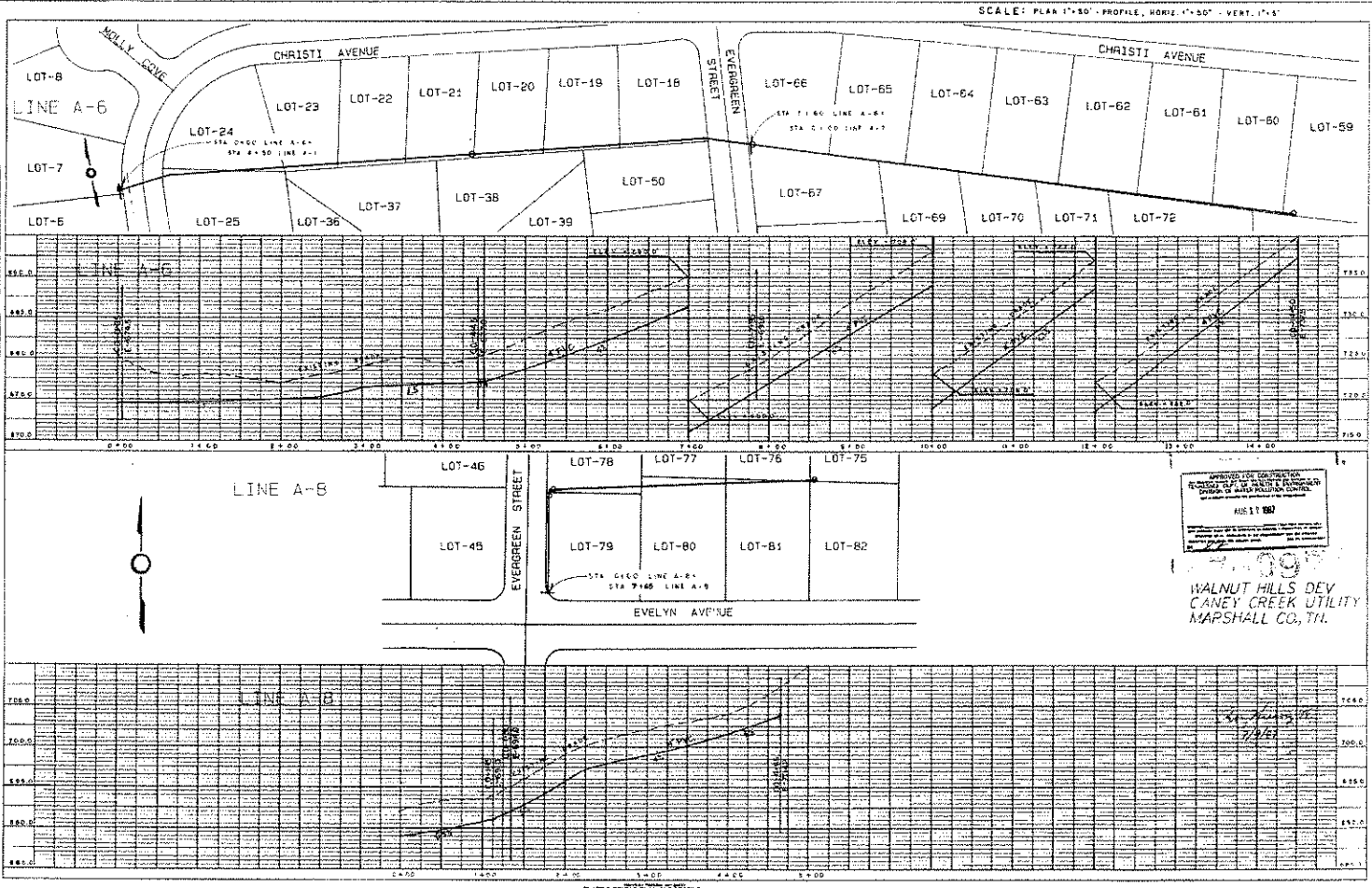
360 SHEET 5 of 26

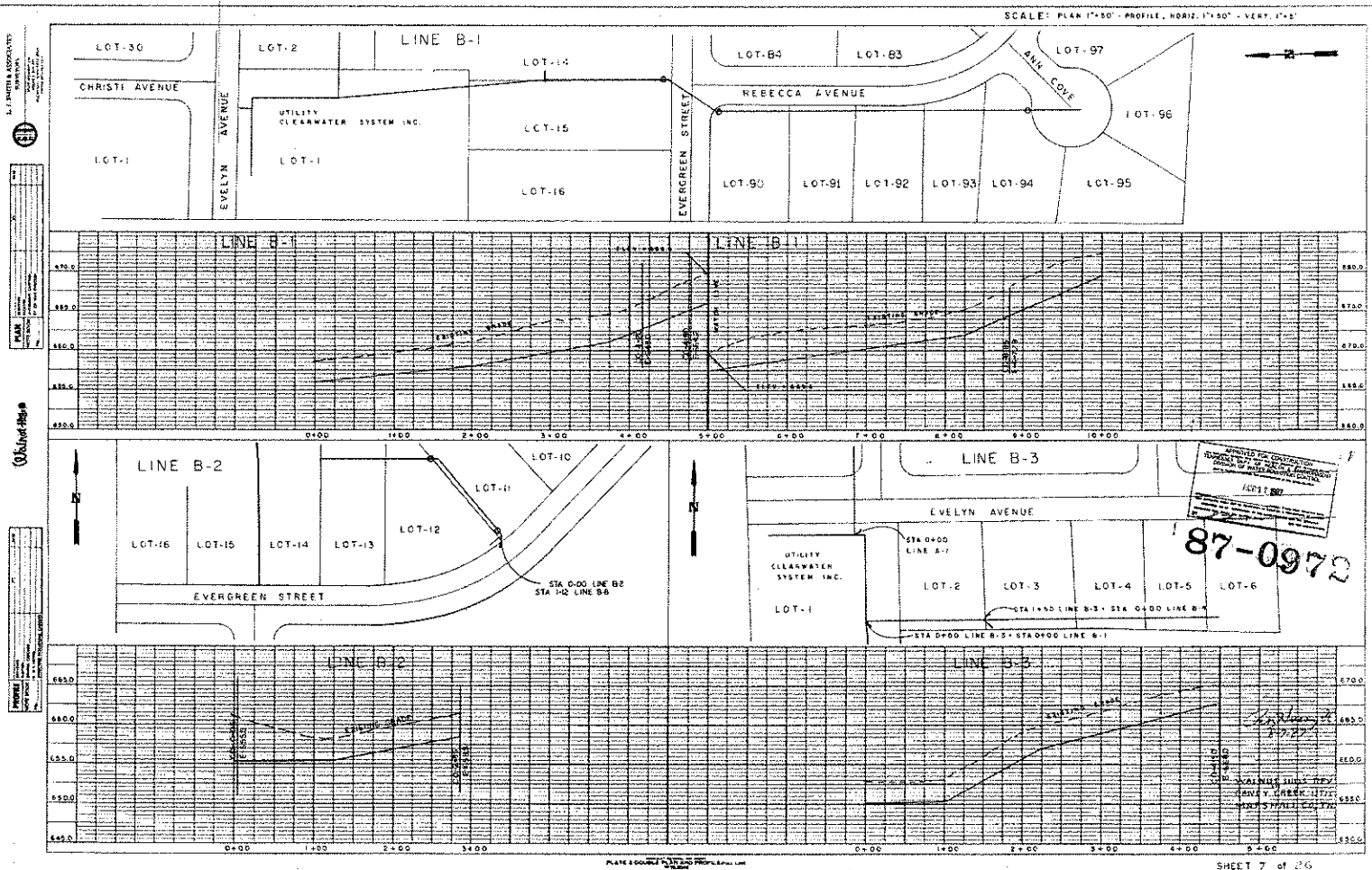
1.1 SURVEY ACCURACY  
 1/4" = 1' HORIZONTAL  
 1" = 10' VERTICAL

PLAN

PROFILE

9/26/02







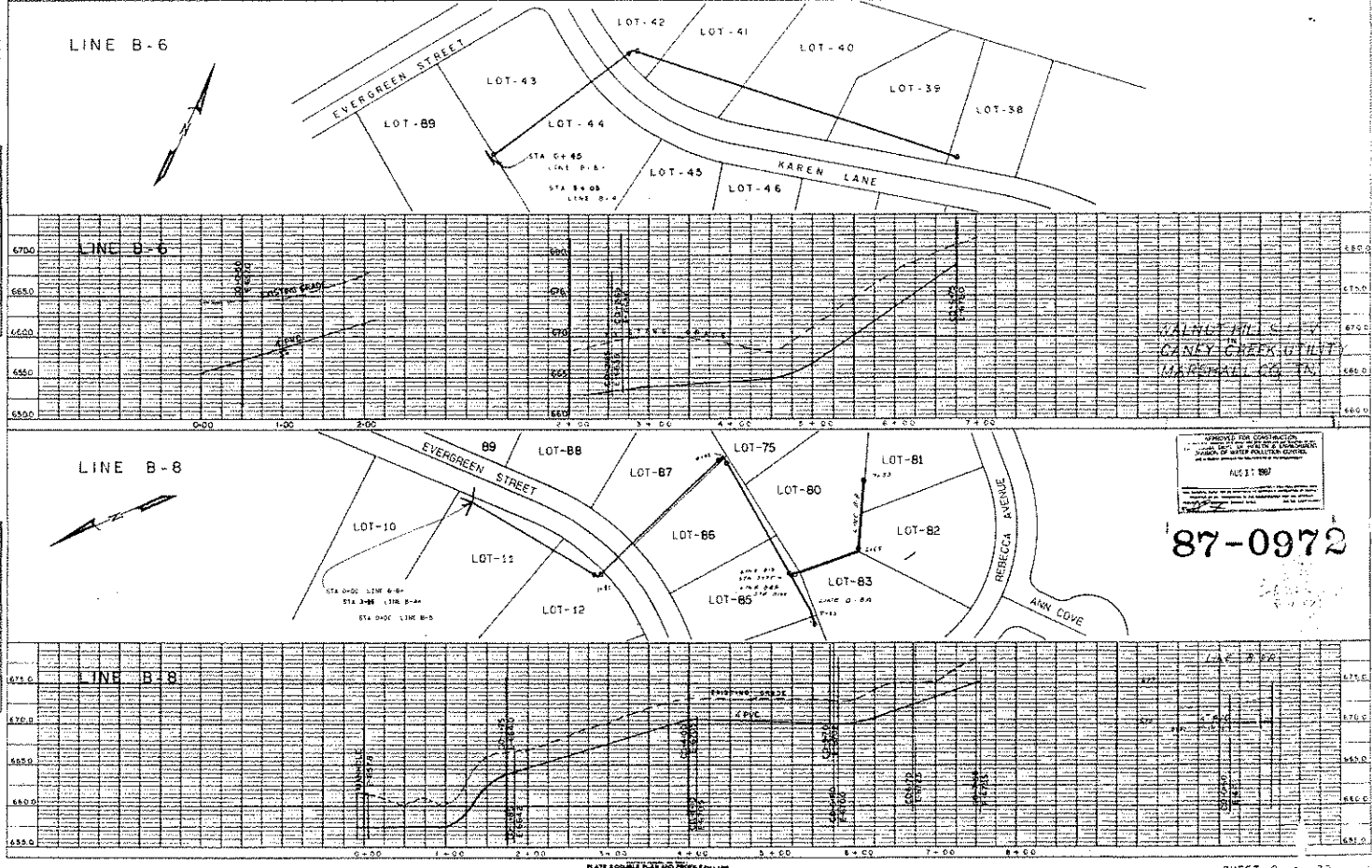
SCALE: PLAN 1"=50' PROFILE, HORIZ. 1"=50' VERT. 1"=5'

L. L. LINDSEY & ASSOCIATES  
INCORPORATED  
ENGINEERS  
PLANNERS  
ARCHITECTS  
1000 N. 10TH ST.  
SUITE 200  
DENVER, CO 80202  
TEL: 333-1111  
FAX: 333-1112

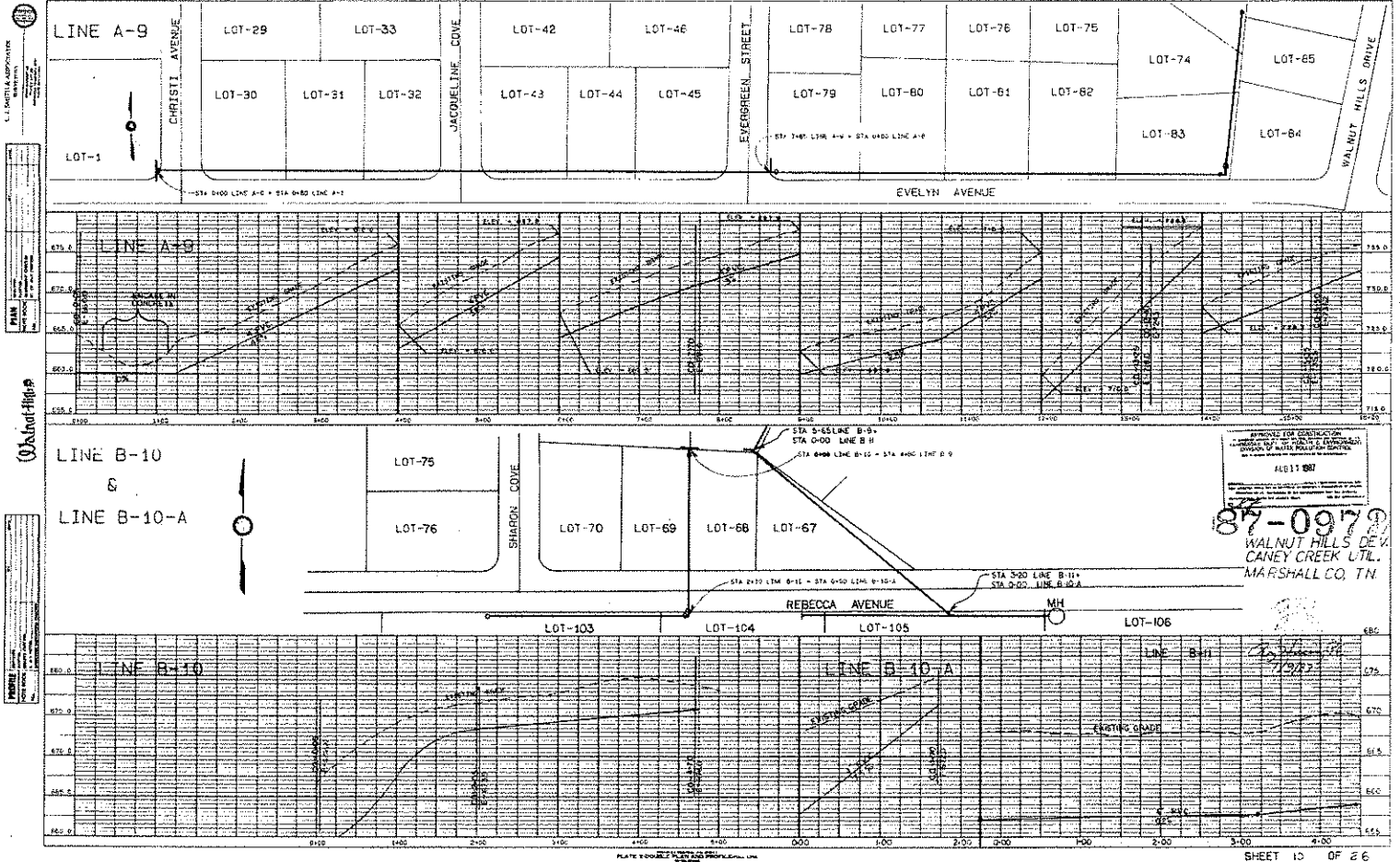
PROJECT: WAINWORTH CANYON  
SHEET: 87-0972  
DATE: 10/1/00  
BY: J. LINDSEY  
CHECKED: J. LINDSEY  
APPROVED: J. LINDSEY

WAINWORTH CANYON  
SHEET 87-0972

PROJECT: WAINWORTH CANYON  
SHEET: 87-0972  
DATE: 10/1/00  
BY: J. LINDSEY  
CHECKED: J. LINDSEY  
APPROVED: J. LINDSEY



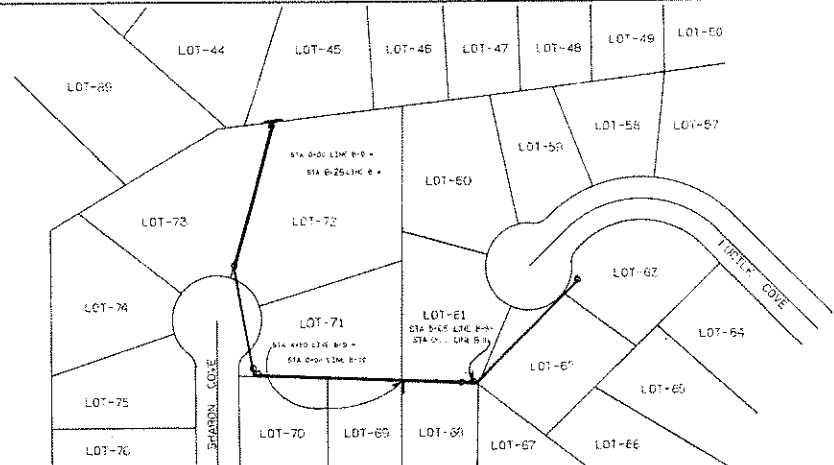
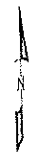
SCALE: PLAN 1"=10' PROFILE, HORIZ. 1"=20' - VERT. 1"=5'



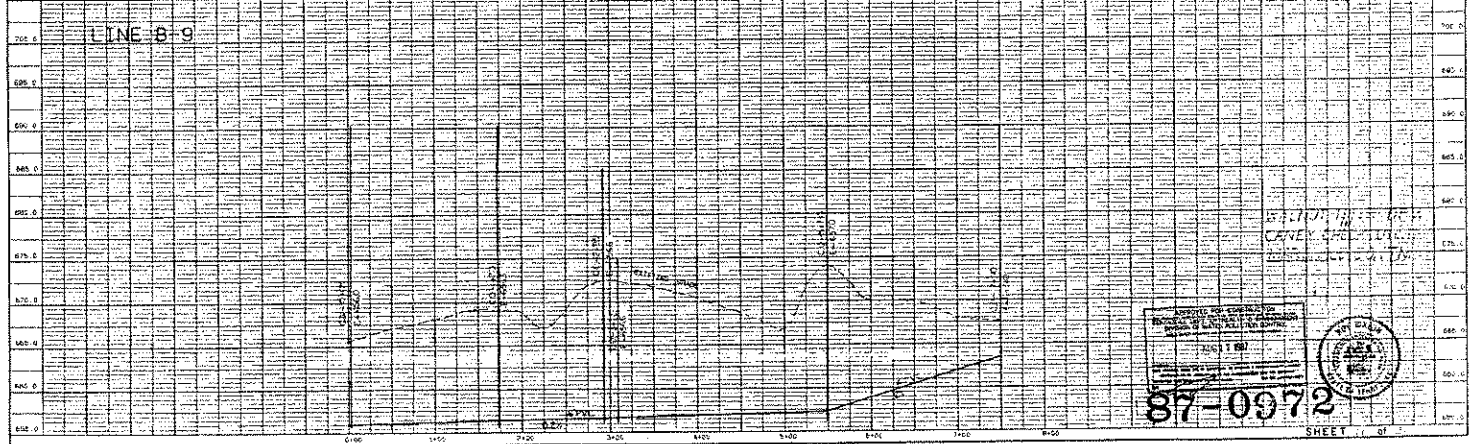


SCALE: PLAN 1"=50' - PROFILE, HORIZ. 1"=50' - VERT. 1"=5'

LINE B-9



LINE B-9



87-0072



K-E PLATS / PLANNING / PROFILE

SHEET 1 OF 1

C. J. SMITH & ASSOCIATES

PLANNING  
DESIGN  
CONSTRUCTION

03/01/2009

PROJECT: 37-097  
SHEET: 12 OF 26

SCALE: PLAN 1"=50' - PROFILE, HORIZ. 1"=50' - VERT. 1"=5'

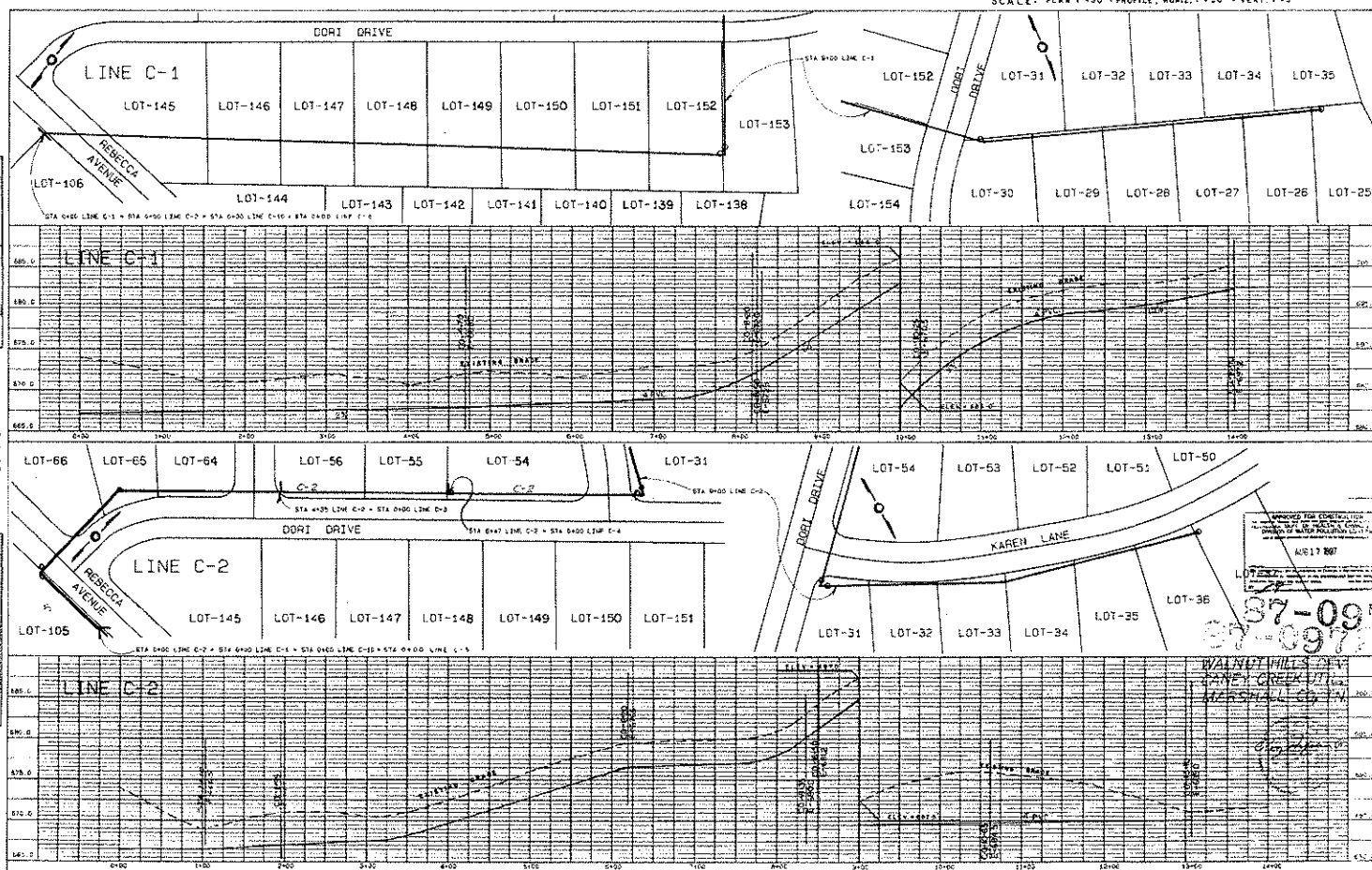


PLATE 1000-111

SHEET 12 OF 26



SCALE: PLAN 1"=50' - PROFILE, HORIZ. 1"=50' - VERT. 1"=5'

LINE C-5  
(cont.)  
&  
LINE C-5-B

LOT-88 LOT-89 LOT-90 LOT-91 LOT-92 LOT-93 LOT-94 LOT-95 LOT-96

LOT-131

STA 74+00

LOT-132

LOT-133

CHRISTI AVENUE

LOT-104 LOT-103 LOT-102 LOT-101 LOT-100

LOT-97

LINE C-5

LINE C-5-B

LINE C-11

LOT-110

LOT-111

LOT-112

LOT-127

LOT-128

LOT-129

LOT-130

LOT-134

LOT-135

LOT-136

LOT-137

LOT-109

LOT-113

LOT-114

LOT-126

LOT-123

LOT-122

RAYLEE DRIVE

CHESAUNT DRIVE

STA 64+00 LINE C-11 - STA 66+00 LINE C-5

APPROVED FOR CONSTRUCTION  
REVISIONS TO BE MADE BY THE  
DESIGNER OF WATER POLLUTION CONTROL  
AND SEWER SYSTEMS OF THE DISTRICT

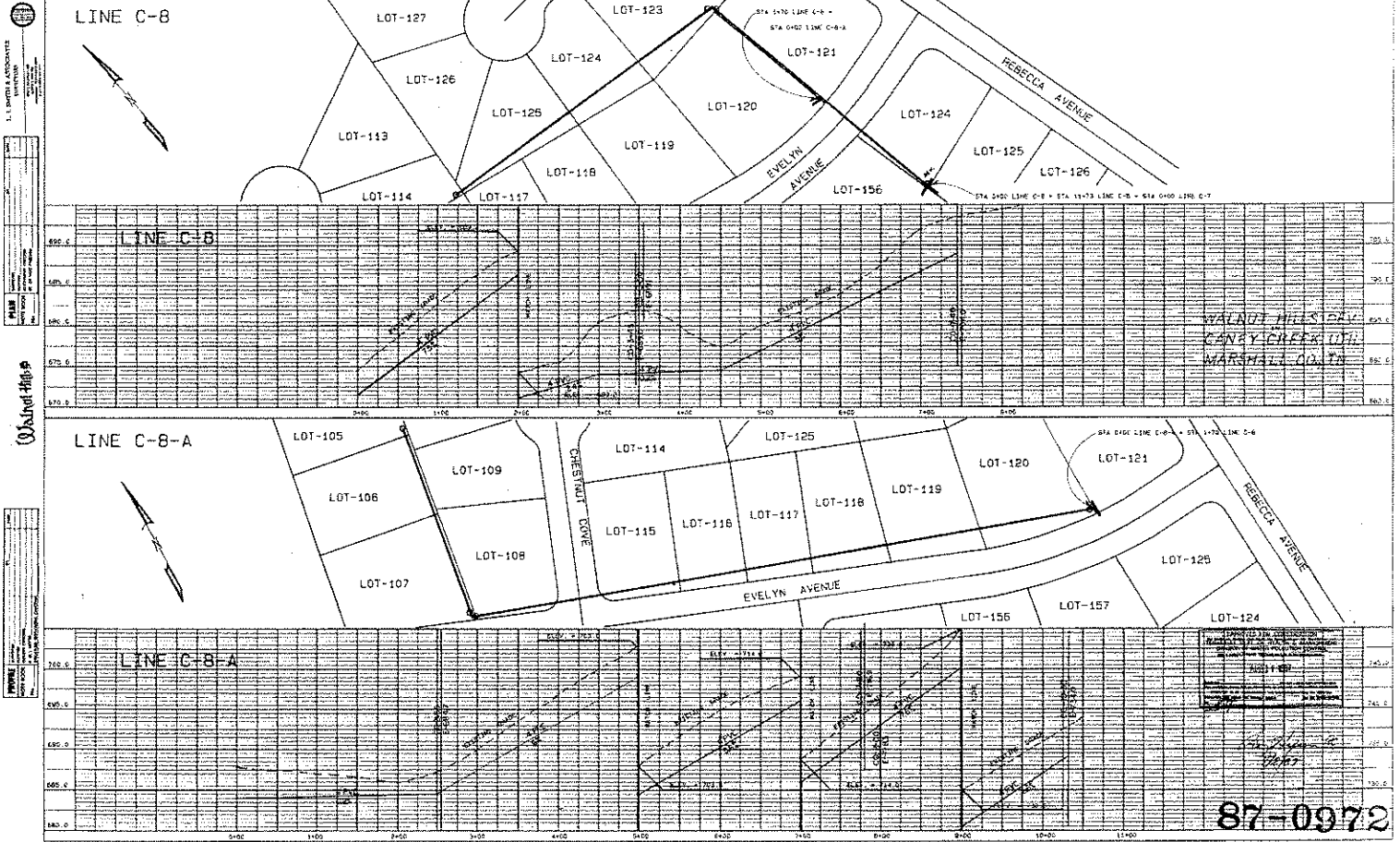
97-0972

WALNUT HILLS DEV.  
CANEY GREEN UTILITY  
MARSHALL CO., TN.

SHEET 14 OF 26



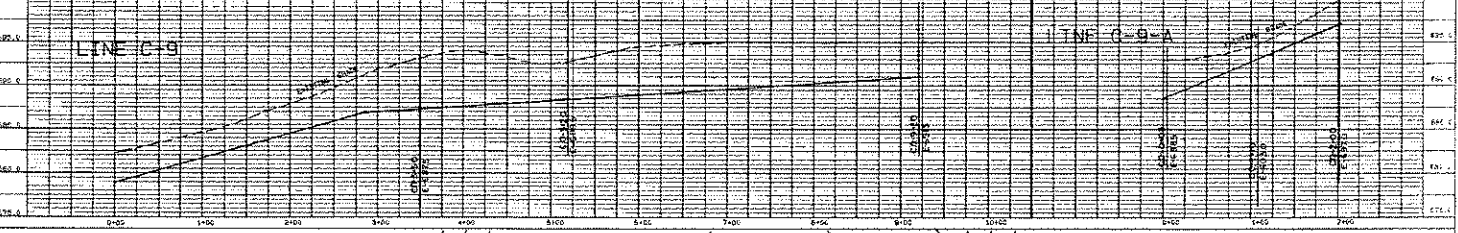
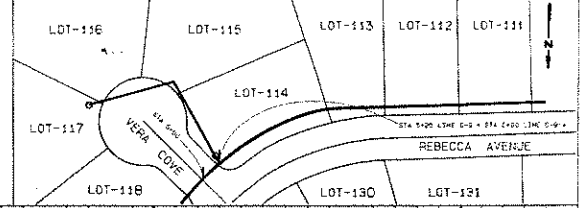
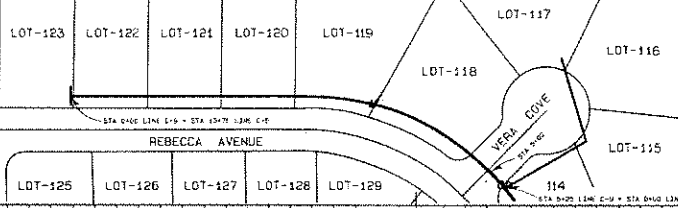
SCALE: PLAN 1"=50' - PROFILE, HORIZ. 1"=50' - VERT. 1"=5'



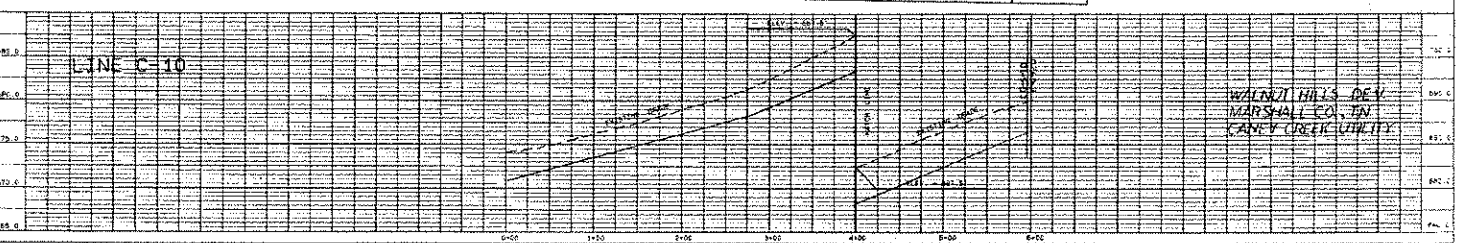
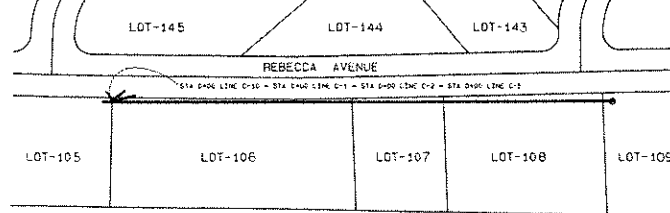
87-0972

SCALE: PLAN 1"=50' - PROFILE, HORIZ. 1"=50' - VERT. 1"=5'

LINE C-9  
&  
LINE C-9-A



LINE C-10



APPROVED FOR SUBMITTAL  
REBECCA AVENUE, WILSON COUNTY, TENN.  
DIVISION OF WATER AND POWER CONTROL  
DATE: 12/1/87

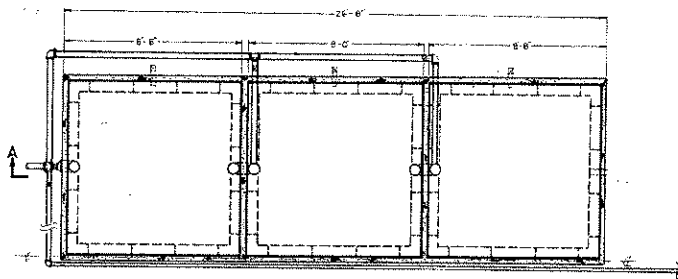
87-0972

*As Shown*  
7-1-87

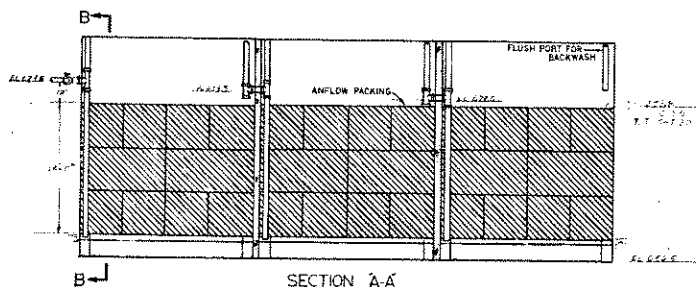
WALNUT HILLS DEV  
MARSHALL CO., TN  
CANEY CREEK UTILITY

PLATE SOURCE: PL 100-10, 100-11, 100-12, 100-13, 100-14, 100-15, 100-16, 100-17, 100-18, 100-19, 100-20, 100-21, 100-22, 100-23, 100-24, 100-25, 100-26, 100-27, 100-28, 100-29, 100-30, 100-31, 100-32, 100-33, 100-34, 100-35, 100-36, 100-37, 100-38, 100-39, 100-40, 100-41, 100-42, 100-43, 100-44, 100-45, 100-46, 100-47, 100-48, 100-49, 100-50, 100-51, 100-52, 100-53, 100-54, 100-55, 100-56, 100-57, 100-58, 100-59, 100-60, 100-61, 100-62, 100-63, 100-64, 100-65, 100-66, 100-67, 100-68, 100-69, 100-70, 100-71, 100-72, 100-73, 100-74, 100-75, 100-76, 100-77, 100-78, 100-79, 100-80, 100-81, 100-82, 100-83, 100-84, 100-85, 100-86, 100-87, 100-88, 100-89, 100-90, 100-91, 100-92, 100-93, 100-94, 100-95, 100-96, 100-97, 100-98, 100-99, 100-100

SHEET 17 OF 26

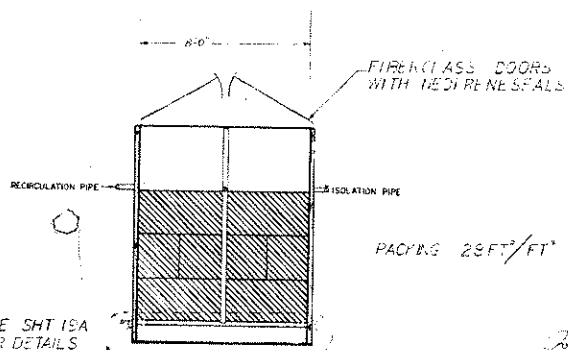


PLAN VIEW



SECTION 'A-A'

ELEVATION VIEW



SECTION 'B-B'

SEE SHT 15A  
FOR DETAILS

SOUTH HALF OF ANFLOW PLANT SHOWN  
NORTH HALF OPPOSITE

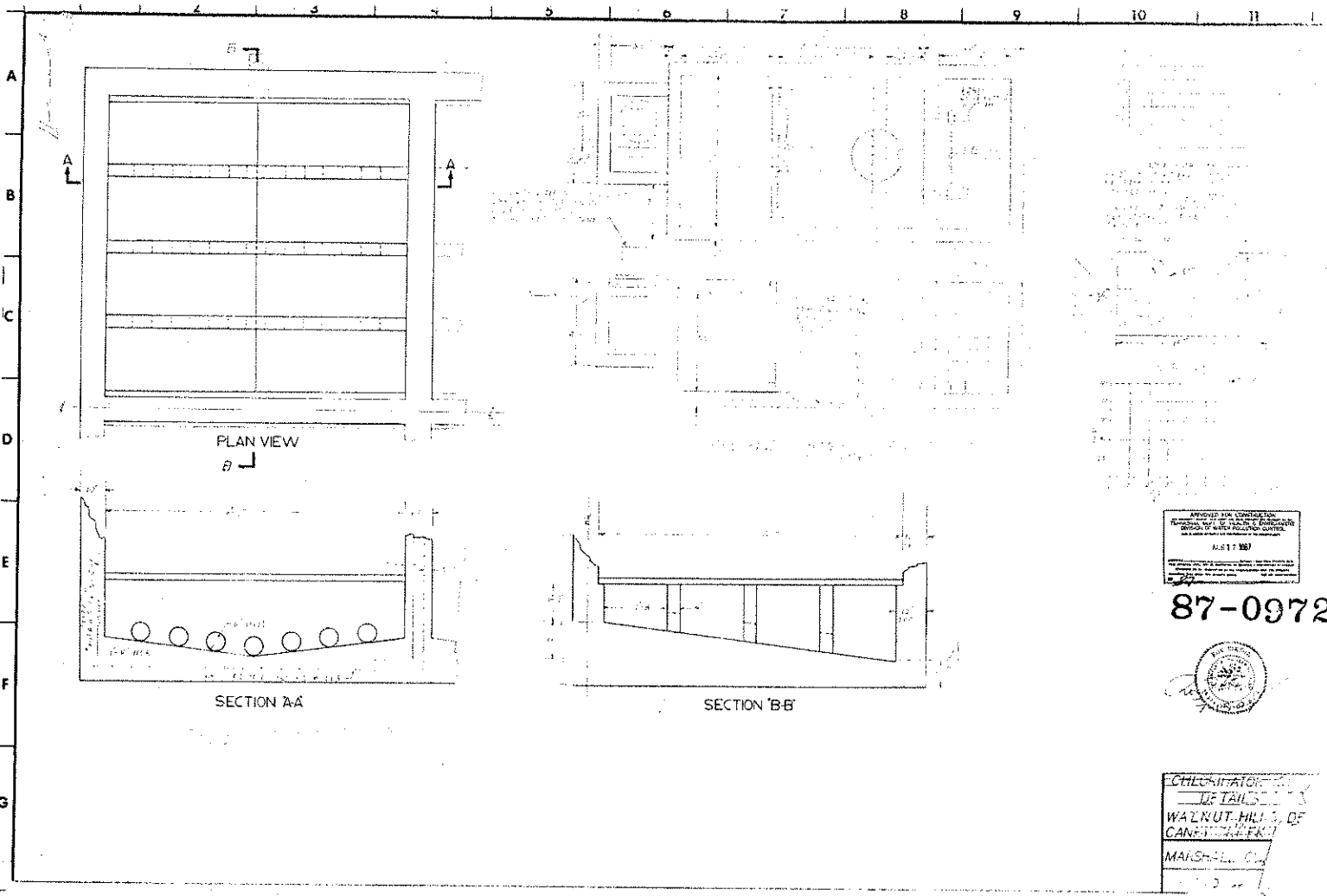
APPROVAL EXPIRES  
AUG 15 1987  
THIS COPY OF RECORD IS UNCONTROLLED

APPROVED FOR CONSTRUCTION  
BY THE PROJECT ENGINEER  
FOR THE CITY OF WALNUT HILLS  
AUG 15 1987

87-0072

WALNUT HILLS, CA  
CANEY CREEK WTL  
WATER CONTROL  
CULMINARY SYSTEM  
SCALE 1/8" = 1'-0"  
SHT 15A



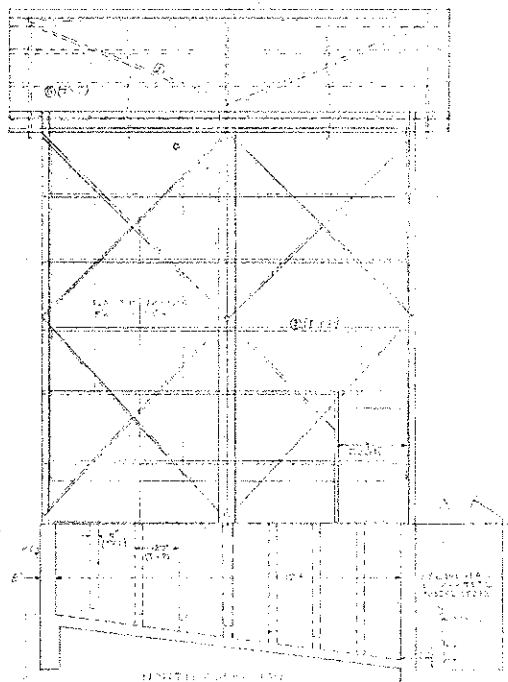


APPROVED FOR CONSTRUCTION  
DIVISION OF WATER POLLUTION CONTROL  
AS 117 1007

87-0972

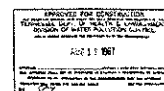


CHECKED BY: [Signature]  
WALNUT HILLS, CA  
MARSHALL, CA



Small, dark, irregularly shaped objects, possibly seeds or debris, are scattered across the page.

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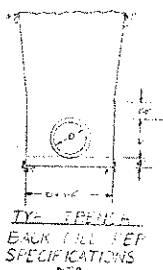
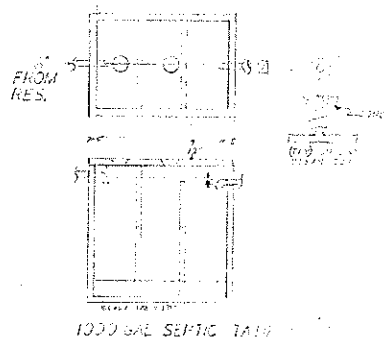
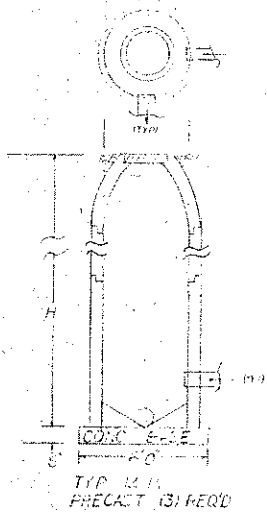
87-0972



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FATH 7150

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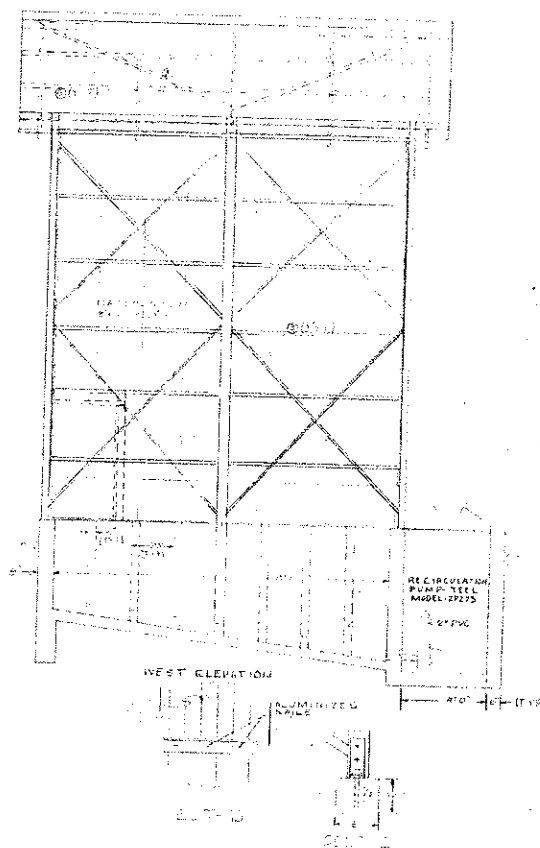


87-0972

APPROVED FOR CONSTRUCTION  
DRAWING OF THE PROJECT'S DESIGN  
DATE: 11/11/87



WALLING  
CANYON  
MAINTENANCE  
SHT 21



LEONARD

- ⑤ EXTERIOR PLANT  
⑥ SNEATHING  
ALL STRUCTURAL MEMBERS  
TO BE PROTECTED AGAINST  
FIRE  
⑦ FIBER GLASS INSULATION (GORTON)

## NOTES

**NOTES**

6. ALL EXTERIOR SURFACES SHALL BE PROTECTED BY A GREEN EPOXY WEATHER PROOFING.

7. CONCRETE FLOOR FINISH SHALL BE GREEN EPOXY WEATHER PROOFING.

8. EXTERIOR SHALL BE COATED WITH GREEN EPOXY WEATHER PROOFING.



REC'D 2-5-69 A 6:07 PM  
CANCELED FROM TV TOWNSHIP

MAR 11 1969  
FBI - NEW YORK  
COMMUNICATIONS SECTION  
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MAR 11 1969  
FBI - NEW YORK  
COMMUNICATIONS SECTION  
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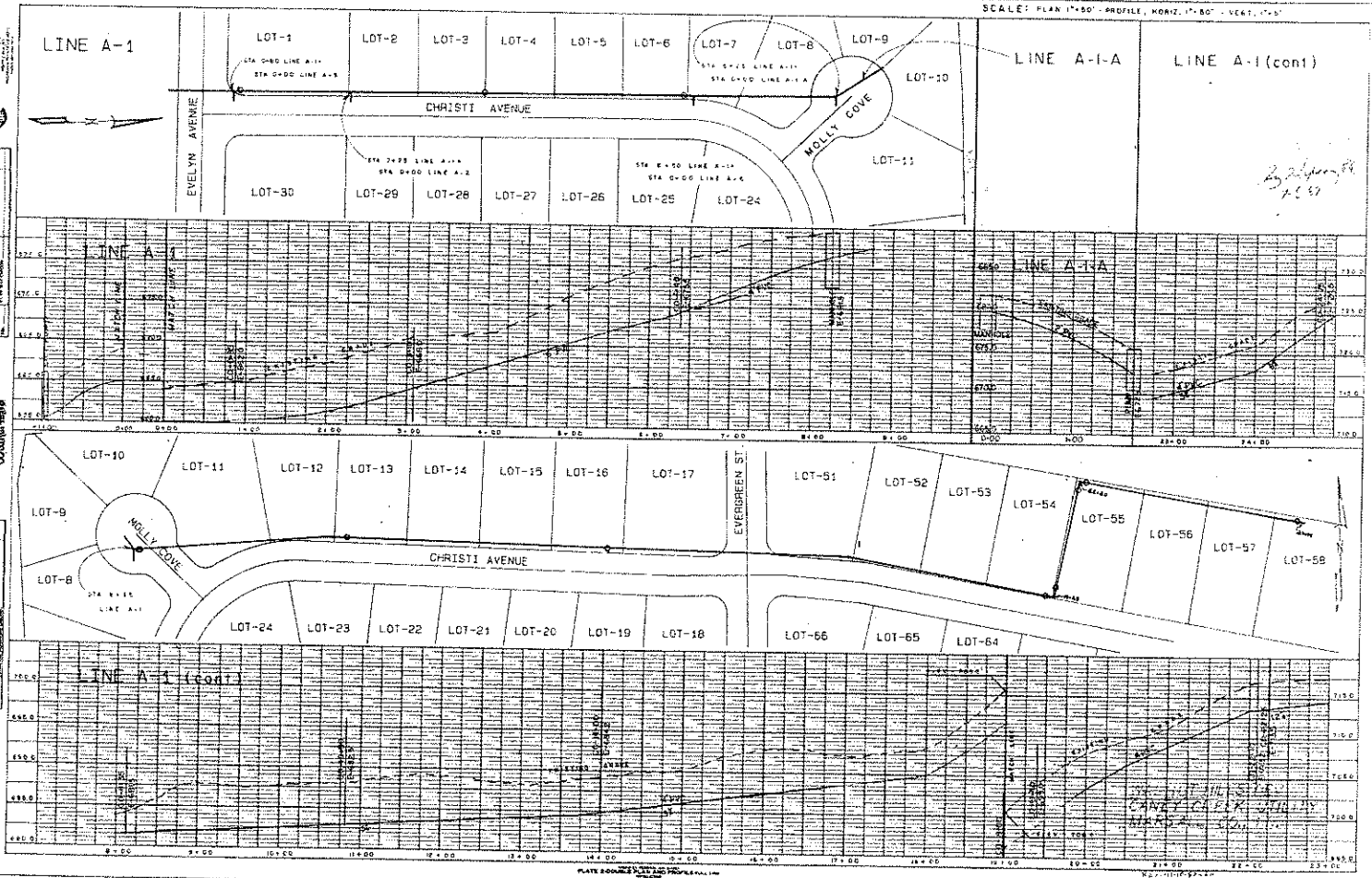
1.1 SHIFTER ASSOCIATES

DATE	10/1/88
BY	W. J. SHIFTER
CHECKED	W. J. SHIFTER
APPROVED	W. J. SHIFTER

Obtained from

DATE	10/1/88
BY	W. J. SHIFTER
CHECKED	W. J. SHIFTER
APPROVED	W. J. SHIFTER

SCALE: PLAN 1"=50' - PROFILE, HORIZ. 1"=80' - VERT. 1"=5'



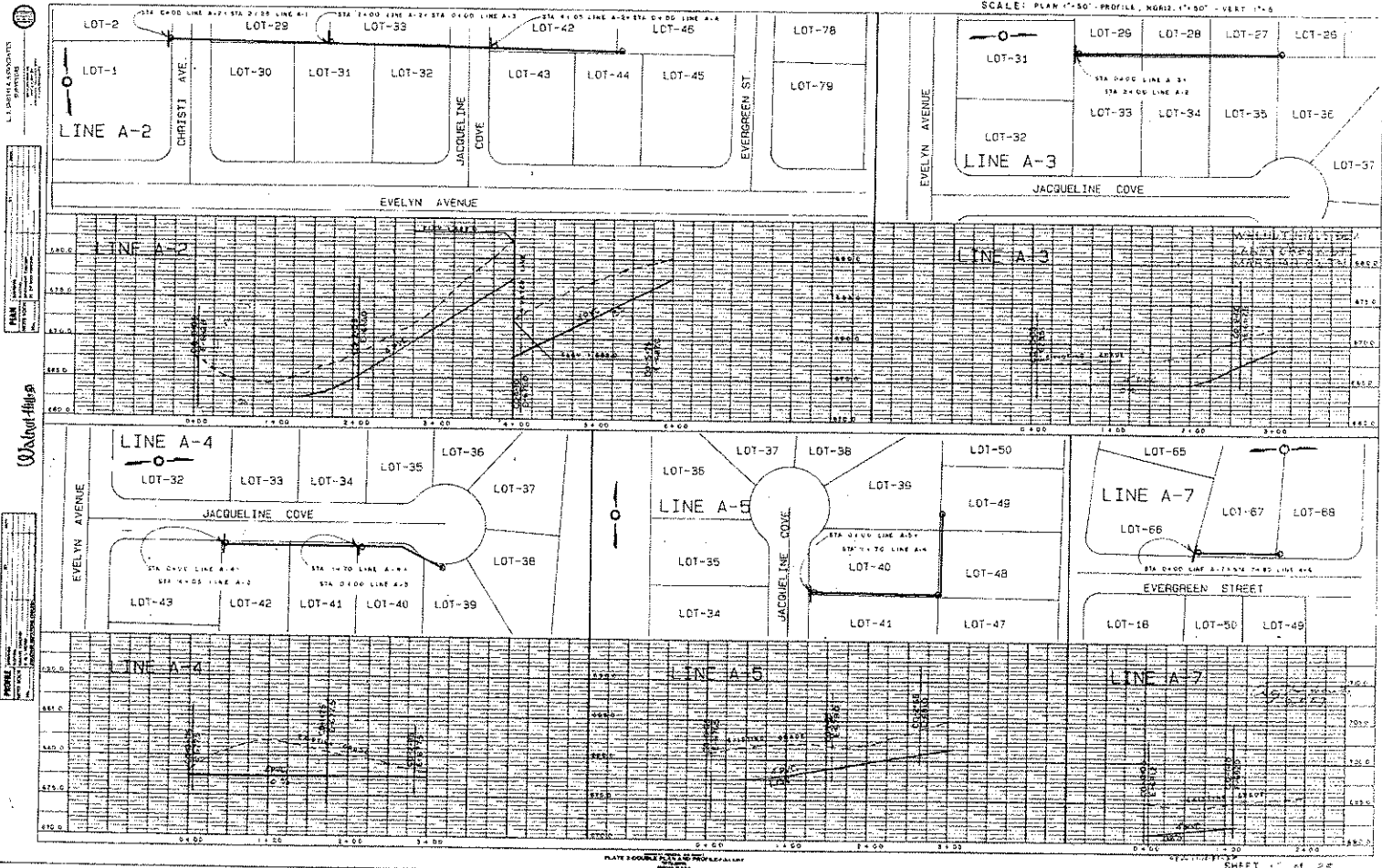
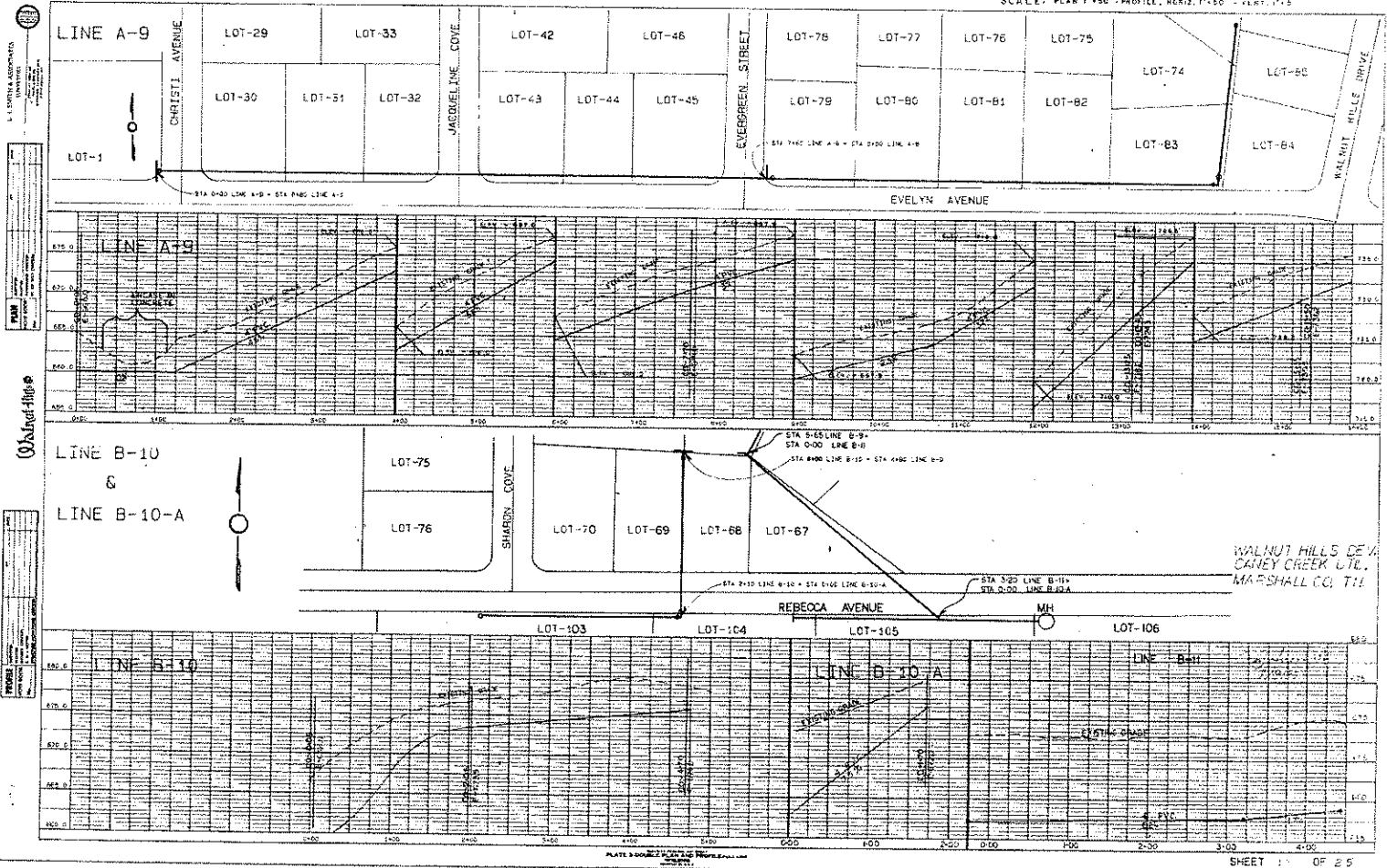


PLATE 3 COURSE 1 TO 10 FROM EXPLANATION



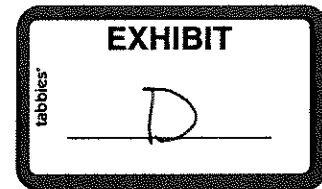
L. J. SMITH & ASSOCIATES  
 CIVIL ENGINEERS  
 1000 N. 10th St.  
 Suite 100  
 Phoenix, AZ 85006  
 (602) 955-1234  
 FAX (602) 955-1235  
 www.ljsmith.com

PLAN  
 SHEET 01 OF 01  
 DATE 08/10/2010  
 PROJECT NO. 10-0001  
 DRAWN BY: JLS  
 CHECKED BY: JLS  
 APPROVED BY: JLS

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 13.08  
 13.09



William Pegram  
President and Chairman of the Board  
Chapel Woods Home Owners Association  
P.O. Box 39  
Chapel Hill, TN 37034  
August 28, 2017



Gary Horne  
State of Tennessee Department of  
Environment and Conservation  
Division of Water Resources  
Columbia Environmental Field Office  
1421 Hampshire Pike  
Columbia, TN 38401

Dear Gary Horne:

This letter is a follow up response to your 2018 Compliance Evaluation Inspection report letter as requested to address the corrective action requests #4 and #5 from your letter.

Thank you for recognizing all the work the board members have done to support TDEC's requested action items required to renew our community's Waste Water Permit.

The board and the community members have made great progress toward the assurance of the HOA's financial security as well as improvements to the treatment facilities to assure the treatment plant will function properly for many years to come and minimize risk of any violations. As you noted in your letter some of these were still on going and scheduled to be completed shortly after your inspection. We can confirm the new power supply, lighting and control panel upgrades in the building extension over the discharge station are on track to be completed by Mid to End of September. The grounds shaping and grass planting will be completed shortly after these upgrades are completed and new grass will be seeded this Fall upon its completion.

Response to Item #4 of your Report Letter:

Inflow and Infiltration during rain events

The HOA would like to clarify that all of the homes built since 2014 have had the lids and inlets and outlets sealed and T-Baffles installed on both inlet and outlets. Furthermore, all of the lots South of Evelyn Avenue have had new seal tight septic tanks with risers and lids installed similar to those used by the City of Chapel Hill recently. The contractors presented pictures as evidence of the proper sealing of the tanks and installation of the T-Baffles. Therefore, we have only 95 homes out of 148 that are at an increased risk for Inflow and infiltration.

These would be the existing homes prior to 2014 in which the tanks were installed by the original developer in 1987-1989 per the plans filed for the original permit for the community.

A. Short term countermeasure

1. HOA will purchase an inventory of risers, lids, and mastic tape to upgrade tanks as they are uncovered and pumped.
2. HOA has identified 10 lots in low areas where flood waters flow and or are at risk for standing water. See below list identifying the higher risk lots.
3. HOA will begin upgrading these 10 tanks 3<sup>rd</sup> quarter of 2018 and complete them during the course of 2019 as funds are available and as other tanks are pumped.
4. Here is the requested list of the more problematic tanks that could be taking in ground water and run off. This list is based on a combination of my personal site observations, the board members personal site observations, a study of the TOPO map showing topography, best observation of storm drainage patterns, tank locations in comparison with storm drainage run off, & a common sense approach to start at the lowest elevations that are collecting a greater run off surface area than higher elevations. I have listed below 20 sites, being Phase 1 (year 1) & Phase 2 (year 2).

a. Phase 1 (year 1) TANK IMPROVEMENTS

- 1706 Christi / Evelyn (at corner of Christi & Evelyn)
- 1715 Christi Ave
- 1704 Horton Cove
- 1713 Christi Ave
- 1706 Horton Cove
- 1703 Christi Ave
- 1705 Christi Ave
- 1707 Christi Ave
- 1504 Raylee Dr - tank appears to be in a area prone to "ponding"
- 1610 Christi Ave - tank appears to be in an area prone to "ponding"

b. Phase 2 (year 2) TANK IMPROVEMENTS =

- 1708 Horton Cove
- 1700 Horton Cove (corner of Horton cove & Evelyn)
- 1602 Evergreen (corner of evergreen & Christi)
- 1604 Evergreen
- 1607 Tree Trunk
- 1605 Tree Trunk
- 1603 Tree Trunk
- 1504 Christi Ave
- 1507 Raylee
- 1505 Raylee

B. Long term countermeasure

1. Concern for Inflow and Infiltration will be brought to the community's attention at a public meeting in October.
2. Board will propose options for how to cover the financial obligation of pumping the tanks once every three years with the first being required in 2019. It will be put to a vote at the public meeting to determine which option is most acceptable with the intent of rolling out the approved option and enforcement plan beginning January 2019.
3. Tanks will be retrofit with the risers and lids as each tank is pumped beginning in 2019.

Response to Item #5 of your Report Letter:

A. Exterior rust on the Anaerobic Reactor Tank

1. HOA has located a local contractor Preferred Sand Blasting that has experience with Blasting and painting Water Towers in the Middle TN Area
2. Contractor has reviewed the tank with the HOA Board and proposes to do a scaling blast, prime bare areas and coat the entire exterior with an acrylic material similar in color to the present hunter green color
3. Quote to be provided by 1<sup>st</sup> week of September.
4. If quote is within financial reach of the HOA, the coating is expected to be completed within the last Quarter of 2018.
5. IF the quote is presently out of financial reach of the HOA, we will review options to determine a schedule for it to be completed with a priority for 2019 completion.

B. Interior Tank Rust affecting UV performance

1. Preferred Sand Blasting reviewed the tank condition and design with the HOA
2. Contractor will quote a phase II quote to rebuild the top section of the tank off site and clean and coat the inside of the tank after the top section is replaced.
3. HOA will make plans to provide a parallel treatment process while the tank would be drained and repaired over approximately 6 weeks.
4. This process will be much more expensive than the exterior coating and will require a detailed plan and accounting of expenses as well as a financial plan to support this upgrade to the system.
5. Plans will be developed over the course of the 1<sup>st</sup> half of 2019 and an estimated implementation date to be provided prior to the Annual inspection of 2019.

Sincerely,

William L Pegram  
President and Chairman of the Board  
Chapel Woods HOA

Operating Expense Description	Sewer Account Detail	Water Account Detail
Outside labor expenses (non-employees)	730.100	630.100
Administrative and office expense		
Billing Expense	903.100	903.100
Banking Expense	903.280	903.280
Administrative Overhead	922.000	922.000
Maintenance and repair expense	730.300	630.300
Electric power expense (exclude office)	715.000	615.000
Chemicals expense	718.000	618.000
Other operating expense	775.000	672.000
Annual Depreciation Expense	403.000	403.000
Interest Expense	755.000	655.000

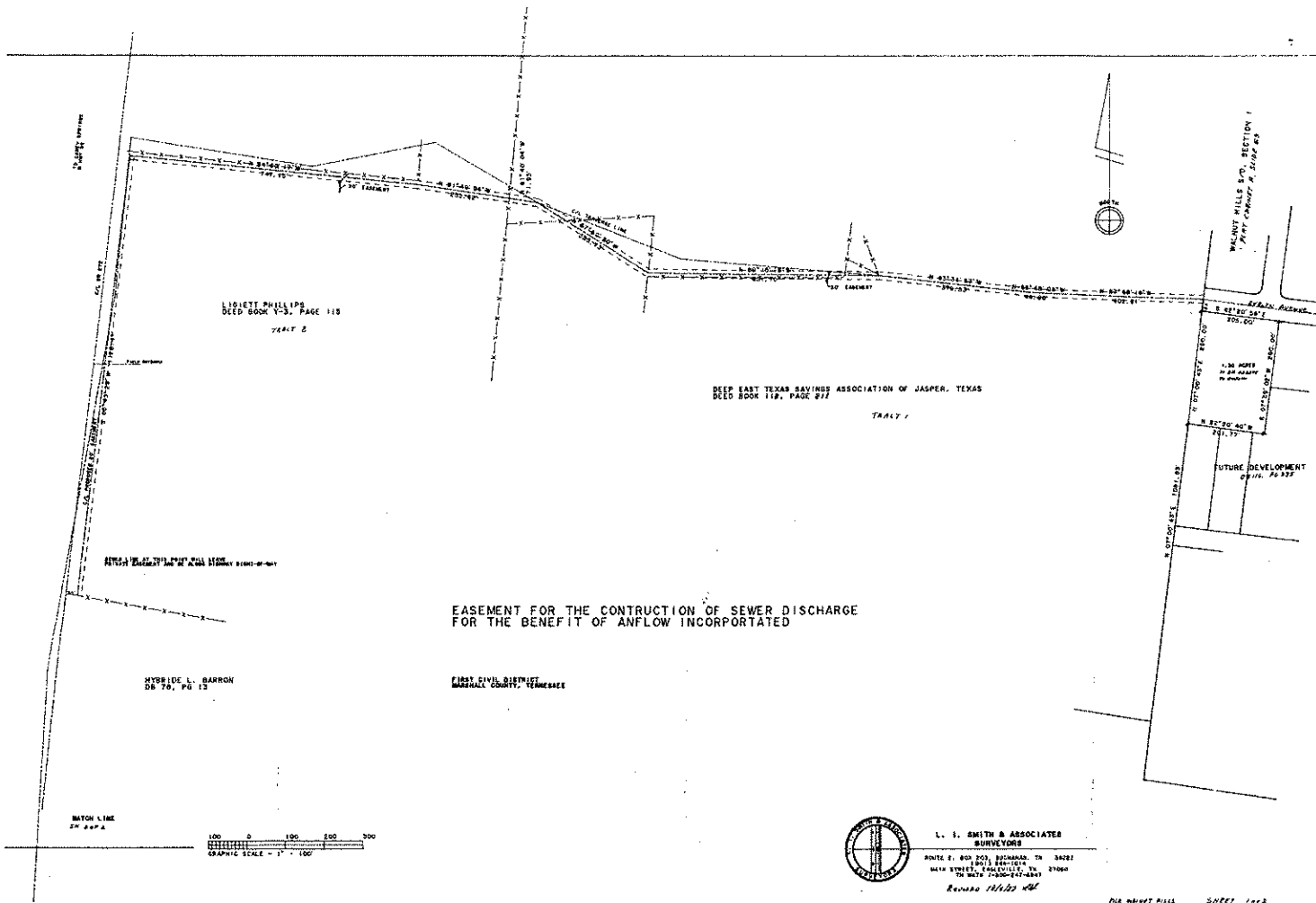
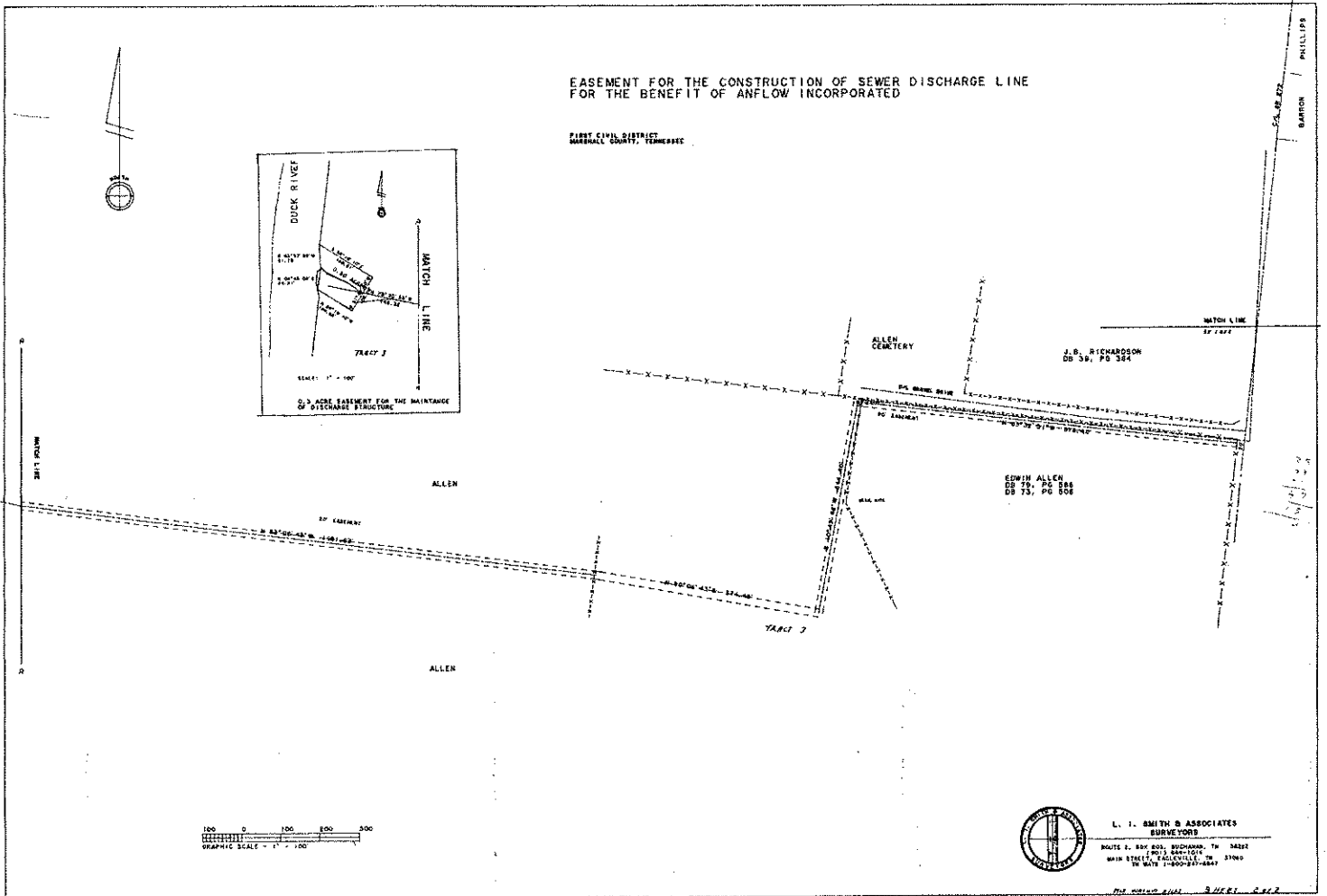
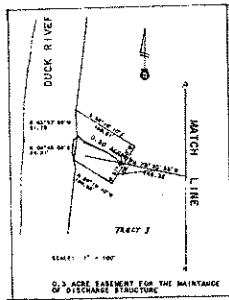


EXHIBIT  
 C2

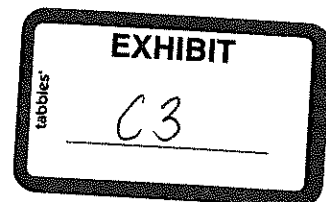
# EASEMENT FOR THE CONSTRUCTION OF SEWER DISCHARGE LINE FOR THE BENEFIT OF ANFLOW INCORPORATED

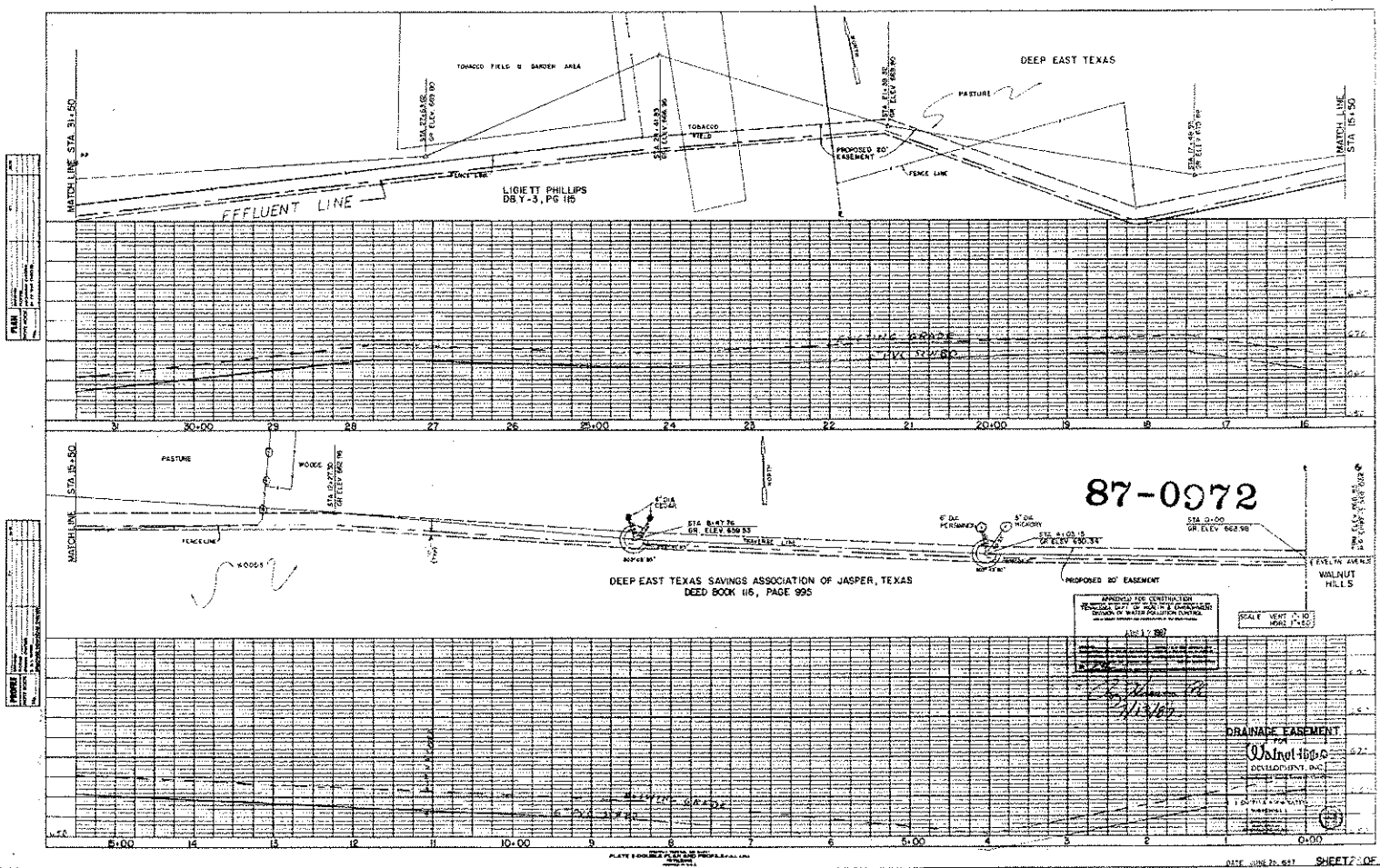
FIRST CIVIL DISTRICT  
MARSHALL COUNTY, TENNESSEE



L. J. SMITH & ASSOCIATES  
SURVEYORS  
ROUTE 2, BOX 202, BUCHANAN, TN 38201  
MAIN STREET, FALGOUTVILLE, TN 37060  
TELEPHONE 406-241-1111

FOR RECORD ONLY - BOOK 1, PAGE 2, 312





EXHIBIT

C4

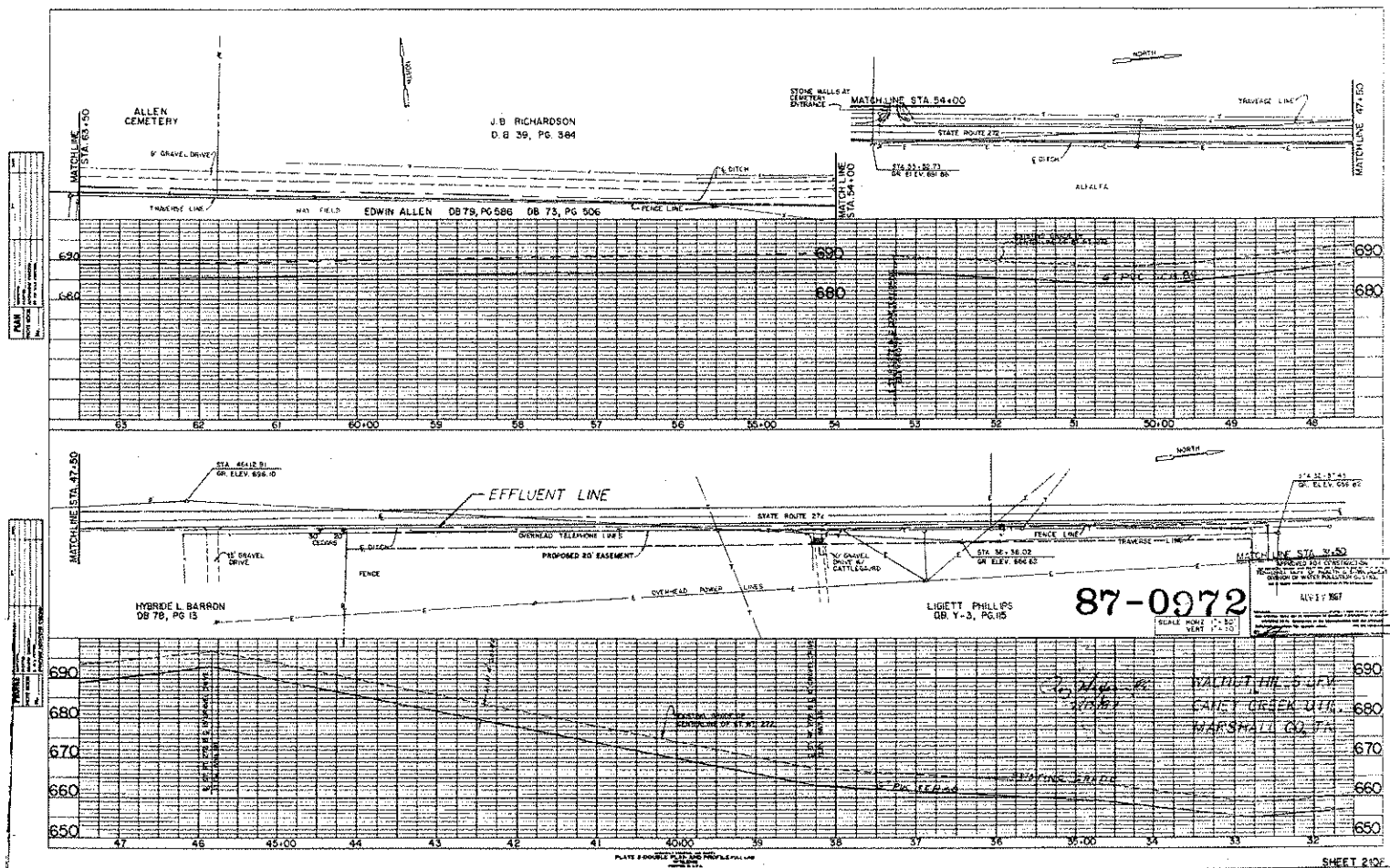


EXHIBIT  
C5







Asset Type	Depreciation-Years
301.000 Organization - Water	0 years 0 months
302.000 Franchises - Water	10 years 0 months
303.000 - Land and Land Rights - Water	0 years 0 months
304.000 Structures and Improvements - Water	40 years 0 months
305.000 Collecting and Impounding Reservoirs - Water	10 years 0 months
306.000 Lake, River and Other Intakes - Water	50 years 0 months
307.000 Wells and Springs - Water	50 years 0 months
308.000 Infiltration Galleries and Tunnels - Water	30 years 0 months
309.000 Supply Mains - Water	50 years 0 months
310.000 Power Generation Equipment - Water	10 years 0 months
311.000 Pumping Equipment - Water	10 years 0 months
320.000 Water Treatment Equipment - Water	10 years 0 months
330.000 Distribution Reservoirs and Standpipes - Water	40 years 0 months
331.000 Transmission and Distribution Mains - Water	40 years 0 months
333.000 Services - Water	40 years 0 months
334.000 Meters and Meter Installation - Water	10 years 0 months
335.000 Hydrants - Water	50 years 0 months
336.000 Backflow Prevention Devices - Water	10 years 0 months
339.000 Other Plant and Miscellaneous Equipment - Water	10 years 0 months
340.000 Office Furniture and Equipment	10 years 0 months
341.000 Transportation Equipment - Water	40 years 0 months
342.000 Stores Equipment - Water	40 years 0 months
343.000 Tools, Shop and Garage Equipment - Water	50 years 0 months
344.000 Laboratory Equipment - Water	20 years 0 months
345.000 Power Operated Equipment - Water	40 years 0 months
346.000 Communication Equipment - Water	10 years 0 months
347.000 Miscellaneous Equipment - Water	50 years 0 months
348.000 Other Tangible Plant - Water	50 years 0 months
349.000 Other Transmission & Distribution Plant	10 years 0 months
351.000 - Organization	0 years 0 months
353.000 Land & Land Rights	0 years 0 months
354.000 Structures & Improvements	40 years 0 months
360.000 Collection Sewere - Force	50 years 0 months
361.000 Collection Sewers (Gravity)	50 years 0 months
371.000 Pumping Equipment	10 years 0 months
380.000 Treatment & Disposal Equipment	20 years 0 months
381.000 Plant Sewers	40 years 0 months
382.000 Outfall Sewer Lines	50 years 0 months
390.000 Office Furniture & Equipment	20 years 0 months
391.000 Transportation Equipment	7 years 0 months
393.000 Tools, Shop & Garage Equipment	20 years 0 months
395.000 Power Operated Equipment	15 years 0 months
396.000 Communication Equipment	15 years 0 months
397.000 Misc Equipment	50 years 0 months

This Instrument Prepared By:  
**Stephen S. Bowden**  
**Attorney at Law**  
**P.O. Box 1757**  
**(111 East Commerce Street Office)**  
**Lewisburg, TN 37091**

**FOR IDENTIFICATION ONLY:**  
**GIS Map 026 Parcel 088.10 (p.o.)**  
**Office of Marshall County, TN Assessor of Property**  
**Property Address: Evelyn Avenue, Chapel Hill, TN 37034**

**WARRANTY DEED FROM: CONNELLY GROUP, INC., A FLORIDA CORPORATION**

**TO: CHAPEL WOODS HOME OWNERS ASSOCIATION, A TENNESSEE NON-PROFIT CORPORATION**

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, receipt of which is hereby acknowledged, and for other good and valuable consideration, the undersigned, **CONNELLY GROUP, INC., A FLORIDA CORPORATION**, has this day bargained and sold, and does hereby sell, transfer and convey unto **CHAPEL WOODS HOME OWNERS ASSOCIATION, A TENNESSEE NON-PROFIT CORPORATION**, its successors and assigns in fee simple, all its right, title, interest and estate in and to the following described realty located in the First (1st) Civil District of Marshall County, Tennessee, to-wit:

**Being Lot 152 of CHAPEL WOODS SECTION 3 RESUBDIVISION OF LOT 151, containing 1.18 acres, more or less, recorded plat of which is of record in Plat Cabinet F, Slide/Page 59A, Register's Office of Marshall County, Tennessee.**

**Being a portion of the property acquired by Connelly Group, Inc. by Warranty Deed from Brent A. Campbell, dated October 18, 2013, and recorded October 21, 2013, of record in Record Book 624, Page 766, Register's Office of Marshall County, Tennessee.**

This conveyance is subject to the following:

1. Any existing easement for roads, rights of way and utilities which may affect the property.
2. Subject to easements, restrictions, obligations of developer and owners, and all matters expressed, implied or noted on the recorded plat of CHAPEL WOODS SECTION 3 of record in Plat Cabinet F, Slide/Page 35A, Register's office of Marshall County, Tennessee.
3. Subject to easements, restrictions, obligations of developer and owners and all matters expressed, implied or noted on the recorded plat of CHAPEL WOODS SECTION 3 RESUBDIVISION OF LOT 151 of record in Plat Cabinet F, Slide/Page 59A, Register's Office of Marshall County, Tennessee.
4. Restrictive covenants of record in Book 124, Page 917; and as amended in Book 130, page 827; Book 139, Page 616; Book 147, Page 112, Book 148, Page 180; Book 149, Page 4, and in Book 180, Page 18, Register's Office of Marshall County, Tennessee.
5. Subject to Developer's Contract to Deep East Texas Savings Association of record in Book 139, Page 771, Register's Office of Marshall County, Tennessee.
6. Subject to Transmission Line Easement to Duck River Electric Membership Corporation of record in Record Book 125, Page 137, Register's Office of Marshall County, Tennessee

TO HAVE AND TO HOLD unto the said GRANTEE, its successors and assigns, in fee simple forever.

The GRANTOR covenants that it is lawfully seized and possessed of the granted realty and has a good and lawful right to sell and convey the same; that said property is not

encumbered, except as herein stated; and that the GRANTOR will forever warrant and defend the title thereto unto the said GRANTEE, its successors and assigns, against the lawful claims and demands of all persons whomsoever.

The undersigned, **ISAAC ZIMMERLE**, was duly authorized to execute this instrument as **Manager of Tennessee Operations** by Resolution of Shareholder and Director of Connelly Group, Inc. dated May 13, 2015.

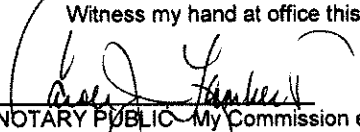
WITNESS its hands this 25<sup>th</sup> day of January, 2018.

**CONNELLY GROUP, INC.**

BY:   
**ISAAC ZIMMERLE,**  
**MANAGER OF TENNESSEE OPERATIONS**

STATE OF TENNESSEE  
 COUNTY OF MARSHALL

Personally appeared before me, a Notary Public in the County and State aforesaid, **ISAAC ZIMMERLE**, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained and who further acknowledged that he is **MANAGER OF TENNESSEE OPERATIONS for CONNELLY GROUP, INC., A Florida Corporation**, the maker or a constituent of the maker and is authorized by the maker or by its constituent, the constituent being authorized by the maker, to execute this instrument on behalf of the maker, **CONNELLY GROUP, INC.**

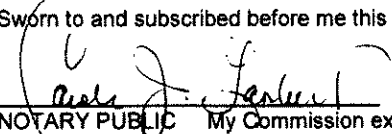
Witness my hand at office this 25<sup>th</sup> of January, 2018.  
  
 NOTARY PUBLIC My Commission expires 5/27/2020

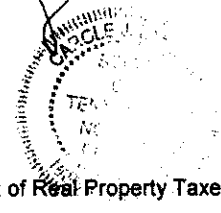


STATE OF TENNESSEE  
 COUNTY OF MARSHALL

The undersigned makes oath that the value or consideration of this conveyance is \$23,000.00.

  
 Affiant

Sworn to and subscribed before me this 25<sup>th</sup> day of January, 2018.  
  
 NOTARY PUBLIC My Commission expires 5/27/2020



Name and Address of Owners and Persons Responsible for Payment of Real Property Taxes:

Chapel Hill Home Owners Association  
 P.O. Box 39  
 Chapel Hill, TN 37034

D. W. Weaver, Register  
 Marshall County Tennessee  
 Rec #: 172810 Instrument #: 198578  
 Rec'd: 10.00 Recorded  
 State: 85.10 1/25/2018 at 3:15 PM  
 Clerk: 1.00 in Record Book  
 Other: 2.00 732  
 Total: 98.10 Pgs 148-149

Limestone Water Utility  
Operating Company, LLC  
1650 Des Peres Rd. Suite 303  
St. Louis, MO 63131

Tariff

Sheet No. 2

## Rules and Regulations Governing Rendering of Water Service

Schedule of Rates

Rate For all residential ("domestic"), commercial, industrial, and other public  
authority customers in the Chapel Woods Area:

\$29.00 per month

Issue Date: \_\_\_\_\_  
Month /Day/Year

Effective Date: \_\_\_\_\_  
Month /Day/Year

ISSUED BY Josiah Cox, President  
Name and Title of Issuing Officer

1650 Des Peres Rd., Ste 303, St. Louis, MO 63131  
Mailing Address

**CERTIFICATE OF DEPOSIT  
FIXED RATE**


www.firstcommercebank.net  
fcbsupport@firstcommercebank.net

**ACCOUNT TITLE AND ADDRESS**

CHAPEL WOODS HOMEOWNERS ASSOCIATION And  
Tennessee Dept. of Environment and Conservation Or Tennessee Dept. of Environment and Conservation  
1512 EVELYN AVE  
CHAPEL HILL, TN 37034

ACCOUNT OPEN DATE	ACCOUNT NUMBER	OWNERSHIP TYPE	PRODUCT NAME	INITIAL DEPOSIT
January 29, 2018	113058	Nonprofit Association or Organization	CD 12 Month	\$20,000.00
TERM	MATURITY DATE	RENEWAL OPTION		
12 Months	January 29, 2019	Automatic at Maturity		

**RATE INFORMATION.** The interest rate on your account is 1.000% with an annual percentage yield of 1.00%.  
You will be paid this interest rate until maturity.

**COMPOUNDING AND CREDITING.** Interest will not be compounded and will be credited to the account at maturity.  
The annual percentage yield assumes interest will remain on deposit until maturity. A withdrawal will reduce earnings.

**EARLY WITHDRAWAL PROVISIONS.** We will impose a penalty if you withdraw any or all of the deposited funds before the maturity date. The fee imposed will equal 6 months of interest.

**RENEWAL POLICIES.** Your account will automatically renew at maturity. You will have a grace period of 10 calendar days after the maturity date to withdraw the funds in the account without being charged an early withdrawal penalty.

**INTEREST PAYMENT.** Interest will be added at maturity to the principal of this Certificate.

**One Signer Required for Withdrawals.**

**BANK REPRESENTATIVE**

*Crystal Bunty* 1-29-18  
By: Crystal Bunty Date  
Its: Bank Representative

**CERTIFICATE REDEMPTION.** The Customer signing below acknowledges the receipt of funds/shares represented by this Certificate.

Name: \_\_\_\_\_ Date \_\_\_\_\_



**DEFINITIONS.** Throughout this Certificate, the terms "you," "your," and "account owner" refer to the Customer named on the account, and the terms "we," "our," and "us" refer to the Bank, First Commerce Bank.

**BUSINESS ACCOUNTS.** Business accounts are those established by any partnership, corporation, association or other entity operated on a for-profit basis; all corporations and associations operated on a not-for-profit-basis; and any individual who intends to use the account for carrying on a trade or business. We reserve the right to require separate written authorization, in a form acceptable to us, telling us who is authorized to act on your behalf. We are authorized to follow the directions of a person designated as having authority to act on the entity's behalf until we receive written notice that the authority has been terminated and have had a reasonable time to act upon that notice.

In addition to the General Rules, your Certificate of Deposit ("Certificate") may be subject to the following:

**ACCOUNT TERMS.** The Certificate bears interest at the rate and basis as set forth on the Certificate. The terms of the Certificate, such as the interest rate(s), Annual Percentage Yield ("APY"), length of term period, renewability, and date of maturity are specified on the Certificate and in any documents provided to you at the time of account opening. Interest will not be compounded unless noted and will be paid to you at the frequency and in the method noted. Withdrawal of interest prior to maturity will affect the APY.

**WITHDRAWAL PRIOR TO MATURITY.** You have contracted to keep the account funds on deposit from the issue date until the maturity date. We may accept a request by you for withdrawal of some or all of the account funds prior to the maturity date at our discretion or as otherwise described in the provided documents, if any.

**ADDITIONAL DEPOSITS DURING THE TERM.** No additional deposits will be allowed to this account during its term unless otherwise described in the provided documents, if any.

**EARLY WITHDRAWAL PROVISIONS.** We will impose a penalty if you withdraw any or all of the deposited funds before the maturity date. The fee imposed will equal 6 months of interest.

**RENEWAL.** Automatic Renewal Certificates will renew automatically on the stated maturity date of its term. Such renewal will be for a time period equal or similar to the original term and subject to these terms and conditions. Interest for that renewal term will be paid at the interest rate then in effect at this financial institution for similar accounts. If you close the Certificate within the grace period following the maturity date, we will not charge an early withdrawal penalty for that withdrawal. When applicable to your Certificate, the grace period following the maturity date is described in the provided documents, if any.

**LOST OR STOLEN CERTIFICATES.** We can refuse to allow withdrawals which you request without your Certificate. If your Certificate is lost or stolen, you agree to immediately notify us in writing.







Date:

To whomever it may concern:

The following Certificate was opened by The Chapel Woods Homeowners Association on 1/29/18.

- CD Number: *113058*
- Name of Operator: *Capital Buntz*
- Issue Date: *1/29/18*

Notwithstanding any contrary term or condition of the above described Certificate of Deposit, First Commerce Bank (the "Financial Institution") hereby covenants, warrants and represents that said Certificate of Deposit shall not be subject to any right, charge, security interest, lien or claim of any kind in favor of the Financial Institution. The Financial Institution further agrees that it shall not release the Certificate of Deposit or the proceeds thereof, including interest thereon, to anyone other than to the Tennessee Department of Environment and Conservation (the "Department") without the written consent of the Department."

Please let me know if you need anything further.

A handwritten signature in cursive script that reads "Jimmy Bass".

Jimmy Bass, VP

**TENNESSEE PUBLIC UTILITY COMMISSION**  
**PUBLIC UTILITY SERVICE PROVIDER'S SURETY BOND**  
**(Public Utility Name)**

APPENDIX K

Bond #: RCB0005205

**WHEREAS**, Limestone Utility Operating Company, LLC ("Principal"), holds a Certificate of Public Convenience and Necessity ("CCN") with amendments to operate public wastewater utilities in each extended territory approved by the Tennessee Public Utility Commission, subject to the laws of the State of Tennessee and rules and regulations of the Tennessee Public Utility Commission ("Commission") relating to the operation of a public wastewater utility; and

**WHEREAS**, under the provisions of Title 65, Chapter 4, Section 201 (e) of the Tennessee Code Annotated, a public utility providing wastewater service is required to post a bond in order to maintain such authority and to ensure the proper operation and maintenance of the public utility, conditioned as prescribed in Tenn. Comp. R. & Regs. Chapter 1220-4-13; and

**WHEREAS** RLI Insurance Company ("Surety"), a corporation licensed to do business in the State of Tennessee and duly authorized by the Tennessee Commissioner of Insurance to engage in the surety business in this state pursuant to Title 56, Chapter 2 of the Tennessee Code Annotated, has agreed to issue this bond in order to permit the Principal to comply with the provisions of Title 65, Chapter 4, Section 201 of the Tennessee Code Annotated and Tenn. Comp. R. & Regs. Chapter 1220-4-13.

**NOW THEREFORE, BE IT KNOWN**, that we the Principal and the Surety are held and firmly bound to the STATE OF TENNESSEE, in accordance with the provisions of Tennessee Code Annotated, Title 65, Chapter 4, Section 201 and Tenn. Comp. R. & Regs. Chapter 1220-4-13 in the full amount of One Hundred Twenty Seven Thousand One Hundred Sixteen and 00/100 (\$127,116.00) lawful money of the United States of America to be used to enable the continued operation of the public wastewater utility for the full and prompt payment of any monetary obligation imposed against the Principal, its representatives, successors or assigns, in any contested case proceeding brought under Title 65 of Tennessee Code Annotated or by Tenn. Comp. R. & Regs. Chapter 1220-4-13 on behalf of the TPUC, for which obligation we bind ourselves, our representatives, successors and assigns, each jointly and severally, firmly and unequivocally by these presents.


This bond shall become effective on the 23<sup>rd</sup> of March, 2021, and shall be continuous; provided, however, that each annual renewal period or portion thereof shall constitute a new bond term. Regardless of the number of years this bond may remain in force, the liability of the Surety shall not be cumulative, and the aggregate liability of the Surety for any and all claims, suits or actions under this bond shall not exceed One Hundred Twenty Seven Thousand One Hundred Sixteen and 00/100 (\$127,116.00). The Surety may cancel this bond by giving sixty (60) days written notice of such cancellation to the Commission and Principal by certified mail, it being understood that the Surety shall not be relieved of liability that may have accrued under this bond prior to the date of cancellation.

**PRINCIPAL**

Limestone Utility Operating Company, LLC  
Name of Company authorized by the TPUC

1650 Des Peres Rd., Suite 303, St. Louis, MO 63131  
Address of Principal

**SIGNATURE OF PRINCIPAL**

  
Name: Matthew W. Moore  
Title: CEO

**SURETY**

RLI Insurance Company  
Name of Surety

9025 N. Lindbergh Drive, Peoria, IL 61615  
Address of Surety

**SIGNATURE OF SURETY AGENT**

  
Name: Gregory L. Stanley  
Title: Attorney-in-Fact

Address of Surety Agent:  
Charles L. Crane Agency  
100 N. Broadway, Suite 900  
St. Louis, MO 63102

**THIS BOND IS ISSUED IN ACCORDANCE WITH THE PROVISIONS OF SECTION 201, CHAPTER 4, TITLE 65 OF THE TENNESSEE CODE ANNOTATED AND TENN. COMP. R. & REGS. CHAPTER 1220-4-13. SHOULD THERE BE ANY CONFLICT WITH THE TERMS HEREOF AND THE STATUTE OR REGULATIONS PROMULGATED THEREUNDER, THE STATUTE OR REGULATIONS SHALL PREVAIL. (POWER OF ATTORNEY FROM AN APPROVED INSURANCE COMPANY MUST BE ATTACHED.)**

## ACKNOWLEDGMENT OF PRINCIPAL

STATE OF MISSOURI

COUNTY OF ST LOUIS

Before me, a Notary Public of the State and County aforesaid, personally appeared MARTIN W. MOORE with whom I am personally acquainted and who, upon oath, acknowledged himself to be the individual who executed the foregoing bond on behalf of Limestone Utility Quality Co., and he acknowledged to me that he executed the same.

WITNESS my hand and seal this 25<sup>th</sup> day of MARCH, 2021.

My Commission Expires:

5/4/24

March 25, 2021

Notary Public

DANIEL RYAN JANOWIAK  
Notary Public, Notary Seal  
State of Missouri  
St. Charles County  
Commission # 20374795  
My Commission Expires 05-04-2024

## ACKNOWLEDGMENT OF SURETY

STATE OF MISSOURI

COUNTY OF St. Louis

Before me, a Notary Public of the State and County aforesaid, personally appeared Gregory L. Stanley with whom I am personally acquainted and who, upon oath, acknowledged himself to be the individual who executed the foregoing bond on behalf of RLI Insurance Company, the within named Surety, a corporation licensed to do business in the State of Tennessee and duly authorized by the Tennessee Commissioner of Insurance to engage in the surety business in this state pursuant to Title 56, Chapter 2 of the Tennessee Code Annotated, and that he as such an individual being authorized to do so, executed the foregoing bond, by signing the name of the corporation by himself and as such individual.

WITNESS my hand and seal this 23rd day of March, 2021.

My Commission Expires:

August 17, 2021

Notary Public

LISA K JUNDT  
Notary Public - Notary Seal  
State of Missouri, Jefferson County  
Commission # 13402531  
My Commission Expires August 17, 2021

## APPROVAL AND ENDORSEMENT

This is to certify that I have examined the foregoing bond and found the same to be sufficient and in conformity to law, that the sureties on the same are good and worth the penalty thereof, and that the same has been filed with the Tennessee Public Utility Commission, State of Tennessee, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Name:

Title:

# POWER OF ATTORNEY

## RLI Insurance Company Contractors Bonding and Insurance Company

9025 N. Lindbergh Dr. Peoria, IL 61615  
Phone: 800-645-2402

### Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That **RLI Insurance Company and/or Contractors Bonding and Insurance Company**, each an Illinois corporation, (separately and together, the "Company") do hereby make, constitute and appoint:

Theresa A. Hunziker, Gregory L. Stanley, Michael T. Reedy, Linda McCarthy, Gerald M. Rogers, Harold F. James, Stephen J. Alabach,  
Joel Karsten, Karen Speckhals, Cindy Rohr, Terri Hunziker, Christopher J. O'Hagan, Brandi L. Bullock, Don K. Ardolino, Kimberly  
Ann Connell, Trudy Whitrock, jointly or severally

in the City of Saint Louis, State of Missouri its true and lawful Agent(s) and Attorney(s) in Fact, with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, in general, any and all bonds and undertakings in an amount not to exceed Twenty Five Million Dollars (\$25,000,000.00) for any single obligation.

The acknowledgment and execution of such bond by the said Attorney in Fact shall be as binding upon the Company as if such bond had been executed and acknowledged by the regularly elected officers of the Company.

**RLI Insurance Company and/or Contractors Bonding and Insurance Company**, as applicable, have each further certified that the following is a true and exact copy of a Resolution adopted by the Board of Directors of each such corporation, and is now in force, to-wit:

"All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

IN WITNESS WHEREOF, the **RLI Insurance Company and/or Contractors Bonding and Insurance Company**, as applicable, have caused these presents to be executed by its respective Vice President with its corporate seal affixed this 23rd day of April, 2020.



RLI Insurance Company  
Contractors Bonding and Insurance Company

By:

Barton W. Davis

Vice President

State of Illinois  
County of Peoria

} SS

### CERTIFICATE

On this 23rd day of April, 2020, before me, a Notary Public, personally appeared Barton W. Davis, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of the **RLI Insurance Company and/or Contractors Bonding and Insurance Company** and acknowledged said instrument to be the voluntary act and deed of said corporation.

I, the undersigned officer of **RLI Insurance Company and/or Contractors Bonding and Insurance Company**, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that the Resolution of the Company as set forth in the Power of Attorney, is now in force. In testimony whereof, I have hereunto set my hand and the seal of the **RLI Insurance Company and/or Contractors Bonding and Insurance Company** this 23rd day of March, 2021.

By:

Jacqueline M. Bockler

Notary Public



RLI Insurance Company  
Contractors Bonding and Insurance Company

By:

Jeffrey D. Dick

Corporate Secretary