

24-11912-481

Cause No. _____

TOWN OF HICKORY CREEK, TEXAS,	§	IN THE DISTRICT COURT
	§	
Plaintiff,	§	
	§	
v.	§	
	§	OF DENTON COUNTY, TEXAS
RONALD FURTICK, ECCLESIASTICAL	§	
EQUITY, LP, and 1500 TURBEVILLE	§	
ROAD, HICKORY CREEK, TEXAS	§	
75065, <i>IN REM</i> ,	§	
	§	_____ JUDICIAL DISTRICT
Defendants.		

**PLAINTIFF'S ORIGINAL PETITION FOR TEMPORARY AND PERMANENT
INJUNCTIVE RELIEF, DECLARATORY JUDGMENT, AND CIVIL PENALTIES**

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiff Town of Hickory Creek, Texas ("Town"), hereby files the following Plaintiff's Original Petition for Temporary and Permanent Injunctive Relief, Declaratory Judgment, and Civil Penalties (collectively, "Original Petition"), complaining of Defendants Ronald Furtick, Ecclesiastical Equity, LP, and 1500 Turbeville Road, Hickory Creek, Texas 75065, *in rem* (respectively, "Furtick", "EELP", and the "Property") (collectively, the "Defendants").

I.
DISCOVERY PLAN AND DAMAGES

1.01. Discovery should be conducted in accordance with a Level 2 discovery control plan as provided by Rule 190.3 of the Texas Rules of Civil Procedure.

1.02. Under Rule 47(c) of the Texas Rules of Civil Procedure, the Town seeks monetary relief of \$250,000.00 or less and non-monetary relief.

II. **PARTIES**

2.01. The Town is a Type A general law municipality formed under the Constitution and laws of the State of Texas, and whose Town Hall is located at 1075 Ronald Reagan Avenue, Hickory Creek, in Denton County, Texas.

2.02. Defendant Ronald Furtick is an individual who purportedly maintains and controls the real property located at 1500 Turbeville Road, Hickory Creek, in Denton County, Texas, which is more particularly described as a 22.247-acre tract of land situated in the J.W. Simmons Survey Abstract Number 1163A in the Town of Hickory Creek, Denton County, Texas, recorded in Volume 3415, Page 539, current DCAD Property ID No. 62326. Furtick can be served with process and this Original Petition at his residence at 8921 David Fort Road, Argyle, Texas 76226, or wherever he may be found.

2.03. Defendant Ecclesiastical Equity, LP is a Texas domestic limited partnership that owns the real property located at 1500 Turbeville Road, Hickory Creek, in Denton County, Texas, per the Denton Central Appraisal District records. EELP can be served with process and this Original Petition via its registered agent, Ronald Furtick, at 8921 David Fort Road, Argyle, Texas 76226, or wherever it may be found.

2.04. Defendant 1500 Turbeville Road, Hickory Creek, Texas 75065, *in rem*, is the real property subject to this suit and is located within the Town of Hickory Creek territorial limits. The Property may be served with process at the aforementioned address.

III. **JURISDICTION AND VENUE**

3.01. Jurisdiction and venue are proper in this Court under §§ 54.012 and 54.013 of the Texas Local Government Code because this county is the county in which the Property and a

portion of the Town are located. In addition, venue is proper in Denton County, Texas, because it is the county in which all or a substantial part of the events giving rise to the Town's claims occurred, and is the county of Furtick's residence at the time the causes of action accrued. TEX.CIV.PRAC. & REM. CODE ANN., § 15.002(a)(1) and (2).

IV. STATEMENT OF FACTS

A. Nature of the Case

4.01. This case concerns repeated illegal discharges of unsanitary wastewater/raw sewage onto the surface of the ground and a defective and an unpermitted on-site sewage facility ("OSSF") (also known as a septic system) on the Property. The Property is currently being served by an OSSF despite the presence of a sewer line running adjacent to the Property, along the southern portion. This sewer line is operated by the Lake Cities Municipal Utility Authority ("LCMUA"), which provides sewer services to the majority of the Town.

4.02. Furtick has failed to comply with the Town's ordinances by failing to permit, maintain, repair, and operate an OSSF that can accommodate the amount of waste produced on the Property. This inaction has allowed repeated illegal discharges of unsanitary wastewater/raw sewage onto the Property despite repeated warnings, citations, and written notices to comply with the Town's health and safety regulations, and applicable state law, related to such facilities on the Property.

4.03. As will be demonstrated below and in the evidence to be presented to this Court, Defendants have blatantly and repeatedly disregarded and ignored the Town's repeated efforts to seek voluntary compliance with the Town's ordinances and codes, and state law, leaving the Town with no choice but to invoke this Court's jurisdiction to provide the relief necessary to bring the Property into compliance with the Town's ordinances and codes and related state law

provisions applicable to the OSSF, and to uphold the integrity of the Town's health and safety regulations. Those regulations were passed to protect property values, promote neighborhood values and community rights, and to advance the health, safety and general welfare of the Town, its residents, and the general public.

B. History of the Dispute

4.04. To reiterate from above, the Property that is the subject of this action, and which is involved in the violations asserted herein, is located at 1500 Turbeville Road, Hickory Creek, Texas, in Denton County, Texas, and is more particularly described as a 22.247-acre tract of land situated in the J.W. Simmons Survey Abstract Number 1163A in the Town of Hickory Creek, Denton County, Texas, recorded in Volume 3415, Page 539, current DCAD Property ID No. 62326. The Property is located within the municipal limits of the Town of Hickory Creek, Texas.

4.05. Furtick came into ownership of the Property in 1992, along with non-party Sima Sobhani-Furtick, d/b/a Yasi Land Company. In 2010, the Property was deeded via a special warranty deed to Yasi Land Company, LLC. Please find attached as Town's Exhibit 1, 2010 Special Warranty Deed. Yasi Land Company, LLC lists as its sole officer, director, and member as Defendant Ronald Furtick. Please find attached as Town's Exhibit 2, Texas Secretary of State records regarding Yasi Land Company, LLC. Subsequently, in 2018, two special warranty deeds were granted. One, filed on February 16, 2018, once again listed Yasi Land Company, LLC as the grantee; the second, filed December 31, 2018, listed Defendant Ecclesiastical Equity, LP as the grantee. Please find attached as Town's Exhibits 3 and 4, the two 2018 Special Warranty Deeds. EELP lists non-party Land Asset Management, Inc. as its managing member. Please find attached as Town's Exhibit 5, Texas Secretary of State records regarding Ecclesiastical Equity,

LP. In turn, Land Asset Management, Inc. lists Furtick as its president and sole director. Please find attached as Town's Exhibit 6, Texas Secretary of State records regarding Land Asset Management, Inc. Through all of these deeds and transfers of ownership over the past thirty-two (32) years, Furtick has remained the sole constant. Thus, at all times material to this action, and presently, Furtick has owned and currently owns the Property and the OSSF located on the Property, and is responsible for the violations of the Town's ordinances and state law asserted herein.

4.06. The Town is a Type A general law municipality. The Town may enforce all ordinances and state law necessary to prevent and summarily abate and remove a nuisance such as the nuisance that is the subject of this lawsuit. *See, e.g.*, TEX.LOC.GOV'T CODE ANN., Chapter 51, Subchapters A and E; Chapter 54; and Chapter 214; Town Code Article 6.02.033, entitled "Nuisances," and Town Code Article 13.03, Division 3, entitled "On-Site Sewage Disposal Facilities," and state law referenced therein. Please find attached Town's Exhibit 7, Town Code Article 6.02.033, entitled "Nuisances"; Exhibit 8, Town Code Article 13.03, Division 3, entitled "On-Site Sewage Disposal Facilities." The Court may take judicial notice of these state law provisions and the Town's ordinances. *See* Tex.R.Evid. 204.

4.07. As set forth in Town Code Article 13.03, Division 3, the Town has adopted state rules and regulations, specifically, the rules and regulations found in Chapters 341 and 366 of the Texas Health and Safety Code; Chapters 7, 26 and 37 of the Texas Water Code; and Title 30 of the Texas Administrative Code, Subchapters A and G of Chapter 30, and Chapter 285, promulgated by the TCEQ, all of which apply to Defendants' Property, for the safe and sanitary construction, operation and maintenance of on-site sewage facilities. *See* Exhibit 8. The Town is authorized to enforce those state rules and regulations. *See* Exhibit 8. Further, Defendants are

required to dispose of human waste through a properly managed OSSF, and to maintain the OSSF so that a nuisance is not created. *See* Exhibit 7.

4.08. Under § 341.011 of the Texas Health and Safety Code, adopted by the Town via Article 13.03, Division 3, of the Town Code, the state’s definition of “public health nuisance” reads as follows:

Each of the following is a public health nuisance:

* * *

(1) a condition or place that is a breeding place for flies and that is in a populous area;

* * *

(5) Sewage, human excreta, wastewater, garbage, or other organic wastes deposited, stored, discharged, or exposed in such a way as to be a potential instrument or medium in disease transmission to a person or between persons;

* * *

(11) the maintenance of an open surface privy or an overflowing septic tank so that the contents may be accessible to flies; and

(12) an object, place, or condition that is a possible and probable medium of disease transmission to or between humans.

TEX.HEALTH & SAF. CODE ANN., § 341.011(1), (5), (11) and (12). Under the provisions of § 341.012 of the Texas Health and Safety Code, a local health authority such as the Town is authorized to take action to abate a public nuisance that exists within its boundaries. The same is true as to the Town’s ordinance provisions regarding what constitutes a nuisance and Defendants’ requirement to abate such nuisance. *See* Exhibit 8.

4.09. Under the provisions of § 341.013 of the Texas Health and Safety Code, premises occupied or used as a residence shall be kept in a sanitary condition, and waste products, polluting material, and waste of any kind may not be stored, deposited, or disposed of in a

manner that may cause the pollution of the surrounding land, the contamination of groundwater or surface water, or the breeding of insects or rodents. *See* TEX.HEALTH & SAF. CODE ANN., § 341.013(a) and (c). Further, the Texas Health and Safety Code specifically addresses the proper disposal of human waste:

(a) Human excreta in a populous area shall be disposed of through properly managed sewers, treatment tanks, chemical toilets, or privies constructed and maintained in conformity with the department's specifications, or by other methods approved by the department. The disposal system shall be sufficient to prevent the pollution of surface soil, the contamination of a drinking water supply, the infection of flies or cockroaches, or the creation of any other public health nuisance.

TEX.HEALTH & SAF. CODE ANN., § 341.014(a).

4.10. Chapter 366 of the Texas Health and Safety Code, entitled "On-Site Sewage Disposal Systems," adopted by the Town via Article 13.03, Division 3, of the Town Code, also defines "nuisance" in the context of improperly operating OSSFs:

(6) "Nuisance" means:

(A) sewage, human excreta, or other organic waste discharged or exposed in a manner that makes it a potential instrument or medium in the transmission of disease to or between persons; or

(B) an overflowing septic tank or similar device, including surface discharge from or ground water contamination by a component of an on-site sewage disposal system, or a blatant discharge from an on-site sewage disposal system.

TEX.HEALTH & SAF. CODE ANN., § 366.002(6). The Texas Health and Safety Code defines "sewage" as "waste that: (A) is primarily organic and biodegradable or decomposable; and (B) generally originates as human, animal, or plant waste from certain activities, including the use of toilet facilities, washing, bathing, and preparing food." TEX.HEALTH & SAF. CODE ANN., § 366.002(9).

4.11. Under the Texas Health and Safety Code, "[t]he property owner must take adequate measures as soon as practicable to abate an immediate health hazard," or risk being

subject to administrative or civil penalties imposed by the state. TEX.HEALTH & SAF. CODE ANN., § 366.017(b) and (c).

4.12. Section 366.012 of the Texas Health and Safety Code authorizes the Texas Commission on Environmental Quality (“TCEQ”) to adopt rules governing the installation and operation of OSSFs. The TCEQ has adopted such rules governing the installation and operation of OSSFs, which rules are found in the Texas Administrative Code (“TAC”), specifically, 30 TAC §§ 285.1 through 285.91. Under those rules and regulations, an “on-site sewage facility (OSSF)” is defined as “an on-site sewage disposal system.” *See* 30 TAC § 285.2 (45). An “on-site sewage disposal system” is defined as: “One or more systems that: (A) do not treat or dispose of more than 5,000 gallons of sewage each day; and (B) are used only for disposal of sewage produced on a site where any part of the system is located.” *See* 30 TAC § 285.2 (44). *See also* TEX.HEALTH & SAF. CODE ANN., § 366.002(7) (defining “on-site sewage disposal system” in similar terms). These state regulations define a prohibited nuisance, in the context of on-site sewage facilities, as follows:

(43) Nuisance--

(A) sewage, human excreta, or other organic waste discharged or exposed in a manner that makes it a potential instrument or medium in the transmission of disease to or between persons;

(B) an overflow from a septic tank or similar device, including surface discharge from or groundwater contamination by a component of an on-site sewage facility;
or

(C) a blatant discharge from an OSSF.

See 30 TAC § 285.2 (43); TEX.HEALTH & SAF. CODE ANN., § 366.002(6).

4.13. Defendants’ unlawful actions and inactions trigger the application of these state regulations, and Defendants have violated the prohibitions against nuisances and unpermitted OSSFs, because Defendants have allowed, perpetuated, caused and/or failed to remedy an

unlawful nuisance on the Property under the above state law provisions which have been adopted by the Town.

4.14. The following list of events provides a time-line of the failures and violations by Defendants, and the Town's attempts to gain compliance by Defendants with the Town's ordinances and state law provisions:

1. First Quarter of 2010: Town observes the presence of an increased number of mobile home and recreational vehicle units, a number which would not be sustained by the one permitted septic system known to be on the Property.

2. April 26, 2010: Town, on behalf of retained counsel, sends a letter to Furtick stating, in relevant part, that Town has observed the presence of "significant drainage and standing water problems" on the Property. Town included the possibility of connecting to the LCMUA line adjoining the Property. Please find attached Town's Exhibit 9, April 26, 2010 letter to Ronald Furtick.

3. Between 2010 – 2023: Town is made aware of a second septic system which has been installed on the Property. Town notes that this installation was completed without having received permits for any such installation.

4. 2024: Town issues Class C criminal citations to Furtick related to the defective and/or unpermitted septic system. They are as follows:

Citation No.	Offense Date	Violation
H052570	3.7.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)
H052591	6.27.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)
H052596	7.3.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)
H052597	7.3.24	Ord 6.02.031

		(Fail to Remove Trash/Rubbish/Debris)
H052599	7.11.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)
H0525601	7.15.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)
H052603	7.22.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)
H052604	7.24.24	Ord. 6.02.033 (Nuisances - allowing sewage to be exposed to atmosphere)
H052605	7.30.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)
H052610	8.5.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)
H052613	8.12.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)
H052623	8.21.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)
H052625	8.26.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)
H052631	9.3.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)
H052632	9.9.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)
H052636	9.16.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)
H052641	9.23.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)
H052644	10.1.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)
H052645	10.7.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)
H052649	10.15.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate

		OSSF)
H052650	10.21.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)
H052653	10.29.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)
H052654	11.5.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)
H052655	11.13.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)
H052659	11.21.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)
H052660	11.27.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)
H052663	12.5.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)
H052665	12.13.24	Ord 13.03.075, Ch. 30 & 285.3(A) (Permit Required, Alter/Repair/Operate OSSF)

5. November 7, 2024: Furtick sends a letter stating, in relevant part, that he is in the process of connecting the Property to the LCMUA line, including having engaged engineers to draft plans and designs. Please find attached Town's Exhibit 10, November 7, 2024 letter from Ronald Furtick.

6. November 27, 2024: Our office sends a letter to Furtick, in response to the November 7, 2024 letter proposing a timeline in which the Property is inspected by the Town Sanitarian and a deadline for Furtick to submit a permit application to connect the Property to the LCMUA line, given the investigation and plan drafting Furtick has purportedly already begun. Please find attached Town's Exhibit 11, November 27, 2024 letter to Ronald Furtick.

7. December 3, 2024: Furtick attempts to submit a permit application regarding connecting the Property to the LCMUA line but, when told the information is incomplete, fails to provide required documentation or formally submit a permit application.

C. Violations at the Property

4.15. As stated in the Notice, Citations, and Town Attorney correspondences, Defendants are in violation of numerous state law and Town ordinance provisions including, but not limited to, the following: Town Code Sections 6.02.033 and 6.02.036; Town Code Sections 13.03.072, 13.03.074, 13.03.075; Texas Health and Safety Code §§ 341.011(1), (5), (11) and (12); 341.013(c); 341.014(a) and (b); 366.002(6); Texas Administrative Code provisions: 30 TAC §§ 285.2 and 285.7. Notwithstanding the Town's efforts to bring Defendants into compliance with these laws, rules and regulations, Defendants have failed and refused to correct, remedy or otherwise prevent the unsanitary wastewater/raw sewage discharge conditions located on the Property. Defendants continue to fail and refuse to bring the sewage system located on the Property into compliance with Town and state laws, rules and regulations, be it proper permitting of the septic systems or connection to the LCMUA line. This inaction is thereby creating a serious threat to the health and safety of not only the units present on the Property, but also of other neighbors and/or any member of the public who visit the Property.

4.16. Defendants have violated each of the above-listed provisions of state law and the Town Code by operating and maintaining on the Property an unpermitted septic system which cannot handle the waste being produced, which causes unsanitary wastewater/raw sewage to be discharged upon and to collect upon the surface of the ground on the Property, thereby creating health and safety nuisances and hazards, and constituting health and safety violations under all applicable laws (hereinafter sometimes referred to as the "Violations"), or alternatively

conducting the appropriate procedure to connect the Property to the LCMUA line which would also remedy the Violations. Defendants have not corrected these defective conditions or remedied the unlawful and unhealthful discharge and collection/pooling of unsanitary wastewater/raw sewage on the Property, even though Defendants have been aware or should have been aware of these problems for several years, as is evidenced by the correspondences with Furtick over the years and Furtick's own admissions that he is allegedly attempting to connect the Property to the LCMUA line.

4.17. Defendants' failure to comply with Town Code and state law and regulations applicable to the OSSF located on the Property not only constitutes a violation of the Town's ordinances and of state law, but also creates a substantial danger of injury and an adverse health, safety and welfare risk to other persons and property. Defendants' actions and inactions are violations of Town ordinances and codes for which a civil action may be brought under Subchapter B of Chapter 54 of the Texas Local Government Code, specifically, TEX.LOC.GOV'T CODE ANN., §§ 54.012-.019.

4.18. By this suit, the Town, as more specifically described below, seeks temporary and permanent injunctive relief, and declaratory relief.

4.19. First, a temporary injunction should be issued enjoining Defendants, their partners, agents, servants, and anyone acting on Defendants' behalf or in concert with Defendants, from continuing to violate the Town's ordinances and state law, and ordering Defendants, their partners, agents, servants, and anyone acting on Defendants' behalf or in concert with Defendants, to comply with the Town's ordinances and state law regarding the proper, safe, sanitary and healthful management of wastewater/sewage on the Property.

4.20. After final hearing, Defendants, their partners, agents, servants, and anyone acting on Defendants' behalf or in concert with Defendants, should be permanently enjoined from violating the Town's applicable regulations and ordinances, and enjoined from violating state law and regulations applicable to the Property, as adopted by the Town's ordinances. Additionally, Defendants, their partners, agents, servants, and anyone acting on Defendants' behalf or in concert with Defendants, should be ordered to comply with the Town's ordinances and state law regarding the proper, safe, sanitary and healthful management of wastewater/sewage on the Property.

D. Town's Legal Remedies

4.21. The Town is entitled to injunctive relief pursuant to Texas Local Government Code Sections 54.012 through 54.019 because: (a) the Violations are violations of Town ordinances and codes to which Texas Local Government Code Sections 54.012 through 54.019 apply; (b) Defendants' Violations of the Town's ordinances and codes are continuing; (c) Defendants have received actual notice of the ordinances and codes being violated in the Notices, Citations, and attorney correspondences; and (d) after Defendants received notice of the ordinances and code violations, Defendants failed and refused to take action necessary for compliance with the ordinances and code and to correct or otherwise remedy the Violations. *See* TEX.LOC.GOV'T CODE ANN., § 54.012 (1), (2), (7).

4.22. Procedurally, the Town need only plead: (a) the identification of the real property involved in the violation; (b) the defendant's relationship to the real property or activity involved in the violation; (c) the citation to the applicable ordinances; (d) a description of the violations; and (e) a statement that Chapter 54, Subchapter B, of the Texas Local Government Code applies to the ordinances being violated. TEX.LOC.GOV'T CODE ANN., § 54.015(a).

4.23. Upon showing a substantial danger of injury or an adverse health impact to any person or to the property of any person other than the defendant, a municipality may obtain injunctive relief against the property owner or owner's representative with control over the property that: (a) prohibits specific conduct that violates the Town's ordinances; and (b) requires specific conduct that is necessary for compliance with the Town's Ordinances. TEX.LOC.GOV'T CODE ANN., § 54.016(a). The Town need not "prove that another adequate remedy or penalty for violation does not exist or to show that prosecution in a criminal action has occurred or has been attempted." TEX.LOC.GOV'T CODE ANN., § 54.016(b).

4.24. Pursuant to the Texas Local Government Code, the Town may request temporary and permanent injunctive relief ordering Defendants to remedy the Violations so as to be in compliance with the applicable Town ordinances and codes, or to demolish and remove the inadequate OSSF structure and its components from the Property and order Defendants to connect, via lawful means, the Property to the LCMUA line. TEX.LOC.GOV'T CODE ANN., § 54.018(a). If Defendants are unwilling or unable to comply, the Town may request approval to demolish and remove the inadequate OSSF structure and its components from the Property and order Defendants to connect, via lawful means, the Property to the LCMUA line, with all costs levied against Defendants. *Id.*

4.25. The Texas Local Government Code thus empowers a municipality to seek injunctive relief for violations of municipal ordinances that create a substantial danger of injury or an adverse health impact to any person or to the property of any person other than the defendant. TEX.LOC.GOV'T CODE ANN., § 54.016. The unhealthy and unsafe conditions found on the Property, by their very nature, harm those individuals who reside on the Property and any

family or friends who visit the Property. The conditions found on the Property also harm neighboring properties, and harm any member of the public who visits the Property.

4.26. EELP and Furtick, as owners of the Property, have violated Town Code Sections 6.02.033, 6.02.036, 13.03.072, 13.03.074, and 13.03.075; Texas Health and Safety Code §§ 341.011(1), (5), (11) and (12); 341.013(c); 341.014(a) and (b); 366.002(6); Texas Administrative Code provisions: 30 TAC §§ 285.2 and 285.7, by operating and maintaining unsanitary and unhealthful conditions on the Property by allowing and/or causing unsanitary wastewater/raw sewage to be discharged and/or collected and/or pooled on the Property. EELP and Furtick, as owners of the Property, have violated state law and Town ordinances by failing to maintain and operate the OSSFs on the Property in accordance with all applicable legal requirements. Defendants, therefore, have caused, by action or inaction, unsanitary and unhealthful conditions to exist on the Property that are injurious to the health, safety and welfare of the individuals residing on the Property, adjoining properties, the citizens of Hickory Creek, and any member of the public who visits Defendants' Property.

4.27. Chapter 54, subchapter B of the Texas Local Government Code applies to Town Code Sections 6.02.033, 6.02.036, 13.03.072, 13.03.074, and 13.03.075; Texas Health and Safety Code §§ 341.011(1), (5), (11) and (12); 341.013(c); 341.014(a) and (b); 366.002(6); Texas Administrative Code provisions: 30 TAC §§ 285.2 and 285.7. Consequently, as provided by Section 54.012 (1), (2), and (7) of the Texas Local Government Code, the Town may seek to enforce Town Code Sections 6.02.033, 6.02.036, 13.03.072, 13.03.074, and 13.03.075; Texas Health and Safety Code §§ 341.011(1), (5), (11) and (12); 341.013(c); 341.014(a) and (b); 366.002(6); Texas Administrative Code provisions: 30 TAC §§ 285.2 and 285.7, by bringing this action.

4.28. Because Defendants' violations of the Town's regulations and ordinances create a substantial danger of injury or an adverse health, safety and welfare impact to other persons and property, the Town requests, pursuant to § 54.016 of the Texas Local Government Code, an injunction against Defendants, their partners, agents, servants, and anyone acting on Defendants' behalf or in concert with Defendants, that prohibits Defendants from further using the Property in a manner in violation of Town Code and state law provisions identified herein, and which orders Defendants to take all corrective action necessary to comply with Town Code and state law provisions identified herein.

4.29. As a result of the foregoing, the Town is entitled to temporary and permanent injunctive relief under Texas Local Government Code Chapter 54, and Texas Health and Safety Code Chapters 341 and 366. The Town has been and is continuing to be irreparably damaged and the Town has no adequate remedy at law. Defendants' continued violations of the Town's ordinances and codes, and state law, are continuing and are both tangible and intangible.

V.
COUNT ONE: TEMPORARY INJUNCTION

5.01. The Town re-alleges paragraphs 4.01 through 4.29, above, as if repeated herein verbatim.

5.02. In order to preserve the police power rights of the Town during the pendency of this action, Defendants should be cited to appear and show cause why they, their partners, agents, servants, and anyone acting on Defendants' behalf or in concert with Defendants, should not be temporarily enjoined, during the pendency of this action, from further using the OSSF on the Property in a manner in violation of Town Code Sections 6.02.033, 6.02.036, 13.03.072, 13.03.074, and 13.03.075; Texas Health and Safety Code §§ 341.011(1), (5), (11) and (12); 341.013(c); 341.014(a) and (b); 366.002(6); Texas Administrative Code provisions: 30 TAC

§§ 285.2 and 285.7, and Defendants should be ordered to take all corrective action necessary to comply with Town Code Sections 6.02.033, 6.02.036, 13.03.072, 13.03.074, and 13.03.075; Texas Health and Safety Code §§ 341.011(1), (5), (11) and (12); 341.013(c); 341.014(a) and (b); 366.002(6); Texas Administrative Code provisions: 30 TAC §§ 285.2 and 285.7, concerning the OSSFs on the Property.

5.03. The Town is exempt, under Section 6.02(b) of the Texas Civil Practice and Remedies Code, from the requirements of posting a bond in order to obtain an injunction.

VI.

COUNT TWO: PERMANENT INJUNCTION

6.01. The Town re-alleges paragraphs 4.01 through 4.29, above, as if repeated herein verbatim.

6.02. Defendants should be cited to appear and show cause why they, their partners, agents, servants, and anyone acting on Defendants' behalf or in concert with Defendants, should not be permanently enjoined from further using the OSSFs on the Property in a manner in violation of Town Code Sections 6.02.033, 6.02.036, 13.03.072, 13.03.074, and 13.03.075; Texas Health and Safety Code §§ 341.011(1), (5), (11) and (12); 341.013(c); 341.014(a) and (b); 366.002(6); Texas Administrative Code provisions: 30 TAC §§ 285.2 and 285.7, and ordered to take all corrective action necessary to comply with Town Code Sections 6.02.033, 6.02.036, 13.03.072, 13.03.074, and 13.03.075; Texas Health and Safety Code §§ 341.011(1), (5), (11) and (12); 341.013(c); 341.014(a) and (b); 366.002(6); Texas Administrative Code provisions: 30 TAC §§ 285.2 and 285.7, concerning the OSSFs on the Property.

6.03. The Town is exempt, under Section 6.02(b) of the Texas Civil Practice and Remedies Code, from the requirements of posting a bond in order to obtain an injunction.

VII.
COUNT THREE: REQUEST FOR DECLARATORY JUDGMENT

7.01. The Town re-alleges paragraphs 4.01 through 4.29, above, as if repeated herein verbatim.

7.02. Pursuant to Sections 37.001-.011 of the Texas Civil Practice and Remedies Code (the Texas Uniform Declaratory Judgments Act), the Town requests that the Court find, declare, and decree the following:

a. Defendants' actions regarding the OSSF on the Property, as detailed in this Original Petition, are a violation of Town Code Sections 6.02.033, 6.02.036, 13.03.072, 13.03.074, and 13.03.075; Texas Health and Safety Code §§ 341.011(1), (5), (11) and (12); 341.013(c); 341.014(a) and (b); 366.002(6); Texas Administrative Code provisions: 30 TAC §§ 285.2 and 285.7; and

b. Defendants received notice of the Town's ordinance and code provisions and failed to take corrective action to remedy the Violations.

VIII.
COUNT FOUR: REQUEST FOR CIVIL PENALTIES

8.01. The Town re-alleges paragraphs 4.01 through 4.29, above, as if repeated herein verbatim.

8.02. Chapter 54 of the Texas Local Government Code allows a municipality to bring a civil action to enforce state law and local ordinances to preserve regulations such as public health and safety and conditions caused by accumulation of matter that creates breeding and living places for insects. Tex. Loc. Gov't Code §§ 54.012(1), (2), and (7). The Town brings this Claim under Chapter 54, Subchapter B, §§ 54.012 - 54.020 of the Texas Local Government Code.

8.03. The Town is entitled to the relief prayed for here of abatement of the Violations on the Property and civil penalties under Texas Local Government Code Sections 54.012 through 54.020, specifically, because: (a) Defendants' Violations have been present and are continuing; (b) Defendants have received actual notice of the Violations via criminal citations, written notices, and attorney correspondences; and (c) Defendants have failed and refused to take action necessary for compliance with state law and the Town's local ordinances and to correct or otherwise remedy the Violations.

8.04. Additionally, the Texas Local Government Code provides that the Town may recover a civil penalty not to exceed \$1,000.00 a day, per violation, if a defendant is notified of the provisions of particular codes or ordinances, and after the defendant received such notice, defendant committed acts in violation of the codes or ordinances or failed to address or remedy such violations. *See* Tex. Loc. Gov't Code § 54.017. Defendants in this case were given notices of the Violations via criminal citations, written notices, and attorney correspondences. Defendants have refused or otherwise failed, and continue to fail and/or refuse, to correct or remedy the Violations and to comply with state law and the Town's local ordinances referenced in the criminal citations, written notices, and attorney correspondences.

8.05. Defendants, as owners and/or persons with control over the Property, have violated Town Code Sections 6.02.033, 6.02.036, 13.03.072, 13.03.074, and 13.03.075; Texas Health and Safety Code §§ 341.011(1), (5), (11) and (12); 341.013(c); 341.014(a) and (b); 366.002(6); Texas Administrative Code provisions: 30 TAC §§ 285.2 and 285.7 by permitting or causing to permit the continued operation of an inadequate OSSF system on the Property and, alternatively, by not commencing the lawful procedure of connecting the Property to the LCMUA line, despite the various notices to Defendants of the Violations and potential means of

resolution and, therefore, have caused, by action or inaction, violations of Town Code Sections 6.02.033, 6.02.036, 13.03.072, 13.03.074, and 13.03.075; Texas Health and Safety Code §§ 341.011(1), (5), (11) and (12); 341.013(c); 341.014(a) and (b); 366.002(6); Texas Administrative Code provisions: 30 TAC §§ 285.2 and 285.7 on the Property that are injurious to the quiet enjoyment, health, safety and welfare of the residents of the Property and occupants/residents of the neighboring Properties and the citizens of the Town of Hickory Creek.

8.06. Chapter 54, subchapter B of the Texas Local Government Code applies to Chapters 6 and 13 of the Town of Hickory Creek's Code of Ordinances, Chapters 341 and 366 of the Texas Health and Safety Code, and Title 30, Chapter 285 of the Texas Administrative Code. As a result and as provided by Section 54.012 of the Texas Local Government Code, the Town may seek to enforce the Town's Code Sections 6.02.033, 6.02.036, 13.03.072, 13.03.074, and 13.03.075; Texas Health and Safety Code §§ 341.011(1), (5), (11) and (12); 341.013(c); 341.014(a) and (b); 366.002(6); Texas Administrative Code provisions: 30 TAC §§ 285.2 and 285.7 by bringing this action.

8.07. Defendants were notified of the above Violations at issue. Despite the Town's efforts, Defendants committed, and continue to commit, acts in violation of the Town's local ordinances and state law, and have refused, and continue to refuse, to address and remedy the Violations. The Town thus requests that it recover from Defendants a civil penalty not to exceed \$1,000.00 a day, per violation of the Town's ordinances, as provided by § 54.017 of the Texas Local Government Code.

IX.
COUNT FIVE: REQUEST FOR ATTORNEY'S FEES

9.01. The Town re-alleges paragraphs 4.01 through 4.29, above, as if repeated herein verbatim.

9.02. Pursuant to Section 37.009 of the Texas Civil Practice and Remedies Code, the Town requests that the Court award it costs and reasonable and necessary attorney's fees through trial and appeal as are equitable and just.

X.
CONDITIONS PRECEDENT

10.01. All conditions precedent to the Town being entitled to bring this action and recover the relief requested herein have been performed, have occurred, or have been waived.

WHEREFORE, PREMISES CONSIDERED, Plaintiff Town of Hickory Creek, Texas, requests that Defendants Ronald Furtick, Ecclesiastical Equity, LP, and 1500 Turbeville Road, Hickory Creek, Texas, 75065, *in rem* be cited to appear and answer, after which the Town be granted:

(1) A temporary injunction enjoining Defendants, their partners, agents, servants, and anyone acting on Defendants' behalf or in concert with Defendant, during the pendency of this action, from further using the OSSFs on the Property in a manner in violation of Town Code Sections 6.02.033, 6.02.036, 13.03.072, 13.03.074, and 13.03.075; Texas Health and Safety Code §§ 341.011(1), (5), (11) and (12); 341.013(c); 341.014(a) and (b); 366.002(6); Texas Administrative Code provisions: 30 TAC §§ 285.2 and 285.7, and ordering Defendants to take all corrective action necessary to comply with Town Code Sections 6.02.033, 6.02.036, 13.03.072, 13.03.074, and 13.03.075; Texas Health and Safety Code §§ 341.011(1), (5), (11) and

(12); 341.013(c); 341.014(a) and (b); 366.002(6); Texas Administrative Code provisions: 30 TAC §§ 285.2 and 285.7, concerning the OSSFs on the Property;

(2) a permanent injunction enjoining Defendants, their partners, agents, servants, and anyone acting on Defendants' behalf or in concert with Defendant, during the pendency of this action, from further using the OSSFs on the Property in a manner in violation of Town Code Sections 6.02.033, 6.02.036, 13.03.072, 13.03.074, and 13.03.075; Texas Health and Safety Code §§ 341.011(1), (5), (11) and (12); 341.013(c); 341.014(a) and (b); 366.002(6); Texas Administrative Code provisions: 30 TAC §§ 285.2 and 285.7, and ordering Defendants to take all corrective action necessary to comply with Town Code Sections 6.02.033, 6.02.036, 13.03.072, 13.03.074, and 13.03.075; Texas Health and Safety Code §§ 341.011(1), (5), (11) and (12); 341.013(c); 341.014(a) and (b); 366.002(6); Texas Administrative Code provisions: 30 TAC §§ 285.2 and 285.7, concerning the OSSFs on the Property;

(3) a declaratory judgment finding:

(a) Defendants' actions regarding the OSSF on the Property, as detailed in this Original Petition, are a violation of Town Code Sections 6.02.033, 6.02.036, 13.03.072, 13.03.074, and 13.03.075; Texas Health and Safety Code §§ 341.011(1), (5), (11) and (12); 341.013(c); 341.014(a) and (b); 366.002(6); Texas Administrative Code provisions: 30 TAC §§ 285.2 and 285.7; and

(b) Defendants received notice of the Town's ordinance and code provisions, and state law, and failed to take corrective action to remedy the Violations;

(4) recovery of civil penalties prayed for herein, pursuant to Texas Local Government Code §§ 54.012 through 54.020, specifically § 54.017;

(5) all costs of court and reasonable and necessary attorney's fees through trial and all levels of appeal;

(6) a judgment that, should Defendants not remedy the Violations as ordered by this Court, the Town be authorized to remedy the Violations and that the Town recover from Defendants the cost of compliance to remedy the Violations and to bring the Property into compliance with the Town's ordinances and codes and state law; and

(7) all other relief to which the Town is justly entitled.

Respectfully submitted,

By /s/ Joshua E. Galicia

Joshua E. Galicia

State Bar No. 24087554

jgalicia@bhlaw.net

BROWN & HOFMEISTER, L.L.P.

740 East Campbell Road, Suite 800

Richardson, Texas 75081

Telephone: 214-747-6100

Fax: 214-747-6111

*Attorney for Plaintiff Town of Hickory Creek,
Texas*

Verification

STATE OF TEXAS §
 §
COUNTY OF DENTON §

Before me, the undersigned Notary Public, on this day personally appeared Chris Chaudoir who, after being duly sworn, stated under oath that she is the Code Compliance Officer and duly authorized agent for the Town of Hickory Creek, Texas, Plaintiff in this action; that she has read the foregoing Plaintiff's Original Petition for Temporary and Permanent Injunctive Relief, Declaratory Judgment, and Civil Penalties; and that the factual information set forth therein is within her personal knowledge and is true and correct.

Chris Chaudoir

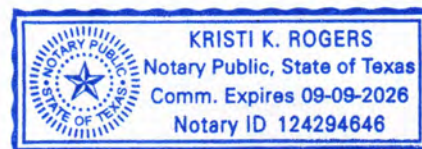
Chris Chaudoir
Code Compliance Officer
Town of Hickory Creek, Texas

Subscribed and sworn to before me on the 20th day of December, 2024, to certify which witness my hand and official seal.

Kristi K. Rogers

Notary Public in and for the State of Texas

September 9, 2026
My Commission Expires:



NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

STATE OF TEXAS
COUNTY OF DENTON

SPECIAL WARRANTY DEED

Grantor: *Ronald Reginald Furtick and Sima Sobhani-Furtick*
d/b/a Yasi Land Company
8921 David Fort Road
Argyle, Texas 76226
Called "Grantor", whether one or more

Grantee: *Yasi Land Company, LLC*
8921 David Fort Road
Argyle, Texas 76226
Called "Grantee", whether one or more

Conveyance:

FOR VALUE RECEIVED, Grantor has conveyed, granted, transferred and assigned, and hereby grants, conveys, transfers and assigns to Grantee, all, and no less than all, of Grantor's interest in the following described real property ("Subject Property"):

The Subject Property is Identified in *Exhibit "A"* attached hereto, to which exhibit reference is here made and is incorporated herein as if typewritten in this location *verbatim*.

SUBJECT TO: (1) any overlapping of improvements or encroachments which a survey would reveal; (2) valid and enforceable land use regulations, restrictions, and conditions; (3) real property taxes, prorated to date; (4) any recorded right-of-way, easement, or other exception to title (including liens) which an examination of title to the property would reveal; (5) any loan or encumbrance secured by a vendor's lien or deed of trust upon the property; (6) rights of parties in possession under lease or as an inspection of the property would reveal; (7) mineral interests retained in prior conveyances.

Consideration:

TEN AND NO/100 DOLLARS and other valuable consideration paid to Grantor by Grantee, the receipt and sufficiency of which is hereby acknowledged.



Habendum and Warranty:

TO HAVE AND TO HOLD the Subject Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, Grantee's successors, personal representatives, and assigns forever; and Grantor does hereby bind Grantor, Grantor's successors, personal representatives and assigns, to warrant and forever defend, all and singular, the said premises unto the Grantee and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantee, but not otherwise. The use of personal pronouns in this instrument shall be construed in context, with the masculine to include the feminine, when appropriate, and the singular to include the plural, when appropriate.

Effective Date:

This transfer and conveyance is effective as of the date of this instrument.



DATED and EFFECTIVE:	April 30, 2010
----------------------	----------------

Husband: Ronald Reginald Furtick	x 
Wife: Sima Sobhani-Furtick d/b/a Yasi Land Company	x 

State:	TEXAS
County:	DENTON

On this 30th day of April in the year 2010, before me, Jessica Cannon, a Notary Public of said State, personally appeared Ronald Reginald Furtick and Sima Sobhani-Furtick, whose names are subscribed to the within instrument, and acknowledged that they executed the same and for the purpose and consideration therein expressed.

WITNESS MY HAND AND OFFICIAL SEAL.


Notary Public

AFTER RECORDING RETURN TO:

Yasi Land Company, LLC
8921 David Fort Road
Argyle, Texas 76226

EXHIBIT "A"

Property situated in Denton County, Texas, to wit:

TRACT I:

All that certain lot, tract or parcel of land situated in the J.W. SIMMONS SURVEY, ABSTRACT NO. 1163, Denton County, Texas, and being all of a certain called 14.464 acre tract conveyed by Curtis D. Hennon, et al to Gilbert Cuellar on January 1, 1971, recorded in Volume 616, Page 17, Deed Records, Denton County, Texas, and being deeded by M.L. Hennon to M.O. Hennon on February 7, 1927, recorded in Volume 252, Page 247, Deed Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at a steel pin at a fence corner on the South line of said 40 acre tract at a point approximately 1320 feet North and 1120 feet East of the Southwest corner of said Simmons Survey and at the Southeast corner of a 17 acre tract described in a deed from M.O. Hennon, et ux to R.L. McGalliard dated March 12, 1938, said point also being the Southwest corner of the above mentioned 14.464 acre tract;

THENCE North 01° 14' 33" East, with a chain link fence on the West line of said 19.346 and 14.464 acre tracts, 482.91 feet (called 483.50 feet) to a iron rod for a corner;

THENCE North 88° 23' 11" East, 1359.63 feet (called 1360.44 feet) to an iron rod;

THENCE North 79° 59' 09" East, 262.63 feet to an iron rod on the West line of Interstate 35E;

THENCE South 29° 14' 43" East, with said right-of-way, 176.16 feet to an iron rod for a corner;

THENCE South 84° 19' 46" ^{WEST} East with a fence 657.00 feet (Called 658.18 feet) to a fence corner, said point being the Northwest corner of a tract described in deed from M.O. Hennon, et ux to Stephen A. Howard, et ux on November 21, 1958;

THENCE South 02° 03' 38" East with a fence along the West line of said Howard tract, 393.51 feet to a fence corner:

THENCE North 87° 33' 20" West along and near a fence 1046.23 feet to the PLACE OF BEGINNING, a portion of this tract n/k/a CDS ADDITION per plat recorded in Cabinet F, Page 93, Plat Records, Denton County, Texas

TRACT II:

All that certain lot, tract or parcel of land being a 27.12 acre tract out of the J.W. SIMMONS SURVEY, ABSTRACT NUMBER 1163, Denton County, Texas, and being the same tract of land conveyed to Andy B. Kasnetz by deed recorded in Volume 1330, Page 129, Deed Records, Denton County, Texas, said 27.12 acre tract of land being more particularly described as follows:

BEGINNING at a ½ inch iron rod found in the centerline of Turbeville Road for the Southeast corner of said Andrew Kasnetz tract, also being by description in the South line of said Simmons Survey, South 88° 58' 40" East, a distance of 1324.97 feet from the Southwest corner of said survey;

THENCE with the centerline of Turbeville Road, North 88° 58' 40" West, a distance of 660.00 feet to a point of corner;

THENCE departing the centerline of Turbeville Road with the general line of a wire fence North 00° 07' 00" East, a distance of 1989.60 feet to a corner fence post;

THENCE with the general line of a 6 foot chain link fence South 88° 57' 00" East a distance of 460.30 feet to a ½ inch iron rod found for corner;

THENCE with the general line of a 6 foot chain link fence South a distance of 660.50 feet to a ½ inch iron rod found for corner;

THENCE with the general line of a 6 foot chain link fence South 88° 12' 00" East, a distance of 198.50 feet to a corner fence post;

THENCE with the general line of a 6 foot chain link fence South 00° 07' 13" West, at 1291.60 feet passing a ½ inch iron rod found for corner in all a distance of 1326.20 feet to the POINT OF BEGINNING.

SAVE AND EXCEPT the 7.69 acres of land conveyed to Swisher Partners, L.P. on November 12, 1999, and recorded in Volume 4468, Page 380, Real Property Records, Denton County, Texas.

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number: 801262760
Original Date of Filing: April 28, 2010
Formation Date: N/A
Tax ID: 32041745970
Duration: Perpetual
Entity Type: Domestic Limited Liability Company (LLC)
Entity Status: In existence
FEIN:
Name: Yasi Land Company, LLC
Address: 8921 DAVID FORT RD
ARGYLE, TX 76226-2950 USA

<u>REGISTERED AGENT</u>	<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>	<u>INITIAL ADDRESS</u>
Name		Address			Inactive Date	
Land Asset Management, Inc.		8921 David Fort Rd. Argyle, TX 76226 USA				

Order

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TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number: 801262760
Original Date of Filing: April 28, 2010
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Tax ID: 32041745970
Duration: Perpetual

Entity Type: Domestic Limited Liability Company (LLC)
Entity Status: In existence
FEIN:

Name: Yasi Land Company, LLC
Address: 8921 DAVID FORT RD
ARGYLE, TX 76226-2950 USA

REGISTERED AGENT		FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES	ASSOCIATED ENTITIES	INITIAL ADDRESS
View Image	Document Number	Filing Type	Filing Date	Effective Date	Eff. Cond	Page Count	
	305454490002	Certificate of Formation	April 28, 2010	April 28, 2010	No	2	
	467420200001	Public Information Report (PIR)	December 31, 2012	February 24, 2013	No	1	
	497805480001	Public Information Report (PIR)	December 31, 2013	August 25, 2013	No	1	
	555734290001	Public Information Report (PIR)	December 31, 2014	July 26, 2014	No	1	
	619559910001	Public Information Report (PIR)	December 31, 2015	July 31, 2015	No	1	
	743149570001	Public Information Report (PIR)	December 31, 2016	June 8, 2017	No	1	
	739064160002	Change of Registered Agent/Office	May 20, 2017	May 23, 2017	No	2	
	771206380001	Public Information Report (PIR)	December 31, 2017	November 5, 2017	No	1	
	793808920003	Change of Registered Agent/Office	February 13, 2018	February 13, 2018	No	2	
	794208040002	Certificate of Amendment	February 14, 2018	February 14, 2018	No	3	
	863386130001	Public Information Report (PIR)	December 31, 2018	January 24, 2019	No	2	
	838285720001	Public Information Report (PIR)	December 31, 2018	September 20, 2018	No	2	
	1047746010001	Public Information Report (PIR)	December 31, 2020	May 1, 2021	No	1	
	1023274170001	Public Information Report (PIR)	December 31, 2020	January 26, 2021	No	1	
	1148879530001	Public Information Report (PIR)	December 31, 2021	May 16, 2022	No	1	
	1179586520001	Public Information Report (PIR)	December 31, 2022	September 20, 2022	No	1	
	1296968530001	Public Information Report (PIR)	December 31, 2023	October 20, 2023	No	1	
	1381065660001	Public Information Report (PIR)	December 31, 2024	July 12, 2024	No	1	

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TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

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Entity Status: In existence
FEIN:
Name: Yasi Land Company, LLC
Address: 8921 DAVID FORT RD
ARGYLE, TX 76226-2950 USA

<u>REGISTERED AGENT</u>	<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>	<u>INITIAL ADDRESS</u>
Name		Name Status	Name Type	Name Inactive Date	Consent Filing #	
Yasi Land Company, LLC		In use	Legal		0	

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TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number: 801262760
Original Date of Filing: April 28, 2010
Formation Date: N/A
Tax ID: 32041745970
Duration: Perpetual
Entity Type: Domestic Limited Liability Company (LLC)
Entity Status: In existence
FEIN:
Name: Yasi Land Company, LLC
Address: 8921 DAVID FORT RD
ARGYLE, TX 76226-2950 USA

<u>REGISTERED AGENT</u>	<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>	<u>INITIAL ADDRESS</u>
Last Update	Name		Title	Address		
September 20, 2022	Ronald Furtick		Officer	PO BOX 11 ARGYLE, TX 76226 USA		
September 20, 2022	Ronald Furtick		Member	PO BOX 11 ARGYLE, TX 76226 USA		
September 20, 2022	Ronald Furtick		DIRECTOR	PO BOX 11 ARGYLE, TX 76226 USA		

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TEXAS SECRETARY of STATE
JANE NELSON

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ARGYLE, TX 76226-2950 USA

<u>REGISTERED AGENT</u>	<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>	<u>INITIAL ADDRESS</u>
Assumed Name		Date of Filing	Expiration Date	Inactive Date	Name Status	Counties
No names exist for this filing.						

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TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number: 801262760
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Tax ID: 32041745970
Duration: Perpetual
Entity Type: Domestic Limited Liability Company (LLC)
Entity Status: In existence
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Name: Yasi Land Company, LLC
Address: 8921 DAVID FORT RD
ARGYLE, TX 76226-2950 USA

<u>REGISTERED AGENT</u>	<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>	<u>INITIAL ADDRESS</u>
Name	Entity Type	Document Description	Filing Date	Entity Filing Number	Jurisdiction	Capacity
There are no documents listed for this entity which match your inquiry.						

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TEXAS SECRETARY of STATE

JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number: 801262760
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Duration: Perpetual
Entity Type: Domestic Limited Liability Company (LLC)
Entity Status: In existence
FEIN:
Name: Yasi Land Company, LLC
Address: 8921 DAVID FORT RD
ARGYLE, TX 76226-2950 USA

<u>REGISTERED AGENT</u>	<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>	<u>INITIAL ADDRESS</u>
Address This entity does not have an initial address record.						

Order

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SPECIAL WARRANTY DEED

REAL PROPERTY RECORDS

STATE OF TEXAS
COUNTY OF DENTON

DATE: February 14, 2018

GRANTOR: Ronald Reginald Furtick (a/k/a Ronald R. Furtick) and
Sima Sobhani-Furtick, d/b/a Yasi Land Company
Yasi Land Company, a Texas general partnership
Yasi Land Company, LLC, a Texas limited liability company

GRANTOR'S MAILING ADDRESS: P. O. Box 92, Argyle, Texas 76226 Denton County
8921 David Fort Rd., Argyle, Texas 76226 Denton County

GRANTEE: **Yasi Land Company, LLC, a Texas limited liability company**

GRANTEE'S MAILING ADDRESS: P. O. Box 11, Argyle, Texas 76226 Denton County

CONSIDERATION:

Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and the full and final settlement of the terms and provisions concerning the Property described herein, pursuant to the Partnership Termination Agreement, made by and among the partners, Ronald Reginald Furtick and Sima Sobhani-Furtick, and dated to be effective December 31, 2016.

PROPERTY (INCLUDING ANY IMPROVEMENTS):

BEING ALL THAT CERTAIN 22.247 ACRES, MORE OR LESS, TRACT OR PARCEL OF LAND SITUATED IN THE J. W. SIMMONS SURVEY, ABSTRACT NUMBER 1163, TOWN OF HICKORY CREEK, DENTON COUNTY, TEXAS, AND BEING PART OF THE TRACTS DESCRIBED IN A DEED TO RONALD REGINALD FURTICK, ET UX, SIMA S. FURTICK, D/B/A YASI LAND COMPANY, RECORDED UNDER DOCUMENT NUMBER 1992-77059, VOLUME 3415, PAGE 539, REAL PROPERTY RECORDS OF DENTON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF;

together with all and singular the rights, benefits, privileges, easements, tenements, hereditaments, and appurtenances thereon or in any wise appertaining thereto and with all improvements located thereon and any right, title and interest of grantor in and to adjacent streets, alleys, rights-of-way, land lying in or under any public thoroughfare, strips and gores contiguous and adjacent to the property, including reversion and remainder interests related thereto (the property and improvements, together with grantor's interest in the rights, benefits, privileges, easements, tenements, hereditaments, appurtenances and interests related thereto being hereinafter referred to as the "Property").

EXCEPTIONS TO CONVEYANCE AND WARRANTY:

This Conveyance is made by Grantor and accepted by Grantee subject to all presently recorded and validly existing easements, rights-of-way, restrictions, covenants, conditions, reservations, Mineral and Royalty Interest Deed recorded under Document Number 2017-53262, and water interests outstanding in persons other than Grantor, and all other instruments, other than conveyances of the surface fee estate, that are recorded in the office of the County Clerk of Denton County, Texas, but only to the extent they are validly existing and affect the Property.

CONVEYANCE: Grantor, for the consideration stated and subject to the Reservations from and Exceptions to Conveyance and Warranty, GRANTS, SELLS and CONVEYS to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever.

Grantor hereby binds Grantor and Grantor's heirs, executors, successors and assigns to WARRANT AND FOREVER DEFEND all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, when the claim is by, through or under Grantor, but not otherwise.

When the context requires, singular nouns and pronouns include the plural.

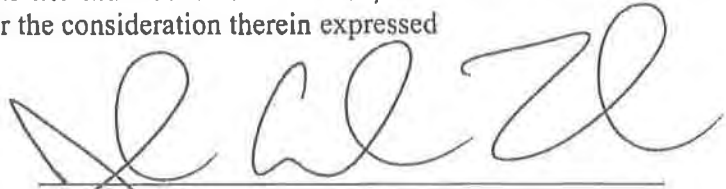
IN WITNESS WHEREOF, Grantors herein have executed this Special Warranty Deed to be effective as of February 14, 2018.

By: 
Sima Sobhani-Furtick (a/k/a Sima S. Furtick), Individually,
and as a general partner of Yasi Land Company, a Texas general Partnership

STATE OF TEXAS)
COUNTY OF DENTON)

This instrument was acknowledged before me on this 14th day of February, 2018, by Sima Sobhani-Furtick (a/k/a Sima S. Furtick), individually, and as a general partner of Yasi Land Company, a Texas general partnership, as her individual act and deed, and as the act and deed of such general partnership, in the capacity and for the consideration therein expressed




Notary Public, State of Texas
My commission expires: 11/04/2020

Yasi Land Company, LLC, a Texas limited liability company



STATE OF TEXAS)
COUNTY OF DENTON)

My commission expires: 11/04/2020

Argyle, Texas 76226

EXHIBIT "A"
LEGAL DESCRIPTION OF THE 22.247 ACRE TRACT

BEING all that certain lot, tract, or parcel of land situated in the J. W. Simmons Survey Abstract Number 1163 in the Town of Hickory Creek, Denton County, Texas, being a part of that certain tract of land conveyed by deed from The Red Oak State Bank to Ronald Reginald Furtick et ux Sima S. Furtick d/b/a Yasi Land Company recorded in Volume 3415, Page 539, Real Property Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at a capped iron rod marked RPLS 4561 set for corner in the north line of Turbeville Road, a public roadway, said point being the southwest corner of Lot 73 of Glenview, an addition to the Town of Hickory Creek, Denton County, Texas, according to the plat thereof recorded in Cabinet R, Page 225, Plat Records, Denton County, Texas;

THENCE N 87° 37' 29" W, 658.84 feet with said north line of said Turbeville Road to a fence corner for corner, said point being the southeast corner of that certain tract of land conveyed by deed from Susan Renee McGee to Ronald Furtick recorded under Document Number 2014-107376, Real Property Records, Denton County, Texas;

THENCE N 01° 15' 27" E, 883.55 feet with the east line of said Furtick tract and with the east line of that certain "Tract I" of land conveyed by deed from Susan Renee McGee to Hickory Creel Economic Development Corporation recorded under Document Number 2014-107378, Real Property Records, Denton County, Texas and with the east line of Lot 2, Block A of Hickory Creek Town Hall Addition, an addition to the Town of Hickory Creek, Denton County, Texas according to the plat thereof recorded in Cabinet W, Page 592, Plat Records, Denton County, Texas to an iron rod found for corner, said point being the southeast corner of Lot 1, Block A of Cornelius Town Center Addition, an addition to the Town of Hickory Creek, Denton County, Texas according to the plat thereof recorded in Cabinet W, Page 587, Plat Records, Denton County, Texas;

THENCE N 01° 23' 23" E, 418.30 feet with the east line of said Cornelius Town Center Addition to an "X" in concrete for corner in Point Vista Road, a public roadway;

THENCE S 87° 49' 27" E, 460.41 feet with said Point Vista Road to a capped iron rod marked RPLS 4561 set for corner;

THENCE S 00° 48' 15" W, 15.89 feet with said Point Vista Road to a capped iron rod marked RPLS 4561 set for corner;

THENCE S 87° 28' 26" E, 89.16 feet with said Point Vista Road to a capped iron rod marked RPLS 4561 set for corner;

THENCE along the arc of a curve to the left having a central angle of 02° 12' 00", a radius of 1040.00 feet, an arc length of 39.94 feet, whose chord bears N 79° 03' 16" E, 39.93 feet with said south line of said Point Vista Road to an iron rod found for corner;

THENCE N 77° 57' 15" E, 706.27 feet with said south line of said Point Vista Road to a capped iron rod marked RPLS 4561 set for corner;

Exhibit "A" continued-

EXHIBIT "A"-Continued
LEGAL DESCRIPTION OF THE 22.247 ACRE TRACT

THENCE along the arc of a curve to the right having a central angle of $23^{\circ} 56' 21''$, a radius of 560.00 feet, an arc length of 233.98 feet, whose chord bears $N 89^{\circ} 55' 25'' E$, 232.28 feet with said south line of said Point Vista Road to a capped iron rod marked RPLS 4561 set for corner;

THENCE $S 02^{\circ} 04' 20'' W$, 195.85 feet with a west line of said Ventana Addition to a wood fence post for corner at an inner ell of said Ventana Addition;

THENCE $N 87^{\circ} 35' 21'' W$, 846.23 feet with a north line of said Ventana Addition and with the north line of Glenview, an addition to the Town of Hickory Creek, Denton County, Texas according to the plat thereof recorded in Cabinet R, Page 225, Plat Records, Denton County, Texas to a wood fence post for corner, said point being the northwest corner of lot 55 in said Glenview;

THENCE $S 01^{\circ} 19' 41'' W$, 1287.03 feet with the west line of said Glenview to the **PLACE OF BEGINNING** and containing **22.247 acres of land**.

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORDS IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

REAL PROPERTY RECORDS

STATE OF TEXAS
COUNTY OF DENTON

DATE: January 1, 2018

GRANTOR: Yasi Land Company, LLC, a Texas limited liability company

GRANTOR'S MAILING ADDRESS: P. O. Box 11, Argyle, Texas 76226 Denton County

GRANTEE: Ecclesiastical Equity, LP, a Texas limited partnership

GRANTEE'S MAILING ADDRESS: P. O. Box 11, Argyle, Texas 76226 Denton County

CONSIDERATION:

Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and the full and final settlement of the terms and provisions concerning the Property described herein, pursuant to the Partnership Termination Agreement, made by and among the partners, Ronald Reginald Furtick and Sima Sobhani-Furtick, and dated to be effective December 31, 2016.

PROPERTY (INCLUDING ANY IMPROVEMENTS):

BEING ALL THAT CERTAIN 22.247 ACRES, MORE OR LESS, TRACT OR PARCEL OF LAND SITUATED IN THE J. W. SIMMONS SURVEY, ABSTRACT NUMBER 1163, TOWN OF HICKORY CREEK, DENTON COUNTY, TEXAS, AND BEING PART OF THE TRACTS DESCRIBED IN A DEED TO RONALD REGINALD FURTICK, ET UX, SIMA S. FURTICK, D/B/A YASI LAND COMPANY, RECORDED UNDER DOCUMENT NUMBER 1992-77059, VOLUME 3415, PAGE 539, REAL PROPERTY RECORDS OF DENTON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF;

together with all and singular the rights, benefits, privileges, easements, tenements, hereditaments, and appurtenances thereon or in any wise appertaining thereto and with all improvements located thereon and any right, title and interest of grantor in and to adjacent streets, alleys, rights-of-way, land lying in or under any public thoroughfare, strips and gores contiguous and adjacent to the property, including reversion and remainder interests related thereto (the property and improvements, together with grantor's interest in the rights, benefits, privileges, easements, tenements, hereditaments, appurtenances and interests related thereto being hereinafter referred to as the "Property").

EXCEPTIONS TO CONVEYANCE AND WARRANTY:

This Conveyance is made by Grantor and accepted by Grantee subject to all presently recorded and validly existing easements, rights-of-way, restrictions, covenants, conditions, reservations, Mineral and Royalty Interest Deed recorded under Document Number 2017-53262, and water interests outstanding in persons other than Grantor, and all other instruments, other than conveyances of the surface fee estate, that are recorded in the office of the County Clerk of Denton County, Texas, but only to the extent they are validly existing and affect the Property.

CONVEYANCE: Grantor, for the consideration stated and subject to the Reservations from and Exceptions to Conveyance and Warranty, GRANTS, SELLS and CONVEYS to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever.

Grantor hereby binds Grantor and Grantor's heirs, executors, successors and assigns to WARRANT AND FOREVER DEFEND all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, when the claim is by, through or under Grantor, but not otherwise.

When the context requires, singular nouns and pronouns include the plural.

IN WITNESS WHEREOF, Grantors herein have executed this Special Warranty Deed to be effective as of the 1st day of February, 2018.

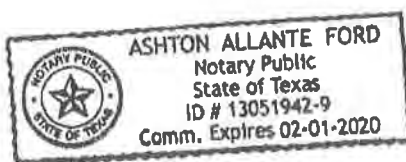
Yasi Land Company, LLC, a Texas limited liability company

By: _____

**Ronald Reginald Furtick (a/k/a Ronald R. Furtick), President of
Land Asset Management, Inc., a Texas corporation, Manager of
Yasi Land Company, LLC, a Texas limited liability company**

STATE OF TEXAS)
COUNTY OF DENTON)

This instrument was acknowledged before me on this 31st day of December 2018, by
Ronald Reginald Furtick (a/k/a Ronald R. Furtick), individually, and as a general partner of Yasi Land
Company, a Texas general partnership, and as President of Land Asset Management, Inc., Manager of Yasi
Land Company, LLC, a Texas limited liability company, and as his individual act and deed, as the act and
deed of such general partnership, in the capacity and for the consideration therein expressed



Ashton Allante Ford
Notary Public, State of Texas
My commission expires: 2/01/2020

AFTER RECORDING, RETURN TO:

**Ecclesiastical Equity, LP
P. O. Box 11
Argyle, Texas 76226**

EXHIBIT "A"
LEGAL DESCRIPTION OF THE 22.247 ACRE TRACT

BEING all that certain lot, tract, or parcel of land situated in the J. W. Simmons Survey Abstract Number 1163 in the Town of Hickory Creek, Denton County, Texas, being a part of that certain tract of land conveyed by deed from The Red Oak State Bank to Ronald Reginald Furtick et ux Sima S. Furtick d/b/a Yasi Land Company recorded in Volume 3415, Page 539, Real Property Records, Denton County, Texas, and being more particularly described as follows:

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THENCE N 87° 37' 29" W, 658.84 feet with said north line of said Turbeville Road to a fence corner for corner, said point being the southeast corner of that certain tract of land conveyed by deed from Susan Renee McGee to Ronald Furtick recorded under Document Number 2014-107376, Real Property Records, Denton County, Texas;

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Exhibit "A" continued-

EXHIBIT "A"-Continued
LEGAL DESCRIPTION OF THE 22.247 ACRE TRACT

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TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number: 802458295
Original Date of Filing: May 16, 2016
Formation Date: N/A
Tax ID: 32060503730
Duration: Perpetual
Entity Type: Domestic Limited Partnership (LP)
Entity Status: In existence
FEIN:
Name: Ecclesiastical Equity LP
Address: 8921 David Fort
Argyle, TX 76226 USA

<u>REGISTERED AGENT</u>	<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>	<u>INITIAL ADDRESS</u>
Name Ronald Furtick		Address 8921 David Fort Argyle, TX 76226 USA			Inactive Date	

Order

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Instructions:

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TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

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Address: 8921 David Fort
Argyle, TX 76226 USA

REGISTERED AGENT		FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES	ASSOCIATED ENTITIES	INITIAL ADDRESS
View Image	Document Number	Filing Type	Filing Date	Effective Date	Eff. Cond	Page Count	
	670861670002	Certificate of Formation	May 16, 2016	May 16, 2016	No	2	
	795917030001	Public Information Report (PIR)	December 31, 2017	February 24, 2018	No	1	
	863244740001	Public Information Report (PIR)	December 31, 2018	January 24, 2019	No	1	
	820969650001	Public Information Report (PIR)	December 31, 2018	June 25, 2018	No	1	
	866953880001	Public Information Report (PIR)	December 31, 2018	February 8, 2019	No	2	
	872980430001	Public Information Report (PIR)	December 31, 2018	March 8, 2019	No	1	
	925268040001	Public Information Report (PIR)	December 31, 2019	November 5, 2019	No	2	
	1024223360001	Public Information Report (PIR)	December 31, 2020	January 29, 2021	No	1	
	1105086030001	Public Information Report (PIR)	December 31, 2021	December 22, 2021	No	1	
	1246947120001	Public Information Report (PIR)	December 31, 2022	May 16, 2023	No	1	
	1332135930001	Public Information Report (PIR)	December 31, 2023	February 13, 2024	No	1	

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TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	802458295	Entity Type:	Domestic Limited Partnership (LP)
Original Date of Filing:	May 16, 2016	Entity Status:	In existence
Formation Date:	N/A		
Tax ID:	32060503730	FEIN:	
Duration:	Perpetual		
Name:	Ecclesiastical Equity LP		
Address:	8921 David Fort Argyle, TX 76226 USA		

<u>REGISTERED AGENT</u>	<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>	<u>INITIAL ADDRESS</u>
Name	Name Status		Name Type	Name Inactive Date	Consent Filing #	
Ecclesiastical Equity LP	In use		Legal			

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TEXAS SECRETARY of STATE

JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number: 802458295
Original Date of Filing: May 16, 2016
Formation Date: N/A
Tax ID: 32060503730
Duration: Perpetual
Entity Type: Domestic Limited Partnership (LP)
Entity Status: In existence
FEIN:
Name: Ecclesiastical Equity LP
Address: 8921 David Fort
Argyle, TX 76226 USA

<u>REGISTERED AGENT</u>	<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>	<u>INITIAL ADDRESS</u>
Last Update May 16, 2016	Name Land Asset Management, Inc.	Title General Partner	Address 8921 David Fort Argyle, TX 76226 USA			

Order

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Instructions:

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TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number: 802458295
Original Date of Filing: May 16, 2016
Formation Date: N/A
Tax ID: 32060503730
Duration: Perpetual
Entity Type: Domestic Limited Partnership (LP)
Entity Status: In existence
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Address: 8921 David Fort
Argyle, TX 76226 USA

<u>REGISTERED AGENT</u>	<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>	<u>INITIAL ADDRESS</u>
Assumed Name		Date of Filing	Expiration Date	Inactive Date	Name Status	Counties
No names exist for this filing.						

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TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number: 802458295
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Name: Ecclesiastical Equity LP
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Argyle, TX 76226 USA

<u>REGISTERED AGENT</u>	<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>	<u>INITIAL ADDRESS</u>
Name	Entity Type	Document Description	Filing Date	Entity Filing Number	Jurisdiction	Capacity
There are no documents listed for this entity which match your inquiry.						

Order

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Instructions:

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TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	802458295	Entity Type:	Domestic Limited Partnership (LP)
Original Date of Filing:	May 16, 2016	Entity Status:	In existence
Formation Date:	N/A		
Tax ID:	32060503730	FEIN:	
Duration:	Perpetual		
Name:	Ecclesiastical Equity LP		
Address:	8921 David Fort Argyle, TX 76226 USA		

<u>REGISTERED AGENT</u>	<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>	<u>INITIAL ADDRESS</u>
Address This entity does not have an initial address record.						

Order

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Instructions:

- To place an order for additional information about a filing press the 'Order' button.

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number: 161464800
Original Date of Filing: January 31, 2001
Formation Date: N/A
Tax ID: 17529206876
Duration: Perpetual
Entity Type: Domestic For-Profit Corporation
Entity Status: In existence
FEIN:
Name: LAND ASSET MANAGEMENT, INC.
Address: PO BOX 11
ARGYLE, TX 76226-0011 USA

<u>REGISTERED AGENT</u>	<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>	<u>INITIAL ADDRESS</u>
Name		Address			Inactive Date	
Ronald R. Furtick		8921 DAVID FORT RD Argyle, TX 76226 USA				

Order

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Instructions:

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TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number: 161464800
Original Date of Filing: January 31, 2001
Formation Date: N/A
Tax ID: 17529206876
Duration: Perpetual
Entity Type: Domestic For-Profit Corporation
Entity Status: In existence
FEIN:
Name: LAND ASSET MANAGEMENT, INC.
Address: PO BOX 11
ARGYLE, TX 76226-0011 USA

REGISTERED AGENT		FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES	ASSOCIATED ENTITIES	INITIAL ADDRESS
View Image	Document Number	Filing Type	Filing Date	Effective Date	Eff. Cond	Page Count	
	7068538	Articles Of Incorporation	January 31, 2001	January 31, 2001	No	2	
	7348410002	Change of Registered Agent/Office	February 11, 2002	February 11, 2002	No	2	
	24765630001	Public Information Report (PIR)	December 31, 2002	January 25, 2003	No	1	
	24675310001	Public Information Report (PIR)	December 31, 2002	January 25, 2003	No	1	
	44441600001	Public Information Report (PIR)	December 31, 2003	October 10, 2003	No	1	
	65447600001	Public Information Report (PIR)	December 31, 2004	July 21, 2004	No	1	
	102414830001	Public Information Report (PIR)	December 31, 2005	September 3, 2005	No	1	
	131143520001	Public Information Report (PIR)	December 31, 2006	May 27, 2006	No	1	
	188309730001	Public Information Report (PIR)	December 31, 2007	October 6, 2007	No	1	
	324120920001	Public Information Report (PIR)	December 31, 2009	August 28, 2010	No	1	
	342401140001	Public Information Report (PIR)	December 31, 2010	November 24, 2010	No	1	
	467480710001	Public Information Report (PIR)	December 31, 2012	February 24, 2013	No	1	
	498007600001	Public Information Report (PIR)	December 31, 2013	August 26, 2013	No	1	
	555634190001	Public Information Report (PIR)	December 31, 2014	July 26, 2014	No	1	
	619550510001	Public Information Report (PIR)	December 31, 2015	July 31, 2015	No	1	
	740170720001	Public Information Report (PIR)	December 31, 2016	May 24, 2017	No	1	
	742783680002	Certificate of Amendment	June 5, 2017	June 5, 2017	No	3	
	780176110001	Public Information Report (PIR)	December 31, 2017	December 10, 2017	No	2	
	956107580001	Public Information Report (PIR)	December 31, 2019	March 16, 2020	No	2	
	1011726530001	Public Information Report (PIR)	December 31, 2020	December 7, 2020	No	1	
	1103357310001	Public Information Report (PIR)	December 31, 2021	December 16, 2021	No	1	
	1246924000001	Public Information Report (PIR)	December 31, 2022	May 16, 2023	No	1	
	1359205840001	Public Information Report (PIR)	December 31, 2023	April 27, 2024	No	1	

Order

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TEXAS SECRETARY of STATE**JANE NELSON****BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY**

Filing Number: 161464800
Original Date of Filing: January 31, 2001
Formation Date: N/A
Tax ID: 17529206876
Duration: Perpetual
Entity Type: Domestic For-Profit Corporation
Entity Status: In existence
FEIN:
Name: LAND ASSET MANAGEMENT, INC.
Address: PO BOX 11
ARGYLE, TX 76226-0011 USA

<u>REGISTERED AGENT</u>	<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>	<u>INITIAL ADDRESS</u>
Name		Name Status	Name Type	Name Inactive Date	Consent Filing #	
LAND ASSET MANAGEMENT, INC.		In use	Legal			

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Last Update	Name	Title	Address			
December 10, 2017	RONALD FURTICK	PRESIDENT	PO BOX 11 ARGYLE, TX 76226 USA			
December 10, 2017	RONALD FURTICK	DIRECTOR	PO BOX 11 ARGYLE, TX 76226 USA			

Order

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Assumed Name		Date of Filing	Expiration Date	Inactive Date	Name Status	Counties
No names exist for this filing.						

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TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

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Name: LAND ASSET MANAGEMENT, INC.
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ARGYLE, TX 76226-0011 USA

<u>REGISTERED AGENT</u>	<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>	<u>INITIAL ADDRESS</u>
Name	Entity Type	Document Description	Filing Date	Entity Filing Number	Jurisdiction	Capacity
There are no documents listed for this entity which match your inquiry.						

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TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	161464800	Entity Type:	Domestic For-Profit Corporation
Original Date of Filing:	January 31, 2001	Entity Status:	In existence
Formation Date:	N/A		
Tax ID:	17529206876	FEIN:	
Duration:	Perpetual		
Name:	LAND ASSET MANAGEMENT, INC.		
Address:	PO BOX 11 ARGYLE, TX 76226-0011 USA		

<u>REGISTERED AGENT</u>	<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>	<u>INITIAL ADDRESS</u>
Address This entity does not have an initial address record.						

Order

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Sec. 6.02.033. Nuisances.

From and after the passage of this article, the following shall constitute nuisances when allowed, maintained or suffered to exist within the corporate limits of the town:

- (1) All yards, lots, alleys, stables, pens, cellars, vaults, drains, pools, wells, cisterns, privies, sewers, grounds, premises, or buildings of any character, which are not kept free from dead carcasses, decaying fish, flesh, fowl, vegetables, stagnant water, or other stagnant liquids, slops, trash, rubbish, or other deposits or substances of any and every character, which are likely to or do become unwholesome, filthy, unhealthy or likely to create or engender disease.
- (2) Sweeping, throwing, or depositing into, or upon or along any drain, gutter, alley, sidewalk, street, public place or thoroughfare, trash, rubbish of any character, slops, dung, feces, urine, filthy or stagnant water or other liquid, dead animals, fowls, birds, or fragments thereof, or any other unwholesome, unhealthy, unsightly or offensive thing or substance.
- (3) Throwing, putting or placing upon the premises of another any dung, feces, urine, or other unclean or filthy substance or liquid, trash or rubbish of any character, or dead animal, bird or fowl, or fragment thereof.
- (4) Any premises within the town where garbage or other offensive matter of any character or description is permitted to accumulate and become stagnant, putrid, or offensive to the smell or in a state of fermentation or in a state of decomposition is declared a nuisance.
- (5) Any premises in the town where trash, scrap, lumber, debris, upholstery material or any other combustible material or any barrels, cans, containers or other container or receptacle, or allowing any other condition on the land which would or could accumulate rain water or other liquids and become stagnant or offensive and a breeding place for mosquitoes, is declared a nuisance.
- (6) Maintaining trash, rubbish and debris on any premises.
- (7) Placing a refrigerator, icebox, freezer or other airtight or semi-airtight container outside of any structure or any unoccupied or abandoned structure.
- (8) Draining a pool, hot tub or spa onto or across the property line of an adjacent lot or premises, other than that on which the pool, hot tub or spa is located.
- (9) Outdoor/outside storage for a period greater than 24 hours, in a residentially zoned property or one used for residential purposes or on a commercially zoned property unless zoned for such use, including but not limited to: furniture and appliances other than those customarily installed or used out-of-doors, boxes, chemicals; supplies, material or other matter associated with a home occupation or nonresidential activity; motor vehicle parts and accessories, tools and/or mechanical equipment; lawn maintenance equipment; any material stored in such a manner as to offer harborage to vermin or that is subject to deterioration due to exposure to the environment; or any other trash, rubbish, debris, garbage, or refuse, except materials for the resident's personal use or consumption such as firewood, garden materials, etc. screened from public view.
- (10) Allowing sewage to be exposed to the atmosphere on any lot or lots, grounds or yards or any other place in the town.
- (11) Diverting the natural flow of water including, but not limited to, onto the property or another.
- (12) Dead trees or holes on a lot or premises capable of causing property damage or injury.
- (13) Graffiti on any surface of any structure visible to the public.

-
- (14) Any light fixture in any zoning district which is operated in a way that produces an obnoxious and intense glare or direct illumination across the boundary property line and is of such intensity as to create a nuisance or detract from the use or enjoyment of adjacent property.
 - (15) Any act or thing, not hereinbefore enumerated which interferes with any person's right to be free from foul, noxious and unpleasant air, odor, gases and vapors and from the sights of foul, offensive things and substances.

(Ord. 2007-12-633, § 3.03, 12-11-07; Ord. 2015-06-731, 6-30-15)

Division 3. On-Site Sewage Disposal Facilities¹

Sec. 13.03.071. Enforcement plan.

- (a) The town clearly understands that, at a minimum, it must follow the requirements in 30 TAC, section 285.71 authorized agent enforcement of OSSFs.
- (b) This division adopts and incorporates all applicable provisions related to on-site sewage facilities, which includes, but is not limited to, those found in chapters 341 and 366 of the THSC, chapters 7, 26, and 37 of the TWC and 30 TAC chapter 30, subchapters A and G, and chapter 285.

(Ord. 2012-02-679, § 14, 2-21-12)

Sec. 13.03.072. Enforcement of state law.

The town clearly understands that there are technical criteria, legal requirements, and administrative procedures and duties associated with regulating on-site sewage facilities, and will fully enforce chapter 366 of the THSC and chapters 7 and 37 of the Texas Water Code (TWC), and associated rules referenced in section 13.03.075 of this division.

(Ord. 2012-02-679, § 5, 2-21-12)

Sec. 13.03.073. Area of jurisdiction.

The rules shall apply to all the area lying within the incorporated limits of the town.

(Ord. 2012-02-679, § 6, 2-21-12)

Sec. 13.03.074. Permit compliance.

Any permit issued for an on-site sewage facility within the jurisdictional area of the town must comply with the rules adopted in section 13.03.075 of this division.

(Ord. 2012-02-679, § 7, 2-21-12)

Sec. 13.03.075. Rules adopted.

The rules, title 30 Texas Administrative Code (TAC) chapter 30, subchapters A and G, and chapter 285, promulgated by the TCEQ for on-site sewage facilities are hereby adopted, and all officials and employees of the town, having duties under said rules are authorized to perform such duties as are required of them under said rules.

¹

(Ord. 2012-02-679, § 8, 2-21-12)

Sec. 13.03.076. Rules incorporated by reference.

The rules, 30 TAC chapter 30, subchapters A and G, and chapter 285 and all future amendments and revisions thereto are incorporated by reference and are thus made a part of these rules.

(Ord. 2012-02-679, § 9, 2-21-12)

Sec. 13.03.077. Amendments.

The town wishing to adopt more stringent rules for its OSSF division understands that the more stringent local rule shall take precedence over the corresponding TCEQ requirement. Listed below are the more stringent rules adopted by the town:

- (1) Any on-site sewage disposal system using aerobic treatment shall have a maintenance contract on that system.
- (2) All contracted maintenance of an on-site sewage disposal system using aerobic treatment shall be conducted by a licensed maintenance provider. There shall be no homeowner/property owner maintenance of an on-site sewage disposal system using aerobic treatment unless the property owner/homeowner is a licensed maintenance provider for that aerobic treatment unit.
- (3) The authorized agent may periodically inspect the on-site sewage disposal system using aerobic treatment for a single-family residence that is maintained directly by the owner of the system regardless of when the authorized agent conducted the last inspection.

(Ord. 2012-02-679, § 10, 2-21-12)

Sec. 13.03.078. Inspector's certification.

The OSSF designated representative (DR) (30 TAC, section 285.2(17)) of the town, must be certified by the TCEQ before assuming the duties and responsibilities.

(Ord. 2012-02-679, § 11, 2-21-12)

Sec. 13.03.079. Collection of fees.

All fees collected for permits and/or inspections shall be made payable to the town. A fee of \$10.00 will also be collected for each on-site sewage facility permit to be paid to the on-site wastewater treatment research council as required by the THSC, chapter 367.

(Ord. 2012-02-679, § 12, 2-21-12)

Sec. 13.03.080. Appeals.

Persons aggrieved by an action or decision of the designated representative may appeal such action or decision to the town council.

(Ord. 2012-02-679, § 13, 2-21-12)

Sec. 13.03.081. Relinquishment of regulation.

- (a) If the town council decides that it no longer wishes to regulate on-site sewage facilities in its area of jurisdiction, the town council, as the authorized agent, and the TCEQ shall follow the procedures outlined in 30 TAC, section 285.10(d)(1) through (4).
- (b) After relinquishing its OSSF authority, the authorized agent understands that it may be subject to charge-back fees in accordance with 30 TAC, section 285.10(d)(5) and section 285.14 after the date that delegation has been relinquished.

(Ord. 2012-02-679, § 17, 2-21-12)

HAYES, BERRY, WHITE & VANZANT, LLP

ATTORNEYS AT LAW

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Richard D. Hayes
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Gainesville, Texas 76240
Telephone (940) 668-6171
Facsimile (940) 612-4750

April 26, 2010

Via Overnight U.S. Mail

Ron and Sima Furtick d/b/a Yasi Land Co.
P.O. Box 92
Argyle, Texas 76226

RE: Turbeville Road (Hickory Creek Mobile Home Estates), Hickory Creek, Texas 75065

Dear Mr. and Mrs. Furtick:

This firm represents the Town of Hickory Creek, Texas. After an investigation, the Town has determined that the condition of the above-referenced property under your ownership and/or control is creating a public nuisance that compromises the health, safety and welfare of the citizens of Hickory Creek. This letter is the Town's notice letter under Texas Local Government Code Section 54.017(a)(1) and Texas Local Government Code Chapter 211.

You currently own and/or have control over certain real property within the corporate limits of the Town of Hickory Creek, Texas generally located at Turbeville Road, Hickory Creek, Texas 75065 and generally known as Hickory Creek Mobile Home Estates (the "Property"). The Property is currently being utilized as a mobile home park. Under the Town's zoning ordinance, the Property is treated as a non-conforming use and non-conforming structure since the Property is currently zoned as a C-1 Commercial district.¹ Because the Property is instead being utilized as a mobile home park under Article XXIX of the Town's zoning ordinance, it must comply with the regulations and restrictions contained therein.

Over the past two (2) weeks, the Town has conducted a preliminary investigation and inspection prompted by significant drainage and standing water problems on both private property and public property in areas of the Town adjoining the Property. You are hereby notified that the Town and its agents have found violations of several applicable Town ordinances and requirements, including but not limited to the following, which are listed in no particular order of significance:

1. Failure to maintain proper screening, as required by Chapter 14, Article XXIX-MHP, Section 5(1) of the Town's Code of Ordinances;

¹The Town does not waive its right to terminate the legal non-conforming status of the Property.

2. Failure to provide proper ground cover as required by Chapter 14, Article XXIX-MHP, Section 5(2) of the Town's Code of Ordinances;
3. Failure to provide proper drainage, as required by Chapter 14, Article XXIX-MHP, Section 5(3) of the Town's Code of Ordinances;
4. Failure to provide proper streets, driveways, and off-street parking, as required by Chapter 14, Article XXIX-MHP, Section 6(1)-(2) and Section 7(1)-(2) of the Town's Code of Ordinances;
5. Failure to properly maintain streets, as required by Chapter 14, Article XXIX-MHP, Section 6(3) of the Town's Code of Ordinances;
6. Failure to properly name or number streets and to post signs, as required by Chapter 14, Article XXIX-MHP, Section 6(4),(6) of the Town's Code of Ordinances;
7. Failure to provide a proper recreation area, as required by Chapter 14, Article XXIX-MHP, Section 8 of the Town's Code of Ordinances;
8. Failure to meet the standards and specifications regarding water pipes, fixtures and related equipment by not providing proper drainage, as required by Chapter 14, Article XXIX-MHP, Section 9 of the Town's Code of Ordinances;
9. Failure to maintain the grounds free from debris and harborage, as required by Chapter 14, Article XXIX-MHP, Section 13 of the Town's Code of Ordinances;
10. Failure to maintain a proper register of park occupancy, as required by Chapter 14, Article XXIX-MHP, Section 16(d) of the Town's Code of Ordinances;
11. Failure to obtain a maintenance contract with a certified maintenance provider and to have that provider periodically inspect any operating on-site wastewater disposal system, as required by Chapter 13, Article 13.03.075 of the Town's Code of Ordinances; and
12. Failure to abate all wastewater disposal facilities and to connect all wastewater lines to the public wastewater disposal and treatment system operated by Lake Cities Municipal Utility Authority, as required by Chapter 13, Article 13.03, Section 13.03.035 of the Town's Code of Ordinances.

In light of the these on-going violations, you are hereby ordered to correct said violations or cease operating the mobile home park. Should you continue to operate in a manner that violates the Town's ordinances, the Town will avail itself of all legal avenues to prevent continued violation.

Failure to correct all of these violations to the Town's satisfaction may result in the Town pursuing its remedies through: (1) the Town's municipal court, (2) penalties and injunctive relief under Chapter 211.012 of the Texas Local Government Code, and/or (3) injunctive relief and civil penalties of up to \$1,000 a day per violation under Chapter 54 of the Texas Local Government Code. This letter provides the required notice of the violations to allow the Town to seek relief under Chapter 54 of the Texas Local Government Code should you fail to correct the above violations of the Town's regulations.

Ron and Sima Furtick d/b/a Yasi Land Co.


April 26, 2010

Page 3 of 3

The Town would like to avoid filing a civil lawsuit in this matter. Unfortunately, the history of your actions and use of the Property suggest that the Town will ultimately be required to pursue its legal remedies in court. If the nature of and extent of any of the violations discussed in this letter are unclear, please contact me immediately for clarification.

Very truly yours,

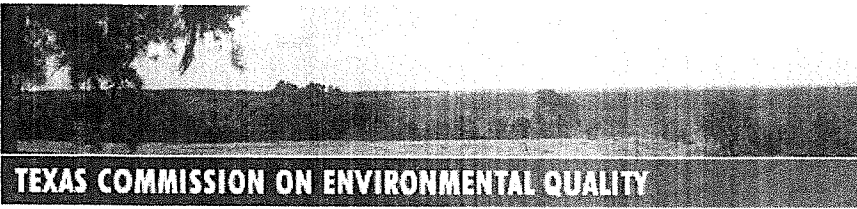
HAYES, BERRY, WHITE & VANZANT, LLP

Lance Vanzant by 

Lance Vanzant by KATS E. JESSEN

JLV/ags

cc: Town of Hickory Creek, Texas



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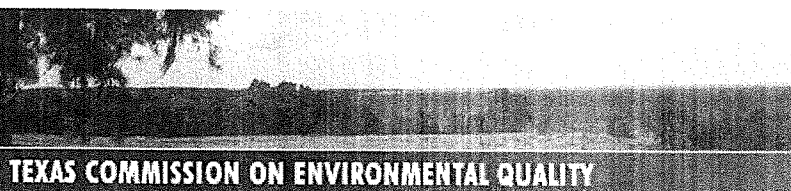
You searched for the following:

Complaint Received Date: 2/9/2010Your search returned **19** records.

Please select a record to proceed.

Regulated Entity	Customer	Complaint Tracking #	Status	County	Complaint Received Date
GENERIC INCIDENT ZIP CODE 75862	GENERIC INCIDENT PRINCIPAL	135596	OPEN	TRINITY	02/09/10
GENERIC INCIDENT ZIP CODE 76009	GENERIC INCIDENT PRINCIPAL	136013	OPEN	JOHNSON	02/09/10
GENERIC INCIDENT ZIP CODE 76707	CITY OF WACO	135631	REFERRED	MCLENNAN	02/09/10
GENERIC INCIDENT ZIP CODE 76905	Unavailable	135629	OPEN	TOM GREEN	02/09/10
GENERIC INCIDENT ZIP CODE 77040	HARRIS COUNTY	135747	REFERRED	HARRIS	02/09/10
GENERIC INCIDENT ZIP CODE 77532	HARRIS COUNTY PUBLIC HEALTH AND ENVIRONMENTAL SERVICES	136068	REFERRED	HARRIS	02/09/10
HICKORY CREEK MOBILE HOME ESTATES	LAND ASSET MANAGEMENT INC	135654	OPEN	Unavailable	02/09/10
PARADISE RV PARK	COPELAND MARVIN	135649	OPEN	TYLER	02/09/10
SARDIS LONE ELM WSC	SARDIS LONE ELM WSC	135709	OPEN	ELLIS	02/09/10

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Complaint Status

Complaint Tracking #: 135654

Complaint Received Date: 02/09/2010

Number Complaining: 1

Status: OPEN

Status Date: 02/10/2010

Nature: WATER SUPPLY SERVICE

Frequency: CURRENT

Duration:

Media: WATER

Program: PUBLIC WATER SYSTEM/SUPPLY

Priority: Within 30 Calendar Days

Effect: ENVIRONMENTAL

Receiving Water Body:

Regulated Entity: HICKORY CREEK MOBILE HOME ESTATES

County:

Description:

LEAK FROM HICKORY CREEK WATER SYSTEM IS IMPACTING NEIGHBOR'S PROPERTY.

Comment:

No comment available.

Action Taken:

No data available.

Investigation Data not Available Until Approved by Management

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Regional Director
Tony Walker

Executive Assistant
Tammy Glasscock

Special Assistant to the Regional Director
Jeff Tate

2309 Gravel Dr.
Fort Worth TX 76118-6951
Map to Office 

Main Line: 817-588-5800
Fax (Main Office): 817-588-5700
Fax (Administration): 817-588-5704
Fax (Air Program): 817-588-5702
Fax (Water Program): 817-588-5701
Fax (Waste Program): 817-588-5703

Section Manager
Air - Alyssa Taylor

Air Upset or Maintenance Reporting
E-mail: upset04@tceq.state.tx.us
Form and Instructions: TCEQ-10360
Fax: 817-588-5702

Section Managers
Waste - Sam Barrett
Water - Sid Slocum

Spill Reporting (24 Hour) - 800-832-8224

Small Business and Local Government Compliance Assistance Specialists
Tasha Burns - 817-588-5868
Stephanie Colman - 817-588-5836
Lynn Owens - 817-588-5927
Fax: 817-588-5704

Pollution Prevention Assistance Specialist
Chris Meeks - 817-588-5827

Stephenville Special Project Office
(Confined Animal Feeding Operations)
Michael Martin, Team Leader
580-D W. Lingleville Rd.
Stephenville TX 76401
254-965-9200 or 800-687-7078
Fax: 254-965-9222

Joshua E. Gafiaia

Brown and Hofmeister, L.L.P.

November 7, 2024

I would like to acknowledge the recipient of your letter dated October 18, 2024.

While I understand that the Town believes that there is an issue, your first sentence.

Re: refers to "... Failed Septic System Resulting in Open Sewage Condition." Is a statement that is hyperbolic to the point of Libel and Malicious Falsehood.

I absolutely will focus on the actual issues which the Town Administration has engaged the services of your esteemed firm Brown and Hofmeister.

But before I focus on the real issues, I will need to give you enough background information that you can understand the foundation of the field that we are playing on.

I believe all the Town's issues comes down to simple personal discrimination on a social and municipal scale. In order to explain, I need to give you some background information.

My Father is a Builder and Real Estate Developer, He started me young, I started working construction at age 11, I designed and built my first house by 16 years old.

I built one house every year mostly during summers while in high school.

I took my education in Architecture, I also earned an MBA with concentration in Real Estate. I built my training and education around a desire to become a Real Estate Developer.

I believe I made a career mistake by coming to Texas.

In Oregon I had family support and a reputation as a creative.

When I got to Texas even though I was a small fry, I felt like I was treated like carpetbagger. I Got here in the early 1980's, I purchased the Hickory Creek property almost 35 years ago. When I first got to town, Hickory Creek was tiny but it was still larger than Corinth. I have lived here longer than I lived on the west coast, but I have always been treated like a carpetbagger.

You are not the first attorney that has been tasked with my removal. As a matter of fact I have an entire file cabinet stuffed with instances of Municipal Harassment.

I believe the Town Administration has spent a sizable portion of the last three decades periodically going through a spazz attack and lashing out with harassment.

I have endured waves of code enforcement, visits from agencies and of course your colleagues in the legal field usually get involved.

The harassment appears to be timed in an interesting way.

EXHIBIT 10

It seems to become most intense when there's a major developer that's working the neighborhood area and particularly if I receive a letter of intent or a contract offer. That is the point where there is a maximum exertion of harassment to inflict the pain that will finally allow to town to free my property from its Preexisting NonConforming use, and get it back into the hands of Corporate American, or their buddies or whoever they have decided isn't a carpetbagger.

The cruel irony is that if they had just recognized me as the Towns Developer and stuck to the deals that we were able to make together, my property would probably already be developed out as the Township's Downtown area by now.

We have had a decade and a half of record low interest rates, our local municipalities have never had a more attractive development market, many of them bloomed and blossomed during those decades. We completely squandered that period with petty bickering.

The town and I had negotiated a Mixed Use zoning which would have allowed an Urban Walkable Downtown Area. Because the Towns Administration never allowed the Zoning to be ratified and approved by council. This created a huge problem because, the resulting lack of zoning provides no protection for the Mixed Use Developers who were thus subjected to enormous political risk, which no developer is willing to accept.

By not passing the Mixed Use ordinance the Town Administration both broke its word to me and doomed the Towns marketing of its commercial properties.

I was never given the opportunity to market the properties properly.

I believe the Town never viewed me as their Future Developer and has always been more interested in pushing me out, just as another developer wants to purchase me.

There are ten historical Harassment campaigns against my property.

Two years ago JPI came to town and issued a letter of intent.

Most of the time the offer is very low, JPS's was no exception.

That's when I knew that this eleventh wave of Harassment was going to be coming soon. You have been kind enough to provide me with a record of this year's municipal harassment assault on my business interests.

As soon as I heard that the Town believed that there were issues with the septic system I began looking for permanent long term solutions.

I have been working with an engineering firm in Lewisville Texas. CCM Engineering for the last six months, Luke Spicer P.E. Is taking the lead in designing the solution to the issues which the Town has employed you to fix. He is designing a new manhole and sewer interceptor from the middle of the Eastern edge of the property 500 feet southward to an existing manhole and sewer system operated by Lake Cities Municipal Utility Authority who will be referred to as LCMUA.

Luke has drawn and submitted his design to LCMUA who sent it to their Engineers and then they sent

me a bill. LCMUA Engineers then rejected Luke's plan and marked it up with red marks, then they sent me a bill. Luke responded by redrawing his original design to comply with all the red marks. He's sent it back to the LCMUA Engineers, and sent me a bill. The LCMUA Engineers have narrowed their grievances down to an electrical engineering issue on the required monitoring system. Then they sent me a bill. Now we need to hire yet another engineering firm who is specializing in electrical engineering.

I have two quotes for this new and completely unanticipated engineering cost.

Both bids are over three times what the original engineering estimate for the entire project was six months ago. Because I have been assured that both firms are reputable my decision will come down to who says they can do it the quickest.

I am attempting to move forward towards a true long term solution to address the issues that your company is being asked to force me to solve. I'm personally frustrated that the process is dragging on as long as it has, but I'm not surprised because of my construction background. I've witnessed delays due to bureaucracy before in my career. It can actually be deadly to projects.

The Town knows that I am attempting to permanently solve the problem because I tell that to the prosecutor every month. I come in and pay a fine because I solved a problem.

I receive violation notices and fines weekly.

I simply don't understand the municipality's actions.

The Town knows that I have fixed the problem of the cows breaking the sprinkler heads, the town is upset that I didn't get a permit before affecting my repair.

I understand all that.

But the Town sees me working to create a permanent solution and it punishes me for creating solutions.

I'm paying bills for engineering and bills for municipal fines out of the same pocket.

The fact that I am complying as fast as I can and that I'm receiving punishment as a response seems cruel and unfair.

Because of my compliance efforts alone I view my treatment as punitive.

But once you factor into the equation that I'm completely innocent of your alleged environmental crimes and the only thing that I'm pleading no contest to each week is fixing an irrigation system without a permit.

The cow field in question has never looked better in the many decades that I've owned the property.

I went ahead and mowed the entire field recently to cut out the yellow bitter weed.

I've succeeded with both spring and fall scalping cut with the zero turn combined with every spring waiting until I see a good rain pattern coming. Then I throw Bermuda grass seed and run a rake over it.

This has resulted in almost half the pasture becoming a dense grass. This description is even more pronounced between the sprayers of the original existing septic plant which was permitted and has

been maintained with maintenance being checked quarterly by licensed inspectors.

This system shows no signs of failure, this system has been well maintained and whenever the inspector has found an issue it has always been promptly repaired, or pumped out, cleaned, parts replaced, whatever the inspector said to fix, it would be fixed, I have found experts with the correct equipment. There are actually some very interesting characters in the septic sucking business. Very down to earth, but they know their shit. I have always felt like I got great advice and good reviews from the quarterly independent inspections.

The most recent repairs were due to an air line to the compressor. The inspector has caught a deteriorating PVC fitting. All fittings were replaced and we replaced new air lines as well. When repairs are done, I always attempt to improve the quality of the system as much as reasonable. In this particular case we replaced the damaged PVC with Brass fittings so it would never wear out again.

That's why when the inspector told me that there were issues with the sprinkler systems, I looked at the bigger picture.

In hindsight it probably would have been smarter to just replace the sprinkler heads, yet again for the umpteenth time but this wasn't my first rodeo. You see I own Bovine Stock. One Bull, Two Heifers, Three Cows and a stray goat. With all the cloven feet walking around looking for lunch, sprinkler heads can be damaged.

My response was to look at the topography and analyze the soil structure. The far western edge of the property provided my solution. The West Property line is the ridge and the highest area on the property.

I repositioned the sprinkler heads in a row approximately 40 feet away from the property line so the spray couldn't leave the property uphill to the West. While I took additional precautions of surrounding the sprinkler heads with cinder blocks held by short rebar sticks and packed soil thus elevating and protecting the sprinkler head. I reasoned that even if the bovine delinquents continued to break the sprinkler heads, the new location would naturally channel a spill to the southeast. The location had the additional advantage of having the deepest soils and a tree line both of which soak up the processed septic effluent.

I have been presented with many other repair requests over the decades and have always diligently and professionally made sure repairs were made rapidly and using high quality parts.

Fundamentally, I was presented with a repair request by a third party inspector and I fixed the problem.

I believe all evidence suggests that I achieved my goals, I did a property inspection on 10/31/2024 Halloween afternoon and saw no puddles at all, the day after the biggest rain in a month. I have included pictures from that afternoon showing the sprinkler outfall.

I have taken a deep dive into the technical details of the property because in your letter of October 18, 2024 you state regarding my legal, licensed, inspected quarterly and well maintained aerobic septic

system and Property!

The violations relate to the defective septic system located on the Property, which has completely failed and now consists of an open unprotected and unsanitary privy filled with raw human sewage that is draining onto the surface of the above referenced Property, thus creating an unhealthy and unsafe condition on the Property, which also threatens neighboring properties.

Joshua Galicia

The extreme nature of the difference between your statement in the first paragraph of your letter to me on 10/18/2024 and the pictures that I took in the field this week are difficult for me to interpret and understand without the term defamation of character coming up.

Let's examine that.
Shall we?

The courts have five tests to determine if defamation is actionable.

1. The information was made public

I have considered my writings about municipalities and other political entities that I have been forced to joust with over the decades to be political writing. I have no doubt that your letter is going to be sent to at least a dozen members of Hickory Creek Council and staff, John will get a copy.

How's it all going to work out?

I have no idea!

Historically anything negative about the park is released on Facebook, then it migrates to Nextdoor.

Who would eventually release it I don't know. I don't regularly do social media.

But I would be somewhere between shocked and amazed if your letter isn't findable on google within six months. my response will probably also be posted.

2. The Defaming statement names the person.

My name is on the letter, I'm not an attorney but I'm guessing that's sufficient.

3. The Defamatory statement had a negative impact on the Victims reputation.

I'm guessing the neighborhood to the South East who has received the surface runoff from the cow field would be incensed by your allegation that something other than bovine feces was entering into their green belt drainage. My guess is some percentage would believe you and at some point they would gather with their tiki torches and potentially hunt me down to explain their grievances.

4. The Published Remarks are Demonstrably False.

I took the pictures this week. I am blowing all copies up as large as possible.

I haven't photoshopped anything. The grass is good.

Yes, I think your remarks are demonstrably false.

5 . The defendant in the case is at fault for the defamation.

I believe the Town administration has engaged your firm to continue the decades long history of well documented systematic harassment against my business interests.

So in this case, yes I think you're at least guilty of attempting defamation for the benefit of your client.

I'm no lawyer so I haven't a clue as to whether I would have a case against you but I am becoming quite peeved with the Towns Administration and Council.

I am really upset by a horrible combination of realities.

Firstly because of the carpetbagger thing, Town administration has made development promises that council never implemented. Trust has not only been broken, it's been shattered. I just assume I'm being lied to.

Secondly Town Administration and Council refused to implement the zoning which was written by the Towns Architect to implement a Town Master Plan.

I've been prevented from marketing the property because of the lack of zoning which makes development impossible.

I can't move forward without the Mixed Use zoning which we Negotiated years ago and cooperation from the Town Council and Administration.

I can't seem to obtain that cooperation, after decades of my out reach.

After eleven waves of harassment, you show up.

A week after I received your letter I was diagnosed with cancer.

So I have been somewhat distracted from your desire implement the Town's harassment strategy. I apologize in advance for not paying sufficient attention to the beating that The Town wants you to provide, I'm just a bit distracted.

Ok tell you what I'm going to do.

I'm going to take your deal, it actually sounds reasonable.

You are identifying a septic tank which you wish removed.

Ok, I have complied with your demand.

I have included a picture of that same tank after removal.

For the Town's edification, The tanks purpose was as part of a future gray water system which would keep the washing machine water out of the septic system.

This is a legal thing to do, gray water sequestration and disposal is superior to the alternatives. Thus, I will pull the tank out. The tank will just be set aside until permits are pulled to reinstall, next year. Even after the conversion to Sewer, Gray Water Segregation is still a more efficient alternative, because the Sewer will be metered and will cost the park money for volumes of use.

I agree in principle that the large single aerobic system should not operate over capacity. I am absolutely not ready to concede the point that it is currently operating over capacity, I see no evidence to support that hypothesis. But.

This is absolutely a problem that engineers and measurement can answer.

I have begun by contacting the septic Engineer for the park to obtain existing system capacity, he's working on the issue.

I have purchased miniature digital water meters.

Each dwelling unit that drains into the main aerobic system will be fitted with the meters. By adding up the total gallons for all households for a month then dividing back to daily average consumption. We can then compare the actual system capacity with actual system usage. It will then be easy to determine if we are actually over capacity as you allege.

I will reiterate, I don't want to operate the aerobic septic system over capacity.

So I propose gathering data first,

If too much water is being used then, The data will determine the most economical way to reconfigure the park. If one resident is using three times as much as his neighbors, he probably needs to be the first to go.

My leases are all month to month and assuming all the affected tenants have already paid their rent, I realistically can't even deliver the eviction notices until December, 2024. Evictions can drag out in some cases. But I promise if we are overcapacity I will expedite the process as rapidly as legally possible. That being said, it could still take a short while. There's also a possibility that the systems not even at its capacity yet.

Without data collection there's no way of knowing.

I have purchased new water Meters, they are digital, they record total usage, average Daily usage and several other less important data points. We will begin taking Weekly readings every Monday morning and will retain the logs for your review. You will be able to monitor the voraciously of our journaling

efforts by using the Total Usage feature of the digital meter system and divide by weeks. I intend on being clear and transparent in my record keeping, The Meters will be installed during the week of November 11-15.

We should have sufficient data to determine a plan of action by the end of November.

I believe that the entire system can be right sized fairly quickly, even if we do need to evict a larger number of homes than I expect, and we have tenants who fight the eviction we can still finish achieving the proper density within the first quarter of 2025, We can be easily completed before the spring rains add additional moisture to the calculations.

So I ask you.

Is this near total surrender to your terms, adequate for your current employment needs?

Let me explain, I have been in a low grade war of attrition with this municipal entity for three decades. They make deals and then won't honor their word, flat out I have been lied to and stolen from. Sometimes they say things they don't mean.

You are new to this. Hickory Creek has never gone to Collin county for their legal advice. They have obviously brought you in, to deal with me.

That's fine because I actually like deal oriented aspects of your letter.

The Denton county attorney's have spoken for years without actually proposing a real solution. Your letter of 10/18 while so completely incorrect factually as to be Defamatory in nature did pivot to finding actual solutions to resolve this set of issues towards the end of your letter.

Normally by this point in the legal assault I would have retained a lead attorney to defend myself and the Park from the Municipality.

This time is different, I wasn't expecting your letter nor was I expecting to be diagnosed with cancer. My wife had previously booked two different conferences, one in San Diego and the other in Orlando so in the last week my household has been bicoastal, diagnosed with cancer and I've been to Disney-world.

Life and death have been busy in my life, which leads me to want to beg you to please just cut the crap.

You have been hired for a specific job. You know what that job is.

Your job is to either get rid of me and my business assets.

Or.

To cut a deal with me and obtain compliance.

My question to you is, which is it?

I'm sick and tired of wasting my time with this Town. I'm sick of the lies and double dealing. I'm especially tired of the continuous pattern of harassment which began decades ago and potentially continues with your letter. Is your letter yet another announcement of cudgels about to swing? Or are you the rarest of Attorney?

More interested in solving your clients problem rapidly and economically, Than, fanning the flames of extravagant overstatement and slander, provoking our Esteemed Town Councils political will to engage in protracted litigation for the benefit of your esteemed Brown and Hofmeister L.L.P.

I understand that you and your firm will benefit greatly by continuing the Town of Hickory Creek's enduring tradition of punching me below the belt for no apparent reason.

One thing that upsets me is the undemocratic nature of the current junta.

In 2007 the town embarked upon a planning process. I was impressed with both the quality of the architectural team that worked with the Town and the quality and quantity of citizens Input. The Towns planning team developed a form based Mixed Use Ordinance which was finally tweaked and negotiated with John Smith, when he was Mayor. I made deals with John and Lynn Clark regarding the Towns development.

In the last decade and a half, there has only been one election.

Council changes a bit over the years, Council members retire just after election season. Their positions are then appointed to , at this point in my life, I'm going with distinguished gentle people. Over the years I've had more colorful descriptions.

The faces at Town have looked more or less the same for decades,

No changes in attitude towards me but absolutely no desire to implement the will of the people, giving me the Mixed Use Zoning that was developed for your Downtown. Thus allowing me to fulfill what I have always assumed was my destiny.

Create an Urban Downtown area for Hickory Creek.

While I'm absolutely going to beat cancer.

I would really prefer working my current plan.

Continue running the park until the remaining tracts of land in the Town of Hickory Creek will be built out.

I project that all major tracts of land on the West Side will be occupied by approximately 2028.

Perhaps when I'm the only game in town, I will gain the Town's support to develop the Hickory Creek Downtown.

The only problem with my plans are.

First I have to beat Cancer.

Then I'll have to assess whether I still have a burning desire to build a Downtown.

I will turn 70 in February of 2028

Unfortunately even in 2028, Council will view me as just another Carpetbagger needing removal.

However you look at it I would very much prefer working with the town towards a solution regarding the septic tank because I know the long term solution to the issue is near by and if I can ever get the engineers to agree , will be installed as rapidly as possible.

I at least for the moment I have a strong desire to fight my Cancer.

I have a reinvigorated desire to see an Urban Downtown built.

I have worked almost 40 years towards this career goal, the Towns desire to withhold critical planning tools that are required by Commercial Developers to do their work is unhelpful and downright destructive to our economy.

I guess the biggest question is how are we going to spend the next four years?

Are we going to work together towards the creation of a Downtown area for Hickory Creek?

Or will we drop into battle, does Council want my head on a spike?, your letter indicates that lies, deception and destruction are on the horizon, do we just finish off the Town of Hickory Creek with this silliness?

I have been beaten and harassed for so long I am almost beyond upset.

Unfortunately, I am practically past caring, my Cancer is focused my attention on bigger matters. I'm really tired of this endless bickering, my tolerance for B.S. has completely evaporated. I'm ready to go sit on a beach somewhere.

I have been kind and generous, not to mention as patient as Jobe, with this Town.

Over the decades it has frustrated me that the Town refuses to recognize me as a Developer and absolutely refuses to deal with me as its Developer.

It occurs to me that what might focus the Towns attention is if I deed restrict my property to only be a travel trailer park, forever.

It's obvious that the town doesn't care what the value of its Real Estate is because of the horrible decisions it has made, I cannot even get a usable commercial zoning after thirty years of working towards it, so if the Town doesn't care, why should I care?

I told Council a decade ago that I wasn't going to be the last person to care about this Towns future.

I can make the property worthless for commercial development while enjoying my reduced retirement income. I will place a bronze placard at the location where Hickory Creek boulevard would have entered into the Hickory Creek Downtown Area, it will explain to the citizens why the Walkable Urban Environment that the citizens said they wanted, Will never occur. Unfortunately...

Because of and due to the last thirty years of harassment and intimidation, discrimination and

flagrant viciousness, by the Towns Administration, Mayor, and Council, nobody gets anything.

Your firm will obviously gain a reputation for destroying the economic futures of the Town's that you represent.

So I ask you.

Should I hire a competent transactional lawyer, competent in contract law to help me read and interpret whatever paperwork deal that you're going to be putting together, to make an amicable agreement possible.

Or do I need to hire a litigator?

I'm happy to surrender and make whatever adjustments to the septic system to prove that we have achieved compliance.

My question to you is, will I be allowed to surrender and comply, or will I be forced to move towards deed restrictions and harassment litigation, the stripping of Municipal Immunity's and filing individual suits against current Hickory Creek political figures, not to mention an in depth review of our defamation issues?

I've already made the first concession and removed the tank which you had requested. While the issues that you allege don't exist in reality, I'm perfectly happy to right size the park, to satisfy all concerns.

Do I need to hire a litigator or a contract attorney?

Please let me know what you and the Towns Administration have decided.
I am happy to comply.

Respectfully Submitted

Ronald Furtick
Ecclesiastical Equity LP.

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November 27, 2024

Mr. Ronald Furtick
Registered Agent, Ecclesiastical Equity, LP
8921 David Fort Road
Argyle, Texas 76226

Re: 1500 Turbeville Road, Hickory Creek, Texas 75065

Mr. Furtick:

Our office and my client have reviewed your letter to me dated November 7, 2024. After conferring with my client, the Town would like to extend to you the opportunity to construct a sewage system which will connect to the existing system operated by Lake Cities Municipal Utility Authority. The most immediate step from the Town is to determine the scope of the project, including the layout of the current septic system that will be in operation until the sewage line is operational. To that end, we need to have the Town's sanitarian, Annalisa Griffith, inspect the current septic system. She is available to inspect the property any weekday between Wednesday, December 4 and Wednesday, December 11 after 4:00pm. At your earliest convenience, please let me know which day would be best for Ms. Griffith to conduct her inspection.

My understanding is that you have already been speaking with engineers and LCMUA to determine compatibility and any issues which may arise. This will involve following the Town's permitting requirements, including complying with permit application requirements, appropriate site plans and surveys, and inspections of the property. Since you have already been engaging with an engineering firm, it would also be advantageous for you to apply for the appropriate permit with the Town of Hickory Creek. For the sake of expediency, and in the spirit of cooperation, the Town will not seek to pursue any litigation and will give you until end of business on Monday, December 16, 2024 to submit a permit application which meets the Town's standards as outlined in its Code of Ordinances.

Please let our office know as soon as possible what date. Ms. Griffith may inspect the property as outlined above. Further, please submit a permit application for the construction of the sewage line so that the Town may review it and communicate with you regarding obtaining a permit to begin construction. If we are able to keep an open and consistent communication and the Town sees progress in coming into compliance with state and local health and safety laws regarding sewage systems, I do not anticipate the Town pursuing litigation regarding said sewage

Mr. Ronald Furtick
November 26, 2024
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systems. If you have any questions regarding the above, please do not hesitate to contact our office. I look forward to hearing back from you and working towards resolving this issue.

Regards,

A handwritten signature in blue ink, appearing to read 'J. Galicia', is written over the word 'Regards,'.

Joshua Galicia
Legal Counsel for the Town
of Hickory Creek, Texas

JEG:dl

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Debra Lynch on behalf of Joshua Galicia

Bar No. 24087554

dlynch@bhlaw.net

Envelope ID: 95549991

Filing Code Description: Plaintiff's Original Petition

Filing Description: for Temporary and Permanent Injunctive Relief,
Declaratory Judgment, and Civil Penalties

Status as of 12/20/2024 4:24 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Joshua E. Galicia		jgalicia@bhlaw.net	12/20/2024 11:45:49 AM	SENT