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August 5, 2025

Judge Ron Massingill
Hood County Judge
100 E. Pearl Street
Granbury, TX 76048

RE: Request to Vacate Order Regarding Incorporation Petition

Dear Judge Massingill:

We respectfully request that the Court vacate the Order entered on or about May 2, 2025, relating to the proposed incorporation petition filed by residents seeking to form a Type B municipality in Hood County, calling it Mitchell Bend, Texas.

After recently learning of the Order, we conducted diligence into the factual basis for the Petition. We then conferred with both County Attorney Matt Mills on July 22 and 25, and Elections Coordinator Stephanie Cooper on July 25 to determine whether any of the information submitted to the Court had been independently verified as accurate and meeting the requirements pursuant to Texas Local Government Code §7.001 and §8.002. They both confirmed that neither of them participated in verifying the accuracy of the information in the Petition.

We understand the Court relied on representations that the Petition complied with all legal requirements. However, based on our investigation, there appear to be defects on the face of the Petition submitted, including signature deficiencies, inclusion of ineligible territory, and irregularities in the map's configuration under sections §§ 7.001, 7.002, 7.006, 5.901 of the Texas Local Government Code and §11.002 of the Texas Election Code. By way of one example, by our count, the Petition contains at most 42 valid signatures - well short of the 50 signatures required for placement on the ballot under Texas law.

In light of this, we respectfully request that the Court vacate the prior Order approving the Petition and setting aside an election of whether Mitchell Bend, Texas can be incorporated as a Type B Municipality within Hood County.

Judge Ron Massingill
August 5, 2025
Page 2

A proposed Order is enclosed for the Court's convenience. We are, of course, amenable to a hearing should the Court have any questions or desire input.

Given the significance of this issue and its potential impact on our client, MARA Holdings Inc. and other residents in the proposed area, who were not given notice about this Petition and proposed incorporation, we would appreciate the opportunity to receive notice of any future filings or proceedings concerning the incorporation effort.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Paula D. Pendley", is enclosed in a dashed rectangular box.

Paula D. Pendley

PDP/tls
Enclosure