

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 2, 2011

Mr. Tim Clark, President
CR V Hardy Yards, L.P.
301 Congress Avenue, Suite 500
Austin, Texas 78701

RE: Municipal Setting Designation (MSD) Certificate for CR V Hardy Yards,
L.P., Hardy Street Rail Yard, 1400 Fulton Street, Houston, Harris County,
Texas; MSD No. 150

Dear Mr. Clark:

Enclosed is the Municipal Setting Designation Certification for your site. You can use this certification as the basis to avail of the groundwater assessment and remediation flexibility offered in accordance with Texas Health and Safety Code §361.808, consistent with the site-specific circumstances.

If I can be of any further assistance, please do not hesitate to contact me at (512) 239-2960 or via e-mail (richard.goldsmith@TCEQ.Texas.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "R. Stuart Goldsmith".

R. Stuart Goldsmith, Project Manager
VCP-CA Section
Remediation Division

RSG/jdm

Enclosure: MSD Certificate No. 150

cc: Mr. Joe Bell, VCP 857 Project Manager, Remediation Division, MC-221

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



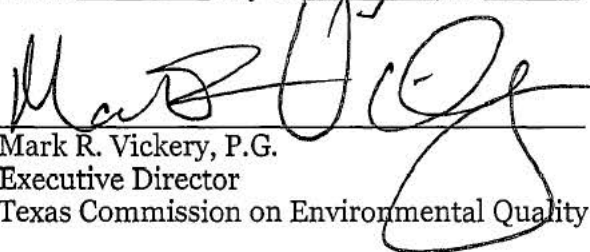
MUNICIPAL SETTING DESIGNATION CERTIFICATE

As provided for in §361.807, Subchapter W, Texas Health and Safety Code (Solid Waste Disposal Act):

I, Mark R. Vickery, Executive Director of the Texas Commission on Environmental Quality certify the Municipal Setting Designation for MSD No. 150, in the City of Houston, for the tract of land described in Exhibit "A". The eligibility requirements of Texas Health and Safety Code §361.803 are satisfied as attested to by the affidavit in Exhibit "B", provided pursuant to Texas Health and Safety Code §361.804(b)(2)(D). This certificate shall continue in effect so long as the institutional control required by Texas Health and Safety Code §361.8065 is maintained in effect.

Any person addressing environmental impacts for a property located in the certified municipal setting designation shall complete any necessary investigation and response action requirements in accordance with Texas Health and Safety Code §361.808, in conjunction with the applicable Texas Commission on Environmental Quality environmental remediation regulation, as modified by Texas Health and Safety Code §361.808.

EXECUTED this the 27th day of May, 20 11


Mark R. Vickery, P.G.
Executive Director
Texas Commission on Environmental Quality

Hardy Yards
Development Agreement Tract Description
33.35 Acres

John Austin Survey
Abstract No. 1

STATE OF TEXAS §

COUNTY OF HARRIS §

A **METES AND BOUNDS** description of a certain 33.35 acre tract of land situated in the John Austin Survey, Abstract No. 1, Harris County, Texas; being a portion of a called 41.933 acre tract of land conveyed to CR V Hardy Yards L.P. in Special Warranty Deed recorded in Clerk's File No. Y922883 of the Harris County Official Public Records Of Real Property and all of a tract of land called to be 1.2155 acres conveyed to CR V Hardy Yards L.P. in Special Warranty Deed recorded in Clerk's File No. Y922886 of the Harris County Official Public Records Of Real Property; said 33.35 acre tract being more particularly described as follows with all bearings being based on the Texas Coordinate System, South Central Zone, NAD 83;

BEGINNING at a found "X" cut in concrete at the southwest intersection of Burnett Street (60 feet wide right-of-way) and Hardy Street (60 feet wide right-of-way), both streets of which are shown on plat of S.F. Nobles Addition as recorded in Volume 5, Page 69 of the Harris County Deed Records, said "X" being the northwest corner of the said 1.2155 acre tract of land;

THENCE, South 02°17'16" East, along the west line of said Hardy Street, being the east line of the said 1.2155 acre tract of land, at 151.43 feet passing a found 5/8-inch iron rod (with cap, not legible), continuing along an east line of the aforementioned 41.933 acre tract, in all a total distance of 360.00 feet to a found 5/8-inch iron rod (with cap) for corner in the south line of Leona Street (60 feet wide right-of-way) as shown on said plat of S.F. Nobles Addition;

THENCE, North 87°42'44" East, along the south line of said Leona Street, being common with a north line of the said 41.933 acre tract, at 0.30 feet passing a found 5/8-inch iron rod, at 260.00 feet passing a found 5/8-inch iron rod (0.32 feet left) in the west line of Elysian Street (60 feet right-of-way), as shown on said plat of S.F. Nobles Addition, continuing at 319.69 feet passing a found 5/8-inch iron rod (with cap stamped "Clark"), continuing in all a total distance of 482.11 feet to a point for corner, from said point a found 5/8-inch iron (with cap stamped "EIC") bears South 34°32' East, 0.24 feet;

THENCE, along the south line of the said 41.933 acre tract, being the north line of a railroad right-of-way, the following (10) courses and distances:

1. South 61°25'15" West, at 180.77 feet passing a found 5/8-inch iron rod (with cap stamped "Miller") in the east line of said Elysian Street, at 247.74 feet passing the west line of said Elysian Street, continuing in all a total distance of 740.68 feet to a point for corner;
2. South 62°07'37" West, 148.69 feet to a point for corner;
3. South 50°35'56" West, 23.20 feet to a point for corner;
4. South 62°07'37" West, 200.00 feet to a found 5/8-inch iron rod (with cap stamped "Miller") for corner;

Hardy Yards
Development Agreement Tract Description
33.35 Acres

John Austin Survey
Abstract No. 1

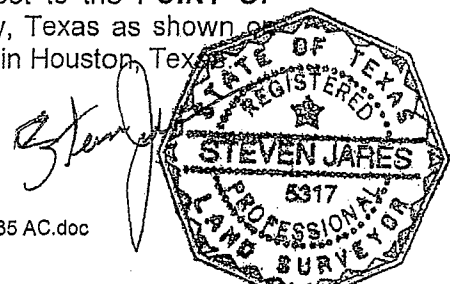
5. South $73^{\circ}39'17''$ West, 23.20 feet to a found 5/8-inch iron rod (with cap stamped "EIC") for corner;
6. South $62^{\circ}07'37''$ West, 71.69 feet to a found 5/8-inch iron rod (with cap stamped "GS") the beginning of a curve to the right;
7. Along the arc of said curve to the right having a radius of 750.00 feet, a central angle of $22^{\circ}54'42''$, an arc length of 299.91 feet, and a long chord bearing South $73^{\circ}34'57''$ West, 297.92 feet to a found 5/8-inch iron rod (with cap stamped "Miller") at the beginning of a reverse curve to the left;
8. With the arc of said reverse curve to the left having a radius of 6137.05 feet, a central angle of $02^{\circ}36'48''$, an arc length of 279.91 feet, and a long chord bearing South $83^{\circ}43'54''$ West, 279.89 feet to a found 5/8-inch iron rod (with cap stamped "Miller") at the beginning of a reverse curve to the right;
9. With the arc of said reverse curve right having a radius of 2260.00 feet, a central angle of $03^{\circ}23'36''$, an arc length of 133.85 feet, and a long chord bearing South $84^{\circ}07'18''$ West, 133.83 feet to a found 5/8-inch iron rod (with cap stamped "Miller");
10. South $85^{\circ}48'58''$ West, 96.56 feet to a found 5/8-inch iron rod (with cap stamped "Earth Data") for corner;

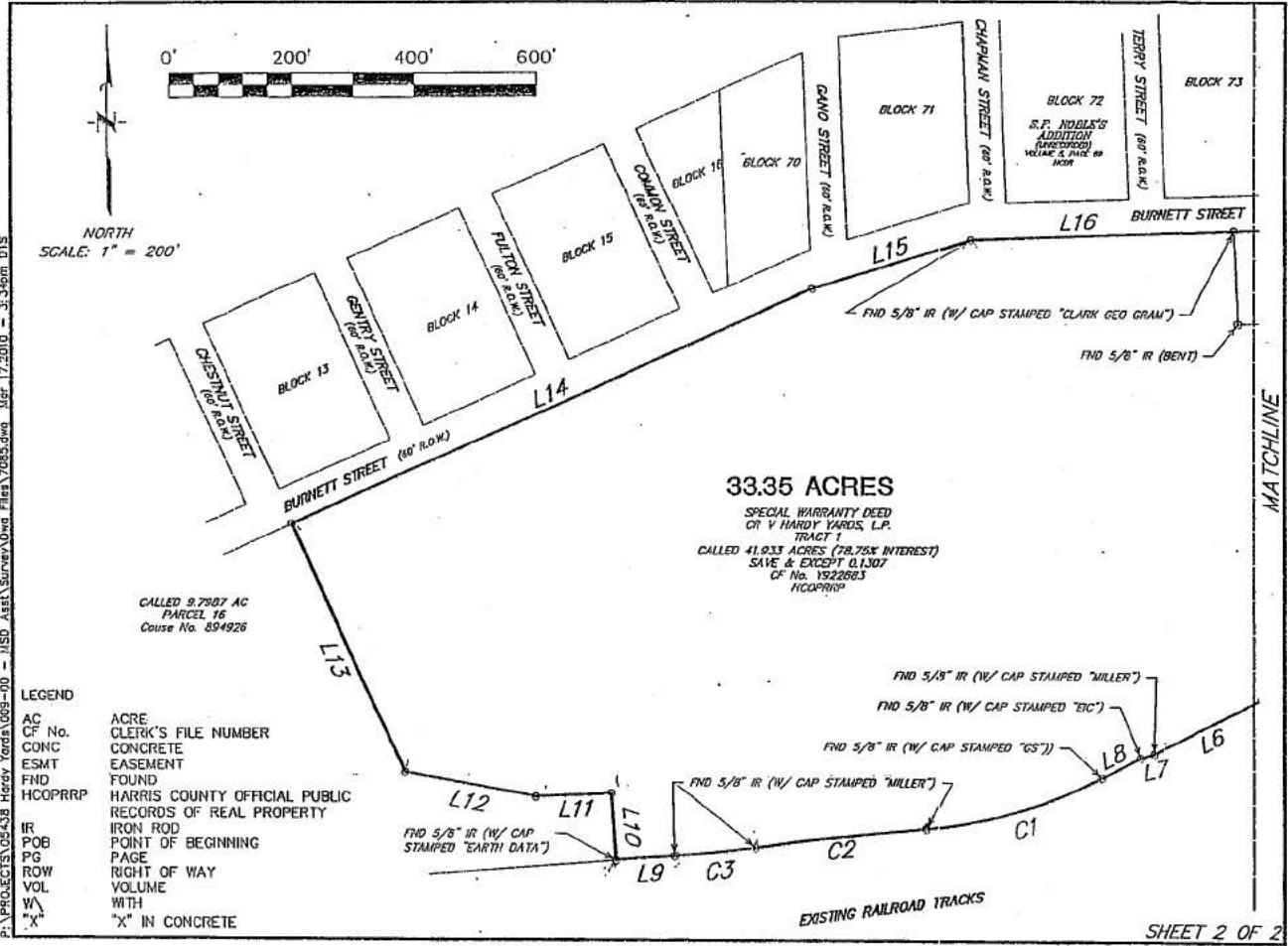
THENCE, along the east line of a called 9.7987 acre tract (Parcel 16) described in Cause No. 894926, the following four (4) courses and distances:

1. North $04^{\circ}10'54''$ West, 106.82 feet to a point for corner;
2. South $87^{\circ}36'05''$ West, 122.58 feet to a point for corner;
3. North $79^{\circ}12'04''$ West, 216.63 feet to a point for corner;
4. North $24^{\circ}27'49''$ West, 446.94 feet to a point in the south line of the aforementioned Burnett Street for corner;

THENCE, along the south line of said Burnett Street, being the north line of the aforementioned 41.933 acre tract, the following three (3) courses and distances:

1. North $65^{\circ}32'11''$ East, 935.30 feet to a point for corner;
2. North $72^{\circ}32'28''$ East, 269.39 feet to a found 5/8-inch iron rod (with cap stamped "Clark") for corner;
3. North $87^{\circ}42'44''$ East, at 430.50 feet passing a found 5/8-inch iron rod (with cap stamped "Clark"), continuing in all a total distance of 780.00 feet to the **POINT OF BEGINNING, CONTAINING** 33.35 acres of land in Harris County, Texas as shown on drawing number 7085 in the offices of Cotton Surveying Company in Houston, Texas;

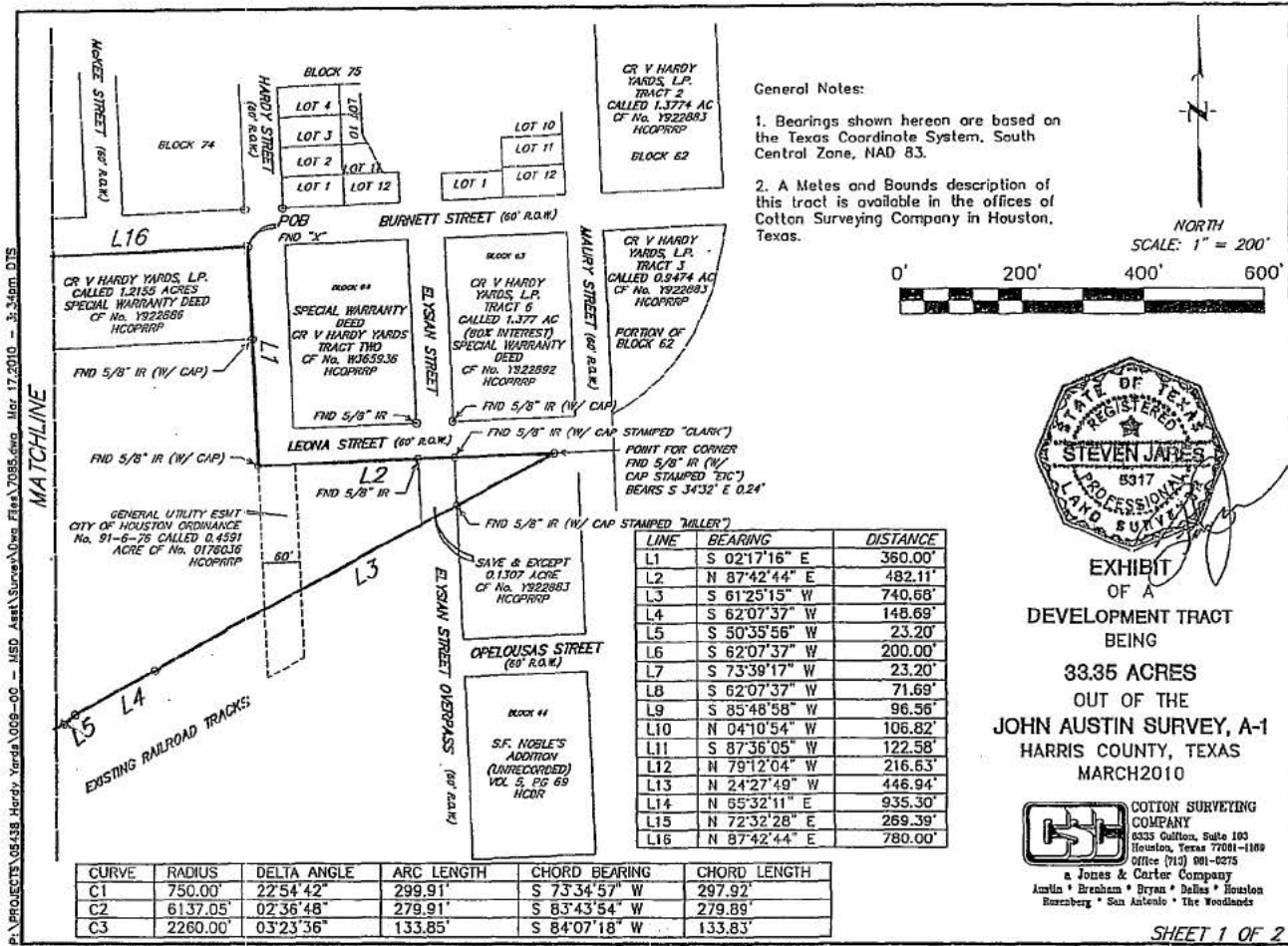




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NSD 150
 Exhibit A

page 3 of 31



- General Notes:
1. Bearings shown herein are based on the Texas Coordinate System, South Central Zone, NAD 83.
 2. A Metes and Bounds description of this tract is available in the offices of Cotton Surveying Company in Houston, Texas.

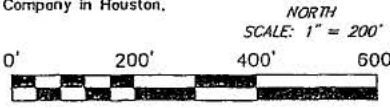


EXHIBIT
OF A
DEVELOPMENT TRACT
BEING
33.35 ACRES
OUT OF THE
JOHN AUSTIN SURVEY, A-1
HARRIS COUNTY, TEXAS
MARCH 2010

COTTON SURVEYING COMPANY
8035 Gulltown, Suite 103
Houston, Texas 77061-1189
Office: (713) 981-6275
a Jones & Carter Company
Austin • Breunlich • Bryan • Dallas • Houston
Rosenberg • San Antonio • The Woodlands


LINE	BEARING	DISTANCE
L1	S 02°17'16" E	360.00'
L2	N 87°42'44" E	482.11'
L3	S 61°25'15" W	740.68'
L4	S 62°07'37" W	148.69'
L5	S 50°35'56" W	23.20'
L6	S 62°07'37" W	200.00'
L7	S 73°39'17" W	23.20'
L8	S 62°07'37" W	71.69'
L9	S 85°48'58" W	96.56'
L10	N 04°10'54" W	106.82'
L11	S 87°36'05" W	122.58'
L12	N 79°12'04" W	216.63'
L13	N 24°27'49" W	446.94'
L14	N 55°32'11" E	935.30'
L15	N 72°32'28" E	269.39'
L16	N 87°42'44" E	780.00'

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	750.00'	22°54'42"	299.91'	S 73°34'57" W	297.92'
C2	6137.05'	02°36'48"	279.91'	S 83°43'54" W	279.89'
C3	2260.00'	03°23'36"	133.85'	S 84°07'18" W	133.83'

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 MATCHLINE

MSD ASD
 Exhibit "A"

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Tract 1

All that certain tract or parcel containing 1.4576 acres of land known as Tract 1, same being comprised of Lots 1, 2, 3, 4, 5A, 6, 7A, 9, 10, 11, 12 & 15 in Block 2, Tracts 1 and 8 in Block 3 and Tracts 13 and 14 in Block 5, each in Trenton Addition, an unrecorded subdivision situated in the John Austin Survey, A-1 in Harris County, Texas, said Tract 1 also being comprised of all or part of those certain tracts of land as described in Volume 20, Page 262, Volume 53, Page 368, Volume 100, Page 173, Volume 131, Page 192, Volume 131, Page 194, Volume 795, Page 5 and Volume 964, Page 86 of the Harris County Deed Records and being more particularly described by metes and bounds as follows:

COMMENCING at a rail road spike in asphalt (found) marking the intersection of the Northeast right-of-way line of Daly Street, (variable width), with the Southeast right-of-way line of Trenton Street, (aka Burnett Street, variable width), same point marking the Westerly corner of that certain call 0.7868 acre tract of land out of Block 5 in said Trenton Addition as described in a deed filed for record under Harris County Clerk's File No. H-697906;

THENCE N 17°43'52" E, a distance of 74.94 feet, (call N 19°54'00" E, 75.00 feet), along the Southeast right-of-way line of said Trenton Street and the Northwest line of said 0.7868 acre tract of land to a 5/8" iron rod in asphalt (found) marking the Northerly corner of said 0.7868 acre tract of land and the most Westerly corner and POINT OF BEGINNING of the herein described Tract 1;

THENCE N 15°24'23" E, a distance of 1.75 feet along the Southeast right-of-way line of said Trenton Street to a rail road spike in asphalt (found) for angle point marking an interior corner of the herein described Tract 1;

THENCE N 65°32'47" E, a distance of 92.86 feet along the Southeast right-of-way line of said Trenton Street to a 5/8" iron rod with G. S. cap (found) for angle point marking an interior corner of the herein described Tract 1;

THENCE S 24°27'01" E, a distance of 15.39 feet along the Southeast right-of-way line of said Trenton Street to a p.k. nail with Terra Surveying Shiner (found) for angle point marking an interior corner of the herein described Tract 1;

THENCE N 62°10'32" E, a distance of 261.79 feet along the Southeast right-of-way line of said Trenton Street to a 5/8" iron rod with G. S. cap (found) marking the intersection of the Southeast right-of-way line of said Trenton Street with the Southwest right-of-way line of North Main Street, (variable width), same point marking the Northerly corner of the herein described Tract 1;

THENCE S 30°33'40" E, a distance of 368.71 feet along the Southwest right-of-way line of said North Main Street to a 5/8" iron rod with G. S. cap (found) marking the intersection of the Northeast right-of-way line of said Daly Street with the Southwest right-of-way line of said North Main Street, same point marking the Easterly corner of the herein described Tract 1;

THENCE N 66°57'34" W, a distance of 12.74 feet along the Northeast right-of-way line of said Daly Street to a 5/8" iron rod with G. S. cap (found) for angle point marking an interior corner of the herein described Tract 1;

THENCE S 78°14'55" W, a distance of 78.15 feet along the Northeast right-of-way line of said Daly Street to a 5/8" iron rod with G. S. cap (found) in the Southeast line of said

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0.7668 acre tract of land marking the Southerly corner of the herein described Tract 1;

THENCE N 17°45'53" E, (call N 19°54'00" E), a distance of 43.17 feet along the Southeast line of said 0.7668 acre tract of land to a 5/8" iron rod with G. S. cap (found) marking the Easterly corner of said 0.7668 acre tract of land and an interior corner of the herein described Tract 1;

THENCE N 72°17'25" W, a distance of 457.03 feet, (call N 70°06'00" W, 475.00 feet), along the Northeast line of said 0.7668 acre tract of land to the POINT OF BEGINNING and containing 1.4576 acres of land.

Surveyed on the ground February 10, 2009.

Job No. 09-42-01. (See corresponding plat)

The basis of bearing is S 22°01'17" E from Reference Monument No. 210040 toward Reference Monument No. 210035.



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Tract 2

All that certain tract or parcel containing 6.4436 acres of land known as Tract 2 in the John Austin Survey, A-1 in Harris County, Texas, said Tract 2 also being comprised of all of Tracts 1E-1 and R-1 out of those certain tracts of land as described in Volume 18, Page 149, Volume 18, Page 155 both in the Harris County Deed Records and under Clerk's File No. B-422875, said Tract 2 being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod (found) in the Northeast right-of-way line of North Main Street, (variable width), marking the Southwest corner of that certain call 41.933 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. Y-922883 and the Northwest corner of the herein described Tract 2, same point being in a curve to the left having a radius of 446.41 feet;

THENCE Easterly, along the common line of said 41.933 acre tract of land and said Tract 2, with said curve to the left through a central angle of 22°03'32", (call 22°03'24"), a chord bearing and distance of N 87°04'26" E, 170.81 feet, (call N 87°01'40" E, 170.79 feet), an arc distance of 171.87 feet, (call 171.85 feet), to a 5/8" iron rod with Clark Geogram cap (found) marking an interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 2;

THENCE S 09°29'38" E, a distance of 18.56 feet, (call S 09°15'19" E, 18.62 feet), along the common line of said 41.933 acre tract of land and said Tract 2 to a 5/8" iron rod with Clark Geogram cap (found) for angle point of said 41.933 acre tract of land and an angle point of the herein described Tract 2;

THENCE S 24°19'25" E, (call S 24°27'45" E), a distance of 19.41 feet along the common line of said 41.933 acre tract of land and said Tract 2 to a 5/8" iron rod with Clark Geogram cap (found) marking interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 2, same point being in a curve to the left having a radius of 850.00 feet;

THENCE Easterly, along the common line of said 41.933 acre tract of land and said Tract 2, with said curve to the left through a central angle of 20°35'47", (call 20°35'49"), a chord bearing and distance of N 78°13'33" E, 303.91 feet, (call N 78°15'21" E, 303.92 feet), an arc distance of 305.55 feet, (call 305.56 feet), to a 5/8" iron rod with Clark Geogram cap (found) for angle point marking an interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 2;

THENCE N 68°11'14" E, a distance of 28.85 feet, (call N 67°57'27" E, 28.81 feet), along the common line of said 41.933 acre tract of land and said Tract 2 to a 5/8" iron rod with Clark Geogram cap (found) for angle point marking interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 2;

THENCE N 64°28'01" E, a distance of 117.90 feet, (call N 64°39'51" E, 117.88 feet), along the common line of said 41.933 acre tract of land and said Tract 2 to a 5/8" iron rod with Clark Geogram cap (found) for angle point marking interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 2;

THENCE S 25°45'18" E, a distance of 49.45 feet, (call S 25°41'37" E, 49.16 feet), along the common line of said 41.933 acre tract of land and said Tract 2 to a 5/8" iron rod with Clark Geogram cap (found) for angle point marking interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 2;

THENCE N 85°49'04" E, (call N 85°49'10" E), a distance of 469.45 feet along the common line of said 41.933 acre tract of land and said Tract 2 to a 5/8" iron rod with EIC cap (set) (found) marking the Northeast corner of the herein described Tract 2 and the Northwest corner of that certain 4.7470 acre tract of land known as Tract 3, said Tract 3 being comprised of Tract 1 in Block 49 of the S. F. Nobles Subdivision, a subdivision in said Harris County, Texas according to the map or plat thereof filed for record in Volume 5, Page 69 of the Harris County Map Records, and Tracts R4, R7A and R7B situated in said John Austin Survey, A-1, said Tract 3 also being

1100 000
Exhibit "A" Page 8 of 10
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out those certain tracts of land as described in said Volume 18, Page 149, said Volume 18, Page 155, Volume 21, Page 539, Volume 21, Page 540, Volume 21, Page 639 and Volume 26, Page 461 of said Harris County Deed Records;

THENCE S 04°14'51" E, (call S 01°57'46" E), a distance of 232.16 feet along the common line of said Tracts 2 and 3 to a 3/8" iron rod (found bent) marking the Northeast corner of that certain call 1.6444 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. M-662374 and the Easterly-Southeast corner of the herein described Tract 2;

THENCE S 85°43'20" W, a distance of 737.81 feet, (call S 88°02'14" W, 737.80 feet), along the common line of said Tract 2 and said 1.6444 acre tract of land to an "x" in concrete (found) marking the Northwest corner of said 1.6444 acre tract of land and an interior corner of the herein described Tract 2, from this point a punch mark in concrete (found) bears S 30°03'59" W, 0.41 feet;

THENCE S 17°49'39" W, a distance of 29.62 feet, (call S 20°17'43" W, 29.65 feet), along the common line of said Tract 2 and said 1.6444 acre tract of land to a 5/8" iron rod with G. S. cap (found) marking an interior corner of said 1.6444 acre tract of land and an interior corner of the herein described Tract 2, same point being in a curve to the right having a radius of 214.66 feet,

THENCE Southeasterly, along the common line of said 1.6444 acre tract of land and said Tract 2, with said curve to the right through a central angle of 16°28'41", (call 16°28'17"), a chord bearing and distance of S 63°49'39" E, 61.52 feet, (call S 61°28'08" E, 61.50 feet), an arc distance of 61.73 feet, (call 61.71 feet), to an "x" in concrete (found) marking a point of tangency, an interior corner of said 1.6444 acre tract of land and an interior corner of the herein described Tract 2;

THENCE S 55°12'21" E, a distance of 78.73 feet, (call S 53°14'00" E, 78.76 feet), along the common line of said Tract 2 and said 1.6444 acre tract of land to an "x" in concrete (found) for angle point marking an interior corner of said 1.6444 acre tract of land and an interior corner of the herein described Tract 2, same point marking the being of a curve to the right having a radius of 385.84 feet;

THENCE Southeasterly, along the common line of said 1.6444 acre tract of land and said Tract 2, with said curve to the right through a central angle of 07°13'34", a chord bearing and distance of S 51°57'07" E, (call S 49°37'13" E), 48.63 feet, an arc distance of 48.66 feet to an "x" in concrete (found) marking a point of tangency, an interior corner of said 1.6444 acre tract of land and an interior corner of the herein described Tract 2;

THENCE S 48°20'20" E, (call S 46°00'26" E), a distance of 100.78 feet along the common line of said Tract 2 and said 1.6444 acre tract of land to an "x" in concrete (found) for angle point marking an interior corner of said 1.6444 acre tract of land and an interior corner of the herein described Tract 2, same point marking the being of a curve to the right having a radius of 471.64 feet;

THENCE Southeasterly, along the common line of said 1.6444 acre tract of land and said Tract 2, with said curve to the right through a central angle of 08°47'08", a chord bearing and distance of S 43°56'45" E, (call S 41°36'51" E), 72.25 feet, an arc distance of 72.32 feet to an "x" in concrete (found) in the Northwest right-of-way line of Naylor Street, a 60.00 foot right-of-way for street, road and highway purposes as described in an instrument filed for record in Volume 2047, Page 146 of said Harris County Deed Records marking the Southwest corner of said 1.6444 acre tract of land and the Southerly-Southeast corner of the herein described Tract 2;

THENCE S 65°46'35" W, (call S 68°09'30" W), a distance of 84.31 feet along the Northwest right-of-way line of said Naylor Street and the Southerly line of said Tract 2 to a 5/8" iron rod with G. S. cap (found) marking the most Southeasterly corner of Restricted Reserve "B" in Block 1 of Telecom Subdivision, a subdivision in said Harris County, Texas according to the map or plat thereof filed for record under Film Code No. 484135 of the Harris County Map Records and the Southerly-Southwest corner of the herein described Tract 2, from which point a p.k. nail with shiner (found) marking the Southwesterly corner of said Restricted Reserve "B" bears

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S 65°55'33" W, 185.59 feet, (call S 68°16'53" W, 185.42 feet);

THENCE N 42°18'59" W, a distance of 275.00 feet, (call N 39°55'15" W, 275.05 feet), along the common line of said Restricted Reserve "B" and said Tract 2 to a 3/4" iron rod with Maverick Engineering cap (found) for angle point marking an interior corner of said Restricted Reserve "B" and an interior corner of the herein described Tract 2, from which point a 1/2" iron pipe (found) for reference bears S 52°26'21" W, 1.11 feet;

THENCE N 59°27'03" W, (call N 57°05'43" W), a distance of 91.64 feet along the common line of said Restricted Reserve "B" and said Tract 2 to a 3/4" iron rod with Maverick Engineering cap (found) for angle point marking an interior corner of said Restricted Reserve "B" and an interior corner of the herein described Tract 2;

THENCE S 66°25'46" W, (call S 65°47'06" W), a distance of 12.93 feet along the common line of said Restricted Reserve "B" and said Tract 2 to a p.k. nail with shiner (found) for angle point marking an interior corner of said Restricted Reserve "B" and an interior corner of the herein described Tract 2;

THENCE N 61°26'43" W, (call N 59°05'23" W), a distance of 65.94 feet along the common line of said Restricted Reserve "B" and said Tract 2 to a 5/8" iron rod with Prejean cap (found) for angle point marking an interior corner of said Restricted Reserve "B" and an interior corner of the herein described Tract 2;

N 61°18'49" W, (call N 58°57'29" W), a distance of 89.26 feet along the common line of said Restricted Reserve "B" and said Tract 2 to a p.k. nail with shiner (found) for angle point marking an interior corner of said Restricted Reserve "B" and an interior corner of the herein described Tract 2;

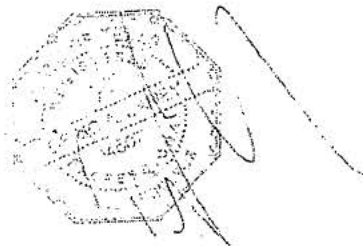
THENCE N 67°32'52" W, (call N 65°11'32" W), a distance of 116.47 feet along the common line of said Restricted Reserve "B" and said Tract 2 to a 5/8" iron rod with Prejean cap (found) for angle pointing the east right-of-way line of said North main Street marking the Northerly corner of said Restricted Reserve "B" and the Westerly-Southwest corner of the herein described Tract 2;

THENCE N 26°55'56" W, a distance of 135.37 feet to the POINT OF BEGINNING and containing 6.4436 acres of land.

Surveyed on the ground February 10, 2009.

Job No. 09-42-01. (See corresponding plat)

The basis of bearing is S 22°01'17" E from Reference Monument No. 210040 toward Reference Monument No. 210035.



Tract 3

All that certain tract or parcel containing 4.7470 acres of land known as Tract 3, said Tract 3 being comprised of Tract 1 in Block 49 of the S. F. Nobles Subdivision, a subdivision in Harris County, Texas according to the map or plat thereof filed for record in Volume 5, Page 69 of the Harris County Map Records, and Tracts R4, R7A and R7B situated in the John Austin Survey, A-1 in said Harris County, Texas, said Tract 3 also being out those certain tracts of land as described in Volume 18, Page 149, Volume 18, Page 155, Volume 21, Page 539, Volume 21, Page 540, Volume 21, Page 639 and Volume 26, Page 461 of said Harris County Deed Records and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod with G. S. cap (found) in the Easterly line of that certain call 1.6444 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. M-662374 marking the Northwest corner of that certain call 1.7298 acre tract of land as described in a deed filed for record under Harris County Clerk's File No N-469053 and the Southwest corner of the herein described Tract 3;

THENCE N 04°14'51" W, (call N 01°56'46" W), along the common line of said 1.7928 and said 1.6444 acre tracts of land, passing at 2.10 feet a 3/8" iron rod (found bent) marking the Northeast corner of said 1.6444 acre tract of land and the Easterly-Southeast corner of that certain 6.4436 acre tract of land known as Tract 2 in said John Austin Survey, A-1 in Harris County, Texas, said Tract 2 also being comprised of all of Tracts 1E-1 and R-1 out of those certain tracts of land as described in said Volume 18, Page 149, said Volume 18, Page 155 both in the Harris County Deed Records and under Clerk's File No. B-422875, a total distance of 234.26 feet to a 5/8" iron rod with EIC cap (set) in the Southerly line of that certain call 41.933 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. Y-922883 marking the Northeast corner of said Tract 2 and the Northwest corner of the herein described Tract 3;

THENCE N 85°49'04" E (call N 85°49'10" E), a distance of 107.17 feet along the common line of said 41.933 acre tract of land and said Tract 3 to a 3/8" iron rod with Miller Surveying cap (found) for angle point marking interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 3, same point marking the beginning of a curve to the left having a radius of 2,260.00 feet;

THENCE Easterly, along the common line of said 41.933 acre tract of land and said Tract 3, with said curve to the left through a central angle of 03°23'29", (call 03°23'36"), a chord bearing and distance of N 84°06'20" E, 133.75 feet, (call N 84°07'22" E, 133.83 feet), an arc distance of 133.17 feet, (call 133.85 feet), to a 5/8" iron rod with Miller Surveying cap (found) marking an interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 3, same point marking the beginning of a compound curve to the left having a radius of 6,137.05 feet;

THENCE continuing Easterly, along the common line of said 41.933 acre tract of land and said Tract 3, with said curve to the left through a central angle of 02°36'46", (call 02°36'48"), a chord bearing and distance of N 83°44'13" E, 279.83 feet, (call N 83°43'58" E, 279.89 feet), an arc distance of 279.85 feet, (call 279.91 feet), to a 5/8" iron rod with Miller Surveying cap (found) marking an interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 3, same point marking the beginning of a compound curve to the left having a radius of 750.00 feet;

THENCE continuing Easterly, along the common line of said 41.933 acre tract of land and said Tract 3, with said curve to the left through a central angle of 22°54'37", (call 22°54'41"), a chord bearing and distance of N 73°34'52" E, 297.90 feet,

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(call N 73°35'01" E, 297.92 feet), an arc distance of 299.89 feet, (call 299.91 feet), to a 5/8" iron rod with Miller Surveying cap (found) marking a point of tangency, an interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 3;

THENCE N 62°09'50" E, (call N 62°07'41" E), a distance of 71.69 feet along the common line of said 41.933 acre tract of land and said Tract 3 to a 5/8" iron rod with EIC Surveying cap (found) for angle point marking interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 3;

THENCE N 73°41'31" E, (call N 73°39'21" E), a distance of 23.20 feet along the common line of said 41.933 acre tract of land and said Tract 3 to a 5/8" iron rod with Miller Surveying cap (found) for angle point marking interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 3;

THENCE N 62°09'50" E, (call N 62°07'41" E), a distance of 157.19 feet along the common line of said 41.933 acre tract of land and said Tract 3 to a 5/8" iron rod with EIC Surveying cap (set) for angle point marking interior corner of said 41.933 acre tract of land and the Northerly-Northeast corner of the herein described Tract 3 and the Northwest corner of that certain 0.1665 acre tract of land known as Tract 4 out of Lot 6 in Block 47 of said S. F. Nobles Subdivision, said Tract 4 also being that same tract of land as described in a deed filed for record in Volume 21, Page 633 of said Harris County Deed Records;


THENCE S 02°12'28" E, a distance of 61.29 feet along the common line of said Tracts 3 and 4 to a point for corner on old rail road track marking the Southwest corner of said Tract 4 and an interior corner of the herein described Tract 3;

THENCE N 62°10'05" E, a distance of 125.95 feet along the common line of said Tracts 3 and 4 to a point for corner on old rail road track in the West right-of-way line of McKee Street, (60.00 feet in width), marking the Southeast corner of said Tract 4 and the Easterly-Northeast corner of the herein described Tract 3;

THENCE S 02°12'28" E, a distance of 71.40 feet along the West right-of-way line of said McKee Street to a 1" iron pipe (found) marking the Northeast corner of Lot 12 in said Block 47 and the Northeast corner of that certain call 1.7652 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. E-735759;

THENCE S 62°27'18" W, (call S 64°51'00" W), along the common line of said Lot 12, said 1.7652 acre tract of land and said Tract 3, passing at 125.65 feet the Northwest corner of said Lot 12 and the Northeast corner of Lot 1 in Block 4 of the W. E. Champions Subdivision, a subdivision in Harris County, Texas according to the map or plat thereof filed for record in Volume X, Page 788 of the Harris County Deed Records, and passing at 450.72 feet a 5/8" iron rod with G. S. cap (found) in the East right-of-way line of Chapman Street, (60.00 feet in width), marking the Northwest corner of Lot 6 in said Block 4 and the Northwest corner of said 1.7652 acre tract of land, a total distance of 511.69 feet to a 5/8" iron rod (found) in the West right-of-way line of said Chapman Street, the East line of Lot 1 in Block 3 of said W. E. Champions Subdivision and the East line of that certain call 57,439 square foot tract of land as described in a deed filed for record under Harris County Clerk's File No. C-3005200 marking an interior corner of the herein described Tract 3;

THENCE N 17°19'21" W, (call N 14°53'00" W), a distance of 12.27 feet along the West


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right-of-way line of said Chapman Street, the East line of said Lot 1 in Block 3 and the common line of said Tract 3 and said 57,439 square foot tract of land to a 1" iron pipe (found) marking the Northeast corner of said Lot 1 in Block 3, the Northeast corner of said 57,439 square foot tract of land and an interior corner of the herein described Tract 3;

THENCE S 62°35'50" W, a distance of 97.85 feet, (call S 64°30'00" W, 97.94 feet), along the common line of said Lot 1 in Block 3, said Tract 3 and said 57,439 square foot tract of land to 5/8" iron rod (found bent) for angle point marking the Northwest corner of Lot 2 in said Block 3, an interior corner of said 57,439 square foot tract of land, the Northeast corner of said 1.7298 acre tract of land and an interior corner of the herein described Tract 3;

THENCE S 60°38'46" W, a distance of 80.86 feet, (call S 64°50'00" W, 80.61 feet), along the common line of said Tract 3 and said 1.7298 acre tract of land to a 1/2" iron rod (found bent) for angle point marking an interior corner of said 1.7298 acre tract of land and an interior corner of the herein described Tract 3;

THENCE S 61°57'09" W, a distance of 321.61 feet, (call S 64°30'00" W, 325.84 feet), along the common line of said Tract 3 and said 1.7298 acre tract of land to a 5/8" iron rod (found bent) for angle point marking an interior corner of said 1.7298 acre tract of land and an interior corner of the herein described Tract 3;

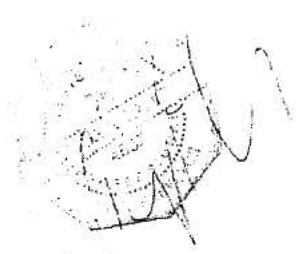
THENCE N 04°03'58" W, a distance of 68.15 feet, (call N 01°52'46"E, 68.32 feet), along the common line of said Tract 3 and said 1.7298 acre tract of land to a 1/2" iron rod (found bent) for angle point marking an interior corner of said 1.7298 acre tract of land and an interior corner of the herein described Tract 3;

THENCE S 85°45'01" W, a distance of 224.90 feet, (call S 88°02'14" W, 224.86 feet), along the common line of said Tract 3 and said 1.7298 acre tract of land to the POINT OF BEGINNING and containing 4.4740 acres of land.

Surveyed on the ground February 10, 2009

Job No. 09-42-01 (See corresponding plat)

The basis of bearing is S 22°01'17" E from Reference Monument No. 210040 toward Reference Monument No. 210035.



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Tract 4

All that certain tract or parcel containing 0.1665 acres of land known as Tract 4, said Tract 4 being comprised of Tract 6 in Block 47 of the S. F. Nobles Subdivision, a subdivision in Harris County, Texas according to the map or plat thereof filed for record in Volume 5, Page 69 of the Harris County Map Records, said Tract 4 also being that same tract of land as described in Volume 21, Page 633 of the Harris County Deed Records and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8" iron rod with G. S. cap (found) in the Easterly line of that certain call 1.6444 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. M-662374 marking the Northwest corner of that certain call 1.7298 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. N-469053 and the Southwest corner of that certain 4.7470 acre tract of land known as Tract 3, said Tract 3 being comprised of Tract 1 in Block 49 of the S. F. Nobles Subdivision, a subdivision in Harris County, Texas according to the map or plat thereof filed for record in Volume 5, Page 69 of the Harris County Map Records, and Tracts R4, R7A and R7B situated in the John Austin Survey, A-1 in said Harris County, Texas, said Tract 3 also being out those certain tracts of land as described in Volume 18, Page 149, Volume 18, Page 155, Volume 21, Page 539, Volume 21, Page 540, Volume 21, Page 639 and Volume 26, Page 461 of said Harris County Deed Records;

THENCE N 04°14'51" W, (call N 01°56'46" W), along the common line of said 1.7928 and said 1.6444 acre tracts of land, passing at 2.10 feet a 3/8" iron rod (found bent) marking the Northeast corner of said 1.6444 acre tract of land and the Easterly-Southeast corner of that certain 6.4436 acre tract of land known as Tract 2 in said John Austin Survey, A-1 in Harris County, Texas, said Tract 2 also being comprised of all of Tracts 1E-1 and R-1 out of those certain tracts of land as described in said Volume 18, Page 149, said Volume 18, Page 155 both in the Harris County Deed Records and under Clerk's File No. B-422875, a total distance of 234.26 feet to a 5/8" iron rod with EIC cap (set) in the Southerly line of that certain call 41.933 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. Y-922883 marking the Northeast corner of said Tract 2 and the Northwest corner of said Tract 3;

THENCE N 85°49'04" E, (call N 85°49'10" E), a distance of 107.17 feet along the common line of said 41.933 acre tract of land and said Tract 3 to a 5/8" iron rod with Miller Surveying cap (found) for angle point marking an interior corner of said 41.933 acre tract of land and an interior corner of said Tract 3, same point marking the beginning of a curve to the left having a radius of 2,260.00 feet;

THENCE Easterly, along the common line of said 41.933 acre tract of land and said Tract 3, with said curve to the left through a central angle of 03°23'29", (call 03°23'36"), a chord bearing and distance of N 84°06'20" E, 133.75 feet, (call N 84°07'22" E, 133.83 feet), an arc distance of 133.17 feet, (call 133.85 feet), to a 5/8" iron rod with Miller Surveying cap (found) marking an interior corner of said 41.933 acre tract of land and an interior corner of said Tract 3, same point marking the beginning of a compound curve to the left having a radius of 6,137.05 feet;

THENCE continuing Easterly, along the common line of said 41.933 acre tract of land and said Tract 4, with said curve to the left through a central angle of 02°36'46", (call 02°36'48"), a chord bearing and distance of N 83°44'13" E, 279.83 feet, (call N 83°43'58" E, 279.89 feet), an arc distance of 279.85 feet, (call 279.91 feet), to a 5/8" iron rod with Miller Surveying cap (found) marking an interior corner of said 41.933 acre tract of land and an interior corner of said Tract 3, same point marking the beginning of a compound curve to the left having a radius of 750.00 feet;

THENCE continuing Easterly, along the common line of said 41.933 acre tract of land and said Tract 4, with said curve to the left through a central angle of 22°54'37", (call 22°54'41"), a chord bearing and distance of N 73°34'52" E, 299.89 feet, (call N 73°35'01" E, 297.92 feet), an arc distance of 299.89 feet, (call 299.91 feet), to a 5/8" iron rod with Miller Surveying cap (found) marking a point of tangency, an interior corner of said 41.933 acre tract of land and an interior corner of said Tract 3;

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THENCE N 62°09'50" E, (call N 62°07'41" E), a distance of 71.69 feet along the common line of said 41.933 acre tract of land and said Tract 4 to a 5/8" iron rod with EIC Surveying cap (found) for angle point marking interior corner of said 41.933 acre tract of land and an interior corner of said Tract 3;

THENCE N 73°41'31" E, (call N 73°39'21" E), a distance of 23.20 feet along the common line of said 41.933 acre tract of land and said Tract 4 to a 5/8" iron rod with Miller Surveying cap (found) for angle point marking interior corner of said 41.933 acre tract of land and an interior corner of said Tract 3;

THENCE N 62°09'50" E, (call N 62°07'41" E), a distance of 157.19 feet along the common line of said 41.933 acre tract of land and said Tract 3 to a 5/8" iron rod with EIC Surveying cap (set) for angle point in the West line of said Block 47 marking an interior corner of said 41.933 acre tract of land, the Northerly-Northeast corner of said Tract 3 and the Northwest corner and POINT OF BEGINNING the herein described Tract 4;

THENCE N 62°09'50" E, (call N 62°07'41" E), a distance of 43.01 feet along the common line of said 41.933 acre tract of land and said Tract 4 to a 5/8" iron rod with EIC Surveying cap (found) for angle point marking an interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 4;

THENCE N 50°38'10" E, (call N 50°38'08" E), a distance of 23.20 feet along the common line of said 41.933 acre tract of land and said Tract 4 to a 5/8" iron rod with EIC Surveying cap (found) for angle point marking an interior corner of said 41.933 acre tract of land and an interior corner of the herein described Tract 4;

THENCE N 62°09'50" E, (call N 62°07'41" E), a distance of 62.43 feet along the common line of said 41.933 acre tract of land and said Tract 4 to a 5/8" iron rod with EIC Surveying cap (set) in the West right-of-way line of McKee Street, (60.00 feet in width) marking the Northeast corner of the herein described Tract 4;

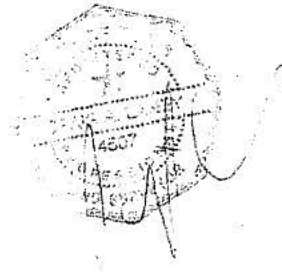
THENCE S 02°12'28" E, a distance of 66.44 feet along the West right-of-way line of said McKee Street and the East line of said Tract 4 to a point for corner on old rail road track in the Northwest right-of-way line of an existing Southern Pacific Rail Road Company Easement (60.00 feet in width), as shown on the plat of said S. F. Nobles Subdivision marking the Southeast corner of the herein described Tract 4 and the Easterly-Northeast corner of said Tract 3;

THENCE S 62°10'05" W, a distance of 125.95 feet along the Northwest line of said Southern Pacific Rail Road Company Easement and the common line of said Tracts 3 and 4 to a point for corner on old rail road track marking the Southwest corner of the herein described Tract 4 and an interior corner of said Tract 3;

THENCE N 02°12'26" W, a distance of 61.29 feet along the common line of said Tracts 3 and 4 to the POINT OF BEGINNING and containing 0.1665 acre of land.

Surveyed on the ground February 10, 2009.

Job No. 09-42-01. (See corresponding plat) The basis of bearing is S 22°01'17" E from Reference Monument No. 210040 toward Reference Monument No. 210035.



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Tract 5

All that certain tract or parcel containing 0.0450 acre of land known as Tract 5 out of Lot 6 in Block 46 of the S. F. Nobles Subdivision, a subdivision in Harris County, Texas according to the map or plat thereof filed for record in Volume 5, Page 69 of the Harris County Map Records, said Tract 5 being that same tract of land as described in a deed filed for record in Volume 41, Page 423 of the Harris County Deed Records and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2" iron rod (found) marking the intersection of the North right-of-way line of Opelousas Street with the West right-of-way line of Maury Street, (both 60.00 feet in width), same point marking the Southeast corner of Lot 12 in Block 56 of said S. F. Nobles Subdivision, from this point a 5/8" iron rod with G. S. cap (found) bears N 15°50'48" W, 0.20 feet;

THENCE S 02°16'50" E, a distance of 60.00 feet to a point for corner marking the intersection of the West right-of-way line of said Maury Street with the South right-of-way line of said Opelousas Street, same point marking the Northeast corner of Lot 7 in Block 44 of said S. F. Nobles Subdivision, from this point an axle (found bent) bears N 38°39'50" E, 0.23 feet;

THENCE S 87°44'36" W, along the South right-of-way line of said Opelousas Street, passing at 260.00 feet the intersection of the West right-of-way line of Elysian Street, (60.00 feet in width), with the South right-of-way line of said Opelousas Street, same point marking the Northeast corner of Lot 7 in Block 45 of said S. F. Nobles Subdivision, from this point a 1" iron bar (found) bears N 87°44'34"E, 0.60 feet, and passing at 460.00 feet the intersection of the West right-of-way line of Hardy Street, (variable width), with the South right-of-way line of said Opelousas Street, same point marking the Northeast corner of Lot 7 in Block 46 of said S. F. Nobles Subdivision, from this point a 5/8" iron rod with G. S. cap (found) bears S 02°16'50" E, 3.27 feet, a total distance of 628.99 feet to a 5/8" iron rod with EIC cap (set) in the North line of said Lot 6 and in the Northwest right-of-way line of an existing Southern Pacific Rail Road Company Easement, (50.00 feet in width), as shown on the plat of said S. F. Nobles Subdivision marking the Northeast corner and POINT OF BEGINNING of the herein described Tract 5;

THENCE S 62°10'05" W, a distance of 100.32 feet along the Northwest line of said Southern Pacific Rail Road Company Easement and the South line of said Tract 5 to a point for corner on old rail road track in the East right-of-way line of McKee Street, (60.00 feet in width), and the West line of said Lot 6 marking the Southwest corner of the herein described Tract 5;

THENCE N 02°12'28" W, a distance of 43.31 feet along the East right-of-way line of said McKee Street and the West line of said Lot 6 to a point for corner on old rail road track marking the intersection of the East right-of-way line of said McKee Street with the South right-of-way line of said Opelousas Street, the Northwest corner of said Lot 6 and the Northwest corner of the herein described Tract 5;

THENCE N 87°44'36" E, a distance of 90.46 feet along the South right-of-way line of said Opelousas Street to the POINT OF BEGINNING and containing 0.0450 acre of land.

Surveyed on the ground February 10, 2009.
Job No. 09-42-01. (See corresponding plat) The basis of bearing is S 22°01'17" E from Reference Monument No. 210040 toward Reference Monument No. 210035.



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Tract 6

All that certain tract or parcel containing 0.0877 acre of land known as Tract 6 out of Lots 1, 11 and 12, each in Block 54 of the S. F. Nobles Subdivision, a subdivision in Harris County, Texas according to the map or plat thereof filed for record in Volume 5, Page 69 of the Harris County Map Records, said Tract 6 being that same tract of land as described in a deed filed for record in Volume 30, Page 288 of the Harris County Deed Records and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2" iron rod (found) marking the intersection of the North right-of-way line of Opelousas Street with the West right-of-way line of Maury Street, (both 60.00 feet in width), same point marking the Southeast corner of Lot 12 in Block 56 of said S. F. Nobles Subdivision, from this point a 5/8" iron rod with G. S. cap (found) bears N 15°50'48" W, 0.20 feet;

THENCE S 87°44'36" W, along the North right-of-way line of said Opelousas Street, passing at 200.00 feet a 5/8" iron rod (found) marking the intersection of the East right-of-way line of Elysian Street, (60.00 feet in width), with the North right-of-way line of said Opelousas Street, same point marking the Southwest corner of Lot 1 in said Block 56, a total distance of 520.00 feet to a point for corner in old rail road track marking the intersection of the West right-of-way line of Hardy Street, (variable width), with the North right-of-way line of said Opelousas Street, same point marking the Southeast corner of said Lot 12 and the Southeast corner and POINT OF BEGINNING of the herein described Tract 6;

THENCE continuing S 87°44'36" W, along the North right-of-way line of said Opelousas Street, passing at 100.00 feet the Southwest corner of said Lot 12 and the Southeast corner of said Lot 1, a total distance of 124.28 feet to a 5/8" iron rod with EIC cap (set) in the Southerly line of that certain call 41.933 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. Y-922883 marking the Southwest corner of the herein described Tract 6;

THENCE N 61°25'48" E. (call N 61°25'19" E), a distance of 138.65 feet along the common line of said 41.933 acre tract of land and said Tract 6 to a 5/8" iron rod with EIC cap (set) in the East line of said Lot 11 and the West right-of-way line of said Hardy Street marking the Northeast corner of the herein described Tract 6;

THENCE S 02°15'10" E, along the West right-of-way line of said Hardy Street and the East line of said Lot 11, passing at 11.46 feet the Southeast corner of said Lot 11 and the Northeast corner of said Lot 12, a total distance of 61.46 feet to the POINT OF BEGINNING and containing 0.0877 acre of land.

Surveyed on the ground February 10, 2009.
 Job No. 09-42-01. (See corresponding plat) The basis of bearing is S 22°01'17" E from Reference Monument No. 210040 toward Reference Monument No. 210035.



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Tract 7

All that certain tract or parcel containing 0.3299 acre of land known as Tract 7 out of Lots 1, 2, 3, 9, 10 and 11, each in Block 55 of the S. F. Nobles Subdivision, a subdivision in Harris County, Texas according to the map or plat thereof filed for record in Volume 5, Page 69 of the Harris County Map Records, said Tract 7 being that same tract of land as described in deeds filed for record in Volume 26, Page 240 Volume 26, Page 492 and Volume 28, Page 211, each in the Harris County Deed Records, said Tract 7 being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2" iron rod (found) marking the intersection of the North right-of-way line of Opelousas Street with the West right-of-way line of Maury Street, (both 60.00 feet in width), same point marking the Southeast corner of Lot 12 in said Block 55, from this point a 5/8" iron rod with G. S. cap (found) bears N 15°50'48" W, 0.20 feet;

THENCE S 87°44'36" W, along the North right-of-way line of said Opelousas Street, passing at 200.00 feet a 5/8" iron rod (found) marking the intersection of the East right-of-way line of Elysian Street, (60.00 feet in width), with the North right-of-way line of said Opelousas Street, same point marking the Southwest corner of Lot 1 in said Block 56, a total distance of 260.00 feet to a 5/8" iron rod with EIC cap (set) marking the intersection of the West right-of-way line of Elysian Street, (60.00 feet in width), with the North right-of-way line of said Opelousas Street, same point marking the Southeast corner of said Lot 12 in said Block 55;

THENCE N 02°16'52" W, a distance of 116.55 feet to a point for corner on old rail road track in the Northwest right-of-way line of an existing Southern Pacific Rail Road Company Easement, (50.00 feet in width), as shown on the plat of said S. F. Nobles Subdivision in the West right-of-way line of said Elysian Street and the East line of said Lot 10 marking the Southeast corner and POINT OF BEGINNING of the herein described Tract 7;

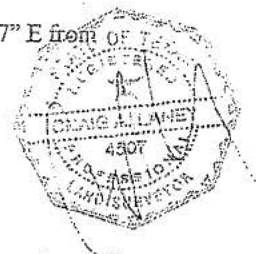
THENCE S 62°10'05" W, a distance of 221.67 feet along the Northwest line of said Southern Pacific Rail Road Company Easement to a point for corner on old rail road track in the East right-of-way line of said Hardy Street, (variable width), and the West line of said Lot 1 marking the Southwest corner of the herein described Tract 7;

THENCE N 02°15'10" W, along the East right-of-way line of said Hardy Street and the West line of said Lot 1, passing at 29.14 feet the Northwest corner of said Lot 1 and the Southwest corner of said Lot 2, a total distance of 70.28 feet to a 5/8" iron rod with EIC cap (set) in the Southerly line of that certain call 41.933 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. Y-922883 marking the Northwest corner of the herein described Tract 7;

THENCE N 61°25'48" E, (call N 61°25'19" E), a distance of 223.03 feet along the common line of said 41.933 acre tract of land and said Tract 7 to a 5/8" iron rod with Miller Surveying cap (found) in the East line of said Lot 9 and the West right-of-way line of said Elysian Street marking the Northeast corner of the herein described Tract 7;

THENCE S 02°16'52" E, along the West right-of-way line of said Elysian Street and the East line of said Lot 11, passing at 39.99 feet the Southeast corner of said Lot 9 and the Northeast corner of said Lot 10; a total distance of 73.44 feet to the POINT OF BEGINNING and containing 0.3299 acre of land.

Surveyed on the ground February 10, 2009.
Job No. 09-42-01. (See corresponding plat) The basis of bearing is S 22°01'17" E from
Reference Monument No. 210040 toward Reference Monument No. 210035.



MSD 150
Exhibit A
E/C SURVEYING COMPANY

12345 Jones Road, Suite 270
Houston, TX 77070
281-955-2772 • Fax 281-955-6678
www.eicsurveying.com • eic@eicsurveying.com

Tract 9

All that certain tract or parcel containing 0.0896 acre of land known as Tract 9 out of Lots 1, 11 and 12, each in Block 55 of the S. F. Nobles Subdivision, a subdivision in Harris County, Texas according to the map or plat thereof filed for record in Volume 5, Page 69 of the Harris County Map Records, said Tract 9 being that same tract of land as described in deeds filed for record in Volume 26, Page 240 Volume 26, Page 492 and Volume 28, Page 211, each in the Harris County Deed Records, said Tract 9 being more particularly described by metes and bounds as follows:

COMMENCING at a ½" iron rod (found) marking the intersection of the North right-of-way line of Opelousas Street with the West right-of-way line of Maury Street, (both 60.00 feet in width), same point marking the Southeast corner of Lot 12 in Block 56 of said S. F. Nobles Subdivision, from this point a 5/8" iron rod with G. S. cap (found) bears N 15°50'48" W, 0.20 feet;

THENCE S 87°44'36" W, along the North right-of-way line of said Opelousas Street, passing at 200.00 feet a 5/8" iron rod (found) marking the intersection of the East right-of-way line of Elysian Street, (60.00 feet in width), with the North right-of-way line of said Opelousas Street, same point marking the Southwest corner of Lot 1 in said Block 56, a total distance of 260.00 feet to a 5/8" iron rod with EIC cap (set) marking the intersection of the West right-of-way line of Elysian Street, (60.00 feet in width), with the North right-of-way line of said Opelousas Street, same point marking the Southeast corner of said Lot 12 and the Southeast corner and POINT OF BEGINNING of the herein described Tract 9;

THENCE continuing S 87°44'36" W, along the North right-of-way line of said Opelousas Street, passing at 100.00 feet the Southwest corner of said Lot 12 and the Southeast corner of said Lot 1, a total distance of 127.76 feet to a 5/8" iron rod with EIC cap (set) marking the intersection of the North right-of-way line of said Opelousas Street with the Southeast right-of-way line of an existing Southern Pacific Rail Road Company Easement, (50.00 feet in width), as shown on the plat of said S. F. Nobles Subdivision, same point marking the Southwest corner of the herein described Tract 9;

THENCE N 62°10'05" E, a distance of 141.61 feet along the Southeast right-of-way line of said Southern Pacific Rail Road Company Easement to a 5/8" iron rod with EIC cap (set) in the east line of said Lot 11 marking the intersection of the West right-of-way line of said Elysian Street with the Southeast right-of-way line of said Southern Pacific Rail Road Company Easement, same point marking the Northeast corner of the herein described Tract 9;

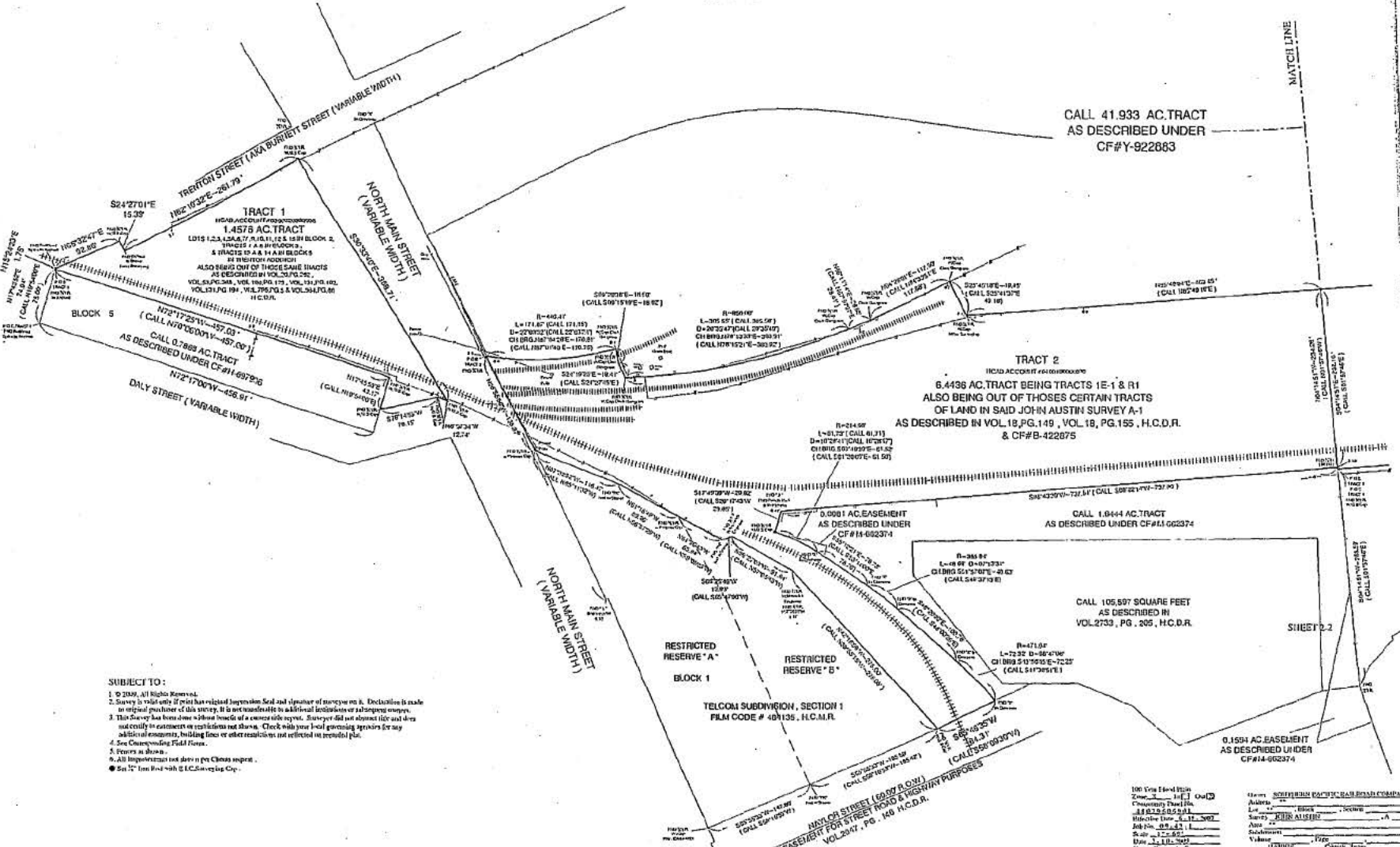
THENCE S 02°16'52" E, along the West right-of-way line of said Elysian Street, passing at 11.13 feet the Southeast corner of said Lot 11 and the Northeast corner of said Lot 12, a total distance of 61.13 feet to the POINT OF BEGINNING and containing 0.0896 acre of land.

Surveyed on the ground February 10, 2009.
Job No. 09-42-01. (See corresponding plat)
The basis of bearing is S 22°01'17" E from Reference Monument No. 210040 toward Reference Monument No. 210035.



MSD 150
Exhibit "A"

page 20 of 31



CALL 41.933 AC. TRACT
 AS DESCRIBED UNDER
 CF#Y-922883

TRACT 2
 6.4436 AC. TRACT BEING TRACTS 1E-1 & R1
 ALSO BEING OUT OF THOSE CERTAIN TRACTS
 OF LAND IN SAID JOHN AUSTIN SURVEY A-1
 AS DESCRIBED IN VOL. 18, PG. 149, VOL. 18, PG. 155, H.C.D.R.
 & CF#B-422875

CALL 1.8444 AC. TRACT
 AS DESCRIBED UNDER
 CF#A1-602374

CALL 105,897 SQUARE FEET
 VOL. 2753, PG. 205, H.C.D.R.

0.1504 AC. EASEMENT
 AS DESCRIBED UNDER
 CF#A1-602374

RESTRICTED RESERVE "A"
 BLOCK 1
 TELCOM SUBDIVISION, SECTION 1
 FILM CODE # 481135, H.C.M.R.

ROW EASEMENT FOR STREET ROAD & HIGHWAY PURPOSES
 NAVLOR STREET (60.00' R.O.W.)
 VOL. 2847, PG. 140 H.C.D.R.

- SUBJECT TO:**
1. © 2009, All Rights Reserved.
 2. Survey is valid only if plot has required registration seal and signature of surveyor or R. Declaration is made in original possession of this survey. It is not transferable by additional locations or subsequent surveys.
 3. This survey has been done in strict accordance with a current title report. Surveyor did not attempt title and does not carry on commitment to regulations and should check with your local governing agencies for any additional requirements, building lines or other regulations not reflected in provided plat.
 4. See Cornerstone Field Notes.
 5. Errors as shown.
 6. All measurements are shown in feet unless specified.
 7. See 1/2" Iron Pin with E.I.C. Surveying Co. Logo.

- TRACT 1, 1.4578 AC. TRACT (0 NORTH MAIN STREET)
- TRACT 2, 6.4436 AC. TRACT (0 NORTH MAIN STREET)
- TRACT 3, 4.7470 AC. TRACT (0 HICKORY STREET)
- TRACT 4, 0.8466 AC. TRACT (0 HICKORY STREET)
- TRACT 5, 0.8466 AC. TRACT (0 HICKORY STREET)
- TRACT 6, 0.8467 AC. TRACT (0 HICKORY STREET)
- TRACT 7, 0.8298 AC. TRACT (0 HICKORY STREET)
- TRACT 8, 0.2468 AC. TRACT (0 HICKORY STREET)
- TRACT 9, 0.8099 AC. TRACT (0 OPELOUSAS STREET)

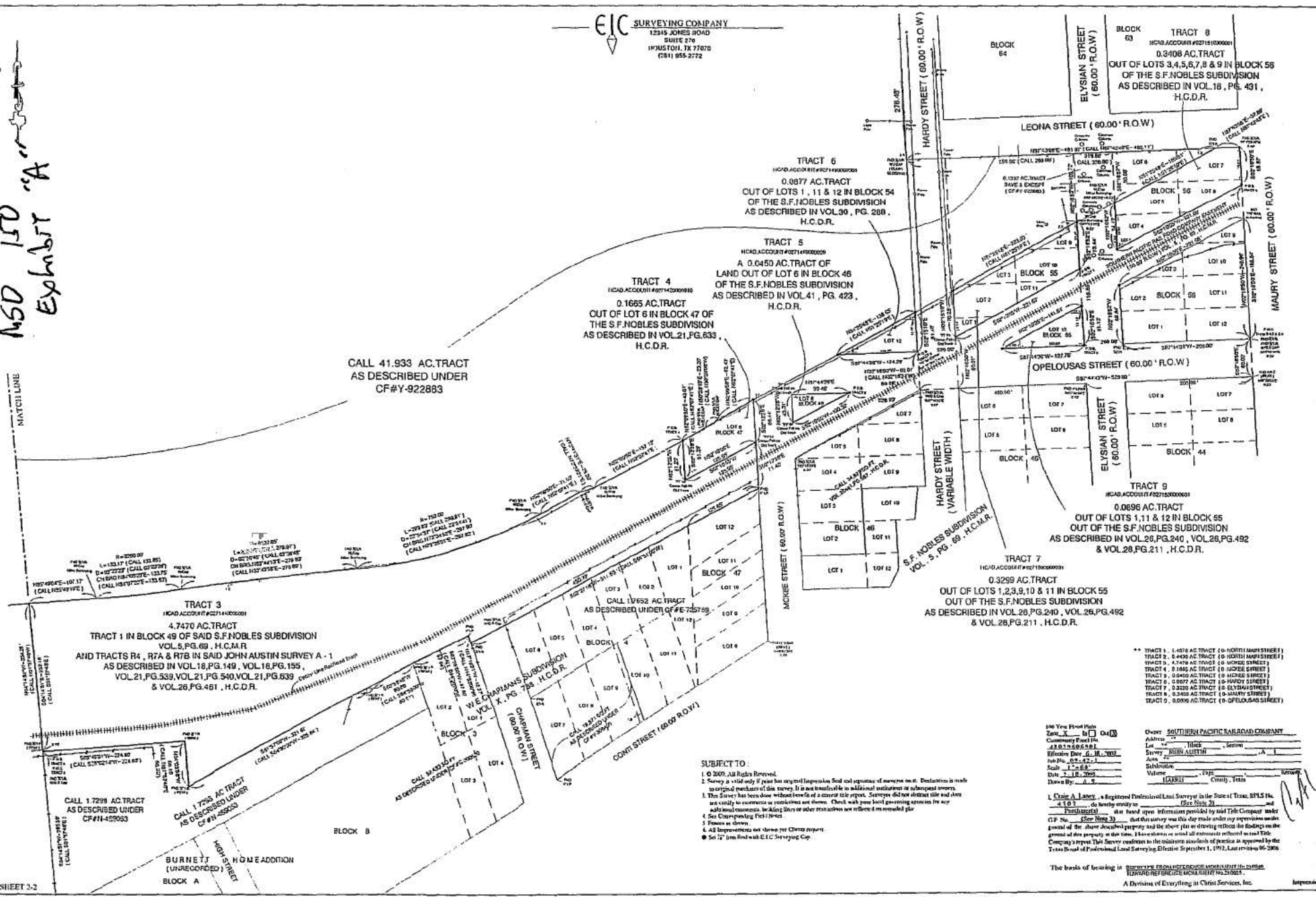
100 Yds Easement	Call 100	Surveyor	Surveyor
200 Yds Easement	Call 200	Surveyor	Surveyor
300 Yds Easement	Call 300	Surveyor	Surveyor
400 Yds Easement	Call 400	Surveyor	Surveyor
500 Yds Easement	Call 500	Surveyor	Surveyor
600 Yds Easement	Call 600	Surveyor	Surveyor
700 Yds Easement	Call 700	Surveyor	Surveyor
800 Yds Easement	Call 800	Surveyor	Surveyor
900 Yds Easement	Call 900	Surveyor	Surveyor
1000 Yds Easement	Call 1000	Surveyor	Surveyor

I, **John A. Jones**, a Registered Professional Land Surveyor in the State of Texas, RPLS No. 12345, do hereby certify that the above plat is a true and correct copy of the original survey as shown on the ground and that the same was made in strict accordance with the laws and regulations of the State of Texas. This survey was made on the 15th day of September, 2009. Last revised 06-2009.

The basis of bearing is **COMPUTED FROM NEUTRONIC MAGNETIC IN 2009**
 (FOUNDED BY FEDERAL GOVERNMENT IN 1907)
 A Division of Everbridge in Christ Services, Inc. Independent State

MSD 150
Exhibit "A"

EIC SURVEYING COMPANY
12345 JONES ROAD
SUITE 270
HOUSTON, TX 77070
(281) 955-2772



CALL 41.933 AC TRACT
AS DESCRIBED UNDER
CF#Y-922883

TRACT 3
H.C.D. ACCOUNT # 427140000001
4.7470 AC TRACT
TRACT 1 IN BLOCK 49 OF SAID S.F. NOBLES SUBDIVISION
VOL. 5, PG. 69, H.C.M.R.
AND TRACTS R4, R7A & R7B IN SAID JOHN AUSTIN SURVEY A-1
AS DESCRIBED IN VOL. 18, PG. 149, VOL. 18, PG. 155,
VOL. 21, PG. 539, VOL. 21, PG. 540, VOL. 21, PG. 639
& VOL. 26, PG. 461, H.C.D.R.

CALL 1.7298 AC TRACT
AS DESCRIBED UNDER
CF#N-459053

CALL 1.7558 AC TRACT
AS DESCRIBED UNDER
CF#W-458553

TRACT 4
H.C.D. ACCOUNT # 427140000001
0.1665 AC TRACT
OUT OF LOT 6 IN BLOCK 47 OF
THE S.F. NOBLES SUBDIVISION
AS DESCRIBED IN VOL. 21, PG. 633,
H.C.D.R.

TRACT 5
H.C.D. ACCOUNT # 427140000001
A 0.0450 AC TRACT OF
LAND OUT OF LOT 6 IN BLOCK 46
OF THE S.F. NOBLES SUBDIVISION
AS DESCRIBED IN VOL. 41, PG. 423,
H.C.D.R.

TRACT 6
H.C.D. ACCOUNT # 427140000001
0.0877 AC TRACT
OUT OF LOTS 1, 11 & 12 IN BLOCK 54
OF THE S.F. NOBLES SUBDIVISION
AS DESCRIBED IN VOL. 30, PG. 288,
H.C.D.R.

TRACT 7
H.C.D. ACCOUNT # 427140000001
0.3299 AC TRACT
OUT OF LOTS 1, 2, 3, 9, 10 & 11 IN BLOCK 55
OUT OF THE S.F. NOBLES SUBDIVISION
AS DESCRIBED IN VOL. 26, PG. 240, VOL. 26, PG. 492
& VOL. 26, PG. 211, H.C.D.R.

TRACT 9
H.C.D. ACCOUNT # 427140000001
0.0696 AC TRACT
OUT OF LOTS 1, 11 & 12 IN BLOCK 55
OUT OF THE S.F. NOBLES SUBDIVISION
AS DESCRIBED IN VOL. 26, PG. 240, VOL. 26, PG. 492
& VOL. 26, PG. 211, H.C.D.R.

** TRACT 3, 1.4678 AC TRACT (0-NORTH MAURY STREET)
TRACT 2, 2.4408 AC TRACT (0-NORTH MAURY STREET)
TRACT 1, 2.7474 AC TRACT (0-NORTH MAURY STREET)
TRACT 4, 1.1842 AC TRACT (0-HARDY STREET)
TRACT 5, 0.8464 AC TRACT (0-HARDY STREET)
TRACT 6, 0.8677 AC TRACT (0-HARDY STREET)
TRACT 7, 0.3299 AC TRACT (0-HARDY STREET)
TRACT 8, 0.3108 AC TRACT (0-HARDY STREET)
TRACT 9, 0.0696 AC TRACT (0-HARDY STREET)

SUBJECT TO:
1. © 2009, All Rights Reserved.
2. Survey is valid only if paid for original Impression Seal and signature of surveyor on it. Declaration is made to original purchaser of this survey. It is not transferable to additional acquisition or subsequent owners.
3. This Survey has been done without benefit of a current title report. Surveyor did not abstract title and does not warranty to correctness or completeness of same. Check with your local governing agencies for any additional concerns, including liens or other real actions not reflected on recorded plat.
4. See Comprehending Field Notes.
5. Earnings as shown.
6. All improvements are shown per City Records.
7. See "I" on Record and EIC Surveying Co.

1/4" = 100' Plot Scale	Zone	10	10
County	Tract No.	10	10
Effective Date	11/11/2009		
Scale	1" = 100'		
Date	11/11/2009		
Drawn by	J. S.		

Owner: **SOUTHERN PACIFIC RAILROAD COMPANY**
Address: _____
Lot: _____
Street: **JOHN AUSTIN**
Area: _____
Subdivision: _____
Volume: _____
Township: _____ County: _____

I, **Chris A. Jones**, a Registered Professional Land Surveyor in the State of Texas, 89145 (No. 44583), do hereby certify that this survey was made under my supervision and that the survey was done in accordance with the laws of the State of Texas and the rules and regulations of the State Board of Professional Land Surveying Effective September 1, 1973, Last amended 05-2009.

The basis of bearing is **True North** (MAGNETIC NORTH) No. 20,000.
A Division of Everly Inc. in Christ Services, Inc. Impression Seal

EXHIBIT "A"

TRACT 7

Description of a 1.377 acre (60,000 square feet) tract of land being all of Block 63 according to the plat thereof recorded under Volume 5, Page 69 of the S. F. NOBLES ADDITION, NORTHSIDE OF BUFFALO BAYOU Harris County Deed Records and being the same 1.3774 acre tract described in a deed to Rubber Applicators, Inc., as recorded under Harris County Clerk's File No. H047380, located in the John Austin Survey, Abstract Number 1, in the City of Houston, Harris County, Texas, said 1.377 acre tract being more particularly described as follows (with bearing are referenced to the Texas State Plane Coordinate System, South Central Zone, NAD27).

BEGINNING at a 5/8 inch iron rod with plastic cap found at the intersection of the westerly right-of-way line of Maury Street (60 feet wide, as recorded under Vol. 5, Pg. 69 of said F. S. NOBLES ADDITION NORTHSIDE OF BUFFALO BAYOU) and the southerly right-of-way line of Burnett Street (60 feet wide, as recorded under Vol. 5, Pg. 69 of said F. S. NOBLES ADDITION NORTHSIDE OF BUFFALO BAYOU), for the northeast corner of this herein described tract;

THENCE, South 02° 16' 42" East, along the westerly right-of-way line of said Maury Street, and the easterly line of said Block 63, a distance of 300.00 feet to a 5/8 inch iron rod with plastic cap set in the northerly right-of-way line of Leona Street (60 feet wide as recorded under Vol. 5, Pg. 69 of said F. S. NOBLES ADDITION NORTHSIDE OF BUFFALO BAYOU) for the southeast corner of this herein described tract;

THENCE, South 87° 43' 18" West, along the northerly right-of-way line of said Leona Street, a distance of 200.00 feet to a 5/8 inch iron rod with plastic cap set in the easterly right-of-way line of Elysan Street (60 feet wide as recorded under Vol. 5, Pg. 69 of said F. S. NOBLES ADDITION NORTHSIDE OF BUFFALO BAYOU) for the southwest corner of this herein described tract;

THENCE, North 02° 16' 42" West, along the easterly right-of-way line of said Elysan Street, a distance of 300.00 feet to a 5/8 inch iron rod with plastic cap set in the southerly right-of-way line of aforesaid Burnett Street for the northeast corner of this herein described tract;

THENCE, North 87° 43' 18" East, along the southerly right-of-way line of the aforesaid Burnett Street, a distance of 200.00 feet to the POINT OF BEGINNING and containing a computed area of 1.377 acres (60,000 square feet) of land.



August 8, 2001

FIELD NOTES

Description of a 1.3774 acre (60,000 square feet) tract of land located in the John Austin Survey, Abstract Number 1, in the City of Houston, Harris County, Texas, said 1.3774 acre tract being more particularly described as follows (with bearing are referenced to the Texas State Plane Coordinate System, South Central Zone, NAD27).

Beginning at a 5/8 inch iron rod with plastic cap set for the intersection of the easterly right-of-way line of Maury Street (60 feet wide) and the southerly right-of-way line of Brooks Street (60 feet wide), said point being the northwest corner of the herein described tract;

THENCE, North 87° 43' 18" East, along the southerly right-of-way line of Brooks Street, a distance of 200.00 feet to a 5/8 inch iron rod with plastic cap set in the westerly right-of-way line of Maffitt Street (width varies) for the northeast corner of the herein described tract;

THENCE, South 02° 16' 42" East, along the westerly right-of-way line of said Maffitt Street, a distance of 300.00 feet to a 5/8 inch iron rod with plastic cap set in the northerly right-of-way line of Burnett Street (60 feet wide) for the southeast corner of the herein described tract;

THENCE, South 87° 43' 18" West, along the northerly right-of-way line of said Burnett Street, a distance of 200.00 feet to a 5/8 inch iron rod with plastic cap set in the easterly right-of-way line of said Maury Street for the southwest corner of the herein described tract;

THENCE, North 02° 16' 42" West, along the easterly right-of-way line of said Maury Street, a distance of 300.00 feet to the POINT OF BEGINNING and containing a computed area of 1.3774 acres (60,000 square feet) of land.

This description is base on a ground survey completed on August 8, 2001 and is submitted in conjunction with a survey drawing dated August 9, 2001.

Clark-Geogram Inc. Job Number 01-06-5013-001.

John McGaughey 8/9/01
John McGaughey, R.P.L.S.
Registered Professional Land Surveyor No. 2091





MSU 150
Exhibit "A"

page 26 of 31

Exhibit A

August 8, 2001

FIELD NOTES

Description of a 0.9474 acre (41,267 square feet) tract of land located in the John Austin Survey, Abstract Number 1, in the City of Houston, Harris County, Texas, said 0.9474 acre tract being more particularly described as follows (with bearing are referenced to the Texas State Plane Coordinate System, South Central Zone, NAD27).

Beginning at a 5/8 inch iron rod with plastic cap set for the intersection of the easterly right-of-way line of Maury Street (60 feet wide) and the southerly right-of-way line of Burnett Street (60 feet wide), said point being the northwest corner of the herein described tract;

THENCE, North 87° 43' 18" East, along the southerly right-of-way line of Burnett Street, a distance of 202.50 feet to a point in the westerly right-of-way line of Maffitt Street (width varies) for the northeast corner of the herein described tract;

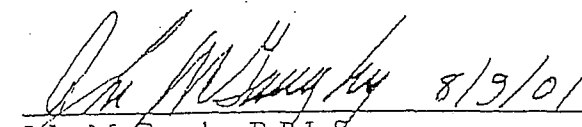
THENCE, South 11° 49' 18" West, a distance of 105.79 feet to an angle point for the herein described tract;

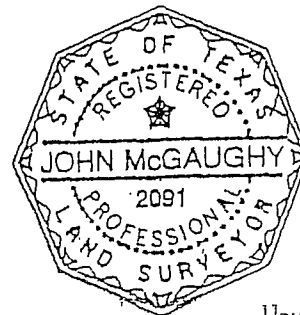
THENCE, South 24° 53' 50" West, a distance of 82.17 feet to a 5/8 inch iron rod with plastic cap set for the beginning of a non-tangent curve to the right;

THENCE, southwesterly, along said curve to the right having a radius of 342.78 feet, through a central angle of 31° 35' 15" (the chord bears South 45° 58' 01" West, a distance of 186.59 feet) an arc distance of 188.98 feet to a 5/8 inch iron rod with plastic cap set in the easterly right-of-way line of said Maury Street for the southwest corner of the herein described tract;

THENCE, North 02° 16' 42" West, along the easterly right-of-way line of said Maury Street, a distance of 299.96 feet to the POINT OF BEGINNING and containing a computed area of 0.9474 acres (41,267 square feet) of land.

This description is base on a ground survey completed on August 8, 2001 and is submitted in conjunction with a survey drawing dated August 9, 2001.
Clark-Geogram Inc. Job Number 01-06-5013-001.


John McGaughey, R.P.L.S.
Registered Professional Land Surveyor No. 2091



Hardy Street Rail Yard
Cushman & Wakefield of Texas
Parcel 4 of 4

Metes and Bounds Description
2.724 Acres (118,657 Square Feet)
John Austin Survey, A-1
Harris County, Texas

Being 2.724 acres (118,657 square feet) tract of land located in the John Austin Survey, A-1, Harris County, Texas, and being a portion of a called 1.7298 acre tract described as "Tract A" in a deed to Wilson Industries, Inc. as recorded under File Number N469053 of the Harris County Official Public Records of Real Property (H.C.O.P.R.R.P.) being all of a called 0.472 of an acre tract described as "Tract A" in an exchange deed to Gulf States Investment Corporation as recorded under File Number 20090238635 of said H.C.O.P.R.R.P., all of a called 50,706 square feet tract as recorded under Volume 6343, Page 25 of said H.C.D.R., all of a called 57,439 square feet tract as recorded under Volume 6350, Page 319 of said H.C.D.R. and all of Lots 1, 2, 3, and 4 of Block 3 of Chapman's First Addition as recorded under Volume X, Page 778 of said H.C.D.R.; said 2.724 acres tract being more particularly described as follows, with bearings referenced to the Texas Coordinate System of 1983, South Central Zone:

BEGINNING at a PK nail found for the southwesterly corner of a called 0.234 of an acre tract and on the easterly right-of-way line of High Street (40 feet wide) and being the most southerly northwest corner of the herein described tract and on the westerly line of said 50,706 square Feet tract;

THENCE, North 57°04'02" East, along the line common to said 0.234 of an acre tract and the herein described tract, a distance of 102.52 feet to a "X" in concrete found for the southeasterly corner of said 0.234 of an acre tract;

THENCE, North 18°40'02" West, along the line common to said 0.234 of an acre tract and the herein described tract, a distance of 173.24 feet to a 5/8-inch iron rod found for the northwesterly corner of said 0.472 of an acre tract and the most northerly northwest corner of the herein described tract, same being on the southeasterly line of a residue of Union Pacific Railroad as recorded under Volume 18, Page 155 of said H.C.D.R.;

THENCE, North 62°09'12" East, along the line common to said southeasterly line and the herein described tract, a distance of 197.28 feet to a point from which a found 1/2-inch iron rod bears South 14°03' East, a distance of 0.81 foot for an angle point;

THENCE, North 62°17'48" East, along the common line to said southeasterly line and the herein described tract, a distance of 178.53 feet to a point from which a found 3/4-inch iron pipe bears North 20°57' West, a distance of 1.05 feet for the northeasterly corner of said Lot 1 and the northeasterly corner of the herein described tract, also being on the westerly right-of-way line of Chapman Street;

THENCE, South 17°14'36" East, departing said line common and along said westerly right-of-way line, a distance of 271.44 feet to a 3/4-inch iron pipe found for the southeasterly corner of said Lot 4 and the southeasterly corner of the herein described tract, also being on the northerly right-of-way line of Conti Street (60 feet wide);

THENCE, South 57°05'39" West, departing said westerly right-of-way line and along said northerly right-of-way line, a distance of 478.51 feet to a PK nail found for the southwesterly corner of said 50,706 square feet tract and the southwesterly corner of the herein described tract, also being on said easterly right-of-way line of High Street;

THENCE, North 18°36'36" West, departing northerly right-of-way line and along said easterly right-of-way line, a distance of 131.04 feet to the POINT OF BEGINNING, and containing a computed area of 2.724 acres (118,657 square feet).

Compiled by:
AECOM Technical Services, Inc.
5757 Woodway
Houston, Texas 77057
(713) 780-4123
Job No. 60197040.11
February 23, 2011
J:\AECOM SUBDIVISIONS\60047408 Conti St Finalize Exhibits\4.0 Notes Calcs\2_724ac.doc



James B. McAllister, Jr.
02-23-11

Page 18 of 77

MSV DV "A" Exhibit A

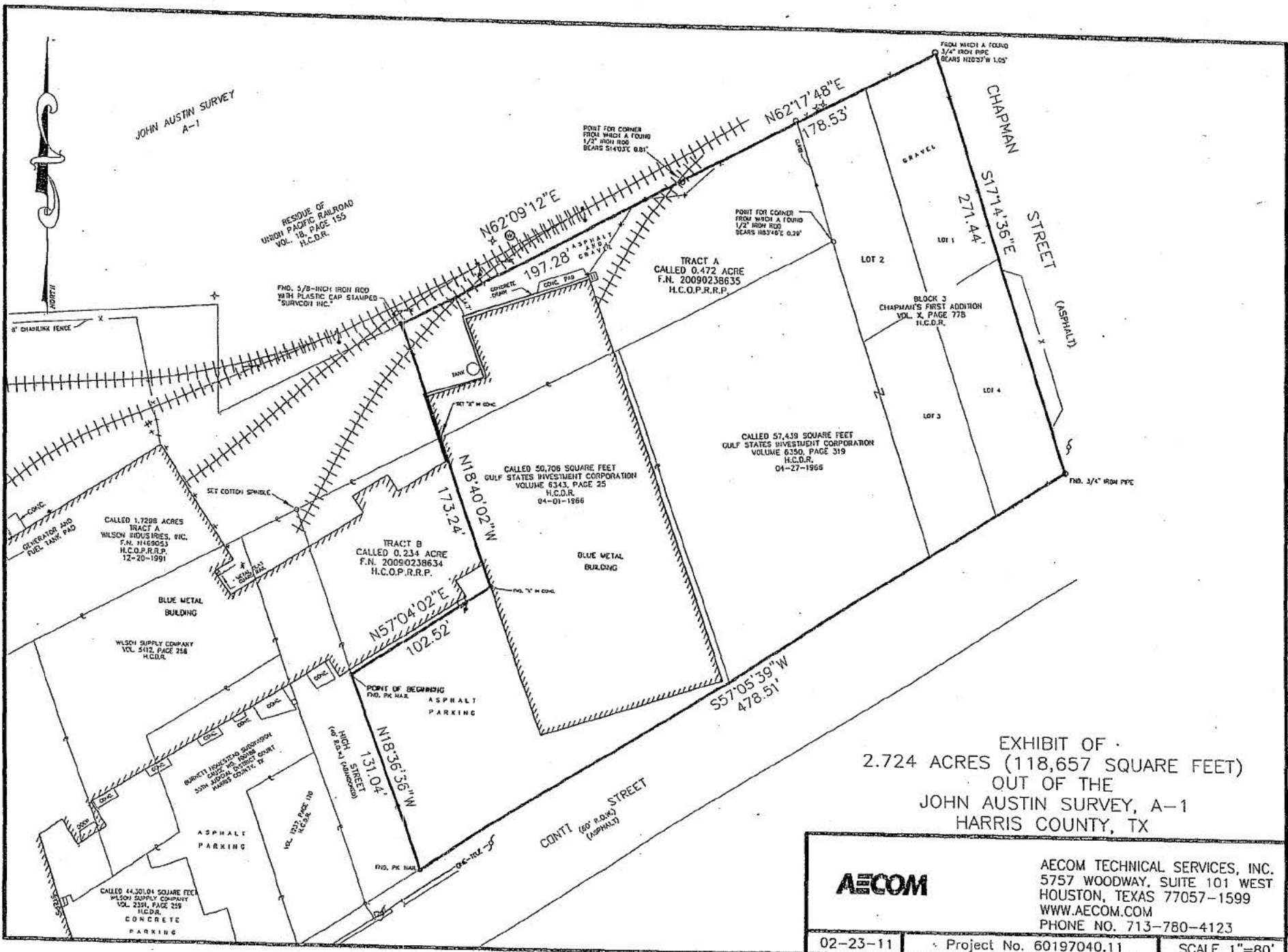



EXHIBIT OF
 2.724 ACRES (118,657 SQUARE FEET)
 OUT OF THE
 JOHN AUSTIN SURVEY, A-1
 HARRIS COUNTY, TX

		
AECOM TECHNICAL SERVICES, INC. 5757 WOODWAY, SUITE 101 WEST HOUSTON, TEXAS 77057-1599 WWW.AECOM.COM PHONE NO. 713-780-4123		
02-23-11	Project No. 60197040.11	SCALE 1"=80'

c) each retail public utility, as defined by Texas Water Code, §13.002, that owns or operates a groundwater supply well located within five miles beyond the proposed MSD boundaries?	<input checked="" type="radio"/> Yes	<input type="radio"/> No ³	<input type="radio"/> NA ⁴
³ Do not submit application.			
⁴ NA only when no such municipality, private well owner, or retail public utility exists			

MSD Information:

List all existing TCEQ and US Environmental Protection Agency registration, permit, identification numbers (e.g., SWR No., VCP No., LPST ID No., UIC Registration No., PWS ID. No.), if any, that apply to the groundwater contamination situation within the proposed MSD boundary. State "none" if none applicable.
VCP No. 857 and 1553

Is the proposed designated groundwater contaminated in excess of an applicable potable water ⁵ use standard (i.e., 30 TAC 350, ^{GW} GW _{ing})?	<input checked="" type="radio"/> Yes	<input type="radio"/> No ⁶
Was the groundwater contamination previously reported to the TCEQ? (To support implementation of HB 3030, 78 th Legislature.)	<input checked="" type="radio"/> Yes, when? 5 / 21 / 1999	<input type="radio"/> No
Is there a potable-use well within the boundary of the proposed MSD that uses the designated groundwater as source water?	<input type="radio"/> Yes ⁵	<input checked="" type="radio"/> No
Is there a potable-use well within the boundary of the proposed MSD that uses a deeper groundwater zone for the source water that is not properly sealed off from the designated groundwater?	<input type="radio"/> Yes ⁵	<input checked="" type="radio"/> No
Is the applicant aware of any non-consumptive use of the groundwater or other human health or ecological exposure pathways that are of concern? If yes, specify:	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Has each municipality and retail public utility identified in §361.8065 provided firm commitment to adopt an ordinance or resolution in support of the application?	<input checked="" type="radio"/> Yes	<input type="radio"/> No ⁶
Is a copy of the ordinance or restrictive covenant that restricts consumptive use and appropriately restricts other uses of and contact with the designated groundwater, and any required resolutions provided with this application?	<input checked="" type="radio"/> Yes	<input type="radio"/> No

⁵ "Potable water" means water that is used for irrigating crops intended for human consumption, drinking, showering, bathing, or cooking purposes [THSC §361.801(2)].

⁶ Do not submit an application.

I affirmatively state that (place an X in all applicable blanks):

- The MSD eligibility criteria of THSC §361.803 are satisfied.
- True and accurate copies of all documents demonstrating that the MSD eligibility criteria provided by THSC §361.803 have been satisfied and are included with the application.
- A true and accurate copy of a legal description of the proposed MSD property is included with the application.
- Notice was provided in accordance with THSC §361.805.
- A copy of an ordinance or restrictive covenant and any required resolutions are provided in this application or will be provided before the executive director certifies this application.

CR V Hardy Yards LP by
CR V Hardy Yards GP, L.L.C.

Applicant Signature M. Timothy Clark, President

Date

6/28/10

Before me Whitney Ann Andrus the undersigned authority, on this day personally appeared

Name of Notary

M. Timothy Clark

Name of Applicant

and signed this Municipal Setting Designation Application.

Sworn, subscribed and signed before me in the County of TRAVIS, State of TX, on the 28 day of June, this month of June, 2010.

