

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Zak Covar, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

February 3, 2013

Ms. Ayn Kleiber Talley  
Houston Police Federal Credit Union  
1600 Memorial Drive  
Houston, Texas 77007

Re: Municipal Setting Designation (MSD) Certificate for 1600, 1714, 1716, and  
1720 Memorial Way, 1708 State Street, Houston TX; MSD No. 239


Dear Ms. Talley:

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) 239-2241 or via e-mail ([chris.swiderski@TCEQ.Texas.gov](mailto:chris.swiderski@TCEQ.Texas.gov)).

Sincerely,

A handwritten signature in cursive script, appearing to read "Chris Swiderski".

 Chris Swiderski, Project Manager  
VCP-CA Section  
Remediation Division

CS/jdm

Enclosure: MSD Certificate No. 239

cc: Mr. Jason Ybarra, TCEQ, Waste Section Manager, Houston Regional  
Office, MC R-12

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, Richard A. Hyde, Executive Director of the Texas Commission on Environmental Quality certify the Municipal Setting Designation (MSD) for MSD No. 239, 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.

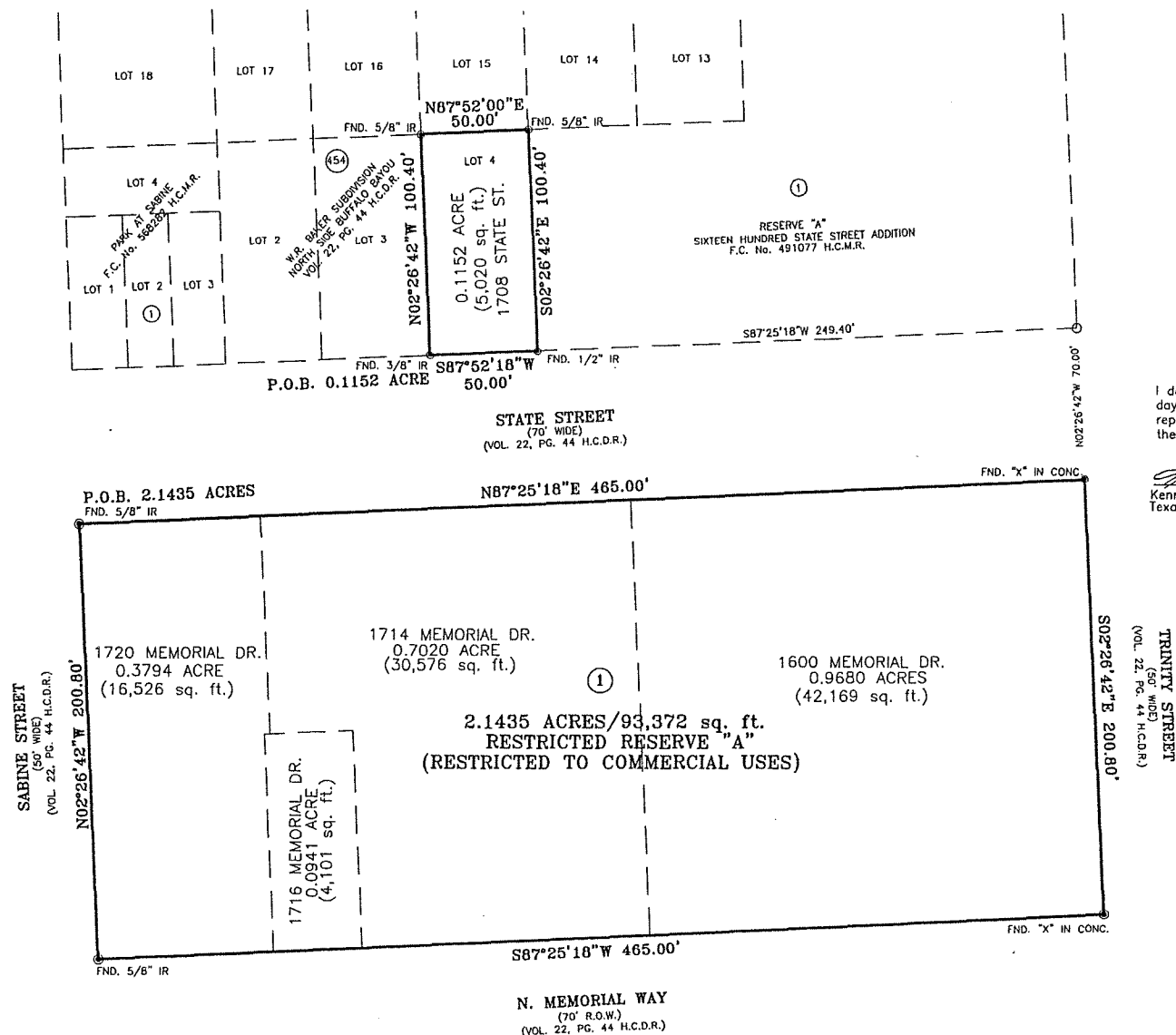
Any person addressing environmental impacts for a property located in the certified municipal setting designation shall complete any necessary investigation and response action requirements in accordance with Texas Health and Safety Code §361.808, in conjunction with the applicable Texas Commission on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

EXECUTED this the 29<sup>th</sup> day of January, 2014

A handwritten signature in cursive script, appearing to read "R. A. Hyde".

Richard A. Hyde, P.E.  
Executive Director  
Texas Commission on Environmental Quality

SCALE: 1" = 50'



I do hereby certify that this survey was this day made on the ground. This plot correctly represents the facts found at the time of the survey.

*Kenneth A. Gruller*  
Kenneth A. Gruller  
Texas Registered Professional Land Surveyor No. 5476

**EXHIBIT**  
**2.1435 ACRES**  
**RESERVE "A"**  
**HOUSTON POLICE**  
**FEDERAL CREDIT UNION**  
**F.C. No. 647111 H.C.M.R.**  
**& LOT 4, BLOCK 454**  
**W.K. BAKER SUBDIVISION**  
**NORTH SIDE BUFFALO BAYOU**  
**VOL. 22, PG. 44 H.C.D.R.**  
**LOCATED IN THE**  
**JOHN AUSTIN SURVEY, A-1**

**GRULLER SURVEYING**  
PROFESSIONAL LAND SURVEYING  
5599 San Felipe, Ste. 1420  
HOUSTON, TEXAS 77056  
TELEPHONE: (713) 333-1468  
SCALE: 1" = 50' (DATE: 10-02-2012)  
JOB NO.: 45-1047\_GEO.DWG

**METES AND BOUNDS DESCRIPTION**  
**2.1435 ACRES**  
**LOCATED IN THE**  
**THE JOHN AUSTIN SURVEY, A-1**  
**HARRIS COUNTY, TEXAS**

Being a tract or parcel of land containing 2.1435 acre of land or 93,372 square feet, located in the John Austin Survey, Abstract 1, Harris County, Texas, Said 2.1435 acre tract being all of Reserve "A" of Houston Police Federal Credit Union, a subdivision duly of record in Film Code Number 647111 in the Map Records of Harris County, Texas (bearings based on the Texas State Plane Coordinate System South Central Zone):

**BEGINNING** at a 5/8 inch iron rod found for the northwest corner of the of aforesaid Reserve "A", being at the intersection of the east Right-of-Way (R.O.W.) line of Sabin Street (50 feet wide) and the south R.O.W. line of State Street (70 feet wide);

**THENCE**, coincident the south R.O.W. line of aforesaid State Street, North 87 Degrees 25 Minutes 18 Seconds East, a distance of 465.00 feet to an "x" found in concrete for the northeast corner of aforesaid Reserve "A", being at the intersection of the said south R.O.W. line and the west R.O.W. line of Trinity Street (50 feet wide);

**THENCE**, coincident the west R.O.W. line of aforesaid Trinity Street, South 02 Degrees 26 Minutes 42 Seconds East, a distance of 200.80 feet to an "x" found in concrete for the southeast corner of aforesaid Reserve "A", being at the intersection of said west R.O.W. line and the north R.O.W. line of North Memorial Way (70 feet wide) ;

**THENCE**, coincident the north R.O.W. line of aforesaid North Memorial Way, South 87 Degrees 25 Minutes 18 Seconds West, a distance of 465.00 feet to a 5/8 inch iron rod found for the southwest corner of aforesaid Reserve "A", being at the intersection of said north R.O.W. line and the east R.O.W. line of aforesaid Sabine Street;

**THENCE**, coincident the east R.O.W. line of aforesaid Sabin Street, North 02 Degrees 26 Minutes 42 Seconds West, a distance of 200.80 feet to the **POINT OF BEGINNING** and containing 2.1435 acres of land.



Gruller Surveying, LLC  
October 2, 2012  
Job 45-1047\_RES\_A

A handwritten signature in black ink, appearing to read "K. A. Gruller", written over a horizontal line.

**METES AND BOUNDS DESCRIPTION**  
**0.1152 ACRE**  
**LOCATED IN THE**  
**THE JOHN AUSTIN SURVEY, A-1**  
**HARRIS COUNTY, TEXAS**

Being a tract or parcel of land containing 0.1152 acre of land or 5,020 square feet, located in the John Austin Survey, Abstract 1, Harris County, Texas, Said 0.1152 acre tract being all of Lot 4, Block 454 of the W.R. Baker Subdivision North Side Buffalo Bayou of record in Volume 22, Page 44 in the Deed Records of Harris County, Texas (bearings based on the Texas State Plane Coordinate System South Central Zone):

**BEGINNING** at a 3/8 inch iron rod found for the common south corner of aforesaid Lot 4 and Lot 3 of aforesaid subdivision, being on the north Right-of-Way (R.O.W.) line of State Street (70 feet wide);

**THENCE**, coincident the common line of aforesaid Lots 3 and 4, North 02 Degrees 26 Minutes 42 Seconds West, a distance of 100.40 feet to a 5/8 inch iron rod found for the common northerly corner of said Lots and the common southerly corner of Lots 16 and 15;

**THENCE**, coincident the southerly line of aforesaid Lot 15, North 87 Degrees 52 Minutes 00 Seconds East, a distance of 50.00 feet to a 5/8 inch iron rod found for the common southerly corner of said Lot 15 and Lot 14, being the most southerly northwest corner of Reserve "A" of Sixteen Hundred State Street Addition, a subdivision duly of record in Film Code Number 491077 in the Map Records of Harris County, Texas;

**THENCE**, coincident the west line of aforesaid Reserve "A", South 02 Degrees 26 Minutes 42 Seconds East, a distance of 100.40 feet to a 1/2 inch iron rod found for the common south corner of aforesaid Lot 4 and said Reserve "A", being on the north R.O.W. line of aforesaid State Street;

**THENCE**, coincident the north R.O.W. line of aforesaid State Street, South 87 Degrees 52 Minutes 18 Seconds West, a distance of 50.00 feet to the **POINT OF BEGINNING** and containing 0.1152 acres of land.



Gruller Surveying, LLC  
October 2, 2012  
Job 45-1047\_Lot 4

A handwritten signature in black ink, appearing to read "K. A. Gruller", written over a horizontal line.

**Exhibit B**  
**Municipal Setting Designation**  
**Affidavit of Eligibility**

BEFORE ME, the undersigned authority, on this day personally appeared  
Ayn Kleiber Talley, President, as an authorized representative of  
Houston Police Federal Credit Union, known to me to be the person  
whose name is subscribed below who being by me first duly sworn, upon their oath,  
stated as follows:

I am over the age of 18 and legally competent to make this affidavit. I have personal  
knowledge of the facts stated herein.

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

- ☒ The MSD eligibility criteria of THSC Section 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 has been 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.

Ayn Kleiber Talley  
Signature

Date: 7/17/2013

Ayn Kleiber Talley

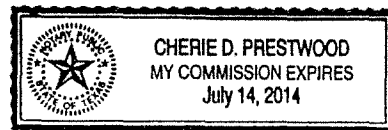
Printed Name

President, Houston Police Federal Credit Union

Title

STATE OF Texas

COUNTY OF Harris



July SUBSCRIBED AND SWORN before me on this the 17 day of  
2013, to which witness my hand and seal of office.

Cherie D. Prestwood  
Notary Public in and for the State of Texas