

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 3, 2018

Mr. Pierre Bejjani, Manager
Texas Bastrop Street, LLC
11312 Kingsworthy Lane
Houston, Texas 77024

Re: Municipal Setting Designation (MSD) Certificate for Texas Bastrop Street, LLC, 505 Bastrop Street and 2311 Texas Avenue, Houston, Harris County, Texas; MSD No. 389; Customer No. CN604614123; Regulated Entity No. RN110445491

Dear Mr. Bejjani:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced MSD application on June 20, 2018 and additional information supporting this MSD application on September 10, 2018. Based on our review, the application contains the required information as outlined in Texas Health and Safety Code (THSC) §361.804. Enclosed is the MSD Certification for your site. If you have any questions, please do not hesitate to contact me at (512) 239-2241 or via e-mail (chris.swiderski@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Swiderski".

Chris Swiderski, Project Manager
VCP-CA Section
Remediation Division

CS/jdm

Enclosure: MSD Certificate

cc: Mr. Chris Siegel, SKA Consulting LP, 1888 Stebbins Drive, Suite 100, Houston, Texas 77043
Mr. Jason Ybarra, Waste Section Manager, TCEQ Houston Region Office, 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, Beth Seaton, Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 389., 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 ordinance or restrictive covenant required by Texas Health and Safety Code §361.8065 remains 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 3rd day of October, 2018

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

A TRACT OF LAND CONTAINING 1.865 ACRES (81,247 SQUARE FEET) BEING ALL OF A CALLED 6,425 SQUARE FOOT TRACT DESCRIBED TO THE CITY OF HOUSTON AS DOCUMENT NO. C375649 IN THE DEED RECORDS OF HARRIS COUNTY (H.C.D.R.), ALSO BEING ALL OF CALLED UNRESTRICTED RESERVE "B", REFERRED TO AS TRACT 1 OF THE TEXAS DOWLING NORTHWEST SUBDIVISION, RECORDED AS FILM CODE 534197 (H.C.M.R.), AND BEING ALSO OUT OF THE CALLED 80 FOOT RIGHT-OF-WAY OF PRAIRIE STREET AND BEING ALSO OUT OF THE CALLED 80 FOOT RIGHT-OF-WAY OF DOWLING STREET, ALL LOCATED WITHIN THE SOUTH SIDE BUFFALO BAYOU, AN UNRECORDED SUBDIVISION, SITUATED IN THE J. WELLS SURVEY, ABSTRACT 832, CITY OF HOUSTON, HARRIS COUNTY, TEXAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH DIAMETER IRON ROD WITH A TRI-TECH CAP ON THE NORTH 100 FOOT RIGHT-OF-WAY OF TEXAS AVENUE, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID UNRESTRICTED RESERVE "B" (TRACT 1), COMMON WITH THE SOUTHEAST CORNER OF UNRESTRICTED RESERVE "A" OF SAID TEXAS DOWLING NORTHWEST SUBDIVISION, AND THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST;

THENCE 201.89 FEET ALONG SAID CURVE CONCAVE TO THE NORTHEAST, COMMON WITH SAID NORTH 100 FOOT RIGHT-OF-WAY OF TEXAS ACENUE, COMMON WITH THE SOUTH LINE OF SAID UNRESTRICTED RESERVE "B" (TRACT 1), HAVING A RADIUS OF 563.57 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 76 DEG 56 MIN 21 SEC EAST, 200.82 FEET TO A POINT ON THE EAST 80 FOOT RIGHT-OF-WAY OF DOWLING STREET, COMMON WITH THE SOUTHEAST CORNER OF A CALLED 0.4860 ACRE TRACT DESCRIBED TO GUS SYMEONDIS IN DOCUMENT NO. K897104 (H.C.D.R.) AND A SOUTH CORNER OF HEREIN DESCRIBED TRACT;

THENCE NORTH 32 DEG 52 MIN 20 SEC EAST ALONG SAID NORTHEASTERLY 80 FOOT RIGHT-OF-WAY OF DOWLING STREET, A DISTANCE OF 185.24 FEET TO A POINT AT THE INTERSECTION OF SAID NORTHEASTERLY 75 FOOT RIGHT-OF-WAY OF DOWLING STREET WITH THE SOUTHWESTERLY 80 FOOT RIGHT-OF-WAY OF PRAIRIE STREET, COMMON WITH THE NORTHWEST CORNER OF SAID 0.4860 ACRE TRACT AND AN INTERIOR CORNER OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 57 DEG 07 MIN 40 SEC EAST CONTINUING ALONG SAID SOUTHWESTERLY 80 FOOT RIGHT-OF-WAY OF PRAIRIE STREET, COMMON WITH THE NORTHEASTERLY LINE OF SAID 0.4860 ACRE TRACT, A DISTANCE OF 212.48 FEET TO THE NORTHEAST CORNER OF SAID 0.4860 ACRE TRACT, SAID POINT BEING ALSO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST AND A SOUTH CORNER OF HEREIN DESCRIBED TRACT;

THENCE ACROSS THE RIGHT-OF-WAY OF SAID PRAIRIE STREET FOR THE NEXT TWO COURSES:

THENCE 85.68 FEET ALONG SAID CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 139.97 FEET, WITH A CHORD BEARING AND DISTANCE OF NORTH 65 DEG 42 MIN 07 SEC EAST, A DISTANCE OF 84.34 FEET TO A POINT FOR CORNER, BEING A SOUTH CORNER OF HEREIN DESCRIBED TRACT;

THENCE NORTH 12 DEG 50 MIN 32 SEC EAST, A DISTANCE OF 56.75 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY OF PRAIRIE STREET, COMMON WITH THE SOUTH LINE OF CALLED UNRESTRICTED RESERVE "A" OF THE STAR OF HOPE MISSION RESERVE RECORDED IN VOLUME 519, PAGE 86 (H.C.M.R.), SAID POINT BEING ALSO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST AND A NORTH CORNER OF HEREIN DESCRIBED TRACT;

THENCE 216.61 FEET ALONG SAID CURVE CONCAVE TO THE NORTHEAST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY OF PRAIRIE STREET, HAVING A RADIUS OF 619.62 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 67 DEG 08 MIN 34 SEC WEST, 215.51 FEET TO A POINT FOR CORNER, BEING AN ANGLE POINT OF HEREIN DESCRIBED TRACT


THENCE NORTH 57 DEG 07 MIN 40 SEC WEST A DISTANCE OF 26.54 FEET TO THE INTERSECTION OF SAID NORTHEASTERLY RIGHT-OF-WAY OF PRAIRIE STREET, COMMON WITH THE SOUTH LINE OF CALLED UNRESTRICTED RESERVE "A" OF THE STAR OF HOPE MISSION RESERVE WITH SAID NORTHEASTERLY 80 FOOT RIGHT-OF-WAY OF DOWLING STREET AND AN ANGLE POINT OF HEREIN DESCRIBED TRACT;

THENCE NORTH 61 DEG 55 MIN 20 SEC WEST ACROSS RIGHT-OF-WAY OF DOWLING STREET, A DISTANCE OF 80.28 FEET TO THE INTERSECTION OF THE NORTHWESTERLY RIGHT-OF-WAY OF DOWLING STREET WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF PRAIRIE STREET, COMMON WITH THE SOUTH LINE OF BLOCK 218 OF SAID SOUTH SIDE OF BUFFALO BAYOU SUBDIVISION, SAID POINT BEING A NORTH CORNER OF HEREIN DESCRIBED TRACT;

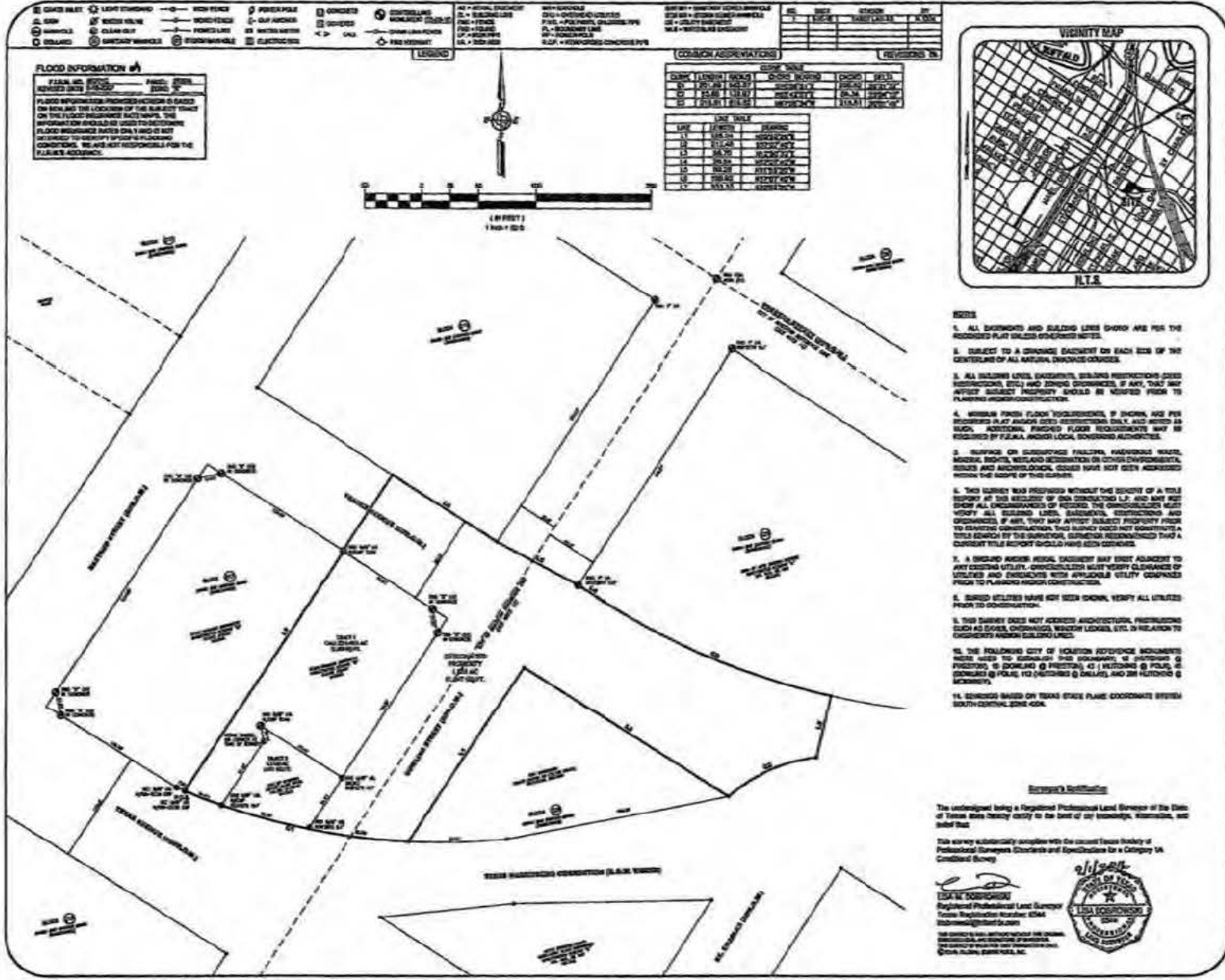
THENCE NORTH 57 DEG 07 MIN 40 SEC WEST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF PRAIRIE STREET, COMMON WITH THE SOUTH LINE OF BLOCK 218 OF SAID SOUTH SIDE OF BUFFALO BAYOU SUBDIVISION, A DISTANCE OF 108.92 FEET TO A POINT FOR CORNER AND THE NORTHWEST CORNER OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 32 DEG 52 MIN 20 SEC WEST, PASSING AT 80.00 FEET, A FOUND 5/8 INCH DIAMETER IRON ROD WITH A CAP ON THE SOUTHWESTERLY RIGHT-OF-WAY OF PRAIRIE STREET, FOR A TOTAL DISTANCE OF 333.33 FEET TO THE POINT OF BEGINNING, CONTAINING 1.865 ACRES (81,247 SQUARE FEET).

- 1.) THIS FIELD NOTE DESCRIPTION IS PART OF THE PLAT OF SAME DATE. (PLAT BEING PAGE 1 OF 2).
- 2.) ALL BEARINGS AND COORDINATES SHOWN HEREON ARE GRID WITH DISTANCES BEING TRUE BASED UPON TEXAS STATE PLANE COORDINATE SYSTEM SOUTH CENTRAL ZONE (4204). THE COMBINED SCALE FACTOR BETWEEN GRID AND SURFACE IS 0.99988968078.
- 3.) THIS FIELD NOTE DESCRIPTION VALID FOR THIS TRANSACTION ONLY.
- 4.) THE SQUARE FOOTAGE AND ACREAGE VALUES SHOWN HEREON ARE MATHEMATICAL VALUES CALCULATED FROM THE BOUNDARY DATA SHOWN HEREON. THESE VALUES IN NO WAY REPRESENT THE PRECISION OF CLOSURE OF THIS SURVEY OR THE ACCURACY OF BOUNDARY MONUMENTS FOUND OR SET.


LISA M. DOBROWSKI, R.P.L.S. NO. 6544
JOB NO. 8859-16, 06/01/2016, PAGE 2 OF 2
PROFESSIONAL LAND SURVEYOR

GLOBAL SURVEYORS, INC.
10401 WESTOFFICE DRIVE, HOUSTON, TEXAS 77042
(P)713-667-0800
TBPLS#10115912



BOUNDARY SURVEY

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT OR THE RECORDS OF THE COUNTY CLERK, AND THE SURVEYOR HAS CONDUCTED A REASONABLE DUE DILIGENCE TO VERIFY ALL EXISTING LINES, EASEMENTS, RESTRICTIONS AND ORDINANCES, IF ANY, THAT MAY AFFECT SUBJECT PROPERTY FROM THE RECORDS OF THE COUNTY CLERK, THE PUBLIC RECORDS AND A CURRENT TITLE REPORT SHOULD HAVE BEEN OBTAINED.

DOWLING STREET @ PRAIRIE STREET

HOUSTON, TEXAS COUNTY, TEXAS 77008

Global Surveyors, Inc.
 12010 W. 19th Street, Suite 100
 Houston, Texas 77058
 Phone: (713) 964-1200
 Fax: (713) 964-1201
 TSSS Registration No. 0111917

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Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Mr. Pierre Bejjani, as an authorized representative of Texas Bastrop Street, LLC, 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.

Pierre Bejjani
Signature

Date: June 19, 2018

Mr. Pierre Bejjani
Printed Name
President
Title

STATE OF Texas
COUNTY OF Harris

SUBSCRIBED AND SWORN before me on this the 19th day of June 20 18, to which witness my hand and seal of office.

Rebecca Fonseca
Notary Public in and for the State of Texas

