

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
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Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

January 20, 2016

Mr. Dale Williams, Vice President  
Tideland Signal Corporation  
4310 Directors Row  
Houston, Texas 77092

Re: Municipal Setting Designation (MSD) Certificate for Tideland Signal Corporation, 2310 Directors Row, Houston, Harris, TX; MSD No. 294; Customer No. CN600957567; Regulated Entity No. RN101772242

Dear Mr. Williams

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on July 17, 2015 and additional information supporting this MSD application on October 9, 2015, and December 30, 2015. Based on our review, the application contains the required information as outlined in Texas Health and Safety Code (THSC) §361.804. Enclosed is the Municipal Setting Designation Certification for your site. If you have any questions, please do not hesitate to contact me at (512) 239-2236.

Sincerely,

A handwritten signature in black ink, appearing to read "Alayna M. Goetsch", written in a cursive style.

Alayna Goetsch, Project Manager  
VCP-CA Section  
Remediation Division

AMG/jdm

cc: Mr. Bryan Gay, ESE Partners, 19416 Park Row, Suite 120, Houston, TX 77084  
Mr. Jason Ybarra, TCEQ Waste Section Manager, Region 12 Office, Houston

Enclosure: MSD Certificate

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



MUNICIPAL SETTINGS 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. 294, 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 19<sup>th</sup> day of January, 2016

Beth Seaton

Beth Seaton, Director  
Remediation Division  
Texas Commission on Environmental Quality



EXHIBIT A TO DEED OF TRUST

Exhibit A to DEED OF TRUST executed as of June 27, 2012, by Tideland Signal Corporation as "Grantor" to PRLAP, Inc., as "Trustee" for the benefit of Bank of America, N.A., a national banking association, as "Beneficiary."

Description of Property

4310 Directors Row, Houston, TX 77092

Being a tract or parcel containing 39,307 square feet out of Block 3, Section One, Brookhollow/Houston as recorded in Volume 144, Page 79, Harris County Map Records, Harris County, Texas and 60,312 square feet out of Block 3, Section Two, Brookhollow/Houston as recorded in Volume 149, Page 33, of said map records, for a total of 99,619 square feet of land. Said tract also being all of that certain tract of land described in the deed recorded in Volume 7567, Page 151 of the Harris County Deed Records, and being more particularly described by metes and bounds as follows with all bearings reference to the Texas Coordinate System, South Central Zone;

Commencing at an iron rod in the south line of Dacoma Street (80 feet wide) and in the east line of Governors Circle (60 feet wide) marking the northwest corner of Block 3, Tract 1, Section 1, of said Brookhollow/Houston;

Thence, South 12 degrees 41 minutes 03 seconds East, along the east line of said Governors Circle, 250.00 feet;

Thence, North 77 degrees 18 minutes 57 seconds East, a distance of 319.00 feet to a 1/2 inch iron rod found marking the northwest corner and point of beginning of the tract herein described;

Thence, continuing, North 77 degrees 18 minutes 57 seconds East, a distance of 192.21 feet to a 5/8 inch iron rod set marking the beginning of a tangent curve to the right;

Thence, 220.37 feet in a northeasterly direction along the arc of said curve (delta angle 09 degrees 12 minutes 58 seconds, radius 1370.00 feet, chord North 81 degrees 55 minutes 26 seconds East, 220.13 feet to a 5/8 inch iron rod set in said curve, marking the northeast corner of the tract herein described;

Thence, departing said curve, South 05 degrees 54 minutes 52 seconds East, at 100.10 feet pass the south line of Section One, Brookhollow/Houston and north line of Section Two, Brookhollow/Houston, for a total distance of 251.23 feet to an "X" set in the north right-of-way line of Directors Row (60 feet wide) for southeast corner, said "X" also being a point on a non-tangent curve to the left;

Thence, 304.19 feet in the southwesterly direction along the arc of said curve and the north line of said Directors Row (delta angle 36 degrees 18 minutes 37 seconds, radius 480.00 feet, chord South 65 degrees 55 minutes 47 seconds West, 299.13 feet to a 1/2 inch iron rod found in said curve for the southwest corner of the tract herein described;

Thence, North 27 degrees 54 minutes 26 seconds West at 234.44 feet pass the north line of Section Two, Brookhollow/Houston and south line of Section One, Brookhollow/Houston for a total distance of 338.08 feet to the point of beginning, containing 2.2869 acres (99,619 square feet) of land, more or less

# Exhibit B

## Municipal Setting Designation

### Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Dale Williams, as an authorized representative of Tideland Signal Corporation, 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.

Dale Williams  
Signature

Date: 1 Jul 15

Dale Williams  
Printed Name

V.P. Quality Assurance  
Title

STATE OF HARRIS TEXAS  
COUNTY OF HARRIS

SUBSCRIBED AND SWORN before me on this the 1<sup>ST</sup> day of July 2015, to which witness my hand and seal of office.

Heather Bigger  
Notary Public in and for the State of TEXAS

