

Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 29, 2012

Mr. Darrell W. Burtner
Senior Program Director – Capital Programs
Metropolitan Transit Authority of Harris County (METRO)
1900 Main Street
Houston, TX 77002

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


RE: Municipal Setting Designation (MSD) Certificate for Metropolitan Transit Authority of Harris County (METRO) and CR V Hardy Yards, L.P., 0 North Main St., 1101, 1115 and 1116 Naylor St., 800 Burnett St., and 1507 and 1615 Keane St.; MSD No. 201

Dear Mr. Burtner and 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) 239-6753 or via e-mail (Joseph.Bell@TCEQ.Texas.gov).

Sincerely,



Joseph Bell, P.G., Project Manager
VCP-CA Section
Remediation Division

JNB/jdm

Enclosure: MSD No. 201 Certificate and Attachments

cc: Mr. Joe Bell, P.G., Project Manager, Remediation Division, MC-221
Mr. Mark Riggle, P.G., Project Manager, Remediation Division, MC-221
Ms. Nicole Bealle, Waste Section Manager, Region 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, Zak Covar, Executive Director of the Texas Commission on Environmental Quality certify the Municipal Setting Designation (MSD) for MSD No. 201, 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 10th day of October, 2012



Zak Covar
Executive Director
Texas Commission on Environmental Quality

TRACT I
METES AND BOUNDS DESCRIPTION
OF A 2.985 ACRE TRACT IN THE
JOHN AUSTIN 2 LEAGUE GRANT, ABSTRACT NO. 1
CITY OF HOUSTON, HARRIS COUNTY, TEXAS

A 2.985 acre tract of land situated in the John Austin 2 League Grant, Abstract Number 1, Harris County Texas, being all of Tract 30, called 1.494 acre tract of land and all of Tract 31, called 1.491 acre tract conveyed to Metropolitan Transit Authority by deed and recorded under Harris County Clerk's File (H.C.C.F.) No. 20080230006 of Official Public Records of Real Property Harris County, Texas (O.P.R.R.P.H.C.T.); said 2.985 acre tract being more particularly described by metes and bounds as follows (bearings based on the Texas State Plane Coordinate System South Central Zone NAD 83. Coordinates shown are surface coordinates using a surface adjustment factor of 1.00010666):

BEGINNING at the intersection of the existing northerly right of way line of Trentem Street (aka Trentham Street) (variable width) with the existing westerly right of way line of Keene Street (variable width), being the most southern southeasterly corner of said Tract 30, having surface coordinates of North = 13,847,731.74 feet and East = 3,123,137.75 feet, from said corner Metropolitan Transit Authority of Harris County monument MC – 122 bears South 57°24'29" East, a distance of 575.54 feet;

THENCE, South 65°32'49" West, a distance of 73.40 feet, along the northwesterly right of way line of Trentem Street (aka Trentham Street), being the southeasterly line of said Tract 30 to a set 5/8-inch iron rod with "GS" cap in the existing northerly right of way line of the remainder of a called 5.14 acre tract of land conveyed to Texas and New Orleans Railroad Company by deed and recorded in Volume 58, Page 286 of Harris County Deed Records (H.C.D.R.);

THENCE, along the northerly right of way line of the main railroad tracks, being the southerly line of said Tract 30 for the following five (5) calls:

1. North 73°15'48" West, a distance of 101.52 feet to a found 5/8-inch iron rod with "GS" cap for the point of curvature of a curve to the left;
2. In a northwesterly direction, along said curve to the left, having a radius of 1,937.44 feet, a central angle of 02°00'17", an arc length of 67.79 feet and a chord bearing and distance of North 74°15'57" West, 67.79 feet to a found 1/2-inch iron rod for the end of said curve;
3. North 75°16'05" West, a distance of 37.12 feet to a set 5/8-inch iron rod with "GS" cap for an angle point;
4. North 04°40'31" West, a distance of 9.20 feet to a set 5/8-inch iron rod with "GS" cap;

5. North $57^{\circ}37'29''$ West, a distance of 100.37 feet to a point in the southeasterly line of said 1.491 acre tract, being the most northern northwesterly corner of said 1.494 acre tract, from which a found 5/8-inch iron rod bears South $77^{\circ}35'$ East, 0.36 feet;

THENCE, South $42^{\circ}45'39''$ West, a distance of 3.42 feet, along the northerly right of way line of the main railroad tracks, being the southeasterly line of said 1.491 acre tract to a found 5/8-inch iron rod for an angle point;

THENCE, South $52^{\circ}17'34''$ West, a distance of 7.89 feet, continuing along the northerly right of way line of the main railroad tracks, being the southeasterly line of said 1.491 acre tract to the southeasterly corner of that certain called 2.324 acre tract of land conveyed to Tuffli Company Inc, by deed and recorded in H.C.C.F. No. T351523 of said Official Public Records, being the southwesterly corner of said 1.491 acre tract, from which a found 3/8-inch iron rod with "Landtech" cap bears South $03^{\circ}07'$ West, 0.36 feet;

THENCE, North $42^{\circ}21'34''$ West, a distance of 66.34 feet, along the northeasterly line of said 2.324 acre tract, being the southwesterly line of said 1.491 acre tract to a set 5/8-inch iron rod with "GS" cap for the most southern corner of that certain called 2.31 acre tract of land conveyed to Sidney McClendon, III, Trustee, by deed and recorded in H.C.C.F. No. E999537 of said Official Public Records;

THENCE, North $25^{\circ}08'33''$ West, a distance of 154.83 feet, along the northeasterly line of said 2.31 acre tract, being the southwesterly line of said 1.491 acre tract to a found 3/4-inch iron pipe (bent) in the southeasterly line of a Private Street as recorded in Volume 161, Page 476 and Volume 210, Page 553 both of said Deed Records, being the northwesterly corner of said 1.491 acre tract;

THENCE, North $42^{\circ}33'28''$ East, a distance of 263.33 feet, along the southeasterly line of said Private Street, being the northwesterly line of said 1.491 acre tract to the intersection of the southeasterly line of said Private Street with the existing westerly right of way line of Keene Street (40' R.O.W.) as recorded in Volume 1, Page 48 of Harris County Map Records, being the northeasterly corner of said 1.491 acre tract, from which a found 1-inch iron pipe (bent) bears South $48^{\circ}58'$ East, 5.58 feet;

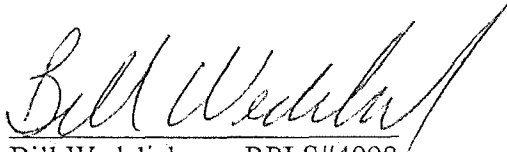
THENCE, South $49^{\circ}44'53''$ East, a distance of 211.99 feet, along the existing westerly right of way line of Keene Street, being the northeasterly line of said 1.491 acre tract to a found 1-inch iron rod at the northeasterly corner of said 1.494 acre tract, being the southeasterly corner of said 1.491 acre tract;

THENCE, along the existing westerly right of way line of Keene Street, being the southeasterly line of said 1.494 acre tract for the following four (4) calls:

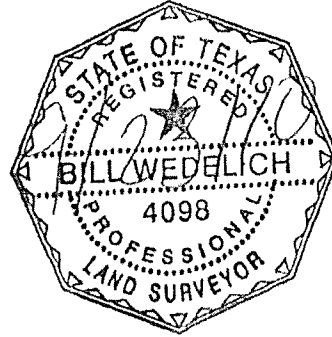
1. South $24^{\circ}42'40''$ East, a distance of 118.96 feet to an angle point;
2. South $24^{\circ}42'24''$ East, a distance of 149.60 feet to an angle point;

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Exhibit A (3 of 14)

3. South 73°24'36" West, a distance of 19.96 feet to an angle point;
4. South 24°59'54" East, a distance of 86.88 feet to the **POINT OF BEGINNING** and containing 2.985 acre (130,019 square feet) of land.


Bill Wedelich, RPLS#4098

Prepared By:
GeoSolutions, LLC
25814 Budde Road
Spring, Texas 77380
281-681-9766



TRACT II
METES AND BOUNDS DESCRIPTION
OF 10.415 ACRES TRACT IN THE
JOHN AUSTIN 2 LEAGUE GRANT, ABSTRACT NO. 1
CITY OF HOUSTON, HARRIS COUNTY, TEXAS

Being 10.415 acres of land situated in the John Austin 2 League Grant, Abstract Number 1, Harris County Texas, being all of that certain called 9.7987 acre tract of land conveyed to Metropolitan Transit Authority of Harris County, Texas by condemnation and recorded under Film Code No. 745-89-4520, Cause No. 894926 of Harris Civil Court at Law No. 3, being a portion of a tract of land within the existing right-of-way of North Main Street, south of Burnett Street as conveyed to Union Pacific Railroad in a construction agreement with the Galveston, Harrisburg and San Antonio Railroad Company (called Hernandez Tunnel), and being a portion of that certain tract of land conveyed to GH & SA Railway Company by deeds and recorded under Volume 131, Page 194 and Volume 285, Page 295 of Harris County Deed Records (H.C.D.R.), also being a portion of that called 31 acre residue tract of land in vesting deed to The Texas and New Orleans Railroad Company, by deed and recorded under Volume 18, Page 155 of said Deed Records; said 10.415 acres being more particularly described by metes and bounds as follows (bearings based on the Texas State Plane Coordinate System South Central Zone NAD 83. Coordinates are surface coordinates using a surface adjustment factor of 1.00010666):

BEGINNING at a found 3/4-inch iron rod in the existing southerly right-of-way line of Burnett Street (60' R.O.W.) as recorded in Volume 5, Page 69 of said Deed Records, having surface coordinates of N=13,847,794.17 feet and E=3,123,392.52 feet, from which Metropolitan Transit Authority of Harris County monument MC - 123 bears North 43°43'54" East, a distance of 89.44 feet;

THENCE, North 65°32'49" East, along the existing southerly right-of-way line of Burnett Street, passing at 30.00 feet to the existing westerly right-of-way line of North Main Street (80' R.O.W.) (no recording information found), being the easterly line of said GH & SA Railway Company tract, passing at 110.00 feet to a found "x" cut for the northwesterly corner of said 9.7987 acre tract, passing at 867.68 feet to a found 5/8-inch iron rod with "Miller" cap, passing at 883.77 feet to a found 5/8-inch iron rod with "Clark" cap, continuing for a total distance of 904.93 feet to a found 3/4-inch iron rod for the most northern northeasterly corner of said 9.7987 acre tract,

THENCE, along the easterly line of said 9.7987 acre tract for the following four (4) calls:

1. South 24°27'15" East, a distance of 446.98 feet to an angle point;
2. South 79°11'30" East, a distance of 216.63 feet, to a found 3/4-inch iron rod for an angle point;
3. North 87°36'39" East, a distance of 122.58 feet, to a found 3/4-inch iron rod for the most eastern northeasterly corner of said 9.7987 acre tract;

4. South $04^{\circ}10'20''$ East, a distance of 106.74 feet, to a found 3/4-inch iron rod in the northerly line of that certain called 31 acre residue tract of land conveyed to The Texas and New Orleans Railroad Company by deed and recorded under Volume 18, Page 155 of Deed Records of Harris County, Texas, being the southeasterly corner of said 9.7987 acre tract;

THENCE, along the northerly line of said 31 acre residue tract, being the southerly line of said 9.7987 acre tract for the following eight (8) calls:

1. South $85^{\circ}49'33''$ West, a distance of 479.83 feet, to a found 3/4-inch iron rod;
2. North $25^{\circ}48'38''$ West, a distance of 49.35 feet, to a found 3/4-inch iron rod;
3. South $64^{\circ}29'21''$ West, a distance of 117.93 feet, to a found 3/4-inch iron rod;
4. South $68^{\circ}23'15''$ West, a distance of 28.68 feet to a found 3/4-inch iron rod for the point of curvature of a curve to the right;
5. In a southwesterly direction, along said curve to the right having a radius of 850.00 feet, a central angle of $20^{\circ}36'24''$, an arc length of 305.71 feet and having a chord bearing and distance of South $78^{\circ}13'37''$ West, 304.06 feet, to a found 3/4-inch iron rod;
6. North $24^{\circ}17'30''$ West, a distance of 19.34 feet to a found 3/4-inch iron rod with "Clark" cap;
7. North $09^{\circ}27'33''$ West, a distance of 18.70 feet to a found 5/8-inch iron rod (bent) for the point of curvature of a curve to the right;
8. In a southwesterly direction, along said curve to the right having a radius of 446.41 feet, a central angle of $07^{\circ}49'46''$, an arc length of 61.00 feet and having a chord bearing and distance of South $79^{\circ}58'30''$ West, 60.95 feet, to a set 5/8-inch iron rod with "GS" cap for an angle point;

THENCE, in a southeasterly direction, along said curve to the right, having a radius of 3,078.50 feet, a central angle of $00^{\circ}30'07''$, an arc length of 26.97 feet, and a chord bearing and distance of South $23^{\circ}11'53''$ East, 26.97 feet, to a found 5/8-inch iron rod with "GS" cap for the end of said curve and to a line 100 feet north of and parallel to the southerly right-of-way line of the main railroad tracks;

THENCE, North $62^{\circ}02'19''$ West, a distance of 36.63 feet along a line 100 feet north of and parallel to the southerly right-of-way line of the main railroad tracks to a set 5/8-inch iron rod with "GS" cap;

THENCE, North $66^{\circ}26'31''$ West, a distance of 13.23 feet continuing along a line 100 feet north of and parallel to the southerly right-of-way line of the main railroad tracks to a set 5/8-inch iron

rod with "GS" cap in the northerly line of said 31 acre residue tract, being in the southerly line of said 9.7987 acre tract and for the point of curvature of a curve to the right;

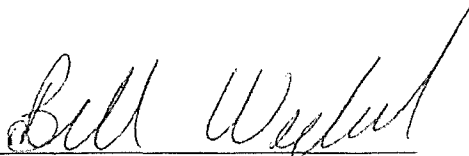
THENCE, in a northwesterly direction, along the northerly line of said 31 acre residue tract, being the southerly line of said 9.7987 acre tract and along said curve to the right, having a radius of 446.41 feet, a central angle of $09^{\circ}52'16''$, an arc length of 76.91 feet, and a chord bearing and distance of North $86^{\circ}49'06''$ West, 76.81 feet to a point in the existing easterly right-of-way line of North Main Street from which a found 5/8-inch iron rod bears South $18^{\circ}00'$ West, 0.17 feet;

THENCE, North $24^{\circ}27'11''$ West, a distance of 39.97 feet along the existing easterly right-of-way line of North Main Street, being the westerly line of said 9.7987 acre tract to a set 5/8-inch iron rod with "GS" cap at 100 feet north and parallel to the existing south right-of-way line of the main railroad tracks and for the point of curvature of a curve to the left;

THENCE, in a northwesterly direction, along a line 100 feet north of and parallel to the existing southerly right-of-way line of the railroad track and along said curve to the left, having a radius of 1,494.02 feet, a central angle of $03^{\circ}14'38''$, an arc length of 84.58 feet and having a chord bearing and distance of North $68^{\circ}13'47''$ West, 84.57 feet to a set 5/8-inch iron rod with "GS" cap for the end of said curve;

THENCE, North $72^{\circ}15'10''$ West, continuing along a line 100 feet north of and parallel to the existing southerly right-of-way line of the railroad track, passing at 29.00 feet the existing westerly right-of-way line of North Main Street and the easterly line of said GH & SA Railway Company tract, and continuing a total distance of 69.50 feet to a set 5/8-inch iron rod with "GS" cap;

THENCE, North $24^{\circ}27'11''$ West, a distance of 188.74 feet, crossing said GH & SA Railway Company tract to the **POINT OF BEGINNING** and containing 10.415 acres (453,684 square feet) of land.



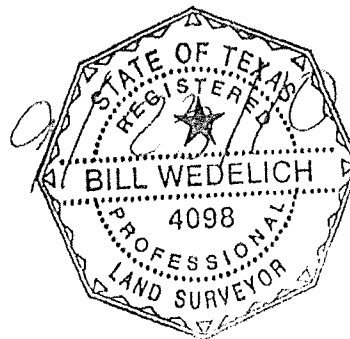
Bill Wedelich, RPLS#4098

Prepared By:

GeoSolutions, LLC

25814 Budde Road

Spring, Texas 77380



MSD No. 201
Exhibit A (7 of 14)

**TRACT III
METES AND BOUNDS DESCRIPTION
OF 4.780 ACRES SITUATED IN THE
JOHN AUSTIN 2 LEAGUE GRANT, ABSTRACT NO. 1
HARRIS COUNTY, TEXAS**

A 4.780 acre tract of land situated in the John Austin 2 League Grant, Abstract Number 1, Harris County, Texas, being part of six (6) tracts described in the following deeds:

1. All of Telcom Subdivision, Section One, as recorded in Film Code No. 484135 of the Official Public Records of Real Property Harris County, Texas (O.P.R.O.R.P.H.C.T.).
2. A portion of North Main Street right-of-way located south of Union Pacific Railroad conveyed to Union Pacific Railroad in a construction agreement with the Galveston, Harrisburg and San Antonio Railroad Company,
3. A portion of a called 31 acre tract described in deed to The Texas and New Orleans Railroad Company as recorded in Volume 18, Page 155 of the Harris County Deed Records
4. A portion of the Union Pacific Railroad tract in Trentem Addition (aka Trentham), unrecorded subdivision, Volume 65, Page 621 of said Deed Records
5. All of Jacob's Fan Manufacturing Company as recorded in Harris County Clerk's File (H.C.C.F.) No. J340022 and M232675 of the Official Public Records of Real Property Harris County, Texas (O.P.R.R.P.H.C.T.);
6. A portion of North Main Street (width varies) (no recording information found);
7. All of that certain called 0.7174 acre tract of land conveyed to Metropolitan Transit Authority of Harris County, Texas, by deed and recorded under H.C.C.F. No. 20070670076 of said Official Public Records;
8. A portion of Naylor Street (60' R.O.W.), City of Houston street easement recorded in H.C.C.F. No. C638025 of said Official Public Records

Said 4.780 acre tract being more particularly described by metes and bounds as follows (bearings based on the Texas State Plane Coordinate System South Central Zone NAD 83 - Distances are surface using a combined scale factor of 0.99998934):

BEGINNING at a set 3/4-inch iron rod for the intersection of the existing northerly right-of-way line of Naylor Street with the existing easterly right-of-way line of North Main Street (width varies), being the most southern southwesterly corner of said Telcom Subdivision and having grid coordinates of N=13,846,912.89 feet and E=3,123,908.64 feet, from which Metropolitan Transit Authority of Harris County monument MC - 121 bears South 19°17'23" East, a distance of 473.78 feet;

THENCE, South 39°37'57" West, a distance of 78.61 feet, going across North Main Street to a set 5/8-inch iron rod with "GS" cap in the existing westerly right of way line of North Main Street, being the southeasterly corner of said Jacob's Fan tract;

THENCE, South 65°33'11" West, a distance of 150.13 feet, along the southerly line of said Jacob's Fan tract to a found "x" in concrete;

THENCE, North 24°26'49" West, a distance of 100.00 feet, along the southwesterly line of said Jacob's Fan tract to a set 5/8-inch iron rod with "GS" cap;

THENCE, North 23°59'26" West, a distance of 50.02 feet, continuing along the southwesterly line of said Jacob's Fan tract to the northwesterly corner of said Jacob's Fan tract to a set 5/8-inch iron rod with "GS" cap;

THENCE, North 65°32'04" East, along the northerly line of said Jacob's Fan tract, passing at a distance of 150.18 feet a found "x" cut in concrete for the northeasterly corner of said Jacob's Fan tract, continuing across North Main Street, a total distance of 224.66 feet to a point in the existing easterly right of way line of North Main Street, being the westerly line of said Telcom Subdivision;

THENCE, along the existing easterly right of way line of North Main Street, being the westerly line of said Telcom Subdivision for the following three (3) calls:

1. North 22°21'17" West, a distance of 212.52 feet to a found 3/4-inch iron rod;
2. South 67°43'02" West, a distance of 3.00 feet to a found 3/4-inch iron rod for an angle point;
3. North 23°59'15" West, a distance of 215.82 feet, to a set 3/4-inch iron rod in the southerly line of that certain called 31 acre tract of land conveyed to The Texas and New Orleans Railroad Company, by deed and recorded under Volume 18, Page 155 of Harris County Deed Records, being at the most northerly corner of said Telcom Subdivision;

THENCE, South 65°32'49" West, a distance of 5.80 feet, along the easterly right-of-way line of said North Main Street to a point (cannot set, point falls outside concrete wall tunnel) on the south projection of the easterly right-of-way line of said North Main Street (80 foot right-of-way);

THENCE, North 24°27'11" West, a distance of 21.84 feet with the easterly right-of-way line of said North Main Street to a found punch hole in concrete;

THENCE, South 65°32'49" West, a distance of 55.00 feet into said North Main Street right-of-way along the face of the tunnel wall to a set concrete nail in concrete wall;

THENCE, North $24^{\circ}27'11''$ West, a distance of 65.15 feet along a line 55.00 feet southwest of and parallel to the easterly right-of-way line of said North Main Street to a found 3/4-inch iron rod at a point 16.00 feet south of the centerline of said Union Pacific Railroad main track;

THENCE, North $66^{\circ}26'31''$ West, a distance of 24.56 feet along a line 16.00 feet south of and parallel to the centerline of said Union Pacific Railroad main track to a set 5/8-inch iron rod with "GS" cap for the point of curvature of a curve to the left;

THENCE, in a northwesterly direction, along a line 16.00 feet south of and parallel to the centerline of said Union Pacific Railroad main track and said curve to the left, having a radius of 1,394.02 feet, a central angle of $01^{\circ}29'08''$, an arc length of 36.14 feet and having a chord bearing and distance of North $67^{\circ}11'05''$ West, 36.14 feet to a set 90d nail with "GS" cap in the northerly right of way line of Daly Street (width varies);

THENCE, South $65^{\circ}32'49''$ West, a distance of 60.30 feet, along the existing northerly right of way line of Daly Street to a set 5/8-inch iron rod with "GS" cap in the easterly line of that certain called 0.7868 acre tract of land conveyed to Thomas Norman Dunnam, Jr., by deed and recorded in H.C.C.F. No. H697906 of said Official Public Records;

THENCE, North $17^{\circ}44'50''$ East, a distance of 43.17 feet, along the easterly line of said 0.7868 acre tract to a set 5/8-inch iron rod with "GS" cap in a line 16.00 feet south of and parallel to the centerline of said Union Pacific Railroad main track, being a point of curvature of a curve to the right;

THENCE, in a northwesterly direction, along a line 16.00 feet south of and parallel to the centerline of said Union Pacific Railroad main track and said curve to the right, having a radius of 1,393.98 feet, a central angle of $01^{\circ}50'22''$, an arc length of 44.75 feet and having a chord bearing and distance of South $68^{\circ}50'50''$ East, 44.75 feet to a set 5/8-inch iron rod with "GS" cap for the end of said curve;

THENCE, in a southeasterly direction, along a line 16.00 feet south of and parallel to the centerline of said Union Pacific Railroad main track and said curve to the left, having a radius of 1,394.02 feet, a central angle of $01^{\circ}29'08''$, an arc length of 36.14 feet and having a chord bearing and distance of South $67^{\circ}11'05''$ East, 36.14 feet to a set 90d nail with "GS" cap in the northerly right of way line of Daly Street (width varies);

THENCE, South $66^{\circ}26'31''$ East, a distance of 106.77 feet along a line 16.00 feet south of and parallel to the centerline of said Union Pacific Railroad main track to a set magnetic nail in concrete footing in the easterly right-of-way line of North Main Street (based on a width of 80.00 feet) at a point 16.00 feet south of the centerline of Union Pacific Railroad main track;

THENCE, South $62^{\circ}02'19''$ East, a distance of 139.98 feet to a found 3/4-inch iron rod marking an angle point in the north line of Restricted Reserve "A", Block 1 of said Telcom Subdivision;

THENCE, leaving the north line of said Telcom Subdivision Sec. 1 and crossing the residue of said called 31 acre tract along a non-tangent curve to the left having a radius of 460.22 feet, a central angle of $27^{\circ}19'36''$, an arc length of 219.50 feet and having a chord bearing and distance of South $80^{\circ}36'33''$ East, 217.42 feet, to a found "X" cut in concrete for the northeast corner hereof and the northwest corner of a called 1.6444 acre tract (described as Tract Two) in a deed to Richard M. Kaplan, Trustee for the Lloyd S. Burke Children's Trust as recorded under Harris County Clerk's File Number M662374 of the Official Public Records of Real Property of Harris County, Texas;

THENCE, with the west line of said called 1.6444 acre tract for the following six (6) calls as follows:

1. South $17^{\circ}58'16''$ West, a distance of 29.65 feet, to a found 3/4-inch iron rod for the beginning of a non-tangent curve to the right;
2. Along a non-tangent curve to the right having a radius of 214.66 feet, a central angle of $16^{\circ}28'19''$, an arc length of 61.71 feet and having a chord bearing and distance of South $63^{\circ}47'35''$ East, 61.50 feet, to a set cut X on concrete;
3. South $55^{\circ}33'27''$ East, a distance of 78.78 feet, to a set cut X on concrete for the beginning of a curve to the right;
4. Along said curve to the right having a radius of 385.84 feet, a central angle of $07^{\circ}13'35''$, an arc length of 48.66 feet and having a chord bearing and distance of South $51^{\circ}56'40''$ East, 48.63 feet, to a set cut X on concrete;
5. South $48^{\circ}19'53''$ East, a distance of 100.78 feet, to a set cut X on concrete for the beginning of a curve to the right;
6. Along said curve to the right having a radius of 471.64 feet, a central angle of $08^{\circ}49'45''$, an arc length of 72.68 feet and having a chord bearing and distance of South $43^{\circ}55'00''$ East, 72.61 feet, to a set cut X on concrete in the north right-of-way line of said Naylor Street;

THENCE, South $65^{\circ}55'27''$ West, a distance of 170.97 feet, along the existing northerly right-of-way line of Naylor Street, being the southerly line of said Telcom Subdivision to a point;

THENCE, South $25^{\circ}15'25''$ East, a distance of 163.15 feet, departing the existing northerly right of way line of Naylor Street and crossing Naylor Street, passing at 60.01 feet to a point in the existing southerly right of way line of Naylor Street, being the northeasterly corner of said 0.7174 acre tract, from which a found 1/2-inch iron rod bears South $08^{\circ}04'$ West, 0.63 feet, continuing along the easterly line of said 0.7174 acre tract to an el corner;

THENCE, North 72°37'35" East, continuing along the easterly line of said 0.7174 acre tract to a point adjoining the existing westerly right of way line of Vine Street, passing at 0.94 feet a found 1/2-inch iron rod, continuing for a total distance of 100.99 feet, from which a found 1-inch iron rod bears South 03°11' West, 0.24 feet;

THENCE, South 24°44'11" East, a distance of 116.61 feet, along the adjoining existing westerly right of way line of Vine Street, being the easterly line of said 0.7174 acre tract to the southeasterly corner of said 0.7174 acre tract, from which a found 1/2-inch iron rod bears South 41°39' West, 0.36 feet and a 2-inch iron pipe bears South 53°22' West, 0.61 feet;

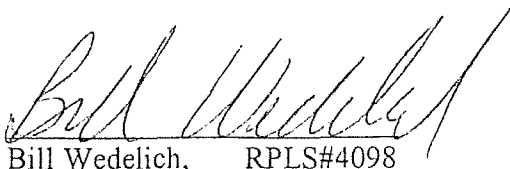
THENCE, South 65°26'29" West, a distance of 185.01 feet, along the southerly line of said 0.7174 acre tract to a found 5/8-inch iron rod with Terra cap for the southwest corner of said 0.7174 acre tract;

THENCE, North 22°38'15" West, a distance of 52.40 feet, along the westerly line of said 0.7174 acre tract to a found 5/8-inch iron rod with Terra cap;

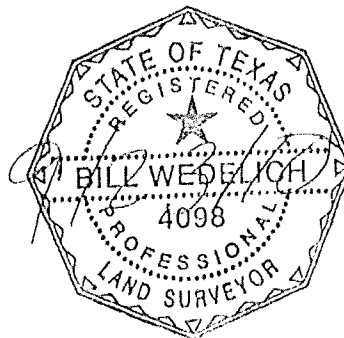
THENCE, North 23°21'48" West, a distance of 104.55 feet, continuing along the westerly line of said 0.7174 acre tract to a found 5/8-inch iron rod, from which a found 5/8-inch iron rod bears North 71°23' West, 0.19 feet;

THENCE, North 25°08'46" West, a distance of 136.16 feet, continuing along the westerly line of said 0.7174 acre tract, passing at 76.15 feet a point in the existing southerly right of way line of Naylor Street, being the northwesterly corner of said 0.7174 acre tract, from which a found 5/8-inch iron rod bears South 10°13' East, 1.13 feet, continuing across Naylor Street to a point in the existing northerly right of way line, being in the southerly line of said Telcom Subdivision;

THENCE, South 65°55'27" West, a distance of 167.17 feet, along the existing northerly right of way line of Naylor Street, being the southerly line of said Telcom Subdivision to the **POINT OF BEGINNING** and containing 4.780 acres of land.

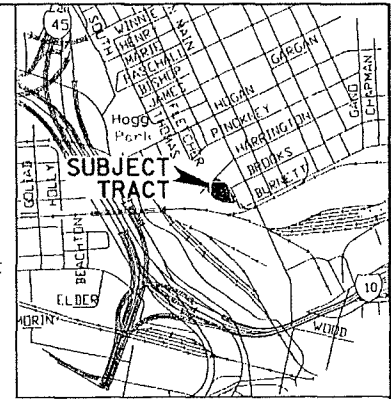

Bill Wedelich, RPLS#4098

Prepared By:
GeoSolutions, LLC
25814 Budde Road
Spring, Texas 77380



LEGEND

- FOUND MONUMENT (AS NOTED)
- SET 5/8" IR W/GS" CAP
- ◇ FIRE HYDRANT
- ⊗ POWER POLE
- ⊙ TREE
- ⊕ GAS METER
- INLET
- ⊕ STORM MAN-HOLE
- H.C.D.R. HARRIS COUNTY DEED RECORDS
- H.C.C.F. HARRIS COUNTY CLERK'S OFFICE
- O.P.R.O.R.P.H.C.T. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY HARRIS COUNTY, TEXAS
- N.T.S. NOT TO SCALE
- △ CALCULATED POINT (NO MONUMENT SET)



VICINITY MAP
N.T.S.

LINE TABLE

NO.	BEARING	DISTANCE
L1	N75°16'05"W	37.12'
L2	N04°40'31"W	9.20'
L3	S42°45'39"W	3.42'
L4	S52°17'34"W	7.89'
L5	N42°21'34"W	66.34'
L6	S73°24'36"W	19.96'
L7	S24°59'54"E	86.88'

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	BEARING	DISTANCE
C1	02°00'17"	1,937.44'	67.79'	N74°15'57"W	67.79'

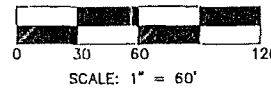
NOTES:

- HORIZONTAL CONTROL IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM NAD 83 SOUTH CENTRAL ZONE. COORDINATES ARE SURFACE USING A SURFACE ADJUSTMENT FACTOR OF 1.00010666. REFERENCE IS MADE TO METRO CONTROL MONUMENTS AS SHOWN.
- A SIGNED AND SEALED METES AND BOUNDS DESCRIPTION WAS PREPARED FOR THIS PLAT ON SEPTEMBER 23, 2010. THIS PLAT FOUND MONUMENTATION IS BASED ON THE METES AND BOUND DESCRIPTIONS. SURVEYOR DID NOT RE-VERIFY MONUMENTATION. PARTS OF THIS SITE ARE UNDER CONSTRUCTION, THEREFORE, SOME IMPROVEMENTS MAY NOT BE CORRECT.
- THE UTILITY APPURTENANCES (UTILITY POLES, INLETS, ETC.) SHOWN HEREON ARE THOSE VISIBLE AT THE TIME OF SURVEY AND MAY NOT BE COMPLETE. THE SURVEYOR DID NOT LOCATE UNDERGROUND UTILITIES OR UPDATE.
- SQUARE FOOTAGE TOTALS SHOWN HEREON ARE BASED ON MATHEMATICAL CLOSURES AND DO NOT NECESSARILY REPRESENT THE POSITIONAL ACCURACY OF THE BOUNDARY MONUMENTATION.

MSD No 201 Exhibit A (12 of 14)

**SURVEY OF
MSD BOUNDARY I
LOCATED IN
JOHN AUSTIN 2
LEAGUE GRANT, A-1,
HOUSTON,
HARRIS COUNTY, TEXAS**

Go Solutions, LLC



PRIVATE STREET
VOL. 161, PG. 476
VOL. 210, PG. 553
H.C.D.R.

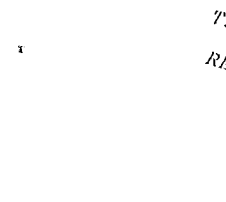
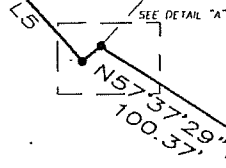
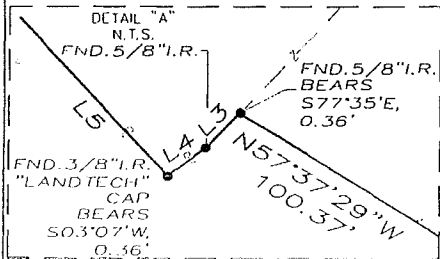
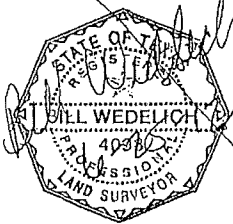
CALLED 2.31 ACRES
SIDNEY McCLENDON, III, TRUSTEE
H.C.C.F. No. E999537
O.P.R.O.R.P.H.C.T.

CALLLED 1.491 ACRES
METROPOLITAN TRANSIT
AUTHORITY
H.C.C.F. No. 20080230006
O.P.R.O.R.P.H.C.T.

CALLLED 2.324 ACRES
TUFFLI COMPANY, INC.
H.C.C.F. No. T351523
O.P.R.O.R.P.H.C.T.

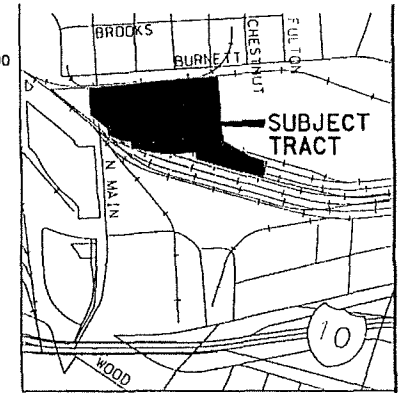
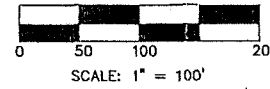
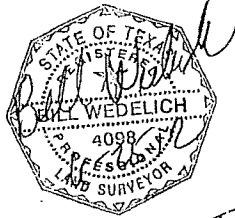
MSD I
2.985 ACRES
CALLLED 1.194 ACRES
METROPOLITAN TRANSIT
AUTHORITY
H.C.C.F. No. 20080230006
O.P.R.O.R.P.H.C.T.

TEXAS AND NEW ORLEANS
RAILROAD COMPANY
REMAINDER OF A CALLED
5.41 ACRE TRACT
VOL. 58, PG. 286
H.C.D.R.



LEGEND

- FOUND MONUMENTATION AS NOTED
- SET 5/8" I.R. W/"CS" CAP
- △ CALCULATE POINT (NO MONUMENT SET)
- ▲ CITY MONUMENT
- ⚡ POWER POLE
- H.C.D.R. HARRIS COUNTY DEED RECORDS
- N.T.S. NOT TO SCALE



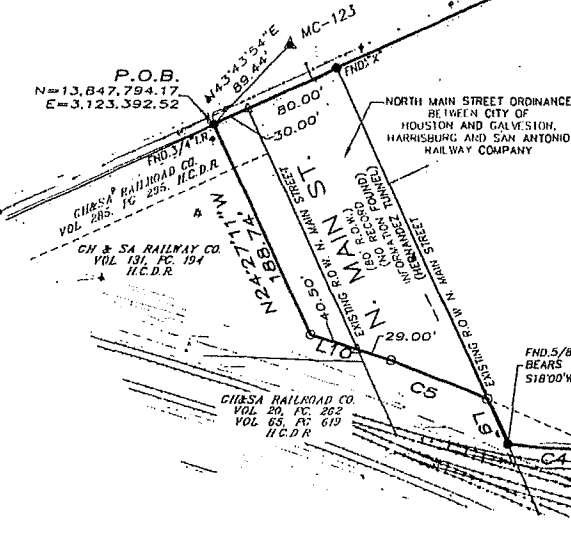
VICINITY MAP
N.T.S.

BURNETT STREET
N65°32'49"E 904.93'
757.64'

JOHN AUSTIN 2
LEAGUE GRANT, A-1

MSD II
10.415 ACRES

METROPOLITAN TRANSIT AUTHORITY
AWARD OF SPECIAL COMMISSIONERS
P.C. 745-89-4520
CAUSE No. 894926
HARRIS COUNTY CIVIL
COURT AT LAW No. 3

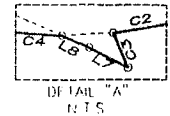


LINE TABLE

NO.	BEARING	DISTANCE
L1	S04°10'20"E	196.74'
L2	N25°45'38"W	49.35'
L3	S64°29'21"W	117.93'
L4	S68°23'15"W	28.68'
L5	N24°17'30"W	19.34'
L6	N09°27'33"W	18.70'
L7	N62°02'19"W	36.63'
L8	N66°26'31"W	13.23'
L9	N24°27'11"W	39.97'
L10	N72°15'10"W	69.50'

CURVE TABLE

NO	DELTA	RADIUS	LENGTH	BEARING	DISTANCE
C1	20°36'24"	850.00'	305.71'	S78°13'37"W	304.06'
C2	07°49'46"	446.41'	61.00'	S79°58'30"W	60.95'
C3	00°30'07"	3,078.50'	26.97'	S23°11'53"E	26.97'
C4	09°52'16"	446.41'	76.91'	N86°49'06"W	76.81'
C5	03°14'38"	1,494.02'	84.58'	N68°13'47"W	84.57'



DETAIL "A"
N.T.S.

NOTES:

1. HORIZONTAL CONTROL IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM AND 83 SOUTH CENTRAL ZONE COORDINATES ARE SURFACE USING A SURFACE ADJUSTMENT FACTOR OF 1.000000. REFERENCE IS MADE TO METRO CONTROL MONUMENTS AS SHOWN.
2. A SIGNED AND SEALED METES AND BOUNDS DESCRIPTION WAS PREPARED FOR THIS PLAT ON SEPTEMBER 23, 2010. THIS PLAT FOUND MONUMENTATION IS BASED ON THE METES AND BOUNDS DESCRIPTIONS. SURVEYOR DID NOT RE-VERIFY MONUMENTATION. PARTS OF THIS SITE ARE UNDER CONSTRUCTION, THEREFORE, SOME IMPROVEMENTS MAY NOT BE CORRECT.
3. THE UTILITY APPURTENANCES (UTILITY POLES, INLETS, ETC.) SHOWN HEREON ARE THOSE VISIBLE AT THE TIME OF SURVEY AND MAY NOT BE COMPLETE. THE SURVEYOR DID NOT LOCATE UNDERGROUND UTILITIES OR UPDATES.
4. SQUARE FOOTAGE TOTALS SHOWN HEREON ARE BASED ON MATHEMATICAL CLOSURES AND DO NOT NECESSARILY REPRESENT THE POSITIVE ACCURACY OF THE BOUNDARY MONUMENTATION.

MSD No. 201 Exhibit A (13 of 14)

**SURVEY OF
MSD BOUNDARY II
LOCATED IN JOHN AUSTIN
2 LEAGUE GRANT, A-1
IN HOUSTON,
HARRIS COUNTY, TEXAS**



2507 A Buckner Road
Spring, Texas 77380
Phone 281-691-9765 Fax 281-691-9774

U.P.R.R.
TREMTEM ADDITION
(A/K/A TREMTEM)
(UNRECORDED
SUBDIVISION)

NORTH MAIN STREET ORDINANCE
BETWEEN CITY OF
HOUSTON AND GALVESTON,
HARRISBURG AND SAN ANTONIO
RAILWAY COMPANY

CALLED 31 ACRES
TEXAS AND NEW ORLEANS
RAILROAD COMPANY
VOL. 18, PG. 155
H.C.D.R.

MSD III
4.780 ACRES
TELECOM SUBDIVISION
SECTION ONE
F.C. 484137, H.C.M.R.

METROPOLITAN TRANSIT AUTHORITY
H.C.C.F. Nos. Y794345 & Y871202
O.P.R.O.R.P.H.C.T.

NAYLOR STREET
CITY OF HOUSTON
H.C.C.F. No. C638025
O.P.R.O.R.P.H.C.T.

METROPOLITAN TRANSIT
AUTHORITY
H.C.C.F. No. 20090295571
(TRACT I AND II)
O.P.R.O.R.P.H.C.T.

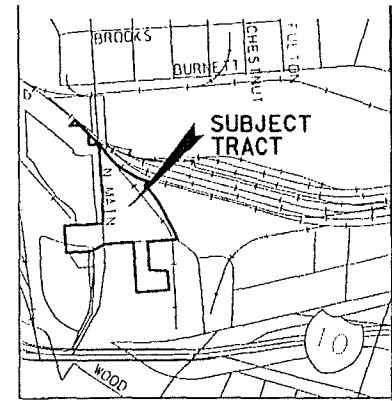
NOTES:
1. HORIZONTAL CONTROL IS BASED ON THE TEXAS STATE PLANE
COORDINATE SYSTEM NAD 83 SOUTH CENTRAL ZONE
COORDINATES ARE SURFACE USING A SURFACE ADJUSTMENT
FACTOR OF 1.00010666. REFERENCE IS MADE TO METRO CONTROL
MONUMENTS AS SHOWN.

2. A SIGNED AND SEALED METCS AND BOUNDS DESCRIPTION WAS
PREPARED FOR THIS PLAT ON SEPTEMBER 23, 2010. THIS PLAT
FOUND MONUMENTATION IS BASED ON THE METCS AND BOUND
DESCRIPTIONS. SURVEYOR DID NOT RE-VERIFY MONUMENTATION
PARTS OF THIS SITE ARE UNDER CONSTRUCTION. THEREFORE,
SOME IMPROVEMENTS MAY NOT BE CORRECT.

3. THE UTILITY APPURTENANCES (UTILITY POLES, INLETS, ETC.)
SHOWN HEREON ARE THOSE SHOWN AT THE TIME OF SURVEY AND
MAY NOT BE COMPLETE. THE SURVEYOR DID NOT LOCATE
UNDERGROUND UTILITIES OR CABLE.

4. THE BOUNDARY MONUMENTS SHOWN HEREON ARE BASED ON
ASTHENAURAL COORDINATES AND DO NOT REPRESENT
THE POSITIVE ACCURACY OF THE BOUNDARY MONUMENTS.

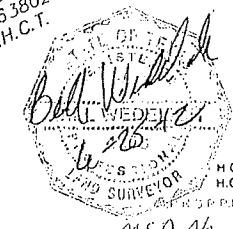
LINE TABLE		
NO.	BEARING	DISTANCE
L1	S39°37'57"W	78.61'
L2	N24°26'49"W	100.00'
L3	N23°59'26"W	50.02'
L4	S67°43'02"W	3.00'
L5	S65°32'49"W	5.80'
L6	N24°27'11"W	21.84'
L7	S65°32'49"W	55.00'
L8	N24°27'11"W	65.15'
L9	N66°26'31"W	24.56'
L10	S65°32'49"W	60.30'
L11	N17°44'50"E	43.17'
L12	S66°26'31"E	106.77'
L13	S62°02'19"E	139.98'
L14	S17°58'16"W	29.65'
L15	S55°33'27"E	78.78'
L16	S48°19'53"E	100.78'
L17	N72°37'35"E	100.99'
L18	S24°44'11"E	116.61'
L19	N22°38'15"W	52.40'
L20	N23°21'48"W	104.55'
L21	S65°55'27"W	167.17'



VICINITY MAP
N.T.S.

LEGEND

- FOUND MONUMENTATION (AS NOTED)
- SET 5/8" I.R. W/"GS" CAP
- ▲ CITY MONUMENT
- HANDICAP
- ⊙ PK NAIL
- ⊙ WATER METER
- ⊙ STREET LIGHT
- ⊙ TREE
- ⊙ MANHOLE
- ⊙ METER POLE
- ⊙ SIGN
- ⊙ IRRIGATION CONTROL VALVE
- ⊙ FIRE HYDRANT
- ⊙ WATER VALVE
- ⊙ WATER WELL
- H.C.C.F. HARRIS COUNTY CLERK'S FILE
- H.C.D.R. HARRIS COUNTY DEED RECORDS
- OFFICIAL PUBLIC RECORDS OF REAL PROPERTY HARRIS COUNTY, TEXAS



MSD No. 201 Exhibit A (14 of 14)

NO.	DELTA	RADIUS	LENGTH	BEARING	DISTANCE
C1	01°29'52"	1,394.02'	36.15'	N67°11'05"W	36.14'
C2	01°53'22"	1,394.02'	44.75'	S68°50'50"E	44.75'
C3	27°19'36"	460.22'	219.56'	S80°36'33"E	217.42'
C4	16°28'19"	214.66'	61.71'	S63°47'35"E	61.50'
C5	07°13'35"	385.84'	48.66'	S51°56'43"E	48.63'
C6	09°48'45"	471.64'	72.68'	S43°55'30"E	72.61'

**SURVEY OF MSD BOUNDARY III
IN JOHN AUSTIN II LEAGUE
GRANT, A-1, HOUSTON,
HARRIS COUNTY, TEXAS**



201014 - 3/20/10 - 3/20/10
Houston, Texas 77001
Phone: 281-441-1111 Fax: 281-441-1111

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared DARRELL W. BURTNER, as an authorized representative of METROPOLITAN TRANSIT AUTHORITY OF HARRIS CO., 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.

Darrell W. Burtner
Signature

Date: 5/16/2012

DARRELL W. BURTNER
Printed Name

SR. PROGRAM DIR. METRO CAPITAL PROGRAMS, MRE
Title

STATE OF Texas
COUNTY OF Harris

SUBSCRIBED AND SWORN before me on this the 16 day of May 2012, to which witness my hand and seal of office.

[Signature]
Notary Public in and for the State of TEXAS

