

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 19, 2015

Mr. Dan Watson, Principal
Stafford 59 & Airport, LP
5950 Berkshire Lane, Suite 700
Dallas, Texas 75225

Re: Municipal Setting Designation (MSD) Certificate for Stafford & Airport,
12201 Southwest Freeway, Stafford, Fort Bend County, TX; MSD No. 272

Dear Mr. Watson:

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) 239-2445 or via e-mail (otu.ekpo-otu@TCEQ.Texas.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Otu Ekpo-Otu".

Otu Ekpo-Otu, Project Manager
VCP-CA Section
Remediation Division

OE/jdm

Enclosure: MSD Certificate No. 272

cc: Mr. Jason Ybarra, Waste Section Manager, TCEQ Region 12 Office,
Houston

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. 272, in the City of Stafford, 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 19th day of February, 20 15

A handwritten signature in cursive script that reads "Beth Seaton".

Beth Seaton, Director
Texas Commission on Environmental Quality



Item 3: Legal Description

Being 141.62 acres of land located in the James Alston Survey, Abstract 101 and the Thomas J. Nichols Survey, Abstract 296, Fort Bend County, Texas, more particularly being a portion of Reserve A of Texas Instruments, a subdivision of record under Plat No. 20130165 of the Plat Records of said Fort Bend County, Texas (F.B.C.P.R.).

July 14, 2014
Job No. 2172-1001-205

DESCRIPTION OF
141.62 ACRES
MSD SITE

Being 141.62 acres of land located in the James Alston Survey, Abstract 101 and the Thomas J. Nichols Survey, Abstract 296, Fort Bend County, Texas, more particularly being a portion of Reserve A of Texas Instruments, a subdivision of record under Plat No. 20130165 of the Plat Records of said Fort Bend County, Texas (F.B.C.P.R.), said 141.62 acre tract being more particularly described by metes and bounds as follows (all bearings referenced to said plat of Texas Instruments):

BEGINNING at a 3/4-inch iron pipe found marking the southeasterly corner of said Reserve A and the northeasterly corner of Greenbriar Southwest Section Four, a subdivision of record in Volume 23, Page 22, F.B.C.P.R., said point being on the westerly right-of-way line of Murphy Road (120-feet wide);

Thence, South $89^{\circ} 50' 48''$ West, along the southerly line of said Reserve A, the northerly line of said Greenbriar Southwest Section Four, the northerly line of Greenbriar Southwest Section Three, a subdivision of record in Volume 22, Page 33, F.B.C.P.R., and the northerly line of Greenbriar Southwest Section Two, a subdivision of record in Volume 11, Page 14, F.B.C.P.R., 3,568.02 feet to a point for corner;

Thence, North $00^{\circ} 09' 12''$ West, departing the southerly line of said Reserve A and the northerly line of said Greenbriar Southwest Section Two, 881.41 feet to a point for corner;

Thence, North $17^{\circ} 36' 37''$ West, 363.86 feet to a point for corner;

Thence, North $14^{\circ} 39' 38''$ East, 563.35 feet to a point for corner;

Thence, North $40^{\circ} 14' 46''$ East, 675.26 feet to a point for corner on the arc of a curve on the northerly line of said Reserve A and the southerly right-of-way line of Airport Boulevard (100-feet wide), the beginning of a curve;

141.62 acres

July 14, 2014
Job No. 2172-1001-205

Thence, 2,166.34 feet along a northerly line of said Reserve A, the southerly right-of-way line of said Airport Boulevard, and the arc of a non-tangent curve to the left, having a radius of 2,914.79 feet, a central angle of 42° 35' 01", and a chord which bears South 68° 52' 15" East, 2,116.82 feet to a 3/4-inch iron rod found marking a northerly corner of said Reserve A;

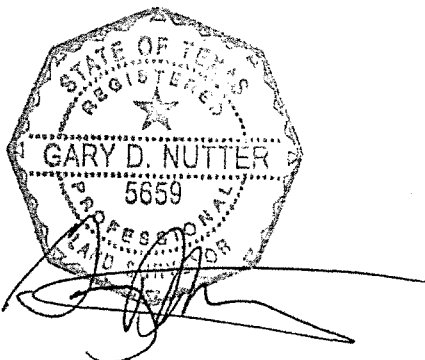
Thence, North 89° 49' 22" East, continuing along the northerly line of said Reserve A and the southerly right-of-way line of said Airport Boulevard, 1,125.05 feet to a 3/4-inch iron rod found marking the northeasterly corner of said Reserve A, said point also being the intersection of the southerly right-of-way line of said Airport Boulevard and the westerly right-of-way line of aforementioned Murphy Road, the beginning of a curve;

Thence, 136.21 feet along the easterly line of said Reserve A, the westerly right-of-way line of said Murphy road, and the arc of a non-tangent curve to the right, having a radius of 22,858.33 feet, a central angle of 00° 20' 29", and a chord which bears South 00° 15' 52" East, 136.21 feet to a point for corner from which a found 3/4-inch iron pipe bears South 87° 58' 54" West, 2.10 feet;

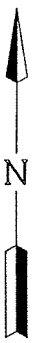
Thence, South 00° 03' 31" East, continuing along the easterly line of said Reserve A and the westerly right-of-way line of said Murphy Road, 1,383.31 feet to the POINT OF BEGINNING and containing 141.62 acres of land.

This description is based on record information only, and corners were not set at the client's request.

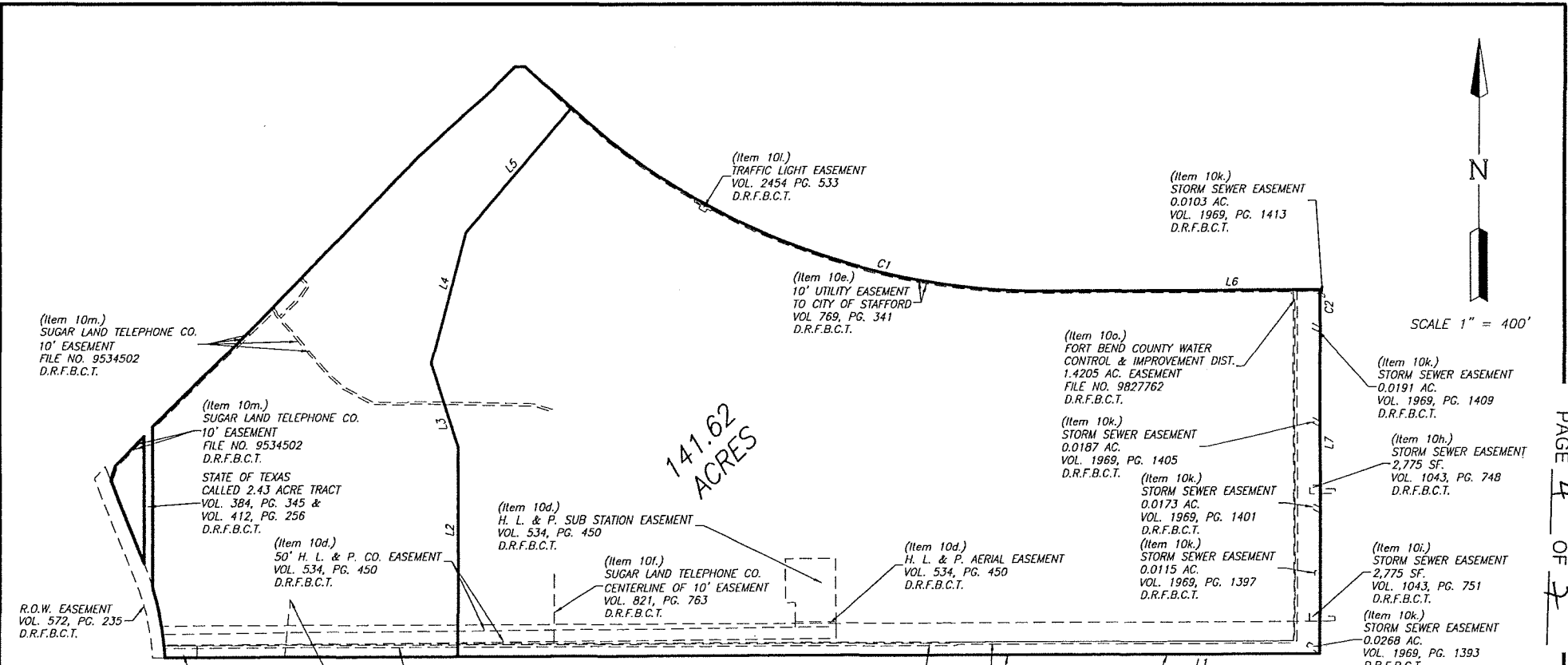
"This document was prepared under 22 TAC § 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared"



LJA Engineering, Inc.



SCALE 1" = 400'



141.62
ACRES

LINE TABLE

| LINE | DISTANCE | BEARING |
|------|----------|-------------|
| L1 | 3568.02' | S89°50'48"W |
| L2 | 881.41' | N0°09'12"W |
| L3 | 363.86' | N17°36'37"W |
| L4 | 563.35' | N14°39'38"E |
| L5 | 675.26' | N40°14'46"E |
| L6 | 1125.05' | N89°49'22"E |
| L7 | 1383.31' | S0°03'31"E |

CURVE TABLE

| CURVE | RADIUS | TANGENT | CHORD | ARC | DELTA | CHORD BEARING |
|-------|-----------|----------|----------|----------|-----------|---------------|
| C1 | 2914.79' | 1135.95' | 2116.82' | 2166.34' | 42°35'01" | S68°52'15"E |
| C2 | 22858.33' | 68.10' | 136.21' | 136.21' | 0°20'29" | S00°15'52"E |

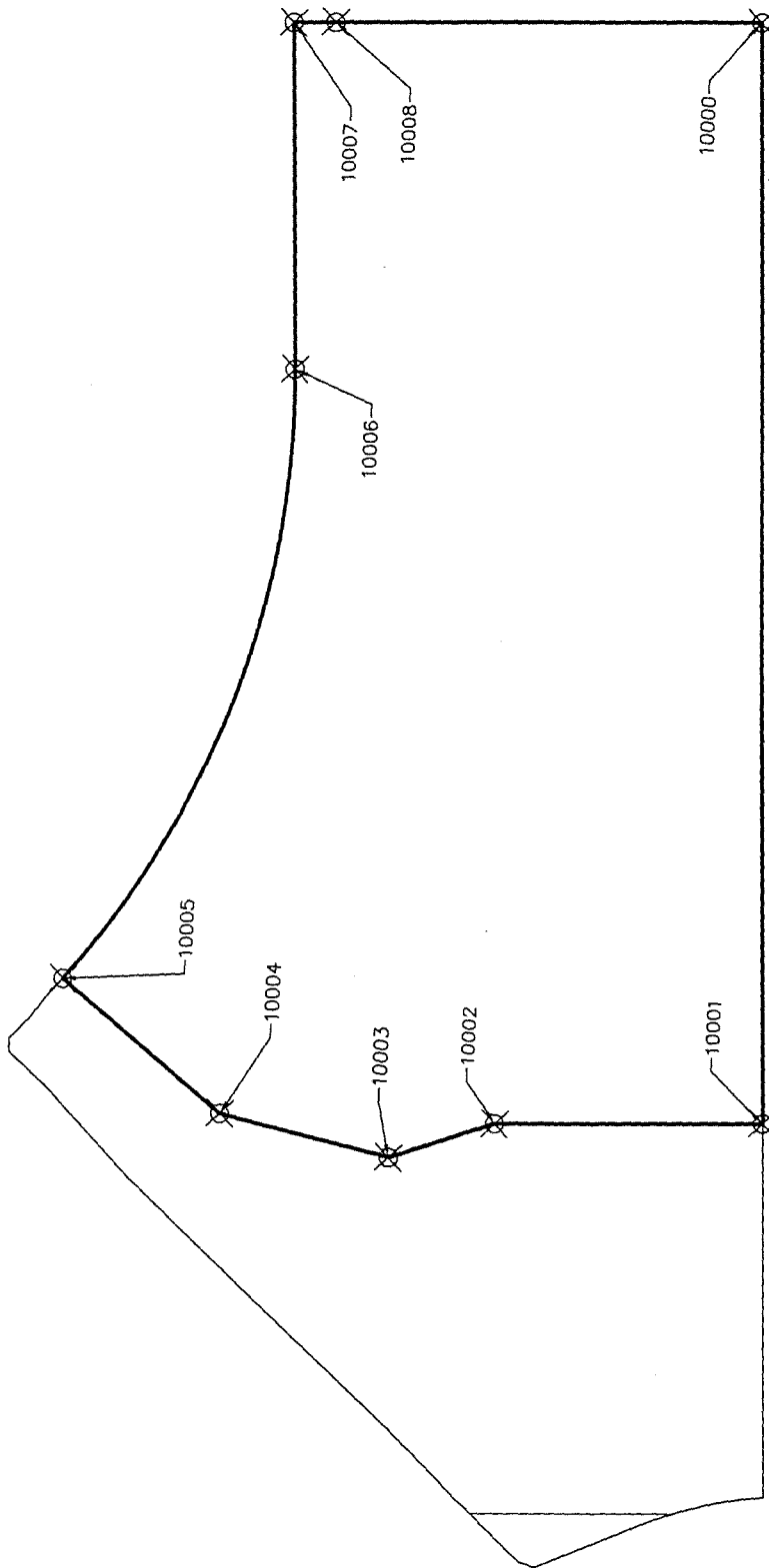
EXHIBIT OF 141.62 ACRES

BEING 141.62 ACRES LOCATED IN THE JAMES ALSTON SURVEY, ABSTRACT 101 AND THE THOMAS J. NICHOLS SURVEY, ABSTRACT 296, FORT BEND COUNTY, TEXAS, MORE PARTICULARLY BEING A PORTION OF RESERVE A OF TEXAS INSTRUMENTS, A SUBDIVISION OF RECORD UNDER PLAT NO. 20130165 OF THE PLAT RECORDS OF FORT BEND COUNTY, TEXAS (F.B.C.P.R.)

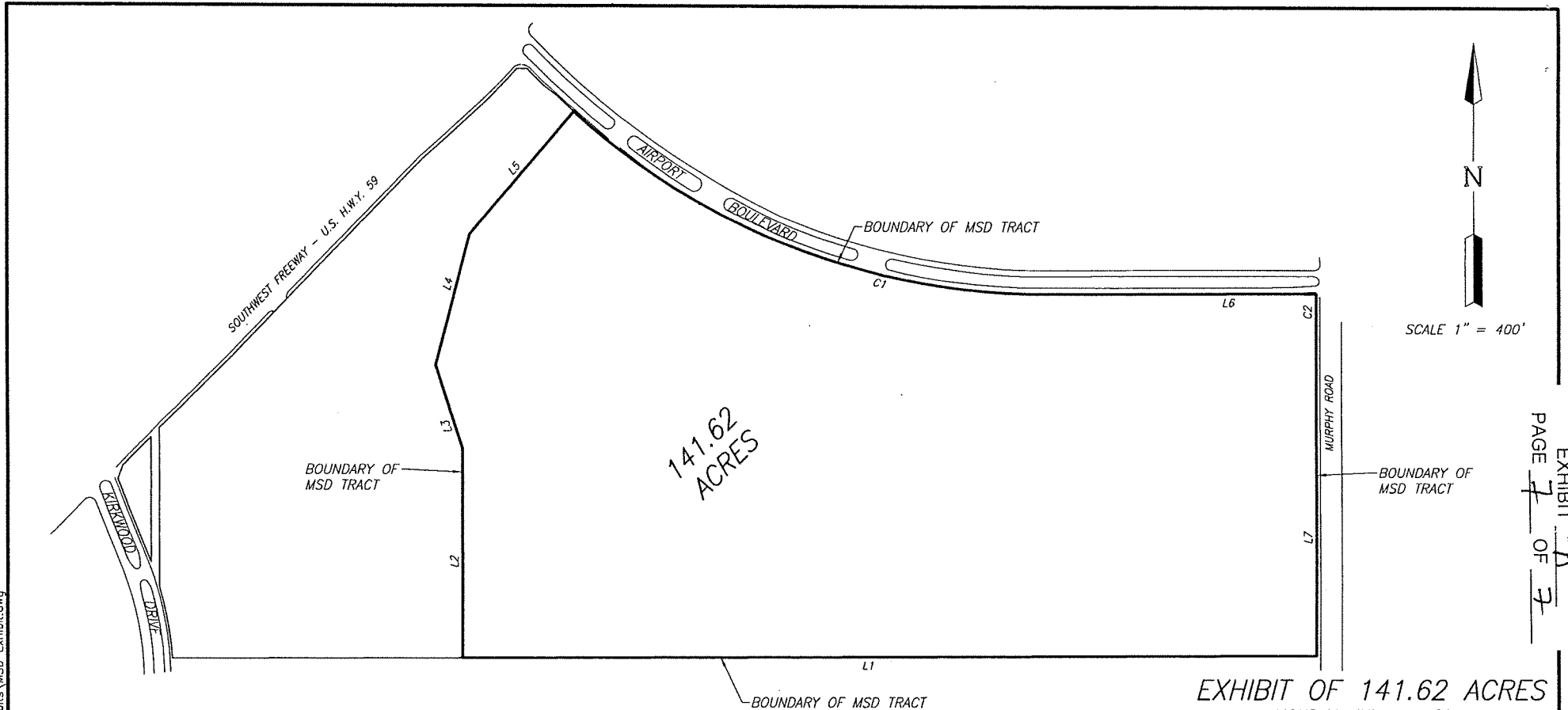
LJA Engineering, Inc.
2929 Briarpark Drive
Suite 600
Houston, Texas 77042
Phone 713.953.5200
Fax 713.953.5026
FRN - F-138E

Date Time : Fri, 15 Aug 2014 11:33:27pm User Name : kioveace Path : L:\0Huerta\Random Exhibits\MSD Exhibit.dwg

| Data Point | Latitude | | | Longitude | | |
|------------|----------|----|----------|-----------|----|----------|
| 10000 | 29 | 38 | 12.63883 | 95 | 33 | 54.95016 |
| 10001 | 29 | 38 | 12.05032 | 95 | 34 | 35.37543 |
| 10002 | 29 | 38 | 20.77441 | 95 | 34 | 35.54232 |
| 10003 | 29 | 38 | 24.19190 | 95 | 34 | 36.84479 |
| 10004 | 29 | 38 | 29.60632 | 95 | 34 | 35.31593 |
| 10005 | 29 | 38 | 34.76854 | 95 | 34 | 30.45454 |
| 10006 | 29 | 38 | 27.48924 | 95 | 34 | 7.96049 |
| 10007 | 29 | 38 | 27.67906 | 95 | 33 | 55.21334 |
| 10008 | 29 | 38 | 26.33095 | 95 | 33 | 55.18470 |



Date : Mon, 14 Jul 2014
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141.62
ACRES

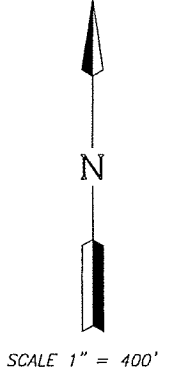


EXHIBIT "A"
PAGE 7 OF 7

| LINE TABLE | | |
|------------|----------|-------------|
| LINE | DISTANCE | BEARING |
| L1 | 3568.02' | S89°50'48"W |
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| CURVE | RADIUS | TANGENT | CHORD | ARC | DELTA | CHORD BEARING |
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EXHIBIT OF 141.62 ACRES
 MONDAY, JULY 14, 2014
 BEING 141.62 ACRES LOCATED IN THE
 JAMES ALSTON SURVEY, ABSTRACT 101
 AND THE THOMAS J. NICHOLS SURVEY,
 ABSTRACT 296, FORT BEND COUNTY,
 TEXAS, MORE PARTICULARLY BEING A
 PORTION OF RESERVE A OF TEXAS
 INSTRUMENTS, A SUBDIVISION OF RECORD
 UNDER PLAT NO. 20130165 OF THE PLAT
 RECORDS OF FORT BEND COUNTY, TEXAS
 (F.B.C.P.R.)

LJA Engineering, Inc.
 2929 Briarpark Drive
 Suite 600
 Houston, Texas 77042
 Phone 713.953.5200
 Fax 713.953.5026
 FRN - F-1386

Exhibit B
Municipal Setting Designation
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Alycia W. Mills, as an authorized representative of Stafford 59 & Airport, LP, 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.

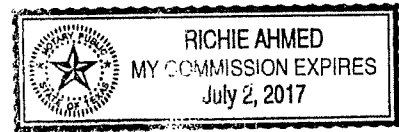
Alycia Mills
Signature

Date: 10/24/14

Alycia W. Mills
Printed Name

Senior Project Manager
Title

STATE OF Texas
COUNTY OF Dallas



SUBSCRIBED AND SWORN before me on this the 24th day of OCTOBER 2014, to which witness my hand and seal of office.

Richie Ahmed
Notary Public in and for the State of TEXAS