



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, P.E., Executive Director of the Texas Commission on Environmental Quality certify the Municipal Setting Designation (MSD) for MSD No. 249, in the City of Missouri City, 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 February day of 26th, 2014

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

Richard A. Hyde, P.E.
Executive Director

Texas Commission on Environmental Quality

METES AND BOUNDS DESCRIPTION
150.477 ACRE TRACT
LOCATED IN THE
THE B.B.B. & Co. SURVEY No. 8, A-116
FORT BEND COUNTY
THE B.B.B. & Co. SURVEY No. 8, A-184
HARRIS COUNTY

MSD No. 249

Being a tract or parcel of land containing 150.477 acres of land or 6,554,767 square feet, located in the above listed Abstracts, Fort Bend County and Harris County, Texas, being comprised of Three parcels of land; a 69.406 acre tract of record in the name of BC Business Park LP in Fort Bend County Clerk's File (F.B.C.C.F. Number) 2004091401, and a 12.477 acre tract of record in the name of George Gilman, Trustee in F.B.C.C.F. Number 2004092907, and the remainder of a 72.565 acre tract of record in the name of BC Business Park L.P. in F.B.C.C.F. Number 2004113471, and also being a portion of Cravens Road (width varies); Said 150.477 acre tract being more particularly described as follows (all bearings based on Texas State Plane Coordinate System South Central Zone NAD 83):

BEGINNING at a Texas Department of Transportation (TxDOT) Brass Disk found (X=3,073,943.746, Y=13,791,738.800), for the east corner of the herein described tract, for the southwest corner of a called 17.834 acre tract "Parcel 7", of record in Harris County Clerk's File (H.C.C.F.) Number N604513, as illustrated on the Right-of-Way (R.O.W.) map for Beltway 8, Contract Number 3256 Section Number 04 Job Number 03, and being on the northwesterly R.O.W. line of the Texas & New Orleans Railroad (100 feet wide);

THENCE, coincident the northwesterly line of said R.O.W., South 64 Degrees 33 Minutes 03 Seconds West, a distance of 2196.03 feet to a 5/8 inch iron rod found for the south corner of aforesaid 69.406 acre tract, being at the intersection of the southeastern terminus of Cravens Road (width varies) with the northwest R.O.W. line of said Railroad R.O.W.;

THENCE, coincident the southeast terminus of Cravens Road, South 63 Degrees 22 Minutes 25 Seconds West, a distance of 86.82 feet to the east corner of aforesaid 72.565 acre tract, and being the south end of said terminus;

THENCE, coincident the southeast line of aforesaid 72.565 acre tract and the northwest line of aforesaid Railroad R.O.W., South 64 Degrees 24 Minutes 47 Seconds West, a distance of 2,582.60 feet to the east corner of a called 5.717 acre tract of record in the name of Ben E. Keith in F.B.C.C.F. Number 2007038492;

THENCE, coincident the northeast line of aforesaid 5.717 acre tract, North 47 Degrees 51 Minutes 42 Seconds West, a distance of 715.24 feet to an interior corner of said 5.717 acre tract;

THENCE, coincident the most northerly southeast corner of aforesaid 5.717 acre tract, North 42 Degrees 05 Minutes 23 Seconds East, a distance of 2,410.76 feet to the most northerly northeast corner of said 5.717 acre tract, being on the southwest R.O.W. line of aforesaid Cravens Road, being on the northeast line of aforesaid 72.565 acre tract;

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BEGINNING at a Texas Department of Transportation (TxDOT) Brass Disk found (X=3,073,943.746, Y=13,791,738.800), for the east corner of the herein described tract, for the southwest corner of a called 17.834 acre tract "Parcel 7", of record in Harris County Clerk's File (H.C.C.F.) Number N604513, as illustrated on the Right-of-Way (R.O.W.) map for Beltway 8, Contract Number 3256 Section Number 04 Job Number 03, and being on the northwesterly R.O.W. line of the Texas & New Orleans Railroad (100 feet wide);

THENCE, coincident the northwesterly line of said R.O.W., South 64 Degrees 33 Minutes 03 Seconds West, a distance of 2196.03 feet to a 5/8 inch iron rod found for the south corner of aforesaid 69.406 acre tract, being at the intersection of the southeastern terminus of Cravens Road (width varies) with the northwest R.O.W. line of said Railroad R.O.W.;

THENCE, coincident the southeast terminus of Cravens Road, South 63 Degrees 22 Minutes 25 Seconds West, a distance of 86.82 feet to the east corner of aforesaid 72.565 acre tract, and being the south end of said terminus;

THENCE, coincident the southeast line of aforesaid 72.565 acre tract and the northwest line of aforesaid Railroad R.O.W., South 64 Degrees 24 Minutes 47 Seconds West, a distance of 2,582.60 feet to the east corner of a called 5.717 acre tract of record in the name of Ben E. Keith in F.B.C.C.F. Number 2007038492;

THENCE, coincident the northeast line of aforesaid 5.717 acre tract, North 47 Degrees 51 Minutes 42 Seconds West, a distance of 715.24 feet to an interior corner of said 5.717 acre tract;

THENCE, coincident the most northerly southeast corner of aforesaid 5.717 acre tract, North 42 Degrees 05 Minutes 23 Seconds East, a distance of 2,410.76 feet to the most northerly northeast corner of said 5.717 acre tract, being on the southwest R.O.W. line of aforesaid Cravens Road, being on the northeast line of aforesaid 72.565 acre tract;

MSD No. 249

THENCE, coincident the northeast line of aforesaid 72.565 acre tract, and the southwest line of aforesaid Cravens Road the following two courses:

1. South 48 Degrees 07 Minutes 49 Seconds East, a distance of 401.68 feet to a 5/8 inch iron rod found;
2. South 47 Degrees 45 Minutes 52 Seconds East, a distance of 148.67 feet to an interior corner of the herein described tract;

THENCE, through and across aforesaid Cravens Road and coincident the northwest line of aforesaid 12.477 acre tract, respectively, , North 41 Degrees 59 Minutes 25 Seconds East, a distance at a distance of 92.17 feet pass a 5/8 inch iron rod found for the southwest corner of said 12.477 acre tract, and continue for an overall distance of 866.41 feet to a 5/8 inch iron rod found for the north corner of said 12.477 acre tract, being on the southeast line of a called 111.1695 acre tract of record in the name of West Belt III, Ltd. In H.C.C.F. Number U914972;

THENCE, continuing coincident the southeast line of aforesaid 111.1695 acre tract, North 42 Degrees 02 Minutes 36 Seconds East, at a distance of 1447.55 feet pass a TxDOT disk found, and continue for an overall distance of 1482.21 feet (called 1484.81 feet) to a TxDOT Brass Disk found for the north corner of the herein described tract, on the southwest R.O.W. line of aforesaid Beltway 8, on a curve to the left;

THENCE, coincident aforesaid southeast R.O.W. line and aforesaid 17.834 acre tract the following four (4) courses:

1. coincident said curve to the left, having an arc length of 354.60 feet (called 354.98 feet), a radius of 5729.58 feet, a central angle of 03 Degrees 32 Minutes 46 Seconds, a chord bearing of South 45 Degrees 35 Minutes 54 Seconds East, a distance of 354.55 feet to a TxDOT Brass Disk found for the end of said curve to the left;
2. South 47 Degrees 56 Minutes 35 Seconds East, a distance of 765.21 feet to a TxDOT Brass disk found;
3. South 48 Degrees 26 Minutes 49 Seconds West, a distance of 145.90 feet (called 146.95 feet) to a TxDOT Brass Disk found;
4. South 41 Degrees 28 Minutes 42 Seconds East, a distance of 921.57 feet (called 920.63 feet) to the POINT OF BEGINNING and containing 150.477 acres of land.

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 political subdivision for which it was prepared.

July 18, 2012
Gruller Surveying, LLC
Job. No. 49-0419_CCD_MSD



A handwritten signature in black ink, appearing to read "K. A. Gruller", written over the bottom portion of the surveyor's seal.

Exhibit B
Municipal Setting Designation
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Ted B. Miller, Jr., as an authorized representative of BC Business Park, 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)

- X The MSD eligibility criteria of THSC Section 361.803 are satisfied.
X 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.
X A true and accurate copy of a legal description of the proposed MSD property is included with the application.
X Notice has been provided in accordance with THSC 361.805.
X 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.

Signature: [Handwritten Signature]
Ted B. Miller, Jr.
Printed Name
Manager
Title

Date: 10/28/12

STATE OF Texas
COUNTY OF Harris

SUBSCRIBED AND SWORN before me on this the 28th day of October 2013, to which witness my hand and seal of office.

Judy Duncan
Notary Public in and for the State of Texas

