

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Jon Niermann, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

June 8, 2017

Mr. Patrick Walton, Partner  
MPI Interest LLC  
8350 Mosley Road  
Houston, Texas 77075

Re: **Municipal Setting Designation (MSD) Certificate for MPI Interest LLC, MPI Interest Site, located at 8350 Mosley Road, Houston, Harris County, Texas; MSD No. 338; Voluntary Cleanup Program (VCP) No. 2334; Customer No. CN603706607; Regulated Entity No. RN102276532**

Dear Mr. Walton:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on August 30, 2016 and additional information supporting this MSD application on April 20, 2017. 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) 239-2205 or via e-mail ([rodney.bryant@tceq.texas.gov](mailto:rodney.bryant@tceq.texas.gov)).

Sincerely,

A handwritten signature in black ink, appearing to read "Rodney Bryant".

Rodney Bryant, Project Manager  
VCP-CA Section  
Remediation Division

RB/del

cc: Mr. Ross Doctoroff, P.G., Phase Engineering, 5524 Cornish Street, Houston Texas 77007

Mr. Jason Ybarra, Waste Section Manager, TCEQ Houston Region Office, R-12

Enclosure: MSD Certificate

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):

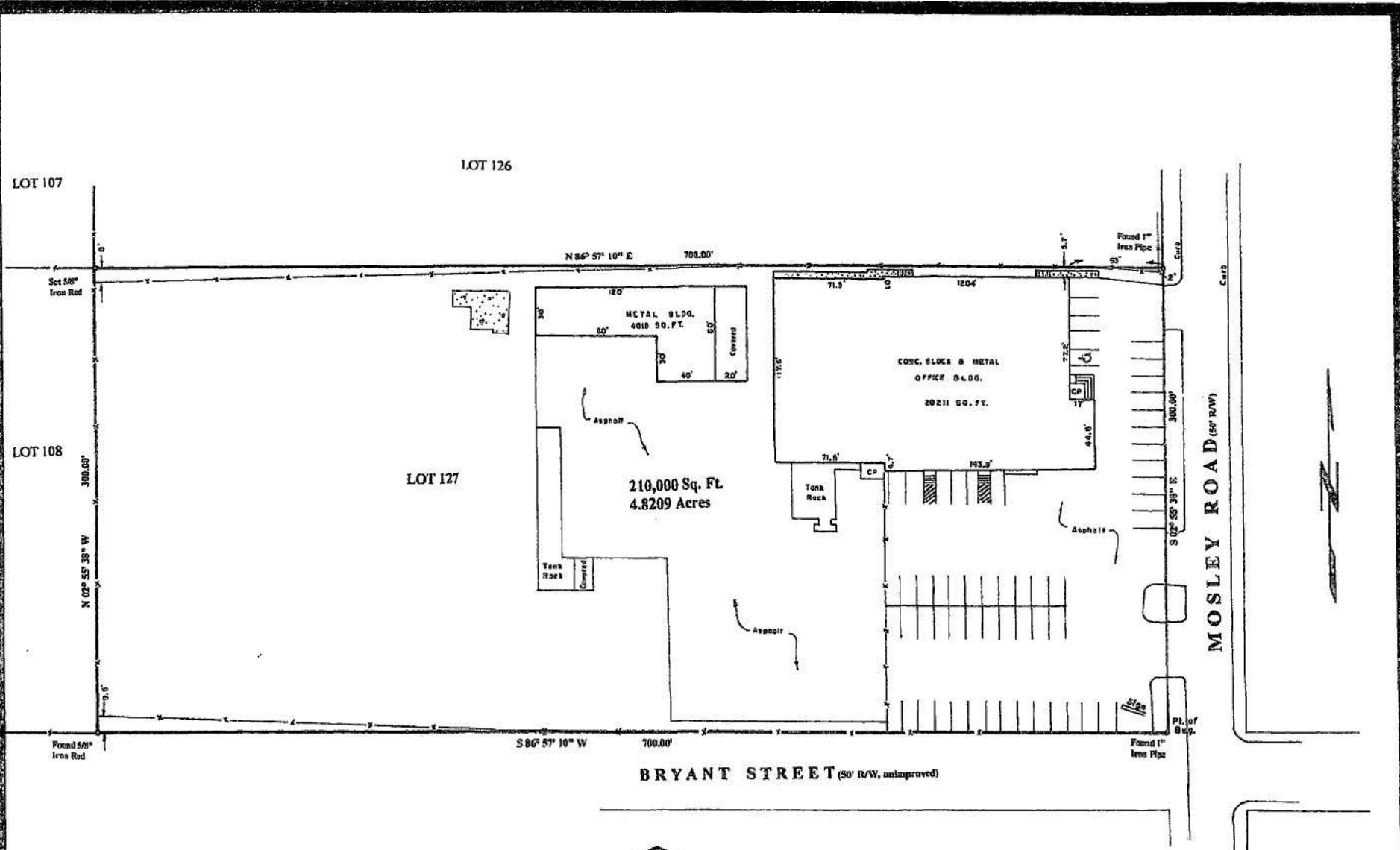
I, Beth Seaton, Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 338, in the City of Houston, for the tract of land described in Exhibit "A". The eligibility requirements of Texas Health and Safety Code §361.803 are satisfied as attested to by the affidavit 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 8<sup>th</sup> day of June, 2017

Beth Seaton

Beth Seaton, Director  
Remediation Division  
Texas Commission on Environmental Quality



BRYANT STREET (50' R/W, unimproved)

MOSLEY ROAD (60' R/W)

I, F.G. Hoffman, a Registered Professional Surveyor in the State of Texas, hereby certify that this plat was made from an actual survey on the ground by me or under my direction, that no encroachments exist at the time of this survey unless reflected herein, and that said survey conforms to the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition 2 Survey.

*F.G. Hoffman*  
 F.G. Hoffman  
 Reg. Professional Surveyor No. 1682



**SURVEY OF 4.8209 ACRES**  
**being LOT 127, SOUTH HOUSTON GARDENS**  
**SECTION 6, Vol. 2, Page 74, H.C.M.R.**  
**HARRIS COUNTY, TEXAS**

51 Regular Parking Spaces  
 1 Handicapped Parking Space

**LEGEND**

UE	Utility Easement	IP	Iron Pipe
AE	Aerial Easement	IR	Iron Road
WLE	Water Line Easement	BF	Board Fence
BL	Building Line	CLF	Chain Link Fence
CP	Covered Porch	WIF	Wrought Iron Fence
ROW	Right of Way		

This property lies within Zone X, as per the Flood Insurance Rate Map  
 No. 15024, Harris County, Community No. 480296  
 Parcel No. 0029, Surface 1, Date 8-18-07  
 Note: Zone X indicates outside 100 year flood plain.  
 Zone AE indicates inside 100 year flood plain.

Purchaser: F. W. WALTON, INC.  
 Address: 8350 MOSLEY  
HOUSTON, TX  
 Title Co.: CHICAGO TITLE GF8CTH09480190

Scale: 1" = 40'  
 Date: 11-3-09  
 Job #: 911002  
 Key Map: R75H  
 Drawn: PSH

Revisions:  
11-7-09  
 Bearing Reference:  
NA083

F. G. Hoffman  
 2430 Leland Lane  
 Houston, Texas 77060  
 PH: 281 447 7502  
 Fax: 713 467 9370



**F. G. Huffman**

2430 Lexford Lane  
Houston, Texas 77080

Registered Professional Land Surveyor

(281) 447-7802  
Fax (713) 467-9370

Job No. 911002  
Revised 11-18-09

**Exhibit "A"**  
**Metes and Bounds**

**DESCRIPTION** of a 210,000 Square foot (4.8209 Acres) tract land being all of Lot 127, South Houston Gardens, Section 6, as recorded in Vol. 2, Page 74 of the Harris County Map Records, Harris County, Texas and more particularly described by metes and bounds as follows,

**BEGINNING** at a found 1" iron pipe at the intersection of the West Right of Way of Mosley Road (50' R/W) and the North Right of Way of Bryant Street (unimproved, 50' R/W) and being the Southeast corner of Lot 127 and the Southeast corner of the tract herein described,

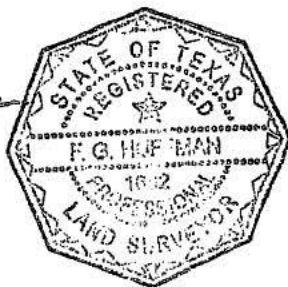
**THENCE**, S 86° 57' 10" W, along the North Right of Way of Bryant Street and the South line of Lot 127, a distance of 700.00 feet to a found 5/8" iron rod for the Southwest corner of Lot 127, the Southeast corner of Lot 108 and the Southwest corner of the tract herein described,

**THENCE**, N 02° 55' 38" W, along the common line of Lots 108 and 127, a distance of 300.00 feet to a 5/8" iron rod set for the Northwest corner of Lot 127, the Northeast corner of Lot 108 and the Northwest corner of the tract herein described,

**THENCE**, N 86° 57' 10" E, along the common line of Lots 126 and 127, a distance of 700.00 feet to a found 1" iron pipe in the West Right of Way of Mosley Road and the Northeast corner of Lot 127, the Southeast corner of Lot 126 and the Northeast corner of the tract herein described,

**THENCE**, S 02° 55' 38" E, along the West Right of Way of Mosley Road and the East line of Lot 127, a distance of 300.00 feet to the POINT OF BEGINNING and containing 4.8209 Acres.

  
**F. G. Huffman**  
RPLS No. 1682



# Exhibit B

## Municipal Setting Designation

### Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Patrick Walker, as an authorized representative of MPI Interests 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.

Patrick Walker  
Signature

Date: 8-23-2016

Patrick Walker  
Printed Name

President  
Title

STATE OF Texas

COUNTY OF Harris

SUBSCRIBED AND SWORN before me on this the 23<sup>rd</sup> day of August 2016, to which witness my hand and seal of office.

Lea Ann Reed  
Notary Public in and for the State of Texas

