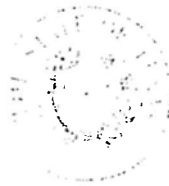


Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 9, 2012

Ms. Florence P. Mayne, Executive Director,
Real Estate Office, The University of Texas System
Board of Regents of the University of Texas System
201 West 7th Street, Suite 416
Austin, Texas 78701

RE: Municipal Setting Designation Certification (MSD) for Almeda Central
Development Property, 7405 Almeda Road, Houston, Texas; MSD No. 209

Dear Ms. Mayne:

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) 239-3044 or via e-mail (Mark.Riggle@TCEQ.Texas.gov).

Sincerely,

A handwritten signature in black ink that reads "Mark R. Riggle".

Mark R. Riggle, P.G., Project Manager
VCP-CA Section
Remediation Division

MRR/mdh

Enclosure: MSD Certificate and Exhibits

cc: Mr. Kent Belaire, P.G., Vice President, Half Associates, Richardson, Texas
Ms. Nicole Bealle, Waste Section Manager, TCEQ Region 12 Office, Houston




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. 209, 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 3rd day of August, 20 12



Zak Covar
Executive Director
Texas Commission on Environmental Quality

EXHIBIT "A"
MSD No. 209
page 1 of 8

TRACT I:

BEING A 0.5592 ACRE (24360 SQ. FEET) TRACT OF LAND BEING LOTS 3 THROUGH 7 IN BLOCK 23 OF INSTITUTE PLACE A SUBDIVISION IN HARRIS COUNTY, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 4, PAGE 32 OF THE HARRIS COUNTY MAP RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A SET 5/8 INCH IRON ROD IN THE SOUTH RIGHT-OF-WAY LINE OF MYRTLE STREET (60.00 FEET WIDE) AS PLATTED AND THE NORTH WEST CORNER OF LOT 7, BLOCK 23 OF SAID SUBDIVISION;

THENCE SOUTH 72 DEGREES 36 MINUTES 37 SECONDS EAST, ALONG THE SOUTHERLY LINE OF SAID MYRTLE STREET, A DISTANCE OF 239.41 FEET TO A SET 5/8 INCH IRON ROD FOR THE NORTH EAST CORNER OF LOT 3 AND THE NORTH EAST OF THE HEREIN DESCRIBED TRACT FOR CORNER;

THENCE, SOUTH 17 DEGREES 23 MINUTES 23 SECONDS WEST, ALONG THE EAST LINE OF LOT 3, A DISTANCE OF 100.00 FEET TO A SET 5/8 INCH IRON ROD FOR CORNER;

THENCE, NORTH 72 DEGREES 36 MINUTES 37 SECONDS WEST ALONG THE SOUTH LINE OF LOTS 3 THROUGH 7, A DISTANCE OF 247.64 FEET TO A SET 5/8 INCH IRON ROD FOR CORNER;

THENCE, ALONG THE WEST LINE OF LOT 7 BEING A CURVE HAVING A RADIUS OF 11434.47 FEET, AN ARC LENGTH OF 100.34 FEET, A CENTRAL ANGEL OF 0 DEGREES 30 MINUTES 10 SECONDS AND A CHORD BEARING NORTH 22 DEGREES 05 MINUTES 31 SECONDS EAST, A CHORD DISTANCE OF 100.34 FEET TO THE POINT OF BEGINNING.

TRACT II:

BEING A 0.5794 ACRE (25240 SQ. FEET) TRACT OF LAND BEING LOTS 8 THROUGH 12 IN BLOCK 23 OF INSTITUTE PLACE A SUBDIVISION IN HARRIS COUNTY, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 4, PAGE 32 OF THE HARRIS COUNTY MAP RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT BEING THE NORTH WEST CORNER OF LOT 8, BLOCK 23 OF SAID SUBDIVISION FROM SAID POINT A FOUND 3/4 INCH IRON PIPE BEARS NORTH 22 DEGREES 43 MINUTES EAST 0.53 FEET;

THENCE, SOUTH 72 DEGREES 36 MINUTES 37 SECONDS EAST, ALONG THE SOUTHERLY LINE OF A 14 FOOT ALLEY, A DISTANCE OF 248.72 FEET TO A SET 5/8 INCH IRON ROD FOR THE NORTH EAST CORNER OF LOT 12 AND THE NORTH EAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 17 DEGREES 23 MINUTES 23 SECONDS WEST, ALONG THE EAST OF LOT 12, A DISTANCE OF 100.00 FEET TO A FOUND 5/8 INCH IRON ROD FOR CORNER;

THENCE, NORTH 72 DEGREES 36 MINUTES 37 SECONDS WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF HEPBURN STREET, A DISTANCE OF 255.94 FEET TO A POINT, FROM WHICH A FOUND 5/8 INCH IRON ROD BEARS SOUTH 72 DEGREES 35 MINUTES EAST 0.55 FEET;

THENCE, ALONG THE WEST LINE OF LOT 8 BEING A CURVE HAVING A RADIUS OF 11434.47 FEET, AN ARC LENGTH OF 100.26 FEET, A CENTRAL ANGLE OF 0 DEGREES 30 MINUTES 09 SECONDS AND A CHORD BEARING NORTH 21 DEGREES 31 MINUTES 09 SECONDS EAST A CHORD DISTANCE OF 100.26 FEET TO THE POINT OF BEGINNING.

TRACT III:

BEING A 0.2124 ACRE (9250 SQ. FEET) TRACT OF LAND BEING PART OF LOT 1 AND 2 IN BLOCK 26 OF INSTITUTE PLACE A SUBDIVISION IN HARRIS COUNTY, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 4, PAGE 32 OF THE HARRIS COUNTY MAP RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH RIGHT-OF-WAY LINE OF HEPBURN STREET (60.00 FEET WIDE) AS PLATTED AND THE NORTH EAST CORNER OF LOT 1, BLOCK 26 OF SAID SUBDIVISION FROM WHICH A FOUND 1 INCH IRON PIPE BEARS NORTH 49 DEGREES 03 MINUTES EAST 1.99 FEET;

THENCE, SOUTH 17 DEGREES 23 MINUTES 23 SECONDS WEST, ALONG THE WESTERLY LINE OF HOWARD STREET, A DISTANCE OF 100.00 FEET TO A SET 5/8 INCH IRON ROD FOR THE SOUTH EAST CORNER OF LOT 1 AND THE SOUTH EAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 72 DEGREES 36 MINUTES 37 SECONDS WEST, ALONG THE SOUTH LINE OF LOTS 1 AND 2, A DISTANCE OF 90.00 FEET TO A FOUND 5/8 INCH IRON ROD FOR THE MOST SOUTHERLY SOUTHWEST CORNER;

THENCE, NORTH 17 DEGREES 23 MINUTES 23 SECONDS EAST ACROSS LOT 2, A DISTANCE OF 75.00 FEET TO A FOUND 5/8 INCH IRON ROD FOR CORNER;

THENCE, NORTH 72 DEGREES 36 MINUTES 37 SECONDS WEST, ACROSS LOT 2 A DISTANCE OF 10.00 FEET TO A FOUND 5/8 INCH IRON ROD FOR CORNER;

THENCE, ALONG THE WEST LINE OF LOT 2 NORTH 17 DEGREES 23 MINUTES 23 SECONDS EAST A DISTANCE OF 25.00 FEET TO A POINT FOR THE NORTHWEST CORNER OF LOT 2 AND THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT FROM WHICH A FOUND 5/8 INCH IRON ROD BEARS NORTH 48 DEGREES 16 MINUTES EAST 0.32 FEET.

THENCE, SOUTH 72 DEGREES 36 MINUTES 37 SECONDS EAST ALONG THE NORTH LINE OF LOTS 1 AND 2 A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

TRACT IV:

BEING A 0.8468 ACRE (36,888 SQ. FEET) TRACT OF LAND BEING LOTS 8 THROUGH 14 IN BLOCK 26 OF INSTITUTE PLACE A SUBDIVISION IN HARRIS COUNTY, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 4, PAGE 32 OF THE HARRIS COUNTY MAP RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A SET 5/8 INCH IRON ROD IN AT THE NORTH WEST CORNER OF LOT 8, BLOCK 26 OF SAID SUBDIVISION;

THENCE, SOUTH 72 DEGREES 36 MINUTES 37 SECONDS EAST, ALONG THE SOUTHERLY LINE OF A 14 FOOT ALLEY, A DISTANCE OF 366.40 FEET TO A SET 5/8 INCH IRON ROD FOR THE NORTHEAST CORNER OF LOT 14 AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 17 DEGREES 23 MINUTES 23 SECONDS WEST, ALONG THE EAST LINE OF LOT 14, A DISTANCE OF 100.00 FEET TO A SET 5/8 INCH IRON ROD FOR CORNER;

THENCE, NORTH 72 DEGREES 36 MINUTES 37 SECONDS WEST ALONG THE NORTHERLY LINE THE RIGHT-OF-WAY OF PAWNEE STREET, A DISTANCE OF 371.21 FEET TO A SET 5/8 INCH IRON ROD FOR CORNER;

THENCE, ALONG THE WEST LINE OF LOT 8 BEING A CURVE HAVING A RADIUS OF 11434.47 FEET, AN ARC LENGTH OF 100.12 FEET, A CENTRAL ANGLE OF 0 DEGREES 30 MINUTES 06 SECONDS AND A CHORD BEARING NORTH 20 DEGREES 08 MINUTES 37 SECONDS EAST A CHORD DISTANCE OF 100.12 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION

EXHIBIT A
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1.295 ACRES (56,408 SQUARE FEET) OF LAND BEING ALL OF BLOCK 24 OF INSTITUTE PLACE, A SUBDIVISION OF HARRIS COUNTY, TEXAS AS RECORDED IN VOLUME 4, PAGE 32 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, SAID 1.295 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT FOR NORTHWEST CORNER OF SAID TRACT BEING AT THE SOUTHEAST INTERSECTION OF ALMEDA ROAD (160 FEET WIDE) AND MYRTLE STREET (60 FEET WIDE), FROM WHICH A 5/8 INCH IRON ROD FOUND BEARS NORTH 14 DEGREES 51 MINUTES EAST, 1.3 FEET;

THENCE SOUTH 72 DEGREES 36 MINUTES 37 SECONDS EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID MYRTLE STREET, A DISTANCE OF 277.10 FEET TO A 5/8 INCH IRON ROD SET FOR NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 21 DEGREES 57 MINUTES 14 SECONDS WEST, ALONG THE WEST LINE OF I&NRR CO RIGHT-OF-WAY (100 FEET WIDE), A DISTANCE OF 214.47 FEET TO A 5/8 INCH IRON ROD FOUND FOR SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 72 DEGREES 36 MINUTES 37 SECONDS WEST, ALONG THE NORTH LINE OF SAID HEPBURN STREET (60 FEET WIDE), A DISTANCE OF 250.59 FEET TO A 5/8 INCH IRON ROD SET FOR SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 14 DEGREES 51 MINUTES 41 SECONDS EAST, ALONG THE EAST LINE OF SAID ALMEDA ROAD, A DISTANCE OF 214.00 FEET TO THE POINT OF BEGINNING AND CONTAINING SAID 1.295 ACRES (56,408 SQUARE FEET) OF LAND.

EXHIBIT "A"
 MSD No. 209
 page 6 of 8

SOUTH TEXAS SURVEYING ASSOCIATES, INC.
 11281 Rockwood Ave., Suite 101, Houston, Texas 77066
 TEL (281) 656-6910 FAX (281) 656-9931

ADDRESS: 7409 ALBERTA ROAD
 HOUSTON, TEXAS 77054
 REV: 2-2-07 (JOB)
 DATE: 6-11-07
 JOB NO: 17-07 SOUTH 1 = 20' DATE: 2-21-07 SHEET 1 OF 1

TRACT 1
 1.25 ACRES (OR APPROX 1717) OF LAND BEING ALL OF BLOCK 25 OF ACRES, TRACT 1, SUBDIVISION OF HANCOCK, TEXAS AS SHOWN ON PLAT K, 1982, 22 OF THE PUBLIC RECORDS OF HANCOCK COUNTY, TEXAS.

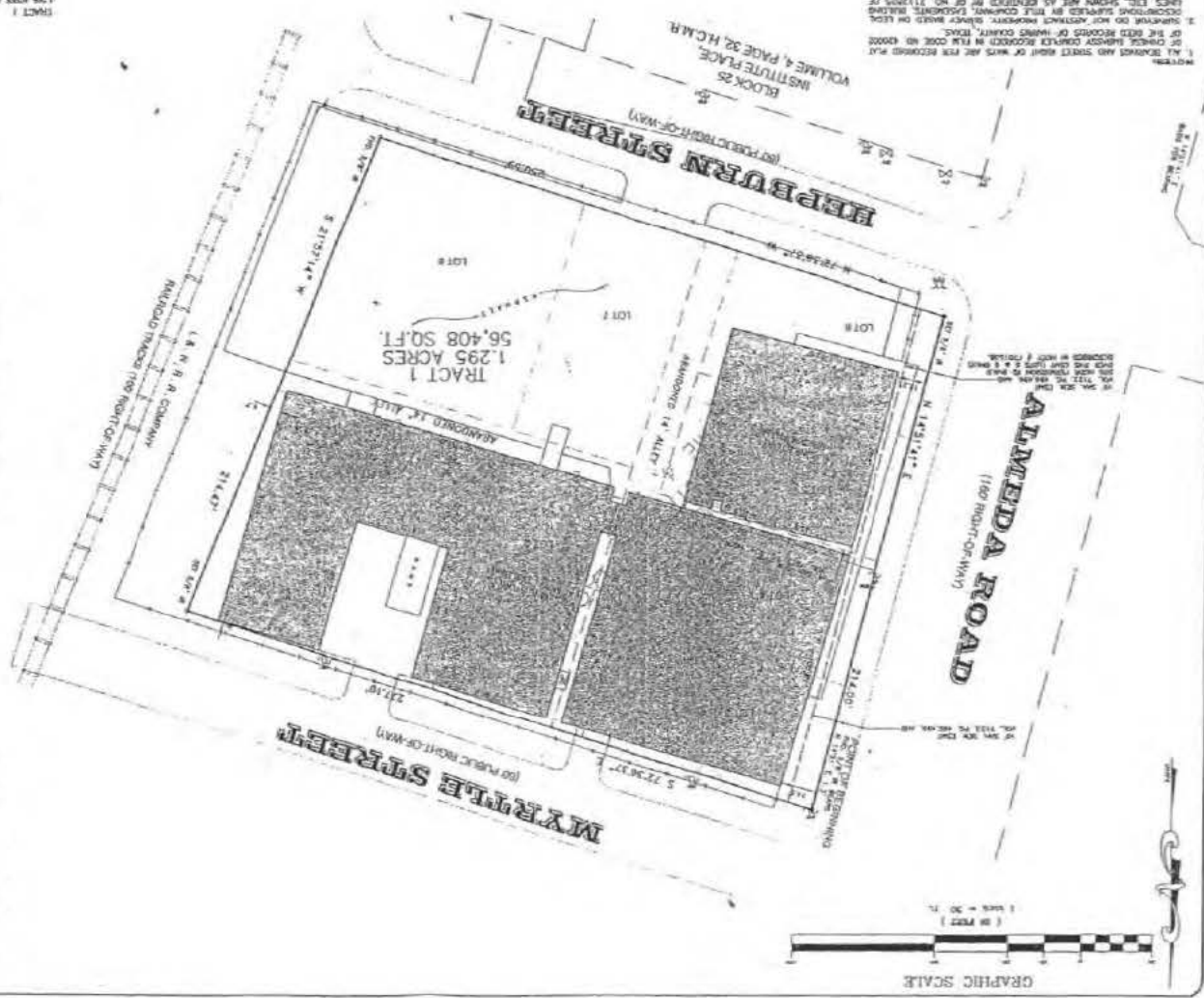
SURVEY OF



Paul R. Lamm, Registered Professional Land Surveyor No. 1002

THESE ARE THE ORIGINAL RECORDS OF THE SURVEY AND THE ORIGINAL RECORDS OF THE SURVEY ARE KEPT IN THE OFFICE OF THE SURVEYOR. THE SURVEYOR IS NOT RESPONSIBLE FOR THE ACCURACY OF THE SURVEY OR THE RESULTS THEREOF. THE SURVEYOR IS NOT RESPONSIBLE FOR THE ACCURACY OF THE SURVEY OR THE RESULTS THEREOF. THE SURVEYOR IS NOT RESPONSIBLE FOR THE ACCURACY OF THE SURVEY OR THE RESULTS THEREOF.

THESE ARE THE ORIGINAL RECORDS OF THE SURVEY AND THE ORIGINAL RECORDS OF THE SURVEY ARE KEPT IN THE OFFICE OF THE SURVEYOR. THE SURVEYOR IS NOT RESPONSIBLE FOR THE ACCURACY OF THE SURVEY OR THE RESULTS THEREOF. THE SURVEYOR IS NOT RESPONSIBLE FOR THE ACCURACY OF THE SURVEY OR THE RESULTS THEREOF. THE SURVEYOR IS NOT RESPONSIBLE FOR THE ACCURACY OF THE SURVEY OR THE RESULTS THEREOF.



PROPERTY, AS SET, IN 1982 FOR 1.25 ACRES MORE OR LESS, BEING ALL OF BLOCK 25 OF ACRES, TRACT 1, SUBDIVISION OF HANCOCK, TEXAS AS SHOWN ON PLAT K, 1982, 22 OF THE PUBLIC RECORDS OF HANCOCK COUNTY, TEXAS.

1. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OF HANCOCK COUNTY, TEXAS, AND HAS FOUND THAT THE SURVEY IS IN ACCORDANCE WITH THE RECORDS.

2. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OF HANCOCK COUNTY, TEXAS, AND HAS FOUND THAT THE SURVEY IS IN ACCORDANCE WITH THE RECORDS.

3. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OF HANCOCK COUNTY, TEXAS, AND HAS FOUND THAT THE SURVEY IS IN ACCORDANCE WITH THE RECORDS.

4. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OF HANCOCK COUNTY, TEXAS, AND HAS FOUND THAT THE SURVEY IS IN ACCORDANCE WITH THE RECORDS.

5. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OF HANCOCK COUNTY, TEXAS, AND HAS FOUND THAT THE SURVEY IS IN ACCORDANCE WITH THE RECORDS.

LEGAL DESCRIPTION

EXHIBIT A
MSD No. 209
page 7 of 8

1.125 ACRES (49,000 SQUARE FEET) OF LAND BEING ALL OF BLOCK 25 OF INSTITUTE PLACE, A SUBDIVISION OF HARRIS COUNTY, TEXAS, AS RECORDED IN VOLUME 4, PAGE 32 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, SAID 1.125 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT FOR NORTHWEST CORNER AND BEING THE SOUTHEAST INTERSECTION OF SAID HEPBURN STREET (60 FEET WIDE) AND ALMEDA ROAD (160 FEET WIDE), FROM WHICH A 1 INCH IRON PIPE FOUND BEARS NORTH 88 DEGREES 49 MINUTES EAST, 2.7 FEET;

THENCE SOUTH 72 DEGREES 36 MINUTES 37 SECONDS EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID HEPBURN STREET, A DISTANCE OF 243.10 FEET TO A 5/8 INCH IRON ROD SET FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 22 DEGREES 17 MINUTES 53 SECONDS WEST, ALONG THE WEST LINE OF SAID I&NRR CO RIGHT-OF-WAY (100 FEET WIDE), A DISTANCE OF 214.58 FEET TO A 5/8 INCH IRON ROD SET FOR SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 72 DEGREES 36 MINUTES 37 SECONDS WEST, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID PAWNEE STREET (60 FEET WIDE), A DISTANCE OF 215.30 FEET TO A 3/4 INCH IRON PIPE FOUND FOR SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 14 DEGREES 51 MINUTES 41 SECONDS EAST, ALONG THE EAST LINE OF SAID ALMEDA ROAD, A DISTANCE OF 214.00 FEET TO THE POINT OF BEGINNING AND CONTAINING SAID 1.125 ACRES (49,000 SQUARE FEET) OF LAND.

Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared FLORENCE P. MAYNE, as an authorized representative of BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, 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)

- Five checked boxes with conditions: 1. MSD eligibility criteria of THSC Section 361.803 are satisfied. 2. 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. 3. A true and accurate copy of a legal description of the proposed MSD property is included with the application. 4. Notice has been provided in accordance with THSC 361.805. 5. 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.

Handwritten signature of Florence P. Mayne

Signature

Florence P. Mayne

Printed Name

Executive Director, Real Estate Office

Title

Date: May 31, 2012

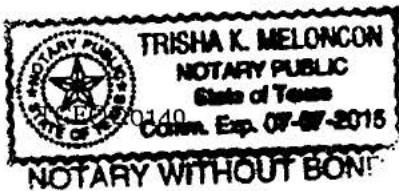
STATE OF TEXAS

COUNTY OF TRAVIS

SUBSCRIBED AND SWORN before me on this the 31st day of May 2012, to which witness my hand and seal of office.

Trisha K. Meloncon

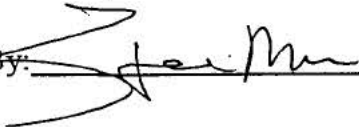
Notary Public in and for the State of Texas



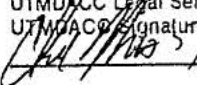
Approved as to content:

Spencer Moore

University of Texas M.D. Anderson Cancer Center

By:  _____

Date: 5 / 22 / 12

Reviewed and Approved by
UTMDACC Legal Services for
UTMDACC Signature:  5/16/12