

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

November 4, 2014

Mr. Jeremy Fernandes, Owner
CCGI, LP
3131 Turtle Creek, Suite 900
Dallas, TX 75210

RE: Municipal Setting Designation (MSD) Certificate for CCGI, LP, 10922
North Freeway; MSD No. 265

Dear Mr. Fernandes:

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. 265

cc: Mr. Jason Ybarra, Waste Program 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. 265, 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 31st day of October, 2014

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

Beth Seaton
Beth Seaton, Director
Texas Commission on Environmental Quality

EXHIBIT A

NORTH 45 PLAZA – METES AND BOUNDS DESCRIPTION

FIELD DESCRIPTION:

TRACT 1:

A tract of land containing 10.1987 acres of land out of the SIMON CONTRERAS SURVEY ABSTRACT NO. 220, Harris County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a mag nail with RPLS5735TX tag found in concrete in the Southerly right of way line of Goodson Drive (60 foot right of way) said point being situated South 86°03'16" East a distance of 170.00 feet from the most Northerly corner of a cutback line for the point of intersection of the Southerly right of way line of Goodson Drive with the Easterly right of way line of Interstate Highway 45 (North Freeway), a variable width right of way;

THENCE with the Southerly right of way line of Goodson Drive the following:

South 86°03'16" East a distance of 243.48 feet to a 1/2 inch iron rod with RPLS5735TX cap found for the point of curvature of a curve to the left having a radius of 660.00 feet;

Easterly with said curve to the left through a central angle of 08°24'31" an arc distance of 96.88 feet to a mag nail with RPLS5735TX tag found for corner;

THENCE departing the Southerly right of way line of Goodson Drive, South 03°56'42" West a distance of 1013.95 feet to a 1/2 inch iron rod with RPLS5735TX cap found for corner in the Northerly right of way line of Dyna Drive (60 foot right of way);

THENCE with the Northerly right of way line of Dyna Drive, North 86°03'16" West a distance of 340.00 feet to a 1 inch iron pipe found for corner;

THENCE departing the Northerly right of way line of Dyna Drive, North 03°56'44" East a distance of 220.00 feet to a mag nail with RPLS5735TX tag found for corner;

THENCE North 86°03'16" West a distance of 180.00 feet to a 1/2 inch iron rod found for corner in the Easterly right of way line of Interstate Highway 45;

THENCE with the Easterly right of way line of Interstate Highway 45, North 03°56'44" East a distance of 565.01 feet to a 1/2 inch iron rod with RPLS5735TX cap found for corner;

THENCE departing the Easterly right of way line of Interstate Highway 45, South 86°03'16" East a distance of 180.00 feet to a 1/2 inch iron rod found for corner;

THENCE North 03°56'44" East a distance of 221.85 feet to the POINT OF BEGINNING and containing 10.1987 acres (444,256 square feet) of land, more or less, within this description.

TRACT 2:

Easement rights as to Tract One described in that certain Reciprocal Easement Agreement dated December 14, 1973, executed by Deauville/Arlen Venture I and Jim's Coffee Shop Houston, Inc., recorded under Harris County Clerk's File No.(s) E047518 and E047519.

TRACT 3:

Easement rights as to Tract One described in that certain Reciprocal Easement Agreement dated July 7, 1978 executed by Consolidated Capital Realty Investors and Craig H. Christie, Trustee, recorded under Harris County Clerk's File No. F685684.

Said described Tract 1 of land contains an area of 44,255 square feet or 10.1987 acres, more or less.

CONVEYANCE CERTIFICATE

This Certificate is a true and correct copy of the original instrument recorded in the Public Records of Harris County, Texas, on the 14th day of August, 1988, in Book 10, Page 101, and is subject to the provisions of the Texas Property Code, Title 5, Chapter 61, and the Texas Constitution, Article 16, Section 10.



GENERAL INFORMATION

- 1. The instrument is a true and correct copy of the original instrument recorded in the Public Records of Harris County, Texas, on the 14th day of August, 1988, in Book 10, Page 101, and is subject to the provisions of the Texas Property Code, Title 5, Chapter 61, and the Texas Constitution, Article 16, Section 10.
- 2. The instrument is a true and correct copy of the original instrument recorded in the Public Records of Harris County, Texas, on the 14th day of August, 1988, in Book 10, Page 101, and is subject to the provisions of the Texas Property Code, Title 5, Chapter 61, and the Texas Constitution, Article 16, Section 10.
- 3. The instrument is a true and correct copy of the original instrument recorded in the Public Records of Harris County, Texas, on the 14th day of August, 1988, in Book 10, Page 101, and is subject to the provisions of the Texas Property Code, Title 5, Chapter 61, and the Texas Constitution, Article 16, Section 10.
- 4. The instrument is a true and correct copy of the original instrument recorded in the Public Records of Harris County, Texas, on the 14th day of August, 1988, in Book 10, Page 101, and is subject to the provisions of the Texas Property Code, Title 5, Chapter 61, and the Texas Constitution, Article 16, Section 10.
- 5. The instrument is a true and correct copy of the original instrument recorded in the Public Records of Harris County, Texas, on the 14th day of August, 1988, in Book 10, Page 101, and is subject to the provisions of the Texas Property Code, Title 5, Chapter 61, and the Texas Constitution, Article 16, Section 10.
- 6. The instrument is a true and correct copy of the original instrument recorded in the Public Records of Harris County, Texas, on the 14th day of August, 1988, in Book 10, Page 101, and is subject to the provisions of the Texas Property Code, Title 5, Chapter 61, and the Texas Constitution, Article 16, Section 10.
- 7. The instrument is a true and correct copy of the original instrument recorded in the Public Records of Harris County, Texas, on the 14th day of August, 1988, in Book 10, Page 101, and is subject to the provisions of the Texas Property Code, Title 5, Chapter 61, and the Texas Constitution, Article 16, Section 10.
- 8. The instrument is a true and correct copy of the original instrument recorded in the Public Records of Harris County, Texas, on the 14th day of August, 1988, in Book 10, Page 101, and is subject to the provisions of the Texas Property Code, Title 5, Chapter 61, and the Texas Constitution, Article 16, Section 10.
- 9. The instrument is a true and correct copy of the original instrument recorded in the Public Records of Harris County, Texas, on the 14th day of August, 1988, in Book 10, Page 101, and is subject to the provisions of the Texas Property Code, Title 5, Chapter 61, and the Texas Constitution, Article 16, Section 10.
- 10. The instrument is a true and correct copy of the original instrument recorded in the Public Records of Harris County, Texas, on the 14th day of August, 1988, in Book 10, Page 101, and is subject to the provisions of the Texas Property Code, Title 5, Chapter 61, and the Texas Constitution, Article 16, Section 10.

RECITATION

That the undersigned, L. M. Roberts, Notary Public for Harris County, Texas, do hereby certify that the foregoing is a true and correct copy of the original instrument recorded in the Public Records of Harris County, Texas, on the 14th day of August, 1988, in Book 10, Page 101, and is subject to the provisions of the Texas Property Code, Title 5, Chapter 61, and the Texas Constitution, Article 16, Section 10.

THE CONVEYANCE CERTIFICATE

This Certificate is a true and correct copy of the original instrument recorded in the Public Records of Harris County, Texas, on the 14th day of August, 1988, in Book 10, Page 101, and is subject to the provisions of the Texas Property Code, Title 5, Chapter 61, and the Texas Constitution, Article 16, Section 10.

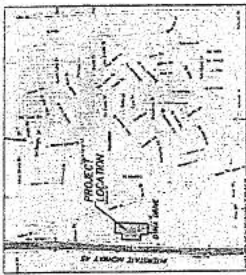
LEGEND

- 1. Surveyed area
- 2. Unsurveyed area
- 3. Easement
- 4. Right-of-way
- 5. Enclosed area
- 6. Proposed area
- 7. ...

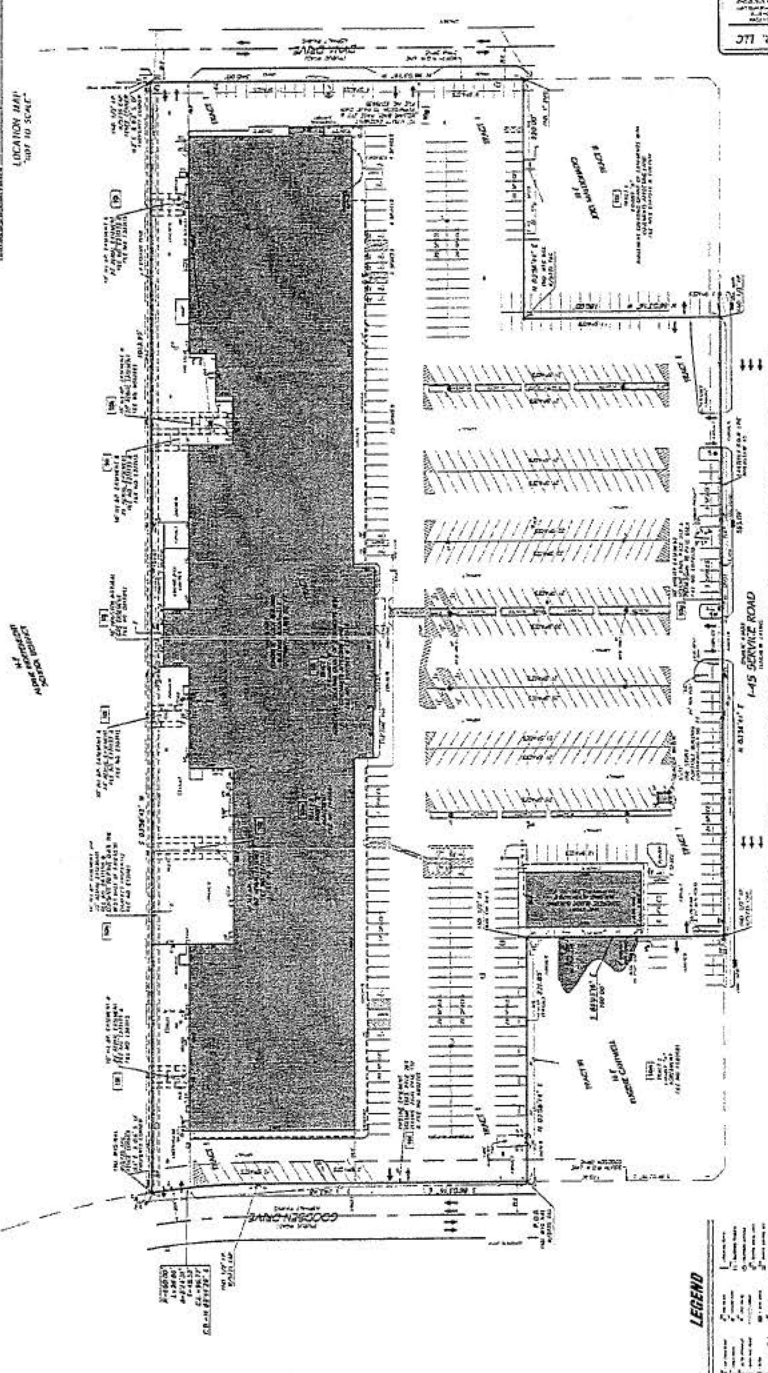
GRAPHIC SCALE



1 inch = 40 feet



LOCATION MAP MAP TO SHEET

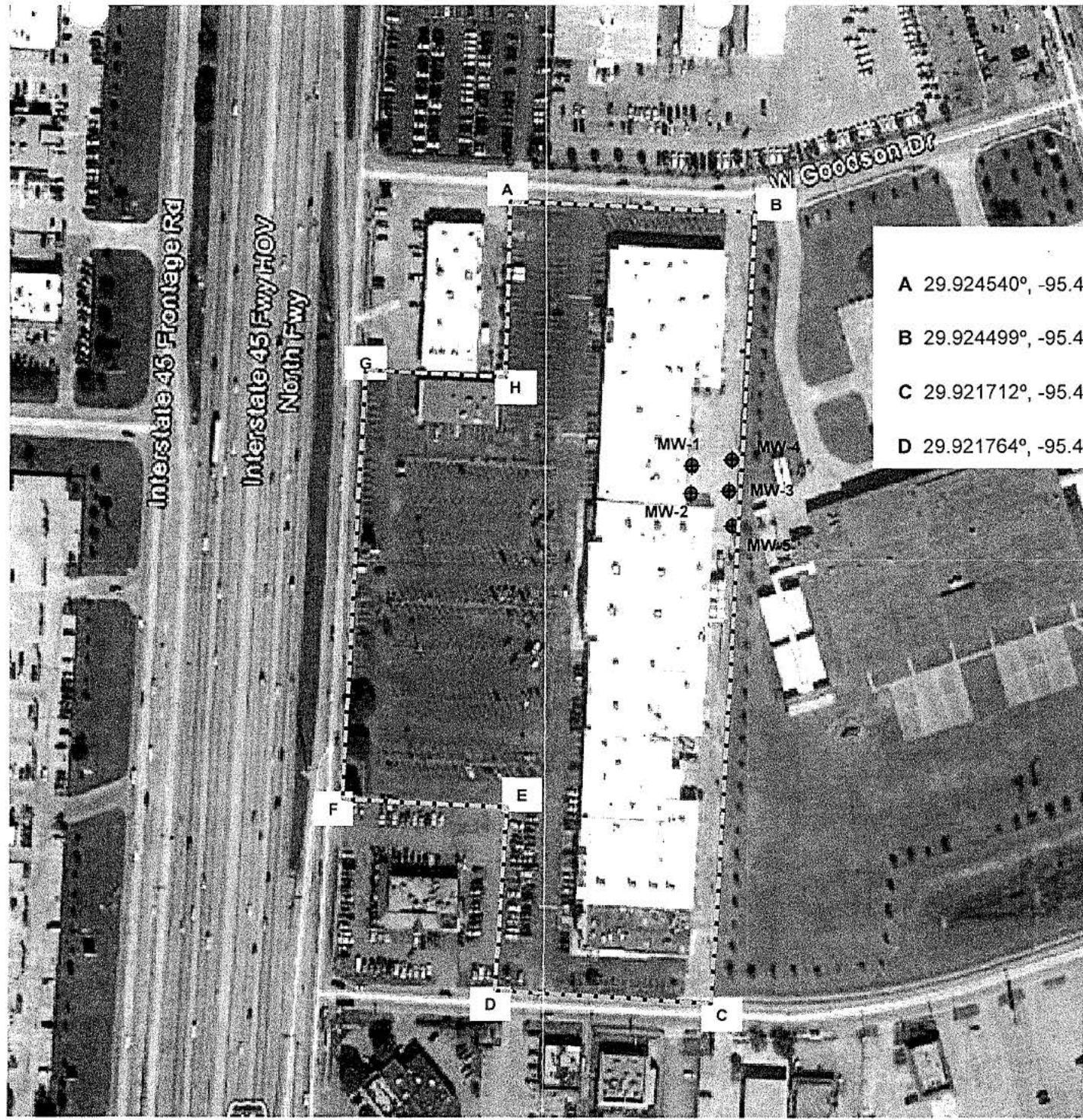


SITH ROBERTS BALDISCHWILER, L.P.
SURVEYORS AND ENGINEERS
1400 WEST 17TH STREET, SUITE 100
HOUSTON, TEXAS 77002
TELEPHONE: 770-840-1111
FAX: 770-840-1112




ALTAACSH LAND TITLE SURVEY
NORTH 45 PLAZA SHOPPING CENTER
HOUSTON, HARRIS COUNTY
STATE OF TEXAS

DATE	1988
BY	SM
FOR	SM

THIS SURVEY WAS MADE IN ACCORDANCE WITH THE PROVISIONS OF THE TEXAS PROPERTY CODE, TITLE 5, CHAPTER 61, AND THE TEXAS CONSTITUTION, ARTICLE 16, SECTION 10.

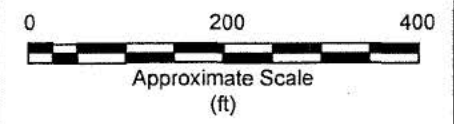


LEGEND

-  Property Boundary
-  Proposed MSD Boundary
-  Groundwater Monitoring Well

GPS Locations

A 29.924540°, -95.411140°	E 29.922469°, -95.411129°
B 29.924499°, -95.410051°	F 29.922550°, -95.411816°
C 29.921712°, -95.410235°	G 29.923931°, -95.411749°
D 29.921764°, -95.411162°	H 29.923942°, -95.411162°



InControl Technologies, Inc.
 3845 Cypress Creek Pkwy, Suite 195
 Houston, Texas 77068
 (281) 580-8892 FAX (281) 580-8853

GPS Coordinate Locations

CLIENT: Component Capital Group		PM: CP	
LOCATION: 10822-10900 North Freeway Houston, Texas 77037		CHECKED:	
DETAILED: CP	DESIGNED: 4/21/14	PROJECT NO: 538-110	FIGURE: 3a

Exhibit B
Municipal Setting Designation
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared
Jeremy Fernandes, as an authorized representative of
CCG I, LP CCG Houston 1 Equity 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.

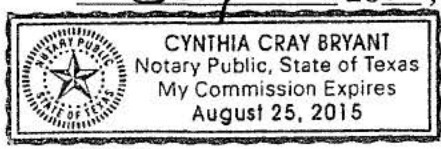
[Signature]
Signature
Jeremy Fernandes
Printed Name

Date: 7/8/14

Manager - CCG Houston 1 Equity LP
Title

STATE OF Texas
COUNTY OF Dallas

SUBSCRIBED AND SWORN before me on this the 8 day of
July 2014, to which witness my hand and seal of office.



Cynthia Cray Bryant
Notary Public in and for the State of TEXAS