

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Toby Baker, *Executive Director*



BOX

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 6, 2019

Mr. Grover Grimes, President
Memorial Villages Water Authority
8955 Gaylord Dr
Houston, Texas 77024

Re: Municipal Setting Designation (MSD) Certificate for 3120 Buffalo Speedway Associates, LP, Part of 16.883 Commercial Tract at Buffalo Speedway Site, located at 3120 Buffalo Speedway, Houston, Harris County, TX; Municipal Setting Designation (MSD) No. 418; Regulated Entity No. RN110771466; Customer No. CN605314012

Dear Mr. Grimes:

As required by Texas Health & Safety Code §361.807(a)(2), enclosed is a copy of the MSD Certificate dated September 6, 2019. The City of Houston passed an ordinance (Ordinance No. 2019-205) in support of this MSD application. For this reason, the Texas Commission on Environmental Quality is required to provide you a copy of the MSD Certificate.

If you have any questions, please do not hesitate to contact me at (512) 239-4024 or via e-mail (christopher.moore@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Moore".

Christopher Moore, P.G., Project Manager
VCP-CA Section
Remediation Division

CLM/jdm

Enclosure: Copy of MSD Certificate No. 418

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 6, 2019

Ms. Thelma Gilliam, City Secretary
City of West University Place
3800 University Blvd
West University Place, Texas 77005

Re: Municipal Setting Designation (MSD) Certificate for 3120 Buffalo Speedway Associates, LP, Part of 16.883 Commercial Tract at Buffalo Speedway Site, located at 3120 Buffalo Speedway, Houston, Harris County, TX; Municipal Setting Designation (MSD) No. 418; Regulated Entity No. RN110771466; Customer No. CN605314012

Dear Ms. Gilliam:

As required by Texas Health & Safety Code §361.807(a)(2), enclosed is a copy of the MSD Certificate dated September 6, 2019. The City of Houston passed an ordinance (Ordinance No. 2019-205) in support of this MSD application. For this reason, the Texas Commission on Environmental Quality is required to provide you a copy of the MSD Certificate.

If you have any questions, please do not hesitate to contact me at (512) 239-4024 or via e-mail (christopher.moore@tceq.texas.gov).

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Christopher Moore, P.G., Project Manager
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 6, 2019

Ms. Olga Garza, City Secretary
City of Southside Place
6309 Edloe St
Houston, TX 77005

Re: Municipal Setting Designation (MSD) Certificate for 3120 Buffalo Speedway Associates, LP, Part of 16.883 Commercial Tract at Buffalo Speedway Site, located at 3120 Buffalo Speedway, Houston, Harris County, TX; Municipal Setting Designation (MSD) No. 418; Regulated Entity No. RN110771466; Customer No. CN605314012

Dear Ms. Garza:

As required by Texas Health & Safety Code §361.807(a)(2), enclosed is a copy of the MSD Certificate dated September 6, 2019. The City of Houston passed an ordinance (Ordinance No. 2019-205) in support of this MSD application. For this reason, the Texas Commission on Environmental Quality is required to provide you a copy of the MSD Certificate.

If you have any questions, please do not hesitate to contact me at (512) 239-4024 or via e-mail (christopher.moore@tceq.texas.gov).

Sincerely,

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Christopher Moore, P.G., Project Manager
VCP-CA Section
Remediation Division

CLM/jdm

Enclosure: Copy of MSD Certificate No. 418

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 6, 2019

Ms. Anna Russell, City Secretary
City Secretary Department
900 Bagby St, Rm. P101
Houston, TX 77002

Re: Municipal Setting Designation (MSD) Certificate for 3120 Buffalo Speedway Associates, LP, Part of 16.883 Commercial Tract at Buffalo Speedway Site, located at 3120 Buffalo Speedway, Houston, Harris County, TX; Municipal Setting Designation (MSD) No. 418; Regulated Entity No. RN110771466; Customer No. CN605314012

Dear Ms. Russell:

As required by Texas Health & Safety Code §361.807(a)(2), enclosed is a copy of the MSD Certificate dated September 6, 2019. The City of Houston passed an ordinance (Ordinance No. 2019-205) in support of this MSD application. For this reason, the Texas Commission on Environmental Quality is required to provide you a copy of the MSD Certificate.

If you have any questions, please do not hesitate to contact me at (512) 239-4024 or via e-mail (christopher.moore@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Moore".

Christopher Moore, P.G., Project Manager
VCP-CA Section
Remediation Division

CLM/jdm

Enclosure: Copy of MSD Certificate No. 418

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 6, 2019

Ms. Tracy Dutton, City Clerk
City of Bellaire
7008 S Rice Ave
Bellaire, Texas 77401

Re: Municipal Setting Designation (MSD) Certificate for 3120 Buffalo Speedway Associates, LP, Part of 16.883 Commercial Tract at Buffalo Speedway Site, located at 3120 Buffalo Speedway, Houston, Harris County, TX; Municipal Setting Designation (MSD) No. 418; Regulated Entity No. RN110771466; Customer No. CN605314012

Dear Ms. Dutton:

As required by Texas Health & Safety Code §361.807(a)(2), enclosed is a copy of the MSD Certificate dated September 6, 2019. The City of Houston passed an ordinance (Ordinance No. 2019-205) in support of this MSD application. For this reason, the Texas Commission on Environmental Quality is required to provide you a copy of the MSD Certificate.

If you have any questions, please do not hesitate to contact me at (512) 239-4024 or via e-mail (christopher.moore@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Moore".

Christopher Moore, P.G., Project Manager
VCP-CA Section
Remediation Division

CLM/jdm

Enclosure: Copy of MSD Certificate No. 418

Jon Niermann, *Chairman*
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 6, 2019

Mr. John S. Grassi, Member
3120 Buffalo Speedway Associates, LP
1 Market Plaza, Suite 4125 Spear Tower
San Francisco, California 94105-1131

Re: Part of 16.883 Commercial Tract at Buffalo Speedway Site, located at 3120 Buffalo Speedway, Houston, Harris County, Texas; Municipal Setting Designation (MSD) No. 418; Regulated Entity No. RN110771466; Customer No. CN605314012

Dear Mr. Grassi:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced MSD application on May 1, 2019 and additional information supporting this MSD application on July 23, 2019. Based on our review, the application contains the required information as outlined in Texas Health and Safety Code (THSC) §361.804. Enclosed is the MSD Certification for your site. If you have any questions, please do not hesitate to contact me at (512) 239-4024 or via e-mail (christopher.moore@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Moore".

Christopher Moore, P.G., Project Manager
VCP-CA Section
Remediation Division

CLM/jdm

Enclosure: MSD Certificate

cc: Ms. Alma Jefferson, Waste Section Manager, TCEQ Houston Regional Office, R-12
Mr. Brian Weaver, P.G., SKA Consulting, LP (via email)

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. 418, 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 6th day of September, 2019

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

RIVER OAKS GREEN ENVIRONMENTAL PARCEL SURVEY
10.71 ACRES

FEBRUARY 22, 2018
JOB NO. 4595-36

DESCRIPTION OF A 10.71 ACRE TRACT OF LAND SITUATED
IN THE A.C. REYNOLDS SURVEY, ABSTRACT NO. 61
HARRIS COUNTY, TEXAS

BEING a 10.71 acre (466,741 square feet) tract of land situated in the A.C. Reynold Survey, Abstract No. 61 of Harris County, Texas and being a portion of a called 16.7670 acre tract of land, Restricted Reserve "A" of EXXONMOBIL UPSTREAM RESEARCH COMPANY TRACT a subdivision plat recorded under Film Code Number (F.C. No.) 513070 of the Harris County Map Records (H.C.M.R.), and being the same tract of land as described in an instrument recorded under Harris County Clerk's File Number (H.C.C.F. No.) 20150563258, and being a portion of Buffalo Speedway (100 feet wide) as recorded under Volume (Vol.) 1879, Page (Pg.) 168 of the Harris County Deed Records (H.C.D.R.), said 10.71 acre tract of land described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod found for the southeast corner of the herein described tract, the southwest corner of RIVER OAKS APARTMENTS, a subdivision plat recorded under Vol. 345, Pg. 25 of the H.C.M.R., same being the northwest corner of a called 1.8644 acre tract as described in an instrument to Camp Wampum, Ltd., recorded under H.C.C.F. No. X814118 and lying on the east right-of-way line of said Buffalo Speedway, and having grid coordinates of X=3,101,471.56, Y=13,832,013.65;

THENCE, S 87°24'14" W, over and across said Buffalo Speedway, at a distance of 103.19 feet passing a 5/8-inch iron rod with cap stamped "AL Sikes RS 2914" found for the southeast corner of said EXXONMOBIL UPSTREAM RESEARCH COMPANY TRACT, same being the northeast corner of a called 3.9704 acre tract as described in an instrument to MC/RBS, LP, recorded under H.C.C.F. No. RP-2016-217170, and continuing along and with common line of said EXXONMOBIL UPSTREAM RESEARCH COMPANY TRACT and said 3.9704 acre tract and partially along the north line of THIRTY SIX SIXTEEN RICHMOND REPLAT NO. 1, a subdivision plat recorded under F.C. No. 623236 of the H.C.M.R., a total distance of 721.13 feet to the southwest corner of the herein described tract, same being the southeast corner of RANDALL ACRES, a subdivision plat recorded under Vol. 46, Pg. 53 of the H.C.M.R.;

THENCE, N 02°32'44" W, along and with the common line of said EXXONMOBIL UPSTREAM RESEARCH COMPANY TRACT and Block 1 of said RANDALL ACRES, a distance of 284.32 feet to the northeast corner of Lot 20, Block 1 of said RANDALL ACRES and being an interior corner of the herein described tract;

THENCE, S 87°27'16" W, along and with the north line of said Lot 20, a distance of 99.23 feet to the northwest corner of said Lot 20, lying on the east right-of-way line of Mercer Street (60 feet wide) as shown on said RANDALL ACRES;

THENCE, N 02°32'44" W, along and with said east right-of-way line, a distance of 101.02 feet to a mag nail found for the southwest corner of Lot 17, Block 1 of said RANDALL ACRES;

THENCE, N 87°27'16" E, along and with the south line of said Lot 17, a distance of 99.23 feet to the southeast corner of said Lot 17 and being an interior corner of the herein described tract;

RIVER OAKS GREEN ENVIRONMENTAL PARCEL SURVEY
10.71 ACRES

FEBRUARY 22, 2018
JOB NO. 4595-36

THENCE, N 02°33'50" W, along and with the east line of said Block 1 of RANDALL ACRES, a distance of 151.53 feet to a 5/8-inch iron rod with cap stamped "AL Sikes RS 2914" found the northeast corner of Lot 15, Block 1 of said RANDALL ACRES and being an interior corner of the herein described tract;

THENCE, S 87°27'16" W, along and with the north line of said Lot 15, a distance of 99.18 feet to a 5/8-inch iron rod with cap stamped "AL Sikes RS 2914" found for the northwest corner of the said Lot 15, lying on the east right-of-way line of said Mercer Street;

THENCE, N 02°32'44" W, along and with said east right-of-way line, a distance of 101.02 feet to a 5/8-inch iron rod with cap stamped "AL Sikes RS 2914" found for the southwest corner of Lot 12, Block 1 of said RANDALL ACRES;

THENCE, N 87°27'16" E, along and with the south line of said Lot 12, a distance of 99.23 feet to the southeast corner of said Lot 12 and being an interior corner of the herein described tract;

THENCE, N 02°32'44" W, along and with the east line of said Lot 12, a distance of 33.06 feet to the northwest corner of the herein described tract;

THENCE, N 87°28'59" E, over and across said EXXONMOBIL UPSTREAM RESEARCH COMPANY TRACT, a distance of 312.31 feet to an angle point in the north line of the herein described tract;

THENCE, N 84°29'25" E, partially over and across said EXXONMOBIL UPSTREAM RESEARCH COMPANY TRACT, and over and across said Buffalo Speedway, a distance of 311.50 feet to the northeast corner of the herein described tract, lying on a non-tangent curve to the left of the east right-of-way line of said Buffalo Speedway from which its center bears S 84°37'26" W, 3,769.83 feet, same being the west line of THIRTY ONE TWENTY ONE BUFFALO SPEEDWAY, a subdivision plat recorded under F.C. No. 389065 of the H.C.M.R.;

THENCE, In a Southerly direction, along and with said east right-of-way line and along said curve to the left, a distance of 694.18 feet, having a radius of 3,769.83 feet, a central angle of 10°33'02" and a chord which bears S 10°39'05" E, 693.19 feet to the **POINT OF BEGINNING** and containing 10.71 acres (466,741 square feet) of land.

RIVER OAKS GREEN ENVIRONMENTAL PARCEL SURVEY
10.71 ACRES

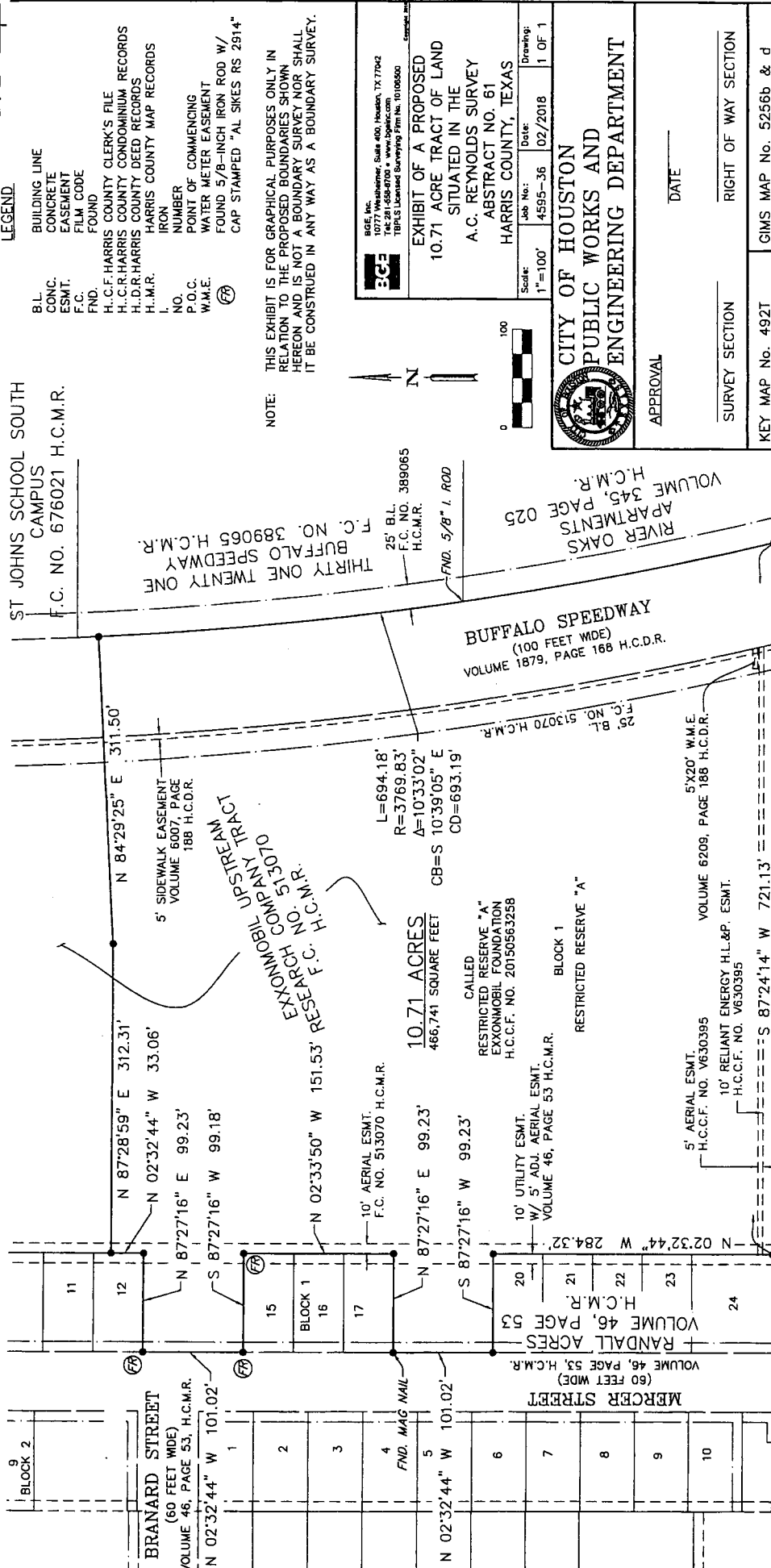
FEBRUARY 22, 2018
JOB NO. 4595-36

Bearing orientation is based on the Texas Coordinate System of 1983, South Central Zone 4204 and is referenced to said EXXONMOBIL UPSTREAM RESEARCH COMPANY TRACT as cited herein.
Combined Scale Factor 0.999887514.

This metes and bounds description was prepared under 22 Texas Annotated Code 663.21 and reflects the assembly of instruments of record to describe the political boundary limits shown hereon 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.



James B. McAllister, Jr.
James B. McAllister, Jr. RPLS No. 5717 02/22/18
BGE, Inc.
10777 Westheimer Road, Suite 400
Houston, Texas 77042
Telephone: (281) 558-8700
TBPLS Licensed Surveying Firm No. 10106500



APPROVAL	DATE
SURVEY SECTION	RIGHT OF WAY SECTION
KEY MAP No. 492T	GIMS MAP No. 5256b & d
PARCEL NO.	
JOB NO.	
WBS NO.	
C.M. NO.	

CITY OF HOUSTON
PUBLIC WORKS AND
ENGINEERING DEPARTMENT

Scale: 1"=100'
Job No.: 4595-36
Date: 02/2018
Drawing: 1 OF 1

EXHIBIT OF A PROPOSED
10.71 ACRE TRACT OF LAND
SITUATED IN THE
A.C. REYNOLDS SURVEY
ABSTRACT NO. 61
HARRIS COUNTY, TEXAS

DATE: 02/2018
JOB NO.: 4595-36
DRAWING: 1 OF 1

LEGEND

- B.L. BUILDING LINE
- CONC. CONCRETE
- ESMT. EASEMENT
- F.C. FILM CODE
- FND. FOUND
- H.C.F. HARRIS COUNTY CLERK'S FILE
- H.C.R. HARRIS COUNTY CONDOMINIUM RECORDS
- H.D.R. HARRIS COUNTY DEED RECORDS
- H.M.R. HARRIS COUNTY MAP RECORDS
- I. IRON
- NO. NUMBER
- P.O.C. POINT OF COMMENCING
- W.M.E. WATER METER EASEMENT
- FOUND 5/8-INCH IRON ROD W/ CAP STAMPED "AL SIKES RS 2914"

NOTE: THIS EXHIBIT IS FOR GRAPHICAL PURPOSES ONLY IN RELATION TO THE PROPOSED BOUNDARIES SHOWN HEREON AND IS NOT A BOUNDARY SURVEY NOR SHALL IT BE CONSTRUED IN ANY WAY AS A BOUNDARY SURVEY.

303 E. 107th Street, Suite 400, Houston, TX 77042
Tel: 281-458-8700 • www.tgenc.com
TBPUS Licensed Surveying Firm No. 10100500

ST JOHNS SCHOOL SOUTH CAMPUS
F.C. NO. 676021 H.C.M.R.

THIRTY ONE TWENTY ONE
BUFFALO SPEEDWAY
F.C. NO. 389065 H.C.M.R.

THIRTY SIX SIXTEEN
RICHMOND REPLAT NO. 1
F.C. NO. 623236 H.C.M.R.

NOTES:
1. BEARING ORIENTATION IS BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE 4204 AND IS REFERENCED TO EXXONMOBIL UPSTREAM RESEARCH COMPANY TRACT AS SHOWN HEREON. SCALE FACTOR = 0.9989887514.
2. THIS MAP WAS PREPARED UNDER 22 TEXAS ANNOTATED CODE 663.21 AND REFLECTS THE ASSEMBLY OF INSTRUMENTS OF RECORD TO DESCRIBE THE POLITICAL BOUNDARY LIMITS SHOWN HEREON 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.
3. A METES AND BOUNDS DESCRIPTION IS BEING ISSUED UNDER SEPARATE COVER OF EVEN DATE.

173X\Projects\Transmission\595-01-River Oaks Green\05-Survey\04-Final\10-71EX1.dwg, 2/23/2018 8:08 AM, bmcclain

Exhibit B

Municipal Setting Designation

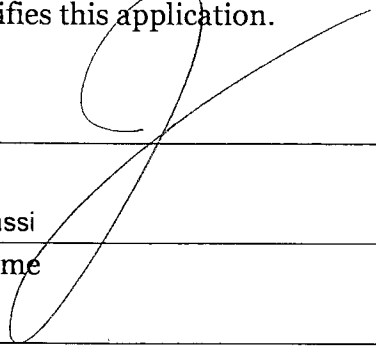
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared John S. Grassi, as an authorized representative of 3120 Buffalo Speedway Associates, 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

 John S. Grassi
 Printed Name

 Member

 Title

Date: 04/26/19

STATE OF _____
COUNTY OF _____

SUBSCRIBED AND SWORN before me on this the _____ day of _____ 20____, to which witness my hand and seal of office.

Notary Public in and for the State of _____

please see attached form

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

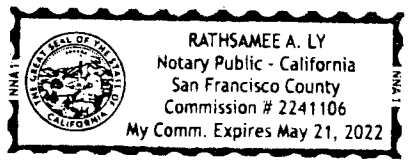
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of San Francisco)
On April 26, 2019 before me, Rathsamee A. Ly, Notary Public,
Date Here Insert Name and Title of the Officer
personally appeared John S. Grassi
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Municipal Setting Designation, Affidavit of Eligibility
Document Date: Number of Pages:
Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:
[] Corporate Officer - Title(s):
[] Partner - [] Limited [] General
[] Individual [] Attorney in Fact
[] Trustee [] Guardian or Conservator
[] Other:
Signer Is Representing:

Signer's Name:
[] Corporate Officer - Title(s):
[] Partner - [] Limited [] General
[] Individual [] Attorney in Fact
[] Trustee [] Guardian or Conservator
[] Other:
Signer Is Representing:

