

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

October 8, 2019

Mr. Matthew Donowho, Manager  
LandLot, LLC  
2118 Lamar Street, Suite 105  
Houston, Texas 77003

Re: Municipal Setting Designation (MSD) Certificate for LandLot, LLC, Former Air Liquide, 3535 and 3543 West 12<sup>th</sup> Street, and 3602 West 11<sup>th</sup> Street, Houston, Harris County, Texas; MSD No. 417; Customer No. CN604730945; Regulated Entity No. RN110768009

Dear Mr. Donowho:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced MSD application on April 29, 2019 and additional information supporting this MSD application on September 3, 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) 239-0843 or via e-mail ([ruth.winsor@tceq.texas.gov](mailto:ruth.winsor@tceq.texas.gov)).

Sincerely,

A handwritten signature in black ink, appearing to read "Ruth Winsor" followed by a small "foj" or similar mark.

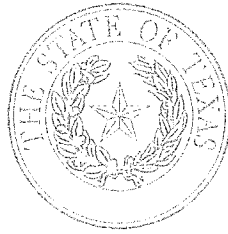
Ruth Winsor, Project Manager  
VCP-CA Section  
Remediation Division

RW/mdh

Enclosure: MSD Certificate

cc: Mr. Michael Marcon, InControl Technologies, Inc. (via email)  
Mr. Robin Morse, Crain Caton and James (via email)  
Ms. Alma Jefferson, Waste Section 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. 417, 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 October, 2019

Beth Seaton

Beth Seaton, Director  
Remediation Division  
Texas Commission on Environmental Quality

**TRACT III:**

All of that certain tract of land (Tract III) being comprised of Parcel 1 being 2.6861 acres (17,007 square feet) being all of that certain called 2.69 acre tract described in deed to Air

Liquide USA LLC as recorded in Harris County Clerks File (H.C.C.F.) No. Y280021 and Parcel 2 being 0.1672 acres (7,285 square feet) being all of that certain called 0.164 acre tract described in deed to Air Liquide USA LLC as recorded in Harris County Clerks File (H.C.C.F.) No. Y280020 and lying in the John Reinerman Survey, Abstract-642, Harris County, Texas, said 2.6861 acre tract (Parcel 1) and said 0.1672 acre tract (Parcel 2) being more particularly described by metes and bounds as follows: (bearings are based on the plat of Air Liquide Subdivision as recorded in Film Code No. 618185, Harris County Map Records (H.C.M.R.)

**COMMENCING** at a found 1" iron pipe marking the intersection of the West right-of-way line of Seamist Drive (60 feet wide) as dedicated in Volume 2022, Page 229, Harris County Deed Records (H.C.D.R.) and the South right-of-way line of West 12th Street (60 feet wide) as dedicated in Volume 1871, Page 177, H.C.D.R., said pipe being the Northeast corner of a called 5.2270 acre tract described in deed to Cul Ray, Ltd. as recorded in H.C.C.F. No. W988602, from which a point marking the intersection of said West right-of-way line of Seamist Drive and the North right-of-way line of West 11th Street (100 feet wide) as dedicated in Volume 763, Page 667, H.C.D.R., same being the Southeast corner of a called 0.9730 acre tract described to Union Pacific Railroad Company and being a residue of a called 14.721 acre tract as recorded in Volume 1580, Page 152, H.C.D.R., bears South 02°05'07" East a distance of 799.37 feet, from said point a found 5/8 inch iron rod bears North 55°42' East a distance of 1.96 feet, from said point, a found 5/8 inch iron rod with cap lying on said North right-of-way line and being the Southwest corner of said called 0.9730 acre tract, same being the Southeast corner of said Air Liquide Subdivision bears South 87°54'53" West a distance of 108.00 feet, from said rod a found 1/2 inch iron rod bears North 54°52' East a distance of 1.73 feet, from said 5/8 inch iron rod with cap, a found 2 inch iron pipe lying on said North right-of-way line and being the Southwest corner of said Air Liquide Subdivision, same being the Southeast corner of a called 3.8834 acre tract described in deed to George J. Rankin as recorded in H.C.C.F. No. L406649;

**THENCE** South 87°54'53" West, along said South right-of-way line, in common with the North line of said called 5.2270 acre tract passing at a distance of 660.00 feet to a point being the Northwest corner of said 5.2270 acre tract, same being the Northeast corner of a 2.3106 acre tract (Tract IV) described in deed to the Air Liquide USA LLC as recorded in H.C.C.F. No. V614281, from which a found 5/8 inch iron rod with cap bears North 14°25' East a distance of 0.65 feet and continuing along said right-of-way line, in common with the North line of said 2.3106 acre tract for a total distance of 935.00 feet to a point being the Northwest corner of said 2.3106 acre tract, same being the Northeast corner of said Parcel 1 and the Northeast corner and **POINT OF BEGINNING** of the herein described tract, from which a found 1/2 inch iron rod in asphalt bears North 40°55' East a distance of 0.55 feet;

**THENCE** South 02°05'07" East, leaving said right-of-way line and along the West line of said 2.3106 acre tract, in common with the East line of said Parcel 1 and of the herein described tract passing at a distance of 366.00 feet a set 3/4 inch iron rod lying on the North line of a 17 foot wide right-of-way and easement for Missouri-Kansas-Texas Railroad Company as recorded in Volume 1605, Page 163, H.C.D.R., said rod being the Southwest corner of said 2.3106 acre tract and continuing over and across said easement and along the East line of the herein described tract for a total distance of 383.00 feet to a found 3/4 inch iron rod lying on the South line of said easement, being common with the North line of a called 1.958 acre tract (Tract R55) described in deed to Texas and New Orleans Railroad as recorded in Volume 1656, Page 526, H.C.D.R.;

**THENCE** South 87°54'53" West, along the North line of said called 1.958 acre tract, in common with the South line of said easement, said Parcel 2 and the herein described tract passing at a distance of 305.50 feet a point being the Southwest corner of said Parcel 1, same being the Southeast corner of said Parcel 2 and continuing along the North line of said called 1.958 acre tract, in common with the South of easement, said Parcel 1 and of the herein described tract for a total distance of 324.52 feet to a set 3/4 inch iron rod (found 3/4 inch iron rod laid over) being the Southeast corner of a called 2.384 acre tract described in deed to Houston Grinding and Manufacturing Company, Inc. as recorded in H.C.C.F. No. J714859, same being the Southwest corner of said Parcel 1 and of the herein described tract;

**THENCE** North 02°05'07" West, leaving the North line of said called 1.958 acre tract and the South line of said Easement, along the East line of said called 2.384 acre tract, in common with the West line of said Parcel 1 and of the herein tract a distance of 383.00 feet to point lying on said South right-of-way line of 12th Street and being the Northeast corner of said called 2.384 acre tract, same being the Northwest corner of said Parcel 2 and of the herein described tract, from which a found 1 inch iron pipe bears South a distance of 0.85 feet, from said point a found 5/8 inch iron rod being the Northwest corner of said called 2.384 acre tract, same being the Northeast corner of a called 1.6789 acre tract described in deed to Bullen Properties, LLC as recorded in H.C.C.F. No. 20070602612 bears South 87°54'53" West a distance of 271.16 feet;

**THENCE** North 87°54'53" East, along said right-of-way line, in common with the North line of said Parcel 2 and of the herein described tract passing at a distance of 19.02 feet to a point being the Northeast corner of said Parcel 2, same being the Northwest of said Parcel 1, from which a found 5/8 inch iron rod under a tree root bears South a distance of 0.75 feet and continuing along said right-of-way line, in common with the North line of said Parcel 1 and of the herein described tract for a total distance of 324.52 feet to the **POINT OF BEGINNING** and containing 2.8533 acres (124,290 square feet) of land.

#### TRACT IV:

All of that certain tract of land (Tract IV) being 2.3106 acres (100,650 square feet) and being all of that certain called 2.3106 acre tract described in deed to Air Liquide USA LLC as recorded in Harris County Clerks File (H.C.C.F.) No. V614281 and lying in the John Reinerman Survey, Abstract-642, Harris County, Texas, said 2.3106 acre tract being more particularly described by metes and bounds as follows: (bearings are based on the plat of Air Liquide Subdivision as recorded in Film Code No. 618185, Harris County Map Records (H.C.M.R.)

**COMMENCING** at a found 1" iron pipe marking the intersection of the West right-of-way line of Seamist Drive (60 feet wide) as dedicated in Volume 2022, Page 229, Harris County Deed Records (H.C.D.R.) and the South right-of-way line of West 12th Street (60 feet wide) as dedicated in Volume 1871, Page 177, H.C.D.R., said pipe being the Northeast corner of a called 5.2270 acre tract described in deed to Cul Ray, Ltd. as recorded in H.C.C.F. No. W988602, from which a point marking the intersection of said West right-of-way line of Seamist Drive and the North right-of-way line of West 11th Street (100 feet wide) as dedicated in Volume 763, Page 667, H.C.D.R., same being the Southeast corner of a called 0.9730 acre tract described to Union Pacific Railroad Company and being a residue of a called 14.721 acre tract as recorded in Volume 1580, Page 152, H.C.D.R., bears South 02°05'07" East a distance of 799.37 feet, from

said point a found 5/8 inch iron rod bears North 55°42' East a distance of 1.96 feet, from said point, a found 5/8 inch iron rod with cap lying on said North right-of-way line and being the Southwest corner of said called 0.9730 acre tract, same being the Southeast corner of said Air Liquide Subdivision bears South 87°54'53" West a distance of 108.00 feet, from said rod a found 1/2 inch iron rod bears North 54°52' East a distance of 1.73 feet, from said 5/8 inch iron rod with cap, a found 2 inch iron pipe lying on said North right-of-way line and being the Southwest corner of said Air Liquide Subdivision, same being the Southeast corner of a called 3.8834 acre tract described in deed to George J. Rankin as recorded in H.C.C.F. No. L406649;

**THENCE** South 87°54'53" West, along said South right-of-way, in common with the North line of said called 5.2270 acre tract a distance of 660.00 feet to a point being the Northwest corner of said 5.2270 acre tract, same being the Northeast corner and **POINT OF BEGINNING** of the herein described, from which a found 5/8 inch iron rod with cap bears North 14°25' East a distance of 0.65 feet;

**THENCE** South 02°05'07" East, leaving said right-of-way line and along the West line of said 5.2270 acre tract, in common with the East line of the herein described tract a distance of 366.00 feet to a set 3/4 inch iron rod lying on the North line of a 17 foot wide right-of-way and easement for Missouri-Kansas-Texas Railroad Company as recorded in Volume 1605, Page 163, H.C.D.R. and being the Southwest corner of said called 5.2270 acre tract, same being the Southeast corner of the herein described tract, from which a found 1/2 inch iron being a Southerly corner of said called 5.2270 acre tract, same being the Southwest corner of a called 0.5170 acre tract described in deed to Cul Ray, Ltd. as recorded in H.C.C.F. No. X917104 bears North 87°54'53" East a distance of 510.00 feet, from said rod a found 1/2 inch iron with cap bears North 37°20' East a distance of 0.37 feet;

**THENCE** South 87°54'53" West, along the North line of said easement, in common with the South line of the herein described tract a distance of 275.00 feet to a set 3/4 inch iron rod lying on the East line of a 2.6861 acre tract (Tract III) described in deed to Air Liquide USA LLC recorded under H.C.C.F. No. Y280021, said rod being the Southwest corner of the herein described tract, from which a found 3/4 inch rod lying on the South line of said easement, being common the North line of a called 1.958 acre tract described in deed to Texas and New Orleans Railroad as recorded in Volume 1656, Page 526, H.C.D.R. and being the Southeast corner of said 2.6861 acre tract bears South 02°05'07" East a distance of 17.00 feet;

**THENCE** North 02°05'07" West, leaving the South line of said easement and along the East line of said called 2.6861 acre tract, in common with the West line of the herein described tract a distance of 366.00 feet to a point lying on said South right-of-way line and being the Northeast corner of said called 2.6861 acre tract, same being the Northwest corner of the herein described tract, from which a found 1/2 inch iron rod under asphalt driveway bears North 40°55' East a distance of 0.55 feet;

**THENCE** North 87°54'53" East, along said right-of-way line, in common with the North line of the herein described tract a distance of 275.00 feet to the **POINT OF BEGINNING** and containing 2.3106 acres (100,650 square feet) of land.

BEING THE WESTERLY 1/2 OF THE AIR LIQUIDE SUBDIVISION  
HARRIS COUNTY, TEXAS

All of that certain tract of land being 3.9999 acres (174,236 square feet) and being the Westerly 1/2 of an 8.000 acre (348,472 square feet) tract of land being all of Unrestricted Reserve "A" in Block I of the Air Liquide Subdivision as recorded in Film Code No. 618185, Harris County Map Records (H.C.M.R.), same being the Easterly 1/2 of a called 8.0000 acre tract described in deed to Air Liquide as recorded in Harris County Clerks File (H.C.C.F.) No. Y280022 and lying in the John Reinerman Survey, Abstract-642, Harris County, Texas, said 3.9999 acre tract being more particularly described by metes and bounds as follows: (bearings are based on the plat of Air Liquide Subdivision as recorded in Film Code No. 618185, Harris County Map Records (H.C.M.R.))

**COMMENCING** at a found 1" iron pipe marking the intersection of the West right-of-way line of Seamist Drive (60 feet wide) as dedicated in Volume 2022, Page 229, Harris County Deed Records (H.C.D.R.) and the South right-of-way line of West 12th Street (60 feet wide) as dedicated in Volume 1871, Page 177, H.C.D.R., said pipe being the Northeast corner of a called 5.2270 acre tract described in deed to Cul Ray, Ltd. as recorded in H.C.C.F. No. W988602.

**THENCE** South 02°05'07" East, along said West right-of-way line, in common with the East line of said called 5.2270 acre tract, passing at a distance of 216.00 feet a point being an Easterly corner of said called 5.2270 acre tract, same being the Northeast corner of a called 0.5170 acre tract described in deed to Cul Ray, Ltd. as recorded in H.C.C.F. No. X917104, continuing along said right-of-way line, in common with the East line of said called 0.5170 acre tract, passing at a distance of 366.00 feet a point being the Southeast corner of said called 0.5170 acre tract, same being the Northeast corner of a 17 foot wide right-of-way and easement for Missouri-Kansas-Texas Railroad Company as recorded in Volume 1605, Page 163, H.C.D.R., continuing along said right-of-way line, in common with the East line of said Easement, passing at a distance of 383.00 feet a point being the Southeast corner of said Easement, same being the Northwest corner of a called 1.958 acre tract (Tract "R55") described in deed to Texas and New Orleans Railroad as recorded in Volume 1656, Page 526, H.C.D.R., continuing along said right-of-way line, in common with the East line of said called 1.958 acre tract, passing at a distance of 423.00 feet a point being the Southeast corner of said called 1.958 acre tract, same being the Northeast corner of a called 0.9730 acre tract described to Union Pacific Railroad Company and being a residue of a called 14.721 acre tract as recorded in Volume 1580, Page 152, H.C.D.R. and continuing along said right-of-way line, in common with the East line of said called 0.9730 acre tract for a total distance of 799.37 feet to a point marking the intersection of said West right-of-way line of Seamist Drive and the North right-of-way line of West 11th Street (100 feet wide) as dedicated in Volume 763, Page 667, H.C.D.R., same being the Southeast corner of a said called 0.9730 acre tract, from said point a found 5/8 inch iron rod bears North 55°42' East a distance of 1.96 feet.

**THENCE** South 87°54'53" West, along said North right-of-way line of West 11th Street, in common with the South line of said called 0.9730 acre tract, passing at a distance of 108.00 feet a found 5/8 inch iron rod with cap being the Southwest corner of said called 0.9730 acre tract, same being the Southeast corner of said Air Liquide Subdivision, said called 8.0000 acre tract and the Southeast corner of a 3.9999 acre tract being the Easterly 1/2 of said Air Liquide Subdivision and said called 8.0000 acre tract, from said rod a found 1/2 inch iron rod bears North 54°52' East a distance of 1.73 feet and continuing along said right-of-way line, in common with the South line of said Air Liquide Subdivision, said called 8.0000 acre tract and said Easterly 3.9999 acre tract for a total distance of 467.55 feet to a point being the Southwest corner of said Easterly 3.9999 acre tract, same being the Southeast corner and the **POINT OF BEGINNING** of the herein described tract.

**THENCE** South 87°54'53" West, continuing along said right-of-way line, in common with the South line of said Air Liquide Subdivision, said called 8.0000 acre tract and of the herein described tract a distance of 462.94 feet to a found 2 inch iron pipe being the Southeast corner of a called 3.8834 acre tract described in deed to George J. Rankin as recorded in H.C.C.F. No. L406649, same being the Southwest corner of said Air Liquide Subdivision, said called 8.0000 acre tract and of the herein described tract:

**THENCE** North 02°05'07" West, leaving said right-of-way line and along the East line of said called 3.8834 acre tract, in common with the West line of said Air Liquide Subdivision, said called 8.0000 acre tract and of the herein described tract a distance of 376.37 feet to a found "X" cut in concrete fence post base lying on the South line of said called 1.958 acre tract and being the Northeast corner of said called 3.8834 acre tract, same being the Northwest corner of said Air Liquide Subdivision, said called 8.0000 acre tract and of the herein described tract, from which a found 1/2 inch iron rod bears South 84°47' West a distance of 0.86 feet:

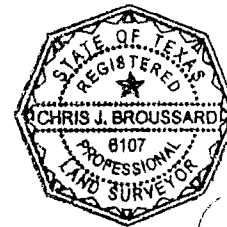
**THENCE** North 87°54'53" East, along the South line of said called 1.958 acre tract, in common with the Northerly line of said Air Liquide Subdivision, said called 8.0000 acre tract and the North line of the herein described tract a distance of 462.94 feet to a point being the Northwest corner of said Easterly 3.9999 acre tract, same being the Northeast corner of the herein described tract, from which a found 5/8 inch iron rod being the Northwest corner of said called 0.9730 acre tract, same being the Northernmost Northeasterly corner of said Air Liquide Subdivision, said called 8.0000 acre tract and said Easterly 3.9999 acre tract bears North 87°54'53" East, a distance of 385.55 feet, from said 5/8 inch iron rod, a found 1/2 inch iron rod being the Northwesterly Interior corner of said called 0.9730 acre tract, same being the Southernmost Northeasterly corner of said Air Liquide Subdivision, said called 8.0000 acre tract and said Easterly 3.9999 acre tract bears South 64°45'07" East, a distance of 92.30 feet;

**THENCE** South 02°05'07" East, leaving the South line of said called 1.958 acre tract and the North line of said Air Liquide Subdivision and said called 8.0000 acre tract, over and across said Air Liquide Subdivision and said called 8.0000 acre tract and along the West line of the said Easterly 3.9999 acre tract, in common with the East line of the herein described tract a distance of 376.37 feet to the **POINT OF BEGINNING** and containing 3.9999 acres (174,236 square feet) of land.

This description is based on the Land Title Survey and plat made by Chris J. Broussard, RPLS 6107 on December 12, 2014.

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Chris J. Broussard R.P.L.S. #6107  
Broussard Land Surveying, LLC  
1001 Herkimer Street  
Houston TX 77008  
Job Number: BLS-2351



*Chris J. Broussard*  
12/12/14

**METES AND BOUNDS DESCRIPTIO.**  
**3.9999 ACRES (174,236 SQUARE FEET)**  
**BEING THE EASTERLY 1/2 OF THE AIR LIQUIDE SUBDIVISION**  
**HARRIS COUNTY, TEXAS**

All of that certain tract of land being 3.9999 acres (174,236 square feet) and being the Easterly 1/2 of an 8.000 acre (348,472 square feet) tract of land being all of Unrestricted Reserve "A" in Block 1 of the Air Liquide Subdivision as recorded in Film Code No. 618185, Harris County Map Records (H.C.M.R.), same being the Easterly 1/2 of a called 8.0000 acre tract described in deed to Air Liquide as recorded in Harris County Clerks File (H.C.C.F.) No. Y280022 and lying in the John Reinerman Survey, Abstract-642, Harris County, Texas, said 3.9999 acre tract being more particularly described by metes and bounds as follows: (bearings are based on the plat of Air Liquide Subdivision as recorded in Film Code No. 618185, Harris County Map Records (H.C.M.R.)

**COMMENCING** at a found 1" iron pipe marking the intersection of the West right-of-way line of Seamist Drive (60 feet wide) as dedicated in Volume 2022, Page 229, Harris County Deed Records (H.C.D.R.) and the South right-of-way line of West 12th Street (60 feet wide) as dedicated in Volume 1871, Page 177, H.C.D.R., said pipe being the Northeast corner of a called 5.2270 acre tract described in deed to Cul Ray, Ltd. as recorded in H.C.C.F. No. W988602.

**THENCE** South 02°05'07" East, along said West right-of-way line, in common with the East line of said called 5.2270 acre tract, passing at a distance of 216.00 feet a point being an Easterly corner of said called 5.2270 acre tract, same being the Northeast corner of a called 0.5170 acre tract described in deed to Cul Ray, Ltd. as recorded in H.C.C.F. No. X917104, continuing along said right-of-way line, in common with the East line of said called 0.5170 acre tract, passing at a distance of 366.00 feet a point being the Southeast corner of said called 0.5170 acre tract, same being the Northeast corner of a 17 foot wide right-of-way and easement for Missouri-Kansas-Texas Railroad Company as recorded in Volume 1605, Page 163, H.C.D.R., continuing along said right-of-way line, in common with the East line of said Easement, passing at a distance of 383.00 feet a point being the Southeast corner of said Easement, same being the Northwest corner of a called 1.958 acre tract (Tract "R55") described in deed to Texas and New Orleans Railroad as recorded in Volume 1656, Page 526, H.C.D.R., continuing along said right-of-way line, in common with the East line of said called 1.958 acre tract, passing at a distance of 423.00 feet a point being the Southeast corner of said called 1.958 acre tract, same being the Northeast corner of a called 0.9730 acre tract described to Union Pacific Railroad Company and being a residue of a called 14.721 acre tract as recorded in Volume 1580, Page 152, H.C.D.R. and continuing along said right-of-way line, in common with the East line of said called 0.9730 acre tract for a total distance of 799.37 feet to a point marking the intersection of said West right-of-way line of Seamist Drive and the North right-of-way line of West 11th Street (100 feet wide) as dedicated in Volume 763, Page 667, H.C.D.R., same being the Southeast corner of a said called 0.9730 acre tract, from said point a found 5/8 inch iron rod bears North 55°42' East a distance of 1.96 feet.

**THENCE** South 87°54'53" West, along said North right-of-way line of West 11th Street, in common with the South line of said called 0.9730 acre tract a distance of 108.00 feet to a found 5/8 inch iron rod with cap being the Southwest corner of said called 0.9730 acre tract, same being the Southeast corner of said Air Liquide Subdivision, said called 8.0000 acre tract, the Southeast corner and the **POINT OF BEGINNING** of the herein described tract, from said rod a found 1/2 inch iron rod bears North 54°52' East a distance of 1.73 feet:

**THENCE** South 87°54'53" West, continuing along said right-of-way line, in common with the South line of said Air Liquide Subdivision, said called 8.0000 acre tract and of the herein described tract a distance of 467.56 feet to a point being the Southeast corner of a 3.9999 acre tract being the Westerly 1/2 of said Air Liquide Subdivision and said called 8.0000 acre tract, same being the Southwest corner of the herein described tract, from said point a found 2 inch iron pipe lying on said right-of-way line and being the Southwest corner of said Air Liquide Subdivision and said called 8.0000 acre tract, same being the Southeast corner of a called 3.8834 acre tract described in deed to George J. Rankin as recorded in H.C.C.F. No. L406649 bears South 87°54'53" West a distance of 462.93 feet:

**THENCE** North 02°05'07" West, leaving said right-of-way line and the South line of said Air Liquide Subdivision and said called 8.0000 acre tract, over and across said Air Liquide Subdivision and said called 8.0000 acre tract and along the East line of the said Westerly 3.9999 acre tract, in common with the West line of the herein described tract a distance of 376.37 feet to a point lying on the South line of said called 1.958 acre tract, being common with the North line of said Air Liquide Subdivision and said called 8.0000 acre tract, said point being the Northeast corner of the said Westerly 3.9999 acre tract, same being the Northwest corner of the herein described tract:



**THENCE** North 87°54'33" East, along the South line of said called 1.958 acre tract, in common with the Northerly line of said Air Liquide Subdivision, said called 8.0000 acre tract and of the herein described tract a distance of 385.55 feet to a found 5/8 inch iron rod being the Northwest corner of said called 0.9730 acre tract, same being the Northernmost Northeasterly corner of said Air Liquide Subdivision, said called 8.0000 acre tract and of the herein described tract;

**THENCE** South 64°45'07" East, leaving the South line of said called 1.958 acre tract and along the Northwesterly line of said called 0.9730 acre tract, in common with the Northeasterly line of said Air Liquide Subdivision, said called 8.0000 acre tract and of the herein described tract a distance of 92.30 feet to a found 1/2 inch iron rod being the Northwesterly Interior corner of said called 0.9730 acre tract, same being the Southernmost Northeasterly corner of said Air Liquide Subdivision, said called 8.0000 acre tract and of the herein described tract;

**THENCE** South 02°05'07" East, along the West line of said called 0.9730 acre tract, in common with the East line of said Air Liquide Subdivision, said called 8.0000 acre tract and of the herein described tract a distance of 333.99 feet to the **POINT OF BEGINNING** and containing 3.9999 acres (174,236 square feet of land.

This description is based on the Land Title Survey and plat made by Chris J. Broussard, RPLS 6107 on December 12, 2014.

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Chris J. Broussard R.P.L.S. #6107  
Broussard Land Surveying, LLC  
1001 Herkimer Street  
Houston TX 77008  
Job Number: BLS-2351



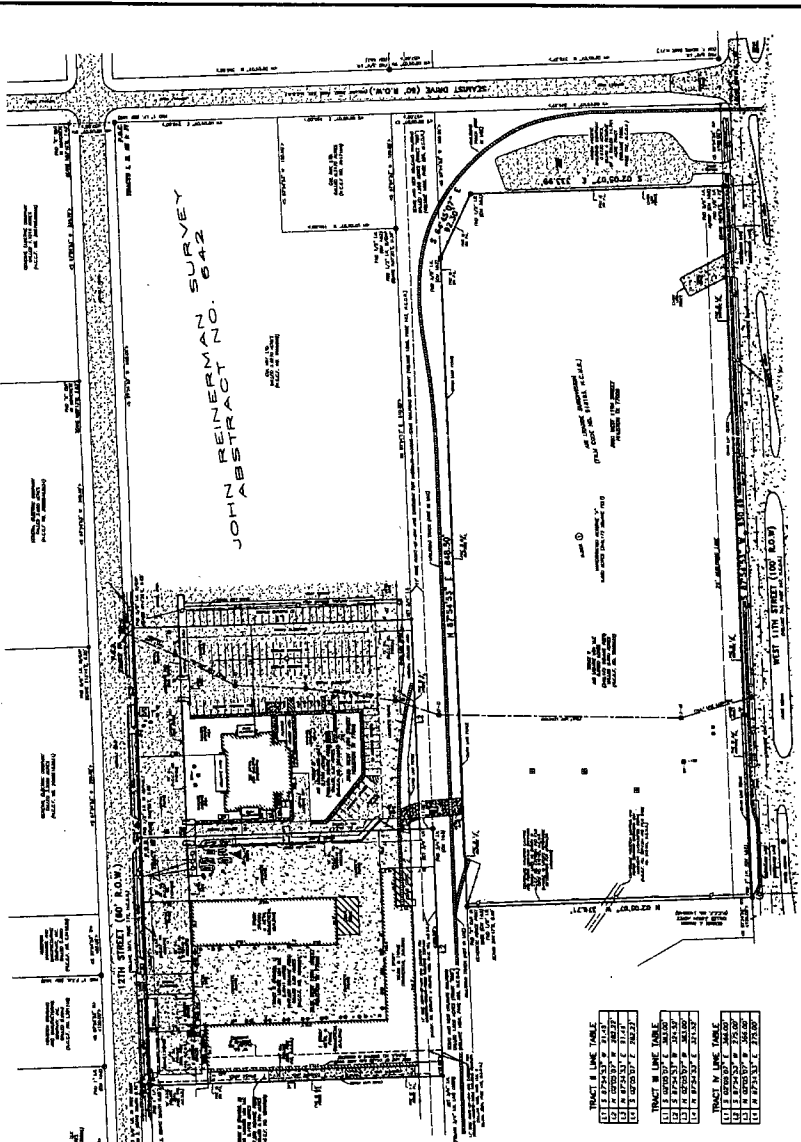
*Chris J. Broussard*  
12/12/14



Symbol	Description
(Symbol)	Property Line
(Symbol)	Survey Line
(Symbol)	Boundary Line
(Symbol)	Right-of-Way Line
(Symbol)	Utility Line
(Symbol)	Water Line
(Symbol)	Gas Line
(Symbol)	Electric Line
(Symbol)	Telephone Line
(Symbol)	Other Utility Line
(Symbol)	Survey Station
(Symbol)	Reference Point
(Symbol)	Corner Mark
(Symbol)	Other Mark

**TRACT LINE AND CURVE TABLES**

Line No.	Description	Length (ft)	Bearing
1	...	...	...
2	...	...	...
3	...	...	...
4	...	...	...
5	...	...	...
6	...	...	...
7	...	...	...
8	...	...	...
9	...	...	...
10	...	...	...



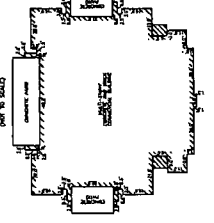
**TRACT LINE TABLE**

Line No.	Description	Length (ft)	Bearing
1	...	...	...
2	...	...	...
3	...	...	...
4	...	...	...
5	...	...	...
6	...	...	...
7	...	...	...
8	...	...	...
9	...	...	...
10	...	...	...

**BROUSSARD SURVEYING**  
Land Surveying Services

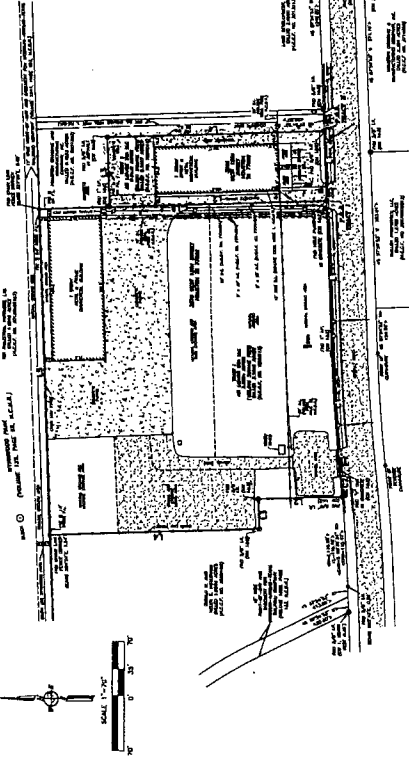
1500 WEST 15TH STREET, SUITE 100  
DENVER, CO 80202  
TEL: 303.733.1178  
FAX: 303.733.1181  
WWW.BROUSSARDSURVEYING.COM

**PROFESSIONAL SEAL**  
Surveyor  
No. 12345  
State of Colorado  
Expires 12/31/2024



THIS SURVEY WAS MADE BY THE SURVEYOR IN ACCORDANCE WITH THE PROVISIONS OF THE COLORADO SURVEYING ACT OF 1978, AS AMENDED. THE SURVEYOR HAS REVIEWED THE RECORDING APPLICATION AND THE RECORDING INSTRUMENT AND HAS DETERMINED THAT THE RECORDING INSTRUMENT ACCURATELY REPRESENTS THE SURVEY AND THAT THE SURVEY IS IN ACCORDANCE WITH THE PROVISIONS OF THE COLORADO SURVEYING ACT OF 1978, AS AMENDED.

THE SURVEYOR HAS REVIEWED THE RECORDING APPLICATION AND THE RECORDING INSTRUMENT AND HAS DETERMINED THAT THE RECORDING INSTRUMENT ACCURATELY REPRESENTS THE SURVEY AND THAT THE SURVEY IS IN ACCORDANCE WITH THE PROVISIONS OF THE COLORADO SURVEYING ACT OF 1978, AS AMENDED.



**NOTICE TO CONTRACTORS (N.C.C.)**

THE SURVEYOR HAS REVIEWED THE RECORDING APPLICATION AND THE RECORDING INSTRUMENT AND HAS DETERMINED THAT THE RECORDING INSTRUMENT ACCURATELY REPRESENTS THE SURVEY AND THAT THE SURVEY IS IN ACCORDANCE WITH THE PROVISIONS OF THE COLORADO SURVEYING ACT OF 1978, AS AMENDED.

**NOTICE TO PROPERTY OWNERS (N.P.O.)**

THE SURVEYOR HAS REVIEWED THE RECORDING APPLICATION AND THE RECORDING INSTRUMENT AND HAS DETERMINED THAT THE RECORDING INSTRUMENT ACCURATELY REPRESENTS THE SURVEY AND THAT THE SURVEY IS IN ACCORDANCE WITH THE PROVISIONS OF THE COLORADO SURVEYING ACT OF 1978, AS AMENDED.

**NOTICE TO ADJACENT PROPERTY OWNERS (N.A.P.O.)**

THE SURVEYOR HAS REVIEWED THE RECORDING APPLICATION AND THE RECORDING INSTRUMENT AND HAS DETERMINED THAT THE RECORDING INSTRUMENT ACCURATELY REPRESENTS THE SURVEY AND THAT THE SURVEY IS IN ACCORDANCE WITH THE PROVISIONS OF THE COLORADO SURVEYING ACT OF 1978, AS AMENDED.

# Exhibit B

## Municipal Setting Designation

### Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Matthew Donowho, as an authorized representative of LandLot, 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.

[Signature]  
Signature

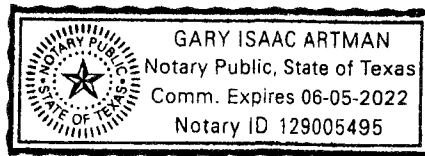
Date: 04/17/19

Matthew Donowho  
Printed Name

Manager  
Title

STATE OF Texas

COUNTY OF Harris



SUBSCRIBED AND SWORN before me on this the 17<sup>th</sup> day of April 2019, to which witness my hand and seal of office.

[Signature]  
Notary Public in and for the State of Texas