

Jon Niermann, *Chairman*  
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Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 7, 2020

Mr. Ali Firouzbakht  
Doreen Firouzbakht 2013 Trust  
6311 Westchester Avenue  
Houston, Texas 77005

Re: Municipal Setting Designation (MSD) Certificate for Doreen Firouzbakht 2013 Trust for Eric and Daria, Former ADA Resources, 6603 Kirbyville Street, Houston, Harris County, TX; MSD No. 423; Customer No. CN605155308; Regulated Entity No. RN100525641

Dear Mr. Firouzbakht:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on October 14, 2019 and additional information supporting this MSD application on February 3, 2020 and February 28, 2020. 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) 239-2961 or via e-mail ([richard.goldsmith@tceq.texas.gov](mailto:richard.goldsmith@tceq.texas.gov)).

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Stuart Goldsmith".

R. Stuart Goldsmith  
VCP-CA Section  
Remediation Division

RSG/rsg

cc: Ms. Lauren Grawey, InControl Technologies, via email  
Ms. Alma Jefferson, TCEQ, Waste Section Manager, Houston Regional Office, MC R-12

Enclosure: MSD Certificate 423

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. 423, 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 5 day of May, 2020

Beth Seaton, Director  
Remediation Division  
Texas Commission on Environmental Quality

**METES AND BOUNDS DESCRIPTION**  
**5.4371 ACRES**  
**LOCATED IN THE**  
**CHAUNCEY GOODRICH SURVEY, A-306**  
**HARRIS COUNTY, TEXAS**

Being a tract or parcel of land containing 5.4371 acres of land or 236,842 square feet, located in the Chauncey Goodrich Survey, Abstract 306, Harris County, Texas, Said 5.4371 acre tract being all of that called 5.438 acre tract of record in the name of ADA Resources, Inc. in Harris County Clerk's File (H.C.C.F.) Number R732628, Said 5.4371 acre tract being more particularly described as follows (bearings based on said deed):

**BEGINNING** at a 5/8 inch iron rod with "Gruller" cap set for the northeast corner of the herein described tract, on the south Right-of-Way line of Murphy Avenue (60 feet wide);

**THENCE**, coincident the east property lines of aforesaid 5.4371 acre tract the following five (5) courses:

1. Coincident a curve to the left an arc length of 49.11 feet, having a radius of 528.57 feet, a central angle of 05 Degrees 19 Minutes 23 Seconds, and a chord bearing of South 10 Degrees 45 Minutes 18 Seconds East, a distance of 49.09 feet to a 5/8 inch iron rod with "Gruller" cap set;
2. South 13 Degrees 25 Minutes 00 Seconds East, a distance of 348.87 feet to a 5/8 inch iron rod with "Gruller" cap set for the beginning of a curve to the right;
3. Coincident aforesaid curve to the right, an arc length of 74.22 feet, having a radius of 594.79 feet, a central angle of 07 Degrees 08 Minutes 58 Seconds, and a chord bearing of South 09 Degrees 50 Minutes 31 Seconds East, a distance of 74.17 feet to a 5/8 inch iron rod with "Gruller" cap;
4. South 06 Degrees 16 Minutes 00 Seconds East, a distance of 37.10 feet to a 5/8 inch iron rod with "Gruller" cap set for the beginning of a curve to the left;
5. Coincident aforesaid curve to the left, an arc length of 40.22 feet, having a radius of 611.79 feet, a central angle of 03 Degrees 46 Minutes 00 Seconds, and a chord bearing of South 08 Degrees 09 Minutes 00 Seconds east, a distance of 39.23 feet to a 5/8 inch iron rod with "Gruller" cap set for the southeast corner of the herein described tract, being the northeast corner of a called 3.2800 acre tract of record in the name of The Matrixx Group, Incorporated in H.C.C.F. Number 20070167007;

**THENCE**, coincident the north line of aforesaid 3.2800 acre tract, South 76 Degrees 36 Minutes 19 Seconds West, a distance of 385.67 feet to a 1 inch iron pipe found for the southwest corner of the herein described tract, being the northwest corner of said 3.2800 acre tract, and being on the east R.O.W. line of Kirbyville Street (60 feet wide);

**THENCE**, coincident the east R.O.W. line of aforesaid Kirbyville Street, North 13 Degrees 25 Minutes 25 Seconds West, a distance of 612.35 feet to a 1 inch iron pipe found for the beginning of a curve to the right, being a R.O.W. transition from the east R.O.W. line of said Kirbyville Street to the south R.O.W. line of aforesaid Murphy Road;

**THENCE**, coincident aforesaid curve to the right, an arc length of 45.11 feet, having a radius of 25.00 feet, a central angle of 103 Degrees 23 Minutes 04 Seconds, and a chord bearing of North 38 Degrees 16 Minutes

07 Seconds East, a distance of 39.23 feet to a 1 inch iron pipe found for the end of said curve, being on the south R.O.W. line of aforesaid Murphy Road;

**THENCE**, coincident the south R.O.W. line of aforesaid Murphy Road, North 89 Degrees 57 Minutes 40 Seconds East, a distance of 380.50 feet to the **POINT OF BEGINNING** and containing 5.4371 acres of land.



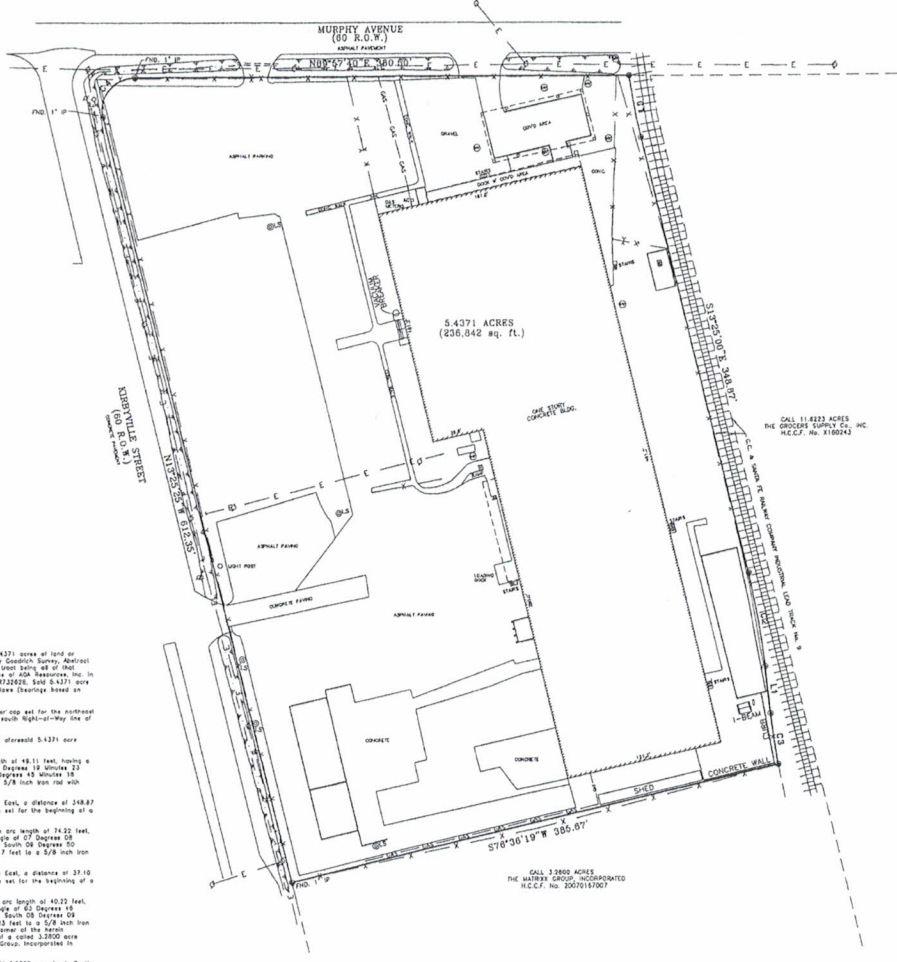
LINE TABLE:

Course	Bearing	Distance
L1	S66°16'00\"/>	

CURVE TABLE:

Curve	Radius	Length	Delta	Chord	Chord Bear.
C1	528.57'	49.11'	5°19'23\"/>		

- NOTES:
- The surveyor has not observed the subject property.
  - This survey was created with the benefit of a title commitment prepared by Stewart Title Guaranty Company, C.P. No. 1400332477, Effective Date: October 21, 2014.
  - Books of Record for the survey in the deed of record in H.C.C.F. No. R732628.
  - By graphic plotting only, the subject property lies in Zone 17' area determined by the radius of the 0.28 second chance Road and Zone 17' Shaded' area determined to be within the 0.28 second chance Road as defined by the Federal Emergency Management Agency flood insurance rate map number 480700080A, sheet 04-18-2007.
  - Subject to a national spot assessment of record in H.C.C.F. No. F202846.



**NOTES AND BOUNDS DESCRIPTION:**  
 5.4371 ACRES  
 LOCATED IN THE  
 CHAUNCEY GODDRICH SURVEY, A-306  
 HARRIS COUNTY, TEXAS

Being a tract or parcel of land containing 5.4371 acres of land or 236,842 square feet, located in the Chauncey Goddich Survey, Block 306, Harris County, Texas, said 5.4371 acre tract being all of that certain 0.28 acre tract of record to the name of ADM Resources, Inc. in Harris County Clerk's File (H.C.C.F.) Number 8732628, said 5.4371 acre tract being more particularly described as follows (hereinafter based on said record):

BEGINNING at a 5/8 inch iron rod with "Quaker cap" set for the northeast corner of the herein described tract on the south right-of-way line of Murphy Avenue (RD R.O.W.);

THENCE, equidistant the east property line of aforesaid 5.4371 acre tract the following line (55' courses):

- Consistent a curve to the left on an arc length of 49.11 feet, having a radius of 528.57 feet, a central angle of 07 Degrees 19 Minutes 23 Seconds, and a chord bearing of South 10 Degrees 45 Minutes 18 Seconds, and a distance of 143.28 feet to a 5/8 inch iron rod with "Quaker cap" set;
- South 13 Degrees 25 Minutes 00 Seconds East, a distance of 248.87 feet to a 5/8 inch iron rod with "Quaker cap" set for the beginning of a curve to the right;
- Consistent aforesaid curve to the right, on an arc length of 74.22 feet, having a radius of 584.79 feet, a central angle of 07 Degrees 05 Minutes 58 Seconds, and a chord bearing of South 05 Degrees 00 Minutes 31 Seconds East, a distance of 74.17 feet to a 5/8 inch iron rod with "Quaker cap" set;
- South 08 Degrees 18 Minutes 00 Seconds East, a distance of 27.10 feet to a 5/8 inch iron rod with "Quaker cap" set for the beginning of a curve to the left;
- Consistent aforesaid curve to the left, on an arc length of 49.11 feet, having a radius of 528.57 feet, a central angle of 07 Degrees 19 Minutes 23 Seconds, and a chord bearing of South 05 Degrees 00 Minutes 05 Seconds East, a distance of 143.28 feet to a 5/8 inch iron rod with "Quaker cap" set at the southwest corner of the herein described tract, being the northeast corner of a certain 3.2800 acre tract of record in the name of the herein described tract, H.C.C.F. Number 20070187007;
- THENCE, consistent the north line of aforesaid 3.2800 acre tract, South 78 Degrees 26 Minutes 19 Seconds West, a distance of 283.87 feet to a 5/8 inch iron rod with "Quaker cap" set for the southwest corner of the herein described tract, being the northeast corner of said 3.2800 acre tract, and being on the east R.O.W. line of Kingsley Street (RD R.O.W.);
- THENCE, consistent the east R.O.W. line of aforesaid Kingsley Street, North 13 Degrees 25 Minutes 00 Seconds East, a distance of 112.25 feet to a 5/8 inch iron rod with "Quaker cap" set at a point on the right, being a 5/8 inch iron rod from the east R.O.W. line of Kingsley Street to the south R.O.W. line of aforesaid Murphy Road;
- THENCE, consistent aforesaid curve to the right, on an arc length of 49.11 feet, having a radius of 528.57 feet, a central angle of 07 Degrees 19 Minutes 23 Seconds, and a chord bearing of North 08 Degrees 18 Minutes 00 Seconds East, a distance of 74.17 feet to a 5/8 inch iron rod with "Quaker cap" set at the northeast corner of the herein described tract, being the northeast corner of said 3.2800 acre tract of record in the name of the herein described tract, H.C.C.F. Number 20070187007;
- THENCE, consistent the south R.O.W. line of aforesaid Murphy Road, North 18 Degrees 37 Minutes 40 Seconds East, a distance of 280.50 feet to the POINT OF BEGINNING and containing 5.4371 acres of land.

- LEGEND**
- IRON ROD SET/PIED
  - POWER POLE
  - CUP ANCHOR
  - MANHOLE
  - MONITORING WELL
  - CEMENT MORTAR
  - GATE VALVE & BOX
  - FIRE HYDRANT
  - TELEPHONE FEDERAL
  - TELEPHONE EQUIPMENT
  - LIGHT STANDARD
  - LIGHT
  - TRAFFIC SIGN
  - FIRE HOUSING
  - F.O.C. FIBER OPTIC CABLE
  - L.V. IRRIGATION CONTROL VALVE
  - CURB
  - AREA MEET
  - TOP OF BUILDING
  - TOP OF CURB ELEVATION
  - GUTTER ELEVATION
  - WOOD FENCE
  - CONCRETE FENCE
  - OVERHEAD ELECTRIC
  - WATERLINE
  - GAS LINE
  - TELEPHONE LINE
  - CENTER OF SHADE
  - TOP OF BANK
  - +56 EXIST. NATURAL GROUND ELEVATION
  - +54.67 EXIST. ASPHALT OR CONCRETE ELEVATION



To: Alfred Prosser, et al, ADM Resources, Inc.  
 and Street The Quarry Company

This survey complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category "A" Control Survey.

I do hereby certify that this survey was made for me on the ground, that said survey represents the facts found at the time of the survey.

Kenneth A. Gruller  
 Texas Registered Professional Land Surveyor No. 5479

PLAT OF SURVEY  
 BOUNDARY AND IMPROVEMENT  
 SURVEY OF A  
 5.4371 ACRE (236,842 SQ. FT.) TRACT  
 H.C.C.F. No. R732628  
 LOCATED IN THE  
 CHAUNCEY GODDRICH SURVEY, A-306  
 HARRIS COUNTY, TEXAS

**Gruller Surveying, LLC**  
 PROFESSIONAL LAND SURVEYING  
 8866 SAN JACINTE, SUITE 1400  
 HOUSTON, TEXAS 77056  
 www.grullersurveying.com

SCALE: 1" = 40'	FIELD BOOK: 2014-2	DATE: 11-14-2014
G.P. No. 1400332477	ADDRESS: 8863 RUSSELL	
PHONE: (713) 333-1488 FAX: (713) 782-2355	DRG. NO. 45-1413.DWG.	IS-C-6 (C&R)

**Exhibit B**  
**Municipal Setting Designation**  
**Affidavit of Eligibility**

BEFORE ME, the undersigned authority, on this day personally appeared Ali Firouzbakht, as an authorized representative of Doreen Firouzbakht 2013 Trust for Eric and Daria, 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.

Ali Firouzbakht  
Signature

Date: 9/27/2019

Ali Firouzbakht  
Printed Name  
Managing Partner  
Title

STATE OF Texas  
COUNTY OF Harris

SUBSCRIBED AND SWORN before me on this the 27 day of September, 2019, to which witness my hand and seal of office.

Michelle Leigh Rodriguez  
Notary Public in and for the State of Texas

