

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*

May 7, 2020

Mr. Kris Van Norman  
InSite West Belt, L.P.  
2537 South Gessner Rd, Suite 250  
Houston, Texas 77063

Re: Municipal Setting Designation (MSD) Certificate for InSite West Belt, L.P., West Belt Business Park Site, located at 10651 Harwin Drive, Houston, Harris County, TX; Municipal Setting Designation (MSD) No. 415; Customer No. CN605648401; Regulated Entity No. RN100671262

Dear Mr. Van Norman:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on April 1, 2019 and additional information supporting this MSD application on June 27, 2019 and February 20, 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) 239-2241 or via e-mail ([chris.swiderski@tceq.texas.gov](mailto:chris.swiderski@tceq.texas.gov)).

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Swiderski".

Chris Swiderski, Project Manager  
VCP-CA Section  
Remediation Division

CS/xxx

cc: Mr. Michael Marcon, InControl Technologies, Inc., (via email)  
Ms. Alma Jefferson, TCEQ, Waste Section Manager, Houston Regional Office, (via email)

Enclosure: MSD Certificate MSD 415

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):

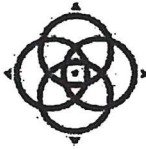
I, Beth Seaton, Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 415, in the City of Houston, for the tract of land described in Exhibit "A". The eligibility requirements of Texas Health and Safety Code §361.803 are satisfied as attested to by the affidavit 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 7<sup>th</sup> day of May, 2020

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Beth Seaton, Director  
Remediation Division  
Texas Commission on Environmental Quality





# WINDROSE

LAND SURVEYING | PLATTING

## DESCRIPTION OF 14.56 ACRES OR 634,267 SQ. FT.

A TRACT OR PARCEL CONTAINING 14.56 ACRES OR 634,267 SQUARE FEET OF LAND BEING ALL OF A CALLED 14.5671 ACRE TRACT CONVEYED TO INSITE WEST BELT, L.P., AS RECORDED UNDER HARRIS COUNTY CLERK FILE (H.C.C.F.) NO. Y337805, SAID 14.5671 ACRE TRACT BEING THE RESIDUE OF A CALLED 15.2055 ACRE TRACT RECORDED UNDER H.C.C.F. NO. D134794, BEING OUT OF AND PART OF UNRESTRICTED RESERVE "E", BLOCK 10, BELTWAY SECTION 2, MAP OR PLAT THEREOF RECORDED UNDER VOLUME (VOL.) 176, PAGE (PG.) 80, OF THE HARRIS COUNTY MAP RECORDS (H.C.M.R.), SITUATED IN THE WILLIAM LYON SURVEY, ABSTRACT NO. 516, HARRIS COUNTY, TEXAS, WITH SAID 14.56 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83):

**BEGINNING** AT A 5/8 INCH IRON ROD FOUND AT THE INTERSECTION OF THE SOUTH END OF A CUTBACK CORNER OF THE SOUTH RIGHT OF WAY (R.O.W.) LINE OF HARWIN DRIVE, WIDTH VARIES, AND THE WEST R.O.W. LINE OF SOVEREIGN DRIVE, 60 FEET WIDE, AS RECORDED UNDER VOL. 176, PG. 80, H.C.M.R., FOR THE SOUTHEAST END OF A CUTBACK AT THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE**, SOUTH 02 DEG. 20 MIN. 32 SEC. EAST, ALONG THE WEST R.O.W. LINE OF SAID SOVEREIGN DRIVE, A DISTANCE OF 755.63 FEET TO A 5/8 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF A CALLED 2.0489 ACRE TRACT CONVEYED TO B & E SOVEREIGN INVESTMENT, LLC, AS RECORDED UNDER H.C.C.F. NO. 20130195848, AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE**, SOUTH 87 DEG. 39 MIN. 28 SEC. WEST, ALONG THE NORTH LINE OF SAID CALLED 2.0489 ACRE TRACT, PASSING AT A DISTANCE OF 350.00 FEET A 5/8 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID CALLED 2.0489 ACRE TRACT, AND THE NORTHEAST CORNER OF RESTRICTED RESERVE "A", BLOCK 1, OF VALPLACE WESTCHASE SEC 1, MAP OR PLAT THEREOF RECORDED UNDER FILM CODE NO. 619057, H.C.M.R., CONVEYED TO FOUR VP HOUSTON, L.P., AS RECORDED UNDER H.C.C.F. NO. 20120600744, AND CONTINUING FOR A TOTAL DISTANCE OF 818.61 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET ON THE EAST R.O.W. LINE OF WEST BELTWAY 8, WIDTH VARIES, AS RECORDED UNDER H.C.C.F. NO. J172074, FOR THE NORTHWEST CORNER OF SAID RESTRICTED RESERVE "A", AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A FOUND TXDOT MONUMENT BEARS NORTH 28 DEG. 00 MIN, 1.06 FEET;

**THENCE**, NORTH 02 DEG. 01 MIN. 50 SEC. WEST, ALONG THE WEST R.O.W. LINE OF SAID WEST BELTWAY 8, A DISTANCE OF 718.18 FEET TO A CUT X IN CONCRETE SET AT THE INTERSECTION OF THE EAST R.O.W. LINE OF SAID WEST BELTWAY 8, AND THE SOUTH R.O.W. LINE OF AFORESAID HARWIN DRIVE, FOR THE SOUTHWEST END OF A CUTBACK AT THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE**, NORTH 40 DEG. 13 MIN. 15 SEC. EAST, ALONG SAID CUTBACK, A DISTANCE OF 59.35 FEET TO THE NORTHEAST END OF SAID CUTBACK, FROM WHICH A FOUND CUT X BEARS NORTH 77 DEG. 59 MIN. EAST, 0.32 FEET;

**THENCE**, ALONG THE SOUTH R.O.W. LINE OF SAID HARWIN DRIVE THE FOLLOWING THREE (3) COURSES AND DISTANCES:

1. NORTH 82 DEG. 28 MIN. 19 SEC. EAST, A DISTANCE OF 208.30 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR A POINT OF CURVATURE OF A CURVE TO THE RIGHT;
2. ALONG SAID CURVE, HAVING A RADIUS OF 2,000.00 FEET, A CENTRAL ANGLE OF 09 DEG. 27 MIN. 14 SEC, AN ARC LENGTH OF 330.00 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 87 DEG. 11 MIN. 56 SEC.

EAST, 329.63 FEET TO A POINT OF TANGENCY, FROM WHICH A FOUND CAPPED 5/8 INCH IRON ROD STAMPED "PREJEAN" BEARS NORTH 87 DEG. 34 MIN. EAST, 0.37 FEET;

3. SOUTH 88 DEG. 04 MIN. 27 SEC. EAST, A DISTANCE OF 228.15 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET AT THE INTERSECTION OF THE SOUTH R.O.W. LINE OF SAID HARWIN DRIVE, AND THE WEST R.O.W. LINE OF AFORESAID SOVEREIGN DRIVE, FOR THE NORTHWEST END OF THE AFORESAID CUTBACK AT THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 45 DEG. 12 MIN. 30 SEC. EAST, ALONG SAID CUTBACK, A DISTANCE OF 14.66 FEET TO THE POINT OF BEGINNING AND CONTAINING 14.56 ACRES OR 634,267 SQUARE FEET OF LAND.



KEVIN M. REIDY  
R.P.L.S. NO. 6450  
STATE OF TEXAS  
FIRM REGISTRATION NO. 10108800



08-27-18  
DATE:

# Exhibit B

## Municipal Setting Designation

### Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Kris Van Norman, as an authorized representative of InSite West Belt, L.P., 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  
Kris Van Norman  
Printed Name

Date: 4-9-19

MANAGER MEMBER  
Title

STATE OF Texas  
COUNTY OF Harris

SUBSCRIBED AND SWORN before me on this the 9th day of April 2019, to which witness my hand and seal of office.

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

