

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Erin E. Chancellor, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 23, 2023

Mr. Eric Barvin, Manager
BG12 - Braeswood and Stella LLC
8 Greenway Plz. #905
Houston, Texas 77046-0890

Re: Municipal Setting Designation (MSD) Certificate for BG12 - Braeswood and Stella LLC, North and South Tracts of Stella Link Shopping Center Site, located at 8616-8688 Stella Link Rd., 4009-4035 S. Braeswood Blvd., and 8700-8736 Stella Link Rd., Houston, Harris County, TX; MSD No. 486; Customer No. CN605666924; Regulated Entity No. RN111488078

Dear Mr. Barvin:

The Texas Commission on Environmental Quality (TCEQ) has reviewed the above referenced MSD application received on April 12, 2022, as well as additional information supporting the application. 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) 239-0053 or via email (krista.brandt@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink that reads "Krista Brandt".

Krista Brandt, Project Manager
VCP-CA Section
Remediation Division

Enclosure: MSD Certificate No. 486

cc: Mr. Prasad Rajulu, Terracon Consultants, Inc. (via email)
Mr. Peter K. Wahl, Jackson Walker LLP (via email)
Houston Waste Section Manager, TCEQ Region 12 Office

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):

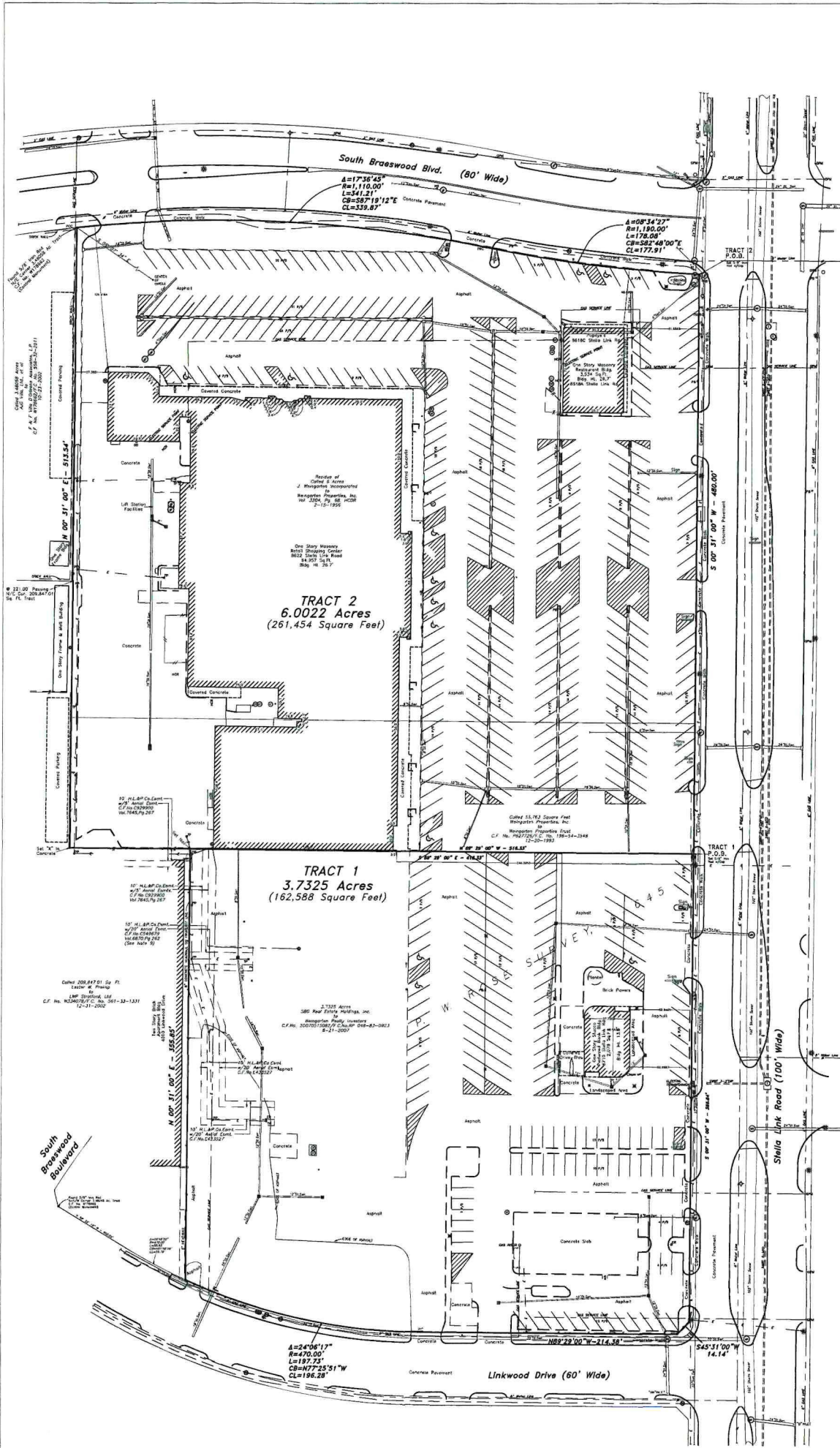
I, Monica I. Harris, Acting Deputy Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 486, in the City of Houston, for the tract of land described in Exhibit "A". The eligibility requirements of Texas Health and Safety Code §361.803 are satisfied as attested 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 20th day of January, 2023

Monica I. Harris

Monica I. Harris, P.G., Acting Deputy Director
Remediation Division
Texas Commission on Environmental Quality



LINE LEGEND

- TOP BOUND OF STREET
- OVERHEAD ELECTRIC LINE
- STORM SEWER WITH SIZE
- SANITARY SEWER WITH SIZE
- WATER LINE WITH SIZE
- ENTER GAS LINE WITH SIZE
- WOOD FENCE
- CHAIN LINK FENCE
- BARRIED WIRE FENCE
- POST FOUNDATION

SYMBOL LEGEND

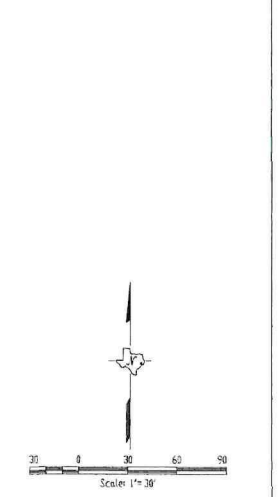
- WATER METER
- FIXED METER
- WATER VALVE
- STANDARD FIRE HYDRANT
- HANDICAPPED RAMP
- BURIED CABLE MARKING SIGN
- SET 5/8" IRON ROD W/CAP
- PAVING SIGN
- PIPE BOLLARD
- WALK SIGN
- SOUTH-WESTERN BELL MANHOLE
- TELEPHONE ENCLOSURE
- TRAFFIC SIGNAL CONTROL BOX
- TRAFFIC SIGNAL POLE
- POLE SIZE
- BREAKER BOX
- STREET LIGHT
- POWER POLE 8/2700V LIGHT
- AREA/SHOULDER LIGHT
- ELECTRIC METER
- POWER POLE W/STORM CUP
- SERVICE POLE
- TRANSFORMER POLE
- METER POLE
- GAS VALVE
- GAS METER
- BURIED GAS PAINT MARK
- STORM SEWER MANHOLE
- SANITARY SEWER CLEANOUT
- SAMPLE WELL
- CHAINS TRAP
- ISOLATE AREA DRAIN
- TYPE B INLET
- TYPE B INLET
- TYPE C INLET

TO THE BEST OF OUR KNOWLEDGE, BELIEF AND FAITH, WE HAVE NOT BEEN ADVISED OF ANY FACTS OR CIRCUMSTANCES WHICH MIGHT AFFECT THE VALIDITY OF THE INFORMATION CONTAINED HEREIN.

DATE: 12-14-2018
BY: A. MATHIS
SCALE: R.P.L.S. NO.



- GENERAL NOTES**
- SEARCHED SHOWN BASED ON RECORD DEED.
 - ALL OF THE SUBJECT SITE IS LOCATED WITHIN THE CITY OF HOUSTON, TEXAS. THE CITY ENGINEER HAS REVIEWED THE PLANS AND HAS ISSUED HIS APPROVAL. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLANS AND DOES NOT CONSTITUTE AN ENDORSEMENT OF THE PROJECT OR A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON.
 - UTILITY RELOCATION OF THIS SITE IS SUBJECT TO THE CITY OF HOUSTON, TEXAS. THE CITY ENGINEER HAS REVIEWED THE PLANS AND HAS ISSUED HIS APPROVAL. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLANS AND DOES NOT CONSTITUTE AN ENDORSEMENT OF THE PROJECT OR A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON.
 - THE ENGINEER'S WORK IS PROVIDED UNDER CONTRACT AND IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE UTILITY SYSTEMS SHOWN HEREON. THE ENGINEER'S WORK IS PROVIDED UNDER CONTRACT AND IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE UTILITY SYSTEMS SHOWN HEREON.
 - THE UTILITIES SHOWN HEREON ARE BASED ON THE CITY OF HOUSTON, TEXAS. THE CITY ENGINEER HAS REVIEWED THE PLANS AND HAS ISSUED HIS APPROVAL. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLANS AND DOES NOT CONSTITUTE AN ENDORSEMENT OF THE PROJECT OR A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON.



SHEET 1 OF 2

PRECAN & COMPANY, INC.
SURVEYING / MAPPING

12010 2017
5204 METZLER DRIVE
HOUSTON, TX 77056
713-461-1495

ALTA/NPS LAND TITLE SURVEY

9.7347 ACRES

LAND 2017
P. W. ROSE SURVEY, A-645
HOUSTON, MARSH COUNTY, TEXAS

DATE: 12-14-2018 SCALE: 1"=30' JOB NO: 288-13-2
C.P. NO. FAH180008954 TITLE: UTILITY NATIONAL TITLE INSURANCE COMPANY

Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared
Eric Barvin, as an authorized representative of
BG12 - Braeswood and Stella 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.

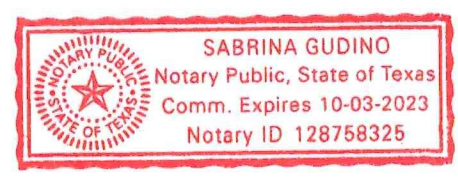
Eric Barvin
Signature

Date: 12/15/2022

Eric Barvin
Printed Name

Manager
Title

STATE OF Texas
COUNTY OF Harris



SUBSCRIBED AND SWORN before me on this the 15th day of
December 2022, to which witness my hand and seal of office.

Sabrina Gudino
Notary Public in and for the State of Texas