

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, Deputy Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 488, 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 12<sup>th</sup> day of October, 2022

Beth Seaton

Beth Seaton, Deputy Director  
Remediation Division  
Texas Commission on Environmental Quality



County: Harris  
Project: Bissonnet Street  
Job No. 195547  
MBS No. 20-445

### FIELD NOTES FOR 145.935 ACRES

Being a tract containing 145.935 acres of land, located in the H.T.& B.R.R. Co. Section 9 Survey, Abstract Number 407, the H.T.& B.R.R. Co. Section 11 Survey, Abstract Number 406 and the W.E. Sanders Survey, Abstract Number 1138 in Harris County, Texas; Said 145.935 acre tract being Reserve "A", Sugarhill Addition, a subdivision recorded in Film Code Number 450135 of the Harris County Map Records (H.C.M.R.), a call 1.3688 acre tract recorded in the name of SHGC, LTD. in Harris County Clerk's File (H.C.C.F.) Number U419454, a call 117.8988 acre tract recorded in the name of Solid Rock Land Partnership, LTD. in H.C.C.F. Number U215133, a call 18.5993 acre tract recorded in the name of SHGC, LTD. in H.C.C.F. Number U065389, a call 1.011 acre tract recorded in the name of County of Harris in H.C.C.F. Number D305424 (same being Wildwood Glen Drive, an unimproved 60-foot wide Public Right-of-Way (R.O.W.)), a portion of Cook Road (80-foot wide Public R.O.W.) and a portion of Kirkwood Road (100-foot wide Public R.O.W.); Said 145.935 acre tract being more particularly described by metes and bounds as follows (bearings and coordinates being based on the Texas Coordinate System, South Central Zone, NAD 83, as derived from GPS observations):

**Beginning** at a 5/8-inch iron rod found at the northwesterly corner of Reserve "A", Golf Plaza, a subdivision recorded in Film Code Number 580258 of the H.C.M.R. and the northeasterly corner of aforesaid Reserve "A", Sugarhill Addition (X:3051221.13, Y:13809342.13);

Thence, with the westerly line of said Golf Plaza, South 02 degrees 27 minutes 27 seconds East, a distance of 401.37 feet to a 5/8-inch iron rod found on the northerly R.O.W. line of Bissonnet Street (100-foot wide);

Thence, with said R.O.W. line, North 87 degrees 27 minutes 28 seconds West, a distance of 260.40 feet to a 1-inch iron pipe found at the southwesterly corner of said Sugarhill Addition;

Thence, with the westerly and southerly lines of said Sugarhill Addition, the following three (3) courses:

- 1) North 02 degrees 31 minutes 31 seconds West, a distance of 370.34 feet;
- 2) South 87 degrees 39 minutes 15 seconds West, a distance of 145.91 feet;
- 3) North 02 degrees 48 minutes 18 seconds West, at a distance of 100.03 feet pass the northwesterly corner of said Sugarhill Addition, in all, a distance of 440.25 feet to the southeasterly corner of aforesaid 1.3688 acre tract;

Thence, with the southerly line of said 1.3688 acre tract, South 87 degrees 11 minutes 42 seconds West, a distance of 201.78 feet to a 5/8-inch iron rod found at the southwesterly corner of said 1.3688 acre tract and being on the southerly line of aforesaid 117.8988 acre tract;

Thence with said southerly line, the following two (2) courses:

- 1) North 87 degrees 43 minutes 03 seconds West, a distance of 254.29 feet;
- 2) South 01 degree 33 minutes 55 seconds East, a distance of 32.03 feet to the northeasterly corner of Coventry Square, a subdivision recorded in Film Code Number 311055 of the H.C.M.R.;

Thence, with the northerly line of said Coventry Square, the following four (4) courses:

- 1) South 87 degrees 22 minutes 03 seconds West, a distance of 446.00 feet;
- 2) North 02 degrees 37 minutes 57 seconds West, a distance of 65.00 feet;
- 3) South 87 degrees 22 minutes 03 seconds West, a distance of 80.00 feet to a 5/8-inch iron rod found;
- 4) North 80 degrees 47 minutes 40 seconds West, at a distance of 456.00 feet pass an "X" cut in concrete on the easterly R.O.W. line of aforesaid Cook Road, in all, a distance of 536.99 feet to the westerly R.O.W. line of said Cook road and being on the easterly line of Regent's Village, a subdivision recorded in Film Code Number 542277 of the H.C.M.R. (X:3049281.29, Y:13809851.33);

Thence, with said westerly R.O.W. line, North 02 degrees 23 minutes 52 seconds West, a distance of 1832.02 feet to a point at the intersection of said westerly R.O.W. line and the northerly R.O.W. line of aforesaid Wildwood Glen Drive (X:3049204.65, Y:13811681.74);

Thence, North 87 degrees 42 minutes 57 seconds East, at a distance of 80.00 feet pass the aforesaid easterly R.O.W. line of Cook Road and continuing with said northerly R.O.W. line of Wildwood Glen drive, in all, a distance of 811.20 feet to the westerly line of a call 2.645 acre tract recorded in the name of H.C.W.C.I.D. No. 123 in H.C.C.F. Number D305422;

Thence, with the westerly, southerly and easterly lines of said 2.645 acre tract, the following three (3) courses:

- 1) South 02 degrees 40 minutes 21 seconds East, a distance of 60.00 feet;
- 2) North 87 degrees 42 minutes 57 seconds East, a distance of 489.06 feet;
- 3) North 02 degrees 38 minutes 03 seconds West, a distance of 413.39 feet to the northerly north-west corner of aforesaid 117.8988 acre tract;

Thence, with the northerly line of said 117.8988 acre tract, the following two (2) courses:

- 1) North 28 degrees 36 minutes 57 seconds East, a distance of 102.35 feet to a 5/8-inch iron rod found;
- 2) North 87 degrees 22 minutes 24 seconds East, at a distance of 544.38 feet pass a 3/4-inch iron rod found at the northwesterly corner of aforesaid 18.5993 acre tract, in all, a distance of 1382.49 feet to the easterly R.O.W. line of Kirkwood Road (X:3051917.73, Y:13812239.79);

Thence, with said easterly R.O.W. line, South 02 degrees 34 minutes 54 seconds East, a distance of 2210.53 feet;

Thence, crossing said Kirkwood Road, South 87 degrees 28 minutes 36 seconds West, a distance of 337.31 feet to the northwesterly corner of a call 0.9157 acre tract recorded in the name of Flagship Investment LLC in H.C.C.F. Number RP-2019-113813 (X:3051680.32, Y:13810016.65);

Thence, with the westerly line of said 0.9157 acre tract, South 02 degrees 31 minutes 24 seconds East, a distance of 167.54 feet to a 3/4-inch iron rod found at the southwesterly corner of said 0.9157 acre tract and being on the northerly line of a call 1.377 acre tract recorded in the name of Southwestern Bell in H.C.C.F. Number C287739;

Thence, with the northerly and westerly line of said 1.377 acre tract, the following two (2) courses:

- 1) South 87 degrees 28 minutes 36 seconds West, a distance of 61.90 feet;
- 2) South 02 degrees 31 minutes 24 seconds East, a distance of 200.00 feet to the northerly line of Reserve "B", Kirkwood Commercial, a subdivision recorded in Film Code Number 679786 of the H.C.M.R.;

Thence, with the northerly and westerly line of said Reserve "B", the following two (2) courses:

- 1) South 87 degrees 54 minutes 08 seconds West, a distance of 76.59 feet;
- 2) South 02 degrees 38 minutes 34 seconds East, a distance of 286.03 feet to the northeasterly corner of aforesaid Golf Plaza;

Thence, with said northerly line, South 87 degrees 22 minutes 16 seconds West, a distance of 350.55 feet the **Point of Beginning** and containing 145.935 acres of land.

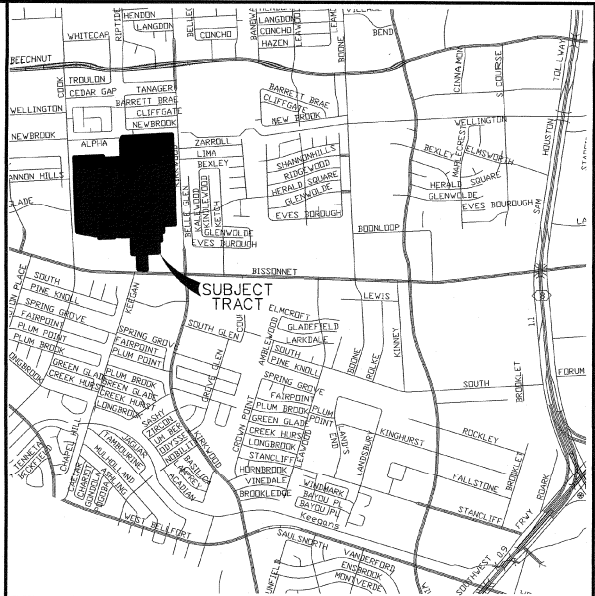
**THIS DESCRIPTION WAS PREPARED IN CONNECTION WITH A TRACT EXHIBIT FILED IN JOB NUMBER 195547 AT GBI PARTNERS.**

GBI PARTNERS  
TBPELS Firm No. 10130300  
Ph: 281.499.4539  
September 11, 2020



*Jon P. Bordovsky*  
9/11/2020





VICINITY MAP N.T.S.

- NOTES:
1. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMMITMENT FOR TITLE INSURANCE. THERE MAY EXIST EASEMENTS, BUILDING LINES AND OTHER MATTERS AFFECTING TRACT NOT ILLUSTRATED HEREON.
  2. BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM, NAD 83, SOUTH CENTRAL ZONE, AS DERIVED FROM GPS OBSERVATIONS.
  3. SITE IMPROVEMENTS WERE INTENTIONALLY OMITTED AT THE CLIENT'S REQUEST.
  4. SURVEY IS INTENDED TO BE USED FOR MAPPING PURPOSES ONLY AND IS NOT TO BE USED FOR TITLE CONVEYANCE.

FIELD NOTES FOR 145.935 ACRES

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Thence, with the southerly line of said 1.3688 acre tract, South 87 degrees 11 minutes 42 seconds West, a distance of 201.78 feet to a 5/8-inch iron rod found at the southwesterly corner of said 1.3688 acre tract and being on the southerly line of aforesaid 117.8988 acre tract;

Thence with said southerly line, the following two (2) courses:

- 1) North 87 degrees 43 minutes 03 seconds West, a distance of 254.29 feet;
- 2) South 01 degree 33 minutes 55 seconds East, a distance of 32.03 feet to the northeasterly corner of Coventry Square, a subdivision recorded in Film Code Number 311055 of the H.C.M.R.;

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- 2) North 02 degrees 37 minutes 57 seconds West, a distance of 65.00 feet;
- 3) South 87 degrees 22 minutes 03 seconds West, a distance of 80.00 feet to a 5/8-inch iron rod found;
- 4) North 80 degrees 47 minutes 40 seconds West, at a distance of 456.00 feet pass an "X" cut in concrete on the easterly R.O.W. line of aforesaid Cook Road, in all, a distance of 536.99 feet to the westerly R.O.W. line of said Cook Road and being on the easterly line of Regent's Village, a subdivision recorded in Film Code Number 542217 of the H.C.M.R. (X:3049281.29, Y:13809851.33);

Thence, with said westerly R.O.W. line, North 02 degrees 23 minutes 52 seconds West, a distance of 1832.02 feet to a point at the intersection of said westerly R.O.W. line and the northerly R.O.W. line of aforesaid Wildwood Glen Drive (X:3049204.65, Y:13811681.74);

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- 1) South 02 degrees 40 minutes 21 seconds East, a distance of 60.00 feet;
- 2) North 87 degrees 42 minutes 57 seconds East, a distance of 489.06 feet;
- 3) North 02 degrees 38 minutes 03 seconds West, a distance of 413.39 feet to the northerly northwest corner of aforesaid 117.8988 acre tract;

Thence, with the northerly line of said 117.8988 acre tract, the following two (2) courses:

- 1) North 28 degrees 36 minutes 57 seconds East, a distance of 102.35 feet to a 5/8-inch iron rod found;
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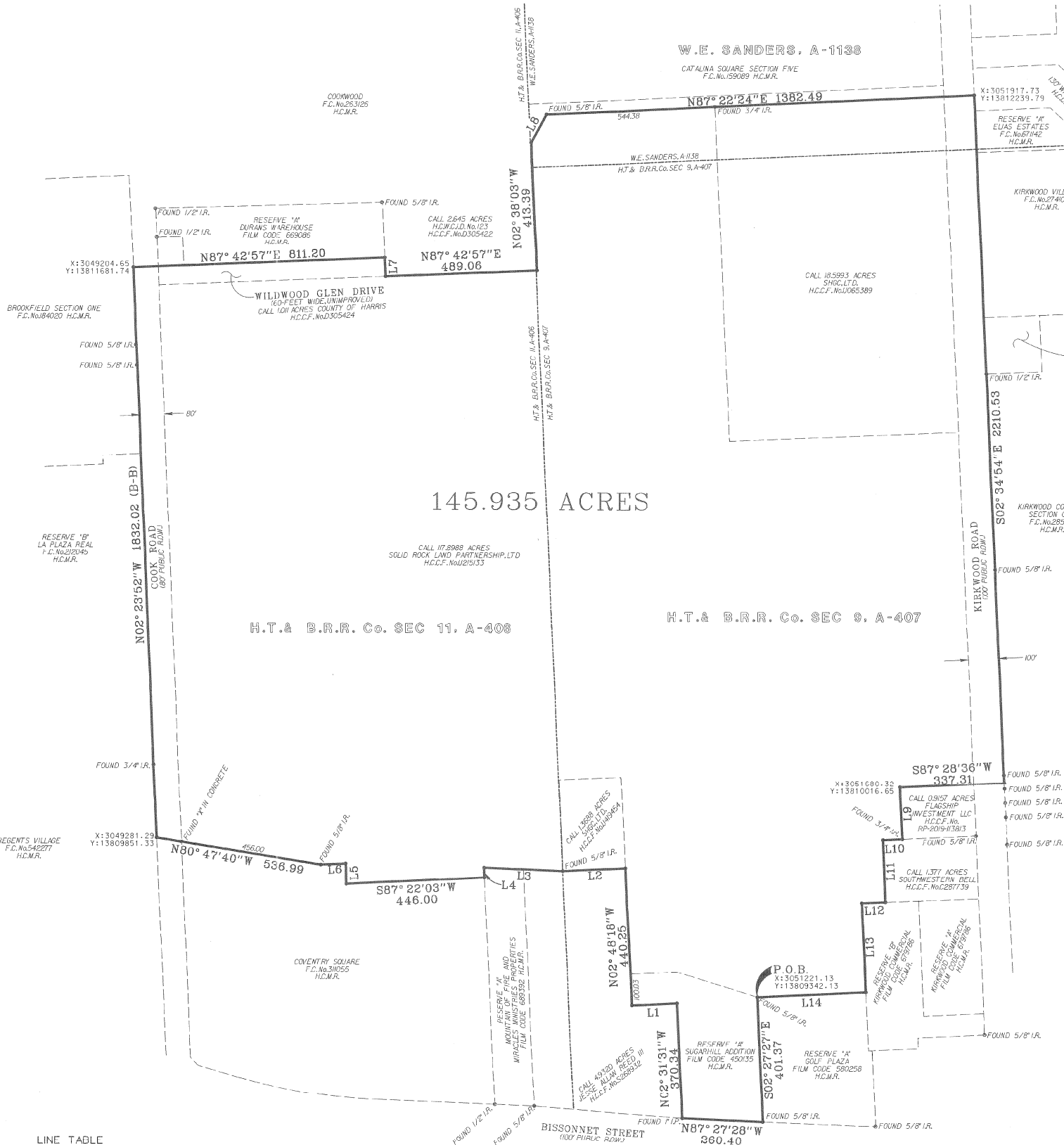
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- 2) South 02 degrees 31 minutes 24 seconds East, a distance of 200.00 feet to the northerly line of Reserve "B", Kirkwood Commercial, a subdivision recorded in Film Code Number 673756 of the H.C.M.R.;

Thence, with the northerly and westerly line of said Reserve "B", the following two (2) courses:

- 1) South 87 degrees 54 minutes 08 seconds West, a distance of 76.59 feet;
- 2) South 02 degrees 38 minutes 34 seconds East, a distance of 286.03 feet to the northeasterly corner of aforesaid Golf Plaza;



LINE TABLE

L1	S87°39'15\"W	145.91
L2	S87°11'42\"W	201.78
L3	N87°43'03\"W	254.29
L4	S01°33'55\"E	32.03
L5	N02°31'57\"W	65.00
L6	S87°22'03\"W	80.00
L7	S02°40'21\"E	60.00
L8	N28°36'57\"E	102.35
L9	S02°31'24\"E	107.54
L10	S87°28'36\"W	61.90
L11	S02°31'24\"E	200.00
L12	S87°54'08\"W	76.59
L13	S02°38'34\"E	286.03
L14	S87°22'16\"W	350.55

This is to certify that this exhibit and the survey on which it is based were made under my direction. The fieldwork was completed on August 21st, 2020.  
Date of Map or Plan: September 18th, 2020

Jon P. Bordovsky  
Registered Professional Land Surveyor  
Texas Registration Number: 6405



TRACT EXHIBIT  
145.935 ACRES

BEING RESERVE "A", SUGARHILL ADDITION, A SUBDIVISION RECORDED IN FILM CODE NUMBER 450135 OF THE H.C.M.R., A CALL 1.3688 ACRE TRACT RECORDED IN THE NAME OF SHOC, LTD. IN H.C.C.F. No. 0419454, A CALL 117.8988 ACRE TRACT RECORDED IN THE NAME OF SOLID ROCK LAND PARTNERSHIP, LTD. IN H.C.C.F. No. 0215133, A CALL 18.5993 ACRE TRACT RECORDED IN THE NAME OF SHOC, LTD. IN H.C.C.F. No. 0065389, A CALL 1.011 ACRE TRACT RECORDED IN THE NAME OF COUNTY OF HARRIS IN H.C.C.F. No. 0305424 (WILDWOOD GLEN DRIVE, AN UNIMPROVED 60-FOOT WIDE PUBLIC R.O.W.), A PORTION OF COOK ROAD (80-FOOT WIDE PUBLIC R.O.W.) AND A PORTION OF KIRKWOOD ROAD (100-FOOT WIDE PUBLIC R.O.W.)

LOCATED IN THE  
H.T. & B.R.R. Co. SEC. 9 SURVEY, A-407  
H.T. & B.R.R. Co. SEC. 11 SURVEY, A-406  
W.E. SANDERS SURVEY, A-1138  
HARRIS COUNTY, TEXAS

GBI PARTNERS  
LAND SURVEYING CONSULTANTS  
4724 Vista Road Pasadena, TX 77505  
Phone: 281.499.4539 • www.gbisurvey.com  
TBPBLS FIRM No. 10130300

SCALE: 1"= 200'  
JOB NO. 195547  
DATE: 09/11/2020  
CREW CHIEF: J.A.  
FIELD BOOK: 20091  
DWG. NO. 5547EXBT

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

BEFORE ME, the undersigned authority, on this day personally appeared  
Mark Lester, as an authorized representative of  
Bissonnet 136, 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

Date: May 9, 2022

Mark Lester  
Printed Name

representative  
Title



STATE OF California  
COUNTY OF San Mateo

May SUBSCRIBED AND SWORN before me on this the 09 day of  
2022, to which witness my hand and seal of office.

  
Notary Public in and for the State of California