

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



COPY

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

November 15, 2021

Mr. Frank Liu  
Houston Eureka Investments, LTD  
1520 Oliver Street  
Houston, Texas 77007

Re: Municipal Setting Designation (MSD) Certificate for Houston Eureka Investments, LTD.,  
Former Wilke Chemical Warehouse Site, 3507 Texas Street, 511 N York Street, 515 N  
York Street, 3506 Harrisburg Blvd., 516 Hutcheson Street, and 3509 Texas Street,  
Houston, Harris, TX; MSD No. 456; Customer No. CN603280512; Regulated Entity No.  
RN110732534

Dear Mr. Liu:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on June 8, 2021 and additional information supporting this MSD application on June 27, 2021 and August 19, 2021. 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) 239-2155 or via e-mail ([christina.scanlon@tceq.texas.gov](mailto:christina.scanlon@tceq.texas.gov)).

Sincerely,

A handwritten signature in cursive script, appearing to read "Christina Scanlon".

Christina Scanlon, Project Manager  
VCP-CA Section  
Remediation Division

CRS/jdm

cc: Mr. Michael Marcon, InControl Technologies, via email  
Ms. Alma Jefferson, Waste Section Manager, TCEQ Region 12 Office, Houston

Enclosure: MSD Certificate

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



MUNICIPAL SETTING DESIGNATION CERTIFICATE

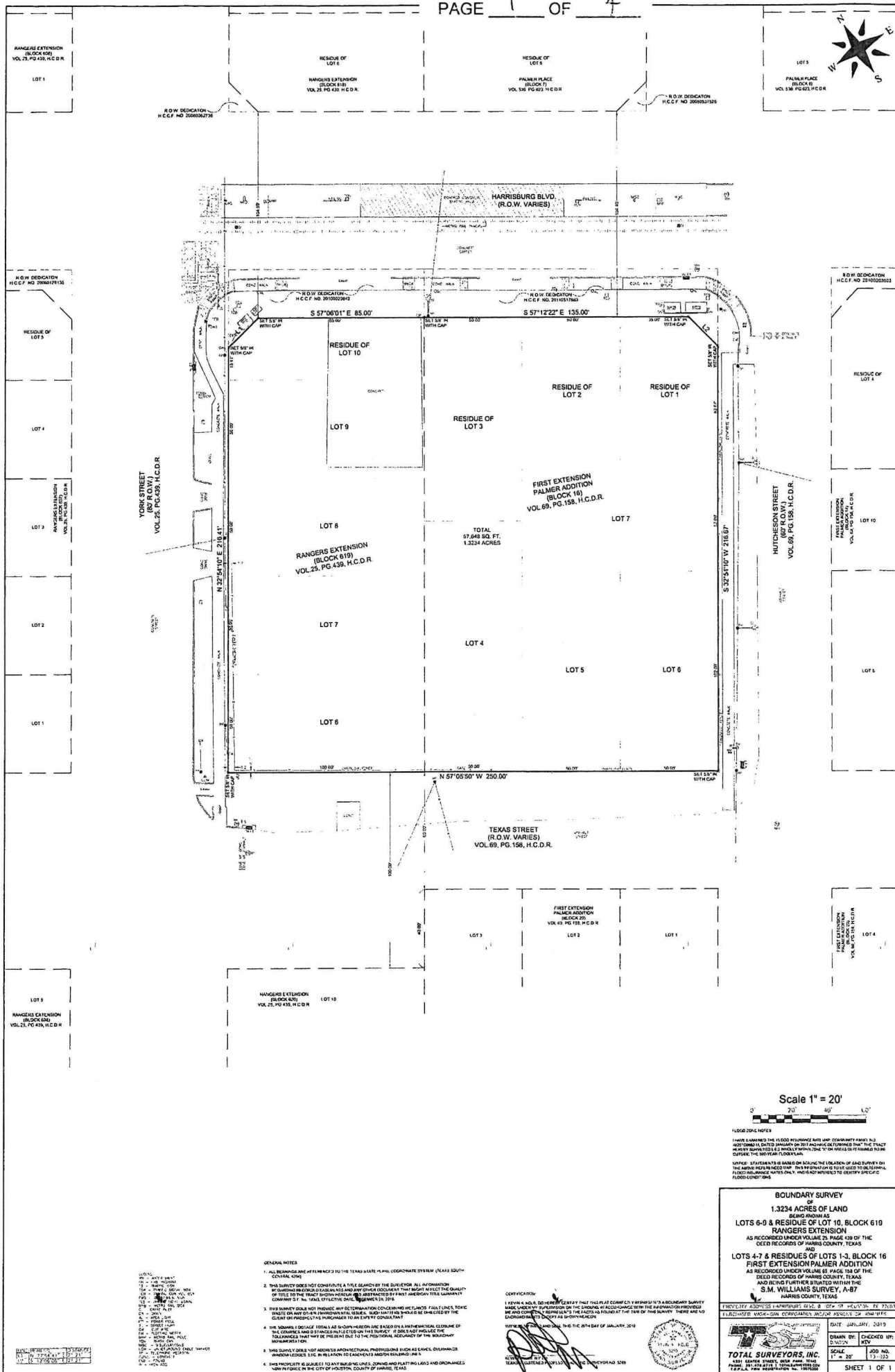
As provided for in §361.807, Subchapter W, Texas Health and Safety Code (Solid Waste Disposal Act):

I, Beth Seaton, Deputy Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 456, 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 November, 2021

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



Scale 1" = 20'

**BOUNDARY SURVEY**  
OF  
**1.3234 ACRES OF LAND**  
BEING PROXIMATE  
**LOTS 6-9 & RESIDUE OF LOT 10, BLOCK 610**  
**RANGERS EXTENSION**  
AS RECORDED UNDER VOLUME 25, PAGE 439 OF THE  
DEED RECORDS OF HARRIS COUNTY, TEXAS  
AND  
**LOTS 4-7 & RESIDUES OF LOTS 1-3, BLOCK 16**  
**FIRST EXTENSION PALMER ADDITION**  
AS RECORDED UNDER VOLUME 69, PAGE 158 OF THE  
DEED RECORDS OF HARRIS COUNTY, TEXAS  
AND BEING FURTHER SITUATED WITHIN THE  
**S.M. WILLIAMS SURVEY, A-87**  
HARRIS COUNTY, TEXAS

**PROXIMATE ADJACENT PROPERTY:** S.M. WILLIAMS SURVEY, A-87, HARRIS COUNTY, TEXAS  
S.M. WILLIAMS SURVEY, A-87, HARRIS COUNTY, TEXAS

**DATE:** JANUARY, 2019  
**DRAWN BY:** [Signature]  
**CHECKED BY:** [Signature]  
**SCALE:** 1" = 20'  
**SHEET 1 OF 1**

1.3234 Acres of Land  
City of Houston, Texas  
S.M. Williams Survey, Abstract No. 87

**METES AND BOUNDS DESCRIPTION**  
**1.3234 ACRES | 57,648 SQUARE FEET OF LAND**  
**S.M. WILLIAMS SURVEY, ABSTRACT NO. 87**  
**CITY OF HOUSTON, TEXAS**

Being 1.3234 acres or 57,648 square feet of land situated in the S.M. Williams Survey, Abstract No. 87, City of Houston, Harris County, Texas and being all of Lots 6, 7, 8, 9 and the residue of Lot 10, in block 619, of Rangers Extension, a subdivision according to the map or plat thereof recorded under Volume 25, Page 439 of the Deed Records of Harris County, Texas, and all of Lots 4, 5, 6, 7 and the residue of Lots 1, 2 and 3, in Block 16, of First Extension Palmer Addition, a subdivision according to the map or plat thereof recorded under Volume 69, Page 158 of the Deed Records of Harris County, Texas. Said 1.3234 acre tract being more fully described by metes and bounds as follows:

- All bearings referenced herein are based on the North American Datum of 1983 (NAD83) horizontal projection zone Texas South Central 4204.

**BEGINNING** at a 5/8-inch iron rod with plastic cap set for corner, said corner being the southwest boundary corner of said Lot 6, same being the intersection of the north right-way-line of Texas Street, a public right-of-way of varied width, as defined on said plat of First Extension Palmer Addition, with the east right-of-way line of York Street, an 80 foot wide public right-of-way, as defined on said plat of Rangers Extension;

**THENCE** North 32° 54' 10" East, along the west boundary on said block 619, same being east right-of-way line of said York Street, for a distance of 216.41 feet, to a 5/8-inch iron rod with plastic cap set for corner, said corner being a northwesterly boundary corner of said residue of Lot 10, same being a corner of a 15-foot cutback;

**THENCE** North 77° 54' 41" East, along said 15-foot cutback, same being the northwesterly boundary line of said residue of Lot 10 for a distance of 21.21 feet, to a 5/8-inch iron rod with plastic cap set for corner, said corner being located in the north boundary line of said residue of Lot 10, same being the south right-of-way line of Harrisburg Boulevard, a public right-of-way of varied width;

**THENCE** South 57° 06' 01" East, along the north boundary line of said residue of Lot 10, same being the south right-of-way line of said Harrisburg Boulevard, for a distance of 21.21 feet, to a 5/8-inch iron rod with plastic cap set for corner, said corner being located at the northeast boundary corner of said residue of Lot 10, same being the northeast boundary corner of said Block 69, the northwest boundary corner of the residue of Lot 3, in Block 16, of said First Extension Palmer Addition, and being the northwest boundary corner of said Block 16;



**GENERAL WARRANTY DEED**

**NOTICE OF CONFIDENTIALITY RIGHTS. IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

THE STATE OF TEXAS                   §  
  §     KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF HARRIS                   §

THAT THE UNDERSIGNED, **SILVA TECHNOLOGIES INC., A TEXAS CORPORATION**, hereinafter referred to as "Grantor," whether one or more, for and in consideration of the sum of TEN DOLLARS (\$10.00) cash, and other good and valuable consideration in hand paid by the Grantee, herein named, the receipt and sufficiency of which is hereby fully acknowledged and confessed, has GRANTED, SOLD and CONVEYED, and by these presents does hereby GRANT, SELL and CONVEY unto **HOUSTON EUREKA INVESTMENTS, LTD. A TEXAS LIMITED PARTNERSHIP**, herein referred to as "Grantee," whether one or more, the real property described as follows:

**TRACTONE:**

**LOT 4, IN BLOCK 16, OF FIRST EXTENSION OF PALMER ADDITION, AN ADDITION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 69, PAGE 158 OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS.**

**TRACTTWO:**

**LOT 6, AND THE ADJOINING 12-1/2 FEET BY 100 FEET OF LOT 7, IN BLOCK 619, OF RANGER'S EXTENSION, SOUTH SIDE BUFFALO BAYOU, IN THE CITY OF HOUSTON, HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 25, PAGE 440 OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS.**

**TRACTTHREE:**

**THE NORTH 37.50 FEET OF LOT 7, AND THE ADJOINING SOUTH 6.25 FEET OF LOT 8, IN BLOCK 619, OF RANGER'S EXTENSION, SOUTH SIDE BUFFALO BAYOU, IN THE CITY OF HOUSTON, HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 25, PAGE 440 OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS**

This conveyance, however, is made and accepted subject to, any and all validly existing encumbrances, conditions and restrictions, relating to the hereinabove described property as now reflected by the records of the County Clerk of **HARRIS** County, Texas.

TO HAVE AND TO HOLD the above described premises, together with all the rights and appurtenances lawfully accompanying it, by the Grantee, Grantee's heirs, executors, administrators, successors and/or assigns forever; and Grantor does hereby bind Grantor, Grantor's heirs, executors, administrators, successors and/or assigns to WARRANT AND FOREVER DEFEND all the said premises unto the said Grantee, Grantee's heirs, executors, administrators, successors and/or assigns, against every person whomsoever claiming or to claim the same or any part thereof.

Current ad valorem taxes on said property having been prorated, the payment thereof is assumed by Grantee.

1.3234 Acres of Land  
City of Houston, Texas  
S.M. Williams Survey, Abstract No. 87

**THENCE** South 57° 12' 22" East, along the north boundary line of said Block 16, same being the south right-of-way line of said Harrisburg Boulevard, for a distance of 135.00 feet, to a 5/8-inch iron rod with plastic cap set for corner, said corner being a northeasterly boundary corner of the residue of Lot 1, in Block 16, of said First Extension Palmer Addition, same being a northeasterly boundary corner of said residue of Lot 1, and being a corner of a 15-foot cutback;

**THENCE** South 12° 06' 06" East, along said 15-foot cutback, same being the northeasterly boundary line of said residue of Lot 1, for a distance of 21.21 feet, to a 5/8-inch iron rod with plastic cap set for corner, said corner being located in the east boundary line of said residue of Lot 1, same being the east boundary line of said Block 16, and the west right-of-way line of Hutcheson Street, a 60-foot wide public right-of-way, as defined on said plat of First Extension Palmer Addition;

**THENCE** South 32° 54' 10" West, the east boundary line of said Block 16, same being the west right-of-way line of said Hutcheson Street, for a distance of 216.67 feet, to a 5/8-inch iron rod with plastic cap set for corner, said corner being the southeast boundary corner of Lot 6, in Block 16, of First Extension Palmer Replat, same being the southeast boundary corner of said Block 16, and being the intersection of the west right-of-way line of said Hutcheson Street, with the north right-of-way line of said Texas Street, a right-of-way of varied width, as defined on said plat of First Extension Palmer Addition;

**THENCE** North 57° 05' 50" West, along the south boundary line of said Blocks 16 and 619, same being the north right-of-way line of said Texas Street, for a distance of 250.00 feet, to the **POINT OF BEGINNING** and containing within these calls 57,648 square feet or 1.3234 acres of land.

A survey map or plat has been prepared in conjunction with this metes and bounds description, by Kevin K. Kolb, Texas RPLS No. 5269, dated January 29, 2019. (TSI Job No. 19-020)

The square footage totals as shown hereon are based on a mathematical closure of the courses and distances reflected herein. It does not include the tolerances that may be present due to positional accuracy of the boundary monumentation.

Compiled by:

**TOTAL SURVEYORS, INC.**

T.B.P.L.S. Firm Registration No. 10075300  
4301 Center Street, Deer Park, Texas 77536  
281-479-8719, November 16, 2019



## Exhibit B

# Municipal Setting Designation

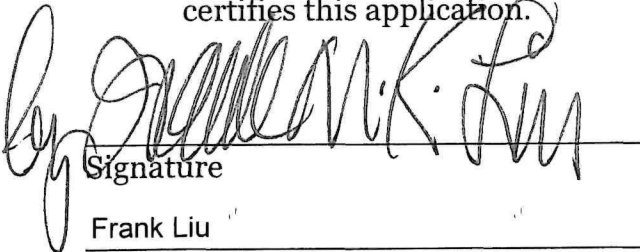
## Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared  
Frank Liu, as an authorized representative of  
Houston Eureka Investments, LTD, 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

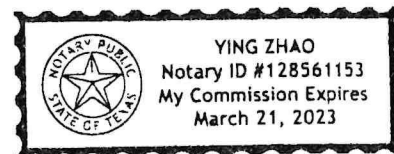
Frank Liu

Printed Name

Fulton GP, LLC, General Partner, Frank Liu, Manager

Title

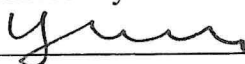
Date: 6-3-2021



STATE OF Texas

COUNTY OF Harris

SUBSCRIBED AND SWORN before me on this the 3rd day of  
June 2021, to which witness my hand and seal of office.

  
Notary Public in and for the State of Texas

