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

November 14, 2022

Mr. Geoffrey Richards, Executive Director of Real Estate Board of Regents of The University of Texas System 210 West 7th Street Austin, Texas 78701

Re: Municipal Setting Designation (MSD) Certificate for Board of Regents of The University of Texas System, Buffalo Pointe Tract B-2 Site, located at 701 Holmes Road, Houston, Harris County, TX; MSD No. 466; Customer No. CN603889627; Regulated Entity No. RN110631540

Dear Mr. Richards:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation application on September 23, 2021, and additional information supporting this application on January 24, 2022; July 12, 2022; and September 26, 2022. 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) 239-4940 or via e-mail (robert.anderson@tceq.texas.gov).

Sincerely,

Robert Cuderson

Robert Anderson, Project Manager VCP-CA Section Remediation Division

RA/jdm

cc: Ms. Carol May, Halff Associates, Inc.,

Ms. Alma Jefferson, Waste Section Manager, TCEQ Region 12 Office, Houston

Enclosure: MSD Certificate No. 466

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • tceq.texas.gov

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. 466, 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.

day of_ EXECUTED this the

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

Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared <u>COFFREY A. PICHARDS</u>, as an authorized representative of <u>BOARD OF REGENTS OF THE UNIVERSITY OF</u> Rhown 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.

Board of Regents of The University of Texas System

Richards Signature

Date: September 16, 2021

Geoffrey Richards Printed Name

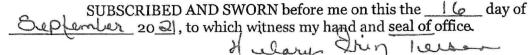
Notary Public in and for the State of

Executive Director of Real Estate The University of Texas System

Title

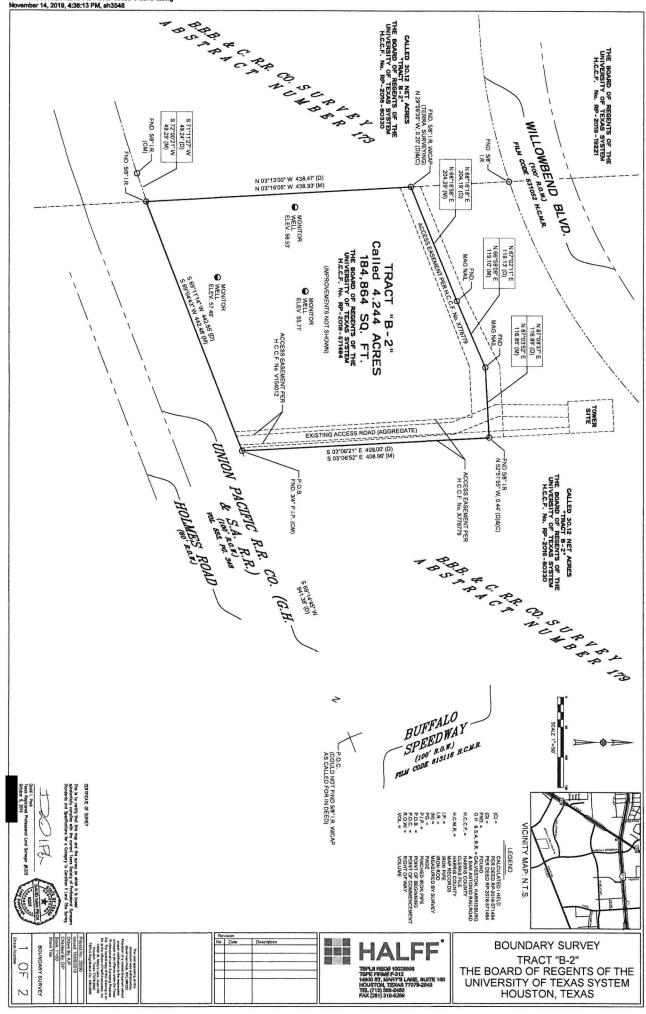
TEXAS STATE OF

COUNTY OF TRAVIS



HILARY ERIN TEISAN NOTARY PUBLIC ID# 13133622-2 State of Texas mm, Exp. 10-31-2021 WITHOUT BOND

August 2011



COMENCIG for reference at a 5/2-inch iron red with plastic cap stamped "Terro Sameyeng" found mording the interaction of the sectory RDM. Into al Balfalo Speederg (100-foot side RDMR) are defineded by the street deduction pixed balfalo Speederg Extension can recorde at Tim. Cook Network SUI18 Herris County May Records (ICLAUS), with the northery RDM. Into al the Unite Pocific Rolmod (CLAE & S. Robord) (100--100 He RDMR). The polyhold RDM are of the Unite Pocific solid 3U12 ret are treet as recorded under HCLEF. Number RP-2016-83330, Herris County, Texas. Series a treat or parad combining 4.244 seare at low situated in the 38.28 Å C. Rained Company Sorrey, Asilanci Munder 173, Hausian, Hanis August, Teares being at at that careful added 4.21 or treat of load compete for Usak Properties, here by east accessed under Hornis Careful Carefu Fin (HCLC.5). Number PS22057, Harris Caurity, Teares and 4.244 core treat being more performantly described on fallows (coresponder on the record information contained in the dead nearded under HCLC.F. Number NF3201 11 and E301231) TRUE, Such 8744' Wei, dowy he nethely 2018 line of the Usion Pacific Racood (GV & S. Namod) and deep the sublety line of said called 2017 and are treet, a clottere of 91.33 first to a 3/4-toh pixeh trap line from modily, an orage parit in the sublety line of said scaled 2017 and are treet or modely the sublexed come of said called 4341-area treet on modely the sublexed come and 2017 of SERINKO of the herein descende from:

INDEC, Such SP11 '1' Warf (caled Such 7071/Y' Warf, 41255 FM1), contraining driag and northery ROX Here of the Union Partie: Railand (Cale S. A. Robood) and doug the subtraff field of static condet 4.11 one ward, a different of 44255 feel to 9.24 min three the doubt moving on order parts in its subtraff are glied and 3012 ratic over toot and moving its subtraff and parts in the subtraff and glied and 3012 ratic over toot and moving its subtraff and or caled 4.21-rest toots on the tarebit electricated for the first subtraff.

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THENCE, North 6876118" East (called North 65'30'44" East, 204,19 fast), along a southerly east-west line of social calls 2017 net arear tooch and along the north line of social called 4,241-oors track, a of 204,15 feet to a low fast faunt marking on ongle point in the north line of social called 4,241-oors track and the herein described track;

NEVCZ, North 6712/11" East (called North 68/35/37" East, 118.65" (wel), continuing doing a southerly seal-west line of social called 2012 net care locate and forge the north line of social called 4.241 (core trees) a distance of 8.327" (let seams) a Canael 2(3)-benis north core of social called 4.241 (core trees), in ed. o distance of 113.13" bet is a Way Net found marking an analy point in bits worth line of socia called 3.012 net soor trees) and in the north line of social called 4.241 core trees of social social social social called and trees of the herein described treet;

TRENCE, Neth 81705'JT" East (called Neth 8876'SM" East, 117.65 Net), continuing dong a southerly east-west like at solid called 1/21 reit cars tract and dong the neth line of solid called 4/31-care tract, a distance of 11.659 feet to a point for an angle point in the south line of solid called 3/21 net accer tract and for the methods come of solid called 4/31-core tract, from which a found 5/8-inch iron rad bear Neth \$273'SS" West, 0.44 Net;

PHSUC, South 01267/1⁻ East (called South 01200⁻ West, 425.0 (teck), clong a venterly line of paid caled X012 ret, care lact and along the sent line of toxic caled 4.21.0 care lynct; a distance of 405.00 feet to the POINT OF SECINNIC and containing 4.244 acres (184,867 square teck) of lund.

LEGAL DESORIPTION (as surveyed)

BOUNDARY SURVEY

TRACT "B-2"

THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

HOUSTON, TEXAS

EGAL DESCRIPTION (per Special Warranty Deed in H.C.C.F. No. RP-2018-571484)

Sang e text a proof annihing 434 cores of love should in the 92.82 & C. Rôteck Company Sangy Assist: Numer 11% Nexton, Nerris Courty, Freez being of of the core of the source of the text of love compete in The Shourd of The Uneventy of Freez Splitten, by deel recorder under Herris Courty Orek in File (INCEC). Number 89–2018-511484, Herris Courty, Herris Vouty, Herris Courty, Herris Court, Her

COMACHONE for relevons of the interaction of the settorly 6D.W. (ine of Bufield Speedersy (100-feet init R.O.W.) as detinented by the street descation piel Bufield Speedersy Extension or records of F m Colo Number 63.1118 Horit County/Hop Records (U.C.M.R) with the motherly R.O.W. fire of the Union Pocefic Related (C1.M.S.N. Related) (100-feet wide R.O.W.), being the subtratively corme of that carcin Related (C1.M.S.N. Related) (100-feet wide R.O.W.), being the subtratively corme of that carcin Related (C1.M.S.N. Related) (100-feet wide R.O.W.), being the subtratively corme of that carcin caled 32.12 net one (ALMS grass care) treat as recorded under H.C.C.F. Number RP-2106-80.330, Horis County, Tenes; WIC:

SINCE Such SY4VG' Weyl, dowy the northery RUM. In ord the Union Poolic Rithons (Little S. Rabued) we dong the scalarly rise of sold called XL1 and care texts, of distance of six18 list to a 3/-400 pixeh tay pipe thand maxing young point in the southerly line of radia called XL12 in the track or moving the scattherationare of add called 4244-your text, and maxing the southeration and PONIT of SERVING of the herein scatterable funct.

HENCE South 85PU-LY West, cardinaling along and martherly R.O.W. Inter of the Union Pecific Rainoed (CLAE SA Rainoed) and doog the seatherly line of soid caled 4.244-note fract, or distance of 442.44 linet to a S/B-in-in ion ratio fract marinding on orght pools in the southerly fine it aid caled 3.012 net core tract and marking the southwest corner of soid caled 4.244-note tract and the herein described fract;

THENCE Neth DUTGEDS' Next, dong an exclutiy line of sold called 30.12 met area fract and along the west line of sold other default and the call of the sold line of sold and the call of the the matchinest came of sold called 4.244-area total for and the matteriat came of their networks but the the the call of the 5/8-inch iron rad with cap stamped "leno Sumpling" bears Nexth 2013 33". Next, a defaura of 0.20 feet, 5/8-inch iron rad with cap stamped "leno Sumpling" bears Nexth 2013 33". Next, a defaura of 0.20 feet, 5/8-inch iron rad with cap stamped "leno Sumpling" bears Nexth 2013 33". Next, a defaura of 0.20 feet, 5/8-inch iron rad with cap stamped "leno Sumpling" bears Nexth 2013 33".

TRNCE York SRY555" Exit dony a sutherly sent-must line of sold added 30.12 and user bread and adong the moth line of sold added 4.144-none bread, a distance of 2014.23 feet to a Mag Nai flavont marking an angle posit in the moth line of sold added 4.144-none the tot and the herein feathfeet bread.

THENCE Neth 65550° East, continuing along a southerly east-west live of soid called 30.12 net core treat out dang the north live of soid called 4.24-core text, a distance of 119.10 feet to a Wag Net found marking on ordep point the south live of soid called 30.12 net core treat and in the north line of soid called 4.24+-ore treat and the herein described text;

THENCE North 6773/52" East, continuing dang a sautherly east-east line of soid called 30.12 net area treat and daing the meth line of soid called 4244-case text, o distance of 116.85 linet to an maps point in the south line of soid called 3212 net care Loca of the northwest carmer of soid called 4244-care treat, from which a found 3/b-hoh iron rad barrs Marth 523135" West, 0.44 feet

HINC'S SAMP NUTS'X' East, doing a weaterly line of soid colled 30.12 ref, ace tract ord doing the east line of soid cable 4.244-core tood, a distance of 408.56 feet to the PONT OF BECINNING and containing 4.224 acres (164.65 degrave feet) of Iond.

Physical approximation of the p

2 Number BOUNDARY SURVEY cked By DIP

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NOTES:

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TBPLS REG& 10029806 TBPE FRM& F-312 14000 ST. MARY'S LANE, SUITE 180 HOUSTON, TEXAS 77079-2943 TEL (713) 589-2450 FAX (221) 310-5259

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3. The same herein was performed without the hereff of a Silfe insurance committee, distinctive cardinates, a series list repert, and an assolid of the public network for example and/or ecombinescent was more in the first cardinates for the performance intervention advance in the result of the solid research public network have whather as of the date of this same Herrin Coarty Carlo washing as of the date of this same. a title and/or hip and arch of nict and

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Revision lo. Date