

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,

A handwritten signature in cursive script that reads "Robert Anderson".

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

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.

EXECUTED this the 10th day of November, 2022

Beth Seaton

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 Geoffrey A. Richards, as an authorized representative of BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, 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.

Board of Regents of The University of Texas System

Geoffrey A. Richards
Signature

Date: September 16, 2021

Geoffrey Richards
Printed Name

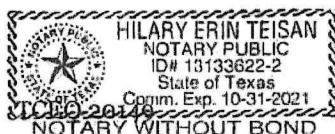
KST

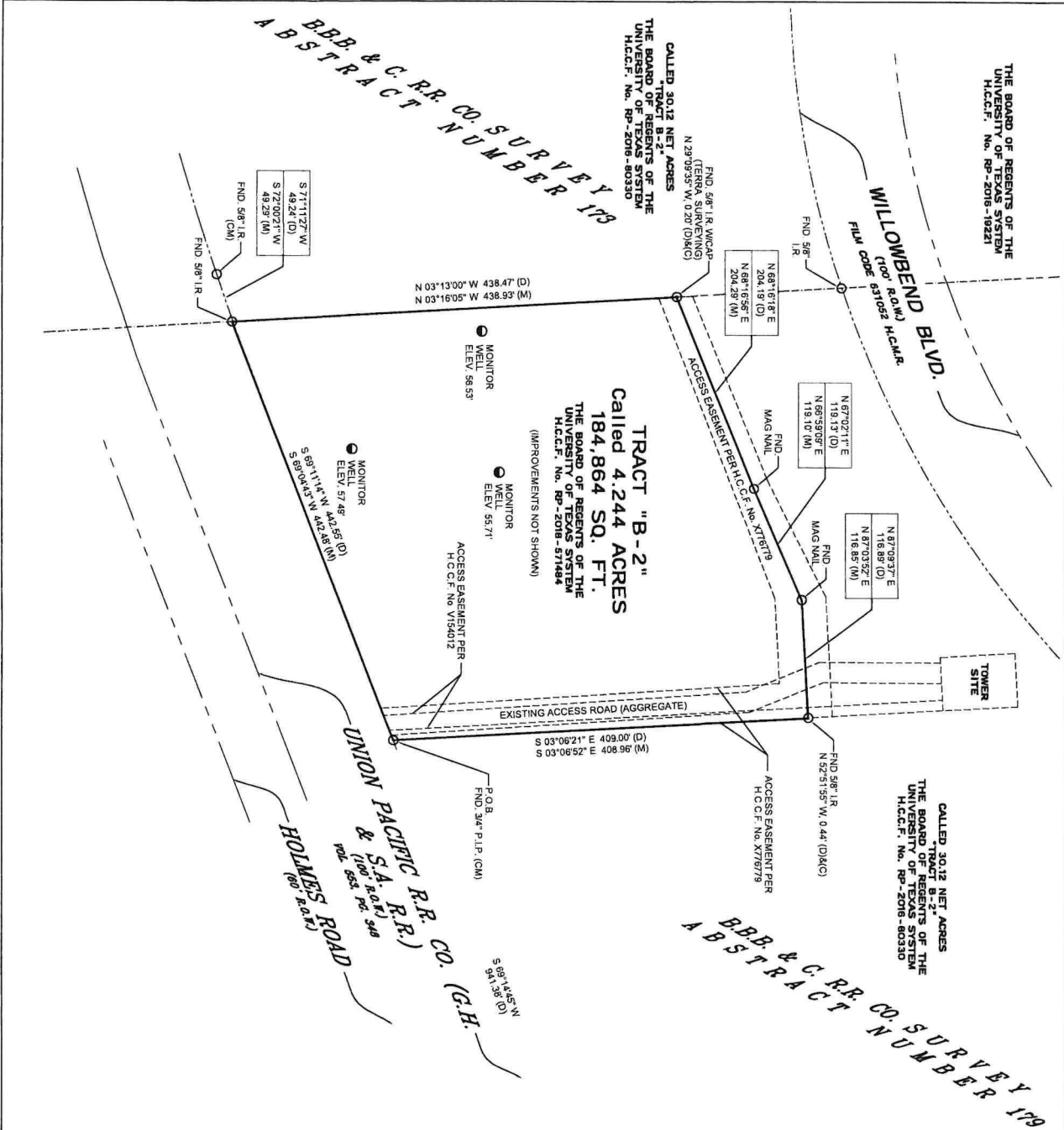
Executive Director of Real Estate The University of Texas System
Title

STATE OF TEXAS
COUNTY OF TRAVIS

SUBSCRIBED AND SWORN before me on this the 16 day of September 2021, to which witness my hand and seal of office.

Hilary Erin Teisan
Notary Public in and for the State of Texas





THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
H.C.C.F. No. RP-2016-19221

CALLLED 30.12 NET ACRES
TRACT "B-2"
THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
H.C.C.F. No. RP-2016-80330

TRACT "B-2"
Called 4.244 ACRES
184,864 SQ. FT.
THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
H.C.C.F. No. RP-2018-571494
(IMPROVEMENTS NOT SHOWN)

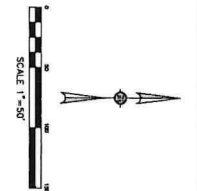
WILLOWBEND BLVD.
(100' R.O.W.) H.C.M.R.
FILM CODE 631052

Called 30.12 NET ACRES
TRACT "B-2"
THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
H.C.C.F. No. RP-2016-80330

BBB & C. R.R. CO. SURVEY NUMBER 179
A B S T R A C T

POC.
(COULD NOT FIND 58°18' W/CAP
AS CALLED FOR IN DEED)

BUFFALO SPEEDWAY
(100' R.O.W.)
FILM CODE 019118 H.C.M.R.



- (D) = CALCULATED / FIELD
- (F) = PER DEED RP-2018-571494
- END = FOUND
- CH & S.A. R.R. = GALVESTON, HARRISBURG & HARRIS COUNTY MAPLANDS
- H.C.C.F. =
- H.C.M.R. =
- I.P. = IRON PIPE
- IR = IRON ROD
- (M) = MENTIONED BY SURVEY
- MAP = MAP RECORDS
- MARK = MARKED BY SURVEY
- MP = METAL PIPES
- P = PAVED IRON PIPE
- PP = PITCHED IRON PIPE
- P.O.C. = POINT OF COMMENCEMENT
- ROW = RIGHT OF WAY
- VOLUME =

CONTROL OF SURVEY
This is to certify that this map and the survey on which it is based comply with the provisions of the Surveyors Act and Regulations thereunder. I, the Surveyor, certify that this map and the survey on which it is based comply with the provisions of the Surveyors Act and Regulations thereunder.
Surveyor: [Signature]
Date: October 5, 2019



1 OF 2
BOUNDARY SURVEY

Revision No.	Date	Description

HALFF
1660 ST. MARK'S LANE, SUITE 160
HOUSTON, TEXAS 77079-2943
TEL (713) 555-2450
FAX (281) 310-5258

BOUNDARY SURVEY
TRACT "B-2"
THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
HOUSTON, TEXAS

LEGAL DESCRIPTION (See Sheet: Westway Deed in H.C.C.F. No. RP-2018-51748)
 Being a tract or parcel containing 4.244 acres of land situated in the BB&A & C. Reformed Company Survey, Abstract Number 173, Houston, Harris County, Texas, being all of the certain called 4.241 acre tract of land contained in Wade Properties, Inc. by deed recorded under Harris County Clerk's File (H.C.C.F.) Number 952087, Harris County, Texas; said 4.244 acre tract being more particularly described as follows (Bearings are referenced to the record information contained in the deed recorded under H.C.C.F. Numbers W301 1) and E30723):

COMMENTS: For reference at a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" found along the southerly line of said called 30.12 net acre tract, a distance of 391.38 feet to the point of beginning of the northern R.O.M. line of the Union Pacific Railroad (UPRR) as recorded by the partial definition of said Survey Extension as recorded at Film Code Number 81318 Harris County Map Records (H.C.M.R.), with the northerly R.O.M. line of the Union Pacific Railroad (UPRR) (100-foot wide R.O.M.), being the southeasterly corner of that certain called 30.12 net acre tract as recorded under H.C.C.F. Number RP-2018-81318, Harris County, Texas.

THE N.E. Corner of the 4.241-acre tract, a distance of 423.55 feet to the point of beginning of the northerly R.O.M. line of the Union Pacific Railroad (UPRR) (100-foot wide R.O.M.), being the southeasterly corner of that certain called 30.12 net acre tract and meeting the southwest corner of said called 4.241-acre tract and the herein described tract.

THE N.E. Corner of the 4.241-acre tract, a distance of 423.55 feet to the point of beginning of the northerly R.O.M. line of the Union Pacific Railroad (UPRR) (100-foot wide R.O.M.), being the southeasterly corner of that certain called 30.12 net acre tract and meeting the southwest corner of said called 4.241-acre tract and the herein described tract.

THE N.E. Corner of the 4.241-acre tract, a distance of 423.55 feet to the point of beginning of the northerly R.O.M. line of the Union Pacific Railroad (UPRR) (100-foot wide R.O.M.), being the southeasterly corner of that certain called 30.12 net acre tract and meeting the southwest corner of said called 4.241-acre tract and the herein described tract.

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LEGAL DESCRIPTION (See Sheet: Westway Deed in H.C.C.F. No. RP-2018-51748)
 Being a tract or parcel containing 4.244 acres of land situated in the BB&A & C. Reformed Company Survey, Abstract Number 173, Houston, Harris County, Texas, being all of the certain called 4.244 acre tract of land contained in Wade Properties, Inc. by deed recorded under Harris County Clerk's File (H.C.C.F.) Number 952087, Harris County, Texas; said 4.244 acre tract being more particularly described as follows (Bearings are referenced to the record information contained in the deed recorded under H.C.C.F. Numbers W301 1) and E30723):

COMMENTS: For reference at the intersection of the westerly R.O.M. line of the Union Pacific Railroad (UPRR) as recorded by the partial definition of said Survey Extension as recorded at Film Code Number 81318 Harris County Map Records (H.C.M.R.), with the northerly R.O.M. line of the Union Pacific Railroad (UPRR) (100-foot wide R.O.M.), being the southeasterly corner of that certain called 30.12 net acre (34.36 gross acres) tract as recorded under H.C.C.F. Number RP-2018-81318, Harris County, Texas.

THE N.E. Corner of the 4.241-acre tract, a distance of 423.55 feet to the point of beginning of the northerly R.O.M. line of the Union Pacific Railroad (UPRR) (100-foot wide R.O.M.), being the southeasterly corner of that certain called 30.12 net acre tract and meeting the southwest corner of said called 4.241-acre tract and the herein described tract.

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NOTES:

1. The surveyed bearings are based upon a position solution derived from Global Positioning System (GPS) observations on monumentation found at the Controlling Monument (CM) shown hereon using a Leica GPS receiver utilizing the NAD83 datum. The monumentation shown hereon is from our limited records of public records found on the Harris County Assessor's District and Harris County Clerk's records as of the date of this survey.
2. Location and elevation of marker with shown hereon were collected using a Leica GPS receiver. Elevations are to the top of casing. The datum used for the elevations is NAVD83. Elevation data are on the metric vertical datum (NAVD83).
3. The survey hereon was performed without the benefit of a title report and no search of the public records for comments and/or encumbrances was made by Halfff Associates, Inc. Ownership and deed information shown hereon is from our limited records of public records found on the Harris County Assessor's District and Harris County Clerk's records as of the date of this survey.
4. There are improvements on the surveyed property but were not located and are not shown hereon.

**BOUNDARY SURVEY
 TRACT "B-2"
 THE BOARD OF REGENTS OF THE
 UNIVERSITY OF TEXAS SYSTEM
 HOUSTON, TEXAS**

HALFF
 16000 WALKER BLVD., SUITE 100
 HOUSTON, TEXAS 77079-2643
 TEL: (713) 555-2450
 FAX: (713) 514-9000

Revision No.	Date	Description

This deed is subject to the provisions of the Uniform Gifts to Minors Act (UGMA) and the Uniform Transfers to Minors Act (UTMA) as they may be amended from time to time. The donor hereby certifies that the recipient is a minor under the laws of the State of Texas. This deed is subject to the provisions of the Uniform Gifts to Minors Act (UGMA) and the Uniform Transfers to Minors Act (UTMA) as they may be amended from time to time. The donor hereby certifies that the recipient is a minor under the laws of the State of Texas.

Project No. 25200
 Revised 10/09/2019
 Created By: KAP
 Checked By: JEP
 Scale: 1"=100'
 Sheet Title: BOUNDARY SURVEY
 Sheet No.: 2 OF 2