

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 12, 2023

Mr. Steve Moore
Kirskey Machine
8721 Clay Rd Building G
Houston, Texas 77080

Re: Municipal Setting Designation (MSD) Certificate for Kirksey Machine Company, Inc, Former Kirksey Machine, 3517 Pinemont Drive, Houston, Harris County, TX; MSD No. 472; Customer No. CN601729528; Regulated Entity No. RN103208013

Dear Mr. Moore:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced MSD 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) 239-2236 or via e-mail (alayna.goetsch@tceq.texas.gov).

Sincerely,

A handwritten signature in blue ink that reads "Alayna M. Goetsch".

Alayna Goetsch, Project Manager
VCP-CA Section
Remediation Division

Enclosure: MSD Certificate No. 472

cc: Waste Section Manager, TCEQ Region 12 Office, Houston

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. 472, 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.

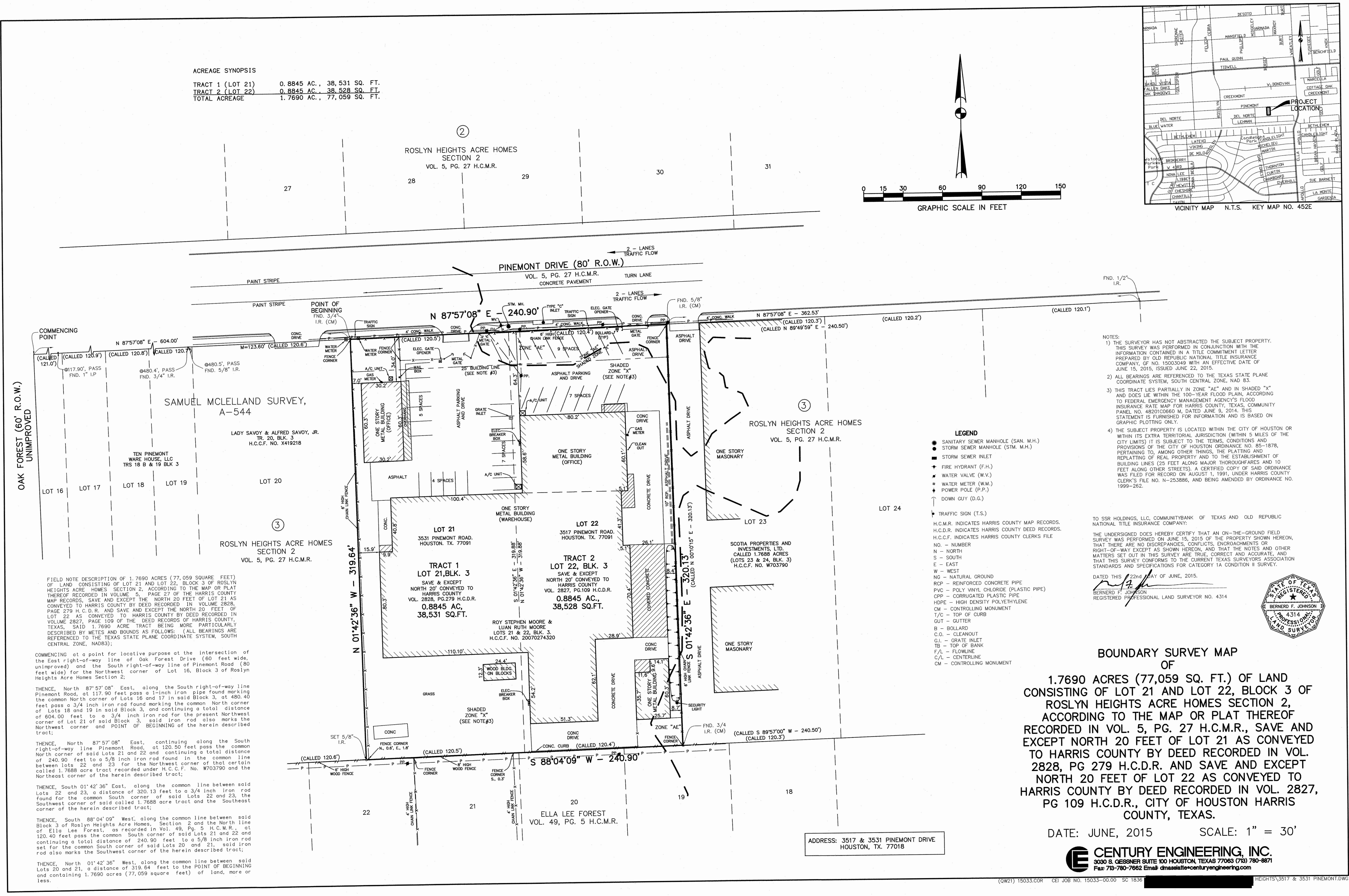
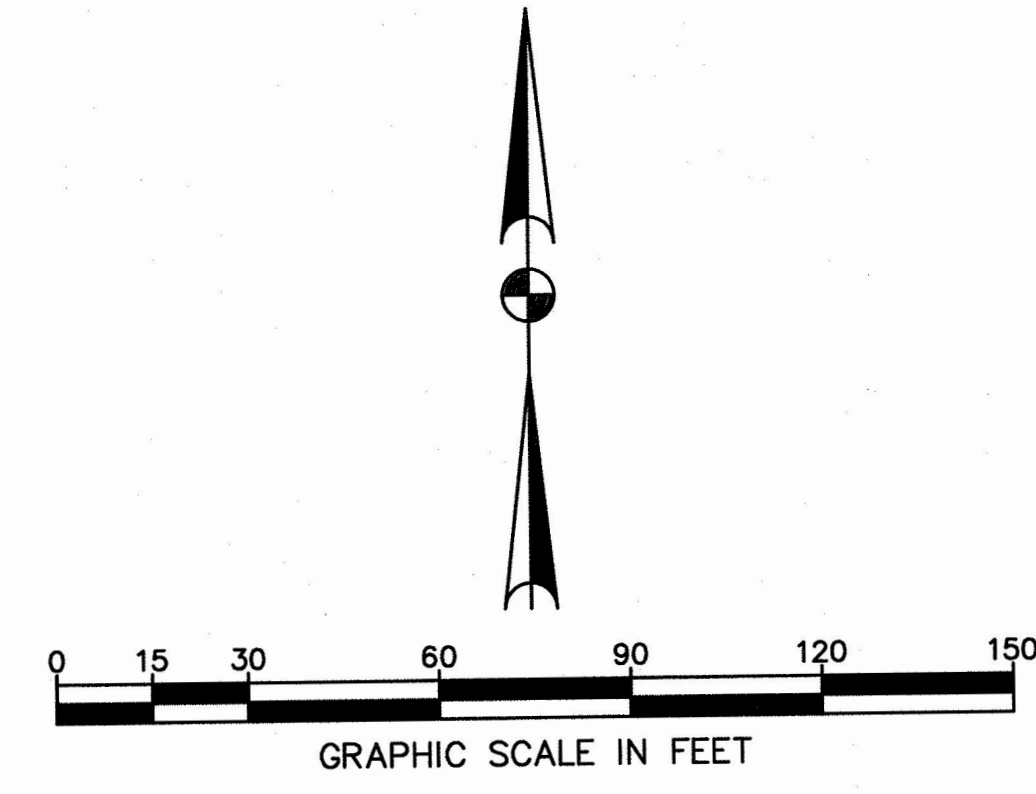
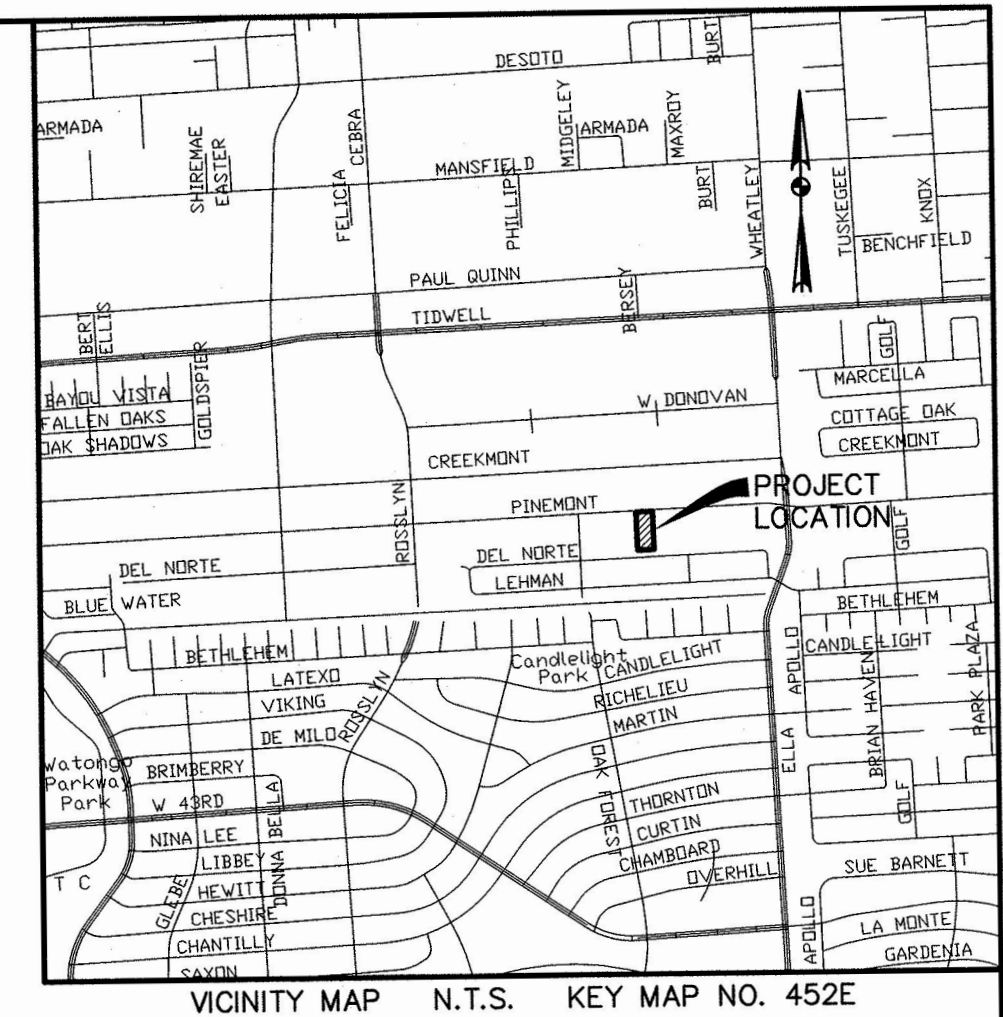
EXECUTED this the 10th day of January, 2023

Monica I. Harris

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

ACREAGE SYNOPSIS

TRACT 1 (LOT 21)	0.8845 AC.,	38,531 SQ. FT.
TRACT 2 (LOT 22)	0.8845 AC.,	38,528 SQ. FT.
TOTAL ACREAGE	1.7690 AC.,	77,059 SQ. FT.



- NOTES:
- 1) THE SURVEYOR HAS NOT ABSTRACTED THE SUBJECT PROPERTY. THIS SURVEY WAS PERFORMED IN CONJUNCTION WITH THE INFORMATION CONTAINED IN A TITLE COMMITMENT LETTER PREPARED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, OF NO. 15003049 WITH AN EFFECTIVE DATE OF JUNE 15, 2015, ISSUED JUNE 22, 2015.
 - 2) ALL BEARINGS ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83.
 - 3) THIS TRACT LIES PARTIALLY IN ZONE "AE" AND IN SHADED "X" AND DOES LIE WITHIN THE 100-YEAR FLOOD PLAIN, ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP FOR HARRIS COUNTY, TEXAS, COMMUNITY PANEL NO. 4820100660 M, DATED JUNE 9, 2014. THIS STATEMENT IS FURNISHED FOR INFORMATION AND IS BASED ON GRAPHIC PLOTTING ONLY.
 - 4) THE SUBJECT PROPERTY IS LOCATED WITHIN THE CITY OF HOUSTON OR WITHIN ITS EXTRA TERRITORIAL JURISDICTION (WITHIN 5 MILES OF THE CITY LIMITS) IT IS SUBJECT TO THE TERMS, CONDITIONS AND PROVISIONS OF THE CITY OF HOUSTON ORDINANCE NO. 85-1878, PERTAINING TO, AMONG OTHER THINGS, THE PLATTING AND REPLATTING OF REAL PROPERTY AND TO THE ESTABLISHMENT OF BUILDING LINES (25 FEET ALONG MAJOR THOROUGHFARES AND 10 FEET ALONG OTHER STREETS). A CERTIFIED COPY OF SAID ORDINANCE WAS FILED FOR RECORD ON AUGUST 1, 1991, UNDER HARRIS COUNTY CLERK'S FILE NO. N-253886, AND BEING AMENDED BY ORDINANCE NO. 1999-262.

- LEGEND
- SANITARY SEWER MANHOLE (SAN. M.H.)
 - STORM SEWER MANHOLE (STM. M.H.)
 - STORM SEWER INLET
 - ◆ FIRE HYDRANT (F.H.)
 - ▲ WATER VALVE (W.V.)
 - ◆ WATER METER (W.M.)
 - ◆ POWER POLE (P.P.)
 - ┆ DOWN GUY (D.G.)
 - ▼ TRAFFIC SIGN (T.S.)

TO SSR HOLDINGS, LLC, COMMUNITYBANK OF TEXAS AND OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY:

THE UNDERSIGNED DOES HEREBY CERTIFY THAT AN ON-THE-GROUND FIELD SURVEY WAS PERFORMED ON JUNE 15, 2015 OF THE PROPERTY SHOWN HEREON, THAT THERE ARE NO DISCREPANCIES, CONFLICTS, ENCROACHMENTS OR RIGHT-OF-WAY EXCEPT AS SHOWN HEREON, AND THAT THE NOTES AND OTHER MATTERS SET OUT IN THIS SURVEY ARE TRUE, CORRECT AND ACCURATE, AND THAT THIS SURVEY CONFORMS TO THE CURRENT TEXAS SURVEYORS ASSOCIATION STANDARDS AND SPECIFICATIONS FOR CATEGORY 1A CONDITION II SURVEY.

DATED THIS 22nd DAY OF JUNE, 2015.

BERNARD F. JOHNSON
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4314



BOUNDARY SURVEY MAP
OF

1.7690 ACRES (77,059 SQ. FT.) OF LAND
CONSISTING OF LOT 21 AND LOT 22, BLOCK 3 OF
ROSLYN HEIGHTS ACRE HOMES SECTION 2,
ACCORDING TO THE MAP OR PLAT THEREOF
RECORDED IN VOL. 5, PG. 27 H.C.M.R., SAVE AND
EXCEPT NORTH 20 FEET OF LOT 21 AS CONVEYED
TO HARRIS COUNTY BY DEED RECORDED IN VOL.
2828, PG 279 H.C.D.R. AND SAVE AND EXCEPT
NORTH 20 FEET OF LOT 22 AS CONVEYED TO
HARRIS COUNTY BY DEED RECORDED IN VOL. 2827,
PG 109 H.C.D.R., CITY OF HOUSTON HARRIS
COUNTY, TEXAS.

DATE: JUNE, 2015 SCALE: 1" = 30'

CENTURY ENGINEERING, INC.
3030 S. GESSNER SUITE 100 HOUSTON, TEXAS 77063 (713) 780-8871
Fax: 713-780-7662 Email: cmasstie@centuryengineering.com

ADDRESS: 3517 & 3531 PINEMONT DRIVE
HOUSTON, TX. 77018

FIELD NOTE DESCRIPTION OF 1.7690 ACRES (77,059 SQUARE FEET) OF LAND CONSISTING OF LOT 21 AND LOT 22, BLOCK 3 OF ROSLYN HEIGHTS ACRE HOMES SECTION 2, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 5, PAGE 27 OF THE HARRIS COUNTY MAP RECORDS, SAVE AND EXCEPT THE NORTH 20 FEET OF LOT 21 AS CONVEYED TO HARRIS COUNTY BY DEED RECORDED IN VOLUME 2828, PAGE 279 H.C.D.R. AND SAVE AND EXCEPT THE NORTH 20 FEET OF LOT 22 AS CONVEYED TO HARRIS COUNTY BY DEED RECORDED IN VOLUME 2827, PAGE 109 OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS, SAID 1.7690 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: (ALL BEARINGS ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83);

COMMENCING at a point for locative purpose at the intersection of the East right-of-way line of Oak Forest Drive (60 feet wide, unimproved) and the South right-of-way line of Pinemont Road (80 feet wide) for the Northwest corner of Lot 16, Block 3 of Roslyn Heights Acre Homes Section 2;

THENCE, North 87°57'08" East, along the South right-of-way line of Pinemont Road, at 117.90 feet pass a 1-inch iron pipe found marking the common North corner of Lots 18 and 19 in said Block 3, at 480.40 feet pass a 3/4 inch iron rod found marking the common North corner of Lots 18 and 19 in said Block 3, and continuing a total distance of 604.00 feet to a 3/4 inch iron rod for the present Northwest corner of Lot 21 of said Block 3, said iron rod also marks the Northwest corner and POINT OF BEGINNING of the herein described tract;

THENCE, North 87°57'08" East, continuing along the South right-of-way line of Pinemont Road, at 120.50 feet pass the common North corner of said Lots 21 and 22 and continuing a total distance of 240.90 feet to a 5/8 inch iron rod found in the common line between Lots 22 and 23 for the Northwest corner of that certain called 1.7688 acre tract recorded under H.C.C.F. No. W703790 and the Northeast corner of the herein described tract;

THENCE, South 01°42'36" East, along the common line between said Lots 22 and 23, a distance of 320.13 feet to a 3/4 inch iron rod found for the common South corner of said Lots 22 and 23, the Southwest corner of said called 1.7688 acre tract and the Southeast corner of the herein described tract;

THENCE, South 88°04'09" West, along the common line between said Block 3 of Roslyn Heights Acre Homes, Section 2 and the North line of Ella Lee Forest, as recorded in Vol. 49, Pg. 5 H.C.M.R., at 120.40 feet pass the common South corner of said Lots 21 and 22 and continuing a total distance of 240.90 feet to a 5/8 inch iron rod set for the common South corner of said Lots 20 and 21, said iron rod also marks the Southwest corner of the herein described tract;

THENCE, North 01°42'36" West, along the common line between said Lots 20 and 21, a distance of 319.64 feet to the POINT OF BEGINNING and containing 1.7690 acres (77,059 square feet) of land, more or less.

Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Steve Moore, as an authorized representative of Kirksey Machine, 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.

Steve Moore
Signature

Date: 11-18-21

STEVE MOORE
Printed Name

OWNER
Title

STATE OF TEXAS

COUNTY OF HARRIS



SUBSCRIBED AND SWORN before me on this the 18 day of NOV 2021, to which witness my hand and seal of office.

Blane P. Kuropata
Notary Public in and for the State of TEXAS