



# RAILROAD COMMISSION OF TEXAS

## OIL AND GAS DIVISION

### ***VOLUNTARY CLEANUP PROGRAM FINAL CERTIFICATE OF COMPLETION RELYING ON INSTITUTIONAL CONTROLS***

As provided for Chapter 91, Subchapter 0, Texas Natural Resource Code.

*I, WILLIAM B. MIERTSCHIN, ASSISTANT DIRECTOR OF THE SITE REMEDIATION SECTION, OIL AND GAS DIVISION, RAILROAD COMMISSION OF TEXAS, CERTIFY UNDER CHAPTER 91, SUBCHAPTER 0, TEXAS NATURAL RESOURCE CODE, THAT NECESSARY RESPONSE ACTIONS HAVE BEEN COMPLETED FOR VCP NO. 03-60008 FOR THE TRACT OF LAND DESCRIBED IN EXHIBIT "A" BASED ON THE AFFIDAVIT OF COMPLETION OF RESPONSE ACTION AND INSTITUTIONAL CONTROLS, EXHIBIT "B" AND WHICH ARE FURTHER DESCRIBED IN THE APPROVED FINAL REPORT FOR THE SITE. APPLICANTS WHO WERE NOT RESPONSIBLE PARTIES UNDER SECTION 91.113 ON THE DATE OF ISSUANCE OF THIS CERTIFICATE ARE QUALIFIED TO OBTAIN THE PROTECTION FROM LIABILITY PROVIDED BY CHAPTER 91, SUBCHAPTER 0, TEXAS NATURAL RESOURCE CODE.*

EXECUTED this the 9 day of APRIL 2009.

Handwritten signature of William B. Miertschin in black ink.

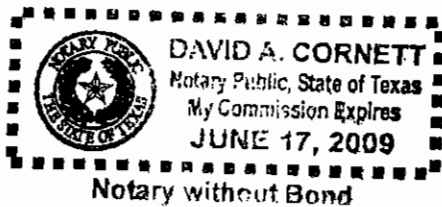
*William B. Miertschin,*  
Assistant Director, Site Remediation

STATE OF TEXAS

COUNTY OF TRAVIS

BEFORE ME, personally appeared William B. Miertschin, Assistant Director, Remediation Division, of the Railroad Commission of Texas, known to me to be the person and agent of said commission whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purposes and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 9<sup>th</sup> day of June 2009.

Handwritten signature of the Notary Public in black ink.  
Notary Public in and for the State of Texas

**EXHIBIT "A"**  
**RAILROAD COMMISSION OF TEXAS**  
**VOLUNTARY CLEANUP PROGRAM**  
**LEGAL DESCRIPTION 2.6564 Acre Tract**

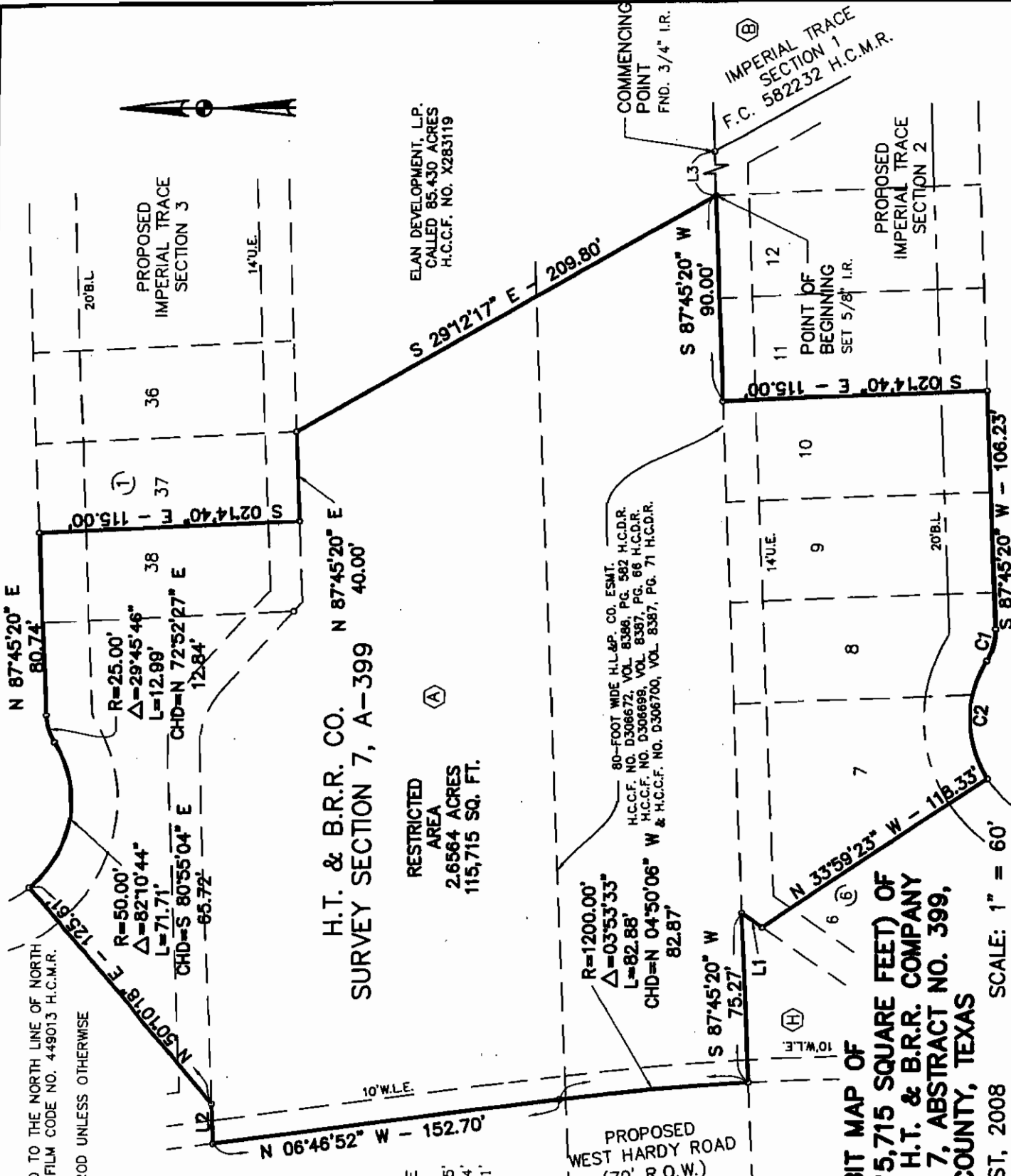
**VCP No. 03-60008**

Imperial Trace COC  
4/9/2009

NOTES:

- 1) ALL BEARINGS ARE REFERENCED TO THE NORTH LINE OF NORTH VISTA DRIVE RECORDED UNDER FILM CODE NO. 449013 H.C.M.R.
- 2) "o" INDICATES SET 5/8" IRON ROD UNLESS OTHERWISE SHOWN HEREON.

LINE NO.	BEARING	DISTANCE
L1	N 35° 21' 13" E	10.95'
L2	N 87° 45' 20" E	17.24'
L3	S 87° 45' 20" W	478.41'



H.T. & B.R.R. CO. N 87°45'20" E 40.00'  
 SURVEY SECTION 7, A-399  
 RESTRICTED AREA  
 2,656.4 ACRES  
 115,715 SQ. FT.

ELAN DEVELOPMENT, L.P.  
 CALLED 85.430 ACRES  
 H.C.C.F. NO. X283119

PROPOSED WEST HARDY ROAD (70' R.O.W.)

R=1200.00'  
 Δ=03°53'33"  
 L=82.88'  
 CHD=N 04°50'06" W 82.87'

80-FOOT WIDE H.L. & P. CO. ESMT.  
 H.C.C.F. NO. D306672, VOL. 8386, PG. 582 H.C.D.R.  
 H.C.C.F. NO. D306699, VOL. 8387, PG. 66 H.C.D.R.  
 H.C.C.F. NO. D306700, VOL. 8387, PG. 71 H.C.D.R.

COMMENCING POINT  
 FND. 3/4" I.R.

IMPERIAL TRACE SECTION 1  
 F.C. 582232 H.C.M.R.

POINT OF BEGINNING  
 SET 5/8" I.R.

PROPOSED IMPERIAL TRACE SECTION 2

PROPOSED IMPERIAL TRACE SECTION 3

EXHIBIT MAP OF  
 2.6564 ACRES (115,715 SQUARE FEET) OF  
 LAND OUT OF THE H.T. & B.R.R. COMPANY  
 SURVEY, SECTION 7, ABSTRACT NO. 399,  
 HARRIS COUNTY, TEXAS

DATE: AUGUST, 2008 SCALE: 1" = 60'

ROYAL GALWAY DR.  
**CENTURY ENGINEERING, INC.**  
 3030 B. CESSNER SUITE 100 HOUSTON TEXAS 77063 (713) 780-6871

CURVE NUMBER	DELTA	RADIUS	ARC LENGTH	TANGENT LENGTH	CHORD BEARING	CHORD LENGTH
C1	33° 32' 15"	25.00'	14.63'	7.53'	N 75° 28' 33" W	14.43'
C2	118° 33'	106.23'	115.00'	115.00'		
C3	115° 00'	115.00'	115.00'	115.00'		

RESTRICTED AREA

FIELD NOTE DESCRIPTION OF 2.6564 ACRE (115,715 SQUARE FEET) OF LAND OUT OF AND A PART OF THAT CERTAIN CALLED 85.430 ACRE TRACT CONVEYED TO ELAN DEVELOPMENT, L.P., BY DEED RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO. X283119 OF THE HARRIS COUNTY DEED RECORDS, AND LOCATED IN THE H.T. & B. R.R. COMPANY SURVEY SECTION 7, A-399, HARRIS COUNTY, TEXAS, SAID 2.6564 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 3/4 inch iron rod found in the in the South line of an 80-foot wide H.L. & P. Co. Easement as recorded under H.C.C.F. No(s). D306672, D306699 and D306700, said iron rod marks the Northwesterly corner of Restricted Reserve "B", Imperial Trace Sec. 1, as recorded in Film Code No. 582232 of the Harris County Map Records;

THENCE, S 87°45'20" W, along the Southerly line of said 80-foot wide H.L. & P. Co. Easement, a distance of 478.41 feet to a 5/8 inch iron rod set for the Southeasterly corner and POINT OF BEGINNING of the herein described tract;

THENCE, S 87°45'20" W, continuing along the Southerly line of said 80-foot wide H.L. & P. Co. Easement, a distance of 90.00 feet to a point for corner;

THENCE, S 02°14'40" E, a distance of 115.00 feet to a point for the Southeast corner of the herein described tract;

THENCE, S 87°45'20" W, a distance of 106.23 feet to a point for the Point of Curvature of a curve to the Right;

THENCE, Westerly, along and with said curve to the Right, having a radius of 25.00 feet, a central angle of 33°32'15", an arc length of 14.63 feet and a chord bearing and distance of N 75°28'33" W, 14.43 feet to a point for the Point of Reverse curve to Left;

THENCE, Westerly, along and with said curve to the Left, having a radius of 50.00 feet, a central angle of 63°45'02", an arc length of 55.63 feet and a chord bearing and distance of S 89°25'04" W, 52.81 feet to a point for the Southwesterly corner of the herein described tract;

THENCE, N 33°59'23" W, a distance of 118.33 feet to a point for corner;

THENCE, N 35°21'13" E, a distance of 10.95 feet to a point for corner;

THENCE, S 87°45'20" W, a distance of 75.27 feet to a point for the Southwesterly corner of the herein described tract, said point falling in the arc of a curve to the Left;

THENCE, Northerly, along and with said curve to the Left, having a radius of 1200.00 feet, a central angle of 03°53'33", an arc length of 82.88 feet and a chord bearing and distance of N 04°50'06" W, 82.87 feet to a point for the Point of Tangency;

THENCE, N 06°46'52" W, a distance of 152.70 feet to a point for the Northwest corner of the herein described tract;

THENCE, N 87°45'20" E, a distance of 17.24 feet to a point for corner;

THENCE, N 50°10'18" E, a distance of 125.61 feet to a point for corner, said point falling in the arc of a curve to the Left;

THENCE, Easterly, along and with said curve to the Left, having a radius of 50.00 feet, a central angle of 82°10'44", an arc length of 71.71 feet and a chord bearing and distance of S 80°55'04" E, 65.72 feet to a point for the Point of Reverse curve to the Right;

THENCE, Easterly, along and with said curve to the Right, having a radius of 25.00 feet, a central angle of 29°45'46", an arc length of 12.99 feet and a chord bearing and distance of N 72°52'27" E, 12.84 feet to a point for the Point of Tangency;

THENCE, N 87°45'20" E, a distance of 80.74 feet to a point for corner;

THENCE, S 02°14'40" E, a distance of 115.00 feet to a point for corner;

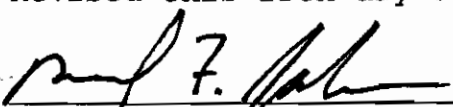
THENCE, N 87°45'20" E, a distance of 40.00 feet to a point for corner;

THENCE, S 29°12'17" E, a distance of 209.80 feet to the POINT OF BEGINNING and containing 2.6564 acres (115,715 square feet) of land, more or less.

CENTURY ENGINEERING, INC.

Dated this 12th day of August, 2008

Revised this 25th day of August, 2008

  
Bernerd F. Johnson

Registered Professional Land Surveyor No. 4314



CEI Job No. 90006-23.21  
(TAYLOR) SV IMPT2P.T

**EXHIBIT "B"**  
**RAILROAD COMMISSION OF TEXAS**  
**VOLUNTARY CLEANUP PROGRAM**  
**AFFIDAVIT OF COMPLETION OF RESPONSE ACTION**  
**AND INSTITUTIONAL CONTROL**

I, M.G. Manners, representing Tobruk Asset Management, have completed response actions pursuant to Chapter 91, Subchapter O, Texas Natural Resource Code, at a 2.3826 acre tract in Harris County, Texas identified as VCP No. 03-60008 described in Exhibit "A" to this certificate. The Site was owned by Tobruk Asset Management at the time the application to participate in the Voluntary Cleanup Program was filed. The Applicant has submitted and received approval from the Railroad Commission of Texas (RRC) on all plans and reports required by the Voluntary Cleanup Agreement. The plans and reports were prepared using a prudent degree of inquiry of the Site consistent with accepted industry standards to identify all contaminants, waste and contaminated media of regulatory concern. The response actions for the site have achieved response action levels as determined by the standards of the RRC and remain protective as long as the following institutional controls are maintained:

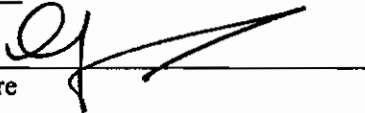
1. Use of the ground water beneath the Affected Property shall not be allowed except for monitoring purposes.
2. Penetration or excavation of groundwater zones for any purpose should only be conducted in such a manner as to prevent the migration or release of contaminants to any other zone or media and to prevent uncontrolled exposure to human and ecological receptors.
3. The foregoing restrictions shall be covenants running with the land, and are contained in an instrument filed in the Harris County Clerk's office on March 13, 2009, Document 20090104802 (Attachment 1)

The response actions eliminate substantial present or future risk to public health and safety and to the environment from releases and threatened releases of contaminants at or from the Site. The Applicant has not acquired this certificate of completion by fraud, misrepresentation, or knowing failure to disclose material information. Further information concerning the response actions at this Site may be found in the final report at the central office of the RRC under VCP No. 03-60008.

The preceding is true and correct to the best of my knowledge and belief.

Applicant

By: \_\_\_\_\_  
Signature

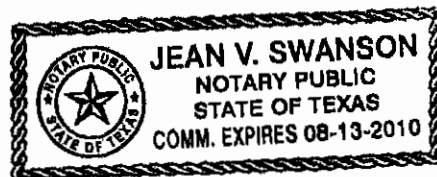
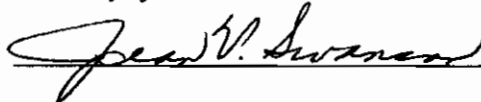


STATE OF  
COUNTY OF HARRIS

BEFORE ME, personally appeared M. G. MANNERS,  
known to me to be the person and agent of said commission whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purposes and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 25<sup>TH</sup> day of MARCH 2009.

Notary Public in and for the State of TEXAS



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**Railroad Commission of Texas  
Environmental Restrictive Covenant**

STATE OF TEXAS  
§  
COUNTY OF HARRIS

This Restrictive Covenant is filed pursuant to the authority of the Railroad Commission of Texas (Commission) to control and clean up pollution caused by activities over which the Commission exercises jurisdiction in accordance with Section 91.113 of the Texas Natural Resources Code, and affects the real property (Property) described as follows:

Elan Development LP is the current owner of the Property and premises, and appurtenances thereto, located in Harris County, Texas, consisting of a 2.3826 ACRE (103,786 SQUARE FEET) OF LAND OUT OF AND A PART OF THAT CERTAIN CALLED 85.430 ACRE TRACT CONVEYED TO ELAN DEVELOPMENT, L.P., BY DEED RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO. X283119 OF THE HARRIS COUNTY DEED RECORDS, AND LOCATED IN THE H.T. & B. R.R. COMPANY SURVEY SECTION 7, A-399, HARRIS COUNTY, TEXAS, SAID 2.3826 ACRE TRACT OF LAND as more fully described on Exhibit A, which exhibit is attached hereto and incorporated herein.

lll

Groundwater on the Property is affected by certain identified chemicals of concern. The entire property is considered to be Affected Property and can be described as follows:

COMMENCING at a 3/4 inch iron rod found in the in the South line of an 80-foot wide H.L. & P. Co. Easement as recorded under H.C.C.F. No(s). D306672, D306699 and D306700, said iron rod marks the Northwesterly corner of Restricted Reserve "B", Imperial Trace Sec. 1, as recorded in Film Code No. 582232 of the Harris County Map Records;

THENCE, S 87°45'20" W, along the Southerly line of said 80-foot wide H.L. & P. Co. Easement, a distance of 478.41 feet to a 5/8 inch iron rod set for the Southeasterly corner and POINT OF BEGINNING of the herein described tract;

THENCE, S 87°45'20" W, continuing along the Southerly line of said 80-foot wide H.L. & P. Co. Easement, a distance of 90.00 feet to a point for corner;

THENCE, S 02°14'40" E, a distance of 115.00 feet to a point for the Southeast corner of the herein described tract;

THENCE, S 87°45'20" W, a distance of 106.23 feet to a point for the Point of Curvature of a curve to the Right;

THENCE, Westerly, along and with said curve to the Right, having a radius of 25.00 feet, a central angle of 33°32'15", an arc length of 14.63 feet and a chord bearing and distance of N 75°28'33" W, 14.43 feet to a point for the Point of Reverse curve to Left;

THENCE, Westerly, along and with said curve to the Left, having a radius of 50.00 feet, a central angle of 63°45'02", an arc length of 55.63 feet and a chord bearing and distance of S 89°25'04" W, 52.81 feet to a point for the Southwesterly corner of the herein described tract;

THENCE, N 33°59'23" W, a distance of 118.33 feet to a point for corner;

THENCE, N 35°21'13" E, a distance of 10.95 feet to a point for corner;

THENCE, N 87°45'20" E, a distance of 73.40 feet to a point for corner;

THENCE, N 57°53'24" W, a distance of 186.79 feet to a point for corner;

THENCE, N 06°46'52" W, a distance of 130.00 feet to a point for the Northwest corner of the herein described tract;

THENCE, N 87°45'20" E, a distance of 17.24 feet to a point for corner;

THENCE, N 50°10'18" E, a distance of 60.84 feet to a point for corner;

THENCE, N 87°45'20" E, a distance of 168.92 feet to a point for corner;

THENCE, N 02°14'40" W, a distance of 29.89 feet to a point for corner;

THENCE, N 87°45'20" E, a distance of 40.00 feet to a point for corner;

THENCE, S 02°14'40" E, a distance of 115.00 feet to a point for corner;

THENCE, N 87°45'20" E, a distance of 40.00 feet to a point for corner;

THENCE, S 29°12'17" E, a distance of 209.80 feet to the POINT OF BEGINNING and containing 2.3826 acres (103,786 square feet) of land, more or less.

This restrictive covenant is required for the following reasons:

The Property has a plugged and abandoned dry hole site formerly operated by Houston Oil Company of Texas, otherwise known as the Houston Oil Company of Texas, C.A. Dwyer et. al Well Number 2, and a former associated tank battery; wherein chemicals of concern (COCs) attributable to the operations had impacted the soil and groundwater and an environmental investigation and response action was required in accordance with Commission regulations. Chemicals of concern attributable to the historical oil and gas operations at the Affected Property have impacted groundwater. DCH Environmental Consultants L.P. ("DCH") performed the response action to characterize and remediate the chemicals of concern. The remediation was performed in such a manner that chemicals of concern were left in groundwater: Chloride with a maximum concentration of 2,503 parts per million (ppm) in the upper groundwater-bearing unit at a depth of 40 feet below ground surface (bgs) is present, as noted in Exhibit B attached hereto. The affected groundwater unit is not used for drinking water purposes. Chloride in groundwater is not generally considered to present a risk or threat to human health or the environment, but



rather may negatively affect consumption and agricultural purposes. The investigation, assessment, remediation and analytical data on the Property are contained in the following reports, copies of which are located at Elan Development LP, 17510 Red Oak Drive Suite 100, Houston, TX 77090 and the Railroad Commission of Texas:

*Limited Subsurface Investigation, Imperial Trace-North, Houston, Harris County, Texas, dated February 2006*

*Remedial Action Plan, Imperial Trace-North, Houston, Harris County, Texas, dated February 2006*

*NORM Survey, Imperial Trace-North, dated 30 May 2006*

*Remedial Action Completion Report: Imperial Trace-North, Houston Harris County, VCP No. 03-60008; dated March 2007.*

*Revised Remedial Action Completion Report (RACR), Imperial Trace-North, Houston, Harris County, Texas, dated 22 April 2008.*

The response action has been approved by the Commission based on the presumption that the groundwater beneath the Affected Property will not be used for any purpose, except monitoring. The Commission has determined that the Affected Property currently meets standards for residential use. Based on information contained in the reports identified above, the chemicals of concern pose no significant present or future risk to humans or the environment based on residential use. ~~The Commission does not require any further remediation of the Affected Property as long as groundwater beneath the Affected Property is not used.~~ For purposes of this Covenant, the term "residential use" means use for dwellings such as single family houses and multi-family apartments, children's homes, nursing homes, residential portions of government-owned lands (local, state or federal), day care facilities, educational facilities, hospitals, residential portions of ranch and farm land, and parks (local, state or federal). This restrictive covenant is necessary to assure that all present and future owners of the Affected Property are aware of its condition and do not use the property in any manner inconsistent with this restriction. If any person desires to use the groundwater beneath the Affected Property, the Commission must be notified at least 60 days in advance of such use. Additional response action contemplating a change in land use or in the size of the assumed exposure area may be necessary.

Elan Development LP is the Owner of the Property. In consideration of the Response Action leading to final approved remediation of the Affected Property, the Owner of the Property has agreed to place the following restrictions on the Property in favor of the Commission and the State of Texas. Now therefore, in consideration of these premises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following restrictive covenants in favor of the Commission and the State of Texas are placed on the Property described in Exhibit "A," to-wit:

1. Use of the groundwater beneath the Affected Property shall not be allowed except for monitoring purposes.

2. Penetration or excavation of groundwater zones for any purpose should only be conducted in such a manner as to prevent the migration or release of contaminants to any other zone or media and to prevent uncontrolled exposure to human and ecological receptors.
3. These restrictions shall be a covenant running with the land.

For additional information, contact:

Railroad Commission of Texas  
Site Remediation  
P. O. Box 12967  
1701 N. Congress  
Austin, Texas 78711-2967

Railroad Commission of Texas Voluntary Cleanup Program No.: **03-60008**

As of the date of this Covenant, the record owner of fee title to the Property is Elan Development LP, 17510 Red Oak Drive Suite 100, Houston, TX 77090:

This Restrictive Covenant may be rendered of no further force or effect only by a release executed by the Commission and filed in the same Real Property Records as those in which this Restrictive Covenant is filed.

Executed this 11<sup>TH</sup> day of MARCH 2009.

By: Landowner, Elan Development LP

Signature: [Handwritten Signature]  
M. G. Manners, Managing Member

(2)  
m

STATE OF TEXAS

COUNTY OF HARRIS

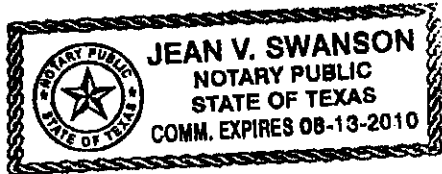
BEFORE ME, on this the 11<sup>TH</sup> day of MARCH, <sup>2009</sup> personally appeared M. G. Manners, known to me to be the person whose name is subscribed to the foregoing instrument, and, they acknowledged to me that they executed the same for the purposes and in the capacity herein expressed.

[Handwritten Signature]  
Notary Public in and for the  
State of Texas

My Commission Expires:

08-13-2010

JEAN V. SWANSON  
Printed Name of Notary Public



After recording, return to:  
Dct-Environmental  
406 Brooks Street  
Sugar Land, TX 77478

Accepted as Third Party Beneficiary this 19th day of February 2009.

Railroad Commission of Texas

By: David Cooney

102

Title: Attorney, Special Counsel Section

BEFORE ME, on this the 19th day of February, 2009 personally appeared David Cooney known to me to be the person whose name is subscribed to the foregoing instrument, and they acknowledged to me that they executed the same for the purposes and in the capacity herein expressed.

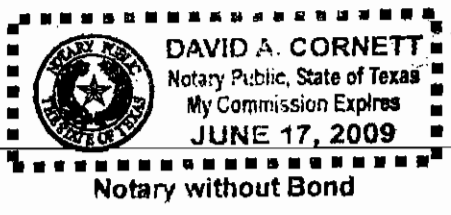
GIVEN UNDER MY HAND AND SEAL OF OFFICE

Signature David Cooney

Notary Public in and for the State of TX

County of TRAVIS

My Commission Expires: 17 Jun 09



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 2) "o" INDICATES SET 5/8" IRON ROD UNLESS OTHERWISE SHOWN HEREON.

LINE TABLE

LINE NO.	BEARING	DISTANCE
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L2	N 87° 45' 20" E	17.24'
L3	S 87° 45' 20" W	478.41'

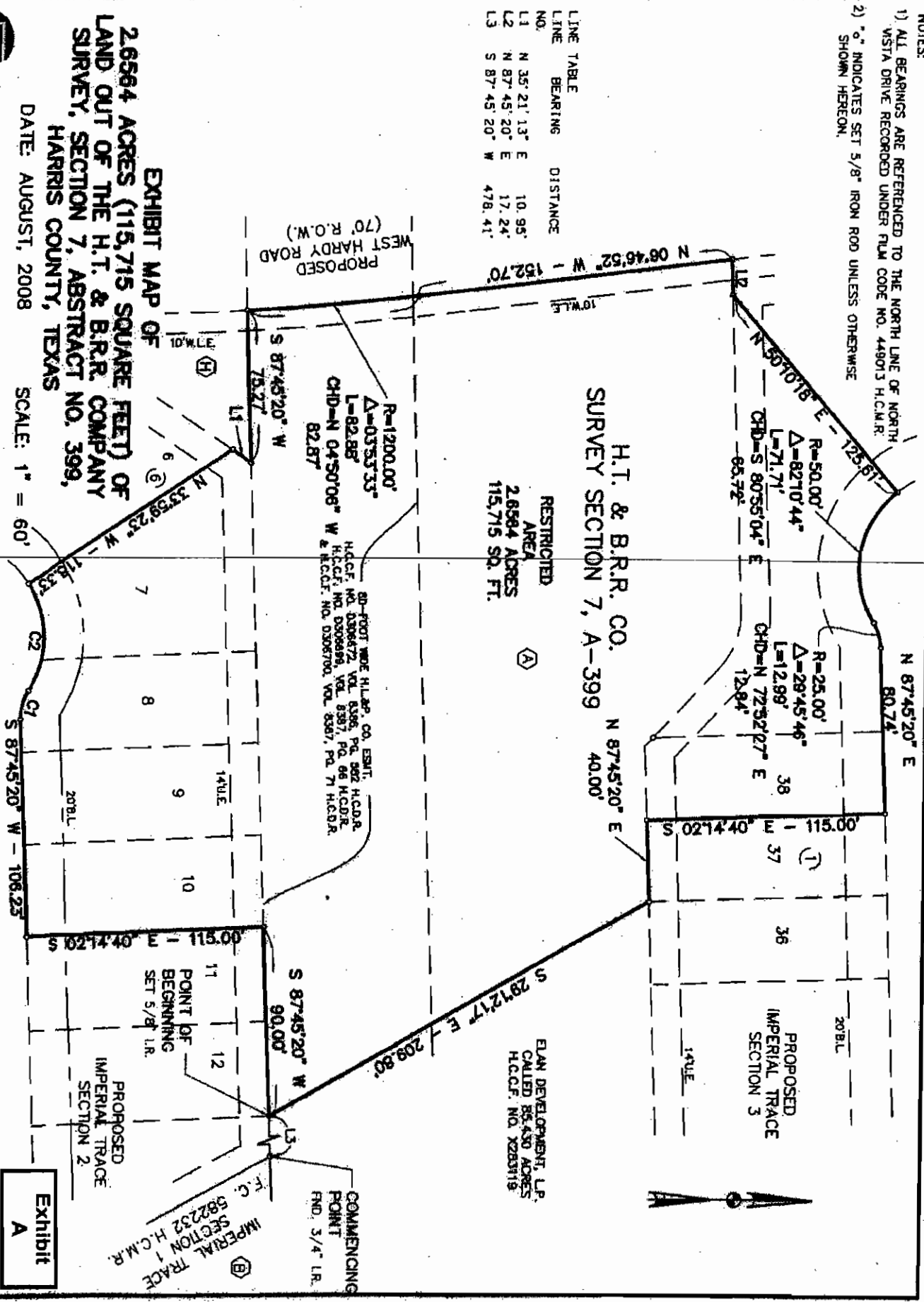


EXHIBIT MAP OF  
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DATE: AUGUST, 2008  
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**CENTURY ENGINEERING, INC.**  
 3090 & GEBBENI SUITE 100 HOUSTON, TEXAS 77063 (713) 780-9871

CURVE NUMBER	DELTA	RADIUS	ARC LENGTH	TANGENT LENGTH	CHORD BEARING	CHORD LENGTH
C 1	33° 32' 15"	25.00'	14.63'	7.53'	N 75° 28' 33" W	14.43'
C 2	63° 45' 02"	50.00'	55.83'	31.09'	S 89° 25' 04" W	52.81'

Exhibit  
**A**

ROYAL GALWAY DR.

PROPOSED IMPERIAL TRACE SECTION 2

PROPOSED IMPERIAL TRACE SECTION 3

COMENCING POINT  
 FND. 3/4" I.R.

RESTRICTED AREA  
 2,658.4 ACRES  
 115,715 SQ. FT.

PROPOSED IMPERIAL TRACE SECTION 7

PROPOSED IMPERIAL TRACE SECTION 8

PROPOSED IMPERIAL TRACE SECTION 9

PROPOSED IMPERIAL TRACE SECTION 10

PROPOSED IMPERIAL TRACE SECTION 11

PROPOSED IMPERIAL TRACE SECTION 12

PROPOSED IMPERIAL TRACE SECTION 13

PROPOSED IMPERIAL TRACE SECTION 14

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PROPOSED IMPERIAL TRACE SECTION 81

PROPOSED IMPERIAL TRACE SECTION 82

PROPOSED IMPERIAL TRACE SECTION 83

PROPOSED IMPERIAL TRACE SECTION 84

PROPOSED IMPERIAL TRACE SECTION 85

PROPOSED IMPERIAL TRACE SECTION 86

PROPOSED IMPERIAL TRACE SECTION 87

PROPOSED IMPERIAL TRACE SECTION 88

PROPOSED IMPERIAL TRACE SECTION 89

PROPOSED IMPERIAL TRACE SECTION 90

PROPOSED IMPERIAL TRACE SECTION 91

PROPOSED IMPERIAL TRACE SECTION 92

PROPOSED IMPERIAL TRACE SECTION 93

PROPOSED IMPERIAL TRACE SECTION 94

PROPOSED IMPERIAL TRACE SECTION 95

PROPOSED IMPERIAL TRACE SECTION 96

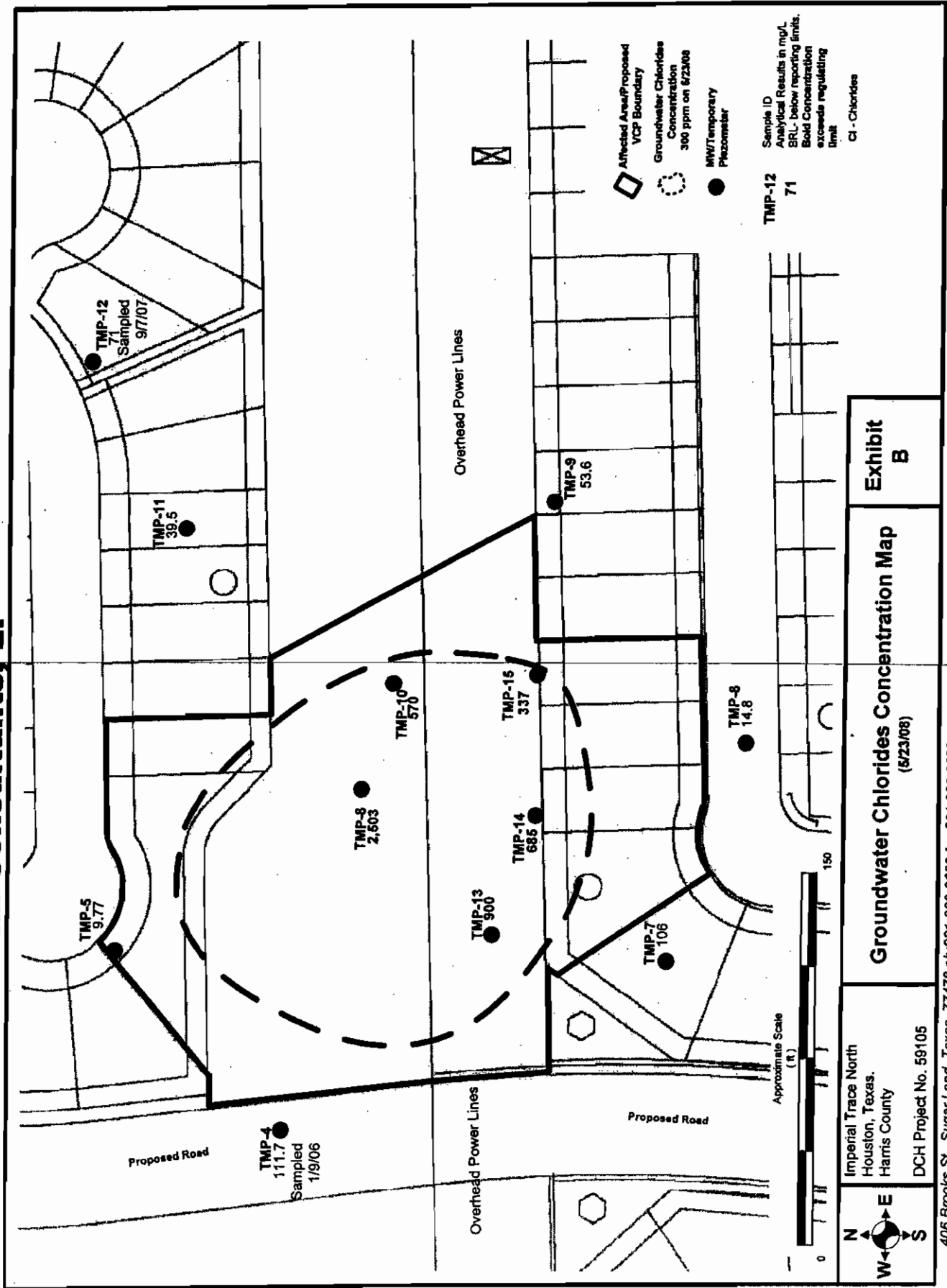
PROPOSED IMPERIAL TRACE SECTION 97

PROPOSED IMPERIAL TRACE SECTION 98

PROPOSED IMPERIAL TRACE SECTION 99

PROPOSED IMPERIAL TRACE SECTION 100

# DCH Environmental Consultants, LP



**Exhibit B**

**Groundwater Chlorides Concentration Map**  
(8/23/08)

Imperial Trace North  
Houston, Texas.  
Harris County  
DCH Project No. 59105

406 Brooks St., Sugar Land, Texas, 77478 ph:281-980-9600 fax:281-980-9622

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.  
THE STATE OF TEXAS  
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me, and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas on

MAR 13 2009



*Dorely L. Kayman*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

*Kenneth A. Regan*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

2009 MAR 13 PM 12:42

FILED