



RAILROAD COMMISSION OF TEXAS

OIL AND GAS DIVISION

**VOLUNTARY CLEANUP PROGRAM
FINAL CERTIFICATE OF COMPLETION**

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

I, PETER G. POPE, 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 VOLUNTARY CLEANUP PROGRAM NO. 03-12003 AS OF 11 JULY 2012 FOR THE TRACT OF LAND DESCRIBED IN EXHIBIT "A". THE AFFIDAVIT OF COMPLETION OF RESPONSE 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 23rd day of July 2012.

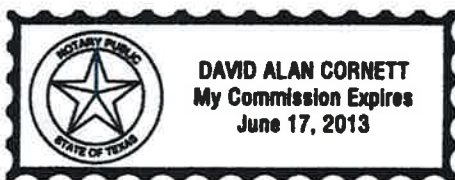

Peter G. Pope, P.G.
Assistant Director, Site Remediation

STATE OF TEXAS

COUNTY OF TRAVIS

BEFORE ME, personally appeared Peter G. Pope, Assistant Director, Remediation Section, 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 23rd day of July 2012.*





Notary Public in and for the State of Texas

EXHIBIT "A"
RAILROAD COMMISSION OF TEXAS
VOLUNTARY CLEANUP PROGRAM
LEGAL DESCRIPTION 1.995 ACRE TRACT

VCP No. 03-12003

ParkRebeccaCOC

Highland Hills Subdivision
Lot 2R-1 – 1.995 Acres
John Austin Survey, A-2
Bryan, Brazos County, Texas

Field notes of a 1.995 acre tract or parcel of land, lying and being situated in the John Austin Survey, Abstract No. 2, Bryan, Brazos County, Texas, and being part of Lot 1 – 7.8064 acres, Block A, Highland Hills Subdivision, according to the plat recorded in Volume 9955, Page 137, of the Official Records of Brazos County, Texas, and said 1.995 acre tract being more particularly described as follows:

BEGINNING at a ½" iron rod and cap set in the northeast right-of-way line of North Earl Rudder Freeway, (Highway No. 6 – East Bypass), said iron rod also being at the south corner of the proposed Highland Drive – 60' wide right-of-way as shown on the Replat of Lot 2R, Block A - 5.122 acres, Highland Hills Subdivision, recorded in Volume _____, Page _____, of the Official Records of Brazos County, Texas, (currently being processed through the city), from which a ½" iron rod and cap found marking the common corner between the beforementioned Lot 1, Block A, and the 4.20 acre tract described in the deed to B. V. Imports Building Partners, Ltd., recorded in Volume 8889, Page 185, of the Official Records of Brazos County, Texas, bears N 63° 13' 19" W – 60.00 feet;

THENCE along the southeast right-of-way line of the proposed Highland Drive – 60' wide right-of-way, as follows:

N 26° 46' 41" E for a distance of 261.23 feet to a ½" iron rod set at the beginning of a curve, concave to the southeast, having a radius of 470.05 feet,
Northeasterly along said curve for an arc distance of 143.75 feet to a ½" iron rod and cap found marking the east corner of the said Highland Drive – 60' wide right-of-way, the chord bears N 35° 32' 24" E – 143.19 feet, said ½" iron rod and cap also lying in the southwest right-of-way line of Highpoint Drive as shown on the beforementioned Highland Hills Subdivision plat;

THENCE along the southwest right-of-way line of the beforementioned Highpoint Drive, as follows:

S 85° 35' 01" E for a distance of 52.59 feet to a ½" iron rod and cap found,
S 40° 48' 46" E for a distance of 102.36 feet to a ½" iron rod and cap found at the beginning of a curve, concave to the southwest, having a radius of 239.00 feet,
Southeasterly along said curve, for an arc distance of 35.55 feet to a ½" iron rod and cap found at the end of this curve, the chord bears S 36° 32' 51" E – 35.55 feet,
S 32° 16' 56" E for a distance of 32.79 feet to a ½" iron rod and cap set at the common corner between the proposed Lot 2R-1 – 1.995 acres, and Lot 2R-2 – 2.553 acres;

THENCE along the common line between the proposed Lot 2R-1 – 1.995 acres and Lot 2R-2 – 2.553 acres, as shown on the Replat currently being processed through the city, as follows:

S 57° 43' 04" W for a distance of 15.91 feet to a ½" iron rod and cap set,

Highland Hills Subdivision
Lot 2R-1 – 1.995 Acres
John Austin Survey, A-2
Bryan, Brazos County, Texas
Continued – Page 2

S 26° 46' 42" W for a distance of 356.72 feet to a ½" iron rod and cap set in the northeast right-of-way line of the beforementioned North Earl Rudder Freeway;

THENCE along the northeast right-of-way line of the beforementioned North Earl Rudder Freeway, as follows:

N 56° 46' 28" E for a distance of 173.27 feet to a concrete right-of-way marker found,

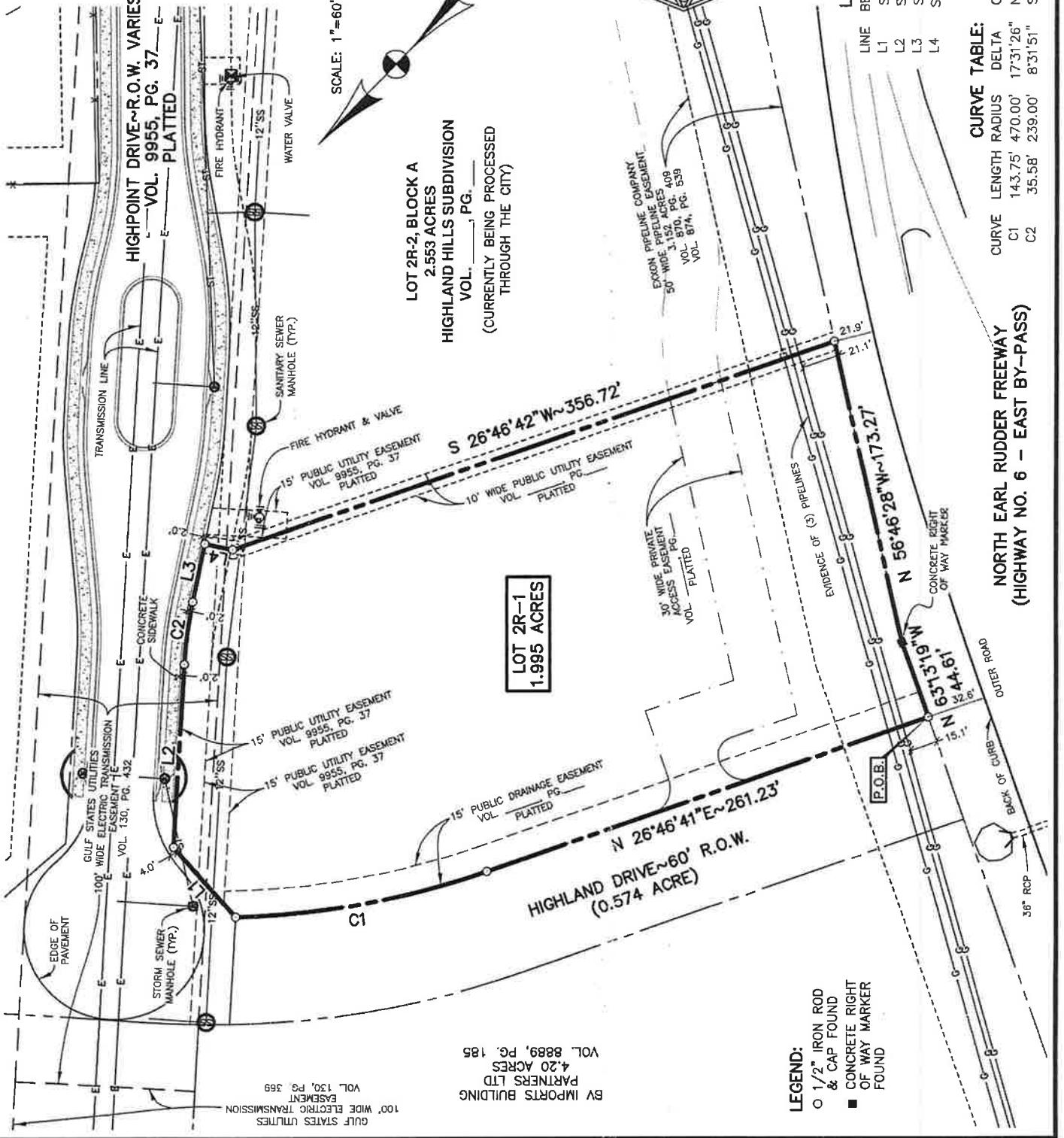
N 63° 13' 19" W for a distance of 44.61 feet to the **PLACE OF BEGINNING**, containing 1.995 acres of land, more or less.



Surveyed: April, 2012

By 
S. M. Kling
R.P.L.S. No. 2003

Prepared 05/15/12
kes12-dvd\Highland Hills – Lot 2R-1-1.995ac.wpd



NOTES:

1. BEARINGS BASED ON THE MONUMENTED NORTHEAST RIGHT OF WAY LINE OF STATE HIGHWAY NO. 6 ACCORDING TO THE PLAT OF HIGHLAND HILLS SUBDIVISION, LOTS 1 AND 2, BLOCK "A", RECORDED IN VOL. 9955, PG. 37, OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS.
2. CURRENT TITLE APPEARS VESTED IN PARK REBECCA, INC. BY VIRTUE OF DEED RECORDED IN VOL. 9949, PG. 25, OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS.
3. THE SUBJECT TRACT DOES NOT LIE WITHIN THE 100 YEAR FLOODPLAIN ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP FOR BRAZOS COUNTY, TEXAS AND ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP FOR BRAZOS COUNTY, TEXAS, MAP NO. 48041C0134C, COMMUNITY NO. 480082, PANEL NO. 0134C, MAP NO. 48041C0134C, EFFECTIVE DATE: JULY 2, 1992.
4. THE SUBJECT TRACT IS LOCATED WITHIN "ZONE X" - AREA DETERMINED TO BE OUTSIDE OF THE 500 YEAR FLOODPLAIN.
5. THIS SURVEY WAS CONDUCTED WITH THE BENEFIT OF A COMMITMENT FOR TITLE INSURANCE ISSUED BY BRAZOS COUNTY ABSTRACT COMPANY, G.F. NO. 151336, EFFECTIVE DATE: OCTOBER 26, 2011, TO WIT THE FOLLOWING COMMENTS RELATED TO SCHEDULE "B" OF SAID COMMITMENT:
 - a.) ALL APPLICABLE EASEMENTS AS SHOWN ON PLAT OF HIGHLAND HILLS SUBDIVISION RECORDED IN VOL. 9955, PG. 37 ARE SHOWN HEREON.
 - b.) PIPELINE EASEMENT - HUMBLE PIPELINE CO. - VOL. 48, PG. 57, HAVING NO DEFINED LOCATION NOR WIDTH (BLANKET). THIS INSTRUMENT CONTAINS NO PLOTTABLE DATA AND THIS EASEMENT CANNOT BE SHOWN. CONFIRMATION IS REQUIRED THAT THIS EASEMENT HAS BEEN REPLACED BY EASEMENTS RECORDED IN VOL. 870, PG. 409 AND VOL. 874, PG. 539.
 - c.) 100' WIDE ELECTRICAL TRANSMISSION EASEMENT - GULF STATES UTILITIES - VOL. 130, PG. 411, HAVING A DEFINED LOCATION. THIS EASEMENT LIES APPROX. 900' NORTHWEST OF THE SUBJECT TRACT. THIS EASEMENT DOES NOT AFFECT THE SUBJECT TRACT AND IS NOT SHOWN HEREON.

CERTIFICATE OF SURVEYOR
 I, S.M. KLING, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2003, IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE, CORRECT, AND ACCURATELY REPRESENTS THE LINES AND DIMENSIONS OF THE PROPERTY, WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, AND THAT IT INDICATES ALL EASEMENTS AND FENCES AS THEY ARE VISIBLE ON THE GROUND, AND THAT THERE ARE NO ENCROACHMENTS, CONFLICTS OR PROTRUSIONS, EXCEPT AS SHOWN HEREON.

S.M. KLING
 S.M. KLING R.P.L.S. NO. 2003
 MAY 18, 2012



SURVEY PLAT
 OF

LOT TWO-R-1 (2R-1), BLOCK A
HIGHLAND HILLS SUBDIVISION
A UNRECORDED PLAT

1.995 ACRE TRACT

JOHN AUSTIN SURVEY, A-2
 BRYAN, BRAZOS COUNTY, TEXAS

SCALE: 1"=60' MAY, 2012

PREPARED BY:
 KLING ENGINEERING & SURVEYING
 4101 TEXAS AV. + P.O. BOX 4234 + BRYAN, TEXAS + PH.979/846-6212

LINE TABLE:

LINE	BEARING	DISTANCE
L1	S85°35'01"E	52.59'
L2	S40°48'47"E	102.36'
L3	S32°16'56"E	32.79'
L4	S57°43'04"W	15.91'

CURVE TABLE:

CURVE	LENGTH	RADIUS	DELTA
C1	143.75'	470.00'	17°31'26"
C2	35.58'	239.00'	8°31'51"

NORTH EARL RUDDER FREEWAY
 (HIGHWAY NO. 6 - EAST BY-PASS)

LOT 2R-1
1.995 ACRES

LOT 2R-2, BLOCK A
2.553 ACRES
HIGHLAND HILLS SUBDIVISION
 VOL. _____, PG. _____
 (CURRENTLY BEING PROCESSED THROUGH THE CITY)

- LEGEND:**
- 1/2" IRON ROD & CAP FOUND
 - CONCRETE RIGHT OF WAY MARKER FOUND


BY IMPORTS BUILDING PARTNERS LTD
 4.20 ACRES
 VOL. 8889, PG. 185

GULF STATES UTILITIES
 100' WIDE ELECTRICAL TRANSMISSION EASEMENT
 VOL. 130, PG. 389

EXHIBIT "B"
RAILROAD COMMISSION OF TEXAS
VOLUNTARY CLEANUP PROGRAM
AFFIDAVIT OF COMPLETION OF RESPONSE ACTION

I, Sam Harrison, representing Park Rebecca, Inc. have completed response actions necessary, pursuant to Chapter 91, Subchapter O, Texas Natural Resource Code, at the 1.995 acre tract of land described in Exhibit "A" (Site) of this certificate pertaining to Voluntary Cleanup Program (VCP) No. 03-12003 located in Bryan, Brazos County, Texas. The Site was owned by Park Rebecca, Inc. at the time the application to participate in the VCP was filed. The applicant has submitted and received approval from the Railroad Commission of Texas (RRC) on all plans and reports required by the VCP. 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 acceptable for unrestricted residential use with no reliance on institutional or physical controls, as determined by RRC standards. Response actions for the Site 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. 03-12003.

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

Applicant
By:  MD
Print Name: Sam Harrison, MD

STATE OF TEXAS
COUNTY OF BRAZOS

BEFORE ME, personally appeared

Sam Harrison, M.D., 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 5th day of July 2012.

Notary Public in and for the State of

