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DANNY SORRELLS  
DIRECTOR, OIL AND GAS DIVISION  
CLAY WOODUL  
ASSISTANT DIRECTOR, FIELD OPERATIONS

# RAILROAD COMMISSION OF TEXAS

## OIL AND GAS DIVISION

June 6, 2019

Ms. Karla Klay  
Artist Boat  
2415 Avenue K  
Galveston, TX 77550

RE: Certificate of Completion  
207-Acres; Artist Boat  
Galveston, Galveston County, Texas  
Targeted Brownfields Assessment (TBA) No. 03-1303

Dear Ms. Klay:

Staff of the Railroad Commission of Texas (RRC) Brownfields Response Program (BRP) is pleased to provide you with the enclosed Brownfields Certificate of Completion for the approximately 207-acres located east of Eckert Bayou, more specifically located at latitude 29.2299 and longitude -94.9268 (WGS-84/NAD 83) in Galveston, Galveston County, Texas (Site).

Between June and July 2013, ESE Partners, LLC (ESE) conducted a *Phase I Environmental Site Assessment*, on behalf of Artist Boat, for the 207-acre Site. At the time of the assessment, the property was being used for livestock grazing with surrounding properties being primarily used for residential purposes. The Phase I ESA identified no known or suspected recognized environmental concerns (RECs) or historical recognized environmental concerns (HREC) with the exception of an oil or gas dry hole well drilled in 1978 on the property and an associated pit on the Site. RRC staff reviewed the historical site information and confirmed the existence of oil and gas activities on the Site, therefore, the Site was approved for a TBA in August 2013.

On July 24, 2014, a *Phase II Environmental Site Assessment* was initiated by Kleinfelder, Inc. on behalf of applicants and the RRC. Five soil borings were advanced on the Site using a hand auger and two soil samples were collected from each boring. Additionally, A NORM survey was performed at the Site. Soil samples were analyzed for benzene, toluene, ethylbenzene, and xylenes (BTEX), total petroleum hydrocarbons (TPH), chlorides, Resource Conservation and Recovery Act (RCRA) metals, and pH. No BTEX or TPH concentrations were detected in any soil samples. Chlorides were detected at concentrations ranging from 4,160 mg/kg to 9,190 mg/kg. Mercury, cadmium, selenium, and silver were detected below the Texas-Specific Medial Background Concentrations, the ecological screening benchmarks, and the Tier 1 protective concentration levels (PCLs). Arsenic, chromium, and lead were detected below the calculated Tier 2 PCLs, as well as the total soil combined human health exposure PCLs. Barium was detected above the total soil combined and calculated Tier 2 PCL for human health exposure; however, these barium

concentrations are below the Class 3 soil to groundwater PCL (see discussion below regarding groundwater classification) of 44,000 mg/kg and thus are protective of Class 3 groundwater.

Two groundwater samples were also collected during the *Phase II Environmental Site Assessment* - one groundwater sample from soil boring S01 and a second from soil boring S03. Groundwater at the Site was determined to be a Class 3 groundwater resource and not suitable for drinking due to proximity to the coast and elevated chloride concentrations. Groundwater samples collected at the Site were analyzed for BTEX, TPH, RCRA metals, and chlorides. BTEX and metals were not detected in groundwater above the Class 3 groundwater PCLs. TPH was detected above the Class 1/2 groundwater PCL in sample W03; however, was well below the Class 3 screening levels of 98 mg/L. Chlorides in groundwater exceeded the Texas Secondary Drinking Water Standard, but due to the proximity to West Bay, these values are likely representative of background levels.

In August 2014, an *Additional Subsurface Assessment* was conducted by Kleinfelder, Inc. to further investigate BTEX, TPH, chromium and barium concentrations in soil and groundwater along the outer perimeter of the former earthen pit. A total of 15 soil samples and five groundwater samples were collected from five soil borings installed to a depth of 10 feet. Soil and groundwater samples were analyzed for BTEX, TPH, barium, and chromium. Surface water was not present within the pit at the time of investigation and therefore, no surface water samples were collected. BTEX and TPH were not detected in any of the 15 soils samples. Concentrations of chromium in soil were in excess of the ecological screening benchmark of 0.4 mg/kg but were less than the Texas Specific Median Background Concentration of 30 mg/kg, the Tier 1 soil to groundwater PCL, and the Tier 1 residential total soil combined PCL in all 15 soil samples. Barium was detected in soil but was less than the Texas Specific Median Background Concentration, the Tier 1 soil to groundwater PCL, and the ecological benchmark of 330 mg/kg in all 15 soil samples. BTEX and TPH were not detected in any of the groundwater samples collected. Chromium and barium were detected in groundwater samples but were less than the Class 3 groundwater PCL and the ecological benchmark.

In the *Screening Level Human Health and Ecological Risk Assessment* dated August 2016, Kleinfelder completed an evaluation of the human health and ecological risks associated with the potential exposure to chemicals identified in the earthen pit on the Site. According to the report, no risk to people is present on the Site for its current use. Elevated concentrations of barium and chromium in soil may cause adverse effects to small and immobile ecological receptors within the pit area including plants and small animal species. Based on the assessment, there are limited to no adverse effects expected for larger and higher trophic level organisms. Additional assessment and study are unlikely to eliminate ecological risk. Remediation would likely eliminate the ecological risk but would cause disturbance and habitat damage across the property due to heavy equipment driving in and out of the Site. Reclamation by providing topsoil would reduce ecological risk for small mammal and immobile species and would improve the area aesthetically but would also cause disturbance by having trucks drive to and from the pit location.

Based on the information provided, the Site appears to be protective of unrestricted use. On behalf of the RRC, staff of the Site Remediation Section thank you for your participation in the BRP. I can be reached at 512-463-3384 or [leslie.bruce@rrc.texas.gov](mailto:leslie.bruce@rrc.texas.gov).

Ms. Karla Klay  
6/6/2019  
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Sincerely,



Leslie Bruce  
Brownfields Program Coordinator


cc: Mr. Peter Pope, Manager, Site Remediation (via email)  
Ms. Linda Shead, Shead Conservation Solutions (via email)

**BROWNFIELDS RESPONSE PROGRAM  
FINAL CERTIFICATE OF COMPLETION  
WITHOUT RESTRICTIONS**

As provided for Chapter 91, Texas Natural Resource Code.

I, PETER G. POPE, ASSISTANT DIRECTOR OF THE SITE REMEDIATION SECTION, OIL AND GAS DIVISION, RAILROAD COMMISSION OF TEXAS, CERTIFY THAT NECESSARY RESPONSE ACTIONS UNDER CHAPTER 91, TEXAS NATURAL RESOURCE CODE, HAVE BEEN COMPLETED FOR BROWNFIELDS RESPONSE PROGRAM TARGETED BROWNFIELDS ASSESSMENT (TBA) NO. 03-1303 FOR THE TRACT OF LAND DESCRIBED IN EXHIBIT "A" AND WHICH ARE FURTHER DESCRIBED IN THE APPROVED FINAL REPORT FOR THE SITE. THE APPLICANT WAS NOT A RESPONSIBLE PARTY UNDER SECTION 91.113.

EXECUTED on 07 June 2019

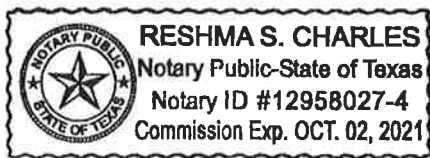
  
Peter G. Pope, Assistant Director  
Site Remediation Section

STATE OF Texas


COUNTY OF Travis

BEFORE ME, personally appeared Peter G. Pope, Assistant Director, Site 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 7<sup>th</sup> Day of June 2019.



Notary without Bond

  
Notary Public in and for the State of Texas

**EXHIBIT "A"**  
**RAILROAD COMMISSION OF TEXAS**  
**BROWNFIELDS RESPONSE PROGRAM**  
**LEGAL DESCRIPTION 207.1372-ACRE TRACT**

**TBA No. 03-1303**



**EXHIBIT "A"**  
**METES AND BOUNDS DESCRIPTION**

**CIAP TRACT 1**  
**115.5864 ACRES**

**BEING** a 115.5864 acre (5,034,943 square feet) tract of out of Lots 402, 407, 408, 417, 418, 421, 431, 432, 437, 438, 447, 448, 451, 452, 461, and 462 Section 2 of the Trimble & Lindsey Survey in Galveston County, Texas and being a part of those certain tracts described in Special Warranty Deeds in the name of Chapoton/Ramsey Limited Partnership under Galveston County Film Code Numbers 004-75-0557 and 004-75-0535 of the Official Records of Galveston County, Texas and out of fifty foot (50') roads shown on said Section 2 of the Trimble & Lindsey Survey as recorded in a Final Judgment in Cause Number 93CV1136 in the name of Chapoton/Ramsey Limited Partnership in Clerk's File Number 9510949 of the Official Records of Galveston County and said roadways being transferred to Chapoton/Ramsey Limited Partnership by Quitclaim Deed as authorized by the City of Galveston in Resolution Number 93-77 and recorded in Clerk's File Number 9350125 of the Official Records of Galveston County, said 115.5864 acre tract being out of that certain called 268.0203 acre tract described as Tract 10 in said Final Judgment in Cause Number 93CV1136, said 115.5864 acre tract being all of Blocks 1 and 6, all of Reserves "B" and "H" and a portion of Reserves "A", "G", and "L", and the unopened/unimproved included adjacent right of ways out of The Preserve at West Beach Section 6 a subdivision in Galveston County Texas as per the map or plat thereof recorded in Plat Record 2009A Map Nos. 105-109 of the Galveston County Map, said 115.5864 acre parcel being more fully described by metes and bounds as follows;

**BEGINNING** at a 1" iron pipe found in the northwesterly line of Settegast Road (50' Right of Way) described in Volume 455 Page 496 Deed Records of Galveston County) and being the most easterly corner of that certain tract described in conveyance to David Weathers and recorded under Galveston County Clerk's File Number 2004068321;

**THENCE** N 63°06'55" E along and with the said northwesterly line of Settegast Road (50' Right of Way) for a distance of 1801.36 feet to a 5/8" iron rod found in the east line of the as occupied 50' right of way of Settegast Road;

**THENCE** N 27°00'21" W, a distance of 3.17 feet, to a 5/8" iron rod set in the south line of said Reserve "L" of the Preserve at West Beach Section 6;

**THENCE**, along the east line of Reserve "L" a non-tangent curve to the right having a radius of 280.00 feet, the long chord of which bears N 45°26'48" E for a distance of 6.18 feet, for an arc length of 6.18 feet, to a 5/8" iron rod found at the point of tangency;

**THENCE** N 37°46'14" W, continuing with the said east line of Reserve "L", a distance of 27.51 feet, to a 5/8" iron rod found at the point of curvature;

**THENCE** continuing along the said east line of Reserve "L" being a tangent curve to the left with a radius of 470.00 feet, the chord of which bears N 43°15'06" W for a distance of 89.79 feet, with an arc length of 89.93 feet, to a 5/8" iron rod found for the north corner of said Reserve "L";

**THENCE** S 41°16'01" W, with the north line of said Reserve "L" a distance of 130.00 feet, to a 5/8" iron rod found for the northwest corner of said Reserve "L" and being in the southwest line of Block 2 of said Preserve at West Beach Section 6;

**THENCE** with the said southwest line of Block 2 the following courses;

N 48°43'59" W, a distance of 194.94 feet, to a found 5/8' iron rod:

N 48°43'59" W, a distance of 360.00 feet, to a found 5/8' iron rod:

N 48°51'22" W, a distance of 80.00 feet, to a found 5/8' iron rod:

N 52°17'50" W, a distance of 48.83 feet, to a found 5/8' iron rod:

**THENCE** continuing with said Block 2 along a non-tangent curve to the right having a radius of 185.00 feet, the long chord of which bears N 11°03'44" E for a distance of 369.75 feet, for an arc length of 567.78 feet, to a 5/8" iron rod found at the east corner of Lot 9 Block 2 Preserve at West Beach Section 6;

**THENCE** N 35°44'32" E, crossing Reserve "G" of the Preserve at West Beach Section 6 for a distance of 209.69 feet, to a 5/8" iron rod found at the most westerly corner of Lot 8 Block 4 of the Preserve at West Beach Section 6;

**THENCE** along the north line of said Lot 8 being a non-tangent curve to the right having a radius of 186.21 feet, the long chord of which bears N 42°20'11" E for a distance of 178.89 feet, for an arc length of 186.60 feet, to a 5/8" iron rod found for the north corner of said Lot 8 Block 4 of the Preserve at West Beach Section 6;

**THENCE** N 16°41'16" W, crossing said Reserve "G" for a distance of 209.14 feet, to a 5/8" iron rod found at the southeast corner of Lot 72 Block 1 of the Preserve at West Beach;

**THENCE** along the south line of said Block 1 of the Preserve at West Beach Section 6 being a non-tangent curve to the right having a radius of 731.07 feet, the long chord of which bears N 79°58'41" E for a distance of 401.63 feet, for an arc length of 406.86 feet, to a 5/8" iron rod set at a point of reverse curve;

**THENCE**, continuing along the said south line of Block 1 of the Preserve at West Beach Section 6 being a reverse curve to the left with a radius of 380.00 feet, the chord of which bears N 80°33'05" E for a distance of 201.44 feet, with an arc length of 203.88 feet, set 5/8" iron rod;



**THENCE** N 65°10'53" E, with the southeast line of said Block 1, a distance of 261.73 feet, to a set 5/8" iron rod;

**THENCE** N 32°21'34" E, with the east line of said Block 1, a distance of 84.04 feet, to set 5/8" iron rod;

**THENCE** N 00°27'45" W, continuing with the east line of Block 1 a distance of 74.37 feet, to a set 5/8" iron rod;

**THENCE**, continuing with the east line of Block 1 being a tangent curve to the right with a radius of 500.00 feet,, the chord of which bears N 02°21'05" E for a distance of 49.09 feet,, with an arc length of 49.11 feet, to a 5/8" iron rod set at the most east corner of said Block 1 of the Preserve at West Beach Section 6;

**THENCE** N 51°14'34" W, a distance of 190.52 feet, to a 5/8" iron rod set at the northeast corner of Lot 59 Block 1 of the Preserve at West Beach Section 6;

**THENCE** N 46°41'38" W, crossing Reserve "A" of the Preserve at West Beach Section 6, for a distance of 527.89 feet to a point in the mean high tide line of Galveston Bay;

**THENCE** along the mean high tide line of Galveston Bay as surveyed by the Texas General Land Office in November 2011 the following courses;

- N 74°16'34" W - 53.99 feet
- N 76°11'22" W - 74.28 feet
- S 88°21'07" W - 80.09 feet
- S 66°52'14" W - 97.30 feet
- S 73°08'35" W - 100.15 feet
- S 84°27'05" W - 109.73 feet
- S 87°30'29" W - 113.14 feet
- S 76°21'28" W - 88.60 feet
- S 80°51'47" W - 94.37 feet
- S 85°31'29" W - 106.45 feet
- S 44°27'13" W - 106.90 feet
- N 67°37'08" W - 104.43 feet
- S 42°29'40" W - 85.10 feet
- S 68°29'52" W - 115.20 feet
- S 82°09'06" W - 95.05 feet
- S 89°49'23" W - 112.54 feet
- N 82°23'00" W - 100.19 feet
- N 84°06'49" W - 99.95 feet
- S 75°43'08" W - 102.97 feet
- S 55°42'21" W - 114.18 feet

S 56°20'56" W - 95.61 feet  
S 83°40'31" W - 98.32 feet  
N 86°16'33" W - 103.92 feet  
S 70°47'49" W - 108.50 feet  
S 52°16'16" W - 105.37 feet  
S 06°08'49" E - 100.81 feet  
S 46°23'45" E - 98.98 feet  
S 66°35'08" E - 97.56 feet  
S 58°08'35" E - 95.14 feet  
S 59°56'29" E - 38.73 feet  
S 57°07'34" W - 87.37 feet  
S 55°08'57" W - 101.41 feet  
S 81°20'00" W - 101.06 feet  
S 74°35'33" W - 102.46 feet  
S 52°32'56" W - 107.03 feet  
N 89°06'56" W - 118.42 feet a 5/8" iron rod set in an angle point of a barbed wire fence line;

**THENCE** S 26°57'36" E, along and with said barbed wire fence, described in Boundary Line Agreement recorded under Galveston County Film Code Number 006-78-0254, for a distance of 2300.77 feet to the **PLACE OF BEGINNING**.

Basis of Bearing: Grid North Texas State Plane Coordinate System, NAD83, South Central Zone.

This description is based on the Land Title Survey and plat made by Robert D. Ellis, No. 4006 Registered Professional Surveyor on 7/29/2013.

***ELLIS SURVEYING SERVICES***

8419 EMMETT F. LOWRY EXPY. TEXAS CITY, TX. 77591

TEL.: 409-938-8700 FAX: 866-678-7685

**EXHIBIT "A"**  
**METES AND BOUNDS DESCRIPTION**  
**CIAP TRACT 2**  
**21.5275 ACRES**

**BEING** a 21.5275 acre (937737 square feet) tract of land out of Lots 430, 439, 446, 453, and 460 Section 2 of the Trimble & Lindsey Survey in Galveston County, Texas, and being a portion of that certain tract recorded in Special Warranty Deeds in the name of Chapoton/Ramsey Limited Partnership under Galveston County Film Code Numbers 004-75-0557 of the Official Records of Galveston County, Texas and out of fifty foot (50') roads shown on said Section 2 of the Trimble & Lindsey Survey as recorded in a Final Judgment in Cause Number 93CV1136 in the name of Chapoton/Ramsey Limited Partnership in Clerk's File Number 9510949 of the Official Records of Galveston County and said roadways being transferred to Chapoton/Ramsey Limited Partnership by Quitclaim Deed as authorized by the City of Galveston in Resolution Number 93-77 and recorded in Clerk's File Number 9350125 of the Official Records of Galveston County, said 21.5275 acre tract being out of that certain 97.0031 acre tract described as Tract 6 in said Final Judgment in Cause Number 93CV1136, said 21.5275 acre tract being all of Blocks 7, 8 and 9, a portion of Lot 1 Block 10, a portion of Reserves "E", "J", "K" and "L", and the unopened/unimproved included adjacent right of ways all out of The Preserve At West Beach Section 6 a subdivision in Galveston County Texas as per the map or plat thereof recorded in Plat Record 2009A Map Nos. 105-109 of the Galveston County Map, said 21.5275 acre parcel being more fully described by metes and bounds as follows;

**COMMENCING** at a 1" iron pipe found in the northwesterly line of Settegast Road (50' ROW described in Volume 455 Page 496 Deed Records of Galveston County) and being the most easterly corner of that certain tract described in conveyance to David Weathers and recorded under Galveston County Clerk's File Number 2004068321;

**THENCE** S 27°00'56" E a distance of 50.00 feet to a 5/8" iron rod found for the **PLACE OF BEGINNING** of the herein described tract being the northeast corner of that certain tract described in conveyance to Michael Kobb as recorded under Galveston County Clerk's File No. 200200243 in the south line of Settegast Road (50' right of way);

**THENCE** North 63°06'55" East along and with the said southeasterly line of Settegast Road (50' right of way) for a distance of 1748.74 feet to a 5/8" iron rod found for the northeast corner of the herein described tract;

**THENCE** South 26°57'55" East along and with a barbed wire fence being the line of occupation of a portion of Settegast Road being a generally recognized public road – no record found for a distance of 427.90 feet to the north mean high water line of tidally influenced Eckerd's Bayou.

**THENCE** along the north mean high water line of Eckerd's Bayou, as surveyed by the Texas General Land Office in November 2011, the following meanders;

S 44°52'02" W - 100.46 feet;  
S 72°03'34" W - 41.55 feet;  
S 42°03'25" W - 41.65 feet;  
S 55°41'25" W - 55.47 feet;  
S 64°17'05" W - 43.67 feet;  
S 56°35'06" W - 93.02 feet;  
S 46°24'44" W - 107.56 feet;  
S 50°36'48" W - 42.26 feet;  
S 70°42'42" W - 40.22 feet;  
S 38°30'26" W - 49.09 feet;  
S 69°42'09" W - 67.90 feet;  
S 51°24'13" W - 62.01 feet;  
S 28°34'06" W - 92.07 feet;  
N 75°38'56" W - 29.46 feet;  
S 58°53'07" W - 60.23 feet;  
S 62°58'14" W - 156.69 feet;  
N 79°05'15" W - 73.08 feet;  
S 50°23'14" W - 59.85 feet;  
S 69°15'04" W - 68.08 feet;  
S 43°56'43" W - 49.88 feet;  
S 20°22'23" W - 57.51 feet;  
S 68°12'06" W - 134.01 feet;  
S 89°54'33" W - 19.45 feet;  
S 65°32'59" W - 59.33 feet;  
S 78°45'29" W - 128.78 feet;

**THENCE** S 72°14'28" W, continuing with the said north mean high water line of Eckerd's Bayou, a distance of 104.06 feet to a 5/8" iron rod set in the west line of Reserve "J" Block 8 of The Preserve at West Beach Section 6 and being in the east line of that certain tract described in conveyance to Michael Kobb recorded under Galveston County Clerk's File No. 200200243;

**THENCE** N 27°00'56" W, along a line described in Boundary Line Agreement recorded in Galveston County Film Code 006-78-0254 being the east line of said Kobb Tract and the west line of Lot 1 and Reserve "J" Block 8 of The Preserve at West Beach Section 6, a distance of 524.46 feet, to the **PLACE OF BEGINNING**.

Basis of Bearing: Grid North Texas State Plane Coordinate System, NAD83, South Central Zone.

This description is based on the Land Title Survey and plat made by Robert D. Ellis, No. 4006 Registered Professional Surveyor on 7/29/2013.

***ELLIS SURVEYING SERVICES***

8419 EMMETT F. LOWRY EXPY. TEXAS CITY, TX. 77591

TEL.: 409-938-8700 FAX: 866-678-7685

**EXHIBIT "A"**  
**METES AND BOUNDS DESCRIPTION**  
**CIAP TRACT 3**  
**19.6145 ACRES**

**BEING** a 19.6145 acre (854,408 square feet) tract of land out of Lots 453, 454, 459, and 460 of Section 2 of the Trimble & Lindsey Survey in Galveston County, Texas and being a portion of that certain tract recorded in Special Warranty Deeds in the name of Chapoton/Ramsey Limited Partnership under Galveston County Film Code Numbers 004-75-0557 of the Official Records of Galveston County, Texas and out of fifty foot (50') roads shown on said Section 2 of the Trimble & Lindsey Survey as recorded in a Final Judgment in Cause Number 93CV1136 in the name of Chapoton/Ramsey Limited Partnership in Clerk's File Number 9510949 of the Official Records of Galveston County and said roadways being transferred to Chapoton/Ramsey Limited Partnership by Quitclaim Deed as authorized by the City of Galveston in Resolution Number 93-77 and recorded in Clerk's File Number 9350125 of the Official Records of Galveston County, said 19.6145 acre tract being out of that certain 97.0031 acre tract described as Tract 6 in said Final Judgment in Cause Number 93CV1136, said 19.6145 acre tract being a portion of Reserve "E" out of The Preserve At West Beach Section 6 a subdivision in Galveston County Texas as per the map or plat thereof recorded in Plat Record 2009A Map Nos. 105-109 of the Galveston County Map, and Lots 20, 21, 22, 23, 24, and 25 of Block 2, Lots 16, 17, 18, 19, 20 and 21 of Block 3, a portion of Reserve "A", and the unopened/unimproved included adjacent right of ways all out of the Preserve At West Beach Section 7 a subdivision in Galveston County Texas as per the map or plat thereof recorded in Plat Record 2009a Map Nos. 102-104 of the Galveston County Map Record, said 19.6145 acre parcel being more fully described by metes and bounds as follows;

**COMMENCING** at a 1" iron pipe found in the northwesterly line of Settegast Road (50' Right of Way described in Volume 455 Page 496 Deed Records of Galveston County) and being the most easterly corner of that certain tract described in conveyance to David Weathers and recorded under Galveston County Clerk's File Number 2004068321;

**THENCE** S 27°00'56" E, at 50.00 feet passing a 5/8" iron rod found at the northeast corner of that certain tract described in conveyance to Michael Kobb as recorded under Galveston County Clerk's File No. 200200243 in the south line of Settegast Road (50' Right of Way), at 574.46 feet passing the intersection of the west line of Reserve "J" Preserve at West Beach Section 6 with the mean high water line of the north bank of Eckerd's Bayou, and continuing a total distance of 1311.25 feet to the **PLACE OF BEGINNING** of the herein described tract being at the intersection of the west line of Reserve "E" Preserve at West Beach Section 6 with the with the mean high water line of the south bank of Eckerd's Bayou;

**THENCE** S 27°00'56" E, with the said west line of Reserve "E" Preserve at West Beach Section 6, same being the east line of Pirates Cove Section Six Amended a subdivision in

Galveston County Texas as per the map or plat thereof recorded in Plat Record 18 Map Nos. 156 of the Galveston County Map Record, at 441.61 feet passing a ½ inch iron rod found at the northeast corner of Lot 41 of said Pirates Cove Section Six Amended, at 817.28 feet passing a ½ inch iron rod found at the northeast corner of that certain tract described in conveyance to Toni Barnett recorded under Galveston County Film Code No. 008-70-0559, at 1033.26 feet passing the northeast corner of that certain tract described in conveyance to Terri Wicker recorded under Galveston County Film Code No. 008-70-0567, and continuing for a total distance of 1251.01 feet to a 5/8 inch iron rod found at the southwest corner of said Reserve "E" and being in the north line of Stewart Road (100' ROW);

**THENCE** N 62°50'48" E, with the said north line of Stewart Road (100' ROW) a distance of 442.67 feet, to 5/8 inch iron rod set for the most easterly corner of the herein described tract;

**THENCE** N 27°09'12" W, crossing Reserve "A" of Preserve at West Beach Section 7 for a distance of 223.83 feet, to a 5/8 inch iron rod found at the common south corner of Lots 15 and 16 Block 3 of said Preserve at West Beach Section 7;

**THENCE** N 20°25'30" W, a distance of 105.00 feet, to a 5/8 inch iron rod found at the common north corner of Lots 15 and 16 Block 3 of said Preserve at West Beach Section 7;

**THENCE** N 05°43'22" W, a distance of 61.58 feet, to a 5/8 inch iron rod found at the common south corner of Lots 19 and 20 Block 2 of said Preserve at West Beach Section 7;

**THENCE** N 17°13'31" W, a distance of 100.00 feet, to a 5/8 inch iron rod found at the common north corner of Lots 19 and 20 Block 2 of said Preserve at West Beach Section 7;

**THENCE** N 24°24'42" W, crossing Reserve "E" said Preserve at West Beach Section 6, a distance of 1346.93 feet, to a point in the south mean high water line of tidally influenced Eckerd's Bayou.

**THENCE** along the south mean high water line of Eckerd's Bayou, as surveyed by the Texas General Land Office in November 2011, the following meanders;

S 41°40'11" W - 118.15 feet;

S 71°17'07" W - 95.30 feet;

S 65°40'08" W - 36.04 feet;

S 50°57'33" W - 85.03 feet;

S 67°39'59" W - 66.61 feet;

S 00°26'43" E - 70.86 feet;

S 24°58'38" E - 37.52 feet;  
S 60°50'50" E - 48.91 feet;  
S 75°40'49" E - 53.58 feet;  
S 72°41'00" E - 18.42 feet;  
S 01°56'10" E - 28.46 feet;  
S 18°43'52" W - 53.56 feet;  
S 26°29'03" W - 41.63 feet;  
S 23°32'57" E - 43.83 feet;  
S 30°01'02" W - 35.39 feet;  
N 84°40'33" W - 88.40 feet;  
S 03°43'44" W - 11.63 feet;  
S 23°22'58" E - 47.21 feet;  
S 23°49'18" E - 36.65 feet;  
S 23°44'23" E - 45.95 feet;  
S 24°58'57" E - 65.49 feet;

**THENCE** S 19°18'40" E, continuing with the south mean high water line of tidally influenced Eckerd's Bayou a distance of 41.81 feet, to the **PLACE OF BEGINNING**.

Basis of Bearing: Grid North Texas State Plane Coordinate System, NAD83, South Central Zone.

This description is based on the Land Title Survey and plat made by Robert D. Ellis, No. 4006 Registered Professional Surveyor on 7/29/2013.

**ELLIS SURVEYING SERVICES**  
8419 EMMETT F. LOWRY EXPY. TEXAS CITY, TX. 77591  
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**METES AND BOUNDS DESCRIPTION  
CWPPRA 50.4088 ACRE TRACT**

**BEING** a 50.4088 acre (2,195,808 square feet) tract of land out of Lots 429, 430, 439, 440, 445, 446, 453, and 454 of Section 2 of the Trimble & Lindsey Survey in Galveston County, Texas and being a portion of that certain tract recorded in Special Warranty Deeds in the name of Chapoton/Ramsey Limited Partnership under Galveston County Film Code Numbers 004-75-0557 of the Official Records of Galveston County, Texas and out of fifty foot (50') roads shown on said Section 2 of the Trimble & Lindsey Survey as recorded in a Final Judgment in Cause Number 93CV1136 in the name of Chapoton/Ramsey Limited Partnership in Clerk's File Number 9510949 of the Official Records of Galveston County and said roadways being transferred to Chapoton/Ramsey Limited Partnership by Quitclaim Deed as authorized by the City of Galveston in Resolution Number 93-77 and recorded in Clerk's File Number 9350125 of the Official Records of Galveston County, said 19.6145 acre tract being out of that certain 97.0031 acre tract described as Tract 6 in said Final Judgment in Cause Number 93CV1136, said 50.4088 acre tract being a portion of Reserve "E out of The Preserve At West Beach Section 6 a subdivision in Galveston County Texas as per the map or plat thereof recorded in Plat Record 2009A Map Nos. 105-109 of the Galveston County Map, and Lots 1 thru 19 of Block 2, Lots 1 thru 15 of Block 3, a portion of Reserve "A", Reserve "B", and the unopened/unimproved included adjacent right of ways all out of the Preserve At West Beach Section 7 a subdivision in Galveston County Texas as per the map or plat thereof recorded in Plat Record 2009a Map Nos. 102-104 of the Galveston County Map Record, said 50.4088 acre parcel being more fully described by metes and bounds as follows;

**COMMENCING** at a 1" iron pipe found in the northwesterly line of Settegast Road (50' ROW described in Volume 455 Page 496 Deed Records of Galveston County) and being the most easterly corner of that certain tract described in conveyance to David Weathers and recorded under Galveston County Clerk's File Number 2004068321;

**THENCE** S 27°00'56" E, at 50.00 feet passing a 5/8" iron rod found at the northeast corner of that certain tract described in conveyance to Michael Kobb as recorded under Galveston County Clerk's File No. 200200243 in the south line of Settegast Road (50' Right of Way), at 574.46 feet passing the intersection of the west line of Reserve "J" Preserve at West Beach Section 6 with the mean high water line of the north bank of Eckerd's Bayou, at 1311.25 feet passing the intersection of the west line of Reserve "E" Preserve at West Beach Section 6 with the with the mean high water line of the south bank of Eckerd's Bayou,

**THENCE** continuing S 27°00'56" E, with the said west line of Reserve "E" Preserve at West Beach Section 6, same being the east line of Pirates Cove Section Six Amended a subdivision in Galveston County Texas as per the map or plat thereof recorded in Plat

Record 18 Map Nos. 156 of the Galveston County Map Record, at 441.61 feet passing a ½ inch iron rod found at the northeast corner of Lot 41 of said Pirates Cove Section Six Amended, at 817.28 feet passing a ½ inch iron rod found at the northeast corner of that certain tract described in conveyance to Toni Barnett recorded under Galveston County Film Code No. 008-70-0559, at 1033.24 feet passing the northeast corner of that certain tract described in conveyance to Terri Wicker recorded under Galveston County Film Code No. 008-70-0567, and continuing for a total distance of 1251.01 feet to a 5/8 inch iron rod found at the southwest corner of said Reserve "E" and being in the north line of Stewart Road (100' ROW);

**THENCE** N 62°50'48" E, with the said north line of Stewart Road (100' ROW) a distance of 442.67 feet, to 5/8 inch iron rod set for the **PLACE OF BEGINNING** at the southwest corner of the herein described tract;

**THENCE** N 27°09'12" W, crossing Reserve "A" of Preserve at West Beach Section 7 for a distance of 223.83 feet, to a 5/8 inch iron rod found at the common south corner of Lots 15 and 16 Block 3 of said Preserve at West Beach Section 7;

**THENCE** N 20°25'30" W, a distance of 105.00 feet, to a 5/8 inch iron rod found at the common north corner of Lots 15 and 16 Block 3 of said Preserve at West Beach Section 7;

**THENCE** N 05°43'22" W, a distance of 61.58 feet, to a 5/8 inch iron rod found at the common south corner of Lots 19 and 20 Block 2 of said Preserve at West Beach Section 7;

**THENCE** N 17°13'31" W, a distance of 100.00 feet, to a 5/8 inch iron rod found at the common north corner of Lots 19 and 20 Block 2 of said Preserve at West Beach Section 7;

**THENCE** N 24°24'42" W, crossing Reserve "E" said Preserve at West Beach Section 6, a distance of 1346.93 feet, to a point in the south mean high water line of tidally influenced Eckerd's Bayou.

**THENCE** along the south mean high water line of Eckerd's Bayou, as surveyed by the Texas General Land Office in November 2011, the following meanders;

- N 41°40'11" E - 69.29 feet;
- N 22°12'13" W - 22.58 feet;
- N 75°44'48" E - 95.32 feet;
- N 53°29'58" E - 91.62 feet;
- N 80°35'56" E - 119.04 feet;
- N 54°45'08" E - 60.75 feet;
- N 25°41'41" E - 114.15 feet;

N 65°20'06" E - 117.43 feet;  
N 47°31'50" E - 83.79 feet;  
N 45°12'10" E - 95.23 feet;  
N 52°27'47" E - 102.26 feet;  
N 59°21'01" E - 86.03 feet;  
N 59°46'33" E - 96.00 feet;

**THENCE** N 43°36'25" E, continuing with the south mean high water line of tidally influenced Eckerd's Bayou a distance of 98.65 feet, to the west line of Settegast Road (80' right of way);

**THENCE** S 26°58'06" E, with the said west line of Settegast Road a distance of 1540.16 feet, to a found 5/8" iron rod;

**THENCE**, along a tangent curve to the right with a radius of 60.00 feet,, the chord of which bears S 00°43'14" W for a distance of 55.76 feet, with an arc length of 57.99 feet, to a 5/8 inch iron rod found at the point of tangency in the north line of Stewart Road (100' right of way);

**THENCE** S 28°24'35" W, continuing with the said north line of Stewart Road, a distance of 646.66 feet, to a 5/8 inch iron rod found at the point of curvature;

**THENCE**, continuing along the said north line of Stewart Road being a tangent curve to the right with a radius of 370.00 feet,, the chord of which bears S 45°39'39" W for a distance of 219.46 feet, with an arc length of 222.81 feet, to a 5/8" iron rod found at the point of tangency

**THENCE** S 62°58'04" W, continuing with the said north line of Stewart Road, a distance of 521.15 feet, the **PLACE OF BEGINNING**.

Basis of Bearing: Grid North Texas State Plane Coordinate System, NAD83, South Central Zone.

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