



RAILROAD COMMISSION OF TEXAS

OIL AND GAS DIVISION

July 29, 2019

Mr. Trey Reichert
Hillsboro Estates, LLC
13131 Dairy Ashford Road
Suite 210
Sugar Land, TX 77478

RE: *Certificate of Completion with Restrictions*
6.70-Acre Tract of Land
Sugar Land Ranch – Section 6 SLC
Voluntary Cleanup Program (VCP) No. 03-18002

Dear Mr. Reichert:

Staff of the Railroad Commission of Texas (RRC) Voluntary Cleanup Program (VCP) are pleased to provide you with the enclosed Certificate of Completion for the approximately 6.70-acres of land located approximately 0.3 miles from the intersection of LJ Parkway and University Boulevard in Sugar Land, Fort Bend County, Texas. The Site is more specifically located at latitude 29.5529, longitude -95.5859 (WGS 84/NAD 83). This letter only applied to historical oil and gas exploration and production activities on the property that are subject to the RRC's jurisdiction. The following reports were reviewed prior to issuance of the Certificate:

Phase I Environmental Site Assessment, 6.70 Acres of Senior Living Center, Sugar Land Ranch, Texas, dated February 2018;

Site Investigation Report, Sugar Land Ranch – Section 6 SLC, Sugar Land, Texas, VCP No. 03-18002, dated May 4, 2018;

Remedial Action Plan, Sugar Land Ranch – Section 6 SLC, Sugar Land, Texas, VCP No. 03-18002, dated May 24, 2018;

Remedial Action Completion Report, Sugar Land Ranch – Section 6 SLC, Sugar Land, Texas, VCP No. 03-18002, dated December 19, 2018;

Supplemental Remediation Action Completion Report, Sugar Land Ranch – Section 6 SLC, Sugar Land, Texas, VCP No. 03-18002, dated April 24, 2019.

Site History

This site consists of 6.70-acres of undeveloped land that was historically used for oil and gas exploration and production activities. The Phase I ESA found that the site was the location of the Camp, M.C. lease, a part of the 950-acre Sugar Land Dome Oil Field, which was operated by Exxon Corporation and then Atlas Oil & Gas Exploration, LLC from the late 1920 until the early 2000's. The Phase I ESA identified one plugged and abandoned oil/gas well in the southeast corner of the site, as well as a former pit that is likely associated with the oil/gas well. No other oil and gas related equipment was identified at the site. The property has mainly been used for agricultural purposes, such as cattle grazing.

Soil and Groundwater Investigation

Five potential areas of concern (AOCs) were identified at the Site, these AOCs include a plugged and abandoned oil/gas well (Well Site AOC), a former pit area (SE-9 AOC), two areas of disturbed soil (SE-7 and SE-10 AOCs), a former gathering line (SE-11 AOC), a former drainage area (SE-12 AOC). A total of 22 soil borings were installed at the site to investigate these AOCs between 2003 and 2018 and a total of 8 permanent monitor wells were installed at the site between 2017 and 2018. Soils were analyzed for total petroleum hydrocarbon (TPH), benzene, toluene, ethylbenzene, and xylenes (BTEX). Select soil samples (SE-9, SE-11, and Active LTA 2) were analyzed for volatile organic compounds (VOCs) and polyaromatic hydrocarbons (PAHs). Analytical results indicated that TPH, BTEX, VOCs, and PAHs were below the Tier 1 total soil combined protective concentrations levels (PCLs), with the exception of TPH from SE-9. TPH was detected above the applicable Tier 1 residential soil-to-groundwater PCL in SE-9, SE-11, and SE-12 with concentrations ranging from 565.7 to 3,745 milligrams per kilogram (mg/kg). All other constituents were either below the method quantification limit or below the Tier 1 soil-to-groundwater PCL.

TPH impacted soils around SE-9, SE-11, and SE-12 were excavated to a depth of 15 feet below ground surface (bgs) and transported to an on-site 2.63-acre land treatment area (LTA). Approximately 28,000 cubic yards of soil were removed from SE-9 and SE-12 and approximately 7,000 cubic yards of soil were removed from SE-11. Affected soils were spread in the LTA in a thickness of 18 inches and were periodically tilled to promote biodegradation. Clean overburden soils were placed at the base of the LTA as to prevent aesthetic impacts to native soils. A total of 25 soil confirmation samples were taken from the excavated areas of SE-9 and SE-12 and 16 soil confirmation samples were taken from the SE-11 excavated area. Soil confirmation samples were analyzed for TPH and BTEX. Concentrations of BTEX were below the method quantification limits for all soil samples. Total TPH concentrations were below the RRC Rule 91 cleanup criteria of 10,000 mg/kg in all samples with the exception of CS-1 with a total TPH concentration of 16,590 mg/kg. Soil sample SE11 was collected within the same location as CS-1 and analyzed for TX1006, which was used to calculate a site-specific TPH mixture PCL of 18,100 mg/kg. The excavated areas from all three excavation areas have been backfilled and graded. Additionally, a total of 40 surface soil samples (0.5 to 1 feet bgs) were taken from the LTA and analyzed for TPH and BTEX. Concentrations of BTEX were below the method quantification limits for all LTA soil samples. Total TPH concentrations were below the target TPH concentration of 1,250 mg/kg which is thought to have no discernable odors.

A total of 6 permanent monitor wells were installed at the site in 2017 to assess groundwater conditions. Groundwater samples were collected and analyzed for TPH, BTEX, chlorides, and metals. Initial groundwater sampling indicated TPH impacts to groundwater above the Tier 1 residential PCL in MW-SE9 and MW-SE11/PW/PW-A, as well as benzene impacts to MW-SE11/PW/PW-A. Additionally, approximately 0.01 feet of light nonaqueous phase liquid (LNAPL) was observed in MW-SE9 and MW-SE11/PW/PW-A. Arsenic was detected above the Tier 1 residential PCL, but was later determined to be representative of background concentrations. Chlorides were not detected in any well above the Texas Secondary Drinking Water Standard. Subsequent sampling events showed a declining concentration of both TPH and benzene in groundwater

To further investigate LNAPL occurrence at the site, an exploratory test pit was installed at the base of the excavated areas in SE-11 AOC. The exploratory pit reached the top of the groundwater bearing unit at the site and thus an open hole recovery method to remove LNAPL was used. This was accomplished by using a skimmer and vacuum truck to skim the LNAPL from the surface of the water. Booms were also used to consolidate the LNAPL until the full extent of oil was removed from the surface of the water. A total of 12,450 gallons of LNAPL and groundwater were removed from the pit and was transported and disposed of off-site. Recent sampling events indicate no LNAPL present and a reduction of TPH and benzene below reporting limits in MW-SE11/PW/PW-A.

Environmental Restrictive Covenant

Based on the findings of soil and groundwater assessments performed at the Site, an institutional control restricting groundwater use and the designation of commercial/industrial land use in a small portion of the site was determined to be an acceptable remedy for contamination remaining in groundwater and soil at the site. A restrictive covenant (2019078525) was filed and recorded with the Fort Bend County Clerk on July 18, 2019. The Affected Property Area B, with groundwater use restrictions only, is described as a 6.57-acre tract and more fully described in Exhibit "B" of the enclosed restrictive covenant. The Affected Property Area C, with groundwater use restrictions and a land use restriction, is described as a 0.13-acre tract and more fully described in Exhibit "C" of the enclosed restrictive covenant. The following restrictions apply to the entire 6.70-acre tract:

1. No part of Affected Property Area C shall be used for residential land use as defined in the Restrictive Covenant;
2. Use or consumption of groundwater beneath the Affected Properties ranging from 10 feet to 41.60 feet bgs, shall be prohibited except for monitoring and remediation purposes;
3. Any water wells completed on the Affected Properties must be installed by a Texas Department of Licensing and Regulation (TDLR)-licensed water well driller in accordance with applicable rules. Installed wells shall not be screened/perforated from the surface to 41.60 feet bgs unless for authorized monitoring purposes and the collections of samples for analysis;

4. The investigation and assessment reports identified impacted soil at 17 feet bgs in Affected Property Area B and 10-12 feet bgs in Affected Property Area C. Both Affected Properties have impacted groundwater at 10 feet bgs. Penetration of the impacted soil and/or groundwater beneath the Affected Properties for any purpose shall 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;
5. These restrictions shall be a covenant running with the land.

Monitor Well Plugging and Abandonment

RRC staff request the plugging and abandonment of all monitor wells at the site. Plugging and abandonment activities should be performed in accordance with requirement outlined in 16 TAC Chapter 76. Upon completion of these activities, please submit a copy of all plugging reports to the RRC.

On behalf of the RRC, staff of the Site Remediation Section thank you for your participation in the Voluntary Cleanup Program. Additional questions can be directed to me by telephone at 512-463-3384 or by email at leslie.bruce@rrc.texas.gov.

Sincerely,



Leslie Bruce
VCP/Brownfields Program Coordinator
Site Remediation

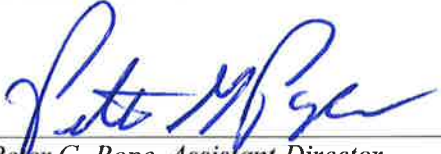
CC: Mr. Peter Pope, Manager, Site Remediation (via email)
Mr. Mark Hanson, DCH Environmental Consultants, LP (via email)
Mr. David Hamren, DCH Environmental Consultants, LP (via email)

**VOLUNTARY CLEANUP PROGRAM
FINAL CERTIFICATE OF COMPLETION
WITH RESTRICTIONS**

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 SITE VCP NO. 03-18002 FOR THE TRACT OF LAND DESCRIBED IN EXHIBIT "A", BASED ON THE AFFIDAVIT OF COMPLETION OF RESPONSE ACTION, EXHIBIT "B" AND WHICH ARE FURTHER DESCRIBED IN THE APPROVED FINAL REPORT FOR THE SITE. THE APPLICANT WAS NOT A RESPONSIBLE PARTY UNDER SECTION 91.113. ON THE DATE OF ISSUANCE OF THIS CERTIFICATE THE APPLICANT IS QUALIFIED TO OBTAIN THE PROTECTION FROM LIABILITY PROVIDED BY CHAPTER 91, SUBCHAPTER 0, TEXAS NATURAL RESOURCE CODE.

EXECUTED on 29 July 2019



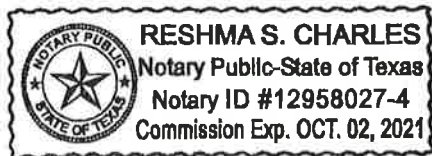
Peter G. Pope, Assistant Director
Site Remediation Section

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 29th Day of July 2019.



Notary without Bond



Notary Public in and for the State of Texas

EXHIBIT "A"
RAILROAD COMMISSION OF TEXAS
VOLUNTARY CLEANUP PROGRAM
LEGAL DESCRIPTION 6.70-ACRE TRACT

VCP No. 03-18002

County: Fort Bend
 Project: Riverstone - VCP Site
 C.I. No.: 1286-17
 Job Number: 1998-030-057

METES AND BOUNDS FOR 6.70 ACRES

Being a 6.70-acre tract of land located in the William Stafford Survey, A-89 in Fort Bend County, Texas; said 6.70 acre tract being a portion of a call 2497.4-acre tract of land recorded in Clerk's File Numbers 9819621 and 1999013157 of the Official Records of Fort Bend County (O.R.F.B.C.) and a portion of a call 597.7707-acre tract of land recorded in Clerk's File Number 206092799 of the O.R.F.B.C.; said 6.70 acre tract being more particularly described by metes and bounds as follows (all bearings are based on the Texas Coordinate System, South Central Zone and referenced to the south line of Wetlands Park at Riverstone as recorded in Plat Number 20160275 of the Fort Bend County Plat Records, Texas (F.B.C.P.R.):

Beginning at a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the south corner of said Wetlands Park at Riverstone, same being on the east Right-of-Way (R.O.W.) line of LJ Parkway (105-feet wide) as recorded in Plat Number 20140083 of the F.B.C.P.R.;

1. Thence, with the south line of said Wetlands Park at Riverstone, North 55 degrees 53 minutes 58 seconds East, a distance of 367.40 feet;
2. Thence, continuing with said south line, South 34 degrees 06 minutes 02 seconds East, a distance of 104.60 feet to the west line of a called 6.00-acre tract recorded in Clerk's File Number 2010020570 of the O.R.F.B.C.;

Thence, with the west line of said 6.00-acre tract, the following fifteen (15) courses:

3. 37.03 feet along the arc of a curve to the left, said curve having a central angle of 16 degrees 30 minutes 35 seconds, a radius of 128.50 feet and a chord that bears South 12 degrees 16 minutes 03 seconds East, a distance of 36.90 feet;
4. South 28 degrees 58 minutes 24 seconds East, a distance of 11.55 feet;
5. 52.71 feet along the arc of a curve to the left, said curve having a central angle of 31 degrees 27 minutes 28 seconds, a radius of 96.00 feet and a chord that bears South 44 degrees 45 minutes 08 seconds East, a distance of 52.05 feet;
6. 15.60 feet along the arc of a curve to the left, said curve having a central angle of 07 degrees 44 minutes 17 seconds, a radius of 115.50 feet and a chord that bears South 59 degrees 48 minutes 42 seconds East, a distance of 15.59 feet;

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7. 31.10 feet along the arc of a curve to the left, said curve having a central angle of 11 degrees 34 minutes 12 seconds, a radius of 154.00 feet and a chord that bears South 65 degrees 08 minutes 29 seconds East, a distance of 31.05 feet;
8. South 75 degrees 46 minutes 15 seconds East, a distance of 8.30 feet;
9. 7.34 feet along the arc of a curve to the left, said curve having a central angle of 05 degrees 45 minutes 30 seconds, a radius of 73.00 feet and a chord that bears South 79 degrees 05 minutes 35 seconds East, a distance of 7.33 feet;
10. 19.88 feet along the arc of a curve to the right, said curve having a central angle of 44 degrees 39 minutes 31 seconds, a radius of 25.50 feet and a chord that bears South 53 degrees 07 minutes 52 seconds East, a distance of 19.38 feet;
11. South 28 degrees 30 minutes 28 seconds East, a distance of 10.19 feet;
12. 11.94 feet along the arc of a curve to the right, said curve having a central angle of 08 degrees 32 minutes 55 seconds, a radius of 80.00 feet and a chord that bears South 16 degrees 31 minutes 51 seconds East, a distance of 11.92 feet;
13. South 07 degrees 43 minutes 08 seconds East, a distance of 12.06 feet;
14. 38.38 feet along the arc of a curve to the left, said curve having a central angle of 05 degrees 33 minutes 35 seconds, a radius of 395.50 feet and a chord that bears South 08 degrees 00 minutes 07 seconds East, a distance of 38.36 feet;
15. South 10 degrees 58 minutes 40 seconds East, a distance of 53.72 feet;
16. 42.94 feet along the arc of a curve to the left, said curve having a central angle of 23 degrees 19 minutes 19 seconds, a radius of 105.50 feet and a chord that bears South 19 degrees 43 minutes 41 seconds East, a distance of 42.65 feet;
17. 25.75 feet along the arc of a curve to the left, said curve having a central angle of 24 degrees 47 minutes 47 seconds, a radius of 59.50 feet and a chord that bears South 41 degrees 47 minutes 18 seconds East, a distance of 25.55 feet;

Thence, through aforesaid 597.707-acre tract and aforesaid 2497.4-acre tract, the following three (3) courses:

18. South 35 degrees 48 minutes 49 seconds West, a distance of 30.00 feet;
19. South 77 degrees 00 minutes 45 seconds West, a distance of 95.70 feet;

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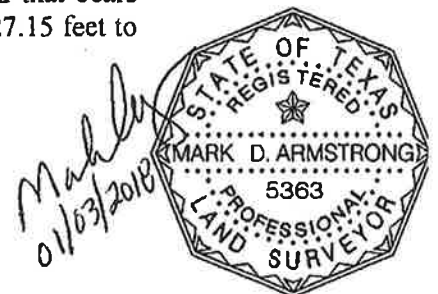
20. South 09 degrees 23 minutes 12 seconds East, a distance of 256.35 feet to the north R.O.W. line of Cabrera Drive (width varies) recorded in Plat Number 20160265 of the F.B.C.P.R.;

Thence, with said north R.O.W. line, the following four (4) courses:

21. 46.25 feet along the arc of a curve to the left, said curve having a central angle of 04 degrees 46 minutes 38 seconds, a radius of 554.75 feet and a chord that bears South 71 degrees 18 minutes 10 seconds West, a distance of 46.24 feet;
22. 146.54 feet along the arc of a curve to the left, said curve having a central angle of 15 degrees 08 minutes 05 seconds, a radius of 554.75 feet and a chord that bears South 61 degrees 20 minutes 49 seconds West, a distance of 146.11 feet;
23. 141.25 feet along the arc of a curve to the right, said curve having a central angle of 14 degrees 32 minutes 57 seconds, a radius of 556.25 feet and a chord that bears South 61 degrees 03 minutes 15 seconds West, a distance of 140.87 feet;
24. South 68 degrees 19 minutes 43 seconds West, a distance of 12.34 feet to the east end of a radius return;
25. Thence, with said radius return, 47.80 feet along the arc of a curve to the right, said curve having a central angle of 91 degrees 17 minutes 45 seconds, a radius of 30.00 feet and a chord that bears North 66 degrees 01 minutes 24 seconds West, a distance of 42.90 feet to the east R.O.W. line of aforesaid LJ Parkway;

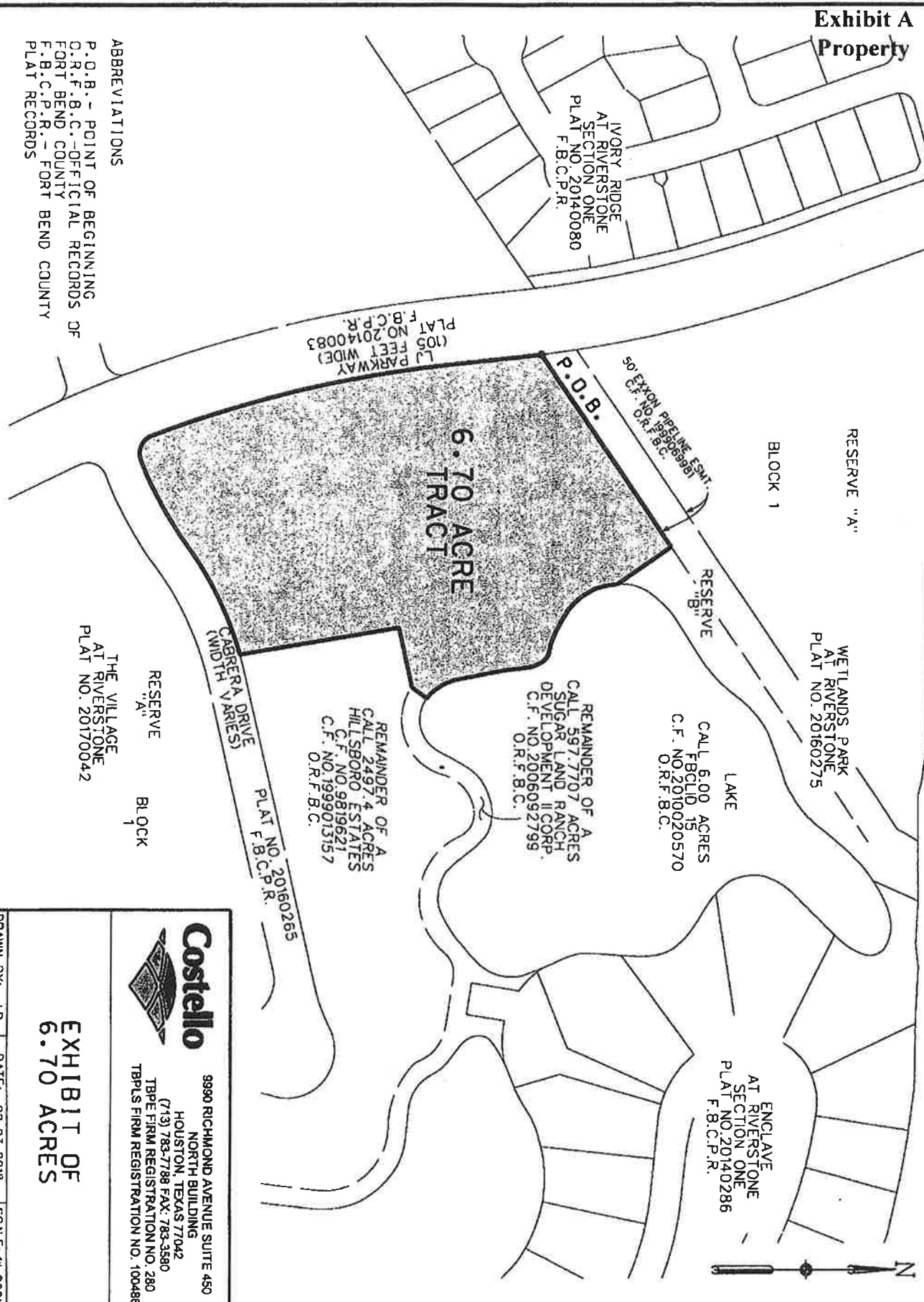
Thence, with said east R.O.W. line, the following four (4) courses:

26. 405.73 feet along the arc of a curve to the right, said curve having a central angle of 11 degrees 56 minutes 12 seconds, a radius of 1,947.50 feet and a chord that bears North 14 degrees 24 minutes 26 seconds West, a distance of 405.00 feet;
27. 76.53 feet along the arc of a curve to the right, said curve having a central angle of 02 degrees 15 minutes 06 seconds, a radius of 1,947.50 feet and a chord that bears North 07 degrees 18 minutes 47 seconds West, a distance of 76.53 feet;
28. North 06 degrees 11 minutes 14 seconds West, a distance of 126.49 feet;
29. 27.15 feet along the arc of a curve to the left, said curve having a central angle of 00 degrees 45 minutes 29 seconds, a radius of 2,052.50 feet and a chord that bears North 06 degrees 33 minutes 58 seconds West, a distance of 27.15 feet to the **Point of Beginning** and containing 6.70 acres of land.



**Exhibit A
Property**

ABBREVIATIONS
 P.O.B. - POINT OF BEGINNING
 O.R.F.B.C. - OFFICIAL RECORDS OF
 FORT BEND COUNTY
 F.B.C.P.R. - FORT BEND COUNTY
 PLAT RECORDS



Costello
 9990 RICHMOND AVENUE SUITE 450
 NORTH BUILDING
 HOUSTON, TEXAS 77042
 (713) 783-7788 FAX: 783-3580
 TBPB FIRM REGISTRATION NO. 280
 TBPB FIRM REGISTRATION NO. 100488

**EXHIBIT OF
6.70 ACRES**

DRAWN BY: LD DATE: 02-03-2018 SCALE: 1"=200'
 CHECKED BY: MA JOB NO: 1998-030-057 128617.DGN

S:\NEW\Projects\2017\167 VILLAGES 3 ACRE SURVEY\020128617.dgn

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

I, F.W. Reichert, III representing Hillsboro Estates LLC, have completed the necessary response actions, pursuant to Chapter 91, Subchapter O, Texas Natural Resource Code, at the approximately 6.7-Acre tract of land described in Exhibit "A" (Site) of this certificate pertaining to Voluntary Cleanup Program (VCP) No. 03-18002 located in Sugar Land, Fort Bend County, Texas. 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 controls are maintained:

1. No part of **Affected Property Area C** shall be used for residential land use as defined in this Restrictive Covenant.
2. Use or consumption of groundwater beneath the **Affected Property** ranging from 10 feet to 41.60 feet bgs, shall be prohibited except for monitoring and remediation purposes.
3. Any water wells completed on the **Affected Property** must be installed by a Texas Department of Licensing and Regulation (TDLR)-licensed water well driller in accordance with applicable rules. Installed wells shall not be screened/perforated from the surface to 41.60 feet bgs unless for authorized monitoring purposes and the collection of samples for analysis.
4. The investigation and assessment reports identified impacted soil at 17 feet below ground surface (bgs) in **Affected Property Area B** and 10-12 feet below ground surface (bgs) in **Affected Property Area C**. Both **Affected Properties** have impacted groundwater at 10 feet bgs. Penetration of the impacted soil and/or groundwater beneath the **Affected Properties** for any purpose shall 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.
5. These restrictions shall be a covenant running with the land.

These restrictions were filed in the Fort Bend County Clerk's office on July 18, 2019, Document 2019078525 (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 filed under VCP No. 03-18002.

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

Applicant

By: F.W. Reichert III

Print Name: F.W. Reichert, III

STATE OF TEXAS
COUNTY OF FORT BEND

BEFORE ME, personally appeared F. W. Reichert III,
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 19th day of July 2019.

Patricia Gallagher

Notary Public in and for the State of Texas



Attachment 1
Environmental Restrictive Covenant
Document 2019078525
Fort Bend County, Texas

1. Thence, with the south line of said Wetlands Park at Riverstone, North 55 degrees 53 minutes 58 seconds East, a distance of 367.40 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
2. Thence, continuing with said south line, South 34 degrees 06 minutes 02 seconds East, a distance of 104.60 feet to the west line of a called 6.00-acre tract recorded in Clerk's File Number 2010020570 of the O.R.F.B.C.;

Thence, with the west line of said 6.00-acre tract, the following fifteen (15) courses:

3. 37.03 feet along the arc of a curve to the left, said curve having a central angle of 16 degrees 30 minutes 35 seconds, a radius of 128.50 feet and a chord that bears South 12 degrees 16 minutes 03 seconds East, a distance of 36.90 feet;
4. South 28 degrees 58 minutes 24 seconds East, a distance of 11.55 feet;
5. 52.71 feet along the arc of a curve to the left, said curve having a central angle of 31 degrees 27 minutes 28 seconds, a radius of 96.00 feet and a chord that bears South 44 degrees 45 minutes 08 seconds East, a distance of 52.05 feet;
6. 15.60 feet along the arc of a curve to the left, said curve having a central angle of 07 degrees 44 minutes 17 seconds, a radius of 115.50 feet and a chord that bears South 59 degrees 48 minutes 42 seconds East, a distance of 15.59 feet;
7. 31.10 feet along the arc of a curve to the left, said curve having a central angle of 11 degrees 34 minutes 12 seconds, a radius of 154.00 feet and a chord that bears South 65 degrees 08 minutes 29 seconds East, a distance of 31.05 feet;
8. South 75 degrees 46 minutes 15 seconds East, a distance of 8.30 feet;
9. 7.34 feet along the arc of a curve to the left, said curve having a central angle of 05 degrees 45 minutes 30 seconds, a radius of 73.00 feet and a chord that bears South 79 degrees 05 minutes 35 seconds East, a distance of 7.33 feet;
10. 19.88 feet along the arc of a curve to the right, said curve having a central angle of 44 degrees 39 minutes 31 seconds, a radius of 25.50 feet and a chord that bears South 53 degrees 07 minutes 52 seconds East, a distance of 19.38 feet;
11. South 28 degrees 30 minutes 28 seconds East, a distance of 10.19 feet;
12. 11.94 feet along the arc of a curve to the right, said curve having a central angle of 08 degrees 32 minutes 55 seconds, a radius of 80.00 feet and a chord that bears South 16 degrees 31 minutes 51 seconds East, a distance of 11.92 feet;
13. South 07 degrees 43 minutes 08 seconds East, a distance of 12.06 feet;

14. 38.38 feet along the arc of a curve to the left, said curve having a central angle of 05 degrees 33 minutes 35 seconds, a radius of 395.50 feet and a chord that bears South 08 degrees 00 minutes 07 seconds East, a distance of 38.36 feet;
15. South 10 degrees 58 minutes 40 seconds East, a distance of 53.72 feet
16. 42.94 feet along the arc of a curve to the left, said curve having a central angle of 23 degrees 19 minutes 19 seconds, a radius of 105.50 feet and a chord that bears South 19 degrees 43 minutes 41 seconds East, a distance of 42.65 feet;
17. 25.75 feet along the arc of a curve to the left, said curve having a central angle of 24 degrees 47 minutes 47 seconds, a radius of 59.50 feet and a chord that bears South 41 degrees 47 minutes 18 seconds East, a distance of 25.55 feet;

Thence, through aforesaid 597.707-acre tract and aforesaid 2,497.4-acre tract, the following three (3) courses:

18. South 35 degrees 48 minutes 49 seconds West, a distance of 30.00 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
19. South 77 degrees 00 minutes 45 seconds West, a distance of 95.70 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
20. South 09 degrees 23 minutes 12 seconds East, a distance of 256.35 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set on the north R.O.W. line of Cabrera Drive recorded in Plat Number 20160265 of the F.B.C.P.R.;
21. Thence, with said north R.O.W. line, 192.47 feet along the arc of a curve to the left, said curve having a central angle of 19 degrees 52 minutes 45 seconds, a radius of 554.74 feet and a chord that bears South 63 degrees 42 minutes 01 seconds West, a distance of 191.51 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found;
22. Thence, continuing with said north R.O.W. line, 154.63 feet along the arc of a curve to the right, said curve having a central angle of 15 degrees 55 minutes 38 seconds, a radius of 556.25 feet and a chord that bears South 61 degrees 43 minutes 28 seconds West, a distance of 154.13 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the east end of a radius return;
23. Thence, with said radius return, 47.09 feet along the arc of a curve to the right, said curve having a central angle of 89 degrees 56 minutes 10 seconds, a radius of 30.00 feet and a chord that bears North 65 degrees 20 minutes 37 seconds West, a distance of 42.40 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found on the east R.O.W. line of aforesaid LJ Parkway;

24. Thence, with said east R.O.W. line 181.50 feet along the arc of a curve to the right, said curve having a central angle of 05 degrees 20 minutes 23 seconds, a radius of 1,947.50 feet and a chord that bears North 17 degrees 42 minutes 20 seconds West, a distance of 181.43 feet;

Thence, through aforesaid 2497.4-acre tract, the following three (3) courses:

25. North 74 degrees 57 minutes 51 seconds East, a distance of 30.00 feet;
26. 182.90 feet along the arc of a curve to the right, said curve having a central angle of 05 degrees 27 minutes 54 seconds, a radius of 1,917.50 feet and a chord that bears North 12 degrees 18 minutes 12 seconds West, a distance of 182.83 feet;
27. South 80 degrees 25 minutes 45 seconds West, a distance of 30.00 feet to the east R.O.W. line of aforesaid LJ Parkway;

Thence, with said east R.O.W. line, the following three (3) courses:

28. 115.01 feet along the arc of a curve to the right, said curve having a central angle of 03 degrees 23 minutes 01 seconds, a radius of 1,947.50 feet and a chord that bears North 07 degrees 52 minutes 44 seconds West, a distance of 114.99 feet;
29. North 06 degrees 11 minutes 14 seconds West, a distance of 126.49 feet;
30. 27.15 feet along the arc of a curve to the left, said curve having a central angle of 00 degrees 45 minutes 29 seconds, a radius of 2,052.50 feet and a chord that bears North 06 degrees 33 minutes 58 seconds West, a distance of 27.15 feet to the Point of Beginning and containing 6.57 acres of land.

Affected Property Area C

Being a 0.13-acre tract of land located in the William Stafford Survey, A-89 in Fort Bend County, Texas; said 0.13 acre tract being a portion of a call 2497.4-acre tract of land recorded in Clerk's File Numbers 9819621 and 1999013157 of the Official Records of Fort Bend County (O.R.F.B.C.); said 0.13 acre tract being more particularly described by metes and bounds as follows (all bearings are based on the Texas Coordinate System, South Central Zone and referenced to the south line of Wetlands Park at Riverstone as recorded in Plat Number 20160275 of the Fort Bend County Plat Records, Texas (F.B.C.P.R.):

Commencing at a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the south corner of said Wetlands Park at Riverstone, same being on the east Right-of-Way (R.O.W.) line of LJ Parkway (105-foot wide) as recorded in Plat Number 20140083 of the F.B.C.P.R.;

Thence, with the east R.O.W. line of said LJ Parkway, the following three (3) courses:

27.15 feet along the arc of a curve to the left, said curve having a central angle of 00 degrees 45 minutes 29 seconds, a radius of 2,052.50 feet and a chord that bears South 06 degrees 33 minutes 58 seconds East, a distance of 27.15 feet;

South 06 degrees 11 minutes 14 seconds East, a distance of 126.49 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found;

115.01 feet along the arc of a curve to the right, said curve having a central angle of 03 degrees 23 minutes 01 seconds, a radius of 1,947.50 feet and a chord that bears South 07 degrees 52 minutes 44 seconds East, a distance of 114.99 feet to the Point of Beginning of the herein described tract;

Thence, through aforesaid called 2497.4, the following three (3) courses:

1. North 80 degrees 25 minutes 45 seconds East, a distance of 30.00 feet;
2. 182.90 feet along the arc of a curve to the left, said curve having a central angle of 05 degrees 27 minutes 54 seconds, a radius of 1,917.50 feet and a chord that bears South 12 degrees 18 minutes 12 seconds East, a distance of 182.83 feet;
3. South 74 degrees 57 minutes 51 seconds West, a distance of 30.00 feet to the east R.O.W. line of aforesaid LJ Parkway;
4. Thence, with said east R.O. W. line, 185.76 feet along the arc of a curve to the right, said curve having a central angle of 05 degrees 27 minutes 54 seconds, a radius of 1,947.50 feet and a chord that bears North 12 degrees 18 minutes 12 seconds West, a distance of 185.69 feet to the Point of Beginning and containing 0.13 acres of land.

This Restrictive Covenant is required for the following reasons:

The **Affected Properties** were operated as an oil and gas exploration and production lease, otherwise known as Sugar Land Oil Field, that was operated by Exxon Corporation and then Atlas Oil & Gas Exploration, LLC from the late 1920s to the early 2000s; wherein COCs attributable to the operations at the Camp, M.C. lease site by Exxon Corporation and then Atlas Oil & Gas Exploration, LLC impacted soil and groundwater and an environmental investigation and response action was required in accordance with Commission regulations. Hillsboro Estates LLC performed the response action to characterize and remediate the COCs.

The remediation was performed in such a manner that COCs remained in soil and groundwater at the **Affected Properties** when the Restrictive Covenant was filed with the County. The COCs and the maximum levels remaining in the **Affected Properties** are specified on Exhibit D - *COCs Remaining in Soil and Groundwater*. The investigation, assessment, remediation and analytical data are contained in the RRC project case file *Voluntary Cleanup Program (VCP) number 03-18002* and further summarized in the following reports:

- Phase One Environmental Site Assessment 2,566 Acres, More or Less Exxon Sugarland Field, Fort Bend County, Texas, Dated March 1998;

- Site Investigation Report, Sugar Land Ranch – Section 6 SLC, dated May 2018;
- Remedial Action Plan, Sugar Land Ranch – Section 6 SLC, dated May 2018;
- Remedial Action Completion Report, Sugar Land Ranch – Section 6 SLC, dated, December 2018;
- Supplemental Remedial Action Completion Report, Sugar Land Ranch – Section 6 SLC, dated, April 2019;

Copies of the reports may be obtained from Hillsboro Estates LLC, 13131 Dairy Ashford, Ste. 210, Sugar Land, Texas 77478 and from the Commission under *Voluntary Cleanup Program (VCP) number* 03-18002.

The response action has been approved by the Commission based on the presumption that the **Affected Properties**, will be protective of residential land and/or commercial/industrial land use with the implementation of this Restrictive Covenant.

For purposes of this Restrictive Covenant the terms

- “commercial/industrial land use” means use of property for anything other than use for human habitation or for other purposes with a similar potential for human exposure. Human habitation includes but is not limited to residential land use.
- “environmental medium” means a material found in the natural environment such as soil, groundwater, air, surface water, and sediments, or a mixture of such materials with liquids, sludges, gases, or solids.
- “exposure pathway” means the course that a COC takes from a source area to ecological or human receptors and includes a source area, a point of exposure, and an exposure route (e.g., ingestion), as well as a transport mechanism if the point of exposure is different from the source area.
- “residential land 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).

Based on information contained in the investigation, assessment and monitoring reports, as long as an incomplete exposure pathway is maintained to impacted soil and groundwater exceeding health-based values then the COCs associated with the **Affected Properties** pose no significant present or future risk to humans or the environment. With the filing of this document, the Commission does not require any further remediation of the **Affected Properties** as long as an incomplete exposure pathway is maintained to impacted soil and groundwater exceeding health-based values.

Upon the filing and recording of this Restrictive covenant in the County Real Property Records, the Commission does not require any further remediation of the **Affected Properties** if the **Affected Property Area C** is not put to residential land use and the restrictions identified in this Restrictive Covenant are implemented.

This Restrictive Covenant is necessary to assure that all present and future owners, operators, lessors, or lessees of the **Affected Properties** are aware of its condition and do not use the **Affected**

Properties or any groundwater below the surface of the **Affected Properties** in any manner inconsistent with this Restrictive Covenant.

In consideration of the response actions leading to final approved remediation of the **Affected Properties**, 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 Covenant in favor of the Commission and the State of Texas are placed on the **Property** described in **Exhibit A** to-wit:

1. No part of **Affected Property Area C** shall be used for residential land use as defined in this Restrictive Covenant.
2. Use or consumption of groundwater beneath the **Affected Properties** ranging from 10 feet to 41.60 feet bgs, shall be prohibited except for monitoring and remediation purposes.
3. Any water wells completed on the **Affected Properties** must be installed by a Texas Department of Licensing and Regulation (TDLR)-licensed water well driller in accordance with applicable rules. Installed wells shall not be screened/perforated from the surface to 41.60 feet bgs unless for authorized monitoring purposes and the collection of samples for analysis.
4. The investigation and assessment reports identified impacted soil at 17 feet below ground surface (bgs) in **Affected Property Area B** and 10-12 feet below ground surface (bgs) in **Affected Property Area C**. Both **Affected Properties** have impacted groundwater at 10 feet bgs. Penetration of the impacted soil and/or groundwater beneath the **Affected Properties** for any purpose shall 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.
5. These restrictions shall be a covenant running with the land.

For additional information, exposure assumptions with the Restrictive Covenant, please request the information from the Commission or from the Hillsboro Estates LLC.

Contact Addresses:

- Railroad Commission of Texas
Oil and Gas Division
Site Remediation Section
P. O. Box 12967
1701 N. Congress
Austin, Texas 78711-2967
- Hillsboro Estates LLC
13131 Dairy Ashford, Ste. 210
Sugar Land, Texas 77478

As of the date of this Restrictive Covenant, the record owner of fee title to the **Property** is Hillsboro Estates LLC, 13131 Dairy Ashford, Ste. 210, Sugar Land, Texas 77478;

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 12th day of July 2019.

Hillsboro Estates LLC

Signature: *F.W. Reichert III*

Printed Name: F.W. Reichert III

Title: Vice president

STATE OF TEXAS
COUNTY OF Fort Bend

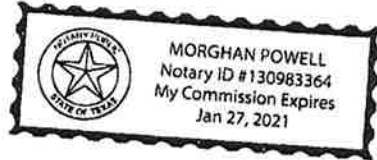
BEFORE ME, on this 12th day of July, 2019, personally appeared F.W. Reichert III, Vice president, Hillsboro Estates LLC, known to me to be the person whose name is subscribed to the foregoing instrument, and they acknowledged to me that they executed the same for the purposes and in the capacity herein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE.

M Powell
Notary Public, State of Texas

County of Fort Bend

My Commission Expires: Jan 27, 2021



Accepted as Third Party Beneficiary this 15th day of July 2019.

Railroad Commission of Texas

Signature: Hailey A. Wolf

Printed Name: HAILEY A. WOLF,

Title: STAFF ATTORNEY

STATE OF TEXAS
COUNTY OF TRAVIS

BEFORE ME, on this 15th day of July, 2019, personally appeared Hailey wolf, Attorney 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.

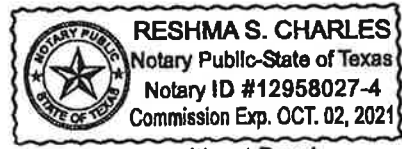
GIVEN UNDER MY HAND AND SEAL OF OFFICE.

Reshma S. Charles

Notary Public, State of Texas

County of Travis

My Commission Expires:



Notary without Bond

Exhibit A

Property

1

County: Fort Bend
 Project: Riverstone - VCP Site
 C.I. No.: 1286-17
 Job Number: 1998-030-057

METES AND BOUNDS FOR 6.70 ACRES

Being a 6.70-acre tract of land located in the William Stafford Survey, A-89 in Fort Bend County, Texas; said 6.70 acre tract being a portion of a call 2497.4-acre tract of land recorded in Clerk's File Numbers 9819621 and 1999013157 of the Official Records of Fort Bend County (O.R.F.B.C.) and a portion of a call 597.7707-acre tract of land recorded in Clerk's File Number 206092799 of the O.R.F.B.C.; said 6.70 acre tract being more particularly described by metes and bounds as follows (all bearings are based on the Texas Coordinate System, South Central Zone and referenced to the south line of Wetlands Park at Riverstone as recorded in Plat Number 20160275 of the Fort Bend County Plat Records, Texas (F.B.C.P.R.):

Beginning at a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the south corner of said Wetlands Park at Riverstone, same being on the east Right-of-Way (R.O.W.) line of LJ Parkway (105-foot wide) as recorded in Plat Number 20140083 of the F.B.C.P.R.;

1. Thence, with the south line of said Wetlands Park at Riverstone, North 55 degrees 53 minutes 58 seconds East, a distance of 367.40 feet;
2. Thence, continuing with said south line, South 34 degrees 06 minutes 02 seconds East, a distance of 104.60 feet to the west line of a called 6.00-acre tract recorded in Clerk's File Number 2010020570 of the O.R.F.B.C.;

Thence, with the west line of said 6.00-acre tract, the following fifteen (15) courses:

3. 37.03 feet along the arc of a curve to the left, said curve having a central angle of 16 degrees 30 minutes 35 seconds, a radius of 128.50 feet and a chord that bears South 12 degrees 16 minutes 03 seconds East, a distance of 36.90 feet;
4. South 28 degrees 58 minutes 24 seconds East, a distance of 11.55 feet;
5. 52.71 feet along the arc of a curve to the left, said curve having a central angle of 31 degrees 27 minutes 28 seconds, a radius of 96.00 feet and a chord that bears South 44 degrees 45 minutes 08 seconds East, a distance of 52.05 feet;
6. 15.60 feet along the arc of a curve to the left, said curve having a central angle of 07 degrees 44 minutes 17 seconds, a radius of 115.50 feet and a chord that bears South 59 degrees 48 minutes 42 seconds East, a distance of 15.59 feet;

Page 2 of 4 Pages

7. 31.10 feet along the arc of a curve to the left, said curve having a central angle of 11 degrees 34 minutes 12 seconds, a radius of 154.00 feet and a chord that bears South 65 degrees 08 minutes 29 seconds East, a distance of 31.05 feet;
8. South 75 degrees 46 minutes 15 seconds East, a distance of 8.30 feet;
9. 7.34 feet along the arc of a curve to the left, said curve having a central angle of 05 degrees 45 minutes 30 seconds, a radius of 73.00 feet and a chord that bears South 79 degrees 05 minutes 35 seconds East, a distance of 7.33 feet;
10. 19.88 feet along the arc of a curve to the right, said curve having a central angle of 44 degrees 39 minutes 31 seconds, a radius of 25.50 feet and a chord that bears South 53 degrees 07 minutes 52 seconds East, a distance of 19.38 feet;
11. South 28 degrees 30 minutes 28 seconds East, a distance of 10.19 feet;
12. 11.94 feet along the arc of a curve to the right, said curve having a central angle of 08 degrees 32 minutes 55 seconds, a radius of 80.00 feet and a chord that bears South 16 degrees 31 minutes 51 seconds East, a distance of 11.92 feet;
13. South 07 degrees 43 minutes 08 seconds East, a distance of 12.06 feet;
14. 38.38 feet along the arc of a curve to the left, said curve having a central angle of 05 degrees 33 minutes 35 seconds, a radius of 395.50 feet and a chord that bears South 08 degrees 00 minutes 07 seconds East, a distance of 38.36 feet;
15. South 10 degrees 58 minutes 40 seconds East, a distance of 53.72 feet;
16. 42.94 feet along the arc of a curve to the left, said curve having a central angle of 23 degrees 19 minutes 19 seconds, a radius of 105.50 feet and a chord that bears South 19 degrees 43 minutes 41 seconds East, a distance of 42.65 feet;
17. 25.75 feet along the arc of a curve to the left, said curve having a central angle of 24 degrees 47 minutes 47 seconds, a radius of 59.50 feet and a chord that bears South 41 degrees 47 minutes 18 seconds East, a distance of 25.55 feet;

Thence, through aforesaid 597.707-acre tract and aforesaid 2497.4-acre tract, the following three (3) courses:

18. South 35 degrees 48 minutes 49 seconds West, a distance of 30.00 feet;
19. South 77 degrees 00 minutes 45 seconds West, a distance of 95.70 feet;

Page 3 of 4 Pages

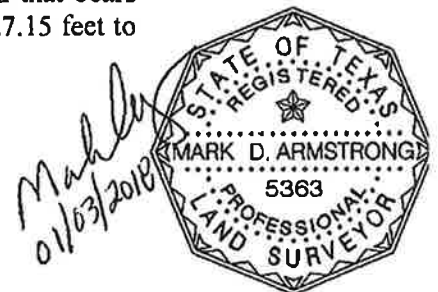
20. South 09 degrees 23 minutes 12 seconds East, a distance of 256.35 feet to the north R.O.W. line of Cabrera Drive (width varies) recorded in Plat Number 20160265 of the F.B.C.P.R.;

Thence, with said north R.O.W. line, the following four (4) courses:

21. 46.25 feet along the arc of a curve to the left, said curve having a central angle of 04 degrees 46 minutes 38 seconds, a radius of 554.75 feet and a chord that bears South 71 degrees 18 minutes 10 seconds West, a distance of 46.24 feet;
22. 146.54 feet along the arc of a curve to the left, said curve having a central angle of 15 degrees 08 minutes 05 seconds, a radius of 554.75 feet and a chord that bears South 61 degrees 20 minutes 49 seconds West, a distance of 146.11 feet;
23. 141.25 feet along the arc of a curve to the right, said curve having a central angle of 14 degrees 32 minutes 57 seconds, a radius of 556.25 feet and a chord that bears South 61 degrees 03 minutes 15 seconds West, a distance of 140.87 feet;
24. South 68 degrees 19 minutes 43 seconds West, a distance of 12.34 feet to the east end of a radius return;
25. Thence, with said radius return, 47.80 feet along the arc of a curve to the right, said curve having a central angle of 91 degrees 17 minutes 45 seconds, a radius of 30.00 feet and a chord that bears North 66 degrees 01 minutes 24 seconds West, a distance of 42.90 feet to the east R.O.W. line of aforesaid LJ Parkway;

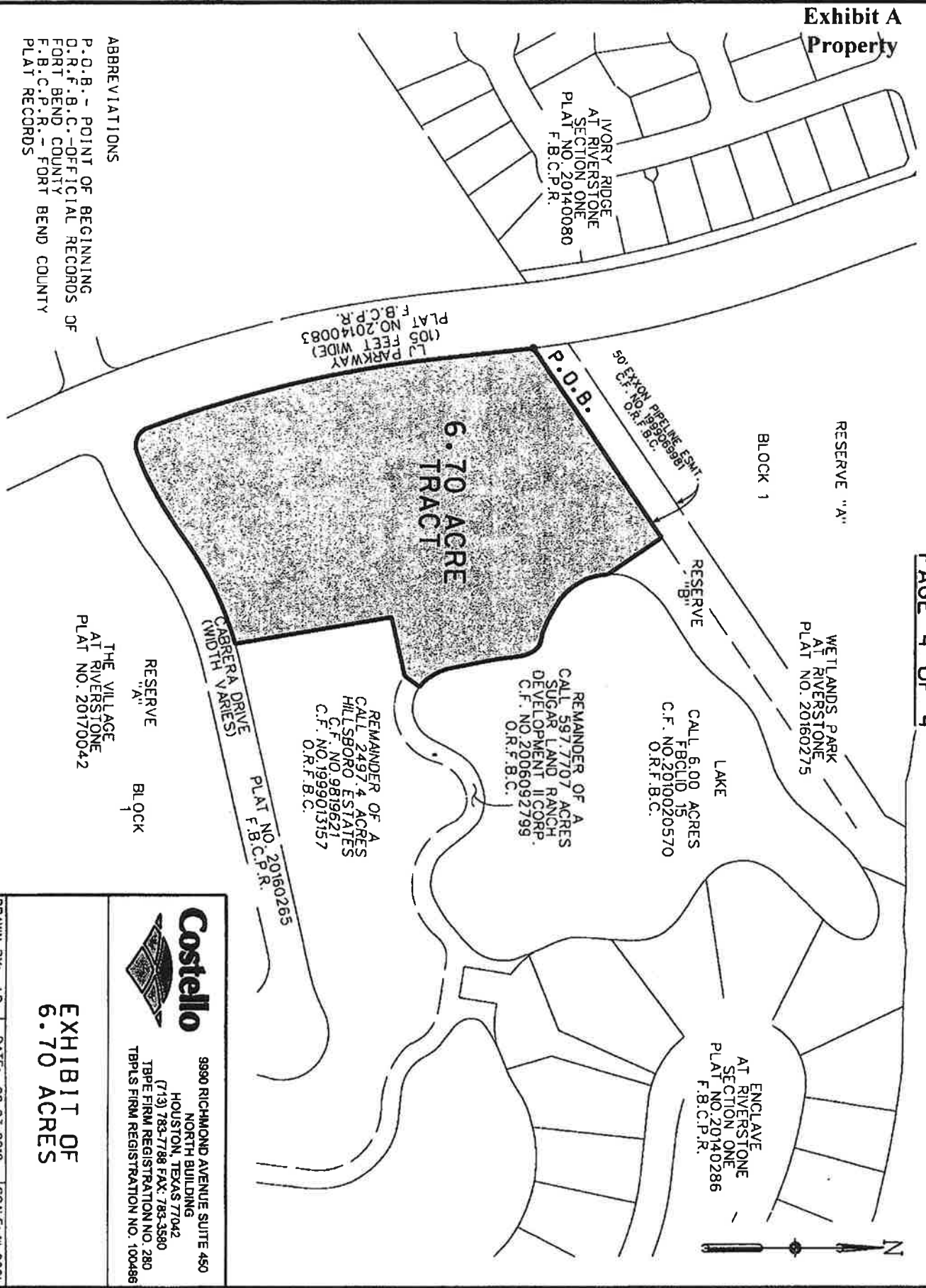
Thence, with said east R.O.W. line, the following four (4) courses:

26. 405.73 feet along the arc of a curve to the right, said curve having a central angle of 11 degrees 56 minutes 12 seconds, a radius of 1,947.50 feet and a chord that bears North 14 degrees 24 minutes 26 seconds West, a distance of 405.00 feet;
27. 76.53 feet along the arc of a curve to the right, said curve having a central angle of 02 degrees 15 minutes 06 seconds, a radius of 1,947.50 feet and a chord that bears North 07 degrees 18 minutes 47 seconds West, a distance of 76.53 feet;
28. North 06 degrees 11 minutes 14 seconds West, a distance of 126.49 feet;
29. 27.15 feet along the arc of a curve to the left, said curve having a central angle of 00 degrees 45 minutes 29 seconds, a radius of 2,052.50 feet and a chord that bears North 06 degrees 33 minutes 58 seconds West, a distance of 27.15 feet to the **Point of Beginning** and containing 6.70 acres of land.



**Exhibit A
Property**

PAGE 4 OF 4



ABBREVIATIONS
 P.O.B. - POINT OF BEGINNING
 O.R.F.B.C. - OFFICIAL RECORDS OF
 FORT BEND COUNTY
 F.B.C.P.R. - FORT BEND COUNTY
 PLAT RECORDS

**EXHIBIT OF
6.70 ACRES**



Costello
 9990 RICHMOND AVENUE SUITE 450
 NORTH BUILDING
 HOUSTON, TEXAS 77042
 (713) 783-7788 FAX: 783-3580
 TBPB FIRM REGISTRATION NO. 280
 TBPB FIRM REGISTRATION NO. 100486

DRAWN BY: LD DATE: 02-03-2018 SCALE: 1"=200'
 CHECKED BY: MA JOB NO: 1998-030-057 128617.DGN

S:\NEW\Riverslope\2017\67 VLLACS 3 ACRE SURVEY\020\128617.dgn

Exhibit B

Affected Property Area B



County: Fort Bend
 Project: Riverstone
 C.I. No.: 1090-19
 Job Number: 1998-030-057

METES AND BOUNDS FOR 6.57 ACRES

Being a 6.57-acre tract of land located in the William Stafford Survey, A-89 in Fort Bend County, Texas; said 6.57 acre tract being a portion of a call 2497.4-acre tract of land recorded in Clerk's File Numbers 9819621 and 1999013157 of the Official Records of Fort Bend County (O.R.F.B.C.) and a portion of a call 597.7707-acre tract of land recorded in Clerk's File Number 206092799 of the O.R.F.B.C.; said 6.57 acre tract being more particularly described by metes and bounds as follows (all bearings are based on the Texas Coordinate System, South Central Zone and referenced to the south line of Wetlands Park at Riverstone as recorded in Plat Number 20160275 of the Fort Bend County Plat Records, Texas (F.B.C.P.R.):

Beginning at a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the south corner of said Wetlands Park at Riverstone, same being on the east Right-of-Way (R.O.W.) line of LJ Parkway (105-foot wide) as recorded in Plat Number 20140083 of the F.B.C.P.R.;

1. Thence, with the south line of said Wetlands Park at Riverstone, North 55 degrees 53 minutes 58 seconds East, a distance of 367.40 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
2. Thence, continuing with said south line, South 34 degrees 06 minutes 02 seconds East, a distance of 104.60 feet to the west line of a called 6.00-acre tract recorded in Clerk's File Number 2010020570 of the O.R.F.B.C.;

Thence, with the west line of said 6.00-acre tract, the following fifteen (15) courses:

3. 37.03 feet along the arc of a curve to the left, said curve having a central angle of 16 degrees 30 minutes 35 seconds, a radius of 128.50 feet and a chord that bears South 12 degrees 16 minutes 03 seconds East, a distance of 36.90 feet;
4. South 28 degrees 58 minutes 24 seconds East, a distance of 11.55 feet;
5. 52.71 feet along the arc of a curve to the left, said curve having a central angle of 31 degrees 27 minutes 28 seconds, a radius of 96.00 feet and a chord that bears South 44 degrees 45 minutes 08 seconds East, a distance of 52.05 feet;
6. 15.60 feet along the arc of a curve to the left, said curve having a central angle of 07 degrees 44 minutes 17 seconds, a radius of 115.50 feet and a chord that bears South 59 degrees 48 minutes 42 seconds East, a distance of 15.59 feet;

**Exhibit B
Affected Property
Area B**Page 2 of 5 Pages

7. 31.10 feet along the arc of a curve to the left, said curve having a central angle of 11 degrees 34 minutes 12 seconds, a radius of 154.00 feet and a chord that bears South 65 degrees 08 minutes 29 seconds East, a distance of 31.05 feet;
8. South 75 degrees 46 minutes 15 seconds East, a distance of 8.30 feet;
9. 7.34 feet along the arc of a curve to the left, said curve having a central angle of 05 degrees 45 minutes 30 seconds, a radius of 73.00 feet and a chord that bears South 79 degrees 05 minutes 35 seconds East, a distance of 7.33 feet;
10. 19.88 feet along the arc of a curve to the right, said curve having a central angle of 44 degrees 39 minutes 31 seconds, a radius of 25.50 feet and a chord that bears South 53 degrees 07 minutes 52 seconds East, a distance of 19.38 feet;
11. South 28 degrees 30 minutes 28 seconds East, a distance of 10.19 feet;
12. 11.94 feet along the arc of a curve to the right, said curve having a central angle of 08 degrees 32 minutes 55 seconds, a radius of 80.00 feet and a chord that bears South 16 degrees 31 minutes 51 seconds East, a distance of 11.92 feet;
13. South 07 degrees 43 minutes 08 seconds East, a distance of 12.06 feet;
14. 38.38 feet along the arc of a curve to the left, said curve having a central angle of 05 degrees 33 minutes 35 seconds, a radius of 395.50 feet and a chord that bears South 08 degrees 00 minutes 07 seconds East, a distance of 38.36 feet;
15. South 10 degrees 58 minutes 40 seconds East, a distance of 53.72 feet;
16. 42.94 feet along the arc of a curve to the left, said curve having a central angle of 23 degrees 19 minutes 19 seconds, a radius of 105.50 feet and a chord that bears South 19 degrees 43 minutes 41 seconds East, a distance of 42.65 feet;
17. 25.75 feet along the arc of a curve to the left, said curve having a central angle of 24 degrees 47 minutes 47 seconds, a radius of 59.50 feet and a chord that bears South 41 degrees 47 minutes 18 seconds East, a distance of 25.55 feet;

Thence, through aforesaid 597.707-acre tract and aforesaid 2497.4-acre tract, the following three (3) courses:

18. South 35 degrees 48 minutes 49 seconds West, a distance of 30.00 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;

**Exhibit B
Affected Property
Area B**Page 3 of 5 Pages

19. South 77 degrees 00 minutes 45 seconds West, a distance of 95.70 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
20. South 09 degrees 23 minutes 12 seconds East, a distance of 256.35 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set on the north R.O.W. line of Cabrera Drive recorded in Plat Number 20160265 of the F.B.C.P.R.;
21. Thence, with said north R.O.W. line, 192.47 feet along the arc of a curve to the left, said curve having a central angle of 19 degrees 52 minutes 45 seconds, a radius of 554.74 feet and a chord that bears South 63 degrees 42 minutes 01 seconds West, a distance of 191.51 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found;
22. Thence, continuing with said north R.O.W. line, 154.63 feet along the arc of a curve to the right, said curve having a central angle of 15 degrees 55 minutes 38 seconds, a radius of 556.25 feet and a chord that bears South 61 degrees 43 minutes 28 seconds West, a distance of 154.13 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the east end of a radius return;
23. Thence, with said radius return, 47.09 feet along the arc of a curve to the right, said curve having a central angle of 89 degrees 56 minutes 10 seconds, a radius of 30.00 feet and a chord that bears North 65 degrees 20 minutes 37 seconds West, a distance of 42.40 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found on the east R.O.W. line of aforesaid LJ Parkway;
24. Thence, with said east R.O.W. line 181.50 feet along the arc of a curve to the right, said curve having a central angle of 05 degrees 20 minutes 23 seconds, a radius of 1,947.50 feet and a chord that bears North 17 degrees 42 minutes 20 seconds West, a distance of 181.43 feet;

Thence, through aforesaid 2497.4-acre tract, the following three (3) courses:

25. North 74 degrees 57 minutes 51 seconds East, a distance of 30.00 feet;
26. 182.90 feet along the arc of a curve to the right, said curve having a central angle of 05 degrees 27 minutes 54 seconds, a radius of 1,917.50 feet and a chord that bears North 12 degrees 18 minutes 12 seconds West, a distance of 182.83 feet;
27. South 80 degrees 25 minutes 45 seconds West, a distance of 30.00 feet to the east R.O.W. line of aforesaid LJ Parkway;

Thence, with said east R.O.W. line, the following three (3) courses:

28. 115.01 feet along the arc of a curve to the right, said curve having a central angle of 03 degrees 23 minutes 01 seconds, a radius of 1,947.50 feet and a chord that bears North 07 degrees 52 minutes 44 seconds West, a distance of 114.99 feet;

Exhibit B
Affected Property
Area B

Page 4 of 5 Pages

29. North 06 degrees 11 minutes 14 seconds West, a distance of 126.49 feet;
30. 27.15 feet along the arc of a curve to the left, said curve having a central angle of 00 degrees 45 minutes 29 seconds, a radius of 2,052.50 feet and a chord that bears North 06 degrees 33 minutes 58 seconds West, a distance of 27.15 feet to the **Point of Beginning** and containing 6.57 acres of land.



Mark D. Armstrong
04/01/19

PAGE 5 OF 5



RESERVE "A"
BLOCK 1

WETLANDS PARK
AT RIVERSTONE
PLAT NO. 20160275

BLOCK 1

RESERVE "B"

LAKE
CALL 6.00 ACRES
FBCLID. 15
C.F. NO. 2010020570
O.R.F.B.C.

REMAINDER OF A
CALL 597.7707 ACRES
SUGAR LAND RANCH
DEVELOPMENT II CORP.
C.F. NO. 2006092799
O.R.F.B.C.

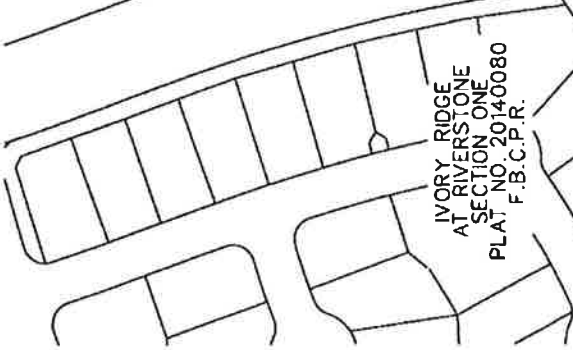
REMAINDER OF A
CALL 2497.4 ACRES
HILLSBORO ESTATES
C.F. NO. 9819621
C.F. NO. 1999013157
O.R.F.B.C.

PLAT NO. 20160265
F.B.C.P.R.

CABRERA DRIVE
(WIDTH VARIES)

RESERVE "A"
BLOCK 1

THE VILLAGE
AT RIVERSTONE
PLAT NO. 20170042



IVORY RIDGE
AT RIVERSTONE
SECTION ONE
PLAT NO. 20140080
F.B.C.P.R.

LJ PARKWAY
(105 FEET WIDE)
PLAT NO. 20140083
F.B.C.P.R.

6.57 ACRE TRACT

P.O.B.

Exhibit B
Affected Property
Area B

Costello
9990 RICHMOND AVENUE SUITE 450
NORTH BUILDING
HOUSTON, TEXAS 77042
(713) 783-7788 FAX: 783-3580
TBPE FIRM REGISTRATION NO. 280
TBPLS FIRM REGISTRATION NO. 100486

EXHIBIT OF
6.57 ACRES

ABBREVIATIONS
P.O.B. - POINT OF BEGINNING
O.R.F.B.C. - OFFICIAL RECORDS OF
FORT BEND COUNTY
F.B.C.P.R. - FORT BEND COUNTY
PLAT RECORDS

DRAWN BY: LD DATE: 04-01-2019 SCALE: 1"=200'
CHECKED BY: MA JOB NO: 1998-030-057 T09019.DGN

Exhibit C

Affected Property Area C

County: Fort Bend
Project: Riverstone
C.I. No.: 1089-19
Job Number: 1998-030-057

METES AND BOUNDS FOR 0.13 ACRES

Being a 0.13-acre tract of land located in the William Stafford Survey, A-89 in Fort Bend County, Texas; said 0.13 acre tract being a portion of a call 2497.4-acre tract of land recorded in Clerk's File Numbers 9819621 and 1999013157 of the Official Records of Fort Bend County (O.R.F.B.C.); said 0.13 acre tract being more particularly described by metes and bounds as follows (all bearings are based on the Texas Coordinate System, South Central Zone and referenced to the south line of Wetlands Park at Riverstone as recorded in Plat Number 20160275 of the Fort Bend County Plat Records, Texas (F.B.C.P.R.):

Commencing at a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the south corner of said Wetlands Park at Riverstone, same being on the east Right-of-Way (R.O.W.) line of LJ Parkway (105-feet wide) as recorded in Plat Number 20140083 of the F.B.C.P.R.;

Thence, with the east R.O.W. line of said LJ Parkway, the following three (3) courses:

27.15 feet along the arc of a curve to the left, said curve having a central angle of 00 degrees 45 minutes 29 seconds, a radius of 2,052.50 feet and a chord that bears South 06 degrees 33 minutes 58 seconds East, a distance of 27.15 feet;

South 06 degrees 11 minutes 14 seconds East, a distance of 126.49 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found;

115.01 feet along the arc of a curve to the right, said curve having a central angle of 03 degrees 23 minutes 01 seconds, a radius of 1,947.50 feet and a chord that bears South 07 degrees 52 minutes 44 seconds East, a distance of 114.99 feet to the **Point of Beginning** of the herein described tract;

Thence, through aforesaid called 2497.4, the following three (3) courses:

1. North 80 degrees 25 minutes 45 seconds East, a distance of 30.00 feet;
2. 182.90 feet along the arc of a curve to the left, said curve having a central angle of 05 degrees 27 minutes 54 seconds, a radius of 1,917.50 feet and a chord that bears South 12 degrees 18 minutes 12 seconds East, a distance of 182.83 feet;
3. South 74 degrees 57 minutes 51 seconds West, a distance of 30.00 feet to the east R.O.W. line of aforesaid LJ Parkway;

**Exhibit C
Affected Property
Area C**

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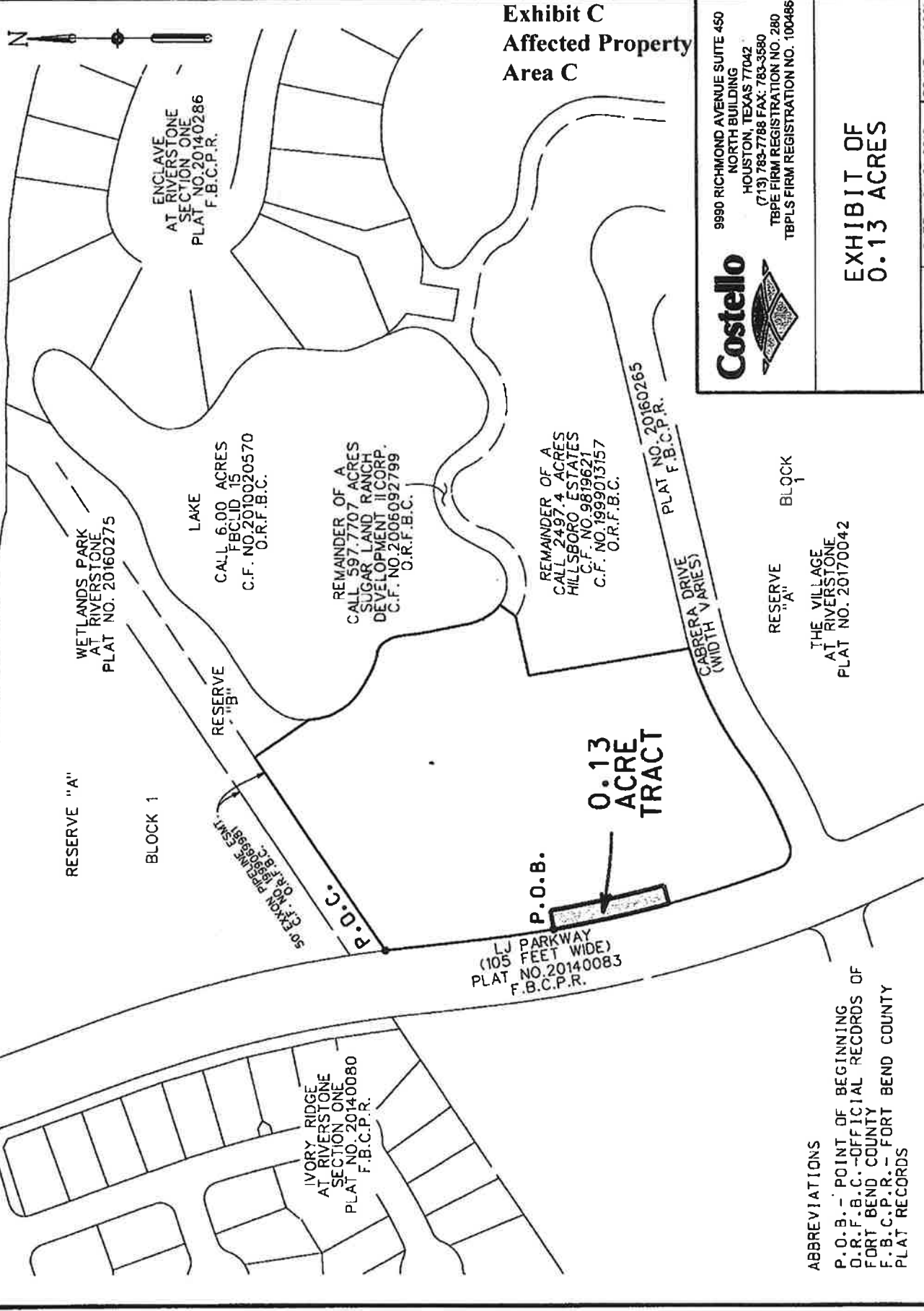
4. Thence, with said east R.O.W. line, 185.76 feet along the arc of a curve to the right, said curve having a central angle of 05 degrees 27 minutes 54 seconds, a radius of 1,947.50 feet and a chord that bears North 12 degrees 18 minutes 12 seconds West, a distance of 185.69 feet to the **Point of Beginning** and containing 0.13 acres of land.



Mark D. Armstrong
04/01/19

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**Exhibit C
Affected Property
Area C**

Costello
 9990 RICHMOND AVENUE SUITE 450
 NORTH BUILDING
 HOUSTON, TEXAS 77042
 (713) 783-7788 FAX: 783-3580
 TBPE FIRM REGISTRATION NO. 280
 TBPLS FIRM REGISTRATION NO. 100486

**EXHIBIT OF
0.13 ACRES**

DRAWN BY: LD DATE: 04-01-2019 SCALE: 1"=200'
 CHECKED BY: MA JOB NO: 1998-030-057 108919.DGN

ABBREVIATIONS
 P.O.B. - POINT OF BEGINNING
 O.R.F.B.C. - OFFICIAL RECORDS OF
 FORT BEND COUNTY
 F.B.C.P.R. - FORT BEND COUNTY
 PLAT RECORDS

Exhibit D

COCs Remaining in Soil and Groundwater

Exhibit D – COCs Remaining in Soil and Groundwater

Upon completion of the remediation, COCs at the following maximum levels, exceeding the regulatory action level, remained in subsurface soil and groundwater beneath the **Affected Property Area B**:

Environmental Media (1) (2) <small>(Soil, groundwater or air)</small>	Constituents Remaining -3	Maximum Detected Sample Concentration (4) (5)	Date of Sample Collection	PSH Measured Apparent Thickness in Feet (6) (8)	Total Depth BGS and Location (1) (2) (6), (7)
Groundwater	Arsenic	0.017 mg/L	3/22/2019	NA	35 Feet, MW-2
Soil	Total Petroleum Hydrocarbons (TPH)	84.5 mg/Kg	10/10/2018	NA	17ft bgs., CS-2, Subsurface Soils

Upon completion of the remediation, COCs at the following maximum levels, exceeding the regulatory action level, remained in subsurface soil and groundwater beneath the **Affected Property Area C**:

Environmental Media (1) (2) <small>(Soil, groundwater or air)</small>	Constituents Remaining -3	Maximum Detected Sample Concentration (4) (5)	Date of Sample Collection	PSH Measured Apparent Thickness in Feet (6) (8)	Total Depth BGS and Location (1) (2) (6), (7)
Groundwater	LNAPL	Sheen	12/11/2018	Sheen	23 Feet, PW-A
Soil	TPH	16,590 mg/Kg	10/30/2018	NA	13-15ft. bgs., CS-1, Subsurface Soils

- (1) Groundwater - A saturated geologic formation, group of formations, or part of a formation.
- (2) Soil includes surface soils and subsurface soils. For surface soil, the soil zone extending from ground surface to 15 feet in depth for residential land use and from ground surface to five feet in depth for commercial/industrial land use; or to the top of the uppermost groundwater-bearing unit or bedrock, whichever is less in depth. For subsurface soil, the portion of the soil zone between the base of surface soil and the top of the groundwater-bearing unit(s).
- (3) Constituents identified as Site-specific COCs that exceed the regulatory action level within the "Affected Property".
- (4) milligrams per kilograms (mg/kg)
- (5) milligrams per liter (mg/l)
- (6) Phase-Separated Hydrocarbons (PSHs)
- (7) Monitor Well (MW);
- (8) Not Applicable (NA)