



# RAILROAD COMMISSION OF TEXAS

## OIL AND GAS DIVISION

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

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

*I, PETER G. POPE, ASSISTANT DIRECTOR OF THE SITE REMEDIATION SECTION, OIL AND GAS DIVISION, RAILROAD COMMISSION OF TEXAS, CERTIFY UNDER CHAPTER 91, SUBCHAPTER 0, TEXAS NATURAL RESOURCE CODE, THAT NECESSARY RESPONSE ACTIONS HAVE BEEN COMPLETED FOR VOLUNTARY CLEANUP PROGRAM NO. 03-12006 AS OF September 26, 2016, FOR THE TRACT OF LAND DESCRIBED IN EXHIBIT "A", BASED ON THE AFFIDAVIT OF COMPLETION OF RESPONSE ACTION AND INSTITUTIONAL CONTROLS IN EXHIBIT "B", WHICH ARE FURTHER DESCRIBED IN THE APPROVED FINAL REPORT FOR THE SITE. APPLICANTS WHO WERE NOT RESPONSIBLE PARTIES UNDER SECTION 91.113 ON THE DATE OF ISSUANCE OF THIS CERTIFICATE ARE QUALIFIED TO OBTAIN THE PROTECTION FROM LIABILITY PROVIDED BY CHAPTER 91, SUBCHAPTER 0, TEXAS NATURAL RESOURCE CODE.*

*EXECUTED this the 30<sup>th</sup> day of September 2016.*

A handwritten signature in black ink, appearing to read "Peter G. Pope".

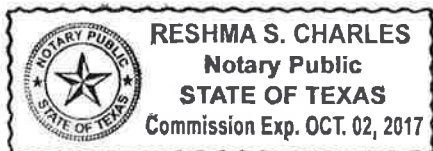
Peter G. Pope, P.G.  
Assistant Director, Site Remediation

STATE OF TEXAS

COUNTY OF TRAVIS

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, *this the 30<sup>th</sup> day of September 2016.*



A handwritten signature in blue ink, appearing to read "Reshma S. Charles".

Notary Public in and for the State of Texas

**Notary without Bond**

**EXHIBIT "A"**  
**RAILROAD COMMISSION OF TEXAS**  
**VOLUNTARY CLEANUP PROGRAM**  
**LEGAL DESCRIPTION 41.6-ACRE TRACT**

**VCP No. 03-12006**

Exhibit \_\_ Page 1 of 4 Pages

County: Fort Bend  
Project: Riverstone – VCP Section 9  
C.I. No.: 1163-12  
Job Number: 1998-030-057

**FIELD NOTES FOR 41.6127 ACRES**

Being 41.6127 acres of land consisting of a 12.6870 acre tract of land (Tract 1) and a 28.9257 acre tract of land (Tract 2) located in the William Little Survey, Abstract-54, Fort Bend County, Texas, said 12.6870 acre tract and said 28.9257 acre tract being a portion of a call 2497.4 acre tract recorded in Clerk's File Number 9819620 of the Official Records of Fort Bend County (O.R.F.B.C), said 12.6870 acre tract and said 28.9257 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the City of Missouri City G.P.S. Monumentation Program, Texas Coordinate System, South Central Zone (NAD 27), using City Survey Marker No. 7096 and 7076):

**TRACT 1: 12.6870 ACRES**

**Commencing** at the most westerly corner of a call 608.1921 acre tract of land recorded in Clerk's File Numbers 2006092798 and 2006092799 of the O.R.F.B.C.;

Thence, crossing aforesaid 2497.4 acre tract, South 73 degrees 28 minutes 11 seconds West, a distance of 1075.81 feet to the **Point of Beginning** of the herein described tract, same being on the north line of a 50-foot wide Duke Energy Pipeline Easement recorded in Clerk's File Number 2007093433 of the O.R.F.B.C.;

1. Thence, with said north line, South 74 degrees 41 minutes 20 seconds West, a distance of 776.60 feet;
2. Thence, continuing with said north line, South 78 degrees 33 minutes 49 seconds West, a distance of 355.79 feet to the east line of a H.L&P. Easement recorded in Volume 370, Page 379 of the Fort Bend County Deed Records;
3. Thence, with the east line of said H.L&P. Easement, North 22 degrees 15 minutes 27 seconds East, a distance of 928.66 feet to the south Right-of-Way line of University Boulevard (record pending);

Thence, with said south Right-of-Way line, the following four (4) courses:

4. 124.04 feet along the arc of a curve to the right, said curve having a central angle of 04 degrees 20 minutes 01 seconds, a radius of 1640.00 feet and a chord that bears South 69 degrees 21 minutes 54 seconds East, a distance of 124.01 feet;

5. South 67 degrees 11 minutes 54 seconds East, a distance of 205.00 feet;
6. 519.90 feet along the arc of a curve to the left, said curve having a central angle of 11 degrees 38 minutes 09 seconds, a radius of 2560.00 feet and a chord that bears South 73 degrees 00 minutes 59 seconds East, a distance of 519.01 feet;
7. South 10 degrees 09 minutes 30 seconds West, a distance of 314.03 feet to the **Point of Beginning** and containing 12.6870 acres of land.

**TRACT 2: 28.9257 ACRES**

**Commencing** at the most westerly corner of aforesaid 608.1921 acre tract;

Thence, crossing aforesaid 2497.4 acre tract, North 41 degrees 32 minutes 40 seconds West, a distance of 140.84 feet to the **Point of Beginning** of the herein described tract, same being on the west line of a 50-foot wide Exxon Pipeline Easement recorded in Clerk's File Number 1999092794 and 1999069980 of the O.R.F.B.C, same being on the north Right-of-Way line of aforesaid University Boulevard;

Thence, with said north Right-of-Way line, the following four (4) courses:

1. 1359.49 feet along the arc of a curve to the right, said curve having a central angle of 31 degrees 55 minutes 24 seconds, a radius of 2440.00 feet and a chord that bears North 83 degrees 09 minutes 36 seconds West, a distance of 1341.97 feet;
2. North 67 degrees 11 minutes 54 seconds West, a distance of 97.60 feet;
3. North 22 degrees 15 minutes 27 seconds East, a distance of 286.73 feet;
4. North 67 degrees 44 minutes 33 seconds West, a distance of 232.49 feet to the east line of aforesaid H.L&P Easement;
5. Thence, with said east line, North 22 degrees 15 minutes 27 seconds East, a distance of 293.48 feet;
6. Thence, continuing with said east line, North 02 degrees 15 minutes 15 seconds East, a distance of 160.38 feet to the south line of a 30-foot wide El Paso Energy Pipeline Easement recorded in Volume 1729, Page 287 of the O.R.F.B.C.;

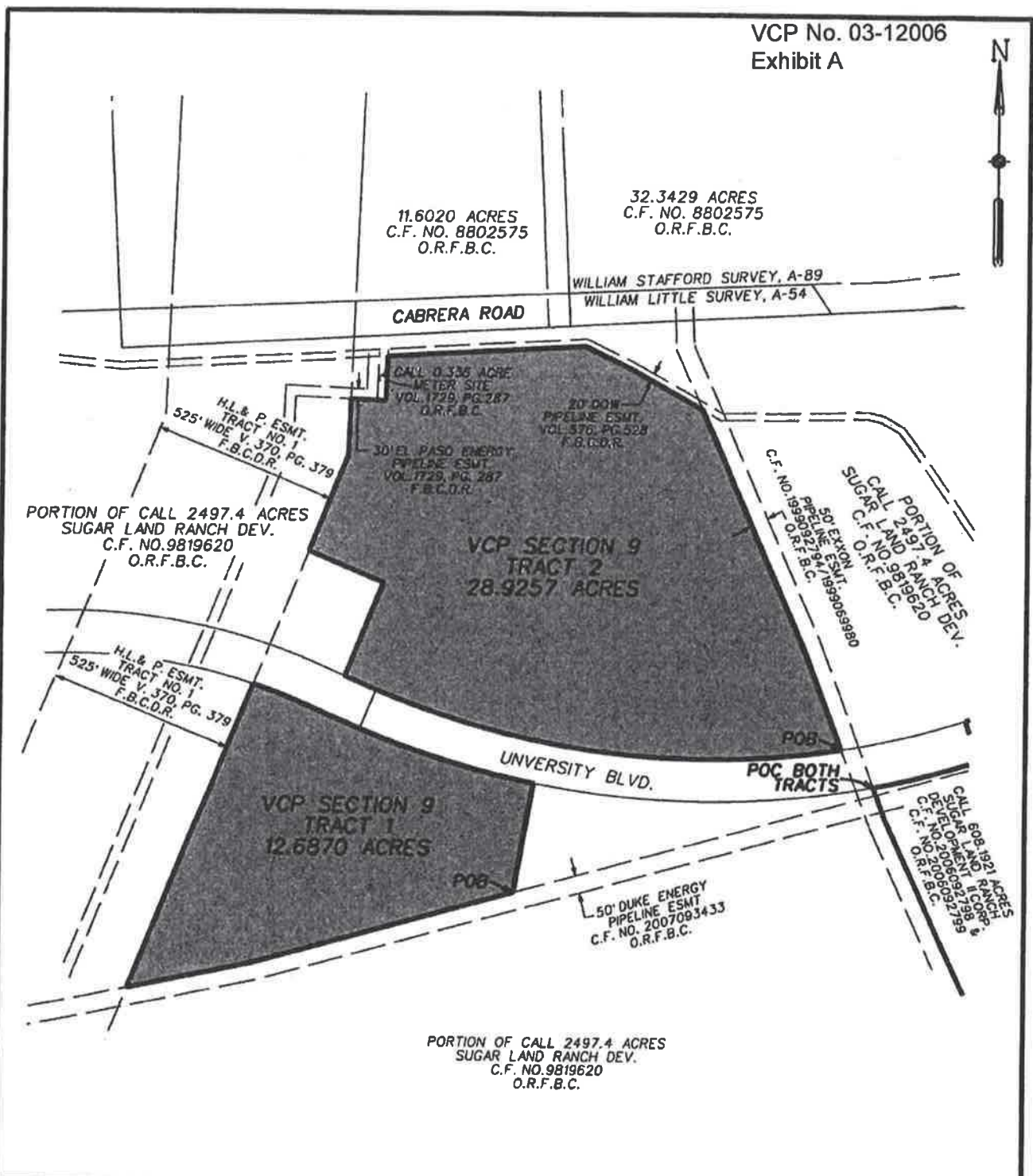
Exhibit    Page   3   of   4   Pages

7. Thence, with said south line, South 87 degrees 44 minutes 45 seconds East, a distance of 100.00 feet to the southeast corner of a call 0.336 acre Meter Site recorded in Volume 1729, Page 287 of the O.R.F.B.C.;
8. Thence, with the east line of said 0.336 acre Meter Site, North 02 degrees 15 minutes 15 seconds East, a distance of 125.80 feet to the south line of a 20-foot wide Dow Pipeline Easement recorded in Volume 576, Page 528 of the F.B.C.D.R.;

Thence, with the south line of said 20-foot wide Dow Pipeline Easement, the following three (3) courses:

9. North 86 degrees 44 minutes 28 seconds East, a distance of 563.71 feet;
10. South 64 degrees 16 minutes 06 seconds East, a distance of 153.06 feet;
11. South 60 degrees 38 minutes 46 seconds East, a distance of 227.50 feet to the southwest intersection of said 20-foot wide Dow Pipeline Easement and aforesaid 50-foot wide Exxon Pipeline Easement;
12. Thence, with the west line of said 50-foot wide Exxon Pipeline Easement, South 24 degrees 01 minutes 34 seconds East, a distance of 726.29 feet;
13. Thence, continuing with said west line, South 20 degrees 45 minutes 01 seconds East, a distance of 315.92 feet to the **Point of Beginning** and containing 28.9257 acres of land.





**Costello, Inc.**  
Engineering and Surveying  
9990 Richmond Avenue, Suite 450  
North Building  
Houston, Texas 77042  
(713) 783-7788 (713) 783-3580, Fax

# VCP SECTION 9

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

DRAWN BY: TL	DATE: 04-04-12	SCALE: 1"=400'
CHECKED BY: MA	JOB NO: 1988030-57	116312.DGN

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

I, F.W. Reichert, III, representing Sugar Land Ranch Development, LLC, and Riverstone 250, Inc., have completed the necessary response actions, pursuant to Chapter 91, Subchapter O, Texas Natural Resource Code, at a 41.6127 acre tract of land described in Exhibit "A" (Site) of this certificate pertaining to Voluntary Cleanup Program (VCP) No. 03-12006 located in Sugar Land, Fort Bend County, Texas. The Site was owned by the applicant at the time the application to participate in the VCP was filed. The applicant has submitted and received approval from the Railroad Commission of Texas (RRC) on all plans and reports required by the 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. Use of the groundwater beneath the Affected Property shall not be allowed except for monitoring purposes.
2. Penetration or excavation of the impacted soil and/or groundwater zones for any purpose shall only be conducted in such a manner as to prevent the migration or release of contamination to any other zone or media, and to prevent uncontrolled exposure to human and ecological receptors.
3. Use of the Affected Property in Restriction Area B, as defined in the restrictive covenant, shall not be allowed for residential purposes.
4. No buildings shall be placed on top of the right-of-way or easement in Restriction Area B, as defined in the restrictive covenant.
5. These restrictions shall be a covenant running with the land.

These restrictions were filed in the Fort Bend County Clerk's office on August 25, 2016, Document 2016093037 (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 03-12006.

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

Applicant

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

Print Name: \_\_\_\_\_

*F.W. Reichert III*  
F.W. Reichert III

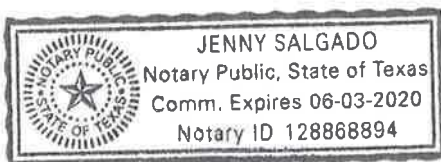
STATE OF TEXAS  
COUNTY OF FORT BEND

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 26<sup>th</sup> day of September, 2016.

Notary Public in and for the State of TEXAS

*Jenny Salgado*



*Attachment 1*  
*Environmental Restrictive Covenant*  
*Document 2016093037*  
*Fort Bend County, Texas*





**Railroad Commission of Texas  
Environmental Restrictive Covenant**

STATE OF TEXAS

§  
§  
§

COUNTY OF FORT BEND

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

Sugar Land Ranch Development LLC and Riverstone 250, Inc. are the current owners of the Property and premises, and appurtenances thereto, located in Fort Bend County, Texas, consisting of 41.6127 acres of land consisting of a 12.6870 acre tract of land (Tract 1) and a 28.9257 acre tract of land (Tract 2), which contains a 0.3574 acre utility easement, located in the William Little Survey, Abstract-54, Fort Bend County, Texas, said 12.6870 acre tract and said 28.9257 tract being a portion of a call 2497.4 acre tract recorded in Clerk's File Number 9819620 of the Official Records of Fort Bend County (O.R.F.B.C.), said 12.6870 acre tract and said 28.9257 and said 0.3574 acre tract being more particularly described by metes and bounds on Exhibit A and B, which is attached hereto and incorporated herein.

Soil and/or groundwater on the Property are affected by certain chemicals of concern (COCs). For the purposes of this restrictive covenant, all of the 41.6127 acre Property described on Exhibits A and B is considered **Affected Property**. The Affected Property is described in this document as Restriction Area A (Exhibit A), which consists of Tract 1 and Tract 2, and Restriction Area B (Exhibit B). *Restriction Area B is a 0.3574 acre portion contained within the 28.9257 acre tract, described as Restriction Area A – Tract 2.* The property, all considered Affected Property, can be described as follows (all bearings are referenced to the City of Missouri City G.P.S. Monumentation Program, Texas Coordinate System, South Central Zone – NAD 27, using City Survey Marker No. 7096 and 7076):

**RESTRICTION AREA A – 41.6127 ACRES (EXHIBIT A)**

***TRACT 1: 12.6870 ACRES***

Commencing at the most westerly corner of a call 608.1921 acre tract of land recorded in Clerk's File Numbers 2006092798 and 2006092799 of the O.R.F.B.C.;

Thence, crossing aforesaid 2497.4 acre tract, South 73 degrees 28 minutes 11 seconds West, a distance of 1075.81 feet to the **Point of Beginning** of the herein described tract, same being on the north line of a 50-foot wide Duke Energy Pipeline Easement recorded in Clerk's File Number 2007093433 of the O.R.F.B.C.;

1. Thence, with said north line, South 74 degrees 41 minutes 20 seconds West, a distance of 776.60 feet;

2. Thence, continuing with said north line, South 78 degrees 33 minutes 49 seconds West, a distance of 355.79 feet to the east line of a H.L.&P. Easement recorded in Volume 370, Page 379 of the Fort Bend County Deed Records;
3. Thence, with the east line of said H.L.&P. Easement, North 22 degrees 15 minutes 27 seconds East, a distance of 928.66 feet to the South Right-of-Way line of University Boulevard (record pending);

Thence, with said Right-of-Way line, the following four (4) courses:

4. 124.04 feet along the arc of a curve to the right, said curve having a central angle of 04 degrees 20 minutes 01 seconds, a radius of 1640.00 feet and a chord that bears South 69 degrees 21 minutes 54 seconds East, a distance of 124.01 feet;
5. South 67 degrees 11 minutes 54 seconds East, a distance of 205.00 feet;
6. 519.90 feet along the arc of a curve to the left, said curve having a central angle of 11 degrees 38 minutes 09 seconds, a radius of 2560.00 feet and a chord that bears South 73 degrees 00 minutes 59 seconds East, a distance of 519.01 feet;
7. South 10 degrees 09 minutes 30 seconds West, a distance of 314.03 feet to the **Point of Beginning** and containing 12.6870 acres of land.

***TRACT 2: 28.9257 ACRES***

**Commencing** at the most westerly corner of aforesaid 608.1921 acre tract;

Thence, crossing aforesaid 2497.4 acre tract, North 41 degrees 32 minutes 40 seconds West, a distance of 140.84 feet to the **Point of Beginning** of the herein described tract, same being on the west line of a 50-foot wide Exxon Pipeline Easement recorded in Clerk's File Number 1999092794 and 1999069980 of the O.R.F.B.C., same being on the north Right-of-Way line of aforesaid University Boulevard;

Thence, with said north Right-of-Way line, the following four (4) courses:

1. 1359.49 feet along the arc of a curve to the right, said curve having a central angle of 31 degrees 55 minutes 24 seconds, a radius of 2440.00 feet and a chord that bears North 83 degrees 09 minutes 36 seconds West, a distance of 1341.97 feet;
2. North 67 degrees 11 minutes 54 seconds West, a distance of 97.60 feet;
3. North 22 degrees 15 minutes 27 seconds East, a distance of 286.73 feet
4. North 67 degrees 44 minutes 33 seconds West, a distance of 232.49 feet to the east line of aforesaid H.L.&P. Easement;

5. Thence, with said east line, North 22 degrees 15 minutes 27 seconds East, a distance of 293.48 feet;
6. Thence, continuing with said east line, North 02 degrees 15 minutes 15 seconds East, a distance of 160.38 feet to the south line of a 30-foot wide El Paso Energy Pipeline Easement recorded in Volume 1729, Page 287 of the O.R.F.B.C.;
7. Thence, with said south line, South 87 degrees 44 minutes 45 seconds East, a distance of 100.00 feet to the southeast corner of a call 0.336 acre Meter Site recorded in Volume 1729, Page 287 of the O.R.F.B.C.;
8. Thence, with the east line of said 0.336 acre Meter Site, North 02 degrees 15 minutes 15 seconds East, a distance of 125.80 feet to the south line of a 20-foot wide Dow Pipeline Easement recorded in Volume 576, Page 528 of the F.B.C.D.R.;

Thence, with the south line of said 20-foot wide Dow Pipeline Easement, the following three (3) courses:

9. North 86 degrees 44 minutes 28 seconds East, a distance of 563.71 feet;
10. South 64 degrees 16 minutes 06 seconds East, a distance of 153.06 feet;
11. South 60 degrees 38 minutes 46 seconds East, a distance of 227.50 feet to the southwest intersection of said 20-foot wide Dow Pipeline Easement and aforesaid 50-foot wide Exxon Pipeline Easement;
12. Thence, with the west line of said 50-foot wide Exxon Pipeline Easement, South 24 degrees 01 minutes 34 seconds East, a distance of 726.29 feet;
13. Thence, continuing with said west line, South 20 degrees 45 minutes 01 seconds East, a distance of 315.92 feet to the **Point of Beginning** and containing 28.9257 acres of land.

**RESTRICTION AREA B – 0.3574 ACRES – (EXHIBIT B)**

Being 0.3574 acres of land located in William Little Survey, Abstract-54, Fort Bend County, Texas, said 0.3574 acre tract being a portion of a call 2497.4 acre tract recorded in Clerk's File Number 9819620 of the Official Records of Fort Bend County (O.R.F.B.C.), said 0.3574 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the City of Missouri City G.P.S. Monumentation Program, Texas Coordinate System, South Central Zone (NAD 27), using City Survey Marker No. 7096 and 7076):

**Commencing** at the most westerly corner of a call 608.1921 acre tract of land recorded in Clerk's File Numbers 2006092798 and 2006092799 of the O.R.F.B.C., same being on the south Right-of-Way (R.O.W.) line of University Boulevard as recorded in Plat Number 20120117 of the Fort Bend County Plat Records;

Thence, North 41 degrees 32 minutes 40 seconds West, a distance of 140.84 feet to the **Point of Beginning** of the herein described tract, same being on the west line of a 50-foot wide Exxon Pipeline Easement recorded in Clerk's File Number 1999092794 and 1999069980 of the O.R.F.B.C., and on the north R.O.W. line of said University Boulevard;

1. Thence, with said north R.O.W. line, 43.00 feet along the arc of a curve to the right, said curve having a central angle of 01 degrees 00 minutes 32 seconds, a radius of 2,440.00 feet and a chord that bears South 81 degrees 22 minutes 58 seconds West, a distance of 43.00 feet;

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

2. North 20 degrees 45 minutes 01 seconds West, a distance of 306.00 feet;
3. North 24 degrees 01 minutes 34 seconds West, a distance of 60.00 feet;
4. North 69 degrees 14 minutes 59 seconds East, a distance of 42.00 feet to the west line of said 50-foot wide Exxon Pipeline Easement;
5. Thence, with said west line, South 24 degrees 01 minutes 34 seconds East, a distance of 59.00 feet;
6. Thence, continuing with said west line, South 20 degrees 45 minutes 01 seconds East, a distance of 316.00 feet to the **Point of Beginning** and containing 0.3574 acres of land.

**This Restrictive Covenant is required for the following reasons:**

The Affected Property was part of an oil and gas exploration and production lease in the Sugar Land Oil Field from the late 1920s to the early 2000s. Chemicals of concern (COCs) attributable to the historical oil and gas operations at and in the vicinity of the Affected Property are present in soil and groundwater. An environmental investigation and response action were required, in accordance with Commission regulations. Sugar Land Ranch Development LLC performed the response action to characterize and remediate the COCs. The remediation was performed in such a manner that at the time of filing this Restrictive Covenant, the following maximum levels of COCs remain in the soil beneath the **Affected Property**:

Sample ID	Restriction Area	Chemical of Concern	Maximum Concentration (mg/Kg)
CS-4	A	Total Petroleum Hydrocarbons (TPH)	5,056
B-2	B	TPH	13,897

The following maximum levels of COCs remain in the groundwater beneath the **Affected Property** at the time of the filing of this restrictive covenant:

Sample ID	Restriction Area	Chemical of Concern	Maximum Concentration (mg/L)
MW-8	A	Chlorides	832

Additional information regarding the samples listed in the tables above can be found in Site Investigation Report, Sugar Land Ranch – Section 9, dated May 2015.

The investigation, assessment, remediation and analytical data are contained in the following reports, copies of which are located at the offices of Sugar Land Ranch Development LLC, 4855 Riverstone Blvd, Suite 100, Missouri City, TX 77459:

- (i) Phase I Environmental Site Assessment Report, Sugar Land Ranch – Section 9, Sugar Land, TX, dated June 2012;
- (ii) Site Investigation Report, Sugar Land Ranch – Section 9, dated May 2015;
- (iii) Remedial Action Plan, Sugar Land Ranch – Section 9, dated May 2015;
- (iv) Remedial Action Completion Report, Sugar Land Ranch – Section 9, dated, May 2015

Copies of these reports are also available at the Commission’s Austin Office, located at 1701 N. Congress Avenue, Austin, Texas filed under VCP 03-12006.

The response action has been approved by the Commission based on the presumption that the groundwater beneath the **Affected Property** will not be used for any purpose, except monitoring. Upon the filing of this document, the Commission does not require any further remediation of the Affected Property as long as groundwater beneath the Affected Property is not used for any purpose, except monitoring. The Commission has determined that, subject to the restriction imposed on the use of groundwater, the Affected Property currently meets acceptable recognized standards for residential land use.

The response action has been approved by the Commission based on the presumption that the utility easement contained within the Affected Property, referred to as **Restriction Area B** and described on Exhibit B, will be used exclusively for Commercial/Industrial purposes, will not be put to residential use, and no buildings will be constructed over this area.

For purposes of this Restrictive Covenant, the term “residential use” means use for dwellings such as single family houses and multi-family apartments, children’s homes, nursing homes, residential portions of government-owned lands (local, state or federal), day care facilities, educational facilities, hospitals, residential portions of ranch and farm land, and parks (local, state or federal).

This Restrictive Covenant is necessary to assure that all present and future owners of the Affected Property are aware of its condition and do not use the Affected Property in any manner inconsistent with these restrictions. If any person desires to use the Affected Property in the future in any manner inconsistent with the restrictions described in this covenant, the Commission must be notified at least 60 days in advance of such use. Additional response action contemplating a change in land use or in the size of the assumed exposure area may be

necessary. The additional response action must be approved by the Commission and completed prior to the commencement of the new use of the Affected Property.

In consideration of the response actions leading to the final approved remediation of the Affected Property, the owners of the Property have agreed to place the following restrictions on the Affected Property in favor of the Commission and the State of Texas. Now therefore, in consideration of these premises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following restrictive covenants in favor of the Commission and the State of Texas are placed on the Property described in Exhibit A and B:

1. Use of the groundwater beneath the Affected Property shall not be allowed except for monitoring purposes.
2. Penetration or excavation of the impacted soil and/or groundwater zones for any purpose shall only be conducted in such a manner as to prevent the migration or release of contamination to any other zone or media, and to prevent uncontrolled exposure to human and ecological receptors.
3. Use of the Affected Property in Restriction Area B shall not be allowed for residential purposes as defined by this Covenant.
4. No buildings shall be placed on top of right-of-way or easement in Restriction Area B.
5. These restrictions shall be a covenant running with the land.

For additional information, contact:

Railroad Commission of Texas  
Oil and Gas Division  
Site Remediation Section  
P.O. Box 12967  
1701 N. Congress  
Austin, Texas 78711-2967

Railroad Commission of Texas Voluntary Cleanup Program No. 03-12006

As of the date of this Restrictive Covenant, the record owners of fee title to the Property are Sugar Land Ranch Development LLC and Riverstone 250, Inc. with an address of 4855 Riverstone Blvd, Suite 100, Missouri City, TX 77459.

This Restrictive Covenant may be rendered of no further force or effect 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 16<sup>th</sup> day of AUGUST 2016.

**Sugar Land Ranch Development LLC,  
a Texas limited liability company**

Signature: *F.W. Reichert III*

Printed Name: F.W. Reichert, III

Title: Vice President

**Riverstone 250, Inc.,  
a Texas Corporation**

Signature: *F.W. Reichert III*

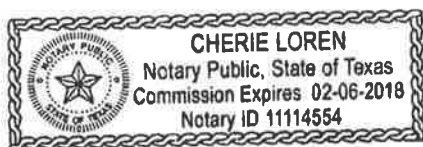
Printed Name: F.W. Reichert, III

Title: Vice President

STATE OF TEXAS  
(FORT BEND) COUNTY

BEFORE ME, on this the 16<sup>th</sup> day of AUGUST, personally appeared F. W. Reichert, III, Vice President of Sugar Land Ranch Development, LLC and Riverstone 250, Inc., 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, this the 16<sup>th</sup> day of AUGUST, 2016.



*[Signature]*  
Notary Public in and for the State of Texas,  
County of FORT BEND  
My Commission Expires: 2/06/2018

Accepted as Third Party Beneficiary this 23<sup>rd</sup> day of August, 2016.

Railroad Commission of Texas

By: *[Signature]*

Name: Adam Goodlett

Title: Attorney

STATE OF TEXAS  
(Travis) COUNTY

BEFORE ME, on this the 23<sup>rd</sup> day of August, personally appeared Adam Goodlett, 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, this the 23<sup>rd</sup> day of August, 2016.

*[Signature]*

Notary Public in and for the State of Texas,

County of Travis

My Commission Expires: October 2, 2017

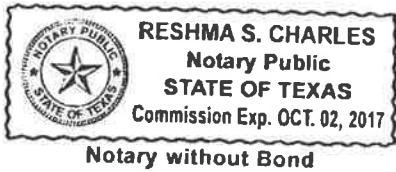




EXHIBIT A



## Exhibit \_\_ Page \_1\_ of \_4\_ Pages

County: Fort Bend  
 Project: Riverstone – VCP Section 9  
 C.I. No.: 1163-12  
 Job Number: 1998-030-057

**FIELD NOTES FOR 41.6127 ACRES**

Being 41.6127 acres of land consisting of a 12.6870 acre tract of land (Tract 1) and a 28.9257 acre tract of land (Tract 2) located in the William Little Survey, Abstract-54, Fort Bend County, Texas, said 12.6870 acre tract and said 28.9257 acre tract being a portion of a call 2497.4 acre tract recorded in Clerk's File Number 9819620 of the Official Records of Fort Bend County (O.R.F.B.C), said 12.6870 acre tract and said 28.9257 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the City of Missouri City G.P.S. Monumentation Program, Texas Coordinate System, South Central Zone (NAD 27), using City Survey Marker No. 7096 and 7076):

**TRACT 1: 12.6870 ACRES**

**Commencing** at the most westerly corner of a call 608.1921 acre tract of land recorded in Clerk's File Numbers 2006092798 and 2006092799 of the O.R.F.B.C.;

Thence, crossing aforesaid 2497.4 acre tract, South 73 degrees 28 minutes 11 seconds West, a distance of 1075.81 feet to the **Point of Beginning** of the herein described tract, same being on the north line of a 50-foot wide Duke Energy Pipeline Easement recorded in Clerk's File Number 2007093433 of the O.R.F.B.C.;

1. Thence, with said north line, South 74 degrees 41 minutes 20 seconds West, a distance of 776.60 feet;
2. Thence, continuing with said north line, South 78 degrees 33 minutes 49 seconds West, a distance of 355.79 feet to the east line of a H.L.&P. Easement recorded in Volume 370, Page 379 of the Fort Bend County Deed Records;
3. Thence, with the east line of said H.L.&P. Easement, North 22 degrees 15 minutes 27 seconds East, a distance of 928.66 feet to the south Right-of-Way line of University Boulevard (record pending);

Thence, with said south Right-of-Way line, the following four (4) courses:

4. 124.04 feet along the arc of a curve to the right, said curve having a central angle of 04 degrees 20 minutes 01 seconds, a radius of 1640.00 feet and a chord that bears South 69 degrees 21 minutes 54 seconds East, a distance of 124.01 feet;

## Exhibit \_\_ Page \_2\_ of \_4\_ Pages

5. South 67 degrees 11 minutes 54 seconds East, a distance of 205.00 feet;
6. 519.90 feet along the arc of a curve to the left, said curve having a central angle of 11 degrees 38 minutes 09 seconds, a radius of 2560.00 feet and a chord that bears South 73 degrees 00 minutes 59 seconds East, a distance of 519.01 feet;
7. South 10 degrees 09 minutes 30 seconds West, a distance of 314.03 feet to the **Point of Beginning** and containing 12.6870 acres of land.

**TRACT 2: 28.9257 ACRES**

**Commencing** at the most westerly corner of aforesaid 608.1921 acre tract;

Thence, crossing aforesaid 2497.4 acre tract, North 41 degrees 32 minutes 40 seconds West, a distance of 140.84 feet to the **Point of Beginning** of the herein described tract, same being on the west line of a 50-foot wide Exxon Pipeline Easement recorded in Clerk's File Number 1999092794 and 1999069980 of the O.R.F.B.C, same being on the north Right-of-Way line of aforesaid University Boulevard;

Thence, with said north Right-of-Way line, the following four (4) courses:

1. 1359.49 feet along the arc of a curve to the right, said curve having a central angle of 31 degrees 55 minutes 24 seconds, a radius of 2440.00 feet and a chord that bears North 83 degrees 09 minutes 36 seconds West, a distance of 1341.97 feet;
2. North 67 degrees 11 minutes 54 seconds West, a distance of 97.60 feet;
3. North 22 degrees 15 minutes 27 seconds East, a distance of 286.73 feet;
4. North 67 degrees 44 minutes 33 seconds West, a distance of 232.49 feet to the east line of aforesaid H.L&P Easement;
5. Thence, with said east line, North 22 degrees 15 minutes 27 seconds East, a distance of 293.48 feet;
6. Thence, continuing with said east line, North 02 degrees 15 minutes 15 seconds East, a distance of 160.38 feet to the south line of a 30-foot wide El Paso Energy Pipeline Easement recorded in Volume 1729, Page 287 of the O.R.F.B.C.;

Exhibit    Page   3   of   4   Pages

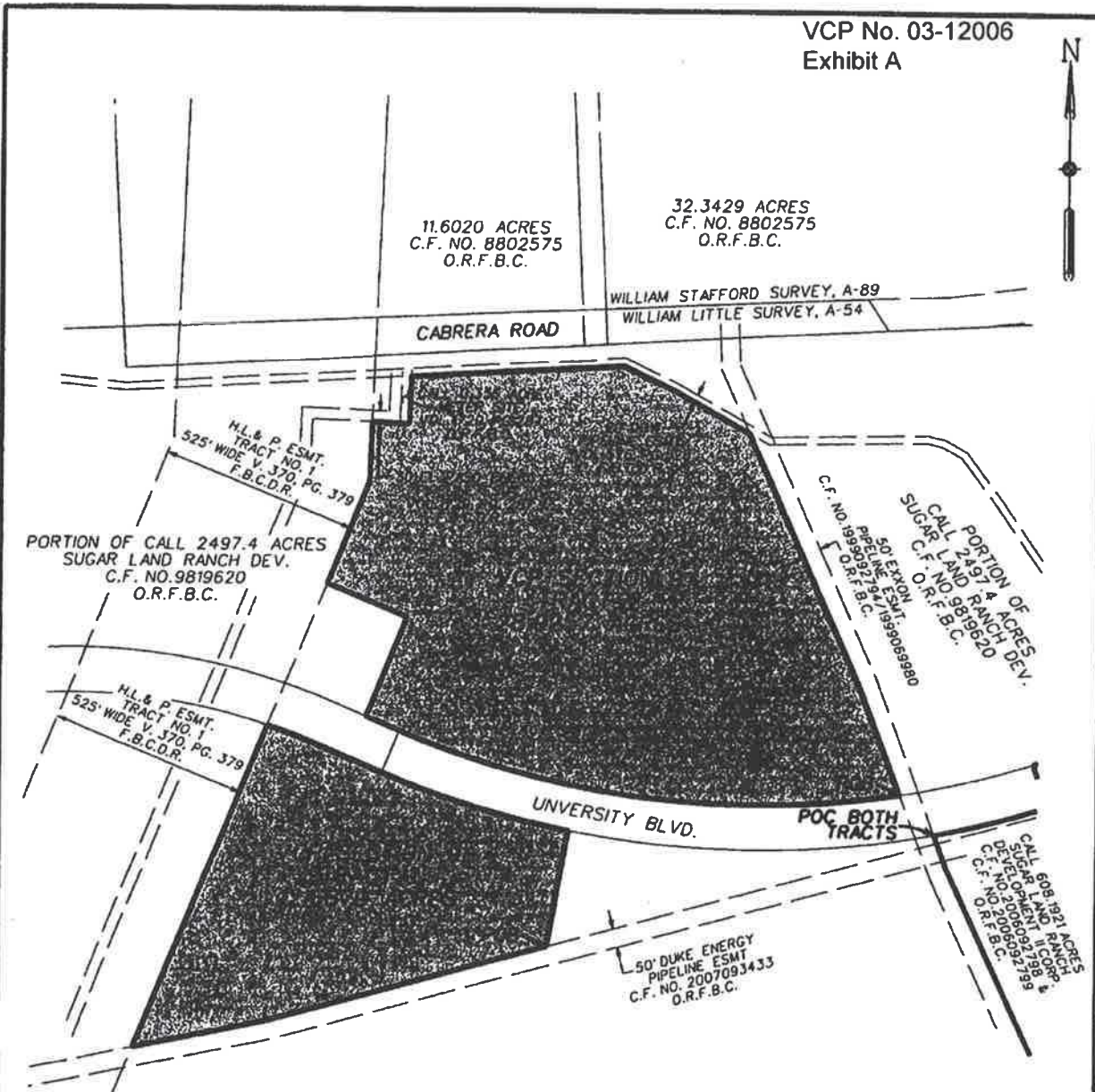
7. Thence, with said south line, South 87 degrees 44 minutes 45 seconds East, a distance of 100.00 feet to the southeast corner of a call 0.336 acre Meter Site recorded in Volume 1729, Page 287 of the O.R.F.B.C.;
8. Thence, with the east line of said 0.336 acre Meter Site, North 02 degrees 15 minutes 15 seconds East, a distance of 125.80 feet to the south line of a 20-foot wide Dow Pipeline Easement recorded in Volume 576, Page 528 of the F.B.C.D.R.;

Thence, with the south line of said 20-foot wide Dow Pipeline Easement, the following three (3) courses:

9. North 86 degrees 44 minutes 28 seconds East, a distance of 563.71 feet;
10. South 64 degrees 16 minutes 06 seconds East, a distance of 153.06 feet;
11. South 60 degrees 38 minutes 46 seconds East, a distance of 227.50 feet to the southwest intersection of said 20-foot wide Dow Pipeline Easement and aforesaid 50-foot wide Exxon Pipeline Easement;
12. Thence, with the west line of said 50-foot wide Exxon Pipeline Easement, South 24 degrees 01 minutes 34 seconds East, a distance of 726.29 feet;
13. Thence, continuing with said west line, South 20 degrees 45 minutes 01 seconds East, a distance of 315.92 feet to the **Point of Beginning** and containing 28.9257 acres of land.



VCP No. 03-12006  
Exhibit A



11.6020 ACRES  
C.F. NO. 8802575  
O.R.F.B.C.

32.3429 ACRES  
C.F. NO. 8802575  
O.R.F.B.C.

WILLIAM STAFFORD SURVEY, A-89  
WILLIAM LITTLE SURVEY, A-54

CABRERA ROAD

H.L. & P. ESMT.  
TRACT NO. 1  
525' WIDE V. 370, PG. 379  
F.B.C.D.R.  
PORTION OF CALL 2497.4 ACRES  
SUGAR LAND RANCH DEV.  
C.F. NO. 9819620  
O.R.F.B.C.

PORTION OF DEV.  
CALL 2497.4 ACRES  
SUGAR LAND RANCH DEV.  
C.F. NO. 9819620  
O.R.F.B.C.  
50' EXON  
PIPELINE ESMT  
C.F. NO. 19989278 / 1998929880  
O.R.F.B.C.

H.L. & P. ESMT.  
TRACT NO. 1  
525' WIDE V. 370, PG. 379  
F.B.C.D.R.

UNIVERSITY BLVD.

POC BOTH TRACTS

50' DUKE ENERGY  
PIPELINE ESMT  
C.F. NO. 2007093433  
O.R.F.B.C.

CALL 6081812 ACRES  
SUGAR LAND RANCH  
C.F. NO. 20060927199  
DEV. O.R.F.B.C.  
C.F. NO. 20060927199  
O.R.F.B.C.

PORTION OF CALL 2497.4 ACRES  
SUGAR LAND RANCH DEV.  
C.F. NO. 9819620  
O.R.F.B.C.

**Ci**  
Costello, Inc.

Engineering and Surveying  
9600 Richmond Avenue, Suite 450  
North Building  
Houston, Texas 77042  
(713) 783-7788 (713) 783-3580, Fax

VCP  
SECTION 9

DRAWN BY: TL    DATE: 04-04-12    SCALE: 1"=400'  
CHECKED BY: MA    JOB NO: 1998030-57    116312.DGN

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

SHEET 4 OF 4

EXHIBIT B

Exhibit \_\_ Page 1 of 3 Pages

County: Fort Bend  
 Project: Riverstone – VCP Section 9  
 C.I. No.: 1027-16  
 Job Number: 1998-030-057

**FIELD NOTES FOR 0.3574 ACRES**

Being 0.3574 acres of land located in the William Little Survey, Abstract-54, Fort Bend County, Texas, said 0.3574 acre tract being a portion of a call 2497.4 acre tract recorded in Clerk's File Number 9819620 of the Official Records of Fort Bend County (O.R.F.B.C), said 0.3574 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the City of Missouri City G.P.S. Monumentation Program, Texas Coordinate System, South Central Zone (NAD 27), using City Survey Marker No. 7096 and 7076):

**Commencing** at the most westerly corner of a call 608.1921 acre tract of land recorded in Clerk's File Numbers 2006092798 and 2006092799 of the O.R.F.B.C., same being on the south Right-of-Way (R.O.W.) line of University Boulevard as recorded in Plat Number 20120117 of the Fort Bend County Plat Records;

Thence, North 41 degrees 32 minutes 40 seconds West, a distance of 140.84 feet to the **Point of Beginning** of the herein described tract, same being on the west line of a 50-foot wide Exxon Pipeline Easement recorded in Clerk's File Number 1999092794 and 1999069980 of the O.R.F.B.C, and on the north R.O.W. line of said University Boulevard;

1. Thence, with said north R.O.W. line, 43.00 feet along the arc of a curve to the right, said curve having a central angle of 01 degrees 00 minutes 32 seconds, a radius of 2,440.00 feet and a chord that bears South 81 degrees 22 minutes 58 seconds West, a distance of 43.00 feet;

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

2. North 20 degrees 45 minutes 01 seconds West, a distance of 306.00 feet;
3. North 24 degrees 01 minutes 34 seconds West, a distance of 60.00 feet;
4. North 69 degrees 14 minutes 59 seconds East, a distance of 42.00 feet to the west line of said 50-foot wide Exxon Pipeline Easement;
5. Thence, with said west line, South 24 degrees 01 minutes 34 seconds East, a distance of 59.00 feet;

Exhibit\_\_ Page \_2\_ of \_3\_ Pages

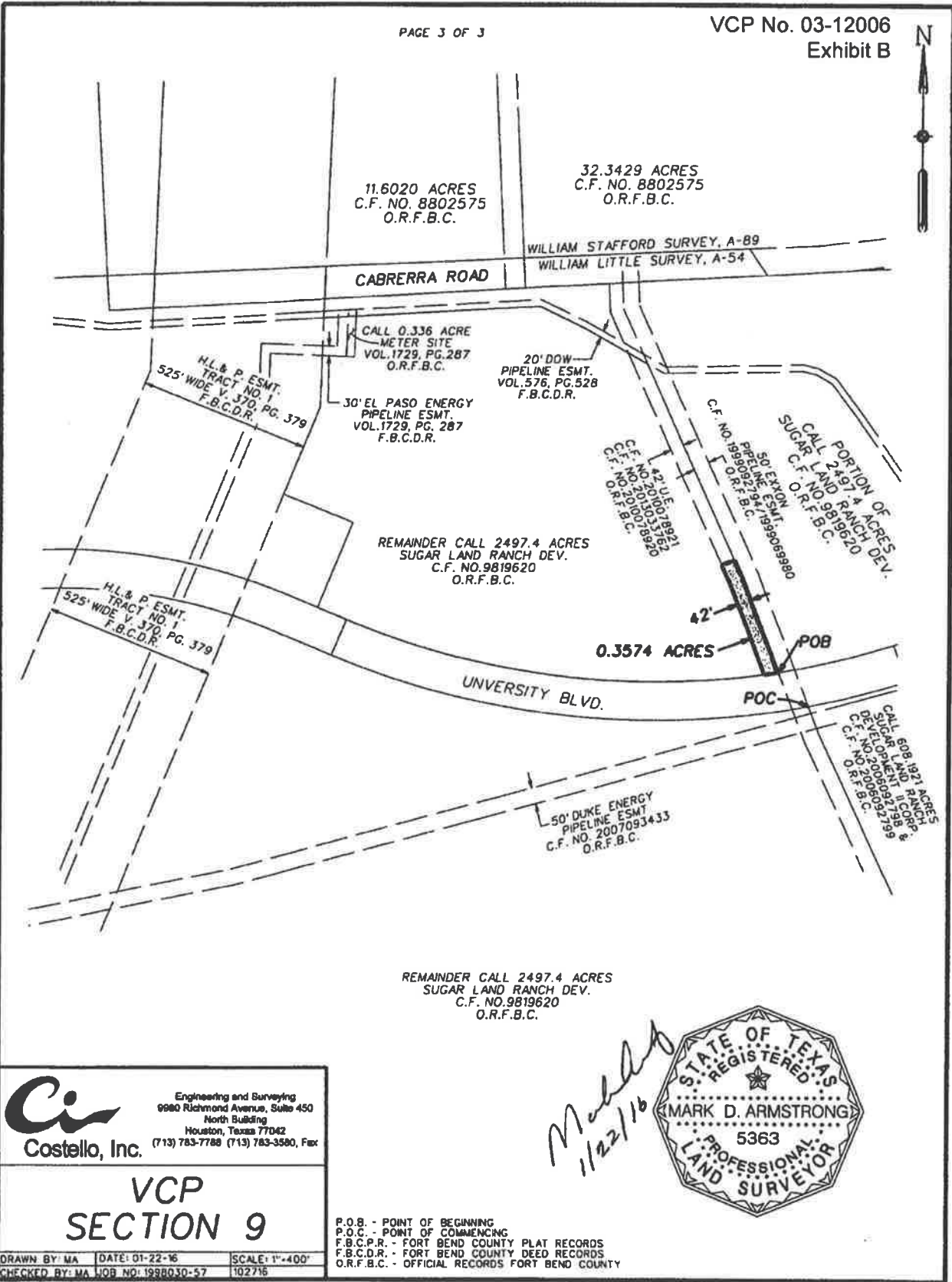
6. Thence, continuing with said west line, South 20 degrees 45 minutes 01 seconds East, a distance of 316.00 feet to the **Point of Beginning** and containing 0.3574 acres of land.

*Mark*  
*01/22/16*



STATE OF TEXAS  
REGISTERED  
MARK D. ARMSTRONG  
5363  
PROFESSIONAL  
LAND SURVEYOR





**Ci**  
Costello, Inc.

Engineering and Surveying  
9980 Richmond Avenue, Suite 450  
North Building  
Houston, Texas 77042  
(713) 783-7788 (713) 783-3580, Fax

VCP  
SECTION 9

DRAWN BY: MA    DATE: 01-22-16    SCALE: 1"=400'  
CHECKED BY: MA    JOB NO: 1988030-57    102716

*Mullins*  
1/22/16



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