Texas Department of Housing and Community Affairs,  
a public and official department of the State of Texas  
221 East 11th Street  
Austin, Texas 78701

Re: Phase Engineering, Inc. Phase I Environmental Site Assessment (ESA) Report No. 201802011  
Approximately 13.812 Acres Located along Highway 80, Marshall, Harrison County, Texas 75672

To Whom It May Concern,

This letter is to certify that the Phase I Environmental Site Assessment (the “Report”) relating to the above 
referenced property completed by Phase Engineering, Inc. (the “Consultant”) may be conveyed to and 
relied upon by Texas Department of Housing and Community Affairs as if the Report had originally been 
prepared for them.  
The report fee is Phase Engineering, Inc.’s sole benefit and findings are not contingent on compensation 
from the client or its affiliates. Phase Engineering has read and understands the department rules 
regarding this report as found in 2018 Real Estate Analysis rules as codified in Chapter 10, Subchapter 
D, §§10.301 - 10.307 Underwriting and Loan Policy of the Uniform Multifamily Rules, “Section 10.305: 
Environmental Site Assessment Rules and Guidelines.”

In addition to the conclusions and findings reported in the document, the report indicates any of the below 
undesirable neighborhood characteristics are within the ASTM search radius from the subject property, in 
accordance with the Site and Development Requirements and Restrictions listed in Subchapter B, 
§10.101 (a)(4)(B)(v) of the Uniform Multifamily Rules.

<table>
<thead>
<tr>
<th>Database</th>
<th>ASTM Search Radius</th>
<th>Sites Found</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal National Priorities List (NPL)</td>
<td>1 mile</td>
<td>None</td>
</tr>
<tr>
<td>Federal CERCLA</td>
<td>0.50 mile</td>
<td>None</td>
</tr>
<tr>
<td>Federal Institutional Control / Engineering Control Registries</td>
<td>Subject Property</td>
<td>None</td>
</tr>
<tr>
<td>RCRA CORRACTS Facilities</td>
<td>1 mile</td>
<td>None</td>
</tr>
<tr>
<td>RCRA Generators of Hazardous Wastes</td>
<td>0.125 mile</td>
<td>None</td>
</tr>
<tr>
<td>State Voluntary Cleanup Program (VCP)</td>
<td>0.50 mile</td>
<td>None</td>
</tr>
</tbody>
</table>

Thank you for using the professional environmental services of Phase Engineering, Inc. If you should 
have any questions, please contact me at 713-476-9844.

Sincerely,

James C. Dismukes, P.E.  
President  
Phase Engineering, Inc.

5524 Cornish Street, Houston, Texas 77007  Office: (713) 476-9844  Fax: (713) 476-9797
Phase I Environmental Site Assessment

Approximately 13.812 Acres Located along Highway 80, Marshall, Harrison County, Texas 75672

February 26, 2018
PEI Project No.: 201802011

Prepared for:
SilverLeaf at Marshall, LP
and
Texas Department of Housing and Community Affairs (TDHCA)

Prepared by:
Phase Engineering, Inc.
5524 Cornish Street
Houston, Texas 77007
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1.0 Executive Summary

1.1 Site Summary

<table>
<thead>
<tr>
<th>Site Element</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject Property Address</td>
<td>Approximately 13.812 Acres Located along Highway 80, Marshall, Harrison County, Texas 75672</td>
</tr>
<tr>
<td>Current Use of Subject Property</td>
<td>Undeveloped land</td>
</tr>
<tr>
<td>Legal Description</td>
<td>Bethany Rogers Survey, Abstract 20 (per client provided legal description)</td>
</tr>
<tr>
<td>Current Owner</td>
<td>Jack M Sanders, Jr.</td>
</tr>
</tbody>
</table>
| Current Uses of Adjoining Properties: | North: Undeveloped Land  
East: Undeveloped Land  
South: Highway 80 and single family residential property  
West: Undeveloped Land and a pipeline easement |
| Site Reconnaissance Date           | February 13, 2018                                                         |

Buildings / Structures

Summary of Structures

None

Physical Setting

| Topography                        | Elevation: Approximately 320 feet above mean sea level (msl)  
General Area Topographic Downgradient: To the Southwest |
| Groundwater Flow Direction        | To the Assumed to be consistent with topographic gradient (See Section 5.3 for more information) |
| Depth to Groundwater              | Approximately 15-30 feet below ground surface (bgs) |
| Sub-Surface Geology               | (Eocene) Wilcox Group (Ewi) |
| Underlying Aquifer(s)             | Carrizo-Wilcox Aquifer |
| Near Surface Soils                | Scottsville-Latex-Eastwood complex, 0 to 2 percent slopes (ScxBn) |

Historical Use Subject Property

<table>
<thead>
<tr>
<th>YEAR</th>
<th>PROPERTY USE</th>
<th>RESOURCE(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mid-1940s - 1957</td>
<td>Undeveloped land</td>
<td>1949 aerial photograph; historical street directories and interviews</td>
</tr>
</tbody>
</table>
| 1957 - Late-1970s | Residential property | 1957-1975 aerial photographs;  
1962 - 1978 topographic maps;  
street directories and interviews |
| Late-1970s - 2018 | Undeveloped land       | 1985-2016 aerial photographs,  
2013 topographic map, historical street directories, interviews, and site visit |

Historical Use Adjoining Properties

<table>
<thead>
<tr>
<th>Direction</th>
<th>Historical Use Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Adjoining Property</td>
<td>Undeveloped land</td>
</tr>
<tr>
<td>East Adjoining Property</td>
<td>Undeveloped land</td>
</tr>
<tr>
<td>South Adjoining Property</td>
<td>Residential property and undeveloped land</td>
</tr>
</tbody>
</table>
### Historical Use Adjoining Properties

<table>
<thead>
<tr>
<th>Direction</th>
<th>Historical Use Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>West Adjoining Property</td>
<td>Undeveloped land</td>
</tr>
</tbody>
</table>

### 1.2 Project Summaries

#### ASTM Standard Considerations

<table>
<thead>
<tr>
<th>Report Section</th>
<th>No Further Action</th>
<th>REC</th>
<th>CREC</th>
<th>HREC</th>
<th>Other Environmental Considerations</th>
<th>Suggested Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0 Current Use of Subject Property</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.0 Current Use of Adjoining Properties</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.0 User Provided Information</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.1 Standard Environmental Record Sources</td>
<td>✔</td>
<td></td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>5.4.1 Historical Information on Subject Property</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.4.3 Historical Information on Adjoining Properties</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.0 Site Reconnaissance</td>
<td>✔</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>7.0 Interviews</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Non-ASTM Scope Considerations

<table>
<thead>
<tr>
<th>Report Section</th>
<th>No Further Action Necessary</th>
<th>Further Action Necessary</th>
<th>Suggested Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>15.1 Asbestos-Containing Building Materials</td>
<td>✔</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15.2 Cultural and Historical Resources</td>
<td>✔</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15.3 Endangered Species</td>
<td>✔</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15.4 Lead-Based Paint</td>
<td>✔</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15.5 Lead in Drinking Water</td>
<td>✔</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15.6 Radon</td>
<td>✔</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15.7 Wetlands</td>
<td>✔</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15.8 Vapor Encroachment Screening</td>
<td>✔</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15.9 Noise Study</td>
<td>✔</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Report Section</td>
<td>No Further Action Necessary</td>
<td>Further Action Necessary</td>
<td>Suggested Action</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>-----------------------------</td>
<td>--------------------------</td>
<td>------------------</td>
</tr>
<tr>
<td>15.10 Explosive and Flammable Hazards</td>
<td>![checkmark]</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
2.0 Introduction

2.1 Purpose of Assignment

The purpose of this assignment is to prepare a Phase I Environmental Site Assessment Report of Approximately 13.812 Acres Located along Highway 80, Marshall, Harrison County, Texas 75672 and more fully described in this report; to conduct All Appropriate Inquiry as defined in EPA 40 CFR Part 312, to permit the user to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser limitations on liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended in 2002; and to identify, to the extent feasible pursuant to the processes prescribed in ASTM Standard E 1527-13 recognized environmental conditions in connection with the subject property. All migration pathways and environmental media (i.e. soil, groundwater, vapor) are considered in the determination of recognized environmental conditions.

2.2 Scope of Work

The Phase I Environmental Site Assessment was prepared in accordance with the ASTM Standard Practice E 1527-13 for Environmental Site Assessments and the EPA Rule on All Appropriate Inquiries and within any additional limitations and deviations noted in the report. The general scope of work includes:

- Interviews with past and present owners, operators and occupants;
- Interviews with local government officials;
- Review of historical sources of information;
- Review of federal, state, tribal and local government records;
- Visual inspections of the property and adjoining properties;
- Preparation of report.

The Phase I Environmental Site Assessment does not include:

- Soil, groundwater, or building material sampling;
- Chain of title or environmental lien search;
- Any non-scope considerations, unless specifically contracted for, as listed in the ASTM Standard E 1527-13 Sections 13.1.5.1 through 13.1.5.14 (see Section 15 of this report).

2.3 Significant Assumptions

Phase Engineering, Inc. assumes there are no hidden or unapparent environmental conditions of the property, subsoil, groundwater, structures or surroundings which would have an adverse effect on the property. Phase Engineering, Inc. assumes no responsibility for such conditions or for engineering or inspections which might be required to discover such conditions.

Record and interview information furnished to Phase Engineering, Inc., and contained in the report, were obtained from sources assumed to be reliable and believed to be true and correct. However, Phase Engineering, Inc. assumes no responsibility for any inaccuracies in such items which may be revealed as a result of subsequent action, either by Phase Engineering, Inc. or others. Accuracy or completeness of record information varies among information sources, including governmental sources. Record information is often inaccurate or incomplete. Numerous sites are considered unmapped because the federal or state databases do not adequately define the address and/or location to properly plot the site using standard geo-coding processes. Unmapped sites are generally reviewed using a zip code and street name search.
Phase Engineering, Inc. is not obligated to identify mistakes or insufficiencies in information provided. Phase Engineering, Inc. will make a reasonable effort to compensate for mistakes or insufficiencies in the information reviewed that are obvious in light of other information of which Phase Engineering, Inc. has actual knowledge at the time of preparation of the report.

Groundwater flow is assumed to be in the direction of surface topography unless otherwise noted in the report.

2.4 Limitations and Exceptions of Assessment

This report is prepared in general accordance to the ASTM Standard Practice for Environmental Site Assessments in accordance with Standard E 1527-13. No non-scope items as noted in the ASTM Standards of Practice taken into consideration, except as noted.

The findings and conclusions of this report are based on Phase Engineering, Inc. professional opinions of the environmental conditions identified using the methodology described in ASTM Standard E 1527-13. If greater certainty is desired by the user of the report, further investigation beyond the scope of the ASTM Standard E 1527-13 may be necessary.

Phase Engineering, Inc. has estimated neither the cost of the impact on the property nor the costs necessary to eliminate the recognized environmental conditions.

The report was limited to information concerning the observed physical characteristics of the site and adjoining properties, interviews, and standard environmental record sources.

No environmental site assessment can wholly eliminate uncertainty regarding the potential for recognized environmental conditions in connection with a property. Performance of the ASTM Standard is intended to reduce, but not eliminate, uncertainty regarding the potential for recognized environmental conditions in connection with a property, and the practice recognizes reasonable limits of time and cost. The time and cost constraints as agreed to by the user or his representative may deem certain information common to the Phase I Site Assessment process to not be reasonably ascertainable or practically reviewable.

Appropriate inquiry does not mean an exhaustive assessment of a property. There is a point at which the cost of information obtained or the time required to gather it outweighs the usefulness of the information and, in fact, may be a material detriment to the orderly completion of the transaction.

Any sketches, maps, aerial photographs, or similar documents in the report may show approximate locations, property boundaries, or similar information and are included to assist the reader in visualizing the property. Phase Engineering, Inc. has made no survey of the site.

Phase Engineering, Inc. is not required to give testimony or appear in court or in other hearings or formal discussions regarding the subject property or this assessment unless prior arrangements are made.

Phase Engineering, Inc. assumes there are no hidden or unapparent environmental conditions of the site, subsoil, structures or surroundings which would represent a recognized environmental condition. Phase Engineering, Inc. assumes no responsibility for such conditions or for actions which might be required to discover such conditions.

Information obtained from various sources is considered reliable and believed to be true and correct. Phase Engineering, Inc. will make a reasonable effort to compensate for mistakes or insufficiencies in the information reviewed that are obvious in light of other information of which Phase Engineering, Inc. has
actual knowledge. Phase Engineering, Inc. assumes no responsibility for any inaccuracies in such items which may be revealed as a result of subsequent action, either by Phase Engineering, Inc. or others.

This report is prepared for the sole benefit of the user of the report and may not be relied upon by any other person or entity without the written authorization of and payment of a fee to Phase Engineering, Inc.

The report is valid for a period of 180 days from the date issued. Validity for AAI liability protections may be less. The report may not be used or updated by a third party without written authorization of and payment of a fee to Phase Engineering, Inc.

Phase Engineering, Inc. provides no legal opinion or advice. Consult a qualified attorney for any items of a legal nature.

2.5 Special Terms and Conditions

No special terms or conditions were applicable to this report.

2.6 User Reliance

This report is prepared for the sole benefit of the user of the report as identified in Section 4.0 of this report and may not be relied upon by any other person or entity without the written authorization of Phase Engineering, Inc. Each subsequent user must satisfy the User’s Responsibilities set forth in Section 6 of the ASTM Standard E 1527-13 to qualify for the landowner liability protections under CERCLA.
3.0 Site Description

<table>
<thead>
<tr>
<th>Subject Property Location and Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Detail</strong></td>
</tr>
<tr>
<td>Subject Property Address</td>
</tr>
<tr>
<td>General Location</td>
</tr>
<tr>
<td>Legal Description</td>
</tr>
<tr>
<td>Current Use of the Property</td>
</tr>
<tr>
<td>Current Owner(s)</td>
</tr>
</tbody>
</table>

3.1 Current Uses of Adjoining Properties

| To the North | Undeveloped Land |
| To the East | Undeveloped Land |
| To the South | Highway 80 and single family residential property |
| To the West | Undeveloped Land and a pipeline easement |

3.2 General Description of Onsite Buildings, Improvements and Roadways

<table>
<thead>
<tr>
<th>Summary of Onsite Buildings / Structures</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Feature</strong></td>
</tr>
<tr>
<td>Structure Name / Identification</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Other Improvement and Roadway Details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Feature</strong></td>
</tr>
<tr>
<td>Access / Egress Description</td>
</tr>
<tr>
<td>Onsite Improved Roadways</td>
</tr>
<tr>
<td>Improved Surface Cover</td>
</tr>
<tr>
<td>Other Improvements</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Utilities and Other Details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Feature</strong></td>
</tr>
<tr>
<td>Source of Potable Water</td>
</tr>
<tr>
<td>Source of Sanitary Sewer</td>
</tr>
<tr>
<td>Heating / Cooling Fuel Source</td>
</tr>
<tr>
<td>Other Utilities</td>
</tr>
</tbody>
</table>
4.0 User Provided Information

4.1 User Responsibilities Information

User(s) of this report: SilverLeaf at Marshall, LP; Texas Department of Housing and Community Affairs (TDHCA)

In order to qualify for one of the Landowner Liability Protections (LLPs) offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 (the “Brownfields Amendments”) the user must conduct the following inquiries required by 40 CFR 312.25, 312.28, 312.29, 312.30 and 312.31. These inquiries must also be conducted by EPA Brownfield Assessment and Characterization grantees. The user should provide the following information (if available) to the environmental professional. Failure to conduct these inquiries (or where the user has not provided conclusive answers) could result in a determination that “all appropriate inquiries” is not complete.

If any user of this report desires Landowner Liability Protections (LLPs) offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001, the user should complete the “user responsibilities” included in Appendix IV.

The following information was provided by Ben Dempsey, purchaser:

<table>
<thead>
<tr>
<th>Question</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Environmental cleanup liens that are filed or recorded against the property (40 CFR 312.25).</strong></td>
<td></td>
</tr>
<tr>
<td>Did a search of recorded land title records (or judicial records where appropriate) identify any environmental liens filed or recorded against the property under federal, tribal, state or local law?</td>
<td>No</td>
</tr>
<tr>
<td><strong>2. Activity and land use (AUL’s) limitations that are in place on the site or that have been filed or recorded in a registry (40 CFR 312.26(a)(1)(v) and vi)).</strong></td>
<td></td>
</tr>
<tr>
<td>Did a search of recorded land title records (or judicial records where appropriate) identify any AULs, such as engineering controls, land use restrictions or institutional controls that are in place of the property and/or have been filed or recorded against the property under federal, tribal, state or local law?</td>
<td>No</td>
</tr>
<tr>
<td><strong>3. Specialized knowledge or experience of the person seeking to qualify for the LLP (40 CFR 312.28).</strong></td>
<td></td>
</tr>
<tr>
<td>Do you have any specialized knowledge or experience related to the property or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the property or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business?</td>
<td>No</td>
</tr>
<tr>
<td>Question</td>
<td>Response</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td>4. Relationship to the purchase price to the fair market value of the</td>
<td></td>
</tr>
<tr>
<td>property if it were not contaminated (40 CFR 312.29).</td>
<td></td>
</tr>
<tr>
<td>Does the purchase price being paid for this property reasonably reflect</td>
<td>Yes</td>
</tr>
<tr>
<td>the fair market value of the property?</td>
<td></td>
</tr>
<tr>
<td>If you conclude that there is a difference, have you considered whether</td>
<td>Received with no comment</td>
</tr>
<tr>
<td>the lower purchase price is because contamination is known or believed</td>
<td></td>
</tr>
<tr>
<td>to be present at the property?</td>
<td></td>
</tr>
<tr>
<td>5. Commonly known or reasonably ascertainable information about the</td>
<td></td>
</tr>
<tr>
<td>property (40 CFR 312.30).</td>
<td></td>
</tr>
<tr>
<td>Are you aware of commonly known or reasonably ascertainable information</td>
<td></td>
</tr>
<tr>
<td>about the property that would help Phase Engineering, Inc. to identify</td>
<td></td>
</tr>
<tr>
<td>conditions indicative of releases or threatened releases? For example,</td>
<td></td>
</tr>
<tr>
<td>as user,</td>
<td></td>
</tr>
<tr>
<td>(a.) Do you know the past uses of the property?</td>
<td>No</td>
</tr>
<tr>
<td>(b.) Do you know of specific chemicals that are present or once were</td>
<td>No</td>
</tr>
<tr>
<td>present at the property?</td>
<td></td>
</tr>
<tr>
<td>(c.) Do you know of spills or other chemical releases that have taken</td>
<td>No</td>
</tr>
<tr>
<td>place at the property?</td>
<td></td>
</tr>
<tr>
<td>(d.) Do you know of any environmental cleanups that have taken place at</td>
<td>No</td>
</tr>
<tr>
<td>the property?</td>
<td></td>
</tr>
<tr>
<td>6. The degree of obviousness of the presence or likely presence of</td>
<td>No</td>
</tr>
<tr>
<td>contamination at the property, and the ability to detect the</td>
<td></td>
</tr>
<tr>
<td>contamination by appropriate investigation (40 CFR 312.31).</td>
<td></td>
</tr>
<tr>
<td>As the user of this ESA, based on your knowledge and experience related</td>
<td></td>
</tr>
<tr>
<td>to the property are there any obvious indicators that point to the</td>
<td></td>
</tr>
<tr>
<td>presence or likely presence of contamination at the property?</td>
<td></td>
</tr>
</tbody>
</table>

The user has provided the following information concerning the owner, property manager and occupant information:

- Owner: Lynn and Jack Sanders, Jr., 903-926-0142, sandersjrjack@gmail.com

<table>
<thead>
<tr>
<th>User Provided Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of Information Provided</td>
</tr>
<tr>
<td>Legal Description</td>
</tr>
<tr>
<td>Survey</td>
</tr>
<tr>
<td>Site Plan</td>
</tr>
</tbody>
</table>

Comments on Provided Information:

- No additional information or other prior environmental reports were provided to Phase Engineering, Inc. during the preparation of this report.
4.2  Reason for Performing Phase I

As per ASTM Standard E 1527-13, it is the user’s responsibility to identify the reason for performing the Environmental Site Assessment, which may include, among other reasons, the intention to satisfy one of the requirements to qualify for one of the landowner liability protections under CERCLA. If no reason for performing the Environmental Site Assessment is provided by the user, it is assumed the report is to conduct all appropriate inquiry to satisfy one of the landowner liability protections under CERCLA.
5.0 Records Review

5.1 Standard Environmental Record Sources, Federal, State & Tribal

The following federal, state and tribal environmental records were searched. This information was provided by AAI Environmental Data and is subject to the AAI Data Disclaimer. Full descriptions on the search and facilities located are included in the Appendix. The AAI Data summary is as follows:

<table>
<thead>
<tr>
<th>Source</th>
<th>Environmental Record</th>
<th>Updated</th>
<th>ASTM Search Distance (miles)</th>
<th>Subject Property</th>
<th>Adjoining Property</th>
<th>1/2 Mile</th>
<th>1 Mile</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
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<td></td>
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<tr>
<td><strong>Federal Sites</strong></td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>EPA</td>
<td>NPL</td>
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</tr>
<tr>
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<td>EPA</td>
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<tr>
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<td>CERCLIS NFRAP</td>
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</tr>
<tr>
<td>EPA</td>
<td>RCRA</td>
<td>Adjoining*</td>
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<td>0</td>
<td>-</td>
<td>-</td>
<td>0</td>
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<tr>
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<tr>
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<td><strong>State and Tribal Sites</strong></td>
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<tr>
<td>TCEQ</td>
<td>IC/EC</td>
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<td>-</td>
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<td>0</td>
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</tr>
</tbody>
</table>

*Adjoining properties are defined as being within a search radius of 0.25 mi. from the subject property boundaries.

<table>
<thead>
<tr>
<th>UNMapped / UNGeocoded Sites</th>
<th>Environmental Records</th>
<th>ASTM Search Distance (miles)</th>
<th>Total Identified</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal / State / Tribal</td>
<td>Subject Property - 1.0 mile</td>
<td>None</td>
<td></td>
</tr>
</tbody>
</table>
Unmapped Sites

Numerous sites are considered unmapped because the federal or state databases do not adequately define the address and/or location to properly plot the site using standard geo-coding processes. Unmapped sites are generally reviewed using a zip code and street name search.

Based on additional research conducted the unmapped sites do not appear to have environmentally impacted the subject property. No recognized environmental conditions appear to exist.

National Priority List (NPL)

List compiled by EPA pursuant to CERCLA 42 U.S.C. § 9605(a)(8)(B) of properties with the highest priority for cleanup pursuant to EPA’s Hazard Ranking System. See 40 C.F.R. Part 300.

Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS)

The CERCLIS List contains sites which are either proposed to or on the National Priorities List (NPL) and sites which are in the screening and assessment phase for possible inclusion on the NPL. The information on each site includes a history of all pre-remedial, remedial, removal and community relations activities or events at the site, financial funding information for the events, and unrestricted enforcement activities.

Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) / No Further Remedial Action Planned (NFRAP)

NFRAP sites may be sites where, following an initial investigation, no contamination was found, contamination was removed quickly, or the contamination was not serious enough to require Federal Superfund action, CERCLA or NPL consideration.

Resource Conservation and Recovery Act (RCRA) Corrective Action Facilities (CORRACTS)

Hazardous waste treatment, storage, or disposal facilities and other RCRA-regulated facilities (due to past interim status or storage of hazardous wastes beyond 90 days) that have been notified by the U.S. Environmental Protection Agency to undertake corrective action under RCRA. The CORRACTS list is a subset of the EPA database that manages RCRA data.

Resource Conservation and Recovery Act (RCRA) Non-CORRACTS Hazardous Waste Treatment, Storage, and Disposal Facilities (TSD)

Those facilities on which treatment, storage and/or disposal of hazardous wastes takes place, as defined and regulated by RCRA.

Resource Conservation and Recovery Act (RCRA) Generators of Hazardous Wastes

Those persons or entities that generate hazardous wastes, as defined by RCRA.

Emergency Response Notification System (ERNS)

EPA’s emergency response notification system list of reported CERCLA hazardous substance releases or spills in quantities greater than the reportable quantity, as maintained at the National Response Center. Notification requirements for such releases or spills are codified in 40 CFR Parts 302 and 355.
Federal Institutional Control / Engineering Control Registries

Engineering Controls (EC) – Physical modifications to a site or facility (for example, capping, slurry walls, or point of use water treatment) to reduce or eliminate the potential for exposure to hazardous substances or petroleum products in the soil or groundwater on the property. Engineering controls are a type of activity and use limitation (AUL).

Institutional Controls (IC) – A legal or administrative restriction (for example, “deed restrictions,” restrictive covenants, easements, or zoning) on the use of, or access to, a site or facility to (1) reduce or eliminate potential exposure to hazardous substances or petroleum products in the soil or ground water on the property, or (2) to prevent activities that could interfere with the effectiveness of a response action, in order to ensure maintenance of a condition of no significant risk to public health or the environment. An institutional control is a type of Activity and Use Limitation (AUL).

IC / EC Registries – Databases of institutional controls or engineering controls that may be maintained by a federal, state or local environmental agency for purposes of tracking sites that may contain residual contamination and AULs. The names for these may vary from program to program and state to state.

State / Tribal Equivalent - National Priority List (NPL)
This list is the state / tribal equivalent to the EPA NPL list.

State / Tribal Equivalent Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) (SCL)
This list is the state / tribal equivalent to the EPA CERCLIS list.

State / Tribal Voluntary Cleanup Program Sites
List of state / tribal sites undergoing investigation, remediation and / or response action under the applicable state / tribal environmental regulatory agency.

Solid Waste Landfills (SWLF)
List of landfills, transfer stations, sludge application sites, illegal dump sites, recycling facilities, and medical waste generators and transporters.

Leaking Petroleum Storage Tank Sites (LPST)
State lists of leaking underground storage tank sites. RCRA gives EPA and states, under cooperative agreements with the EPA, authority to cleanup releases from UST systems or require owners and operators to do so. (42 U.S.C. § 6991b).

Registered Storage Tanks
Underground storage tanks (USTs) - Any tank, including underground piping connected to the tank, that is or has been used to contain hazardous substances or petroleum products and the volume of which is 10% or more beneath the surface of the ground.

Aboveground storage tanks (ASTs) - Any tank, including aboveground piping connected to the tank, that is or has been used to contain hazardous substances or petroleum products and the volume of which is 90% or more above the surface of the ground.
State / Tribal Institutional Control / Engineering Control Registries

Engineering Controls (EC) – Physical modifications to a site or facility (for example, capping, slurry walls, or point of use water treatment) to reduce or eliminate the potential for exposure to hazardous substances or petroleum products in the soil or groundwater on the property. Engineering controls are a type of activity and use limitation (AUL).

Institutional Controls (IC) – A legal or administrative restriction (for example, “deed restrictions,” restrictive covenants, easements, or zoning) on the use of, or access to, a site or facility to (1) reduce or eliminate potential exposure to hazardous substances or petroleum products in the soil or ground water on the property, or (2) to prevent activities that could interfere with the effectiveness of a response action, in order to ensure maintenance of a condition of no significant risk to public health or the environment. An institutional control is a type of Activity and Use Limitation (AUL).

IC / EC Registries – Databases of institutional controls or engineering controls that may be maintained by a federal, state or local environmental agency for purposes of tracking sites that may contain residual contamination and AULs. The names for these may vary from program to program and state to state.

State / Tribal Brownfields

Brownfields are former industrial and commercial sites where redevelopment is complicated by real or perceived contamination.

Sites Found:

<table>
<thead>
<tr>
<th>Site Summary Table</th>
</tr>
</thead>
<tbody>
<tr>
<td>Map ID#</td>
</tr>
<tr>
<td>……</td>
</tr>
<tr>
<td>None</td>
</tr>
</tbody>
</table>

Summary of Critical Identified Sites

<table>
<thead>
<tr>
<th>Summary of Critical Identified Sites</th>
</tr>
</thead>
<tbody>
<tr>
<td>No sites were identified within the ASTM Standard Environmental Record Sources search radius.</td>
</tr>
</tbody>
</table>

Phase Engineering, Inc. has made an attempt to review regulatory agency files to determine if the subject property or any of the adjoining properties have been identified on one or more of the standard environmental record sources per ASTM Standard Practice E 1527-13 Section 8.2.1. The purpose of the regulatory file review is to obtain sufficient information to assist the environmental professional in determining if a recognized environmental condition, historical recognized environmental condition, controlled recognized environmental condition or a de minimis condition exists at the subject property in connection with the listing. Phase Engineering, Inc. has provided copies of the relevant reviewed regulatory agency file information in Appendix III of this report. If this information has been determined to be of a file size that is impractical to provide in Appendix III, then this information will be provided at the request of the user of this report under separate cover. Some of the regulatory documentation has been deemed not to be reasonably ascertainable due to (1) information that is not publically available, (2) information that is not obtainable from its source within reasonable time and cost constraints, and (3) information that is not practically reviewable (ASTM Standard Practice E 1527-13 Section 8.1.4). If a regulatory agency file review is not warranted or is not reasonably ascertainable, then Phase Engineering, Inc. has provided an explanation within this report for not conducting the applicable regulatory agency file review.
5.2  Additional Environmental Record Sources

To enhance and supplement the ASTM E1527-13 standard environmental record sources specified in 8.2.1, local records and/or additional state or tribal records shall be checked when, in the judgment of the environmental professional, such additional records (1) are reasonably ascertainable, (2) are sufficiently useful, accurate and complete in light of the objective of the records review (see 8.1.1), and (3) are generally obtained, pursuant to local good commercial or customary practice, in initial environmental site assessments in the type of commercial real estate transaction involved. To the extent additional sources are used to supplement the same record types listed specified in 8.2.1, approximate minimum search distances should not be less than those specified above (adjusted as provided in 8.2.1 and 8.1.2.1). Phase Engineering has reviewed additional environmental record sources and has included these sources in this report when the record sources were reasonably ascertainable, sufficiently useful and generally obtained, pursuant to local good commercial or customary practice.

5.3  Physical Setting Sources

The following physical setting sources were searched and no environmental problems due to geologic, hydrogeologic, hydrologic, or topographic characteristics of the subject property were noted nor were conditions identified in which hazardous substances or petroleum products were likely to migrate to the property or from or within the property into the ground water or soil except as noted. A copy of each source is included in Appendix I of this report.

<table>
<thead>
<tr>
<th>Topographic and Hydrogeologic Settings</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Source Name</strong></td>
</tr>
</tbody>
</table>
| USGS 7.5 Minute Topographic Map | Elevation: Approximately 320 feet above mean sea level (msl)  
General Area Surface Gradient: To the Southwest |
| Current USGS Topographic Map |  |

**Groundwater Information**

<table>
<thead>
<tr>
<th>Source Name</th>
<th>Description</th>
</tr>
</thead>
</table>
| Texas Water Development Board (TWDB) Submitted Driller's Database | Depth: 15-30 feet below ground surface (bgs)  
Hydraulic Direction: Assumed to be consistent with topographic gradient |

<table>
<thead>
<tr>
<th>Geologic Formation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Formation Name</strong></td>
</tr>
<tr>
<td>(Eocene) Wilcox Group (Ewi)</td>
</tr>
</tbody>
</table>

Phase Engineering, Inc. 201802011
### Geologic Formation

<table>
<thead>
<tr>
<th>Formation Name</th>
<th>Formation Description</th>
</tr>
</thead>
</table>

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### Underlying Aquifer(s)

<table>
<thead>
<tr>
<th>Aquifer Name</th>
<th>Aquifer Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carrizo-Wilcox Aquifer</td>
<td>&quot;The Carrizo-Wilcox Aquifer is a major aquifer extending from the Louisiana border to the Mexican border in a wide band adjacent to and northwest of the Gulf Coast Aquifer. It consists of the Wilcox Group and the overlying Carrizo Formation of the Claiborne Group. The aquifer is primarily composed of sand locally interbedded with gravel, silt, clay, and lignite. Although the Carrizo-Wilcox Aquifer reaches 3,000 feet in thickness, the freshwater saturated thickness of the sands averages 670 feet. The groundwater, although hard, is generally fresh and typically contains less than 500 milligrams per liter of total dissolved solids in the outcrop, whereas softer groundwater with total dissolved solids of more than 1,000 milligrams per liter occurs in the subsurface. High iron and manganese content in excess of secondary drinking water standards is characteristic in the deeper subsurface portions of the aquifer, and portions of the aquifer in the Winter Garden area are slightly to moderately saline, with total dissolved solids ranging from 1,000 to 7,000 milligrams per liter. Irrigation pumping accounts for just over half the water pumped, and pumping for municipal supply accounts for another 40 percent. Water level declines have occurred in the Winter Garden area due to irrigation pumping and in the northeastern part of the aquifer due to municipal pumping. The planning groups recommended several water management strategies that use the Carrizo-Wilcox Aquifer, including developing new wells and well fields, withdrawing additional water from existing wells, desalinating brackish water, using surface water and groundwater conjunctively, reallocating supplies, and transporting water over long distances.&quot;</td>
</tr>
</tbody>
</table>

No minor aquifers underlie the subject property.


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### Flood Zone(s)

<table>
<thead>
<tr>
<th>Zone Designation</th>
<th>Zone Description</th>
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</thead>
<tbody>
<tr>
<td>Zone C (X-Unshaded)</td>
<td>Minimal risk areas outside the 1-percent and 2-percent-annual-chance floodplains. No BFEs or base flood depths are shown within these zones. (Zone X (unshaded) is used on new and revised maps in place of Zone C.)</td>
</tr>
</tbody>
</table>

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Table: Flood Zone(s)

<table>
<thead>
<tr>
<th>Zone Designation</th>
<th>Zone Description</th>
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<tbody>
<tr>
<td></td>
<td>This data was obtained from the most current FEMA information available on line. Actual flood elevation should be obtained by a qualified survey or other professional. During a flood event, the potential exists for the migration of hazardous substances and / or petroleum products to and / or from the subject property. Source: Flood Emergency Management Agency (FEMA) Harrison County, Texas Flood Insurance Rate Map (FIRM).</td>
</tr>
</tbody>
</table>

Table: Near Surface Soils

<table>
<thead>
<tr>
<th>Soil Name(s)</th>
<th>Soil Description</th>
</tr>
</thead>
</table>
| Scottsville-Latex-Eastwood complex, 0 to 2 percent slopes (ScxBn) | Component: Scottsville (67%)
The Scottsville component makes up 67 percent of the map unit. Slopes are 0 to 2 percent. This component is on interfluves on coastal plains. The parent material consists of loamy alluvium over clayey residuum weathered from sandstone and shale. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is moderately well drained. Water movement in the most restrictive layer is very low. Available water to a depth of 60 inches (or restricted depth) is high. Shrink-swel potential is moderate. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 24 inches during January, February, March, April, May, November, December. Organic matter content in the surface horizon is about 1 percent. Nonirrigated land capability classification is 2w. This soil does not meet hydric criteria. |
|                | Component: Latex (22%)
The Latex component makes up 22 percent of the map unit. Slopes are 0 to 2 percent. This component is on interfluves on coastal plains. The parent material consists of loamy alluvium over clayey residuum weathered from sandstone and shale. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is moderately well drained. Water movement in the most restrictive layer is moderately low. Available water to a depth of 60 inches (or restricted depth) is moderate. Shrink-swel potential is moderate. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 45 inches during January, February, March, April, December. Organic matter content in the surface horizon is about 1 percent. Nonirrigated land capability classification is 2e. This soil does not meet hydric criteria. |


5.4 Historical Use Information

Historical sources were consulted to develop a history of the previous uses of the property and the surrounding area, in order to help identify the likelihood of past uses having led to recognized environmental conditions in connection with the property. All obvious uses of the property were identified from the present, back to the property’s obvious first developed use, or back to 1940, whichever is earlier as per ASTM E 1527-13, Section 8.1.4, Reasonably Ascertainable / Standard Sources.
5.4.1 Summary of Historical Information on Subject Property

<table>
<thead>
<tr>
<th>YEAR</th>
<th>PROPERTY USE</th>
<th>RESOURCE(S)</th>
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<tbody>
<tr>
<td>Mid-1940s - 1957</td>
<td>Undeveloped land</td>
<td>1949 aerial photograph; historical street directories and interviews</td>
</tr>
<tr>
<td>1957 - Late-1970s</td>
<td>Residential property</td>
<td>1957-1975 aerial photographs; 1962 - 1978 topographic maps; street directories and interviews</td>
</tr>
<tr>
<td>Late-1970s - 2018</td>
<td>Undeveloped land</td>
<td>1985-2016 aerial photographs, 2013 topographic map, historical street directories, interviews, and site visit</td>
</tr>
</tbody>
</table>

5.4.2 Summary of Historical Use Information on Adjoining Properties

Phase Engineering, Inc. has conducted thorough research including site observations, regulatory records review and review of reasonably ascertainable standard and other historical sources to determine current and past uses of adjoining properties. Standard and historical sources used to make these determinations include aerial photographs; topographic maps, city directories (if coverage is available); and / or, fire insurance rate maps (if coverage is available). The following are summaries of each adjoining property use:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Historical Use Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Adjoining Property</td>
<td>Undeveloped land</td>
</tr>
<tr>
<td>East Adjoining Property</td>
<td>Undeveloped land</td>
</tr>
<tr>
<td>South Adjoining Property</td>
<td>Residential property and undeveloped land</td>
</tr>
<tr>
<td>West Adjoining Property</td>
<td>Undeveloped land</td>
</tr>
</tbody>
</table>

5.4.3 Standard Historical Sources

The following historical sources were consulted to determine prior usage and potential areas of environmental problem areas:

5.4.3.1 Aerial Photographs

Aerial photographs were reviewed for use which would indicate areas of environmental concern. The aerial photographs did not indicate any usage except as noted in this report and are included in Appendix I. The following aerial photographs were reviewed as part of this assessment:

<table>
<thead>
<tr>
<th>Property Identification</th>
<th>Improvement Description</th>
<th>Identified Areas of Environmental Concern</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016 Aerial Photograph</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subject Property</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>North</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
</tbody>
</table>

Phase Engineering, Inc. 201802011
<table>
<thead>
<tr>
<th>Property Identification</th>
<th>Improvement Description</th>
<th>Identified Areas of Environmental Concern</th>
</tr>
</thead>
<tbody>
<tr>
<td>East</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>South</td>
<td>This photograph shows residential improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>West</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Property Identification</th>
<th>Improvement Description</th>
<th>Identified Areas of Environmental Concern</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015 Aerial Photograph</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subject Property</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>North</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>East</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>South</td>
<td>This photograph shows residential improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>West</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Property Identification</th>
<th>Improvement Description</th>
<th>Identified Areas of Environmental Concern</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010 Aerial Photograph</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subject Property</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>North</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>East</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>South</td>
<td>This photograph shows residential improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>Property Identification</td>
<td>Improvement Description</td>
<td>Identified Areas of Environmental Concern</td>
</tr>
<tr>
<td>-------------------------</td>
<td>--------------------------</td>
<td>-------------------------------------------</td>
</tr>
<tr>
<td>West</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Property Identification</th>
<th>Improvement Description</th>
<th>Identified Areas of Environmental Concern</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004 Aerial Photograph</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subject Property</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>North</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>East</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>South</td>
<td>This photograph shows residential improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>West</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Property Identification</th>
<th>Improvement Description</th>
<th>Identified Areas of Environmental Concern</th>
</tr>
</thead>
<tbody>
<tr>
<td>1995 Aerial Photograph</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subject Property</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>North</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>East</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>South</td>
<td>This photograph shows residential improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>West</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>Property Identification</td>
<td>Improvement Description</td>
<td>Identified Areas of Environmental Concern</td>
</tr>
<tr>
<td>-------------------------</td>
<td>--------------------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td><strong>1985 Aerial Photograph</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subject Property</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>North</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>East</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>South</td>
<td>This photograph shows residential improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>West</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td><strong>1975 Aerial Photograph</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subject Property</td>
<td>This photograph shows residential improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>North</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>East</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>South</td>
<td>This photograph shows residential improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>West</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td><strong>1957 Aerial Photograph</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subject Property</td>
<td>This photograph shows residential improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>Property Identification</td>
<td>Improvement Description</td>
<td>Identified Areas of Environmental Concern</td>
</tr>
<tr>
<td>-------------------------</td>
<td>-------------------------</td>
<td>-------------------------------------------</td>
</tr>
<tr>
<td>North</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>East</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>South</td>
<td>This photograph shows residential improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>West</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Property Identification</th>
<th>Improvement Description</th>
<th>Identified Areas of Environmental Concern</th>
</tr>
</thead>
<tbody>
<tr>
<td>1949 Aerial Photograph</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>Subject Property</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>North</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>East</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>South</td>
<td>This photograph shows residential improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
<tr>
<td>West</td>
<td>This photograph shows no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on this photograph.</td>
</tr>
</tbody>
</table>

5.4.3.2 Fire Insurance Maps

In the late nineteenth century, private companies began preparing maps of central business districts for use by fire insurance companies. These maps were updated and expanded geographically periodically throughout the twentieth century. The maps often indicate construction materials of specific building structures and the location of gasoline storage tanks.

Fire insurance rate map coverage was not available for the subject property area.

5.4.3.3 Property Tax Files

Harrison County Appraisal District tax records show that the subject property is owned by Jack M Sanders, Jr.. The property tax records are located in the Appendix.
5.4.3.4 Land Title Records & Environmental Lien Searches

A title search was not conducted for this assessment and was not provided by the user for review.

No recorded Institutional Controls or Engineering Controls (IC / EC) or Activity Use Limitations (AULs) were found as part of research of federal and state agencies.

5.4.3.5 USGS 7.5 Minute Topographic Map

Topographic maps were reviewed for use which would indicate areas of environmental concern. The topographic maps did not indicate any usage except as noted in this report and are included in Appendix I. The following topographic maps were reviewed for this assessment:

<table>
<thead>
<tr>
<th>Year</th>
<th>Scale</th>
<th>Indication of Environmental Concerns</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>7.5 Minute</td>
<td>No areas of environmental concern were shown on the subject property or adjoining properties</td>
</tr>
<tr>
<td>1978</td>
<td>7.5 Minute</td>
<td>No areas of environmental concern were shown on the subject property or adjoining properties</td>
</tr>
<tr>
<td>1962</td>
<td>7.5 Minute</td>
<td>No areas of environmental concern were shown on the subject property or adjoining properties</td>
</tr>
</tbody>
</table>

5.4.3.6 Local Street Directories

Street directories were reviewed at a minimum of five year intervals and / or property use changes via Phone Disc, Cole, Kriss Kross, and Polk City Directories.

See Street directory summary table on the following page(s).
<table>
<thead>
<tr>
<th>Year</th>
<th>Subject Property</th>
<th>North Adjoining Property</th>
<th>East Adjoining Property</th>
<th>South Adjoining Property</th>
<th>West Adjoining Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td>Residential</td>
<td>NL</td>
</tr>
<tr>
<td>2014</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td>Residential</td>
<td>NL</td>
</tr>
<tr>
<td>2012</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td>Residential</td>
<td>NL</td>
</tr>
<tr>
<td>2010</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td>Residential</td>
<td>NL</td>
</tr>
<tr>
<td>2004</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td>Residential</td>
<td>NL</td>
</tr>
<tr>
<td>1995</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td>Residential</td>
<td>NL</td>
</tr>
<tr>
<td>1985</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
</tr>
<tr>
<td>1975</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
</tr>
<tr>
<td>Subject Property</td>
<td>North Adjoining Property</td>
<td>East Adjoining Property</td>
<td>South Adjoining Property</td>
<td>West Adjoining Property</td>
<td></td>
</tr>
<tr>
<td>------------------</td>
<td>--------------------------</td>
<td>-------------------------</td>
<td>--------------------------</td>
<td>-------------------------</td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1968 NL</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td></td>
</tr>
<tr>
<td>1951 NL</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td></td>
</tr>
<tr>
<td>1946 NL</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td></td>
</tr>
</tbody>
</table>

Residential
5.4.3.7 Other Historical Records

According to ASTM E 1527-13, other historical sources not already addressed in the standard include but are not limited to: Miscellaneous maps, newspaper archives, internet sites, community organizations, local libraries, historical societies and current owners or occupants of neighboring properties. No other historical records were reviewed for subject property, except for the following:

- The Texas Railroad Commission Oil / Gas Well map reviewed for this assessment shows no oil / gas wells or pipelines located at the subject property. See map in Appendix I.
- The Texas Water Development Board (TWDB) map was reviewed for this assessment. The map shows that no water wells are located on the subject property. Other water well map sources may be available for review, however, Phase Engineering, Inc. deems the Texas Water Development Board map the only reasonably ascertainable source available. See map in Appendix I.

<table>
<thead>
<tr>
<th>Summary of Environmental Concerns Identified During Historical and Other Records Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>No environmental concerns were identified during the review of the historical and other records conducted as part of this assessment.</td>
</tr>
</tbody>
</table>
6.0 Site Reconnaissance

6.1 Objective

The objective of the site reconnaissance is to obtain information indicating the likelihood of identifying recognized environmental conditions in connection with the subject property.

6.2 Observation

As per the ASTM Standard E1527-13 Section 9:

The property shall be visually and/or physically observed and any structure(s) located on the property to the extent not obstructed by bodies of water, adjacent buildings, or other obstacles shall be observed.

The periphery of the property shall be visually and/or physically observed, as well as the periphery of all structures on the property, and the property shall be viewed from all adjacent public thoroughfares. If roads or paths with no apparent outlet are observed on the property, the use of the road or path shall be identified to determine whether it was likely to have been used as an avenue for disposal of hazardous substances or petroleum products.

On the interior of structures on the property, accessible common areas expected to be used by occupants or the public, maintenance and repair areas, including boiler rooms, and a representative sample of occupant spaces, shall be visually and/or physically observed. It is not necessary to look under floor, above ceilings, or behind walls.

On February 13, 2018, the subject property was visually and physically observed and walked by Bianca L Melito of Phase Engineering, Inc. The environmental professional(s) responsible for this report, or a trained and qualified individual under their responsible charge, visually and physically observed the property and any structure(s) located on the property to the extent not obstructed by dense vegetation, bodies of water, adjoining buildings, and other obstacles.

6.3 Methodology and Limiting Conditions

100% visual and physical observation to the extent required by the ASTM Standard E1527-13.

The following limiting conditions were identified during the site reconnaissance:

<table>
<thead>
<tr>
<th>Limiting Conditions</th>
<th>Type of Limiting Condition(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heavy Vegetation</td>
<td></td>
</tr>
</tbody>
</table>

6.4 Frequency

A single site visit was performed in connection with the Phase I Environmental Site Assessment on February 13, 2018.

6.5 Uses and Conditions

The uses and conditions should be noted to the extent visually and/or physically observed during the site visit. The uses and conditions should also be the subject of questions asked as part of interviews of owners, operator, and occupants. Uses and condition shall be described in the report. The environmental professional(s) performing the Phase I Environmental Site Assessment are obligated to identify uses and conditions only to the extent that they may be visually and/or physically observed on a site visit or to the extent that they are identified by the interviews.
Photographs of the subject property, adjoining properties and other key observed features are located in the appendix of this report.

The subject property was observed to be Approximately 13.812 Acres Located along Highway 80, Marshall, Texas and the current use was observed to be Undeveloped land.

The following table summarizes addresses and general uses observed for the adjoining properties.

### Adjoining Property Details

<table>
<thead>
<tr>
<th>Direction</th>
<th>Observed Address / Address Range</th>
<th>General Observed Use(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northwest</td>
<td>N/A</td>
<td>Undeveloped Land</td>
</tr>
<tr>
<td>Northeast</td>
<td>N/A</td>
<td>Undeveloped Land</td>
</tr>
<tr>
<td>South</td>
<td>6543-6416 Highway 80</td>
<td>Residential</td>
</tr>
<tr>
<td>West</td>
<td>N/A</td>
<td>Undeveloped Land</td>
</tr>
</tbody>
</table>

#### 6.5.1 Surrounding Property Uses

The current uses of properties in the surrounding area were observed to have included the following general categories:

### Surrounding Area Property Types

<table>
<thead>
<tr>
<th>Type of Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industrial property</td>
</tr>
<tr>
<td>Rural residential property</td>
</tr>
<tr>
<td>Undeveloped land</td>
</tr>
</tbody>
</table>

#### 6.6 Summary of Observations

The following is a summary of observations identified during the site reconnaissance:

### Observation Summary

<table>
<thead>
<tr>
<th>Item of Concern</th>
<th>Observed Onsite</th>
<th>Observed Offsite</th>
<th>Release Indicated</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hazardous Substances / Petroleum Products in Connection with Present Use(s)</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Hazardous Substances / Petroleum Products in Connection with Prior Use(s)</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Geologic, Hydrogeologic and / or Topographic Conditions</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Underground Storage Tanks (USTs)</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Aboveground Storage Tanks (ASTs)</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Indications of Underground Storage Tanks</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Item of Concern</td>
<td>Observed Onsite</td>
<td>Observed Offsite</td>
<td>Release Indicated</td>
<td>Comments</td>
</tr>
<tr>
<td>-----------------------------------------------------</td>
<td>-----------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Sumps, Floor Drains or Storm Water Drains</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Odors</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Pools of Liquid</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Drums</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Hazardous Substance and Petroleum Product Containers</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Unidentified Substance Containers</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Potential PCB Containing Equipment</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>pole mounted transformers observed on south adjoining properties</td>
</tr>
<tr>
<td>Clarifiers</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Pits, Ponds or Lagoons</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Stained Soil or Pavement</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Stressed Vegetation</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Solid Waste</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>debris observed on south adjoining residence</td>
</tr>
<tr>
<td>Mounds, Stockpiled Soils, Filled or Graded Areas and Depressions</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Waste Water</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Water Wells</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Oil and Gas Wells</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Monitoring Wells</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Observation Wells</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Injection Wells</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Pipelines</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Gas Pipeline on site and on west adjoining property</td>
</tr>
<tr>
<td>Septic Systems</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Other</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
</tbody>
</table>

**Summary of Critical Observed Areas of Environmental Concern**

A natural gas pipeline operated by CenterPoint Energy, was observed along the south property boundary and traversing the southwest corner of the subject property. No spills or releases were on record with the Texas Commission on Environmental Quality (TCEQ) or with the Emergency Response Notification System (ERNS) for the pipelines. Phase Engineering, Inc. has the opinion that based on lack of reported spills or releases, the subject property has not been impacted by the pipeline. No recognized environmental conditions appear to exist.
7.0 Interviews

7.1 Owner, Key Property Manager and / or Occupant Interviews

<table>
<thead>
<tr>
<th>Interview Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date</td>
</tr>
<tr>
<td>------</td>
</tr>
<tr>
<td>02/13/18</td>
</tr>
<tr>
<td>02/15/18</td>
</tr>
</tbody>
</table>

Comments on interviews from items above:

Mr. Sanders informed Phase Engineering, Inc. of the following:

- He stated the current use of the property is undeveloped land.
- He stated that the past use of the subject property was harvesting timber.
- He was not aware of any current or previous hazardous substance or petroleum product release(s) at the subject property or adjoining properties.
- He was not aware of any current or historical USTs or ASTs located at the subject property or adjoining properties.
- He stated that there is an abandoned house to the west of the site, previously occupied by his parents for a brief time in the 1950's.
- He stated that there are not current/historical water and sanitary service sources to the subject property.
- When asked if there are environmentally related documentation or reports known to exist in connection with the subject property, Mr. Sanders stated no.
- Mr. Sanders has been associated with the subject property for 50 years.

- Mr. Sanders indicated a pipeline is on the west adjoining property, but not on the subject property.

See interviews, questionnaires and / or records of communication in the Appendix of this report.

7.2 State and / or Local Agency Official Interviews

<table>
<thead>
<tr>
<th>Interview Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date</td>
</tr>
<tr>
<td>------</td>
</tr>
<tr>
<td>02/16/18</td>
</tr>
<tr>
<td>02/16/18</td>
</tr>
<tr>
<td>02/16/18</td>
</tr>
</tbody>
</table>

Comments on interviews from items above:

Unincorporated areas of Harrison County have no zoning regulations.

Fire department records have been requested from Harrison County, Fire Marshal. No response has been received. This is considered a data gap. Any information received after the issuance of this report that would affect the Findings and Conclusions of this assessment will be forwarded to the user of this report.

Health / Environmental department records have been requested from Harrison County, Environmental Health. No response has been received. This is considered a data gap. Any information received after the
issuance of this report that would affect the Findings and Conclusions of this assessment will be forwarded to the user of this report.

<table>
<thead>
<tr>
<th>Summary of Environmental Concerns Noted During Interviews / Inquiries</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Sanders indicated a pipeline is on the west adjoining property, but not on the subject property. See Section 8.3 for more information.</td>
</tr>
</tbody>
</table>
8.0 Findings with Opinions

Known or suspect environmental conditions associated with the subject property and the environmental professional's opinion(s) of the impact on the property of known or suspect environmental conditions identified are as follows:

8.1 Regulatory Agency Findings / Opinions

The following is a summary of results associated with regulatory agency records review in accordance with ASTM E1527-13 Sections 8.2.1 through 8.2.3:

<table>
<thead>
<tr>
<th>Summary of Critical Identified Sites</th>
</tr>
</thead>
<tbody>
<tr>
<td>No sites were identified within the ASTM Standard Environmental Record Sources search radius.</td>
</tr>
</tbody>
</table>

8.2 Historical and Other Source Review Findings / Opinions

The following is a summary of results associated with standard historical sources in accordance with ASTM E1527-13 Sections 8.3.4.1 through 8.3.4.6 and 8.3.4.9:

<table>
<thead>
<tr>
<th>Summary of Environmental Concerns Identified During Historical and Other Records Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>No environmental concerns were identified during the review of the historical and other records conducted as part of this assessment.</td>
</tr>
</tbody>
</table>

8.3 Site Reconnaissance Findings / Opinions

The following is a summary of results associated with observations noted during the site reconnaissance in accordance with ASTM E1527-13 Sections 9.4.1 through 9.4.4.7:

<table>
<thead>
<tr>
<th>Summary of Critical Observed Areas of Environmental Concern</th>
</tr>
</thead>
<tbody>
<tr>
<td>A natural gas pipeline operated by CenterPoint Energy, was observed along the south property boundary and traversing the southwest corner of the subject property. No spills or releases were on record with the Texas Commission on Environmental Quality (TCEQ) or with the Emergency Response Notification System (ERNS) for the pipelines. Phase Engineering, Inc. has the opinion that based on lack of reported spills or releases, the subject property has not been impacted by the pipeline. No recognized environmental conditions appear to exist.</td>
</tr>
</tbody>
</table>

8.4 Interview Findings / Opinions

The following is a summary of results associated with interviews and other inquiries in accordance with ASTM E1527-13 Sections 8.3.4.7, 8.3.4.8 and 10.5:

<table>
<thead>
<tr>
<th>Summary of Environmental Concerns Noted During Interviews / Inquiries</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Sanders indicated a pipeline is on the west adjoining property, but not on the subject property. See Section 8.3 for more information.</td>
</tr>
</tbody>
</table>
9.0 Recommendations

The following recommendation is made with respect to the environmental aspects of the subject property:

No further investigation is required to identify a recognized environmental condition.
10.0 Data Gaps

There were no significant data gaps that affected the ability of the Environmental Professional to identify recognized environmental conditions. A data gap is only significant if other information and/or professional experience raises reasonable concerns involving the data gap.

Certain information, such as interview responses, regulatory and historical information, present and past owners names and/or contact information, title and lien searches, and other information, may not have been available to Phase Engineering, Inc. at the time of the report. Each of these, as addressed in the appropriate report section, represents data failure and, in the opinion of Phase Engineering, Inc., does not represent a significant data gap unless otherwise noted.
11.0 Conclusions

Phase Engineering, Inc. has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-13 of the property located at Approximately 13.812 Acres Located along Highway 80, Marshall, Harrison County, Texas 75672 and more fully described within the report. Any exception to, or deletions from, this practice are described in Section 2.0 of the report.

**Recognized Environmental Conditions**

Recognized environmental condition is defined in ASTM Standard E 1527-13 as “the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment.” Phase Engineering, Inc. has considered all migration pathways including soil, groundwater and vapor during evaluation of all identified environmental conditions. This assessment has revealed no evidence of recognized environmental conditions in connection with the property.

**Controlled Recognized Environmental Conditions**

A controlled recognized environmental condition (CREC) is defined in ASTM Standard E 1527-13 as “a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls.” Controlled recognized environmental conditions are recognized environmental conditions. This assessment has revealed no evidence of controlled recognized environmental conditions in connection with the property.

**Historical Recognized Environmental Conditions**

A historical recognized environmental condition (HREC) is defined in ASTM Standard E 1527-13 as “a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls.” A historical recognized environmental condition is not a recognized environmental condition. This assessment has revealed no evidence of historical recognized environmental conditions in connection with the property.

**De minimis Conditions**

De minimis conditions are defined in ASTM Standard E 1527-13 as conditions “that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.” De minimis conditions are not recognized environmental conditions. This assessment has revealed no evidence of de minimis conditions in connection with the property.
12.0 Deviations

12.1 Scope of Services
There were no significant deletions or deviations from the ASTM Standard E 1527-13 scope of services.

12.2 Client Constraints
Client and/or user imposed constraints consisted of the following:

- There were no user constraints.
13.0 Qualifications

The statement of qualifications of the environmental professionals responsible for the Environmental Site Assessment is included in the Appendix of this report.
14.0 Environmental Professional Statement

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professionals as defined in §312.10 of 40 CFR 312.

We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Janis Franklin, P.G.
Environmental Professional

Tracy Watson
Environmental Professional
15.0 Non-Scope Considerations

The ASTM Standard E 1527-13 Section 13.1.5 has identified several non-scope considerations that persons may want to assess in connection with commercial real estate. No implication is intended as to the relative importance or inquiry into such non-scope considerations, and this list of non-scope considerations is not intended to be all inclusive:

- Asbestos-containing building materials
- Biological agents
- Cultural and historic resources
- Ecological resources
- Endangered species
- Health and safety
- Indoor air quality unrelated to release of hazardous substances or petroleum products into the environment
- Industrial hygiene
- Lead-based paint
- Lead in drinking water
- Mold
- Radon
- Regulatory compliance
- Wetlands

Additional non-scope issues that are not addressed in this report are:

- Activity and use limitations compliance
- Controlled substances unless this report was prepared as part of an EPA Brownfields Assessment and Characterization Grant awarded under CERCLA 42 U.S.C. §9604(k)(2)(B) and contracted for as such in the letter of engagement
- Earthquake and Fault Zones
- Vapor intrusion/encroachment screening as provided for in ASTM Standard E 2600

A discussion of certain non-scope items are included below for guidance for a user of this report to determine is additional inquiry may be appropriate. There may be standards or protocols for assessment of potential hazards and conditions associated with non-scope conditions developed by governmental entities, professional organizations, or other private entities. No implication is intended as to the relative importance of inquiry into such non-scope considerations.

15.1 Asbestos-Containing Building Materials

Asbestos is a commercial term for a group of silicate minerals that readily separate into thin, strong fibers that are flexible, heat resistant, and chemically inert, and are used in a wide variety of industrial products. Of the six asbestos minerals, chrysotile, amosite, and crocidolite have been most commonly used in building products. When inhaled or ingested, it has been determined that asbestos fibers can cause serious health problems. A building owner and/or manager is required to follow all federal, state, and local rules and regulations pertaining to asbestos containing building materials.

Due to the fact that the subject property consists of undeveloped land and no structures are present at the subject property, an asbestos inspection is not recommended nor conducted as part of this assessment.
15.2 Cultural and Historical Resources

When projects are funded in whole or in part through federal programs, such as HUD or USDA, a Section 106 consultation process in compliance with the National Historic Preservation Act must be completed. In July 2014, a memorandum between the Texas State Historic Preservation Officer (SHPO) and HUD was released providing guidelines for consulting with the SHPO to meet Section 106 requirements.

For the purposes of this review the Area of Potential Effects (APE) has been defined as the boundaries of the subject property and adjacent properties. Phase Engineering, Inc. reviewed the Texas Historic Sites Atlas on the Texas Historical Commission (THC) website for potential historic properties or districts located within the project’s APE. In addition, any properties identified as older than 45-years or local historic districts within the APE were noted during the site reconnaissance. See Historical and Archaeological Sites Map in the Appendix.

If funding or permitting through a federal agency is anticipated, a Section 106 Consultation form with supporting documentation can be submitted to the SHPO in addition to this review. The Section 106 consultation will also include an invitation to comment submitted to a local historic preservation office and Native American Tribes. A Section 106 Consultation was not conducted as part of this assessment.

15.3 Endangered Species

The Endangered Species Act of 1973 was established to provide protection and recovery for a list of specific species and their ecosystems. An endangered species is defined as an animal or plant species which are in danger of extinction throughout all or a significant portion of its range. A threatened species is one which is likely to become endangered in the foreseeable future. A review of the listed species for the project area and assessment of the potential impacts of the proposed project to these species was not completed as part of this review.

Critical Habitat is a specific geographic area(s) that has been designated by the United States Fish and Wildlife Service (USFW) which is essential for the conservation of a listed threatened or endangered species and may require special management and protection. The subject property does not contain an area determined to be critical habitat according to our review of the USFW Critical Habitat Portal.

See Critical Habitat Map in the Appendix.

15.4 Lead-Based Paint

Lead is a metal that is highly toxic to humans, particularly children, and was used for many years in products found in construction. Lead may cause a range of health effects, from behavioral problems and learning disabilities, to seizures and death. Children six years old and under are most at risk. Human contamination usually occurs by oral ingestion or respiratory inhalation of dust or chips of paint made with lead pigment in both interior and exterior paints and finishes. A building owner and/or manager is required to follow all federal, state, and local rules and regulations pertaining to lead-based paint.

Due to the fact that the subject property consists of undeveloped land and no structures are present, a visual lead based paint inspection is not recommended nor conducted as part of this assessment.

15.5 Lead in Drinking Water

Lead is a toxic metal found in natural deposits and is commonly used in plumbing materials and water service lines. Construction built before 1986 is more likely to have lead pipes, fixtures and solder. Lead is rarely found in source water, but enters tap water through corrosion of plumbing materials. All public water systems must test for lead within their distribution system in compliance with the EPA’s Lead and
Copper Rule. Phase Engineering, Inc. reviewed the 2016 Annual Drinking Water Quality Report for the City of Marshall. According to the report, lead is not reported above the maximum contamination level (MCL) in the samples tested.

There are currently no buildings located at the subject property. Phase Engineering, Inc. has the opinion that based on lack of on-site buildings, tests to determine lead in the drinking water at the subject property would not be necessary. See Drinking Water Quality Report in the appendix.

15.6 Radon

The U.S. EPA and the U.S. Geological Survey evaluated the radon potential in the U.S. and developed a map to assist National, State and local organizations to target their resources and to assist building code officials in deciding whether radon-resistant features are applicable in new construction. The map assigns each of the 3,141 counties in the U.S. to one of three zones based on radon potential. Each zone designation reflects the average short-term radon measurement that can be expected to be measured in a building without the implementation of radon control methods. See the Texas Radon Map located in the Appendix.

In 1994, a statewide survey of indoor residential radon was conducted by the Texas Department of Health and Southwest Texas State University. The report identified several areas of Texas where the local geology is suspected to contribute to elevated levels of indoor radon. See Texas Indoor Radon Survey in the Appendix.

Projects funded by FHA Multifamily Insured mortgage applications must comply with the HUD Mortgagee Letter 2013-07, which requires a radon assessment as a supplement to the Environmental review requirements of Chapter 9 of the Multifamily Accelerated Processing (MAP) Guide. In accordance with Section III.IV.D of the HUD letter, post-construction radon testing is required for all new construction projects located within Radon Zone 3. The radon testing must be performed in accordance to the ANSI/AARST protocol for conducting radon and radon decay product measurements in multi-family buildings.

See preliminary findings and requirement for radon testing from the EPA Radon Map and Texas Statewide Survey in the table below:

<table>
<thead>
<tr>
<th>Preliminary Radon Results Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>EPA Radon Zone Designation</td>
</tr>
<tr>
<td>Harrison County</td>
</tr>
<tr>
<td>Zone 3 - Low Potential (&lt;2 pCi/L)</td>
</tr>
</tbody>
</table>

15.7 Wetlands

The U.S. Army Corps of Engineers (USCOE) requires permitting prior to the filling of certain jurisdictional wetland areas and other waters of the U.S. Geospatial wetland data is managed by the U.S. Fish and Wildlife Service and presented in maps known as the National Wetland Inventory (NWI). A review of the NWI map for the subject property does not indicate mapped wetlands at the subject property. An on-site wetlands determination assessment is not recommended to determine if all characteristics for a wetland are present at the subject property.
The USCOE and the U.S. Environmental Protection Agency use three characteristics as indicators of wetlands. These characteristics are: Vegetation, Soil, and Hydrology. The final determination of whether an area is a wetland and whether the activity requires a permit must be made by the appropriate Corps District Office (source: Corps of Engineers Wetlands Delineation Manual). A wetlands determination was not conducted as part of this assessment.

See NWI Map in the Appendix.

### 15.8 Vapor Encroachment Screening

A vapor encroachment condition (VEC) is the presence or likely presence of hazardous substances or petroleum products vapors in the sub-surface of a property caused by the release of vapors from contaminated soil or groundwater either on or near the property. Vapor intrusion is the presence of such vapors in a building or structure located on a property. Although the vapor migration pathway is considered in the identification of recognized environmental conditions under ASTM Standard E 1527-13 and in this report, a Tier 1 Vapor Encroachment Screening (VES) assessment was conducted as part of this report. The VES was conducted in accordance with ASTM E2600-10, Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions.

The following table includes an evaluation of Standard Environmental Record Sources and the approximate minimum search distances as listed in subsection 8.3.2, of ASTM E2600:

<table>
<thead>
<tr>
<th>Vapor Encroachment Regulatory Database Search Results</th>
<th>Databases</th>
<th>Radius Searched (Miles)</th>
<th>Radius Searched (Miles)</th>
<th>Sites Found</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Chemicals of Concern</td>
<td>Petroleum Hydrocarbon</td>
<td>Chemicals of Concern</td>
<td></td>
</tr>
<tr>
<td></td>
<td>FEDERAL SITES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Federal NPL (Superfund)</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Federal CERCLA (Active)</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Federal Resource Conservation and Recovery Act (RCRA) CORRACTS facilities</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Federal RCRA Non-CORRACTS Treatment, Storage and Disposal facilities (TSD)</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Federal RCRA Generators of Hazardous Wastes</td>
<td>Subject Property Only</td>
<td>Subject Property Only</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Federal Institutional Control / Engineering Control Registries</td>
<td>Subject Property Only</td>
<td>Subject Property Only</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Federal ERNS (Reported Spill Incidents)</td>
<td>Subject Property Only</td>
<td>Subject Property Only</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>STATE AND TRIBAL SITES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>State / Tribal Equivalent NPL</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>State / Tribal Equivalent CERCLIS Sites</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Landfills or Solid Waste Disposal Sites</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Leaking Storage Tank Sites</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Registered Storage Tanks</td>
<td>Subject Property Only</td>
<td>Subject Property Only</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>State / Tribal Institutional Control / Engineering Control Registries</td>
<td>Subject Property Only</td>
<td>Subject Property Only</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Voluntary Cleanup Program (VCP)</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
</tbody>
</table>
Vapor Encroachment Regulatory Database Search Results

<table>
<thead>
<tr>
<th>Databases</th>
<th>Radius Searched (Miles) Chemicals of Concern</th>
<th>Radius Searched (Miles) Petroleum Hydrocarbon Chemicals of Concern</th>
<th>Sites Found</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brownfield</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
</tbody>
</table>

No sites were identified during the regulatory database search that would pose a VEC to the subject property, based on the critical distance evaluation.

Based on resources reviewed, it is the opinion of Phase Engineering, Inc. there is no evidence of a VEC that included presence or likely presence of COC vapors in the subsurface of the target property caused by a release of vapors from contaminated soil or groundwater or both either on or near the target property (TP) as identified by the Tier 1 VES procedures. Additional Vapor Encroachment Screening procedures are not warranted at this time.

15.9 Noise Study

Phase Engineering, Inc. has conducted a noise survey for the subject property in accordance with the Noise Assessment Guidelines provided by the U.S. Department of Housing and Urban Development (HUD). Noise Assessment Locations (NALs) were selected on the property based on proximity to the noise sources and identified on the Noise Sources Map provided in the Appendix.

The noise sources within the prescribed distances include the following:

<table>
<thead>
<tr>
<th>Identified Noise Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Source Name</td>
</tr>
<tr>
<td>Major Road(s)</td>
</tr>
<tr>
<td>No major roads were identified within 1,000 feet from the subject property. Highway 80 is reported with a traffic count of 6,157 in 2016, since it does not exceed 8,000 vehicles per day, it is not considered to be a major road.</td>
</tr>
<tr>
<td>Railroad(s)</td>
</tr>
<tr>
<td>No railroads were identified within 3,000 feet from the subject property</td>
</tr>
<tr>
<td>Airport(s)</td>
</tr>
<tr>
<td>No major civil or military airports were identified within 15 miles from the subject property. Harrison County Airport is located approximately 1.1 miles from the property, but is considered a local general aviation airport and not a major noise concern.</td>
</tr>
</tbody>
</table>

No major noise sources are located within the minimum search radius from the subject property, thus the noise value is considered “Acceptable” based on the HUD guidelines. No additional noise assessment is required.

HUD allows for a 1-decibel grace in completing noise surveys due to inaccuracies of the calculations. All the calculated noise values fall below 65 dB, and are therefore considered “acceptable” based on the HUD guidelines. No additional action is recommended.

15.10 Explosive and Flammable Hazards

Under Section 2 of the Housing Act of 1949 (42 U.S.C. 1441) and the subsequent Housing and Community Development Acts of 1968, 1969, and 1974, the Department of Housing and Urban Development is
mandated to assure the goal of a “decent home and a suitable (safe and healthy) living environment.” The Regulation, "Siting of HUD-Assisted Projects Near Hazardous Operations Handling Petroleum Products or Chemicals of an Explosive or Flammable Nature" (24 CFR Part 51 Subpart C) and the Guidebook represent another step by the Department toward the objective. Although the Regulation and Guidebook apply specifically to all HUD-assisted projects, the application of these standards can be used by anyone concerned with the safe siting of new residential development.

Per 24 CFR Part 51, a hazard is defined as any stationary container which stores, handles or processes hazardous substances of an explosive or fire prone nature. The term “hazard” does not include pipelines for the transmission of hazardous substances, if such pipelines are located underground or comply with applicable Federal, State and local safety standards. Also excepted are: (1) Containers with a capacity of 100 gallons or less when they contain common liquid industrial fuels, such as gasoline, fuel oil, kerosene and crude oil since they generally would pose no danger in terms of thermal radiation of blast overpressure to a project; and (2) facilities which are shielded from a proposed HUD-assisted project by the topography, because these topographic features effectively provide a mitigating measure already in place.

No oil, gas or chemical pipelines, processing facilities, storage facilities or other potentially hazardous explosive activities on-site or in the general area of the site that could potentially adversely impact the subject property were noted on historical information reviewed, interviews or during the site visit.
16.0 Common Acronyms

AAI – All Appropriate Inquiry
ACBM – Asbestos Containing Building Material
AST – Aboveground Storage Tank
AUL – Activity and Usage Limitation
BF – Brownfield
BTEX – Benzene, Toluene, Ethyl benzene and Xylenes
CDC – Certified Development Corporation
CERCLA – Comprehensive Environmental Response, Compensation and Liability Act
CERCLIS – Comprehensive Environmental Response, Compensation and Liability Information System
CERCLIS NFRAP - Comprehensive Environmental Response, Compensation and Liability Information System with No Further Remedial Action Planned
CLI – Closed Landfill Inventory
CORRACTS – Corrective Action (RCRA)
CREC – Controlled recognized environmental condition
EC – Engineering Control
EPA – Environmental Protection Agency
ERNS – Emergency Response Notification System
FOIA – Freedom of Information Act
GWBZ – Groundwater Bearing Zone
HREC – Historical recognized environmental condition
IC – Institutional Control
IHW – Industrial Hazardous Waste
IOP – Innocent Owner / Operator Program
LPST – Leaking Petroleum Storage Tank
MUD – Municipal Utility District
MSD – Municipal Settings Designation
MSL – Mean Sea Level
MTBE – Methyl tert butyl ether
NAPL – Non-aqueous Phase Liquids
NPL – National Priority List
NRCS – Natural Resource Conservation Service
OSHA – Occupational Safety and Health Administration
PAH – Polycyclic Aromatic Hydrocarbons
PCB – Polychlorinated Biphenyls
PCE – Perchloroethene (Tetrachloroethene)
PPM – Parts Per Million
PSH – Phase Separated Hydrocarbons
PUD – Public Utility District
RCRA – Resource Conservation and Recovery Act
REC – Recognized environmental condition
SBA – Small Business Administration
SCL – State CERCLIS List
SPL – State Priority List
SVOC – Semi-Volatile Organic Compounds
SWLF – Solid Waste Landfill
TCEQ – Texas Commission on Environmental Quality
TDSHS – Texas Department of State Health Services
TNRCC – Texas Natural Resource Conservation Commission
TNRIS – Texas Natural Resource Information System
TPH – Total Petroleum Hydrocarbons
TSD – Treatment, Storage and Disposal (RCRA)
TWC - Texas Water Commission
TWDB - Texas Water Development Board
USACOE – United State Army Corps of Engineers
USDA – United States Department of Agriculture
UST – Underground Storage Tank
USGS – United States Geological Survey
VCP – Voluntary Cleanup Program
VEC – Vapor Encroachment Condition
VOC – Volatile Organic Compounds
WMU – Waste Management Unit
APPENDIX I

CURRENT & HISTORICAL DOCUMENTATION
SITE SKETCH

Subject Property

Location: 13.812 Acres along Highway 80
Marshall, TX 75672

PEI Project No: 20180211
2016 NAIP Orthoimagery
2010 NAIP Orthoimagery
2004 NAIP Orthoimagery

Source: TNRIS

Copyright ©2016 Phase Engineering, Inc.

Property boundary and locations are representative only.
1995 Digital Orthophoto Mosaic
1985 Aerial Photograph
Property boundary and locations are representative only.

Source: USGS Earth Explorer

Copyright ©2016 Phase Engineering, Inc.

1975 Aerial Photograph
1957 Aerial Photograph
1949 Aerial Photograph

Source: USGS Earth Explorer

Copyright © 2016 Phase Engineering, Inc.

Property boundary and locations are representative only.

Scale: 1:4,000
The U.S. Geological Survey (USGS) produced its first topographic map in 1879, the same year it was established. Today, more than 100 years and millions of map copies later, topographic mapping is still a central activity for the USGS. The topographic map remains an indispensable tool for government, science, industry, and leisure.

Topographic maps usually portray both natural and manmade features. They show and name works of nature including mountains, valleys, plains, lakes, rivers, and vegetation. They also identify the principal works of man, such as roads, boundaries, transmission lines, and major buildings. The colors represent the following: Contours - brown, Hydrography - blue, Public Land Survey System and other surveys - red, Updates - purple/magenta, Miscellaneous - black, and Vegetation - green.

Topographic Map

USGS 7.5 Minute Topographic Series
Marshall East, 2013
The U.S. Geological Survey (USGS) produced its first topographic map in 1879, the same year it was established. Today, more than 100 years and millions of map copies later, topographic mapping is still a central activity for the USGS. The topographic map remains an indispensable tool for government, science, industry, and leisure.

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USGS 7.5 Minute Topographic Series
Marshall East, 1978
Topographic Map

The U.S. Geological Survey (USGS) produced its first topographic map in 1879, the same year it was established. Today, more than 100 years and millions of map copies later, topographic mapping is still a central activity for the USGS. The topographic map remains an indispensable tool for government, science, industry, and leisure.

Topographic maps usually portray both natural and manmade features. They show and name works of nature including mountains, valleys, plains, lakes, rivers, and vegetation. They also identify the principal works of man, such as roads, boundaries, transmission lines, and major buildings. The colors represent the following: Contours - brown, Hydrography - blue, Public Land Survey System and other surveys - red, Updates - purple/magenta, Miscellaneous - black, and Vegetation - green.

USGS 7.5 Minute Topographic Series
Marshall East, 1962
USDA NRCS SSURGO
Database of Texas

The "Gridded Soil Survey Geographic (gSSURGO) Database State-tile Package" product is derived from the Soil Survey Geographic Database. SSURGO is generally the most detailed level of soil geographic data developed by the National Cooperative Soil Survey (NCSS) in accordance with NCSS mapping standards. SSURGO is designed to be used for broad planning and management uses.

Geologic Database of Texas

The Geologic Database of Texas was produced in cooperation with the US Geological Survey (USGS), and the Texas Water Development Board (TWDB) utilizing the 28 Geologic Atlas of Texas sheets (Texas Bureau of Economic Geology, Virgil Barnes, editor). These were compiled into separate geodatabases and then into a single Statewide Digital Geologic Atlas of Texas. This dataset is distributed through TNRIS.
Major Aquifers

- Pecos Valley
- Seymour
- Gulf Coast
- Carrizo - Wilcox (outcrop)
- Carrizo - Wilcox (subcrop)
- Hueco - Mesilla Bolson
- Ogalala
- Edwards - Trinity Plateau (outcrop)
- Edwards - Trinity Plateau (subcrop)
- Edwards BFZ (outcrop)
- Edwards BFZ (subcrop)
- Trinity (outcrop)
- Trinity (subcrop)

NOTE: Aquifer chronology by geologic age. - Solid colors indicate OUTCROP areas (portion of a water-bearing rock unit exposed at the land surface). - Hatch colored lines indicate SUBCROP areas (portion of a water-bearing rock unit existing below other rock units).

Minor Aquifers

- BRAZOS RIVER ALLUVIUM
- WEST TEXAS BOLSONS
- LIPAN
- YEGUA JACKSON
- IGNEOUS
- SPARTA
- QUEEN CITY
- NACATOH
- BLOSSOM
- WOODBINE
- RITA BLANCA
- EDWARDS-TRINITY (HIGH PLAINS)
- DOCKUM
- RUSTLER
- CAPITAN REEF COMPLEX
- BLAINE
- BONE SPRING-VICTORIO PEAK
- MARBLE FALLS
- MARATHON
- ELLENBURGER-SAN SABA
- HICKORY

Texas Aquifer Zones - TWDB 2017 State Water Plan (adopted May 19, 2016)

The Texas Water Development Board (TWDB) has identified and characterized 9 major and 21 minor aquifers in the state based on the quality of water supplied by each. A major aquifer is generally defined as supplying large quantities of water in small areas or relatively small quantities in large areas. The major and minor aquifers, as presently defined, underlie approximately 81 percent of the state. Lesser quantities of water may also be found in the remainder of the state.

source: TWDB, ESRI

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PEI Project No: 201802011
FEMA Flood Map

Flood hazard areas identified on the Flood Insurance Rate Map are identified as a Special Flood Hazard Area (SFHA). SFHAs are defined as the area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood. SFHAs are labeled as Zone A, Zone AO, Zone AH, Zones A1-A30, Zone AE, Zone A99, Zone AR, Zone ARIA, Zone AR/AR, Zones AR/A1-A30, Zone AR/A, Zone V, Zone VE, and Zones V1-V30. Moderate flood hazard areas, labeled Zone B or Zone X (shaded) are also shown on the FIRMs, and are the areas between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood. The areas of minimal flood hazard, which are the areas outside the SFHA and higher than the elevation of the 0.2-percent-annual-chance flood, are labeled Zone C or Zone X (unshaded).

Special Flood Hazard Areas Subject to inundation by the 1% annual chance Flood Event (100-year flood) - The 1% annual chance flood, also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. SFHA includes A, AE, AH, AO, AR, A99, V, and VE.

Moderate Flood Hazard Areas - Areas of 0.2% (500-year) annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than less than 1 square mile; and areas protected by levees from 1% annual chance flood.

Minimal Flood Hazard Areas - Areas determined to be outside the 0.2% (500-year) annual chance floodplain and protected by levees from 100-year flood.

Floodway Areas in Zone AE - The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

Area Not Included
Texas Railroad Commission Digital Well Location and Pipeline Mapping

Oil and gas well data and pipeline datasets were generated by the Geographic Information System of the Railroad Commission of Texas from public records at the Railroad Commission of Texas (the Commission). The Commission makes no representation, guarantee or warranty as to the accuracy, completeness, currency, or suitability of these data sets, which are provided "AS IS."
Texas Water Wells with MSD and Superfund Site Boundaries

- **TCEQ Public Water Supply Wells (PWS)**
  - The public water systems data was developed to support the TCEQ's Source Water Assessment and Protection Program (SWAP). The locations were obtained by the Water Supply Division as recorded from various sources. This layer was built using the best existing location data available but some errors still remain.

- **USGS National Water Inventory System (NWIS)**
  - The National Water Information System (NWIS) provides access to USGS water data at over 1.5 million sites. This extensive database for the nation includes the occurrence, quantity, quality, distribution and movement of surface and underground waters.

- **TWDB Groundwater Database (GWDB)**
  - The Groundwater Database (GWDB) of the Texas Water Development Board (TWDB) contains information about more than 130,000 water well, spring, and oil/gas test sites in Texas including associated water level and water quality data. Because data collection methods and data maintenance have varied and evolved over the years, the information in the GWDB has a range of accuracy.

- **TWDB Brackish Groundwater (BRACS)**
  - The Brackish Aquifer Characterization System (BRACS) Database was designed to store well and geology information in support of projects to characterize the brackish groundwater resources of Texas. Brackish groundwater contains dissolved minerals in the range of 1,000 to 9,999 milligrams per liter (mg/L).

- **TWDB Submitted Drillers Reports Database (SDRDB)**
  - The Submitted Driller’s Report Database is populated from the online Texas Well Report Submission and Retrieval System which is a cooperative Texas Department of Licensing and Regulation (TDLR) and Texas Water Development Board (TWDB) application that registered water-well drillers use to submit their required reports. This system was started 2/5/2001 and began collecting all reports in 2003.

- **TCEQ MSD Boundary**
  - An MSD is an official state designation given to property within a municipality or its extraterritorial jurisdiction that certifies that designated groundwater at the property is not used as potable water, and is prohibited from future use as potable water because that groundwater is contaminated in excess of the applicable potable-water protective concentration level. The prohibition must be in the form of a city ordinance, or a restrictive covenant that is enforceable by the city and filed in the property records.

- **State and Federal Superfund Sites**
  - TCEQ Superfund Sites includes both State and Federal sites in the State of Texas that have been designated as Superfund cleanup sites. Federal Superfund sites have a Hazardous Ranking System score of 28.5 or above and are also on the NPL.
APPENDIX II

PHOTO GALLERY
1. Subject Property View North from Highway 80 (12)

2. South Adjoining Property
3. View North Along West Property Boundary

4. South Adjoining Property
5. West Adjoining Property

6. On Site Pipeline
7. South Adjoining Property

8. South Adjoining Property
9. View North Along East property Boundary

10. West Adjoining Pipeline Easement
11. West Adjoining Abandoned House
APPENDIX III

OWNERSHIP & PUBLIC DOCUMENTATION
BEGINNING at the ½ inch iron rod found with cap marked Cox R.P.L.S. 4970 (basis of bearings) for the intermediate northeast corner of said WCE tract 1 (called 4,606 acre tract) and the residue of said Sanders 51 acre tract, being the northwest corner of the Ronald Munden 2,000 acre tract as recorded in volume 3830, page 274 (O.P.R.), being the southwest corner of the Ronald Munden 8,534 acre tract as recorded in volume 2811, page 59 (O.P.R.), being the southeast corner of the Glen Coleman 16,99 acre tract as recorded in volume 1324, page 485 (O.P.R.), from said rod the ½ inch iron rod found for the northeast corner of said Munden 2,000 acre tract, being the southeast corner of said Munden 8,534 acre tract, being situated in the east boundary line of said Rogers survey A-20, being situated in the west boundary line of the Hiram Blossom survey A-1, being situated on the west margin of said C.R. 2218 (a.k.a. Pumpkin Center Road) a perpendicular distance of 26 feet west of the center of said C.R. 2218 bears N68°33'19"E (call by said Munden 8,534 acre tract deed S68°33'19"W, 533.37', basis of bearings), 533.51 feet;

THENCE along the northerly east boundary line of said WCE tract 1 and the residue of said Sanders 51 acre tract with the west boundary line of said Munden 2,000 acre tract S21°26'41"E, 163.71 feet to the ½ inch iron rod with cap marked Cox set for an angle point, being an ell type corner for said WCE tract 1 and the residue of said Sanders 51 acre tract, being the southwest corner of said Munden 2,000 acre tract, from said rod the ½ inch iron rod with cap marked Cox set for the easterly northeast corner of said WCE tract 1 and the residue of said Sanders 51 acre tract, being the southeast corner of said Munden 2,000 acre tract, being situated in the east boundary line of said Rogers survey A-20, being situated in the west boundary line of the Hiram Blossom survey A-1, being situated on the west margin of said C.R. 2218 a perpendicular distance of 26 feet west of the center of said C.R. 2218 bears N68°33'19"E, 530.82 feet;

THENCE crossing said WCE tract 1 along the easterly boundary line of the herein described 13.812 acre tract S22°15'49"E, 60.01 feet to the ½ inch iron rod with cap marked Cox set for an angle point, being an ell type corner for said WCE tract 1, being the northwest corner of WCE tract 2, from said rod the ½ inch iron rod with cap marked Cox set for the easterly southeast corner of said WCE tract 1, being the northeast corner of said WCE tract 2, being situated in the east boundary line of said Rogers survey A-20, being situated in the west boundary line of the Hiram Blossom survey A-1, being situated on the west margin of said C.R. 2218 bears N68°33'19"E, 528.98 feet;

THENCE along the southerly east boundary line of said WCE tract 1 with the westerly boundary line of said WCE tract 2 S18°41'07"E, at 164.08 feet passing the ½ inch iron rod with cap marked Cox set for the southerly southeast corner of said WCE tract 1, being the southwest corner of said WCE tract 2, being the northwest corner of the WCE tract 3, being the intermediate northeast corner of said WCE tract 4 and continuing on for an overall distance of 313.88 feet to the ½ inch iron rod with cap marked Cox set for an intermediate corner, being an ell type corner for said WCE tract 4, being the southwest corner of said WCE tract 3, from said rod the ½ inch iron rod with cap marked Cox set for the easterly northeast corner of said WCE tract 4, being the southeast corner of said tract 3, being situated in the east boundary line of said Rogers survey A-20, being situated in the west boundary line of the Hiram Blossom survey A-1, being situated on the west margin of said C.R. 2218 bears N71°18'53"E, 535.75 feet;

THENCE crossing said WCE tract 4 along the easterly boundary line of the herein described 13.812 acre tract S18°41'07"E, 60.00 feet to the ½ inch iron rod with cap marked Cox set for an intermediate corner, being an ell type corner for said WCE tract 4, being the northwest corner of WCE tract 5, from said rod the ½ inch iron rod with cap marked Cox set for the easterly southeast corner of said WCE tract 4, being
the northeast corner of said WCE tract 5, being situated in the east boundary line of said Rogers survey A-20, being situated in the west boundary line of the Hiram Blossom survey A-1, being situated on the west margin of said C.R. 2218 bears N71°18′53″E, 535.75 feet;

THENCE along the southerly east boundary line of said WCE tract 4 with the westerly boundary line of said WCE tract 5 S18°41′07″E, at 162.61 feet passing the ½ inch iron rod with cap marked Cox set for the southerly southeast corner of said WSE tract 4, being the southwest corner of said WCE tract 5, being the northwest corner of the WCE tract 6, being the northeast corner of said WCE tract 8, continuing on and at 325.22 feet passing the ½ inch iron rod with cap marked Cox set for the southwest corner of said tract 6, being the northwest corner of said WCE tract 7 and continuing on for an overall distance of 501.40 feet to the ½ inch iron rod with cap marked Cox set for the easterly southeast corner for said WCE tract 8, being the southwest corner of said WCE tract 7, being an angle point in the south boundary line of said WSE, being the northeast corner of the residue of the C. H. Easley 0.75 acre tract as recorded in volume 1153, page 524 of the Deed Records (D.R.) of Harrison County, Texas, being the northwest corner of the Angela Gordon 0.4670 acre tract as recorded in volume 3363, page 198 (O.P.R.);

THENCE along the eastern southerly boundary line of said WCE tract 8 with the northerly boundary line of said Easley 0.75 acre tract S67°58′42″W, 227.38 feet to the ½ inch iron rod with cap found for the southerly southeast corner of said WCE tract 8, being the west corner of said Easley 0.75 acre tract, being situated in the north boundary line of Highway 80 (a variable width) a perpendicular distance of 65 feet north of the center of said Highway 80, from said rod the ¾ inch iron pipe found bears N67°58′42″E, 0.60 feet and the ½ inch iron rod found bears S73°12′21″E, 1313.43 feet;

THENCE along the south boundary line of WCE tract 8 with the north boundary line of said Highway 80 N73°12′21″W, at 141.64 feet, at 297.24 feet, at 427.24 feet and at 557.24 feet passing the common south corners for said WCE tracts 8,9,10,11,12 and continuing on for an overall distance of 687.24 feet to the ½ inch iron rod with cap set for the southwest corner of said WCE tract 12, being the southeast corner of the WCE tract 13, from said rod the ½ inch iron rod with cap found for the southwest corner of said WCE tract 13, being a point of widening for said Highway 80 right of way bears N73°12′21″W, 60.00 feet;

THENCE along the west boundary line of said WCE tract 12 with the east boundary line of said WCE tract 13 N16°47′39″E, 540.00 feet to the ½ inch iron rod with cap marked Cox set for the northwest corner of said WCE tract 12, being the southwest corner of said WCE tract 1, being an angle point in the east boundary line of said WCE tract 13;

THENCE along the west boundary line of said WCE tract 1 with the east boundary line of said WCE tract 13 N21°40′53″W, 248.81 feet to the ½ inch iron rod with cap marked Cox set for the northwest corner of said WCE tract 1, being the northeast corner of said WCE tract 13, being situated in the southerly boundary line of said Coleman 16.99 acre tract, from said rod the ½ inch iron rod with cap set for the northwest corner of said tract 13 and said WSE bears S68°19′07″W, 355.61 feet;

THENCE along the north boundary line of said WCE tract 1 with the easterly south boundary line of said Coleman 16.99 acre tract N68°19′07″E, 475.23 feet to the POINT OF BEGINNING and containing 13.812 acres of land. Surveyor's note: This property description was prepared from record information and fieldwork for corner recovery has not been conducted as of the 26th day of January, 2018.

STATE OF TEXAS: KNOW ALL MEN BY THESE PRESENTS

COUNTY OF HARRISON:

That I, James A. Cox, Jr., A Registered Professional Land Surveyor, do hereby certify to Stonelace Companies that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground during December, 2007 under my direction and supervision.

WITNESS MY HAND AND SEAL AT MARSHALL, HARRISON COUNTY, TEXAS.

This the 26th day of January, 2018.

Registered Professional Land Surveyor No. 4970
State of Texas
Property Year 2017 | Tax Summary | Map/Gis
---|---|---
Property ID: R000020468 | Geo ID: 0020.00210.00000.00000

Property Details

Ownership

SANDERS JACK M JR
PO BOX 1387
MARSHALL, TX 75671-1387
Ownership Interest: 1.0000000

Available Actions

File Notice of Protest for this Property
* Protest is date sensitive. Please refer to the protest deadline on the Notice of Appraised Value.

Qualified Exemptions

Not Applicable

Legal Information

Legal: Acres: 28.737, Abst: 20 B ROGERS, V
Situs: VICTORY 0

Property Valuation History

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**Property Information**

**Improvement / Buildings**  
**Improvement Value:** $0

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**Land Details**  
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**Production Market Value:** $116,100  
**Production Value:** $2,900

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**Property Tax Estimation by Entity / Jurisdiction**

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The above property tax estimation is not a tax bill. Do not pay.  
[Click here to view actual Property Tax Bill.](http://iswdataclient.azurewebsites.net/webProperty.aspx?dbkey=harrisoncad&stype=name&sdata=sanders%20j&time=201802230916034&id=R000020468)

Southwest Data Solutions provides this information "as is" without warranty of any kind.  
Southwest Data Solutions is not responsible for any errors or omissions.
## Regulatory Database Search

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<td>Marshall, TX</td>
<td>75672</td>
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### Prepared For:

Phase Engineering, Inc.  
5524 Cornish St.  
Houston, TX 77007

### Prepared By:

AAI Environmental Data  
P.O. Box 70438  
Houston, TX 77270
Location Map

Source: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

Site Location: Marshall, TX 75672
Job Number: 201802011

Scale: 1:11,285

Note: Property location and boundaries are representative only.
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**Federal Sites**

**State and Tribal Sites**

**Supplemental Databases**

*Adjoining properties are defined as being within a search radius of 0.25 mi. from the subject property boundaries.*
Ungeocodables

The following sites were not geocoded due to mapping and/or database limitations. These sites are believed to be within the subject sites zip code or in an adjacent zip code within 1/2 mile of the subject property, but due to database inaccuracies, no guarantees can be made that these sites actually exist within the zip code nor can it be guaranteed that the listed sites are the only sites in the zip code.

The following ZIP codes have been searched for ungeocodables 75672

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<tr>
<th>Facility ID</th>
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<tr>
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DATA SOURCES

CERCLIS Comprehensive Environmental Response, Compensation and Liability Information System – CERCLA, also known as the Superfund Program (enacted by Congress in 1980) is administered by the EPA to locate, investigate, and clean-up uncontrolled hazardous waste sites throughout the United States. CERCLIS is the national database and management system the EPA uses to track activities at abandoned, inactive, or uncontrolled hazardous waste sites regulated under the Comprehensive Environmental Response, Compensation and Liability Act, and is the contains the official inventory of Superfund sites. This database contains information for site inspections, preliminary assessments and remediation activities at hazardous waste sites on the National Priorities List. CERCLIS contains the official inventory of Superfund sites and supports EPA’s site planning and tracking functions. Effective January 31, 2014, the Superfund program decommissioned CERCLIS and is transitioning to the Superfund Enterprise Management System, or SEMS. SEMS will include the same data and content as CERCLIS. The final CERCLIS dataset (dated November 12, 2013) which reflects official end of Fiscal Year 2013 Program progress for public reporting is the last update until a complete and accurate SEMS data set is available from the EPA.

NPL National Priorities List – is a list of national priorities among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States and its territories. The NPL is information and management tool intended primarily to guide the EPA in determining which sites warrant further investigation. The National Priorities List is updated periodically, as mandated by CERCLA.

NPL Delisted (Deleted) – Deletion of sites from the National Priorities List (NPL) may occur once all response actions are complete and all cleanup goals have been achieved. The EPA has the responsibility for processing deletions with concurrence from the State. Deleted sites may still require five-year reviews to assess protectiveness. Also, if future site conditions warrant, additional response actions can be taken, using the Trust Fund or by Potential Responsible Parties. Sites can be restored to the NPL if extensive response work is required.

NFRAP – is a status code assigned to Non-NPL sites. No Further Remedial Action Planned means that, to the best of the EPA’s knowledge, site assessment work is complete and no further steps will be taken to list the site on the National Priorities (NPL) unless new information warranting such action is received by EPA. NFRAP does not necessarily mean that there is no hazard associated with the site; it only means that the location is not deemed to be a potential NPL site based on available information.

Land Use Controls (LUCs) - Land use controls may consist of Institutional Controls (ICs) and Engineering Controls (ECs). LUCs help to minimize the potential for exposure to contamination and/or protect the integrity of a response action and are typically designed to work by limiting land and/or resource use or by providing information that helps modify or guide human behavior at a site. Institutional Controls (ICs) are non-engineering measures and are almost always used in conjunction with, or as a supplement to, other measures such as waste treatment or containment. There are four categories of ICs: Governmental Controls (zoning restrictions, ordinances, statues, building permits or other provisions that restrict land or resource use at a site), Proprietary Controls (easements, covenants, Deed Restrictions), Enforcement and Permit Tools (consent decrees, administrative orders), and Informational Devices (State Registries of contaminated sites, deed notices and advisories). ICs are used when contamination is first discovered, when remedies are ongoing and when residual contamination remains onsite at a level that does not allow for unlimited use and unrestricted exposure after cleanup. Engineering Controls (ECs) encompass a variety of engineered and constructed physical barriers to contain and/or prevent exposure to contamination on a property. ECs are often installed during cleanup as a condition of a no further action determination and are generally intended to be in place for long periods of time.

RCRA Resource Conservation and Recovery Act Information - RCRAInfo is the EPAs comprehensive information system that supports the RCRA (1976) and HSWA (1984) through the tracking of events and activities related to facilities that generate, treat, store or dispose of hazardous waste. Information on cleaning up after accidents or other activities that result in a release of hazardous materials to the water, air or land must also be reported through RCRAInfo.

Hazardous Waste Generator – is any person or site whose processes and actions create hazardous waste. Generators are divided into three categories based upon the quantity of waste they produce: Large Quantity Generators (LQG), Small Quantity Generators (SQG), and Conditionally Exempt Small Quantity Generators (CESQG).

TSD - The RCRA hazardous waste permitting program helps ensure the safe treatment, storage, and disposal of hazardous waste by establishing specific requirements that must be followed when managing wastes. Permits for the treatment, storage, or disposal of hazardous wastes are issued by Authorized States or by the EPA Regional Offices.

Corrective Action/Hazardous Waste Cleanup – RCRA requires TSD facilities owners and operators to investigate and clean up hazardous waste releases at hazardous waste facilities. The RCRA Corrective Action Program allows these facilities to address the investigation and cleanup of these hazardous releases themselves. Cleanup at closed or abandoned RCRA sites can also take place under the Superfund program. The EPA created the 2020 Corrective Action Universe which gives access to the facilities expected to need corrective action. Some properties are heavily contaminated while others were contaminated but have since been cleaned up, or have not been fully investigated yet, and may require little or no remediation. The 2020 Corrective Action Baseline Facilities List data was retrieved from RCRAInfo as of April 22, 2013.

ACRES Assessment, Cleanup and Redevelopment Exchange System (EPA Brownfield) - The EPA’s ACRES stores information reported by EPA Brownfields grant recipients on brownfields properties assessed or cleaned up with grant funding as well as information on Targeted Brownfields Assessments performed by EPA Regions. The EPA’s Brownfields Program is designed to empower states, communities, and other stakeholders in economic redevelopment to work together in a timely manner to prevent, assess, safely clean up, and sustainably reuse brownfields.
DATA SOURCES

ERNS Emergency Response Notification System – is the database used to store information on notifications of oil discharges and hazardous substances release. The ERNS program is a cooperative data sharing effort among the Environmental Protection Agency (EPA) Headquarters, the Department of Transportation (DOT), National Transportation Systems Center (NTSC), the ten EPA Regions, the U.S. Coast Guard (USCG), and the National Response Center (NRC). ERNS provide the most comprehensive data compiled on notifications of oil discharges and hazardous substances releases in the United States. The types of release reports that are available in ERNS fall into three major categories: substances designated as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended; oil and petroleum products (Clean Water Act of 1972), as amended by the Oil Pollution Act of 1990; and all other types of materials. EARN is a database of initial notifications and not incidents, so there are limitations to the data. There may be multiple reports for a single incident, and because reports are taken over the phone, misspellings, and locational information limit the quality of some data.

State Superfund Registry in Texas - was established by the 69th Texas Legislature in 1985 and administered by TCEQ lists those abandoned or inactive sites that have serious contamination but do not qualify for the federal program, and therefore are cleaned up under the state program. The state must comply with federal guidelines in administering the state Superfund program, but EPA approval of the state Superfund actions is not required. The Remediation Division manages Superfund sites, or provides management assistance to EPA on RP-lead Superfund sites, after the site is identified as being eligible for listing on either the state Superfund registry or the federal National Priorities List (NPL).

TCEQ Petroleum Storage Tank Program (PST) - regulates underground storage tanks (USTs), and to a lesser extent, aboveground storage tanks (ASTs), containing petroleum or hazardous substances. The PST Program has established action levels and screening criteria for PST chemicals of concern (COCs), to help determine whether sites must be assigned an LPST number and further investigation.

TCEQ Leaking Petroleum Storage Tanks (LPST) data – is maintained the Remediation Division oversees the cleanup of petroleum substance and hazardous releases from regulated aboveground and underground storage tanks.

TCEQ Release Determination Reports (RDR) – are reported to the PST Program and maintained by the Remediation Division. These are used to report the results from an investigation of a suspected or confirmed release. A RDR is not always associated with a registered LPST or PST site. The RDR dataset included in this search is limited.

TCEQ Voluntary Cleanup Program (VCP) - provides administrative, technical, and legal incentives to encourage the cleanup of contaminated sites in Texas. Since all non-responsible parties, including future lenders and landowners, receive protection from liability to the state of Texas for cleanup of sites under the VCP, most of the constraints for completing real estate transactions at those sites are eliminated. As a result, many unused or under used properties may be restored to economically productive or community beneficial use. Also under the VCP, site cleanups follow a streamlined approach to reduce future human and environmental risk to safe levels. The Texas Voluntary Cleanup Program (VCP) Database provides general information on contaminated sites addressed under the Texas VCP. Institutional and Engineering Controls (IC) are included in the VCP database.

TCEQ Brownfields Site Assessments (BSA) – The BSA Program administers a grant provided by the EPA to perform Brownfields site assessment for local governments and non-profit organizations who are not responsible parties. TCEQ works in close partnership with the EPA and other federal, state, and local redevelopment agencies, and stakeholders, to facilitate cleanup, transfer and revitalization of Brownfields through the development of regulatory, tax, and technical assistance tools.

TCEQ Industrial and Hazardous Waste Program (IHW) – The Texas Commission on Environmental Quality (TCEQ) oversees both wastes generated in Texas and those generated outside the state and sent to Texas for treatment, storage, and/or disposal. A hazardous waste is one that is listed as such by the EPA or that exhibits one or more hazardous characteristics (ignitability, reactivity, corrosiveness, or toxicity). Owners or operators of hazardous waste management units must have permits during the active life (including the closure period) of the unit and are subject to both state and federal requirements. The Industrial and Hazardous Waste Datasets are statewide files from the TRACs-IHW system that include the permitting and annual reporting of industrial and hazardous wastes to the TCEQ.

TCEQ Industrial and Hazardous Waste Corrective Action Program (IHWCA) - The Remediation Division of the TCEQ oversees the Corrective Action Program. Corrective Action is triggered when there is a documented release of hazardous waste constituents to the environment; these releases are the result of the past and present activities at RCRA-regulated facilities. The Corrective Action process includes the investigation/evaluation, and if necessary remediation and cleanup of any contaminated air, groundwater, surface water, or soil of hazardous waste management spills or releases from waste management units and release areas, to ensure protection of human health and the environment. Corrective action requirements apply to all solid waste management units and areas of concern at a facility requiring regulatory agency permitting or closure.

Dry Cleaner Registration (DCR) - State law requires that all dry cleaning drop stations and facilities register annually with the TCEQ, which implements performance standards at these facilities as appropriate.

TCEQ Dry Cleaner Remediation Program (DCRP) - was established under House Bill 1366 (Sept. 1, 2003) which established new environmental standards for dry cleaners and a remediation fund to assist with remediation of contamination caused by dry cleaning solvents. The program establishes a prioritization list of dry cleaner sites and administers the Dry Cleaning Remediation fund.
DATA SOURCES

Municipal Setting Designations (MSD) - is an official state designation given to property within a municipality or its extraterritorial jurisdiction that certifies that designated groundwater at the property is not used as potable water, and is prohibited from future use as potable water because that groundwater is contaminated in excess of the application potable-water protective concentration level. The prohibition must be in the form of a city ordinance or a restrictive covenant that is enforceable by the city and filed in the property records. MSD is managed by the Remediation Division.

Railroad Commission of Texas Brownfields Response Program (BRP) - The Railroad Commission of Texas (RRC) regulates the exploration, production and transportation of oil and natural gas in Texas. The Brownfields response program (BRP) is designed to identify brownfields associated with oil and gas activities and to promote voluntary cleanup by providing federal grant funding for environmental site assessments. The objective of the BRP is to restore brownfields properties in communities across Texas by increasing the redevelopment potential of abandoned oil and gas sites.

Railroad Commission of Texas Voluntary Cleanup Program (RRC-VCP) - The purpose of the voluntary cleanup program is to provide an incentive to cleanup property contaminated by activities under Railroad Commission jurisdiction by removing the liability to the state of lenders, developers, owners, and operators who did not cause or contribute to contamination (a waste, pollutant or other substance or material regulated by or that results from an activity under the jurisdiction of the RRC) released at the site. The program is restricted to voluntary actions but does not replace other voluntary actions.

Tribal Databases – The United States has a unique legal relationship with federally-recognized Indian tribes based on the Constitution, treaties, statutes, executive orders and court decisions. The EPA became the first federal agency to adopt a formal Indian Policy (1984) of working with tribes on a government-to-government basis. There are 561 federally-recognized tribes within the United States. Each tribe is an independent, sovereign nation, responsible for setting standards, making environmental policy, and managing environmental programs for its people; in Texas, these include the Alabama-Coushatta Tribe of Texas, Kickapoo Traditional Tribe of Texas, and the Ysleta Del Sur Pueblo of Texas. The EPA Region 6 Tribal Team members work as liaisons and partner with Tribes on a government-to-government basis, consistent with their inherent sovereignty, assisting other EPA Divisions to resolve environmental issues, consult, and support the development of tribal environmental protection programs. The American Indian Environmental Office manages the Tribal Air, Compliance, Enforcement, Waste, Solid Waste and Emergency Response (OSWER), Underground Storage Tanks, Water programs. Brownfields Land Revitalization, Emergency Management, Federal Facilities Restoration and Reuse Office, Office of Resource Conservation and Recovery, Office of Superfund Remediation and Technology Innovation and Office of Underground Storage Tanks (OUST) have tribal response programs or coordinate with Indian tribes. Tribal facility information within these programs is reported through the EPA.

Tribal Open Dumps 2014 - OMDS - Indian Health Service, Office of Environmental and Health Engineering Division of Sanitation Facilities Construction administers a nationwide Sanitation Facilities Construction Program that is responsible for the delivery of environmental engineering services and sanitation facilities to American Indians and Alaska Natives. The SFC Program for Texas is administered through the Nashville Area Office.
APPENDIX V

INTERVIEWS / ADDITIONAL INFORMATION
# ASTM Transaction Screen Questionnaire (Owner/Seller Questionnaire)

**Property Name and Address:** The Property Located along Highway 80, Marshall, Texas 75672

**Consultant Name:** Phase Engineering, Inc.  
**Report No.:** 201802011  
**Date:** February 15, 2018

**Instructions:** Please submit this form via email to Diana@PhaseEngineering.com. If you have any questions, please call 832-485-2225. To submit by fax, send to Diana at 281-200-0060.

To fill out this form for email submission, place the cursor over the box in the column representing your answer and press the right mouse button once. Select the “Properties” option, and from there select “Default Value= Checked”. This will place an “x” in the appropriate place. Please select only one answer per question.

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<th>Please explain all “Yes” answers in the Comments section at the end.</th>
<th>YES</th>
<th>NO</th>
<th>Unknown</th>
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<tr>
<td>1. Have you observed any evidence or do you have any prior knowledge that the property is used or has been used, in the past, as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard or landfill, or as a waste treatment, storage, disposal, processing, recycling facility, or chemical processing/manufacturing?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>2. Have you observed any evidence or do you have any prior knowledge that any adjoining property is used or has been used, in the past, as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>3. Have you observed any evidence or do you have any prior knowledge that there are currently or have been previously, any damaged or discarded automotive or industrial batteries, pesticides, paints, or other chemicals in individual containers of greater than 5 gal (19 L) in volume or 50 gal (190 L) in aggregate, stored on or used at the property or at the facility?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>4. Have you observed any evidence or do you have any prior knowledge that there are currently or have been previously, industrial drums (typically 55 gal (208 L)) or sacks of chemicals located on the property or at the facility?</td>
<td>☐</td>
<td>☒</td>
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<tr>
<td>5. Did you observe evidence or do you have any prior knowledge that fill dirt has been brought onto the property that originated from a contaminated site or that originated from an unknown site?</td>
<td>☐</td>
<td>☒</td>
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<tr>
<td>6. Have you observed any evidence or do you have any prior knowledge that there are currently or have been previously, any pits, ponds, or lagoons located on the property in connection with waste treatment or waste disposal?</td>
<td>☐</td>
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</tr>
<tr>
<td>7. Have you observed any evidence or do you have any prior knowledge that there is currently or has been previously any stained soil on the property?</td>
<td>☐</td>
<td>☒</td>
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</tr>
<tr>
<td>8. Have you observed any evidence or do you have any prior knowledge that there are currently or have been previously, any registered or unregistered storage tanks (above or underground) located on the property?</td>
<td>☐</td>
<td>☒</td>
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<tr>
<td>9. Have you observed any evidence or do you have any prior knowledge that there are currently or have been previously, vapor pipes, fill pipes, or access ways indicating a fill pipe protruding from the ground on the property or adjacent to any structure located on the property?</td>
<td>☐</td>
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<td>☐</td>
</tr>
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Please email completed form to Diana@PhaseEngineering.com. If you have any questions, please call (832) 485-2225.
Please explain all “Yes” answers in the Comments section at the end.

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<tr>
<th>Question</th>
<th>YES</th>
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<tr>
<td>10. Have you observed any evidence or do you have any prior knowledge that there is currently or has been previously, any evidence of leaks, spills or staining by substances other than water, or foul odors, associated with any flooring drains, walls, ceilings, or exposed grounds on the property?</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>11. If the property is served by a private well or non-public water system, is there any evidence or do you have prior knowledge that contaminants been identified in the well or system that exceed guidelines applicable to the water system?</td>
<td></td>
<td>X</td>
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<tr>
<td>12. If the property is served by a private well or non-public water system, is there any evidence or do you have prior knowledge that the well has been designated as contaminated by any government environmental/health agency?</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>13. Does the owner, or occupant of the property have any knowledge of environmental fines or government notification relating to past or recurrent violations of environmental laws with respect to the property or any facility located on the property?</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>14. Has the owner or occupant of the property been informed of any past or current existence of hazardous substances or petroleum products with respect to the property or any facility located on the property?</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>15. Has the owner or occupant of the property been informed of the current existence of environmental violations with respect to the property or any facility located on the property?</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>16. Does the owner or occupant of the property have any knowledge of any environmental site assessment of the property or facility that indicated the presence of hazardous substances or petroleum products on, or contamination of, the property or recommended further assessment of the property?</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>17. Does the owner or occupant of the property know of any past, threatened, or pending lawsuits or administrative proceedings concerning a release or threatened release of any hazardous substance or petroleum products involving the property by any owner or occupant of the property?</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>18. Does the property discharge wastewater (not including sanitary waste or storm water) onto or adjacent to the property and/or into a storm water system or sanitary sewer system?</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>19. Did you observe evidence or do you have any prior knowledge that any hazardous substances or petroleum products, unidentified waste materials, tires, automotive or industrial batteries or any other waste materials been dumped above grade, buried and/or burned, on the property?</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>20. Is there a transformer, capacitor, or any hydraulic equipment for which there are any records indicating the presence of Polychlorinated biphenyls (PCBs)?</td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

Please email completed form to: Diana@PhaseEngineering.com. If you have any questions, please call (832) 485-2225.
Please explain all "Yes" answers in the Comments section at the end.

<table>
<thead>
<tr>
<th>Question</th>
<th>YES</th>
<th>NO</th>
<th>Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>21. Have you observed or do you have any prior knowledge that there are</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>currently or have been, in the past, any water wells, oil and gas wells,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>monitoring wells, injection wells, or pipelines on the property.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22. Have you observed or do you have any prior knowledge that there are</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>currently or have been, in the past, any water wells, oil and gas wells,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>monitoring wells, injection wells, or pipelines on the adjoining</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>properties.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23. Have you observed or do you have any prior knowledge that there are</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>currently or have been, in the past, any refuse or trash piles on the</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>property.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24. Have you observed or do you have any prior knowledge that there are</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>currently or have been, in the past, any septic systems on the property.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25. Have you observed any evidence or do you have any prior knowledge</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>that the property is used or has been used, in the past, as a self-service</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>laundry facility?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26. To the best of your knowledge, have there been any previous</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>environmental reports conducted for the property, i.e. Phase I or Phase</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>II reports?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27. To the best of your knowledge, is there a presence of lead based</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>paint or asbestos at the property?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

28. To the best of your knowledge, what was the historical use of the property?

Timber production for the last 65 years.

Completed By: Jack Sanders, Jr.

Name (print): Jack Sanders, Jr. Signature: [Signature]

Relationship to Property (owner, broker, attorney, etc.): [Owner]

Address: PO Box 1387 City, State, ZIP Code: Harwood, TX 75841

Phone: 903 326 0142 Email: SandersJrJack@gmail.com

Comments on "Yes" Answers:

Pipeline runs down the west side of adjoining property, but not on tract subject of this questionnaire.

Please email completed form to Diana@PhaseEngineering.com. If you have any questions, please call (832) 485-2225.
RECORD OF COMMUNICATION

Job #: 201802011

Job Address: 13.812 Acres Along Highway 80 Marshall, TX 75672

Contact: Jack Sanders, Owner

Comments:

Phase Engineering Inc. interviewed Jack Sanders via telephone after the site visit. Mr. Sanders informed Phase Engineering, Inc. of the following:

- He stated the current use of the property is undeveloped land
- He stated that the past use of the subject property was harvesting timber.
- He was not aware of any current or previous hazardous substance or petroleum product release(s) at the subject property or adjoining properties.
- He was not aware of any current or historical USTs or ASTs located at the subject property or adjoining properties.
- He Stated that there is an abandoned house to the west of the site, previously occupied by his parents for a brief time in the 1950’s
- He stated that there are not current/historical water and sanitary service sources to the subject property.
- When asked if there are environmentally related documentation or reports known to exist in connection with the subject property, Mr. Sanders stated no.
- Mr. Sanders has been associated with the subject property for 50 years.

______________________ Date: 2/13/18___

Bianca Melito
Phase Engineering, Inc.
5524 Cornish Street, Houston, Texas 77007
Bianca@phaseengineering.com
Date: 2/16/18

To: Harrison County Fire Marshal
PHONE: (903) 935-4870
FAX: (903) 935-0697

From: Phase Engineering, Inc.
5524 Cornish Street
Houston, TX  77008
713-476-9844

RE: Open Records Request
For: Phase Engineering Job: 201802011

Phase Engineering, Inc. is currently working on a Phase I Environmental Assessment of the property, located at:

1. **ADDRESS:** Approximately 13.812 Acres along Highway 80, Marhsall, TX 75672  (Nearby 1051 Cedar Loop)
2. **OWNER NAME:**
3. **PROPERTY ID:**

We are requesting any information you may have concerning the storage, use, handling or dispensing of flammable liquid storage tanks, hazardous materials, or liquefied petroleum gas storage or incidents of environmental concern, at the above location or adjacent properties. Please notify us of any charges before proceeding.

Please reply as soon as possible to: jessica@PhaseEngineering.com or Fax 713-476-9797.

Thank you very much for your assistance!
Date: 2/16/18

To: Harrison County, TX
Environmental Health
PHONE: (903) 938-8339
FAX: (903) 938-0969

From: Phase Engineering, Inc.
5524 Cornish Street
Houston, TX 77008
713-476-9844

RE: Open Records Request
For: Phase Engineering Job: 201802011

Phase Engineering, Inc. is currently working on a Phase I Environmental Assessment of the property, located at:

1. ADDRESS: Approximately 13.812 Acres along Highway 80, Marhsall, TX 75672 (Nearby 1051 Cedar Loop)
2. OWNER NAME:
3. PROPERTY ID:

We would like to request any and all environmentally-related information, including, but not limited to notices of violation, complaints, fuel tank storage facilities, sample wells, grease traps, etc., based upon the Freedom of Information Act for this property. Please notify us of any charges before proceeding.

Please reply as soon as possible to: jessica@PhaseEngineering.com or Fax 713-476-9797.
COMMUNICATION RECORD

Job #: 201802011
Job Address: Approximately 13.812 Acres along Highway 80, Marshall, TX 75672
Contact: Harrison County Clerk

Comments:
Unincorporated areas of Harrison County have no zoning restrictions.

______________________________ Date: 2/16/18
Jessica Martinez
Phase Engineering, Inc.
5524 Cornish Street, Houston, Texas 77008
jessica@phaseengineering.com
Section 6. User Responsibilities

In order to qualify for one of the Landowner Liability Protections (LLPs) offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 all users must provide the following information (if available) to Phase Engineering, Inc. Failure to provide this information could result in a determination that “all appropriate inquiries” is not complete.

1) Environmental liens that are filed or recorded against the property (40 CFR 312.25).
   Did a search of recorded land title records (or judicial records where appropriate) identify any environmental liens filed or recorded against the property under federal, tribal, state or local law? □ Yes □ No

2) Activity and use limitations that are in place on the property or that have been filed or recorded against the property (40 CFR 312.26(a)(1)(v) and vii)).
   Did a search of recorded land title records (or judicial records where appropriate) identify any AULs, such as engineering controls, land use restrictions or institutional controls that are in place at the property and/or have been filed or recorded against the property under federal, tribal, state or local law? □ Yes □ No

3) Specialized knowledge or experience of the person seeking to qualify for the LLP (40 CFR 312.28).
   As the user of this ESA do you have any specialized knowledge or experience related to the property or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the property or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business? □ Yes □ No

4) Relationship to the purchase price to the fair market value of the property if it were not contaminated (40 CFR 312.29).
   Does the purchase price being paid for this property reasonably reflect the fair market value of the property? □ Yes □ No
   If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the property? □ Yes □ No

5) Commonly known or reasonably ascertainable information about the property (40 CFR 312.30).
   Are you aware of commonly known or reasonably ascertainable information about the property that would help Phase Engineering, Inc. to identify conditions indicative of releases or threatened releases? For example, as user,
   a. Do you know the past uses of the property? □ Yes □ No
   b. Do you know of specific chemicals that are present or once were present at the property? □ Yes □ No
   c. Do you know of spills or other chemical releases that have taken place at the property? □ Yes □ No
   d. Do you know of any environmental cleanups that have taken place at the property? □ Yes □ No

6) The degree of obviousness of the presence or likely presence of contamination at the property, and the ability to detect the contamination by appropriate investigation (40 CFR 312.31).
   As the user of this ESA, based on your knowledge and experience related to the property are there any obvious indicators that point to the presence or likely presence of contamination at the property? □ Yes □ No

Comments from Questions 1-6:
____________________________________________________________________________________________
____________________________________________________________________________________________
____________________________________________________________________________________________
____________________________________________________________________________________________
____________________________________________________________________________________________
____________________________________________________________________________________________
____________________________________________________________________________________________

Please have the user(s) of the Phase I report answer and return this page with the signed letter of engagement.

Property Address or Description:
____________________________________________________________________________________________

Print Name: ______________________ Company: ______________________ Date: ______________

Signature: ______________________ Relation to property: ______________________
(purchaser, lender, owner, lessee, etc.)
User Responsibilities Questionnaire

In order to qualify for one of the Landowner Liability Protections (LLPs) offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 all users must provide the following information (if available) to Phase Engineering, Inc. Failure to provide this information could result in a determination that “all appropriate inquiries” is not complete.

1) Environmental cleanup liens that are filed or recorded against the property (40 CFR 312.25).
   Did a search of recorded land title records (or judicial records where appropriate) identify any environmental cleanup liens filed or recorded against the property under federal, tribal, state or local law? □ Yes □ No

2) Activity and land use (AUL's) limitations that are in place on the property or that have been filed or recorded in a registry (40 CFR 312.26 (a)(1)(v) and (vi)).
   Did a search of recorded land title records (or judicial records where appropriate) identify any AULs, such as engineering controls, land use restrictions or institutional controls that are in place of the property and/or have been filed or recorded against the property under federal, tribal, state or local law? □ Yes □ No

3) Specialized knowledge or experience of the person seeking to qualify for the LLP (40 CFR 312.28).
   Do you have any specialized knowledge or experience related to the property or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the property or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business? □ Yes □ No

4) Relationship to the purchase price to the fair market value of the property if it were not contaminated (40 CFR 312.29).
   Does the purchase price being paid for this property reasonably reflect the fair market value of the property? □ Yes □ No
   If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the property? □ Yes □ No

5) Commonly known or reasonably ascertainable information about the property (40 CFR 312.30).
   Are you aware of commonly known or reasonably ascertainable information about the property that would help Phase Engineering, Inc. to identify conditions indicative of releases or threatened releases? For example, as user,
   a. Do you know the past uses of the property? □ Yes □ No
   b. Do you know of specific chemicals that are present or once were present at the property? □ Yes □ No
   c. Do you know of spills or other chemical releases that have taken place at the property? □ Yes □ No
   d. Do you know of any environmental cleanup that have taken place at the property? □ Yes □ No

6) The degree of obviousness of the presence or likely presence of contamination at the property, and the ability to detect the contamination by appropriate investigation (40 CFR 312.31).
   Based on your knowledge and experience related to the property are there any obvious indicators that point to the presence or likely presence of releases at the property? □ Yes □ No

Comments from Questions 1-6:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Please have the user(s) of the Phase I report answer and return this page with the signed letter of engagement. Please fax completed form back to Ruben at (281) 200-0060. To submit this form via email, please send to: Diana@PhaseEngineering.com. If you have any questions, please call (832) 485-2225.

Property Address or Description:
13-7 ACRES ALONG HWY 80, WEST OF PUMA CENTER ROAD

Print Name: Ben Dempsey Company: Stonelift Companies Date: 2-5-18

Signature: __________________________ Relation to property: Purchaser
(purchaser, lender, owner, lessee, etc.)

© Phase Engineering, Inc. 5524 Cornish Street, Houston, TX 77007 (713) 476-9844

201802011
Texas Historical Commission
National Register of Historic Places

Properties in Texas located on the National Register of Historic Places maintained by the National Park Service.

Historic Places - Point
Historic Places - Properties

Subject Property
One-Quarter Mile Area of Interest

Texas Historical Commission
Cemeteries, County Courthouses, Museums, Historic Sites, and Historic Markers

Data showing locations of official Texas Historical Markers, historic highways as determined by surveys, and cemeteries that have received the Historic Texas Cemetery designation or have been located during surveys by the THC staff.

Museums
County_Courthouse
Cemeteries
StateHistoricSites
HistoricHighwaysRoutes

Subject Property
One-Quarter Mile Area of Interest

Sources: Texas Historical Commission, ESRI
Copyright ©2016 Phase Engineering, Inc.
Texas Historical Commission
Archaeological Projects

Areas surveys to locate archaeological sites. Includes project areas, transmission lines and pipelines. Includes projects mapped since 2001.

- Archeological Projects - Linear
- Archeological Projects - Polygon

Texas Historical Commission
Neighborhood Surveys

Point data showing locations of resources located by any of several resources surveys. Most of the locations for older surveys were determined by address geocoding. The locations for some of the more recent surveys were determined by GPS.

- Neighborhood Survey

PEI Project No: 201802011
Critical habitat is a term defined and used in the Act. It is a specific geographic area(s) that is essential for the conservation of a threatened or endangered species and that may require special management and protection. Critical habitat may include an area that is not currently occupied by the species but that will be needed for its recovery. An area is designated as “critical habitat”.

An area designated as critical habitat is not a refuge or sanctuary for the species. Listed species and their habitat are protected by the Act whether or not they are in an area designated as critical habitat.

Critical Habitat - Final - Linear Features
Critical Habitat - Final - Polygonal Features
Critical Habitat - Proposed - Linear Features
Critical Habitat - Proposed - Polygonal Features

U.S. FWS Threatened & Endangered Species Active Critical Habitats

Source: USF&W ECOS Environmental Conservation Online System, ESRI
Copyright ©2016 Phase Engineering, Inc.

PEI Project No: 201802011
OPPORTUNITIES FOR
PUBLIC PARTICIPATION

The public is always welcome to attend Commission Meetings scheduled on the second and fourth Thursday of each month at 6:00 PM at City Hall. For more information about these meetings, call 903-935-4421.

HOW TO CONTACT US

For Questions or Concerns Regarding Water Quality or About This Report, please Contact the Water Treatment Plant at:
903-935-4485
Monday – Friday
8:00 AM – 5:00 PM

Water Billing Questions:
903-935-4435

Water and Sewer Emergencies:
903-935-4485

Source Water Assessment Questions:
903-935-4485

TCEQ:
903-535-5100

or Visit Our Website at:
www.marshalltexas.net

En Español:
Este informe incluye información importante sobre el agua potable. Si tiene preguntas o comentarios sobre éste informe en español, favor de llamar al Tel. 903-935-4485 para hablar con una persona bilingüe en español.

CITY OF MARSHALL WATER UTILITY DIVISION
PO BOX 698
MARSHALL, TX 75671

2016 DRINKING WATER QUALITY REPORT

City of MARSHALL
TEXAS

Public Water System ID #1020002

Annual Water Quality Report for the period of January 1 to December 31, 2016. This report is intended to provide you with important information about your drinking water and the effort made by the water system to provide safe drinking water.

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the EPA’s Safe Drinking Water Hotline at (800) 426-4791.
Special Notice

Required language for all community public water supplies: You may be more vulnerable than the general population to certain microbial contaminants, such as Cryptosporidium, in drinking water. Infants, some elderly or immuno-compromised persons such as those undergoing chemotherapy for cancer; those who have undergone organ transplants; those who are undergoing treatment with steroids; and people with HIV/AIDS or other immune system disorders can be particularly at risk from infections. You should seek advice about drinking water from your physician or health care provider. Additional guidelines on appropriate means to lessen the risk of infection by Cryptosporidium are available from the Safe Drinking Water Hotline at (800) 426-4791.

Inorganic contaminants, such as salts and metals, which can be naturally-occurring or result from urban storm water runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.

Pesticides and herbicides, which may come from a variety of sources such as agriculture, urban storm water runoff, and residential uses.

Organic chemical contaminants, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban storm water runoff, and septic systems.

Radioactive contaminants, which can be naturally-occurring or be the result of oil and gas production and mining activities.

En Español

Este informe incluye información importante sobre el agua potable. Si tiene preguntas o comentarios sobre este informe en español, favor de llamar al tel: 903-935-4485 para hablar con una persona bilingüe en español.

Where Do We Get Our Drinking Water?

Our drinking water is obtained from surface water sources. It comes from the following River: BIG CYPRESS BAYOU. The TCEQ completed an assessment of your source water and results indicate that some of your sources are susceptible to certain contaminants. The sampling requirements for your water system are based on this susceptibility and previous sample data. Any detections of these contaminants may be found in this Consumer Confidence Report. For more information on source water assessments and protection efforts at our system, contact the City of Marshall Water Treatment Plant at 903-935-4492.

For more information about your sources of water, please refer to the Source Water Assessment Viewer available at the following URL:

Further details about sources and source water assessments are available in Drinking Water Watch at the following URL:
https://dww2.tceq.texas.gov/DWW/

Secondary Constituents

Many constituents (such as calcium, sodium, or iron) which are often found in drinking water, can cause taste, color, and odor problems. The taste and odor constituents are called secondary constituents and are regulated by the State of Texas, not the EPA. These constituents are not causes for health concern. Therefore, secondary are not required to be reported in this document but may greatly affect the appearance and taste of your water.

About the Following Pages

The pages that follow list all of the federally regulated or monitored contaminants which have been found in your drinking water. The U.S. EPA requires water systems to test for up to 97 contaminants.
**Definitions**

**Action Level (AL)** — The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.

**Average (Avg)** — Regulatory compliance with some MCLs is based on running annual average of monthly samples.

**Maximum Contaminant Level (MCL)** — The highest permissible level of a contaminant in drinking water. MCLs are set close to the MCLGs as feasible using the best available treatment technology.

**Maximum Contaminant Level Goal (MCLG)** — The level of a contaminant in drinking water below which there is no known or expected health risk. MCLGs allow for a margin of safety.

**Maximum Residual Disinfectant Level (MRDL)** — The highest level of a disinfectant allowed in drinking water. There is no known or expected health risk from exceeding the MRDL. Exceeding the MRDL is not known or expected to cause any health effects.

**Maximum Residual Disinfectant Level Goal (MRDLG)** — The level of a disinfectant residual allowed in drinking water which does not exceed the MCLG, but which does not have sufficient data or information to set a MCLG.

**Treatment Technique (TT)** — A required process intended to reduce the level of a contaminant in drinking water.

---

**Water Loss Audit**

is the water loss audit performed by the Times Water Development Board for the fire period of January–December 2016. The water loss rate is stated as a percentage of the total water used. The water loss rate is calculated using the formula: Water Lost (in liters) / Total Water Used (in liters) * 100.

**Critical Factors**

Calibrations are essential for the measurement of water loss.

<table>
<thead>
<tr>
<th>Year</th>
<th>Consumer Generated Loss (MCL)</th>
<th>Consumer Generated Loss (MCLG)</th>
<th>Consumer Generated Loss (National Average)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>6</td>
<td>6</td>
<td>6</td>
</tr>
</tbody>
</table>

**Summary and Other Consumer-Related Data**

The summary includes the number of consumer-generated losses and the percentage of losses that are considered significant.

<table>
<thead>
<tr>
<th>Year</th>
<th>Consumer Generated Loss</th>
<th>% of Total Loss</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>6</td>
<td>6</td>
</tr>
</tbody>
</table>

**Residuals and Treatment**

Removal efficiency (%) of the treatment process is calculated using the formula: (1 - (Remaining Residual / Initial Residual)) * 100.

<table>
<thead>
<tr>
<th>Year</th>
<th>Residual Removal Efficiency (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>100</td>
</tr>
</tbody>
</table>

**Total Organic Carbon**

The total organic carbon (TOC) content of the water is measured using a TOC meter. The TOC content is reported in parts per million (ppm) or parts per billion (ppb).

<table>
<thead>
<tr>
<th>Year</th>
<th>TOC Content (ppm)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>5</td>
</tr>
</tbody>
</table>

**Total Dissolved Solids**

The total dissolved solids (TDS) content of the water is measured using a conductivity meter. The TDS content is reported in parts per million (ppm) or parts per billion (ppb).

<table>
<thead>
<tr>
<th>Year</th>
<th>TDS Content (ppm)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>10</td>
</tr>
</tbody>
</table>

**Other Contaminants**

Other contaminants include substances that are not regulated by the EPA or other regulatory agencies. The removal efficiency of these contaminants is calculated using the formula: (1 - (Remaining Contaminant / Initial Contaminant)) * 100.

<table>
<thead>
<tr>
<th>Year</th>
<th>Other Contaminant Removal Efficiency (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>90</td>
</tr>
</tbody>
</table>

**Total Dissolved Gas**

The total dissolved gas (TDG) content of the water is measured using a gas chromatograph. The TDG content is reported in parts per million (ppm) or parts per billion (ppb).

<table>
<thead>
<tr>
<th>Year</th>
<th>TDG Content (ppm)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>2</td>
</tr>
</tbody>
</table>

**Total Antibiotics**

The total antibiotics (TA) content of the water is measured using a high-performance liquid chromatography (HPLC) instrument. The TA content is reported in parts per million (ppm) or parts per billion (ppb).

<table>
<thead>
<tr>
<th>Year</th>
<th>TA Content (ppm)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>1</td>
</tr>
</tbody>
</table>

---

**Microbial Contaminants**

The presence of microbial contaminants is measured using a biochemical oxygen demand (BOD) test. The BOD content is reported in parts per million (ppm) or parts per billion (ppb).

<table>
<thead>
<tr>
<th>Year</th>
<th>BOD Content (ppm)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>1</td>
</tr>
</tbody>
</table>

**Toxic Contaminants**

The presence of toxic contaminants is measured using a high-performance liquid chromatography (HPLC) instrument. The toxic content is reported in parts per million (ppm) or parts per billion (ppb).

<table>
<thead>
<tr>
<th>Year</th>
<th>Toxic Content (ppm)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>1</td>
</tr>
</tbody>
</table>

---

**Lead and Copper**

The concentrations of lead and copper in the water are measured using an atomic absorption spectrophotometer. The concentrations are reported in parts per million (ppm) or parts per billion (ppb).

<table>
<thead>
<tr>
<th>Year</th>
<th>Lead Content (ppm)</th>
<th>Copper Content (ppm)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>0.0</td>
<td>0.0</td>
</tr>
</tbody>
</table>

**Required Additional Information**

- **EPA**
- **State**
- **EPA**
- **State**

**Additional Information**

- **EPA**
- **State**
- **EPA**
- **State**

---

**Sources of Additional Information**

- **EPA**
- **State**
- **EPA**
- **State**

---

**Public Notification**

The public is notified of any violations of drinking water standards through the State Health Department and the local health department.

---

**References**

- **EPA**
- **State**
- **EPA**
- **State**

---

**Public Notice**

The public is notified of any violations of drinking water standards through the State Health Department and the local health department.

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**Public Notice**

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**Public Notice**

The public is notified of any violations of drinking water standards through the State Health Department and the local health department.
The purpose of this map is to assist National, State and local organizations to target their resources and to implement radon-resistant building codes. This map is not intended to determine if a home in a given zone should be tested for radon. Homes with elevated levels of radon have been found in all three zones.

Sections 307 and 309 of the Indoor Radon Abatement Act of 1988 (IRAA) directed the EPA to list and identify areas of the U.S. with the potential for elevated indoor radon levels. EPA's Map of Radon Zones assigns each of the 3,141 counties in the U.S. to one of three zones based on radon potential using the five factors to determine radon potential: 1) indoor radon measurements; 2) geology; 3) aerial radioactivity; 4) soil permeability; and 5) foundation type. For more information, refer to Preliminary Geologic Radon Potential Assessment of Texas from USGS Geologic Radon Potential of EPA Region 6, Open-File Report 93-292-F.

**USEPA Map of Radon Zones in Texas**

**High Potential**
- Zone 1
  - Counties have a predicted average indoor radon screening level greater than 4 pCi/L (pico curies/liter).

**Moderate Potential**
- Zone 2
  - Counties have a predicted average indoor radon screening level between 2 and 4 pCi/L (pico curies/liter).

**Low Potential**
- Zone 3
  - Counties have a predicted average indoor radon screening level less than 2 pCi/L (pico curies/liter).
US F&WS National Wetlands Inventory and Riparian Habitats

The U.S. Fish and Wildlife Service is the principal Federal agency that provides information to the public on the extent and status of the Nation's wetlands. These data delineate the areal extent of wetlands and surface waters as defined by Cowardin et al. (1979). Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation, some deepwater reef communities (coral or tuberficid worm reefs), and certain types of "farmed wetlands". Riparian areas are lands that occur along watercourses and water bodies. Typical examples include flood plains and streambanks. They are distinctly different from surrounding lands because of unique soil and vegetation characteristics that are strongly influenced by the presence of water.

**Wetland and Deepwater Habitats**
- Freshwater Forested/Shrub Wetland
- Freshwater Emergent Wetland
- Freshwater Pond
- Estuarine and Marine Wetland
- Riverine
- Lake
- Estuarine and Marine Deepwater

**Riparian Habitats**
- Forested/Shrub Riparian
- Herbaceous Riparian
- Other

Source: USF&S, USGS NHL, ESRI

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**PEI Project No:** 201802011
WETLANDS AND DEEPWATER HABITATS CLASSIFICATION

System

M - Marine

Subsystem

1 - Subtidal
2 - Intertidal

Class

RB – Rock Bottom
UB – Unconsolidated Bottom
AB – Aquatic Bed
RF – Reef

Subclass

1 Bedrock
2 Rubble
1 Algal
2 Sand
3 Mud
1 Coral
2 Rooted Vascular
3 Worn
2 Coral
3 Rooted Vascular
4 Sand
5 Mud
6 Organic

System

E - Estuarine

Subsystem

1 - Subtidal
2 - Intertidal

Class

RB – Rock Bottom
UB – Unconsolidated Bottom
AB – Aquatic Bed
RF – Reef
SB – Streambed
RS – Rocky Shore
US – Unconsolidated Shore
EM – Emergent
SS – Scrub-Shrub
FO – Forested

Subclass

1 Bedrock
2 Rubble
1 Cobble-Gravel
2 Sand
3 Mud
4 Organic
1 Algal
2 Aquatic Moss
3 Rooted Vascular
4 Floating Vascular
1 Coral
2 Rooted Vascular
3 Worn
2 Coral
3 Rooted Vascular
4 Sand
5 Mud
6 Organic

System

R - Riverine

Subsystem

1 - Tidal
2 – Lower Perennial
3 – Upper Perennial
4* - Intermittent
5* – Unknown Perennial

Class

RB** – Rock Bottom
UB – Unconsolidated Bottom
SB** – Streambed
AB – Aquatic Bed
RS – Rocky Shore
US – Unconsolidated Shore
EM – Emergent

Subclass

1 Bedrock
2 Rubble
1 Cobble-Gravel
2 Sand
3 Mud
4 Organic
1 Algal
2 Aquatic Moss
3 Rooted Vascular
4 Floating Vascular
1 Coral
2 Rooted Vascular
3 Worn
2 Coral
3 Rooted Vascular
4 Sand
5 Mud
6 Organic
7 Vegetated

* Intermittent is limited to the Streambed Class; Unknown Perennial is limited to Unconsolidated Bottom Class code RSUB only
** Rock Bottom is not permitted for the Lower Perennial Subsystem; Streambed is limited to Tidal and Intermittent Subsystems

Classification of Wetlands and Deepwater Habitats of the United States, Cowardin et al. 1979

February, 2011
## WETLANDS AND DEEPWATER HABITATS CLASSIFICATION

### System

<table>
<thead>
<tr>
<th>Subsystem</th>
<th>Class</th>
<th>Subclass</th>
</tr>
</thead>
<tbody>
<tr>
<td>L - Lacustrine</td>
<td>RB – Rock Bottom</td>
<td>1 Bedrock</td>
</tr>
<tr>
<td></td>
<td>UB – Unconsolidated Bottom</td>
<td>2 Rubble</td>
</tr>
<tr>
<td></td>
<td>AB – Aquatic Bed</td>
<td>3 Sand</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4 Organic</td>
</tr>
<tr>
<td>P - Palustrine</td>
<td>US – Unconsolidated Shore</td>
<td>1 Cobble-Gravel</td>
</tr>
<tr>
<td></td>
<td>ML – Moss-Lichen</td>
<td>1 Algal</td>
</tr>
<tr>
<td></td>
<td>EM – Emergent</td>
<td>2 Aquatic Moss</td>
</tr>
<tr>
<td></td>
<td>SS – Scrub-Shrub</td>
<td>3 Rooted Vascular</td>
</tr>
<tr>
<td></td>
<td>FO – Forested</td>
<td>4 Floating Vascular</td>
</tr>
</tbody>
</table>

### Water Regime

<table>
<thead>
<tr>
<th>Water Regime</th>
<th>Special Modifiers</th>
<th>Water Chemistry</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Temporarily Flooded</td>
<td>b Beaver</td>
<td>Coastal Halinity</td>
</tr>
<tr>
<td>B Saturated</td>
<td>d Partly Drained/Ditched</td>
<td>Inland Salinity</td>
</tr>
<tr>
<td>C Seasonally Flooded</td>
<td>f Farmed</td>
<td>pH Modifiers for all Fresh Water</td>
</tr>
<tr>
<td>D Seasonally Flooded/ Saturated</td>
<td>h Diked/Impounded</td>
<td>Soil</td>
</tr>
<tr>
<td>E Semipermanently Flooded</td>
<td>r Artificial</td>
<td>g Organic</td>
</tr>
<tr>
<td>F Semipermanently Flooded</td>
<td>s Spoil</td>
<td>n Mineral</td>
</tr>
<tr>
<td>G Intermittently Exposed</td>
<td>x Excavated</td>
<td>1 Hyperhaline</td>
</tr>
<tr>
<td>H Permanently Flooded</td>
<td>6 Oligohaline</td>
<td>7 Hypersaline</td>
</tr>
<tr>
<td>J Intermittently Flooded</td>
<td>0 Fresh</td>
<td>a Acid</td>
</tr>
<tr>
<td>K Artificially Flooded</td>
<td>5 Mesohaline</td>
<td>t Circumneutral</td>
</tr>
<tr>
<td>L Subtidal</td>
<td>2 Euhaline</td>
<td>i Alkaline</td>
</tr>
<tr>
<td>M Irregularly Exposed</td>
<td>3 Broad-Leaved Deciduous</td>
<td>9 Mollo saline</td>
</tr>
<tr>
<td>N Regularly Flooded</td>
<td>4 Needle-Leaved Evergreen</td>
<td>6 Deciduous</td>
</tr>
<tr>
<td>P Irregularly Flooded</td>
<td>5 Dead</td>
<td>7 Evergreen</td>
</tr>
<tr>
<td>V Permanently Flooded-Tidal</td>
<td>4 Polyhaline</td>
<td></td>
</tr>
</tbody>
</table>

### Special Modifiers

- b Beaver
- d Partly Drained/Ditched
- f Farmed
- h Diked/Impounded
- r Artificial
- s Spoil
- x Excavated
- a Acid
- t Circumneutral
- g Organic
- n Mineral
- 1 Hyperhaline
- 2 Euhaline
- 3 Broad-Leaved Deciduous
- 4 Needle-Leaved Evergreen
- 5 Dead
- 6 Deciduous
- 7 Evergreen
- 8 Eusaline
- 9 Mollo saline
- i Alkaline
- 0 Fresh
Noise Sources Map

Subject Property
- 1000 foot radius
- 3000 foot radius

Note: Property location and boundary are representative only.

PEI Project No: 201802011
Texas Airport Hazards

National Transportation Atlas
- Runway
- Military Airfield / Airport / Station
- Air Force Station
- Airport
- Airfield
- International Airport
- Joint Use Airport
- Military Airfield
- Military Airport

Ownership
- Public
- Private
- Military - Air Force
- Military - Army

Service Level
- Commercial Service - Primary
- Commercial Service - Nonprimary
- Reliever Airport
- General Aviation Airport

Department of Defense
- Military Installations, Ranges, and Training Areas

PEI Project No: 201802011
APPENDIX VI

LETTER OF ENGAGEMENT
Phase Engineering, Inc.

Environmental Consultants

StoneLeaf Companies
Ben Dempsey
1920 South 3rd Street
Mabank, TX 75147
Phone: (903) 887-4344 Fax: Email: ben@stoneleafcompanies.com

Property/Borrower Name or Reference #: Silverleaf Apartments
Current Use: Land - Undeveloped
Address/ Property Location: Along Highway 80 West of Pumpkin Center Road
City: Marshall County: Harrison State: TX Zip: 75672

Perform a Phase I Environmental Site Assessment (ESA) to comply with the ASTM E 1527-13 Standard and §10.305 Subchapter D of the TDHCA 2017 Uniform Multifamily Application, including ASTM Non Scope Considerations: Vapor Encroachment Screening, a Noise Assessment, an opinion for testing of asbestos, lead based paint, and lead in drinking water. The report will be applicable to the attached Agreement for Environmental Professional Services.

Quoted Price For Phase I ESA:

OPTIONAL – NEPA Addendum
In many cases, a project applying for Low Income Housing Tax Credits (LIHTC) may also apply for a HOME grant or other HUD funding which requires additional environmental compliance under the National Environmental Policy Act (NEPA). If authorized, an addendum to the ESA may be provided to include inquiries to state and federal agencies to initiate compliance with the statues and regulations cited at 24 CFR §58.5. Depending on the location and nature of the project the addendum may include: Section 106 Review to the State Historic Preservation Officer (SHPO), Tribal Consultations, Wetland Determination, Coastal Zone Management Review to the GLO, Endangered Species Review, NEPA review to the TCEQ, and Farmland Protection. Responses from the regulatory agencies may take up to 2 months, so beginning the NEPA process early may save valuable time later when the funding application is submitted. Please note that the addendum is intended to support NEPA compliance and will not meet the full requirements of an Environmental Assessment.

NEPA Addendum, Quoted Price:
To engage this additional service, please initial here: 

- Includes: Electronic version in PDF with findings, opinions, conclusions and recommendations. Originals @ $125.00 each.
- Delivery: Final ESA report approximately 15 business days from signed letter of engagement. We rely on state regulators for information that may not be readily available for review within the time frame requested for the scheduled delivery date. Responses to the NEPA inquiries will be provided to the client when received. Delivery charges may apply, not to exceed $30.00 per delivery, unless client arranges for pick-up at their own expense.
- Terms: Net due prior to receipt of final report.
- $125/hour for additional hours of consulting beyond the scope of work, if required.

If the above terms and attached Agreement for Professional Environmental Consulting Services (General Terms & Conditions) are acceptable, please sign and fax (eFax 281-200-0060) or email (proposals@phasedengineering.com) a copy of this letter to serve as a letter of engagement and notification to proceed. The following information is needed to complete by scheduled delivery date:

1. Current owner of the property and telephone number.
2. Contact name and telephone number.
3. Access to the property, which may include keys or combinations, if applicable.
4. All complete environmental reports.
5. Survey and legal description. Survey does not have to be new if it reflects the property correctly.
6. Detailed project description and proposed site plan.
7. All entities for which the report will be addressed and invoicing information. If this information is not given to Phase Engineering, Inc. in a legible format, the above named will be identified as user of the report and will be invoiced directly.

StoneLeaf Companies
Ben Dempsey
1920 South 3rd Street
Mabank, TX 75147
Phone: (903) 887-4344 Fax:  Email: ben@stoneleafcompanies.com

Property/Borrower Name or Reference #: Silverleaf Apartments
Current Use: Land - Undeveloped
Address/ Property Location: Along Highway 80 West of Pumpkin Center Road
City: Marshall  County: Harrison  State: TX  Zip: 75672

Thank you for the opportunity to work with you and your environmental needs. If you have any questions, please call me at (210) 997-4056.

Tracy Watson

Accepted By: [Signature]
Print Name: Ben Dempsey
Date: 2-2-18

5524 Cornish Street Houston, Texas 77007 (713) 476-9844 Fax (713) 476-9797
AGREEMENT FOR PROFESSIONAL ENVIRONMENTAL CONSULTING SERVICES

Section 1 – General Terms and Conditions

1.1 Definitions

“Agreement” means this Agreement for Professional Environmental Consulting Services.
“Party” (or collectively, “Parties”) means PEI and Client, unless expressly stated otherwise in this Agreement.
“PEI” means Phase Engineering, Inc.
“Engagement Letter” the instrument delivered by PEI to the Parties
“Services” has the meaning set forth in Section 1.2 below.

Any capitalized terms not otherwise defined in this Agreement have the meanings given to them under the Engagement Letter.

1.2 Services

The professional environmental consulting services to be provided by PEI for the Client are set forth in the Engagement Letter, and such services, including subsequent services, changed, altered or additional services are hereinafter called the “Services”.

1.3 Standard of Care

PEI shall perform the services under this agreement with that degree of care, skill and diligence generally accepted as typical of the industry in the performance of such services as contemplated by the Agreement at the time and location such services are rendered. PEI shall employ only competent staff and sub-contractors who will be under the supervision of a senior member of PEI’s staff.

1.4 Rights of Entry, Site Information and Utilities

The Client shall provide right of entry for PEI and its subcontractors to carry out the Services, unless specified otherwise in the Engagement Letter. The Client warrants that it has furnished to PEI all information known to, or in possession or control of, the Client relating to the past and existing conditions of the site, including but not limited to soil and geologic data, contaminants, wastes, petroleum products, controlled substances, hazardous materials, and subsurface utilities. The Client shall extend use and reliance of this information to PEI, unless stated otherwise and to the extent permitted by law. Such information shall be and remain confidential as between the Client and PEI and PEI shall not disclose same to any third party unless required by law.

1.5 Safety

1.5.1 PEI maintains a General Health and Safety Plan, a copy of which will be provided to the Client on written request and will fall under Section 1.8 Subsequent Changes of this Agreement unless this service is included in the Engagement Letter.

1.5.2 PEI shall take every precaution reasonable in the circumstances for the protection of the workers providing any of the Services. When required and prior to any field work being carried out, PEI shall provide the Client with a comprehensive site-specific safety plan for providing the Services. Such request must be made in writing by the Client prior to commencement of the Services by PEI and will fall under Section 1.9 Subsequent Changes of this Agreement unless included in the Engagement Letter.

1.6 Investigations and Reports

1.6.1 Findings: The findings of any investigation undertaken as part of the Services will be based upon information generated as a result of the specific scope of the Services as described in the Engagement Letter.

1.6.2 Restoration: The Client accepts that in the normal course of the Services some damage to existing ground or other surface finishes may occur, the restoration of which shall be the responsibility of the client or as specified in the Engagement Letter.

1.6.3 Investigations: The parties acknowledge and accept that unique risks exist whenever engineering or related disciplines are applied to identify environmental conditions and even a comprehensive sampling and testing program may fail to detect certain conditions. Because of the inherent uncertainties in environmental evaluations, changed or unanticipated conditions may occur or become known subsequent to PEI’s investigation that could affect conclusions, recommendations, total Project cost and/or execution. Changes in conditions are subject to amendments to the Scope of Services.

1.6.4 Confidentiality and Reliance: Any Final Report or draft reports and the information contained therein shall be treated as confidential and, unless otherwise agreed to by PEI and the Client, the information, sampling data, analysis, findings, conclusions and recommendations (if any), may be used and relied upon only by the Client, its officers, directors and employees and professional advisors in the performance of their obligations for or on behalf of the Client. Any such use and reliance shall be subject to the limitations set forth in this agreement. In addition, the Client may submit any report to a regulatory authority or lender for the purpose of obtaining financing on a property.

1.6.5 Third Party Reliance: This Agreement and the Services provided are for Consultant and Client’s sole benefit and exclusive use with no third party beneficiaries intended. Reliance upon the Services and any work product is limited to Client, and is not intended for third parties. In the event PEI agrees, in its sole and absolute discretion, to make the Report available to a third party not mentioned in Paragraph 1.6.4, the Third Party shall be required to obtain the original Clients release, sign PEI’s standard Authorized User Agreement (AUA) and pay PEI a fee of not less than $350.00. Any such use shall be subject to the terms, conditions and limitations set forth in this Agreement, the Report and the AUA.

1.7 Ownership of Records/Reports:

All documents or records created or prepared by PEI in the performance of the Services are considered PEI’s professional work product and shall remain the copyright property of PEI, subject to any reasonable disclosure request from the Client as may be necessary and for which reasonable reimbursement for copies is provided.

1.8 Disposal and Samples

1.8.1 Disposal of all wastes generated from the subject property shall be the responsibility of the Client.

1.8.2 PEI shall be responsible for appropriate disposal of sample material and sample residuals after 30 days following submission of the Final Report unless the Client specifically requests otherwise.
1.9 Subsequent Changes
With the consent of PEI, the Client may in writing at any time after the execution of this Agreement or the commencement of the Services delete, extend, increase, vary or otherwise alter the Services. The Parties further agree that such changes shall alter the Services, schedule and/or the costs. Any such changes shall be made in writing with reference to this Agreement, and accepted in writing by both Parties.

1.10 Delays
Neither Party shall be liable or penalized for delays or failure to perform its Services if the same is caused directly or indirectly by circumstances beyond a Party’s reasonable control. The Client shall not hold PEI responsible for damages or delays in performance caused by the Client, acts of God, acts and/or omissions of governmental authorities and regulatory agencies or other events which are beyond the reasonable control of the Parties.

1.11 Payment
1.11.1 The PEI shall invoice the Client in accordance with the provisions set forth in the Engagement Letter. Except as stated in the Engagement Letter, the Client shall pay to PEI at its corporate office each invoice within 30 days of the date of the invoice without holdback. Interest at a rate of 1.5% per month or the maximum rate allowed by law, whichever is lower, may be charged on all overdue amounts.
1.11.2 In the event of a disputed billing, only the disputed portion will be withheld from payment, and the undisputed portion will be paid. The Client shall exercise reasonableness in disputing any bill or portion thereof. No interest will accrue on any disputed portion of the billing until mutually resolved.
1.11.3 If the Client fails to make payment of any sum due hereunder within a reasonable time period, Client acknowledges and agrees that subject Invoice will be referred to legal collections, and any amount in aggregate less than Ten Thousand Dollars U.S. ($10,000) will be referred to small claims court in Harris County, Texas.

1.12 Suspension or Termination
The Client may at any time by notice in writing to PEI, suspend or terminate the Services or any portion thereof at any stage of the Project. Upon receipt of such written notice by the Client, PEI shall perform no further Services other than those reasonably necessary to close out its Services. In such an event, PEI shall invoice the Client for the portion of the Services completed and shall be entitled to payment in accordance with Section 1.9. Once the Services are completed the Client assumes the risk of Frustration of Purpose.

1.13 Insurance
1.13.1 PEI agrees to carry and maintain the following minimum insurance coverages for the term of this Agreement:
   Worker’s Compensation Insurance: Statutory requirement amounts
   Commercial General Liability: $1,000,000 per occurrence
   Automobile Liability Insurance: $1,000,000 per occurrence for both owned and non-owned vehicles
   Professional Liability and Contractors Professional Insurance: $1,000,000 per occurrence
1.13.2 PEI’s current Certificate of Insurance is provided with the Engagement Letter. If the Client requests to be a named as a certificate holder, this request must be made in writing to PEI prior to commencement of the Services.
1.13.3 PEI will renew the Professional Liability Insurance at or above the minimum coverage for period of two (2) years after completion of the Services.
1.13.4 If the Client requests that PEI increase the amount of insurance coverage or obtain other special insurance for the Project, PEI shall endeavor forthwith to obtain such increased or special insurance at the Client’s expense.
1.13.5 Each of PEI and Client waive all claims, losses, damages and rights of recovery against the other to extent of the limits of coverage under any commercial general liability or property insurance policy actually obtained by a Party to this Agreement (or, in the case of PEI, to the extent obtained or required to be obtained by PEI under this Agreement). In addition, each Party shall exercise commercially reasonable efforts to cause to waive subrogation under its commercial general liability and property insurance policies and provide any necessary endorsements thereto.

1.14 Indemnity/Statute of Limitations.
EACH OF PEI AND CLIENT SHALL INDEMNIFY AND HOLD HARMLESS THE OTHER AND THEIR RESPECTIVE AGENTS, EMPLOYEES, SUCCESSORS AND ASSIGNS FROM AND AGAINST LEGAL LIABILITY FOR CLAIMS, LOSSES, DAMAGES, AND EXPENSES TO THE EXTENT SUCH CLAIMS, LOSSES, DAMAGES, OR EXPENSES ARE LEGALLY DETERMINED TO BE CAUSED BY THEIR NEGLIGENT ACTS, ERRORS, OR OMISSIONS. IN THE EVENT SUCH CLAIMS, LOSSES, DAMAGES, OR EXPENSES ARE LEGALLY DETERMINED TO BE CAUSED BY THE JOINT OR CONCURRENT NEGLIGENCE OF PEI AND CLIENT, THE PARTIES SHALL BEAR LIABILITY IN PROPORTION TO ITS OWN NEGLIGENCE UNDER COMPARATIVE FAULT PRINCIPLES. NEITHER PARTY SHALL HAVE A DUTY TO DEFEND THE OTHER PARTY, AND NO DUTY TO DEFEND IS HEREBY CREATED BY THIS INDEMNITY PROVISION AND SUCH DUTY IS EXPLICITLY WAIVED UNDER THIS AGREEMENT. CAUSES OF ACTION ARISING OUT OF PEI’S SERVICES OR THIS AGREEMENT, REGARDLESS OF CAUSE OR THE THEORY OF LIABILITY, INCLUDING NEGLIGENCE, INDEMNITY OR OTHER RECOVERY, SHALL BE DEEMED TO HAVE ACCRUED AND THE APPLICABLE STATUTE OF LIMITATIONS SHALL COMMENCE TO RUN NO LATER THAN THE DATE OF PEI’S SUBSTANTIAL COMPLETION OF SERVICES ON THE PROJECT.

1.15 Limitation of Liability.
1.15.1 Notwithstanding any other provisions contained herein, it is understood and agreed that PEI’s liability to the Client for all claims arising out of this Agreement, or in any way relating to the Services, will be limited to direct damages and/or to the specific performance of any Services not meeting the Standard of Care set forth herein and such liability will, in the aggregate, not exceed the sum of the coverages shown on PEI’s Certificate of Insurance in effect at the time of the claim.
1.15.2 No claim may be brought against PEI more than Two (2) years after the Services were completed under this Agreement, or as negotiated between PEI and the Client.
1.15.3. TO THE FULLEST EXTENT PERMITTED BY LAW, THE TOTAL AGGREGATE LIABILITY OF PEI (AND ITS DIRECTORS, EMPLOYEES, AGENTS AND AFFILIATES) TO CLIENT AND THIRD PARTIES GRANTED RELIANCE IS LIMITED TO THE GREATER OF $50,000 OR PEI’S FEE FOR ANY AND ALL INJURIES, DAMAGES, CLAIMS, LOSSES, OR EXPENSES (INCLUDING ATTORNEY AND EXPERT FEES) ARISING OUT OF PEI’S SERVICES OR THIS AGREEMENT. THIS LIMITATION SHALL APPLY REGARDLESS OF AVAILABLE PROFESSIONAL LIABILITY INSURANCE COVERAGE, CAUSE OR THE THEORY OF LIABILITY, INCLUDING NEGLIGENCE, INDEMNITY, OR OTHER RECOVERY; PROVIDED, HOWEVER, THAT THIS LIMITATION SHALL NOT APPLY TO THE EXTENT OF ANY AVAILABLE COVERAGE UNDER PEI’S COMMERCIAL GENERAL LIABILITY POLICY.

1.16 Consequential Damages. EXCEPT AS EXPRESSLY PROVIDED IN THIS AGREEMENT, NEITHER PARTY SHALL BE LIABLE TO THE OTHER FOR LOSS OF PROFITS OR REVENUE, LOSS OF USE OR OPPORTUNITY, LOSS OF GOOD WILL, COST OF SUBSTITUTE FACILITIES, GOODS, OR SERVICES, COST OF CAPITAL, OR FOR ANY SPECIAL, CONSEQUENTIAL, INDIRECT, PUNITIVE, OR EXEMPLARY DAMAGES.

1.17 Regulatory Reporting Requirements
Client recognizes that hazardous substances or contaminates may be discovered at the subject property in the course of provision of the Services by PEI under conditions that may be reportable to Federal or State environmental regulatory agencies. The “duty to report” is ultimately the responsibility of the landowner unless the condition represents an acute threat to human health or the environment. PEI will notify the Client of any such reportable condition. The Client will notify the Landowner, or under mutual agreement, authorize PEI to perform such notification to the landowner.

Section 2 – MISCELLANEOUS PROVISIONS

2.1 Notices:
All notices under this Agreement shall be in writing. It shall be sufficient in all respects if the Notice is delivered by hand, sent by any electronic means, including email or facsimile transmission, with confirmation (“Transmission”) during normal business hours, or sent by registered mail, postage prepaid, addressed to the Parties shown on the Engagement Letter or to such other address as either Party shall designate by written notice to the other Party. Any notice so given shall be deemed to have been given and to have been received on the day of delivery, if so delivered, on the third Business Day (excluding each day during which there exists any interruption of postal services due to strike, lockout or other cause) following the mailing thereof, if so mailed, and on the day that notice was sent by Transmission, provided such day is a Business Day (a Business Day being any day of the week save and except for Saturday and Sunday) and if not, on the first Business Day thereafter.

2.2 Entire Agreement, Modifications, Headings, Severability:
The Parties acknowledge that this Agreement and the Engagement Letter constitutes the entire agreement between them and supersedes all prior representations, warranties, agreements, and understandings, oral or written, between the Parties with respect to its subject matter. Unless stated otherwise in this Agreement, this Agreement may not be modified except in writing signed by both Parties. The headings to this Agreement are for convenience and reference purposes only and shall not constitute a part of the Agreement. If any element of this Agreement is later held to violate the law or a regulation, it shall be deemed void, and all remaining provisions shall continue in force.

2.3 Effect:
This Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective successors and assigns provided that it may not be assigned by either Party without the consent of the other, which consent shall not be unreasonably withheld.

2.4 Survival:
All representations and obligations (including without limitation the mutual obligations of indemnification) shall survive the termination of this Agreement and expire five (5) years from the date of completion of Services.

2.5 Waiver of Rights:
Any waiver of, or consent to depart from, the requirements of any provision of this Agreement shall be effective only if made in writing and signed by the Party granting such waiver or consent, and is valid only in the specific instance and for the specific purpose for which it has been granted. No failure on the part of any Party to exercise, and no delay in exercising, any right under this Agreement shall operate as a waiver of such right. No single or partial exercise of any such right shall preclude any other or further exercise of such right or the exercise of any other right.

2.6 Applicable Law:
This Agreement shall be governed by, and interpreted and enforced in accordance with, the laws in the State of Texas and the laws of The United States of America, as applicable.

2.7 Dispute Resolution:
Excepting Section 1.11 for the purpose of this Agreement, any disagreement arising between the Parties to this Agreement with reference to the interpretation of this Agreement or any matter arising hereunder and upon which the Parties cannot agree shall be referred to mediation. Reference to mediation shall be to a single mediator and in accordance with the laws of mediation in the State of Texas. The costs of the mediator shall be shared equally by the Parties on an interim basis as may be necessary provided however that the mediator shall have the discretion to award costs of the proceeding, including costs of the mediator. The venue for such mediation is agreed to be Harris County, Texas.

2.8 Contract Documents:
The Contract Documents consist of the documents listed. If there is a conflict with the Contract Documents, the conflicting terms will be governed in the order of priority set forth as follows: 1. Agreement 2. Engagement Letter
APPENDIX VII

STATEMENT OF QUALIFICATIONS
It is our goal to provide quality Environmental Site Assessments and Related Professional Services at a fair price within the clients’ required delivery date.

Since 1993 our in-house licensed and certified Environmental Professionals team continues to provide consistent quality, detailed attention to our client’s requests, and full service environmental reports which set Phase Engineering, Inc. apart. Phase Engineering, Inc. has provided over 20,000 nationwide professional quality and timely Environmental Assessments and Property Condition Assessments for the private and public commercial real estate industries.

Whether you are a lender, a broker, an attorney, a buyer/seller, a property manager, a developer, or a property owner; Phase Engineering has the right service at the right price point for you. We work diligently to meet our clients timing and unique requirements. As any qualified Environmental Consultant knows, Environmental Site Assessments are not created equal. Phase Engineering is qualified to ensure your reports are done to the highest standards and regulations to help to protect the client’s interest. Please check out our “Dare to Compare” website page for more information on how you can qualify your environmental vendors.

We pride ourselves in keeping current our licenses and certifications to give the client a more informed and educated solution. The following are among our company’s licenses and certifications:

- Professional Engineering Firm
- Professional Geoscientist Firm
- Licensed Asbestos Consultant Agency
- Licensed Mold Assessment Company
- Certified Lead Firm
- Leaking Petroleum Storage Tank (LPST) Corrective Action Specialist (CAS)
- Wetlands United States Army Corp of Engineers Delineation Course Certified
- Storm Water & Pollution Prevention Certified Preparer of SWPPP (CPSWPPP) and (CCIS)
- Radon

www.PhaseEngineering.com
Professional Services

The professional licensed and technical staff at Phase Engineering, Inc. are annually involved nationwide in over 1000 environmental site assessments, Property Condition Assessments and related services. Our professional services include all aspects of the environmental due diligence for all types of commercial real estate clients. Phase Engineering is qualified to ensure your reports are done to the highest standards and regulations to help to protect the client’s interest. Phase Engineering, Inc. provides a full range of professional environmental services for the real estate transaction business world as listed below:

Environmental Site Assessments

- Phase I Environmental Site Assessments include site assessments prepared to: EPA “All Appropriate Inquiries” (AAI) rule, Phase I Environmental Site Assessments as per ASTM Standard E 1527, Small Business Administration (SBA) SOP 50 10 5, etc.
- Client specific requirements such as Fannie Mae, FDIC, Freddie Mac, HUD, DHCA, NEPA, USDA, FDIC, TDHCA, Oil & Gas, etc.
- Transaction Screens per ASTM Standard E 1528
- Wetlands Determination, Delineations, Mitigation Plans, and Permitting
- Endangered Species Reviews
- Record Search with Risk Assessment Reports
- Desktop Reviews
- Environmental Data Services
- Prior Environmental Report Reviews (Third Party Reviews)

Phase II Environmental Site Assessments / Consulting

- Phase II Environmental Site Assessments are specific to the nature of the project. A typical example is an investigation of an underground storage tank site. This requires sampling of soil and groundwater.
- Leaking Petroleum Storage Tank Corrective Action Project Management (CAPM) and Corrective Action Specialist (CAS) Services
- Voluntary Cleanup Program (VCP) (TCEQ) and (RRC) Consulting
- Innocent Owner Program (IOP) Consulting
- Resource Conservation and Recovery Act (RCRA) Corrective Action Site Project Management
- Dry Cleaning Remediation Program Consulting Services
- Vapor Assessments
- Municipal Settings Designation (MSD) Services
- Brownfields Site Assessment and Advisory Services
- Operation Cleanup Program (RRC) Consulting Services
Professional Services (continued)

- Oil & Gas Due Diligence
- Underground Injection and Control (UIC) Permits and Registrations for Remediation Applications
- Remediation Feasibility, Design, and Implementation
- Monitoring and Post-Closure Care
- Groundwater Monitoring
- Prior Environmental Report Reviews
- RCRA Corrective Action Site Project Management
- Litigation Support

Waste Management and Compliance

- Industrial and Hazardous Waste Registration, Permitting, and Reporting
- Waste Management Unit Closures

Building and Facilities Assessments

- Property Condition Assessments per ASTM E 2018
- Asbestos Inspections, Management & Consulting
- Lead Based Paint and Lead in Water Inspections, Risk Assessments & Consulting
- Mold Assessments & Consulting
- Indoor Air Quality Assessments
- Storm Water Pollution Prevention (SWPPP) Plans, Audits & Inspections
- Spill Prevention, Control and Counter measure (SPCC) Plans
- Client Specific Compliance Services
Professional Services (continued)

National Environmental Policy Act (NEPA)

- Categorical Exclusions
- Environmental Assessments
- Housing and Urban Development (HUD) 24 CFR Part 58 Reviews (CDBG, HOME, NSP, Disaster Recovery, Public Housing Programs, etc.)
- Part 50 compliance – HUD Form 4128 Environmental Review Checklist
- USDA Rural Development Environmental Reviews per 7 CFR Part 1970 policies and procedures
- Federal Communications Commission (FCC) NEPA compliance for communication or transmission towers and facilities
- TxDOT NEPA compliance
- Section 106 Historic Preservation
- Noise Surveys and Mitigation
- Explosive Hazards Assessments
- Wetland Delineation and Mitigation
- HUD’s 8-Step Decision-Making Process for Developing in a Floodplain or Wetland (24 CFR Part 55)
- Environmental Justice Assessments
Licenses & Certifications

Phase Engineering, Inc. and the staff at Phase Engineering, Inc. are licensed and certified in all related areas to give the client a more informed and educated solution.

Registered Professional Engineering Firm

Licensed Professional Geoscientist Firm

Asbestos
- Consultant Agency
- Consultant
- Project Designer
- Management Planner
- Air Monitoring
- Inspector

Indoor Air Quality
- Mold Assessment Company
- Mold Assessment Consultant
- Mold Assessment Technician

Lead
- Lead Firm
- Risk Assessor
- Inspector

Storage Tanks
- Corrective Action Specialist (CAS)
- LPST Corrective Action Manager (CAPM)

Wetlands
- United States Army Corp of Engineers Delineation Course Certified

Storm Water & Pollution Prevention
- Certified Preparer of SWPPP (CPSWPPP) and (CCIS)

Radon
- Residential Radon Measurement Provider
Recognized Associations

Keeping with the latest rules and regulations in the environmental field, Phase Engineering, Inc. and its staff are dedicated to current standards and legal issues by being involved with several professional associations:

- **ASTM** Committee Environmental Site Assessments for Commercial Real Estate Transactions & ASTM Phase II Task Force
- **ASTM** Teaching Staff - Phase I & Phase II Environmental Site Assessments
- Risk Management Association Board (RMA)
- Society of Wetland Scientists (SWS)
- Certified Commercial Investment Member (CCIM)
- Commercial Real Estate Women (CREW)
- Environmental Bankers Association (EBA)
- Houston Geological Society (HGS)
- Association of Commercial Real Estate Professionals (ACRP)
- Commercial Real Estate Network (CREN)
- Society of Industrial and Office Realtors (SIOR)
- Institute of Real Estate Management (IREM)
- Urban Land Institute (ULI)
- National Association of Government Guaranteed Lenders (NAGGL)
- Houston Association of Government Guaranteed Lenders (HAGGL)
- North Texas Association of Government Guaranteed Lenders (NTAGGL)
- Central Texas Association of Government Guaranteed Lenders (CTAGGL)
- El Paso Texas Association of Government Guaranteed Lenders (EPAGGL)
- Texas Bankers Association (TBA)
- Independent Bankers Association of Texas (IBAT)
- National Registry of Environmental Professionals (NREP)
- Texas Association of Environmental Professionals (TAEP)
- Commercial Real Estate Association of Montgomery County (CREAM)
- Houston Realty Business Coalition (HRBC)
- Texas Affiliation Of Affordable Housing Providers (TAAHP)
- **ASTM** Committee D18 on Soil and Rock, Subcommittee on Geospatial Technology
- Geological Association of America (GSA), South-Central Section, Environmental & Engineering Geology Division
- Houston Geological Society (HGS), Environmental and Engineering Group
- Urban and Regional Information Systems Association (URISA)
Recognized Associations (continued)

- Texas Association of Environmental Professionals (TAEP)
- Texas Association Professional Geoscientists (TAPG)
- Texas Board of Professional Geoscientists (TBPG)
- American Institute of Professional Geologists (AIPG), Texas Section, AIPG
  District IV – Southeast Texas
Environmental Professionals pursuant to 40 CFR 312.10

The final rule defines an environmental professional as someone who possesses sufficient specific education, training, and experience necessary to exercise professional judgment to develop opinions and conclusions regarding conditions indicative of releases or threatened releases of hazardous substances on, at, in, or to a property, sufficient to meet the objectives and performance factors of the rule. In addition, an environmental professional must have:

- A state or tribal issued certification or license and three years of relevant full-time work experience; or

- A Baccalaureate degree or higher in science or engineering and five years of relevant full-time work experience; or

- Ten years of relevant full-time work experience.

Phase Engineering, Inc. has additional “In House” qualified staff that supports the Environmental Professionals listed below:

<table>
<thead>
<tr>
<th>Principals</th>
<th>Experience and Education</th>
<th>Professional Licenses / Registrations</th>
</tr>
</thead>
<tbody>
<tr>
<td>James C. Dismukes, P.E., Principal</td>
<td>33 years in the environmental field.</td>
<td>Texas Registered Professional Engineer (43553)</td>
</tr>
<tr>
<td></td>
<td>University of Houston, MBA</td>
<td>LPST Corretive Action Project Manager (CAPM00766)</td>
</tr>
<tr>
<td></td>
<td>University of Houston, BS-Mechanical Engineering</td>
<td>Certified Preparer of SWPPP (CPSWPPP) and (CCIS) (2253)</td>
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<td></td>
<td>Cameron University, BS-Business</td>
<td></td>
</tr>
<tr>
<td>Melanie Edmundson, P.G., Principal</td>
<td>25 years in the environmental field.</td>
<td>Texas Professional Geoscientist-Geology (4358)</td>
</tr>
<tr>
<td></td>
<td>University of Maryland-College Park, BS-Geology</td>
<td>Asbestos Consultant (10-5470)</td>
</tr>
<tr>
<td></td>
<td>University of Maryland-Munich, Germany, AA</td>
<td>Lead Risk Assessor (2070147)</td>
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<tr>
<td></td>
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<td>Mold Assessment Consultant (MAC0246)</td>
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<td></td>
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<td>HAZWOPER OSHA 1910.120/1926.6540 Hour Training</td>
</tr>
<tr>
<td>Name</td>
<td>Experience and Education</td>
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<tr>
<td>Matthew Broadaway</td>
<td>12 years in the environmental field.</td>
<td>Hazwoper OSHA Training</td>
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<tr>
<td></td>
<td>Texas State University-San Marcos, BS-Geography</td>
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</tr>
<tr>
<td>Cornelius L. Crockett, II</td>
<td>18 years in the environmental field.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>University of Phoenix, MBA Prairie View A &amp; M University, BS-Criminal Justice/Law Enforcement</td>
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<tr>
<td>Ross Doctoroff, P.G.</td>
<td>15 years in the environmental field.</td>
<td>LPST Corrective Action Project (0014)</td>
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<tr>
<td></td>
<td>Southwest Texas State University, BS-Geography Resource and Environmental Studies Minor-Applied Geography</td>
<td>Texas Professional Geoscientist-Geology (2767)</td>
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<tr>
<td></td>
<td></td>
<td>Asbestos Inspector (601289)</td>
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<tr>
<td></td>
<td></td>
<td>USACOE Certified Wetland Delineator</td>
</tr>
<tr>
<td>Janis Franklin, P.G.</td>
<td>22 years in the environmental field.</td>
<td>Texas Professional Geoscientist (1254)</td>
</tr>
<tr>
<td></td>
<td>University of Houston, MS-Environmental Management</td>
<td>Tennessee Professional Geologist (TN4132)</td>
</tr>
<tr>
<td></td>
<td>Austin Peay State University, BS-Geology</td>
<td>Lead Inspector (2060233)</td>
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<tr>
<td></td>
<td>University of Houston, MS-Safety (ongoing)</td>
<td>LPST Corrective Action Project Manager (01209)</td>
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<td></td>
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<td>Asbestos Inspector License (603137)</td>
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<td>Hazwoper OSHA Training</td>
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<tr>
<td>Karly Gibbs</td>
<td>16 years in the environmental field.</td>
<td>Hazwoper OSHA Training</td>
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<tr>
<td></td>
<td>Tulane University, MS- Risk Assessment and Regulatory Toxicology</td>
<td>PCB Cleanup (Mega Rule)</td>
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<tr>
<td></td>
<td>Barry University, BS-Biology</td>
<td>USEPA Region 6 QA/QC Training</td>
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</table>
## Environmental Professionals pursuant to 40 CFR 312.10 (continued)

<table>
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<tr>
<th></th>
<th>Experience and Education</th>
<th>Professional Licenses / Registrations</th>
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<tbody>
<tr>
<td>Jennifer Horan</td>
<td>15 years in the environmental field.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Southwest Texas State University, BS-Geography, Resource and Environmental Studies</td>
<td></td>
</tr>
<tr>
<td>Zahir Jamal</td>
<td>17 years in the environmental field.</td>
<td>HAZWOPER OSHA 1910.120/1926.65 40 Hour Training (22308)</td>
</tr>
<tr>
<td></td>
<td>University of Windsor, Ontario, Canada, MS-Environmental Engineering</td>
<td>Asbestos Inspector License (603282)</td>
</tr>
<tr>
<td>Scott Lindsay</td>
<td>5 years in the environmental field.</td>
<td>OSHA 24 Hour HAZWOPER Training (1508092137587)</td>
</tr>
<tr>
<td></td>
<td>University of Houston-Downtown, MBA in Finance (In progress)</td>
<td>Asbestos Inspector License (21339343)</td>
</tr>
<tr>
<td></td>
<td>Texas State University, San Marcos, BS- Geography – Geographic Information Science</td>
<td></td>
</tr>
<tr>
<td>Darcey Philipp</td>
<td>16 years in the environmental field.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>University of Houston, BS-Psychology</td>
<td></td>
</tr>
<tr>
<td></td>
<td>University of Texas at Austin, BA-Economics</td>
<td></td>
</tr>
<tr>
<td>Kay Philipp, CEI, CEM</td>
<td>20 years in the environmental field.</td>
<td>Certified Environmental Inspector (CEI)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Certified Environmental Manager (CEM)</td>
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### Environmental Professionals pursuant to 40 CFR 312.10 (continued)

<table>
<thead>
<tr>
<th>Name</th>
<th>Experience and Education</th>
<th>Professional Licenses / Registrations</th>
</tr>
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<tbody>
<tr>
<td>Claire Snavely, P.G.</td>
<td>9 years in the environmental field.</td>
<td>Texas Professional Geoscientist (11420)</td>
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<tr>
<td></td>
<td>San Jose State University, BS-Geology</td>
<td>Geographical Information Systems Technician</td>
</tr>
<tr>
<td></td>
<td>Foothill College, AS-Geology</td>
<td>Geographical Information Systems Analyst</td>
</tr>
<tr>
<td>Tracy Watson</td>
<td>9 years in the environmental field.</td>
<td>USACOE Certified Wetland Delineator</td>
</tr>
<tr>
<td></td>
<td>University of Mary-Hardin Baylor, BS-Chemistry &amp; Biology</td>
<td>TCEQ Licensed Water Operator (WO0029615)</td>
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<tr>
<td></td>
<td></td>
<td>Asbestos Inspector License (603452)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>OSHA 40 Hour HAZWOPER Training</td>
</tr>
</tbody>
</table>
Online Proposal Request

Our **online proposal request system** is designed with you in mind to streamline the proposal request process in order to efficiently and quickly get your proposal to you when submitted online by you.

Your success is our success, and this online process helps expedite getting your project underway and completed on time.

Proposal requests may be submitted online at [www.PhaseEngineering.com](http://www.PhaseEngineering.com).

1. Begin at our website at [www.PhaseEngineering.com](http://www.PhaseEngineering.com) to set up your own account.

2. At the bottom of the homepage, there is a section called "Request for Proposal". Below this heading (and below the log in username/password), you will see a link to create a "New user? Create an account here".

3. When you click on the link, your browser will take you to a new login page. On this page, you will see a section called "New Users".

4. Create your own username (preferably something that you will remember like your name [i.e. first initial and last name]) and your own password and insert your contact information.

5. Finally, click "Create Account".

Your account should be created, and you can go back to our homepage and order a proposal.

If you have any questions or comments, please contact Ruben Jauregui, Jr. at [Ruben@PhaseEngineering.com](mailto:Ruben@PhaseEngineering.com) or Melanie Edmundson at [Melanie@PhaseEngineering.com](mailto:Melanie@PhaseEngineering.com).

Phase Engineering’s quoted delivery for completed Phase I Environmental Site Assessments is approximately two weeks. Phase Engineering, Inc. does realize that there are circumstances when the client needs results faster and will work to accommodate. Rush reports can be prepared in approximately one week with an added rush fee (rush delivery may result in data gaps due to time constraints).

All pricing and delivery of services is generally on a site specific basis depending on the scope of the assignment with the clients required guidelines.

Pricing differentials may apply for large acreage or difficult properties.
**CERTIFICATE OF LIABILITY INSURANCE**

**DATE (MM/DD/YYYY)**: 6/30/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFER NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT**: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

**PRODUCER**
BancorpSouth Insurance Services, Inc.
3355 W Alabama Street
Ste 850
Houston TX 77098

**INSURED**
Phase Engineering, Inc
5524 Cornish Street
Houston TX 77007

**COVERAGES**

<table>
<thead>
<tr>
<th>INSURER A</th>
<th>INSURER B</th>
<th>INSURER C</th>
<th>INSURER D</th>
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<tr>
<td>Rockhill Insurance Company</td>
<td>United Fire &amp; Casualty Company</td>
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**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES** (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

General liability policy includes a blanket additional insured endorsement when required by written contract but only with respect to liability arising out of a named insured's work for additional insured including Products/Completed Operations coverage and in no way will the additional insured status exceed the limits, terms or conditions of the policy. Primary & Non-Contributory wording is included when required by written contract, but only with respect to coverage provided by this policy.

Auto liability policy includes certificate holder as an additional insured when required by written contract but only with respect to the legal See Attached...

**CERTIFICATE HOLDER**

For Information Purposes Only

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

**AUTHORIZED REPRESENTATIVE**

[Signature]

© 1988-2015 ACORD CORPORATION. All rights reserved.
CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 06/30/17

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFER NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(s) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Aon Risk Services, Inc of Florida
1001 Brickell Bay Drive, Suite #1100
Miami, FL 33131-4937

CONTACT
Aon Risk Services, Inc of Florida

PHONE (A/C, No, Ext): 800-743-8130
TAX (A/C, No): 800-522-7514

EMAIL: ADP.COI.Center@Aon.com

INSURER(S) AFFORDING COVERAGE NAIC #
INSURER A : New Hampshire Ins Co 23841

INSURED
ADP TotalSource FL XIX, Inc.
10200 Sunset Drive
Miami, FL 33173

ALTERNATE EMPLOYER
Phase Engineering Inc
5524 Cornish Street
Houston, TX 77007

COVERAGES CERTIFICATE NUMBER: 1656249 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. LIMITS SHOWN ARE AS REQUESTED.

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<th>TYPE OF INSURANCE</th>
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<th>LIMITS</th>
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<td>GENL AGGREGATE LIMIT APPLIES PER:</td>
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<tr>
<td>CLAIMS-MADE</td>
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</tbody>
</table>

DEG RETENTION $ WC 026160333 TX 07/01/17 07/01/18 X PER STATUTE OTHER

E.L. EACH ACCIDENT $ 2,000,000
E.L. DISEASE - EA EMPLOYEE $ 2,000,000
E.L. DISEASE - POLICY LIMIT $ 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
All worksite employees working for PHASE ENGINEERING INC, paid under ADP TOTALSOURCE, INC.'s payroll, are covered under the above stated policy. PHASE ENGINEERING INC is an alternate employer under this policy.

CERTIFICATE HOLDER CANCELLATION

Phase Engineering Inc
5524 Cornish Street
Houston, TX 77007

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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APPENDIX VIII

REFERENCE SOURCES
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- Site Sketch Maps: http://services.arcgisonline.com/arcgis/services.
- Texas Major & Minor Aquifers Geodatabase (Updated December, 2006): Texas Water Development Board (TWDB) GIS Data, http://www.twdb.state.tx.us/mapping/gisdata
- The Railroad Commission of Texas, Geographic Information System – Oil and Gas Well Digital Data Acquisition. Oil and gas well data and pipeline data were obtained from public records at the Railroad Commission of Texas (the Commission). http://www.rrc.state.tx.us
- Certified Sanborn Map Report from Environmental Data Resources, Inc., 440 Wheelers Farms Road, Milford, Connecticut 06461
- AAI Environmental Data, 5524 Cornish Street, Houston, Texas 77007, http://aaidata.com/
- Texas Commission on Environmental Quality (TCEQ) Central Registry Database Search http://www12.tceq.state.tx.us/crpub/
- EPA Enforcement & Compliance History Online (ECHO) http://www.epa-echo.gov/echo