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. 201801140  
4.068 Acres Located along Larabee Street, Seabrook, Harris County, Texas 77586

To Whom It May Concern,

This letter is to certify that the Phase I Environmental Site Assessment (the “Report”) relating to the above referredenced 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

4.068 Acres Located along Larabee Street, Seabrook, Harris County, Texas 77586

February 21, 2018
PEI Project No.: 201801140

Prepared for:
Mark-Dana Corporation,
Seaside Lodge, 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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APPENDIX VI: LETTER OF ENGAGEMENT
APPENDIX VII: STATEMENT OF QUALIFICATIONS
APPENDIX VIII: REFERENCE SOURCES
# 1.0 Executive Summary

## 1.1 Site Summary

<table>
<thead>
<tr>
<th><strong>SITE SUMMARY</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Site Element</strong></td>
<td><strong>Comments</strong></td>
</tr>
<tr>
<td>Subject Property Address</td>
<td>4.068 Acres Located along Larabee Street, Seabrook, Harris County, Texas 77586</td>
</tr>
<tr>
<td>Current Use of Subject Property</td>
<td>Undeveloped land</td>
</tr>
<tr>
<td>Legal Description</td>
<td>Ritson Morris League, Abstract 52 (per client provided title commitment)</td>
</tr>
<tr>
<td>Current Owner</td>
<td>William J. Friedrichs Jr.</td>
</tr>
<tr>
<td>Current Uses of Adjoining Properties:</td>
<td></td>
</tr>
<tr>
<td>North:</td>
<td>Single-family residential property and undeveloped land</td>
</tr>
<tr>
<td>East:</td>
<td>Pate Street and single-family residential property</td>
</tr>
<tr>
<td>South:</td>
<td>Larabee Street, Villas by the Bay, Shor on Clear Lake and undeveloped land</td>
</tr>
<tr>
<td>West:</td>
<td>Undeveloped land</td>
</tr>
<tr>
<td>Site Reconnaissance Date</td>
<td>February 7, 2018</td>
</tr>
</tbody>
</table>

### Buildings / Structures

- **Summary of Structures**: No structures are currently located at the subject property

### Physical Setting

- **Topography**
  - Elevation: Approximately 15 feet above mean sea level (msl)
  - General Area Topographic Downgradient: To the east

- **Groundwater Flow Direction**: Assumed to be consistent with topographic gradient (See Section 5.3 for more information)

- **Depth to Groundwater**: Approximately 10 to 20 feet below ground surface (bgs)

- **Sub-Surface Geology**: Beaumont Formation (Qb-stipled)

- **Underlying Aquifer(s)**: Gulf Coast Aquifer

- **Near Surface Soils**: Texla silt loam, 0 to 2 percent slopes (TelB)

### Historical Use Subject Property

<table>
<thead>
<tr>
<th>YEAR</th>
<th>PROPERTY USE</th>
<th>RESOURCE(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1940s - 2018</td>
<td>Undeveloped land</td>
<td>1944 to 2016 aerial photographs; 1916 to 2016 topographic maps; Harris County tax records; street directories; interviews and site visit</td>
</tr>
</tbody>
</table>

### 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>Single-family residential property and undeveloped land</td>
</tr>
<tr>
<td>East Adjoining Property</td>
<td>Pate Street, single-family residential property and undeveloped land</td>
</tr>
<tr>
<td>South Adjoining Property</td>
<td>Larabee Street, single and multi-family residential property and undeveloped land</td>
</tr>
<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>
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<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>
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<tr>
<td>5.1 Standard Environmental Record Sources</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>5.4.1 Historical Information on Subject Property</td>
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<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>
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<td></td>
<td></td>
</tr>
<tr>
<td>7.0 Interviews</td>
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### Non-ASTM Scope Considerations

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<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>
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<td></td>
<td></td>
</tr>
<tr>
<td>15.3 Endangered Species</td>
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<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>
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<td></td>
<td></td>
</tr>
<tr>
<td>15.7 Vapor Encroachment Screening</td>
<td>✔</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15.8 Noise Study</td>
<td>✔</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15.9 Explosive and Flammable Hazards</td>
<td></td>
<td>✔</td>
<td>Mitigation may be required due to proximity of a natural gas AST on the east adjoining property</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 4.068 Acres Located along Larabee Street, Seabrook, Harris County, Texas 77586 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                                      | Single-family residential property and undeveloped land                        |
| To the East                                       | Pate Street and single-family residential property                              |
| To the South                                      | Larabee Street, Villas by the Bay, Shor on Clear Lake and undeveloped land      |
| To the West                                       | Undeveloped land                                                              |

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: Mark-Dana Corporation; 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 Zach Cavender, VP, with Mark-Dana Corporation:

<table>
<thead>
<tr>
<th>User Responsibilities Questionnaire</th>
<th>Question</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Environmental cleanup liens that are filed or recorded against the property (40 CFR 312.25).</td>
<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>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)).</td>
<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>Yes, Property is zoned in a PUD by City of Seabrook</td>
</tr>
<tr>
<td>3. Specialized knowledge or experience of the person seeking to qualify for the LLP (40 CFR 312.28).</td>
<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>
</tbody>
</table>
### User Responsibilities Questionnaire

<table>
<thead>
<tr>
<th>Question</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>4. Relationship to the purchase price to the fair market value of the 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 the fair market value of the property?</td>
<td>Yes</td>
</tr>
<tr>
<td>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?</td>
<td>N/A</td>
</tr>
</tbody>
</table>

| 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? | No              |
| (b.) Do you know of specific chemicals that are present or once were present at the property? | No              |
| (c.) Do you know of spills or other chemical releases that have taken place at the property? | No              |
| (d.) Do you know of any environmental cleanups that have taken place at the property? | 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? | Received with no comment |

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

- Michael Travis, property owner's representative; 281-541-7182.

### User Provided Information

<table>
<thead>
<tr>
<th>Type of Information Provided</th>
<th>Document Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title Commitment</td>
<td>12/10/17</td>
</tr>
<tr>
<td>Survey</td>
<td>02/01/18</td>
</tr>
<tr>
<td>Prior Phase I Environmental Site Assessment (ESA)</td>
<td>01/23/15</td>
</tr>
</tbody>
</table>

Comments on Provided Information:

- Title commitment prepared for the subject property parent tract of 7.8636 acres by Fidelity National Title Insurance Company dated December 10, 2017.
• The Phase I ESA report was prepared by Enercon Services, Inc. No recognized environmental conditions were reported in connection with the subject property during this assessment.

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>Federal Sites</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>EPA</td>
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<td>1.000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>EPA</td>
<td>NPL (Delisted)</td>
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<td>0</td>
</tr>
<tr>
<td>EPA</td>
<td>CERCLIS</td>
<td></td>
<td>0.500</td>
<td>0</td>
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<td>0</td>
<td>-</td>
<td>0</td>
</tr>
<tr>
<td>EPA</td>
<td>CERCLIS NFRAP</td>
<td>Adjoining*</td>
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<td>0</td>
<td>0</td>
<td>-</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>EPA</td>
<td>RCRA</td>
<td>Adjoining*</td>
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<td>1</td>
<td>-</td>
<td>-</td>
<td>1</td>
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<tr>
<td>EPA</td>
<td>RCRA TSD</td>
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<td>0.500</td>
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<td>0</td>
<td>0</td>
<td>-</td>
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</tr>
<tr>
<td>EPA</td>
<td>RCRA CORRACTS</td>
<td></td>
<td>1.000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>EPA</td>
<td>IC/EC</td>
<td>Property</td>
<td>0</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0</td>
</tr>
<tr>
<td>NRC</td>
<td>ERNS</td>
<td>Property</td>
<td>0</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0</td>
</tr>
</tbody>
</table>

| State and Tribal Sites | | | | | | | | |
| TCEQ   | SPL (NPL/CERCLIS)     |         | 1.000                       | 0                | 0                 | 0      | 0     | 0     |
| TCEQ   | MSW                   |         | 0.500                       | 0                | 0                 | 0      | -     | 0     |
| TCEQ   | CLI                   |         | 0.500                       | 0                | 0                 | 0      | -     | 0     |
| TCEQ   | AST                   | Adjoining* | 0                          | 0                | -                 | -      | 0     |       |
| TCEQ   | UST                   | Adjoining* | 0                          | 1                | -                 | -      | 1     |       |
| TCEQ   | UST                   |         | 0.500                       | 0                | 1                 | 0      | -     | 1     |
| TCEQ   | RDR                   | Adjoining* | 0                          | 1                | 0                 | -      | 1     |       |
| TCEQ   | IC/EC                 | Property | 0                           | -                 | -                 | -      | 0     |       |
| TCEQ   | IOP                   | Adjoining* | 0                          | 0                | 0                 | -      | 0     |       |
| TCEQ   | VCP                   |         | 0.500                       | 0                | 0                 | 0      | -     | 0     |
| RRC TX | RRC-VCP               |         | 0.5                         | 0                | 0                 | 0      | -     | 0     |
| TCEQ   | BROWNFIELD            |         | 0.500                       | 0                | 0                 | 0      | -     | 0     |
| TCEQ   | IHW                   | Adjoining* | 0                          | 3                | 0                 | -      | 3     |       |
| TCEQ   | IHWCA                 |         | 0.5                         | 0                | 0                 | 0      | -     | 0     |
| RRC TX | RRC-BRP               |         | 0.5                         | 0                | 0                 | 0      | -     | 0     |

| Supplemental Databases | | | | | | | | |
|------------------------|---------|------------------------|--------|-------|-------|
| TCEQ       | MSD     | 1.000                  | 0      | 0     | 0     |
| TCEQ       | DCR     | 0.500                  | 0      | 2     | -     |
| TCEQ       | DCRP    | 0.500                  | 0      | 0     | -     |
| EPA        | ACRES   | 0.500                  | 0      | 0     | 0     |

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

<table>
<thead>
<tr>
<th>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>Four (4)</td>
<td></td>
</tr>
</tbody>
</table>
Unmapped Sites

Numerous sites are considered ungeocoded 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. Ungeocoded sites are generally reviewed using a zip code and street name search.

Based on additional research conducted the ungeocoded 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><strong>Map ID#</strong></td>
</tr>
<tr>
<td>1</td>
</tr>
<tr>
<td>2</td>
</tr>
<tr>
<td>3</td>
</tr>
<tr>
<td>4</td>
</tr>
</tbody>
</table>
### Site Summary Table

<table>
<thead>
<tr>
<th>Map ID#</th>
<th>Type</th>
<th>Facility ID#</th>
<th>Facility Name</th>
<th>Address</th>
<th>Distance / Direction</th>
<th>Apparent Impact to Subject Property</th>
<th>Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>IHW</td>
<td>67454</td>
<td>TRAVIS LEACH MARINE</td>
<td>2700 NASA PKWY SEABROOK,TX 77586</td>
<td>0.18 SE</td>
<td>No</td>
<td>Distance, Direction and Status</td>
</tr>
<tr>
<td>6</td>
<td>DRY CLEANER</td>
<td>RN10396072</td>
<td>RYANS EXPRESS</td>
<td>3324 NASA PKWY SEABROOK,TX 77586</td>
<td>0.23 W</td>
<td>No</td>
<td>Distance and Status</td>
</tr>
<tr>
<td>7</td>
<td>RDR</td>
<td>19078</td>
<td>STORE 2584</td>
<td>3324 NASA RD 1 SEABROOK,TX</td>
<td>0.23 W</td>
<td>No</td>
<td>Distance</td>
</tr>
<tr>
<td>8</td>
<td>LPST</td>
<td>118395</td>
<td>VALERO CORNER STORE 2584</td>
<td>3324 NASA PKWY SEABROOK,TX</td>
<td>0.23 W</td>
<td>No</td>
<td>Distance</td>
</tr>
<tr>
<td>9</td>
<td>UST</td>
<td>35249</td>
<td>CORNER STORE 2584</td>
<td>3324 NASA PKWY SEABROOK,TX</td>
<td>0.23 W</td>
<td>No</td>
<td>Distance</td>
</tr>
</tbody>
</table>

### Summary of Critical Identified Sites

None of the sites listed on the database are the subject property or an adjoining property. There is no indication that the sites identified in the ASTM Standard Environmental Record Sources search have had or will have an environmental impact to the subject property. Phase Engineering, Inc. has the opinion that based on distance, direction, status or other justifications; it does not appear the subject property has been impacted from these facilities. No recognized environmental conditions appear to exist to the subject property.

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>
<tr>
<td>-----------------------------------</td>
</tr>
<tr>
<td>USGS 7.5 Minute Topographic Map</td>
</tr>
<tr>
<td>Current USGS Topographic Map</td>
</tr>
<tr>
<td>Groundwater Information</td>
</tr>
<tr>
<td>Texas Water Development Board (TWDB)</td>
</tr>
<tr>
<td>Submitted Driller's Database</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Geologic Formation</td>
</tr>
<tr>
<td>--------------------</td>
</tr>
<tr>
<td>Beaumont Formation (Qb-stipled)</td>
</tr>
</tbody>
</table>

### Underlying Aquifer(s)

<table>
<thead>
<tr>
<th>Aquifer Name</th>
<th>Aquifer Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gulf Coast Aquifer</td>
<td>&quot;The Gulf Coast Aquifer is a major aquifer paralleling the Gulf of Mexico coastline from the Louisiana border to the Mexican border. It consists of several aquifers, including the Jasper, Evangeline, and Chicot aquifers, which are composed of discontinuous sand, silt, clay, and gravel beds. The maximum total sand thickness for the Gulf Coast Aquifer ranges from 700 feet in the south to 1,300 feet in the north. Freshwater saturated thickness averages about 1,000 feet. Water quality varies with depth and locality: it is generally good in the central and northeastern parts of the aquifer where it contains less than 500 milligrams per liter of total dissolved solids but declines to the south where it typically contains 1,000 to more than 10,000 milligrams per liter of total dissolved solids and where the productivity of the aquifer decreases. High levels of radionuclides, believed mainly to be naturally occurring, are found in some wells in Harris County in the outcrop and in South Texas. The aquifer is used for municipal, industrial, and irrigation purposes. In Harris, Galveston, Fort Bend, Jasper, and Wharton counties, water level declines of up to 350 feet have led to land subsidence. The planning groups recommended several water management strategies that use the Gulf Coast Aquifer, including drilling more wells, pumping more water from existing wells, temporary overdrafting, constructing new or expanded treatment plants, desalinating brackish groundwater, developing conjunctive use projects, and reallocating supplies.&quot;</td>
</tr>
</tbody>
</table>

No minor aquifers underlie the subject property.

**Definition Source:** Texas Major Aquifers Geodatabase (Updated December, 2006): Texas Water Development Board (TWDB) GIS Data, [http://www.twdb.state.tx.us/mapping/gisdata](http://www.twdb.state.tx.us/mapping/gisdata) and Texas Water Development Board, Water for Texas 2007, Chapter 7 Groundwater Resources, pg. 176-238 [http://www.twdb.state.tx.us/wrpi/swp/swp.htm](http://www.twdb.state.tx.us/wrpi/swp/swp.htm)

### Flood Zone(s)

<table>
<thead>
<tr>
<th>Zone Designation</th>
<th>Zone Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone AE and A1-A30</td>
<td>Areas subject to inundation by the 1-percent-annual-chance flood event determined by detailed methods. BFEs are shown within these zones. (Zone AE is used on new and revised maps in place of Zones A1–A30.)</td>
</tr>
</tbody>
</table>

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) Harris County, Texas Flood Insurance Rate Map (FIRM).
Near Surface Soils

<table>
<thead>
<tr>
<th>Soil Name(s)</th>
<th>Soil Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Texla silt loam, 0 to 2 percent slopes (TelB)</td>
<td>The Texla component makes up 85 percent of the map unit. Slopes are 0 to 2 percent. This component is on relict bars on flats on coastal plains. The parent material consists of loamy fluviomarine deposits derived from igneous, metamorphic and sedimentary rock. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is somewhat poorly drained. Water movement in the most restrictive layer is low. Available water to a depth of 60 inches (or restricted depth) is high. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 12 inches during January, February, March. Organic matter content in the surface horizon is about 2 percent. Nonirrigated land capability classification is 3w. This soil does not meet hydric criteria. There are no saline horizons within 30 inches of the soil surface. The soil has a maximum sodium adsorption ratio of 10 within 30 inches of the soil surface.</td>
</tr>
</tbody>
</table>


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>Historical Use Subject Property</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>YEAR</strong></td>
</tr>
<tr>
<td>---------</td>
</tr>
<tr>
<td>1940s - 2018</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>Historical Use Adjoining Properties</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Direction</strong></td>
</tr>
<tr>
<td>North Adjoining Property</td>
</tr>
<tr>
<td>Direction</td>
</tr>
<tr>
<td>-------------------</td>
</tr>
<tr>
<td>East Adjoining Property</td>
</tr>
<tr>
<td>South Adjoining Property</td>
</tr>
<tr>
<td>West Adjoining Property</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>Subject Property</td>
<td>These photographs show no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on these photographs.</td>
</tr>
<tr>
<td>North</td>
<td>These photographs show residential improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on these photographs.</td>
</tr>
<tr>
<td>East</td>
<td>These photographs show residential improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on these photographs.</td>
</tr>
<tr>
<td>South</td>
<td>These photographs show residential improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on these photographs.</td>
</tr>
<tr>
<td>West</td>
<td>These photographs show no improvements at this property.</td>
<td>No areas of environmental concern are shown at this property on these photographs.</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>1989 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 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>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>1978 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>
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<tr>
<td>West</td>
<td>This photograph shows no improvements at this property.</td>
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</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>1969 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>

**1953 Aerial Photograph**

<table>
<thead>
<tr>
<th>Property Identification</th>
<th>Improvement Description</th>
<th>Identified Areas of Environmental Concern</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject Property</td>
<td>This photograph shows no improvements at this property.</td>
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</tr>
<tr>
<td>North</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>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>

**1944 Aerial Photograph**

<table>
<thead>
<tr>
<th>Property Identification</th>
<th>Improvement Description</th>
<th>Identified Areas of Environmental Concern</th>
</tr>
</thead>
<tbody>
<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 no 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

Harris County Appraisal District tax records show that the subject property is owned by William J. Friedrichs Jr. The property tax records are located in the Appendix.

5.4.3.4 Land Title Records & Environmental Lien Searches

A title commitment prepared by Fidelity National Title Insurance Company for the subject property parent tract of 7.8636 acres, dated December 10, 2017 was provided by the user of this report. No recorded environmental liens, environmentally related activity, use limitations (AULs) or other environmental concerns were noted in the title commitment. A portion of the title commitment is located in the attached appendix.

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>2016, 2013, 1995, 1982, 1969, and 1955</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>1946, 1932, and 1920</td>
<td>10 Minute</td>
<td>No areas of environmental concern were shown on the subject property or adjoining properties</td>
</tr>
<tr>
<td>1916</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></td>
<td>NEC of Elam Street &amp; Larabee</td>
<td>Undeveloped Land 2800 Pate Street</td>
<td>2376 Larabee Street 2730 Larabee Street 2726 Larabee Street</td>
<td>2800 East Nasa Parkway (Nasa Road 1) Undeveloped Land</td>
<td>3010 East Nasa Parkway (Nasa Road 1)</td>
</tr>
<tr>
<td>2016</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td>Nasa Rd 1 LLC NL Edgelake Apartments NL</td>
<td></td>
</tr>
<tr>
<td>2011</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td>Nasa Rd 1 LLC NL Edgelake Apartments NL</td>
<td></td>
</tr>
<tr>
<td>2001</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td>Sea Tree Apartments NL Edgelake Apartments NL</td>
<td></td>
</tr>
<tr>
<td>1995</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td>Sea Tree Apartments NL Edgelake Apartments NL</td>
<td></td>
</tr>
<tr>
<td>1990</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td>Sea Tree Apartments NL Edgelake Apartments NL</td>
<td></td>
</tr>
<tr>
<td>1985</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td>NL R H Toonetti Construction NL</td>
<td></td>
</tr>
<tr>
<td>1982</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td>NL NL</td>
<td></td>
</tr>
<tr>
<td>1980</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td>NL NL</td>
<td></td>
</tr>
<tr>
<td>1975</td>
<td>NL</td>
<td>NL</td>
<td>NL</td>
<td>NL NL</td>
<td></td>
</tr>
</tbody>
</table>
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 in association with historical records or other records reviewed for 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 7, 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>Vegetation Cover</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 7, 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 addressed as 4.068 Acres Located along Larabee Street, Seabrook, Texas and the current use(s) was / were observed to be Undeveloped land.

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

<table>
<thead>
<tr>
<th>Adjoining Property Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direction</td>
</tr>
<tr>
<td>North</td>
</tr>
<tr>
<td>North</td>
</tr>
<tr>
<td>East</td>
</tr>
<tr>
<td>South</td>
</tr>
<tr>
<td>South</td>
</tr>
<tr>
<td>South</td>
</tr>
<tr>
<td>West</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:

<table>
<thead>
<tr>
<th>Surrounding Area Property Types</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roadways</td>
</tr>
<tr>
<td>Multi-family 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:

<table>
<thead>
<tr>
<th>Observation Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item of Concern</td>
</tr>
<tr>
<td>Hazardous Substances / Petroleum Products in Connection with Present Use(s)</td>
</tr>
<tr>
<td>Hazardous Substances / Petroleum Products in Connection with Prior Use(s)</td>
</tr>
<tr>
<td>Geologic, Hydrogeologic and / or Topographic Conditions</td>
</tr>
<tr>
<td>Underground Storage Tanks (USTs)</td>
</tr>
<tr>
<td>Aboveground Storage Tanks (ASTs)</td>
</tr>
<tr>
<td>Item of Concern</td>
</tr>
<tr>
<td>-----------------------------------------------------</td>
</tr>
<tr>
<td>Indications of Underground Storage Tanks</td>
</tr>
<tr>
<td>Sumps, Floor Drains or Storm Water Drains</td>
</tr>
<tr>
<td>Odors</td>
</tr>
<tr>
<td>Pools of Liquid</td>
</tr>
<tr>
<td>Drums</td>
</tr>
<tr>
<td>Hazardous Substance and Petroleum Product Containers</td>
</tr>
<tr>
<td>Unidentified Substance Containers</td>
</tr>
<tr>
<td>Potential PCB Containing Equipment</td>
</tr>
<tr>
<td>Clarifiers</td>
</tr>
<tr>
<td>Pits, Ponds or Lagoons</td>
</tr>
<tr>
<td>Stained Soil or Pavement</td>
</tr>
<tr>
<td>Stressed Vegetation</td>
</tr>
<tr>
<td>Solid Waste</td>
</tr>
<tr>
<td>Mounds, Stockpiled Soils, Filled or Graded Areas and Depressions</td>
</tr>
<tr>
<td>Waste Water</td>
</tr>
<tr>
<td>Water Wells</td>
</tr>
<tr>
<td>Oil and Gas Wells</td>
</tr>
<tr>
<td>Monitoring Wells</td>
</tr>
<tr>
<td>Observation Wells</td>
</tr>
<tr>
<td>Injection Wells</td>
</tr>
<tr>
<td>Pipelines</td>
</tr>
<tr>
<td>Septic Systems</td>
</tr>
<tr>
<td>Other</td>
</tr>
</tbody>
</table>

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

A propane AST was observed located on the east adjoining property. No indications of a release were identified in association with the AST. Phase Engineering, Inc. has the opinion that the subject property does not appear to have been impacted by the AST.
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>Owner's Representative</td>
</tr>
<tr>
<td>02/07/18</td>
</tr>
</tbody>
</table>

Comments on interviews from items above:

Michael Travis, property owner's representative, indicated the following:

- He stated the current use of the property is undeveloped land.
- He stated that the past use of the subject property was undeveloped land.
- 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 the current/historical water and sanitary service sources to the subject property are municipal, if any.
- When asked if there are environmentally related documentation or reports known to exist in connection with the subject property, Mr. Travis stated yes.
- Mr. Travis has been associated with the subject property for 2.5 years.

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>02/10/18</td>
</tr>
<tr>
<td>02/10/18</td>
</tr>
<tr>
<td>02/10/18</td>
</tr>
</tbody>
</table>

Comments on interviews from items above:

The subject property is zoned "R-1", Single Family Detached Residential district.

Fire department records have been requested from City of Seabrook Fire Department. 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 City of Seabrook Environmental Department. 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>No environmental concerns were identified in association with interviews and inquiries conducted for this assessment.</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:

**Summary of Critical Identified Sites**

<table>
<thead>
<tr>
<th>Summary of Critical Identified Sites</th>
</tr>
</thead>
<tbody>
<tr>
<td>None of the sites listed on the database are the subject property or an adjoining property. There is no indication that the sites identified in the ASTM Standard Environmental Record Sources search have had or will have an environmental impact to the subject property. Phase Engineering, Inc. has the opinion that based on distance, direction, status or other justifications; it does not appear the subject property has been impacted from these facilities. No recognized environmental conditions appear to exist to the subject property.</td>
</tr>
</tbody>
</table>

8.2 Other Records 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:

**Summary of Environmental Concerns Identified During Historical and Other Records Review**

<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 in association with historical records or other records reviewed for 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:

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

<table>
<thead>
<tr>
<th>Summary of Critical Observed Areas of Environmental Concern</th>
</tr>
</thead>
<tbody>
<tr>
<td>A propane AST was observed located on the east adjoining property. No indications of a release were identified in association with the AST. Phase Engineering, Inc. has the opinion that the subject property does not appear to have been impacted by the AST.</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:

**Summary of Environmental Concerns Noted During Interviews / Inquiries**

<table>
<thead>
<tr>
<th>Summary of Environmental Concerns Noted During Interviews / Inquiries</th>
</tr>
</thead>
<tbody>
<tr>
<td>No environmental concerns were identified in association with interviews and inquiries conducted for this assessment.</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 4.068 Acres Located along Larabee Street, Seabrook, Harris County, Texas 77586 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 if 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 any of six naturally occurring fibrous minerals found in certain types of rock formations. Of the six, the minerals chrysotile, amosite, and crocidolite have been most commonly used in building products. When mined and processed, asbestos is typically separated into very thin fibers. Because asbestos is strong, incombustible, and corrosion resistant, asbestos was used in many commercial products beginning early in the 1900s and peaking in the period from World War II into the 1970’s. When inhaled or ingested, it has been determined that asbestos fibers can cause serious health problems.

In 1989 the Environmental Protection Agency imposed a ban to phase out asbestos products; however, the United States Supreme Court overturned this ban in October 1991. Asbestos products, such as floor tiles, adhesives (mastic), and roofing materials, to name a few, can still be purchased.
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 not noted during the site reconnaissance. No historic properties or historic districts were noted during the site visit or other resources utilized for this review.

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 Seabrook. 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>EPA Radon Zone Designation</th>
<th>Percent of Properties &gt;4.0 pCi/L per Statewide Survey</th>
<th>Maximum Reported Level per Statewide Survey pCi/L</th>
<th>Requirement for Radon Testing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harris County</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zone 3 - Low Potential (&lt;2 pCi/L)</td>
<td>0</td>
<td>3.8</td>
<td>Marginal (0-10% of properties surveyed &gt;4.0 pCi/L)</td>
</tr>
</tbody>
</table>
15.7 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>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>FEDERAL SITES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal NPL (Superfund)</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
<tr>
<td>Federal CERCLA (Active)</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
<tr>
<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>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>Federal RCRA Generators of Hazardous Wastes</td>
<td>Subject Property Only</td>
<td>Subject Property Only</td>
<td>0</td>
</tr>
<tr>
<td>Federal Institutional Control / Engineering Control Registries</td>
<td>Subject Property Only</td>
<td>Subject Property Only</td>
<td>0</td>
</tr>
<tr>
<td>Federal ERNS (Reported Spill Incidents)</td>
<td>Subject Property Only</td>
<td>Subject Property Only</td>
<td>0</td>
</tr>
<tr>
<td>STATE AND TRIBAL SITES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State / Tribal Equivalent NPL</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
<tr>
<td>State / Tribal Equivalent CERCLIS Sites</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
<tr>
<td>Landfills or Solid Waste Disposal Sites</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
<tr>
<td>Leaking Storage Tank Sites</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
<tr>
<td>Registered Storage Tanks</td>
<td>Subject Property Only</td>
<td>Subject Property Only</td>
<td>0</td>
</tr>
<tr>
<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>Voluntary Cleanup Program (VCP)</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
<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.

### 15.8 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>
<th>Source Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Major Road(s)</td>
<td>Major roads were identified within 1,000 feet from the subject property: Resdorph Rd.</td>
</tr>
<tr>
<td>Railroad(s)</td>
<td>No railroads were identified within 3,000 feet from the subject property</td>
</tr>
<tr>
<td>Airport(s)</td>
<td>One major civil or military airport was identified within 15 miles from the subject property: Ellington Field Other reliever/general aviation airports were identified within the prescribed distance; however, based on size and operations of these facilities they were excluded from this assessment.</td>
</tr>
</tbody>
</table>

Although Ellington Field was identified within 15 miles of the subject property, further review of the noise contours for this facility indicated that the subject property is beyond the 65 decibel noise contour line per facility. Therefore, this airport was not included in this assessment.

The combined projected Day/Night Noise Level (DNL) for each NAL was calculated based on the effective distance from each of the noise sources and provided in the below table. The 10-year projected DNL is provided based on a 4% annual growth in traffic counts.

<table>
<thead>
<tr>
<th>Description of Noise Assessment Location (NAL)</th>
<th>Projected DNL (dB)</th>
</tr>
</thead>
<tbody>
<tr>
<td>NAL 1 - At least 25' inside the western boundary</td>
<td>57.4</td>
</tr>
</tbody>
</table>

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.

### 15.9 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.

A 250-gallon aboveground storage tank (AST) containing propane was found on the east adjacent property occupied by a single-family residential property approximately 114 feet from the eastern property boundary. The potential blast zone for the propane tank was calculated using the Acceptable Separation Distance (ASD) Electronic Assessment Tool located on HUD’s website at http://www.hud.gov/offices/cpd/environment/asd calculator.cfm. The ASD for thermal radiation for people (ASDPPU) was determined to be 155.23 feet from the location of the propane tank, which includes the most eastern 60 feet of the subject property, thus mitigation will be required. See the ASD Drawing included in Appendix V.
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
GWBP – Groundwater Bearing Zone
HREC – Historical recognized environmental condition
IC – Institutional Control
IHWR – Industrial Hazardous Waste
IOP – Innocent Owner / Operator Program
LPST – Leaking Petroleum Storage Tank
MUD – Municipal Utility District
MSD – Municipal Setting 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
Location: 4.068 Acres  
NEC Elam Street and Larabee Street  
Seabrook, TX 77586  

PEI Project No:  201801140
SITE SKETCH

Subject Property

Location: 4.068 Acres
NEC Elam Street and Larabee Street
Seabrook, TX 77586

PEI Project No: 201801140
Source: TNRIS

Property boundary and locations are representative only.

2010 NAIP Orthoimagery

Copyright ©2016 Phase Engineering, Inc.
2006 High Resolution Orthoimagery
Property boundary and locations are representative only.

1978 Aerial Photograph

Copyright ©2016 Phase Engineering, Inc.
1969 Aerial Photograph
1953 Aerial Photograph
1944 Aerial Photograph
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
League City, 2016
Topographic Map

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USGS 7.5 Minute Topographic Series
League City, 2013
Topographic Map

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USGS 7.5 Minute Topographic Series
League City, 1995
Topographic Map

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USGS 7.5 Minute Topographic Series
League City, 1982
Topographic Map

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USGS 7.5 Minute Topographic Series
League City, 1969
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.

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USGS 7.5 Minute Topographic Series
League City, 1955
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.

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USGS 10 Minute Topographic Series
Seabrook, 1946
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.

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USGS 10 Minute Topographic Series
Seabrook, 1932
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.

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USGS 10 Minute Topographic Series
Seabrook, 1920
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
Seabrook, 1916

Source: The National Map

Property boundary and locations are representative only.

Copyright ©2016 Phase Engineering, Inc.
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.
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.
FEMA Flood Map

Flood hazard areas identified on the Flood Insurance Rate Map are identified as a Special Flood Hazard Area (SFHA). SFHA 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 AR/AE, Zone AR/AO, Zone 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 FIRM, 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).

Zones A, AE, AH, AO, VE
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.

Zone X 500
Area With Reduced Flood Risk Due to Levee
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 1 square mile, and areas protected by levees from 1% annual chance 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.

Zone X
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.

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 data, 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 Resources 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.

Property boundary and locations are representative only. 

Source: USGS NWIS, TCEQ, TWDB, ESRI

Copyright ©2016 Phase Engineering, Inc.

PEI Project No: 201801140
APPENDIX II
PHOTO GALLERY
1. View North Along West Property Boundary

2. Continued View North Along West Property Boundary
3. View East Across Subject Property from West Property Boundary

4. View West Along North Property Boundary
5. View North Along Pate Street

6. View West Along Larabee Street
7. South Adjoining Residential Property

8. South Adjoining Residential Property
9. South Adjoining Residential Property

10. South Adjoining Residential Property
11. East Adjoining Residential Property and Propane AST

12. West Adjoining Undeveloped Land
APPENDIX III

OWNERSHIP & PUBLIC DOCUMENTATION
### Owner and Property Information

**Owner Name & Mailing Address:**
FRIEDRICHS WILLIAM J JR  
16865 DIANA LN STE 200  
HOUSTON TX 77058-2556

**Legal Description:**
TRS 5B & 34  
ABST 52 R MORRIS

**Property Address:**
0 LARABEE LN  
SEABROOK TX 77586

<table>
<thead>
<tr>
<th>State Class Code</th>
<th>Land Use Code</th>
<th>Land Area</th>
<th>Total Living Area</th>
<th>Neighborhood Group</th>
<th>Map Facet</th>
<th>Key Map®</th>
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<tr>
<td>C1 -- Real, Vacant</td>
<td>2000 -- Residential Vacant</td>
<td>334,540 SF</td>
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<td>3036</td>
<td>27001</td>
<td>6249A</td>
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### Value Status Information

<table>
<thead>
<tr>
<th>Value Status</th>
<th>Shared CAD</th>
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</thead>
<tbody>
<tr>
<td>All Values Pending</td>
<td>Yes</td>
</tr>
</tbody>
</table>

### Exemptions and Jurisdictions

<table>
<thead>
<tr>
<th>Exemption Type</th>
<th>Districts</th>
<th>Jurisdictions</th>
<th>Exemption Value</th>
<th>ARB Status</th>
<th>2017 Rate</th>
<th>2018 Rate</th>
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<tbody>
<tr>
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<td>040 HARRIS COUNTY</td>
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</tbody>
</table>

Texas law prohibits us from displaying residential photographs, sketches, floor plans, or information indicating the age of a property owner on our website. You can inspect this information or get a copy at HCAD's information center at 13013 NW Freeway.

### Valuations

<table>
<thead>
<tr>
<th>Value as of January 1, 2017</th>
<th>Value as of January 1, 2018</th>
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</thead>
<tbody>
<tr>
<td>Market</td>
<td>Appraised</td>
</tr>
<tr>
<td>Land</td>
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<tr>
<td>Improvement</td>
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<tr>
<td>Total</td>
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</table>

### Land

**Market Value Land**

<table>
<thead>
<tr>
<th>Line</th>
<th>Description</th>
<th>Unit Code</th>
<th>Unit Type</th>
<th>Units</th>
<th>Size</th>
<th>Site Factor</th>
<th>Appr O/R Factor</th>
<th>Appr O/R Reason</th>
<th>Total Adj</th>
<th>Unit Price</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>2000 -- Res Vacant Override</td>
<td>AC0</td>
<td>AC</td>
<td>7.6800</td>
<td>1.00</td>
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<td>--</td>
<td>1.00</td>
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<td>Pending</td>
<td>Pending</td>
</tr>
</tbody>
</table>

**Building**

Vacant (No Building Data)
Ownership History: 0410080090030

0 LARABEE LN
SEABROOK TX 77586

Owner                      Effective Date
FRIEDRICH WILLIAM J JR      5/31/2017
CENTRAL TREE DEV LP         8/31/2006
ROSMARIN MARVIN             1/2/1988

[end of record]

-close window-
Anti-Fraud Disclosure Statement

Electronic communications such as email, text messages and social media messaging, are neither secure nor confidential. While Great American Title Company has adopted policies and procedures to aid in avoiding fraud, even the best security protections can still be bypassed by unauthorized parties.

Great American Title Company will never send you any non-secured electronic communications with instructions to transfer funds or to provide nonpublic personal information, such as credit card or debit numbers or bank account and/or routing numbers nor will we pass on our escrow wiring instructions. 

EMAILS ATTEMPTING TO INDUCE FRAUDULENT WIRE TRANSFERS ARE COMMON AND MAY APPEAR TO COME FROM A TRUSTED SOURCE. YOU SHOULD NEVER TRANSMIT NONPUBLIC PERSONAL INFORMATION, SUCH AS CREDIT OR DEBIT CARD NUMBERS OR BANK ACCOUNT OR ROUTING NUMBERS, SOCIAL SECURITY NUMBERS, DRIVER’S LICENSE NUMBERS BY EMAIL OR OTHER UNSECURED ELECTRONIC COMMUNICATION.

If you receive any non-secure electronic communication directing you to transfer funds or provide nonpublic personal information, EVEN IF THAT ELECTRONIC COMMUNICATION APPEARS TO BE FROM Great American Title Company do not respond to it and immediately contact the Escrow Officer in charge of your transaction. Such requests are likely part of a scheme to defraud you by stealing funds from you or using your identity to commit a crime. To notify Great American Title Company of suspected fraud related to your real estate transaction, contact: fraud@greatamtitle.com or 281.353.9865.
OUT-OF-COUNTY TITLE COMPANY
NOTICE REGARDING "BUSINESS PRESENCE"

The attached title insurance commitment contains information which has been obtained or derived from records and information owned by Title Data, Inc. or one of its subsidiaries (collectively "Title Data"). Title Data owns and maintains land title plants for Harris, Brazoria, Chambers, Fort Bend, Galveston, Jefferson, Liberty, Montgomery and Waller counties, Texas, and has granted our company a license to use one or more of these title plants.

Our company's right to access and use Title Data's title plants is governed by the agreement we have with Title Data. This agreement restricts who can receive and/or use a title insurance commitment which is based, in whole or in part, upon Title Data's records and information.

We are permitted by Title Data to provide your company with this title insurance commitment if and only if (i) your company is not licensed as a Texas title insurance agent or direct for the county to which this title insurance commitment pertains (unless you are licensed by virtue of a contract with Title Data to access its title plant for this county), (ii) your company is not under contract to a non-Title Data title plant service for the county to which this title insurance commitment pertains, (iii) your company does not maintain a "business presence" (as defined below) in the county to which this title insurance commitment pertains, and (iv) you use this title insurance commitment only for the purpose of your company closing a bona fide real estate transaction which, in your genuine belief, will result in the issuance of a title insurance policy (the foregoing collectively referred to herein as the "Eligibility Requirements"). In the event your company does not satisfy all of the Eligibility Requirements, immediately return this title insurance commitment to our company without reviewing, copying, or otherwise utilizing in any way the information contained therein.

Per our agreement with Title Data, a "business presence" is established when a company conducts a real estate closing using its own employees, its agents or its representatives. PLEASE NOTE: sign-ups, witness-only closings, accommodation closings, courtesy closings and similar activities (collectively referred to herein as a "sign-up") are considered to be a "real estate closing" per our agreement with Title Data, and mobile notaries and signing services are considered to be your "agent or representative."

In the event your company already has a business presence in the county to which this title insurance commitment pertains, or will have a business presence by virtue of the real estate transaction associated with this title insurance commitment, immediately return it to our company without reviewing, copying, or otherwise utilizing in any way the information contained therein.

In the event your company elects to conduct a real estate closing (including a sign-up) within the physical boundaries of the county to which this title insurance commitment pertains (either using your own employees, an agent or a representative), such conduct would constitute an automatic violation by our company of the terms and conditions of our agreement with Title Data, subjecting us to the assessment of liquidated damages by Title Data.

Therefore, as an express condition for us providing you with the attached title insurance commitment and your acceptance and use thereof, you specifically agree (i) that your company meets the Eligibility Requirements, (ii) the consummation of the real estate transaction associated with this title insurance commitment will not result in a violation of such Eligibility Requirements, (iii) not to furnish this title insurance commitment (or any copies thereof) to any title insurance company or agent, and (iv) to indemnify and hold harmless our company from and against any liquidated damages assessed against us by Title Data and all other liabilities, losses or damages incurred by us relating to, or arising out of, our company's providing this title insurance commitment to you.

IN THE EVENT YOUR COMPANY IS UNABLE OR UNWILLING TO COMPLY WITH THESE CONDITIONS, IMMEDIATELY RETURN THIS TITLE INSURANCE COMMITMENT TO OUR COMPANY, WITHOUT REVIEWING, COPYING, OR OTHERWISE UTILIZING IN ANY WAY THE INFORMATION CONTAINED THEREIN.
TITLE DATA, INC. NOTICE REGARDING SURVEYORS

The attached title insurance commitment contains information which has been obtained or derived from records and information owned by Title Data, Inc. or one of its subsidiaries (collectively "Title Data"). Title Data owns and maintains land title plants for Harris, Brazoria, Chambers, Fort Bend, Galveston, Liberty, Montgomery and Waller counties, Texas. Title Data created its title plants through the investment of extensive time, labor, skill and money. **The information contained in the title plants is protected by federal copyright law and Texas common law on trade secrets and contract.**

Title Data has granted our company a license to use one or more of its title plants. Our company's right to access and use Title Data's title plants is governed by our contract with Title Data. Our contract with Title Data restricts who can receive and/or use a title insurance commitment which is based, in whole or in part, upon Title Data's records and information.

Under the terms of our contract with Title Data, we are permitted to provide you with the attached title insurance commitment **for limited use and distribution only.** Specifically, you are sublicense to deliver, exhibit, or furnish the attached title insurance commitment (or any copies thereof) **ONLY** to your bona fide employees and a third party who is playing a bona fide role in this proposed real estate transaction, including a lawyer, a lender, a surveyor, a real estate broker or agent, and the parties to this proposed transaction.

For purposes of our agreement with Title Data, "deliver, exhibit, or furnish" includes, without limitation, copying this title insurance commitment (whether such copying be by means of a photocopier, facsimile machine, another electronic scanning device, or any other method of reproduction) and providing such copy to any third party.

Your furnishing of the attached title insurance commitment to anyone not specifically enumerated above is not permitted by our contract with Title Data and constitutes a breach of our sublicense to you. Your furnishing of the attached title insurance commitment to anyone not specifically enumerated above is also a violation of federal copyright law and Texas common law.

Therefore, as an express condition for us providing you with the attached title insurance commitment, you specifically agree to limit its uses to those set forth herein, and to provide a copy of this letter to any party to whom you deliver, exhibit, or furnish the attached title insurance commitment (or any copies thereof).

**IN THE EVENT YOU ARE UNABLE OR UNWILLING TO COMPLY WITH THESE CONDITIONS, IMMEDIATELY RETURN THE TITLE INSURANCE COMMITMENT TO OUR COMPANY, WITHOUT REVIEWING, COPYING, OR OTHERWISE UTILIZING IN ANY WAY THE INFORMATION CONTAINED THEREIN.**
THE FOLLOWING COMMITMENT FOR TITLE INSURANCE IS NOT VALID UNLESS YOUR NAME AND THE POLICY AMOUNT ARE SHOWN IN SCHEDULE A, AND OUR AUTHORIZED REPRESENTATIVE HAS COUNTERSIGNED BELOW.

COMMITMENT FOR TITLE INSURANCE T-7
ISSUED BY

FIDELITY NATIONAL TITLE INSURANCE COMPANY

We, (FIDELITY NATIONAL TITLE INSURANCE COMPANY) will issue our title insurance policy or policies (the Policy) to You (the proposed insured) upon payment of the premium and other charges due, and compliance with the requirements in Schedule C. Our Policy will be in the form approved by the Texas Department of Insurance at the date of issuance, and will insure your interest in the land described in Schedule A. The estimated premium for our Policy and applicable endorsements is shown on Schedule D. There may be additional charges such as recording fees, and expedited delivery expenses.

This Commitment ends ninety (90) days from the effective date, unless the Policy is issued sooner, or failure to issue the Policy is our fault. Our liability and obligations to you are under the express terms of this Commitment and end when this Commitment expires.

Agent

______________________________________________
Authorized Countersignature
Commitment No. 59121-GAT80, issued December 19, 2017, at 8:00 a.m.

1. The policy or policies to be issued are:

   (a) OWNER'S POLICY OF TITLE INSURANCE (Form T-1)  
       (Not applicable for improved one-to-four family residential real estate)  
       Policy Amount: $2,750,000.00  
       PROPOSED INSURED: Mark-Dana Corporation  

   (b) TEXAS RESIDENTIAL OWNER'S POLICY OF TITLE INSURANCE  
       ONE-TO-FOUR FAMILY RESIDENCES (Form T-1R)  
       Policy Amount: $  
       PROPOSED INSURED:  

   (c) LOAN POLICY OF TITLE INSURANCE (Form T-2)  
       Policy Amount: $  
       PROPOSED INSURED:  
       Proposed Borrower:  

   (d) TEXAS SHORT FORM RESIDENTIAL LOAN POLICY OF TITLE INSURANCE (Form T-2R)  
       Policy Amount: $  
       PROPOSED INSURED:  
       Proposed Borrower:  

   (e) LOAN TITLE POLICY BINDER ON INTERIM CONSTRUCTION LOAN (Form T-13)  
       Binder Amount: $  
       PROPOSED INSURED:  
       Proposed Borrower:  

   (f) OTHER  
       Policy Amount: $  
       PROPOSED INSURED:  

2. The interest in the land covered by this Commitment is: Fee Simple  

3. Record title to the land on the Effective Date appears to be vested in: William M. Friedrichs, Jr.  

4. Legal description of land:  
   See Exhibit "A" attached hereto and made a part hereof.
EXHIBIT "A"

A tract of land containing 7.846 acres (called 7.8636 acres), more or less, in the Ritson Morris League, Abstract 52, and being all of that described in deed to Sybil Isensee, a feme sole, recorded in Volume 1361, Page 254, Deed Records, Harris County, Texas, SAVE AND EXCEPT that triangular tract of land conveyed to Edward T. Elam and wife, by deed recorded in Volume 4016, Page 348, Deed Records, Harris County, Texas, out of the Southeast corner of subject tract or land as described in deed to Henry Earl Rodick, recorded in Volume 1361, Page 254, Deed Records, Harris County, Texas, said triangular tract of land being the same tract as conveyed to Sybil Isensea, a widow, by deed recorded in Volume 4016, Page 351, Deed Records, Harris County, Texas, said 7.8636 acres, more or less, being more fully described as follows:

BEGINNING at a 1.1 x 1.1 foot fence post the Northwest corner of a certain 12.79 acre tract described in a deed recorded in Volume 238, Page 441, Deed Records, Harris County, Texas, said point being South 74 degrees East, 43.74 feet from a called Iron pipe, witness by a T-Rail on the Southeast corner of Farm Lot No. 1, Repsdorph Tract Subdivision, map of which is recorded in Volume 18, Page 63, Map Records, Harris County, Texas; also said called rod is 1077.00 feet, North 74 degrees West of a called old iron rod found on the Northeast corner of the Menard Homestead tract at a fence intersection;

THENCE South 74 degrees 00 minutes 00 seconds East, a distance of 791.32 feet (called 792.80 feet) along the southerly line of the D.J. Menard Tract described by deed recorded in Vol. 349, page 59, Deed Records, to a 1/2 inch iron rod found for the Northeast corner of the West line of the 30 foot lane conveyed from Elam to Pate by deed recorded in Volume 4016, Page 339, Deed Records, Harris County, Texas;

THENCE South 23 degrees 28 minutes 06 seconds West, a distance of 431.37 feet (called South 23 degrees 28 minutes 06 seconds West, 472.08 feet) along the west line of the lane to a 5/8 inch Iron rod for southeast corner at its Intersection with a 30 foot lane running Northwest-Southeast;

THENCE North 66 degrees 32 minutes 59 seconds West, a distance of 848.74 feet (called North 66 degrees 36 minutes 20 seconds West, 848.49 feet) along the Northerly line of the lane to a point for the Southwest corner at the East line of a 30 foot lane running Northeasterly;

THENCE North 32 degrees 54 minutes 24 seconds East, a distance of 373.83 feet (called North 33 degrees 02 minutes 17 seconds East, 371.37 feet) along the Easterly line of the lane to a 1.1 x 1.1 foot fence post for the PLACE OF BEGINNING and containing 7.846 acres of land.

Note: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.
EXCEPTIONS FROM COVERAGE

In addition to the Exclusions and Conditions and Stipulations, your Policy will not cover loss, costs, attorney's fees, and expenses resulting from:

1. The following restrictive covenants of record itemized below (We must either insert specific recording data or delete this exception):

   See Item 10 (a) below.

2. Any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements.

3. Homestead or community property or survivorship rights, if any of any spouse of any insured. (Applies to the Owner's Policy only.)

4. Any titles or rights asserted by anyone, including, but not limited to, persons, the public, corporations, governments or other entities,

   a. to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, or
   b. to lands beyond the line of the harbor or bulkhead lines as established or changed by any government, or
   c. to filled-in lands, or artificial islands, or
   d. to statutory water rights, including riparian rights, or
   e. to the area extending from the line of mean low tide to the line of vegetation, or the rights of access to that area or easement along and across that area.

   (Applies to the Owner's Policy only.)

5. Standby fees, taxes and assessments by any taxing authority for the year 2018, and subsequent years; and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership, but not those taxes or assessments for prior years because of an exemption granted to a previous owner of the property under Section 11.13, Texas Tax Code, or because of improvements not assessed for a previous tax year. (If Texas Short Form Residential Loan Policy of Title Insurance (T-2R) is issued, that policy will substitute "which become due and payable subsequent to Date of Policy" in lieu of "for the year 2018 and subsequent years."

6. The terms and conditions of the documents creating your interest in the land.

7. Materials furnished or labor performed in connection with planned construction before signing and delivering the lien document described in Schedule A, if the land is part of the homestead of the owner. (Applies to the Loan Title Policy Binder on Interim Construction Loan only, and may be deleted if satisfactory evidence is furnished to us before a binder is issued.)
8. Liens and leases that affect the title to the land, but that are subordinate to the lien of the insured mortgage. (Applies to Loan Policy (T-2) only.)

9. The Exceptions from Coverage and Express Insurance in Schedule B of the Texas Short Form Residential Loan Policy of Title Insurance (T-2R). (Applies to Texas Short Form Residential Loan Policy of Title Insurance (T-2R) only). Separate exceptions 1 through 8 of this Schedule B do not apply to the Texas Short Form Residential Loan Policy of Title Insurance (T-2R).

10. The following matters and all terms of the documents creating or offering evidence of the matters (We must insert matters or delete this exception):

   a. Item No. 1, Schedule B, is hereby deleted.

   b. Any portion of subject property lying within the boundaries of a public or private roadway whether dedicated or not.


   d. A ten (10) foot utility easement across the northeast corner of the subject property, owned by Houston Lighting & Power Company, as referenced to within instrument recorded in CC#C864398, Real Property Records, Harris County, Texas.

   e. A thirty (30) foot wide private roadway adjoining the Northwesterly and Southwesterly line(s), as evidenced by instrument recorded in Volume 4994, Page 361, of the Deed Records of Harris County, Texas, said instrument was a grant of an easement to Houston Lighting & Power Company over, under and across said 30 foot private road, but, the Survey mentioned above shows that the Overhead-Power Line is Northeasterly of the Larabee Lane and crosses the Southwesterly line of subject property; as referenced on Deed recorded in County Clerk's File No. 20060034638, Official Records of Harris County, Texas.

   f. Fence is not located along the Northeast and Southwest property line(s), as shown on survey dated July 3, 2006, prepared by Henry M. Santos, Registered Public Surveyor No. 5450; as referenced on Deed recorded in County Clerk's File No. 20060034638, Official Records of Harris County, Texas.

   g. Easement for the benefit of James L. Pate, as set forth in instrument recorded in County Clerk's File No. G887995, Official Records of Harris County, Texas.

   h. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed.

   i. Rights of tenants, as tenants only, under unrecorded leases or rental agreements.

   j. Rights of Parties in Possession. (OWNER POLICY ONLY)

   k. Visible and apparent easements on or across property described in Schedule A.
G.F. No. or File No. 59121-GAT80

Your Policy will not cover loss, costs, attorney's fees, and expenses resulting from the following requirements that will appear as Exceptions in Schedule B of the Policy, unless you dispose of these matters to our satisfaction, before the date the Policy is issued:

1. Documents creating your title or interest must be approved by us and must be signed, notarized and filed for record.

2. Satisfactory evidence must be provided that:
   - no person occupying the land claims any interest in that land against the persons named in paragraph 3 of Schedule A,
   - all standby fees, taxes, assessments and charges against the property have been paid,
   - all improvements or repairs to the property are completed and accepted by the owner, and that all contractors, sub-contractors, laborers, and suppliers have been fully paid, and that no mechanic's, laborer's or materialmen's liens have attached to the property,
   - there is legal right of access to and from the land,
   - (on a Loan Policy only) restrictions have not been and will not be violated that affect the validity and priority of the insured mortgage.

3. You must pay the seller or borrower the agreed amount for your property or interest.

4. Any defect, lien or other matter that may affect title to the land or interest insured, that arises or is filed after the effective date of this Commitment.

5. Record a Release of Vendor’s Lien retained in Deed: Grantor: Central Tree Development, LP
   Grantee: William M. Friedrichs, Jr.
   Dated: 05/31/2017
   Recorded: 06/01/2017 in County Clerk's File No. 20170241692, of the Official records, of Harris County, Texas.

   Additionally secured by Deed of Trust:
   Grantor: William M. Friedrichs, Jr.
   Trustee: James W. Christian
   Amount: $650,000.00
   Beneficiary: Central Tree Development, LP
   Recorded: 06/01/2017 in County Clerk's File No. 20170241693, of the Official records, of Harris County, Texas.
6. Record a Release of Vendor’s Lien retained in Deed:
   Grantor: Central Tree Development, LP
   Grantee: William M. Friedrichs, Jr.
   Dated: 05/31/2017
   Recorded: 06/02/2017 in County Clerk’s File No. 20170243278, of the Official records, of Harris County, Texas.

   Additionally secured by Deed of Trust:
   Grantor: William M. Friedrichs, Jr.
   Trustee: James W. Christian
   Amount: $650,000.00
   Beneficiary: Central Tree Development, LP
   Recorded: 06/02/2017 in County Clerk’s File No. 20170243279, of the Official records, of Harris County, Texas.

7. Prior to closing, furnish the marital status of William M. Friedrichs, Jr., from 05/31/2017 to the date of closing. Company requires the joinder of spouse, if any, in any transaction involving subject property.

8. The right is reserved to make and insert additional exceptions and/or requirements based upon the review of the survey, up to and including the issuance of the Policy.

9. Title Company can use prior survey only if and when the Owner executes an Affidavit stating that no structural changes or improvements have been made to the subject property or adjoining property.
Pursuant to the requirements of Rule P-21, Basic Manual of Rules, Rates and Forms for the Writing of Title Insurance in the State of Texas, the following disclosures are made:

1. The following individuals are Officers and/or Directors of Fidelity National Title Insurance Company, a Nebraska corporation

   **Officers:**
   - President: Raymond Randall Quirk
   - Executive Vice President: Anthony John Park
   - Secretary: Michael Louis Gravelle
   - Treasurer: Daniel K. Murphy

   **Directors:**
   - President: George Patrick Scanlon
   - Executive Vice President: Raymond Randall Quirk
   - Secretary: Anthony John Park

   Fidelity National Financial, Inc. owns 100% of FNTG Holdings, Inc., which owns 100% of Fidelity National Title Group, Inc., which owns 100% of Fidelity National Title Insurance Company.

2. The following disclosures are made by the Title Insurance Agent issuing this Commitment: Great American Title of Houston, LLC d/b/a Great American Title Company

   (a) The names of each shareholder, owner, partner, or other person having, owning or controlling one percent (1%) or more of the Title Insurance Agent that will receive a portion of the premium are as follows: Ronnie E. Matthews, Tom E. Blackwell

   (b) Each shareholder, owner, partner, or other person having, owning or controlling 10 percent (10%) or more of an entity that has, owns or controls one percent (1%) or more of the Title Insurance Agent that will receive a portion of the premium are as follows: Ronnie E. Matthews, Tom E. Blackwell

   (c) The following persons are officers and directors of the Title Insurance Agent.

   **Directors**
   - Ronnie E. Matthews
   - Tom E. Blackwell

   **Officers**
   - Ronnie E. Matthews - Chairman
   - Tom E. Blackwell - President
   - Daniel S. Blackwell - Assistant Vice President

3. You are entitled to receive advance disclosure of settlement charges in connection with the proposed transaction to which this commitment relates. Upon your request, such disclosure will be made to you. Additionally, the name of any person, firm or corporation receiving a portion of the premium from the settlement of this transaction will be disclosed on the closing or settlement statement.

   You are further advised that the estimated title premium* is:

   - Owner's Policy: $_______________
   - Loan Policy: $_______________
   - Endorsement Charges: $_______________
   - Other: $_______________
   - Total: $_______________

   Of this total amount: $_______________ or 15% will be paid to the policy issuing Title Insurance Company; $_______________ or __________% will be retained by the issuing Title Insurance Agent; and the remainder of the estimated premium will be paid to other parties as follows:

<table>
<thead>
<tr>
<th>AMOUNT</th>
<th>TO WHOM</th>
<th>FOR SERVICES</th>
</tr>
</thead>
<tbody>
<tr>
<td>$_______ (or%)</td>
<td>_______</td>
<td>_____________</td>
</tr>
<tr>
<td>$_______ (or%)</td>
<td>_______</td>
<td>_____________</td>
</tr>
<tr>
<td>$_______ (or%)</td>
<td>_______</td>
<td>_____________</td>
</tr>
</tbody>
</table>

   *"The estimated premium is based upon information furnished to us as of the date of this Commitment for Title Insurance. Final determination of the amount of the premium will be made at closing in accordance with the Rules and Regulations adopted by the Commissioner of Insurance."
FIDELITY NATIONAL TITLE INSURANCE COMPANY

Commitment for Title Insurance Form (T-7)

DELETION OF ARBITRATION PROVISION
(Not applicable to the Texas Residential Owner's Policy)

ARBITRATION is a common form of alternative dispute resolution. It can be a quicker and cheaper means to settle a dispute with your Title Insurance Company. However, if you agree to arbitrate, you give up your right to take the Title Company to court and your rights to discovery of evidence may be limited in the arbitration process. In addition, you cannot usually appeal an arbitrator's award.

Your policy contains an arbitration provision (shown below). It allows you or the Company to require arbitration if the amount of insurance is $2,000,000 or less. If you want to retain your right to sue the Company in case of a dispute over a claim, you must request deletion of the arbitration provision before the policy is issued. You can do this by signing this form and returning it to the Company at or before the closing of your real estate transaction or by writing to the Company. The arbitration provision in the Policy is as follows:

“Either the Company or the Insured may demand that the claim or controversy shall be submitted to arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("Rules"). Except as provided in the Rules, there shall be no joinder or consolidation with claims or controversies of other persons. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, any service in connection with its issuance or the breach of a policy provision, or to any other controversy or claim arising out of the transaction giving rise to this policy. All arbitrable matters when the Amount of Insurance is $2,000,000 or less shall be arbitrated at the option of either the Company or the Insured, unless the Insured is an individual person (as distinguished from an Entity). All arbitrable matters when the Amount of Insurance is in excess of $2,000,000 shall be arbitrated only when agreed to by both the Company and the Insured. Arbitration pursuant to this policy and under the Rules shall be binding upon the parties. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court of competent jurisdiction.”

_________________________  __________________
SIGNATURE                        DATE
CONDITIONS AND STIPULATIONS

1. If you have actual knowledge of any matter which may affect the title or mortgage covered by this Commitment, that is not shown in Schedule B, you must notify us in writing. If you do not notify us in writing, our liability to you is ended or reduced to the extent that your failure to notify us affects our liability. If you do notify us, or we learn of such matter, we may amend Schedule B, but we will not be relieved of liability already incurred.

2. Our liability is only to you, and others who are included in the definition of Insured in the Policy to be issued. Our liability is only for actual loss incurred in your reliance on this Commitment to comply with its requirements or to acquire the interest in the land. Our liability is limited to the amount shown in Schedule A of this Commitment and will be subject to the following terms of the Policy: Insuring Provisions, Conditions, Stipulations and Exclusions.

TEXAS TITLE INSURANCE INFORMATION

Title insurance insures you against loss resulting from certain risks to your title.

The Commitment for Title Insurance is the title insurance company's promise to issue the title insurance policy. The Commitment is a legal document. You should review it carefully to completely understand it before your closing date.

Your Commitment for Title Insurance is a legal contract between you and us. The Commitment is not an opinion or report of your title. It is a contract to issue you a policy subject to the Commitment's terms and requirements.

Before issuing a Commitment for Title Insurance (the Commitment) or a Title Insurance Policy (the Policy), the Title Insurance Company (the Company) determines whether the title is insurable. This determination has already been made. Part of that determination involves the Company's decision to insure the title except for certain risks that will not be covered by the Policy. Some of these risks are listed in Schedule B of the attached Commitment as Exceptions. Other risks are stated in the Policy as Exclusions. These risks will not be covered by the Policy. The Policy is not an abstract of title nor does a Company have an obligation to determine the ownership of any mineral interest.

MINERALS AND MINERAL RIGHTS may not be covered by the Policy. The Company may be unwilling to insure title unless there is an exclusion or an exception as to Minerals and Mineral Rights in the Policy. Optional endorsements insuring certain risks involving minerals, and the use of improvements (excluding lawns, shrubbery and trees) and permanent buildings may be available for purchase. If the title insurer issues the title policy with an exclusion or exception to the minerals and mineral rights, neither this Policy, nor the optional endorsements, ensure that the purchaser has title to the mineral rights related to the surface estate.

Another part of the determination involves whether the promise to insure is conditioned upon certain requirements being met. Schedule C of the Commitment lists these requirements that must be satisfied or the Company will refuse to cover them. You may want to discuss any matters shown in Schedules B and C of the Commitment with an attorney. These matters will affect your title and your use of the land.

When your Policy is issued, the coverage will be limited by the Policy's Exceptions, Exclusions and Conditions, defined below.

- **EXCEPTIONS** are title risks that a Policy generally covers but does not cover in a particular instance. Exceptions are shown on Schedule B or discussed in Schedule C of the Commitment. They can also be added if you do not comply with the Requirements section of the Commitment. When the Policy is issued, all Exceptions will be on Schedule B of the Policy.

- **EXCLUSIONS** are title risks that a Policy generally does not cover. Exclusions are contained in the Policy but not shown or discussed in the Commitment.

- **CONDITIONS** are additional provisions that qualify or limit your coverage. Conditions include your responsibilities and those of the Company. They are contained in the Policy but not shown or discussed in the Commitment. The Policy Conditions are not the same as the Commitment Conditions.

You can get a copy of the policy form approved by the State Board of Insurance by calling the Title Insurance Company at 1-800-347-7826 or by calling the title insurance agent that issued the Commitment. The State Board of Insurance may revise the policy form from time to time.

You can also get a brochure that explains the policy from the Texas Department of Insurance by calling 1-800-252-3439.

Before the Policy is issued, you may request changes in the policy. Some of the changes to consider are:

- Request amendment of the "area and boundary" exception (Schedule B, paragraph 2). To get this amendment, you must furnish a survey and comply with other requirements of the Company. On the Owner Policy, you must pay an additional premium for the amendment. If the survey is acceptable to the Company and if the Company's other requirements are met, your Policy will insure you against loss because of discrepancies or conflicts in boundary lines, encroachments or protrusions, or overlapping of improvements. The Company may then decide not to insure against specific boundary or survey problems by making special exceptions in the Policy. Whether or not you request amendment of the "area and boundary" exception, you should determine whether you want to purchase and review a survey if a survey is not being provided to you.

- Allow the Company to add an exception to "rights of parties in possession." If you refuse this exception, the Company or the title insurance agent may inspect the property. The Company may except to and not insure you against the rights of specific persons, such as renters, adverse owners or easement holders who occupy the land. The Company may charge you for the inspection. If you want to make your own inspection, you must sign a Waiver of Inspection form and allow the Company to add this exception to your Policy.

The entire premium for a Policy must be paid when the Policy is issued. You will not owe any additional premiums unless you want to increase your coverage at a later date and the Company agrees to add an Increased Value Endorsement.
**IMPORTANT NOTICE**

To obtain information or make a complaint:

You may call Fidelity National Title Insurance Company’s toll-free telephone number for information or to make a complaint at:

**(800)292-5320**

You may also write to Fidelity National Title Insurance Company at:

**10010 San Pedro, Suite 630**
**San Antonio, Texas 78216**

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at:

**1-800-252-3439**

You may write the Texas Department of Insurance:

P.O. Box 149104
Austin, TX 78714-9104
Fax: (512) 490-1007
Web: [http://www.tdi.texas.gov](http://www.tdi.texas.gov)
E-mail: ConsumerProtection@tdi.texas.gov

**PREMIUM OR CLAIM DISPUTES:**

Should you have a dispute concerning your premium or about a claim you should contact Fidelity National Title Insurance Company first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

**ATTACH THIS NOTICE TO YOUR POLICY:**

This notice is for information only and does not become a part or condition of the attached document.

---

**AVISO IMPORTANTE**

Para obtener información o para presentar una queja:

Usted puede llamar al número de teléfono gratuito de Fidelity National Title Insurance Company’s para información o para presentar una queja al:

**(800)292-5320**

Usted también puede escribir a Fidelity National Title Insurance Company:

**10010 San Pedro, Suite 630**
**San Antonio, Texas 78216**

Usted puede comunicarse con el Departamento de Seguros de Texas para obtener información sobre compañías, coberturas, derechos, o quejas al:

**1-800-252-3439**

Usted puede escribir al Departamento de Seguros de Texas a:

P.O. Box 149104
Austin, TX 78714-9104
Fax: (512) 490-1007
Web: [http://www.tdi.texas.gov](http://www.tdi.texas.gov)
E-mail: ConsumerProtection@tdi.texas.gov

**DISPUTAS POR PRIMAS DE SEGUROS O RECLAMACIONES:**

Si tiene una disputa relacionada con su prima de seguro con una reclamación, usted debe comunicarse con el Fidelity National Title Insurance Company primero. Si la disputa no es resuelta, usted puede comunicarse con el Departamento de Seguros de Texas.

**ADJUNTE ESTE AVISO A SU PÓLIZA:**

Este aviso es solamente para propósitos informativos y no se convierte en parte o en condición del documento adjunto.
Disclosure Agreement

From: Great American Title Company
Property: 0 Larabee Street, Seabrook, TX 77586
Date: 12/19/2017

This is to give you notice that Great American Title Company has a business relationship with Bison Tax Service. Great American Title Company is owned by Ronnie E. Matthews - 75% and Tom E. Blackwell - 25%. Bison Tax Service, LLC is owned by Great American Title LP - 50% and Tom E. Blackwell - 50%. Because of this relationship, this referral may provide Great American Title Company a financial or other benefit.

Set forth below is the estimated charge or range of charges for the settlement services listed. You are NOT required to use the listed provider(s) as a condition for settlement of your loan on or purchase, sale, or refinance of the subject property. THERE ARE FREQUENTLY OTHER SETTLEMENT SERVICE PROVIDERS AVAILABLE WITH SIMILAR SERVICES. YOU ARE FREE TO SHOP AROUND TO DETERMINE THAT YOU ARE RECEIVING THE BEST SERVICES AND THE BEST RATE FOR THESE SERVICES.

Real Estate Tax Information - Bison Tax Service - $78 - $100

ACKNOWLEDGMENT
I/we have read this disclosure form, and understand that Great American Title Company is referring me/us to purchase the above-described settlement service(s) and may receive a financial or other benefit as the result of this referral.

___________________________________________  ________________________
SIGNATURE  DATE

___________________________________________  ________________________
SIGNATURE  DATE
We Are Committed to Safeguarding Customer Information
In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, Great American Title Company has adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability
This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. Great American Title Company has also adopted broader guidelines that govern our use of personal information regardless of its source. Great American Title Company calls these guidelines its Fair Information Values, a copy of which can be found on our website at www.greatamtitle.com.

Types of Information
Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:
- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information
We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers
Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security
We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and Great American’s Fair Information Values. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.
FIDELITY NATIONAL FINANCIAL
PRIVACY NOTICE

Fidelity National Financial, Inc. and its majority-owned subsidiary companies providing real estate- and loan-related services (collectively, "FNF", "our" or "we") respect and are committed to protecting your privacy. This Privacy Notice lets you know how and for what purposes your Personal Information (as defined herein) is being collected, processed and used by FNF. We pledge that we will take reasonable steps to ensure that your Personal Information will only be used in ways that are in compliance with this Privacy Notice.

This Privacy Notice is only in effect for any generic information and Personal Information collected and/or owned by FNF, including collection through any FNF website and any online features, services and/or programs offered by FNF (collectively, the "Website"). This Privacy Notice is not applicable to any other web pages, mobile applications, social media sites, email lists, generic information or Personal Information collected and/or owned by any entity other than FNF.

Collection and Use of Information

The types of personal information FNF collects may include, among other things (collectively, "Personal Information"): (1) contact information (e.g., name, address, phone number, email address); (2) demographic information (e.g., date of birth, gender marital status); (3) Internet protocol (or IP) address or device ID/UDID; (4) social security number (SSN), student id (SIN), driver's license, passport, and other government ID numbers; (5) financial account information; and (6) information related to offenses or criminal convictions.

In the course of our business, we may collect Personal Information about you from the following sources:

- Applications or other forms we receive from you or your authorized representative;
- Information we receive from you through the Website;
- Information about your transactions with or services performed by us, our affiliates, or others; and
- Information from consumer or other reporting agencies and public records maintained by governmental entities that we either obtain directly from those entities, or from our affiliates or others.

Information collected by FNF is used for three main purposes:

- To provide products and services to you or one or more third party service providers (collectively, "Third Parties") who are obtaining services on your behalf or in connection with a transaction involving you.
- To improve our products and services that we perform for you or for Third Parties.
- To communicate with you and to inform you about FNF's, FNF's affiliates and third parties' products and services.

Additional Ways Information is Collected Through the Website

Browser Log Files. Our servers automatically log each visitor to the Website and collect and record certain information about each visitor. This information may include IP address, browser language, browser type, operating system, domain names, browsing history (including time spent at a domain, time and date of your visit), referring/exit web pages and URLs, and number of clicks. The domain name and IP address reveal nothing personal about the user other than the IP address from which the user has accessed the Website.

Cookies. From time to time, FNF or other third parties may send a "cookie" to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive and that can be re-sent to the serving website on subsequent visits. A cookie, by itself, cannot read other data from your hard disk or read other cookie files already on your computer. A cookie, by itself, does not damage your system. We, our advertisers and other third parties may use cookies to identify and keep track of, among other things, those areas of the Website and third party websites that you have visited in the past in order to enhance your next visit to the Website. You can choose whether or not to accept cookies by changing the settings of your Internet browser, but some functionality of the Website may be impaired or not function as intended. See the Third Party Opt Out section below.

Web Beacons. Some of our web pages and electronic communications may contain images, which may or may not be visible to you, known as Web Beacons (sometimes referred to as "clear gifs"). Web Beacons collect only limited information that includes a cookie number; time and date of a page view; and a description of the page on which the Web Beacon resides. We may also carry Web Beacons placed by third party advertisers. These Web Beacons do not carry any Personal Information and are only used to track usage of the Website and activities associated with the Website. See the Third Party Opt Out section below.

Unique Identifier. We may assign you a unique internal identifier to help keep track of your future visits. We may use this information to gather aggregate demographic information about our visitors, and we may use it to personalize the information you see on the Website and some of the electronic communications you receive from us. We keep this information for our internal use, and this information is not shared with others.

Third Party Opt Out. Although we do not presently, in the future we may allow third-party companies to serve advertisements and/or collect certain anonymous information when you visit the Website. These companies may use non-personally identifiable information (e.g., click stream information, browser type, time and date, subject of advertisements clicked or scrolled over) during your visits to the Website in order to provide advertisements about products and services likely to be of greater interest to you. These companies typically use a cookie or third party Web Beacon to collect this information, as further described above. Through these technologies, the third party may have access to and use non-personalized information about your online usage activity. You can opt-out of online behavioral services through any one of the ways described below. After you opt-out, you may continue to receive advertisements, but those advertisements will no longer be as relevant to you.

- You can opt-out via the Network Advertising Initiative industry opt-out at http://www.networkadvertising.org/
- You can opt-out via the Consumer Choice Page at www.aboutads.info
- For those in the U.K., you can opt-out via the IAB UK's industry opt-out at www.youronlinechoices.com
- You can configure your web browser (Chrome, Firefox, Internet Explorer, Safari, etc.) to delete and/or control the use of cookies.

More information can be found in the Help system of your browser. Note: If you opt-out as described above, you should not delete your cookies. If you delete your cookies, you will need to opt-out again.

Privacy Notice
Effective: January 24, 2014
When Information Is Disclosed By FNF

We may provide your Personal Information (excluding information we receive from consumer or other credit reporting agencies) to various individuals and companies, as permitted by law, without obtaining your prior authorization. Such laws do not allow consumers to restrict these disclosures. Disclosures may include, without limitation, the following:

- To agents, brokers, representatives, or others to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure in connection with an insurance transaction;
- To third-party contractors or service providers who provide services or perform marketing services or other functions on our behalf;
- To law enforcement or other governmental authority in connection with an investigation, or civil or criminal subpoenas or court orders; and/or
- To lenders, lien holders, judgment creditors, or other parties claiming an encumbrance or an interest in title whose claim or interest must be determined, settled, paid or released prior to a title or escrow closing.

In addition to the other times when we might disclose information about you, we might also disclose information when required by law or in the good-faith belief that such disclosure is necessary to: (1) comply with a legal process or applicable laws; (2) enforce this Privacy Notice; (3) respond to claims that any materials, documents, images, graphics, logos, designs, audio, video and any other information provided by you violates the rights of third parties; or (4) protect the rights, property or personal safety of FNF, its users or the public.

We maintain reasonable safeguards to keep the Personal Information that is disclosed to us secure. We provide Personal Information and non-Personal Information to our subsidiaries, affiliated companies, and other businesses or persons for the purposes of processing such information on our behalf and promoting the services of our trusted business partners, some or all of which may store your information on servers outside of the United States. We require that these parties agree to process such information in compliance with our Privacy Notice or in a similar, industry-standard manner, and we use reasonable efforts to limit their use of such information and to use other appropriate confidentiality and security measures. The use of your information by one of our trusted business partners may be subject to that party’s own Privacy Notice. We do not, however, disclose information we collect from consumer or credit reporting agencies with our affiliates or others without your consent, in conformity with applicable law, unless such disclosure is otherwise permitted by law.

We also reserve the right to disclose Personal Information and/or non-Personal Information to take precautions against liability, investigate and defend against any third-party claims or allegations, assist government enforcement agencies, protect the security or integrity of the Website, and protect the rights, property, or personal safety of FNF, our users or others.

We reserve the right to transfer your Personal Information, as well as any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets. We also cannot make any representations regarding the use or transfer of your Personal Information or other information that we may have in the event of our bankruptcy, reorganization, insolvency, receivership or an assignment for the benefit of creditors, and you expressly agree and consent to the use and/or transfer of your Personal Information or other information in connection with a sale or transfer of some or all of our assets in any of the above described proceedings. Furthermore, we cannot and will not be responsible for any breach of security by any third parties or for any actions of any third parties that receive any of the information that is disclosed to us.

Privacy Notice
Effective: January 24, 2014

Information from Children

We do not collect Personal Information from any person that we know to be under the age of thirteen (13). Specifically, the Website is not intended or designed to attract children under the age of thirteen (13). You affirm that you are either more than 18 years of age, or an emancipated minor, or possess legal parental or guardian consent, and are fully able and competent to enter into the terms, conditions, obligations, affirmations, representations, and warranties set forth in this Privacy Notice, and to abide by and comply with this Privacy Notice. In any case, you affirm that you are over the age of 13, as THE WEBSITE IS NOT INTENDED FOR CHILDREN UNDER 13 THAT ARE UNACCOMPANIED BY HIS OR HER PARENT OR LEGAL GUARDIAN

Parents should be aware that FNF’s Privacy Notice will govern our use of Personal Information, but also that information that is voluntarily given by children - or others - in email exchanges, bulletin boards or the like may be used by other parties to generate unsolicited communications. FNF encourages all parents to instruct their children in the safe and responsible use of their Personal Information while using the Internet.

Privacy Outside the Website

The Website may contain various links to other websites, including links to various third party service providers. FNF is not and cannot be responsible for the privacy practices or the content of any of those other websites. Other than under agreements with certain reputable organizations and companies, and except for third party service providers whose services either we use or you voluntarily elect to utilize, we do not share any of the Personal Information that you provide to us with any of the websites to which the Website links, although we may share aggregate, non-Personal Information with those other third parties. Please check with those websites in order to determine their privacy policies and your rights under them.

European Union Users

If you are a citizen of the European Union, please note that we may transfer your Personal Information outside the European Union for use for any of the purposes described in this Privacy Notice. By providing FNF with your Personal Information, you consent to both our collection and such transfer of your Personal Information in accordance with this Privacy Notice.

Choices with Your Personal Information

Whether you submit Personal Information to FNF is entirely up to you. You may decide not to submit Personal Information, in which case FNF may not be able to provide certain services or products to you. You may choose to prevent FNF from disclosing or using your Personal Information under certain circumstances ("opt out"). You may opt out of any disclosure or use of your Personal Information for purposes that are incompatible with the purpose(s) for which it was originally collected or for which you subsequently gave authorization by notifying us by one of the methods described at the end of this Privacy Notice. Furthermore, even where your Personal Information is to be disclosed and used in accordance with the stated purposes in this Privacy Notice, you may elect to opt out of such disclosure to and use by a third party that is not acting as an agent of FNF. As described above, there are some uses from which you cannot opt-out.

Please note that opting out of the disclosure and use of your Personal Information as a prospective employee may prevent you from being hired as an employee by FNF to the extent that provision of your Personal Information is required to apply for an open position.

If FNF collects Personal Information from you, such information will not be disclosed or used by FNF for purposes that are incompatible with the purpose(s) for which it was originally collected or for which you subsequently gave authorization unless you affirmatively consent to such disclosure and use.
You may opt out of online behavioral advertising by following the instructions set forth above under the above section "Additional Ways That Information Is Collected Through the Website," subsection "Third Party Opt Out."

**Access and Correction**

To access your Personal Information in the possession of FNF and correct inaccuracies of that information in our records, please contact us in the manner specified at the end of this Privacy Notice. We ask individuals to identify themselves and the information requested to be accessed and amended before processing such requests, and we may decline to process requests in limited circumstances as permitted by applicable privacy legislation.

**Your California Privacy Rights**

Under California's "Shine the Light" law, California residents who provide certain personally identifiable information in connection with obtaining products or services for personal, family or household use are entitled to request and obtain information from us once a calendar year about the customer information we shared, if any, with other businesses for their own direct marketing uses. If applicable, this information would include the categories of customer information and the names and addresses of those businesses with which we shared customer information for the immediately prior calendar year (e.g., requests made in 2013 will receive information regarding 2012 sharing activities).

To obtain this information on behalf of FNF, please send an email message to privacy@fnf.com with "Request for California Privacy Information" in the subject line and in the body of your message. We will provide the requested information to you at your email address in response.

Please be aware that not all information sharing is covered by the "Shine the Light" requirements and only information on covered sharing will be included in our response.

Additionally, because we may collect your Personal Information from time to time, California's Online Privacy Protection Act requires us to disclose how we respond to "do not track" requests and other similar mechanisms. Currently, our policy is that we do not recognize "do not track" requests from Internet browsers and similar devices.

**Your Consent to This Privacy Notice**

By submitting Personal Information to FNF, you consent to the collection and use of information by us as specified above or as we otherwise see fit, in compliance with this Privacy Notice, unless you inform us otherwise by means of the procedure identified below. If we decide to change this Privacy Notice, we will make an effort to post those changes on the Website. Each time we collect information from you following any amendment of this Privacy Notice will signify your assent to and acceptance of its revised terms for all previously collected information and information collected from you in the future. We may use comments, information or feedback that you may submit in any manner that we may choose without notice or compensation to you.

If you have additional questions or comments, please let us know by sending your comments or requests to:

Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, Florida 32204
Attn: Chief Privacy Officer
(888) 934-3354
privacy@fnf.com

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EFFECTIVE AS OF: JANUARY 24, 2014
LAST UPDATED: JANUARY 24, 2014
APPENDIX IV

REGULATORY INFORMATION
Regulatory Database Search

Job Number: 201801140
Report Date: February 7, 2018

Property:
201801140
- Seabrook, TX 77586

Prepared For:
Phase Engineering, Inc.
5524 Cornish St.
Houston, TX 77007

Prepared By:
AAI Environmental Data
P.O. Box 70438
Houston, TX 77270
Hazard Map

ACRES
BROWNFIELD
RRCBRP
SPL
CERCLIS
NPL
NFRAP
NPL_D
AST
UST
LPST
RDR
RCRA
RCRA_TSD
DCRP
IOP
VCP
RCRC
MSW
ERNS
CORRACTS
MSD
CLI
SWLF
Note: Property location and boundaries are representative only.
Hazard Map

Site Location: Seabrook, TX 77586
Job Number: 201801140

Scale: 1:10,730

Note: Property location and boundaries are representative only.

Sources: Esri, HERE, 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

Copyright ©2016 AAI Environmental Data

0 550 1,100 2,200
Feet

Hazard Map

ACRES
BROWNFIELD
RCCBRP
SPL
CERCLIS
NPL
NFRAP
NPL_D

AST
LST
LPST
RDR
RCRA
RCRA TSD

IOP
VCOP
RRCVCP

CLI
SWLF
MSW

ERNS

XW
IHW
IHWCA

DRY CLEANER
MSD

Note: Property location and boundaries are representative only.
Site
Location: Seabrook, TX 77586
Job Number: 201801140

Scale: 1:5,930

Note: Property location and boundaries are representative only.
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**FACILITY INFORMATION:**

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- Regulated Entity Name: RYANS EXPRESS CL2
- CN:
- Principal Name: 
- Site Type: DROP STATION REGISTRATION
- Site Status: ACTIVE
- Solvent(s) Used: 
- Dry Cleaner Remediation Program: No
**FACILITY INFORMATION:**

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Current Site Name: BOSONE BODY SHOP
Site Location: TX

OWNER/OPERATOR INFORMATION:
Site’s Legal Owner: BOSONECHUCK
Owner/Operator Address: 1940 REPSDORPH RD
Owner/Operator Phone: 713-474-7300
Name of Site’s Operator: BOSONECHUCK

HAZARDOUS WASTE ACTIVITIES:
Federal Generator Status: N
Short-Term Generator: N
Transporter of Hazardous Waste: N
Mixed Waste (hazardous and radioactive) Generator: N
Treater, Storer, or Disposer of Hazardous Waste:
Recycler of Hazardous Waste: N
Exempt Boiler and/or Industrial Furnace: N
Underground Injection Control: N
Receives Hazardous Waste from Offsite: N

WASTE CODES FOR FEDERALLY REGULATED HAZARDOUS WASTES AND DESCRIPTIONS:

WASTE CODES FOR STATE-REGULATED HAZARDOUS WASTE AND DESCRIPTIONS:

UNIVERSAL WASTE ACTIVITIES:
Large Quantity Handler of Universal Waste:
Used Oil Transporter: N
Used Oil Transfer Facility: N
Used Oil Processor and/or Re-refiner: N

CORRECTIVE ACTION:
Subject to Corrective Action: N
Area Name:
Date: CA Code:
FACILITY INFORMATION:

- Registration Number: 66817
- Facility Site Name: COMPETITION MARINE SERVICE
- Initial Notification Date: 19850930
- Last Amendment Date: 20010828
- EPA ID: TCEQ Hazardous Waste permit No:

Facility/Site Location: Conditionally Exempt Small Quantity Generator
Type of Generator: NON INDUS
Facility Status: INACTIVE

Physical Location: 2222 Repsdorph Rd, Seabrook, TX
TCEQ Facility ID: 22070

Transport Waste Type:

- 1: N Medical Waste: N
- 2: N Other: N
- 3: N Sludge: N
- H: N Used Oil: N
- MSW: N Used Tires: N

OWNER INFORMATION:

- Registration Number: 66817
- Owner Name: COMPETITION MARINE SERVICE
- Phone Number: 1-281-4743417

OPERATOR INFORMATION:

- Registration Number: COMPETITION MARINE SERVICE
- Operator Name: COMPETITION MARINE SERVICE
- Phone Number: 1-281-4743417

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FACILITY ADDRESS: 3324 NASA PKWY
SEABROOK, TX  77586

FACILITY INFORMATION:

<table>
<thead>
<tr>
<th>Facility ID:</th>
<th>35249</th>
<th>Facility Contact:</th>
<th>TERRY HANKINS</th>
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<tbody>
<tr>
<td>Facility Name:</td>
<td>CORNER STORE 2584</td>
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<td>O &amp; E SPECIALIST</td>
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OWNER INFORMATION:

<table>
<thead>
<tr>
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<th>SKIPPER BEVERAGE COMPANY</th>
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<th>CN604312868</th>
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<tbody>
<tr>
<td>Owner Type:</td>
<td>CO</td>
<td>Contact Phone:</td>
<td>2106922275</td>
</tr>
<tr>
<td>Contact Mailing Address:</td>
<td>PO BOX 690350 SAN ANTONIO, TX 78269</td>
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OPERATOR INFORMATION:

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<tr>
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<td>Tank Capacity (in gallons):</td>
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COMPARTMENT DETAILS:

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<td>FACILITY ADDRESS:</td>
<td>DISTANCE:</td>
</tr>
<tr>
<td>-------</td>
<td>--------------</td>
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</tr>
<tr>
<td>9</td>
<td>UST</td>
<td>3324 NASA PKWY</td>
<td>0.229 W</td>
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<tr>
<td></td>
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<td>SEABROOK, TX 77586</td>
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**COMPARTMENT DETAILS:**

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<tbody>
<tr>
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<tbody>
<tr>
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**COMPARTMENT DETAILS:**

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**TANK DETAILS:**

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**COMPARTMENT DETAILS:**

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**COMPARTMENT DETAILS:**

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<th>Tank ID:</th>
<th>Compartment ID:</th>
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<tbody>
<tr>
<td>5</td>
<td>C</td>
<td>12000</td>
<td>DIESEL</td>
</tr>
</tbody>
</table>
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: 77586

<table>
<thead>
<tr>
<th>Facility ID</th>
<th>Type</th>
<th>Facility Name</th>
<th>Street Address</th>
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<tbody>
<tr>
<td>61025</td>
<td>AST</td>
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<td>201 12TH ST</td>
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<tr>
<td>RN104095989</td>
<td>DRY CLEANER</td>
<td>TONY NASA CLEANERS &amp; ALTERATIONS</td>
<td>4642 NASA PKWY # 1</td>
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<td>NFRAP</td>
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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, in active, 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 cleanup 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.
establishes a prioritization list of dry cleaner sites and administers the Dry Cleaning Remediation fund. The program, the 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 addresses contamination on dry cleaner sites 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 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.

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. PETROCHEMICALS

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 Innocent Owner / Operator Program (IOP) The Texas IOP created by House Bill 2776 of the 75th Legislature, provides a certificate to an innocent owner or operator if their property is contaminated as a result of a release or migration of contaminants from a source or sources not located on the property, and they did not cause or contribute to the source or sources of contamination.

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 (IHWC) - 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 CRCA-registered 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, statues, 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
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 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 expertise 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).
   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:

#2 - Property is zoned in a PUD by City of Seabrook.

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:

NE Corner of Biann St and Larabee St, Seabrook, TX 77586

Print Name: Zach Calender, VP
Company: Mark-Dana Corp
Date: 1/29/18

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

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

201801140
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
- One-Quarter Mile Area of Interest
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

N

0 0.05 0.1 0.2 0.3 0.4
Miles

1:12,000

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

N

0 0.05 0.1 0.2 0.3 0.4
Miles

1:10,344
U.S. FWS Threatened & Endangered Species Active Critical Habitats

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” by the agency.

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

Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

PEI Project No: 201801140
City of Seabrook
1700 First Street
Seabrook, Texas 77586

En Español
Este reporte incluye la información importante sobre el agua para tomar. Si tiene preguntas o discusiones sobre este reporte en español, favor de llamar al teléfono 281-474-3286 para hablar con una persona bilingüe en español.

PUBLIC PARTICIPATION OPPORTUNITIES
Seabrook City Council Meetings
First and Third Tuesdays of each month at 7:00 pm


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 immune-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 1-800-426-4791.

Our Drinking Water is Regulated
This report is a summary of the quality of the water we provide our customers. The analysis was made by using the data from the most recent U.S. Environment Protection Agency (EPA) required tests and is presented in the attached pages. We hope this information helps you become more knowledgeable about what’s in your drinking water.

Source of Drinking Water
The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals, and in some cases, radioactive material, and can pickup substances resulting from the presence of animals or human activity. Contaminants that may be present in source water include: Microbial contaminants, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife. 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.

Where do we get our drinking water?
The source of drinking water used by the City of Seabrook is the San Jacinto River via purchased surface water from the City of Pasadena. The TCEQ completed an assessment of your water source 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 detection 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 Seabrook Water Department.

All drinking water may contain contaminants. When drinking water meets federal standards there may not be any health based benefits to purchasing bottled water or point of use devices. 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 (1-800-426-4791).

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, secondaries are not required to be reported in this document but they may greatly affect the appearance and taste of your water.

Required Additional Health Information for Lead
If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. This water system is responsible for providing high quality drinking water but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline or at http://www.epa.gov/safewater/lead.

In the water loss audit submitted to the Texas Water Development Board for the time period of Jan-Dec 2016, our system lost an estimated 27.8 MG of water (9.90%). If you have any questions about the water loss audit please call 281-291-5725.

The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology. Maximum Residual Disinfectant Level Goal (MRDLG)
The level of a disinfecting agent below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contamination. Maximum Residual Disinfectant Level (MRDL)
The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants. Avg
Regulator compliance with some MCLs are based on running annual average of monthly samples. ppm
milligrams per liter or parts per million - or one in 7,500,000 gallons of water. ppb
micrograms per liter or parts per billion - or one in 7,500,000,000 gallons of water. na
Not applicable


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2016 Regulated Contaminants Detected
City of Seabrook

Definitions:
Action Level Goal (ALG): The level of a contaminant in drinking water below which there is no known or expected risk to health. ALGs allow for a margin of safety.
Action Level: The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.

<table>
<thead>
<tr>
<th>Disinfectants and Disinfection By-Products</th>
<th>Collection Date</th>
<th>Highest Level Detected</th>
<th>Range of Levels Detected</th>
<th>MCLG</th>
<th>MCL</th>
<th>Units</th>
<th>Violation</th>
<th>Likely Source of Contamination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Haloacetic Acids (HAA5)*</td>
<td>2016</td>
<td>26</td>
<td>4.2 – 29.4</td>
<td>No goal for the total</td>
<td>60</td>
<td>ppb</td>
<td>N</td>
<td>By-products of drinking water disinfection.</td>
</tr>
<tr>
<td>Total Trihalomethanes (THM)*</td>
<td>2016</td>
<td>37</td>
<td>17.3 - 40.9</td>
<td>No goal for the total</td>
<td>80</td>
<td>ppb</td>
<td>N</td>
<td>By-products of drinking water disinfection.</td>
</tr>
</tbody>
</table>

Inorganic Contaminants

<table>
<thead>
<tr>
<th>Inorganic Contaminants</th>
<th>Collection Date</th>
<th>Highest Level Detected</th>
<th>Range of Levels Detected</th>
<th>MCLG</th>
<th>MCL</th>
<th>Units</th>
<th>Violation</th>
<th>Likely Source of Contamination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barium</td>
<td>2/18/2014</td>
<td>0.128</td>
<td>0.128 - 0.128</td>
<td>2</td>
<td>2</td>
<td>ppm</td>
<td>N</td>
<td>Discharge of drilling wastes; Discharge from metal refineries; Erosion of natural deposits.</td>
</tr>
<tr>
<td>Fluoride</td>
<td>2/18/2014</td>
<td>0.75</td>
<td>0.75 - 0.75</td>
<td>4</td>
<td>4</td>
<td>ppm</td>
<td>N</td>
<td>Erosion of natural deposits; Water additive which promotes strong teeth; Discharge from fertilizer and aluminum factories.</td>
</tr>
</tbody>
</table>

Nitrate measured as Nitrogen:

<table>
<thead>
<tr>
<th>Nitrate measured as Nitrogen:</th>
<th>Collection Date</th>
<th>Highest Level Detected</th>
<th>Range of Levels Detected</th>
<th>MCLG</th>
<th>MCL</th>
<th>Units</th>
<th>Violation</th>
<th>Likely Source of Contamination</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>1</td>
<td>0.42 – 0.51</td>
<td>10</td>
<td>10</td>
<td>ppm</td>
<td>N</td>
<td>Runoff from fertilizer use; Leaching from septic tanks, sewage; Erosion of natural deposits.</td>
<td></td>
</tr>
</tbody>
</table>

Nitrite measured as Nitrogen:

<table>
<thead>
<tr>
<th>Nitrite measured as Nitrogen:</th>
<th>Collection Date</th>
<th>Highest Level Detected</th>
<th>Range of Levels Detected</th>
<th>MCLG</th>
<th>MCL</th>
<th>Units</th>
<th>Violation</th>
<th>Likely Source of Contamination</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>1</td>
<td>0.02 - 0.51</td>
<td>1</td>
<td>1</td>
<td>ppm</td>
<td>N</td>
<td>Runoff from fertilizer use; Leaching from septic tanks, sewage; Erosion of natural deposits.</td>
<td></td>
</tr>
</tbody>
</table>

Radioactive Contaminants

<table>
<thead>
<tr>
<th>Radioactive Contaminants</th>
<th>Collection Date</th>
<th>Highest Level Detected</th>
<th>Range of Levels Detected</th>
<th>MCLG</th>
<th>MCL</th>
<th>Units</th>
<th>Violation</th>
<th>Likely Source of Contamination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Combined Radium 226/228</td>
<td>5/05/2011</td>
<td>1</td>
<td>1-1</td>
<td>0</td>
<td>5</td>
<td>pCi/L</td>
<td>N</td>
<td>Erosion of natural deposits.</td>
</tr>
</tbody>
</table>

Synthetic organic contaminants including pesticides and herbicides

<table>
<thead>
<tr>
<th>Synthetic organic contaminants including pesticides and herbicides</th>
<th>Collection Date</th>
<th>Highest Level Detected</th>
<th>Range of Levels Detected</th>
<th>MCLG</th>
<th>MCL</th>
<th>Units</th>
<th>Violation</th>
<th>Likely Source of Contamination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Simazine</td>
<td>2016</td>
<td>0.11</td>
<td>.011 - .011</td>
<td>4</td>
<td>4</td>
<td>ppb</td>
<td>N</td>
<td>Runoff from herbicide used on row crops.</td>
</tr>
</tbody>
</table>

Coliform Bacteria

<table>
<thead>
<tr>
<th>Coliform Bacteria</th>
<th>Maximum Contaminant Level Goal</th>
<th>Total Coliform MCL</th>
<th>Highest No. of Positive Fecal Coliform or E. Coli MCL</th>
<th>Total No. of Positive E. Coli or Fecal Coliform Samples</th>
<th>Violation</th>
<th>Likely Source of Contamination</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Disinfectant

<table>
<thead>
<tr>
<th>Disinfectant</th>
<th>Year</th>
<th>Average Level</th>
<th>Min Level</th>
<th>Max Level</th>
<th>MRDL</th>
<th>MRDLG</th>
<th>Unit of Measure</th>
<th>Violation</th>
<th>Likely Source of Contamination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chloramines</td>
<td>2016</td>
<td>1.28</td>
<td>0.50</td>
<td>3.00</td>
<td>4</td>
<td>4</td>
<td>mg/L</td>
<td>N</td>
<td>Water additive used to control microbes.</td>
</tr>
</tbody>
</table>

The lead and copper rule protects public health by minimizing lead and copper levels in drinking water, primarily by reducing water corrosivity. Lead and copper enter drinking water mainly from corrosion of lead and copper containing plumbing materials.
## Lead and Copper

<table>
<thead>
<tr>
<th></th>
<th>Collection Date</th>
<th>MCLG</th>
<th>Action Level (AL)</th>
<th>90th Percentile</th>
<th>Sites Over AL</th>
<th>Units</th>
<th>Violation</th>
<th>Likely Source of Contamination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Copper</td>
<td>2016</td>
<td>1.3</td>
<td>1.3</td>
<td>0.64</td>
<td>1</td>
<td>ppm</td>
<td>N</td>
<td>Erosion of natural deposits; Leaching from wood preservatives; Corrosion of household plumbing systems.</td>
</tr>
<tr>
<td>Lead</td>
<td>2016</td>
<td>0</td>
<td>15</td>
<td>4.8</td>
<td>1</td>
<td>ppb</td>
<td>N</td>
<td>Corrosion of household plumbing systems; Erosion of natural deposits.</td>
</tr>
</tbody>
</table>

The lead and copper rule protects public health by minimizing lead and copper levels in drinking water, primarily by reducing water corrosivity. Lead and copper enter drinking water mainly from corrosion of lead and copper containing plumbing materials.

### Disinfectants and Disinfection By-Products

<table>
<thead>
<tr>
<th></th>
<th>Collection Date</th>
<th>Highest Level Detected</th>
<th>Range of Levels Detected</th>
<th>MCLG</th>
<th>MCL</th>
<th>Units</th>
<th>Violation</th>
<th>Likely Source of Contamination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Haloacetic Acids (HAAS)*</td>
<td>2016</td>
<td>27</td>
<td>1.2 – 41.2</td>
<td>No goal for the total</td>
<td>60</td>
<td>ppb</td>
<td>N</td>
<td>By-products of drinking water disinfection.</td>
</tr>
<tr>
<td>Total Trihalomethanes (THM)*</td>
<td>2016</td>
<td>35</td>
<td>14.9 – 45.2</td>
<td>No goal for the total</td>
<td>80</td>
<td>ppb</td>
<td>N</td>
<td>By-products of drinking water disinfection.</td>
</tr>
</tbody>
</table>

### Inorganic Contaminants

<table>
<thead>
<tr>
<th></th>
<th>Collection Date</th>
<th>Highest Level Detected</th>
<th>Range of Levels Detected</th>
<th>MCLG</th>
<th>MCL</th>
<th>Units</th>
<th>Violation</th>
<th>Likely Source of Contamination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arsenic</td>
<td>2016</td>
<td>2.2</td>
<td>0 – 2.2</td>
<td>0</td>
<td>10</td>
<td>ppb</td>
<td>N</td>
<td>Erosion of natural deposits; Runoff from orchards; Runoff from glass and electronic production wastes.</td>
</tr>
<tr>
<td>Barium</td>
<td>2016</td>
<td>0.127</td>
<td>0.0504 - 0.127</td>
<td>2</td>
<td>2</td>
<td>ppm</td>
<td>N</td>
<td>Discharge of drilling wastes; Discharge from metal refineries; Erosion of natural deposits.</td>
</tr>
<tr>
<td>Fluoride</td>
<td>2016</td>
<td>1.61</td>
<td>1.42 – 1.61</td>
<td>4</td>
<td>4</td>
<td>ppm</td>
<td>N</td>
<td>Erosion of natural deposits; Water additive which promotes strong teeth; Discharge from fertilizer and aluminum factories.</td>
</tr>
<tr>
<td>Nitrate (measured as Nitrogen)</td>
<td>2016</td>
<td>1</td>
<td>0 – 0.55</td>
<td>10</td>
<td>10</td>
<td>ppm</td>
<td>N</td>
<td>Runoff from fertilizer use; Leaching from septic tanks, sewage; Erosion of natural deposits.</td>
</tr>
<tr>
<td>Nitrite (measured as Nitrogen)</td>
<td>2016</td>
<td>1</td>
<td>0 - 0.55</td>
<td>1</td>
<td>1</td>
<td>ppm</td>
<td>N</td>
<td>Runoff from fertilizer use; Leaching from septic tanks, sewage; Erosion of natural deposits.</td>
</tr>
<tr>
<td>Selenium</td>
<td>2016</td>
<td>4</td>
<td>0 - 4</td>
<td>50</td>
<td>50</td>
<td>ppb</td>
<td>N</td>
<td>Discharge from petroleum and metal refineries; Erosion of natural deposits; Discharge from mines.</td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
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<th>Collection Date</th>
<th>Highest Level Detected</th>
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<th>Likely Source of Contamination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Combined Radium 226/228</td>
<td>07/08/2011</td>
<td>2.1</td>
<td>2.1 – 2.1</td>
<td>0</td>
<td>5</td>
<td>pCi/L</td>
<td>N</td>
<td>Erosion of natural deposits.</td>
</tr>
<tr>
<td>Gross alpha excluding radon and uranium</td>
<td>2016</td>
<td>3.1</td>
<td>0 - 3.1</td>
<td>0</td>
<td>15</td>
<td>pCi/L</td>
<td>N</td>
<td>Erosion of natural deposits.</td>
</tr>
</tbody>
</table>

*EPA considers 50 pCi/L to be the level of concern for beta particles.

### Synthetic organic contaminants including pesticides and herbicides

<table>
<thead>
<tr>
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<th>Units</th>
<th>Violation</th>
<th>Likely Source of Contamination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Atrazine</td>
<td>2016</td>
<td>0.23</td>
<td>0 - 0.23</td>
<td>3</td>
<td>3</td>
<td>ppb</td>
<td>N</td>
<td>Runoff from herbicide used on row crops.</td>
</tr>
<tr>
<td>Simazine</td>
<td>2016</td>
<td>0.17</td>
<td>0 – 0.17</td>
<td>4</td>
<td>4</td>
<td>ppb</td>
<td>N</td>
<td>Herbicide runoff.</td>
</tr>
</tbody>
</table>

### Coliform Bacteria

<table>
<thead>
<tr>
<th>Maximum Contaminant Level Goal</th>
<th>Total Coliform MCL</th>
<th>Highest No. of Positive</th>
<th>Fecal Coliform or E. Coli MCL</th>
<th>Total No. of Positive E. Coli or Fecal Coliform Samples</th>
<th>Violation</th>
<th>Likely Source of Contamination</th>
</tr>
</thead>
<tbody>
<tr>
<td>5% of monthly samples are positive</td>
<td>3.7</td>
<td>0</td>
<td>0</td>
<td>N</td>
<td>Naturally present in the environment</td>
<td></td>
</tr>
</tbody>
</table>
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).

**Source**: EPA, ESRI

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**PEI Project No: 201801140**
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 tuberfid 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
- Other Freshwater Wetland

Source: USF&S, USGS NHL, ESRI

Copyright ©2016 Phase Engineering, Inc.

PEI Project No: 201801140
WETLANDS AND DEEPWATER HABITATS CLASSIFICATION

System

Subsystem

Class

Subclass

EM – Emergent
1 Persistent
2 Nonpersistent
5 Phragmites australis

SS – Scrub-Shrub
1 Broad-Leaved Deciduous
2 Needle-Leaved Deciduous
3 Broad-Leaved Evergreen
4 Needle-Leaved Evergreen
5 Dead
6 Deciduous
7 Evergreen

System

Subsystem

Class

Subclass

M – Marine
1 - Subtidal
2 - Intertidal

EM – Emergent
1 Persistent
2 Nonpersistent
5 Phragmites australis

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

RS – Rocky Shore
1 Cobble-Gravel
2 Sand
3 Mud
4 Organic

** 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

<table>
<thead>
<tr>
<th>System</th>
<th>Subsystem</th>
<th>Class</th>
<th>Subclass</th>
<th>Special Modifiers</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 - Limnetic</td>
<td>RB – Rock Bottom</td>
<td>1 Bedrock</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>UB – Unconsolidated Bottom</td>
<td>2 Rubble</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>AB – Aquatic Bed</td>
<td>1 Algal</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2 - Littoral</td>
<td>RB – Rock Bottom</td>
<td>1 Bedrock</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>UB – Unconsolidated Bottom</td>
<td>2 Rubble</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>AB – Aquatic Bed</td>
<td>1 Cobble-Gravel</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>US – Unconsolidated Shore</td>
<td>2 Sand</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>ML – Moss-Lichen</td>
<td>3 Mud</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>EM – Emergent</td>
<td>4 Organic</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>SS – Scrub-Shrub</td>
<td>4 Floating Vascular</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>FO – Forested</td>
<td>5 Vegetated</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>RB – Rock Bottom</td>
<td>1 Broad-Leaved Deciduous</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>UB – Unconsolidated Bottom</td>
<td>2 Needle-Leaved Deciduous</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>AB – Aquatic Bed</td>
<td>3 Broad-Leaved Evergreen</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>US – Unconsolidated Shore</td>
<td>4 Needle-Leaved Evergreen</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>ML – Moss-Lichen</td>
<td>5 Dead</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>EM – Emergent</td>
<td>6 Deciduous</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>SS – Scrub-Shrub</td>
<td>7 Evergreen</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>FO – Forested</td>
<td>7 Evergreen</td>
<td></td>
</tr>
</tbody>
</table>

### MODIFIERS

In order to more adequately describe the wetland and deepwater habitats, one or more of the water regime, water chemistry, soil, or special modifiers may be applied at the class or lower level in the hierarchy. The farmed modifier may also be applied to the ecological system.

<table>
<thead>
<tr>
<th>Water Regime</th>
<th>Special Modifiers</th>
<th>Water Chemistry</th>
<th>Soil</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nontidal</td>
<td></td>
<td>Coastal Halinity</td>
<td></td>
</tr>
<tr>
<td>Saltwater Tidal</td>
<td></td>
<td>Inland Salinity</td>
<td></td>
</tr>
<tr>
<td>Freshwater Tidal</td>
<td></td>
<td>pH Modifiers for all Fresh Water</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Soil</td>
<td></td>
</tr>
<tr>
<td>A Temporarily Flooded</td>
<td></td>
<td>1 Hyperhaline</td>
<td></td>
</tr>
<tr>
<td>B Saturated</td>
<td></td>
<td>7 Hypersaline</td>
<td></td>
</tr>
<tr>
<td>C Seasonally Flooded</td>
<td></td>
<td>a Acid</td>
<td></td>
</tr>
<tr>
<td>D Seasonally Flooded/Saturated</td>
<td></td>
<td>1 Broad-Leaved Deciduous</td>
<td></td>
</tr>
<tr>
<td>E Seasonally Flooded/Saturated</td>
<td></td>
<td>2 Needle-Leaved Deciduous</td>
<td></td>
</tr>
<tr>
<td>F Semipermanently Flooded</td>
<td></td>
<td>3 Broad-Leaved Evergreen</td>
<td></td>
</tr>
<tr>
<td>G Intermittently Exposed</td>
<td></td>
<td>4 Needle-Leaved Evergreen</td>
<td></td>
</tr>
<tr>
<td>H Permanently Flooded</td>
<td></td>
<td>5 Dead</td>
<td></td>
</tr>
<tr>
<td>J Intermittently Flooded</td>
<td></td>
<td>6 Deciduous</td>
<td></td>
</tr>
<tr>
<td>K Artificially Flooded</td>
<td></td>
<td>7 Evergreen</td>
<td></td>
</tr>
</tbody>
</table>

**Notes:**
- **A:** Temporarily Flooded
- **B:** Saturated
- **C:** Seasonally Flooded
- **D:** Seasonally Flooded/Saturated
- **E:** Seasonally Flooded/Saturated
- **F:** Semipermanently Flooded
- **G:** Intermittently Exposed
- **H:** Permanently Flooded
- **J:** Intermittently Flooded
- **K:** Artificially Flooded

**Special Modifiers:**
- **b:** Beaver
- **d:** Partly Drained/Ditched
- **f:** Farm
- **h:** Diked/Impounded
- **r:** Artificial
- **s:** Spoil
- **x:** Excavated

**Coastal Halinity:**
- **1:** Hyperhaline
- **2:** Euhaline
- **3:** Mesohaline
- **4:** Polyhaline
- **5:** Polyhaline

**Inland Salinity:**
- **6:** Oligohaline
- **7:** Hypersaline
- **8:** Eusaline
- **9:** Mi Floresaline

**pH Modifiers for all Fresh Water:**
- **a:** Acid
- **c:** Circumneutral
- **i:** Alkaline

**Soil:**
- **g:** Organic
- **n:** Mineral
### 201801140 Noise Calculation Data

#### Projected 4% Annual Growth

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Resdorph Rd.</td>
<td>35 mph</td>
<td>80%</td>
<td>7650</td>
<td>7956</td>
<td>8275</td>
<td>8606</td>
<td>8950</td>
<td>9308</td>
<td>9680</td>
<td>10067</td>
<td>10470</td>
<td>10899</td>
</tr>
<tr>
<td>Truck Traffic¹</td>
<td>20%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Cars</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Medium Trucks</td>
<td>15%</td>
<td>1434</td>
<td>1492</td>
<td>1552</td>
<td>1614</td>
<td>1678</td>
<td>1745</td>
<td>1815</td>
<td>1888</td>
<td>1963</td>
<td>2042</td>
<td>2123</td>
</tr>
<tr>
<td>Total Heavy Trucks</td>
<td>5%</td>
<td>478</td>
<td>497</td>
<td>517</td>
<td>538</td>
<td>559</td>
<td>582</td>
<td>605</td>
<td>629</td>
<td>654</td>
<td>681</td>
<td>708</td>
</tr>
</tbody>
</table>

#### Railroad

<table>
<thead>
<tr>
<th>Train ATO</th>
<th>% Night Traffic</th>
<th>Typical Speed Over Crossing</th>
<th>Within 1/4 Mile of At-Grade Crossing?</th>
<th>Bolted Tracks?</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Airport

<table>
<thead>
<tr>
<th>Distance</th>
<th>Outside Noise Countours</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td></td>
</tr>
</tbody>
</table>

#### Noise Assessment Locations (NAL)

<table>
<thead>
<tr>
<th>NAL #1 - Northwest boundary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Noise Sources</td>
</tr>
<tr>
<td>----------------</td>
</tr>
<tr>
<td>Resdorph Rd.</td>
</tr>
</tbody>
</table>

**NAL Combined DNL:** 57.4099

---

ADT = Average Daily Traffic Count
DNL = Day/Night Noise Level

1 = Percent of Truck Traffic is obtained from the TxDOT Statewide Planning Map
2 = Breakdown of Truck Traffic is assumed, 75% Medium Trucks and 25% Heavy Trucks

Note: When percentage of truck traffic is not available, the default is 15% Medium Trucks and 5% Heavy Trucks of the total ADT

Criteria:
- Acceptable: 65 or less
- Normally Not Acceptable: 66-75
- Not Acceptable: 75 or greater
Noise Sources Map

Subject Property
1000 foot radius
3000 foot radius

Note: Property location and boundary are representative only.
Noise Assessment Location (NAL) Map

- **Subject Property**
- **NAL**
- **Noise Sources**

Note: Property location and boundary are representative only.
DNL Calculator

The Day/Night Noise Level Calculator is an electronic assessment tool that calculates the Day/Night Noise Level (DNL) from roadway and railway traffic. For more information on using the DNL calculator, view the Day/Night Noise Level Calculator Electronic Assessment Tool Overview (/programs/environmental-review/daynight-noise-level-electronic-assessment-tool/).

Note: HUD updated the Calculator December 12, 2017. If you used the Calculator prior to December 12, you may need to clear your cache to perform an accurate calculation. View instructions to clear your cache (https://support.google.com/accounts/answer/32050).

Guidelines

- To display the Road and/or Rail DNL calculator(s), click on the "Add Road Source" and/or "Add Rail Source" button(s) below.
- All Road and Rail input values must be positive non-decimal numbers.
- All Road and/or Rail DNL value(s) must be calculated separately before calculating the Site DNL.
- All checkboxes that apply must be checked for vehicles and trains in the tables' headers.
- Note #1: Tooltips, containing field specific information, have been added in this tool and may be accessed by hovering over all the respective data fields (site identification, roadway and railway assessment, DNL calculation results, roadway and railway input variables) with the mouse.
- Note #2: DNL Calculator assumes roadway data is always entered.
<table>
<thead>
<tr>
<th>Site ID</th>
<th>201801140</th>
</tr>
</thead>
<tbody>
<tr>
<td>Record Date</td>
<td>02 / 15 / 2018</td>
</tr>
<tr>
<td>User's Name</td>
<td>Phase JM</td>
</tr>
<tr>
<td>Road #1 Name:</td>
<td>Resdordph Rd.</td>
</tr>
</tbody>
</table>

### Road #1

**Vehicle Type**

<table>
<thead>
<tr>
<th></th>
<th>Cars</th>
<th>Medium Trucks</th>
<th>Heavy Trucks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effective Distance</td>
<td>1107</td>
<td>1107</td>
<td>1107</td>
</tr>
<tr>
<td>Distance to Stop Sign</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Average Speed</td>
<td>35</td>
<td>35</td>
<td>35</td>
</tr>
<tr>
<td>Average Daily Trips (ADT)</td>
<td>113240</td>
<td>2123</td>
<td>708</td>
</tr>
<tr>
<td>Night Fraction of ADT</td>
<td>15</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>Road Gradient (%)</td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Vehicle DNL</td>
<td>54.6698</td>
<td>47.3993</td>
<td>53.063</td>
</tr>
</tbody>
</table>

**Calculate Road #1 DNL**

57.4099

<table>
<thead>
<tr>
<th>Add Road Source</th>
<th>Add Rail Source</th>
</tr>
</thead>
</table>

Airport Noise Level

Loud Impulse Sounds?  Yes No

Combined DNL for all Road and Rail sources

57.4099
Mitigation Options

If your site DNL is in Excess of 65 decibels, your options are:

- **No Action Alternative**: Cancel the project at this location
- **Other Reasonable Alternatives**: Choose an alternate site
- **Mitigation**
  - Contact your Field or Regional Environmental Officer (/programs/environmental-review/hud-environmental-staff-contacts/)
  - Increase mitigation in the building walls (only effective if no outdoor, noise sensitive areas)
  - Reconfigure the site plan to increase the distance between the noise source and noise-sensitive uses
  - Incorporate natural or man-made barriers. See The Noise Guidebook (/resource/313/hud-noise-guidebook/)
  - Construct noise barrier. See the Barrier Performance Module (/programs/environmental-review/bpm-calculator/)

Tools and Guidance

Day/Night Noise Level Assessment Tool User Guide (/resource/3822/day-night-noise-level-assessment-tool-user-guide/)

Day/Night Noise Level Assessment Tool Flowcharts (/resource/3823/day-night-noise-level-assessment-tool-flowcharts/)
Acceptable Separation Distance (ASD) Electronic Assessment Tool

The Environmental Planning Division (EPD) has developed an electronic-based assessment tool that calculates the Acceptable Separation Distance (ASD) from stationary hazards. The ASD is the distance from above ground stationary containerized hazards of an explosive or fire prone nature, to where a HUD assisted project can be located. The ASD is consistent with the Department's standards of blast overpressure (0.5 psi-buildings) and thermal radiation (450 BTU/ft²-hr - people and 10,000 BTU/ft²-hr - buildings). Calculation of the ASD is the first step to assess site suitability for proposed HUD-assisted projects near stationary hazards. Additional guidance on ASDs is available in the Department's guidebook "Siting of HUD-Assisted Projects Near Hazardous Facilities" and the regulation 24 CFR Part 51, Subpart C, Siting of HUD-Assisted Projects Near Hazardous Operations Handling Conventional Fuels or Chemicals of an Explosive or Flammable Nature.

Note: Tool tips, containing field specific information, have been added in this tool and may be accessed by hovering over the ASD result fields with the mouse.

Acceptable Separation Distance Assessment Tool

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is the container above ground?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the container under pressure?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the container hold a cryogenic liquified gas?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the container diked?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>What is the volume (gal) of the container?</td>
<td>250</td>
<td></td>
</tr>
<tr>
<td>What is the Diked Area Length (ft)?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>What is the Diked Area Width (ft)?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

[Calculate Acceptable Separation Distance]

Diked Area (sqft)

ASD for Blast Over Pressure (ASDBOP) 138.50
ASD for Thermal Radiation for People (ASDPPU) 155.23
ASD for Thermal Radiation for Buildings (ASDBPU) 26.49
ASD for Thermal Radiation for People (ASDPNPD)
For mitigation options, please click on the following link: Mitigation Options (/resource/3846/acceptable-separation-distance-asd-hazard-mitigation-options/)

Providing Feedback & Corrections

After using the ASD Assessment Tool following the directions in this User Guide, users are encouraged to provide feedback on how the ASD Assessment Tool may be improved. Users are also encouraged to send comments or corrections for the improvement of the tool.

Please send comments or other input using Ask A Question (/ask-a-question/my-question/). Enter "Environmental Review" in the "My question is related to" field.

Related Information

- ASD Flow Chart (/resource/3840/acceptable-separation-distance-asd-flowchart/)
Explosive and Flammable Facilities
Acceptable Separate Distance (ASD) from Explosive and Flammable Operations

- Subject Property
- ASD for People
- AST of concern

source: TCEQ, TX RRC, ESRI

Note: Property location and boundary are representative only.

1:2,000
Date: 2/10/18

To: Assistant City Secretary of
City of Seabrook, TX
Environmental Department
Phone: 281-291-5669
Fax: 281-291-5690

From: Palina Geldiyev
Phase Engineering, Inc.
5524 Cornish Street
Houston, TX  77007
713-476-9844

RE: Open Records Request
For: Phase Engineering Job: 201801140

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

1. Address: 4.068 Acres NEC Elam Street and Larabee Street Seabrook, TX 77586 (nearby 2900 Nasa Rd1)
2. Owner Name: FRIEDRICH GS WILLIAM JR
3. HCAD #: 0410080090030

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.

Thank you!
Date: 2/10/18

To: Fire Chief of the Seabrook, TX
Volunteer Fire Department
Phone: 281-291-5610
Email: phc201@seabrookfd.com

From: Phase Engineering, Inc.
5524 Cornish Street
Houston, TX 77007
713-476-9844

RE: Open Records Request
For: Phase Engineering Job: 201801140

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

1. Address: 4.068 Acres NEC Elam Street and Larabee Street Seabrook, TX 77586 (nearby 2900 Nasa Rd1)
4. Owner Name: FRIEDRICHS WILLIAM J JR
5. HCAD #: 0410080090030

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.

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

Thank you very much for your assistance!
RECORD OF COMMUNICATION

Job #: 201801140

Job Address: 4.068 Acres NEC Elam Street and Larabee Street Seabrook, TX 77586

Contact: Michael Travis, Owner' Representative 281-541-7182

Comments:

Phase Engineering Inc. interviewed Michael Travis on-site during the site visit. Mr. Travis 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 undeveloped land.
- 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 the current/historical water and sanitary service sources to the subject property are municipal, if any.
- When asked if there are environmentally related documentation or reports known to exist in connection with the subject property, Mr. Travis stated yes.
- Mr. Travis has been associated with the subject property for 2.5 years.

Bianca L Melito

Date: 2/7/18

Bianca Melito
Phase Engineering, Inc.
5524 Cornish Street, Houston, Texas 77007
Bianca@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.)
APPENDIX VI

LETTER OF ENGAGEMENT
Mark-Dana Corporation  
Zach Cavender  
26302 Oak Ridge Drive, Suite 100  
Spring, TX 77380  
Phone: (281) 292-1968  Fax: (281) 419-1991  Email: zcavender@mark-dana.com

**Property/Borrower Name or Reference #:** Seaside Lodge at Chesapeake Bay, LPP  
**Current Use:** Land - Undeveloped  
**Address/ Property Location:** NEC of Elam Street and Larabee Street  
**City:** Seabrook  
**County:** Harris  
**State:** TX  
**ZIP:** 77586

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 inquires 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@phaseengineering.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.

Mark-Dana Corporation
Zach Cavender
26302 Oak Ridge Drive, Suite 100
Spring, TX 77380
Phone: (281) 292-1968 Fax: (281) 419-1991 Email: zcavender@mark-dana.com

Property/Borrower Name or Reference #: Seaside Lodge at Chesapeake Bay
Current Use: Land - Undeveloped - Approximately 4.118 Acres
Address/ Property Location: NEC of Elam Street and Larabee Street
City: Seabrook  County: Harris  State: TX  Zip: 77586

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] Date: 1/29/18
Print Name: Zach Cavender, Vice President
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" is 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, products, controlled substances, hazardous materials, and subsurface utilities. The Client shall extend use and reliance of this information to PEI, unless otherwise stated 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 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 to 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 Client's 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 the 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 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, or, at the greater of:

- The sum of the coverages required under Section 1.13.1 hereof.

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 PRE- 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 contaminants 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 of the State of Texas and the laws of The United States of America, as applicable.

2.7 Dispute Resolution:
Excluding 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
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.

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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”.

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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 the 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 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>
</tr>
<tr>
<td></td>
<td>Cameron University, BS-Business</td>
<td></td>
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<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>
</tr>
<tr>
<td></td>
<td></td>
<td>Mold Assessment Consultant (MAC0246)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>HAZWOPER OSHA 1910.120/1926.6540 Hour Training</td>
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</table>
## 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>
</thead>
<tbody>
<tr>
<td>Matthew Broadaway</td>
<td>12 years in the environmental field. &lt;br&gt; Texas State University-San Marcos, BS-Geography</td>
<td>Hazwoper OSHA Training</td>
</tr>
<tr>
<td>Cornelius L. Crockett, II</td>
<td>18 years in the environmental field. &lt;br&gt; University of Phoenix, MBA &lt;br&gt; Prairie View A &amp; M University, BS-Criminal Justice/Law Enforcement</td>
<td></td>
</tr>
<tr>
<td>Ross Doctoroff, P.G.</td>
<td>15 years in the environmental field. &lt;br&gt; Southwest Texas State University, BS-Geography, Resource and Environmental Studies, Minor-Applied Geography</td>
<td>LPST Corrective Action Project (0014) &lt;br&gt; Texas Professional Geoscientist-Geology (2767) &lt;br&gt; Asbestos Inspector (601289) &lt;br&gt; USACOE Certified Wetland Delineator</td>
</tr>
<tr>
<td>Janis Franklin, P.G.</td>
<td>22 years in the environmental field. &lt;br&gt; University of Houston, MS-Environmental Management &lt;br&gt; Austin Peay State University, BS-Geology &lt;br&gt; University of Houston, MS-Safety (ongoing)</td>
<td>Texas Professional Geoscientist (1254) &lt;br&gt; Tennessee Professional Geologist (TN4132) &lt;br&gt; Lead Inspector (2060233) &lt;br&gt; LPST Corrective Action Project Manager (01209) &lt;br&gt; Asbestos Inspector License (603137) &lt;br&gt; Hazwoper OSHA Training</td>
</tr>
<tr>
<td>Karly Gibbs</td>
<td>16 years in the environmental field. &lt;br&gt; Tulane University, MS- Risk Assessment and Regulatory Toxicology &lt;br&gt; Barry University, BS-Biology</td>
<td>Hazwoper OSHA Training &lt;br&gt; PCB Cleanup (Mega Rule) &lt;br&gt; USEPA Region 6 QA/QC Training</td>
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www.PhaseEngineering.com
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>
</thead>
<tbody>
<tr>
<td>Jennifer Horan</td>
<td>15 years in the environmental field.</td>
<td>HAZWOPER OSHA 1910.120/1926.65 40 Hour Training (22308) Asbestos Inspector License (603282)</td>
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<tr>
<td>Zahir Jamal</td>
<td>17 years in the environmental field.</td>
<td>HAZWOPER OSHA 1910.120/1926.65 40 Hour Training (22308) Asbestos Inspector License (603282)</td>
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<tr>
<td>Scott Lindsay</td>
<td>5 years in the environmental field. University of Houston-Downtown, MBA in Finance (In progress) Texas State University, San Marcos, BS- Geography – Geographic Information Science</td>
<td>OSHA 24 Hour HAZWOPER Training (1508092137587) Asbestos Inspector License (21339343)</td>
</tr>
<tr>
<td>Darcey Philipp</td>
<td>16 years in the environmental field.</td>
<td></td>
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<tr>
<td>Kay Philipp, CEI, CEM</td>
<td>20 years in the environmental field.</td>
<td>Certified Environmental Inspector (CEI) Certified Environmental Manager (CEM)</td>
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Environmental Professionals pursuant to 40 CFR 312.10 (continued)

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<tr>
<th></th>
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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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<td>Asbestos Inspector License (603452)</td>
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<tr>
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<td>OSHA 40 Hour HAZWOPER Training</td>
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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.

1. Begin at our website at 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 or Melanie Edmundson at 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**

**CERTIFICATE HOLDER**

PHASENG-01

Phase Engineering, Inc
5524 Cornish Street
Houston TX 77007

**PRODUCER**

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

**CONTACT NAME**

Linda Terry, CIC, CISR, ACSR

**PHONE**

713-622-2330

**E-MAIL ADDRESS**

linda.terry@bxsi.com

---

**COVERAGES**

**CERTIFICATE NUMBER:** 562621696

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<td>Y / N</td>
<td>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)</td>
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<td></td>
<td>If yes, describe under DESCRIPTION OF OPERATIONS below</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]

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# Certificate of Liability Insurance

**Date (MM/DD/YYYY)**: 06/30/17

**This Certificate is Issued as a Matter of Information Only and Confers 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:**
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

**Insurers Affording Coverage:**

- **Insurer A:** New Hampshire Ins Co
- **Insurer B:**
- **Insurer C:**
- **Insurer D:**
- **Insurer E:**
- **Insurer F:**

**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.**

**Insr Ltr Type of Insurance**  | **Addl/Subr Insr**  | **Policy Number**  | **Policy Eff (MM/DD/YYYY)**  | **Policy Exp (MM/DD/YYYY)**  | **Limits**
--- | --- | --- | --- | --- | ---
**Commercial General Liability**  |  |  |  |  | 
- Claims-Made  | Occur  |  |  |  | 
- General Aggregate Limit Applies Per:
  - Policy  |  |  |  |  | 
  - Project  |  |  |  |  | 
  - Loc  |  |  |  |  | 
- Other  |  |  |  |  | 
**Automobile Liability**  |  |  |  |  | 
- Any Auto  |  |  |  |  | 
- Owned Only  |  |  |  |  | 
- Scheduled Autos  |  |  |  |  | 
- HIRED  |  |  |  |  | 
- Autos Only  |  |  |  |  | 
- Non-Owned Only  |  |  |  |  | 
- Umbrella Liability  |  |  |  |  | 
- Occur  |  |  |  |  | 
- Excess Liability  |  |  |  |  | 
- Claims-Made  |  |  |  |  | 
**Dec Retention $**  |  |  |  |  | 
**Workers Compensation and Employers’ Liability**  |  |  |  |  | 
- Any Proprietor/Partner/Executive Officer/Member Excluded?  |  |  |  |  | 
- (Mandatory in NH)  |  |  |  |  | 
- Yes  |  |  |  |  | 
- No  |  |  |  |  | 
- N/A  |  |  |  |  | 
**Description of Operations / Locations / Vehicles**

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

**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**
Aon Risk Services, Inc of Florida

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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