PHASE I ENVIRONMENTAL
SITE ASSESSMENT & TDHCA ADDITIONAL SERVICES

Proposed Residential Development (Ovation)
West of Highway 69E and Lakeside Boulevard
Olmito, Texas 78575

Date Issued: February 28, 2018
CREST Project Number: 20180216-01

Prepared for
Texas Department of Housing and Community Affairs and
VDC Lakeside Sedona, LP
Attention: Manish Verma
Versa Development, LLC
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San Antonio, Texas 78249
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Prepared By
February 28, 2018

Mr. Manish Verma
VDC Lakeside Sedona, LP
Versa Development, LLC
4733 College Park, Ste. 200
San Antonio, Texas 78249

RE Phase I Environmental Site Assessment and Texas Department of Housing & Community Affairs (TDHCA) Additional Scope - Proposed Residential Development (Ovation) – Undeveloped 9.928-acre Tract West of the Intersection of Highway 69E and Lakeside Boulevard, Olmito, Texas 78575

Dear Mr. Verma:

CREST Due Diligence, LLC (CREST) has completed a Phase I Environmental Site Assessment with Additional Services of the above referenced property. The assessment was conducted in accordance with the ASTM International (ASTM) E1527-13 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, any client specific scope of work provided, and generally accepted industry standards. Additional TDHCA services were performed to document general conformance with the requirements for environmental assessment under Texas Administrative Code, Title 10, Part 1, Chapter 10, Subchapter D, Rule §10.305 Environmental Site Assessment Rules and Guidelines.

This report was prepared solely for the use of VDC Lakeside Sedona, LP and TDHCA (hereinafter “Client” or “User”) and any other party specifically referenced in Section 1.6 of this report. No other party shall have the right to rely on this report or the findings herein, without the prior written consent of CREST.

I declare that, to the best of my professional knowledge and belief, I meet the definition of environmental professional as defined in § 312.10 of 40 CFR 312 and I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the Property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

CREST certifies that to the best of its knowledge this report is true and accurate. Please do not hesitate to contact us if you have any questions or if we can be of further service to you.

Sincerely,

CREST Due Diligence, LLC

Jeff S. Clifton
Environmental Professional
President & Owner
CREST Due Diligence, LLC
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Proposed Residential Development  
West of Highway 69E and Lakeside Boulevard  
Olmito, Texas 78575

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1.0 EXECUTIVE SUMMARY

CREST Due Diligence, LLC was retained by VDC Lakeside Sedona, LP (Client) to conduct a Phase I Environmental Assessment & Additional Services of a Proposed Residential Development located west of the intersection of Highway 69E and Lakeside Boulevard, Cameron County, Texas (Property). The purpose of the assessment was to provide an objective, independent, professional opinion of the potential environmental risks, if any, associated with the Property. This report documents the findings of the Phase I Environmental Site Assessment (ESA) performed in conformance with the scope and limitations of ASTM Standard Practice E1527-13, the Environmental Protection Agency Standards, Practices for All Appropriate Inquiries [40 Code of Federal Regulations (CFR) Part 312], the Clients Scope of Work, as well as TDHCA services performed to document general conformance with requirements for environmental assessments under Texas Administrative Code, Title 10, Part 1, Chapter 10, Subchapter D, Rule §10.305 Environmental Site Assessment Rules and Guidelines. Any exceptions to, or deletions from, this practice are described in Section 2.3 and 8.0 of this report.

1.1 Property Summary

Property Name: Proposed Residential Development (Ovation)

Property Address: West of intersection of Highway 69E and Lakeside Boulevard

City/County/State/Zip Code: Olmito, Cameron County, Texas 78575

Property Usage: At the time of the assessment, the Property was undeveloped land with no improvements

The Property is located west of the intersection of Highway 69E and Lakeside Boulevard. The Property is part of a larger parcel located south of the Rancho Viejo residential development along El Dorado Avenue, within a suburban area of Olmito, Texas, characterized by predominantly undeveloped, agricultural, residential and limited commercial development. According to information from a Client provided site plan, the Property consists of reportedly 12.626 acres of land associated with a larger parent parcel (Cameron CAD Parcel # 248674). At the time of the February 23, 2018 site visit, the Property was tilled land with no current agricultural growth or improvements.

1.2 Assumptions and Limitations

CREST relied on information derived from secondary sources and has made no independent investigation as to the accuracy and completeness of the information provided by respective secondary sources.

1.3 Deviations/Limiting Conditions

CREST has performed this Environmental Site Assessment (ESA) in conformance with the scope and limitations of ASTM Practice E 1527-13. No deviations from the recommended scope of ASTM Standard E 1527-13 were performed as part of this Phase I ESA. In addition to the scope outlined in ASTM Practice E 1527-13, CREST also performed a cursory evaluation of non-ASTM Scope issues including suspect asbestos-containing materials (ACM), lead-based paint (LBP),
radon, lead in drinking water, mold and additional TDHCA services performed to document general conformance with requirements for environmental assessments under Texas Administrative Code, Title 10, Part 1, Chapter 10, Subchapter D, Rule §10.305 Environmental Site Assessment Rules and Guidelines. CREST has performed the services and prepared this report in accordance with generally accepted consulting practices, and makes no other warranties, either expressed or implied, as to the character and nature of such services or product.

CREST has read and understands Code §10.305 of the Uniform Multifamily Rules. CREST has no present or contemplated interest in the property, nor will CREST materially benefit from the Property Development in any way, other than receiving a fee for performing this ESA. Our employment and compensation for preparing this report are not contingent upon our observations or conclusions presented in the ESA.

This Environmental Site Assessment is not a guarantee or warranty concerning the presence or absence of environmental conditions that may affect the property. Findings, conclusions, and recommendations stated in this report are based upon industry-accepted practices for such services as existed at the time this report was prepared. All information, findings, conclusions, and any recommendations provided in this report are based on the data, secondary information, visual observations and conditions that existed on the date and time of the Property visit.

As the Property was undeveloped, CREST was provided access to 100% of the subject Property with no limitations.

1.4 Data Gaps

Data gaps occur when information required or requested is not readily available within the time constraints provided, despite good faith efforts to gather such information.

No data gaps were identified during the course of this investigation.

1.5 Findings, Conclusions and Recommendations

CREST has performed this Environmental Site Assessment (ESA) in conformance with the scope and limitations of ASTM Practice E1527 of the Property located west of Highway 69E and Lakeside Boulevard, Olmito, Cameron County, Texas, and the scope of work provided by the Client. Any exceptions to or deletions from this practice are described in Section 2.3 of this report. In addition to the scope outlined in ASTM Practice 1527, CREST performed a cursory evaluation of suspect asbestos-containing materials (ACM), lead-based paint (LBP), radon, lead in drinking water, mold, and TDHCA services performed to document general conformance with requirements for environmental assessments under Texas Administrative Code, Title 10, Part 1, Chapter 10, Subchapter D, Rule §10.305 Environmental Site Assessment Rules and Guidelines. Conditions determined to be de minimis are not recognized environmental conditions.
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* Costs depicted, if any, are estimates for investigations and/or program development, and do not constitute a quote to provide services. Additional costs may be incurred as a result of the completion of the recommended activities.

CREST has performed a Phase I Environmental Assessment in conformance with the scope and limitations of ASTM Practice E 1527-13 of Proposed Residential Development located west of the intersection of Highway 69E and Lakeside Boulevard in Olmito, Cameron County, Texas 78575. Any exceptions to, or deletions from, this practice are described in Section 1.0 of this report. This assessment has revealed no evidence of recognized environmental conditions in connection with the Property.

Based on the scope of work performed, it is CREST’s professional opinion that no controlled recognized environmental conditions (CREC) were identified at the Property that would warrant further environmental study at this time. CREST does not recommend any further investigations with respect to the Property at this time.

Based on the scope of work performed for this assessment, it is CREST’s professional opinion that no historic recognized environmental conditions (HRECs) have been identified in connection with the Property.

CREST conducted additional services in accordance with the proposed scope of work, including the assessment of those enumerated in section 7.0. Based on CREST’s understanding of the Client’s risk tolerance and future plans for the subject property, this assessment did not identify business environmental risks (BERs) associated with the additional ASTM Non-Scope Considerations or additional TDHCA environmental services performed.
1.6 Reliance

This assessment, all work performed and reliance therein are governed by the agreement under which this assessment was performed.

Mr. Manish Verma engaged CREST Due Diligence, LLC to perform this assessment in accordance with an agreement governing the nature, scope and purpose of the work as well as other matters critical to the engagement. Reliance is also granted to the Texas Department of Housing and Community Affairs (TDHCA). Either verbally or in writing, third parties may come into possession of this report or all or part of the information generated as a result of this work. In the absence of a written agreement with CREST Due Diligence, LLC granting such rights, no third parties shall have rights of recourse or recovery whatsoever under any course of action against CREST Due Diligence, LLC.
2.0 PURPOSE, SCOPE AND LIMITATIONS

2.1 Purpose
CREST was retained to conduct a Phase I ESA of the Property to assist in the acquisition of the real property. The assessment was designed to provide an objective, independent, professional opinion of the potential environmental risks, if any, associated with the Property. The purpose of this environmental assessment was to identify RECs at the Property. “Recognized Environmental Conditions” means the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property. The term includes hazardous substances or petroleum products even under conditions in compliance with laws. The term is not intended to include de minimis conditions that generally do not pose 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 government agencies.

2.2 Scope of Work
The assessment was conducted in accordance with American Society for Testing and Materials (ASTM) Standard Guide for Environmental Site Assessments: Phase I Environmental Site Assessment Process E 1527-13, and generally accepted industry standards.

The specific scope of work included the following:

**Environmental Database Records Review** - Reasonably ascertainable environmental databases were reviewed to determine whether the Property or any neighboring properties were suspected of having or known to have environmental concerns likely to adversely impact the Property. The databases reviewed and the radii chosen are based on the ASTM standard and the Client’s scope of work. It is important to note the scope of this investigation is limited to a visual inspection to identify areas of potential concern to the real property and a review of readily accessible government databases. The inspection does not include a regulatory compliance audit of the facility. There are detailed regulations concerning the proper use, storage and disposal of hazardous and regulated material. These regulations include, but are not limited to, permitting, paper keeping and manifesting requirements, as well as community and employee right-to-know laws. It is typically the responsibility of the tenant(s) to maintain their space(s) in compliance with such regulations.

**Prior Use History Review** - Attempts were made to identify the prior usage of the property back to the earlier of the property’s first developed use or 1940, using as many sources that were both reasonably ascertainable and likely to be useful. Record information that is reasonably ascertainable means information that is publicly available, information that is obtainable from its source within reasonable time and cost constraints (i.e. the information will be provided by the source within 20 calendar days of receiving a written, telephone, or in-person request at no more than a nominal cost intended to cover the source’s cost of retrieving and duplicating the information), and information that is practically reviewable (i.e. the information is provided by the source in a manner and in a form that, upon examination, yields information relevant to the property without the need for extraordinary analysis of irrelevant data). Standard historical
sources include any or all of the following: aerial photographs, historical maps, tax information, land title records, topographic maps, local street directories, building department records, zoning/land use records, prior reports and interviews with local agencies.

**Property/Site Reconnaissance** - A reconnaissance of the property, consisting of a visual inspection of the Property and neighboring properties as observable from the Property, was conducted to identify RECs associated with the Property, to the extent not obstructed by bodies of water, adjacent buildings or other obstacles. Observations were conducted at the property for potential RECs as well as, and including, to the presence of roadways and structures, potable water supply and sewage disposal, current and past uses of the subject and adjoining properties, hazardous substances and petroleum products, storage tanks, odors, pools of liquid, drums, unidentified substance containers, PCBs, stains or corrosion, drains and sumps, pits, ponds and lagoons, stained soil or pavement, stressed vegetation, solid waste, waste water, water wells, dry wells and septic systems.

A visual survey for mold was conducted. The survey was limited to visual observations in the areas walked and should not be considered a comprehensive survey of the property. No sampling was conducted. No inspection or investigation behind walls or in any other generally inaccessible areas was performed. A finding in this report of “No significant evidence of mold was identified” should not be interpreted as “the building is mold free.”

**Environmental Setting** - Efforts were made to determine the environmental setting of the Property with respect to topography, surface water bodies, flood plain, wetlands, soil type, depth to groundwater and direction of groundwater flow. “Wetlands” is a general term used to describe a variety of ecosystems, which may include prairie potholes, marshes, fens, bogs, wet meadows and swamps. It is not part of this assessment to conduct a formal wetland determination utilizing the defined criteria, but to determine if additional work should be considered based on CREST’s observations.

**UST and AST Search** - Attempts were made to identify any above-ground storage tanks (ASTs) containing hazardous or regulated materials, and to identify visual indications of underground storage tanks (USTs), such as fill and vent pipes, or volume gauges. In addition to the visual inspection, state databases of facilities with registered USTs were reviewed, and the property contact and local regulatory officials were interviewed regarding any knowledge of ASTs or USTs.

**PCB Search** - An attempt was made to identify electrical or hydraulic equipment known to or likely to contain polychlorinated biphenyls (PCBs), identify the condition of such equipment and to determine the ownership of the equipment. Per ASTM guidelines, fluorescent light ballasts likely to contain PCBs are not addressed due to the limited quantity of PCB materials contained.

**Preliminary ACM Evaluation** - Efforts were made to visually identify the presence of the most obvious and common ACM. The potential for the presence of friable ACM was evaluated based on the age of the improvements, dates of renovation and other relevant information. Appendix G of the USEPA Guidance Document: *Managing Asbestos in Place - A Building Owner’s Guide to Operations and Maintenance Programs for Asbestos-Containing Materials* (the Green Book) was used as a guide in identifying suspect materials. Materials listed in the Green Book, which were installed prior to 1989, are suspected of containing asbestos. It should be noted that asbestos may still be utilized in some non-friable products, such as sheet vinyl flooring, vinyl floor tiles, floor tile mastic, joint compound, asbestos-cement board and roofing materials, as these
materials may still be manufactured and installed in the United States. The level of the preliminary evaluation performed was not designed to comply with the survey requirements of the Asbestos Hazard Emergency Response Act (AHERA), 40 Code of Federal Regulations (CFR) Part 763, National Emission Standard for Hazardous Air Pollutants (NESHAP) 40 CFR 61, Occupational Safety and Health Administration (OSHA) 29 CFR Part 1926.1101, or other local, state or federal regulations, but has been conducted per accepted industry practices to satisfy the scope of work of the rating agencies and/or lenders.

CREST only inspected representative areas of the building. No inspection or investigation behind walls, inside plenums or in any other generally inaccessible areas was performed. A finding in this report of “ACM is not a significant concern” or “No significant asbestos was identified” should not be interpreted as “the building is asbestos free.” Any samples collected are analyzed for the presence of asbestos by a National Voluntary Lab Accreditation Program (NVLAP) accredited laboratory using polarized light microscopy and dispersion staining. Any testing results obtained are for the personal use of the Client only and are not to be submitted to any regulatory agency.

**Preliminary Radon Review** - The potential for elevated radon to exist within the subject buildings and to pose a significant concern was evaluated based on regional potential for radon, the usage of the subject buildings, and the type of construction and mechanical systems present. This evaluation was not designed or intended to comply with any regulatory agency requirements, but was conducted per accepted industry practices to satisfy the scope of work of the client, rating agencies and/or lender. Sampling, if any, will be conducted utilizing short-term radon detectors. The results of such testing are intended solely as a screen and may not be indicative of long-term average radon levels. Any testing results obtained are for the personal use of the Client only and are not to be submitted to any regulatory agency.

**Lead-Based Paint Review** - The potential for the presence of LBP at the property and the potential to pose a significant concern was evaluated based on the age of the improvements, dates of renovation and the current and proposed uses of the property. Paint applied prior to 1978 is assumed to be LBP. Lead may also be found in materials other than painted surfaces, such as bathtub and ceramic tile glazing and vinyl mini-blinds. Such items are not included in this preliminary LBP evaluation. This evaluation was not designed or intended to comply with the survey requirements as outlined in the Housing and Urban Development (HUD) regulations, or other local, state or federal regulations, but was conducted per accepted industry practices to satisfy the scope of work of the client, rating agencies and/or lender. Samples collected, if any, will either be screen using chemical reaction swabs or be analyzed using the Flame Atomic Absorption Spectrophotometry method. Any testing results obtained are for the personal use of the Client only.

**Preliminary Drinking Water Evaluation** - The potential for elevated lead and other contaminants in the drinking water supply were evaluated. The evaluation consisted of determining the source of the potable water supply and the results of any sampling or compliance data generated for the water supply.

**Interviews** - Efforts were made to contact and interview both the property owner and occupants. CREST requested that a person with good knowledge of the uses and physical characteristics of the property be identified, such as the property manager or head maintenance person. In addition, CREST provided the owner or owner’s representative, or both, with a pre-
survey questionnaire as to any information relative to past or current potential RECs at the property. Attempts were made to interview representative major occupants and/or tenants.

**Chain-of-Title** - CREST anticipates that sufficient historical information should be available to satisfy ASTM E1527-13 through the use of locally available and reasonably ascertainable information. However, if a chain-of-title is provided to CREST, review of that document will be included in the assessment. If sufficient historical information is not reasonably ascertainable, CREST may recommend that the Client engage us to obtain a chain-of-title. In that instance, CREST will submit a change order for authorization of additional fees.

**Environmental Lien Search or Activity and Use Limitations** - ASTM E1527-13 requests the User to provide to the environmental professional, reasonably ascertainable recorded land title records and lien records that may be filed under federal, tribal, state or local laws. Specifically, ASTM E1527-13 states that the User should either (1) engage a title company or title professional to undertake a review of reasonably ascertainable recorded land title records and lien records for environmental liens or Activity and Use Limitations (AULs) currently recorded against or relating to the property, or (2) negotiate such an engagement of a title company or title professional as an addition to the scope of work to be performed by the environmental professional.

ASTM E1527-13 and the supporting regulation state that the search for environmental liens/activity and use limitations by the User may be a significant component in the EPA’s determination of whether a property owner has satisfied the requirements for landowner liability protection against Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) liability.

Depending on available information and specific site conditions, CREST may conclude that the failure of the User to provide environmental lien/AUL search documentation does not present a significant data gap and therefore can declare that CREST has developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312. However, failure of the User to provide the information or to engage the environmental consultant or others to obtain and consider that information may separately weaken a defense to CERLCA liability.

CREST’s scope of work includes review of environmental lien/AUL search documents provided to us. For an additional fee, presented as an option in the Fee section, CREST can obtain an environmental lien/AUL search from a title professional. We recommend that the User either provide the environmental lien/AUL search documentation or request that CREST obtain the documentation as an additional scope item due to the potential that lack of documentation may weaken a defense to CERCLA liability.

**Additional TDHCA Services** - Texas Administrative Code (TAC), Title 10, Part 1, Chapter 10, Subchapter D, Rule §10.305 Environmental Site Assessment Rules and Guidelines – Requirements in addition to ASTM, CREST proposes to conduct additional services to satisfy requirements of the TAC Rule §10.305 as itemized below:

1 - State if a noise study is recommended for a property in accordance with current HUD guidelines and identify its proximity to industrial zones, major highways, active rail lines, civil and military airfields, or other potential sources of excessive noise.
• CREST will comment on noise in the Phase I ESA, but unless directed to perform a noise assessment, one is not included in the scope of work at this time.

2 - Provide a copy of a current survey, if available, or other drawing of the site reflecting the boundaries and adjacent streets, all improvements on the site, and any items of concern described in the body of the ESA or identified during the physical inspection.

• CREST will append surveys, site plans, and comparable maps to the Phase I ESA as provided by the client or their representative. Additionally, CREST will include labeled site vicinity, aerial photograph, and site plans as generated by CREST in an appendix to the Phase I ESA.

3 - Provide a copy of the current FEMA Flood Insurance Rate Map showing the panel number and encompassing the site with the site boundaries precisely identified and superimposed on the map.

• CREST will append surveys, site plans, FEMA maps, and/or comparable maps identifying flood zones/hazards to the Phase I ESA as provided by the client or their representative. Additionally, CREST will include a FEMA FIRM (as available online) with the approximate subject property boundaries depicted in an appendix to the Phase I ESA.

4 - If the subject Development Site includes any improvements or debris from pre-existing improvements, state if testing for Lead Based Paint and/or asbestos containing materials would be required pursuant to local, state, and federal laws, or recommended due to any other consideration.

• Based on CREST’ understanding of the project timing and client preference, CREST will comment on asbestos and/or lead-based paint in accordance with the rules. No sampling for asbestos-containing materials or lead-based paint will be performed at this time.

5 - State if testing for lead in the drinking water would be required pursuant to local, state, and federal laws, or recommended due to any other consideration such as the age of pipes and solder in existing improvements. For buildings constructed prior to 1980, a report on the quality of the local water supply does not satisfy this requirement.

• Local, state, and federal laws do not require testing of drinking water at private commercial properties. As such, CREST proposes to review local municipal water quality reports for the most recent lead in drinking water results and comment on this item in the Phase I ESA. No actual testing is proposed.

6 - Assess the potential for the presence of Radon on the property, and recommend specific testing if necessary.

• Texas is not known for elevated concentrations of radon. CREST proposes to review U.S. Environmental Protection Agency (EPA) published radon maps for the potential presence of radon. No actual testing is included in the scope of work.

7 - Identify and assess the presence of oil, gas or chemical pipelines, processing facilities, storage facilities or other potentially hazardous explosive activities on-site or in the general area of the site that could potentially adversely impact the Development. Location of these items must be shown on a drawing or map in relation to the Development Site and all existing or future improvements. The drawing must depict any blast zones (in accordance with HUD guidelines) and include HUD blast zone calculations.
Proposed Residential Development

West of Highway 69E and Lakeside Boulevard
Olmito, Texas 78575

2.3 Limitations

CREST has performed the services and prepared this report in accordance with generally accepted consulting practices, and makes no other warranties, either expressed or implied, as to the character and nature of such services or product.

CREST has no present or contemplated interest in the property. Our employment and compensation for preparing this report are not contingent upon our observations or conclusions.

Information in this report, concerning equipment operation, condition of spaces and concealed areas not observed or viewable and for the disclosure of known problems, if any, is from sources
deemed to be reliable; however, no representation or warranty is made as to the accuracy thereof.

Any “fungi” or “mold” reference included in this report does not constitute a professional mold inspection and is not based upon any sampling, testing, and/or abatement. CREST merely notes the presence or absence of “fungi”, “microbial growth” or “mold” while in the course of issuing this report.

Any “asbestos”, “ACM”, “lead based paint” or “LBP” reference included in this report does not constitute a professional asbestos or LBP survey or inspection and is not based upon any sampling, testing, and/or abatement. CREST merely notes the presence or absence of potential ACM and/or LBP containing materials while in the course of issuing this report.

No environmental site assessment can wholly eliminate uncertainty regarding the potential for RECs in connection with a property. This study is designed to reduce but not eliminate uncertainty regarding the existence of such conditions in a manner that recognizes reasonable limits of time and cost. Based on the scope of work, CREST cannot warrant subsurface conditions. In addition, any testing results obtained are for the personal use of the Client, their successors and assigns, per the reliance in Section 2.5 only.
2.4 Property Access and Non-Access Disclosure

Inspector: Mr. Jeff S. Clifton
Date of Inspection: February 23, 2018
Weather Conditions: The weather was clear with temperatures in the 70s.
Property Contact: Mr. David Krukiel
Property Escort: Not applicable
Property Questionnaire Sent to: Mr. Manish Verma
Questionnaire Results: A copy of the completed questionnaire was not returned.
Areas Accessed: CREST generally accessed all areas
Inaccessible Areas: None noted
Exceptions/Deletions from Scope: None

2.5 User Reliance

The investigation was conducted on behalf of and for the exclusive use of VDC Lakeside Sedona, LP and TDHCA (User), solely for use in an environmental evaluation of the Property. This report and findings contained herein shall not, in whole or in part, be disseminated or conveyed to any other party, nor used by any other party, in whole or in part without prior written consent of CREST. CREST acknowledges and agrees that the report may be conveyed to and relied upon by only the Client.
3.0 PROPERTY DESCRIPTION

3.1 Property Details

Property Size: 12.626 acres
Source: Client site plan (included in Appendices)
Property Usage: Tilled land, no agricultural operations at time of site visit
Number of Buildings: None
Date of Construction: Not applicable
Source: Not applicable
Gross Building Size: Not applicable
Source: Not applicable
No of units/rooms/pad sites: Not applicable
Property Diagram: A Site Plan is provided as Figure 2.
Legal Description: A legal description is presented in the Title Commitment provided in the Appendices.
Tenants: The Property was not occupied at the time of the site visit.

3.2 Utilities and Service Providers

Electricity: AEP available to the area
Gas: Brownsville Utilities available to the area
Potable Water: Brownsville Utilities available to the area
Sanitary Sewer: Brownsville Utilities available to the area
Storm Water: Brownsville Utilities available to the area
Solid Waste: Not applicable
Landscaping: Not reported
Pest Control: Not reported

3.3 Neighboring Properties

North: The Property is bounded to the north by Resaca del Ranch Viejo creek, residential development within Ranch Viejo, and undeveloped wooded land.
East: The Property is bounded to the east by tilled agricultural land.
South: The Property is bounded to the south by tilled agricultural land.
West: The Property is bounded to the west by undeveloped wooded land.
land and Resaca del Ranch Viejo creek, followed by residences.

Our observations of the immediately adjoining and adjacent properties did not reveal evidence of potential environmental concerns such as suspect storage facilities, visible fueling facilities or significantly stained surfaces. Identified regulated facilities in the vicinity are discussed further in Section 6.0.
4.0 ENVIRONMENTAL SETTING

CREST attempted to determine the general environmental setting of the Property. Information regarding topography, surface water, geology and hydrology are used to evaluate the likelihood of hazardous substances or petroleum products migrating onto the Property, or within or from the Property, into groundwater or soil.

4.1 Topography

Property Elevation: Approximately 33 feet above mean sea level (MSL)
Topography: The Property has a generally level topography. The areas surrounding the Property slope slightly to the north-northeast.
Source: United States Geologic Survey (USGS) Topographic Map, Olmito, Texas Quadrangle, 7.5 Minute Series, Dated 2013.
USGS Topographic Map: A copy of the topographic map is included as Figure 3.
Property Drainage: Drainage for the Property is achieved via infiltration into the onsite soil and sheetflow likely to the west towards Resaca del Ranch Viejo creek.

4.2 Surface Water Bodies

Onsite Water Bodies: There are no perennial surface water bodies on the Property.
Nearest Surface Water Body: The nearest off-site perennial surface water body is Resaca del Ranch Viejo creek located approximately 100 feet to the west.
Flood Plain Designation: The Property is located in Zone X (unshaded), defined as an area outside the 100 and 500-year flood plains.
Flood Plain Map: A copy of the FEMA FIRM is included in Figure 5.
Indications of Wetlands: CREST did not observe any water bodies or vegetation indicative of wetlands on the Property. The Property is undeveloped/agricultural land.
According to the USFWS Wetlands map there are no potential wetlands identified onsite. Based on this information, the potential for wetlands is not considered an environmental concern.
A Wetland Map is presented as Figure 6.

4.3 Geology and Hydrology

Geology: The subject property is situated within the Coastal Prairies
physiographic province of the State of Texas. According to information obtained from the USGS, the area surrounding the subject property is underlain by deposits of the Holocene Series from the Quaternary System, composed of mostly alluvial sand silts, dark gray calcareous clay from the Cenozoic era. Depth to bedrock is anticipated greater than 30-40 feet below ground surface (bgs).

Soil Type: The Laredo series consists of very deep, well drained, moderately permeable soils that formed in calcareous, silty alluvium derived from mixed sources. These nearly level to very gently sloping soils occur on rare flood plains or low Holocene stream terraces. Slope ranges from 0 to 3 percent. Mean annual temperature is about 23.3 degrees C (74 degrees F) and mean annual precipitation is about 686 mm (27 in).

Source: Soil Survey of Cameron County, Texas

Estimated Depth to Groundwater: 15-20 feet below ground surface

Anticipated Flow Direction: North-northeast

Basis of Flow Direction: Based on topographic map interpretation and information obtained from the Texas Water Development Board (TWDB).

4.4 Minerals Exploration/Production

Oil & Gas Wells: There were no oil or gas wells observed at the Property, wells were not depicted on the USGS Topographic Map, and the onsite reconnaissance did not identify any oil and gas equipment at the Property. According to the Texas Railroad Commission (RRC), there are no oil/gas wells on the Property.

Pipelines: No major petroleum pipelines were observed on or adjacent to the property. According to the RRC, there are no pipelines on the Property.

Mining Activities: There were no indications of mining activities on the Property.

4.5 Environmental Summary/Conclusions

Findings: Based on a review of the topographic map, no special hazards, such as sink holes, oil and gas wells, gravel pits, mining, landfills or pipelines were indicated on the subject or adjacent properties. No concerns related to surface water, flood plains or wetlands were noted.

Recommendations: No further study or action is recommended.
5.0 PRIOR USE HISTORY

The objective of consulting historical sources is to develop a history of the previous uses of the Property and surrounding area, in order to help identify the likelihood of past uses having led to RECs in connection with the Property. Copies of prior use support documentation, when available, are included in Appendix B and C.

5.1 Interviews/Records

CREST attempted to obtain, contact or interview the sources of information listed below in order to determine the prior use history of the Property and identify historical or existing RECs, if any, at the subject or adjacent properties.

Source: Property Questionnaire

Pertinent Information: CREST sent Mr. Verma a property questionnaire requesting information about the Property, past and current operations, historical uses and any known environmental concerns including asbestos, radon, lead-based paint, underground and aboveground storage tanks, PCBs and spills or release of regulated or hazardous materials.

The Questionnaire was not returned.

Property Contact/Escort: Mr. David Krukiel

Pertinent Information: Mr. Krukiel was not aware of suspect environmental concerns associated with the subject property.

Building Department/Source: Cameron County Building Permits - 956-247-3516

Inspector Noe Benavides

Pertinent Information: CREST requested information pertaining to any previous developments or use of the Property. No records of suspect environmental concern were noted on file.

Fire Department/Source: Cameron County Fire Marshal - 956-547-7000

Juan Martinez

Pertinent Information: CREST requested information pertaining to any records of any aboveground or underground storage tanks, reported incidents of fires, hazardous materials, spills, leaks, or other similar circumstances that could be of environmental concern for the Property. In addition, CREST requested information regarding historical uses of the Property. No records of suspect environmental concern were noted on file.

Environmental/Health Department Source: Cameron County Health Department – 956-247-3685

Esmeralda Guajardo - Administrator

Pertinent Information: CREST requested information regarding citizen complaints
and/or investigations on the use, handling, release, or discharge of solid or liquid wastes, hazardous materials, and any other circumstances of environmental concern for the Property. No records of suspect environmental concern were noted on file.

Tax Assessor/Tax Appraisal District Source: Cameron County Appraisal District
www.cameroncad.org

Pertinent Information: CREST attempted to obtain information pertaining to the size of the property (land acreage). According to information provided by the User, the Property includes 9.928 acres at the northwest corner of a larger parent parcel totaling 131.96 acres with Parcel # 248674. No records of suspect environmental concern were noted on file.

5.2 Previous Reports
CREST was not provided with previously prepared ESA reports for the Property.

5.3 Historical Maps
A number of publishers formerly produced maps that showed the location and use of structures on a property at a given point in time. These maps were widely available for areas that were significantly developed during the late 1800s through the 1950s, though coverage exists for some areas through the 1990s. CREST had Environmental Data Resources, Inc., (EDR) review their collection of historical maps for any available maps of the Property. A No Coverage Letter was provided by EDR indicating no maps were available for the area.

5.4 Aerial Photographs
CREST reviewed the following aerial photographs obtained from EDR and Google Earth. Copies of available aerials are included in Appendix B.

Scale: 1"=500'
Source: EDR
Property: The property appears to be undeveloped land/or agricultural/pasture land.
Adjoining Properties:
   North: The north adjoining property appears to be a waterway and undeveloped/agricultural/pasture land. Beyond the waterway is a residence.
   East: The east adjoining property appears to be undeveloped/agricultural/pasture land.
   South: The south adjoining property appears to be undeveloped/agricultural/pasture land.
   West: The west adjoining property appears to be undeveloped wood land followed by a waterway.
Surrounding Area: The surrounding areas appear to be mainly undeveloped/agricultural/pasture land with sparse residences.

Scale: 1”=500’
Source: EDR and Google Earth

Property: The property appears to be undeveloped and/or agricultural/pasture land.

Adjoining Properties:
North: The north adjoining property appears to be residences, a waterway and undeveloped wooded land. Beyond the waterway are additional residences.
East: The east adjoining property appears to be undeveloped/agricultural/pasture land.
South: The south adjoining property appears to be undeveloped/agricultural/pasture land.
West: The west adjoining property appears to be undeveloped wood land followed by a waterway.

Surrounding Area: The surrounding areas appear to be mainly undeveloped/agricultural/pasture land with residences.

5.5 City Directories

Historical Coles and Polk’s City Directories were reviewed at the Harlingen and Brownsville Libraries, covering the years 1904-2017. These directories provide site occupant listings by address. This review yielded the following information:

<table>
<thead>
<tr>
<th>Year</th>
<th>Subject Property</th>
<th>Surrounding Properties</th>
</tr>
</thead>
<tbody>
<tr>
<td>1940-1980</td>
<td>No listings</td>
<td>No immediate listings</td>
</tr>
<tr>
<td>1985-2017</td>
<td>No listings</td>
<td>Residential listings to the north, no other immediate listings</td>
</tr>
</tbody>
</table>

5.6 User Provided Information

User provided information is intended to help identify the possibility of RECs in connection with the Property. According to ASTM E1527-13 and EPA’s AAI Rule, the following items should be researched by the prospective landowner or grantee, and the results of such inquiries may be provided to the environmental professional. The responsibility for qualifying for Landowner Liability Protections (LLPs) by conducting the following inquiries ultimately rests with the User, and providing the following information to the environmental professional would be prudent if such information is available.
5.6.1 Environmental Liens
No information indicative of environmental liens or governmental notification relating to past or recurrent violations of environmental laws with respect to the subject property was reported to CREST by the User or its representatives. However, as part of the scope of services, CREST obtained an environmental lien search from EDR. According to the search, no environmental liens were identified for the subject property. A copy of the EDR environmental lien/AUL search is presented in the appendices.

5.6.2 Chain of Title
The User or its representatives did not provide CREST with title records for review. However, as part of the scope of services, CREST ordered a chain-of-title from EDR. As of the date of this report, the chain-of-title search had not been completed. A representative from EDR indicated the COT search would be ready by February 28, 2018. In any event, based on review of other reliable referenced historical sources, the history of the subject property was sufficiently researched, and was revealed to have been utilized as undeveloped and/or agricultural/pasture land throughout the research period. It is unlikely the COT search will reveal evidence of suspect environmental concerns. Once received and reviewed, this ESA will be updated and reissued.

5.6.3 Activity and Land Use Limitations (AULs)
CREST was not informed by the User of 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 in a registry under federal, tribal, state or local law. However, as part of the scope of services, CREST obtained an AUL search from EDR. According to the search, no AULs were identified for the subject property. A copy of the EDR AUL search is presented in the appendices.

5.6.4 Specialized Knowledge
CREST was not informed by the User of any specialized knowledge or experience related to the Property or nearby properties.

5.6.5 Value Reductions for Environmental Issues
The User did not indicate to CREST any information to suggest that the valuation of the Property is significantly less than the valuation for comparable properties due to environmental factors.

5.6.6 Commonly Known or Reasonably Ascertainable Information
The User did not inform CREST of any commonly known or reasonably ascertainable information about the Property which aided CREST in identifying conditions indicative of a release or threatened release.

5.6.7 Knowledge of Presence or Likely Presence of Contamination
The User did not inform CREST of any obvious indicators that pointed to the presence or likely presence of contamination at the Property.
5.7 Historical Summary/Conclusions

Findings: Referenced historical information indicated the property and surrounding properties were undeveloped and/or agricultural/pasture land with sparse residences dating back to at least the 1940s, until additional residential development occurred in the 1980s to the north and farther west.

The presence of historical agricultural use onsite presents a potential for environmental concern with regards to past application of herbicides, pesticides and fertilizers over many years. Of note, no evidence of bulk storage facilities, barns, or other structures were noted onsite historically. Additionally, during future development of the subject property, the land will be presumably be graded and prepared, with likely importation of fill materials. Therefore, the historical agricultural use is not considered to present a significant environmental concern.

No other evidence of suspect environmental concerns was noted throughout the historical review.

Recommendations: No further action is recommended at this time.
6.0 ENVIRONMENTAL DATABASE REVIEW

The purpose of the environmental database review is to obtain and review records that will help identify activities at the Property or surrounding properties, likely to environmentally impact the Property. The database information was obtained through EDR. A detailed description of the databases reviewed and a listing of all sites identified are provided in Appendix 3. The plotting of the sites in the database is done through geo-coding and the locations provided are approximations. CREST attempted to visually verify the distances to sites located in close proximity to the Property. In addition, CREST has expanded the number of databases searched, and the search radii for a number of the individual databases, beyond the scope of work and/or ASTM requirements due to the inherent inaccuracies of geo-coding and regulatory listings. Listed sites in the supplemental databases or those located beyond the required search radii are generally not considered recognized environmental conditions and are not discussed below unless a potential concern or impact to the Property has been identified.

<table>
<thead>
<tr>
<th>DATABASE</th>
<th>SECTION</th>
<th>RADIUS (In miles)</th>
<th>NUMBER OF SITES</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Priority List (NPL) and Proposed NPL</td>
<td>6.2</td>
<td>1.0</td>
<td>0</td>
</tr>
<tr>
<td>Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS)</td>
<td>6.2</td>
<td>0.50</td>
<td>0</td>
</tr>
<tr>
<td>CERCLIS No Further Remedial Action Planned (NFRAP)</td>
<td>6.2</td>
<td>0.50</td>
<td>0</td>
</tr>
<tr>
<td>Resource Conservation and Recovery Information System (RCRIS) Corrective Actions (CORRACTS)</td>
<td>6.3</td>
<td>1.0</td>
<td>0</td>
</tr>
<tr>
<td>RCRIS Treatment, Storage and Disposal Facilities (RCRIS TSD)</td>
<td>6.3</td>
<td>0.50</td>
<td>0</td>
</tr>
<tr>
<td>RCRIS Large Quantity Generators (RCRIS Lg. Quan. Gen.), and Small Quantity Generators (RCRIS Sm. Quan. Gen.) Includes Violations and Enforcement actions (RCRA Viol), and RCRA Conditionally Exempt facility (CESQG)</td>
<td>6.3</td>
<td>0.25</td>
<td>0</td>
</tr>
<tr>
<td>Emergency Notification Response System (ERNS)</td>
<td>6.4</td>
<td>0.125</td>
<td>0</td>
</tr>
<tr>
<td>Facility Index System (FINDS), Toxic Release Inventory Database (TRIS), and other Supplemental Federal ASTM databases</td>
<td>6.5</td>
<td>varies</td>
<td>0</td>
</tr>
<tr>
<td>State Hazardous Waste Sites (State equivalent of CERCLIS and NPL)</td>
<td>6.6</td>
<td>1.0</td>
<td>0</td>
</tr>
<tr>
<td>State Solid Waste Facilities/Landfill Database (SWF/LF)</td>
<td>6.7</td>
<td>0.50</td>
<td>0</td>
</tr>
<tr>
<td>Leaking Underground Storage Tanks (LUST/LPST)</td>
<td>6.8</td>
<td>0.50</td>
<td>0</td>
</tr>
<tr>
<td>Underground Storage Tanks (UST)/HIST UST</td>
<td>6.8</td>
<td>0.25</td>
<td>0</td>
</tr>
<tr>
<td>Additional State ASTM databases (VCP, IHW, etc.)</td>
<td>6.9</td>
<td>varies</td>
<td>0</td>
</tr>
<tr>
<td>Supplemental State or Local databases, includes Aboveground Storage Tanks (AST), Dry cleaner, historic facilities and State Spill Lists (SPILLS)</td>
<td>6.9</td>
<td>varies</td>
<td>0</td>
</tr>
<tr>
<td>EDR Proprietary Databases</td>
<td>6.9</td>
<td>1.0</td>
<td>0</td>
</tr>
</tbody>
</table>

Presumed Groundwater Flow Direction: North-northeast

The groundwater flow direction is used to determine whether sites are located up-, cross- or down-
gradient of the Property, which provides an indication of their potential to impact the Property.

6.1 Property

Databases identified on: None
Comments: Not applicable

6.2 NPL, Proposed NPL, CERCLIS & NFRAP Sites

The National Priority List (NPL) is the USEPA database of uncontrolled or abandoned hazardous waste sites identified for priority remedial actions under the Superfund program. The Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) List contains sites which are either proposed to be or on the NPL, and sites which are in the screening and assessment phase for possible inclusion on the NPL. No Further Remedial Action Planned (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 or NPL consideration.

No NPL, Proposed NPL, CERCLIS and/or NFRAP sites were identified within the study radii.

6.3 RCRIS Facilities

Regulated hazardous waste activity is tracked under the Resource Conservation and Recovery Information System (RCRIS). Facilities that treat, store or dispose of hazardous waste are listed in the RCRIS TSD database. Facilities that generate hazardous wastes are listed in the RCRIS Generators database. This database includes facilities that generate at least 1,000 kg/month of non-acutely hazardous waste or 1 kg/month of acutely hazardous waste, referred to as large-quantity generators (RCRIS Lg. Quan. Gen.), and those that generate less than 1,000 kg/month of non-acutely hazardous waste, referred to as small-quantity generators (RCRIS Sm. Quan. Gen.). RCRIS facilities which have had a release of hazardous waste or constituents to the environment, for which the government is requiring corrective action, are tracked in the Corrective Action Tracking System (CORRACTS) database, while generators that are known to have violated RCRA regulations are tracked in the RCRA violations and enforcement (RCRA Viol) or the RCRA Administrative Action Tracking System (RAATS) database. These violations can be the result of paperwork problems and are not necessarily related to releases of hazardous material.

No RCRIS CORRACTS, RCRIS TSD, and/or Generator facilities were identified within the study radii.

6.4 ERNS Incidents

The Emergency Response and Notification System (ERNS) is a national database containing records of releases of oil and hazardous substances reported to the USEPA, U.S. Coast Guard, the National Response Center and the Department of Transportation, since 1986.

No ERNS sites were identified within the study radius.

6.5 FINDS and TRIS and other Supplemental Federal Database sites

Supplemental Federal Databases include databases that track facilities that have air, water or
other discharge permits, databases that track facility that handle specific types of chemicals such as pesticides or databases that are a compilation of various databases. Two of the most common supplemental databases are the Facility Index System (FINDS) and Toxic Inventory Information System (TRIS) databases. The FINDS report is a computerized inventory of all facilities that are regulated or tracked by the USEPA. These facilities are assigned an identification number that serves as a cross-reference for other databases in the USEPA’s program system. The TRIS report contains information concerning the industrial release and/or transfer of toxic chemicals, as reportable under Title III of the Superfund Amendments and Re-authorization Act of 1986 (Sara Title III). Inclusion on this database is required for facilities which release reportable amounts of chemicals into the environment.

RCRInfo is EPA’s comprehensive information system, providing access to data supporting the RCRA of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites, which generate, transport, store, treat and/or dispose of hazardous waste as defined by the RCRA. Non-Generators do not presently generate hazardous waste.

No FINDS, TRIS or other Supplemental Federal Database sites were identified within the study radii.

6.6 SHWS Database

State Hazardous Waste Sites (SHWS) are the states’ equivalent to CERCLIS. These sites may or may not already be listed on the federal CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent of Superfund or NPL) are identified along with sites where cleanup will be paid for by potentially responsible parties.

No SHWS listings were identified within the study radius.

6.7 SWF/LF Facilities

The State Solid Waste Facilities/Landfill Database (SWF/LF) is a collection of known regulated and unregulated solid waste landfills, incinerators, or transfer stations.

No SWF/LF facilities were identified within the study radius.

6.8 LUST/LPST & UST Sites

The Leaking Underground Storage Tank (LUST/LPST) database is a listing of confirmed or suspected releases from underground storage tanks that have been reported to the state. The state Underground Storage Tank (UST) database is an inventory of all regulated USTs.

No LPST sites and/or UST sites were identified within the study radius.

6.9 Additional & Supplemental State or Local and EDR Proprietary Database Sites

Additional and Supplemental State or Local Databases include the Aboveground Storage Tanks (AST), State Spill Lists (SPIllS), Industrial Hazardous Waste (IHW) sites, and Voluntary Cleanup Program (VCP) databases. EDR Proprietary Database sites generally include Coal Gasification Facilities.

No EDR Proprietary Database sites were identified within the study radius.
6.10 Environmental Database Summary

Findings: CREST did not identify activities at the Property or at neighboring properties that would indicate a significant potential for RECs, based on the information contained in the databases reviewed.

Recommendations: No further investigations or actions are recommended at this time.
7.0 PROPERTY RECONNAISSANCE

During the property visit, attempts were made to observe the Property and improvements. The purpose of the property reconnaissance is to obtain information indicating the likelihood of recognized environmental concerns in connection with the Property.

7.1 Visual Observations

During the property reconnaissance, CREST looked for the following visual indications of potential environmental concern at the Property.

<table>
<thead>
<tr>
<th>POTENTIAL CONCERNS</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Hazardous or regulated materials stored on the property</td>
<td>No significant use of hazardous substances is known to occur at the property. No evidence of staining, improper disposal or poor housekeeping was noted. The subject property appeared to be tilled land with no current agricultural activity. Historical agricultural operations are discussed in Section 5.7.</td>
</tr>
<tr>
<td>• Medical/biological wastes stored on the property</td>
<td>The USEPA’s <em>Guide for Infectious Waste Management</em>, May 1986, recommends designating cultures and stocks of infectious agents and associated biological, human blood and blood products, pathological wastes, contaminated sharps (including hypodermic needles, syringes, and broken glass), and contaminated animal carcasses, body parts, and bedding as infectious waste. CREST did not note the generation of medical wastes.</td>
</tr>
<tr>
<td>• X-ray or other radioactive activities conducted on the property</td>
<td>No X-ray equipment was noted.</td>
</tr>
<tr>
<td>• Activities likely to generate, store or use hazardous materials</td>
<td>No onsite dry-cleaning, printing or automotive service stations are present on the property. No manufacturing, fabrication or assembly operations are conducted on the property.</td>
</tr>
<tr>
<td>• Operations that result in a wastewater or air discharge</td>
<td>No operations likely to result in a significant wastewater or air discharge were noted.</td>
</tr>
<tr>
<td>• Interior stains or corrosion</td>
<td>No signs of interior stains or corrosion, likely to have been generated by a hazardous or regulated material, were noted.</td>
</tr>
<tr>
<td>• Water damage/Mold growth</td>
<td>No visual or olfactory evidence of water damage or mold growth were observed in the areas inspected by CREST. No evidence of potential air quality impacts were observed or reported.</td>
</tr>
<tr>
<td>• Strong, pungent or noxious odors</td>
<td>No significant odors were noted or reported.</td>
</tr>
<tr>
<td>• Discolored drains or sumps</td>
<td>No discolored drains or sumps were noted or reported.</td>
</tr>
</tbody>
</table>
## POTENTIAL CONCERNS

<table>
<thead>
<tr>
<th>Observation</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pits, ponds or lagoons</td>
<td>No pits, ponds or lagoons associated with hazardous or regulated materials were observed or reported.</td>
</tr>
<tr>
<td>Stained soil or pavement</td>
<td>No stained soil or pavement was noted.</td>
</tr>
<tr>
<td>Stressed vegetation</td>
<td>No significant areas of stressed vegetation were observed or reported.</td>
</tr>
<tr>
<td>Improperly stored solid waste</td>
<td>No improper solid waste storage was noted.</td>
</tr>
<tr>
<td>Wells or septic systems on the property</td>
<td>No wells or septic systems were observed or reported on the Property.</td>
</tr>
<tr>
<td>Other</td>
<td>No other concerns were noted.</td>
</tr>
</tbody>
</table>

### Findings:
No visual, olfactory or other observations were identified that would indicate the presence of RECs on the Property.

### Recommendations:
No additional investigations or actions are warranted at this time.

## ADJOINING PROPERTY RECONNAISSANCE

During the property reconnaissance, CREST looked for the following visual indications of potential environmental concern at adjoining properties.

<table>
<thead>
<tr>
<th>Identified Yes</th>
<th>No</th>
<th>Observation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Hazardous Substances and/or Petroleum Products in Connection with Property Use</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Aboveground &amp; Underground Hazardous Substance or Petroleum Product Storage Tanks (ASTs / USTs)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Hazardous Substance and Petroleum Product Containers and Unidentified Containers not in Connection with Property Use</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Unidentified Substance Containers</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Electrical or Mechanical Equipment Likely to Contain Fluids</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Significant Interior Stains or Corrosion</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Strong, Pungent or Noxious Odors</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pool of Liquid</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Drains and Sumps</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pits, Ponds and Lagoons</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Stained Soil or Pavement</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Stressed Vegetation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Solid Waste Disposal or Evidence of Fill Materials</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Waste Water Discharges</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Wells</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Septic Systems</td>
</tr>
</tbody>
</table>
Other

Recommendations: A sanitary sewer lift station for the adjoining north Rancho Viejo residential subdivision was noted on the adjoining northeast property, approximately 100 feet north of the subject property. Within the fenced enclosure of the lift station, CREST observed an approximate 200-gallon propane AST powering an emergency generator. Additionally, several AEP-owned pad and pole mounted transformers were noted along the north border of the subject property, approximately 10-20 feet from the border. The units appeared to be somewhat newly installed equipment, with no evidence of leaks or releases. In any event, based on offsite location and utility ownership, the units would not be considered an environmental concern.

No other suspect environmental concerns were noted and additional investigations or actions are warranted at this time.

7.2 Storage Tanks

An effort was made to identify all ASTs, USTs, or vent pipes, fill pipes or access ways indicating USTs. In addition information from local records and historical maps and information regarding historical heating sources were reviewed.

<table>
<thead>
<tr>
<th>POTENTIAL CONCERNS</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Visual indication of ASTs</td>
<td>CREST did not identify any visual indications of ASTs on the Property.</td>
</tr>
<tr>
<td>• Visual indications of USTs</td>
<td>CREST did not identify any visual indications of USTs on the Property.</td>
</tr>
<tr>
<td>• Records of USTs/ASTs</td>
<td>No records indicating the past or current presence of USTs or ASTs on the property were identified.</td>
</tr>
<tr>
<td>• Current heating source</td>
<td>Not applicable</td>
</tr>
<tr>
<td>• Historical usage heating oil</td>
<td>There is no indication that the Property ever used heating oil as a heat source.</td>
</tr>
<tr>
<td>• Other</td>
<td>The property contact had no knowledge of USTs used to store hazardous or regulated materials on the Property.</td>
</tr>
</tbody>
</table>

Findings: No information was obtained or observations made regarding USTs or ASTs at the Property that would warrant additional actions or investigations.

Recommendations: No additional investigations or actions are warranted at this time.
7.3 PCB-Containing Equipment

CREST relied on visual observations and interviews with the property contacts and/or the utility company to identify known or potential PCB-containing electrical or hydraulic equipment. Where identified, efforts were made to determine ownership and to identify indications of leakage.

<table>
<thead>
<tr>
<th>POTENTIAL CONCERNS</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pole-mounted Transformers</td>
<td>No pole-mounted transformers were observed onsite.</td>
</tr>
<tr>
<td>Pad-mounted Transformers</td>
<td>No pad-mounted transformers were observed onsite.</td>
</tr>
<tr>
<td>Hydraulic Elevators or Lifts</td>
<td>No hydraulic elevators or lifts were observed or reported at the Property.</td>
</tr>
<tr>
<td>Other</td>
<td>No other concerns relating to PCBs were identified.</td>
</tr>
</tbody>
</table>

Findings: No concerns noted.

Recommendations: No additional investigations or actions are warranted at this time.

7.4 Preliminary Asbestos Evaluation

Asbestos is the name for a group of naturally occurring silicate minerals that can be separated into fibers. The fibers are strong, durable, and resistant to heat and fire. They are also long, thin and flexible, so they can even be woven into cloth. Because of these qualities, asbestos has been used in thousands of consumer, industrial, maritime, automotive, scientific and building products. During the 20th century, some 30 million tons of asbestos have been used in industrial sites, homes, schools, shipyards and commercial buildings in the United States. Commercial use of ACM began in the early 1900's and peaked in the period between 1940 and into the 1970's. Common ACMs include pipe-covering, insulating cement, insulating block, refractory and boiler insulation materials, transite board, fireproofing spray, joint compound, vinyl floor tile, ceiling tile, mastics, roofing products, and duct insulation for HVAC applications. Inhalation of asbestos fibers can result in deleterious health effects.

Efforts were made to visually identify the presence of the most obvious and common ACM. The potential for the presence of ACM was evaluated based on the age of the improvements, dates of renovation, and other relevant information. Appendix G of the USEPA Guidance Document: Managing Asbestos in Place - A Building Owner’s Guide to Operations and Maintenance Programs for Asbestos-Containing Materials (the Green Book) was used as a guide in identifying suspect materials and the definition of suspect ACM and presumed asbestos containing material is taken from 29 CRF Parts 1910, et al. Occupational Exposure to Asbestos; Final Rule. The level of the preliminary evaluation performed was not designed to comply with the survey requirements of the Asbestos Hazard Emergency Response Act (AHERA), 40 Code of Federal Regulations (CFR) Part 763, National Emission Standard for Hazardous Air Pollutants (NESHAP) 40 CFR 61, Occupational Safety and Health Administration (OSHA) 29 CFR Part 1926.1101, or other local, state or federal regulations. No comprehensive asbestos survey was conducted. Conclusions are based on observations of representative areas only. A finding of “no further
The potential for ACM was evaluated utilizing the USEPA Guidance Document: Managing Asbestos in Place - A Building Owner's Guide to Operations and Maintenance Programs for Asbestos-Containing Materials (the Green Book). In 1973 the NESHAPS banned the use of most spray-applied surfacing ACM, specifically asbestos containing spray-on fireproofing and insulation. Subsequent revisions to this regulation in 1975 and 1978 effectively eliminated the use of friable pre-molded pipe, boiler, turbine, and duct insulation; and the spray application of friable asbestos-containing materials for all uses in buildings. In 1989 the EPA issued regulations to ban some asbestos-containing products and phase out most others over a multi-year period. The "Ban and Phase-Down" rule was challenged in court and the regulation remanded to the agency. As a result, any asbestos-containing products then "in commerce" would not be banned. Materials not in commerce would be banned. Those materials "banned" could not be sold. It did not affect such materials already installed, or in use. Most US firms voluntarily ceased production of asbestos containing building materials not covered by the aforementioned Federal bans by the mid-1980s. In 1994, the OSHA determined that employers and building owners are required to treat installed thermal system installation and sprayed on and troweled-on surfacing materials, as well as vinyl or asphalt flooring material, as ACM in buildings constructed no later than 1980 until tested by laboratory analysis to prove otherwise.

The information below is for general informational purposes only and does not constitute an asbestos survey. In addition, the information is not intended to comply with federal, state or local regulations in regards to ACM.

**Findings:**
As there are no buildings onsite, the potential that ACMs are present is considered low.

**Recommendations:**
No additional investigations or actions are warranted at this time.

### 7.5 Radon Review

<table>
<thead>
<tr>
<th>RADON FACTORS</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Radon Zone</td>
<td>The Property is located in Radon Zone 3, which has a predicted average indoor screening level of less than 2 picocuries per liter (pCi/L). The USEPA action level for radon is 4 pCi/L.</td>
</tr>
<tr>
<td>Are There Regularly Occupied Subsurface or Ground Level Residential Units</td>
<td>No residential units are present on the Property.</td>
</tr>
<tr>
<td>Results of Previous Tests on the Property</td>
<td>No previous test results were made available to CREST.</td>
</tr>
<tr>
<td>Other</td>
<td>The local water supplies are not known to have elevated levels of radon or radium.</td>
</tr>
</tbody>
</table>
Findings: Based on the low regional averages, radon is not considered a significant concern.

Recommendations: No additional investigations or actions are warranted at this time.

7.6 Lead-Based Paint Evaluation

CREST evaluated the potential for significant concerns relating to the presence of LBP at the Property. The LBP evaluation was based on the age of the improvements, dates of renovation and other relevant information. As this evaluation does not consist of comprehensive survey of the property, a finding of “no further action is warranted” or “LBP is not a significant concern” cannot be interpreted as the building is lead free.

Findings: As there are no buildings onsite, the potential for LBP to be present is low.

Recommendations: No additional investigations or actions are warranted at this time.

7.7 Drinking Water Evaluation

The potential for problems relating to elevated levels of contaminants, particularly lead, was evaluated.

<table>
<thead>
<tr>
<th>DRINKING WATER FACTORS</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Source of Drinking Water</td>
<td>CREST researched information pertaining to the source and the regulatory compliance of the drinking water supplied to the Property area. Water is reportedly provided to the site area by the Olmito Water Supply Corporation. Review of the Water Quality Report (2016) indicates the water supplied to the area meets regulatory guidelines.</td>
</tr>
<tr>
<td>Other</td>
<td>No issues or concerns were identified with the drinking water system on the property.</td>
</tr>
</tbody>
</table>

Findings: No information was uncovered that would indicate concerns related to drinking water quality at the Property. No concerns regarding drinking water were identified or reported to CREST by the property contact.

Recommendations: No additional actions or investigation are warranted at this time.
7.8 Microbial Growth Evaluation

Mold (microbial growth) is microscopic organisms which can often be seen in the form of discoloration, frequently green, gray, white, brown or black. When excessive moisture or water accumulates indoors, microbial growth will often occur, particularly if the moisture problem remains undiscovered or is not addressed. As such, interior areas of buildings characterized by poor ventilation and high humidity are the most common locations of mold growth. Building materials including drywall, wallpaper, baseboards, wood framing, insulation, and carpeting often play host to such growth. Mold spores primarily cause health problems through the inhalation of mold spores or the toxins they emit when they are present in large numbers. This can occur primarily when there is active mold growth within places where people live or work.

Mold, if present, may or may not visually manifest itself. CREST has no liability for the identification of mold-related concerns except as defined in applicable industry standards. In short, this limited assessment should not be construed as a mold survey or inspection.

CREST did not note obvious visual or olfactory indications of the presence of mold, nor did CREST observe obvious indications of significant water damage or intrusion. As such, no bulk sampling of suspect surfaces was conducted as part of this assessment and no additional action with respect to microbial growth appears to be warranted at this time.

This activity was not designed to discover all areas which may be affected by microbial growth on the Property. Rather, it is intended to give the Client an indication if significant (based on observed areas) microbial growth is present at the Property.

7.9 Potential Vapor Encroachment

The scope of this screening was limited to visual observations of review of the environmental database report and did not include the collection and laboratory analysis of air samples to confirm the presence of airborne contaminants by vapor encroachment.

A "Tier I (non-intrusive) Vapor Encroachment Screening (VES)" on the Subject in accordance with the methodology set forth in ASTM E 2600-10 "Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions" was conducted. The purpose of the Tier I VES is to conduct an initial screen to identify, to the extent feasible, the potential vapor encroachment condition (VEC) in connection with the Subject with respect to chemicals of concern that may migrate as vapors into existing or planned structures on a property due to contaminated soil and groundwater on the property or within close proximity to the Subject.

Based on ASTM E2600-10 Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions, the critical distance is equal to 100 feet, with the exception of dissolved petroleum hydrocarbons, which have a critical distance of 30 feet. If non-aqueous phase petroleum hydrocarbons are present, the 100 feet distance is utilized.

This VEC utilized readily available data sources previously discussed in this Phase I ESA to include the type of soils, geology and groundwater characteristics of the Subject area (refer to Section 4.3) as well as known or potentially contaminated sites as identified on Federal, State, tribal and local databases. CREST also utilized previously discussed standard historical sources of information to identify potential historical sources of contamination on the Subject and surrounding properties which may be indicative of a VES. This data collection and analysis was
coupled with CREST’s site reconnaissance of the Subject and surrounding properties. Based upon the results of CREST’s data collection, reconnaissance and analysis, a summary of CREST’s Tier I VES findings is presented in the table below:

<table>
<thead>
<tr>
<th>AREA OF CONCERN</th>
<th>CONCLUSION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Operations or Existing Conditions</td>
<td>None identified (Refer to Sections 7.0 Property Reconnaissance)</td>
</tr>
<tr>
<td>Historical Uses of the Property</td>
<td>No significant concerns identified (Refer to Section 5.0 Prior Use History)</td>
</tr>
<tr>
<td>Adjoining Property Operations or Existing Conditions</td>
<td>No significant concerns identified (Refer to Section 3.3 Adjoining Properties)</td>
</tr>
<tr>
<td>Historical Use of Adjoining Properties or Nearby Properties</td>
<td>No significant concerns identified (Refer to Section 5.0 Prior Use History)</td>
</tr>
<tr>
<td>Regulatory Review of sites identified on Federal, State, tribal and Local Environmental Databases which were located in Approximate Minimum Search Distance (AMSD)</td>
<td>None identified (Detailed within Section 6.0 Environmental Database Review)</td>
</tr>
</tbody>
</table>

Findings: No impacted properties in the Property vicinity were identified in regulatory database review. No current or historical releases were identified on the Property. No evidence of a potential VEC or additional Tier II Vapor Encroachment Screening was noted.

Recommendations: Based upon our analysis and Tier I VES there is a very low potential for a VEC at the Property. No additional actions or investigation are warranted at this time.

7.10 Noise Survey

In accordance with the scope of work, a formal U.S. Department of Housing and Urban Development (HUD) noise assessment was not performed. HUD noise assessments consider major noise sources in the area including significant roads within 1,000 feet, railroads within 3,000 feet, and civil and military airports within five (5) and 15 miles of the subject property, respectively. Based on the subject property’s rural/suburban location with none of the above facilities present within the search distances, a noise assessment would not appear to be warranted in order to satisfy the Texas Department of Housing and Community Affairs guidelines.

7.11 In Explosive/ Flammable Hazards

Based on information provided in the EDR database report and visual observations, the subject property does not appear to be near explosive or flammable hazards as defined by 24 CFR Subpart C §51.201 (Siting of HUD-Assisted Projects Near Hazardous Operations Handling Conventional Fuels of an Explosive or Flammable Nature).
8.0 SIGNATURES AND AAI STATEMENT

CREST has performed a Phase I Environmental Site Assessment & Additional TDHCA Services of the property located west of the intersection of Highway 69E and Lakeside Boulevard, Olmito, Cameron County, Texas in general conformance with the scope and limitations of the protocol and the limitations stated earlier in this report. Exceptions to or deletions from this protocol are discussed earlier in this report.

I declare that, to the best of our professional knowledge and belief, I meet the definition of Environmental Professional as defined in 312.10 of 40 CFR 312; and, I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the Property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Prepared By:

Jeff S. Clifton
Environmental Professional
President & Owner
CREST Due Diligence, LLC
9.0 REFERENCES

- EDR-RADIUS Map with GeoCheck, Ovation & Capella Residential Developments, West of Highway 69E & Lakeside Blvd, Olmito, Texas, Inquiry Number 5197572.2s, dated February 22, 2018;
- Historical Fire Insurance Maps were requested from EDR. According to EDR, no Historical Fire Insurance Maps were available for the subject property;
- Environmental Lien Search and Chain of Title Search prepared by EDR, Inquiry Number 5197572.8, dated February 23, 2018;
- Web Soil Survey, United States Department of Agriculture, Natural Resources Conservation Service website;
- Geologic Atlas of Texas, Harlingen-Brownsville Sheet (on-line), Bureau of Economic Geology, University of Texas, Austin, Texas, dated 1972;
- Olmito, Texas Quadrangle, U.S. Geological Survey (USGS) 7.5 minute series Topographic Map, photorevised 2013;
- Aerial photograph obtained from Google Earth, dated 2017;
- Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), dated February 16, 2018; Map Number 48061C0445F;
- EPA Map of Radon Zones, viewed online at http://www.epa.gov/radon/zonemap.html;
- Correspondence with Mr. David Kurkiel - davidk@versadevco.com.
FIGURES
Figure 1 – Site Location Plan
Proposed Residential Development
West of Highway 69E and Lakeside Blvd
Olmito, Texas 78575

February 2018
CREST Project # 20180216-01
Figure 2 – Site Plan
Proposed Residential Development
West of Highway 69E and Lakeside Blvd
Olmito, Texas 78575

LEGEND
- Site Border
- Inferred Groundwater Flow Direction

Boundaries are approximate. Not to scale.
Figure 4 – Tax Map
Proposed Residential Development
West of Highway 69E and Lakeside Blvd
Olmito, Texas 78575

Source: Cameron County Appraisal District
Figure 5 – FEMA FIRM
Proposed Residential Development
West of Highway 69E and Lakeside Blvd
Olmito, Texas 78575

Source: FIRM Panel #48061C0445F

February 2018
Figure 6 – Wetlands Map
Proposed Residential Development
West of Highway 69E and Lakeside Blvd
Olmito, Texas 78575

Source: National Wetlands Inventory
Proposed Residential Development
West of Highway 69E and Lakeside Blvd
Olmito, Texas 78575

Figure 6 – Survey
February 2018
CREST Project #20180216-01
APPENDIX A

PHOTOGRAPHS
1. View of subject property, west side
2. View of subject property, along north side
3. View of subject property, along south side
4. View of subject property, along east side
5. View of Resaca del Rancho Viejo to the northwest
6. View of residential development to the north
7. View of lift station to the northeast
8. View of AEP pad transformer to the north
9. View of land to the east (Proposed Ovation Development)
10. View of land to the south
11. View of wooded land to the west
12. View of Resaca del Rancho Viejo farther to the west
APPENDIX B

HISTORICAL DOCUMENTATION
Ovation & Capella Residential Developments
West of Highway 69E & Lakeside Blvd
Olmito, TX 78575

Inquiry Number: 5197572.5
February 23, 2018
EDR Aerial Photo Decade Package

Site Name: Ovation & Capella Residential I
West of Highway 69E & Lakesi
Olmito, TX 78575
EDR Inquiry # 5197572.5

Client Name: CREST Due Diligence, LLC
3419 Westminster, Suite 224
Dallas, TX 75205
Contact: Jeff S. Clifton

Environmental Data Resources, Inc. (EDR) Aerial Photo Decade Package is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR’s professional researchers provide digitally reproduced historical aerial photographs, and when available, provide one photo per decade.

Search Results:

<table>
<thead>
<tr>
<th>Year</th>
<th>Scale</th>
<th>Details</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>1&quot;=500'</td>
<td>Flight Year: 2014</td>
<td>USDA/NAIP</td>
</tr>
<tr>
<td>2010</td>
<td>1&quot;=500'</td>
<td>Flight Year: 2010</td>
<td>USDA/NAIP</td>
</tr>
<tr>
<td>2006</td>
<td>1&quot;=500'</td>
<td>Flight Year: 2006</td>
<td>USDA/NAIP</td>
</tr>
<tr>
<td>2002</td>
<td>1&quot;=500'</td>
<td>Acquisition Date: February 08, 2002</td>
<td>USGS/DOQQ</td>
</tr>
<tr>
<td>1995</td>
<td>1&quot;=500'</td>
<td>Flight Date: January 15, 1995</td>
<td>USGS</td>
</tr>
<tr>
<td>1993</td>
<td>1&quot;=500'</td>
<td>Flight Date: January 27, 1983</td>
<td>USGS</td>
</tr>
<tr>
<td>1977</td>
<td>1&quot;=500'</td>
<td>Flight Date: September 22, 1977</td>
<td>TXDOT</td>
</tr>
<tr>
<td>1970</td>
<td>1&quot;=500'</td>
<td>Flight Date: January 30, 1970</td>
<td>USGS</td>
</tr>
<tr>
<td>1962</td>
<td>1&quot;=500'</td>
<td>Flight Date: February 09, 1962</td>
<td>ASCS</td>
</tr>
<tr>
<td>1954</td>
<td>1&quot;=500'</td>
<td>Flight Date: December 05, 1954</td>
<td>USDA</td>
</tr>
<tr>
<td>1950</td>
<td>1&quot;=500'</td>
<td>Flight Date: November 04, 1950</td>
<td>USDA</td>
</tr>
</tbody>
</table>

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Ovation & Capella Residential Developments
West of Highway 69E & Lakeside Blvd
Olmito, TX 78575

Inquiry Number: 5197572.9
February 22, 2018
EDR Historical Topo Map Report

Site Name: Ovation & Capella Residential I  
West of Highway 69E & Lakeside  
Olmito, TX 78575  
EDR Inquiry # 5197572.9

Client Name: CREST Due Diligence, LLC  
3419 Westminster, Suite 224  
Dallas, TX 75205  
Contact: Jeff S. Clifton

EDR Topographic Map Library has been searched by EDR and maps covering the target property location as provided by CREST Due Diligence, LLC were identified for the years listed below. EDR’s Historical Topo Map Report is designed to assist professionals in evaluating potential liability on a target property resulting from past activities. EDR’s Historical Topo Map Report includes a search of a collection of public and private color historical topographic maps, dating back to the late 1800s.

Search Results:  

<table>
<thead>
<tr>
<th>P.O.#</th>
<th>Project: Capella &amp; Ovation Res Develop</th>
</tr>
</thead>
<tbody>
<tr>
<td>20180216-01&amp;02</td>
<td>Capella &amp; Ovation Res Develop</td>
</tr>
</tbody>
</table>

Coordinates:  

| Latitude: | 26.031017 26° 1’ 52” North |
| Longitude: | -97.540958 -97° 32’ 27” West |
| UTM Zone: | Zone 14 North |
| UTM X Meters: | 645988.92 |
| UTM Y Meters: | 2879934.65 |
| Elevation: | 33.00’ above sea level |

Maps Provided:  

- 2013  
- 1983  
- 1970  
- 1956  
- 1945  
- 1936  
- 1930  
- 1925

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**Topo Sheet Key**

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

### 2013 Source Sheets

[Map Image]

Olmito 2013
7.5-minute, 24000

### 1983 Source Sheets

[Map Image]

Olmito 1983
7.5-minute, 24000
Aerial Photo Revised 1980

### 1970 Source Sheets

[Map Image]

Olmito 1970
7.5-minute, 24000
Aerial Photo Revised 1970

### 1956 Source Sheets

[Map Image]

Olmito 1956
7.5-minute, 24000
Aerial Photo Revised 1953
**Topo Sheet Key**

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

### 1945 Source Sheets

- **Olmito**
  - 1945
  - 7.5-minute, 31680

- **BARREDA**
  - 1945
  - 7.5-minute, 31680

### 1936 Source Sheets

- **Barreda**
  - 1936
  - 7.5-minute, 31680

- **Olmito**
  - 1936
  - 7.5-minute, 31680

### 1930 Source Sheets

- **Barreda**
  - 1930
  - 7.5-minute, 24000

### 1925 Source Sheets

- **SAN BENITO**
  - 1925
  - 15-minute, 62500
Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

1922 Source Sheets

HARLINGEN
1922
30-minute, 125000
This report includes information from the following map sheet(s).

Ovation & Capella Residential Developments
West of Highway 69E & Lakeside Blvd
Olmito, TX 78575
CREST Due Diligence, LLC
This report includes information from the following map sheet(s).

SITE NAME: Ovation & Capella Residential Developments
ADDRESS: West of Highway 69E & Lakeside Blvd
OLMITO, TX 78575
CLIENT: CREST Due Diligence, LLC
This report includes information from the following map sheet(s).

SITE NAME: Ovation & Capella Residential Developments
ADDRESS: West of Highway 69E & Lakeside Blvd
Olmito, TX 78575
CLIENT: CREST Due Diligence, LLC
This report includes information from the following map sheet(s):

TP, Olmito, 1956, 7.5-minute

SITE NAME: Ovation & Capella Residential Developments
ADDRESS: West of Highway 69E & Lakeside Blvd
Olmito, TX 78575
CLIENT: CREST Due Diligence, LLC
This report includes information from the following map sheet(s).

SITE NAME: Ovation & Capella Residential Developments
ADDRESS: West of Highway 69E & Lakeside Blvd
Olmito, TX 78575
CLIENT: CREST Due Diligence, LLC

TP, Olmito, 1945, 7.5-minute
TP, BARREDA, 1945, 7.5-minute
This report includes information from the following map sheet(s).

SITE NAME: Ovation & Capella Residential Developments
ADDRESS: West of Highway 69E & Lakeside Blvd
Olmito, TX 78575
CLIENT: CREST Due Diligence, LLC

TP, Barreda, 1936, 7.5-minute
TP, Olmito, 1936, 7.5-minute
This report includes information from the following map sheet(s).

**SITE NAME:** Ovation & Capella Residential Developments

**ADDRESS:** West of Highway 69E & Lakeside Blvd

**Olmito, TX 78575**

**CLIENT:** CREST Due Diligence, LLC
This report includes information from the following map sheet(s).

SITE NAME: Ovation & Capella Residential Developments
ADDRESS: West of Highway 69E & Lakeside Blvd
Olmito, TX 78575
CLIENT: CREST Due Diligence, LLC
This report includes information from the following map sheet(s).

TP, HARLINGEN, 1922, 30-minute

SITE NAME: Ovation & Capella Residential Developments
ADDRESS: West of Highway 69E & Lakeside Blvd
Olmito, TX 78575
CLIENT: CREST Due Diligence, LLC
Ovation & Capella Residential Developments
West of Highway 69E & Lakeside Blvd
Olmito, TX 78575

Inquiry Number: 5197572.3
February 22, 2018
Certified Sanborn® Map Report 02/22/18

Site Name: Ovation & Capella Residential I
West of Highway 69E & Lakeside
Olmito, TX 78575
EDR Inquiry # 5197572.3

Client Name: CREST Due Diligence, LLC
3419 Westminster, Suite 224
Dallas, TX 75205
Contact: Jeff S. Clifton

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The Sanborn Library is continually enhanced with newly identified map archives. This report accesses all maps in the collection as of the day this report was generated.

Certified Sanborn Results:

Certification #: 9F96-4396-8488
PO #: 20180216-01&02
Project: Capella & Ovation Res Develop

UNMAPPED PROPERTY

This report certifies that the complete holdings of the Sanborn Library, LLC collection have been searched based on client supplied target property information, and fire insurance maps covering the target property were not found.

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Ovation & Capella Residential Developments
West of Highway 69E & Lakeside Blvd
Olmito, TX 78575

Inquiry Number: 5197572.8
February 23, 2018
The EDR Environmental Lien and AUL Search Report provides results from a search of available current land title records for environmental cleanup liens and other activity and use limitations, such as engineering controls and institutional controls.

A network of professional, trained researchers, following established procedures, uses client supplied address information to:

- search for parcel information and/or legal description;
- search for ownership information;
- research official land title documents recorded at jurisdictional agencies such as recorders’ offices, registries of deeds, county clerks’ offices, etc.;
- access a copy of the deed;
- search for environmental encumbering instrument(s) associated with the deed;
- provide a copy of any environmental encumbrance(s) based upon a review of key words in the instrument(s) (title, parties involved, and description); and
- provide a copy of the deed or cite documents reviewed.

Thank you for your business.
Please contact EDR at 1-800-352-0050 with any questions or comments.

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TARGET PROPERTY INFORMATION

ADDRESS
West of Highway 69E & Lakeside Blvd
Ovation & Capella Residential Developments
Olmito, TX  78575

RESEARCH SOURCE
Source 1:
Cameron County Clerk
Cameron, TX

PROPERTY INFORMATION

Deed 1:
Type of Deed: Deed
Title is vested in: MILTON E KINCANNON
Title received from: KINCANNON FARMS, ETAL
Deed Dated 9/29/2006
Deed Recorded: 12/7/2006
Book: 13293
Page: 302
Volume: NA
Instrument: NA
Docket: NA
Land Record Comments:
Miscellaneous Comments:

Legal Description: SEE EXHIBIT
Legal Current Owner: MILTON E KINCANNON
Parcel # / Property Identifier: 79-1410-0010-0110-00
Comments: SEE EXHIBIT

ENVIRONMENTAL LIEN
Environmental Lien: Found ☐ Not Found ☒

OTHER ACTIVITY AND USE LIMITATIONS (AULs)
AULs: Found ☐ Not Found ☒
Deed Exhibit 1
“SPECIAL” WARRANTY DEED

Date: September 29, 2006

Grantor: CHARLES P. KINCANNON, 23.33% INTEREST
Grantor’s Mailing Address (including county):
C/O The Law Office of Charles P. Kincannon
Attorney and Counselor at Law
1870 The Exchange Suite 100
Atlanta, Georgia 30339

Grantor: QUINTIN S. KINCANNON, JAMES M. KINCANNON, CHARLES P. KINCANNON and MILTON E. KINCANNON as Trustees of the KINCANNON FAMILY TRUST, 30.00% INTEREST
Grantor’s Mailing Address (including county):
500 Bolivar
Rancho Viejo, Cameron County, Texas 78575

Grantor: MILTON E. KINCANNON, 46.67% INTEREST
Grantor’s Mailing Address (including county):
500 Bolivar Avenue
Rancho Viejo, Cameron County, Texas 78575

Grantee: MILTON E. KINCANNON
Grantee’s Mailing Address (including county):
500 Bolivar Avenue
Rancho Viejo, Cameron County, Texas 78575

Consideration: The sum of TEN AND NO/HUNDREDTHS DOLLARS ($10.00) Cash Paid by Grantee to Grantor herein and other good and valuable consideration, the receipt of which is hereby acknowledged and confessed by Grantor.

Property (including any improvements):

Being a 133.86 acre tract more or less comprised of a 131.96 acre tract (Calc) 127.5 acre tract recorded in Volume 589, Page 627, Deed Records, Cameron County, Texas and 1.90 acre tract comprised of Lots 5 thru 9, Block 100 as shown on Map of Olmito recorded in Volume 8, Page 83 Cameron County Map Records,
Cameron County, Texas; said 133.86 acres being more particularly located and described as shown on Exhibit "A" attached and incorporated herein for all purposes; together with all water rights pertaining to this property as evidenced by account # 0119-000 of the Texas Commission on Environmental Quality, such portion is to 111.54 acres of Class B Water Rights.

Reservations from and Exceptions to Conveyance and Warranty:

Any and all restrictions, covenants, conditions, easements and reservations, if any, relating to the hereinabove described Property, but only to the extent that they are still in effect, shown of record in the hereinabove mentioned County and State, and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent that they are still in effect, relating to the hereinabove described property.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, GRANTS, S保卫, and CONVEYS to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, To Have and Hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to WARRANT and FOREVER DEFEND all and singular the Property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty; when the claim is by, through or under Grantor, but not otherwise.

Current Ad Valorem Taxes on said Property having been prorated, the payment thereof is assumed by Grantee.

When the context requires, singular nouns and pronouns include the plural.

Charles P. Kincannon (23.33%)

ACKNOWLEDGMENT

THE STATE OF GEORGIA

COUNTY OF Cameron

THIS INSTRUMENT was acknowledged before me on the 2nd day of November, 2006 by Charles P. Kincannon

WILLIAM A. FAULK
My Commission Expires September 30, 2008
06-06-031
SPECIAL WARRANTY DEED

NOTARY PUBLIC, STATE OF GEORGIA

TEXAS
KINCANNON FAMILY TRUST (30.00%)

Quintin S. Kincannon, Trustee

James M. Kincannon, Trustee

Milton E. Kincannon, Trustee

Charles P. Kincannon, Trustee

STATE OF TEXAS

COUNTY OF CAMERON

THIS INSTRUMENT was acknowledged before me on the 2nd day of November, 2006 by Quintin S. Kincannon, Trustee of Kincannon Family Trust on behalf of said Trust.

William A. Fauck
My Commission Expires September 30, 2008
NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS

COUNTY OF CAMERON

THIS INSTRUMENT was acknowledged before me on the 2nd day of November, 2006 by James M. Kincannon, Trustee of the Kincannon Family Trust on behalf of said Trust.

William A. Fauck
My Commission Expires September 30, 2008
NOTARY PUBLIC, STATE OF TEXAS

06-08-31
SPECIAL WARRANTY DEED

3
STATE OF TEXAS
COUNTY OF CAMERON

THIS INSTRUMENT was acknowledged before me on the 2nd day of November, 2006 by Milton E. Kincannon, Trustee of the Kincannon Family Trust on behalf of said Trust.

WILLIAM A FAULK
My Commission Expires September 30, 2008
NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS
COUNTY OF CAMERON

THIS INSTRUMENT was acknowledged before me on the 3rd day of November, 2006 by Charles P. Kincannon, Trustee of the Kincannon Family Trust on behalf of said Trust.

WILLIAM A FAULK
My Commission Expires September 30, 2008
NOTARY PUBLIC, STATE OF TEXAS
STATE OF TEXAS  
COUNTY OF CAMERON  

THIS INSTRUMENT was acknowledged before me on the 2nd day of September, 2006 by Milton E. Kincannon.

WILLIAM A. FAULK  
My Commission Expires September 30, 2008  

NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING RETURN TO:  
MILTON E. KINCANNON  
500 BOLIVAR AVENUE  
RANCHO VIEJO TEXAS 78575  
RFLF # 06-08-031

PREPARED IN THE LAW OFFICE OF:  
THE RENTFRO FAULK LAW FIRM, LLP  
185 E RUBEN M TORRES SR BLVD  
BROWNSVILLE TEXAS 78520

06-08-031  
SPECIAL WARRANTY DEED
METES AND BOUNDS DESCRIPTION
(133.86 ACRE TRACT CALC.)

BEING A 133.86 ACRE TRACT MORE OR LESS COMPRISSED OF A 131.96 ACRE TRACT (CALC.) 127.5 ACRE TRACT RECORDED IN VOLUME 589, PAGE 627, DEED RECORDS, CAMERON COUNTY, TEXAS AND 1.90 ACRE TRACT COMPRISSED OF LOTS 5 THRU 9, BLOCK 100 AS SHOWN ON MAP OF OLMITO RECORDED IN VOLUME 8, PAGE 83 CAMERON COUNTY MAP RECORDS, CAMERON COUNTY, TEXAS; SAID 133.86 ACRES BEING MORE PARTICULARLY LOCATED AND DESCRIBED AS FOLLOWS;

BEGINNING, AT THE NORTHEAST CORNER OF A 48.704 ACRE TRACT (VOLUME 9550, PAGE 213, 216 CAMERON COUNTY OFFICIAL RECORDS) AND THE NORTHWEST CORNER OF SAID 127.5 ACRE TRACT, SAME BEING A POINT ON THE SOUTH BOUNDARY LINE OF RANCHO VIEJO SUBDIVISION, SECTION I (VOLUME 26, PAGE 33-43 CAMERON COUNTY MAP RECORDS) FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE, ALONG THE COMMON LINE OF SAID 127.5 ACRE TRACT AND RANCHO VIEJO SUBDIVISION, SECTION I, SOUTH 82 DEG. 10 MIN. 36 SEC. EAST (CALC.) (S 82°36' W DEED), A DISTANCE OF 2243.42 FT. (CALC.) (2250.00' DEED) TO THE SOUTHEAST CORNER OF SAID RANCHO VIEJO SUBDIVISION, SECTION I, AND THE EAST BOUNDARY LINE OF SHARE 14, ESPIRITU SANTO GRANT AND THE WEST BOUNDARY LINE OF THE TOWN OF OLMITO (VOLUME 8, PAGE 83 CAMERON COUNTY MAP RECORDS) TO A CONCRETE MONUMENT FOUND, FOR A CORNER OF THIS TRACT;

THENCE, ALONG THE COMMON BOUNDARY LINE OF SAID RANCHO VIEJO SUBDIVISION, SECTION I AND THE TOWN OF OLMITO, NORTH 07 DEG. 16 MIN. 00 SEC. EAST, (CALC.) (N 07°16' W MAP) A DISTANCE OF 249.38 FT. (CALC.) (249.73' MAP) TO THE SOUTH 100 FT. RAILROAD RIGHT-OF-WAY LINE OF ST. LOUIS BROWNSVILLE AND MEXICO RAILROAD AND THE NORTHWEST CORNER OF LOT 9, BLOCK 100, OF THE TOWN OF OLMITO, FOR A POINT ON A CONCAVE CURVE WHOSE RADIUS POINT BEARS, SOUTH 48 DEG. 23 MIN. 36 SEC. WEST A DISTANCE OF 2813.03 FT. TO A CONCRETE MONUMENT FOUND, FOR A CORNER OF THIS TRACT;

THENCE, ALONG THE SAID, SOUTH RAILROAD RIGHT-OF-WAY, SAME BEING THE NORTH BOUNDARY LINE OF SAID LOT 9, BLOCK 100, OF THE TOWN OF OLMITO AND SAID CURVE IN A SOUTHEAST DIRECTION AN ARC DISTANCE OF 298.81 FT. (CH: S 39°33'48" E 298.67 FT.), TO THE EAST BOUNDARY LINE OF LOT 8, BLOCK 100, OF THE TOWN OF OLMITO, SAME BEING THE WEST RIGHT-OF-WAY LINE OF LAKESIDE BOULEVARD (60 FT. RIGHT-OF-WAY), TO A ½ IRON ROD WITH AN ORANGE PLASTIC CAP STAMPED “AMBIOTEC 5301” SET, FOR A CORNER OF THIS TRACT;

THENCE, LEAVING THE SOUTH RAILROAD RIGHT-OF-WAY AND ALONG THE EAST BOUNDARY LINE OF LOTS 5 THRU 8, BLOCK 100, OF THE TOWN OF OLMITO, SAME BEING THE WEST RIGHT-OF-WAY LINE OF LAKESIDE BOULEVARD (60 FT. RIGHT-OF-WAY), SOUTH 05 DEG. 44 MIN. 34 SEC. WEST (CALC.) (S 05°45' W MAP), A DISTANCE OF 275.94 FT. TO THE SOUTHEAST CORNER OF LOT 5, BLOCK 100, OF THE TOWN OF OLMITO, TO A ½ IRON ROD WITH AN ORANGE PLASTIC CAP STAMPED “AMBIOTEC 5301” SET, FOR A CORNER OF THIS TRACT;

THENCE, ALONG THE SOUTH BOUNDARY LINE OF SAID LOT 5, BLOCK 100 OF THE TOWN OF OLMITO, NORTH 83 DEG. 14 MIN. WEST (CALC.) (N 83°15' W MAP), A DISTANCE OF 216.78 FT. (CALC.) (216.5' MAP) TO THE EAST BOUNDARY LINE OF SAID SHARE 14, ESPIRITU SANTO GRANT AND THE WEST BOUNDARY LINE OF THE TOWN OF OLMITO SAME BEING THE EAST BOUNDARY LINE OF SAID 127.5 ACRE TRACT, TO A ½ IRON ROD WITH AN ORANGE PLASTIC CAP STAMPED “AMBIOTEC 5301” SET, FOR A CORNER OF THIS TRACT;
THENCE, ALONG THE COMMON BOUNDARY LINE OF SAID 127.5 ACRE TRACT AND SAID TOWN OF OLMITO, SOUTH 07 DEG. 15 MIN. 00 SEC. WEST (CALC.) (S 07°25' W, DEED) A DISTANCE OF 635.44 FT. TO A BOUNDARY LINE AGREEMENT RECORDED IN (VOLUME 8131, PAGES 224-229 CAMERON COUNTY OFFICIAL RECORDS) FOR A CORNER OF THIS TRACT;

THENCE, ALONG SAID BOUNDARY LINE AGREEMENT, SOUTH 82 DEG. 03 MIN. 47 SEC. WEST, A DISTANCE OF 728.08 FT. (CALC.) (736.60' DEED) FOR A CORNER OF THIS TRACT;

THENCE, ALONG SAID BOUNDARY LINE AGREEMENT, SOUTH 44 DEG. 47 MIN. 45 SEC. WEST, A DISTANCE OF 320.61 FT. FOR A CORNER OF THIS TRACT;

THENCE, ALONG SAID BOUNDARY LINE AGREEMENT, SOUTH 07 DEG. 26 MIN. 43 SEC. WEST, A DISTANCE OF 1358.79 FT. FOR A CORNER OF THIS TRACT;

THENCE, ALONG SAID BOUNDARY LINE AGREEMENT, SOUTH 47 DEG. 15 MIN. 00 SEC. WEST, A DISTANCE OF 518.08 FT. FOR A CORNER OF THIS TRACT;

THENCE, ALONG SAID BOUNDARY LINE AGREEMENT, SOUTH 33 DEG. 28 MIN. 00 SEC. WEST, A DISTANCE OF 815.00 FT. TO THE WEST BOUNDARY LINE OF SAID 127.5 ACRE TRACT AS PER BOUNDARY LINE AGREEMENT, FOR THE MOST SOUTHERN CORNER OF THIS TRACT;

THENCE, ALONG THE WEST BOUNDARY LINE OF SAID 127.5 ACRE TRACT, NORTH 35 DEG. 37 MIN. 13 SEC. WEST (CALC.) (N 35°30' W, DEED) A DISTANCE OF 546.29 FT. (CALC.) (470.0' DEED), FOR A CORNER OF THIS TRACT;

THENCE, ALONG THE WEST BOUNDARY LINE OF SAID 127.5 ACRE TRACT, NORTH 16 DEG. 50 MIN. 00 SEC. WEST A DISTANCE OF 925.00 FT., FOR A CORNER OF THIS TRACT;

THENCE, ALONG THE WEST BOUNDARY LINE OF SAID 127.5 ACRE TRACT, NORTH 04 DEG. 10 MIN. 00 SEC. EAST A DISTANCE OF 1358.32 FT. TO THE SOUTHEAST CORNER OF SAID 46.704 ACRE TRACT, FOR A TOTAL DISTANCE OF 1690.00 FT. FOR A CORNER OF THIS TRACT;

THENCE, ALONG THE COMMON BOUNDARY LINE OF SAID 127.5 ACRE TRACT AND SAID 46.704 ACRE TRACT, NORTH 19 DEG. 05 MIN. 00 SEC. EAST, A DISTANCE OF 942.49 FT. TO THE POINT OF BEGINNING;

CONTAINING, 133.86 ACRES, MORE OR LESS, INCLUSIVE OF ANY AND ALL EASEMENTS, RESTRICTIONS, OR DEDICATIONS THAT MAY BE OF RECORD.

VICENTE MENDEZ
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5301
After Recording Return to:

Milton E. Kincannon
500 Bolivar Avenue
Rancho Viejo, Texas 78575
Ovation & Capella Residential Developments
West of Highway 69E & Lakeside Blvd
Olmito, TX 78575

Inquiry Number: 5197572.11
February 22, 2018
Environmental Data Resources, Inc.'s EDR Property Tax Map Report is designed to assist environmental professionals in evaluating potential environmental conditions on a target property by understanding property boundaries and other characteristics. The report includes a search of available property tax maps, which include information on boundaries for the target property and neighboring properties, addresses, parcel identification numbers, as well as other data typically used in property location and identification.

Thank you for your business.
Please contact EDR at 1-800-352-0050 with any questions or comments.

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APPENDIX C

SUPPORTING DOCUMENTATION
CERTIFICATE OF ADJUDICATION

ADJUDICATION NO: 23-227

OWNER: Milton E. Wentz, Jr.,
       Jacklyn L. Kincannon

ADDRESS: Box 870
         Brownsville, Texas 78520

PURPOSE: Irrigation

COUNTY: Cameron

WATERCOURSE: Rio Grande

WATERSHED: Rio Grande

The 13th Court of Civil Appeals of Texas entered its final judgment in Cause No. 261, styled The State of Texas, et al. v. Hidalgo County WC&ID No. 18, et al., 443 S.W.2d 728, (Error ref. n.r.e.), adjudicating the rights to use a portion of public waters of the State of Texas. This "Certificate of Adjudication" is issued subject to the following conditions and to the Rules and Regulations of the Texas Water Rights Commission.

1. USE:

   Holder is authorized to divert and use a maximum of not to exceed 1,057.50 acre-feet of water per annum measured at the point of diversion from the Rio Grande to irrigate 423.00 acres in TWC Tract No. C-345 , (Court No. 1143 ), Cameron County, Texas. The use of water is limited to the irrigation of the described lands.

2. SPECIAL CONDITIONS:

   (a) Waters diverted hereunder shall be allocated in accordance with the Rules, Regulations and Modes of Procedure and Orders of the Texas Water Rights Commission.

   (b) All requests for water shall be made to the Watermaster and all uses of water shall be reported in accordance with the Rules, Regulations and Modes of Procedure and Orders of the Texas Water Rights Commission.

This certificate is issued subject to the rules and regulations of the Texas Water Rights Commission and to its right of continual supervision.

TEXAS WATER RIGHTS COMMISSION

DATE ISSUED:

   September 7, 1971

ATTEST:

Audrey Strandtman, Secretary

O. P. Dent, Chairman
CERTIFICATE OF ADJUDICATION

ADJUDICATION NO: 23-228

OWNER: Milton E. Wentz, Jr., Jacklyn W. Kincannon

ADDRESS: Box 870
Brownsville, Texas 78520

PURPOSE: Irrigation

COUNTY: Cameron

WATERCOURSE: Rio Grande

WATERSHED: Rio Grande

The 13th Court of Civil Appeals of Texas entered its final judgment in Cause No. 261, styled The State of Texas, et al. v. Hidalgo County
derailed by Hidalgo County, et al., 443 S.W.2d 728, (Error ref. n.r.e.), adjudicating
the rights to use a portion of public waters of the State of Texas. This
"Certificate of Adjudication" is issued subject to the following conditions
and to the Rules and Regulations of the Texas Water Rights Commission.

1. USE:

Holder is authorized to divert and use a maximum of not to exceed
780.00 acre-feet of water per annum measured at the point of
diversion from the Rio Grande to irrigate 312.00 acres in TWC
Tract No. C-346, (Court No. 1143), Cameron County, Texas.
The use of water is limited to the irrigation of the described
lands.

2. SPECIAL CONDITIONS:

(a) Waters diverted hereunder shall be allocated in accordance
with the Rules, Regulations and Modes of Procedure and Orders of
the Texas Water Rights Commission.

(b) All requests for water shall be made to the Watermaster and
all uses of water shall be reported in accordance with the Rules,
Regulations and Modes of Procedure and Orders of the Texas Water
Rights Commission.

This certificate is issued subject to the rules and regulations of
the Texas Water Rights Commission and to its right of continual supervision.

TECHAS WATER RIGHTS COMMISSION

DATE ISSUED:

September 7, 1971

ATTEST: Audrey Strandtman, Secretary
CERTIFICATE OF ADJUDICATION

ADJUDICATION NO: 23-119

OWNER: Quintin S. Kinckannon, 
Jacklyn L. Kinckannon, Milton 
E. Wentz, Jr., Jeanine K. Wentz

ADDRESS: c/o M. E. Wentz, Agent 
P. O. Box 870 
Brownsville, Texas 78520

PURPOSE: Irrigation

COUNTY: Cameron

WATERCOURSE: Rio Grande

WATERSHED: Rio Grande

The 13th Court of Civil Appeals of Texas entered its final judgment in Cause No. 261, styled The State of Texas, et al. v. Hidalgo County WC&ID No. 18, et al., 443 S.W.2d 728, (Error ref. n.r.e.), adjudicating the rights to use a portion of public waters of the State of Texas. This "Certificate of Adjudication" is issued subject to the following conditions and to the Rules and Regulations of the Texas Water Rights Commission.

1. USE:

A holder is authorized to divert and use a maximum of not to exceed 1,150.00 acre-feet of water per annum measured at the point of diversion from the Rio Grande to irrigate 460.00 acres in TWC Tract No. C-167 , (Court No. 605 ), Cameron County, Texas. The use of water is limited to the irrigation of the described lands.

2. SPECIAL CONDITIONS:

(a) Waters diverted heretofore shall be allocated in accordance with the Rules, Regulations and Modes of Procedure and Orders of the Texas Water Rights Commission.

(b) All requests for water shall be made to the Watermaster and all uses of water shall be reported in accordance with the Rules, Regulations and Modes of Procedure and Orders of the Texas Water Rights Commission.

This certificate is issued subject to the rules and regulations of the Texas Water Rights Commission and to its right of continual supervision.

TEXAS WATER RIGHTS COMMISSION

G. F. Dent, Chairman

DATE ISSUED:

September 15, 1971

ATTEST:

Audrey Strandtman, Secretary
CERTIFICATE OF ADJUDICATION

ADJUDICATION NO: 23-225
CLASS: B

OWNER: Milton E. Wentz, Sr., et ux
ADDRESS: Box 870
Brownsville, Texas 78520

PURPOSE: Irrigation
COUNTY: Cameron

WATERCOURSE: Rio Grande
WATERSHED: Rio Grande

The 13th Court of Civil Appeals of Texas entered its final judgment in Cause No. 261, styled The State of Texas, et al. v. Hidalgo County WCID No. 18, et al., 443 S.W.2d 728, (Error ref. N.R.E.), adjudicating the rights to use a portion of public waters of the State of Texas. This "Certificate of Adjudication" is issued subject to the following conditions and to the Rules and Regulations of the Texas Water Rights Commission.

1. USE:

Holder is authorized to divert and use a maximum of not to exceed 500.00 acre-feet of water per annum measured at the point of diversion from the Rio Grande to irrigate 200.00 acres in Tract No. C-343 , (Court No. 1142 ), Cameron County, Texas. The use of water is limited to the irrigation of the described lands.

2. SPECIAL CONDITIONS:

(a) Waters diverted hereunder shall be allocated in accordance with the Rules, Regulations and Modes of Procedure and Orders of the Texas Water Rights Commission.

(b) All requests for water shall be made to the Watermaster and all uses of water shall be reported in accordance with the Rules, Regulations and Modes of Procedure and Orders of the Texas Water Rights Commission.

This certificate is issued subject to the rules and regulations of the Texas Water Rights Commission and to its right of continual supervision.

TEXAS WATER RIGHTS COMMISSION

DATE ISSUED:

September 7, 1971

ATTEST:

Audrey Strandtman, Secretary
9679
THE STATE OF TEXAS  
COUNTY OF CAMERON

This CONTRACT and AGREEMENT made and entered into this
April 3rd, 1944, in five originals, by and between L. H. Prichard,
C. D. Kirk, and Albert H. Fernandez and Miguel Fernandez, individually
and as Co-Independent Executors of the Estates of J. G. Fernandez and
of Francisca C. de Fernandez, deceased, and as Attorneys-in-Fact for
Maria Fernandez Butler, Rosalie K. Fernandez, Gonzalo Fernandez and
Anita F. de Ortiz, and the said Albert H. Fernandez as Independent Exe-
cutior and Trustee under the Will of Francisca (Quica) Fernandez, Deceas-
ed, and Mrs. Rosalda F. de Gomez, a widow, all of Brownsville, Texas,
and G. Philip Wardner, a resident of Boston, Massachusetts, Trustee
for Martha Dana Mercer, witness:

I.

There is an area of land, aggregating about 2,392 acres
gross, situated in Shares Nos. 1, 17, and 14, of the Espiritu Santo
Grant, in Cameron County, Texas, bounded on the north by the railroad
right-of-way of the Missouri-Pacific Lines, on the east by the east
boundary line of said Share 14, on the south by Olmito South Road, and
on the west by the west boundary line of the Noriega Tract in said
Share 1, a blue print of which area is hereto attached, made a part
hereof, and marked "Exhibit A", - of which area L. H. Prichard owns
about 257 acres, C. D. Kirk owns about 165 acres, the estate of J. G.
Fernandez owns about 1,280 acres, and Martha Dana Mercer owns about
600 acres, none of which land is within the boundaries of any irriga-
tion district.

II.

In an easterly direction from this land, and about one-half
mile distant therefrom, there runs, in a north-south direction, a main
Canal of Cameron County Water Control and Improvement District Number
Six, which supplies water for domestic and irrigation purposes to lands
adjacent thereto, and within such District.

III.

It is now the desire of the parties hereto that they pro-
ceed in such manner, in the matter of acquiring and installing irriga-
tion facilities, so that they may become, and be, the joint and equal
owners of completed irrigation facilities and thus make their respec-
tive lands susceptible to irrigation from the above Water District.

IV.

In order to bring water for domestic and irrigation purposes
by him by his now recorded deed from Myrtle Prudence Huitt. As a part of the consideration for this agreement said L. H. Prichard now hereby grants, sells, and conveys to all the parties hereto, including himself, the joint and equal use, of such irrigation facilities so acquired by him from said Myrtle Prudence Huitt, being:

(a) Lake Tepeguaje, together with the land adjoining on all sides of same, extending to the center of Lakeside Boulevard around the entire Lake (it being understood that Lakeside Boulevard is a public road dedicated for public use), and, in addition thereto, the segregated plot of ground opposite the south tip of such Lake and bounded on the easterly side by the center line of such abutting Boulevard, and on the westerly side by the westerly side of Olmito Townsite, the ownership of such plot extending to the center line of the abutting Boulevard, — subject, however, to the right of Myrtle Prudence Huitt, her heirs, assigns, and legal representatives, to continue to maintain and operate her water main which runs up Lakeside Boulevard west between the south tip of Lake Tepeguaje and said plot of ground opposite same, but with the express understanding and agreement that such maintenance and use of such water main shall not prejudice the use of these irrigation facilities.

(b) The easement right-of-way for the transportation of water from the present location of the canal of the Cameron County Water Control and Improvement District No. 6 through and under Los Fresnos Road, down and throughout Lucas Street, across and under the State Highway, the right-of-way of the Missouri-Pacific Lines, and Lakeside Boulevard, east, Lake Tepeguaje, Lakeside Boulevard west, and to, and into, the plot of ground opposite such south end of such Lake, together with all the concrete pipe along, and in, such right-of-way, and together with the full power and authority to, at all times, maintain and operate the flowage of water along, and through, such right-of-way, including the replacement, the repair, and the addition of pipes, from time to time, but subject to the right of Myrtle Prudence Huitt, her heirs, assigns, and legal representatives to purchase water from such
said lands extending only to Groves M, L, K, J, H, G, E, KX, B, and containing, in the aggregate, somewhere between 25 and 30 acres of land, gross.

V. For the continuation of the flow of water to serve the land and persons involved, it is necessary that the parties hereto have additional easements and rights-of-way and irrigation facilities owned by Martha Dana Mercer. As a part of the consideration for this agreement, G. Philip Wardner, Trustee for Martha Dana Mercer, now hereby grants, sells and conveys to all the parties hereto, including himself as such trustee, the joint and equal use of such irrigation facilities so owned by Martha Dana Mercer, being:

(a) The right to install, keep, maintain, replace (if desired), relocate (if desired), and operate, a Weir type dam at the lower end of Rancho Viejo Resaca above the present Olmito Bridge, and on, or in the vicinity of, the east boundary line of the Dana Estate land, being at, or near, the west boundary line of Olmito Townsite.

(b) The right to run, or flow, water from the lower, or south, end of Lake Tepeguaje across the west boundary line of Olmito Townsite and the east boundary line of the Dana Estate land, in a westerly, or southwesterly, direction into the depression found to exist at the place (which is likely the natural south tip, or southerly end, of such lake, and called the "Smaller Lake") and to continue, or flow, such water from the location in a northerly, or northwesterly, direction into the "Larger Lake" (apparently of horseshoe type, as shown on contour maps), in that immediate vicinity, and then to run, or flow, such water in a southwesterly, or westerly, direction, into the Rancho Viejo Resaca in that immediate vicinity, at a point, or points, above the aforesaid dam and to use the bed and banks of the above two lakes (called "Smaller Lake" and "Larger Lake") and also the bed and banks of the entire Rancho Viejo Resaca as such property exists on the Dana Estate land.

VI.

Witness: L. H. Prichard and G. Philip Wardner, Trustee as afores-
The right to install, keep, maintain, replace (if desired),
and relocate (if desired), and operate, such above Weir type dam; and
also another Weir type dam in Share I, of the Fernandez Estate land,
heretofore called the Noriega Tract, same to be constructed at, or about,
the location as shown on the above mentioned Exhibit "A", each dam to
be of an elevation not less than 26 ft. and not to exceed 27 ft.; also,
the right to run, or flow, water from the lower, or south, end of Lake
Tepeguaje across the west boundary line of Olmito Townsite and the east
boundary line of the Dana Estate land, throughout the above mentioned
easements and rights-of-way on the Dana Estate land, including lakes
and resaca, and to thereby build up the volume and quantity of water

in such two Lakes, and in such Rancho Viejo Resaca between said two
dams where such water reaches, or may reach, but does not exceed, 27
ft. in elevation; and, also the right to use the bed and banks of the
above two Lakes, and the bed and banks of the Rancho Viejo Resaca be-
tween, and including, the two dams, and, in fact, the entire right-of-
way as herein above outlined to, and including such second dam, all to
the end of both flowing and storing water and making such right-of-way
a reservoir for domestic and irrigation purposes.

It is expressly understood and agreed that the rights herein
granted constitute easement rights, and easement rights-of-way, and
storage and irrigation facilities, extending continuously, and through-
out, from the point and place where the water is first taken from Cam-
eron County Water Control and Improvement District No. 6 and continu-
ously to, and including, the second dam hereinabove mentioned, and
that the parties hereto have joint and equal rights therein and there-
to. It is further specifically understood and agreed that the rights,
easements, and easement rights-of-way granted, conferred, agreed to,
and recognized, in this instrument, as well as all obligations hereun-
der, shall run to, and with, and be binding on, the heirs, assigns,
successors and legal representatives of the respective parties hereto,
and that all of, such are, and shall be, perpetual, and shall and do,
run with, and for the benefit of, and be binding on, the land, i.e.
the above 2,303 acres, more or less, as well as the respective owners
themselves.
agreed that the total cost for the completion of such irrigation facilities shall not exceed $15,000.00. The cost for the completion of this project shall be paid by the parties hereto, to L. H. Prichard, as follows: By the Estate of J. G. Fernandez, deceased, $3,250.00; by G. Philip Wardner, Trustee for the estate of Martha Dana Mercer, $3,250.; By C. D. Kirk, $3,315.00; and by L. H. Prichard, $5,185.00. This money shall be all paid by the respective parties to L. H. Prichard at the time he advises them that he is ready to go to work on the project as hereinafter provided. In the allocation of the costs for the completion of this project, L. H. Prichard has been credited with the sum of $2,776.30, representing the cost price to him of his special contribution out of his acquisition from Myrtle Prudence Huit, as aforesaid. If, on completion of the project, there remains any money on hand out of the payments, and/or contributions, above, then the said L. H. Prichard shall make refund to the parties hereto in the proportion in which they have paid, and/or contributed.

VIII.

For the purpose of completing the herein contemplated irrigation facilities, L. H. Prichard shall be treated, and denominated, as owner, and inasmuch as he now has more acreage under cultivation and irrigation than any of the other parties hereto, and, apparently, and consequently, is more presently in need of the character of irrigation facilities and construction work as herein contemplated, and, inasmuch as it appears that he has familiarity with such type of work, the other parties hereto leave the responsibility for the completion of such construction work with the said L. H. Prichard. Realizing the exigencies of the present War, the parties hereto leave the matter of the preparation, completion, modification, and/or substitution of, the plans and specifications for the work to the said L. H. Prichard, and likewise, the commencing, carrying on, and the ultimate completion, of the project, and the time elements involved, depending on him to ultimately deliver the completed project, but in accordance with good business practices, in light of all the surrounding facts and circumstances.
er contract, that is, a contract by which the District agrees to supply water to the particular land, or lands, and the owner, or owners, thereof. Thereupon, such owner, or owners, shall have the unequivocal right to run water to, and into, these irrigation facilities, and to store such water, and to make use thereof, for any and all his domestic and irrigation purposes; but limited, however, to only the land, or lands, so placed under a water contract. Irrespective of which owner calls on the Water District to release and deliver water to, and into, these irrigation facilities, the undersigned owners shall pay for such water on the basis of the acreage of land owned by them, respectively, and under water contract with the Water District. It is, and shall be, optional as to whether any one or more of the parties hereto shall make any water contract with the District for his land, or any part thereof, but each and all the parties hereto may contract with the District for water for any part or all of their land, and from time to time, as they see fit. It is understood and agreed that none of the parties hereto will take water, as has been delivered by the above Water District, from the above irrigation facilities, unless and until they have made their independent contracts with the District therefor. For each and every delivery of water made by the Water District, the land owners shall pay therefor in the proportion as they own land covered by water contract with the Water District. It is the intention and desire of the parties that the District split the bill for each delivery of water, billing each such landowner separately for his proportionate part.

X.

Regarding the responsibility for the making of necessary, or needful, repairs of, or replacements to, the irrigation facilities, after the project has been completed as above provided, L. H. Prichard shall have charge of such for and during the time he has not been replaced by a successor appointed by a majority of the other parties
pay the cost thereof in the same proportion as they pay for water as is provided in Section IX above.

X.

Since this contract runs with, and binds, the respective acreages and the respective owners, their heirs, assigns, successors and legal representatives, it is understood and agreed that any party hereto may record this agreement in the public records of Cameron County, Texas; and it is agreed by the parties hereto that, hereafter, when any one or more of the parties make conveyance of any part, or all, of their respective lands, they will, in their deed, or deeds, of conveyance, refer to, and identify, this contract and require their purchasers, respectively, to be bound by the terms hereof, and to pay, on an acreage basis their pro rata part of the cost of water and repairs as herein provided for. After a particular owner has sold his land, or any part thereof, he shall not be responsible for the subsequently accruing costs of water and repairs as fall to the particular acreage sold. But, at all times, the pro rata part of the cost of water and repairs shall be the obligation only of the particular owner of the particular land, at, and during, only the time of the particular ownership.

Albert H. Fernandez, Individually and as Co-Independent Executor of the Estate of J. G. Fernandez, and Francisca C. de Fernandez, Deceased; and as Attorney-in-Fact for Maria Fernandez Butler, Rosalie K. Fernandez, Gonzalo Fernandez and Anita P. de Ortiz; also as Independent Executor and Trustee under the Will of Francisca (Quico) Fernandez, Deceased. 

G. Philip Wardner, Trustee for Martha Dana Mercer.

L. J. Pfeilhard.

C. D. Kirk.

Miguel Fernandez, Individually, and as Co-Independent Executor of the Estate of J. G. Fernandez and of Francisco de Fernandez, Deceased; and as Attorney-in-Fact for Maria Fernandez Butler, Rosalie K. Fernandez, Gonzalo Fernandez and Anita P. de Ortiz.

Mrs. Rosalia F. de Gomez, a widow.
THE STATE OF TEXAS
COUNTY OF CAMERON

BEFORE ME, the undersigned authority, on this day personally appeared Mrs. Rosalia P. de Gomez, a widow, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 3rd day of June, 1944.

Notary Public, in and for Cameron County, Texas.

THE STATE OF OKLAHOMA
COUNTY OF CAMERON

BEFORE ME, the undersigned authority, on this day personally appeared L. H. Prichard, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 10th day of June, 1944.

Notary Public, in and for Cameron County, Texas.
THE STATE OF MASSACHUSETTS
COUNTY OF Suffolk

BEFORE ME, the undersigned authority, on this day personally appeared G. Philip Wardner, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 10th day of June, 1944.

[Signature]
Notary Public, in and for County, State of Massachusetts

I, W. I. Chenoweth, of the County of Rio Grande, State of Colorado, have read, and I approve, and hereby become a party to, the above contract between L. H. Prichard, G. D. Kirk, Albert E. Fernandez and Miguel Fernandez, in the capacities there stated, Mrs. Rosalia R. de Gomez, a widow, and G. Philip Wardner, Trustee for Martha Dana Herzer, and wherein it is recited that of the approximate 2,362 acres gross, in Shares Numbered 1, 17, and 16, of the Espiritu Santo Grant, in Cameron County, Texas, about 165 acres thereof is owned by G. D. Kirk. I understand that G. D. Kirk did own about 165 acres of such land when negotiations were first being had for such contract, but that afterwards he sold about 38.37 acres thereof to one Jessie W. Walton, who, in turn, joined by her husband, Earl L. Walton, conveyed same to me by deed dated March 19, 1945, recorded in Vol. 347, pages 279, Deed Records of Cameron County, Texas.

It is expressly understood and agreed that I hereby become an equal owner of the same and irrigation facilities, the same as the other parties to the above contract, and, in similar manner, I will be responsible for my proportionate part of the future necessary and needful repairs and replacements of, and to, the irrigation facilities, and my proportionate part of the cost of water purchased from time to time.

DONE and DATED in five originals this 10th day of July
THE STATE OF COLORADO
COUNTY OF RIO GRANDE.

BEFORE ME, the undersigned authority, on this day personally appeared H. E. Glenewirth, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 12th day of 1945.

[Signature]
Notary Public, in and for Rio Grande County, Colorado.

By Commission expires June 27, 1946

CONTRACT RESPECTING OWNERSHIP AND OPERATIONS OF IRRIGATION FACILITIES IN AND ADJACENT TO SANTO GRANT, IN CAMERON COUNTY, TEXAS.

FILED FOR RECORD AT 10 O'CLOCK A.M., JUL 28, 1945
H. D. SEAGO, Clerk, County Court, Cameron County, Texas

WEST & HIGHTOWER ATTORNEYS AT LAW

[Signature] Deputy.
THE STATE OF TEXAS )
COUNTY OF CAMERON )

THAT I, G. Philip Wardner, Trustee for Martha Dana Mercer (under Deed of Trust dated May 14, 1925), of Suffolk County, Massachusetts, for and in consideration of the sum of TEN & NO/100 ($10.00) DOLLARS, and other good and valuable consideration to me in hand paid by Quintin S. KinCannon and wife, Jacklyn Louise KinCannon, the receipt of which is hereby acknowledged; and the further consideration of the execution and delivery by the Grantees herein of ten (10) certain promissory vendor's lien notes aggregating to the principal sum of TWELVE THOUSAND FIVE HUNDRED ($12,500.00) DOLLARS, of even date herewith, payable to my order, bearing interest at the rate of four (4%) percent per annum from date until maturity, interest payable on October first of each year, said notes being numbered, for the amounts and maturing as follows:

NOTE NO. 1, FOR PRINCIPAL SUM OF $1,250.00, DUE ON OCTOBER 1, 1956
NOTE NO. 2, FOR PRINCIPAL SUM OF $1,250.00, DUE ON OCTOBER 1, 1957
NOTE NO. 3, FOR PRINCIPAL SUM OF $1,250.00, DUE ON OCTOBER 1, 1958
NOTE NO. 4, FOR PRINCIPAL SUM OF $1,250.00, DUE ON OCTOBER 1, 1959
NOTE NO. 5, FOR PRINCIPAL SUM OF $1,250.00, DUE ON OCTOBER 1, 1960
NOTE NO. 6, FOR PRINCIPAL SUM OF $1,250.00, DUE ON OCTOBER 1, 1961
NOTE NO. 7, FOR PRINCIPAL SUM OF $1,250.00, DUE ON OCTOBER 1, 1962
NOTE NO. 8, FOR PRINCIPAL SUM OF $1,250.00, DUE ON OCTOBER 1, 1963
NOTE NO. 9, FOR PRINCIPAL SUM OF $1,250.00, DUE ON OCTOBER 1, 1964
NOTE NO. 10, FOR PRINCIPAL SUM OF $1,250.00, DUE ON OCTOBER 1, 1965

each of said notes containing the usual accelerated maturity, attorney's fees and vendor's lien clauses and a pre-payment privilege, and being secured by a Deed of Trust of even date herewith to M. E. WENTZ, TRUSTEE; have granted, sold, and conveyed, and by these presents do hereby GRANT, SELL AND CONVEY unto the said Quintin S. KinCannon and wife, Jacklyn Louise KinCannon, their heirs and assigns, the following described property, to-wit:

A tract of land in the City of Port Arthur, County of Jefferson, State of Texas, described as follows:

...
BEGINNING at a point on the East line of Share 14, same being the Southeast corner of a certain 17½ acre tract conveyed to L. H. Prichard and recorded in Volume 312, Page 423-424, of the Deed Records of Cameron County, Texas, for the Northeast corner hereof;

Thence, South 7° 25' West with and along the said East line of Share 14, 760.0 feet to the center of Olmito Lake;

Thence, with the center line of said lake extended South 86° 35' West 720.0 feet to the center line of a small drain;

Thence, South 43° 35' West with and along the center line of said drain ditch 505.0 feet to a point;

Thence, South 36° 50' East 135.0 feet;

Thence, South 7° 25' West 1,103.0 feet to a point in Acacia Lake;

Thence, South 36° 35' West along the center line of a canal inlet and extending to the center line of the Resaca Rancho Viejo, a distance of 1,525.0 feet;

Thence, North 35° 30' West with and along the center line of said resaca 470.0 feet to a point;

Thence, North 16° 50' West 925.0 feet to a point;

Thence, North 4° 10' East 1,690.0 feet to a point;

Thence, North 19° 05' East 980.0 feet to a point on the South line of a certain 17½ acre tract above described;

Thence, South 82° 35' East with and along the said South line of said 17½ acre tract, a distance of 2,250.0 feet to the point of beginning, and containing 127.5 acres, more or less.

There is also conveyed to the Grantees herein the joint and equal right to the easements and rights-of-way and rights of user in and to the water and irrigation and storage facilities, and the right of flowage and storage of water for any and all domestic and irrigation purposes, as said rights, and easements and usages, are more specifically set forth in a contract dated April 3, 1944, by and between L. H. Prichard and others, and G. Philip Wardner, Trustee for Martha Dana Mercer, of record in Volume 354, Pages 128-138, of the Deed Records in the office of the County Clerk of Cameron County, Texas; the joint and equal rights, uses and easements herein conveyed being those appurtenant to and which run with the title to the tract herein conveyed; and the Grantees herein, by the acceptance of this conveyance, agree to be bound by the foregoing trusts, terms and conditions.
THERE IS EXPRESSLY RESERVED in favor of the Grantor herein and not conveyed the right on the part of Grantor to the joint and equal use and right to use all of the rights-of-way, easements, facilities, and water as above described, insofar as the same pertain to and are appurtenant to the land not herein conveyed to the Grantees, all as more fully set forth in the above described instrument dated April 3, 1944; to which instrument and its record, reference is hereto made for greater certainty of description of the rights acquired by Grantor, the rights herein conveyed to the Grantees, and the rights herein reserved by the Grantor.

ALL MINERALS including gas and oil are specifically reserved to the Grantor, with right of entry at all times for the purposes of exploration, development, storage, removal and sale of oil, gas or other minerals; with reservation subject, however, to the rights of Grantee to recompense for dispossессion of any portion of the surface and/or damages suffered by Grantee herein by reason of any such operations by Grantor, Grantor's agents and/or assigns.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Quintin S. Kin Cannon and wife, Jacklyn Louise KinCannon, their heirs and assigns, forever.

And Grantor does hereby bind himself, his successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Quintin S. KinCannon and Jacklyn Louise KinCannon, their heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, except as to taxes for the year 1955 and subsequent years, which are expressly assumed by the Grantees.

But a vendor's lien is expressly reserved to secure the payment of the above described notes, according to their tenor, reading, and effect, together with all interest thereon.
WITNESS MY HAND this the 29th day of January, A.D. 1955.

G. Philip Wardner
G. PHILIP WARDNER, TRUSTEE

THE STATE OF MASSACHUSETTS }
COUNTY OF SUFFOLK }

BEFORE ME, the undersigned authority, on this day personally appeared G. Philip Wardner, Trustee, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 1st day of February, A.D. 1955.

Levi F. Glick
Notary Public in and for Suffolk County, Massachusetts

MY COMMISSION EXPIRES
March 2, 1956

[Stamp with notation: Documentary stamps for March 1, 1955]
THE STATE OF TEXAS

COUNTY OF CAMERON

1945

THIS AGREEMENT, entered into by and between Cameron County Water Control and Improvement District Number Thirteen (13), pursuant to proper resolution of its Board of Directors, hereinafter called "DISTRICT" or "FIRST PARTY", and G. Philip Wardner, Trustee, duly authorized by virtue of a trust indenture of record in the office of the County Clerk of Cameron County, Texas, hereinafter called "SECOND PARTY",

W I T N E S S E S T H I

WHEREAS, DISTRICT has heretofore entered into a contract with Cameron County Water Control and Improvement District Number Two, whereby said District Number Two has agreed to pump and transport to DISTRICT certain waters from the Rio Grande; and DISTRICT desires to transport said waters across Share 14 of the Espiritu Santo Grant, owned by SECOND PARTY, which said arrangement is to the mutual advantage of both parties hereto; and in consideration of the benefits moving to the respective parties, they agree as follows:

1. DISTRICT AGREES at its expense to obtain an easement across the San José Ranch Tract in Share 17 of the Espiritu Santo Grant, in Cameron County, Texas, and to construct at DISTRICT'S expense a concrete or Gunnite-lined canal from the East line of Water District Number Two across the said San José Ranch and on and across the easement herein granted by SECOND PARTY, together with gate outlets as designated by SECOND PARTY'S engineers, to connect with DISTRICT'S gunnite-lined canal adjacent and parallel to the East line of the Wardner lands.
2. SECOND PARTY AGREES TO REFUND TO DISTRICT one-half (1/2) of the cost of constructing said canal and outlets across Share 14 on the above described easement, but not exceeding the sum of SEVEN THOUSAND FIVE HUNDRED AND NO/100ths ($7,500.00) DOLLARS. The cost of maintenance of said canal across Share 14 will be upon a prorata basis, each party hereto to pay for so much of said cost as the amount of water transported to the respective parties hereto bears to the total amount of water transported through said canal across Share 14.

3. SECOND PARTY FURTHER SELLS, GIVES, GRANTS, AND HEREBY CONVEYS to DISTRICT an easement for the purpose of constructing, operating and maintaining a canal not exceeding fifty (50 ft.) feet in width across SECOND PARTY'S land in Share 14, said easement being more particularly described as follows, to-wit:

COMMENCING at the intersection of the center line of the Lozano Road and the East line of Share 14;

THENCE along the East line of Share 14, South 7° 23' West for a distance of 2,260 feet to the point of beginning of the center line of the easement herein described;

THENCE South 68° 32' West 113.5 feet to a point;

THENCE South 52° 51' West for a distance of 1,187.5 feet to a point;

THENCE South 73° 21' West 557.1 feet to a point;

THENCE North 54° 8' West 739.7 feet to a point;
THENCE North 43° 53' West 495 feet to a point;
THENCE North 56° 45' West for a distance of 1,209 feet to a point on the West line of Share 14.

TO HAVE AND TO HOLD the above described easement unto said Cameron County Water Control and Improvement District Number Thirteen, and its successors, so long as said premises are used as a canal for the purpose of transporting water to the parties to this contract, their successors and assigns; provided no temporary cessation of such use shall be deemed a failure in such respect; and whenever such easement shall cease to be used for the purpose of transporting water for a reasonable length of time, not exceeding twelve (12) months, then and thereupon, this conveyance or easement shall be null and void and title to said land and premises shall absolutely revert to the SECOND PARTY, his successors and assigns.

4. DISTRICT AGREES to construct the canal along the easement herein granted, in accordance with plans and specifications designed by the engineers for DISTRICT and approved by the engineer for SECOND PARTY, IT BEING AGREED that said canal shall be constructed without borrow pits; but SECOND PARTY AGREES to permit DISTRICT to secure sufficient earth from Share 14 for the base fill; however, such earth shall be taken only from such locations as shall be designated by, and to such depths, and in such manner, as shall be directed by the engineer for SECOND PARTY.

5. DISTRICT AGREES to keep its present canal which is adjacent to the East line of Share 14, but on land
belonging to others, in a good state of repair; and DISTRICT FURTHER AGREES to install at the expense of SECOND PARTY three (3)/more twelve-inch (12") or larger irrigation outlet gates in the West side of said DISTRICT'S aforesaid canal adjacent to the East line of Share 14, for the purpose of providing water to various high areas on Share 14, SECOND PARTY, however, to pay DISTRICT for all water used by SECOND PARTY from said gates on the same basis as SECOND PARTY pays DISTRICT for water from the canal across the easement above described.

6. DISTRICT AGREES that SECOND PARTY shall be entitled to share in all the benefits to which the DISTRICT is entitled under its contract entered into with Water District Number Two on April 30, 1955, or subsequent contracts between said Districts, so long as water is available and delivered to the DISTRICT pursuant to the provisions of Paragraph 8 hereof. However, should both the DISTRICT and SECOND PARTY order water at the same time, each party hereto is limited to the capacity of flow per second foot as set out by the engineers for the parties in Paragraph 4 hereof; and should the flow be below the capacities herein referred to, the parties will divide the water as measured in cubic feet per second at the East line of Water District Number Two with SECOND PARTY being entitled to not less than one-fifth (1/5th) thereof. Should either party not demand the full proportionate part of the capacity of the canal as designed for said party, the other party is privileged to use the excess capacity to the extent of the deficiency.
7. SECOND PARTY has certain reservoir facilities on Share 14; AND IT IS AGREED by the parties hereto that during the periods when water is plentiful and available, that SECOND PARTY shall have the right to store water to which it is entitled in the aforesaid reservoirs, and during periods when the canal crossing Share 14 is flowing below full capacity, then SECOND PARTY shall have the right to turn water from said reservoirs into said canal and use the same; and FIRST PARTY shall give SECOND PARTY credit for all such water from SECOND PARTY's reservoirs and no additional handling charges shall be made by FIRST PARTY of SECOND PARTY. SECOND PARTY AGREES to install at its expense necessary water meters to meter the water from the canal on Share 14 flowing into SECOND PARTY's reservoirs; and likewise agrees to install and maintain at SECOND PARTY's expense necessary meters and drop structures for the metering and flowing of said water from SECOND PARTY's reservoirs back into said canal.

8. SECOND PARTY hereby agrees to transfer to District or its order sufficient quantities of water as may be allocated to, or to which SECOND PARTY as a riparian owner may be legally entitled to request, pump, or use, as shall be necessary to supply the water to be delivered by DISTRICT to SECOND PARTY'S lands; and SECOND PARTY further agrees to reimburse DISTRICT for all such sums as may be paid by DISTRICT to Water District
Number Two for the pumping of said water so furnished to SECOND PARTY'S lands. SECOND PARTY will re-imburse DISTRICT at such times and in such a manner and in all respects as specified in the contract between DISTRICT and Water District Number Two. Nothing in this contract shall constitute or be construed as a pooling of water or water rights of the two parties, nor an admission by either party that the rights of the two (2) parties are equal or the same; and each party shall keep all water rights, filings, and appropriations which they now have, separate and distinct from those of the other party.

9. SECOND PARTY AGREES to furnish and install a meter or meters to measure all water taken by SECOND PARTY, to maintain such meter or meters at all times in such a manner as to accurately measure the water received by SECOND PARTY. DISTRICT AGREES to furnish and install a meter to measure all water taken by both parties at the point such water is received at the East line of Water District Number Two, and to maintain such meter at all times in such a manner as to accurately measure the water received by both parties hereto. Both parties agree that all meters installed by either party shall be open for inspection or reading by either party at any time.

10. IT IS UNDERSTOOD AND AGREED by the parties hereto that there shall be no liability on DISTRICT for its failure to furnish water under circumstances beyond its control.
this contract if such failure be due to causes beyond the control of DISTRICT.

IN WITNESS WHEREOF, the respective parties have hereunto signed these presents, this the 26th day of July, A.D. 1955.

CAMERON COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER THIRTEEN

BY: Howard French
   Its President

   W. C. Kerr
   P. W. Bollheimer
   Adolph Thomas, Jr.
   Directors

G. Philip Warnder, Trustee

THE STATE OF TEXAS $\quad$
COUNTY OF CAMERON $\quad$

BEFORE ME, the undersigned authority, on this day personally appeared: Howard French; E. B. Roberts, Jr.; W. C. Kerr; Ralph Bollheimer; and Adolph Thomas, Jr., known to me to be the persons whose names are subscribed to the foregoing instrument, and they each acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office, this the 26th day of July, A.D. 1955.

THE STATE OF TEXAS $\quad$
COUNTY OF CAMERON $\quad$

BEFORE ME, the undersigned authority, on this day personally appeared G. Philip Wardner, Trustee, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND and seal of office, this the 10th day of August, A.D. 1955.
ERASEMENT AGREEMENT

FILED FOR RECORD
AT 9 O'CLOCK A.M.
OCT 15 1955

H. D. SEAGO
CLERK COUNTY COURT
Cameron County, Texas

I certify that the foregoing instrument was recorded OCT 31 1955
at 11:54 A.M.

H. D. SEAGO, Clerk
County Court, Cameron
County, Texas

By Deputy.

C. S. SIDMAN, JR.
ATTORNEY AT LAW
617 FIRST NATIONAL BANK BUILDING
PORTISVILLE, TEXAS
THE STATE OF TEXAS  
CAMERON COUNTY OF CAMERON  

That I, Charlene Murrell, Executrix of the Estate of Mildred J. Meyers, deceased hereinafter called Grantor, in consideration of one dollar ($1.00), and other good and valuable consideration paid by OLMITO WATER SUPPLY CORPORATION, a Texas corporation, hereinafter called Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell, transfer and convey to said Grantee, its successors and assigns, a permanent easement with the right to erect, construct, install and lay and thereafter use, operate, inspect, repair, maintain, replace and remove an underground water line or water lines over and across the following described property owned by Grantor in the County of Cameron, State of Texas:

Being that tract of land known as Lot Nine (9), Block One Hundred (100) of the Townsite of Olimito, Cameron County, Texas, according to the map or plat of said Townsite filed for record in the Map Records of Cameron County, Texas,
together with the right of ingress and egress over Grantor's adjacent lands for the purposes for which the above-mentioned rights are granted. The easement hereby granted shall not exceed thirty (30) feet in width for the time required for the construction and installation of said pipe line, and thereafter the easement hereby granted shall not exceed ten (10) feet in width, the center line being the course of said pipeline after it is installed.

The consideration recited herein shall constitute payment in full for the granting of the easement and the installation of the pipeline referred to herein and the Grantee shall maintain such easement in a state of good repair and efficiency so that no unreasonable damages will result from its use to Grantor's premises; the Grantee agrees to bury said pipeline so that it will not interfere with the cultivation of the land and not create a hazard to the use of the land, and after the installation of said pipeline, enter no said premises in their
The location of said easement shall be such that it will in no way interfere with or effect the use of any dwelling or building now located on said premises. In the event the use of said water line is abandoned for a continuous period of one year, the easement and all rights granted to the Grantee hereby shall terminate and revert to the then owner of the land; provided, however, such easement shall remain in full force and effect so long as the Grantee, its successors and assigns are indebted to the United States of America by virtue of the loan obtained from the Farmers Home Administration.

This Agreement, together with other provisions of this grant shall constitute a covenant running with the land for the benefit of the Grantee, its successors and assigns. The Grantor covenants that it is the owner of the above-described land, and that said land is free and clear of all encumbrances and liens.

IN WITNESS WHEREOF, the said Grantor has executed this instrument this __ day of __________, 1967.

Charlene J. Murrell
Charlene Murrell, Independent
Executrix of the Estate of Mildred J. Meyers, deceased,

THE STATE OF TEXAS }
COUNTY OF DALLAS }

Before me, the undersigned authority, on this day personally appeared Charlene Murrell, Independent Executrix of the Estate of Mildred J. Meyers, deceased, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this __ day of __________, 1967.
DEC 20 1967

Estate of Recona

To

Children of deceased

Executor of the Estate of

Carolene Muriel, Executor

My relationship to Way =

10/14/14
"SPECIAL" WARRANTY DEED

Date: September 29, 2006

Grantor: CHARLES P. KINCANNON, 23.33% INTEREST

Grantor's Mailing Address (including county):
C/O The Law Office of Charles P. Kincannon
Attorney and Counselor at Law
1870 The Exchange Suite 100
Atlanta, Georgia 30339

Grantor: QUINTIN S. KINCANNON, JAMES M. KINCANNON, CHARLES P.
KINCANNON and MILTON E. KINCANNON as Trustees of the
KINCANNON FAMILY TRUST, 30.00% INTEREST

Grantor's Mailing Address (including county):
500 Bolivar
Rancho Viejo, Cameron County, Texas 78575

Grantor: MILTON E. KINCANNON, 46.67% INTEREST

Grantor's Mailing Address (including county):
500 Bolivar Avenue
Rancho Viejo, Cameron County, Texas 78575

Grantee: MILTON E. KINCANNON

Grantee's Mailing Address (including county):
500 Bolivar Avenue
Rancho Viejo, Cameron County, Texas 78575

Consideration: The sum of TEN AND NO/HUNDREDTHS DOLLARS ($10.00) Cash
Paid by Grantee to Grantor herein and other good and valuable consideration, the receipt
of which is hereby acknowledged and confessed by Grantor.

Property (including any improvements):

Being a 133.86 acre tract more or less comprised of a 131.96 acre tract (Calc)
127.5 acre tract recorded in Volume 589, Page 627, Deed Records, Cameron
County, Texas and 1.90 acre tract comprised of Lots 5 thru 9, Block 100 as shown
on Map of Olmito recorded in Volume 8, Page 83 Cameron County Map Records,
Cameron County, Texas; said 133.86 acres being more particularly located and described as shown on Exhibit "A" attached and incorporated herein for all purposes; together with all water rights pertaining to this property as evidenced by account # 0119-000 of the Texas Commission on Environmental Quality, such portion is to 111.54 acres of Class B Water Rights.

Reservations from and Exceptions to Conveyance and Warranty:

Any and all restrictions, covenants, conditions, easements and reservations, if any, relating to the hereinabove described Property, but only to the extent they are still in effect, shown of record in the hereinabove mentioned County and State, and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent that they are still in effect, relating to the hereinabove described property.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, GRANTS, SELLS, and CONVEYS to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, To Have and Hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to WARRANT and FOREVER DEFEND all and singular the Property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through or under Grantor, but not otherwise.

Current Ad Valorem Taxes on said Property having been prorated, the payment thereof is assumed by Grantee.

When the context requires, singular nouns and pronouns include the plural.

[Signature]
Charles P. Kincannon (23.33%)

ACKNOWLEDGMENT

THE STATE OF GEORGIA
COUNTY OF CAMERON

THIS INSTRUMENT was acknowledged before me on the 2nd day of September, 2006 by Charles P. Kincannon

WILLIAM A FAULK
NOTARY PUBLIC, STATE OF GEORGIA
TEXAS

06-08-031
SPECIAL WARRANTY DEED
KINCANNON FAMILY TRUST (30.00%)

Quintin S. Kincannon, Trustee  
James M. Kincannon, Trustee  
Milton E. Kincannon, Trustee  
Charles P. Kincannon, Trustee

ACKNOWLEDGMENT

STATE OF TEXAS §
COUNTY OF CAMERON §

THIS INSTRUMENT was acknowledged before me on the 2nd day of September, 2006 by Quintin S. Kincannon, Trustee of Kincannon Family Trust on behalf of said Trust.

WILLIAM A. FAULK
NOTARY PUBLIC, STATE OF TEXAS
My Commission Expires September 30, 2008

STATE OF TEXAS §
COUNTY OF CAMERON §

THIS INSTRUMENT was acknowledged before me on the 2nd day of September, 2006 by James M. Kincannon, Trustee of the Kincannon Family Trust on behalf of said Trust.

WILLIAM A. FAULK
NOTARY PUBLIC, STATE OF TEXAS
My Commission Expires September 30, 2008

06-08-031 SPECIAL WARRANTY DEED
STATE OF TEXAS
COUNTY OF CAMERON

THIS INSTRUMENT was acknowledged before me on the 2nd day of September, 2006 by Milton E. Kincannon, Trustee of the Kincannon Family Trust on behalf of said Trust.

WILLIAM A FAULK
My Commission Expires September 30, 2008
NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS
COUNTY OF CAMERON

THIS INSTRUMENT was acknowledged before me on the 23rd day of September, 2006 by Charles P. Kincannon, Trustee of the Kincannon Family Trust on behalf of said Trust.

WILLIAM A FAULK
My Commission Expires September 30, 2008
NOTARY PUBLIC, STATE OF TEXAS
STATE OF TEXAS
COUNTY OF CAMERON

THIS INSTRUMENT was acknowledged before me on the 2nd day of September, 2006 by Milton E. Kincannon.

WILLIAM A. FAULK
NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING RETURN TO:
MILTON E. KINCANNON
500 BOLIVAR AVENUE
RANCHO VIEJO TEXAS 78575
RFLF # 06-08-031

PREPARED IN THE LAW OFFICE OF:
THE RENTFRO FAULK LAW FIRM, LLP
185 E RUBEN M TORRES SR BLVD
BROWNSVILLE TEXAS 78520

06-08-031
SPECIAL WARRANTY DEED
METES AND BOUNDS DESCRIPTION
(133.86 ACRE TRACT CALC.)

BEING A 133.86 ACRE TRACT MORE OR LESS COMPRISED OF A 131.96 ACRE TRACT (CALC.) 127.5 ACRE TRACT, RECORDED IN VOLUME 599, PAGE 627, DEED RECORDS, CAMERON COUNTY, TEXAS, AND 1.90 ACRE TRACT COMPRISED OF LOTS 5 THRU 9, BLOCK 100 AS SHOWN ON MAP OF OLMITO RECORDED IN VOLUME 8, PAGE 83 CAMERON COUNTY MAP RECORDS, CAMERON COUNTY, TEXAS; Said 133.86 Acres, being more particularly located and described as follows:

BEGINNING, AT THE NORTHEAST CORNER OF A 48.704 ACRE TRACT (VOLUME 8560, PAGE 213-216, CAMERON COUNTY OFFICIAL RECORDS), AND THE NORTHWEST CORNER OF SAID 127.5 ACRE TRACT, SAME BEING A POINT ON THE SOUTH BOUNDARY LINE OF RANCHO VIEJO SUBDIVISION, SECTION I (VOLUME 28, PAGE 33-43 CAMERON COUNTY MAP RECORDS) FOR THE NORTHWEST CORNER OF THIS TRACT.

THENCE, ALONG THE COMMON LINE OF SAID 127.5 ACRE TRACT AND RANCHO VIEJO SUBDIVISION, SECTION I, SOUTH 82 DEG. 10 MIN. 38 SEC. EAST (CALC.) (E 82°38’00” E DEED), A DISTANCE OF 2243.42 FT. (CALC.) (2250.0’ DEED) TO THE SOUTHEAST CORNER OF SAID RANCHO VIEJO SUBDIVISION, SECTION I, AND THE EAST BOUNDARY LINE OF THE TOWN OF OLMITO (VOLUME 8, PAGE 83 CAMERON COUNTY MAP RECORDS) TO A CONCRETE MONUMENT FOUND, FOR A CORNER OF THIS TRACT.

THENCE, ALONG THE COMMON BOUNDARY LINE OF SAID RANCHO VIEJO SUBDIVISION, SECTION I AND THE TOWN OF OLMITO, NORTH 07 DEG. 16 MIN. 00 SEC. EAST, (CALC.) (N 07°16’00” E MAP) A DISTANCE OF 249.39 FT. (CALC.) (249.73’ MAP) TO THE SOUTH 100 FT. RAILROAD RIGHT-OF-WAY LINE OF ST. LOUIS BROWNsville AND JECOSO RAILROAD AND THE NORTHWEST CORNER OF LOT 9, BLOCK 100, OF THE TOWN OF OLMITO, FOR A POINT ON A CONCAVE CURVE WHOSE RADIUS POINT BEARS SOUTH 48 DEG. 23 MIN. 36 SEC. WEST A DISTANCE OF 2513.95 FT. TO A CONCRETE MONUMENT FOUND, FOR A CORNER OF THIS TRACT.

THENCE, ALONG THE SAID, SOUTH RAILROAD RIGHT-OF-WAY, SAME BEING THE NORTH BOUNDARY LINE OF SAID LOT 9, BLOCK 100, OF THE TOWN OF OLMITO AND SAID CURVE IN A SOUTHEAST DIRECTION AN ARC DISTANCE OF 298.81 FT. (CH: S 8°33’46” E 298.67 FT.), TO THE EAST BOUNDARY LINE OF LOT 8, BLOCK 100, OF THE TOWN OF OLMITO, SAME BEING THE WEST RIGHT-OF-WAY LINE OF LAKESIDE BOULEVARD (80 FT. RIGHT-OF-WAY), TO A 1/2” IRON ROD WITH AN ORANGE PLASTIC CAP STAMPED “AMBIOTEC 5301” SET, FOR A CORNER OF THIS TRACT.

THENCE, LEAVING THE SOUTH RAILROAD RIGHT-OF-WAY AND ALONG THE EAST BOUNDARY LINE OF LOTS 5 THRU 8, BLOCK 100, OF THE TOWN OF OLMITO, SAME BEING THE WEST RIGHT-OF-WAY LINE OF LAKESIDE BOULEVARD (80 FT. RIGHT-OF-WAY), SOUTH 98 DEG. 44 MIN. 34 SEC. WEST (CALC.) (S 98°44’35” W MAP), A DISTANCE OF 275.94 FT. TO THE SOUTHEAST CORNER OF LOT 8, BLOCK 100 OF THE TOWN OF OLMITO, TO A 1/2” IRON ROD WITH AN ORANGE PLASTIC CAP STAMPED “AMBIOTEC 5301” SET, FOR A CORNER OF THIS TRACT.

THENCE, ALONG THE SOUTH BOUNDARY LINE OF SAID LOT 5, BLOCK 100 OF THE TOWN OF OLMITO, NORTH 83 DEG. 14 MIN. WEST (CALC.) (N 83°16’ W, MAP), A DISTANCE OF 218.78 FT. (CALC.) (216.8’ MAP) TO THE EAST BOUNDARY LINE OF SAID SHARE 14, ESPRITU SANTO GRANT AND THE WEST BOUNDARY LINE OF THE TOWN OF OLMITO SAME BEING THE EAST BOUNDARY LINE OF SAID 127.5 ACRE TRACT, TO A 1/2” IRON ROD WITH AN ORANGE PLASTIC CAP STAMPED “AMBIOTEC 5301” SET, FOR A CORNER OF THIS TRACT.
THENCE, ALONG THE COMMON BOUNDARY LINE OF SAID 127.5 ACRE TRACT AND SAID TOWN OF OLMITO, SOUTH 07 DEG. 16 MIN. 00 SEC. WEST (CALC.) (6 07'25" W, DEED) A DISTANCE OF 665.44 FT. TO A BOUNDARY LINE AGREEMENT RECORDED IN (VOLUME 6131, PAGES 224-229 CAMERON COUNTY OFFICIAL RECORDS) FOR A CORNER OF THIS TRACT;

THENCE, ALONG SAID BOUNDARY LINE AGREEMENT, SOUTH 82 DEG. 03 MIN. 47 SEC. WEST, A DISTANCE OF 728.08 FT. (CALC.) (730.60' DEED) FOR A CORNER OF THIS TRACT;

THENCE, ALONG SAID BOUNDARY LINE AGREEMENT, SOUTH 44 DEG. 47 MIN. 45 SEC. WEST, A DISTANCE OF 320.81 FT. FOR A CORNER OF THIS TRACT;

THENCE, ALONG SAID BOUNDARY LINE AGREEMENT, SOUTH 07 DEG. 28 MIN. 43 SEC. WEST, A DISTANCE OF 1358.79 FT. FOR A CORNER OF THIS TRACT;

THENCE, ALONG SAID BOUNDARY LINE AGREEMENT, SOUTH 47 DEG. 15 MIN. 00 SEC. WEST, A DISTANCE OF 516.98 FT. FOR A CORNER OF THIS TRACT;

THENCE, ALONG SAID BOUNDARY LINE AGREEMENT, SOUTH 33 DEG. 28 MIN. 00 SEC. WEST, A DISTANCE OF 815.00 FT. TO THE WEST BOUNDARY LINE OF SAID 127.5 ACRE TRACT AS PER BOUNDARY LINE AGREEMENT, FOR THE MOST SOUTHERN CORNER OF THIS TRACT;

THENCE, ALONG THE WEST BOUNDARY LINE OF SAID 127.5 ACRE TRACT, NORTH 35 DEG. 37 MIN. 13 SEC. WEST (CALC.) (N 35°30' W, DEED) A DISTANCE OF 546.29 FT. (CALC.) (470.00' DEED), FOR A CORNER OF THIS TRACT;

THENCE, ALONG THE WEST BOUNDARY LINE OF SAID 127.5 ACRE TRACT, NORTH 16 DEG. 50 MIN. 00 SEC. WEST A DISTANCE OF 925.00 FT., FOR A CORNER OF THIS TRACT;

THENCE, ALONG THE WEST BOUNDARY LINE OF SAID 127.5 ACRE TRACT, NORTH 04 DEG. 10 MIN. 00 SEC. EAST A DISTANCE OF 1365.32 FT. TO THE SOUTHEAST CORNER OF SAID 46.704 ACRE TRACT, FOR A TOTAL DISTANCE OF 1690.00 FT. FOR A CORNER OF THIS TRACT;

THENCE, ALONG THE COMMON BOUNDARY LINE OF SAID 127.5 ACRE TRACT AND SAID 46.704 ACRE TRACT, NORTH 18 DEG. 05 MIN. 00 SEC. EAST, A DISTANCE OF 942.49 FT. TO THE POINT OF BEGINNING;

CONTAINING, 133.96 ACRES, MORE OR LESS, INCLUSIVE OF ANY AND ALL EASEMENTS, RESTRICTIONS, OR DEDICATIONS THAT MAY BE OF RECORD.

Vicente Mendez
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5301

STATE OF TEXAS
REGISTRATION NUMBER

5301

5301
After Recording Return to:

Milton E. Kincannon
500 Bolivar Avenue
Rancho Viejo, Texas 78575
OFFICIAL RECORDS
WATER RIGHTS PARTITION AGREEMENT

THE STATE OF TEXAS >
COUNTY OF CAMERON >

KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS, we, MILTON E. WENTZ, JR. and wife, JEANINE D. WENTZ, JACKLYN L. KINCAID and husband, QUINTIN S. KINCAID, have and hold in common Four Hundred Sixty (460) acres of Class "B" Water Rights in TMC Tract No. C-167 and are desirous of making partition of the same;

AND WHEREAS, said Tract No. C-167 is owned and described as follows:

1. 19.0 acres in Share 14, Espiritu Santo Grant, owned by MILTON E. WENTZ, JR. and wife, JEANINE ELIZABETH WENTZ as described in Deed from G. Philip Wardner, Trustees, dated July 7, 1955, recorded in Volume 599, Page 11, Deed Records, Cameron County, Texas.

2. 123.4 acres in Share 14, Espiritu Santo Grant owned by MILTON E. WENTZ, JR. and wife, JEANINE ELIZABETH WENTZ as described in Deed from G. Philip Wardner, Trustees, dated January 29, 1955, recorded in Volume 599, Page 623, Deed Records of Cameron County, Texas.

3. 150.43 acres in Share 14, Espiritu Santo Grant owned by MILTON E. WENTZ, JR. as his separate property, as described in Deed from G. Philip Wardner, Trustees, dated July 2, 1956, recorded in Volume 619, Page 355, Deed Records, Cameron County, Texas.

4. 127.5 acres in Share 14, Espiritu Santo Grant owned by QUINTIN S. KINCAID and wife, JACKLYN LOUISE KINCAID as described in Deed from G. Philip Wardner, Trustees, dated January 29, 1955, recorded in Volume 599, Page 627, Deed Records, Cameron County, Texas.

5. 166.64 acres in Share 14, Espiritu Santo Grant owned by JACKLYN LOUISE WENTZ KINCAID, as her separate property as described in Deed from G. Philip Wardner, Trustees, dated July 2, 1956, recorded in Volume 619, Page 353, Deed Records, Cameron County, Texas.

NOW, THEREFORE, in consideration of the covenants herein contained and the conveyance herein made and to effect such partition, IT IS HEREBY COVENANTED, GRANTED, CONCLUDED and AGREED by, between and among said parties and each of them covenants, grants, concludes, and agrees, for himself, themselves, his and their heirs, personal representatives, and assigns, that a partition of said Water Rights should be made as follows, to-wit:

1. The said MILTON E. WENTZ, JR. and wife, JEANINE D. WENTZ shall from henceforth have, hold, possess, and enjoy, in severalty, and to their heirs, personal representatives, and assigns, for their part, share, and proportion of said property, free from any and all claims of the other parties hereto, 113.36 acres of Class "B" Water Rights in TMC Tract No. C-167, located in Cameron County, Texas as described in Certificate of Adjudication No. 23-119, issued September 15, 1971 to MILTON E. WENTZ, JR., JEANINE D. WENTZ, QUINTIN S. KINCAID and JACKLYN L. KINCAID, recorded in Volume 3, Page 173, of the Appropriation of Water Rights Records of Cameron County, Texas.
And the other parties hereto, JACKLYN L. KINCANNON and husband, QUINTIN S. KINCANNON, have granted, released, confirmed, and conveyed, by these presents do hereby grant, release, confirm, and convey unto the said MILTON E. WENTZ, JR., and JEANNINE D. WENTZ, the 115.36 acres of Class "B" Water Rights above described.

TO HAVE AND TO HOLD the above described Water Rights, together with all and singular the rights and appurtenances thereto in anywise belonging and any right, title, and interest of the Grantees in and thereto, their heirs, personal representatives, and assigns forever; and the other parties hereto, JACKLYN L. KINCANNON and husband, QUINTIN S. KINCANNON, do bind themselves, their heirs, personal representatives, and assigns to warrant and forever defend all and singular the said Water Rights unto the said MILTON E. WENTZ, JR., and wife, JEANNINE D. WENTZ, their heirs, personal representatives and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, subject, however, as aforesaid.

2. The said JACKLYN L. KINCANNON and husband, QUINTIN S. KINCANNON, shall from henceforth have, hold, possess, and enjoy, in severalty, and to their heirs, personal representatives, and assigns, for their part, share, and proportion of the said property, free from any and all claims of the other parties hereto, 99.7 acres of Class "B" Water Rights in said WMC Track No. C-167 as described in Certificate of Adjudication No. 23-119, dated September 15, 1971 in favor of MILTON E. WENTZ, JR., JEANNINE D. WENTZ, QUINTIN S. KINCANNON and JACKLYN L. KINCANNON, recorded in Volume 3, Page 173 of the Appropriation of Water Rights Records of Cameron County, Texas.

And the other parties MILTON E. WENTZ, JR., and wife, JEANNINE D. WENTZ, have granted, released, confirmed and conveyed, and by these presents do hereby grant, release, confirm, and convey unto the said JACKLYN L. KINCANNON and husband, QUINTIN S. KINCANNON, the 99.7 acres of Class "B" Water Rights described above.

TO HAVE AND TO HOLD the above described Water Rights, together with all and singular the rights and appurtenances thereto in anywise belonging and any right, title, and interest of Grantees therein, unto the said JACKLYN L. KINCANNON and husband, QUINTIN S. KINCANNON, their heirs, personal representatives, and assigns for ever; and the other parties hereto, MILTON E. WENTZ, JR., and wife, JEANNINE D. WENTZ, do bind themselves, their heirs, personal representatives, and assigns to warrant and forever defend all and singular the said Water Rights unto the said JACKLYN L. KINCANNON and husband, QUINTIN S. KINCANNON, their heirs, personal representatives, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, subject, however, as aforesaid.

3. The said MILTON E. WENTZ, JR. (as his separate property) shall from henceforth have, hold, possess, and enjoy, in severalty, and to his heirs, personal representatives, and assigns, for his part, share, ad proportion of said property, free from any and all claims of the other parties hereto, 114.64 acres of Class "B" water rights in WMC Track No. C-167, located in Cameron County, Texas as described in Certificate of Adjudication No. 23-119, issued September 15, 1971 to MILTON E. WENTZ, JR., JEANNINE D. WENTZ, JACKLYN L. KINCANNON and QUINTIN S. KINCANNON.

And the other parties hereto, JACKLYN L. KINCANNON, QUINTIN S. KINCANNON, and JEANNINE D. WENTZ, have granted, released, confirmed, and conveyed, and by these presents do hereby grant,
release, confirm, and convey unto the said HILTON E. WENTZ, JR., as his separate property the 114.64 acres of Class "B" Water Rights above described.

TO HAVE AND TO HOLD the above described Water Rights, together with all and singular the rights and appurtenances thereto in anywise belonging and any right, title and interest of the Grantors in and thereto, their heirs, personal representatives, and assigns forever; and the other parties hereto, JACKLYN L. KINCAINON, QUINNIN S. KINCAINON, and JEANINE D. WENTZ, do bind themselves, their heirs, personal representatives, and assigns to warrant and forever defend all and singular the said Water Rights unto the said HILTON E. WENTZ, JR., his heirs, personal representatives and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, subject, however, as aforesaid.

6. The said JACKLYN L. KINCAINON (as her separate property) shall from henceforth have, hold, possess, and enjoy, in severalty, and to her heirs, personal representatives, and assigns, for their part, share, and proportion of the said property, free from any and all claims of the other parties hereto, 130.30 acres of Class "B" Water Rights in said TMC Tract No. C-167 as described in Certificate of Adjudication No. 23-119, dated September 15, 1971 in favor of HILTON E. WENTZ, JR., JEANINE D. WENTZ, QUINNIN S. KINCAINON and JACKLYN M. KINCAINON, recorded in Volume 3, Page 173 of the Appropriation of Water Rights Records of Cameron County, Texas.

And the other parties HILTON E. WENTZ, JR., JEANINE D. WENTZ, and QUINNIN S. KINCAINON, have granted, released, confirmed and conveyed, and by these presents do hereby grant, release, confirm and convey unto the said JACKLYN L. KINCAINON, the 130.30 acres of Class "B" Water Rights described above.

TO HAVE AND TO HOLD the above described Water Rights, together with all and singular the rights and appurtenances thereto in anywise belonging and any right, title, and interest of Grantors therein, unto the said JACKLYN L. KINCAINON, her heirs, personal representatives, and assigns forever; and the other parties hereto, HILTON E. WENTZ, JR., JEANINE D. WENTZ, QUINNIN S. KINCAINON, do bind themselves, their heirs, personal representatives, and assigns to warrant and forever defend all and singular the said Water Rights unto the said JACKLYN L. KINCAINON, her heirs, personal representatives, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, subject, however, as aforesaid.

IN WITNESS WHEREOF, we have hereunto set out hands this 10th day of October, A.D. 1991.

MILTON E. WENTZ, JR.  
JACKLYN L. KINCAINON

JEANINE D. WENTZ  
QUINNIN S KINCAINON
Dated 7/25/94
Gulf Gas Project
C. J. Jolin

Filed for Record

STATE OF TEXAS
COUNTY OF CAMERON
I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly recorded in the office and proper place of the nonrecorded RECORDS of Cameron County, Texas as stamped hereon by me.

[Signature]
County Clerk
Cameron County, Texas
OFFICIAL RECORDS
WATER RIGHTS PARTITION AGREEMENT

THE STATE OF TEXAS
COUNTY OF CAMERON

THAT, WHEREAS, we, MILTON E. WENTZ, JR. and wife, JEANNINE D. WENTZ, WILLIAM CHARLES WENTZ, DIANE W. BURDETTE, DAVID E. WENTZ, JACLYN L. KINCAINON, JAMES MICHAEL KINCAINON, CHARLES PATRICK KINCAINON, and MILTON EDWARD KINCAINON, have and hold in common Seven Hundred Thirty Five (735) acres of Class "B" Water Rights (423 acres in TWC Tract No. C-345 and 312 acres in TWC Tract No. C-346) and are desirous of making partition of the same;

NOW, THEREFORE, in consideration of the covenants herein contained and the conveyance herein made and to effect such partition, IT IS HEREBY COVENANTED, GRANTED, CONCLUDED and AGREED by, between and among said parties and each of them covenants, grants, concludes, and agrees, for himself, himself, his and their heirs, personal representatives, and assigns, that a partition of said Water Rights should be made as follows, to-wit:

1. The said MILTON E. WENTZ, JR. (1/4), JEANNINE D. WENTZ (1/4), WILLIAM CHARLES WENTZ (1/6), DIANE W. BURDETTE (1/6) and DAVID E. WENTZ (1/6), shall from henceforth have, hold, possess, and enjoy, in severalty, and to their heirs, personal representatives, and assigns, for their part, share, and proportion of said property, free from any and all claims of the other parties hereto, 367.5 acres of Class "B" Water Rights in TWC Tract No. C-345, located in Cameron County, Texas as described in Certificate of Adjudication No. 23-227, issued September 7, 1971 to MILTON E. WENTZ, JR. and JACLYN L. KINCAINON, recorded in Volume 3, Page 29, of the Appropriation of Water Rights Records of Cameron County, Texas.

And the other parties hereto, JACLYN L. KINCAINON, JAMES MICHAEL KINCAINON, CHARLES PATRICK KINCAINON and MILTON EDWARD KINCAINON, have granted, released, conveyed, and conveyed, and by these presents do hereby grant, release, convey, and convey unto the said MILTON E. WENTZ, JR. (1/4), JEANNINE D. WENTZ (1/4), WILLIAM CHARLES WENTZ (1/6), DIANE W. BURDETTE (1/6) and DAVID E. WENTZ (1/6) the 367.5 acres of Class "B" Water Rights above described.

TO HAVE AND TO HOLD the above described Water Rights, together with all and singular the rights and appurtenances thereunto in anywise belonging and any right, title, and interest of the Grantors in and thereto, their heirs, personal representatives, and assigns forever; and the other parties hereto, JACLYN L. KINCAINON, JAMES MICHAEL KINCAINON, CHARLES PATRICK KINCAINON and MILTON EDWARD KINCAINON, do bind themselves, their heirs, personal representatives, and assigns to warrant and forever defend all and singular the said Water Rights unto the said MILTON E. WENTZ, JR., JEANNINE D. WENTZ, WILLIAM CHARLES WENTZ, DIANE W. BURDETTE and DAVID E. WENTZ, their heirs, personal representatives and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, however, as aforesaid.

2. The said JACLYN L. KINCAINON (1/2), JAMES MICHAEL KINCAINON (1/6), CHARLES PATRICK KINCAINON (1/6) and MILTON...
EDWARD KINCAID (1/6) shall from henceforth have, hold, possess, and enjoy, in severalty, and to their heirs, personal representatives, and assigns, for their part, share, and proportion of the said property, free from any and all claims of the other parties hereto, 55.5 acres of Class "B" Water Rights in said TMC Tract No. C-345 and 312 acres of Class "B" Water Rights in said TMC Tract No. C-346 as described in Certificate of Adjudication No. 29-228, dated September 7, 1971 in favor of HILTON E. WENTZ, JR. and JACKLYN L. KINCAID, recorded in Volume 3, Page 31 of the Appropriation of Water Rights Records of Cameron County, Texas.

And the other parties HILTON E. WENTZ, JR., JEANNINE D. WENTZ, WILLIAM CHARLES WENTZ, DIANE W. BURDETTE and DAVID E. WENTZ, have granted, released, confirmed and conveyed, and by these presents do hereby grant, release, confirm, and convey unto the said JACKLYN L. KINCAID (1/2), JAMES MICHAEL KINCAID (1/6), CHARLES PATRICK KINCAID (1/6) and MICHAEL EDWARD KINCAID (1/6), the 367.3 acres of Class "B" Water Rights described above.

TO HAVE AND TO HOLD the above described Water Rights, together with all and singular the rights and appurtenances thereto in anywise belonging and any right, title, and interest of Grantors therein, unto the said JACKLYN L. KINCAID, JAMES MICHAEL KINCAID, CHARLES PATRICK KINCAID and HILTON EDWARD KINCAID, their heirs, personal representatives, and assigns for ever; and the other parties hereto, HILTON E. WENTZ, JR., JEANNINE D. WENTZ, WILLIAM CHARLES WENTZ, DIANE W. BURDETTE and DAVID E. WENTZ do bind themselves, their heirs, personal representatives, and assigns to warrant and forever defend all and singular the said Water Rights unto the said JACKLYN L. KINCAID, JAMES MICHAEL KINCAID, CHARLES PATRICK KINCAID and HILTON EDWARD KINCAID, their heirs, personal representatives, and assigns, against every person whosoever lawfully claiming or to claim the same or any part thereof, subject, however, as aforesaid.

IN WITNESS WHEREOF, we have hereunto set our hands this 10th day of January, A. D. 1991.

HILTON E. WENTZ, JR.        JACKLYN L. KINCAID
JEANNINE D. WENTZ            JAMES MICHAEL KINCAID
WILLIAM CHARLES WENTZ        CHARLES PATRICK KINCAID
DIANE W. BURDETTE        HILTON EDWARD KINCAID
DIANE W. BURDETTE        HILTON EDWARD KINCAID
DAVID E. WENTZ
THE STATE OF TEXAS
COUNTY OF

This instrument was acknowledged before me on this 6th day of June, A. D. 1991, by MILTON E. WENZ, JR.
November

[Signature]
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS
COUNTY OF

This instrument was acknowledged before me on this 6th day
of June, A. D. 1991, by JEANNIE D. WENZ.
November

[Signature]
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS
COUNTY OF

This instrument was acknowledged before me on this 6th day of June, A. D. 1991, by WILLIAM CHARLES WENZ.
November

[Signature]
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF FLORIDA
COUNTY OF LAKE

This instrument was acknowledged before me on this 14th day of June, A. D. 1991, by DIANE W. BURDETTE.
November

[Signature]
NOTARY PUBLIC, STATE OF FLORIDA

THE STATE OF TEXAS
COUNTY OF

This instrument was acknowledged before me on this 6th day of June, A. D. 1991, by DAVID E. WENZ.
November

[Signature]
NOTARY PUBLIC, STATE OF TEXAS
THE STATE OF TEXAS
COUNTY OF

This instrument was acknowledged before me on this 20th day of June, A. D. 1991 by JACQUELINE L. KINCANNON.

R. E. GREEN
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS
COUNTY OF

This instrument was acknowledged before me on this 10th day of June, A. D. 1991 by JAMES MICHAEL KINCANNON.

L. E. FLETCHER
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS
COUNTY OF

This instrument was acknowledged before me on this 15th day of June, A. D. 1991 by CHARLES PATRICK KINCANNON.

MELIA AFRICCO
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS
COUNTY OF

This instrument was acknowledged before me on this 10th day of June, A. D. 1991 by MILTON EDWARD KINCANNON.

B. M. HOLLAND
NOTARY PUBLIC, STATE OF TEXAS
AN ORDER combining the water rights owned by KinCannon Farms Partnership under Certificate of Adjudication No. 23-119 with other water rights owned by the partnership under Certificate No. 23-227 and Certificate No. 23-228, to be so designated by an amendment to Certificate No. 23-119.

An application by KinCannon Farms Partnership was presented to the Executive Director of the Texas Natural Resource Conservation Commission for consideration of Approval. The applicant requests to combine water rights owned by KinCannon Farms Partnership and authorized by Certificate No. 23-119 with other water rights owned by the partnership and authorized by Certificate Nos. 23-227 and 23-228.

The Commission has jurisdiction to consider this matter and after hearing all of the evidence pertaining to the matter, the Commission is of the opinion and so finds that the water rights owned by KinCannon Farms Partnership under the aforementioned certificates should be combined under Certificate No. 23-119 and should be so designated by amending Certificate No. 23-119 and designating such amendment as Certificate No. 23-119A.
NOW, THEREFORE, BE IT ORDERED BY THE TEXAS NATURAL RESOURCE
CONSERVATION COMMISSION that the water rights owned by KinCannon Farms
Partnership authorized by Certificate No. 23-119 are hereby combined with other water
rights owned by the partnership under Certificate Nos. 23-227 and 23-228 and are to be
so designated by amending said Certificate No. 23-119 and designating such amendment
as Certificate No. 23-119A.

All other terms and conditions contained in the aforesaid certificates which are not
specifically contrary to the terms of Certificate No. 23-119, as herein combined and to be
so designated as Certificate No. 23-119A by amendment, shall remain in full force and
effect.

The Chief Clerk of the Commission is directed to forward a certified copy of this
order to KinCannon Farms Partnership and to the Commission Records Systems file of all
three of the certificates herein combined.

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

[Signature]
William R. Campbell
For the Commission

DATE ISSUED: OCT 31 1994

ATTEST:

[Signature]
Gloria A. Vasquez, Chief Clerk

return to
KinCannon Farms
500 Belvior Ave
Rancho Viejo TX 78575
UTILITY EASEMENT

THE STATE OF TEXAS
COUNTY OF CAMERON

OFFICIAL RECORDS

KNOW ALL MEN BY THESE PRESENTS:

That KinCannon Farms Partnership hereinafter called Grantors for the sum of $10.00 and other valuable considerations paid by Olmito Water Supply Corporation hereinafter called Grantee, do hereby grant, sell and convey unto Grantee a Utility Easement upon and across the following described property of the Grantors;

Being a Utility Easement twenty (20) feet in width and two hundred (200) feet in length over and across a portion of a 127.5 acre tract of land out of Share 14 Espiritu Santo Grant, Cameron County, Texas, a being more particularly described;

BEGINNING at a point on the East line of Share 14, same being the Southeast corner of a certain 174 acre tract conveyed to L. H. Prichard and recorded in Volume 312, Page 423-424, of the Deed Records of Cameron County, Texas, for the Northeast corner hereof, said point also being the Northwest corner of Lot 8, Block 100 of the Original Townsite of Olmito;

THENCE, North 82 degrees 35 minutes West along the South line of said 174 acre tract, a distance of 200 feet to a point for a corner;

THENCE, South 7 degrees 25 minutes West, a distance of 20.00 feet to a point for a corner;

THENCE, South 82 degrees 35 minutes West, a distance of 200 feet to a point for a corner in the East line of Share 14 and the West line of Lot 8, Block 100 of the Original Townsite of Olmito to a point for a corner;

THENCE, North 7 degrees 25 minutes East, along the East line of Share 14, a distance of 20.00 feet to the point of beginning. Also a temporary construction easement of fifty (50) feet in width is granted along the South line of said Utility Easement to become void after construction of a water line and its appurtenances.

The Utility Easement, rights, and privileges herein granted shall be used only for the purpose of placing, constructing, operating, repairing, maintaining, rebuilding, replacing, relocating and removing water and sewer lines.

In addition to the easement, rights, and privileges herein conveyed, Grantee shall have the right to use so much of the surface of the herein-before-described property of the Grantors as may be reasonably necessary to construct and install within the Utility Easement granted hereby the facilities contemplated.

The easement, rights, and privileges granted hereunder shall terminate when, or at such time, as the purposes hereof cease to exist, are abandoned by Grantee.

EXECUTED this 24th day of January, 1977.

James M. KinCannon
Charles P. KinCannon

Jackyl M. KinCannon
Melton E. KinCannon
THE STATE OF TEXAS
COUNTY OF CAMERON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared JAMES M. KINGHAMON

known to me to be the person(s) whose names are subscribed to the foregoing instrument and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 13

day of JUNE, A.D. 1997

[Signature]

BERNETTA SCOTT
COMMISSION EXPIRES OCTOBER 21, 2000
Notary Public in and for Cameron County, Texas

THE STATE OF TEXAS
COUNTY OF CAMERON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared JACKLYN H. KINGHAMON

known to me to be the person(s) whose names are subscribed to the foregoing instrument and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 13

day of JUNE, A.D. 1997

[Signature]

BERNETTA SCOTT
COMMISSION EXPIRES OCTOBER 21, 2000
Notary Public in and for Cameron County, Texas

WHEN FILED RETURN TO:
Ottimo Water Supply Corporation
P. O. Box 36
Ottimo, Texas 78575-0036
THE STATE OF TEXAS
COUNTY OF CAMERON

BEFORE ME, the undersigned authority, a Notary Public in and for said County
and State, on this day personally appeared CHARLES P. EICARION

known to me to be the person(s) whose names are subscribed to the foregoing instrument
and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 24th
day of ______________, A.D. 1927

[Signature]

Notary Public in and for
Cameron County, Texas

THE STATE OF TEXAS
COUNTY OF CAMERON

BEFORE ME, the undersigned authority, a Notary Public in and for said County
and State, on this day personally appeared ELODEE E. EICARION

known to me to be the person(s) whose names are subscribed to the foregoing instrument
and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 30th
day of ______________, A.D. 1927

[Signature]

Notary Public in and for
Cameron County, Texas

WHEN FILED RETURN TO:
Olmusto Water Supply Corporation
P. O. Box 36
Olmusto, Texas 78575-0036
THE STATE OF TEXAS
COUNTY OF CAMERON

BEFORE ME, the undersigned authority, a Notary Public in and for said County
and State, on this day personally appeared QUINTIN S. KIN CANNON
known to me to be the person(s) whose names are subscribed to the foregoing instrument
and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 13____
day of JUNE, A.D., 19____

BERNETTAScott
COMMISSION EXPIRES
OCTOBER 21, 2000
Notary Public in and for
Cameron County, Texas

THE STATE OF TEXAS
COUNTY OF CAMERON

BEFORE ME, the undersigned authority, a Notary Public in and for said County
and State, on this day personally appeared _________________
known to me to be the person(s) whose names are subscribed to the foregoing instrument
and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the ______
day of ________________, A.D., 19____

____________________
Notary Public in and for
Cameron County, Texas

WHEN FILED RETURN TO:
Olmito Water Supply Corporation
P.O. Box 36
Olmito, Texas 78575-0036
UTILITY EASEMENT

OFFICIAL RECORDS

THE STATE OF TEXAS  

COUNTY OF CAMERON  

KNOW ALL MEN BY THESE PRESENTS:

That KinCannon Farms hereinafter called Grantors for the sum of $10.00 and other valuable considerations paid by Olmito Water Supply Corporation hereinafter called Grantee, do hereby grant, sell and convey unto Grantee a Utility Easement upon and across the following described property of the Grantors;

Being a strip of land for Utility Easement twenty (20) feet in width along the North line of lot 8, Block 100 approximately 214.2 feet in length as recorded on map #4821 (Olmito Original Townsite) same being recorded in a Sheriff's Deed dated July 22, 1996 and recorded in Volume 3956, Page 139 of the deed records of Cameron County, Texas, also a temporary construction easement of fifty (50) feet in width is granted along the South line of said Utility Easement to become void after construction of a water line and its appurtenances.

The Utility Easement, rights, and privileges herein granted shall be used only for the purpose of placing, constructing, operating, repairing, maintaining, rebuilding, replacing, relocating, and removing water and sewer lines.

In addition to the easement, rights, and privileges herein conveyed, Grantee shall have the right to use so much of the surface of the herein-before-described property of the Grantors as may be reasonably necessary to construct and install within the Utility Easement granted hereby the facilities contemplated.

The easement, rights, and privileges granted hereunder shall terminate when, or at such time, as the purposes hereof cease to exist, are abandoned by Grantee.

EXECUTED this 24th day of January, 1997

James M. KinCannon  
Charles P. KinCannon

Jacklyn L. KinCannon  
Mildred E. KinCannon

Dwight F. KinCannon
THE STATE OF TEXAS

COUNTY OF CAMERON —Dallas—

BEFORE ME, the undersigned authority, a Notary Public in and for said County
and State, on this day personally appeared JAMES H. KINCARNON

known to me to be the person(s) whose names are subscribed to the foregoing instrument
and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 13

day of June, A.D., 1999

[Signature]

Notary Public in and for
Cameron County, Texas

THE STATE OF TEXAS

COUNTY OF CAMERON —Dallas—

BEFORE ME, the undersigned authority, a Notary Public in and for said County
and State, on this day personally appeared JACOB L. KINCARNON

known to me to be the person(s) whose names are subscribed to the foregoing instrument
and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 13

day of June, A.D., 1999

[Signature]

Notary Public in and for
Cameron County, Texas

WHEN FILED RETURN TO:

Olmito Water Supply Corporation
P. O. Box 36
Olmito, Texas 78575-0036
THE STATE OF TEXAS
COUNTY OF CAMERON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared CHARLES P. KINCAID

known to me to be the person(s) whose names are subscribed to the foregoing instrument and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 24th
day of June, A.D. 1897

[Signature]

Notary Public in and for Cameron County, Texas

THE STATE OF TEXAS
COUNTY OF CAMERON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared MELTON E. KINCAID

known to me to be the person(s) whose names are subscribed to the foregoing instrument and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 30th
day of July, A.D. 1927

[Signature]

Notary Public in and for Cameron County, Texas

WHEN FILED RETURN TO:
Olmile Water Supply Corporation
P. O. Box 36
Olmile, Texas 78575-0036
THE STATE OF TEXAS
COUNTY OF CAMERON, DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Quintin S. Kincannon known to me to be the person(s) whose names are subscribed to the foregoing instrument and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the __________ day of ________________, A.D., 19__

[Signature]

BERNETTA SCOTT
COMMISSION EXPIRES OCTOBER 21, 2003
[Stamp]

Notary Public in and for Dallas Cameron County, Texas

THE STATE OF TEXAS
COUNTY OF CAMERON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared ___________________________

known to me to be the person(s) whose names are subscribed to the foregoing instrument and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the __________

day of ____________________, A.D., 19__

[Signature]

Notary Public in and for Cameron County, Texas

WHEN FILED RETURN TO:
Omaha Water Supply Corporation
P. O. Box 36
Omaha, Texas 78575-0036

[Stamp]
OFFICIAL RECORDS

THE STATE OF TEXAS

COUNTY OF CAMERON

GRANT OF EASEMENT

KNOW ALL MEN THESE PRESENTS:

That the undersigned, Quintin S. KinCannon, General Partner of KinCannon Farms Partnership, of the County of Cameron and the State of Texas, for and in consideration of the sum of One and No/100 (1.00) Dollar, and other valuable considerations paid to KinCannon Farms Partnership by the grantee, Cameron County Drainage District Number One, the receipt of which is hereby acknowledged and confessed, does hereby Grant, Sell and Convey unto Cameron County Drainage District Number One, hereinafter referred to as District, the easements and rights-of-way upon and across the property consisting of Parcel 1, Parcel 2, Parcel 3 and Parcel 4 as shown and described in the attached Exhibit "A". The easements and rights-of-way are for the purposes described as follows:

PARCEL 1

Parcel 1 is for the purpose of maintaining a drainage channel of the depth and width deemed appropriate by the District, for a "maintenance way" along the channel, and for storage of excess material excavated from the channel during construction or maintenance of the channel. Such excess material will belong to the Grantor, its successor or assigns, except that if the material is required to be removed from the easement and right-of-way in order to construct and maintain the channel, the Grantor shall, either allow the District to move the material on land adjacent to the right-of-way or other sites agreeable to the District, or the District shall be allowed to dispose of the excess material off of the Grantor's property in a manner advantageous to the District.

PARCEL 2

Parcel 2 is for the purpose of maintaining a drainage channel of the depth and width deemed appropriate by the District, for a "maintenance way" along the channel, and for storage of excess material excavated from the channel during construction or maintenance of the channel. Such excess material will belong to the Grantor. Its successor or assigns, except that if the material is required to be removed from the easement and right-of-way in order to construct and maintain the channel, the Grantor shall, either allow the District to move the material on land adjacent to the right-of-way or other sites agreeable to the District, or the District shall be allowed to dispose of the excess material off of the Grantor's property in a manner advantageous to the District.

The District will be only allowed to transport storm water
over this parcel above Elevation 28.60 feet (mean sea level, 1929 datum). The District shall construct a weir with a overflow elevation of elevation 28.60 at the outfall of this Parcel 2 into Parcel 3. The District shall install and maintain a 36 inch gate valve as part of the weir structure. The Grantor shall be responsible for opening and closing the 36" gate as appropriate.

PARCELS 3 & 4

Parcels 3 and 4 are for the purpose of maintaining a drainage channel of the depth and width deemed appropriate by the District, for a "maintenance way" along the channel, and for storage of excess material excavated from the channel during construction or maintenance of the channel. Such excess material will belong to the Grantor, its successors or assigns, except that if the material is required to be removed from the easement and right-of-way in order the construct and maintain the channel, the Grantor shall, either allow the District to move the material onto Grantor's land adjacent to the right-of-way or other sites agreeable to the District, or the District shall be allowed to dispose of the excess material off of the Grantor's property in a manner advantageous to the District.

The District will be only allowed to transport storm water over Parcel 3 and 4 above Elevation 28.60 feet (mean sea level, 1929 datum). The District shall construct a weir with a overflow elevation of elevation 29.30 at the outfall of Parcel 3 into Parcel 2. The District shall install and maintain a 36 inch gate valve as part of the weir structure. The Grantor shall be responsible for opening and closing the 36" gate as appropriate.

Crossings:

District will provide and maintain two road crossings and a canal crossing across Parcel 1.

District will provide and maintain one road crossing across Parcel 2.

District will provide and maintain no crossings across Parcel 3.

District will provide and maintain one road crossing across Parcel 4.

Access to Public Roads:

In the event that Cameron County Commissioners Court, prior to January 1, 2009, passes weight limitations preventing KinCannon Farms Partnership from using Lakeside Boulevard as access, from Lots 3 and 6 of Block 100 of the Townsite of Olimo as recorded in Volume 8, Page 83 of the Map Records of Cameron County, to the intersection of FM-511 and US 77-83 Expressway, District will participate in removing such weight limitations or in acquiring alternate access. The cost of such participation by the District shall not exceed $20,000.00 (twenty thousand dollars).
As a consideration for granting this easement and right-of-way the District hereby releases all other easements previously conveyed to or claimed by the District on and across the Grantor's land south of FM-1732 in Share 14, of the Espiritu Santo Grant as described in a Quitclaim Deed unto Kincannon Farms Partnership recorded in Volume 2438, Page 64 of the Official Records of Cameron County.

Provided, however, this Grant of Easement is subject to the rights-of-way and easements heretofore granted across this property and of record and such rights-of-way and easements as may be visible and apparent on the ground.

The right-of-way easement, and privileges herein granted shall only be for the purposes described above including the placing, constructing, operating, repairing, and maintaining a drainage ditch and/or channels existing or planned to be constructed by Cameron County Drainage District Number One and its contractors, agents, servants and employees.

The right-of-way easement, rights, and privileges herein granted, shall continue in existence only for so long as the drainage ditch and channel shall be operated, used, and maintained by Cameron County Drainage District Number One, and its successors and assigns.

IN WITNESS WHEREOF, this instrument is executed this 1st of Dec., 1998 and agreed to and accepted by Cameron County Drainage District Number One this 2nd Day of Dec., 1998.

By: Quintin S. Kincannon
General Partner
Kincannon Farms

By: Sam Sato
President
Cameron County Drainage District Number One

Grantee's Address:
Cameron County Drainage District Number One
C/o Holdar-Garcia and Associates
755 Land o' Lakes Drive
Brownsville, Texas, 78521
THE STATE OF TEXAS
COUNTY OF CAMERON

Before me, the undersigned notary, on this day personally appeared Sam Sato, President of the Board of Directors of Cameron County Drainage District Number One, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of Cameron County Drainage District Number One, and that he has executed the same as the act of said District for the purposes and consideration therein expressed, and in the capacities therein stated.

Given under my hand and seal of office this the 2nd day of December, 1998.

J. L. Holdar
Notary public in and for the State of Texas

THE STATE OF TEXAS
COUNTY OF CAMERON

Before me, the undersigned notary, on this day personally appeared Quintin S. KinCannon, General Partner of KinCannon Farms Partnership, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of KinCannon Farms Partnership, and that he has executed the same as the act of said Partnership for the purposes and consideration therein expressed, and in the capacities therein stated.

Given under my hand and seal of office this the 23rd day of November, 1998.

Hilda Salazar
Notary public in and for the State of Texas
EXHIBIT "A"

PARCEL I

DRAINAGE DITCH RIGHT-OF-WAY

Being 22,370 acres out of a 525.918 acre tract conveyed to Jacklyn L. Kincannon, James Michael Kincannon, Charles Patrick Kincannon and Milton Edward Kincannon by William A. Faulk, Trustees by a special warranty deed recorded in Volume 1512, Page 183 of the Official Records of Cameron County, Texas. Said 22,370 acres being more particularly described and located as follows:

Beginning at the intersection of the center line of Cameron County Drainage District 2 Main Drain Number Three and the east line of Share 14, Espiritu Santo Grant and the east line of said 525.918 acre tract. Said intersection being the southwest corner of Block 4 of Olmito Gardens Tract No. 3 as recorded in Volume 8, Page 17 of the Map Records of Cameron County, Texas;

1. Thence, South 7 degrees 18 minutes West, along the east line of said 525.918 acre tract and the west line of said Olmito Gardens Tract No. 3, a distance of 1,268.36 feet to a iron pin set;

2. Thence, South 79 degrees 04 minutes West, a distance of 2,177.00 feet to a iron pin set;

3. Thence, North 70 degrees 28 minutes West, a distance of 270.28 feet to a iron pin set on the boundary of said 525.918 acre tract and the center line of Rancho Viejo Kesaca;

4. Thence, North 61 degrees 12 minutes 26 seconds East, along the boundary of said 525.918 acre tract, a distance of 100.41 feet to a point in the centerline of Main Drain Number Three;

5. Thence, continuing along the boundary of said 525.918 acres tract and said center line, North 70 degrees 28 minutes West, a distance of 100.96 feet to a point for a corner;

6. Thence, continuing along the boundary of said 525.918 acres tract and said center line, North 19 degrees 51 minutes West, a distance of 364.29 feet to a point for a corner;

7. Thence, continuing along the boundary of said 525.918 acres tract and said center line, North 27 degrees 05 minutes West, a distance of 391.78 feet to a point for a corner;

8. Thence, continuing along the boundary of said 525.918 acres tract and said center line, North 34 degrees 11 minutes West, a distance of 409.21 feet to a point for a corner;

9. Thence, continuing along the boundary of said 525.918 acres tract and said center line, North 43 degrees 08 minutes West, a distance of 308.79 feet to a point for a corner;

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10. Thence, continuing along the boundary of said 525.918 acres tract and said center line, North 53 degrees 53 minutes West, a distance of 101.93 feet to a point for a corner;

11. Thence, leaving said center line, continuing with the boundary of said 525.918 acres tract, North 7 degrees 38 minutes East, a distance of 85.33 feet to a iron pin set;

12. Thence, South 53 degrees 53 minutes East, a distance of 149.68 feet to a iron pin set;

13. Thence, South 43 degrees 08 minutes East, a distance of 321.72 feet to a iron pin set;

14. Thence, South 34 degrees 11 minutes East, a distance of 419.73 feet to a iron pin set;

15. Thence, South 27 degrees 05 minutes East, a distance of 401.17 feet to a iron pin set;

16. Thence, South 19 degrees 51 minutes East, a distance of 313.57 feet to a iron pin set;

17. Thence, South 70 degrees 28 minutes East, a distance of 228.16 feet to a iron pin set;

18. Thence, North 79 degrees 04 minutes East, a distance of 2,027.64 feet to a iron pin set;

19. Thence, North 7 degrees 18 minutes East, a distance of 1,037.30 feet to a iron pin set;

20. Thence, South 80 degrees 50 minutes West, a distance of 2,066.98 feet to a iron pin set in a line approximately 75.00 feet east from the center of "low line" irrigation canal;

21. Thence, North 3 degrees 51 minutes East along said line, a distance of 133.96 feet to a iron pin set;

22. Thence, North 80 degrees 50 minutes East, a distance of 2,253.06 feet to a iron pin set in the east line of said 525.918 acres tract and the west line of said Block 4;

23. Thence, South 7 degrees 18 minutes West, along the east line of said 525.918 acres tract, a distance of 78.21 feet to the Place of Beginning;

Containing 22.370 acres of which 19.9 acres more or less is existing drainage ditch easement.
PARCEL 2

STORM WATER TRANSPORTATION AND
DRAINAGE DITCH RIGHT-OF-WAY
ABOVE ELEVATION 28.6 MLS (1929 datum)

Being 16.330 acres out of a 525.918 acres tract conveyed to
Jacklyn L. Kincannon, James Michael Kincannon, Charles Patrick
Kincannon and Milton Edward Kincannon by William A. Faulk, Trustee
by a special warranty deed recorded in Volume 1512, Page 183 of the
Official Records of Cameron County, Texas. Said 16.330 acres being
more particularly described and located as follows:

Commencing at the intersection of the center line of Cameron
County Drainage District No. 1 Main Drain Number Three and the east line
of Share 14, Espiritu Santo Grant and the east line of said 525.918
acres tract. Said intersection being the southwest corner of Block
4 of Olmito Gardens Tract No. 3 as recorded in Volume 8, Page 17 of
the Map Records of Cameron County, Texas. North 7 degrees 18
minutes East along the east line of said 525.918 acres tract and
the west line of said Block 4, a distance of 78.21 feet to a iron
pin set for a corner of Parcel 1. Thence, South 80 degrees 50
minutes West along the north line of Parcel 1, a distance of
2,253.06 feet to a iron pin set for a corner of Parcel 1 and the
Place of Beginning of this 16.330 acres tract;

1. Thence, South 3 degrees 51 minutes West, along the line of
Parcel 1, a distance of 153.96 feet to a iron pin set;

2. Thence, South 80 degrees 50 minutes West, crossing the "low
line canal", a distance of 153.96 feet to a iron pin set;

3. Thence, North 3 degrees 51 minutes East, a distance of
1,425.76 feet to a point on the boundary of said 525.918 acres tract
and the center line of Rancho Viejo Resaca;

4. Thence, South 76 degrees 18 minutes 42 seconds East, along the
boundary of said 525.918 acres tract, a distance of 88.30 feet to a point in the centerline of Rancho Viejo Resaca for a corner;

5. Thence, continuing along the boundary of said 525.918 acres
tract and said center line, North 70 degrees 35 minutes 26 seconds
East, a distance of 363.03 feet to a point for a corner;

6. Thence, continuing along the boundary of said 525.918 acres
tract and said center line, North 45 degrees 37 minutes East, a
distance of 750.00 feet to a point for a corner;

7. Thence, continuing along the boundary of said 525.918 acres
tract and said center line, North 26 degrees 37 minutes East, a
distance of 800.00 feet to a point for a corner;

8. Thence, continuing along the boundary of said 525.918 acres

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tract and said center line, North 9 degrees 37 minutes East, a
distance of 800.00 feet to a point for a corner;

9. Thence, continuing along the boundary of said 525.918 acres
tract and said center line, North 12 degrees 23 minutes West, a
distance of 1,850.00 feet to a point for a corner;

10. Thence, continuing along the boundary of said 525.918 acres
tract and said center line, North 7 degrees 37 minutes East, a
distance of 775.00 feet to a point for a corner;

11. Thence, continuing along said centerline, continuing with the
boundary of said 525.918 acres tract, North 57 degrees 37 minutes
East, a distance of 385.00 feet for a corner;

12. Thence, continuing along said centerline, continuing with the
boundary of said 525.918 acres tract, South 83 degrees 23 minutes
East, a distance of 300.00 feet for a corner;

13. Thence, along the centerline of channel connection Rancho
Viejo Resaca to another resaca, continuing with the boundary of
said 525.918 acres tract, North 15 degrees 12 minutes East, a
distance of 863.44 feet to a point for a corner;

14. Thence, South 74 degrees 48 minutes East, a distance of 75.00
feet to a iron pin set;

15. Thence, South 15 degrees 12 minutes West, a distance of 927.97
feet to a point in Rancho Viejo Resaca for a corner;

16. Thence, North 83 degrees 23 minutes West, a distance of 323.10
feet to a point in Rancho Viejo Resaca for a corner;

17. Thence, South 57 degrees 37 minutes East, a distance of 322.47
feet to a point in Rancho Viejo Resaca for a corner;

18. Thence, South 7 degrees 37 minutes West, a distance of 541.68
feet to a point in Rancho Viejo Resaca for a corner;

19. Thence, South 12 degrees 23 minutes East, a distance of
1,851.35 feet to a point in Rancho Viejo Resaca for a corner;

20. Thence, South 9 degrees 37 minutes West, a distance of 825.79
feet to a point in Rancho Viejo Resaca for a corner;

21. Thence, South 26 degrees 37 minutes West, a distance of 823.76
feet to a point in Rancho Viejo Resaca for a corner;

22. Thence, South 45 degrees 37 minutes West, a distance of 779.16
feet to a point in Rancho Viejo Resaca for a corner;

23. Thence, South 70 degrees 35 minutes 26 seconds West, a
distance of 343.30 feet to a point in Rancho Viejo Resaca for a corner;

24. Thence, South 3 degrees 51 minutes West, along a line approximately 75.00 feet east of the center line of the "low line canal" a distance of 1,167.48 feet to the Place of Beginning:

Containing 16.330 acres more or less.

PARCEL 3
STORM WATER TRANSPORTATION AND
DRAINAGE DITCH RIGHT-OF-WAY
ABOVE ELEVATION 29.3 msl (1929 datum)

Being 3.239 acres out of a 525.918 acres tract conveyed to Jacklyn L. Kincannon, James Michael Kincannon, Charles Patrick Kincannon and Milton Edward Kincannon by William A. Faulk, Trustee by a special warranty deed recorded in Volume 1512, Page 183 of the Official Records of Cameron County, Texas. Said 3.239 acres being more particularly described and located as follows:

Beginning at a iron pin set for the northwest corner of said 525.918 acres tract. Said corner being in the center line of FM-1732, and North 82 degrees 45 minutes West, 2,385.62 feet from the northeast corner of said 525.918 acres tract;

1. Thence, South 82 degrees 45 minutes East, along the north line of said 525.918 acres tract and the center line of FM-1732, a distance of 75.13 feet to a iron pin set;

2. Thence, South 10 degrees 37 minutes 38 seconds West, at distance of 40.06 feet a iron pin set, a total distance of 208.47 feet to a point in a resaca for a corner;

3. Thence, South 37 degrees 10 minutes 07 seconds East, a distance of 319.26 feet to a point for a corner;

4. Thence, South 46 degrees 51 minutes 57 seconds East, a distance of 332.47 feet to a point for a corner;

5. Thence, South 59 degrees 31 minutes 14 seconds East, a distance of 314.38 feet to a point for a corner;

6. Thence, South 67 degrees 32 minutes 41 seconds East, a distance of 434.58 feet to a point for a corner;

7. Thence, South 15 degrees 12 minutes West, a distance of 208.38 feet to a iron pin set for a corner;

8. Thence, North 74 degrees 48 minutes West, a distance of 75.00 feet to a point in the boundary of said 525.918 acres tract and
center line of a channel connecting the resaca to Rancho Viejo Resaca for a corner;

9. Thence, along the boundary of said 525.918 acres tract, North 15 degrees 12 minutes East, a distance of 148.06 feet to a point for

a corner;

10. Thence, continuing along the boundary of said 525.918 acres tract, North 67 degrees 32 minutes 41 seconds West, a distance of 433.40 feet to a point for a corner;

11. Thence, continuing with the boundary of said 525.918 acres tract, North 59 degrees 31 minutes 14 seconds West, a distance of 287.22 feet for a corner;

12. Thence, continuing with the boundary of said 525.918 acres tract, North 46 degrees 51 minutes 57 seconds West, a distance of 347.15 feet for a corner;

13. Thence, continuing with the boundary of said 525.918 acres tract, North 37 degrees 10 minutes 07 seconds West, a distance of 358.85 feet to a point for a corner;

14. Thence, North 10 degrees 37 minutes 38 seconds East, a distance of 327.27 feet to the Place of Beginning;

Containing 3.239 acres more or less.

PARCEL 4

Being a 15.067 acres tract in a 127.5 acres tract conveyed to Kincannon Farms Partnership by Quintin S. Kincannon and wife, Jacklyn Louise Kincannon by a Quitclaim deed recorded in Volume 2458, Page 73, a 166.4 acres tract conveyed to Kincannon Farms Partnership by Quintin S. Kincannon and wife, Jacklyn Louise Kincannon by a Quitclaim deed recorded in Volume 2458, Page 70, and a swap tract conveyed to Kincannon Farms Pedro Erasmo Gonzalez and Juanita C. Gonzalez by a "Boundary Line Agreement" recorded in Volume 4158, Page 121 of the Official Records of Cameron County, Texas, all in Share 14 of Espiritu Santo Grant in Cameron County, Texas. Said 15.067 acres tract being more particularly located and described as follows:

Commencing at the intersection of the north right-of-way line of FM-1732 and the west line of said Share 14, a iron pin with a yellow cap stamped "HGA" found South 7 degrees 34 minutes West, 0.35 feet from said intersection, thence, North 7 degrees 56 minutes East, along the west line of said Share 14, a distance of 2,815.02 feet to a iron pin with a yellow cap stamped "HGA" set for southwest corner of said 166.84 acres tract and the Place of Beginning of this 15.067 acres tract;
1. Thence, North 7 degrees 56 minutes West, along the west line of said 166.84 acres tract, a distance of 521.91 feet to a iron pin with a yellow cap stamped "HGA" set for a corner;

2. Thence, South 86 degrees 58 minutes East, a distance of 602.59 feet to a iron pin with a yellow cap stamped "HGA" set for a corner;

3. Thence, North 71 degrees 54 minutes East, a distance of 411.60 feet to a iron pin with a yellow cap stamped "HGA" set for a corner;

4. Thence, South 83 degrees 53 minutes East, a distance of 936.00 feet to a point in Rancho Viejo Rosaca for a corner;

5. Thence, South 10 degrees 35 minutes East, a distance of 748.78 feet for a corner;

6. Thence, South 35 degrees 30 minutes East, a distance of 352.92 feet to a point for a corner;

7. Thence, North 36 degrees 35 minutes East, along a line 75.00 feet northwesterly from the west line of said 127.5 acres tract, a distance of 582.25 feet to a iron pin with a yellow cap stamped "HGA" set for a corner;

8. Thence, South 88 degrees 18 minutes East, a distance of 91.37 feet to a point in the east line of said 127.5 acres tract and the center line of a canal;

9. Thence, South 36 degrees 35 minutes West, along the east line of said 127.4 acres tract, a distance of 737.564 feet for a corner;

10. Thence, South 35 degrees 30 minutes East, a distance of 78.82 feet for a corner;

11. Thence, South 36 degrees 35 minutes West, a distance of 78.82 feet for a corner;

12. Thence, North 35 degrees 30 minutes West, a distance of 583.67 feet for a corner;

13. Thence, North 16 degrees 50 minutes West, a distance of 674.06 feet for a corner;

14. Thence, North 83 degrees 53 minutes West, a distance of 807.22 feet to a iron pin with a yellow cap stamped "HGA" set for a corner;

15. Thence, South 71 degrees 54 minutes West, a distance of 407.90 feet to a iron pin with a yellow cap stamped "HGA" set for a corner.
16. Thence, North 86 degrees 58 minutes West, a distance of 489.72 feet to a iron pin with a yellow cap stamped "ROA" set for a corner.

17. Thence, South 7 degrees 56 minutes West, a distance of 473.19 feet to a iron pin with a yellow cap stamped "ROA" set for a corner.

18. Thence, South 41 degrees 05 minutes East, a distance of 1,032.84 feet to a iron pin with a yellow cap stamped "ROA" set in the south line of said 166.84 acres tract for a corner.

19. Thence, South 64 degrees 50 minutes West, along the south line of said 166.84 acres tract, a distance of 77.99 feet for a corner.

20. Thence, North 41 degrees 05 minutes West, along the south line of said 166.84 acres tract, a distance of 1,145.00 feet to the Place of Beginning.

Containing 15.067 acres more or less.

AFTER RECORDING RETURN TO:

Cameron County Drainage District Number One
c/o Holdar-Garcia & Associates
755 Land o' Lakes Drive
Brownsville, Texas, 78521
BOUNDARY AGREEMENT

THIS AGREEMENT is executed this 21st day of February, 2000, by and between MILTON E. WENTZ, JR. and wife, JEANINE ELIZABETH WENTZ (hereafter jointly referred to as "WENTZ"), residents of Cameron County, Texas, and KINCANNON FARMS (hereafter referred to as "KINCANNON"), a Texas partnership, and

WHEREAS WENTZ is the owner of certain real property located in Cameron County, Texas, said property consisting of a 300.693-acre tract of land consisting of a 131.294-acre tract (recorded as 132.4 acres) conveyed to Milton E. Wentz, Jr. and wife, Jeanine Elizabeth Wentz, by G. Philip Wardner, Trustee, by a Deed recorded in Volume 589, Page 624, of the Deed Records of Cameron County, Texas, together with an 18.960-acre tract possessed and occupied by Milton E. Wentz since 1955, together with a 150.439-acre tract (recorded as 150.43 acres) conveyed to Milton E. Wentz, Jr. by G. Philip Wardner, Trustee, by a Deed recorded in Volume 619, Page 355, of the Deed Records of Cameron County, Texas (said 300.693 acres hereafter being referred to as the "WENTZ TRACT"); and

WHEREAS, KINCANNON FARMS is the owner of the land adjoining that of the WENTZ TRACT, said KINCANNON FARMS comprising approximately 166.84 acres conveyed to Jacklyn Louise Wentz Kincannon by instrument dated July 2, 1956 and recorded in Volume 619, Page 353 of the Deed Records of Cameron County, Texas, together with a 127.5-acre tract conveyed to Quintin S. Kincannon and wife by instrument dated January 29, 1955 and recorded in Volume 589, Page 627 of the deed records of Cameron County, Texas (said Kincannon acreage hereafter being referred to as the "KINCANNON TRACT"); and

WHEREAS, the parties desire and intend by this instrument to fully and finally establish the correct boundary line between the WENTZ TRACT and the KINCANNON TRACT;
NOW, THEREFORE, in consideration of the covenants of this Agreement and to avoid expensive and time-consuming title litigation, the parties agree as follows:

1. **Agreed Boundary.** The boundary between the Wentz Tract and the Kincannon Farms Tract is established and described as follows:

   **Segment 1**

   Commencing at an iron pin found at the intersection of the West line Share 14 of the Espiritu Santo Grant in Cameron County, Texas and the North right-of-way of FM-1732, (a 80 feet wide right-of-way), thence North 7 degrees 56 minutes East, along the West line of Share 14, a distance of 2,494.65 feet to the Place of Beginning of Segment 1 of this "Boundary Agreement". AN IRON PIN FOUND North 7 degrees 54 minutes 04 seconds East, 75.86 feet from said Place of Beginning;

   THENCE, North 31 degrees 30 minutes East, a distance of 216.05 feet for a corner;

   THENCE, South 60 degrees 41 minutes East a distance of 106.42 feet to a point on the center line of a 150.00 foot wide Cameron County Drainage District Number One ditch right-of-way for a corner;

   THENCE South 41 degrees 05 minutes East along said center line a distance of 490.90 feet for a corner;

   THENCE North 76 degrees 13 minutes East, a distance of 241.01 feet for a corner;

   THENCE South 13 degrees 47 minutes East, a distance of 217.70 feet for a corner;

   THENCE, South 83 degrees 38 minutes 30 seconds East, at a distance of 33.22 feet to an iron pin with a "Meija & Rose" cap, a total distance of 1,132.82 feet to a point on the right-of-way of cul de sac of a Private Roadway Easement recorded in Volume 3390, page 51 of the Official Records of Cameron County, Texas for the end of this Segment 1, an iron pin with a cap stamped M&R found South 80 degrees 57 minutes 28 seconds a distance of 0.28 feet from said point, an iron pin stamped HG&A found North 68 degrees 25 minutes 47 seconds East, 2.39 feet from said point.
Segment II

Commencing at the Westernmost corner of a 132.4 acre tract conveyed to Milton E. Wentz, Jr., et ux, by G. Philip Wardner, Trustee, by a deed recorded in Volume 589, Page 624 of the Deed Records of Cameron County, Texas and the Southernmost corner of a 127.5 acre tract conveyed to Quintin S. Kincannon et ux by G. Philip Wardner, Trustee, by a Deed recorded in Volume 89, page 627 of the Deed Records of Cameron County, Texas, and the Northernmost corner of Farm Tract 9, a 5124 acres tract conveyed to Pedro Erasmo Gonzalez and wife, Juanita Gonzalez by Deed recorded in Volume 4309, Page 69 of the Official Records of Cameron County, Texas, thence, South 35 degrees 30 minutes East, a distance of 76.66 feet to the Place of Beginning of this Segment II.

THENCE, North 33 degrees 28 minutes East a distance of 815.00 feet for a corner.

THENCE, North 47 degrees 15 minutes East a distance of 518.98 feet for a corner.

THENCE, North 7 degrees 26 minutes 43 seconds East, at a distance of 262.90 feet an iron pin with a cap stamped M&R found, a total distance of 1,358.79 feet to a iron pin with a cap stamped HG&A for a corner,

THENCE, North 3 degrees 57 minutes 39 seconds East, a distance of 187.86 feet to an iron pin found with a cap stamped M&R for a corner.

THENCE, North 44 degrees 47 minutes 45 seconds East a distance of 320.61 feet to an iron pin with a cap stamped M&R for a corner.

THENCE, North 82 degrees 03 minutes 47 seconds East, a distance of 736.60 feet to the Northernmost corner of said 132.4 acre tract, said corner in the East line of Share 14 for the end of "Segment II".

2. *Quitclaim by WENTZ.* To the extent that any of the WENTZ TRACT as previously described extends into or lies to the North or West of the boundary line (Segments I and II), then, to such extent WENTZ does hereby quitclaim unto KINCANNON such portion of the WENTZ TRACT which encroaches on the North or West side of Segments I or II, to have and to hold all of WENTZ' right, title and interest in and to such encroaching property.
3. **Quitclaim by KINCAINON**
   To the extent that any of the KINCAINON TRACT as previously described extends into or lies to the South or East of the boundary line (Segments I and II), then, to such extent KINCAINON does hereby quitclaim unto WENTZ such portion of the KINCAINON TRACT which encroaches on the South or East side of Segments I or II, to have and to hold all of KINCAINON's right, title and interest in and to such encroaching property.

4. **Marking Boundary.** The agreed boundary shall be marked as follows:

5. **Intent of the Parties**
   The Parties hereto intend that this agreement shall fully and finally establish the boundary line between the WENTZ TRACT and the KINCAINON TRACT. The parties hereto own other adjoining tracts and this agreement is not intended to resolve any other matters or property issues which may be pending between the parties.

6. **Binding Effect**
   This Agreement shall be binding on and inure to the benefit of the parties hereto, their heirs, personal representatives, successors and assigns.

EXECUTED this 21st day of February, 2000, at Brownsville, Cameron County, Texas.

MILTON E. WENTZ, JR.                     JEANNINE ELIZABETH WENTZ
KINCAINON FARMS,
 a Texas partnership

By QUINTIN S. KINCAINON, Managing Partner

By JACKLYN LOUISE WENTZ KINCAINON,
 Managing Partner
ACKNOWLEDGMENT

THE STATE OF TEXAS
COUNTY OF CAMERON

This instrument was acknowledged before me this 21st day of February, 2000, by MULTON E. WENTZ, JR. and wife, JEANINE ELIZABETH WENTZ.

MICHELLE SANCHEZ
Notary Public, State of Texas

ACKNOWLEDGMENT

THE STATE OF TEXAS
COUNTY OF CAMERON

This instrument was acknowledged before me this 22nd day of February, 2000, by QUINN S. KINCANNON and JACKLYN LOUISE WENTZ KINCANNON, Managing Partners of the KINCANNON FARMS, a Texas Partnership.

ALICIA D. LOPEZ
Notary Public, State of Texas
WATER RIGHTS SPECIAL WARRANTY DEED

NOTICE OF CONFIDENTIALITY RIGHTS:

IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

STATE OF TEXAS § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF CAMERON §

THAT, I, RIO RANCHO NUEVO PHASE I, LLC, Grantor herein, of the County of Cameron, State of Texas, for and in consideration of the sum of Ten ($10.00) Dollars to it in hand paid by VALLEY MUNICIPAL UTILITY DISTRICT #2, Grantee herein, have Granted, Sold and Conveyed, and by these presents do Grant, Sell and convey unto the said VALLEY MUNICIPAL UTILITY DISTRICT #2, those certain water rights described as follows:

39.60 acres of Class "B" water rights out of Water Rights Certificate of Adjudication No. 0119 of the Texas Water Rights Commission, the right conveyed being the right to divert not to exceed 99 acre feet of water per annum:

TO HAVE AND TO HOLD the above described premises, together with a all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, its successors and assigns forever and Grantor does hereby bind its successors, executors and administrators, to Warrant and Forever Defend all and singular the said premises unto the said Grantee, its Successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof, by, through or under it.

The undersigned hereby joins Grantee in its application to the Water Rights Commission to approve this conveyance and to authorize the change of place of diversion and application of said waters.

EXECUTED this 18 day of May, A. D., 2005.

05-05-042
RIO RANCHO NUEVO PHASE I, LLC.

By: Manager

By: Manager

(ACKNOWLEDGMENT)

STATE OF TEXAS

COUNTY OF CAMERON

This instrument was acknowledged before me on this the 18th day of May, 2005 by Milton E. Kunzinger, Treasurer/Secretary of RIO RANCHO NUEVO PHASE I, LLC in the capacity therein stated.

[Signature]

Notary Public, State of TEXAS

(ACKNOWLEDGMENT)

STATE OF TEXAS

COUNTY OF CAMERON

This instrument was acknowledged before me on this the 18th day of May, 2005 by Rick Cardenas, President of RIO RANCHO NUEVO PHASE I, LLC in the capacity therein stated.

[Signature]

Notary Public, State of TEXAS

AFTER RECORDING RETURN TO:

VALLEY MUNICIPAL UTILITY DISTRICT #2
100 ADKINS
RANCHO VIEJO, TEXAS 78520

05-05-042

PREPARED IN THE OFFICE OF:

THE RENTFRO FAULK LAW FIRM
185 E. RUBEN TORRES SR. BLVD.
BROWNSVILLE, TEXAS 78520
NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

TITLE CONVEYANCE OF WATER RIGHTS

KNOW ALL MEN BY THESE PRESENTS that Milton Edward Wentz, Jr., individually; Jacklyn W. KinCannon, individually; Quainia S. KinCannon, Attorney-in-Fact for Jacklyn W. KinCannon; Milton E. Wentz, Jr. and Jacklyn W. KinCannon, Trustees under Trust Agreement dated December 29, 1976, by and between Milton E. Wentz and Monica C. Wentz and Milton E. Wentz, Jr. and Jacklyn W. KinCannon; and Quentin Shields KinCannon, Substitute Trustees under Trust Agreement dated December 29, 1976, by and between Milton E. Wentz and Monica C. Wentz and Milton E. Wentz, Jr. and Jacklyn W. KinCannon, whose mailing address is 500 Bolivar, Rancho Viejo, Cameron County, Texas 78575, collectively referred to hereinafter as GRANTOR, for and in consideration of the sum of TEN AND NO 100ths ($10.00) DOLLARS, and other good and valuable consideration to the GRANTOR paid by the GRANTEE, receipt of which is hereby acknowledged, does hereby ASSIGN, TRANSFER, GRANT, SELL and CONVEY to East Rio Hondo Water Supply Corporation, GRANTEE, whose mailing address is P. O. Box 621, Rio Hondo, Cameron County, Texas 78539, the following described water rights:

From Certificate of Adjudication No. 23-225, as amended, the right to divert and use not to exceed 200 acres of Class “B” Water Rights or 500.00 acre-feet of Class “B” water rights, subject to the terms of one (1) “Farm Lease”, a copy of which is attached as Attachment “1”, and subject to the terms of one (1) “Farm Sublease, a copy of which is attached as Attachment “2.”

GRANTOR authorizes the Texas Commission on Environmental Quality fka Texas Natural Resource Conservation Commission (“TCEQ”), or such other agency or governmental body or authority having jurisdiction over the subject matter hereof, to make such changes in the records as are necessary to complete the conveyance and transfer of the water rights described above.

GRANTOR agrees to execute such other instruments as shall be necessary and required by the Texas Commission on Environmental Quality fka Texas Natural Resource Conservation Commission, or other applicable authority in regard to this conveyance.

This Conveyance is subject to the approval of the Texas Commission on Environmental Quality fka Texas Natural Resource Conservation Commission or other applicable governmental authority, authorizing the change in ownership, type of use, place of use, and point of diversion, and such other matters as are required and contemplated by this Conveyance.

TO HAVE AND TO HOLD the above-described water rights, together with all and singular the rights and appurtenances thereto, in anywise belonging unto GRANTEE, its assigns and successors forever; and GRANTOR does hereby bind themselves, their heirs, executors, administrators, to warrant and forever defend all and singular the said water rights unto the said GRANTEE, its successors and assigns.
against every person whomsoever lawfully claiming, or to claim the said water rights or any part thereof.

When the context requires, singular nouns and pronouns include the plural.

DATED this 28th day of December, 2005.

Milton Edward Wentz, Jr.

Milton E. Wentz, Jr., Trustee under Trust Agreement dated December 29, 1976, by and between Milton E. Wentz and Monica C. Wentz and Milton E. Wentz, Jr. and Jacklyn W. KinCannon

Jacklyn W. KinCannon, individually

Jacklyn W. KinCannon, Trustee under Trust Agreement dated December 29, 1976, by and between Milton E. Wentz and Monica C. Wentz and Milton E. Wentz, Jr. and Jacklyn W. KinCannon

Quintin S. KinCannon, Attorney-in-Fact for Jacklyn W. KinCannon

Quintin S. KinCannon, Substitute Trustee under Trust Agreement dated December 29, 1976, by and between Milton E. Wentz and Monica C. Wentz and Milton E. Wentz, Jr. and Jacklyn W. KinCannon
The foregoing instrument was acknowledged before me this 26th day of December, 2005, by Milton E. Wentz, Jr., Trustee under Trust Agreement dated December 29, 1976, by and between Milton E. Wentz and Monica C. Wentz and Milton E. Wentz, Jr. and Jacklyn W. Kincannon.

My Commission Expires: 7-26-08

Printed Name of Notary Public

The foregoing instrument was acknowledged before me this 28th day of December, 2005, by Jacklyn W. Kincannon.

My Commission Expires: 7-26-08

Printed Name of Notary Public
STATE OF TEXAS

COUNTY OF CAMERON

The foregoing instrument was acknowledged before me this 28th day of December, 2005 by Jacklyn W. Kincannon, Trustee under Trust Agreement dated December 29, 1976, by and between Milton E. Wentz and Monica C. Wentz and Milton E. Wentz, Jr. and Jacklyn W. Kincannon.

ALFREDO V. VITELA
NOTARY PUBLIC, STATE OF TEXAS

My Commission Expires: 7-26-08

Printed Name of Notary Public

ALFREDO V. VITELA
NOTARY PUBLIC, STATE OF TEXAS

My Commission Expires: 7-26-08

Printed Name of Notary Public

ALFREDO V. VITELA
NOTARY PUBLIC, STATE OF TEXAS

My Commission Expires: 7-26-08

Printed Name of Notary Public

The foregoing instrument was acknowledged before me this 28th day of December, 2005 by Quintin S. KinCannon, Attorney-in-Fact for Jacklyn W. KinCannon.

AFTER RECORDING RETURN TO:
Dyer & Associates Law Office
3700 N. Tenth Street, Suite 105
McAllen, Texas 78501
Instrument Number: 2008-00035341
As
Real Property

Recorded On: August 04, 2008

Parties:
To

Comment:

(Parties listed above are for Clerk's reference only)

** Examined and Charged as Follows:**

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********** DO NOT REMOVE THIS PAGE IS PART OF THE INSTRUMENT **********

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:
- Document Number: 2008-00035341
- Receipt Number: 438558
- Recorded Date/Time: August 04, 2008 10:07:16A
- Book-Vol/Pg: BK-OR VL-15294 PG-274
- User / Station: J Acevedo - Cash Station # 5

Record and Return To:
- LAW OFFICES OF GLENN JARVIS
- 1801 SOUTH SECOND STE 550
- MCALLEN TX 78503

I hereby certify that this instrument was filed on the date and time stamped herein and was duly recorded in the Official Public Records in Cameron County, Texas.

Joe G. Rivera
Cameron County Clerk
WHEREAS, KINCANNON FARMS, a Texas General Partnership (hereinafter referred to as "KinCannon Farms") composed of the KinCannon Family Trust, under Trust instrument dated June 13, 1984; Jacklyn W. KinCannon, Quintin S. KinCannon, James M. KinCannon, Charles P. KinCannon and Milton E. KinCannon, as Partners of KinCannon Farms, Trustees of the KinCannon Family Trust and individually, (hereinafter referred to as the "KinCannon Group") and Rio Rancho Nuevo Phase I, LLC, a Texas limited liability company (hereinafter referred to as "Rio Rancho") of Cameron County, Texas, own or owned water rights pursuant to Certificate of Adjudication No. 23-119A; and

WHEREAS, THE KINCANNON GROUP conveyed, transferred, and assigned to the CITY OF LAREDO, water rights amounting to the right to divert and use a maximum of up to 986.40 acre feet of water per annum from the Rio Grande for irrigation purposes on a Class "B" irrigation priority basis, being a portion of the water rights evidenced by Certificate of Adjudication No. 23-119A by Water Rights Conveyance dated February 23, 2008, and on file with the Texas Commission on Environmental Quality ("TCEQ"); and
WHEREAS, prior to the aforementioned conveyance by the KinCannon Group to the City of Laredo of the right to divert and use a maximum of up to 986.40 acre feet of water per annum from the Rio Grande for irrigation purposes on a Class "B" irrigation priority basis, there was a balance of water rights evidenced by Certificate of Adjudication No. 23-119A owned by the parties amounting to the right to divert and use a maximum of up to 1493.75 acre feet per annum of water from the Rio Grande for irrigation purposes on a Class "B" irrigation priority basis; and

WHEREAS, all of the parties desire to clarify and identify the respective ownership interests in the balance of water rights evidenced by Certificate of Adjudication No. 23-119A, and to confirm their individual ownership of said water rights.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. The aforementioned Water Rights Conveyance dated February 23, 2008, from the KinCannon Group to the City of Laredo of the right to divert and use a maximum of up to 986.40 acre feet of water from the Rio Grande for irrigation purposes on a Class "B" priority basis, is hereby ratified and confirmed, conveyed all of the water rights owned by KinCannon Farms under Certificate of Adjudication No. 23-119A.

2. The balance of the water rights amounting to 507.35 acre feet per annum evidenced by Certificate of Adjudication No. 23-119A is hereby partitioned conveyed, transferred and assigned to be appurtenant to the land owned by the respective parties lying within the land to which the water rights have been appurtenant at all pertinent times as follows:
(a) The right to divert and use a maximum of up to 99.00 acre feet of water per annum from the Rio Grande for irrigation purposes on a Class "B" irrigation priority basis is partitioned to Rio Rancho and appurtenant to that certain 46.704 acre tract of land described in the Warranty Deed dated February 25, 2004 from Milton E. KinCannon to Rio Rancho, and of record in Volume 9984, Page 25 of the Official Records of Cameron County, Texas, and more fully described on Exhibit "A" attached hereto. Rio Rancho conveyed the above described 99.00 acre feet per annum of water rights to Valley Municipal Utility District No. 2 by Special Warranty Deed dated May 18, 2005, and of record in Volume 11529, Page 121 of the Official Real Estate Records of Cameron County, Texas.

(b) The balance of the water rights amounting to the right to divert and use a maximum of 408.35 acre feet per annum from the Rio Grande for irrigation purposes on a Class "B" irrigation priority basis is partitioned, conveyed, transferred and assigned to Milton E. KinCannon appurtenant to two (2) tracts of land containing 61.895 acres and 133.86 acres, more or less, owned by Milton E. KinCannon and lying with the original tract to which the water rights were appurtenant at all pertinent times and particularly described on Exhibit "B" attached hereto and incorporated here and for all purposes.
DATED and effective upon the dates of execution as of shown below.


Jacklyn W. KinCannon, by and through her Attorney - In - Fact, Quintin S. KinCannon

Date: **7/29/08**

Quintin S. KinCannon

Date: **7/29/08**

James M. KinCannon

Date: **7/14/08**

Charles P. KinCannon

Date: **7/25/2008**

Milton E. KinCannon

**RIO RANCHO NUEVO Phase I, LLC**

Date 7/25/08

By: [Signature]

Rick Cardenas, President

Date 7/25/2008

Milton E. KinCannon, Secretary/Treasurer
ACKNOWLEDGMENTS

STATE OF TEXAS §
COUNTY OF CAMERON §

This instrument was acknowledged before me on this 20th day of July, 2008 by Quintin S. KinCannon, individually, and in the capacities as stated to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

STATE OF TEXAS §
COUNTY OF CAMERON §

This instrument was acknowledged before me on this 29th day of July, 2008 by James M. KinCannon, individually, and in the capacities as stated to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

STATE OF GEORGIA §
COUNTY OF COBB §

This instrument was acknowledged before me on this 14th day of July, 2008 by Charles P. KinCannon, individually, and in the capacities as stated to certify which witness my hand and seal of office.

Notary Public in and for the State of Georgia
STATE OF TEXAS
COUNTY OF CAMERON

This instrument was acknowledged before me on this 25th day of July, 2008 by Milton E. KinCannon, individually, and in the capacities as stated to certify which witness my hand and seal of office.

[Signature]
Notary Public in and for the State of Texas

STATE OF TEXAS
COUNTY OF CAMERON

This instrument was acknowledged before me on this 25th day of July, 2008 by Rick Cardenas, President of Rio Rancho Nuevo Phase I, LLC, in the capacity as stated to certify which witness my hand and seal of office.

[Signature]
Notary Public in and for the State of Texas
Instrument Number: 2008-00040412
As
Real Property

Recorded On: September 04, 2008

Billable Pages: 8
Number of Pages: 9

Parties:
To

Comment:
( Parties listed above are for Clerk's reference only )

** Examined and Charged as Follows: **

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File Information:
- Document Number: 2008-00040412
- Receipt Number: 440475
- Recorded Date/Time: September 04, 2008 12:59:55P
- Book-Vol/Pg: BK-OR VL-15381 PG-28
- User / Station: H Perez - Cash Station #4

Record and Return To:
- LAW OFFICES OF GLENN JARVIS
  1801 SOUTH SECOND ST STE 550
  MCALLEN TX 78503

I hereby certify that the instrument was filed on the date and time stamped herein and was duly recorded in the Official Public Records in Cameron County, Texas.

Joe G. Rivera
Cameron County Clerk
CHAPTER 11, SEC. 11.008, TEXAS PROPERTY CODE, NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

STATE OF TEXAS §
COUNTY OF CAMERON §

WATER RIGHTS CONVEYANCE

WHEREAS, KINCANNON FARMS, a Texas General Partnership composed of the KinCannon Family Trust, under Trust instrument dated June 13, 1984 and Quintin S. KinCannon and James M. KinCannon, individually and as Trustee of said Trust; and Charles P. KinCannon and Milton E. KinCannon as Partners of KinCannon Farms, Trustees of said Trust and Individually of Cameron County, Texas, (hereinafter collectively referred to as "GRANTOR"), own water rights pursuant to Certificate of Adjudication No. 23-119A; and

WHEREAS, GRANTOR has agreed to sell, convey, transfer, and assign to CITY OF LAREDO, 5816 Daugherty Avenue, Webb County, Texas, 78041 water rights amounting to the right to divert and use a maximum of up to 986.40 acre feet of water per annum from the Rio Grande for irrigation purposes on a Class "B" irrigation priority basis, being the water rights owned by GRANTOR out of those water rights evidenced by Certificate of Adjudication No. 23-119A.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That GRANTOR, in consideration of the sum of TEN ($10.00) DOLLARS to them in hand paid by CITY OF LAREDO hereinafter referred to as "GRANTEE", together with other valuable consideration, receipt of which is hereby acknowledged, does hereby SELL, ASSIGN, TRANSFER AND CONVEY to GRANTEE the right to divert and use a maximum of up to 986.40 acre feet of water per annum from the Rio Grande for irrigation purposes on a Class "B" irrigation priority basis, being the water rights owned
by GRANTOR out of the water rights evidenced by Certificate of Adjudication No. 23-119A, and hereinafter referred to as the "Water Rights."

GRANTOR does hereby expressly sever the Water Rights here conveyed from the real property to which the Water Rights were heretofore attached or considered appurtenant, being a part or all of that property more particularly described on Exhibit "A" attached hereto and made a part hereof for all purposes.

No other rights of GRANTOR are hereby conveyed except the Water Rights and GRANTOR does hereby expressly authorize the Texas Commission on Environmental Quality ("TCEQ"), or its successor, or such agency or governmental body or authority having jurisdiction over the subject matter hereof, to make such changes in the records as are necessary to accomplish the conveyance and transfer of the Water Rights; and GRANTOR does hereby agree to execute such other instruments as shall be necessary and required by the TCEQ or other applicable authority in regard hereto.

TO HAVE AND TO HOLD the Water Rights together with all and singular the rights and appurtenances thereto, in any way belonging unto GRANTEE, its successors and assigns forever, and GRANTOR does hereby bind themselves, their agents, representatives, successors and assigns, to warrant and forever defend all and singular the Water Rights unto the said GRANTEE, and its successors and assigns, against every person whomsoever lawfully claiming or to claim the Water Rights.

DATED and effective this 23rd day of February, 2008.
GRANTOR:

KinCannon Farms, a Texas General Partnership composed of the KinCannon Family Trust under Trust instrument dated June 13, 1984; Quintin S. KinCannon and James M. KinCannon, Individually and as Trustees of said Trust; and Charles P. KinCannon and Milton E. KinCannon, as Partners of KinCannon Farms, Trustees of said Trust, and Individually

Date: 2-23-08

Quintin S. KinCannon

Date: 2-23-08

James M. KinCannon

Date: 1-29-08

Charles P. KinCannon

Date: 2-23-08

Milton E. KinCannon
ACKNOWLEDGMENTS

STATE OF TEXAS $  
COUNTY OF CAMERON $  

This instrument was acknowledged before me on this 23th day of FEBRUARY 2008 by Quintin S. KinCannon in the capacity as stated to certify which witness my hand and seal of office.

WILLIAM A. FAULK  
My Commission Expires  
September 30, 2008  
Notary Public in and for the State of Texas

STATE OF TEXAS $  
COUNTY OF CAMERON $  

This instrument was acknowledged before me on this 23th day of FEBRUARY 2008 by James M. KinCannon in the capacity as stated to certify which witness my hand and seal of office.

WILLIAM A. FAULK  
My Commission Expires  
September 30, 2008  
Notary Public in and for the State of Texas

STATE OF GEORGIA $  
COUNTY OF COBB $  

This instrument was acknowledged before me on this 29th day of FEBRUARY 2008 by Charles M. KinCannon in the capacity as stated to certify which witness my hand and seal of office.

MARIAN B. MULDER  
My Commission Expires  
November 13, 2009  
Notary Public in and for the State of Georgia

STATE OF TEXAS $  
COUNTY OF CAMERON $  

This instrument was acknowledged before me on this 23th day of FEBRUARY 2008 by Milton E. KinCannon in the capacity as stated to certify which witness my hand and seal of office.

WILLIAM A. FAULK  
My Commission Expires  
September 30, 2008  
Notary Public in and for the State of Texas
EXHIBIT "A" to Water Rights Conveyance

1. A certain 166.84 acre tract in Share 14, Espiritu Santo Grant, Cameron County, Texas, as described in deed of record in Volume 619, Page 353 of the Official Real Estate Records of Cameron County, Texas.

2. BEING A 166.84 ACRE TRACT MORE OR LESS COMPRISING OF A 166.84 ACRE TRACT (CALC.) 167.0 ACRE TRACT RECORDED IN VOLUME 855, PAGE 697, DEED RECORDS, CAMERON COUNTY, TEXAS AND 1.26 ACRE TRACT COMPRISING OF LOTS 3 THRU 9, BLOCK 98 AS SHOWN ON MAP OF CAMERON COUNTY SURVEY RECORDS, CAMERON COUNTY, TEXAS AND 10.85 YARDS ACROSS BEING MORE PARTICULARLY LOCATED AND DESCRIBED AS FOLLOWS:

BOUNDARY, AT THE NORTHWEST CORNER OF A 166.84 ACRE TRACT (VOLUME 855, PAGE 697, CAMERON COUNTY OFFICIAL RECORDS, AND THE NORTHWEST CORNER SAID 167.0 ACRE TRACT, BEING A POINT ON THE EAST LINE OF SAID 166.84 ACRE TRACT (VOLUME 855, PAGE 697, CAMERON COUNTY OFFICIAL RECORDS, AND THE EAST BOUNDARY LINE OF 0.85 YARD WIDE SUBDIVISION), SECTION 1, AND THE EAST BOUNDARY LINE OF SHARE 14, ESPIRITU SANTO GRANT AND THE WEST BOUNDARY LINE OF THE TOWN OF OLINTO (VOLUME 6, PAGE 28, CAMERON COUNTY MAP RECORDS) TO A CONCRETE MONUMENT, FOUND, FOR A CORNER OF THIS TRACT;

THENCE, ALONG THE EASTERLY BOUNDARY LINE OF SAID 166.84 ACRE TRACT AND PARKING WEST BOUNDARY LINE OF SAID 166.84 ACRE TRACT, BEING A POINT ON THE EAST BOUNDARY LINE OF 0.85 YARD WIDE SUBDIVISION, SECTION 1, AND THE EAST BOUNDARY LINE OF SHARE 14, ESPIRITU SANTO GRANT AND THE WEST BOUNDARY LINE OF THE TOWN OF OLINTO (VOLUME 6, PAGE 28, CAMERON COUNTY MAP RECORDS) TO A CONCRETE MONUMENT, FOUND, FOR A CORNER OF THIS TRACT;

THENCE, ALONG THE EASTERLY BOUNDARY LINE OF SAID 166.84 ACRE TRACT AND PARKING WEST BOUNDARY LINE OF SAID 166.84 ACRE TRACT, BEING A POINT ON THE EAST BOUNDARY LINE OF 0.85 YARD WIDE SUBDIVISION, SECTION 1, AND THE EAST BOUNDARY LINE OF SHARE 14, ESPIRITU SANTO GRANT AND THE WEST BOUNDARY LINE OF THE TOWN OF OLINTO (VOLUME 6, PAGE 28, CAMERON COUNTY MAP RECORDS) TO A CONCRETE MONUMENT, FOUND, FOR A CORNER OF THIS TRACT;

THENCE, ALONG THE EASTERLY BOUNDARY LINE OF SAID 166.84 ACRE TRACT AND PARKING WEST BOUNDARY LINE OF SAID 166.84 ACRE TRACT, BEING A POINT ON THE EAST BOUNDARY LINE OF 0.85 YARD WIDE SUBDIVISION, SECTION 1, AND THE EAST BOUNDARY LINE OF SHARE 14, ESPIRITU SANTO GRANT AND THE WEST BOUNDARY LINE OF THE TOWN OF OLINTO (VOLUME 6, PAGE 28, CAMERON COUNTY MAP RECORDS) TO A CONCRETE MONUMENT, FOUND, FOR A CORNER OF THIS TRACT;

THENCE, ALONG THE EASTERLY BOUNDARY LINE OF SAID 166.84 ACRE TRACT AND PARKING WEST BOUNDARY LINE OF SAID 166.84 ACRE TRACT, BEING A POINT ON THE EAST BOUNDARY LINE OF 0.85 YARD WIDE SUBDIVISION, SECTION 1, AND THE EAST BOUNDARY LINE OF SHARE 14, ESPIRITU SANTO GRANT AND THE WEST BOUNDARY LINE OF THE TOWN OF OLINTO (VOLUME 6, PAGE 28, CAMERON COUNTY MAP RECORDS) TO A CONCRETE MONUMENT, FOUND, FOR A CORNER OF THIS TRACT;

THENCE, ALONG THE EASTERLY BOUNDARY LINE OF SAID 166.84 ACRE TRACT AND PARKING WEST BOUNDARY LINE OF SAID 166.84 ACRE TRACT, BEING A POINT ON THE EAST BOUNDARY LINE OF 0.85 YARD WIDE SUBDIVISION, SECTION 1, AND THE EAST BOUNDARY LINE OF SHARE 14, ESPIRITU SANTO GRANT AND THE WEST BOUNDARY LINE OF THE TOWN OF OLINTO (VOLUME 6, PAGE 28, CAMERON COUNTY MAP RECORDS) TO A CONCRETE MONUMENT, FOUND, FOR A CORNER OF THIS TRACT;

THENCE, ALONG THE EASTERLY BOUNDARY LINE OF SAID 166.84 ACRE TRACT AND PARKING WEST BOUNDARY LINE OF SAID 166.84 ACRE TRACT, BEING A POINT ON THE EAST BOUNDARY LINE OF 0.85 YARD WIDE SUBDIVISION, SECTION 1, AND THE EAST BOUNDARY LINE OF SHARE 14, ESPIRITU SANTO GRANT AND THE WEST BOUNDARY LINE OF THE TOWN OF OLINTO (VOLUME 6, PAGE 28, CAMERON COUNTY MAP RECORDS) TO A CONCRETE MONUMENT, FOUND, FOR A CORNER OF THIS TRACT;

THENCE, ALONG THE EASTERLY BOUNDARY LINE OF SAID 166.84 ACRE TRACT AND PARKING WEST BOUNDARY LINE OF SAID 166.84 ACRE TRACT, BEING A POINT ON THE EAST BOUNDARY LINE OF 0.85 YARD WIDE SUBDIVISION, SECTION 1, AND THE EAST BOUNDARY LINE OF SHARE 14, ESPIRITU SANTO GRANT AND THE WEST BOUNDARY LINE OF THE TOWN OF OLINTO (VOLUME 6, PAGE 28, CAMERON COUNTY MAP RECORDS) TO A CONCRETE MONUMENT, FOUND, FOR A CORNER OF THIS TRACT;

THENCE, ALONG THE EASTERLY BOUNDARY LINE OF SAID 166.84 ACRE TRACT AND PARKING WEST BOUNDARY LINE OF SAID 166.84 ACRE TRACT, BEING A POINT ON THE EAST BOUNDARY LINE OF 0.85 YARD WIDE SUBDIVISION, SECTION 1, AND THE EAST BOUNDARY LINE OF SHARE 14, ESPIRITU SANTO GRANT AND THE WEST BOUNDARY LINE OF THE TOWN OF OLINTO (VOLUME 6, PAGE 28, CAMERON COUNTY MAP RECORDS) TO A CONCRETE MONUMENT, FOUND, FOR A CORNER OF THIS TRACT;
3. BEING A 46.704 ACRE TRACT OF LAND, MORE OR LESS, OUT OF THE NORTHWEST CORNER OF A CERTAIN 166.84 ACRE TRACT AS RECORDED IN VOLUME 619 PAGE 353 DEED RECORDS OF CAMERON COUNTY, TEXAS, SAID 166.84 ACRE TRACT BEING OUT OF, SAID 166.84 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERN CORNER OF SAID 166.84 ACRE TRACT FOR THE NORTHWEST CORNER AND POINT OF BEGINNING OF THE TRACT HEREOF DESCRIBED;

THENCE, WITH AN ALONG THE NORTH BOUNDARY LINE OF SAID 166.84 ACRE TRACT, SOUTH 82 DEG. 35 MIN., EAST, A DISTANCE OF 887.86 FEET TO A POINT, FOR THE NORTHEAST CORNER OF THE TRACT HEREOF DESCRIBED;

THENCE, SOUTH 19 DEG. 05 MIN. WEST A DISTANCE OF 980.00 FEET TO A POINT LYING ON THE WEST BOUNDARY LINE, FOR A CORNER OF THE TRACT HEREOF DESCRIBED;
THENCE, WITH AN ALONG THE EAST BOUNDARY LINE OF SAID TRACT, SOUTH 04 DEG. 10 MIN. WEST, A DISTANCE OF 331.68 FEET TO A POINT, FOR THE SOUTHEAST CORNER OF THE TRACT HERIN DESCRIBED;

THENCE, NORTH 82 DEG. 35 MIN. WEST, A DISTANCE OF 545.47 FEET TO A POINT, FOR A CORNER OF THE TRACT HERIN DESCRIBED;

THENCE, SOUTH 87 DEG. 59 MIN. 48 SEC. WEST, A DISTANCE OF 217.69 FEET TO A POINT, FOR A CORNER OF THE TRACT HERIN DESCRIBED;

THENCE, NORTH 82 DEG. 04 MIN. WEST, A DISTANCE OF 920.00 FEET TO A POINT, FOR THE SOUTHWEST CORNER OF THE TRACT HERIN DESCRIBED;

THENCE, WITH AN ALONG THE WEST BOUNDARY LINE OF SAID TRACT, NORTH 07 DEG. 56 MIN. EAST, A DISTANCE OF 753.42 FEET TO A POINT, FOR A CORNER OF THE TRACT HERIN DESCRIBED;

THENCE, WITH AN ALONG THE NORTHWEST BOUNDARY OF SAID TRACT, NORTH 58 DEG. 35 MIN. EAST, A DISTANCE OF 894.71 FEET TO A POINT, FOR A CORNER OF THE TRACT HERIN DESCRIBED;

THENCE, SOUTH 31 DEG. 42 MIN. 37 SEC. EAST, A DISTANCE OF 282.36 FEET TO A POINT, FOR A CORNER OF THE TRACT HERIN DESCRIBED;

THENCE, NORTH 56 DEG. 00 MIN. 04 SEC. EAST, A DISTANCE OF 235.20 FEET TO A POINT, FOR A CORNER OF THE TRACT HERIN DESCRIBED;

THENCE, NORTH 07 DEG. 25 MIN. 03 SEC. WEST, A DISTANCE OF 150.70 FEET TO THE POINT OF BEGINNING

CONTAINING 46.704 ACRES OF LAND, MORE OR LESS.
Instrument Number: 2008-00055576

As
Real Property

Recorded On: December 12, 2008

Parties:
To

Comment: (Parties listed above are for Clerk's reference only)

** Examined and Charged as Follows: **

<table>
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<th>Real Property</th>
<th>60.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Recording</td>
<td>60.00</td>
</tr>
</tbody>
</table>

*************** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT ***************

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:
Document Number: 2008-00055576
Receipt Number: 451804
Recorded Date/Time: December 12, 2008 10:28:17A
Book-Vol/Pg: BK-OR VL-15631 PG-227
User / Station: J Acevedo - Cash Station # 5

Record and Return To:
LAW OFFICE OF GLENN JARVIS
1801 SOUTH SECOND ST STE 550
MCALLEN TX 78503

I hereby certify that this instrument was filed on the date and time stamped herein and was duly recorded in the Official Public Records in Cameron County, Texas.

Joe G. Rivera
Cameron County Clerk
Instrument Number: 2008-00036341
As
Real Property

Recorded On: August 04, 2008

Billable Pages: 7
Number of Pages: 8

Parties:
To

Comment:
( Parties listed above are for Clerk's reference only )

** Examined and Charged as Follows: **

Real Property 40.00
Total Recording: 40.00

********** DO NOT REMOVE THIS PAGE IS PART OF THE INSTRUMENT **********

File Information:
Document Number: 2008-00036341
Receipt Number: 436558
Recorded Date/Time: August 04, 2008 10:07:16A
Book-Vol/Pg: BK-OR VL-15294 PG-274
User / Station: J Acevedo - Cash Station # 5

Record and Return To:
LAW OFFICES OF GLENN JARVIS
1801 SOUTH SECOND STE 550
MCALLEN TX 78503

I hereby certify that this instrument was filed on the date and time stamped herein and was duly recorded in the Official Public Records in Cameron County, Texas

Joe G. Rivera
Cameron County Clerk
WHEREAS, KINCANNON FARMS, a Texas General Partnership (hereinafter referred to as "KinCannon Farms") composed of the KinCannon Family Trust, under Trust Instrument dated June 13, 1984; Jacklyn W. KinCannon, Quintin S. KinCannon, James M. KinCannon, Charles P. KinCannon and Milton E. KinCannon, as Partners of KinCannon Farms, Trustees of the KinCannon Family Trust and Individually, (hereinafter referred to as the "KinCannon Group") and Rio Rancho Nuevo Phase I, LLC, a Texas limited liability company (hereinafter referred to as "Rio Rancho") of Cameron County, Texas, own or owned water rights pursuant to Certificate of Adjudication No. 23-119A; and

WHEREAS, THE KINCANNON GROUP conveyed, transferred, and assigned to the CITY OF LAREDO, water rights amounting to the right to divert and use a maximum of up to 986.40 acre feet of water per annum from the Rio Grande for irrigation purposes on a Class "B" irrigation priority basis, being a portion of the water rights evidenced by Certificate of Adjudication No. 23-119A by Water Rights Conveyance dated February 23, 2008, and on file with the Texas Commission on Environmental Quality ("TCEQ"); and
WHEREAS, prior to the aforementioned conveyance by the KinCannon Group to the City of Laredo of the right to divert and use a maximum of up to 986.40 acre feet of water per annum from the Rio Grande for irrigation purposes on a Class "B" irrigation priority basis, there was a balance of water rights evidenced by Certificate of Adjudication No. 23-119A owned by the parties amounting to the right to divert and use a maximum of up to 1493.75 acre feet per annum of water from the Rio Grande for irrigation purposes on a Class "B" irrigation priority basis; and

WHEREAS, all of the parties desire to clarify and identify the respective ownership interests in the balance of water rights evidenced by Certificate of Adjudication No. 23-119A, and to confirm their individual ownership of said water rights.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. The aforementioned Water Rights Conveyance dated February 23, 2008, from the KinCannon Group to the City of Laredo of the right to divert and use a maximum of up to 986.40 acre feet of water from the Rio Grande for irrigation purposes on a Class "B" priority basis, is hereby ratified and confirmed, conveyed all of the water rights owned by KinCannon Farms under Certificate of Adjudication No. 23-119A.

2. The balance of the water rights amounting to 507.35 acre feet per annum evidenced by Certificate of Adjudication No. 23-119A is hereby partitioned conveyed, transferred and assigned to be appurtenant to the land owned by the respective parties lying within the land to which the water rights have been appurtenant at all pertinent times as follows:
(a) The right to divert and use a maximum of up to 99.00 acre feet of water per annum from the Rio Grande for irrigation purposes on a Class "B" irrigation priority basis is partitioned to Rio Rancho and appurtenant to that certain 46.704 acre tract of land described in the Warranty Deed dated February 25, 2004 from Milton E. KinCannon to Rio Rancho, and of record in Volume 9984, Page 25 of the Official Records of Cameron County, Texas, and more fully described on Exhibit "A" attached hereto. Rio Rancho conveyed the above described 99.00 acre feet per annum of water rights to Valley Municipal Utility District No. 2 by Special Warranty Deed dated May 18, 2005, and of record in Volume 11529, Page 121 of the Official Real Estate Records of Cameron County, Texas.

(b) The balance of the water rights amounting to the right to divert and use a maximum of 408.35 acre feet per annum from the Rio Grande for irrigation purposes on a Class "B" irrigation priority basis is partitioned, conveyed, transferred and assigned to Milton E. KinCannon appurtenant to two (2) tracts of land containing 61.895 acres and 133.86 acres, more or less, owned by Milton E. KinCannon and lying within the original tract to which the water rights were appurtenant at all pertinent times and particularly described on Exhibit "B" attached hereto and incorporated here and for all purposes.
DATED and effective upon the dates of execution as of shown below.


Jacklyn W. KinCannon, by and through her Attorney - In - Fact, Quintin S. KinCannon

Date: 7/29/08

Quintin S. KinCannon

Date: 7/29/08

James M. KinCannon

Date: 7/14/08

Charles P. KinCannon

Date: 7-25-2008

Milton E. KinCannon

RIO RANCHO NUEVO Phase I, LLC

By: Rick Cardenas, President

Date 7/25/08

Milton E. KinCannon, Secretary/Treasurer

BY 7-25-2008
ACKNOWLEDGMENTS

STATE OF TEXAS
COUNTY OF CAMERON

This instrument was acknowledged before me on this 20th day of July, 2008 by Quintin S. KinCannon, individually, and in the capacities as stated to certify which witness my hand and seal of office.

STATE OF TEXAS
COUNTY OF CAMERON

This instrument was acknowledged before me on this 29th day of July, 2008 by James M. KinCannon, individually, and in the capacities as stated to certify which witness my hand and seal of office.

STATE OF GEORGIA
COUNTY OF COBB

This instrument was acknowledged before me on this 14th day of July, 2008 by Charles P. KinCannon, individually, and in the capacities as stated to certify which witness my hand and seal of office.
STATE OF TEXAS §
COUNTY OF CAMERON §

This instrument was acknowledged before me on this 25th day of July, 2008 by Milton E. KinCannon, individually, and in the capacities as stated to certify which witness my hand and seal of office.

[Signature]
Notary Public in and for the State of Texas

STATE OF TEXAS §
COUNTY OF CAMERON §

This instrument was acknowledged before me on this 25th day of July, 2008 by Rick Cardenas, President of Rio Rancho Nuevo Phase I, LLC, in the capacity as stated to certify which witness my hand and seal of office.

[Signature]
Notary Public in and for the State of Texas
BEING A 46.704 ACRE TRACT OF LAND, MORE OR LESS, OUT OF THE NORTHWEST CORNER OF A CERTAIN 166.84 ACRE TRACT AS RECORDED IN VOLUME 619 PAGE 353 DEED RECORDS OF CAMERON COUNTY, TEXAS, SAID 166.84 ACRE TRACT BEING OUT OF, SAID 166.84 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERN CORNER OF SAID 166.84 ACRE TRACT FOR THE NORTHWEST CORNER AND POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED;

THENCE, WITH AN ALONG THE NORTH BOUNDARY LINE OF SAID 166.84 ACRE TRACT, SOUTH 82 DEG. 35 MIN., EAST, A DISTANCE OF 887.86 FEET TO A POINT, FOR THE NORTHEAST CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, SOUTH 19 DEG. 05 MIN. WEST A DISTANCE OF 980.00 FEET TO A POINT LYING ON THE WEST BOUNDARY LINE, FOR A CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, WITH AN ALONG THE EAST BOUNDARY LINE OF SAID TRACT, SOUTH 04 DEG. 10 MIN. WEST, A DISTANCE OF 331.68 FEET TO A POINT, FOR THE SOUTHEAST CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, NORTH 82 DEG. 35 MIN. WEST, A DISTANCE OF 545.47 FEET TO A POINT, FOR A CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, SOUTH 87 DEG. 59 MIN. 48 SEC. WEST, A DISTANCE OF 217.69 FEET TO A POINT, FOR A CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, NORTH 82 DEG. 04 MIN. WEST, A DISTANCE OF 920.00 FEET TO A POINT, FOR THE SOUTHWEST CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, WITH AN ALONG THE WEST BOUNDARY LINE OF SAID TRACT, NORTH 07 DEG. 56 MIN. EAST, A DISTANCE OF 753.42 FEET TO A POINT, FOR A CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, WITH AN ALONG THE NORTHWEST BOUNDARY OF SAID TRACT, NORTH 58 DEG. 35 MIN. EAST, A DISTANCE OF 894.71 FEET TO A POINT, FOR A CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, SOUTH 31 DEG. 42 MIN. 37 SEC. EAST, A DISTANCE OF 282.36 FEET TO A POINT, FOR A CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, NORTH 56 DEG. 00 MIN. 04 SEC. EAST, A DISTANCE OF 235.20 FEET TO A POINT, FOR A CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, NORTH 07 DEG. 25 MIN. 03 SEC. WEST, A DISTANCE OF 150.70 FEET TO THE POINT OF BEGINNING

CONTAINING 46.704 ACRES OF LAND, MORE OR LESS.

Exhibit "A" to Water Rights Agreement and Partition
BEING 61.865 ACRE TRACT MORE OR LESS OUT OF A 166.84 ACRE TRACT RECORDED IN VOLUME 619, PAGE 353, DEED RECORDS, CAMERON COUNTY, TEXAS; SAID 61.865 ACRES BEING MORE PARTICULARLY LOCATED AND DESCRIBED AS FOLLOWS:

COMMENCING, AT THE NORTHWESTERNMOST CORNER OF SAID 166.84 ACRE TRACT, THENCE, ALONG THE WEST BOUNDARY LINE OF SAID 166.84 ACRE TRACT SOUTH 07 DEG. 58 MIN. WEST, A DISTANCE OF 759.25 FT.; THENCE, SOUTH 82 DEG. 04 MIN. EAST, A DISTANCE OF 1,036 FT. TO THE NORTHWEST CORNER AND POINT OF BEGINNING OF THIS TRACT

THENCE, SOUTH 82 DEG. 04 MIN. EAST, A DISTANCE OF 918.27 FT. TO A CORNER OF THIS TRACT;

THENCE, NORTH 87 DEG. 59 MIN. 48 SEC. EAST, A DISTANCE OF 217.69 FT. TO A CORNER OF THIS TRACT;

THENCE, SOUTH 82 DEG. 35 MIN. EAST, A DISTANCE OF 545.47 FT. TO THE APPROXIMATE CENTERLINE OF RESACA DEL RANCHO VIEJO, TO THE NORTHEAST CORNER OF THIS TRACT;

THENCE, ALONG THE APPROXIMATE CENTERLINE OF SAID RESACA DEL RANCHO VIEJO, SOUTH 04 DEG. 10 MIN. WEST, A DISTANCE OF 1,384.32 FT. FOR A CORNER OF THIS TRACT;

THENCE, CONTINUING ALONG THE APPROXIMATE CENTERLINE OF SAID RESACA DEL RANCHO VIEJO, SOUTH 16 DEG. 59 MIN. EAST, A DISTANCE OF 212.85 FT. FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, LEAVING THE APPROXIMATE CENTERLINE OF SAID RESACA DEL RANCHO VIEJO NORTH 83 DEG. 53 MIN. WEST, A DISTANCE OF 1,057.90 FT. FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE, NORTH 07 DEG. 56 MIN. EAST, A DISTANCE OF 1,965.98 FT. TO THE POINT OF BEGINNING;

CONTAINING: 61.865 ACRES, MORE OR LESS, INCLUSIVE OF ANY AND ALL EASEMENTS, RESTRICTIONS, OR DEDICATIONS THAT MAY BE OF RECORD.
Being a 133.86 acre tract, more or less, comprised of a 131.96 acre tract (calculated) 127.5 acre tract, recorded in Volume 589, Page 627, Deed Records, Cameron County, Texas, Share 14, Espiritu Santo Grant, Cameron County, Texas and 1.90 acre tract comprised of Lots Five (5) through Nine (9), Block One Hundred (100) out of Olmito Townsite, Cameron County, Texas, according to the map or plat thereof recorded in Volume 8, Page 83, Map Records of Cameron County, Texas, said 133.86 acres being more particularly located and described as follows:

BEGINNING at the Northeast corner of a 46.704 acre tract (Volume 9560, Pages 213-218, Official Public Records, Cameron County, Texas) and the Northwest corner of said 127.5 acre tract, same being a point on the South boundary line of RANCHO VIEJO SUBDIVISION, SECTION I, (Volume 26, Pages 33-43, Map Records, Cameron County, Texas, for the Northwest corner of this tract;

THENCE along the common boundary line of said 127.5 acre tract and RANCHO VIEJO SUBDIVISION, SECTION I South 82 degrees 10 minutes 36 seconds East (calculated) (South 82 degrees 35 minutes East Deed), a distance of 2243.42 feet (calculated) (2250.0 feet Deed) to the Southeast corner of said Rancho Viejo Subdivision, Section I, the East boundary line of Share 14, Espiritu Santo Grant and the West boundary line of the TOWN OF OLMITO (Volume 8, Page 83, Map Records, Cameron County, Texas) for a corner of this tract;

THENCE, along the common boundary line of said RANCHO VIEJO SUBDIVISION, SECTION I and the TOWN OF OLMITO, North 07 degrees 16 minutes 00 seconds East (calculated) (North 6 degrees 22 minutes East Map) a distance of 249.39 feet (calculated) (249.73 feet Map) a distance of 249.39 feet (calculated) (249.73 feet Map) to the South 100 foot railroad right of way line of St. Louis Brownsville and Mexico Railroad and the Northwest corner of Lot 9, Block 100 of the TOWN OF OLMITO, for a point on a concave curve whose radius point bears, South 48 degrees 23 minutes 36 seconds West a distance of 2813.03 feet for a corner of this tract;

THENCE, along the said, South railroad right of way, same being the North boundary line of said Lot 9, Block 100 of the TOWN OF OLMITO and said curve in a Southeast direction an are distance of 298.81 feet (Chord: South 38 degrees 33 minutes 48 seconds East 298.67 feet) to the East boundary line of Lot 8, Block 100, of the TOWN OF OLMITO, same being the West right of way line of Lakeside Boulevard (60 feet right of way), for a corner of this tract;

THENCE, leaving the South railroad right of way and along the East boundary line of Lots 5 through 8, Block 100, of the TOWN OF OLMITO, same being the West right of way line of Lakeside Boulevard (60 feet right of way), South 06 degrees 44 minutes 34 seconds West (calculated) (South 06 degrees 45 minutes West, Map), a distance of 275.94 feet to the Southeast corner of the Lot 5, Block 100, of the TOWN OF OLMITO, for a corner of this tract;
THENCE, along the South boundary lien of said Lot 5, Block 100, of the TOWN OF OLMITO, North 83 degrees 14 minutes West (calculated) (North 83 degrees 15 minutes West, Map) a distance of 216.76 feet (calculated) (216.8 feet Map) to the East boundary line of said Share 14, Espiritu Santo Grant and the West boundary line of the TOWN OF OLMITO same being the East boundary line of said 127.5 acre tract, for a corner of this tract;

THENCE, along the common boundary line of said 127.5 acre tract and said TOWN OF OLMITO, South 07 degrees 16 minutes 00 seconds West (calculated) (South 07 degrees 25 minutes West, Deed) a distance of 663.44 feet to a Boundary Line Agreement recorded in Volume 6131, Pages 224-229, Official Records, Cameron County, Texas, for a corner of this tract;

THENCE, along said Boundary Line Agreement, South 82 degrees 03 minutes 47 seconds West, a distance of 728.08 feet (calculated) 736.60 feet Deed) for a corner of this tract;

THENCE, along said Boundary Line Agreement, South 44 degrees 47 minutes 45 seconds West, a distance of 320.61 feet for a corner of this tract;

THENCE, along said Boundary Lien Agreement, South 07 degrees 26 minutes 43 seconds West, a distance of 1358.79 feet for a corner of this tract;

THENCE, along said Boundary Lien Agreement, South 47 degrees 15 minutes 00 seconds West, a distance of 518.98 feet for a corner of this tract;

THENCE, along said Boundary Line Agreement, South 33 degrees 28 minutes 00 seconds West, a distance of 815.00 feet to the West boundary line of said 127.5 acre tract as per Boundary Line Agreement, for the most Southern corner of this tract;

THENCE, along the West boundary line of said 127.5 acre tract, North 35 degrees 37 minutes 13 seconds West (calculated) (North 35 degrees 30 minutes West, Deed) a distance of 546.29 feet (calculated) (470.0 feet Deed), for a corner of this tract;

THENCE, along the West boundary line of said 127.5 acre tract, North 16 degrees 50 minutes 00 seconds West, a distance of 925.00 feet, for a corner of this tract;

THENCE, along the West boundary line of said 127.5 acre tract, North 04 degrees 10 minutes 00 seconds East, a distance of 1358.32 feet to the Southeast corner of said 46.704 acre tract, for a total distance of 1690.00 feet for a corner of this tract;

THENCE, along the common boundary line of said 127.5 acre tract and said 46.704 acre tract, North 19 degrees 05 minutes 00 seconds East, a distance of 942.49 feet to the POINT OF BEGINNING, containing 133.86 acres, more or less.
Instrument Number: 2008-00055576
As
Real Property

Recorded On: December 12, 2008

Parties:
To

Comment:

(Parties listed above are for Clerk's reference only)

**Examined and Charged as Follows:**

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<th>Description</th>
<th>Amount</th>
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************** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT **************

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:
- Document Number: 2008-00055576
- Receipt Number: 451604
- Recorded Date/Time: December 12, 2008 10:28:17A
- Book-Vol/Pg: BK-OR VL-15631 PG-227
- User/Station: J Acevedo - Cash Station # 5

Record and Return To:
- LAW OFFICE OF GLENN JARVIS
  1801 SOUTH SECOND ST STE 550
  MCALLEN TX 78503

I hereby certify that this instrument was filed on the date and time stamped herein and was duly recorded in the Official Public Records in Cameron County, Texas

Joe G. Rivera
Cameron County Clerk
Instrument Number: 2008-00035341

As
Real Property

Recorded On: August 04, 2008

Parties:
To

Comment:

( Parties listed above are for Clerk's reference only )

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- Document Number: 2008-00035341
- Receipt Number: 436558
- Recorded Date/Time: August 04, 2008 10:07:16A
- Book-Vol/Pg: BK-OR VL-15294 PG-274
- User / Station: J Acevedo - Cash Station # 5

Record and Return To:
- LAW OFFICES OF GLENN JARVIS
  1801 SOUTH SECOND STE 550
  MCALLEN TX 78503

I hereby certify that this instrument was filed on the date and time stamped herein and was duly recorded in the Official Public Records in Cameron County, Texas

Joe G. Rivera
Cameron County Clerk
CHAPTER 11, SEC. 11.008, TEXAS PROPERTY CODE, NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER’S LICENSE NUMBER.

STATE OF TEXAS § WATER RIGHTS AGREEMENT AND PARTITION CERTIFICATE OF ADJUDICATION NO. 23-119A
COUNTY OF CAMERON §

WHEREAS, KINCANNON FARMS, a Texas General Partnership (hereinafter referred to "KinCannon Farms") composed of the KinCannon Family Trust, under Trust Instrument dated June 13, 1984; Jacklyn W. KinCannon, Quintin S. KinCannon, James M. KinCannon, Charles P. KinCannon and Milton E. KinCannon, as Partners of KinCannon Farms, Trustees of the KinCannon Family Trust and Individually, (hereinafter referred to as the "KinCannon Group") and Rio Rancho Nuevo Phase I, LLC, a Texas limited liability company (hereinafter referred to as "Rio Rancho") of Cameron County, Texas, own or owned water rights pursuant to Certificate of Adjudication No. 23-119A; and

WHEREAS, THE KINCANNON GROUP conveyed, transferred, and assigned to the CITY OF LAREDO, water rights amounting to the right to divert and use a maximum of up to 986.40 acre feet of water per annum from the Rio Grande for irrigation purposes on a Class "B" irrigation priority basis, being a portion of the water rights evidenced by Certificate of Adjudication No. 23-119A by Water Rights Conveyance dated February 23, 2008, and on file with the Texas Commission on Environmental Quality ("TCEQ"); and
WHEREAS, prior to the aforementioned conveyance by the KinCannon Group to the City of Laredo of the right to divert and use a maximum of up to 986.40 acre feet of water per annum from the Rio Grande for irrigation purposes on a Class "B" irrigation priority basis, there was a balance of water rights evidenced by Certificate of Adjudication No. 23-119A owned by the parties amounting to the right to divert and use a maximum of up to 1493.75 acre feet per annum of water from the Rio Grande for irrigation purposes on a Class "B" irrigation priority basis; and

WHEREAS, all of the parties desire to clarify and identify the respective ownership interests in the balance of water rights evidenced by Certificate of Adjudication No. 23-119A, and to confirm their individual ownership of said water rights.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. The aforementioned Water Rights Conveyance dated February 23, 2008, from the KinCannon Group to the City of Laredo of the right to divert and use a maximum of up to 986.40 acre feet of water from the Rio Grande for irrigation purposes on a Class "B" priority basis, is hereby ratified and confirmed, conveyed all of the water rights owned by KinCannon Farms under Certificate of Adjudication No. 23-119A.

2. The balance of the water rights amounting to 507.35 acre feet per annum evidenced by Certificate of Adjudication No. 23-119A is hereby partitioned conveyed, transferred and assigned to be appurtenant to the land owned by the respective parties lying within the land to which the water rights have been appurtenant at all pertinent times as follows:
(a) The right to divert and use a maximum of up to 99.00 acre feet of water per annum 
from the Rio Grande for irrigation purposes on a Class "B" irrigation priority basis is 
partitioned to Rio Rancho and appurtenant to that certain 46.704 acre tract of land 
described in the Warranty Deed dated February 25, 2004 from Milton E. KinCannon 
to Rio Rancho. and of record in Volume 9984, Page 25of the Official Records of 
Cameron County, Texas, and more fully described on Exhibit "A" attached hereto. 
Rio Rancho conveyed the above described 99.00 acre feet per annum of water rights 
to Valley Municipal Utility District No. 2 by Special Warranty Deed dated May 18, 
2005, and of record in Volume 11529, Page 121 of the Official Real Estate Records 
of Cameron County, Texas.

(b) The balance of the water rights amounting to the right to divert and use a maximum 
of 408.35 acre feet per annum from the Rio Grande for irrigation purposes on a Class 
"B" irrigation priority basis is partitioned, conveyed, transferred and assigned to 
Milton E. KinCannon appurtenant to two (2) tracts of land containing 61.895 acres 
and 133.86 acres, more or less, owned by Milton E. KinCannon and lying withing 
the original tract to which the water rights were appurtenant at all pertinent times and 
particularly described on Exhibit "B" attached hereto and incorporated here and for 
all purposes.
DATED and effective upon the dates of execution as of shown below.


Jacklyn W. KinCannon, by and through her Attorney - In - Fact, Quintin S. KinCannon

Date: 7/29/08

Quintin S. KinCannon

Date: 7/29/08

James M. KinCannon

Date: 7/14/08

Charles P. KinCannon

Date: 7/25/08

Milton E. KinCannon

RIO RANCHO NUEVO Phase I, LLC

Date 7/25/08

By: Rick Cardenas, President

Date 7/25/08

BY Milton E. KinCannon, Secretary/Treasurer
ACKNOWLEDGMENTS

STATE OF TEXAS §
COUNTY OF CAMERON §

This instrument was acknowledged before me on this 20th day of July, 2008 by Quintin S. KinCannon, individually, and in the capacities as stated to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

STATE OF TEXAS §
COUNTY OF CAMERON §

This instrument was acknowledged before me on this 29th day of July, 2008 by James M. KinCannon, individually, and in the capacities as stated to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

STATE OF GEORGIA §
COUNTY OF COBB §

This instrument was acknowledged before me on this 14th day of July, 2008 by Charles P. KinCannon, individually, and in the capacities as stated to certify which witness my hand and seal of office.

Notary Public in and for the State of Georgia
STATE OF TEXAS
COUNTY OF CAMERON

This instrument was acknowledged before me on this 25th day of July, 2008 by Milton E. KinCannon, individually, and in the capacities as stated to certify which witness my hand and seal of office.

[Signature]
Notary Public in and for the State of Texas

STATE OF TEXAS
COUNTY OF CAMERON

This instrument was acknowledged before me on this 25th day of July, 2008 by Rick Cardenas, President of Rio Rancho Nuevo Phase I, LLC, in the capacity as stated to certify which witness my hand and seal of office.

[Signature]
Notary Public in and for the State of Texas
BEING A 46.704 ACRE TRACT OF LAND, MORE OR LESS, OUT OF THE NORTHWEST CORNER OF A CERTAIN 166.84 ACRE TRACT AS RECORDED IN VOLUME 619 PAGE 353 DEED RECORDS OF CAMERON COUNTY, TEXAS, SAID 166.84 ACRE TRACT BEING OUT OF, SAID 166.84 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERN CORNER OF SAID 166.84 ACRE TRACT FOR THE NORTHWEST CORNER AND POINT OF BEGINNING OF THE TRACT HEREBIN DESCRIBED;

THENCE, WITH AN ALONG THE NORTH BOUNDARY LINE OF SAID 166.84 ACRE TRACT, SOUTH 82 DEG. 35 MIN., EAST, A DISTANCE OF 887.86 FEET TO A POINT, FOR THE NORTHEAST CORNER OF THE TRACT HEREBIN DESCRIBED;

THENCE, SOUTH 19 DEG. 05 MIN. WEST A DISTANCE OF 980.00 FEET TO A POINT LYING ON THE WEST BOUNDARY LINE, FOR A CORNER OF THE TRACT HEREBIN DESCRIBED;

THENCE, WITH AN ALONG THE EAST BOUNDARY LINE OF SAID TRACT, SOUTH 04 DEG. 10 MIN. WEST, A DISTANCE OF 331.68 FEET TO A POINT, FOR THE SOUTHEAST CORNER OF THE TRACT HEREBIN DESCRIBED;

THENCE, NORTH 82 DEG. 35 MIN. WEST, A DISTANCE OF 545.47 FEET TO A POINT, FOR A CORNER OF THE TRACT HEREBIN DESCRIBED;

THENCE, SOUTH 87 DEG. 59 MIN. 48 SEC. WEST, A DISTANCE OF 217.69 FEET TO A POINT, FOR A CORNER OF THE TRACT HEREBIN DESCRIBED;

THENCE, NORTH 82 DEG. 04 MIN. WEST, A DISTANCE OF 920.00 FEET TO A POINT, FOR THE SOUTHWEST CORNER OF THE TRACT HEREBIN DESCRIBED;

THENCE, WITH AN ALONG THE WEST BOUNDARY LINE OF SAID TRACT, NORTH 07 DEG. 56 MIN. EAST, A DISTANCE OF 753.42 FEET TO A POINT, FOR A CORNER OF THE TRACT HEREBIN DESCRIBED;

THENCE, WITH AN ALONG THE NORTHWEST BOUNDARY OF SAID TRACT, NORTH 58 DEG. 35 MIN. EAST, A DISTANCE OF 894.71 FEET TO A POINT, FOR A CORNER OF THE TRACT HEREBIN DESCRIBED;

THENCE, SOUTH 31 DEG. 42 MIN. 37 SEC. EAST, A DISTANCE OF 282.36 FEET TO A POINT, FOR A CORNER OF THE TRACT HEREBIN DESCRIBED;

THENCE, NORTH 56 DEG. 00 MIN. 04 SEC. EAST, A DISTANCE OF 235.20 FEET TO A POINT, FOR A CORNER OF THE TRACT HEREBIN DESCRIBED;

THENCE, NORTH 07 DEG. 25 MIN. 03 SEC. WEST, A DISTANCE OF 150.70 FEET TO THE POINT OF BEGINNING

CONTAINING 46.704 ACRES OF LAND, MORE OR LESS.

Exhibit "A" to Water Rights Agreement and Partition
BEING 61.885 ACRES MORE OR LESS OUT OF A 166.84 ACRES TRACT RECORDED IN VOLUME 619, PAGE 353, DEED RECORDS, CAMERON COUNTY, TEXAS; SAID 61.885 ACRES BEING MORE PARTICULARLY LOCATED AND DESCRIBED AS FOLLOWS:

COMMENCING, AT THE NORTHWESTERNMOST CORNER OF SAID 166.84 ACRES TRACT, THENCE, ALONG THE WEST BOUNDARY LINE OF SAID 166.84 ACRES TRACT SOUTH 07 DEG. 58 MIN. WEST, A DISTANCE OF 753.25 FT. THENCE, SOUTH 82 DEG. 04 MIN. EAST, A DISTANCE OF 1,885 FT. TO THE NORTHWEST CORNER AND POINT OF BEGINNING OF THIS TRACT

THENCE, SOUTH 82 DEG. 04 MIN. EAST, A DISTANCE OF 918.27 FT. TO A CORNER OF THIS TRACT;

THENCE, NORTH 87 DEG. 59 MIN. 48 SEC. EAST, A DISTANCE OF 217.59 FT. TO A CORNER OF THIS TRACT;

THENCE, SOUTH 82 DEG. 35 MIN. EAST, A DISTANCE OF 545.47 FT. TO THE APPROXIMATE CENTERLINE OF RESACA DEL RANCHO VIEJO, TO THE NORTHEAST CORNER OF THIS TRACT;

THENCE, ALONG THE APPROXIMATE CENTERLINE OF SAID RESACA DEL RANCHO VIEJO, SOUTH 04 DEG. 10 MIN. WEST, A DISTANCE OF 1565.32 FT. FOR A CORNER OF THIS TRACT;

THENCE, CONTINUING ALONG THE APPROXIMATE CENTERLINE OF SAID RESACA DEL RANCHO VIEJO, SOUTH 16 DEG. 59 MIN. EAST, A DISTANCE OF 212.85 FT. FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, LEAVING THE APPROXIMATE CENTERLINE OF SAID RESACA DEL RANCHO VIEJO NORTH 83 DEG. 53 MIN. WEST, A DISTANCE OF 1057.90 FT. FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE, NORTH 07 DEG. 56 MIN. EAST, A DISTANCE OF 1565.98 FT. TO THE POINT OF BEGINNING;

CONTAINING: 61.885 ACRES, MORE OR LESS, INCLUSIVE OF ANY AND ALL EASEMENTS, RESTRICTIONS, OR DEDICATIONS THAT MAY BE OF RECORD.
Being a 133.86 acre tract, more or less, comprised of a 131.96 acre tract (calculated) 127.5 acre tract, recorded in Volume 589, Page 627, Deed Records, Cameron County, Texas, Share 14, Espiritu Santo Grant, Cameron County, Texas and 1.90 acre tract comprised of Lots Five (5) through Nine (9), Block One Hundred (100) out of Olmito Townsite, Cameron County, Texas, according to the map or plat thereof recorded in Volume 8, Page 83, Map Records of Cameron County, Texas, said 133.86 acres being more particularly located and described as follows:

BEGINNING at the Northeast corner of a 46.704 acre tract (Volume 9560, Pages 213-218, Official Public Records, Cameron County, Texas) and the Northwest corner of said 127.5 acre tract, same being a point on the South boundary line of RANCHO VIEJO SUBDIVISION, SECTION I, (Volume 26, Pages 33-43, Map Records, Cameron County, Texas, for the Northwest corner of this tract;

THENCE along the common boundary line of said 127.5 acre tract and RANCHO VIEJO SUBDIVISION, SECTION I South 82 degrees 10 minutes 36 seconds East (calculated) (South 82 degrees 35 minutes East Deed), a distance of 2243.42 feet (calculated) (2250.0 feet Deed) to the Southeast corner of said Rancho Viejo Subdivision, Section I, the East boundary line of Share 14, Espiritu Santo Grant and the West boundary line of the TOWN OF OLMITO (Volume 8, Page 83, Map Records, Cameron County, Texas) for a corner of this tract;

THENCE, along the common boundary line of said RANCHO VIEJO SUBDIVISION, SECTION I and the TOWN OF OLMITO, North 07 degrees 16 minutes 00 seconds East (calculated) (North 6 degrees 22 minutes East Map) a distance of 249.39 feet (calculated) (249.73 feet Map) a distance of 249.39 feet (calculated) (249.73 feet Map) to the South 100 foot railroad right of way line of St. Louis Brownsville and Mexico Railroad and the Northwest corner of Lot 9, Block 100 of the TOWN OF OLMITO, for a point on a concave curve whose radius point bears, South 48 degrees 23 minutes 36 seconds West a distance of 2813.03 feet for a corner of this tract;

THENCE, along the said, South railroad right of way, same being the North boundary line of said Lot 9, Block 100 of the TOWN OF OLMITO and said curve in a Southeast direction an are distance of 298.81 feet (Chord: South 38 degrees 33 minutes 48 seconds East 298.67 feet) to the East boundary line of Lot 8, Block 100, of the TOWN OF OLMITO, same being the West right of way line of Lakeside Boulevard (60 feet right of way), for a corner of this tract;

THENCE, leaving the South railroad right of way and along the East boundary line of Lots 5 through 8, Block 100, of the TOWN OF OLMITO, same being the West right of way line of Lakeside Boulevard (60 feet right of way), South 06 degrees 44 minutes 34 seconds West (calculated) (South 06 degrees 45 minutes West, Map), a distance of 275.94 feet to the Southeast corner of the Lot 5, Block 100, of the TOWN OF OLMITO, for a corner of this tract;
THENCE, along the South boundary lien of said Lot 5, Block 100, of the TOWN OF OLMITO, North 83 degrees 14 minutes West (calculated) (North 83 degrees 15 minutes West, Map) a distance of 216.76 feet (calculated) (216.8 feet Map) to the East boundary line of said Share 14, Espiritu Santo Grant and the West boundary line of the TOWN OF OLMITO same being the East boundary line of said 127.5 acre tract, for a corner of this tract;

THENCE, along the common boundary line of said 127.5 acre tract and said TOWN OF OLMITO, South 07 degrees 16 minutes 00 seconds West (calculated) (South 07 degrees 25 minutes West, Deed) a distance of 663.44 feet to a Boundary Line Agreement recorded in Volume 6131, Pages 224-229, Official Records, Cameron County, Texas, for a corner of this tract;
THENCE, along said Boundary Line Agreement, South 82 degrees 03 minutes 47 seconds West, a distance of 728.08 feet (calculated) 736.60 feet Deed) for a corner of this tract;

THENCE, along said Boundary Line Agreement, South 44 degrees 47 minutes 45 seconds West, a distance of 320.61 feet for a corner of this tract;

THENCE, along said Boundary Lien Agreement, South 07 degrees 26 minutes 43 seconds West, a distance of 1358.79 feet for a corner of this tract;

THENCE, along said Boundary Lien Agreement, South 47 degrees 15 minutes 00 seconds West, a distance of 518.98 feet for a corner of this tract;

THENCE, along said Boundary Line Agreement, South 33 degrees 28 minutes 00 seconds West, a distance of 815.00 feet to the West boundary line of said 127.5 acre tract as per Boundary Line Agreement, for the most Southern corner of this tract;

THENCE, along the West boundary line of said 127.5 acre tract, North 35 degrees 37 minutes 13 seconds West (calculated) (North 35 degrees 30 minutes West, Deed) a distance of 546.29 feet (calculated) (470.0 feet Deed), for a corner of this tract;

THENCE, along the West boundary line of said 127.5 acre tract, North 16 degrees 50 minutes 00 seconds West, a distance of 925.00 feet, for a corner of this tract;

THENCE, along the West boundary line of said 127.5 acre tract, North 04 degrees 10 minutes 00 seconds East, a distance of 1358.32 feet to the Southeast corner of said 46.704 acre tract, for a total distance of 1690.00 feet for a corner of this tract;

THENCE, along the common boundary line of said 127.5 acre tract and said 46.704 acre tract, North 19 degrees 05 minutes 00 seconds East, a distance of 942.49 feet to the POINT OF BEGINNING, containing 133.86 acres, more or less.
STATE OF TEXAS  
COUNTY OF CAMERON  

KNOW ALL MEN BY THESE PRESENTS:

THAT RIO PROPERTIES, a Partnership,

of Brownsville, Cameron County, Texas,

in consideration of the sum of

--------TEN AND NO/100------------ DOLLARS ($10.00),

and other good and valuable consideration, including obligation assumed as below set forth:

to said grantor in hand paid by the grantee hereinafter named, the receipt of which is hereby

acknowledged, have GRANTED, SOLD and CONVEYED and by these presents does GRANT, SELL,

and CONVEY unto VALLEY INN & COUNTRY CLUB, INC., a corporation,

of Cameron County, Texas, all that certain property situated in Cameron County, Texas, described as follows, to wit:

Lots Five (5), Six (6), Seven (7), Eight (8) and Nine (9), in Block 100, Townsite of Olmito, Cameron County, Texas, according to the map or plat recorded in Volume 8, Page 83, Map Records of Cameron County, Texas.

As part of the consideration herefore, Grantee assumes payment on or before maturity of that certain Vendor's Lien Note dated November 21, 1968, executed by Dwayne G. Ottman, et ux, to Charlene Murrell in the original principal amount of $3,990.00, recorded in Volume 509, Page 415, Deed of Trust Records, Cameron County, Texas.

TO HAVE AND TO HOLD the said premises, together with all rights, hereditaments and appurtenances thereto belonging, unto the said grantee above named, its / its successors and assigns.

AND FOREVER DEFEND the title to said property unto the said grantee above named, its successors / its assigns, against every person whomever lawfully claiming or to claim the same, or any part thereof.

EXECUTED this 26th day of October, A.D. 1971.

RIO PROPERTIES, a Partnership  

By: [Signature]  
Partner

By: [Signature]  
Partner

By: [Signature]  
Partner
THE STATE OF TEXAS
COUNTY OF CAMERON

Before me, the undersigned authority, on this day personally appeared Bill D. Bass, and
Anne H. Glenn, and Joseph J. Letting, partners of Rio Properties, a partnership,
known to me to be the persons whose names are subscribed to the foregoing instrument, and ac-
knowledged to me that they executed the same for the purposes and consideration therein expressed.
and in the capacity therein stated.

Given under my hand and seal of office, this 29th day of March A.D., 1971.

[Signature]
Notary Public in and for Cameron County, Texas.
37063

DEED WITHOUT WARRANTY

OFFICIAL RECORDS

Date: November 7, A.D. 1991

Grantor: WILLIAM A. FAULK, TRUSTEE

Grantor's Mailing Address (including county): 2039 E. Price Road, Suite G
Brownsville, TX 78521
(Cameron County)

Grantee: Q. S. KINCAID

Grantee's Mailing Address (including county): 4941 Gulfstream Drive
Dallas, Texas 75244
(Dallas County)

Consideration: TEN AND NO/100THS ($10.00) DOLLARS and other good and valuable
consideration, the receipt of which is hereby acknowledged.

Property (including any improvements):

Lot Numbers Five (5) and Six (6), Block Number One Hundred (100), TOWNSITE
OF ELKHORN, Cameron County, Texas, according to the Map or Plat thereof
recorded in Volume 9, Page 83 of the Map Records of Cameron County, Texas.

Reservations from and Exceptions to Conveyance and Warranty:

This conveyance is made and accepted subject to the following matters, to the
extent same are in effect at this time: Any and all restrictions, covenants,
conditions and easements, if any, relating to the hereinabove described
property, but only to the extent they are still in effect, shown of record in the
hereinabove mentioned County and State, and to all zoning laws, regulations
and ordinances of municipal and/or other governmental authorities, if any, but
only to the extent that they are still in effect, relating to the hereinabove
described property.

Grantor, for the consideration and subject to the reservations from and exceptions
to conveyance, conveys to Grantee the property without express or implied warranty,
and all warranties that might arise by common law and the warranties in § 5.023 of
the Texas Property Code (or its successor) are excluded.

When the context requires, singular nouns and pronouns include the plural.
STATE OF TEXAS
COUNTY OF CAMERON

This instrument was acknowledged before me on the 19th day of November, 1991, by WILLIAM A. PAUL, in the capacity as therein stated.

William A. Paul, Trustee

STATE OF TEXAS
COUNTY OF

This instrument was acknowledged before me on the 19th day of November, 1991, by WILLIAM A. PAUL, in the capacity as therein stated.

William A. Paul, Trustee

AFTER RECORDING RETURN TO:
Q. S. Kincaid
4041 Gulfstream Drive
Dallas, TX 75244

PREPARED IN THE LAW OFFICE OF:
WILLIAM A. PAUL, P. C.
2039 Price Road, Suite "G"
Brownsville, Texas 78521

FILED FOR RECORD AT
Nov 21 1991
AM 5:51

George E. Rivera
Cameron County Court
by

34063
DEED WITHOUT WARRANTY

Date: January 9, 1992

Grantee: WILLIAM A. FAULK, TRUSTEE

Grantee's Mailing Address (including county): 2029 E. Price Road, Suite 0
Brownsville, TX 78521
(Cameron County)

Grantee: Q. S. KINCANNO

Grantee's Mailing Address (including county): 4041 Gulfstream Drive
Dallas, TX 75244
(Dallas County)

Consideration: TEN AND NO/100THS DOLLARS ($10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged;

Property (including any improvements):
Lot Numbers Seven (7), Eight (8) and Nine (9), Block Number One Hundred (100), TOWNSHIP OF OLMUSTO, Cameron County, Texas, according to the map or plat thereof recorded in Volume S, Page 93, of the Map Records of Cameron County, Texas.

Reservations from and Exceptions to Conveyance and Warranty:

This conveyance is made and accepted subject to the following matters, to the extent same are in effect at this time: Any and all restrictions, covenants, conditions and easements, if any, relating to the hereinabove described property, but only to the extent they are still in effect, shown of record in the hereinabove mentioned County and State, and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent that they are still in effect, relating to the hereinabove described property.

Grantee, for the consideration and subject to the reservations from and exceptions to conveyance, conveys to Grantee the property without express or implied warranty, and all warranties that might arise by common law and the warranties in § 5.023 of the Texas Property Code (or its successor) are excluded.


due to typographic errors, singular nouns and pronouns include the plural.
STATE OF TEXAS
COUNTY OF CAMERON

This instrument was acknowledged before me on the 8th day of January, 1992, by WILLIAM A. PAULK, in the capacity as therein stated.

Noary Public, State of Texas
Noary's name (printed):
Noary's commission expires:

(Corporate Acknowledgment)

STATE OF TEXAS
COUNTY OF

This instrument was acknowledged before me on the day of 1992, by corporation, on behalf of said corporation.

Noary Public, State of Texas
Noary's name (printed):
Noary's commission expires:

AFTER RECORDING RETURN TO:
G.S. KinCannon
4941 Gulfstream Drive
Dallas, TX 75244

PREPARED IN THE LAW OFFICE OF:
William A. Paulk, P.C.
2039 E. Price Road, Suite G
Brouseville, TX 78521

FILED FOR RECORD AT
Jan 14 3 1992

JOE A. RIVIERA
CLERK COUNTY COURT
CAMERON COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF CAMERON

TAS 1271

[Signature]
Commitment

COMMITMENT FOR TITLE INSURANCE (T-7)

Issued By:

Chicago Title Insurance Company

Commitment Number:

4300111801347

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.

We (Chicago Title Insurance Company, a Florida corporation) 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.

Chicago Title Insurance Company

By:

[Signature]

President

Attest:

[Signature]

Secretary

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 and Stipulations, and Exclusions.
SCHEDULE A

Effective Date: January 7, 2018 at 8:00 AM
Commitment No.: 4300111801347-Commitment for Title Insurance (T-7) - 2014

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: $1,900,000.00
      PROPOSED INSURED: Versa Development, LLC
   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: TBD
      PROPOSED INSURED: Versa Development, LLC
      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)
      Policy 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:
   Milton E. Kincannon
4. Legal description of land:

Being a 133.86 acre tract, more or less, comprised of a 131.96 acre tract [calc.] 127.5 acre tract recorded in Volume 589, Page 627, Deed Records, Cameron County, Texas and 1.90 acre tract comprised of Lots 5 thru 9, Block 100 as shown on map of Olmito, recorded in Volume 8, Page 83, Map Records, Cameron County, Texas; said 133.86 acres being more particularly located and described as follows:

Beginning at the Northeast corner of a 46.704 acre tract [Volume 9560, Pages 213-218, Cameron County Official Records], and the Northwest corner of said 127.5 acre tract, same being a point on the South boundary line of Rancho Viejo Subdivision, Section [Volume 26, Pages 33-43, Cameron County Map Records] for the Northwest corner of this tract;

Thence, along the common line of said 127.5 acre tract and Rancho Viejo Subdivision, Section I, South 82 Degrees 10 Minutes 36 Seconds East [calc.] [South 82 Degrees 35 Minutes East Deed], a distance of 2243.42 ft. [calc.] [2250.0' Deed] to the Southeast corner of said Rancho Viejo Subdivision, Section I, and the East boundary line of Share 14, Espiritu Santo Grant and the West boundary line of the Town of Olmito [Volume 8, Page 83 Cameron County Map Records] to a concrete monument found, for a corner of this tract;

Thence, along the common boundary line of said Rancho Viejo Subdivision, Section I and the Town of Olmito, North 07 Degrees 16 Minutes 00 Seconds East, [calc.] [in 06 Degrees 22 Minutes East Map] a distance of 249.39 ft.[calc.] [249.73' Map] to the South 100 ft. railroad right-of-way line of St. Louis Brownsville and Mexico Railroad and the Northwest corner of Lot 9, Block 100, of the Town of Olmito, for a point on a concave curve whose radius point bears, South 48 Degrees 23 Minutes 36 Seconds West, a distance of 2813.03 ft. to a concrete monument found, for a corner of this tract;

Thence, along the said South railroad right-of-way, same being the North boundary line of said Lot 9, Block 100, of the Town of Olmito and said curve in a Southeast direction an arc distance of 298.81 ft. [Ch: South 38 Degrees 33 Minutes 48 Seconds East 298.67 ft.], to the East boundary line of Lot 8, Block 100, of the Town of Olmito, same being the West right-of-way line of Lakeside Boulevard [60 ft. right-of-way], to a 1/2" iron rod with an orange plastic cap stamped "Ambiotec 5301" set, for a corner of this tract;

Thence, leaving the South railroad right-of-way and along the East boundary line of Lots 5 thru 8, Block 100, of the Town of Olmito, same being the West right-of-way line of Lakeside Boulevard [60 ft. right-of-way], South 06 Degrees 44 Minutes 34 Seconds West [calc.] [South 06 Degrees 45 Minutes West, Map], a distance of 275.94 ft. to the Southeast corner of Lot 5, Block 100 of the Town of Olmito, to a 1/2" iron rod with an orange plastic cap stamped "Ambiotec 5301" set, for a corner of this tract;

Thence, along the boundary line of said Lot 5, Block 100 of the Town of Olmito, North 83 Degrees 14 Minutes West [calc.] [North 83 Degrees 15 Minutes West, map], a distance of 216.76 ft. [calc.] [216.8' Map] to the East boundary line of said Share 14, Espiritu Santo Grant and the West boundary line of the Town of Olmito same being the East boundary line of said 127.5 acre tract, to a 1/2" iron rod with an orange plastic cap stamped "Ambiotec 5301" set for a corner of this tract;

Thence, along the common boundary line of said 127.5 acre tract and said Town of Olmito, South 07 Degrees 16 Minutes 00 Seconds West [calc.] [South 07 Degrees 25 Minutes West, Deed] a distance of 663.44 ft. to a Boundary Line Agreement recorded in [Volume 6131, Pages 224-229 Cameron County Official Records] for a corner of this tract;

Thence, along said Boundary Line Agreement, South 82 Degrees 03 Minutes 47 Seconds West, a distance of 728.08 ft. [calc.] [736.60' Deed] for a corner of this tract;

Thence, along said Boundary Line Agreement, South 44 Degrees 47 Minutes 45 Seconds West, a distance of 320.61 ft. for a corner of this tract;
Thence, along said Boundary Line Agreement, South 07 Degrees 26 Minutes 43 Seconds West, a distance of 1358.79 ft. for a corner of this tract;

Thence, along said Boundary Line Agreement, South 47 Degrees 15 Minutes 00 Seconds West, a distance of 518.98 ft. for a corner of this tract;

Thence, along said Boundary Line Agreement, South 33 Degrees 28 Minutes 00 Seconds West, a distance of 815.00 ft. to the West boundary line of said 127.5 acre tract as per Boundary Line Agreement, for the most Southern corner of this tract;

Thence, along the West boundary line of said 127.5 acre tract, North 35 Degrees 37 Minutes 13 Seconds West [calc.] [North 35 Degrees 30 Minutes West, Deed] a distance of 546.29 ft. [calc.] [470.0' Deed], for a corner of this tract;

Thence, along the West boundary line of said 127.5 acre tract, North 16 Degrees 50 Minutes 00 Seconds West, a distance of 925.00 ft., for a corner of this tract;

Thence, along the West boundary line of said 127.5 acre tract, North 04 Degrees 10 Minutes 00 Seconds East, a distance of 1358.32 ft. to the Southeast corner of said 46.704 acre tract, for a total distance of 1690.00 ft. for a corner of this tract;

Thence, along the common boundary line of said 127.5 acre tract and said 46.704 acre tract, North 19 Degrees 05 Minutes 00 Seconds East, a distance of 942.49 ft. to the Point of Beginning;

Containing 133.86 acres, more or less, inclusive of any and all easements, restrictions, or dedications that may be of record.

END OF SCHEDULE A
SCHEDULE B
EXCEPTIONS FROM COVERAGE

Commitment No.: 4300111801347

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):

   Item 1, Schedule B is hereby deleted.

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 Policy only.)

4. Any title 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 or 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 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 years. (If Texas Short Form Residential Mortgagee 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 Mortgagee 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 Mortgagee Policy (T-2) only.)

9. The Exceptions from Coverage and Express Insurance in Schedule B of the Texas Short Form Residential
SCHEDULE B
EXCEPTIONS FROM COVERAGE
(continued)

Mortgagee Policy of Title Insurance (T-2R). (Applies to Texas Short Form Residential Mortgagee 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 Mortgagee 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. 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.

b. Those liens created at closing, if any, pursuant to lender instructions.

c. Rights of parties in possession.

d. Visible or apparent easement(s) and/or rights of way on, over, under or across the Land.

e. If any portion of the proposed loan and/or the Owner's Title Policy coverage amount includes funds for immediately contemplated improvements, the following exceptions will appear in Schedule B of any policy issued as indicated:

Owner and Loan Policy(ies): Any and all liens arising by reason of unpaid bills or claims for work performed or materials furnished in connection with improvements placed, or to be placed, upon the subject land. However, the Company does insure the insured against loss, if any, sustained by the Insured under this policy if such liens have been filed with the County Clerk of County, Texas, prior to the date hereof.

Owner Policy(ies) Only: Liability hereunder at the date hereof is limited to $ 0.00. Liability shall increase as contemplated improvements are made, so that any loss payable hereunder shall be limited to said sum plus the amount actually expended by the insured in improvements at the time the loss occurs. Any expenditures made for improvements, subsequent to the date of this policy will be deemed made as of the date of this policy. In no event shall the liability of the Company hereunder exceed the face amount of this policy. Nothing contained in this paragraph shall be construed as limiting any exception or any printed provision of this policy.

Loan Policy(ies) Only: Pending disbursement of the full proceeds of the loan secured by the lien instrument set forth under Schedule A hereof, this policy insures only to the extent of the amount actually disbursed, but increase as each disbursement is made in good faith and without knowledge of any defect in, or objections to, the title up to the face amount of the policy. Nothing contained in this paragraph shall be construed as limiting any exception under Schedule B, or any printed provision of this policy.

f. The following exception will appear in any policy issued (other than the T-1R Residential Owner Policy of Title Insurance and the T-2R Short-Form Residential Mortgagee Policy) if the Company is not provided a survey of the Land, acceptable to the Company, for review at or prior to closing:

Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land.

g. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by G. Philip Warner, Trustee for Martha Dana Mercer to Quintin S. Kincannon and
SCHEDULE B
EXCEPTIONS FROM COVERAGE
(continued)

wife, Jacklyn Louise Kincannon, dated January 29, 1955, filed for record in the Office of the County Clerk of Cameron County, Texas in Volume 589, Page 627, Deed Records, Cameron County, Texas, reference to which instrument is made for all intents and purposes. Title to said interest not checked subsequent to the date of the aforesaid instrument.

h. Olmito Lake and Acacia Lake along the east side of said 127.5 acre tract of land.


k. Grant of Easement granted to Cameron County Drainage District No. 1, by Quintin S. KinCannon, General Partner of KinCannon Farms Partnership, dated December 2, 1998, filed for record in the Office of the County Clerk of Cameron County, Texas in Volume 5308, Page 137, Official Records, Cameron County, Texas.


n. Terms, covenants, conditions and provisions as set out in that certain Easement and Agreement by and between Cameron County Water Control and Improvement District No. 13 and G. Philip Wardner, Trustee, dated July 26, 1955, filed for record in the Office of the County Clerk of Cameron County, Texas in Volume 604, Page 215, Deed Records, Cameron County, Texas.

o. Boundary Agreement dated February 21, 2000 by and between Milton E. Wentz, Jr. and wife, Jeanine Elizabeth Wentz and KinCannon Farms, a Texas Partnership, recorded in Volume 6131, Page 224, Official Records, Cameron County, Texas.

SCHEDULE B
EXCEPTIONS FROM COVERAGE
(continued)


z. Order combining water rights as described in instrument dated October 31, 1994, recorded in Volume 3147, Page 331, Official Records, Cameron County, Texas.

aa. Water Rights Special Warranty Deed dated May 18, 2005 from Rio Rancho Nuevo Phase I, LLC to Valley Municipal Utility District No. 2, recorded in Volume 11529, Page 121, Official Records, Cameron County, Texas.

ab. Subject to erosions and accretions cause the waters of Olmito Lake and Acacia Lake.

ac. Subject to any and all agricultural leases, agreements, amendments and supplements thereto, existing
with the tenants in possession, whether written or oral and whether recorded or unrecorded.

ad. Easements or claims of easements which are not a part of the public record.

ae. Prescriptive rights for roads, public or private, ditches, canals and/or utilities which are not a part of the public record, but visible from an inspection of the proposed insured land(s) or revealed by a proper survey.
SCHEDULE C

Commitment No.: 4300111801347
GF No.: SCT-48-4300111801347-RJ

Your Policy will not cover loss, costs, attorneys' 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:
   a. no person occupying the land claims any interest in that land against the persons named in paragraph 3 of Schedule A,
   b. all standby fees, taxes, assessments and charges against the property have been paid,
   c. 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,
   d. there is legal right of access to and from the land,
   e. (on a Mortgagee 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. Prior approval from Regional Underwriting must be obtained if the subject transaction involves the proposed issuance of (i) an Owner's Policy to a person or entity who purchased the subject property at a foreclosure sale, or (ii) a Loan Policy insuring a lien granted by such person or entity on the subject property.

6. Break in Chain: There is a Deed dated March 26, 1971 from Rio Properties, a partnership to Valley Inn & Country Club, Inc., a Corporation, recorded in Volume 906, Page 109, Deed Records, Cameron County, Texas. Thereafter, there is a Deed Without Warranty dated November 7, 1991 from William A. Faulk, Trustee to Q.S. KinCannon, recorded in Volume 1775, Page 325, Official Records, Cameron County, Texas. Company is unable to locate a Deed from Valley Inn & Country Club and will require any Deeds be filed of record to fill in break in chain.

7. Ascertain the marital status of Milton E. KinCannon to determine if community property, and homestead character of the proposed insured land, from September 29, 2006 to date of closing and secure joinder of spouse as necessary.

8. Title Company reserves the right to revise any proposed insuring provision herein or make additional requirements upon its review of any additional documentation or information, including but not limited to a qualified approved survey.
SCHEDULE D

Commitment No.: 4300111801347

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 issuing Title Insurance Company, Chicago Title Insurance Company, is a corporation whose shareholders owning or controlling, directly or indirectly, 10% of said corporation, directors and officers are listed below:
   - **Shareholders:** Fidelity National Title Group, Inc. which is owned 100% by FNTG Holdings, LLC which is owned 100% by Fidelity National Financial, Inc.
   - **Directors:** Raymond Randall Quirk, Anthony John Park, Michael J. Nolan, Theodore L. Kessner, Edson N. Burton, Jr.
   - **Officers:** Raymond Randall Quirk (President), Anthony John Park (Executive Vice President), Michael Louis Gravelle (Secretary), Daniel Kennedy Murphy (Treasurer)

2. The following disclosures are made by the Title Insurance Agent issuing this Commitment:

   - **Chicago Title of Texas, LLC**
     - (a) A listing 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.
     - **Owners:** FNTS Holdings, LLC owns 100% of Alamo Title Holding Company, which owns 100% of Chicago Title of Texas, LLC
     - (b) A listing of 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.
     - **Owners:** FNTG Holdings, LLC owns 100% of FNTS Holdings, LLC
     - (c) If the Agent is a corporation: (i) the name of each director of the Title Insurance Agent, and (ii) the names of the President, the Executive or Senior Vice-President, the Secretary and the Treasurer of the Title Insurance Agent.
     - **Officers/Directors:** Raymond Randall Quirk (President), Michael Louis Gravelle (Corporate Secretary), Joseph William Grealish (Executive Vice President), Daniel Kennedy Murphy (Treasurer), John Tannous (President and County Manager), Gayle Brand (President and County Manager), Brian K. Baize (President and County Manager), Carlos E. Valdes (President and County Manager), Robert B. Kuhn (President and County Manager)
     - (d) The name of any person who is not a full-time employee of the Title Insurance Agent and who receives any portion of the title insurance premium for services performed on behalf of the Title Insurance Agent in connection with the issuance of a title insurance form; and, the amount of premium that any such person shall receive.
     - (e) For purposes of this paragraph 2, "having, owning or controlling" includes the right to receipt of a percentage of net income, gross income, or cash flow of the Agent or entity in the percentage stated in subparagraphs (a) or (b).

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:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner's Policy</td>
<td>$9,965.00</td>
</tr>
<tr>
<td>Loan Policy</td>
<td>$100.00</td>
</tr>
<tr>
<td>Endorsement Charges</td>
<td>$1,544.75</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$11,609.75</td>
</tr>
</tbody>
</table>

   Of this total amount: 15% will be paid to the policy issuing Title Insurance Company; 85% 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>
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<tr>
<th>Percent/Amount</th>
<th>To Whom</th>
<th>For Services</th>
</tr>
</thead>
</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.
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.

El seguro de título le asegura en relación a pérdidas resultantes de ciertos riesgos que pueden afectar el título de su propiedad.

El Compromiso para Seguro de Título es la promesa de la compañía aseguradora de títulos de emitir la póliza de seguro de título. El Compromiso es un documento legal. Usted debe leerlo cuidadosamente y entenderlo completamente antes de la fecha para finalizar su transacción.

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, insure 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 Conditions 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 Texas Department of Insurance by calling the Title Insurance Company at 1-800-442-7067 or by calling the title insurance agent that issued the Commitment. The Texas Department 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's 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.
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 Insurance 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
FIDELITY NATIONAL FINANCIAL
PRIVACY NOTICE
Effective: May 1, 2015; Last Updated: March 1, 2017

At Fidelity National Financial, Inc., we respect and believe it is important to protect the privacy of consumers and our customers. This Privacy Notice explains how we collect, use, and protect any information that we collect from you, when and to whom we disclose such information, and the choices you have about the use of that information. A summary of the Privacy Notice is below, and we encourage you to review the entirety of the Privacy Notice following this summary. You can opt-out of certain disclosures by following our opt-out procedure set forth at the end of this Privacy Notice.

<table>
<thead>
<tr>
<th>Types of Information Collected. You may provide us with certain personal information about you, like your contact information, address demographic information, social security number (SSN), driver's license, passport, other government ID numbers and/or financial information. We may also receive browsing information from your Internet browser, computer and/or mobile device if you visit or use our websites or applications.</th>
<th>How Information is Collected. We may collect personal information from you via applications, forms, and correspondence we receive from you and others related to our transactions with you. When you visit our websites from your computer or mobile device, we automatically collect and store certain information available to us through your Internet browser or computer equipment to optimize your website experience.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use of Collected Information. We request and use your personal information to provide products and services to you, to improve our products and services, and to communicate with you about these products and services. We may also share your contact information with our affiliates for marketing purposes.</td>
<td>When Information Is Disclosed. We may disclose your information to our affiliates and/or nonaffiliated parties providing services for you or us, to law enforcement agencies or governmental authorities, as required by law, and to parties whose interest in title must be determined.</td>
</tr>
<tr>
<td>Choices With Your Information. Your decision to submit information to us is entirely up to you. You can opt-out of certain disclosure or use of your information or choose to not provide any personal information to us.</td>
<td>Information From Children. We do not knowingly collect information from children who are under the age of 13, and our website is not intended to attract children.</td>
</tr>
<tr>
<td>Privacy Outside the Website. We are not responsible for the privacy practices of third parties, even if our website links to those parties' websites.</td>
<td>International Users. By providing us with your information, you consent to its transfer, processing and storage outside of your country of residence, as well as the fact that we will handle such information consistent with this Privacy Notice.</td>
</tr>
<tr>
<td>The California Online Privacy Protection Act. Some FNF companies provide services to mortgage loan servicers and, in some cases, their websites collect information on behalf of mortgage loan servicers. The mortgage loan servicer is responsible for taking action or making changes to any consumer information submitted through those websites.</td>
<td>Your Consent To This Privacy Notice. By submitting information to us or by using our website, you are accepting and agreeing to the terms of this Privacy Notice.</td>
</tr>
<tr>
<td>Access and Correction: Contact Us. If you desire to contact us regarding this notice or your information, please contact us at <a href="mailto:privacy@fnf.com">privacy@fnf.com</a> or as directed at the end of this Privacy Notice.</td>
<td></td>
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</tbody>
</table>
FIDELITY NATIONAL FINANCIAL
PRIVACY NOTICE
Effective: May 1, 2015; Last Updated: March 1, 2017

Fidelity National Financial, Inc. and its majority-owned subsidiary companies providing title insurance, real estate- and loan-related services (collectively, "FNF", "our" or "we") respect and are committed to protecting your privacy. We will take reasonable steps to ensure that your Personal Information and Browsing Information will only be used in compliance with this Privacy Notice and applicable laws. This Privacy Notice is only in effect for Personal Information and Browsing Information collected and/or owned by or on behalf of FNF, including Personal Information and Browsing Information collected through any FNF website, online service or application (collectively, the "Website").

Types of Information Collected
We may collect two types of information from you: Personal Information and Browsing Information.

Personal Information. FNF may collect the following categories of Personal Information:
- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- social security number (SSN), driver’s license, passport, and other government ID numbers;
- financial account information; and
- other personal information needed from you to provide title insurance, real estate- and loan-related services to you.

Browsing Information. FNF may collect the following categories of Browsing Information:
- Internet Protocol (or IP) address or device ID/UDID, protocol and sequence information;
- browser language and type;
- domain name system requests;
- browsing history, such as time spent at a domain, time and date of your visit and number of clicks;
- http headers, application client and server banners; and
- operating system and fingerprinting data.

How Information is Collected
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;
- the correspondence you and others send to us;
- information we receive through the Website;
- information about your transactions with, or services performed by, us, our affiliates or nonaffiliated third parties; and
- information from consumer or other reporting agencies and public records maintained by governmental entities that we obtain directly from those entities, our affiliates or others.

If you visit or use our Website, we may collect Browsing Information from you as follows:
- Browser Log Files. Our servers automatically log each visitor to the Website and collect and record certain browsing information about each visitor. The Browsing Information includes generic information and reveals nothing personal about the user.
- Cookies. When you visit our Website, a "cookie" may be sent 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. When you visit a website again, the cookie allows the website to recognize your computer. Cookies may store user preferences and other information. You can choose whether or not to accept cookies by changing your Internet browser settings, which may impair or limit some functionality of the Website.

Use of Collected Information
Information collected by FNF is used for three main purposes:
- To provide products and services to you or any affiliate or third party who is obtaining services on your behalf or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you and to inform you about our, our affiliates' and third parties' products and services, jointly or independently.

When Information Is Disclosed
We may provide your Personal Information (excluding information we receive from consumer or other credit reporting agencies) and Browsing Information to various individuals and companies, as permitted by law, without
obtaining your prior authorization. Such laws do not allow consumers to restrict these disclosures. Please see the section "Choices With Your Personal Information" to learn how to limit the discretionary disclosure of your Personal Information and Browsing Information.

Disclosures of your Personal Information may be made to the following categories of affiliates and nonaffiliated third parties:

- to third parties to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to our affiliate financial service providers for their use to market their products or services to you;
- to nonaffiliated third party service providers who provide or perform services on our behalf and use the disclosed information only in connection with such services;
- to nonaffiliated third party service providers with whom we perform joint marketing, pursuant to an agreement with them to market financial products or services to you;
- to law enforcement or other governmental authority in connection with an investigation, or civil or criminal subpoena or court order;
- to lenders, lien holders, judgment creditors, or other parties claiming an interest in title whose claim or interest must be determined, settled, paid, or released prior to closing; and
- other third parties for whom you have given us written authorization to disclose your Personal Information.

We may disclose Personal Information and/or Browsing Information when required by law or in the good-faith belief that such disclosure is necessary to:

- comply with a legal process or applicable laws;
- enforce this Privacy Notice;
- investigate or respond to claims that any material, document, image, graphic, logo, design, audio, video or any other information provided by you violates the rights of a third party; or
- protect the rights, property or personal safety of FNF, its users or the public.

We maintain reasonable safeguards to keep your Personal Information secure. When we provide Personal Information to our affiliates or third party service providers as discussed in this Privacy Notice, we expect that these parties process such information in compliance with our Privacy Notice or in a manner that is in compliance with applicable privacy laws. The use of your information by a business partner may be subject to that party's own Privacy Notice. Unless permitted by law, we do not disclose information we collect from consumer or credit reporting agencies with our affiliates or others without your consent.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of our bankruptcy, reorganization, insolvency, receivership or an assignment for the benefit of creditors. You expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings. We cannot and will not be responsible for any breach of security by a third party or for any actions of any third party that receives any of the information that is disclosed to us.

**Choices With Your Information**

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you. The uses of your Personal Information and/or Browsing Information that, by law, you cannot limit, include:

- for our everyday business purposes -- to process your transactions, maintain your account(s), to respond to law enforcement or other governmental authority in connection with an investigation, or civil or criminal subpoenas or court orders, or report to credit bureaus;
- for our own marketing purposes;
- for joint marketing with financial companies; and
- for our affiliates' everyday business purposes -- information about your transactions and experiences.

You may choose to prevent FNF from disclosing or using your Personal Information and/or Browsing Information under the following circumstances ("opt-out"):

- for our affiliates' everyday business purposes -- information about your creditworthiness; and
- for our affiliates to market to you.

To the extent permitted above, you may opt-out of disclosure or use of your Personal Information and Browsing Information by notifying us by one of the methods at the end of this Privacy Notice. We do not share your personal information with non-affiliates for their direct marketing purposes.
For California Residents: We will not share your Personal Information and Browsing Information with nonaffiliated third parties, except as permitted by California law. Currently, our policy is that we do not recognize “do not track” requests from Internet browsers and similar devices.

For Nevada Residents: You may be placed on our internal Do Not Call List by calling (888) 934-3354 or by contacting us via the information set forth at the end of this Privacy Notice. Nevada law requires that we also provide you with the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: BCPINFO@ag.state.nv.us.

For Oregon Residents: We will not share your Personal Information and Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Vermont Residents: We will not share your Personal Information and Browsing Information with nonaffiliated third parties, except as permitted by Vermont law, such as to process your transactions or to maintain your account. In addition, we will not share information about your creditworthiness with our affiliates except with your authorization. For joint marketing in Vermont, we will only disclose your name, contact information and information about your transactions.

Information From Children
The Website is meant for adults and is not intended or designed to attract children under the age of thirteen (13). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian. By using the Website, you affirm that you are over the age of 13 and will abide by the terms of this Privacy Notice.

Privacy Outside the Website
The Website may contain links to other websites. FNF is not and cannot be responsible for the privacy practices or the content of any of those other websites.

International Users
FNF's headquarters is located within the United States. If you reside outside the United States or are a citizen of the European Union, please note that we may transfer your Personal Information and/or Browsing Information outside of your country of residence or the European Union for any of the purposes described in this Privacy Notice. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection and transfer of such information in accordance with this Privacy Notice.

The California Online Privacy Protection Act
For some FNF websites, such as the Customer CareNet ("CCN"), FNF is acting as a third party service provider to a mortgage loan servicer. In those instances, we may collect certain information on behalf of that mortgage loan servicer via the website. The information which we may collect on behalf of the mortgage loan servicer is as follows:
• first and last name;
• property address;
• user name and password;
• loan number;
• social security number - masked upon entry;
• email address;
• three security questions and answers; and
• IP address.

The information you submit through the website is then transferred to your mortgage loan servicer by way of CCN.

The mortgage loan servicer is responsible for taking action or making changes to any consumer information submitted through this website. For example, if you believe that your payment or user information is incorrect, you must contact your mortgage loan servicer.

CCN does not share consumer information with third parties, other than (1) those with which the mortgage loan servicer has contracted to interface with the CCN application, or (2) law enforcement or other governmental authority in connection with an investigation, or civil or criminal subpoenas or court orders. All sections of this Privacy Notice apply to your interaction with CCN, except for the sections titled "Choices with Your Information" and "Access and Correction." If you have questions regarding the choices you have with regard to your personal information or how to access or correct your personal information, you should contact your mortgage loan servicer.
Your Consent To This Privacy Notice
By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information by us in compliance with this Privacy Notice. Amendments to the Privacy Notice will be posted on the Website. Each time you provide information to us, or we receive information about 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 submit to us in any manner that we may choose without notice or compensation to you.

Accessing and Correcting Information; Contact Us
If you have questions, would like to access or correct your Personal Information, or want to opt-out of information sharing with our affiliates for their marketing purposes, please send your requests to privacy@fnf.com or by mail or phone to:

Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, Florida 32204
Attn: Chief Privacy Officer
(888) 934-3354
Year: 2017

Account Information

- Property ID: 248674
- Geo ID: 79-1410-0010-0110-00
- Type: Real
- Category: D1
- Situs: E lakeside blvd
- Legal Desc: ESPIRITU SANTO GRANT SHARE 14 131.96 AC OF 293.34 ACRES TRACTS 1 & 5
- Jurisdictions: SES, STS, CAD, TR1A, TBN1, ILO, SST, SBN, GCC, SD1
- Map ID: 08-03-00

Owner Information

- Owner: KIN CANNON MILTON E
- Address: 4203 Leona Riv
- City, State, Zip: San Antonio, TX 78253-5709
- % Ownership: 100.0000000000
- Exemption:
- Agent Code:

Value Detail

- (+) Improvement Homesite: $0
- (+) Improvement Non-Homesite: $0
- (+) Land Homesite: $0
- (+) Land Non-Homesite: $0
- (+) Ag. Market: $263,920
- (=) Market Value: $263,920
- (-) Ag. Use Reduction: $227,526
- (=) Appraised Value: $36,394
- (-) HS Capped Value: $0
- (=) Assessed Value: $36,394

Ag Use: $36,394

Taxing Jurisdictions

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<th>Tax Rate</th>
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Improvements/Building

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<th>Ag Value</th>
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Land Segment

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<th>Improvements</th>
<th>Land Market</th>
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<td>36,394</td>
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<td>36,394</td>
<td>36,394</td>
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<td>36,394</td>
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<tr>
<td>Year</td>
<td>Year 1</td>
<td>Year 2</td>
<td>Year 3</td>
<td>Year 4</td>
<td>Year 5</td>
<td>Year 6</td>
</tr>
<tr>
<td>------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
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### Deed History (Last 3 Deed Transactions)

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<th>Deed Date</th>
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<th>Description</th>
<th>Grantor</th>
<th>Grantee</th>
<th>Volume</th>
<th>Page</th>
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<td>SPECIAL WARRANTY DEED</td>
<td>KINCANNON FARMS</td>
<td>KINCANNON MILTON E</td>
<td>13293</td>
<td>302</td>
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### Property Details

<table>
<thead>
<tr>
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<th>248674</th>
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</thead>
<tbody>
<tr>
<td>Geo. Id:</td>
<td>79-1410-0010-0110-00</td>
</tr>
<tr>
<td>Property Type:</td>
<td>Real</td>
</tr>
<tr>
<td>Property Address:</td>
<td>lakeside</td>
</tr>
<tr>
<td>Owner Name:</td>
<td>KINCanon MILTON E</td>
</tr>
<tr>
<td>Owner Address:</td>
<td>4203 Leona Riv</td>
</tr>
<tr>
<td>Address:</td>
<td>San Antonio, TX, 78253-5709</td>
</tr>
<tr>
<td>Legal Description:</td>
<td>ESPIRITU SANTO GRANT SHARE 14 131.96 AC OF 293.34 ACRES TRACTS 1 &amp; 5</td>
</tr>
<tr>
<td>Appraised Value:</td>
<td>36394</td>
</tr>
<tr>
<td>MapSCO:</td>
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<tr>
<td>Jurisdictions:</td>
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</tr>
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</table>

### Values for 2017

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
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<tbody>
<tr>
<td>(+) Improvement Homesite Value:</td>
<td>+ $0.00</td>
</tr>
<tr>
<td>(+) Improvement Non-Homesite Value:</td>
<td>+ $0.00</td>
</tr>
<tr>
<td>(+) Land Homesite Value:</td>
<td>+ $0.00</td>
</tr>
<tr>
<td>(+) Land Non-Homesite Value:</td>
<td>+ $0.00</td>
</tr>
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<tr>
<td>Timber Market Valuation:</td>
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<tr>
<td>Ag or Timber Use Value Reduction:</td>
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</tr>
<tr>
<td>Market Value:</td>
<td>$263,920.00</td>
</tr>
<tr>
<td>Assessed Value:</td>
<td>$36,394.00</td>
</tr>
</tbody>
</table>

DISCLAIMER: The Cameron Appraisal District does not warrant the accuracy, completeness or
CONSUMER CONFIDENCE REPORT

TCEQ CERTIFICATION of DELIVERY

For Calendar year 2016

Public Water System (PWS) Name: OLMITO WSC

PWS ID Number: TX0310026

I certify that the community water system named above has distributed the Consumer Confidence Report (CCR) for the calendar year of 2016 and that the information in the report is correct and consistent with the compliance monitoring data previously submitted to the TCEQ. Public Water Systems serving 500 or fewer persons are not required to mail the entire CCR to their customers as long as the system provides notice at least once per year by July 1 to its customers by mail, door-to-door delivery, or by posting in an appropriate location that the report is available upon request.

Date of Delivery: 06/19/2017
Certified By: Victor G. Trevino
Title: General Manager
Phone Number: (956) 350-4099 Email: vtrevino@olmitowsc.com
Signature: [Signature]
Date: 06/19/2017

Direct delivery methods—You must use at least one direct delivery method (check all that apply):

☐ Mail a paper copy of the CCR

Electronic Delivery:
☐ Mail notification that CCR is available on-line at http://www.olmitowatersupply.com
☐ Email direct web address of the CCR, available at http://
☐ Email CCR as an attachment to an email.
☐ Email CCR as an embedded image in an email.
☐ Other direct delivery (for example, door hangers or additional electronic delivery method).

Please specify:

Good-faith delivery methods—To reach people who do not receive bills (check all that apply):

☐ Posting the CCR on the Internet at http://www.olmitowatersupply.com
☐ Mailing the CCR to people who receive mail, but who do not receive bills.
☐ Advertising the availability of the CCR in news media.
☐ Posting the CCR in public places.
☐ Delivering multiple copies to single billing addresses serving multiple persons.
☐ Delivering multiple copies of the CCR to community organizations.

*Systems serving 100,000 or more people are required to post the CCR on a publicly available web site and provide the URL here: http://

All systems are required to mail by July 1 the certification of delivery and complete Consumer Confidence Report to: TCEQ recommends the use of certified mail.

<table>
<thead>
<tr>
<th>Sending by certified mail:</th>
<th>Sending by regular mail:</th>
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<tbody>
<tr>
<td>TCEQ</td>
<td>TCEQ</td>
</tr>
<tr>
<td>PDW, MC-155, Attn: CCR,</td>
<td>PDW, MC-155, Attn: CCR,</td>
</tr>
<tr>
<td>12100 Park 35 Circle</td>
<td>13087</td>
</tr>
<tr>
<td>Austin, TX 78753</td>
<td>Austin, TX 78711-3087</td>
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</tbody>
</table>

TCEQ-20652 (03-24-13)
IMPORTANT INFORMATION
You must include any commonly used name and location of the body(s) of water where your system obtains its water. You can include this on the Source Administration Code, you may include the following:

1. Explanation of the variance or exemption:
   
   **If your water system is operating under a variance or exemption from the Safe Drinking Water Act granted under Section 290.12(b)(4) of the Texas Health and Safety Code, you must include the following:**
   
   For more information on your source water assessment and protection efforts, contact your water system's contact person or representative. The report describes the susceptibility and types of contaminants in this source water.

2. The TCEQ has completed a source water assessment for all drinking water systems that own their sources. The report describes the susceptibility and types of contaminants in this source water.

3. The TCEQ has completed a source water assessment for all drinking water systems that own their sources. The report describes the susceptibility and types of contaminants in this source water.

4. Notice of any opportunity for public input on the review or renewal of the variance or exemption.

The report must include information about opportunities for public participation in decisions that may affect the quality of the water (e.g., time and place of regularly scheduled meetings).
If a water system has performed additional monitoring with indicators of the presence of other contaminants in the finished water, TCEQ strongly encourages systems to report the results of the monitoring; and (2) An explanation of the significance of the results.

If a water system performed any monitoring for free in the finished water, the report must include: (1) The results of the monitoring; and (2) An explanation of the significance of the results.

If you selected chlorine, chloramines, chlorine dioxide, or ozone in your water system, you must indicate: (1) The chemical used; (2) The average level of disinfectant during the year; (3) The maximum residual level of disinfectant; (4) The highest residual level of a single sample; and (5) The maximum residual disinfection level (MRLD).

The purpose of continuous monitoring is to assist EPA in determining the occurrence of unregulated contaminants in drinking water and whether the public health protection is maintained.

If you used chlorine, chloramines, chlorine dioxide, ozone, or any other treatment or process, you also must indicate: (1) The chemical used; (2) The average level of disinfectant during the year; and (3) The maximum residual disinfectant level.

The CCR only needs to include those indicators that were found during the year. The report must also include a summary of the results of any decisions and an explanation of the significance of the results.
3. If the significant deficiency was corrected by the end of the calendar year, include information regarding how the deficiency was corrected and the date it was corrected.

2. Include information regarding the plan approved and schedule for correction, including interim measures, progress to date, and any interim measures completed.

1. The name of the significant deficiency and the date it was identified by the State.

   a. The potential health effects using language in sec290.275(3).

3. For each real contamination that has not been addressed, you must inform your customers by providing the following information in the CCR:

   a. The source of real contamination (if the source is known) and the dates of the real contamination-positive event.

   b. Actions taken to address the real contamination in the groundwater source.

   c. Actions taken to address the real contamination in the distribution system.

   d. Steps taken to prevent future real contamination events.

   e. If your system received a real contamination positive groundwater source sample, you must inform your customers by including the following information in the CCR.
from gas stations, urban storm water runoff, and septic systems.

- Organic chemical contaminants, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come

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

- Radionuclides, which may come from a variety of sources such as air, radon, and radium. These radionuclides can also come from domestic wastewater and domestic water systems, which can be naturally occurring or result from urban storm water runoff, industrial or domestic wastewater, or other sources.

- Miscellaneous contaminants, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.

Contaminants that may be present in source water include:

- (800) 426-4791.

Indicate that the water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the EPA's Safe Drinking Water Hotline at

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 the water poses a health risk.

Sources of Drinking Water

From human activity:

- Construction of new or expanded facilities that could contaminate the drinking water source

From natural sources:

- Groundwater

- Surface water

OLMITE WSC is Surface Water

This report is intended to provide you with important information about your drinking water.

For more information regarding this report contact:

Name __________________________

Phone 956-350-4099

Texas Water Development Board

Phone: 1-800-652-8725

TXWQ 10217

Annual Drinking Water Quality Report for the period of January 1 to December 31, 2016

OLMITE WSC
Methods and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline at 1-800-426-4791.

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 is available from the Safe Drinking Water Hotline at 1-800-426-4791.

If you live in a community with service lines and home plumbing, you are responsible for providing high-quality drinking water. You cannot control the variety of materials used in your home's plumbing system. Lead in drinking water is primarily from materials and

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

plumbing components, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline at 1-800-426-4791.

Additional guidelines on appropriate means to lessen the risk of ingestion by children, may be obtained by contacting your local public health authority.

You may be more vulnerable than the general population to certain microbial contaminants, such as Cryptosporidium in drinking water, infants, some elderly or

Information on taste, odor, or color of drinking water, please contact your water provider's business office.

Communities may be found in drinking water that may cause taste, color, or odor problems. These types of problems are not necessarily causes for health concerns. For more

regulations established limits for contaminants in public drinking water which must provide the same protection for public health.

In order to ensure that tap water is safe to drink, EPA and states have regulations which limit the amount of certain contaminants in water provided by public water systems. FDX

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

= TX301002~2016-2016.06-16-10-30-03-3.DOC
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<th>Source Water Name</th>
<th>Year</th>
<th>Chloramines</th>
<th>Average</th>
<th>Minimum</th>
<th>Maximum</th>
<th>Level</th>
<th>MDL</th>
<th>Level</th>
<th>Minimum</th>
<th>Maximum</th>
<th>Level</th>
<th>Level</th>
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<tr>
<td>Microbes: Water additive used to control</td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>Combination</td>
<td>N</td>
<td>ppm</td>
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<td>2.1</td>
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<td>Likely Source of Violation</td>
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**Distincteast Residual Table**

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<th>NA</th>
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</table>

Further details about sources and source water assessments are available in Drinking Water Watch at the following URL: https://www.rivka.org.gov/.

For more information about your source of water, please refer to the Source Water Assessment. Write this information at the following URL: https://www.rivka.org.gov/.

For more information about your source of water and results obtained from some of your sources are susceptible to certain contaminants. The sampling requirements for your water system are based on this susceptibility information about Source Water Assessments. A TCEQ completed an assessment of your source water and results indicated that some of your sources are susceptible to certain contaminants. The sampling requirements for your water system are based on this susceptibility information about Source Water Assessments.
The table below contains scientific terms and measures, some of which may require explanation.

<table>
<thead>
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<tbody>
<tr>
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<td>Copper</td>
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<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>2016</td>
<td>Lead and Copper</td>
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</table>

Levels and Guidelines:

- Lead and Copper: The concentration of a contaminant which is exceeded, if it occurs, represents the result of other contamination within a water system and should be corrected.
- Action Level (AL): The level of a contaminant in drinking water below which there is no known or expected risk to health. ALCs allow for a margin of safety.

Definienda: Levels and Guidelines

Water Quality Test Results

Relevant Contaminants Detected: 2016
part per quadrillion (ppq) or picogram per liter (pg/L)
part per million (ppm) or microgram per liter (µg/L)

A required process intended to reduce the level of a contaminant in drinking water.

milliliters per liter (mL/L) or parts per million (ppm) - or one ounce in 7,350 gallons of water.

micrograms per liter (µg/L) or parts per billion (ppb) - or one ounce in 735,000 gallons of water.

Parts per Peter (ppr) or a measure of radioactivity.

Methodological limits (a measure of uncertainty)

milligrams per year (mg/y) or a measure of contamination absorbed by the body.

Water Quality Test Results
<table>
<thead>
<tr>
<th>Likely Source of Contamination</th>
<th>Violation</th>
<th>Limit (ppm)</th>
<th>Range of Levels</th>
<th>Highest Level</th>
<th>Collection Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Discharge from production process, discharge to waters</td>
<td>N</td>
<td>ppm</td>
<td>10</td>
<td>0.005 - 0.005</td>
<td>0.005</td>
</tr>
<tr>
<td>Discharge from production process, discharge to waters</td>
<td>N</td>
<td>qdp</td>
<td>45</td>
<td>5 - 45</td>
<td>5</td>
</tr>
<tr>
<td>Discharge from production process, discharge to waters</td>
<td>N</td>
<td>ppm</td>
<td>90</td>
<td>1.8 - 0.18</td>
<td>0.18</td>
</tr>
<tr>
<td>Discharge from production process, discharge to waters</td>
<td>N</td>
<td>ppm</td>
<td>90</td>
<td>0.46 - 0.46</td>
<td>0.46</td>
</tr>
<tr>
<td>Discharge from production process, discharge to waters</td>
<td>N</td>
<td>ppm</td>
<td>101</td>
<td>0.191 - 0.191</td>
<td>0.191</td>
</tr>
<tr>
<td>By-product of chemical water treatment</td>
<td>N</td>
<td>qdp</td>
<td>10</td>
<td>0.81 - 4.7</td>
<td>0.81</td>
</tr>
<tr>
<td>By-product of chemical water treatment</td>
<td>N</td>
<td>qdp</td>
<td>90</td>
<td>2.13 - 2.13</td>
<td>2.13</td>
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<tr>
<td>By-product of chemical water treatment</td>
<td>N</td>
<td>ppm</td>
<td>1</td>
<td>0.0108</td>
<td>0.0108</td>
</tr>
<tr>
<td>By-product of chemical water treatment</td>
<td>N</td>
<td>ppm</td>
<td>1</td>
<td>0.0108</td>
<td>0.0108</td>
</tr>
<tr>
<td>By-product of chemical water treatment</td>
<td>N</td>
<td>ppm</td>
<td>1</td>
<td>0.0108</td>
<td>0.0108</td>
</tr>
<tr>
<td>By-product of chemical water treatment</td>
<td>N</td>
<td>ppm</td>
<td>1</td>
<td>0.0108</td>
<td>0.0108</td>
</tr>
<tr>
<td>By-product of chemical water treatment</td>
<td>N</td>
<td>ppm</td>
<td>1</td>
<td>0.0108</td>
<td>0.0108</td>
</tr>
<tr>
<td>By-product of chemical water treatment</td>
<td>N</td>
<td>ppm</td>
<td>1</td>
<td>0.0108</td>
<td>0.0108</td>
</tr>
<tr>
<td>By-product of chemical water treatment</td>
<td>N</td>
<td>ppm</td>
<td>1</td>
<td>0.0108</td>
<td>0.0108</td>
</tr>
<tr>
<td>By-product of chemical water treatment</td>
<td>N</td>
<td>ppm</td>
<td>1</td>
<td>0.0108</td>
<td>0.0108</td>
</tr>
<tr>
<td>By-product of chemical water treatment</td>
<td>N</td>
<td>ppm</td>
<td>1</td>
<td>0.0108</td>
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<tr>
<td>By-product of chemical water treatment</td>
<td>N</td>
<td>ppm</td>
<td>1</td>
<td>0.0108</td>
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<tr>
<td>By-product of chemical water treatment</td>
<td>N</td>
<td>ppm</td>
<td>1</td>
<td>0.0108</td>
<td>0.0108</td>
</tr>
<tr>
<td>By-product of chemical water treatment</td>
<td>N</td>
<td>ppm</td>
<td>1</td>
<td>0.0108</td>
<td>0.0108</td>
</tr>
</tbody>
</table>
The percentage of Total Organic Carbon (TOC) removal was measured each month and the system met all TOC removal requirements set forth in the MBRM section.

### Total Organic Carbon

<table>
<thead>
<tr>
<th></th>
<th>N</th>
<th>TOC %</th>
<th>0.3 NTU</th>
<th>1 NTU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lower monthly avg. value</td>
<td>0.3 NTU</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Higher single measurement</td>
<td>1 NTU</td>
<td></td>
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</table>
**Note:** This was not a water treatment violation. The problem was that we failed to provide the results of lead and copper monitoring to the consumers.

<table>
<thead>
<tr>
<th>Violation Type</th>
<th>Explanation</th>
<th>Violation Begin</th>
<th>Violation End</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lead and Copper Rule</td>
<td>The lead and copper rule requires public health by minimizing lead and copper levels in drinking water. Primarily by reducing water corrosivity. Lead and copper are drinking water main contaminants of lead and copper.</td>
<td>Lead and Copper Rule</td>
<td>Lead and Copper Rule</td>
<td>07/06/2011</td>
</tr>
</tbody>
</table>

The PFR (FPR) procedure is to remove them and the location where they are re-introduced back into the location plan. We failed to submit a plan schematic showing the entry of all flows, which we received the preliminary failure to submit PFR. This leads to an increase in public health concerns and lack of compliance with the PFR.

**Failure to Submit Plant Schematic**

<table>
<thead>
<tr>
<th>Violation Type</th>
<th>Explanation</th>
<th>Violation Begin</th>
<th>Violation End</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Failure to Submit Plant Schematic</td>
<td>The PFR (FPR) procedure is to remove them and the location where they are re-introduced back into the location plan. We failed to submit a plan schematic showing the entry of all flows, which we received the preliminary failure to submit PFR. This leads to an increase in public health concerns and lack of compliance with the PFR.</td>
<td>Failure to Submit Plant Schematic</td>
<td>Failure to Submit Plant Schematic</td>
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</table>

**Filter Backwash Rule**

<table>
<thead>
<tr>
<th>Violation Type</th>
<th>Explanation</th>
<th>Violation Begin</th>
<th>Violation End</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Filter Backwash Rule</td>
<td>The PFR (FPR) procedure is to remove them and the location where they are re-introduced back into the location plan. We failed to submit a plan schematic showing the entry of all flows, which we received the preliminary failure to submit PFR. This leads to an increase in public health concerns and lack of compliance with the PFR.</td>
<td>Filter Backwash Rule</td>
<td>Filter Backwash Rule</td>
<td>07/06/2011</td>
</tr>
</tbody>
</table>
APPENDIX D

REGULATORY DATABASE
Ovation & Capella Residential Developments
West of Highway 69E & Lakeside Blvd
Olmito, TX 78575

Inquiry Number: 5197572.2s
February 22, 2018
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<thead>
<tr>
<th>SECTION</th>
<th>PAGE</th>
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<tbody>
<tr>
<td>Executive Summary</td>
<td>ES1</td>
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<tr>
<td>Overview Map</td>
<td>2</td>
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<tr>
<td>Detail Map</td>
<td>3</td>
</tr>
<tr>
<td>Map Findings Summary</td>
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<tr>
<td>Map Findings</td>
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<td>Orphan Summary</td>
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<tr>
<td>Government Records Searched/Data Currency Tracking</td>
<td>GR-1</td>
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</table>

### GEOCHECK ADDENDUM

| Physical Setting Source Addendum                                      | A-1    |
| Physical Setting Source Summary                                      | A-2    |
| Physical Setting SSURGO Soil Map                                    | A-5    |
| Physical Setting Source Map                                         | A-8    |
| Physical Setting Source Map Findings                                 | A-10   |
| Physical Setting Source Records Searched                             | PSGR-1 |

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**Thank you for your business.**

Please contact EDR at 1-800-352-0050 with any questions or comments.

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**TARGET PROPERTY INFORMATION**

**ADDRESS**

WEST OF HIGHWAY 69E & LAKESIDE BLVD
OLMITO, TX 78575

**COORDINATES**

<table>
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<tr>
<th>Description</th>
<th>Value</th>
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</thead>
<tbody>
<tr>
<td>Latitude (North):</td>
<td>26.0310170 - 26° 1’ 51.66”</td>
</tr>
<tr>
<td>Longitude (West):</td>
<td>97.5409580 - 97° 32’ 27.44”</td>
</tr>
<tr>
<td>Universal Tranverse Mercator:</td>
<td>Zone 14</td>
</tr>
<tr>
<td>UTM X (Meters):</td>
<td>645991.6</td>
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<tr>
<td>UTM Y (Meters):</td>
<td>2879772.0</td>
</tr>
<tr>
<td>Elevation:</td>
<td>33 ft. above sea level</td>
</tr>
</tbody>
</table>

**USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY**

<table>
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<th>Description</th>
<th>Value</th>
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<tr>
<td>Target Property Map:</td>
<td>5935877 OLMITO, TX</td>
</tr>
<tr>
<td>Version Date:</td>
<td>2013</td>
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</table>

**AERIAL PHOTOGRAPHY IN THIS REPORT**

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<th>Value</th>
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</thead>
<tbody>
<tr>
<td>Portions of Photo from:</td>
<td>20141014</td>
</tr>
<tr>
<td>Source:</td>
<td>USDA</td>
</tr>
</tbody>
</table>
Target Property Address:
WEST OF HIGHWAY 69E & LAKESIDE BLVD
OLMITO, TX  78575

Click on Map ID to see full detail.

NO MAPPED SITES FOUND
TARGET PROPERTY SEARCH RESULTS

The target property was not listed in any of the databases searched by EDR.

DATABASES WITH NO MAPPED SITES

No mapped sites were found in EDR’s search of available ("reasonably ascertainable ") government
records either on the target property or within the search radius around the target property for the
following databases:

STANDARD ENVIRONMENTAL RECORDS

**Federal NPL site list**
NPL, National Priority List
Proposed NPL, Proposed National Priority List Sites
NPL LIENS, Federal Superfund Liens

**Federal Delisted NPL site list**
Delisted NPL, National Priority List Deletions

**Federal CERCLIS list**
FEDERAL FACILITY, Federal Facility Site Information listing
SEMS, Superfund Enterprise Management System

**Federal CERCLIS NFRAP site list**
SEMS-ARCHIVE, Superfund Enterprise Management System Archive

**Federal RCRA CORRACTS facilities list**
CORRACTS, Corrective Action Report

**Federal RCRA non-CORRACTS TSD facilities list**
RCRA-TSDF, RCRA - Treatment, Storage and Disposal

**Federal RCRA generators list**
RCRA-LQG, RCRA - Large Quantity Generators
RCRA-SQG, RCRA - Small Quantity Generators
RCRA-CESQG, Conditionally Exempt Small Quantity Generator

**Federal institutional controls / engineering controls registries**
LUCIS, Land Use Control Information System
US ENG CONTROLS, Engineering Controls Sites List
EXECUTIVE SUMMARY

US INST CONTROL ........ Sites with Institutional Controls

Federal ERNS list
ERNS ................ Emergency Response Notification System

State- and tribal - equivalent NPL
SHWS ................ State Superfund Registry

State and tribal landfill and/or solid waste disposal site lists
SWF/LF ................ Permitted Solid Waste Facilities
CLI .................... Closed Landfill Inventory
WasteMgt ................ Commercial Hazardous & Solid Waste Management Facilities

State and tribal leaking storage tank lists
INDIAN LUST ............ Leaking Underground Storage Tanks on Indian Land
LPST .................... Leaking Petroleum Storage Tank Listing

State and tribal registered storage tank lists
FEMA UST ............... Underground Storage Tank Listing
UST .................... Petroleum Storage Tank Database
AST .................... Petroleum Storage Tank Database
INDIAN UST ............ Underground Storage Tanks on Indian Land

State and tribal institutional control / engineering control registries
AUL .................... Sites with Controls

State and tribal voluntary cleanup sites
INDIAN VCP ............ Voluntary Cleanup Priority Listing
VCP .................... Voluntary Cleanup Program Database

State and tribal Brownfields sites
BROWNFIELDS ............ Brownfields Site Assessments

ADDITIONAL ENVIRONMENTAL RECORDS

Local Brownfield lists
US BROWNFIELDS ........ A Listing of Brownfields Sites

Local Lists of Landfill / Solid Waste Disposal Sites
SWRCY .................... Recycling Facility Listing
INDIAN ODI ............... Report on the Status of Open Dumps on Indian Lands
ODI ....................... Open Dump Inventory
DEBRIS REGION 9 .......... Torres Martinez Reservation Illegal Dump Site Locations
IHS OPEN DUMPS ............ Open Dumps on Indian Land
EXECUTIVE SUMMARY

Local Lists of Hazardous waste / Contaminated Sites
US HIST CDL ........................ Delisted National Clandestine Laboratory Register
PRIORITYCLEANERS ............... Dry Cleaner Remediation Program Prioritization List
DEL SHWS .......................... Deleted Superfund Registry Sites
US CDL ............................. National Clandestine Laboratory Register

Local Land Records
HIST LIENS .......................... Environmental Liens Listing
LIENS .............................. Environmental Liens Listing
LIENS 2 ............................. CERCLA Lien Information

Records of Emergency Release Reports
HMIRS ............................... Hazardous Materials Information Reporting System
SPILLS .............................. Spills Database
SPILLS 90 ......................... SPIILS 90 data from FirstSearch
SPILLS 80 ......................... SPIILS 80 data from FirstSearch

Other Ascertainable Records
RCRA NonGen / NLR ............... RCRA - Non Generators / No Longer Regulated
FUDS ............................... Formerly Used Defense Sites
DOD ................................. Department of Defense Sites
SCRD DRYCLEANERS .......... State Coalition for Remediation of Drycleaners Listing
US FIN ASSUR ..................... Financial Assurance Information
EPA WATCH LIST .................. EPA WATCH LIST
2020 COR ACTION .................. 2020 Corrective Action Program List
TSCA ................................. Toxic Substances Control Act
TRIS ................................. Toxic Chemical Release Inventory System
SSTS ................................. Section 7 Tracking Systems
ROD ................................. Records Of Decision
RMP ................................. Risk Management Plans
RAATS .............................. RCRA Administrative Action Tracking System
PRP ................................. Potentially Responsible Parties
PADS ............................... PCB Activity Database System
ICIS ................................. Integrated Compliance Information System
FTTS ................................. FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
MLTS ............................... Material Licensing Tracking System
COAL ASH DOE ................. Steam-Electric Plant Operation Data
COAL ASH EPA ................. Coal Combustion Residues Surface Impoundments List
PCB TRANSFORMER .......... PCB Transformer Registration Database
RADINFO ......................... Radiation Information Database
HIST FTTS ......................... FIFRA/TSCA Tracking System Administrative Case Listing
DOT OPS .......................... Incident and Accident Data
CONSENT ......................... Superfund (CERCLA) Consent Decrees
INDIAN RESERV ................. Indian Reservations
FUSRAP .......................... Formerly Utilized Sites Remedial Action Program
UMTRA .......................... Uranium Mill Tailings Sites
LEAD SMelters .................. Lead Smelter Sites
US AIRS .......................... Aerometric Information Retrieval System Facility Subsystem
US MINES ........................ Mines Master Index File
ABANDONED MINES Abandoned Mines
FINDS Facility Index System/Facility Registry System
DOCKET HWC Hazardous Waste Compliance Docket Listing
UXO Unexploded Ordnance Sites
ECHO Enforcement & Compliance History Information
FUELS PROGRAM EPA Fuels Program Registered Listing
AIRS Current Emission Inventory Data
APAR Affected Property Assessment Report Site Listing
ASBESTOS Asbestos
COAL ASH Coal Ash Disposal Sites
DRYCLEANERS Drycleaner Registration Database Listing
ED AQUIF Edwards Aquifer Permits
ENF Notice of Violations Listing
Financial Assurance Financial Assurance Information Listing
GCC Groundwater Contamination Cases
Ind. Haz Waste Industrial & Hazardous Waste Database
IHW CORR ACTION IHW CORR ACTION
IOP Innocent Owner/Operator Program
MSD Municipal Settings Designations Database
NPDES NPDES Facility List
RWS Radioactive Waste Sites
TIER 2 Tier 2 Chemical Inventory Reports
UIC Underground Injection Wells Database Listing

EDR HIGH RISK HISTORICAL RECORDS

EDR Exclusive Records
EDR MGP EDR Proprietary Manufactured Gas Plants
EDR Hist Auto EDR Exclusive Historical Auto Stations
EDR Hist Cleaner EDR Exclusive Historical Cleaners

EDR RECOVERED GOVERNMENT ARCHIVES

Exclusive Recovered Govt. Archives
RGA HWS RGA HWS Recovered Government Archive State Hazardous Waste Facilities List
RGA LF RGA LF Recovered Government Archive Solid Waste Facilities List

SURROUNDING SITES: SEARCH RESULTS
Surrounding sites were not identified.

Unmappable (orphan) sites are not considered in the foregoing analysis.
<table>
<thead>
<tr>
<th>Site Name</th>
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<tbody>
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<td>UNION CARBIDE CORP - BROWNSVILLE P</td>
<td>SEMS-ARCHIVE, RCRA NonGen / NLR</td>
</tr>
<tr>
<td>STAR ENTERPRISES INC</td>
<td>SEMS-ARCHIVE</td>
</tr>
<tr>
<td>LOS FRESNOS CITY OF LANDFILL</td>
<td>SEMS-ARCHIVE</td>
</tr>
<tr>
<td>SUN VALLEY DUSTING INC</td>
<td>SEMS-ARCHIVE</td>
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<td>FARMERS COOP AIR SERVICES</td>
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</tr>
<tr>
<td>RIO DUSTERS</td>
<td>SEMS-ARCHIVE</td>
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<tr>
<td>REMEDIATION SYSTEMS OF TEXAS-BROWN</td>
<td>SWF/LF</td>
</tr>
<tr>
<td>A T PORT MART</td>
<td>LPST</td>
</tr>
<tr>
<td>MARATHON LETOURNEAU CO</td>
<td>LPST</td>
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<td>UNION CARBIDE PLANT</td>
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</table>

Due to poor or inadequate address information, the following sites were not mapped. Count: 10 records.
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<tr>
<th>Database</th>
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<th>&gt; 1</th>
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## MAP FINDINGS SUMMARY

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<th>Search Distance (Miles)</th>
<th>Target Property</th>
<th>&lt; 1/8</th>
<th>1/8 - 1/4</th>
<th>1/4 - 1/2</th>
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### EDR HIGH RISK HISTORICAL RECORDS

**EDR Exclusive Records**

- **EDR MGP**: 1.000
- **EDR Hist Auto**: 0.125
- **EDR Hist Cleaner**: 0.125

### EDR RECOVERED GOVERNMENT ARCHIVES

**Exclusive Recovered Govt. Archives**

- **RGA HWS**: TP
- **RGA LF**: TP

- Totals: 0 0 0 0 0 0

**NOTES:**

TP = Target Property  
NR = Not Requested at this Search Distance  
Sites may be listed in more than one database
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<th>Map ID</th>
<th>Direction</th>
<th>Distance</th>
<th>Elevation</th>
<th>Site</th>
<th>EDR ID Number</th>
<th>Database(s)</th>
<th>EPA ID Number</th>
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NO SITES FOUND
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<tr>
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<th>EDR ID</th>
<th>Site Name</th>
<th>Site Address</th>
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<tr>
<td>BROWNSVILLE</td>
<td>S116703439</td>
<td>A T PORT MART</td>
<td>HWY 48 7.25 MI NE OF 5</td>
<td>78520</td>
<td>LPST</td>
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<tr>
<td>BROWNSVILLE</td>
<td>S116702045</td>
<td>MARATHON LETOURNEAU CO</td>
<td>HWY 48 PORT OF BROWNSV</td>
<td>78520</td>
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<td>1015736739</td>
<td>UNION CARBIDE CORP - BROWNSVILLE P</td>
<td>HWY 48 PORT OF BROWNSVILLE</td>
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</tr>
<tr>
<td>BROWNSVILLE</td>
<td>1015736669</td>
<td>STAR ENTERPRISES INC</td>
<td>HIGHWAY 48 1 MI E OF FM 1792</td>
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<td>400 CAPTAIN DON FANST ROAD POR</td>
<td>78566</td>
<td>SWF/LF</td>
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To maintain currency of the following federal and state databases, EDR contacts the appropriate governmental agency on a monthly or quarterly basis, as required.

**Number of Days to Update:** Provides confirmation that EDR is reporting records that have been updated within 90 days from the date the government agency made the information available to the public.

**STANDARD ENVIRONMENTAL RECORDS**

**Federal NPL site list**

NPL: National Priority List

National Priorities List (Superfund). The NPL is a subset of CERCLIS and identifies over 1,200 sites for priority cleanup under the Superfund Program. NPL sites may encompass relatively large areas. As such, EDR provides polygon coverage for over 1,000 NPL site boundaries produced by EPA’s Environmental Photographic Interpretation Center (EPIC) and regional EPA offices.

<table>
<thead>
<tr>
<th>Date of Government Version: 12/11/2017</th>
<th>Source: EPA</th>
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<tbody>
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<td>Date Made Active in Reports: 01/05/2018</td>
<td>Last EDR Contact: 02/06/2018</td>
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<tr>
<td>Number of Days to Update: 14</td>
<td>Next Scheduled EDR Contact: 04/16/2018</td>
</tr>
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</table>

**NPL Site Boundaries**

Sources:

EPA’s Environmental Photographic Interpretation Center (EPIC)
Telephone: 202-564-7333

EPA Region 1
Telephone 617-918-1143

EPA Region 3
Telephone 215-814-5418

EPA Region 4
Telephone 404-562-8033

EPA Region 5
Telephone 312-886-6686

EPA Region 10
Telephone 206-553-8665

**Proposed NPL: Proposed National Priority List Sites**

A site that has been proposed for listing on the National Priorities List through the issuance of a proposed rule in the Federal Register. EPA then accepts public comments on the site, responds to the comments, and places on the NPL those sites that continue to meet the requirements for listing.

<table>
<thead>
<tr>
<th>Date of Government Version: 12/11/2017</th>
<th>Source: EPA</th>
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<tr>
<td>Number of Days to Update: 14</td>
<td>Next Scheduled EDR Contact: 05/21/2018</td>
</tr>
</tbody>
</table>

**NPL LIENS: Federal Superfund Liens**

Federal Superfund Liens. Under the authority granted the USEPA by CERCLA of 1980, the USEPA has the authority to file liens against real property in order to recover remedial action expenditures or when the property owner received notification of potential liability. USEPA compiles a listing of filed notices of Superfund Liens.

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Data Release Frequency: No Update Planned
Federal Delisted NPL site list

Delisted NPL: National Priority List Deletions
The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425.(e), sites may be deleted from the NPL where no further response is appropriate.

Date of Government Version: 12/11/2017  Source: EPA
Date Data Arrived at EDR: 12/22/2017  Telephone: N/A
Date Made Active in Reports: 01/05/2018  Last EDR Contact: 02/06/2018
Number of Days to Update: 14  Next Scheduled EDR Contact: 04/16/2018
Data Release Frequency: Quarterly

Federal CERCLIS list

FEDERAL FACILITY: Federal Facility Site Information listing
A listing of National Priority List (NPL) and Base Realignment and Closure (BRAC) sites found in the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) Database where EPA Federal Facilities Restoration and Reuse Office is involved in cleanup activities.

Date of Government Version: 11/07/2016  Source: Environmental Protection Agency
Date Data Arrived at EDR: 01/05/2017  Telephone: 703-603-8704
Date Made Active in Reports: 04/07/2017  Last EDR Contact: 01/05/2018
Number of Days to Update: 92  Next Scheduled EDR Contact: 04/16/2018
Data Release Frequency: Varies

SEMS: Superfund Enterprise Management System
SEMS (Superfund Enterprise Management System) tracks hazardous waste sites, potentially hazardous waste sites, and remedial activities performed in support of EPA’s Superfund Program across the United States. The list was formerly know as CERCLIS, renamed to SEMS by the EPA in 2015. The list contains data on potentially hazardous waste sites that have been reported to the USEPA by states, municipalities, private companies and private persons, pursuant to Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). This dataset also contains sites which are either proposed to or on the National Priorities List (NPL) and the sites which are in the screening and assessment phase for possible inclusion on the NPL.

Date of Government Version: 12/11/2017  Source: EPA
Date Data Arrived at EDR: 12/22/2017  Telephone: 800-424-9346
Date Made Active in Reports: 01/12/2018  Last EDR Contact: 02/06/2018
Number of Days to Update: 21  Next Scheduled EDR Contact: 04/30/2018
Data Release Frequency: Quarterly

Federal CERCLIS NFRAP site list

SEMS-ARCHIVE: Superfund Enterprise Management System Archive
SEMS-ARCHIVE (Superfund Enterprise Management System Archive) tracks sites that have no further interest under the Federal Superfund Program based on available information. The list was formerly known as the CERCLIS-NFRAP, renamed to SEMS ARCHIVE by the EPA in 2015. EPA may perform a minimal level of assessment work at a site while it is archived if site conditions change and/or new information becomes available. Archived sites have been removed and archived from the inventory of SEMS sites. Archived status indicates that, to the best of EPA’s knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list the site on the National Priorities List (NPL), unless information indicates this decision was not appropriate or other considerations require a recommendation for listing at a later time. The decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be potential NPL site.

Date of Government Version: 12/11/2017
Date Data Arrived at EDR: 12/22/2017
Date Made Active in Reports: 01/12/2018
Number of Days to Update: 21

Source: EPA
Telephone: 800-424-9346
Last EDR Contact: 02/06/2018
Next Scheduled EDR Contact: 04/30/2018
Data Release Frequency: Quarterly

**Federal RCRA CORRACTS facilities list**

CORRACTS: Corrective Action Report
CORRACTS identifies hazardous waste handlers with RCRA corrective action activity.

Date of Government Version: 12/11/2017
Date Data Arrived at EDR: 12/26/2017
Date Made Active in Reports: 02/09/2018
Number of Days to Update: 45

Source: EPA
Telephone: 800-424-9346
Last EDR Contact: 01/19/2018
Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Quarterly

**Federal RCRA non-CORRACTS TSD facilities list**

RCRA-TSDF: RCRA - Treatment, Storage and Disposal
RCRAInfo is EPA’s comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Transporters are individuals or entities that move hazardous waste from the generator offsite to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste.

Date of Government Version: 12/11/2017
Date Data Arrived at EDR: 12/26/2017
Date Made Active in Reports: 02/09/2018
Number of Days to Update: 45

Source: Environmental Protection Agency
Telephone: 214-665-6444
Last EDR Contact: 01/19/2018
Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Quarterly

**Federal RCRA generators list**

RCRA-LQG: RCRA - Large Quantity Generators
RCRAInfo is EPA’s comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Large quantity generators (LQGs) generate over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste per month.

Date of Government Version: 12/11/2017
Date Data Arrived at EDR: 12/26/2017
Date Made Active in Reports: 02/09/2018
Number of Days to Update: 45

Source: Environmental Protection Agency
Telephone: 214-665-6444
Last EDR Contact: 01/19/2018
Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Quarterly
RCRA-SQG: RCRA - Small Quantity Generators
RCRAInfo is EPA’s comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Small quantity generators (SQGs) generate between 100 kg and 1,000 kg of hazardous waste per month.

Date of Government Version: 12/11/2017  
Date Data Arrived at EDR: 12/26/2017  
Date Made Active in Reports: 02/09/2018  
Number of Days to Update: 45  
Next Scheduled EDR Contact: 04/09/2018  
Data Release Frequency: Quarterly

Source: Environmental Protection Agency  
Telephone: 214-665-6444  
Last EDR Contact: 01/19/2018

RCRA-CESQG: RCRA - Conditionally Exempt Small Quantity Generators
RCRAInfo is EPA’s comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Conditionally exempt small quantity generators (CESQGs) generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month.

Date of Government Version: 12/11/2017  
Date Data Arrived at EDR: 12/26/2017  
Date Made Active in Reports: 02/09/2018  
Number of Days to Update: 45 
Next Scheduled EDR Contact: 04/09/2018  
Data Release Frequency: Quarterly

Source: Environmental Protection Agency  
Telephone: 214-665-6444  
Last EDR Contact: 01/19/2018

Federal institutional controls / engineering controls registries

LUCIS: Land Use Control Information System
LUCIS contains records of land use control information pertaining to the former Navy Base Realignment and Closure properties.

Date of Government Version: 05/22/2017  
Date Data Arrived at EDR: 06/13/2017  
Date Made Active in Reports: 09/15/2017  
Number of Days to Update: 94  
Next Scheduled EDR Contact: 05/28/2018  
Data Release Frequency: Varies

Source: Department of the Navy  
Telephone: 843-820-7326  
Last EDR Contact: 02/09/2018

US ENG CONTROLS: Engineering Controls Sites List
A listing of sites with engineering controls in place. Engineering controls include various forms of caps, building foundations, liners, and treatment methods to create pathway elimination for regulated substances to enter environmental media or effect human health.

Date of Government Version: 11/13/2017  
Date Data Arrived at EDR: 11/27/2017  
Date Made Active in Reports: 02/09/2018  
Number of Days to Update: 74  
Next Scheduled EDR Contact: 03/12/2018  
Data Release Frequency: Varies

Source: Environmental Protection Agency  
Telephone: 703-603-0695  
Last EDR Contact: 01/19/2018

US INST CONTROL: Sites with Institutional Controls
A listing of sites with institutional controls in place. Institutional controls include administrative measures, such as groundwater use restrictions, construction restrictions, property use restrictions, and post remediation care requirements intended to prevent exposure to contaminants remaining on site. Deed restrictions are generally required as part of the institutional controls.

Date of Government Version: 11/13/2017  
Date Data Arrived at EDR: 11/27/2017  
Date Made Active in Reports: 02/09/2018  
Number of Days to Update: 74  
Next Scheduled EDR Contact: 03/12/2018  
Data Release Frequency: Varies

Source: Environmental Protection Agency  
Telephone: 703-603-0695  
Last EDR Contact: 01/19/2018
Federal ERNS list

ERNS: Emergency Response Notification System
Emergency Response Notification System. ERNS records and stores information on reported releases of oil and hazardous substances.

Date of Government Version: 09/18/2017
Date Data Arrived at EDR: 09/21/2017
Date Made Active in Reports: 10/13/2017
Number of Days to Update: 22
Source: National Response Center, United States Coast Guard
Telephone: 202-267-2180
Last EDR Contact: 01/19/2018
Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Quarterly

State- and tribal - equivalent NPL

SHWS: State Superfund Registry
State Hazardous Waste Sites. State hazardous waste site records are the states’ equivalent to CERCLIS. These sites may or may not already be listed on the federal CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent of Superfund) are identified along with sites where cleanup will be paid for by potentially responsible parties. Available information varies by state.

Date of Government Version: 09/30/2017
Date Data Arrived at EDR: 10/13/2017
Date Made Active in Reports: 12/11/2017
Number of Days to Update: 59
Source: Texas Commission on Environmental Quality
Telephone: 512-239-5680
Last EDR Contact: 12/21/2017
Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Semi-Annually

State and tribal landfill and/or solid waste disposal site lists

SWF/LF: Permitted Solid Waste Facilities
Solid Waste Facilities/Landfill Sites. SWF/LF type records typically contain an inventory of solid waste disposal facilities or landfills in a particular state. Depending on the state, these may be active or inactive facilities or open dumps that failed to meet RCRA Subtitle D Section 4004 criteria for solid waste landfills or disposal sites.

Date of Government Version: 01/26/2018
Date Data Arrived at EDR: 01/30/2018
Date Made Active in Reports: 02/16/2018
Number of Days to Update: 17
Source: Texas Commission on Environmental Quality
Telephone: 512-239-6706
Last EDR Contact: 01/22/2018
Next Scheduled EDR Contact: 05/07/2018
Data Release Frequency: Quarterly

H-GAC CLI: Houston-Galveston Closed Landfill Inventory
Closed Landfill Inventory for the Houston-Galveston Area Council Region. In 1993, the Texas Legislature passed House Bill (HB) 2537, which required Councils of Governments (COGs) to develop an inventory of closed municipal solid waste landfills for their regional solid waste management plans.

Date of Government Version: 10/31/2017
Date Data Arrived at EDR: 11/01/2017
Date Made Active in Reports: 12/11/2017
Number of Days to Update: 40
Source: Houston-Galveston Area Council
Telephone: 832-681-2518
Last EDR Contact: 01/05/2018
Next Scheduled EDR Contact: 04/16/2018
Data Release Frequency: Varies

CLI: Closed Landfill Inventory
Closed and abandoned landfills (permitted as well as unauthorized) across the state of Texas. For current information regarding any of the sites included in this database, contact the appropriate Council of Governments agency.

Date of Government Version: 08/30/1999
Date Data Arrived at EDR: 09/28/2000
Date Made Active in Reports: 10/30/2000
Number of Days to Update: 32
Source: Texas Commission on Environmental Quality
Telephone: N/A
Last EDR Contact: 12/28/2017
Next Scheduled EDR Contact: 04/16/2018
Data Release Frequency: Varies
WASTEMGT: Commercial Hazardous & Solid Waste Management Facilities

This list contains commercial recycling facilities and facilities permitted or authorized (interim status) by the Texas Natural Resource Conservation Commission.

Date of Government Version: 07/07/2016  Source: Texas Commission on Environmental Quality
Date Data Arrived at EDR: 10/07/2016  Telephone: 512-239-2920
Date Made Active in Reports: 12/07/2016  Last EDR Contact: 01/05/2018
Number of Days to Update: 61  Next Scheduled EDR Contact: 04/16/2018
Data Release Frequency: Varies

State and tribal leaking storage tank lists

INDIAN LUST R7: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Iowa, Kansas, and Nebraska.
Date of Government Version: 04/14/2017  Source: EPA Region 7
Date Data Arrived at EDR: 07/27/2017  Telephone: 913-551-7003
Date Made Active in Reports: 10/06/2017  Last EDR Contact: 01/23/2018
Number of Days to Update: 71  Next Scheduled EDR Contact: 05/07/2018
Data Release Frequency: Varies

INDIAN LUST R6: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in New Mexico and Oklahoma.
Date of Government Version: 04/24/2017  Source: EPA Region 6
Date Data Arrived at EDR: 07/27/2017  Telephone: 214-665-6597
Date Made Active in Reports: 10/06/2017  Last EDR Contact: 01/23/2018
Number of Days to Update: 71  Next Scheduled EDR Contact: 05/07/2018
Data Release Frequency: Varies

INDIAN LUST R4: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Florida, Mississippi and North Carolina.
Date of Government Version: 10/14/2016  Source: EPA Region 4
Date Data Arrived at EDR: 01/27/2017  Telephone: 404-562-8677
Date Made Active in Reports: 05/05/2017  Last EDR Contact: 01/19/2018
Number of Days to Update: 98  Next Scheduled EDR Contact: 05/07/2018
Data Release Frequency: Semi-Annually

INDIAN LUST R1: Leaking Underground Storage Tanks on Indian Land
A listing of leaking underground storage tank locations on Indian Land.
Date of Government Version: 04/14/2017  Source: EPA Region 1
Date Data Arrived at EDR: 07/27/2017  Telephone: 617-918-1313
Date Made Active in Reports: 10/06/2017  Last EDR Contact: 01/23/2018
Number of Days to Update: 71  Next Scheduled EDR Contact: 05/07/2018
Data Release Frequency: Varies

INDIAN LUST R9: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Arizona, California, New Mexico and Nevada.
Date of Government Version: 04/13/2017  Source: Environmental Protection Agency
Date Data Arrived at EDR: 07/27/2017  Telephone: 415-972-3372
Date Made Active in Reports: 10/13/2017  Last EDR Contact: 01/23/2018
Number of Days to Update: 78  Next Scheduled EDR Contact: 05/07/2018
Data Release Frequency: Varies

INDIAN LUST R8: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming.
Date of Government Version: 05/01/2017  Source: EPA Region 8
Date Data Arrived at EDR: 07/27/2017  Telephone: 303-312-6271
Date Made Active in Reports: 10/13/2017  Last EDR Contact: 01/23/2018
Number of Days to Update: 78  Next Scheduled EDR Contact: 05/07/2018
Data Release Frequency: Varies

INDIAN LUST R5: Leaking Underground Storage Tanks on Indian Land
Leaking underground storage tanks located on Indian Land in Michigan, Minnesota and Wisconsin.

Date of Government Version: 04/26/2017  Source: EPA, Region 5
Date Data Arrived at EDR: 07/27/2017  Telephone: 312-886-7439
Date Made Active in Reports: 10/13/2017  Last EDR Contact: 01/23/2018
Number of Days to Update: 78  Next Scheduled EDR Contact: 05/07/2018
Data Release Frequency: Varies

INDIAN LUST R10: Leaking Underground Storage Tanks on Indian Land

Date of Government Version: 04/25/2017  Source: EPA Region 10
Date Data Arrived at EDR: 11/07/2017  Telephone: 206-553-2857
Date Made Active in Reports: 12/08/2017  Last EDR Contact: 01/23/2018
Number of Days to Update: 31  Next Scheduled EDR Contact: 05/07/2018
Data Release Frequency: Varies

LPST: Leaking Petroleum Storage Tank Database
An inventory of reported leaking petroleum storage tank incidents. Not all states maintain these records, and the information stored varies by state.

Date of Government Version: 12/06/2017  Source: Texas Commission on Environmental Quality
Date Data Arrived at EDR: 12/22/2017  Telephone: 512-239-2200
Date Made Active in Reports: 02/13/2018  Last EDR Contact: 12/21/2017
Number of Days to Update: 53  Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Quarterly

State and tribal registered storage tank lists

FEMA UST: Underground Storage Tank Listing
A listing of all FEMA owned underground storage tanks.

Date of Government Version: 05/15/2017  Source: FEMA
Date Data Arrived at EDR: 05/30/2017  Telephone: 202-646-5797
Date Made Active in Reports: 10/13/2017  Last EDR Contact: 01/09/2018
Number of Days to Update: 136  Next Scheduled EDR Contact: 04/23/2018
Data Release Frequency: Varies

UST: Petroleum Storage Tank Database
Registered Underground Storage Tanks. UST’s are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA) and must be registered with the state department responsible for administering the UST program. Available information varies by state program.

Date of Government Version: 12/11/2017  Source: Texas Commission on Environmental Quality
Date Data Arrived at EDR: 12/26/2017  Telephone: 512-239-2160
Date Made Active in Reports: 02/12/2018  Last EDR Contact: 12/26/2017
Number of Days to Update: 48  Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Quarterly

AST: Petroleum Storage Tank Database
Registered Aboveground Storage Tanks.
INDIAN UST R10: Underground Storage Tanks on Indian Land

Date of Government Version: 04/25/2017
Date Data Arrived at EDR: 07/27/2017
Date Made Active in Reports: 10/13/2017
Number of Days to Update: 78
Source: EPA Region 10
Telephone: 206-553-2857
Last EDR Contact: 01/23/2018
Next Scheduled EDR Contact: 05/07/2018
Data Release Frequency: Varies

INDIAN UST R9: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 9 (Arizona, California, Hawaii, Nevada, the Pacific Islands, and Tribal Nations).

Date of Government Version: 04/13/2017
Date Data Arrived at EDR: 07/27/2017
Date Made Active in Reports: 10/13/2017
Number of Days to Update: 78
Source: EPA Region 9
Telephone: 415-972-3368
Last EDR Contact: 01/23/2018
Next Scheduled EDR Contact: 05/07/2018
Data Release Frequency: Varies

INDIAN UST R8: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 8 (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming and 27 Tribal Nations).

Date of Government Version: 05/01/2017
Date Data Arrived at EDR: 07/27/2017
Date Made Active in Reports: 10/13/2017
Number of Days to Update: 78
Source: EPA Region 8
Telephone: 303-312-6137
Last EDR Contact: 01/23/2018
Next Scheduled EDR Contact: 05/07/2018
Data Release Frequency: Varies

INDIAN UST R7: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 7 (Iowa, Kansas, Missouri, Nebraska, and 9 Tribal Nations).

Date of Government Version: 05/02/2017
Date Data Arrived at EDR: 07/27/2017
Date Made Active in Reports: 10/06/2017
Number of Days to Update: 71
Source: EPA Region 7
Telephone: 913-551-7003
Last EDR Contact: 01/23/2018
Next Scheduled EDR Contact: 05/07/2018
Data Release Frequency: Varies

INDIAN UST R1: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 1 (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont and ten Tribal Nations).

Date of Government Version: 04/14/2017
Date Data Arrived at EDR: 07/27/2017
Date Made Active in Reports: 10/06/2017
Number of Days to Update: 71
Source: EPA, Region 1
Telephone: 617-918-1313
Last EDR Contact: 01/23/2018
Next Scheduled EDR Contact: 05/07/2018
Data Release Frequency: Varies

INDIAN UST R6: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 6 (Louisiana, Arkansas, Oklahoma, New Mexico, Texas and 65 Tribes).
INDIAN UST R5: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 5 (Michigan, Minnesota and Wisconsin and Tribal Nations).

INDIAN UST R4: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee and Tribal Nations)

State and tribal institutional control / engineering control registries

AUL: Sites with Controls
Activity and use limitations include both engineering controls and institutional controls.

State and tribal voluntary cleanup sites

INDIAN VCP R7: Voluntary Cleanup Priority Listing
A listing of voluntary cleanup priority sites located on Indian Land located in Region 7.

INDIAN VCP R1: Voluntary Cleanup Priority Listing
A listing of voluntary cleanup priority sites located on Indian Land located in Region 1.

VCP TCEQ: Voluntary Cleanup Program Database
The Texas Voluntary Cleanup Program was established to provide administrative, technical, and legal incentives to encourage the cleanup of contaminated sites in Texas.
VCP RRC: Voluntary Cleanup Program Sites

The Voluntary Cleanup Program (RRC-VCP) provides an incentive to remediate Oil & Gas related pollution by participants as long as they did not cause or contribute to the contamination. Applicants to the program receive a release of liability to the state in exchange for a successful cleanup.

State and tribal Brownfields sites

BROWNFIELDS: Brownfields Site Assessments

Brownfield site assessments that are being cleaned under EPA grant monies.

US BROWNFIELDS: A Listing of Brownfields Sites

Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties takes development pressures off of undeveloped, open land, and both improves and protects the environment. Assessment, Cleanup and Redevelopment Exchange System (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. A listing of ACRES Brownfield sites is obtained from Cleanups in My Community. Cleanups in My Community provides information on Brownfields properties for which information is reported back to EPA, as well as areas served by Brownfields grant programs.

Local Brownfield lists

Local Lists of Landfill / Solid Waste Disposal Sites

NCTCOG LI: North Central Landfill Inventory

North Central Texas Council of Governments landfill database.
CAPCOG LI: Capitol Area Landfill Inventory

Date of Government Version: 01/06/2017
Date Data Arrived at EDR: 01/10/2017
Date Made Active in Reports: 03/15/2017
Number of Days to Update: 64
Source: Capital Area Council of Governments
Telephone: 512-916-6000
Last EDR Contact: 01/05/2018
Next Scheduled EDR Contact: 04/16/2018
Data Release Frequency: Varies

SWRCY: Recycling Facility Listing
A listing of recycling facilities in the state.

Date of Government Version: 11/10/2017
Date Data Arrived at EDR: 11/10/2017
Date Made Active in Reports: 01/05/2018
Number of Days to Update: 56
Source: TCEQ
Telephone: 512-239-6700
Last EDR Contact: 02/12/2018
Next Scheduled EDR Contact: 05/28/2018
Data Release Frequency: Varies

INDIAN ODI: Report on the Status of Open Dumps on Indian Lands
Location of open dumps on Indian land.

Date of Government Version: 12/31/1998
Date Data Arrived at EDR: 12/03/2007
Date Made Active in Reports: 01/24/2008
Number of Days to Update: 52
Source: Environmental Protection Agency
Telephone: 703-308-8245
Last EDR Contact: 01/30/2018
Next Scheduled EDR Contact: 05/14/2018
Data Release Frequency: Varies

ODI: Open Dump Inventory
An open dump is defined as a disposal facility that does not comply with one or more of the Part 257 or Part 258 Subtitle D Criteria.

Date of Government Version: 06/30/1985
Date Data Arrived at EDR: 08/09/2004
Date Made Active in Reports: 09/17/2004
Number of Days to Update: 39
Source: Environmental Protection Agency
Telephone: 800-424-9346
Last EDR Contact: 06/09/2004
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

DEBRIS REGION 9: Torres Martinez Reservation Illegal Dump Site Locations
A listing of illegal dump sites location on the Torres Martinez Indian Reservation located in eastern Riverside County and northern Imperial County, California.

Date of Government Version: 01/12/2009
Date Data Arrived at EDR: 05/07/2009
Date Made Active in Reports: 09/21/2009
Number of Days to Update: 137
Source: EPA, Region 9
Telephone: 415-947-4219
Last EDR Contact: 01/22/2018
Next Scheduled EDR Contact: 05/07/2018
Data Release Frequency: No Update Planned

IHS OPEN DUMPS: Open Dumps on Indian Land
A listing of all open dumps located on Indian Land in the United States.

Date of Government Version: 04/01/2014
Date Data Arrived at EDR: 08/06/2014
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 176
Source: Department of Health & Human Services, Indian Health Service
Telephone: 301-443-1452
Last EDR Contact: 02/02/2018
Next Scheduled EDR Contact: 05/14/2018
Data Release Frequency: Varies

Local Lists of Hazardous waste / Contaminated Sites
US HIST CDL: National Clandestine Laboratory Register
A listing of clandestine drug lab locations that have been removed from the DEAs National Clandestine Laboratory Register.

Date of Government Version: 01/19/2018
Date Data Arrived at EDR: 01/24/2018
Date Made Active in Reports: 02/09/2018
Number of Days to Update: 16
Source: Drug Enforcement Administration
Telephone: 202-307-1000
Last EDR Contact: 01/19/2018
Next Scheduled EDR Contact: 03/12/2018
Data Release Frequency: No Update Planned

PRIORITY CLEANERS: Dry Cleaner Remediation Program Prioritization List
A listing of dry cleaner related contaminated sites.

Date of Government Version: 09/22/2017
Date Data Arrived at EDR: 12/06/2017
Date Made Active in Reports: 01/05/2018
Number of Days to Update: 30
Source: Texas Commission on Environmental Quality
Telephone: 512-239-5658
Last EDR Contact: 12/06/2017
Next Scheduled EDR Contact: 03/19/2018
Data Release Frequency: Varies

DEL SHWS: Deleted Superfund Registry Sites
Sites have been deleted from the state Superfund registry in accordance with the Act, ?361.189

Date of Government Version: 09/30/2017
Date Data Arrived at EDR: 10/13/2017
Date Made Active in Reports: 12/11/2017
Number of Days to Update: 59
Source: Texas Commission on Environmental Quality
Telephone: 512-239-0666
Last EDR Contact: 12/21/2017
Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Quarterly

US CDL: Clandestine Drug Labs
A listing of clandestine drug lab locations. The U.S. Department of Justice ("the Department") provides this web site as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy. Members of the public must verify the accuracy of all entries by, for example, contacting local law enforcement and local health departments.

Date of Government Version: 01/09/2018
Date Data Arrived at EDR: 01/24/2018
Date Made Active in Reports: 02/09/2018
Number of Days to Update: 16
Source: Drug Enforcement Administration
Telephone: 202-307-1000
Last EDR Contact: 01/19/2018
Next Scheduled EDR Contact: 03/12/2018
Data Release Frequency: Quarterly

Local Land Records

HIST LIENS: Environmental Liens Listing
This listing contains information fields that are no longer tracked in the LIENS database.

Date of Government Version: 03/23/2007
Date Data Arrived at EDR: 03/23/2007
Date Made Active in Reports: 05/02/2007
Number of Days to Update: 40
Source: Texas Commission on Environmental Quality
Telephone: 512-239-2209
Last EDR Contact: 12/17/2007
Next Scheduled EDR Contact: 03/17/2008
Data Release Frequency: No Update Planned

LIENS: Environmental Liens Listing
The listing covers TCEQ liens placed against either State Superfund sites or Federal Superfund sites to recover cost incurred by TCEQ.

Date of Government Version: 12/20/2017
Date Data Arrived at EDR: 01/05/2018
Date Made Active in Reports: 02/13/2018
Number of Days to Update: 39
Source: Texas Commission on Environmental Quality
Telephone: 512-239-2209
Last EDR Contact: 01/02/2018
Next Scheduled EDR Contact: 04/16/2018
Data Release Frequency: Varies
LIENS 2: CERCLA Lien Information
A Federal CERCLA (‘Superfund’) lien can exist by operation of law at any site or property at which EPA has spent Superfund monies. These monies are spent to investigate and address releases and threatened releases of contamination. CERCLIS provides information as to the identity of these sites and properties.

<table>
<thead>
<tr>
<th>Date of Government Version</th>
<th>Source</th>
<th>Telephone</th>
<th>Next Scheduled EDR Contact</th>
<th>Data Release Frequency</th>
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<tr>
<td>12/11/2017</td>
<td>Environmental Protection Agency</td>
<td>202-564-6023</td>
<td>05/21/2018</td>
<td>Semi-Annually</td>
</tr>
</tbody>
</table>

Date Data Arrived at EDR: 12/22/2017
Date Made Active in Reports: 01/12/2018
Number of Days to Update: 21

Records of Emergency Release Reports
HMIRS: Hazardous Materials Information Reporting System
HMIRS contains hazardous material spill incidents reported to DOT.

<table>
<thead>
<tr>
<th>Date of Government Version</th>
<th>Source</th>
<th>Telephone</th>
<th>Last EDR Contact</th>
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<th>Data Release Frequency</th>
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<tr>
<td>09/21/2017</td>
<td>U.S. Department of Transportation</td>
<td>202-366-4555</td>
<td>01/19/2018</td>
<td>04/09/2018</td>
<td>Quarterly</td>
</tr>
</tbody>
</table>

Date Data Arrived at EDR: 09/21/2017
Date Made Active in Reports: 10/13/2017
Number of Days to Update: 22

SPILLS: Spills Database
Spills reported to the Emergency Response Division.

<table>
<thead>
<tr>
<th>Date of Government Version</th>
<th>Source</th>
<th>Telephone</th>
<th>Last EDR Contact</th>
<th>Next Scheduled EDR Contact</th>
<th>Data Release Frequency</th>
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<tbody>
<tr>
<td>02/01/2018</td>
<td>Texas Commission on Environmental Quality</td>
<td>512-239-2507</td>
<td>01/16/2018</td>
<td>04/30/2018</td>
<td>Quarterly</td>
</tr>
</tbody>
</table>

Date Data Arrived at EDR: 02/02/2018
Date Made Active in Reports: 02/14/2018
Number of Days to Update: 12

SPILLS 90: SPILLS90 data from FirstSearch
Spills 90 includes those spill and release records available exclusively from FirstSearch databases. Typically, they may include chemical, oil and/or hazardous substance spills recorded after 1990. Duplicate records that are already included in EDR incident and release records are not included in Spills 90.

<table>
<thead>
<tr>
<th>Date of Government Version</th>
<th>Source</th>
<th>Telephone</th>
<th>Last EDR Contact</th>
<th>Next Scheduled EDR Contact</th>
<th>Data Release Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>10/23/2012</td>
<td>FirstSearch</td>
<td>N/A</td>
<td>01/03/2013</td>
<td>N/A</td>
<td>No Update Planned</td>
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</tbody>
</table>

Date Data Arrived at EDR: 01/03/2013
Date Made Active in Reports: 03/07/2013
Number of Days to Update: 63

SPILLS 80: SPILLS80 data from FirstSearch
Spills 80 includes those spill and release records available from FirstSearch databases prior to 1990. Typically, they may include chemical, oil and/or hazardous substance spills recorded before 1990. Duplicate records that are already included in EDR incident and release records are not included in Spills 80.

<table>
<thead>
<tr>
<th>Date of Government Version</th>
<th>Source</th>
<th>Telephone</th>
<th>Last EDR Contact</th>
<th>Next Scheduled EDR Contact</th>
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<td>05/15/2005</td>
<td>FirstSearch</td>
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Date Data Arrived at EDR: 01/03/2013
Date Made Active in Reports: 03/07/2013
Number of Days to Update: 63

Other Ascertainable Records
RCRA NonGen / NLR: RCRA - Non Generators / No Longer Regulated
RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Non-Generators do not presently generate hazardous waste.
### FUDS: Formerly Used Defense Sites

The listing includes locations of Formerly Used Defense Sites properties where the US Army Corps of Engineers is actively working or will take necessary cleanup actions.

| Date of Government Version: 01/31/2015 | Source: U.S. Army Corps of Engineers |
| Date Data Arrived at EDR: 07/08/2015 | Telephone: 202-528-4285 |
| Date Made Active in Reports: 10/13/2015 | Last EDR Contact: 02/21/2018 |
| Number of Days to Update: 97 | Next Scheduled EDR Contact: 06/04/2018 |

### DOD: Department of Defense Sites

This data set consists of federally owned or administered lands, administered by the Department of Defense, that have any area equal to or greater than 640 acres of the United States, Puerto Rico, and the U.S. Virgin Islands.

| Date of Government Version: 12/31/2005 | Source: USGS |
| Date Data Arrived at EDR: 11/10/2006 | Telephone: 888-275-8747 |
| Date Made Active in Reports: 01/11/2007 | Last EDR Contact: 10/13/2017 |
| Number of Days to Update: 62 | Next Scheduled EDR Contact: 01/22/2018 |

### FEDLAND: Federal and Indian Lands


| Date Data Arrived at EDR: 02/06/2006 | Telephone: 888-275-8747 |
| Date Made Active in Reports: 01/11/2007 | Last EDR Contact: 10/11/2017 |
| Number of Days to Update: 339 | Next Scheduled EDR Contact: 01/22/2018 |

### SCRD DRYCLEANERS: State Coalition for Remediation of Drycleaners Listing

The State Coalition for Remediation of Drycleaners was established in 1998, with support from the U.S. EPA Office of Superfund Remediation and Technology Innovation. It is comprised of representatives of states with established drycleaner remediation programs. Currently the member states are Alabama, Connecticut, Florida, Illinois, Kansas, Minnesota, Missouri, North Carolina, Oregon, South Carolina, Tennessee, Texas, and Wisconsin.

| Date of Government Version: 01/01/2017 | Source: Environmental Protection Agency |
| Date Data Arrived at EDR: 02/03/2017 | Telephone: 615-532-8599 |
| Date Made Active in Reports: 04/07/2017 | Last EDR Contact: 02/16/2018 |
| Number of Days to Update: 63 | Next Scheduled EDR Contact: 05/28/2018 |

### US FIN ASSUR: Financial Assurance Information

All owners and operators of facilities that treat, store, or dispose of hazardous waste are required to provide proof that they will have sufficient funds to pay for the clean up, closure, and post-closure care of their facilities.

| Date of Government Version: 10/17/2017 | Source: Environmental Protection Agency |
| Date Data Arrived at EDR: 11/01/2017 | Telephone: 202-566-1917 |
| Date Made Active in Reports: 12/08/2017 | Last EDR Contact: 01/19/2018 |
| Number of Days to Update: 37 | Next Scheduled EDR Contact: 04/09/2018 |

Data Release Frequency: Quarterly
EPA WATCH LIST: EPA WATCH LIST

EPA maintains a "Watch List" to facilitate dialogue between EPA, state and local environmental agencies on enforcement matters relating to facilities with alleged violations identified as either significant or high priority. Being on the Watch List does not mean that the facility has actually violated the law only that an investigation by EPA or a state or local environmental agency has led those organizations to allege that an unproven violation has in fact occurred. Being on the Watch List does not represent a higher level of concern regarding the alleged violations that were detected, but instead indicates cases requiring additional dialogue between EPA, state and local agencies - primarily because of the length of time the alleged violation has gone unaddressed or unresolved.

Date of Government Version: 08/30/2013  
Source: Environmental Protection Agency  
Telephone: 617-520-3000  
Last EDR Contact: 01/31/2018  
Next Scheduled EDR Contact: 05/21/2018  
Data Release Frequency: Quarterly

2020 COR ACTION: 2020 Corrective Action Program List

The EPA has set ambitious goals for the RCRA Corrective Action program by creating the 2020 Corrective Action Universe. This RCRA cleanup baseline includes facilities expected to need corrective action. The 2020 universe contains a wide variety of sites. Some properties are heavily contaminated while others were contaminated but have since been cleaned up. Still others have not been fully investigated yet, and may require little or no remediation. Inclusion in the 2020 Universe does not necessarily imply failure on the part of a facility to meet its RCRA obligations.

Date of Government Version: 04/22/2013  
Source: Environmental Protection Agency  
Telephone: 703-308-4044  
Last EDR Contact: 02/08/2018  
Next Scheduled EDR Contact: 05/21/2018  
Data Release Frequency: Varies

TSCA: Toxic Substances Control Act

Toxic Substances Control Act. TSCA identifies manufacturers and importers of chemical substances included on the TSCA Chemical Substance Inventory list. It includes data on the production volume of these substances by plant site.

Date of Government Version: 12/31/2016  
Source: EPA  
Telephone: 202-260-5521  
Last EDR Contact: 12/22/2017  
Next Scheduled EDR Contact: 04/02/2018  
Data Release Frequency: Every 4 Years

TRIS: Toxic Chemical Release Inventory System

Toxic Release Inventory System. TRIS identifies facilities which release toxic chemicals to the air, water and land in reportable quantities under SARA Title III Section 313.

Date of Government Version: 12/31/2016  
Source: EPA  
Telephone: 202-566-0250  
Last EDR Contact: 01/10/2018  
Next Scheduled EDR Contact: 03/05/2018  
Data Release Frequency: Annually

SSTS: Section 7 Tracking Systems

Section 7 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (92 Stat. 829) requires all registered pesticide-producing establishments to submit a report to the Environmental Protection Agency by March 1st each year. Each establishment must report the types and amounts of pesticides, active ingredients and devices being produced, and those having been produced and sold or distributed in the past year.

Date of Government Version: 12/31/2009  
Source: EPA  
Telephone: 202-564-4203  
Last EDR Contact: 01/25/2018  
Next Scheduled EDR Contact: 05/07/2018  
Data Release Frequency: Annually
**ROD: Records Of Decision**

Record of Decision. ROD documents mandate a permanent remedy at an NPL (Superfund) site containing technical and health information to aid in the cleanup.

<table>
<thead>
<tr>
<th>Date of Government Version: 12/11/2017</th>
<th>Source: EPA</th>
</tr>
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<tbody>
<tr>
<td>Date Data Arrived at EDR: 12/22/2017</td>
<td>Telephone: 703-416-0223</td>
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<td>Date Made Active in Reports: 01/12/2018</td>
<td>Last EDR Contact: 02/06/2018</td>
</tr>
<tr>
<td>Number of Days to Update: 21</td>
<td>Next Scheduled EDR Contact: 03/19/2018</td>
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</table>

**RMP: Risk Management Plans**

When Congress passed the Clean Air Act Amendments of 1990, it required EPA to publish regulations and guidance for chemical accident prevention at facilities using extremely hazardous substances. The Risk Management Program Rule (RMP Rule) was written to implement Section 112(r) of these amendments. The rule, which built upon existing industry codes and standards, requires companies of all sizes that use certain flammable and toxic substances to develop a Risk Management Program, which includes a(n): Hazard assessment that details the potential effects of an accidental release, an accident history of the last five years, and an evaluation of worst-case and alternative accidental releases; Prevention program that includes safety precautions and maintenance, monitoring, and employee training measures; and Emergency response program that spells out emergency health care, employee training measures and procedures for informing the public and response agencies (e.g the fire department) should an accident occur.

<table>
<thead>
<tr>
<th>Date of Government Version: 11/02/2017</th>
<th>Source: Environmental Protection Agency</th>
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<td>Date Data Arrived at EDR: 11/17/2017</td>
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<tr>
<td>Number of Days to Update: 21</td>
<td>Next Scheduled EDR Contact: 05/07/2018</td>
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</table>

**RAATS: RCRA Administrative Action Tracking System**

RCRA Administration Action Tracking System. RAATS contains records based on enforcement actions issued under RCRA pertaining to major violators and includes administrative and civil actions brought by the EPA. For administration actions after September 30, 1995, data entry in the RAATS database was discontinued. EPA will retain a copy of the database for historical records. It was necessary to terminate RAATS because a decrease in agency resources made it impossible to continue to update the information contained in the database.

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<tr>
<th>Date of Government Version: 04/17/1995</th>
<th>Source: EPA</th>
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<td>Date Data Arrived at EDR: 07/03/1995</td>
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<td>Date Made Active in Reports: 08/07/1995</td>
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<td>Number of Days to Update: 35</td>
<td>Next Scheduled EDR Contact: 09/01/2008</td>
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**PRP: Potentially Responsible Parties**

A listing of verified Potentially Responsible Parties.

<table>
<thead>
<tr>
<th>Date of Government Version: 10/25/2013</th>
<th>Source: EPA</th>
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<td>Date Made Active in Reports: 10/20/2014</td>
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<tr>
<td>Number of Days to Update: 3</td>
<td>Next Scheduled EDR Contact: 05/21/2018</td>
</tr>
</tbody>
</table>

**PADS: PCB Activity Database System**

PCB Activity Database. PADS identifies generators, transporters, commercial storers and/or brokers and disposers of PCB’s who are required to notify the EPA of such activities.

<table>
<thead>
<tr>
<th>Date of Government Version: 06/01/2017</th>
<th>Source: EPA</th>
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<td>Date Data Arrived at EDR: 06/09/2017</td>
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<td>Date Made Active in Reports: 10/13/2017</td>
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<td>Number of Days to Update: 126</td>
<td>Next Scheduled EDR Contact: 04/23/2018</td>
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Data Release Frequency: Annually
ICIS: Integrated Compliance Information System

The Integrated Compliance Information System (ICIS) supports the information needs of the national enforcement and compliance program as well as the unique needs of the National Pollutant Discharge Elimination System (NPDES) program.

- **Date of Government Version:** 11/18/2016
- **Source:** Environmental Protection Agency
- **Telephone:** 202-564-2501
- **Number of Days to Update:** 79
- **Next Scheduled EDR Contact:** 04/23/2018
- **Data Release Frequency:** Quarterly

**FTTS:** FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)

FTTS tracks administrative cases and pesticide enforcement actions and compliance activities related to FIFRA, TSCA and EPCRA (Emergency Planning and Community Right-to-Know Act). To maintain currency, EDR contacts the Agency on a quarterly basis.

- **Date of Government Version:** 04/09/2009
- **Source:** EPA/Office of Prevention, Pesticides and Toxic Substances
- **Telephone:** 202-566-1667
- **Last EDR Contact:** 08/18/2017
- **Next Scheduled EDR Contact:** 12/04/2017
- **Data Release Frequency:** Quarterly

**FTTS INSP:** FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)

A listing of FIFRA/TSCA Tracking System (FTTS) inspections and enforcements.

- **Date of Government Version:** 04/09/2009
- **Source:** EPA
- **Telephone:** 202-566-1667
- **Last EDR Contact:** 08/18/2017
- **Next Scheduled EDR Contact:** 12/04/2017
- **Data Release Frequency:** Quarterly

**MLTS:** Material Licensing Tracking System

MLTS is maintained by the Nuclear Regulatory Commission and contains a list of approximately 8,100 sites which possess or use radioactive materials and which are subject to NRC licensing requirements. To maintain currency, EDR contacts the Agency on a quarterly basis.

- **Date of Government Version:** 08/30/2016
- **Source:** Nuclear Regulatory Commission
- **Telephone:** 301-415-7169
- **Last EDR Contact:** 01/19/2018
- **Next Scheduled EDR Contact:** 05/21/2018
- **Data Release Frequency:** Quarterly

**COAL ASH DOE:** Steam-Electric Plant Operation Data

A listing of power plants that store ash in surface ponds.

- **Date of Government Version:** 12/31/2005
- **Source:** Department of Energy
- **Telephone:** 202-586-8719
- **Last EDR Contact:** 12/05/2017
- **Next Scheduled EDR Contact:** 03/19/2018
- **Data Release Frequency:** Varies

**COAL ASH EPA:** Coal Combustion Residues Surface Impoundments List

A listing of coal combustion residues surface impoundments with high hazard potential ratings.

- **Date of Government Version:** 07/01/2014
- **Source:** Environmental Protection Agency
- **Telephone:** N/A
- **Last EDR Contact:** 12/08/2017
- **Next Scheduled EDR Contact:** 03/19/2018
- **Data Release Frequency:** Varies
PCB TRANSFORMER: PCB Transformer Registration Database
The database of PCB transformer registrations that includes all PCB registration submittals.

- Date of Government Version: 05/24/2017
- Date Data Arrived at EDR: 11/30/2017
- Date Made Active in Reports: 12/15/2017
- Number of Days to Update: 15
- Data Release Frequency: Varies

Source: Environmental Protection Agency
Telephone: 202-566-0517
Last EDR Contact: 01/26/2018
Next Scheduled EDR Contact: 05/07/2018

RADINFO: Radiation Information Database
The Radiation Information Database (RADINFO) contains information about facilities that are regulated by U.S. Environmental Protection Agency (EPA) regulations for radiation and radioactivity.

- Date of Government Version: 10/02/2017
- Date Data Arrived at EDR: 10/05/2017
- Date Made Active in Reports: 10/13/2017
- Number of Days to Update: 8
- Data Release Frequency: Quarterly

Source: Environmental Protection Agency
Telephone: 202-343-9775
Last EDR Contact: 01/04/2018
Next Scheduled EDR Contact: 04/16/2018

HIST FTTS: FIFRA/TSCA Tracking System Administrative Case Listing
A complete administrative case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

- Date of Government Version: 10/19/2006
- Date Data Arrived at EDR: 03/01/2007
- Date Made Active in Reports: 04/10/2007
- Number of Days to Update: 40
- Data Release Frequency: No Update Planned

Source: Environmental Protection Agency
Telephone: 202-564-2501
Last EDR Contact: 12/17/2007
Next Scheduled EDR Contact: 03/17/2008

HIST FTTS INSPI: FIFRA/TSCA Tracking System Inspection & Enforcement Case Listing
A complete inspection and enforcement case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

- Date of Government Version: 10/19/2006
- Date Data Arrived at EDR: 03/01/2007
- Date Made Active in Reports: 04/10/2007
- Number of Days to Update: 40
- Data Release Frequency: No Update Planned

Source: Environmental Protection Agency
Telephone: 202-564-2501
Last EDR Contact: 12/17/2008
Next Scheduled EDR Contact: 03/17/2008

DOT OPS: Incident and Accident Data
Department of Transporation, Office of Pipeline Safety Incident and Accident data.

- Date of Government Version: 07/31/2012
- Date Data Arrived at EDR: 08/07/2012
- Date Made Active in Reports: 09/18/2012
- Number of Days to Update: 42
- Data Release Frequency: Varies

Source: Department of Transporation, Office of Pipeline Safety
Telephone: 202-366-4595
Last EDR Contact: 01/19/2018
Next Scheduled EDR Contact: 05/14/2018

CONSENT: Superfund (CERCLA) Consent Decrees
Major legal settlements that establish responsibility and standards for cleanup at NPL (Superfund) sites. Released periodically by United States District Courts after settlement by parties to litigation matters.
**BRS: Biennial Reporting System**

The Biennial Reporting System is a national system administered by the EPA that collects data on the generation and management of hazardous waste. BRS captures detailed data from two groups: Large Quantity Generators (LQG) and Treatment, Storage, and Disposal Facilities.

**INDIAN RESERV: Indian Reservations**

This map layer portrays Indian administered lands of the United States that have any area equal to or greater than 640 acres.

**FUSRAP: Formerly Utilized Sites Remedial Action Program**

DOE established the Formerly Utilized Sites Remedial Action Program (FUSRAP) in 1974 to remediate sites where radioactive contamination remained from Manhattan Project and early U.S. Atomic Energy Commission (AEC) operations.

**UMTRA: Uranium Mill Tailings Sites**

Uranium ore was mined by private companies for federal government use in national defense programs. When the mills shut down, large piles of the sand-like material (mill tailings) remain after uranium has been extracted from the ore. Levels of human exposure to radioactive materials from the piles are low; however, in some cases tailings were used as construction materials before the potential health hazards of the tailings were recognized.

**LEAD SMELTER 1: Lead Smelter Sites**

A listing of former lead smelter site locations.

**LEAD SMELTER 2: Lead Smelter Sites**

A list of several hundred sites in the U.S. where secondary lead smelting was done from 1931 and 1964. These sites may pose a threat to public health through ingestion or inhalation of contaminated soil or dust.
US AIRS (AFS): Aerometric Information Retrieval System Facility Subsystem (AFS)
The database is a sub-system of Aerometric Information Retrieval System (AIRS). AFS contains compliance data on air pollution point sources regulated by the U.S. EPA and/or state and local air regulatory agencies. This information comes from source reports by various stationary sources of air pollution, such as electric power plants, steel mills, factories, and universities, and provides information about the air pollutants they produce. Action, air program, air program pollutant, and general level plant data. It is used to track emissions and compliance data from industrial plants.

| Date of Government Version: | 10/12/2016 | Source: EPA |
| Data Arrived at EDR: | 10/26/2016 | Telephone: 202-564-2496 |
| Date Made Active in Reports: | 02/03/2017 | Last EDR Contact: 09/26/2017 |
| Number of Days to Update: | 100 | Next Scheduled EDR Contact: 01/08/2018 |
| Data Release Frequency: | Annually |  

US AIRS MINOR: Air Facility System Data
A listing of minor source facilities.

| Date of Government Version: | 10/12/2016 | Source: EPA |
| Data Arrived at EDR: | 10/26/2016 | Telephone: 202-564-2496 |
| Date Made Active in Reports: | 02/03/2017 | Last EDR Contact: 09/26/2017 |
| Number of Days to Update: | 100 | Next Scheduled EDR Contact: 01/08/2018 |
| Data Release Frequency: | Annually |  

US MINES: Mines Master Index File
Contains all mine identification numbers issued for mines active or opened since 1971. The data also includes violation information.

| Date of Government Version: | 10/29/2017 | Source: Department of Labor, Mine Safety and Health Administration |
| Date Data Arrived at EDR: | 11/28/2017 | Telephone: 303-231-5959 |
| Date Made Active in Reports: | 01/12/2018 | Last EDR Contact: 11/28/2017 |
| Number of Days to Update: | 45 | Next Scheduled EDR Contact: 03/12/2018 |
| Data Release Frequency: | Semi-Annually |  

US MINES 2: Ferrous and Nonferrous Metal Mines Database Listing
This map layer includes ferrous (ferrous metal mines are facilities that extract ferrous metals, such as iron ore or molybdenum) and nonferrous (Nonferrous metal mines are facilities that extract nonferrous metals, such as gold, silver, copper, zinc, and lead) metal mines in the United States.

| Date of Government Version: | 12/05/2005 | Source: USGS |
| Date Data Arrived at EDR: | 02/29/2008 | Telephone: 703-648-7709 |
| Date Made Active in Reports: | 04/19/2008 | Last EDR Contact: 12/01/2017 |
| Number of Days to Update: | 49 | Next Scheduled EDR Contact: 03/12/2018 |
| Data Release Frequency: | Varies |  

US MINES 3: Active Mines & Mineral Plants Database Listing
Active Mines and Mineral Processing Plant operations for commodities monitored by the Minerals Information Team of the USGS.

| Date of Government Version: | 04/14/2011 | Source: USGS |
| Date Data Arrived at EDR: | 06/08/2011 | Telephone: 703-648-7709 |
| Date Made Active in Reports: | 09/13/2011 | Last EDR Contact: 12/01/2017 |
| Number of Days to Update: | 97 | Next Scheduled EDR Contact: 03/12/2018 |
| Data Release Frequency: | Varies |
ABANDONED MINES: Abandoned Mines
An inventory of land and water impacted by past mining (primarily coal mining) is maintained by OSMRE to provide information needed to implement the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The inventory contains information on the location, type, and extent of AML impacts, as well as, information on the cost associated with the reclamation of those problems. The inventory is based upon field surveys by State, Tribal, and OSMRE program officials. It is dynamic to the extent that it is modified as new problems are identified and existing problems are reclaimed.

FINDS: Facility Index System/Facility Registry System
Facility Index System. FINDS contains both facility information and ‘pointers’ to other sources that contain more detail. EDR includes the following FINDS databases in this report: PCS (Permit Compliance System), AIRS (Aerometric Information Retrieval System), DOCKET (Enforcement Docket used to manage and track information on civil judicial enforcement cases for all environmental statutes), FURS (Federal Underground Injection Control), C-DOCKET (Criminal Docket System used to track criminal enforcement actions for all environmental statutes), FFIS (Federal Facilities Information System), STATE (State Environmental Laws and Statutes), and PADS (PCB Activity Data System).

UXO: Unexploded Ordnance Sites
A listing of unexploded ordnance site locations

DOCKET HWC: Hazardous Waste Compliance Docket Listing
A complete list of the Federal Agency Hazardous Waste Compliance Docket Facilities.

ECHO: Enforcement & Compliance History Information
ECHO provides integrated compliance and enforcement information for about 800,000 regulated facilities nationwide.

FUELS PROGRAM: EPA Fuels Program Registered Listing
This listing includes facilities that are registered under the Part 80 (Code of Federal Regulations) EPA Fuels Programs. All companies now are required to submit new and updated registrations.
AIRS: Current Emission Inventory Data
The database lists by company, along with their actual emissions, the TNRCC air accounts that emit EPA criteria pollutants.

<table>
<thead>
<tr>
<th>Date of Government Version: 01/11/2018</th>
<th>Source: Texas Commission on Environmental Quality</th>
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<tbody>
<tr>
<td>Date Data Arrived at EDR: 01/12/2018</td>
<td>Telephone: 512-239-5872</td>
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<td>Number of Days to Update: 32</td>
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<td>Data Release Frequency: Semi-Annually</td>
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</table>

APAR: Affected Property Assessment Report Site Listing
Listing of Sites That Have Received an APAR (Affected Property Assessment Report)

<table>
<thead>
<tr>
<th>Date of Government Version: 01/09/2018</th>
<th>Source: Texas Commission on Environmental Quality</th>
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<tbody>
<tr>
<td>Date Data Arrived at EDR: 01/19/2018</td>
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<td>Date Made Active in Reports: 02/13/2018</td>
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<td>Number of Days to Update: 25</td>
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ASBESTOS: Asbestos Notification Listing
A listing of asbestos notification site locations.

<table>
<thead>
<tr>
<th>Date of Government Version: 01/05/2018</th>
<th>Source: Department of State Health Services</th>
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<tr>
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<td>Date Made Active in Reports: 02/13/2018</td>
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<td>Data Release Frequency: Varies</td>
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COAL ASH: Coal Ash Disposal Sites
A listing of facilities that use surface impoundments or landfills to dispose of coal ash.

<table>
<thead>
<tr>
<th>Date of Government Version: 10/03/2017</th>
<th>Source: Texas Commission on Environmental Quality</th>
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<tr>
<td>Date Data Arrived at EDR: 11/03/2017</td>
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<td>Date Made Active in Reports: 12/11/2017</td>
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</table>

DRYCLEANERS: Drycleaner Registration Database Listing
A listing of drycleaning facilities.

<table>
<thead>
<tr>
<th>Date of Government Version: 11/03/2017</th>
<th>Source: Texas Commission on Environmental Quality</th>
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<td>Data Release Frequency: Varies</td>
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ED AQUIF: Edwards Aquifer Permits
A listing of permits in the Edwards Aquifer Protection Program database. The information provided is for the counties located in the Austin Region (Hays, Travis, and Williamson counties).

<table>
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<th>Date of Government Version: 01/04/2018</th>
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<td>Date Made Active in Reports: 02/13/2018</td>
<td>Last EDR Contact: 12/21/2017</td>
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<td>Number of Days to Update: 33</td>
<td>Next Scheduled EDR Contact: 04/09/2018</td>
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<tr>
<td></td>
<td>Data Release Frequency: Varies</td>
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</table>
ENFORCEMENT: Notice of Violations Listing
A listing of permit violations.

Date of Government Version: 10/19/2017
Date Data Arrived at EDR: 10/19/2017
Date Made Active in Reports: 12/12/2017
Number of Days to Update: 54
Source: Texas Commission on Environmental Quality
Telephone: 512-239-6012
Last EDR Contact: 12/28/2017
Next Scheduled EDR Contact: 04/16/2018
Data Release Frequency: Semi-Annually

Financial Assurance 1: Financial Assurance Information Listing
Financial assurance information.

Date of Government Version: 12/27/2017
Date Data Arrived at EDR: 12/28/2017
Date Made Active in Reports: 02/13/2018
Number of Days to Update: 47
Source: Texas Commission on Environmental Quality
Telephone: 512-239-6239
Last EDR Contact: 12/21/2017
Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Varies

Financial Assurance 2: Financial Assurance Information Listing
Financial Assurance information for underground storage tank facilities. Financial assurance is intended to ensure that resources are available to pay for the cost of closure, post-closure care, and corrective measures if the owner or operator of a regulated facility is unable or unwilling to pay.

Date of Government Version: 12/11/2017
Date Data Arrived at EDR: 12/26/2017
Date Made Active in Reports: 02/13/2018
Number of Days to Update: 49
Source: Texas Commission on Environmental Quality
Telephone: 512-239-0986
Last EDR Contact: 12/26/2017
Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Quarterly

GCC: Groundwater Contamination Cases
Texas Water Code, Section 26.406 requires the annual report to describe the current status of groundwater monitoring activities conducted or required by each agency at regulated facilities or associated with regulated activities. The report is required to contain a description of each case of groundwater contamination documented during the previous calendar year. Also to be included, is a description of each case of contamination documented during previous periods for which voluntary clean up action was incomplete at the time the preceding report was issued. The report is also required to indicate the status of enforcement action for each listed case.

Date of Government Version: 12/31/2016
Date Data Arrived at EDR: 09/08/2017
Date Made Active in Reports: 09/11/2017
Number of Days to Update: 3
Source: Texas Commission on Environmental Quality
Telephone: 512-239-5690
Last EDR Contact: 12/01/2017
Next Scheduled EDR Contact: 03/12/2018
Data Release Frequency: Annually

Ind. Haz Waste: Industrial & Hazardous Waste Database
Summary reports reported by waste handlers, generators and shippers in Texas.

Date of Government Version: 12/05/2017
Date Data Arrived at EDR: 01/18/2018
Date Made Active in Reports: 02/13/2018
Number of Days to Update: 26
Source: Texas Commission on Environmental Quality
Telephone: 512-239-0985
Last EDR Contact: 01/18/2018
Next Scheduled EDR Contact: 04/30/2018
Data Release Frequency: Annually

IHW CORR ACTION: IHW CORR ACTION
Industrial hazardous waste facilities with corrective actions.

Date of Government Version: 01/02/2018
Date Data Arrived at EDR: 01/02/2018
Date Made Active in Reports: 02/13/2018
Number of Days to Update: 42
Source: Texas Commission on Environmental Quality
Telephone: 512-239-5872
Last EDR Contact: 01/02/2018
Next Scheduled EDR Contact: 04/16/2018
Data Release Frequency: Varies
IOP: Innocent Owner/Operator Program
Contains information on all sites that are in the IOP. An IOP is an innocent owner or operator whose 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.
Date of Government Version: 01/02/2018
Date Data Arrived at EDR: 01/02/2018
Date Made Active in Reports: 02/13/2018
Number of Days to Update: 42
Next Scheduled EDR Contact: 04/16/2018
Data Release Frequency: Quarterly
Source: Texas Commission on Environmental Quality
Telephone: 512-239-5894
Last EDR Contact: 01/02/2018

MSD: Municipal Settings Designations Database
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 use 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.
Date of Government Version: 10/30/2017
Date Data Arrived at EDR: 10/31/2017
Date Made Active in Reports: 12/11/2017
Number of Days to Update: 41
Next Scheduled EDR Contact: 05/14/2018
Data Release Frequency: Varies
Source: Texas Commission on Environmental Quality
Telephone: 512-239-4982
Last EDR Contact: 01/29/2018

NPDES: NPDES Facility List
Permitted wastewater outfalls.
Date of Government Version: 11/14/2017
Date Data Arrived at EDR: 11/16/2017
Date Made Active in Reports: 01/09/2018
Number of Days to Update: 54
Next Scheduled EDR Contact: 05/28/2018
Data Release Frequency: Varies
Source: Texas Commission on Environmental Quality
Telephone: 512-239-4591
Last EDR Contact: 02/15/2018

RWS: Radioactive Waste Sites
Sites in the State of Texas that have been designated as Radioactive Waste sites.
Date of Government Version: 07/24/2006
Date Data Arrived at EDR: 06/07/2013
Date Made Active in Reports: 01/23/2007
Number of Days to Update: 40
Next Scheduled EDR Contact: 05/28/2018
Data Release Frequency: Semi-Annually
Source: Texas Commission on Environmental Quality
Telephone: 512-834-6603
Last EDR Contact: 02/16/2018

TIER 2: Tier 2 Chemical Inventory Reports
A listing of facilities which store or manufacture hazardous materials and submit a chemical inventory report.
Date of Government Version: 12/31/2012
Date Data Arrived at EDR: 06/07/2013
Date Made Active in Reports: 07/22/2013
Number of Days to Update: 45
Next Scheduled EDR Contact: 06/04/2018
Data Release Frequency: Annually
Source: Department of State Health Services
Telephone: 512-834-6603
Last EDR Contact: 02/15/2018

UIC: Underground Injection Wells Database Listing
Class V injection wells regulated by the TCEQ. Class V wells are used to inject non-hazardous fluids underground.
Most Class V wells are used to dispose of wastes into or above underground sources of drinking water and can pose
a threat to groundwater quality, if not managed properly.
Date of Government Version: 10/05/2017
Date Data Arrived at EDR: 10/06/2017
Date Made Active in Reports: 12/11/2017
Number of Days to Update: 66
Next Scheduled EDR Contact: 04/30/2018
Data Release Frequency: Varies
Source: Texas Commission on Environmental Quality
Telephone: 512-239-6627
Last EDR Contact: 01/16/2018
EDR HIGH RISK HISTORICAL RECORDS

EDR Exclusive Records

EDR MGP: EDR Proprietary Manufactured Gas Plants
The EDR Proprietary Manufactured Gas Plant Database includes records of coal gas plants (manufactured gas plants) compiled by EDR's researchers. Manufactured gas sites were used in the United States from the 1800's to 1950's to produce a gas that could be distributed and used as fuel. These plants used whale oil, rosin, coal, or a mixture of coal, oil, and water that also produced a significant amount of waste. Many of the byproducts of the gas production, such as coal tar (oily waste containing volatile and non-volatile chemicals), sludges, oils and other compounds are potentially hazardous to human health and the environment. The byproduct from this process was frequently disposed of directly at the plant site and can remain or spread slowly, serving as a continuous source of soil and groundwater contamination.

EDR Hist Auto: EDR Exclusive Historical Auto Stations
EDR has searched selected national collections of business directories and has collected listings of potential gas station/filling station/service station sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include gas station/filling station/service station establishments. The categories reviewed included, but were not limited to gas, gas station, gasoline station, filling station, auto, automobile repair, auto service station, service station, etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

EDR Hist Cleaner: EDR Exclusive Historical Cleaners
EDR has searched selected national collections of business directories and has collected listings of potential dry cleaning sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include dry cleaning establishments. The categories reviewed included, but were not limited to dry cleaners, cleaners, laundry, laundromat, cleaning/laundry, wash & dry etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

EDR RECOVERED GOVERNMENT ARCHIVES

Exclusive Recovered Govt. Archives

RGA HWS: Recovered Government Archive State Hazardous Waste Facilities List
The EDR Recovered Government Archive State Hazardous Waste database provides a list of SHWS incidents derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Texas Commission of Environmental Quality in Texas formerly known as Texas Natural Resources Conservation Commission which changed in 2002.
### GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

| Date of Government Version: N/A | Source: Texas Commission on Environmental Quality |
| Date Data Arrived at EDR: 07/01/2013 | Telephone: N/A |
| Date Made Active in Reports: 12/26/2013 | Last EDR Contact: 06/01/2012 |
| Number of Days to Update: 178 | Next Scheduled EDR Contact: N/A |
| Data Release Frequency: Varies |

**RGA LF: Recovered Government Archive Solid Waste Facilities List**

The EDR Recovered Government Archive Landfill database provides a list of landfills derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Texas Commission of Environmental Quality in Texas formerly known as Texas Natural Resources Conservation Commission which changed in 2002.

| Date of Government Version: N/A | Source: Texas Commission on Environmental Quality |
| Date Data Arrived at EDR: 07/01/2013 | Telephone: N/A |
| Date Made Active in Reports: 01/13/2014 | Last EDR Contact: 06/01/2012 |
| Number of Days to Update: 196 | Next Scheduled EDR Contact: N/A |
| Data Release Frequency: Varies |

### COUNTY RECORDS

**TRAVIS COUNTY:**

**Historic Tank Records**

A listing of historic records from the City of Austin.

| Date of Government Version: 06/25/2012 | Source: Department of Planning & Development Review |
| Date Data Arrived at EDR: 06/29/2012 | Telephone: 512-974-2715 |
| Date Made Active in Reports: 08/23/2012 | Last EDR Contact: 12/18/2017 |
| Number of Days to Update: 55 | Next Scheduled EDR Contact: 03/19/2018 |
| Data Release Frequency: Varies |

### OTHER DATABASE(S)

Depending on the geographic area covered by this report, the data provided in these specialty databases may or may not be complete. For example, the existence of wetlands information data in a specific report does not mean that all wetlands in the area covered by the report are included. Moreover, the absence of any reported wetlands information does not necessarily mean that wetlands do not exist in the area covered by the report.

**CT MANIFEST: Hazardous Waste Manifest Data**

Facility and manifest data. Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a tsd facility.

| Date of Government Version: 11/11/2017 | Source: Department of Energy & Environmental Protection |
| Date Data Arrived at EDR: 11/14/2017 | Telephone: 860-424-3375 |
| Date Made Active in Reports: 12/19/2017 | Last EDR Contact: 02/14/2018 |
| Number of Days to Update: 34 | Next Scheduled EDR Contact: 05/28/2018 |
| Data Release Frequency: No Update Planned |

**NJ MANIFEST: Manifest Information**

Hazardous waste manifest information.

| Date of Government Version: 12/31/2016 | Source: Department of Environmental Protection |
| Date Data Arrived at EDR: 04/11/2017 | Telephone: N/A |
| Date Made Active in Reports: 07/27/2017 | Last EDR Contact: 01/05/2018 |
| Number of Days to Update: 107 | Next Scheduled EDR Contact: 04/23/2018 |
| Data Release Frequency: Annually |
NY MANIFEST: Facility and Manifest Data
Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a TSD facility.

Date of Government Version: 10/01/2017
Date Data Arrived at EDR: 11/01/2017
Date Made Active in Reports: 11/13/2017
Number of Days to Update: 12
Source: Department of Environmental Conservation
Telephone: 518-402-8651
Last EDR Contact: 01/31/2018
Next Scheduled EDR Contact: 05/14/2018
Data Release Frequency: Quarterly

PA MANIFEST: Manifest Information
Hazardous waste manifest information.

Date of Government Version: 12/31/2016
Date Data Arrived at EDR: 07/25/2017
Date Made Active in Reports: 09/25/2017
Number of Days to Update: 62
Source: Department of Environmental Protection
Telephone: 717-783-8990
Last EDR Contact: 01/16/2018
Next Scheduled EDR Contact: 04/30/2018
Data Release Frequency: Annually

RI MANIFEST: Manifest information

Date of Government Version: 12/31/2013
Date Data Arrived at EDR: 06/19/2015
Date Made Active in Reports: 07/15/2015
Number of Days to Update: 26
Source: Department of Environmental Management
Telephone: 401-222-2797
Last EDR Contact: 02/21/2018
Next Scheduled EDR Contact: 06/04/2018
Data Release Frequency: Annually

VT MANIFEST: Hazardous Waste Manifest Data

Date of Government Version: 01/12/2018
Date Data Arrived at EDR: 01/19/2018
Date Made Active in Reports: 02/13/2018
Number of Days to Update: 25
Source: Department of Environmental Conservation
Telephone: 802-241-3443
Last EDR Contact: 01/12/2018
Next Scheduled EDR Contact: 04/30/2018
Data Release Frequency: Annually

WI MANIFEST: Manifest Information

Date of Government Version: 12/31/2016
Date Data Arrived at EDR: 04/13/2017
Date Made Active in Reports: 07/14/2017
Number of Days to Update: 92
Source: Department of Natural Resources
Telephone: N/A
Last EDR Contact: 12/11/2017
Next Scheduled EDR Contact: 03/26/2018
Data Release Frequency: Annually

Oil/Gas Pipelines
Source: PennWell Corporation
Petroleum Bundle (Crude Oil, Refined Products, Petrochemicals, Gas Liquids (LPG/NGL), and Specialty Gases (Miscellaneous)) N = Natural Gas Bundle (Natural Gas, Gas Liquids (LPG/NGL), and Specialty Gases (Miscellaneous)). This map includes information copyrighted by PennWell Corporation. This information is provided on a best effort basis and PennWell Corporation does not guarantee its accuracy nor warrant its fitness for any particular purpose. Such information has been reprinted with the permission of PennWell.

Electric Power Transmission Line Data
Source: PennWell Corporation
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Sensitive Receptors: There are individuals deemed sensitive receptors due to their fragile immune systems and special sensitivity to environmental discharges. These sensitive receptors typically include the elderly, the sick, and children. While the location of all sensitive receptors cannot be determined, EDR indicates those buildings and facilities - schools, daycares, hospitals, medical centers, and nursing homes - where individuals who are sensitive receptors are likely to be located.
AHA Hospitals:
Source: American Hospital Association, Inc.
Telephone: 312-280-5991
The database includes a listing of hospitals based on the American Hospital Association’s annual survey of hospitals.

Medical Centers: Provider of Services Listing
Source: Centers for Medicare & Medicaid Services
Telephone: 410-786-3000
A listing of hospitals with Medicare provider number, produced by Centers of Medicare & Medicaid Services, a federal agency within the U.S. Department of Health and Human Services.

Nursing Homes
Source: National Institutes of Health
Telephone: 301-594-6248
Information on Medicare and Medicaid certified nursing homes in the United States.

Public Schools
Source: National Center for Education Statistics
Telephone: 202-502-7300
The National Center for Education Statistics' primary database on elementary and secondary public education in the United States. It is a comprehensive, annual, national statistical database of all public elementary and secondary schools and school districts, which contains data that are comparable across all states.

Private Schools
Source: National Center for Education Statistics
Telephone: 202-502-7300
The National Center for Education Statistics' primary database on private school locations in the United States.

Daycare Centers: Child Care Facility List
Source: Department of Protective & Regulatory Services
Telephone: 512-438-3269

Flood Zone Data: This data was obtained from the Federal Emergency Management Agency (FEMA). It depicts 100-year and 500-year flood zones as defined by FEMA. It includes the National Flood Hazard Layer (NFHL) which incorporates Flood Insurance Rate Map (FIRM) data and Q3 data from FEMA in areas not covered by NFHL.
Source: FEMA
Telephone: 877-336-2627

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005 and 2010 from the U.S. Fish and Wildlife Service.

State Wetlands Data: Wetland Inventory
Source: Texas General Land Office
Telephone: 512-463-0745

Current USGS 7.5 Minute Topographic Map
Source: U.S. Geological Survey

STREET AND ADDRESS INFORMATION

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EDR’s GeoCheck Physical Setting Source Addendum is provided to assist the environmental professional in forming an opinion about the impact of potential contaminant migration.

Assessment of the impact of contaminant migration generally has two principal investigative components:

1. Groundwater flow direction, and
2. Groundwater flow velocity.

Groundwater flow direction may be impacted by surface topography, hydrology, hydrogeology, characteristics of the soil, and nearby wells. Groundwater flow velocity is generally impacted by the nature of the geologic strata.
GROUNDWATER FLOW DIRECTION INFORMATION
Groundwater flow direction for a particular site is best determined by a qualified environmental professional using site-specific well data. If such data is not reasonably ascertainable, it may be necessary to rely on other sources of information, such as surface topographic information, hydrologic information, hydrogeologic data collected on nearby properties, and regional groundwater flow information (from deep aquifers).

TOPOGRAPHIC INFORMATION
Surface topography may be indicative of the direction of surficial groundwater flow. This information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

TARGET PROPERTY TOPOGRAPHY
General Topographic Gradient: General NE

SURROUNDING TOPOGRAPHY: ELEVATION PROFILES

Source: Topography has been determined from the USGS 7.5’ Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified.
HYDROLOGIC INFORMATION
Surface water can act as a hydrologic barrier to groundwater flow. Such hydrologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

Refer to the Physical Setting Source Map following this summary for hydrologic information (major waterways and bodies of water).

FEMA FLOOD ZONE

<table>
<thead>
<tr>
<th>Flood Plain Panel at Target Property</th>
<th>FEMA Source Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>4801010250B</td>
<td>FEMA Q3 Flood data</td>
</tr>
<tr>
<td>Additional Panels in search area:</td>
<td></td>
</tr>
<tr>
<td>4801010275C</td>
<td>FEMA Q3 Flood data</td>
</tr>
</tbody>
</table>

NATIONAL WETLAND INVENTORY

<table>
<thead>
<tr>
<th>NWI Quad at Target Property</th>
<th>NWI Electronic Data Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>OLMITO</td>
<td>YES - refer to the Overview Map and Detail Map</td>
</tr>
</tbody>
</table>

HYDROGEOLOGIC INFORMATION
Hydrogeologic information obtained by installation of wells on a specific site can often be an indicator of groundwater flow direction in the immediate area. Such hydrogeologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

Site-Specific Hydrogeological Data*:
- Search Radius: 1.25 miles
- Status: Not found

**HYDROGEOLOGIC INFORMATION**

EDR has developed the AQUIFLOW Information System to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted by environmental professionals to regulatory authorities at select sites and has extracted the date of the report, groundwater flow direction as determined hydrogeologically, and the depth to water table.

<table>
<thead>
<tr>
<th>MAP ID</th>
<th>LOCATION FROM TP</th>
<th>GENERAL DIRECTION GROUNDWATER FLOW</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Reported</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* ©1996 Site-specific hydrogeological data gathered by CERCLIS Alerts, Inc., Bainbridge Island, WA. All rights reserved. All of the information and opinions presented are those of the cited EPA report(s), which were completed under a Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS) investigation.
GROUNDWATER FLOW VELOCITY INFORMATION
Groundwater flow velocity information for a particular site is best determined by a qualified environmental professional using site specific geologic and soil strata data. If such data are not reasonably ascertainable, it may be necessary to rely on other sources of information, including geologic age identification, rock stratigraphic unit and soil characteristics data collected on nearby properties and regional soil information. In general, contaminant plumes move more quickly through sandy-gravelly types of soils than silty-clayey types of soils.

GEOLOGIC INFORMATION IN GENERAL AREA OF TARGET PROPERTY
Geologic information can be used by the environmental professional in forming an opinion about the relative speed at which contaminant migration may be occurring.

ROCK STRATIGRAPHIC UNIT

<table>
<thead>
<tr>
<th>Era</th>
<th>System</th>
<th>Series</th>
<th>Code</th>
<th>Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cenzoic</td>
<td>Quaternary</td>
<td>Holocene</td>
<td>Qh</td>
<td>Stratified Sequence</td>
</tr>
</tbody>
</table>

(decoded above as Era, System & Series)

DOMINANT SOIL COMPOSITION IN GENERAL AREA OF TARGET PROPERTY

The U.S. Department of Agriculture’s (USDA) Soil Conservation Service (SCS) leads the National Cooperative Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. The following information is based on Soil Conservation Service SSURGO data.

Soil Map ID: 1

Soil Component Name: Laredo
Soil Surface Texture: silt loam
Hydrologic Group: Class B - Moderate infiltration rates. Deep and moderately deep, moderately well and well drained soils with moderately coarse textures.
Soil Drainage Class: Well drained
Hydric Status: Unknown
Corrosion Potential - Uncoated Steel: High
Depth to Bedrock Min: > 0 inches
Depth to Watertable Min: > 0 inches

<table>
<thead>
<tr>
<th>Soil Layer Information</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Boundary</strong></td>
</tr>
<tr>
<td><strong>Layer</strong></td>
</tr>
<tr>
<td>1</td>
</tr>
<tr>
<td>2</td>
</tr>
</tbody>
</table>

Soil Map ID: 2

Soil Component Name: Water
Soil Surface Texture: silt loam
Hydrologic Group: Class B - Moderate infiltration rates. Deep and moderately deep, moderately well and well drained soils with moderately coarse textures.
Soil Drainage Class:
Hydric Status: Unknown

Corrosion Potential - Uncoated Steel: Not Reported

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

No Layer Information available.

---

**Soil Map ID: 3**

**Soil Component Name:** Laredo

**Soil Surface Texture:** silt loam

**Hydrologic Group:** Class B - Moderate infiltration rates. Deep and moderately deep, moderately well and well drained soils with moderately coarse textures.

**Soil Drainage Class:** Well drained

**Hydric Status:** Unknown

**Corrosion Potential - Uncoated Steel:** High

**Depth to Bedrock Min:** > 0 inches

**Depth to Watertable Min:** > 0 inches

---

**Soil Layer Information**

<table>
<thead>
<tr>
<th>Layer</th>
<th>Boundary</th>
<th>Soil Texture Class</th>
<th>Classification</th>
<th>Unified Soil</th>
<th>Saturated hydraulic conductivity micro m/sec</th>
<th>Soil Reaction (pH)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>0 inches</td>
<td>18 inches</td>
<td>silt loam</td>
<td>Silt-Clay Materials (more than 35 pct. passing No. 200), Clayey Soils.</td>
<td>FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), Lean Clay</td>
<td>Max: 14 Min: 4</td>
</tr>
<tr>
<td>2</td>
<td>18 inches</td>
<td>72 inches</td>
<td>silty clay loam</td>
<td>Silt-Clay Materials (more than 35 pct. passing No. 200), Clayey Soils.</td>
<td>FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), Lean Clay</td>
<td>Max: 14 Min: 4</td>
</tr>
</tbody>
</table>
LOCAL / REGIONAL WATER AGENCY RECORDS

EDR Local/Regional Water Agency records provide water well information to assist the environmental professional in assessing sources that may impact ground water flow direction, and in forming an opinion about the impact of contaminant migration on nearby drinking water wells.

WELL SEARCH DISTANCE INFORMATION

<table>
<thead>
<tr>
<th>DATABASE</th>
<th>SEARCH DISTANCE (miles)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal USGS</td>
<td>1.000</td>
</tr>
<tr>
<td>Federal FRDS PWS</td>
<td>Nearest PWS within 1 mile</td>
</tr>
<tr>
<td>State Database</td>
<td>1.000</td>
</tr>
</tbody>
</table>

FEDERAL USGS WELL INFORMATION

<table>
<thead>
<tr>
<th>MAP ID</th>
<th>WELL ID</th>
<th>LOCATION FROM TP</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>No Wells Found</td>
</tr>
</tbody>
</table>

FEDERAL FRDS PUBLIC WATER SUPPLY SYSTEM INFORMATION

<table>
<thead>
<tr>
<th>MAP ID</th>
<th>WELL ID</th>
<th>LOCATION FROM TP</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>TX0310026</td>
<td>1/2 - 1 Mile SSE</td>
</tr>
</tbody>
</table>

Note: PWS System location is not always the same as well location.

STATE DATABASE WELL INFORMATION

<table>
<thead>
<tr>
<th>MAP ID</th>
<th>WELL ID</th>
<th>LOCATION FROM TP</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>TXWDB5000138082</td>
<td>1/4 - 1/2 Mile ENE</td>
</tr>
<tr>
<td>A2</td>
<td>TXMON3000245421</td>
<td>1/2 - 1 Mile East</td>
</tr>
<tr>
<td>A3</td>
<td>TXMON3000245423</td>
<td>1/2 - 1 Mile East</td>
</tr>
<tr>
<td>A4</td>
<td>TXMON3000245424</td>
<td>1/2 - 1 Mile East</td>
</tr>
<tr>
<td>B5</td>
<td>TXBR1000014059</td>
<td>1/2 - 1 Mile NW</td>
</tr>
<tr>
<td>B6</td>
<td>TXWDB5000138074</td>
<td>1/2 - 1 Mile NW</td>
</tr>
<tr>
<td>C7</td>
<td>TXMON3000195117</td>
<td>1/2 - 1 Mile ESE</td>
</tr>
<tr>
<td>C8</td>
<td>TXBR1000039561</td>
<td>1/2 - 1 Mile ESE</td>
</tr>
<tr>
<td>9</td>
<td>TXEQ4000002334</td>
<td>1/2 - 1 Mile ESE</td>
</tr>
<tr>
<td>D11</td>
<td>TXWDB5000138077</td>
<td>1/2 - 1 Mile NW</td>
</tr>
<tr>
<td>D12</td>
<td>TXBR1000014058</td>
<td>1/2 - 1 Mile NW</td>
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<td>13</td>
<td>TXEQ4000002339</td>
<td>1/2 - 1 Mile NW</td>
</tr>
<tr>
<td>E14</td>
<td>TXBR1000030575</td>
<td>1/2 - 1 Mile WSW</td>
</tr>
<tr>
<td>E15</td>
<td>TXWDB5000138070</td>
<td>1/2 - 1 Mile WSW</td>
</tr>
<tr>
<td>F16</td>
<td>TXWDB5000138073</td>
<td>1/2 - 1 Mile NW</td>
</tr>
<tr>
<td>F17</td>
<td>TXBR1000014060</td>
<td>1/2 - 1 Mile NW</td>
</tr>
<tr>
<td>G18</td>
<td>TXMON3000206316</td>
<td>1/2 - 1 Mile SW</td>
</tr>
<tr>
<td>G19</td>
<td>TXBR1000039562</td>
<td>1/2 - 1 Mile SW</td>
</tr>
<tr>
<td>Fid:</td>
<td>138081</td>
<td>County name:</td>
</tr>
<tr>
<td>------------</td>
<td>--------</td>
<td>---------------------</td>
</tr>
<tr>
<td>Gma:</td>
<td>16</td>
<td>Previous w:</td>
</tr>
<tr>
<td>Long dec:</td>
<td>-97.536666</td>
<td>Coordsrc:</td>
</tr>
<tr>
<td>Owner 1:</td>
<td>Jimmie Woodward</td>
<td>Driller 1:</td>
</tr>
<tr>
<td>Driller 1:</td>
<td>Odie Gilliland</td>
<td>Aquifer co:</td>
</tr>
<tr>
<td>Elev of ls:</td>
<td>31</td>
<td>Date drill:</td>
</tr>
<tr>
<td>Well info:</td>
<td>Domestic</td>
<td>Well use:</td>
</tr>
<tr>
<td>Casing Info:</td>
<td>Group number:</td>
<td>Diameter csg scn:</td>
</tr>
<tr>
<td>Flag:</td>
<td>Not Reported</td>
<td>Storet code:</td>
</tr>
<tr>
<td>Water Level Info:</td>
<td>Depth from lsd:</td>
<td>Yy date:</td>
</tr>
<tr>
<td>Method of meas:</td>
<td>1</td>
<td>Measuring agency:</td>
</tr>
<tr>
<td>Date entered:</td>
<td>09-MAY-97</td>
<td>User name:</td>
</tr>
<tr>
<td>Depth date:</td>
<td>16</td>
<td>Mm date:</td>
</tr>
<tr>
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- **Well city:** Cameron
- **Own zip:** 70471
- **Own city:** Mandeville
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- **Date comp:** 28-MAR-11
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**TX WELLS TXMON3000245423**

**A3 East**

1/2 - 1 Mile

Lower
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- **Longitude:** -97.53111
- **Latitude:** 26.030554

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- **Datestart:** 28-MAR-11
- **Datecomp:** 28-MAR-11
- **Drillername:** David Herschap
- **Compcity:** Ingleside
- **Compzip:** 78362
- **Trainee name:** Not Reported
- **Comments:** Not Reported
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| Ownstreet: | 3840 Hwy 22 Suite 203 | | |
| Owncity: | Mandeville | Ownstate: | LA |
| Ownzip: | 70471 | County: | Cameron |
| Wellstreet: | 1405 FM 803 | Wellzip: | 78575 |
| Wellcity: | Olmito | | |
| Own: | TMW-3 | | |
| Lat dec: | 26.030554 | | |
| Long dec: | -97.53111 | | |
| Elev: | 0 | | |
| Brandmodel: | Google Earth | | |
| Gn: | 86609 | | |
| Gn1: | 88 | Gns1: | 60 |
| Gn25: | 9 | Twn: | 1 |
| Twd: | 0 | Twr: | 0 |
| Twp: | 0 | Twp: | 0 |
| Um: | 1 | Ue: | 0 |
| Ud: | 0 | Uin: | 0 |
| Uir: | 0 | Ug: | 0 |
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| Us: | 0 | Uf: | 0 |
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| Dmrvecirc: | SFA | Bco: | 0 |
| Bcs: | 0 | Bcg: | 0 |
| Bcs: | 1630 | Bcu: | 0 |
| Bc2: | 0 | Bcot: | Not Reported |
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| Cementby: | Front Range | Ds: | Not Reported |
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Remarks: PWS ID 0310059. No WS code for this test hole. KB listed at 2 ft above GL, but log was measured from GL not KB. Drillers log is not available.

Latitute: 26.030554
Longitude: -97.531111
**GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS**

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- **County name:** Cameron
- **Gma:** 16
- **Previous w:** Not Reported
- **Lat dec:** 26.039721
- **Long dec:** -97.547221
- **Coordinates:** +/- 1 Second
- **Owner 1:** Valley Municipal Util.
- **Driller 1:** TWDB
- **Aquifer co:** 112GLFC
- **Elev of ls:** 35
- **Date drill:** 06201996
- **Well depth:** 330
- **Well use:** Plugged or Destroyed
- **Site id:** TXWDB5000138074
- **Group number:** 1
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  - **Top depth:** 0
  - **Bottom depth:** 42
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  - **Mm date:** 6
  - **Yy date:** 1996
  - **Measurement number:** 01
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  - **Method of meas:** 2
  - **Remark:** Not Reported
  - **Date entered:** 27-DEC-07
  - **User name:** drjones
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  - **Owner’s Ranch Viejo #1 well.
  - **Remarks 2:** Geophysical log.
- **Remarks:**
  - **Group number:** 2
  - **Could not locate in 2010.
  - **Remarks 2:** Not Reported

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1/2 - 1 Mile
Lower

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State name: Texas
County nam: Cameron
Depth tota: 300
Depth well: 300
Elevbot we: -99999
Elevbot ho: -99999
Drill date: 08/30/2006
Kelly bush: 0
Owner: Olmito Water Supply
Well type: Test Hole
Latdd: 26.02639
Longdd: -97.53055
Horizontal: 83
Loc date: 30-AUG-06
Grid 25min: 88609
Elevation: 31
Vertical d: 29
Elev agenc: TWDB
Elev method: D
Remarks: Not Reported
Initials: JEM
Address: Not Reported
City: Not Reported
Site direc: Not Reported
Site id: TXBR10000039561

C8
ESE
1/2 - 1 Mile
Lower

Fid: 39560
Well id: 43796
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GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID  Direction  Distance  Elevation

10  SSE  1/2 - 1 Mile  Lower

| Epa region: | 06 | State: | TX |
| Pwsid: | TX0310026 | |
| Pwstype: | CWS | |
| City served: | Not Reported | State served: | TX |
| Zip served: | Not Reported | Fips county: | 48061 |
| Pwsvrcnn: | 1667 | Source: | Surface_water |
| Contact: | RODRIGUEZ, PEDRO | Owner: | Local_Govt |
| Contact phone: | 956-350-4099 | Contact address1: | PO BOX 36 |
| Contact state: | TX | Contact city: | OLMITO |
| Activity code: | A |

Facid: 72
Facname: PLANT - 101 CLARA BENNETT DR
Facility type: Treatment_plant
Activity code: A
Treatment obj: corrosion control
Treatment process: ph adjustment, pre
Treatment obj: disinfection
Treatment process: chlorine dioxide
Treatment obj: disinfection
Treatment process: chloramines
Treatment obj: particulate removal
Treatment process: sedimentation
Treatment obj: particulate removal
Treatment process: rapid mix
Treatment obj: particulate removal
Treatment process: flocculation
Treatment obj: particulate removal
Treatment process: coagulation
Treatment obj: particulate removal
Treatment process: filtration, rapid sand

Location Information:
Name: OLMITO WSC
Pwstype: CWS
Pop served: 5392
Add1: PO BOX 36
City: OLMITO
Zip: 78575-0036
State: TX
City serv: Not Reported
State serv: TX
Enforcement Information:
Violation id: Not Reported
Enf fy: 2009
Enf act detail: St Formal NOV issued
Enf act cat: Not Reported

Violation id: Not Reported
Enf fy: 2009
Enf act detail: St Formal NOV issued
Enf act cat: Not Reported

Contact: RODRIGUEZ, PEDRO
Contact phone: 956-350-4099
Contact state: TX
Contact city: OLMITO
Contact address1: PO BOX 36
Contact phone: 78575-0036

Contact: RODRIGUEZ, PEDRO
Contact phone: 956-350-4099
Contact state: TX
Contact city: OLMITO
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Contact phone: 78575-0036

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### GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

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- **Enf act detail:** St Public Notif requested
- **Enf act date:** 06/08/2011
- **Enf act cat:** Informal

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- **Enf act date:** 06/08/2011
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| Violation id: | 3108 | Orig cd: | S |
| Enf act detail: | St Violation/Reminder Notice | Enf act cat: | Informal |

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| Enf act detail: | St Compliance achieved | Enf act cat: | Resolving |

| Violation id: | 3008 | Orig cd: | S |
| Enf fy: | 2008 | Enf act date: | 11/14/2007 |
| Enf act detail: | St Public Notif requested | Enf act cat: | Informal |

| Violation id: | 2907 | Orig cd: | S |
| Enf fy: | 2008 | Enf act date: | 10/05/2007 |
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Enf fy: 2005  
Enf act detail: St AO (w/penalty) issued  
Enf act date: 01/08/2005  
Enf act cat: Formal

Enforcement Information:
Violation id: 1706  
Enf fy: 2006  
Enf act detail: St Public Notif requested  
Enf act date: 01/12/2006  
Enf act cat: Informal

Enforcement Information:
Violation id: 1606  
Enf fy: 2006  
Enf act detail: St Violation/Reminder Notice  
Enf act date: 05/19/2006  
Enf act cat: Informal

Enforcement Information:
Violation id: 1606  
Enf fy: 2005  
Enf act detail: St AO (w/penalty) issued  
Enf act date: 01/08/2005  
Enf act cat: Formal

Enforcement Information:
Violation id: 1606  
Enf fy: 2008  
Enf act detail: St Compliance achieved  
Enf act date: 04/15/2008  
Enf act cat: Resolving

Enforcement Information:
Violation id: 1606  
Enf fy: 2006  
Enf act detail: St Public Notif requested  
Enf act date: 05/19/2006  
Enf act cat: Informal

Enforcement Information:
Violation id: 1506  
Enf fy: 2006  
Enf act detail: St Public Notif received  
Enf act date: 12/02/2005  
Enf act cat: Informal

Enforcement Information:
Violation id: 1506  
Enf fy: 2006  
Enf act detail: St Compliance achieved  
Enf act date: 05/01/2006  
Enf act cat: Resolving

Enforcement Information:
Violation id: 1506  
Enf fy: 2006  
Enf act detail: St Public Notif requested  
Enf act date: 11/02/2005  
Enf act cat: Informal

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Violation id: 1506  
Enf fy: 2006  
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Enf act cat: Informal
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Enf fy: 2005
Enf act detail: St Violation/Reminder Notice
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Enforcement Information:
Violation id: 105
Enf fy: 2009
Enf act detail: St Compliance achieved
Enf act cat: Resolving

Enforcement Information:
Violation id: 1004
Enf fy: 2005
Enf act detail: St AO (w/penalty) issued
Enf act cat: Formal

Enforcement Information:
Violation id: 1004
Enf fy: 2004
Enf act detail: St Public Notif requested
Enf act cat: Informal

Enforcement Information:
Violation id: 1004
Enf fy: 2013
Enf act detail: St Compliance achieved
Enf act cat: Resolving

Enforcement Information:
Violation id: 1004
Enf fy: 2004
Enf act detail: St Violation/Reminder Notice
Enf act cat: Informal

Enforcement Information:
Violation id: 1004
Enf fy: 2004
Enf act detail: St AO (w/penalty) issued
Enf act cat: Formal

Violations Information:
Violation id: 904
State: TX
Contamcd: 2950
Contammn: TTHM
Viol code: 02
Viol name: MCL, Average
Rule code: 210
Rule name: St1 DBP
Violmeasur: 0.087
State mcl: Not Reported
Cmpbd: 06/30/2004

Violations Information:
Violation id: 3140
State: TX
Contamcd: 7500
Contammn: Public Notice
Viol code: 75
Viol name: PN rule
Rule code: 410
Rule name: PN Violation for NPDWR Violation
Violmeasur: Not Reported
Violations Information:
Violation id: 3139
State: TX
Viol code: 75
Viol name: LT1 ESWTR
Rule name: 122
Rule measur: Not Reported
State: Not Reported
Cmpdtt: 03/01/2011
Cmpbdtt: Not Reported
State mcl: Not Reported
Unit measur: Not Reported

Violations Information:
Violation id: 3138
State: TX
Viol code: 75
Viol name: PN violation for NPDWR Violation
Rule code: 410
Rule name: PN rule
Viol measur: Not Reported Unit measur: Not Reported
State: Not Reported
Cmpdtt: 02/01/2011
Cmpbdtt: Not Reported
State mcl: Not Reported
Unit measur: Not Reported

Violations Information:
Violation id: 3137
State: TX
Viol code: 75
Viol name: PN violation for NPDWR Violation
Rule code: 410
Rule name: PN rule
Viol measur: Not Reported Unit measur: Not Reported
State: Not Reported
Cmpdtt: 01/01/2011
Cmpbdtt: Not Reported
State mcl: Not Reported
Unit measur: Not Reported

Violations Information:
Violation id: 3129
State: TX
Viol code: 44
Viol name: Monthly Turbidity Exceed (Enhanced SWTR)
Rule code: 122
Rule name: LT1 ESWTR
Viol measur: Not Reported Unit measur: Not Reported
State: Not Reported
Cmpdtt: 03/31/2011
Cmpbdtt: 03/01/2011
State mcl: Not Reported
Unit measur: Not Reported
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State: TX
Contamcd: 0300
Contamnm: IESWTR
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Viol name: Monthly Turbidity Exceed (Enhanced SWTR)
Rule code: 122
Rule name: LT1 ESWTR
Violmeasur: Not Reported
State mcl: Not Reported
Unitmeasur: Not Reported
Cmpedt: 08/31/2010
Cmpbdt: 08/01/2010

Violations Information:
Violation id: 3121
State: TX
Contamcd: 0300
Contamnm: IESWTR
Viol code: 43
Viol name: Single Turbidity Exceed (Enhanced SWTR)
Rule code: 122
Rule name: LT1 ESWTR
Violmeasur: Not Reported
State mcl: Not Reported
Unitmeasur: Not Reported
Cmpedt: 09/30/2010
Cmpbdt: 09/01/2010

Violations Information:
Violation id: 3120
State: TX
Contamcd: 0300
Contamnm: IESWTR
Viol code: 44
Viol name: Monthly Turbidity Exceed (Enhanced SWTR)
Rule code: 122
Rule name: LT1 ESWTR
Violmeasur: Not Reported
State mcl: Not Reported
Unitmeasur: Not Reported
Cmpedt: 12/31/2010
Cmpbdt: 12/01/2010

Violations Information:
Violation id: 3119
State: TX
Contamcd: 0300
Contamnm: IESWTR
Viol code: 44
Viol name: Monthly Turbidity Exceed (Enhanced SWTR)
Rule code: 122
Rule name: LT1 ESWTR
Violmeasur: Not Reported
State mcl: Not Reported
Unitmeasur: Not Reported
Cmpedt: 08/31/2010
Cmpbdt: 08/01/2010
Violations Information:
Violation id: 3110  Orig cd: S
State: TX  Viol fy: 2009
Contamcd: 0300
Contamnm: IESWTR
Viol code: 38
Viol name: Monitoring, Turbidity (Enhanced SWTR)
Rule code: 122
Rule name: LT1 ESWTR
Violmeasur: Not Reported  Unitmeasur: Not Reported
State mcl: Not Reported  Cmpbdt: 01/31/2009

Violations Information:
Violation id: 3108  Orig cd: S
State: TX  Viol fy: 2007
Contamcd: 2950
Contamnm: TTHM
Viol code: 02
Viol name: MCL, Average
Rule code: 210
Rule name: St1 DBP
Violmeasur: 0.081  Unitmeasur: MG/L
State mcl: Not Reported  Cmpbdt: 07/01/2007
Cmpedt: 09/30/2007

Violations Information:
Violation id: 3008  Orig cd: S
State: TX  Viol fy: 2007
Contamcd: 0300
Contamnm: IESWTR
Viol code: 38
Viol name: Monitoring, Turbidity (Enhanced SWTR)
Rule code: 122
Rule name: LT1 ESWTR
Violmeasur: Not Reported  Unitmeasur: Not Reported
State mcl: Not Reported  Cmpbdt: 09/01/2007
Cmpedt: 09/30/2007

Violations Information:
Violation id: 2907  Orig cd: S
State: TX  Viol fy: 2007
Contamcd: 0300
Contamnm: IESWTR
Viol code: 38
Viol name: Monitoring, Turbidity (Enhanced SWTR)
Rule code: 122
Rule name: LT1 ESWTR
Violmeasur: Not Reported  Unitmeasur: Not Reported
State mcl: Not Reported  Cmpbdt: 09/01/2007
Cmpedt: 09/30/2007

Violations Information:
Violation id: 2707  Orig cd: S
State: TX  Viol fy: 2007
Contamcd: 2950
Contamnm: TTHM
Viol code: 02
Viol name: MCL, Average
Rule code: 210
Rule name: St1 DBP
Violmeasur: 0.085  Unitmeasur: MG/L
State mcl: Not Reported  Cmpbd: 03/31/2007
Cmpedt: 01/01/2007

Violations Information:
Violation id: 2406  Orig cd: S
State: TX  Viol fy: 2006
Contamcd: 0300  Shoply:
Contamnm: IESWTR  Rule code:
Viol code: 38  Rule name:
Viol name: Monitoring, Turbidity (Enhanced SWTR)  Viol measur:
Rule code: 122  Viol fy:
Rule name: LT1 ESWTR  State:
Violmeasur: Not Reported  SOrig cd:
Unitmeasur: Not Reported  Violation id:
State mcl: Not Reported  Cmpbd: 08/31/2006
Cmpedt: 07/01/2006

Violations Information:
Violation id: 2307  Orig cd: S
State: TX  Viol fy: 2006
Contamcd: 2950  Shoply:
Contamnm: TTHM  Rule code:
Viol code: 02  Rule name:
Viol name: MCL, Average  Viol meausur:
Rule code: 210  Viol fy:
Rule name: St1 DBP  State:
Violmeasur: 0.096  SOrig cd:
Unitmeasur: MG/L  Violation id:
State mcl: Not Reported  Cmpbd: 07/01/2006
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Violations Information:
Violation id: 205  Orig cd: S
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Rule name: St1 DBP  State:
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Unitmeasur: MG/L  Violation id:
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Violation id: 1906  Orig cd: S
State: TX  Viol fy: 2006
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Viol name: MCL, Average  Viol meausur:
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Rule name: St1 DBP  State:
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**Violations Information:**

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- **Orig cd:** S
- **State:** TX
- **Viol ly:** 2004
- **Contamcd:** 2950
- **Contammn:** TTHM
- **Viol code:** 02
- **Viol name:** MCL, Average
- **Rule code:** 210
- **Rule name:** St1 DBP
- **Violmeasur:** 0.104
- **Unitmeasur:** MG/L
- **State mcl:** Not Reported
- **Cmpbd:** 09/30/2004
- **Cmpedt:** 03/01/2004

**PWS ID:** TX0310026

**Date Initiated:** Not Reported
**Date Deactivated:** Not Reported

**PWS Name:** OLMITO WATER SUPPLY CORPORATION
**C/O:** JUAN MEJIA
**P O BOX 36:**
**OLMITO, TX 78575**

**Addressee / Facility:** System Owner/Responsible Party
**AMANDO GUERRA**

- **City Served:** Not Reported
- **Treatment Class:** Treated
- **Population:** 4576

**Enforcement Information:**

- **Truedate:** 03/31/2009
- **Pwsid:** TX0310026
- **Pwname:** OLMITO WSC
- **Retpopsrvd:** 5870
- **Pwstypecod:** C
- **Void:** 1004
- **Contaminant:** TTHM
- **Viol. Type:** 2
- **Compliperbe:** 1/1/2004 0:00:00
- **Compliperen:** 3/31/2004 0:00:00
- **Enf action:** State Public Notif Requested
- **Enf date:** 2/24/2004 0:00:00
- **Violmeasur:** 0.08

- **Truedate:** 03/31/2009
- **Pwsid:** TX0310026
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- **Retpopsrvd:** 5870
- **Pwstypecod:** C
- **Void:** 1004
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- TX0310026

**Truedate**
- 03/31/2004

**Pwspertype**
- OLMITO WSC

**Pwstype**
- 5870

**Contaminant**
- C

**Viol Viol**
- 2

**Complierbe**
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**Complieren**
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**Enfdate**
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**Enf action**
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**Violmeasur**
- 0.1

**Violmeasur**
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- 1/8/2005 0:00:00

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- 5/12/2004 0:00:00

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**Notes:**
- **Truedate:** Indicates the date when the violation was detected.
- **Pwsid:** Unique identifier for the water supply point.
- **Pwstypecod:** Code for the water supply type.
- **WSCP WSName:** Name of the water supply point.
- **Complper:** Completion period.
- **Enfaction:** Enforcement action.
- **Enfdate:** Date of enforcement.
- **Contaminant:** Type of contaminant detected.
- **Violmeasur:** Measurement of violation.

**Actions:**
- **State Compliance Achieved**: Indicates compliance with regulations.
- **State Public Notif Requested**: Request for public notification.
- **State AO (w/penalty) Issued**: Administrative order with penalties.
- **State Violation/Reminder Notice**: Notice of violation or reminder.
- **State Public Notif Received**: Receipt of public notification.
- **Viol. Type:** Type of violation.
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ENFORCEMENT INFORMATION:

System Name: OLIMITO WSC
Violation Type: 2
Contaminant: TTHM
Compliance Period: 10/1/2005 0:00:00 - 10/31/2005 0:00:00
Violation ID: 1306
Enforcement Date: 01/08/05
Enf. Action: State AO (w/penalty) Issued

System Name: OLIMITO WSC
Violation Type: TTHM
Compliance Period: 7/1/2005 0:00:00 - 9/30/2005 0:00:00
Violation ID: 1306
Enforcement Date: 10/20/2005 0:00:00
Enf. Action: State Formal NOV Issued

System Name: OLIMITO WSC
Violation Type: 2
Contaminant: TTHM
Compliance Period: 7/1/2005 0:00:00 - 9/30/2005 0:00:00
Violation ID: 1306
Enforcement Date: 10/20/2005 0:00:00
Enf. Action: State Public Notif Requested

System Name: OLIMITO WSC
Violation Type: 1
Contaminant: TTHM
Compliance Period: 1/1/2005 0:00:00 - 3/31/2005 0:00:00
Violation ID: 1405
Enforcement Date: 1/8/2005 0:00:00
Enf. Action: State AO (w/penalty) Issued

System Name: OLIMITO WSC
Violation Type: 1
Contaminant: TTHM
Compliance Period: 1/1/2005 0:00:00 - 3/31/2005 0:00:00
Violation ID: 1405
Enforcement Date: 3/31/2005 0:00:00
Enf. Action: State Public Notif Received

System Name: OLIMITO WSC
Violation Type: 1
Contaminant: TTHM
Compliance Period: 01/01/05 - 03/31/05
Violation ID: 1405
Enforcement Date: 03/31/05
Enf. Action: State Public Notif Received

System Name: OLIMITO WSC
Violation Type: 1
Contaminant: TTHM
Compliance Period: 01/01/05 - 03/31/05
Violation ID: 1405
Enforcement Date: 01/08/05
Enf. Action: State AO (w/penalty) Issued

System Name: OLIMITO WSC
Violation Type: MCL, Monthly (TCR)
Contaminant: COLIFORM (TCR)
Compliance Period: 10/1/2005 0:00:00 - 10/31/2005 0:00:00
Violation ID: 1506
Enforcement Date: 11/02/05
Enf. Action: State Violation/Reminder Notice

System Name: OLIMITO WSC
Violation Type: MCL, Monthly (TCR)
Contaminant: COLIFORM (TCR)
Compliance Period: 10/1/2005 0:00:00 - 10/31/2005 0:00:00
Violation ID: 1506
Enforcement Date: 11/2/2005 0:00:00
Enf. Action: State Public Notif Requested
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## CONTACT INFORMATION:

- **Name:** OLMITO WSC  
- **Population:** 5870  
- **Contact:** LOZANO, JUAN  
- **Phone:** Not Reported  
- **Address:** PO BOX 36  
- **Address 2:** OLMITO, TX, 78956-3

## GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

### D11 NNW
1/2 - 1 Mile
Higher

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- **Group number:** 1
- **Bottom depth:** 220
- **Diameter csg scn:** 14

### Casing Info:

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- **Bottom depth:** 225
- **Diameter csg scn:** 9
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Remarks: Yield 380 GPM with 78 feet drawdown after pumping 36 hours when drilled.

Remarks: Specific capacity 4.8 GPM/ft.

Group number: 1

Remarks 2: Owners well #1. PWS ID #0310059A.

---

**D12**

**NNW**

1/2 - 1 Mile

**Higher**

| Fid: | 14057 |
| Well id: | 15275 |
| Source well: | TWDB Groundwater Database |
| State name: | Texas |
| Depth tota: | 370 |
| Depth well: | 317 |
| Elevbot we: | -282 |
| Elevbot ho: | -335 |
| Drill date: | 12/22/1998 |
| Kelly bush: | 0 |
| Owner: | Valley MUD No. 2 |
| Well type: | Withdrawal of Water |
| Latdd: | 26.04111 |
| Longdd: | -97.54667 |
| Horizontal: | 83 |
| Loc date: | Not Reported |
| Grid 25min: | 88-60-8 |
| Elevation: | 35 |
| Vertical d: | 29 |
| Elev agenc: | TWDB |

**TX WELLS**

**TXBR10000014058**

Loc method: UNKNOWN

Agency: TWDB

Elev metho: D

Elev date: 14-APR-11
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Remarks: need to contact PWS to obtain original GL

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Remarks: need to contact PWS to obtain original GL
## GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

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### E14

**WSW**

1/2 - 1 Mile

**Lower**

**Fid:** 30574

**Well id:** 33899

**Source wel:** TCEQ SC Q Paper/Digital Geophysical Logs

**State name:** Texas

**County nam:** CAMERON

**Depth tota:** 174

**Depth well:** 174

**Elevbot we:** -99999

**Elevbot ho:** -99999

**Drill date:** 05/19/1952

**Kelly bush:** 0

**Owner:** A. H. Fernandez

**Well type:** Withdrawal of Water

**Lattid:** 26.02611

**Longdgd:** -97.5525

**Horizontal:** 83

**Loc date:** Not Reported

**Agency:** TWDB

**Grid 25min:** 88-60-8

**Elevation:** 34

**Vertical d:** 29

**Elev metho:** D

**Elev agenc:** TWDB

**Elev date:** 19-SEP-12

**Remarks:** Not Reported

**Initials:** LNC

**Address:** Not Reported

**City:** Not Reported

**Site direc:** Not Reported

**Site id:** TXBR10000030575

### E15

**WSW**

1/2 - 1 Mile

**Lower**

**Fid:** 33899

**Well id:** 33899

**Source wel:** TCEQ SC Q Paper/Digital Geophysical Logs

**State name:** Texas

**County nam:** CAMERON

**Depth tota:** 174

**Depth well:** 174

**Elevbot we:** -99999

**Elevbot ho:** -99999

**Drill date:** 05/19/1952

**Kelly bush:** 0

**Owner:** A. H. Fernandez

**Well type:** Withdrawal of Water

**Lattid:** 26.02611

**Longdgd:** -97.5525

**Horizontal:** 83

**Loc date:** Not Reported

**Agency:** TWDB

**Grid 25min:** 88-60-8

**Elevation:** 34

**Vertical d:** 29

**Elev metho:** D

**Elev agenc:** TWDB

**Elev date:** 19-SEP-12

**Remarks:** Not Reported

**Initials:** LNC

**Address:** Not Reported

**City:** Not Reported

**Site direc:** Not Reported

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Flag: Not Reported
Plus minus: Not Reported

Water Quality Info: 
Md date: 23
Sample number: 1
Temp centigrade: Not Reported
Bottom s interval: Not Reported
Collection remarks: Not Reported
Collecting agency: 01
Bu wqanalysis: B
Q00955 silica mgl: Not Reported
Q00910 calcium mgl: 124.59
Q00920 magnes mgl: 63.51
Q00929 sodium mgl: 953.06
Q00937 potass mgl: 9.62
Q01030 strontium: Not Reported
Q00440 bicarb mgl: 486.92
Q00945 sulfate mgl: 1148.8
Q00940 chloride mgl: 853.3
Q00951 fluoride mgl: .5
Q71850 nitrate mgl: .04
Q00403 ph: Not Reported
Q00415 flag: Not Reported
Q00410 flag: Not Reported
Q00900 tot hardnes: 572
Q00931 sar: 17.33
Q00905 flag: Not Reported
Date entered: 10-JUL-96
Bu value: Not Reported

Remarks: 
Remarks 1: Could not locate in 2010. 
Remarks 2: Not Reported

F17  
NNW  
1/2 - 1 Mile  
Higher  

Fid: 14059
Well id: 15277
Source wel: TWDB Groundwater Database
State name: Texas
Depth tota: 331
Depth well: 331
Elevbot we: -293
Elevbot ho: -293
Drill date: 06/20/1996
Kelly bush: 0
Owner: Valley Municipal Utility District Number 2
Well type: Test Hole
Lattd: 26.04139
Longdd: -97.54806
Horizontal: 83
Loc date: Not Reported
Grid 25min: 88-60-8
Elevation: 37
Vertical d: 29
Elev agenc: TWDB
Elev date: 14-APR-11
Remarks: PWS ID 0310059. No WS code for this test hole. KB listed at 2 ft above GL, but log was measured from GL not KB. Geochemistry.

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Initials: LNC
Address: Not Reported
City: Not Reported
Site direc: Not Reported
Site id: TXBR10000014060

G18 SW 1/2 - 1 Mile Lower

---

Dateentere: 01-MAR-10
Ownstreet: Rt 1 Box 495
Owncity: Brownsville
Ownzip: 78521
Wellstreet: 1 mile E Rigo Rd
Wellcity: Brownsville
Own: Not Reported
Lat dec: 26.020554
Long dec: -97.548888
Elev: 0
Brandmodel: map
Gn: 88608
Gn1: 88
Gn25: 8
Twd: 0
Twr: 0
Twrp: 0
Uu: 0
Ur: 0
Ujr: 0
Uud: 0
Us: 0
Poy: 0
Datestart: 14-MAR-08
Dia1: 7.25
Dia2: 0
Dia2to: Not Reported
Dia3: 0
Dia3from: Not Reported
Dmdriven: 0
Dmmudrotar: 0
Dmairhad: 0
Dmjetted: 0
Dmrrevcirc: 0
Dmarget: Not Reported
Bos: 0
Bcg: 1
Bcu: 0
Bcc: 0
Bcro: 0
Gpt: 125
Gpt: 135
Cemt01: 4
Cemt02: 0
Cemt03: 0
Nosacks1: 3 cement
Nosacks2: 2 bentonite
Nosacks3: 0
Nosacks3: 0
Cementby Miller Water Wells
Dpl: 100
Dpl: inspected
Appvar: Not Reported
Scc: 0
Scc: 0
Sca: 0
Watlev: 25
Watlevdate: 14-MAR-08
Artflow: Not Reported
Wellplug48: 0

---

TX WELLS
TXMON30000206316

1 mile E Rigo Rd
Cameron County: 78521

Guadalupe Trevino

1 mile E Rigo Rd
Cameron County: 78521

---

Remarks: PWS ID 0310059. No WS code for this test hole. KB listed at 2 ft above GL, but log was measured from GL not KB. Geochemistry.

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Initials: LNC
Address: Not Reported
City: Not Reported
Site direc: Not Reported
Site id: TXBR10000014060

G18 SW 1/2 - 1 Mile Lower

---

Dateentere: 01-MAR-10
Ownstreet: Rt 1 Box 495
Owncity: Brownsville
Ownzip: 78521
Wellstreet: 1 mile E Rigo Rd
Wellcity: Brownsville
Own: Not Reported
Lat dec: 26.020554
Long dec: -97.548888
Elev: 0
Brandmodel: map
Gn: 88608
Gn1: 88
Gn25: 8
Twd: 0
Twr: 0
Twrp: 0
Uu: 0
Ur: 0
Ujr: 0
Uud: 0
Us: 0
Poy: 0
Datestart: 14-MAR-08
Dia1: 7.25
Dia2: 0
Dia2to: Not Reported
Dia3: 0
Dia3from: Not Reported
Dmdriven: 0
Dmmudrotar: 0
Dmairhad: 0
Dmjetted: 0
Dmrrevcirc: 0
Dmarget: Not Reported
Bos: 0
Bcg: 1
Bcu: 0
Bcc: 0
Bcro: 0
Gpt: 125
Gpt: 135
Cemt01: 4
Cemt02: 0
Cemt03: 0
Nosacks1: 3 cement
Nosacks2: 2 bentonite
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Nosacks3: 0
Cementby Miller Water Wells
Dpl: 100
Dpl: inspected
Appvar: Not Reported
Scc: 0
Scc: 0
Sca: 0
Watlev: 25
Watlevdate: 14-MAR-08
Artflow: Not Reported
Wellplug48: 0

---

Remarks: PWS ID 0310059. No WS code for this test hole. KB listed at 2 ft above GL, but log was measured from GL not KB. Geochemistry.

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Initials: LNC
Address: Not Reported
City: Not Reported
Site direc: Not Reported
Site id: TXBR10000014060

G18 SW 1/2 - 1 Mile Lower

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Dateentere: 01-MAR-10
Ownstreet: Rt 1 Box 495
Owncity: Brownsville
Ownzip: 78521
Wellstreet: 1 mile E Rigo Rd
Wellcity: Brownsville
Own: Not Reported
Lat dec: 26.020554
Long dec: -97.548888
Elev: 0
Brandmodel: map
Gn: 88608
Gn1: 88
Gn25: 8
Twd: 0
Twr: 0
Twrp: 0
Uu: 0
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Poy: 0
Datestart: 14-MAR-08
Dia1: 7.25
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Dmjetted: 0
Dmrrevcirc: 0
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Bcu: 0
Bcc: 0
Bcro: 0
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Gpt: 135
Cemt01: 4
Cemt02: 0
Cemt03: 0
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Nosacks2: 2 bentonite
Nosacks3: 0
Nosacks3: 0
Cementby Miller Water Wells
Dpl: 100
Dpl: inspected
Appvar: Not Reported
Scc: 0
Scc: 0
Sca: 0
Watlev: 25
Watlevdate: 14-MAR-08
Artflow: Not Reported
Wellplug48: 0

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Remarks: PWS ID 0310059. No WS code for this test hole. KB listed at 2 ft above GL, but log was measured from GL not KB. Geochemistry.

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Initials: LNC
Address: Not Reported
City: Not Reported
Site direc: Not Reported
Site id: TXBR10000014060

G18 SW 1/2 - 1 Mile Lower

---

Dateentere: 01-MAR-10
Ownstreet: Rt 1 Box 495
Owncity: Brownsville
Ownzip: 78521
Wellstreet: 1 mile E Rigo Rd
Wellcity: Brownsville
Own: Not Reported
Lat dec: 26.020554
Long dec: -97.548888
Elev: 0
Brandmodel: map
Gn: 88608
Gn1: 88
Gn25: 8
Twd: 0
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Twrp: 0
Uu: 0
Ur: 0
Ujr: 0
Uud: 0
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Poy: 0
Datestart: 14-MAR-08
Dia1: 7.25
Dia2: 0
Dia2to: Not Reported
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Dia3from: Not Reported
Dmdriven: 0
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Dmjetted: 0
Dmrrevcirc: 0
Dmarget: Not Reported
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Bcg: 1
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Bcc: 0
Bcro: 0
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Gpt: 135
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Nosacks3: 0
Nosacks3: 0
Cementby Miller Water Wells
Dpl: 100
Dpl: inspected
Appvar: Not Reported
Scc: 0
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Watlevdate: 14-MAR-08
Artflow: Not Reported
Wellplug48: 0
### GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

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### TX WELLS TXBR10000039562

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Area Radon Information

State Database: TX Radon

Radon Test Results

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<th>% &gt; 20 pCi/L</th>
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<th>Max pCi/L</th>
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<td>11</td>
<td>.0</td>
<td>.0</td>
<td>&lt;.5</td>
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Federal EPA Radon Zone for CAMERON County: 3

Note: Zone 1 indoor average level > 4 pCi/L.
Zone 2 indoor average level >= 2 pCi/L and <= 4 pCi/L.
Zone 3 indoor average level < 2 pCi/L.

Federal Area Radon Information for CAMERON COUNTY, TX

Number of sites tested: 7

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<th>Area</th>
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<th>% 4-20 pCi/L</th>
<th>% &gt; 20 pCi/L</th>
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<td>100%</td>
<td>0%</td>
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<tr>
<td>Living Area - 2nd Floor</td>
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<td>100%</td>
<td>0%</td>
<td>0%</td>
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TOPOGRAPHIC INFORMATION

USGS 7.5' Digital Elevation Model (DEM)

Source: United States Geologic Survey
EDR acquired the USGS 7.5' Digital Elevation Model in 2002 and updated it in 2006. The 7.5 minute DEM corresponds to the USGS 1:24,000- and 1:25,000-scale topographic quadrangle maps. The DEM provides elevation data with consistent elevation units and projection.

Current USGS 7.5 Minute Topographic Map
Source: U.S. Geological Survey

HYDROLOGIC INFORMATION

Flood Zone Data: This data was obtained from the Federal Emergency Management Agency (FEMA). It depicts 100-year and 500-year flood zones as defined by FEMA. It includes the National Flood Hazard Layer (NFHL) which incorporates Flood Insurance Rate Map (FIRM) data and Q3 data from FEMA in areas not covered by NFHL.

Source: FEMA
Telephone: 877-336-2627

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005 and 2010 from the U.S. Fish and Wildlife Service.

State Wetlands Data: Wetland Inventory
Source: Texas General Land Office
Telephone: 512-463-0745

HYDROGEOLOGIC INFORMATION

AQUIFLOW Information SystemR

Source: EDR proprietary database of groundwater flow information
EDR has developed the AQUIFLOW Information System (AIS) to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted to regulatory authorities at select sites and has extracted the date of the report, hydrogeologically determined groundwater flow direction and depth to water table information.

GEOLOGIC INFORMATION

Geologic Age and Rock Stratigraphic Unit

STATSGO: State Soil Geographic Database
Source: Department of Agriculture, Natural Resources Conservation Service (NRCS)
The U.S. Department of Agriculture’s (USDA) Natural Resources Conservation Service (NRCS) leads the national Conservation Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps.

SSURGO: Soil Survey Geographic Database
Source: Department of Agriculture, Natural Resources Conservation Service (NRCS)
SSURGO is the most detailed level of mapping done by the Natural Resources Conservation Service, mapping scales generally range from 1:12,000 to 1:63,360. Field mapping methods using national standards are used to construct the soil maps in the Soil Survey Geographic (SSURGO) database. SSURGO digitizing duplicates the original soil survey maps. This level of mapping is designed for use by landowners, townships and county natural resource planning and management.
LOCAL / REGIONAL WATER AGENCY RECORDS

FEDERAL WATER WELLS

PWS: Public Water Systems
Source: EPA/Office of Drinking Water
Telephone: 202-564-3750
Public Water System data from the Federal Reporting Data System. A PWS is any water system which provides water to at least 25 people for at least 60 days annually. PWSs provide water from wells, rivers and other sources.

PWS ENF: Public Water Systems Violation and Enforcement Data
Source: EPA/Office of Drinking Water
Telephone: 202-564-3750

USGS Water Wells: USGS National Water Inventory System (NWIS)
This database contains descriptive information on sites where the USGS collects or has collected data on surface water and/or groundwater. The groundwater data includes information on wells, springs, and other sources of groundwater.

STATE RECORDS

Public Water Supply Sources Databases
Source: Texas Commission on Environmental Quality
Telephone: 512-239-6199
Locations of public drinking water sources maintained by the TCEQ

Groundwater Database
Source: Texas Water Development Board
Telephone: 512-936-0837

Well Report Database
Source: Department of Licensing and Regulation
Telephone: 512-936-0833

Water Well Database
Source: Harris-Galveston Coastal Subsidence District
Telephone: 281-486-1105

Submitted Driller’s Reports Database
Source: Texas Water Development Board
Telephone: 512-936-0833
The Submitted Driller’s Reports 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.

Brackish Resources Aquifer Characterization System Database
Source: Texas Water Development Board
TWDB’s Brackish Resources Aquifer Characterization System (BRACS) designed to map and characterize the brackish aquifers of Texas in greater detail than previous studies. The information is contained in the BRACS Database and project data are summarized in a project report with companion geographic information system data files.

OTHER STATE DATABASE INFORMATION

Texas Oil and Gas Wells:
Source: Texas Railroad Commission
Telephone: 512-463-6882
Oil and gas well locations
RADON

State Database: TX Radon
Source: Department of Health
Telephone: 512-834-6688
Rinal Report of the Texas Indoor Radon Survey

Area Radon Information
Source: USGS
Telephone: 703-356-4020
The National Radon Database has been developed by the U.S. Environmental Protection Agency (USEPA) and is a compilation of the EPA/State Residential Radon Survey and the National Residential Radon Survey. The study covers the years 1986 - 1992. Where necessary data has been supplemented by information collected at private sources such as universities and research institutions.

EPA Radon Zones
Source: EPA
Telephone: 703-356-4020
Sections 307 & 309 of IRAA directed EPA to list and identify areas of U.S. with the potential for elevated indoor radon levels.

OTHER

Airport Landing Facilities: Private and public use landing facilities
Source: Federal Aviation Administration, 800-457-6656

Epicenters: World earthquake epicenters, Richter 5 or greater
Source: Department of Commerce, National Oceanic and Atmospheric Administration

Earthquake Fault Lines: The fault lines displayed on EDR’s Topographic map are digitized quaternary faultlines, prepared in 1975 by the United State Geological Survey

STREET AND ADDRESS INFORMATION

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APPENDIX E

PROFESSIONAL QUALIFICATIONS
Jeffrey Scott Clifton  
3419 Westminster, Suite 224  
Dallas, Texas 75205  
214-862-5620  
jeff@crestduediligence.com

Education

University of Arkansas, Fayetteville, Arkansas  
2001

Bachelor of Science Degree: Environmental Soil and Water Science

Experience

CREST Due Diligence, LLC, Dallas, TX  
President & Owner  
April 2015 to Present

- Conducted over 280 Phase I ESA’s of commercial office properties, retail shopping centers, light industrial warehouses, distribution centers, multifamily residential communities, hospitality properties, medical services facilities, government facilities, assisted living communities, mixed-use developments, and undeveloped land across the nation
- Conducted over 230 Property Condition Assessments of commercial office properties, retail shopping centers, light industrial warehouses, multifamily residential communities, hospitality properties, medical services facilities, assisted living communities, and mixed-use developments across the nation

Independent Environmental Professional, Dallas, TX  
July 2009 to April 2015

- Conducted over 2,000 Phase I ESA’s of commercial office properties, retail shopping centers, light industrial warehouses, distribution centers, multifamily residential communities, hospitality properties, medical services facilities, government facilities, assisted living communities, mixed-use developments, ranches, farms, and undeveloped land across the nation
- Conducted over 150 FDIC Environmental Assessment Checklists of single-family residences across the nation
- Conducted over 1,200 Property Condition Assessments of commercial office properties, retail shopping centers, light industrial warehouses, multifamily residential communities, hospitality properties, medical services facilities, assisted living communities, and mixed-use developments across the nation

Nova Consulting Group, Inc., Dallas, TX  
Environmental Professional, Project/Client Manager  
April 2006 to July 2009

- Conducted over 400 Phase I ESAs on commercial office properties, light industrial facilities, light industrial business parks, distribution centers, retail centers, multifamily residential properties, hospitality facilities, assisted living facilities, and vacant land across the United States
- Conducted Phase II ESAs/Subsurface Investigations on 5 properties including multi-family residential properties and retail properties across the United States (duties included boring location, analysis planning, utility clearance, lab setup, driller and site access scheduling, equipment rental, report writing)
- Conducted Property Condition Assessments on over 200 properties including: multi-family residential properties, retail properties, assisted living facilities, light industrial business parks, and hospitality facilities across the United States
- Performed additional environmental services including moisture/mold evaluations, radon level screening, lead-in-drinking water assessment, lead-in-paint assessment, and managed multi-site portfolios
- Prepared report appendices for each report including Site plan generation, aerial photograph and topographic map templates
- Conducted weekly marketing calls/meetings to consistently manage existing and potential client relations
- Attended quarterly association meetings including the Society of Industrial and Office Realtors (SIOR) and the National Association of Industrial and Office Properties (NAIOP) to introduce Nova to potential clients

GaiaTech, Inc., Irving, TX  
Due Diligence Project Manager  
September 2005 to April 2006

- Conducted over 50 Phase I ESAs/Compliance Review on commercial properties including industrial facilities and distribution centers throughout the United States. Compliance Reviews included audits of Hazard Communication and Emergency Action Planning, EPCRA/Tier II reporting, permits regarding stormwater, wastewater, hazardous waste generation, air emissions
- Performed additional environmental services including moisture/mold evaluations, radon level screening, lead-in-drinking water assessment, lead-in-paint assessment, and managed multi-site portfolios
- Conducted preparation of outgoing reports including similar tasks as at QORE

QORE Property Sciences, Inc., Dallas, TX  
Associate Environmental Professional  
August 2003 to September 2005

- Conducted over 150 Phase I ESAs on properties including: industrial facilities, industrial business parks, distribution centers, multi-family residential properties, retail centers, and vacant land across the United States
- Conducted Phase II ESAs/Subsurface Investigations on over 25 properties including: industrial facilities, industrial business parks, distribution centers, multi-family residential properties, retail properties, vacant land, and agricultural land across the United States (duties included boring location, analysis planning, utility clearance, lab setup, driller and site access scheduling, equipment rental, report writing)
- Performed additional environmental services including moisture/mold evaluations, indoor air quality, radon level screening, lead-in-drinking water screening, lead-in-paint screening, and managed multi-site portfolios
- Prepared marketing packets and proposals for Ph I and II projects
- Conducted preparation of outgoing reports, including drafting of appendices, plotting topographic maps and aerials, figures, lab summary reports, and site photo selection

Fargo Consultants, Inc., Dallas, TX  
Environmental Scientist/Field & Lab Technician  
April 2002 – August 2003

- Conducted over 30 Phase I ESAs on properties including retail centers and large tracts of undeveloped land
- Performed duties consistent with a Construction Materials Testing Field Technician including: Soil Density Gauge testing, soil moisture/density relationships, concrete sampling and testing, concrete pre-pour site observation, pier inspection
- Performed Geotechnical testing including: Atterberg Limits, Plastic Limits, Sieve Analysis, Free Swell Analysis, Unconfined Strength Testing
- Conducted weekly marketing calls and consistently managed client relations
**Certifications**

• Nova Internal Training Courses - ASTM Environmental Site Assessment Training, Property Condition Assessments, Prudential Real Estate Mold Assessments, Termite Assessments, and Phase II Subsurface Investigations

**Computer Skills**

• Report writing platforms: Parcel and Quire
• Microsoft Office (Word, Excel, Power Point, etc.), Adobe, Foxit
• Familiar with both Windows and Macintosh operating systems
• Internal Network Software: Lotus Notes and Fox Pro
• Internet: Mozilla Firefox, Internet Explorer, Google Chrome
• GIS, GPS, and Drafting: Trimble, Garmin, Magellan, Pathfinder Office Software, Photoshop, Visio, AutoCAD

**Activities**

• Mechanical, chemical, and computer lab projects specific to ESWS major
• Data collection, surveying, sampling, testing in field with GPS, analysis with GIS/GPS software technology in course studies
• Earned 50 percent of college tuition and expenses through summer jobs
• Member of Sigma Alpha Epsilon National Fraternity
• Eagle Scout – Troop 82 – Dallas, Texas - 1991
Summary of Professional Experience

Mr. Clifton has extensive experience conducting Real Estate Due Diligence Assessments for national clients, having assessed thousands of properties for Phase I Environmental Site Assessments and Property Condition Assessments, conducted over 30 Phase II Subsurface Investigations, and generated over 150 FDIC Environmental Checklists on residential properties. Mr. Clifton has conducted Phase I and II ESA’s, and PCA’s all over the nation and has traveled extensively. Properties assessed have included high/low-rise commercial office buildings, government facilities, auto service facilities, gas stations, bank branches, light industrial facilities, light industrial business parks, distribution centers, retail centers, multifamily residential properties, hospitality facilities, assisted living facilities, agricultural land, and undeveloped land.

Phase I Environmental Site Assessment services have involved initial project setup, site access scheduling, ordering Regulatory database reports, Chain of Title searches, Environmental Lien searches, and additional Business Environmental Risk services including asbestos surveys, radon testing, lead-in-drinking water sampling, lead-based-paint surveys, indoor air quality surveys and mold/moisture sampling. Site visits included property reconnaissance, observations, interviews, surrounding area reconnaissance, in-depth historical research (including review of available city directories, historical topographic maps, historical aerial photographs, Sanborn Fire Insurance maps, Natural Resource Conservation Service Soil Surveys, Geologic Maps, Aquifer Maps, Groundwater Atlases, United States Geological Survey reports/maps, etc.), local Regulatory agency file reviews, Freedom of Information Act (FOIA) Record Requests to local city agencies (Fire Department/Fire Marshal, Building Department, Health Department, Zoning and Planning Department, and Tax Assessor/Appraisal District). Data collected was compiled in a report product including appendices of figures, site photographs, and attachments.

Phase II ESA/Subsurface Investigation services have included organizing site access and boring location plans, sampling protocol, local utility clearance, driller organization, lab organization and preparation, and Health and Safety Plan preparation. Once media were collected (soil and/or groundwater samples), they were submitted to the lab for analysis. Analysis was reviewed, compared with state regulatory criteria, and report was prepared with the data and recommendations to client. Report products included tables, gradient maps, Contaminants of Concern concentration maps, and figures.

Property Condition Assessment services included observations of the condition of Property building materials, transport systems, mechanical and electrical systems, foundations, building framing, roofing, pavement, windows, doors, vertical transportation, code compliance, fire and life safety issues, etc. Once field data has been collected, a report was prepared including notation of observations, and a recommendation of what items required immediate repair or replacement, and what the estimated useable life of building components will be over the life of the loan term. Costs for these repairs/replacements were presented in a table for the Client's review along with the report text.

Over the years, Mr. Clifton has prepared reports for Clients including GE Capital Real Estate, Bank of America, Wachovia, Wells Fargo, JP Morgan, Prudential, FDIC, Cantor, Deutsche Bank, GMAC/Capmark, to name a few. Additionally, Mr. Clifton has prepared hundreds of reports compliant to current guidelines of Freddie Mac and Fannie Mae Scopes of Work.

REPRESENTATIVE PROJECTS

Mixed-Use Redevelopment of Auto Service Facility, Marina Del Rey, CA – Phase I and II ESA, extensive regulatory agency file review and peer review of prior and ongoing assessment and risk assessment services. Conditions evaluated included soil and groundwater contamination with chlorinated solvents and petroleum hydrocarbons, associated remedial activities, human health risk associated with potential future indoor vapor inhalation, quarterly monitoring, and subsequent closure under oversight by local state regulatory agencies.

Retail Shopping Center with Dry Cleaner Release, San Luis Obispo, CA – Quarterly groundwater monitoring of over 30 monitoring wells of approximate 100,000 SF retail shopping center. Conditions evaluated included soil and groundwater contamination with chlorinated solvents and petroleum constituents, associated remediation, human health risk associated with potential future indoor vapor inhalation, and request for closure under oversight by local state regulatory agencies.
35 Site Redeveloped Gas Station Portfolio, Texas and Arkansas – Managed Phase I ESAs and IAQ screening of a 35 Site portfolio of former gasoline stations converted to bank branches throughout Texas and Arkansas. Extensive research into Site regulatory histories, obtain closure documentation, and in some cases, ongoing monitoring activities.

40 Site Cell tower ESA Portfolio, Texas – Managed Phase I ESAs of a 40 Site cell tower portfolio throughout Texas. Extremely short turnaround time project with some Sites involving remediation.

30 Site Cell tower ESA Portfolio, South Texas – Managed Phase I ESAs of a 32 Site cell tower portfolio throughout South Texas. Short turnaround time projects with some Sites involving extensive regulatory research.

Mixed-Use Redevelopment of old Printing Press, Austin, TX – Phase I and II ESA, extensive regulatory agency file review and historical review. Conditions evaluated included soil and groundwater contamination with petroleum hydrocarbons, associated remediation and human health risk associated with potential future indoor vapor inhalation.

SUMMARY OF COMPLETED PROJECTS

- Personally written over 1,300 ASTM compliant Phase I ESA and PCA reports within the last five years
- Personally performed the site reconnaissance and total report preparation for projects in over 41 states
- Completed over 380 multifamily PCA reports within the last five years
- Completed over 1,200 commercial/industrial AAI compliant Phase I ESA’s within the last four years
- Completed over 180 retail shopping center AAI compliant Phase I ESA’s within the last four years
- Completed over 120 Freddie Mac, Fannie Mae and/or HUD related due diligence projects within the last four years

RECENT PROJECTS

- 7 site multifamily residential portfolio – Houston, Texas area
- 8 site retail portfolio Louisiana and Mississippi
- 5 site gas station portfolio west Texas
- 8 site tire shop portfolio throughout Texas
- 8 site mixed use and self-storage facility portfolio, Georgia, Alabama, Indiana
- 3 site Industrial Portfolio, Georgia
- 20 Site Retail Shopping Center ESA portfolio – Nationwide
- 9 site commercial office park portfolio – Overland Park, Kansas
- 16 site gas station portfolio, Denver, CO
- 10 site gas station portfolio, Arizona
- 35 site commercial office portfolio – DFW area
- 10 Site Industrial Office/Warehouse ESA/PCA portfolio – Chicago, Illinois
- 15 Site Multifamily PCA portfolio – Texas
- 12 Site Multifamily PCA portfolio – Houston, Texas
- 10 Site Retail Store ESA Portfolio – Across South Texas
- 6 Site Industrial Park ESA/PCA Portfolio – Texas, Multicity
- 10 Site Gas Station ESA Portfolio – California
- 30 Site cell tower Portfolio – Texas
- 20 Site retail store portfolio – Texas
- 7 Site multifamily Freddie Mac Portfolio – Texas and Oklahoma
- 10 Site multifamily Portfolio – Texas
- 10 Site Multifamily Portfolio – California