



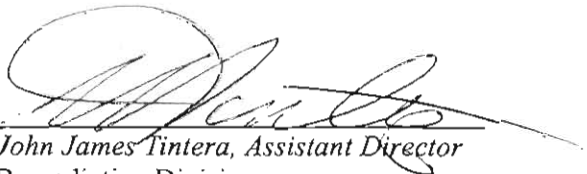
# RAILROAD COMMISSION OF TEXAS OIL AND GAS DIVISION

## ***VOLUNTARY CLEANUP PROGRAM FINAL CERTIFICATE OF COMPLETION NOT RELYING ON INSTITUTIONAL CONTROLS***

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

*I, JOHN JAMES TINTEA, ASSISTANT DIRECTOR OF THE SITE REMEDIATION SECTION, OIL AND GAS DIVISION, RAILROAD COMMISSION OF TEXAS, CERTIFY UNDER CHAPTER 91, SUBCHAPTER 0, TEXAS NATURAL RESOURCE CODE, THAT NECESSARY RESPONSE ACTIONS HAVE BEEN COMPLETED FOR VOLUNTARY CLEANUP PROGRAM SITE VCP NO. 03-40005A AS OF 19 MAY 2006 FOR THE TRACT OF LAND DESCRIBED IN EXHIBIT "A", BASED ON THE AFFIDAVIT OF COMPLETION OF RESPONSE ACTION AND INSTITUTIONAL CONTROLS, EXHIBIT "B" AND WHICH ARE FURTHER DESCRIBED IN THE APPROVED FINAL REPORT FOR THE SITE. APPLICANTS WHO WERE NOT RESPONSIBLE PARTIES UNDER SECTION 91.113 ON THE DATE OF ISSUANCE OF THIS CERTIFICATE ARE QUALIFIED TO OBTAIN THE PROTECTION FROM LIABILITY PROVIDED BY CHAPTER 91, SUBCHAPTER 0, TEXAS NATURAL RESOURCE CODE.*

*EXECUTED this 19th day of May, 2006.*

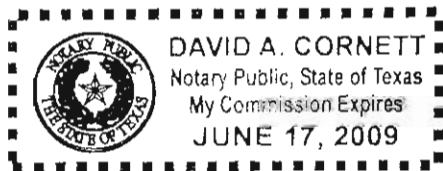
  
John James Tintera, Assistant Director  
Remediation Division

STATE OF TEXAS


COUNTY OF TRAVIS

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, *this the 19th day of May, 2006.*



Notary without Bond

  
Notary Public in and for the State of Texas

*EXHIBIT "A"*  
*RAILROAD COMMISSION OF TEXAS*  
*VOLUNTARY CLEANUP PROGRAM*  
*LEGAL DESCRIPTION 60.16 Acres*  
*HOUSTON, TEXAS*  
*VCP No. 03-40005A*

**METES AND BOUNDS DESCRIPTION  
OF 60.16 ACRES OF LAND  
IN THE W.C.R.R. CO. SURVEY, A-922  
HARRIS COUNTY, TEXAS**

All that certain 60.16 acres of land, out of the 81.484 acre tract described in the deed from Green Champion Joint Venture to Alamein Investments, L.P., recorded under File No. X281925 in the Official Public Records of Real Property of Harris County, Texas, in the W.C.R.R. Co. Survey, A-922 Harris County, Texas, and more particularly described by metes and bounds as follows: (All bearings based on the Texas State Plane Coordinate System, South Central Zone)

**BEGINNING** at a 5/8" iron rod found for the most westerly northwest corner of said 81.484 acre tract, common to the south corner of the southeast cutback line at the intersection of Bammel-North Houston Road (100' R.O.W.) and West Greens Road (100' R.O.W.), and the most westerly northwest corner of the herein described tract;

**THENCE** North 42° 33' 09" East - 28.29' to a 5/8" iron rod found for the most northerly northwest corner of said 81.484 acre tract, common to the east corner of said cutback line, and the most northerly northwest corner of the herein described tract;

**THENCE** North 87° 34' 26" East - 26.42', along the south right-of-way line of aforesaid West Greens Road, to a 5/8" iron rod found for the Point of Curvature of a curve to the right, having a central angle of 39° 04' 40", and a radius of 1950.00';

**THENCE** along said curve to the right, along said south right-of-way line, in a southeasterly direction, an arc distance of 1329.97', to a 3/4" iron rod set for the end of curve;

**THENCE** South 53° 20' 54" East - 139.35', continuing along said south right-of-way line, to a 3/4" iron rod set for an angle corner of the herein described tract, common to the north corner of the 0.0459 acre tract described as Director's Lot No. 1 in the deed from Green Champion Joint Venture to Bill Moon, recorded under File No. U528623, in the Official Public Records of Real Property of Harris County, Texas;

**THENCE** South 36° 39' 06" West - 15.00', along the northwest line of said Director's Lot No. 1, to a 3/4" iron rod set for an angle corner of the herein described tract, common to the west corner of said Director's Lot #1;

**THENCE** South 53° 20' 54" East - 266.66', along the southwest line of said Director's Lot No. 1, and the southwest line of the 0.0459 acre tract described as Director's Lot No. 2 in the deed from Green Champion Joint Venture to Donna Rice, recorded under File No. U528620, in the Official Public Records of Real Property of Harris County, Texas, to a 3/4" iron rod set for an angle corner of the herein described tract, common to the south corner of said Director's Lot No. 2;

**THENCE** North 36° 39' 06" East - 15.00', along the southeast line of said Director's Lot No. 2, to a 3/4" iron rod set for an angle corner of the herein described tract, common to the east corner of said Director's Lot No. 2, in the south right-of-way line of aforesaid West Greens Road, common to the north line of aforesaid 81.484 acre tract:

**Page 2 – 60.16 Acres**

**THENCE** South 53° 20' 54" East - 99.89', along said common line, to a 5/8" iron rod found for the northeast corner of aforesaid 81.484 acre tract, common to the north corner of the 6.2532 acre tract described as Tract 1 - Parcel Two, in the deed from Green Champion to Adesa Houston, Inc., recorded under File No. S826520 in the Official Public Records of Real Property of Harris County, Texas, and the northeast corner of the herein described tract;

**THENCE** South 36° 39' 06" West - 381.55', along an east line of said 81.484 acre tract, common to the northwest line of said 6.2532 acre tract, to a 5/8" iron rod found for the Point of Curvature of a curve to the left, having a central angle of 39° 15' 40", and a radius of 1050.00';

**THENCE** along said curve to the left, along said common line and a west line of the 28.5516 acre tract described as Tract 1, in the deed from Green Champion Joint Venture to Adesa Houston, Inc., recorded under File No. S826521 in the Official Public Records of Real Property of Harris County, Texas, in a southerly direction, an arc distance of 719.50', to a 5/8" iron rod found for the end of curve;

**THENCE** South 02° 36' 34" East - 1038.28', along an east line of said 81.484 acre tract, common to the west line of said 28.5516 acre tract, and a west line of the 15.8175 acre tract described as Tract I - Parcel One, in the deed from Green Champion to Adesa Houston, Inc., recorded under File No. S826520 in the Official Public Records of Real Property of Harris County, Texas, to a 5/8" iron rod found the northeast corner of GREEN CHAMPIONS DRIVE according to the plat thereof recorded under Film Code No. 407014 in the Map Records of Harris County, Texas, common to the southeast corner of the herein described tract;

**THENCE** South 71° 55' 39" West - 60.00' to a 5/8" iron rod found for an angle corner of said 81.484 acre tract, common to the northwest corner of said CHAMPIONS GREEN DRIVE, and the most southerly southwest corner of the herein described tract;

**THENCE** North 18° 04' 21" West - 17.78' to the Point of Curvature of a curve to the left, having a central angle of 03° 37' 05", and a radius of 685.00';

**THENCE** along said curve to the left, in a northerly direction, an arc distance of 43.26' to the end of curve;

**THENCE** North 21° 41' 26" West - 649.06' to an angle corner of the herein described tract;

**THENCE** South 87° 22' 23" West - 905.59' to the most westerly southwest corner of the herein described tract, in the west line of aforesaid 81.484 acre tract, common to the east right-of-way line of aforesaid Bammel-North Houston Road;

**THENCE** North 02° 27' 14" West - 1639.98', along the west line of said 81.484 acre tract, common to the east right-of way line of said Bammel-North Houston Road, to a 5/8" iron rod found for the southwest corner of the 0.413 acre tract described as Parcel II in the deed from Green Champion Joint Venture to Lincoln Property Company No. 45, Ltd., recorded under File No. P766109, in the Official Public Records of Real Property of Harris County, Texas, and an angle corner of the herein described tract;

**Page 3 – 60.16 Acres**

**THENCE** North 87° 32' 46" East - 300.00' to a 5/8" iron rod found for the southeast corner of said 0.413 acre tract, in the west line of the 2.000 acre tract described as Parcel I in the deed from Green Champion Joint Venture to Lincoln Property Company No. 45, Ltd., recorded under File No. P766109, in the Official Public Records of Real Property of Harris County, Texas;

**THENCE** South 02° 27' 14" East - 226.26' to a 5/8" iron rod found for the southwest corner of said 2.000 acre tract, common to an angle corner of the herein described tract;

**THENCE** North 87° 32' 46" East - 295.16' to a 5/8" iron rod found for the southeast corner of said 2.000 acre tract, common to an angle corner of the herein described tract;

**THENCE** North 02° 27' 14" West - 295.16' to a 5/8" iron rod found for the northeast corner of said 2.000 acre tract, common to an angle corner of the herein described tract;

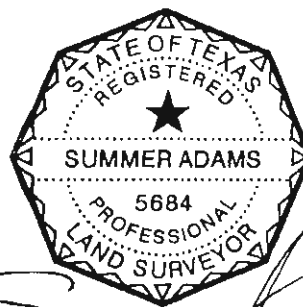
**THENCE** South 87° 32' 46" West - 295.16' to a 5/8" iron rod found for the northwest corner of said 2.000 acre tract, common to an angle corner of the herein described tract;

**THENCE** South 02° 27' 14" East - 8.90', along the west line of said 2.000 acre tract, to a 5/8" iron rod found for the northeast corner of aforesaid 0.413 acre tract, common to an angle corner of the herein described tract;

**THENCE** South 87° 32' 46" West - 300.00' to a 5/8" iron rod found for the northwest corner of said 0.413 acre tract, common to an angle corner of the herein described tract, in the west line of aforesaid 81.484 acre tract, common to the east right-of-way line of aforesaid Bammel-North Houston Road;

**THENCE** North 02° 27' 14" West - 383.13', along the west line of said 81.484 acre tract, common to the east right-of-way line of said Bammel-North Houston Road, to the **POINT OF BEGINNING** of the herein described tract and containing 60.16 acres of land.

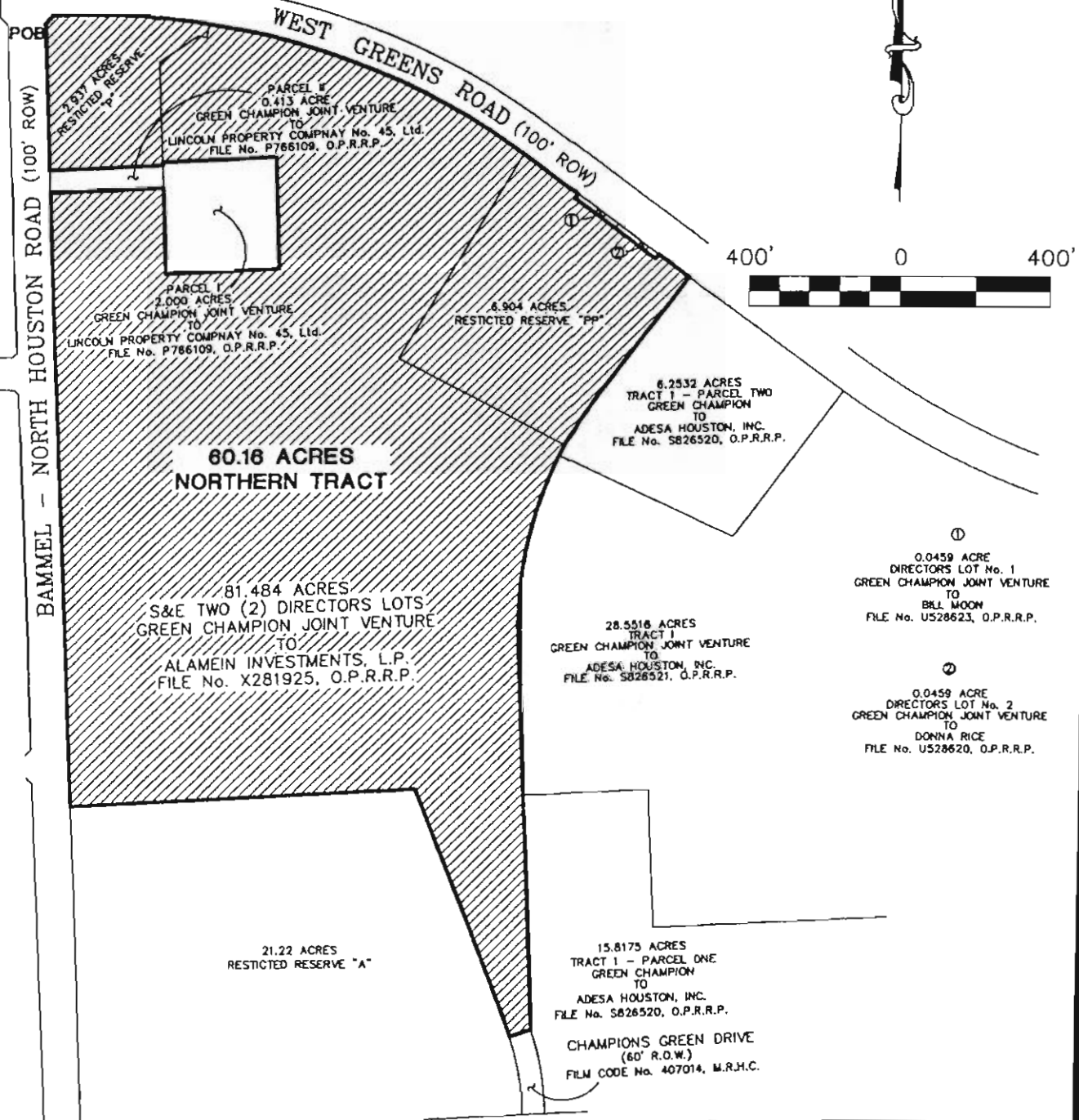
Prepared by:  
PATE SURVEYORS  
a division of  
Pate Engineers, Inc.  
Job No. 747-010-00-565



A handwritten signature in black ink, appearing to be "Summer Adams", written over a solid horizontal line.

Certification Date  
February 5, 2006

W.C.R.R. CO. SURVEY, A-922



**60.16 ACRES  
NORTHERN TRACT**

81.484 ACRES  
S&E TWO (2) DIRECTORS LOTS  
GREEN CHAMPION JOINT VENTURE  
TO  
ALAMEIN INVESTMENTS, L.P.  
FILE No. X281925, O.P.R.R.P.

21.22 ACRES  
RESTRICTED RESERVE "A"

8.2532 ACRES  
TRACT 1 - PARCEL TWO  
GREEN CHAMPION  
TO  
ADESA HOUSTON, INC.  
FILE No. S826520, O.P.R.R.P.

28.5516 ACRES  
TRACT 1  
GREEN CHAMPION JOINT VENTURE  
TO  
ADESA HOUSTON, INC.  
FILE No. S826521, O.P.R.R.P.

15.8175 ACRES  
TRACT 1 - PARCEL ONE  
GREEN CHAMPION  
TO  
ADESA HOUSTON, INC.  
FILE No. S826520, O.P.R.R.P.

CHAMPIONS GREEN DRIVE  
(60' R.O.W.)  
FILM CODE No. 407014, M.R.H.C.

①  
0.0459 ACRE  
DIRECTORS LOT No. 1  
GREEN CHAMPION JOINT VENTURE  
TO  
BILL MOON  
FILE No. U528623, O.P.R.R.P.

②  
0.0459 ACRE  
DIRECTORS LOT No. 2  
GREEN CHAMPION JOINT VENTURE  
TO  
DONNA RICE  
FILE No. U528620, O.P.R.R.P.

**ABBREVIATION TABLE**

POC	POINT OF COMMENCING
POB	POINT OF BEGINNING
ROW	RIGHT OF WAY
M.R.H.C.	MAP RECORDS OF HARRIS COUNTY
O.P.R.R.P.	OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY TEXAS

**PATE SURVEYORS**  
A DIVISION OF PATE ENGINEERS, INC.

13333 HW Freeway, Ste 300-Houston, TX 77040-Ph713-682-3178-Fax713-682-3013-www.pateeng.com

**EXHIBIT**

**60.16 ACRES**  
IN THE W.C.R.R. CO. SURVEY, A-922  
HARRIS COUNTY, TEXAS

DRAWN: CJC	ORIGINAL ISSUE DATE: MARCH 10, 2008	ORIGINAL SCALE: 1" = 400'
APPROVED FOR ISSUE:	JOB NO.: 747-010-00-565	

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

I, David G. Morrison, representing Alamein Investments LC, a Texas Limited Liability Company (Applicant) have completed response actions necessary, pursuant to Chapter 91, Subchapter O, Texas Natural Resource Code, at a 60.16 acre tract of land described in Exhibit "A" (Site) of this certificate pertaining to VCP No. 03-40005A located in Houston, Harris County, Texas. The Site was owned by Green Champion Joint Venture at the time the application to participate in the Voluntary Cleanup Program was filed. The Applicant has submitted and received approval from the Railroad Commission of Texas Voluntary Cleanup Program on all plans and reports required by the Voluntary Cleanup Agreement. The plans and reports were prepared using a prudent degree of inquiry of the Site consistent with accepted industry standards to identify all contaminants, waste and contaminated media of regulatory concern. The response actions for the site have achieved response action levels acceptable for unrestricted residential use with no reliance on institutional or physical controls as determined by the standards of the RRC. The response actions eliminate substantial present or future risk to public health and safety and to the environment from releases and threatened releases of contaminants at or from the Site. The Applicant has not acquired this certificate of completion by fraud, misrepresentation, or knowing failure to disclose material information. Further information concerning the response actions at this Site may be found in the final report at the central office of the RRC under VCP No. 03-30005A.

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

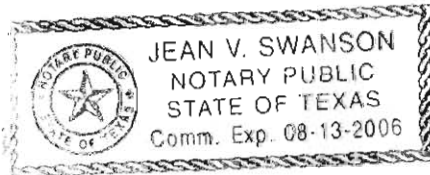
Applicant

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

Print Name: David G. Morrison

STATE OF TEXAS  
COUNTY OF HARRIS

This instrument was acknowledged before me on this the 17<sup>TH</sup> day of MAY, 2006, by David G. Morrison, Sole Member of ALAMEIN L.C., a Texas limited liability company, on behalf of such limited liability company, acting in its capacity as General Partner of ALAMEIN INVESTMENTS LP, a Texas limited partnership.



\_\_\_\_\_  
Notary Public in and for the State of Texas

ELIZABETH A. JONES, CHAIRMAN  
MICHAEL L. WILLIAMS, COMMISSIONER  
VICTOR G. CARRILLO, COMMISSIONER



RICHARD A. VARELA  
DIRECTOR, OIL AND GAS DIVISION  
JOHN JAMES TINTEIRA P.G.  
ASSISTANT DIRECTOR, SITE REMEDIATION

# RAILROAD COMMISSION OF TEXAS

## OIL AND GAS DIVISION

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

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

*I, JOHN JAMES TINTEIRA, ASSISTANT DIRECTOR OF THE SITE REMEDIATION SECTION, OIL AND GAS DIVISION, RAILROAD COMMISSION OF TEXAS, CERTIFY UNDER CHAPTER 91, SUBCHAPTER 0, TEXAS NATURAL RESOURCE CODE, THAT NECESSARY RESPONSE ACTIONS HAVE BEEN COMPLETED FOR VOLUNTARY CLEANUP PROGRAM SITE VCP NO. 03-40005B AS OF 19 MAY 2006 FOR THE TRACT OF LAND DESCRIBED IN EXHIBIT "A", BASED ON THE AFFIDAVIT OF COMPLETION OF RESPONSE ACTION AND INSTITUTIONAL CONTROLS, EXHIBIT "B" AND WHICH ARE FURTHER DESCRIBED IN THE APPROVED FINAL REPORT FOR THE SITE. APPLICANTS WHO WERE NOT RESPONSIBLE PARTIES UNDER SECTION 91.113 ON THE DATE OF ISSUANCE OF THIS CERTIFICATE ARE QUALIFIED TO OBTAIN THE PROTECTION FROM LIABILITY PROVIDED BY CHAPTER 91, SUBCHAPTER 0, TEXAS NATURAL RESOURCE CODE.*

*EXECUTED this day of May, 2006.*




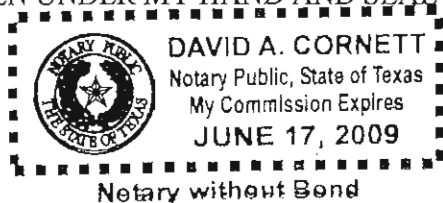
*John James Tintera, Assistant Director  
Remediation Division*

STATE OF TEXAS

COUNTY OF TRAVIS

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, *this the day of May, 2006.*



*David A. Cornett*  
Notary Public in and for the State of Texas



***EXHIBIT "A"***  
***RAILROAD COMMISSION OF TEXAS***  
***VOLUNTARY CLEANUP PROGRAM***  
***LEGAL DESCRIPTION 21.22 Acres***  
***HOUSTON, TEXAS***  
***VCP No. 03-40005B***

**METES AND BOUNDS DESCRIPTION  
OF 21.22 ACRES OF LAND  
IN THE W.C.R.R. CO. SURVEY, A-922  
HARRIS COUNTY, TEXAS**

All that certain 21.22 acres of land, out of the 81.484 acre tract described in the deed from Green Champion Joint Venture to Alamein Investments, L.P., recorded under File No. X281925 in the Official Public Records of Real Property of Harris County, Texas, in the W.C.R.R. Co. Survey, A-922, Harris County, Texas, and more particularly described by metes and bounds as follows: (All bearings based on the Texas State Plane Coordinate System, South Central Zone)

**COMMENCING** at a 5/8" iron rod found for the most westerly northwest corner of said 81.484 acre tract, common to the south corner of the southeast cutback line at the intersection of Bammel-North Houston Road (100' R.O.W.) and West Greens Road (100' R.O.W.); **THENCE** South 02° 27' 14" East - 2083.10', along the west line of said 81.484 acre tract, common to the east right-of-way line of said Bammel-North Houston Road, to a 3/4" iron rod set for the northwest corner and **POINT OF BEGINNING** of the herein described tract;

**THENCE** North 87° 22' 23" East - 905.59' to a 3/4" iron rod set for the northeast corner of the herein described tract;

**THENCE** South 21° 41' 26" East - 649.06' to a 3/4" iron rod set for the Point of Curvature of a curve to the right, having a central angle of 03° 37' 05", and a radius of 685.00';

**THENCE** along said curve to the right, in a southerly direction, an arc distance of 43.26' to the end of curve;

**THENCE** South 18° 04' 21" East - 17.78' to 5/8" iron rod found for an angle corner of aforesaid 81.484 acre tract, common to the northwest corner of CHAMPIONS GREEN DRIVE, according to the plat thereof recorded under Film Code No. 407014, in the Map Records of Harris County, Texas, and the Point of Curvature of a curve to the right, having a central angle of 15° 26' 44", and a radius of 770.00';

**THENCE** along said curve to the right, along the west line of said CHAMPIONS GREEN DRIVE, in a southerly direction, an arc distance of 207.57', to a 5/8" iron rod found for the southeast corner of the herein described tract, common to the southeast corner of said 81.484 acre tract, and the southwest corner of said CHAMPIONS GREEN DRIVE, in the north line of the 18.13 acre tract described in the deed from Lincoln Associates, Inc. to Houston Lighting & Power Company, recorded under File No. E434257 in the Official Public Records of Real Property of Harris County, Texas;

**Page 2 – 21.22 Acre Tract**

**THENCE** South 87° 22' 23" West - 1165.61', along the north line of said 18.13 acre tract, to a 5/8" iron rod found for the southwest corner of said 81.484 acre tract, common to the southwest corner of the herein described tract, in the east right-of-way line of aforesaid Bammel-North Houston Road;

**THENCE** North 02° 27' 14" West - 876.97', along the west line of said 81.484 acre tract, common to the east right-of way line of said Bammel-North Houston Road, to the **POINT OF BEGINNING** of the herein described tract and containing 21.22 acres of land.

Prepared by:  
PATE SURVEYORS  
a division of  
Pate Engineers, Inc.  
Job No. 747-010-00-562

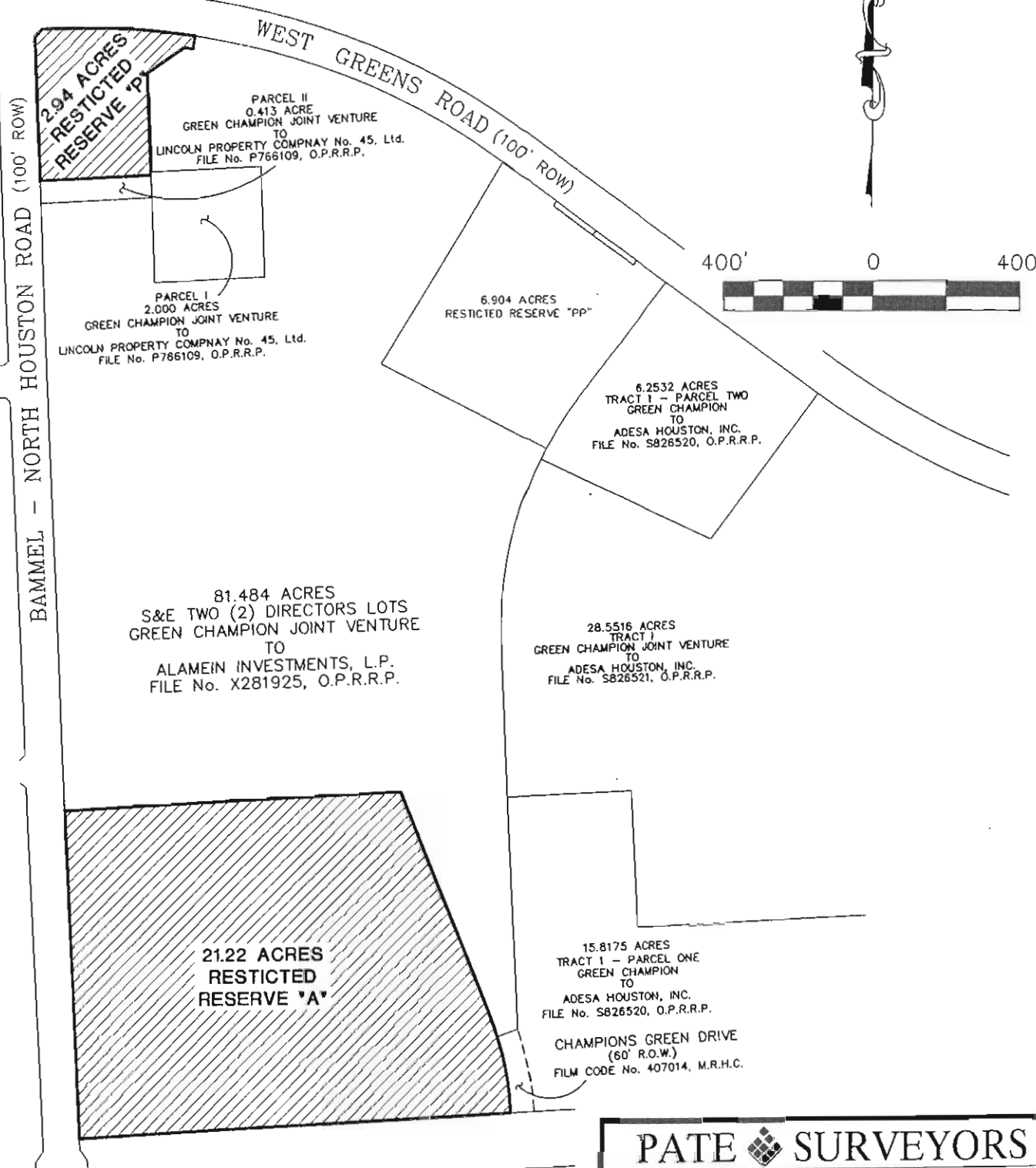
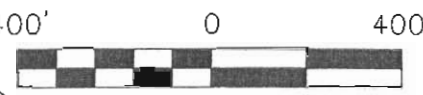


A handwritten signature in black ink, appearing to read "S. Adams", written over a horizontal line.

Certification Date  
November 8, 2004

THIS LEGAL DESCRIPTION IS BASED ON SURVEY CONDUCTED BY PATE SURVEYORS ON NOVEMBER 8, 2004.

W.C.R.R. CO. SURVEY, A-922



**ABBREVIATION TABLE**

POC	POINT OF COMMENCING
POB	POINT OF BEGINNING
ROW	RIGHT OF WAY
M.R.H.C.	MAP RECORDS OF HARRIS COUNTY
O.P.R.R.P.	OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY TEXAS

**PATE SURVEYORS**  
 A DIVISION OF PATE ENGINEERS, INC.  
 13333 HW Freeway, Ste 300 Houston, TX 77040 • Ph 713 462 3178 • Fax 713 552 3015 • www.pateeng.com

**EXHIBIT**

**COMMERCIAL TRACTS  
 RESTRICTED RESERVE 'A' & 'P'  
 IN THE W.C.R.R. CO. SURVEY, A-922  
 HARRIS COUNTY, TEXAS**

DRAWN: CJG	ORIGINAL ISSUE DATE: FEBRUARY 17, 2006	ORIGINAL SCALE 1" = 400'
APPROVED FOR ISSUE: <i>[Signature]</i>	JOB NO.: 747-010-00-563	

TRACT 3

METES AND BOUNDS DESCRIPTION  
OF 0.5636 ACRE OF LAND  
IN THE W.C.R.R. CO. SURVEY, A-922  
HARRIS COUNTY, TEXAS

All that certain 0.5636 acre of land, out of the 81.484 acre tract described in the deed from Green Champion Joint Venture to Alamein Investments, L.P., recorded under File No. X281925, in the Official Public Records of Real Property of Harris County, Texas, in the W.C.R.R. Co. Survey, A-922, Harris County, Texas, and more particularly described by metes and bounds as follows: (All bearings based on the Texas State Plane Coordinate System, South Central Zone)

**COMMENCING** at a 5/8" iron rod found for the southwest corner of said 81.484 acre tract, common to the northwest corner of the 18.13 acre tract described in the deed from Lincoln Associates, Inc. to Houston Lighting & Power Company, recorded under File No. E434257, in the Official Public Records of Real Property of Harris County, Texas, in the east right-of-way line of Bammel-North Houston Road (100' R.O.W.); **THENCE** North 02° 27' 14" West - 514.05', along said east right-of-way line to an angle corner, from which a 5/8" iron rod found for the south corner of the southeast cutback line at the intersection of said Bammel-North Houston Road and West Greens Road (100' R.O.W.) bears North 02° 27' 14" West - 2446.03'; **THENCE** North 87° 32' 46" East - 626.30' to the south corner and **POINT OF BEGINNING** of the herein described tract;

**THENCE** North 31° 30' 14" West - 198.00' to the west corner of the herein described tract;

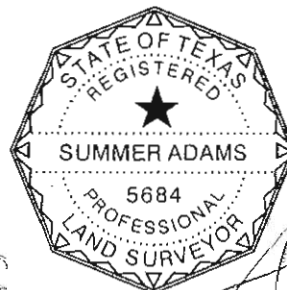
**THENCE** North 58° 29' 46" East - 124.00' to the north corner of the herein described tract;

**THENCE** South 31° 30' 14" East - 198.00' to the east corner of the herein described tract;

**THENCE** South 58° 29' 46" West - 124.00' to the **POINT OF BEGINNING** of the herein described tract and containing 0.5636 acre of land.

Prepared by:  
PATE SURVEYORS  
a division of  
Pate Engineers, Inc.

Job No. 747-010-00-561



*[Handwritten Signature]*

Certification Date  
November 8, 2004

THIS LEGAL DESCRIPTION IS ISSUED FOR THE PURPOSE OF LIMITING RESIDENTIAL CONSTRUCTION ON THIS TRACT. IT SHOULD NOT BE USED FOR TITLE TRANSFER.

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

I, David G. Morrison, representing Alamein Investments LC, a Texas Limited Liability Company (Applicant) have completed response actions necessary, pursuant to Chapter 91, Subchapter O, Texas Natural Resource Code, at a 21.22 acre tract of land described in Exhibit "A" (Site) of this certificate pertaining to VCP No. 03-40005B located in Houston, Harris County, Texas. The Applicant has submitted and received approval from the Railroad Commission of Texas Voluntary Cleanup Program on all plans and reports required by the Voluntary Cleanup Agreement. The plans and reports were prepared using a prudent degree of inquiry of the Site consistent with accepted industry standards to identify all contaminants, waste and contaminated media of regulatory concern. The response actions for the site have achieved response action levels as determined by the standards of the RRC and remain protective as long as the following institutional controls are maintained:

1. The use of the affected property shall not be allowed for residential purposes.
2. The use of groundwater beneath the Affected Property shall not be allowed except for monitoring purposes.
3. These restrictions were filed in the Harris County Clerk's office on 12 May 2006, Document Z295804 (Attachment 1)

The response actions eliminate substantial present or future risk to public health and safety and to the environment from releases and threatened releases of contaminants at or from the Site. The Applicant has not acquired this certificate of completion by fraud, misrepresentation, or knowing failure to disclose material information. Further information concerning the response actions at this Site may be found in the final report at the central office of the RRC under VCP No. 03-40005B.

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

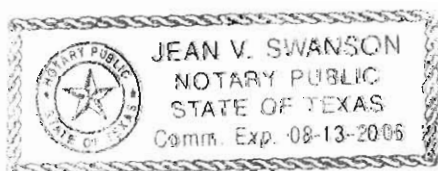
Applicant

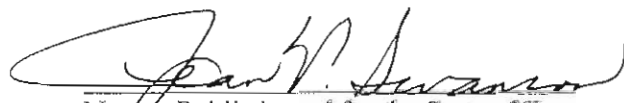
By:  \_\_\_\_\_

Print Name: David G. Morrison

STATE OF TEXAS  
COUNTY OF HARRIS

This instrument was acknowledged before me on this the 17<sup>TH</sup> day of MAY, 2006, by David G. Morrison, Sole Member of ALAMEIN L.C., a Texas limited liability company, on behalf of such limited liability company, acting in its capacity as General Partner of ALAMEIN INVESTMENTS LP, a Texas limited partnership.



  
Notary Public in and for the State of Texas

*Attachment 1  
Institutional Control  
Document Z295804  
Harris County, Texas*

B. Strz  
44  
SG

RAILROAD COMMISSION OF TEXAS  
ENVIRONMENTAL RESTRICTIVE COVENANT

STATE OF TEXAS

§  
§  
§

2295804  
05/12/06 10:12:520

\$44.00

COUNTY OF HARRIS

This Restrictive Covenant is filed pursuant to the authority of the Railroad Commission of Texas (Commission) to control and clean up pollution caused by activities over which the Commission exercises jurisdiction in accordance with Section 91.113 of the Texas Natural Resources Code, and affects the real property (Property) described as a 21.22 acre tract in the W.C.R.R. Co. Survey, A-922, Harris County, Texas, described in the deed from Green Champion Joint Venture to Alamein Investments, L.P., filed under Clerk's File No. X281925 and recorded in the Official Public Records of Real Property of Harris County, Texas and illustrated on Exhibit "A" attached hereto.

The Property has a plugged and abandoned gas well site formerly operated by Texaco, Inc., otherwise known as Richard Rodgers Lease, Well #1, Texaco, Inc., and a former associated tank battery, and blow down pit (southern pit); wherein chemicals of concern (COCs) had impacted the soil and groundwater.

An environmental investigation and response action of the Property was required in accordance with the Commission's regulations. DCH Environmental Consultants, L.P. performed the response action to characterize and remediate the COCs. All levels of COCs left in the soil and groundwater of the Property following this remediation work are below residential Protective Concentration Levels (PCLs). Residential PCL's are equal to or exceed all commercial/industrial PCLs. These analytical results are described in the Final Site Remediation Completion Report, Bammel North Houston Tract, 81 Acres, Houston, Harris County, Texas, dated August 13, 2004. Copies of the report may be obtained from Alamein Investments, L.P. and the Commission.

Chloride resulting from produced brine water is regulated by the RRC. Chloride levels left in the groundwater (775 ppm) in the Affected Property is above the Commission's Secondary Drinking Water Standards of 300 ppm. Chloride is considered an agricultural and an aesthetic concern. The affected groundwater at the subject site is generally deeper than 20' below the ground surface in this area. The Chloride affected area of the Property is within Tract 3 as described on Exhibit "B" hereto which Tract 3 is referred to herein as the "Affected Property".

The response action has been approved by the Commission based on the presumption that the Property could be used for residential or commercial purposes. This restrictive covenant is required so that the groundwater beneath Tract 3 will not be used. The Commission has determined that with the limitation on groundwater use imposed by this instrument, the Property currently meets standards for residential use. Based on the report identified above, and the limitation on groundwater use imposed by this instrument, the COCs pose no significant present or future risk to humans or the environment based on residential use. No further remediation of the Property is required by the Commission as long as the groundwater is not used. For purposes of this restrictive covenant, the term "residential use" means use for dwellings such as single family houses and multi-family apartments, children's homes, nursing homes, residential portions of government-owned lands (local, state or federal), day care facilities, educational facilities, hospitals, and parks (local, state or federal). This restrictive covenant is necessary to assure that all present and future owners of the Affected Property are aware of its condition and do not



use the Affected Property in any manner inconsistent with this restriction. If any person intends to use the groundwater beneath the Affected Property for any purpose other than allowed by this instrument, then before commencing such use the Commission must be contacted and further remedial action may be necessary. There are no other use restrictions on this property.

*Alamein Investments, L.P.* is the owner of the Property. In consideration of the response action leading to final approved remediation of the Property, the Owner has agreed to place the following restrictions on the Affected Property in favor of the Commission and the State of Texas. Now therefore, in consideration of these premises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following restrictive covenants in favor of the Commission and the State of Texas are placed on the Affected Property described in *Exhibit "B,"* to-wit:

1. The Affected Property's groundwater shall not be used for any purpose except for monitoring.
2. These restrictions shall be a covenant running with the land.

For additional information, contact:

Railroad Commission of Texas  
Voluntary Cleanup Program  
P. O. Box 12967  
1701 N. Congress  
Austin, Texas 78711-2967

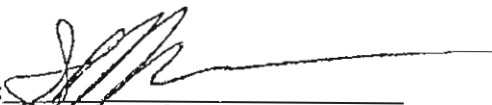
Railroad Commission of Texas Voluntary Cleanup Program Application No.: 03-40005B.

As of the date of this restrictive covenant, the record owner of fee title to the Affected Property is *Alamein Investments, L.P.* with an address 211 Highland Cross Drive, Suite 10, Houston, TX 77073

This restrictive covenant may be rendered of no further force or effect only by a release executed by the Commission and filed in the same Real Property Records as those in which this restrictive covenant is filed.

Executed this 5 day of May, 2006.

*Alamein Investments, L.P.*  
By: *Alamein, L.C., general partner*

By:   
Name: S.G. McCallum  
Title: Sale Member

STATE OF TEXAS §

HARRIS COUNTY §

BEFORE ME, on this the 8th day of May, 2006 personally appeared D.G. Morrison, the Sole Member of Alamein, L.C., a limited liability company which is the general partner of Alamein Investments, L.P., a Texas Limited Partnership, 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 in the capacity herein expressed on behalf of Alamein Investments, L.P.

6 2007 GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 8th day of May,



Sherri E. Elasko

Notary Public in and for the State of Texas

My Commission Expires: 1/10/2007

Accepted as Third Party Beneficiary this 9th day of May, 2006.

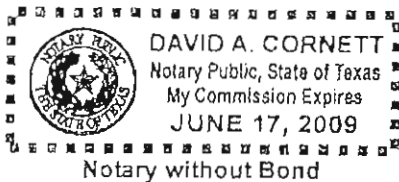
Railroad Commission of Texas

By: [Signature]  
Name: David W. Rooney, Jr.  
Title: Attorney, Special Counsel Section

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 4 day of May, 2006

David Cornett  
Notary Public in and for the State of Texas

My Commission Expires: 17 June 09



AFTER RECORDING  
RETURN TO:

RETURN TO:  
STEWART TITLE CO.  
8500 CYPRESSWOOD DR.  
SUITE 104  
SPRING, TX 77379

Att: Dana Duncan

EXHIBIT A  
**METES AND BOUNDS DESCRIPTION  
OF 21.22 ACRES OF LAND  
IN THE W.C.R.R. CO. SURVEY, A-922  
HARRIS COUNTY, TEXAS**

All that certain 21.22 acres of land, out of the 81.484 acre tract described in the deed from Green Champion Joint Venture to Alamein Investments, L.P., recorded under File No. X281925 in the Official Public Records of Real Property of Harris County, Texas, in the W.C.R.R. Co. Survey, A-922, Harris County, Texas, and more particularly described by metes and bounds as follows: (All bearings based on the Texas State Plane Coordinate System, South Central Zone) ll

**COMMENCING** at a 5/8" iron rod found for the most westerly northwest corner of said 81.484 acre tract, common to the south corner of the southeast cutback line at the intersection of Bammel-North Houston Road (100' R.O.W.) and West Greens Road (100' R.O.W.); **THENCE** South 02° 27' 14" East - 2083.10', along the west line of said 81.484 acre tract, common to the east right-of-way line of said Bammel-North Houston Road, to a 3/4" iron rod set for the northwest corner and **POINT OF BEGINNING** of the herein described tract;

**THENCE** North 87° 22' 23" East - 905.59' to a 3/4" iron rod set for the northeast corner of the herein described tract;

**THENCE** South 21° 41' 26" East - 649.06' to a 3/4" iron rod set for the Point of Curvature of a curve to the right, having a central angle of 03° 37' 05", and a radius of 685.00';

**THENCE** along said curve to the right, in a southerly direction, an arc distance of 43.26' to the end of curve;

**THENCE** South 18° 04' 21" East - 17.78' to 5/8" iron rod found for an angle corner of aforesaid 81.484 acre tract, common to the northwest corner of CHAMPIONS GREEN DRIVE, according to the plat thereof recorded under Film Code No. 407014, in the Map Records of Harris County, Texas, and the Point of Curvature of a curve to the right, having a central angle of 15° 26' 44", and a radius of 770.00';

**THENCE** along said curve to the right, along the west line of said CHAMPIONS GREEN DRIVE, in a southerly direction, an arc distance of 207.57', to a 5/8" iron rod found for the southeast corner of the herein described tract, common to the southeast corner of said 81.484 acre tract, and the southwest corner of said CHAMPIONS GREEN DRIVE, in the north line of the 18.13 acre tract described in the deed from Lincoln Associates, Inc. to Houston Lighting & Power Company, recorded under File No. E434257 in the Official Public Records of Real Property of Harris County, Texas;

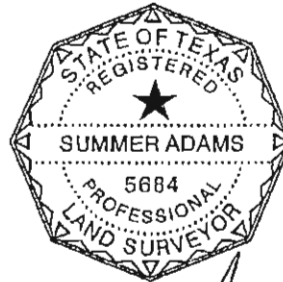
(Page 4 of 8)

Page 2 – 21.22 Acre Tract

THENCE South 87° 22' 23" West - 1165.61', along the north line of said 18.13 acre tract, to a 5/8" iron rod found for the southwest corner of said 81.484 acre tract, common to the southwest corner of the herein described tract, in the east right-of-way line of aforesaid Bammel-North Houston Road;

THENCE North 02° 27' 14" West - 876.97', along the west line of said 81.484 acre tract, common to the east right-of way line of said Bammel-North Houston Road, to the POINT OF BEGINNING of the herein described tract and containing 21.22 acres of land.

Prepared by:  
PATE SURVEYORS  
a division of  
Pate Engineers, Inc.  
Job No. 747-010-00-562



Certification Date  
November 8, 2004

THIS LEGAL DESCRIPTION IS BASED ON SURVEY CONDUCTED BY PATE SURVEYORS ON NOVEMBER 8, 2004.

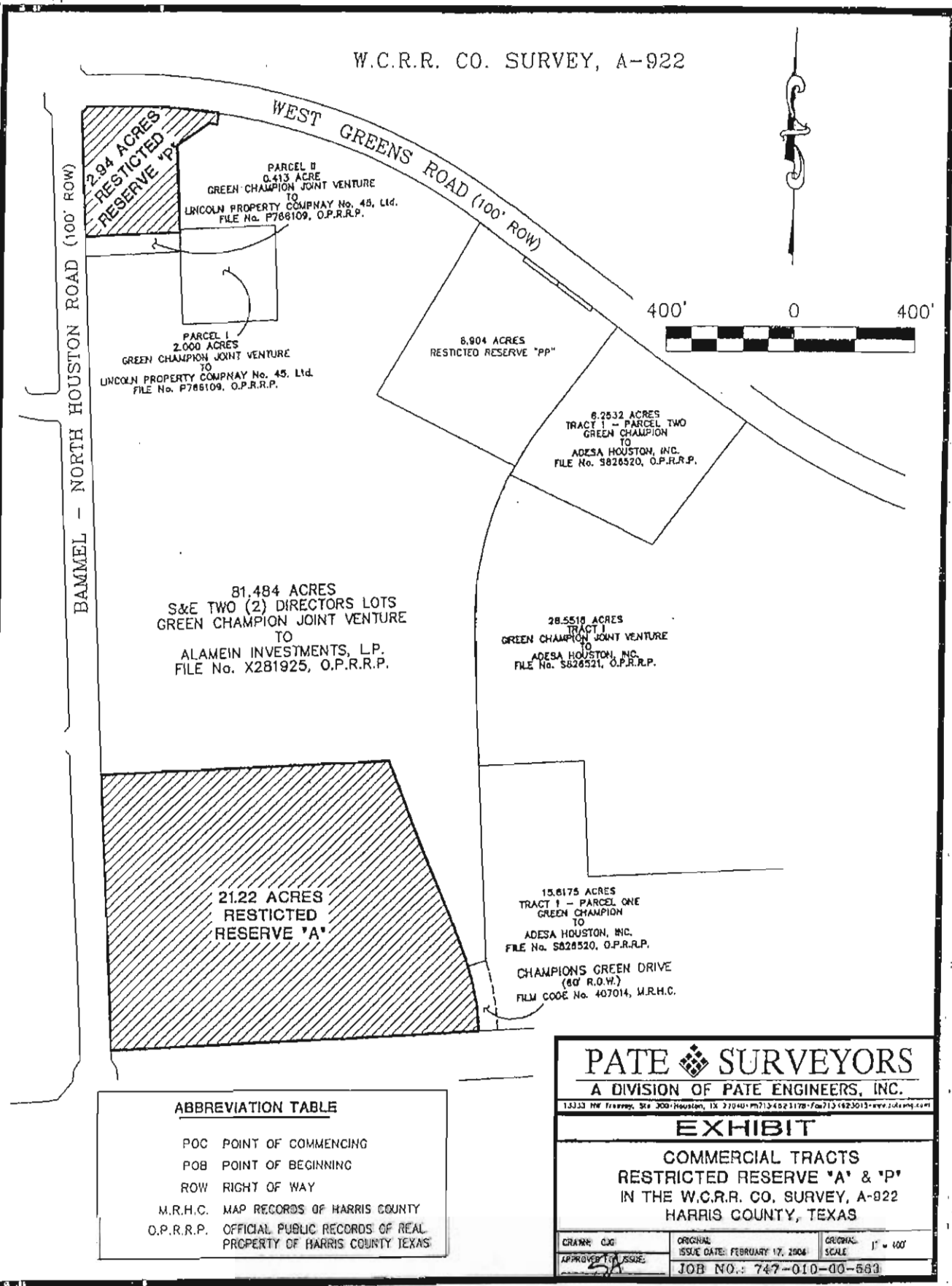
747-010-00-562

FILED  
2006 MAY 12 PM 12:57  
*Beulah R. Keeferson*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

(Page 5 of 8)

EXHIBIT A

W.C.R.R. CO. SURVEY, A-922



SEE 22-120

ABBREVIATION TABLE

POC	POINT OF COMMENCING
POB	POINT OF BEGINNING
ROW	RIGHT OF WAY
M.R.H.C.	MAP RECORDS OF HARRIS COUNTY
O.P.R.R.P.	OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY TEXAS

**PATE SURVEYORS**

A DIVISION OF PATE ENGINEERS, INC.

13333 HW Freeway, Ste 300 Houston, TX 77040 PH: 713-402-3170 Fax: 713-682-3013 www.pateeng.com

**EXHIBIT**

COMMERCIAL TRACTS  
RESTRICTED RESERVE 'A' & 'P'  
IN THE W.C.R.R. CO. SURVEY, A-922  
HARRIS COUNTY, TEXAS

CRANK: CJG

ORIGINAL  
ISSUE DATE: FEBRUARY 17, 2004

GRAPHIC  
SCALE 1" = 100'

APPROVED FOR ISSUE:

JOB NO.: 747-010-00-583

METES AND BOUNDS DESCRIPTION  
OF 0.5636 ACRE OF LAND  
IN THE W.C.R.R. CO. SURVEY, A-922  
HARRIS COUNTY, TEXAS

All that certain 0.5636 acre of land, out of the 81.484 acre tract described in the deed from Green Champion Joint Venture to Alamein Investments, L.P., recorded under File No. X281925, in the Official Public Records of Real Property of Harris County, Texas, in the W.C.R.R. Co. Survey, A-922, Harris County, Texas, and more particularly described by metes and bounds as follows: (All bearings based on the Texas State Plane Coordinate System, South Central Zone)

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COMMENCING at a 5/8" iron rod found for the southwest corner of said 81.484 acre tract, common to the northwest corner of the 18.13 acre tract described in the deed from Lincoln Associates, Inc. to Houston Lighting & Power Company, recorded under File No. E434257, in the Official Public Records of Real Property of Harris County, Texas, in the east right-of-way line of Bammel-North Houston Road (100' R.O.W.); THENCE North 02° 27' 14" West - 514.05', along said east right-of-way line to an angle corner, from which a 5/8" iron rod found for the south corner of the southeast cutback line at the intersection of said Bammel-North Houston Road and West Greens Road (100' R.O.W.) bears North 02° 27' 14" West - 2446.03'; THENCE North 87° 32' 46" East - 626.30' to the south corner and POINT OF BEGINNING of the herein described tract;

THENCE North 31° 30' 14" West - 198.00' to the west corner of the herein described tract;

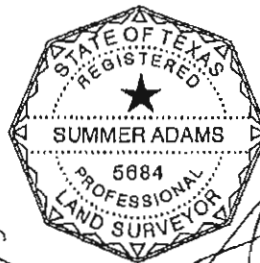
THENCE North 58° 29' 46" East - 124.00' to the north corner of the herein described tract;

THENCE South 31° 30' 14" East - 198.00' to the east corner of the herein described tract;

THENCE South 58° 29' 46" West - 124.00' to the POINT OF BEGINNING of the herein described tract and containing 0.5636 acre of land.

Prepared by:  
PATE SURVEYORS  
a division of  
Pate Engineers, Inc.

Job No. 747-010-00-561



*[Handwritten Signature]*

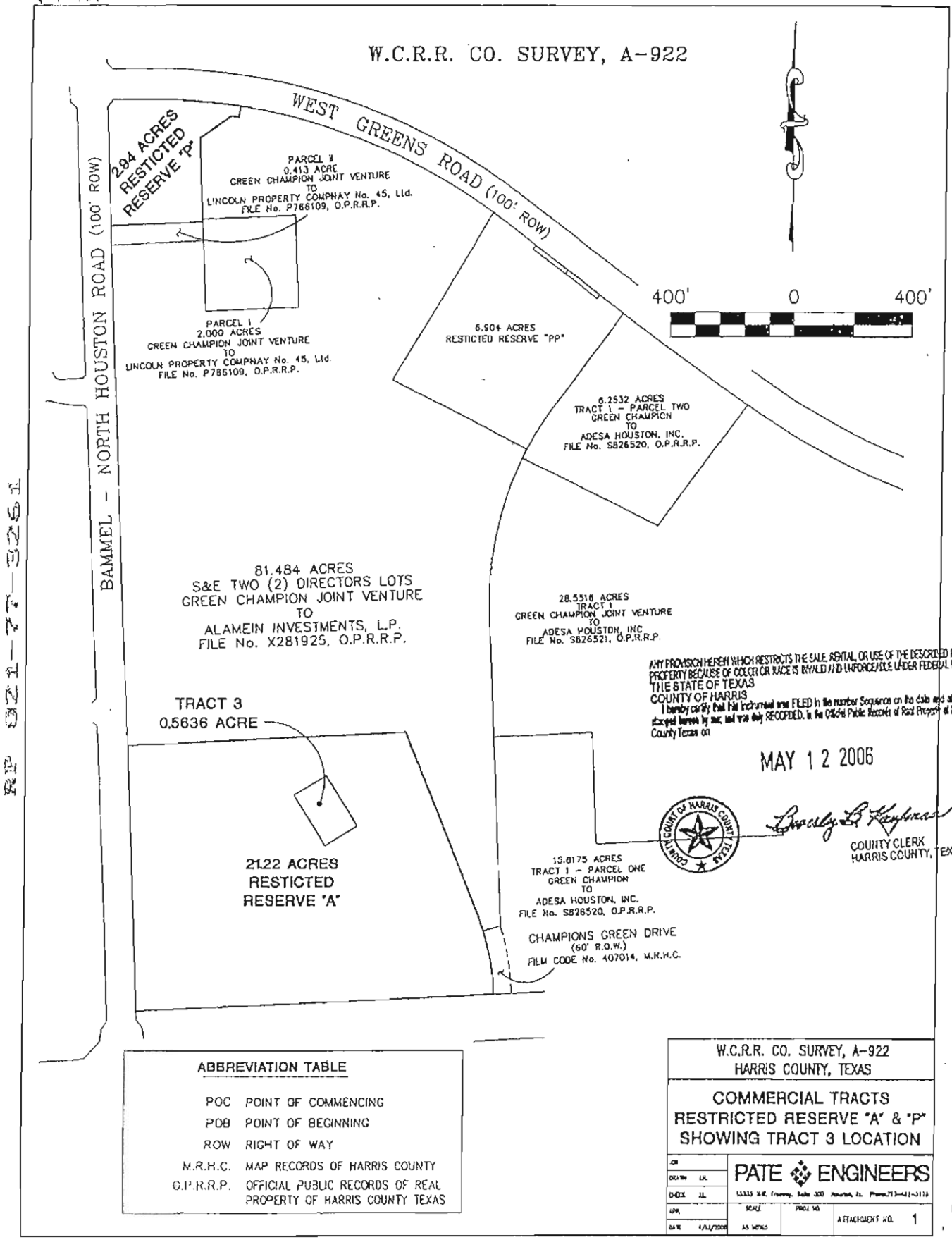
Certification Date  
November 8, 2004

THIS LEGAL DESCRIPTION IS ISSUED FOR THE PURPOSE OF LIMITING RESIDENTIAL CONSTRUCTION ON THIS TRACT. IT SHOULD NOT BE USED FOR TITLE TRANSFER.

(Page 7 of 8)

EXHIBIT B

W.C.R.R. CO. SURVEY, A-922



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, THE STATE OF TEXAS, COUNTY OF HARRIS. I hereby certify that this instrument was FILED in the number Sequence on the date and at the place herein by me, and was duly RECORDED, in the Official Public Records of Real Property of Harris County Texas on

MAY 12 2006



*Beverly B. Reynolds*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

ABBREVIATION TABLE

- POC POINT OF COMMENCING
- PDB POINT OF BEGINNING
- ROW RIGHT OF WAY
- M.R.H.C. MAP RECORDS OF HARRIS COUNTY
- O.P.R.R.P. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY TEXAS

W.C.R.R. CO. SURVEY, A-922  
HARRIS COUNTY, TEXAS

COMMERCIAL TRACTS  
RESTRICTED RESERVE "A" & "P"  
SHOWING TRACT 3 LOCATION

DATE	1/11/2006	SCALE	AS NOTED	PROJECT NO.		ATTACHMENT NO.	1
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**PATE ENGINEERS**  
13335 S.W. Freeway, Suite 300 Houston, TX Phone: 713-421-3113