



RAILROAD COMMISSION OF TEXAS

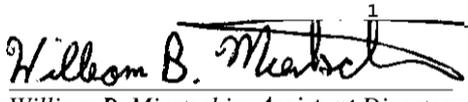
OIL AND GAS DIVISION

VOLUNTARY CLEANUP PROGRAM FINAL CERTIFICATE OF COMPLETION NOT RELYING ON CONTROLS

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

I, WILLIAM B. MIERTSCHIN, 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.04-60001 FOR THE TRACT OF LAND DESCRIBED IN EXHIBIT "A", BASED ON THE AFFIDAVIT OF COMPLETION OF RESPONSE ACTION, EXHIBIT "B" AND WHICH ARE FURTHER DESCRIBED IN THE APPROVED FINAL REPORT FOR THE SITE. THE APPLICANT WAS NOT A RESPONSIBLE PARTY UNDER SECTION 91.113. ON THE DATE OF ISSUANCE OF THIS CERTIFICATE THE APPLICANT IS QUALIFIED TO OBTAIN THE PROTECTION FROM LIABILITY PROVIDED BY CHAPTER 91, SUBCHAPTER 0, TEXAS NATURAL RESOURCE CODE.

EXECUTED this 21 Day of May 2009.

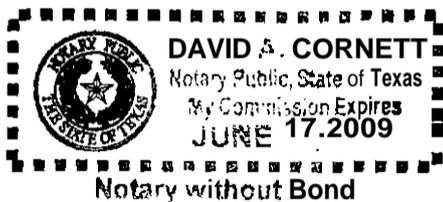

William B. Miertschin, Assistant Director
Site Remediation Section

STATE OF Texas

COUNTY OF Travis

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 21^d Day of May 2009




Notary Public in and for the State of Texas

EXHIBIT "A"
RAILROAD COMMISSION OF TEXAS
VOLUNTARY CLEANUP PROGRAM
LEGAL DESCRIPTION OF THE TEMET TRACT
0.539 acres
Nueces County, Texas
VCP No. 04-60001

Temet COC
VCP 04-60001

FILE SURVEY: TMODELV21424015 0.539 ACRES EXHIBIT: 002 THE MAP IS 28.07 42.54 2005

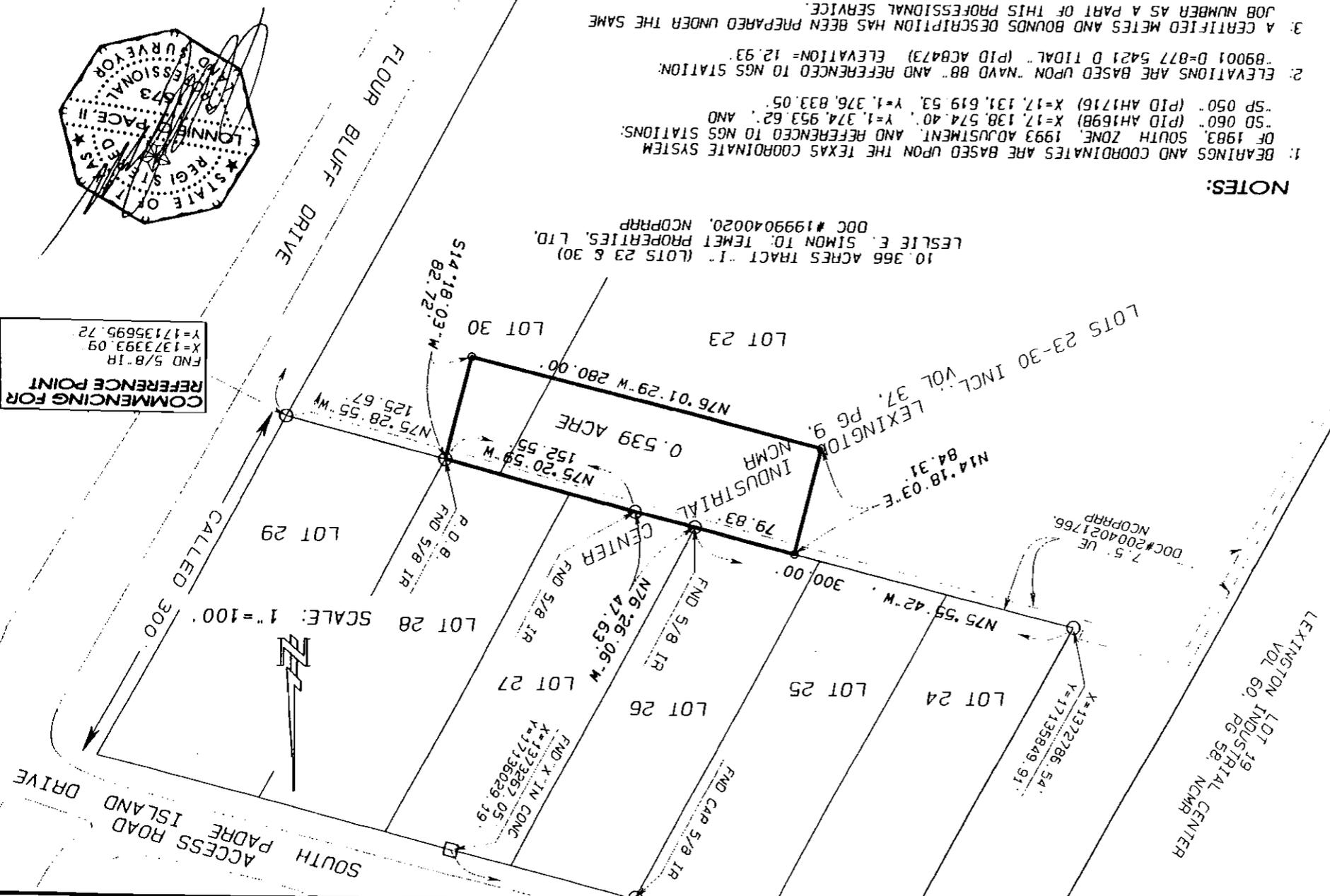
EXHIBIT SHOWING 0.539 ACRE (TEMET TRACT)
BEING PART OF 701 23 AND 701 30 OF
VOLUME 37, PAGE 9, NCMR
NUCES COUNTY, TEXAS.

- NOTES:
- 1: BEARINGS AND COORDINATES ARE BASED UPON THE TEXAS COORDINATE SYSTEM OF 1983 SOUTH ZONE, 1993 ADJUSTMENT, AND REFERENCED TO NGS STATIONS: 50 060 (PID AH1698) X=17,138,574.40, Y=1,374,953.62, AND 50 050 (PID AH1716) X=17,131,619.53, Y=1,376,833.05. ELEVATIONS ARE BASED UPON NAVD 88 AND REFERENCED TO NGS STATION: 89001 D=877 5421 D TIDAL (PID AC8473) ELEVATION=12.93.
 - 2: A CERTIFIED METES AND BOUNDS DESCRIPTION HAS BEEN PREPARED UNDER THE SAME JOB NUMBER AS A PART OF THIS PROFESSIONAL SERVICE.

10.366 ACRES TRACT "I" (LOTS 23 & 30)
LESLIE E. SIMON TO TEMET PROPERTIES, LTD.
DOC #1999040020, NCDPRRP

COMMENCING FOR
REFERENCE POINT
FND 5/8 IR
X=1373393.09
Y=17135895.72

JOHNSON & PACE INCORPORATED
ENGINEERING • ARCHITECTURE • SURVEYING
1201 NW LOOP 281 LB-1 • LONGVIEW, TX 75604
(903) 753-0663 FAX (903) 753 8803
MWM johnsonpace.com
JOB No 2154-015 DATE MARCH 2006

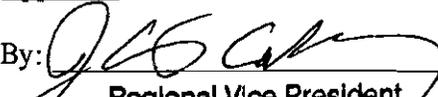
SCALE: 1"=100'

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

I, Mr. J. Chris Callaway, representing Wal-Mart Stores Texas, LLC, successor by merger to Wal-Mart Stores Texas, L.P., have completed response actions pursuant to Chapter 91, Subchapter O, Texas Natural Resource Code, at the tract of land described in Exhibit "A" to this certificate that pertains to the Temet Tract, VCP No. 04-60001 located in Nueces County, Texas. The Site was owned by Temet Properties, Ltd. 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. 04-60001.

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

Applicant

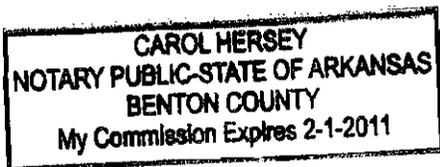
By: 
Regional Vice President
Print Name J. CHRIS CALLAWAY

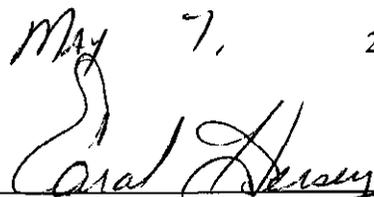
STATE OF ARKANSAS
COUNTY OF BENTON

BEFORE ME, personally appeared

J. CHRIS CALLAWAY Regional Vice President, 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, May 7, 2009




Notary Public in and for the State of Texas