

RAILROAD COMMISSION OF TEXAS

OIL AND GAS DIVISION

October 19, 2021

Mr. Bradley Blanton
SOTE, LLC
529 Oliver Road
Victoria, TX 77904

RE: ***Certificate of Completion with Restrictions***
23.42-Acres of Undeveloped Land (Site)
Rockport, Aransas County, Texas
Voluntary Cleanup Program (VCP) No. 04-20001

Dear Mr. Blanton:

Railroad Commission of Texas (RRC) VCP staff is pleased to enclose a Certificate of Completion (COC) with restrictions for the 23.42-acre tract (Site), located at 3361 Loop 1781 in Rockport, Aransas County, Texas. The Site is more specifically located at latitude 28.078265 and longitude -97.082335 (WGS 84). The following reports were reviewed for the Site prior to the issuance of this Certificate:

Phase I Environmental Site Assessment, Approximately 23.42-Acres Undeveloped Land, 3361 Loop 1781, Rockport, Aransas County, Texas 78382, dated June 19, 2019;

Phase II Environmental Site Assessment Report, Approximately 23.42-Acres Undeveloped Land, 3361 Loop 1781, Rockport, Aransas County, Texas 78382, dated July 10, 2019;

Additional Subsurface Environmental Assessment, Approximately 23.42-Acres Undeveloped Land, 3361 Loop 1781, Rockport, Aransas County, Texas 78382, dated September 20, 2019;

Additional Groundwater Assessment, Approximately 23.42-Acres Undeveloped Land, 3361 Loop 1781, Rockport, Aransas County, Texas 78382, dated December 30, 2019;

Drinking Water and Sensitive Receptor Survey, 23.42-Acres Undeveloped Land, 3361 Loop 1781, Rockport, Aransas County, Texas 78382, dated January 2020;

Response Action Completion Report, RRC VCP No. 04-20001, Approximately 23.42-Acres Undeveloped Land, 3361 Loop 1781, Rockport, Aransas County, Texas 78382, dated March 12, 2020;

Response To Comments, dated June 1, 2020;

Groundwater Monitoring and Land Treatment Area Assessment Sampling Report, Approximately 23.42-Acres Undeveloped Land, 3361 Loop 1781, Rockport, Aransas County, Texas 78382, dated July 2, 2020;

Groundwater Monitoring, Well Location Survey and Sampling Report, Approximately 23.42-Acres Undeveloped Land, 3361 Loop 1781, Rockport, Aransas County, Texas 78382, dated October 28, 2020;

History of Site

The site consists of 23-acres of undeveloped land that was historically used for oil and gas exploration and production activities. The site is adjacent to a Salt Lake and Copano Bay. Based on aerial photographs and available records for the property, the Phase I Environmental Site Assessment (ESA) identified two plugged oil/gas wells on the property, three former drilling mud pits, and at least four former tank batteries within the historical well pad location.

Soil and Groundwater Assessment

In June 2019, two shallow (0-5 feet below ground surface (bgs)) soil borings and two deep (0-20 feet bgs) soil borings were installed on-Site in the areas of identified recognized environmental conditions. The two deeper borings were converted to temporary monitor wells. The two shallow soil borings were installed within the western most mud pits. One temporary well was installed in the eastern most mud pit and the second temporary monitor well was installed between the footprint of the historical tank batteries. A total of four soil samples were collected at the site, one from each boring based on the highest photoionization detection (PID) reading. Soil samples were analyzed for total petroleum hydrocarbons (TPH), benzene, toluene, ethylbenzene and xylenes (BTEX), metals, and chlorides. The soil sample with the highest TPH concentration was analyzed for polyaromatic hydrocarbons (PAHs). TPH was in excess of the Tier 1 residential protective concentration level (PCL) in three samples (SS-1 from 4-5 feet, SS-2 from 4-5 feet, and TMW-1 from 10-12.5 feet). Chlorides were in excess of the RRC's recommended cleanup level of 3,000 milligrams per kilogram (mg/kg) in one soil sample, SS-2 (4-5 feet). Groundwater samples collected from the temporary monitor wells were analyzed for TPH, BTEX, chlorides, and metals. The sample with the highest TPH concentration was analyzed for PAHs. Arsenic, barium, TPH, and benzene were in excess of the Tier 1 residential groundwater ingestion PCLs in temporary monitor well TMW-1. Chlorides were in excess of the Texas Secondary Drinking Standard of 300 milligrams per liter (mg/L) in both temporary wells.

Based on the results of the June 2019 investigation, an additional twelve soil borings were installed at the site, three of which were converted to temporary monitor wells in August 2019. Borings were emplaced around the previously installed soil borings in order to laterally delineate contamination noted in those samples. Borings were installed to a total depth between 15 and 20 feet bgs. One soil sample was collected from each boring and analyzed for TPH, BTEX, and chlorides. The sample with the highest TPH concentration was analyzed for PAHs. TPH was in excess of the Tier 1 residential soil-to-groundwater PCL in five samples with concentrations ranging from 227 mg/kg to 1,940 mg/kg. Chlorides were in excess of the RRC's recommended cleanup level in four samples with concentrations ranging from 3,090 mg/kg to 3,730 mg/kg. Groundwater samples collected from the temporary monitor wells were analyzed for TPH, BTEX, chlorides, and metals. Similar to the results of the June 2019 investigation, TPH, benzene, arsenic,

and barium were above the Tier 1 residential groundwater ingestion PCLs in one sample (TMW-1 N). Chlorides were in excess of the Texas Secondary Drinking Standard in all three wells with concentrations ranging from 12,000 mg/L to 28,200 mg/L.

In November 2019, three permanent monitor wells were installed at the Site to confirm groundwater contamination noted in the previous investigations. One soil sample and one groundwater sample was collected from the monitor wells. Analytical results from the soil samples indicated that TPH was in excess of the Tier 1 residential soil-to-groundwater PCL in monitor wells MW-1 and MW-2, benzene was in excess of the Tier 1 residential soil-to-groundwater PCL in MW-1, and chloride was in excess of RRC's recommended cleanup level in MW-3. Groundwater analytical results indicated that TPH, arsenic, and chlorides were in excess of the Tier 1 residential groundwater ingestion PCLs in all three monitor wells. Additionally, benzene and barium were below the Tier 1 residential groundwater ingestion PCL in two monitor wells (MW-1 and MW-2).

Remedial work was performed in February 2020 at the Site to address soil and groundwater contamination found in the above-mentioned Reports. Approximately 6,200 cubic yards of impacted soils were excavated and placed in a land treatment area (LTA) to be mixed and tilled with clean soils. Additionally, bioremediation of the soils was conducted using an application of water and a 5% concentration of Evo Blend (a mixture of surfactants and nutrients). Eighteen soil confirmation samples were collected in the excavated area from the sidewalls and bottom. Thirteen soil confirmation samples were collected from the LTA prior to using the treated soils to backfill the excavated area. Confirmation samples indicated that nine sidewall samples and one bottom sample from the excavation area, as well as 10 samples from the LTA were in excess of the Tier 1 residential soil-to-groundwater PCL for TPH. However, a site-specific TPH mixture PCL was calculated, and all confirmation soil samples were below the calculated PCL. Additionally, three bottom samples were in excess of the RRC's recommended cleanup level for chlorides. Groundwater was also sampled in February 2020. One sample was analyzed for total dissolved solids, with a resulting concentration of 48,500 mg/L. Based on this result, as well as elevated chloride concentrations in groundwater, proximity to Aransas Bay and Copano Bay, and the assumption that groundwater is thought to be in connection to nearby saltwater bodies (Salt Lake and Copano Bay), groundwater is thought to be Class III. Analytical results for other constituents indicated no exceedances above the Class III groundwater ingestion PCLs, including the site-specific TPH mixture PCL for Class III groundwater.

At the request of the RRC, efforts to locate and assess soils around the on-Site plugged and abandoned oil/gas wells was conducted In September and October 2020. A magnetometer survey was used to identify the locations of the plugged wells. A backhoe was used to uncover soils above the suspected well locations and confirm the wells were property plugged and abandoned. A total of five soil borings were then installed around the confirmed locations of the plugged wells. One soil sample was collected from each boring based on the highest PID reading and analyzed for TPH and BTEX. TPH was detected in all five soil borings, but below the Class III soil-to-groundwater PCLs. One soil boring was converted to a temporary monitor well and analytical results from the collected groundwater sample showed a concentration of TPH below the Class III ingestion PCL. BTEX was not detected in the groundwater sample collected from the temporary well.

A total of four groundwater sampling events were conducted at the site between November 2019 and September 2020. Results of all four sampling events showed elevated concentrations of arsenic, barium, TPH, benzene, and chlorides. However, all concentrations were below the Class III groundwater ingestion PCLs and were either stable or decreasing. Because TPH and BTEX are not naturally occurring constituents in groundwater, the applicant and the RRC agreed that the placement of a restrictive covenant would be an appropriate way to ensure that all future users of the property were aware of these constituents' presence in groundwater.

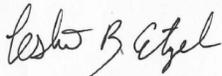
Restrictive Covenant

A restrictive covenant, limiting groundwater use at the Site, was filed with the Aransas County Clerk's Office on March 10, 2021 to ensure that all future users of the property were aware of its condition. The document was assigned the file number 381169 and has the following restrictions:

1. The investigation, assessment and remediation reports identified impacted groundwater at a depth of approximately 16 feet below ground surface (bgs). Penetration of the impacted soil and groundwater beneath the Affected Property for any purpose shall only be conducted in such a manner as to prevent the migration or release of contaminants to any other zone or environmental media and to prevent uncontrolled exposure to human and ecological receptors.
2. Use or consumption of groundwater beneath the Affected Property ranging from 0- 100 feet bgs, shall be prohibited except for monitoring and remediation purposes.
3. Any water wells completed on the Affected Property must be installed by a Texas Department of Licensing and Regulation (TDLR)-licensed water well driller in accordance with applicable rules. Installed wells shall not be screened/perforated from the surface to 100 feet bgs unless for authorized monitoring purposes and the collection of samples for analysis.
4. These restrictions shall be a covenant running with the land.

On behalf of the staff of the RRC Site Remediation Section, I would like to thank you for your participation in the VCP. Should you have questions regarding this letter, you may contact me at 512-463-3384 or leslie.bruce@rrc.texas.gov.

Sincerely,



Leslie Bruce Etzel

CC: Mr. John Houge, CRG Texas Environmental Services (via email)

Enclosed: *VCP Final Certificate of Completion*
Property Metes and Bounds Description and Plat Map
Restrictive Covenant 381169

**VOLUNTARY CLEANUP PROGRAM
FINAL CERTIFICATE OF COMPLETION
WITH RESTRICTIONS**

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

I, PETER G. POPE, 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. 04-20001 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 on 15 October 2021



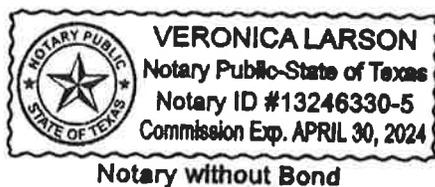
Peter G. Pope, Assistant Director
Site Remediation Section

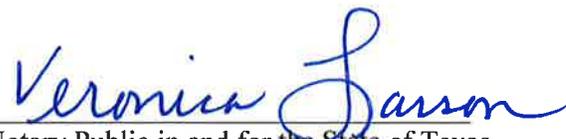
STATE OF Texas

COUNTY OF Travis

BEFORE ME, personally appeared Peter G. Pope, 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 15th Day of October 2021.





Notary Public in and for the State of Texas

EXHIBIT "A"
RAILROAD COMMISSION OF TEXAS
VOLUNTARY CLEANUP PROGRAM
LEGAL DESCRIPTION 23.462-ACRE TRACT

VCP No. 04-20001

Surveyor Certification

State of Texas
County of Aransas

I, J.L. Brundrett, Jr., Registered Professional Land Surveyor of the State of Texas, do hereby certify that the foregoing plat was prepared from a correct field and office survey and that I am a duly qualified and licensed surveyor, and that I am not a partner or proprietor in any firm or partnership engaged in the practice of surveying, and that I am not a partner or proprietor in any firm or partnership engaged in the practice of surveying, and that I am not a partner or proprietor in any firm or partnership engaged in the practice of surveying.

This is the _____ day of _____, A.D. 2019.

PRELIMINARY - NOT RECORDABLE FOR ANY PURPOSE

J.L. BRUNDRETT, JR.
R.L.S.
No. 10,219

Owner Certification

State of Texas
County of Victoria

SOTE, LLC

I, the undersigned, do hereby certify that I am the owner of the lands described herein in the location of the foregoing plat and that I have been duly authorized and empowered to execute the same for the purpose of description and that I am not a partner or proprietor in any firm or partnership engaged in the practice of surveying, and that I am not a partner or proprietor in any firm or partnership engaged in the practice of surveying, and that I am not a partner or proprietor in any firm or partnership engaged in the practice of surveying.

This is the _____ day of _____, A.D. 2019.

BRADLEY BLANTON, Managing Partner

State of Texas
County of Aransas

This instrument was acknowledged before me by _____
BRADLEY BLANTON, Managing Partner of _____
SOTE, LLC

This is the _____ day of _____, A.D. 2019.

Notary Public in and for the State of Texas



FILE NAME: REPLATS ROCKPORT/ALT LANE 5 LINES SUBDIVISION

FINAL PLAT:
SUNSET SHORES SUBDIVISION

CITY OF ROCKPORT,
ARANSAS COUNTY, TEXAS,

BEING A FINAL PLAT OF 23.462 ACRES OF LAND OUT OF THE NORTHERLY PORTION OF A 258.53 ACRES TRACT LYING WEST OF LOOP 1781 AND SOUTH OF COPANO RIDGE ROAD, AND BEING OUT OF THE WESTERLY PORTION OF THE OLD MODOSETT RANCH JOSEPH HOLLIS SURVEY, A-76, CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS, AND BEING THE SAME TRACT DESCRIBED IN A DEED OF RECORD UNDER CLERKS FILE NUMBER 369271, OFFICIAL PUBLIC RECORDS OF ARANSAS COUNTY, TEXAS.

OCTOBER 22, 2019

METES AND BOUNDS DESCRIPTION

BEING THE DESCRIPTION OF 23.462 ACRES OF LAND OUT OF THE NORTHERLY PORTION OF A 258.53 ACRE TRACT, LYING WEST OF LOOP 1781 AND SOUTH OF COPANO RIDGE ROAD, SOUTH OF AND ADJACENT TO COPANO CAMPSITE SUBDIVISION, ACCORDING TO THE PLAT RECORDED IN VOLUME 2, PAGE 50, PLAT RECORDS OF ARANSAS COUNTY, TEXAS, AND BEING OUT OF THE WESTERLY PORTION OF THE OLD MODOSETT RANCH, JOSEPH HOLLIS SURVEY, A-76, CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS, AND SAID 23.462 ACRES BEING THE SAME TRACT DESCRIBED IN A DEED OF RECORD UNDER CLERKS FILE NUMBER 369271, OFFICIAL PUBLIC RECORDS OF ARANSAS COUNTY, TEXAS, WITH SAID 23.462 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN, at a 5/8" steel rebar found in the South R.O.W. line of Copano Ridge Road, and being in the Eastern boundary line of Ridge Three, Unit 2R, according to the plat recorded in Volume 5, Page 137, Plat Records of Aransas County, Texas, and being the NORTHWEST corner and PLACE OF BEGINNING of this survey;

THENCE, along and with the South R.O.W. line of Copano Ridge Road, as follows: North 75°34'31" East, a distance of 844.15 feet to a 5/8" steel rebar found for an angle point; THENCE, North 71°27'11" East, a distance of 355.58 feet to a 5/8" steel rebar found for an angle point; THENCE, North 69°09'21" East, a distance of 440.40 feet to a 5/8" steel rebar found for an angle point; THENCE, North 67°00'51" East, a distance of 381.34 feet to a 5/8" steel rebar found at the point of intersection of the South R.O.W. line of Copano Ridge Road, and the Westerly R.O.W. line of Loop 1781, and being the NORTHEAST corner of this survey;

THENCE, along and with the Westerly R.O.W. line of Loop 1781, along a circular curve to the left with a central angle of 50°08'56", a radius of 756.35 feet, a chord of 641.07 feet, a tangent of 353.89 feet, for an arc length of 662.0 feet to a 5/8" steel rebar found for the Northeast corner of a called 33.373 acre tract as described in a deed of record under Clerks File Number 358102, Official Public Records of Aransas County, Texas, and being the SOUTHEAST corner of this survey;

THENCE, South 68°46'19" West, along and with the common boundary line of this tract and said 33.373 acre tract, at 348.79 feet, pass a 5/8" steel rebar found online for reference, a total distance of 1801.62 feet to a point in the East boundary line of said Ridge Three, Unit 2R, and being the SOUTHWEST corner of this survey;

THENCE, along and with the common boundary line of this tract and said Ridge Three, Unit 2R, at 44.71 feet, pass a 5/8" steel rebar found online for reference, at 77.21 feet, pass a 5/8" steel rebar found online for reference, in all a distance of 651.39 feet to the PLACE OF BEGINNING of this survey, and containing 23.462 acres of land, more or less.

Planning & Zoning Commission

State of Texas
County of Aransas

This plat of the herein described property is approved for filing of record in Aransas County, Texas, by the Planning and Zoning Commission of Rockport, Texas, in accordance with the Land Subdivision Ordinance of Rockport, Texas, and Vernon's Ann. Civ. Statute, Article 674A.

This is the _____ day of _____, A.D. 2019.

Chair

Secretary

Firm Name and Address

Griffith & Brundrett
Surveying & Engineering P.C.

4011 Loop West, P.O. Box 2100
Rockport, Texas 78284

TEL: 361.621.1100 FAX: 361.621.1101
WWW: WWW.GRIFITH-AND-BRUNDRETT.COM

Flood Data

This is to certify that I have checked the Federal Flood Hazard Map dated 2-17-10 and found that the property described herein is located in a Special Flood Hazard Area.

Flood Zone: **XAE**, Base Elevation: **N/A & 7'**
Panel No.: **02300G**
Community No.: **485504**

This information is based on existing flood hazard data and is subject to change. The user should verify the information on the above referenced map and is intended to be used for informational purposes only and not for any specific building conditions. SUBJECT TO CHANGE BY FEMA.

- Notes**
- 1) All steel rebar shall be set in concrete and shall comply with all applicable codes, regulations and all local ordinances.
 - 2) All steel rebar shall be set in concrete and shall comply with all applicable codes, regulations and all local ordinances.
 - 3) All steel rebar shall be set in concrete and shall comply with all applicable codes, regulations and all local ordinances.
 - 4) All steel rebar shall be set in concrete and shall comply with all applicable codes, regulations and all local ordinances.
 - 5) All steel rebar shall be set in concrete and shall comply with all applicable codes, regulations and all local ordinances.
 - 6) All steel rebar shall be set in concrete and shall comply with all applicable codes, regulations and all local ordinances.
 - 7) All steel rebar shall be set in concrete and shall comply with all applicable codes, regulations and all local ordinances.
 - 8) All steel rebar shall be set in concrete and shall comply with all applicable codes, regulations and all local ordinances.
 - 9) All steel rebar shall be set in concrete and shall comply with all applicable codes, regulations and all local ordinances.
 - 10) All steel rebar shall be set in concrete and shall comply with all applicable codes, regulations and all local ordinances.

County Clerk's Certification

State of Texas
County of Aransas

I, Victoria M. Smith, County Clerk of Aransas County, Texas, do hereby certify that the foregoing plat was prepared from a correct field and office survey and that I am a duly qualified and licensed surveyor, and that I am not a partner or proprietor in any firm or partnership engaged in the practice of surveying, and that I am not a partner or proprietor in any firm or partnership engaged in the practice of surveying, and that I am not a partner or proprietor in any firm or partnership engaged in the practice of surveying.

This is the _____ day of _____, A.D. 2019.

Victoria M. Smith
County Clerk

Deputy

FINAL PLAT:

SUNSET SHORES SUBDIVISION

CITY OF ROCKPORT,
ARANSAS COUNTY, TEXAS.

BEING A FINAL PLAT OF 23.482 ACRES OF LAND OUT OF THE NORTHERLY PORTION OF A 256.53 ACRES TRACT LYING WEST OF LOOP 791 AND SOUTH OF COPANO RIDGE ROAD, AND BEING OUT OF THE WESTERLY PORTION OF THE OLD MADRESSET RANCH, JOSEPH-HOLLIS SURVEY, A-76, CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS, AND BEING THE SAME TRACT DESCRIBED IN A DEED OF RECORD UNDER CLERK'S FILE NUMBER 363271, OFFICIAL PUBLIC RECORDS OF ARANSAS COUNTY, TEXAS.

SCALE 1" = 100'

OCTOBER 22, 2019

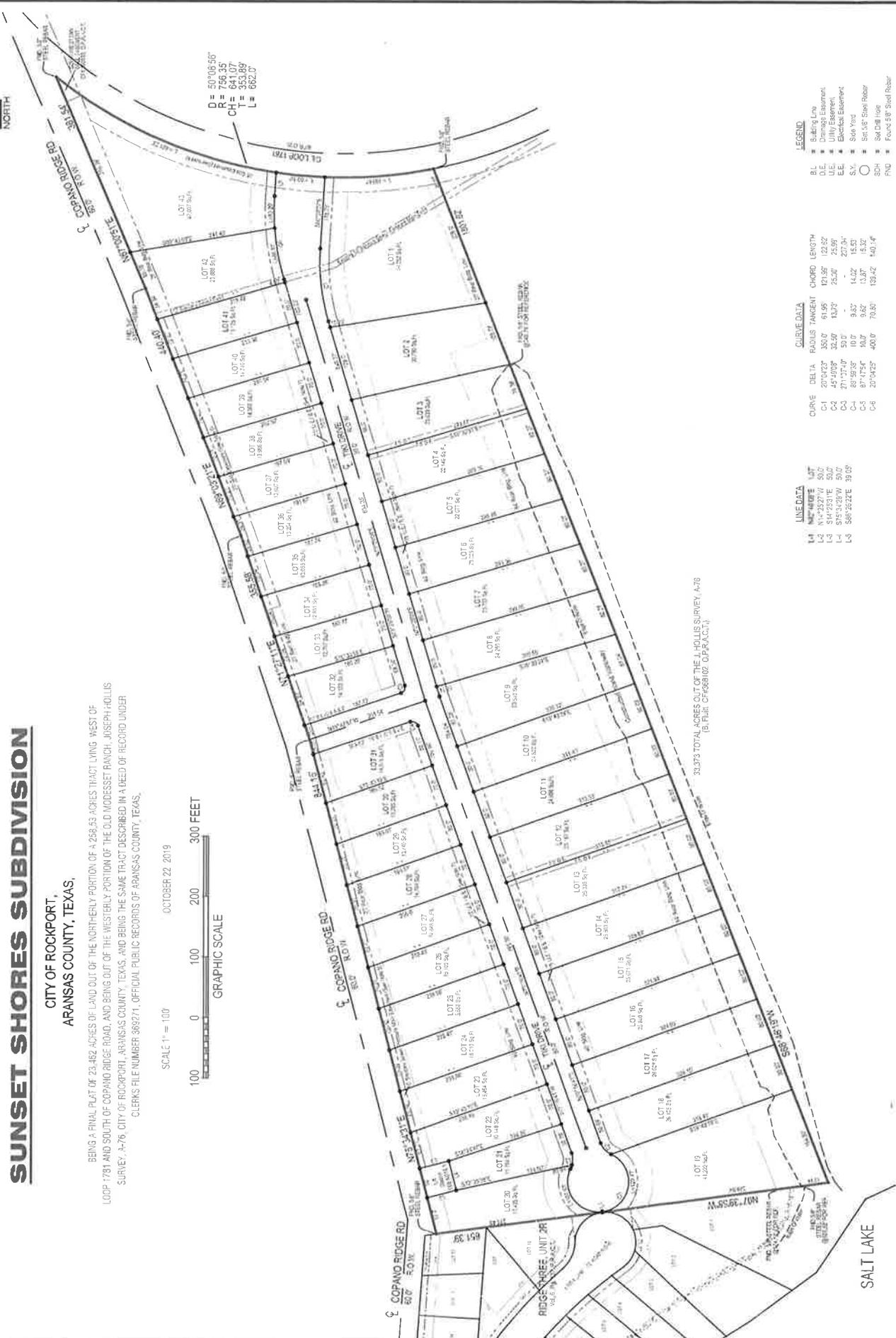


GRAPHIC SCALE



NORTH

D = 50708.650'
R = 756.35'
CH = 841.07'
T = 353.889'
L = 862.0'



LEGEND

- BL Building Line
- D.E. Driveway Easement
- E.L. Easement
- E.B. Easement
- S.V. Side Yard
- SSS.S.S. 5/8" Steel Reinforcing Steel
- SCH. SCHEDULE
- FIN. FOUNDATION

CURVE DATA

CURVE	DELTA	RADIUS	TANGENT	CHORD	LENGTH
C-1	207°04'23"	350.0'	61.59'	121.58'	122.52'
C-2	45°59'58"	32.89'	13.72'	25.30'	25.99'
C-3	271°45'59"	50.0'	9.57'	14.22'	27.04'
C-4	87°47'54"	10.0'	3.82'	13.37'	15.32'
C-5	87°47'54"	10.0'	3.82'	13.37'	15.32'
C-6	207°04'23"	400.0'	79.93'	139.42'	140.14'

LINE DATA

LINE	BEARING	LENGTH
L-1	S44°23'11"E	50.0'
L-2	S44°23'11"E	50.0'
L-3	S44°23'11"E	50.0'
L-4	S75°34'28"W	50.0'
L-5	S86°26'22"E	39.00'

33,373 TOTAL ACRES OUT OF THE J. HOLLIS SURVEY/A-76 (B.F.S. FILE # CF-688102 OF P.A.C. #)

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

VCP No. 04-20001

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

I, Bradley Blanton, representing SOTE LLC, have completed the necessary response actions, pursuant to Chapter 91, Subchapter O, Texas Natural Resource Code, at the approximately 23.462-Acre tract of land described in Exhibit "A" (Site) of this certificate pertaining to Voluntary Cleanup Program (VCP) No. 04-20001 located in Aransas County, Texas. The applicant has submitted and received approval from the Railroad Commission of Texas (RRC) 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 controls are maintained:

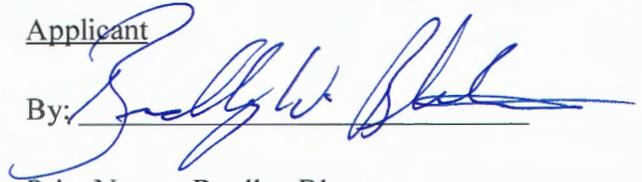
1. The investigation, assessment and remediation reports identified impacted groundwater at a depth of approximately 16 feet below ground surface (bgs). Penetration of the impacted soil and groundwater beneath the **Affected Property** for any purpose shall only be conducted in such a manner as to prevent the migration or release of contaminants to any other zone or environmental media and to prevent uncontrolled exposure to human and ecological receptors.
2. Use or consumption of groundwater beneath the **Affected Property** ranging from 0-100 feet bgs, shall be prohibited except for monitoring and remediation purposes.
3. Any water wells completed on the **Affected Property** must be installed by a Texas Department of Licensing and Regulation (TDLR)-licensed water well driller in accordance with applicable rules. Installed wells shall not be screened/perforated from the surface to 100 feet bgs unless for authorized monitoring purposes and the collection of samples for analysis.
4. These restrictions shall be a covenant running with the land.

These restrictions were filed in the Aransas County Clerk's office on March 10, 2021 under Document No. 381169 (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 filed under VCP No. 04-20001.

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

Applicant

By: _____



Print Name: Bradley Blanton

STATE OF TEXAS

COUNTY OF Victoria

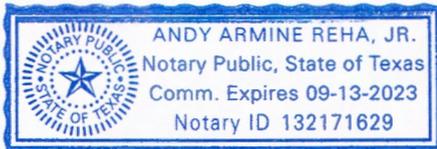
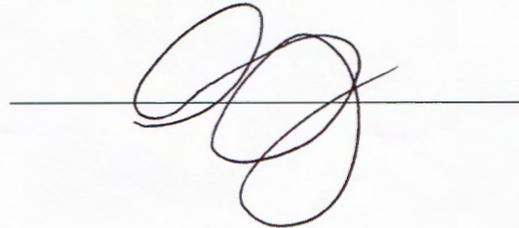
BEFORE ME, personally appeared

Bradley Blanton

_____, 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 30 day of Sept, 2021.*

Notary Public in and for the State of Texas



ATTACHMENT 1
RAILROAD COMMISSION OF TEXAS
VOLUNTARY CLEANUP PROGRAM
Institutional Control Document No.
381169

VCP No. 04-20001

**Railroad Commission of Texas
Environmental Restrictive Covenant**

STATE OF TEXAS	§
	§
COUNTY OF ARANSAS	§

This Environmental Restrictive Covenant ("Restrictive Covenant") is filed and recorded in the Real Property Records of Aransas County, Texas 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 described as follows:

SOTE LLC is the record Owner of fee title to the real property and premises, and appurtenances thereto, located in Aransas, County Texas consisting of a 23.462 acre tract of land out of the northerly portion of a 258.53 acre tract, lying west of loop 1781 and south of Copano Ridge Road, south of and adjacent to COP ANO Subdivision, according to the plat recorded in Volume 2, Page 50, Plat Records of Aransas County, Texas, and being out of the westerly portion of the Old Modessett Ranch Joseph Hollis Survey, A-76, City of Rockport, Aransas County, Texas, and said 23.462 acres being the same tract described in a deed of record under clerks file number 369271, Official Public Records of Aransas County, Texas, and more fully described on **Exhibit A**, which is attached hereto and incorporated herein, and identified as the "Property".

Groundwater on the Property is impacted by certain identified constituents of concern ("COCs"). The Property, considered to be the Affected Property, is presented on Exhibit A, and can be described as follows:

BEGINNING, at a 5/8" steel rebar found in the South R.O.W. line of Capano Ridge Road, and being in the East boundary line of Ridge Three, Unit 2R, according to the plat recorded in Volume 6, Page 137, Plat Records of Aransas County, Texas, and being the NORTHWEST corner and PLACE OF BEGINNING of this survey;

THENCE, along and with the South R.O.W. line of Copano Ridge Road, as follows: North 75° 34'31" East, a distance of 844.15 feet to a 5/8" steel rebar found for an angle point; THENCE, North 71° 27' 11" East, a distance of 355.58 feet to a 5/8" steel rebar found for an angle point; THENCE, North 69° 03'21" East, a distance of 440.40 feet to a 5/8" steel rebar found for an angle point;

THENCE, North 67° 00'51" East, a distance of 381.54 feet to a 5/8" steel rebar found at the point of intersection of the South R.O.W. line of Capano Ridge Road, and the Westerly R.O.W. line of Loop 1781, and being the NORTHEAST corner of this survey;

THENCE, along and with the Westerly R.O.W. line of Loop 1781, along a circular curve to the left with a central angle of 50° 08'56", a radius of 756.35 feet, a chord of 641.07 feet, a tangent of 353.89 feet, for an arc length of 662.0 feet to a 5/8" steel rebar found for the Northeast corner of a called 33.373 acre tract as described in a deed of record under Clerks File Number 368102, Official Public Records of Aransas County, Texas, and being the SOUTHEAST corner of this survey;

THENCE, South 68° 46'19" West, along and with the common boundary line of this tract and said 33.373 acre tract, at 348.79 feet, pass a 5/8" steel rebar found online for reference, a total distance of 1801.62 feet to a point in the East boundary line of said Ridge Three Unit 2R, and being the SOUTHWEST corner of this survey;

THENCE, along and with the common boundary line of this tract and said Ridge Three, Unit 2R, at 44.71 feet, pass a 5/8" steel rebar found online for reference, at 77.21 feet pass a 5/8" steel re bar found on line for reference, in all a distance of 651.39 feet to the PLACE OF BEGINNING of this survey, and containing 23.462 acres of land, more or less.

This Restrictive Covenant is required for the following reasons:

The **Affected Property** was operated as an oil and gas production facility that included a well, collection pit, tank battery, and associated infrastructure, etc.), otherwise known as the "Salt Lake A" Facility that was operated by Atlantic Richfield Company and Duquesne Natural Gas Company as reported on RRC records referenced online from 1966 to 1972; wherein COCs attributable to the operations at the above-mentioned facility impacted soil and/or groundwater and an environmental investigation and response action was required in accordance with Commission regulations. The property owner, SOTE LLC performed the response action to characterize and remediate the COCs.

The remediation was performed in such a manner that COCs remained in groundwater at the **Affected Property** when the Restrictive Covenant was filed with the County. The COCs and the maximum levels remaining in the **Affected Property** are specified on Exhibit B- *COCs Remaining in Groundwater*. The investigation, assessment, remediation and analytical data are contained in the RRC project case file Voluntary Cleanup Program (VCP) number No. 04-20001 and further summarized in the following reports:

- Phase I Environmental Site Assessment, June 19, 2019, CRG Texas Environmental Services, Inc.;
- Phase II Environmental Site Assessment Report, July 10, 2019, CRG Texas Environmental Services, Inc.;
- Additional Subsurface Environmental Assessment, September 20, 2019, CRG Texas Environmental Services, Inc.;
- Response Action Completion Report, March 12, 2020, CRG Texas Environmental Services, Inc.;
- Revised - Groundwater Monitoring and Land Treatment Area (LTA) Assessment Report, July 30, 2020, CRG Texas Environmental Services, Inc.; and,

- Groundwater Monitoring, Well Location Survey and Sampling Report, October 28, 2020, CRG Texas Environmental Services, Inc.

Copies of the reports may be obtained from SOTE LLC at 529 Oliver Road, Victoria, TX 7904 and from the Commission under RRC project case file Voluntary Cleanup Program (VCP) number No. 04-20001.

The response action has been approved by the Commission based on the presumption that the **Affected Property**, will be protective of residential land use with the implementation of this Restrictive Covenant.

For purposes of this Restrictive Covenant the terms

- “residential land 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, residential portions of ranch and farm land, and parks (local, state or federal).
- “exposure pathway” means the course that a COC takes from a source area to ecological or human receptors and includes a source area, a point of exposure, and an exposure route (e.g., ingestion), as well as a transport mechanism if the point of exposure is different from the source area.

Based on information contained in the investigation, assessment and monitoring reports, if an incomplete exposure pathway is maintained to impacted groundwater exceeding health-based values then the COCs associated with the **Affected Property** pose no significant present or future risk to humans or the environment. With the filing of this document, the Commission does not require any further remediation of the **Affected Property** if an incomplete exposure pathway is maintained to impacted soil and/or groundwater exceeding health-based values.

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 the future in any manner inconsistent with the restrictions described in this covenant.

In consideration of the response actions leading to final approved remediation of the **Affected Property**, the Owner of the Property has agreed to place the following restrictions on the **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 Covenant in favor of the Commission and the State of Texas are placed on the **Property** described in **Exhibit A** to-wit:

1. The investigation, assessment and remediation reports identified impacted groundwater at a depth of approximately 16 feet below ground surface (bgs). Penetration of the impacted soil and groundwater beneath the **Affected Property** for any purpose shall only be conducted in such a manner as to prevent the migration or release of contaminants to any other zone or environmental media and to prevent uncontrolled exposure to human and ecological receptors.

2. Use or consumption of groundwater beneath the **Affected Property** ranging from 0-100 feet bgs, shall be prohibited except for monitoring and remediation purposes.
3. Any water wells completed on the **Affected Property** must be installed by a Texas Department of Licensing and Regulation (TDLR)-licensed water well driller in accordance with applicable rules. Installed wells shall not be screened/perforated from the surface to 100 feet bgs unless for authorized monitoring purposes and the collection of samples for analysis.
4. These restrictions shall be a covenant running with the land.

For additional information, exposure assumptions with the Restrictive Covenant, please request the information from the Commission or from SOTE LLC.

Contact Addresses:

- Railroad Commission of Texas
Oil and Gas Division
Site Remediation Section
P. O. Box 12967
1701 N. Congress
Austin, Texas 78711-2967
- SOTE LLC
529 Oliver Road
Victoria, Texas 77904-4643

As of the date of this Restrictive Covenant, the record owner of fee title to the **Property** is SOTE LLC, 529 Oliver Road, Victoria, TX 77904-4643.

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.

Please start new page

Executed this 22nd day of February 2021

PROPERTY OWNER AND RESPONDER: SOTE LLC

Signature

Bradley W. Blanton

Printed Name:

Bradley W. Blanton

Title:

SOTE LLC. Manage Partner

STATE OF

(Victoria) COUNTY

BEFORE ME, on this the 22nd day of February, 2021 personally appeared Bradley Blanton, _____ known to me to be the person whose name is subscribed to the foregoing instrument, and they acknowledged to me that they executed the same for the purposes and in the capacity herein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE

Signature

Shelly m. Marbach

Notary Public in and for the State of

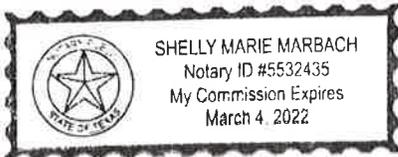
Texas

County of

Victoria

My Commission Expires:

3/4/22



Please start new page

Accepted as Third Party Beneficiary this 2nd day of March, 2021

Railroad Commission of Texas

By: [Signature]

Printed Name: Peter G. Pope

Title: Manager, Site Remediation

State of Texas
Travis County

BEFORE ME, on this the 2nd day of March, 2021 personally appeared Peter Pope, Manager on behalf of the Oil and Gas Division of the Railroad Commission of Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and they acknowledged to me that they executed the same for the purposes and in the capacity herein expressed.

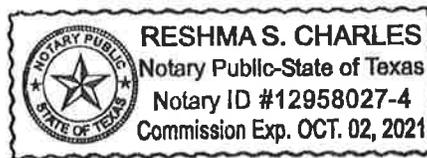
GIVEN UNDER MY HAND AND SEAL OF OFFICE

Signature [Signature]

Notary Public in and for the State of Texas

County of Travis

My Commission Expires:



Notary without Bond

Exhibit A
Property &
Affected Property

BEGINNING, at a 5/8" steel rebar found in the South R.O.W. line of Capano Ridge Road, and being in the East boundary line of Ridge Three, Unit 2R, according to the plat recorded in Volume 6, Page 137, Plat Records of Aransas County, Texas, and being the NORTHWEST corner and PLACE OF BEGINNING of this survey;

THENCE, along and with the South R.O.W. line of Capano Ridge Road, as follows: North $75^{\circ} 34'31''$ East, a distance of 844.15 feet to a 5/8" steel rebar found for an angle point; THENCE, North $71^{\circ} 27' 11''$ East, a distance of 355.58 feet to a 5/8" steel rebar found for an angle point; THENCE, North $69^{\circ} 03'21''$ East, a distance of 440.40 feet to a 5/8" steel rebar found for an angle point;

THENCE, North $67^{\circ} 00'51''$ East, a distance of 381.54 feet to a 5/8" steel rebar found at the point of intersection of the South R.O.W. line of Capano Ridge Road, and the Westerly R.O.W. line of Loop 1781, and being the NORTHEAST corner of this survey;

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THENCE, South $68^{\circ} 46'19''$ West, along and with the common boundary line of this tract and said 33.373 acre tract, at 348.79 feet, pass a 5/8" steel rebar found online for reference, a total distance of 1801.62 feet to a point in the East boundary line of said Ridge Three Unit 2R, and being the SOUTHWEST corner of this survey;

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Exhibit A - Metes and Bounds Description

Exhibit A – Property Plat Map

Exhibit A – Plat Map

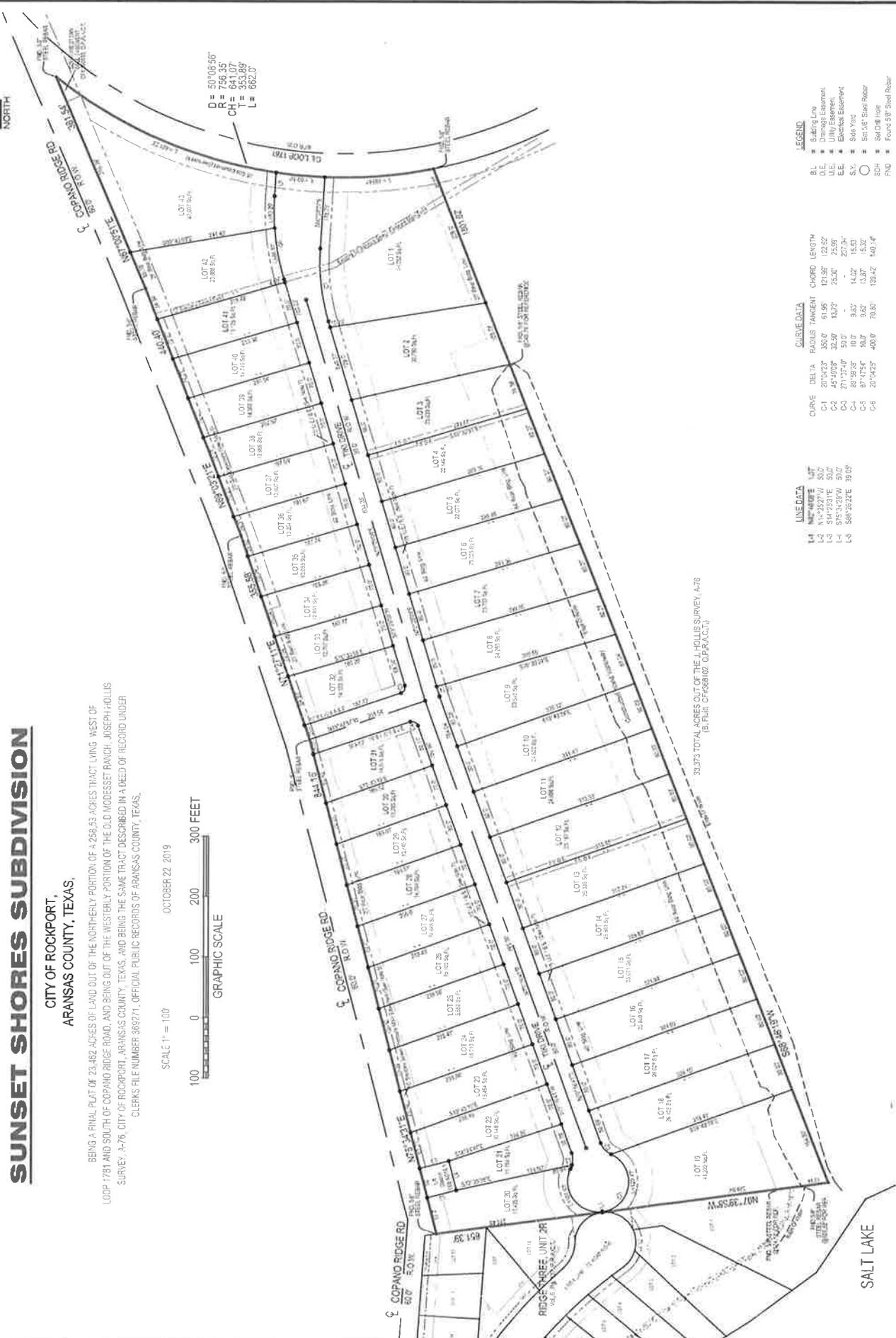
FINAL PLAT:

SUNSET SHORES SUBDIVISION

CITY OF ROCKPORT,
ARANSAS COUNTY, TEXAS.

BEING A FINAL PLAT OF 23.482 ACRES OF LAND OUT OF THE NORTHERLY PORTION OF A 256.53 ACRES TRACT LYING WEST OF LOOP 791 AND SOUTH OF COPANO RIDGE ROAD, AND BEING OUT OF THE WESTERLY PORTION OF THE OLD MADDESSET RANCH, JOSEPH-HOLLIS SURVEY, A-76, CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS, AND BEING THE SAME TRACT DESCRIBED IN A DEED OF RECORD UNDER CLERK'S FILE NUMBER 363271, OFFICIAL PUBLIC RECORDS OF ARANSAS COUNTY, TEXAS.

SCALE 1" = 100' OCTOBER 22, 2019



D = 50708.650'
R = 756.35'
CH = 841.07'
T = 353.889'
L = 862.0'

LEGEND

- BL Building Line
- D.E. Driveway Easement
- E.L. Easement
- E.B. Easement
- S.V. Side Yard
- S.S. Set Back
- S.S.R. Street Right of Way
- SCH. School
- FD. Found

CURVE DATA

CURVE	DELTA	RADIUS	TANGENT	CHORD	LENGTH
C-1	207°04'23"	350.0'	61.59'	121.58'	122.52'
C-2	45°59'08"	32.89'	13.72'	25.30'	25.99'
C-3	271°45'39"	50.0'	9.57'	14.22'	27.04'
C-4	87°47'54"	10.0'	3.82'	13.37'	15.32'
C-5	87°47'54"	10.0'	3.82'	13.37'	15.32'
C-6	207°04'23"	400.0'	79.93'	139.42'	140.14'

LINE DATA

LINE	BEARING	LENGTH
L-1	S44°23'11"E	50.0'
L-2	S44°23'11"E	50.0'
L-3	S44°23'11"E	50.0'
L-4	S75°34'29"W	50.0'
L-5	S86°26'22"E	39.00'

33.373 TOTAL ACRES OUT OF THE J. HOLLIS SURVEY/A-76
(B.F. FILE: CF-668102, DP-P.A.C. 74)

Exhibit B

COCs Remaining in Groundwater

Exhibit B – COCs Remaining in Groundwater

Upon completion of the remediation, COCs at the following maximum levels, exceeding the regulatory action level, groundwater beneath the **Affected Property**:

Environmental Media (1) (2) (Soil, groundwater or air)	Constituents Remaining (3) (4)	Maximum Detected Sample Concentration (5) (6)	Date of Sample Collection	PSH Measured Apparent Thickness in Feet (7) (9)	Total Depth BGS and Location (1) (2) (7), (8)
Groundwater	Benzene	0.1170 mg/L*	9/25/20	NA	16.59 Feet, MW 1
Groundwater	TPH	17.80 mg/L*	9/25/20	NA	16.59 Feet; MW 1

*Concentration below critical PCL for Class 3 groundwater

- (1) Groundwater - A saturated geologic formation, group of formations, or part of a formation.
- (2) Soil includes surface soils and subsurface soils. For surface soil, the soil zone extending from ground surface to 15 feet in depth for residential land use and from ground surface to five feet in depth for commercial/industrial land use; or to the top of the uppermost groundwater-bearing unit or bedrock, whichever is less in depth. For subsurface soil, the portion of the soil zone between the base of surface soil and the top of the groundwater-bearing unit(s).
- (3) Constituents identified as Site-specific COCs that exceed the regulatory action level within the "Affected Property".
- (4) Total Petroleum Hydrocarbon (TPH)
- (5) milligrams per kilograms (mg/kg)
- (6) milligrams per liter (mg/L)
- (7) Phase-Separated Hydrocarbons (PSHs)
- (8) Monitor Well (MW);
- (9) Not Applicable (NA) – None Present

13/69
 Kevin Casler
 2504 Ave I
 Rosenberg, Tx 77471

**FILED FOR RECORD IN
 OFFICIAL PUBLIC RECORDS**
 AT 1:14 M.

SCANNED **MAR 10 2021** INDEXED

STATE OF TEXAS-COUNTY OF ARANSAS I hereby certify that this instrument was FILED on the date and at the time affixed hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of ARANSAS COUNTY, TEXAS as stamped hereon by me.



Carrie Arrington
 CARRIE ARRINGTON, COUNTY CLERK
 ARANSAS COUNTY, TEXAS

CARRIE ARRINGTON
ARANSAS COUNTY
ARANSAS COUNTY COURTHOUSE
ROCKPORT, TEXAS 78382



Receipt Number : 291343
Date Paid : 03/10/2021
Received By : NITA

Payment Type : Credit Card	Credit Card No :XXX0821
Paid Amount : 69.00	

Cost Code	Type	Amount Owed	Amount Paid	Balance Owed
CHS\$1	CL	1.00	1.00	0.00
ARCHIVE	CL	7.00	7.00	0.00
RMP-FILE	OT	8.00	8.00	0.00
OPR REC	OT	53.00	53.00	0.00
Totals :		69.00	69.00	0.00

Paid By : KEVIN CASLER

Payment Remarks : CF# 381169

Original Balance : 69.00

Amount Paid : 69.00

Amount Applied : 69.00

Total Paid : 69.00

Amount Unapplied 0.00

Received By

NS



Aransas County Collections
Aransas County Quick Sale
2840 Hwy 35 N, Rockport, tx 78382

Date	Mar 10, 2021 02:17 PM
Full Name	KEVIN CASLER
Case Number	CC00821
Address	2504 AVE I
Court Date	
Description	CF# 381169
Phone	(713) 517-7591
Email	KEVIN@CRGTEXAS.COM
Amount	\$69.00
Service Fee	\$2.42
Total Amount	\$71.42
Transaction ID	2749820495
Auth Code	121772
Card Holder	crg texas environment
Card Type	VISA

Signature:

Service Fees are assessed by Municipal Pay Services. This is a third party payment technology company. Aransas County Collections receives absolutely no additional revenue from the assessed service fee. Please call 1.888.385.2425 with any concerns regarding this service fee.