

GIL BUJANO, P.E.
DIRECTOR, OIL AND GAS DIVISION
PETER G. POPE, 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, 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 NO. 03-13001 AS OF 2 April 2013 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 the 2nd day of April 2013.

Peter G. Pope, P.G.

Assistant Director, Site Remediation

STATE OF TEXAS

COUNTY OF TRAVIS

BEFORE ME, personally appeared Peter G. Pope, Assistant Director, 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 the 2nd day of April 2013.

KATHY WAY
Notary Public

STATE OF TEXAS
Commission Exp. 07-22-2013

Notary without Bond

Notary Public in and for the State of Texas

EXHIBIT "A" RAILROAD COMMISSION OF TEXAS VOLUNTARY CLEANUP PROGRAM LEGAL DESCRIPTION 12.4620-ACRE TRACT

VCP No. 03-13001

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Exhibit A

County: Project:

Fort Bend Riverstone

C.I. No.:

1522-12R

Job Number:

1998-030-057

METES AND BOUNDS FOR 12.4620 ACRES

Being a 12.4620 acre tract of land located in the William Little Survey, A-54 in Fort Bend County, Texas; said 12.4620 acre tract being out of that certain portion of a call 2497.4 acre tract of land recorded in the name of Hillsboro Estates in Clerk's File Number 2002062645 of the Official Records of Fort Bend County (O.R.F.B.C.), Texas and out of that certain portion of said 2497.4 acre tract recorded in the name of Sugarland Ranch Development in Clerk's File Number 9819620 of the O.R.F.B.C.; said 12.4620 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the City of Missouri City G.P.S. Monumentation Program, Texas Coordinate System, South Central Zone (NAD 27), using City Survey Marker No. 7096 and 7076):

Beginning at a 5/8-inch iron rod with cap stamped "COSTELLO INC" found for the southeast corner of a call 7.3995 acre tract of land (Tract B) recorded in the name of Riverstone 250, Inc., in Clerk's File Numbers 2012109259 of the O.R.F.B.C., same being on the east line of a 50-foot wide pipeline easement recorded in Clerk's File Number 1999069980 of the O.R.F.B.C., and the north Right-of-Way (R.O.W.) line of University Boulevard (120-feet wide) recorded in Plat Number 20120117 of the Fort Bend County Plat Records, Texas (F.B.C.P.R.);

Thence, with said east easement line and the east line of said 7.3995 acre tract, the following two (2) courses:

- 1. North 20 degrees 45 minutes 01 seconds West, a distance of 327.10 feet;
- 2. North 24 degrees 01 minutes 34 seconds West, a distance of 792.10 feet;
- 3. Thence, through said 2497.4 acre tract, North 25 degrees 10 minutes 16 seconds East, a distance of 148.05 feet;
- 4. Thence, continuing through said 2497.4 acre tract, North 38 degrees 10 minutes 06 seconds East, a distance of 62.47 feet to the south R.O.W. line of Cabrerra Road (width varies);
- 5. Thence, with said south R.O.W. line, North 86 degrees 45 minutes 45 seconds East, a distance of 149.91 feet;

Thence, through said 2497.4 acre tract, the following eight (8) courses:

6. South 00 degrees 00 minutes 00 seconds East, a distance of 36.48 feet;

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Exhibit A

- 7. South 85 degrees 47 minutes 30 seconds West, a distance of 127.58 feet;
- 8. 12.47 feet along the arc of a curve to the left, said curve having a central angle of 47 degrees 37 minutes 24 seconds, a radius of 15.00 feet and a chord that bears South 61 degrees 58 minutes 48 seconds West, a distance of 12.11 feet;
- 9. South 38 degrees 10 minutes 06 seconds West, a distance of 31.70 feet;
- 10. South 25 degrees 10 minutes 16 seconds West, a distance of 101.48 feet;
- 25.90 feet along the arc of a curve to the left, said curve having a central angle of 74 degrees 12 minutes 38 seconds, a radius of 20.00 feet and a chord that bears South 11 degrees 56 minutes 03 seconds East, a distance of 24.13 feet;
- 12. South 49 degrees 02 minutes 22 seconds East, a distance of 106.30 feet;
- 13. South 24 degrees 01 minutes 27 seconds East, a distance of 17.28 feet to the north line of a 20-foot wide Dow Pipe Line Company Easement recorded in Volume 576, Page 528 of the Fort Bend County Deed Records;
- 14. Thence, with said north line, North 88 degrees 48 minutes 08 seconds East, a distance of 258.59 feet;
- 15. Thence, crossing said 20-foot pipeline easement, South 00 degrees 18 minutes 06 seconds West, a distance of 20.01 feet to the south line of said 20-foot pipeline easement;
- 16. Thence, with said south line, North 88 degrees 48 minutes 08 seconds East, a distance of 56.83 feet;
- 17. Thence, continuing with said south line, South 75 degrees 45 minutes 25 seconds East, a distance of 7.63 feet;
- 18. Thence, crossing said 20-foot pipeline easement, North 00 degrees 36 minutes 20 seconds East, a distance of 20.58 feet to the north line of said 20-foot pipeline easement;
- 19. Thence, with said north line, South 75 degrees 45 minutes 25 seconds East, a distance of 42.86 feet;
- 20. Thence, continuing with said north line, South 60 degrees 31 minutes 36 seconds East, a distance of 63.47 feet to the west line of a call 14.6223 acre tract of land (Tract C) recorded in the name of Riverstone 250, Inc., in Clerk's File Numbers 2012109259 of the O.R.F.B.C.;

Thence, with the east line of said Dow Pipeline Company Easement and the west line of said 14.6223 acre tract, the following three (3) courses:

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- 21. South 36 degrees 56 minutes 11 seconds East, a distance of 147.29 feet;
- 22. South 34 degrees 55 minutes 22 seconds East, a distance of 312.49 feet;
- 23. South 34 degrees 55 minutes 22 seconds East, a distance of 411.30 feet to the north R.O.W. line of aforesaid University Boulevard;

Thence, with said north R.O.W. line, the following three (3) courses:

- 24. 13.04 feet along the arc of a curve to the left, said curve having a central angle of 00 degrees 07 minutes 24 seconds, a radius of 6060.00 feet and a chord that bears South 68 degrees 55 minutes 31 seconds West, a distance of 13.04 feet;
- 25. South 68 degrees 51 minutes 49 seconds West, a distance of 184.40 feet;
- 26. 460.72 feet along the arc of a curve to the right, said curve having a central angle of 10 degrees 49 minutes 07 seconds, a radius of 2440.00 feet and a chord that bears South 74 degrees 16 minutes 23 seconds West, a distance of 460.03 feet to the **Point of Beginning** and containing 12.4620 acres of land.



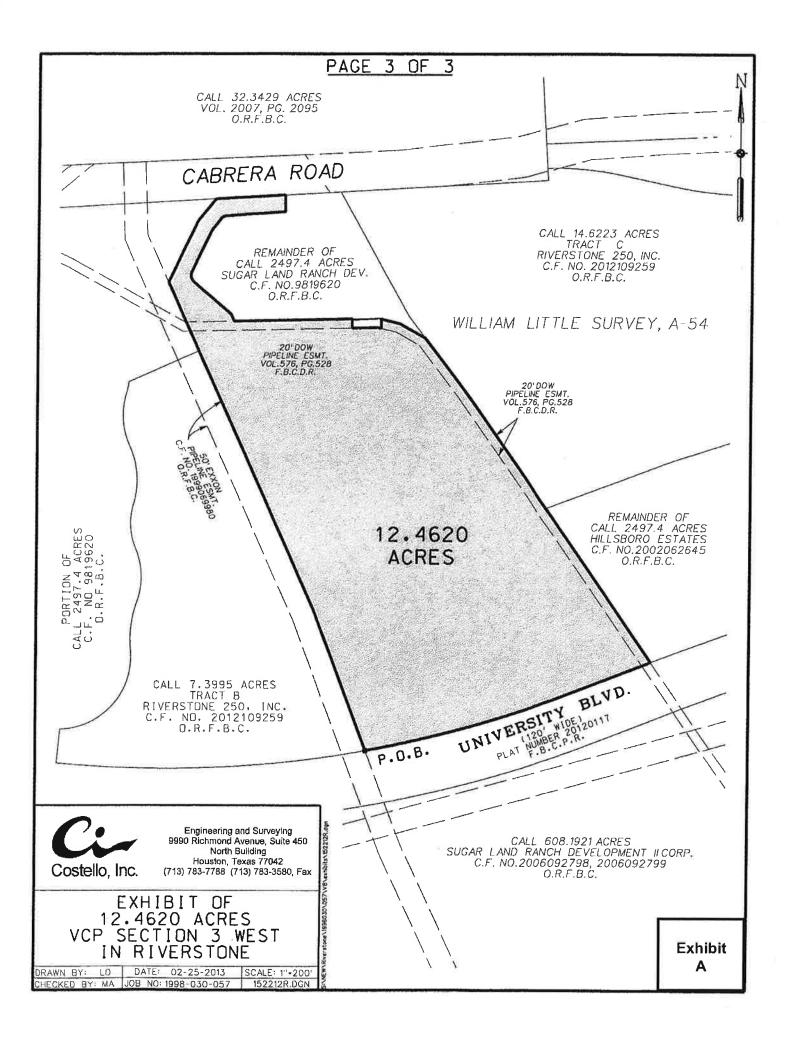


EXHIBIT "B" RAILROAD COMMISSION OF TEXAS VOLUNTARY CLEANUP PROGRAM AFFIDAVIT OF COMPLETION OF RESPONSE ACTION AND INSTITUTIONAL CONTROLS

I, Tom Wilcox, representing Sugar Land Ranch Development, LLC have completed response actions necessary, pursuant to Chapter 91, Subchapter O, Texas Natural Resource Code, at a 12.4620 acre tract of land described in Exhibit "A" (Site) of this certificate pertaining to Voluntary Cleanup Program (VCP) No. 03-13001 located in Sugar Land, Fort Bend County, Texas. The Site was owned by the applicant at the time of the application to participate in the VCP was filed. 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 institutional controls are maintained:

- 1. Use of the groundwater beneath the Affected Property shall not be allowed except for monitoring purposes.
- 2. Penetration or excavation of any groundwater zone for any purpose shall only be conducted in such a manner as to prevent the migration or release of contamination to any other zone or media, and to prevent uncontrolled exposure to human and ecological receptors.
- 3. These restrictions shall be a covenant running with the land.

These restrictions were filed in the Fort Bend County Clerk's office on 18 March 2013, Document 2013031544 (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 03-13001.

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

Applicant

By:

Print Name: Ton WILCOX

STATE OF Texas COUNTY OF

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this I day of Que 2013

Notary Public in and for the State of

Main A. So

MY COMMISSION EXPIRES
FEBRUARY 6, 2014

63-238

Attachment 1 Institutional Control Document 2013031544 Fort Bend County, Texas

RAILROAD COMMISSION OF TEXAS ENVIRONMENTAL RESTRICTIVE COVENANT

STATE OF TEXAS §

COUNTY OF FORT BEND §

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 which is the "Affected Property", described as follows:

Sugar Land Ranch Development LLC., is the current Owner of the Affected Property and premises, and appurtenances thereto, located in Fort Bend County, Texas, consisting of a 12.4620-acre tract of land located in the William Little Survey, A-54 in Fort Bend County, Texas; said 12.4620-acre tract being out of that certain portion of a call 2,497.4-acre tract of land recorded in the name of Hillsboro Estates in Clerk's File Number 2002062645 of the Official Records of Fort Bend County (O.R.F.B.C.), Texas and out of that certain portion of said 2497.4 acre tract recorded in the name of Sugarland Ranch Development in Clerk's File Number 9819620 of the O.R.F.B.C.; said 12.4620 acre tract being more particularly described by metes and bounds (all bearings are referenced to the City of Missouri City G.P.S. Monumentation Program, Texas Coordinate System, South Central Zone (NAD 27), using City Survey Marker No. 7096 and 7076) and being more particularly described on Exhibit A. Exhibit A is attached hereto and incorporated herein.

Groundwater on the Affected Property is affected by certain chemicals of concern and for the purpose of this document the entire Affected Property described on Exhibit A.

This restrictive covenant is required for the following reasons:

The Affected Property was part of an oil and gas exploration and production lease from the late 1920s to the early 2000s. Chemicals of concern attributable to the historical oil and gas operations at and in the vicinity of the Affected Property impacted soil and groundwater. The conditions were discovered during an environmental investigation and remediation of soil and groundwater beneath the Affected Property, conducted by DCH Environmental Consultants LP., ("DCH") in 2008 through 2012. This environmental investigation and remediation was performed in accordance with Commission regulations. The remediation was performed in such a manner that the following chemicals of concern were left in groundwater beneath the Affected Property at the time of filing this Restrictive Covenant:

COC	Maximum Concentrations
TPH	2.734 milligrams per liter
Arsenic	0.024 milligrams per liter

The investigation, assessment, remediation and analytical data on the Affected Property are contained in the following reports prepared by DCH, copies of which are located at the offices of Sugar Land Ranch Development LLC, 4855 Riverstone Blvd, Suite 100, Missouri City, TX 77459:

- (i) Phase I Environmental Site Assessment Report, Sugar Land Ranch Section 3, Sugar Land, TX, dated 28 October 2008;
- (ii) Site Investigation Report, Sugar Land Ranch Section 3, dated 17 August 2012;
- (iii) Remedial Action Plan, Sugar Land Ranch Section 3, dated August 2012;
- (iv) Remedial Action Completion Report, Sugar Land Ranch Section 3 West, dated December 2012;
- (v) Supplemental Remedial Action Completion Report, Sugar Land Ranch Section 3 West, dated,

February 2013.

Copies of these reports are also available at the Commission's Austin Office, located at 1701 N. Congress Avenue, Austin, Texas under VCP 03-13001.

This environmental restrictive covenant has been approved by the Commission on the presumption that the groundwater beneath the Affected Property will not be used for any purpose, except monitoring. Upon the filing of this document, the Commission does not require any further remediation of the Affected Property as long as groundwater beneath the Affected Property is not used for any purpose, other than for monitoring purposes. The Commission has determined that, subject to the restriction imposed on the use of groundwater, the Affected Property currently meets acceptable recognized standards for residential land use. 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, residential portions of ranch and farm land, 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 in the future in any manner inconsistent with the restrictions described in this covenant, the Commission must be notified at least 60 days in advance of such use. Additional response action contemplating a change in land use or in the size of the assumed exposure area may be necessary. The additional response action must be approved by the Commission and completed prior to the commencement of the new use of the Affected Property.

In consideration of the response actions leading to the final approved remediation of the Affected Property, the Owners of the Affected Property have 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 A:

- 1. Use of the groundwater beneath the Affected Property shall not be allowed except for monitoring purposes.
- Penetration or excavation of any groundwater zone for any purpose shall only be conducted in such a manner as to prevent the migration or release of contaminations to any other zone or media, and to prevent uncontrolled exposure to human and ecological receptors.
- These restrictions shall be a covenant running with the land.

For additional information, contact:

Railroad Commission of Texas Site Remediation P.O. Box 12967 1701 N. Congress Austin, Texas 78711-2967

As of the date of this Restrictive Covenant, the record owners of fee title to the Affected Property are Sugar Land Ranch Development LLC., which has the address of 4855 Riverstone Blvd, Suite 100, Missouri City, TX 77459.

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 14 day of March, 2013.

Signature

Tom Wilcox, General Manager Sugar Land Ranch Development LLC

STATE OF TEXAS §

COUNTY OF FORT BEND §

BEFORE ME, the undersigned officer, on this day personally appeared Tom Wilcox, known to me to be the person 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 herein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE.

Notary Public

My Commission Expires

Executed this 7 day of March, 2013.
Accepted as Third Party Beneficiary this Is day of Manh, 2013. Railroad Commission of Texas By: Kathy Keils Printed Name Attorney, beneral Counsel's Office Special Counsel Title
STATE OF TEXAS § COUNTY OF TRAVIS §
BEFORE ME, on this the 15th day of Mount 2013, appeared keiling kels known to me to be the person 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 herein expressed.
GIVEN UNDER MY HAND AND SEAL OF OFFICE. Signature Notary Public in and for the State of Texas, County of Travis

My Commission Expires: 17 Jan 13

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Exhibit A

County:

Fort Bend Riverstone

Project: C.I. No.:

1522-12R

Job Number:

1998-030-057

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Thence, with said east easement line and the east line of said 7.3995 acre tract, the following two (2) courses:

- 1. North 20 degrees 45 minutes 01 seconds West, a distance of 327.10 feet;
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- 3. Thence, through said 2497.4 acre tract, North 25 degrees 10 minutes 16 seconds East, a distance of 148.05 feet;
- 4. Thence, continuing through said 2497.4 acre tract, North 38 degrees 10 minutes 06 seconds East, a distance of 62.47 feet to the south R.O.W. line of Cabrerra Road (width varies);
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- 19. Thence, with said north line, South 75 degrees 45 minutes 25 seconds East, a distance of 42.86 feet;
- Thence, continuing with said north line, South 60 degrees 31 minutes 36 seconds East, a distance of 63.47 feet to the west line of a call 14.6223 acre tract of land (Tract C) recorded in the name of Riverstone 250, Inc., in Clerk's File Numbers 2012109259 of the O.R.F.B.C.;

Thence, with the east line of said Dow Pipeline Company Easement and the west line of said 14.6223 acre tract, the following three (3) courses:

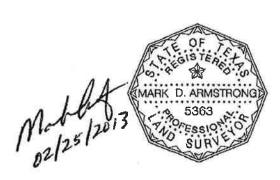
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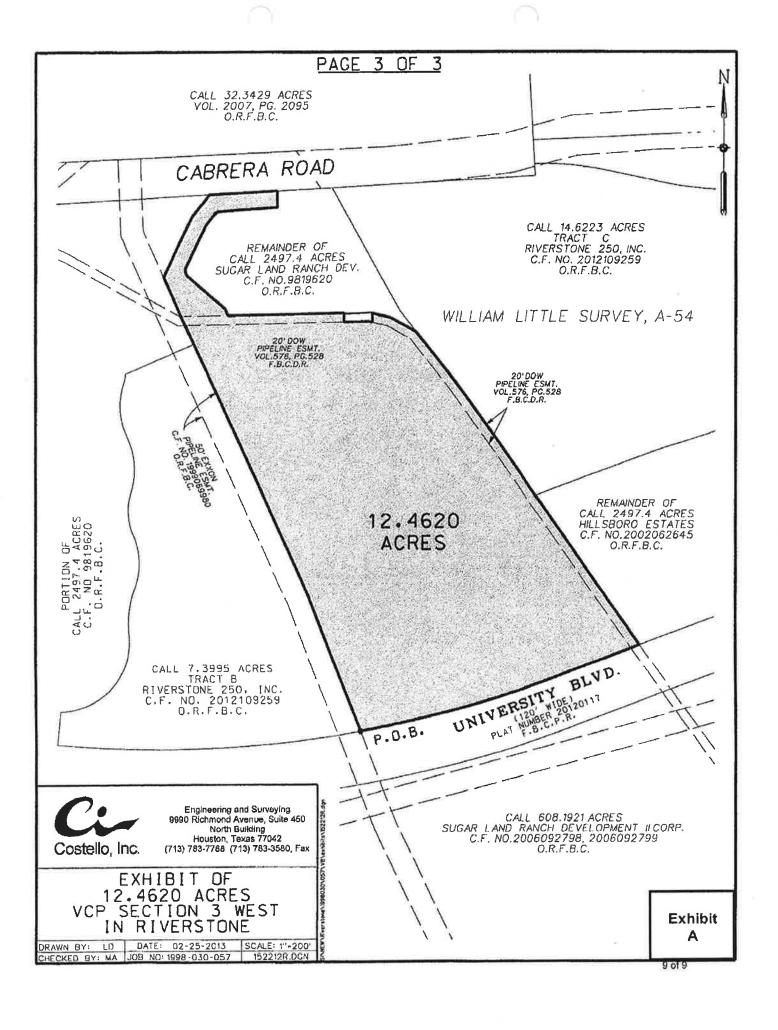
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- 25. South 68 degrees 51 minutes 49 seconds West, a distance of 184.40 feet;
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RETURNED AT COUNTER TO:

Ron Cormies 204 Brooks St

Sugar Land, TX 77418

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dianne Wilson, County Clerk Fort Bend County, Texas

March 18, 2013 10:04:19 AM

FEE: \$43.00 RMM MISC

2013031544