



# RAILROAD COMMISSION OF TEXAS

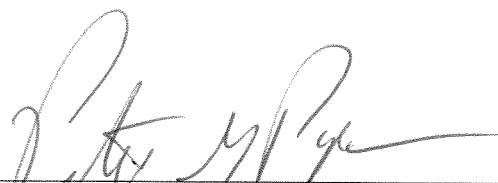
## OIL AND GAS DIVISION

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

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

*I, 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. 03-14011 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 20<sup>th</sup> Day of November 2014.

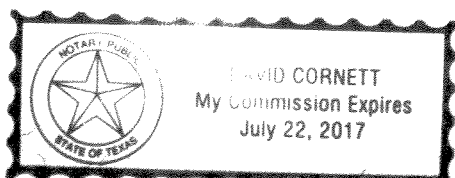
  
Peter G. Pope, Assistant Director  
Site Remediation Section

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 20<sup>th</sup> Day of November 2014.



  
Notary Public in and for the State of Texas

***EXHIBIT "A"***  
***RAILROAD COMMISSION OF TEXAS***  
***VOLUNTARY CLEANUP PROGRAM***  
***LEGAL DESCRIPTION 0.338-ACRE TRACT***  
***HARRIS COUNTY, TEXAS***  
***VCP No. 03-14011***

Survey of 20 foot wide easement North of State Highway No. 87 out of the Andrew Johnson et al tract in the Samuel Parr Survey, Galveston County, Texas, as shown on Exhibit "B" attached to Deed of Trust Recorded in Volume 3238, Page 276, Galveston County Deed Records, Galveston County, Texas, and being more particularly described by metes and bounds as follows:

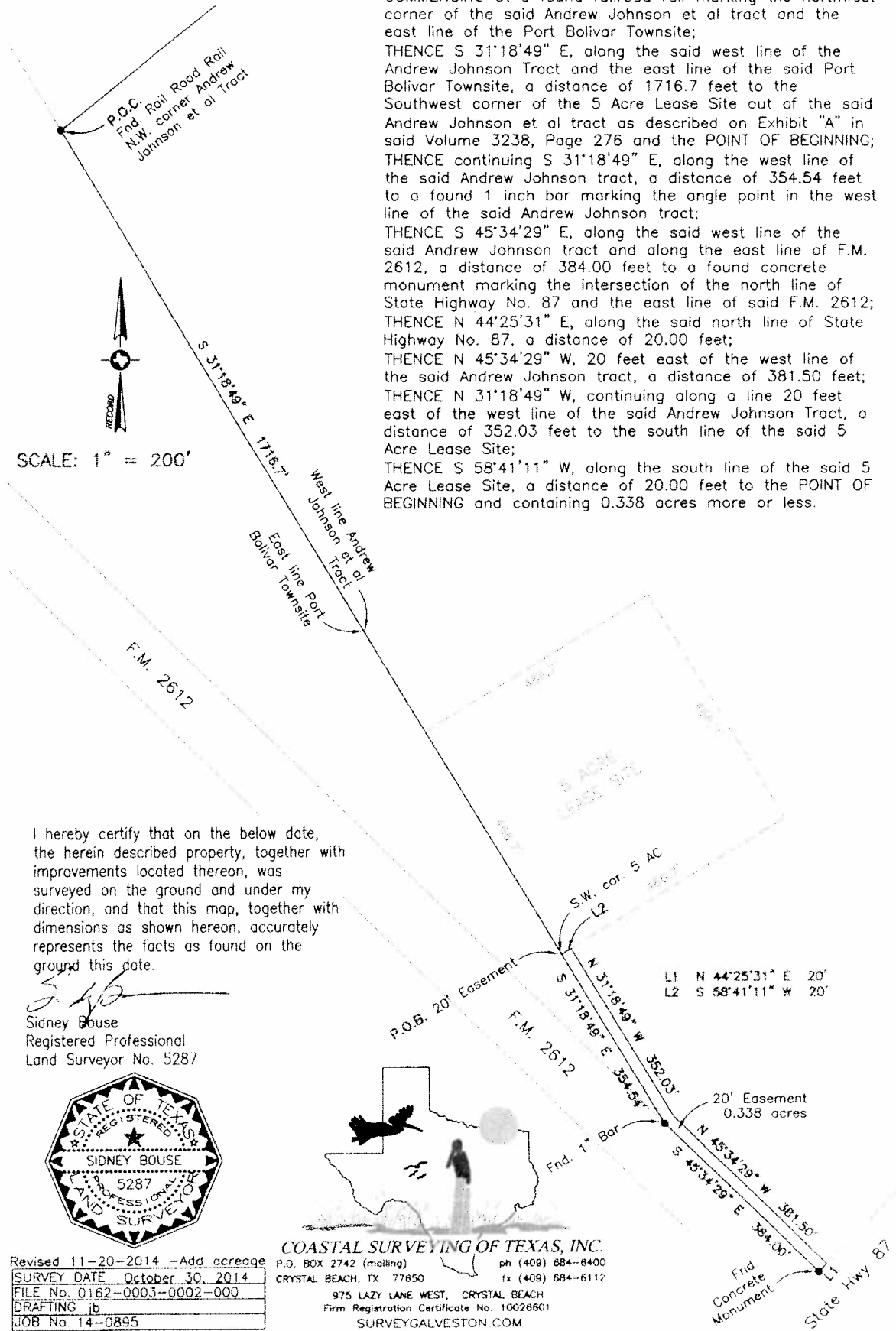
COMMENCING at a found railroad rail marking the northwest corner of the said Andrew Johnson et al tract and the east line of the Port Bolivar Townsite;

THENCE S 31°18'49" E, along the said west line of the Andrew Johnson Tract and the east line of the said Port Bolivar Townsite, a distance of 1716.7 feet to the Southwest corner of the 5 Acre Lease Site out of the said Andrew Johnson et al tract as described on Exhibit "A" in said Volume 3238, Page 276 and the POINT OF BEGINNING; THENCE continuing S 31°18'49" E, along the west line of the said Andrew Johnson tract, a distance of 354.54 feet to a found 1 inch bar marking the angle point in the west line of the said Andrew Johnson tract;

THENCE S 45°34'29" E, along the said west line of the said Andrew Johnson tract and along the east line of F.M. 2612, a distance of 384.00 feet to a found concrete monument marking the intersection of the north line of State Highway No. 87 and the east line of said F.M. 2612; THENCE N 44°25'31" E, along the said north line of State Highway No. 87, a distance of 20.00 feet;

THENCE N 45°34'29" W, 20 feet east of the west line of the said Andrew Johnson tract, a distance of 381.50 feet; THENCE N 31°18'49" W, continuing along a line 20 feet east of the west line of the said Andrew Johnson Tract, a distance of 352.03 feet to the south line of the said 5 Acre Lease Site;

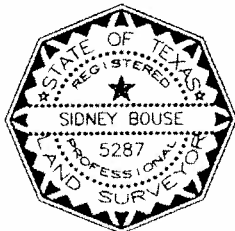
THENCE S 58°41'11" W, along the south line of the said 5 Acre Lease Site, a distance of 20.00 feet to the POINT OF BEGINNING and containing 0.338 acres more or less.



SCALE: 1" = 200'

I hereby certify that on the below date, the herein described property, together with improvements located thereon, was surveyed on the ground and under my direction, and that this map, together with dimensions as shown hereon, accurately represents the facts as found on the ground this date.

*Sidney Bouse*  
 Sidney Bouse  
 Registered Professional  
 Land Surveyor No. 5287



**COASTAL SURVEYING OF TEXAS, INC.**  
 P.O. BOX 2742 (mailing) ph (409) 684-6400  
 CRYSTAL BEACH, TX 77850 tx (409) 684-6112  
 975 LAZY LANE WEST, CRYSTAL BEACH  
 Firm Registration Certificate No. 10026601  
 SURVEYGALVESTON.COM

Revised 11-20-2014 -Add acreage
SURVEY DATE <u>October 30, 2014</u>
FILE No. <u>0162-0003-0002-000</u>
DRAFTING <u>jb</u>
JOB No. <u>14-0895</u>

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

I, Sidney Bouse, representative and heir to the Andrew Johnson Estate, have completed response actions necessary, pursuant to Chapter 91, Subchapter O, Texas Natural Resource Code, at the 0.338-acre tract of land described in Exhibit "A" (Site) of this certificate pertaining to Voluntary Cleanup Program (VCP) No. 03-14011 located in Bolivar, Galveston County, Texas. The Site was owned by the Andrew Johnson Estate at the time 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 VCP. The plans and reports were prepared by ARCADIS U.S., Inc. 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 RRC standards. Response actions for the Site 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 at the central office of the RRC under VCP No. 03-14011.

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

Applicant

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

Print Name: \_\_\_\_\_

*Sidney Bouse*  
*SIDNEY BOUSE*

STATE OF  
COUNTY OF

BEFORE ME, personally appeared

Sidney Bouse, 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 day of 2014.*

Melissa A Steagall

Notary Public in and for the State of TX

