

VICTOR G. CARRILLO, CHAIRMAN
CHARLES R. MATTHEWS, COMMISSIONER
MICHAEL L. WILLIAMS, COMMISSIONER



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

RAILROAD COMMISSION OF TEXAS

OIL AND GAS DIVISION

VOLUNTARY CLEANUP PROGRAM FINAL CERTIFICATE OF COMPLETION

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. 03-30003 AS OF 12 December 2003 FOR THE TRACT(S) 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 12th day of December, 2003.

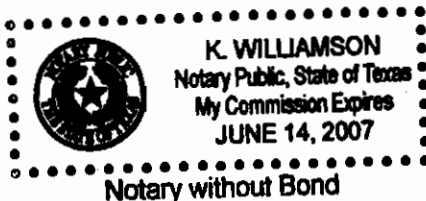

John James Tintera P.G., Assistant Director
Site Remediation Section

STATE OF Texas

COUNTY OF Travis

BEFORE ME, personally appeared John Tintera, 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 the 12th day of December, 2003.*



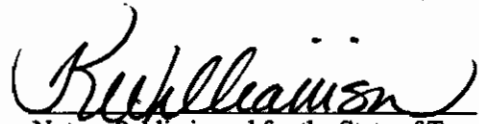

Notary Public in and for the State of Texas

EXHIBIT "A"
RAILROAD COMMISSION OF TEXAS
VOLUNTARY CLEANUP PROGRAM
LEGAL DESCRIPTION OF THE
VCP No. 03-30003

**METES AND BOUNDS DESCRIPTION
OF 5.624 ACRES OF LAND
IN THE JOHN MITCHELL SURVEY, A-570
HARRIS COUNTY, TEXAS**

All that certain 5.624 acres of land, out of the 10.67 acre tract described in the deed from Genesis Crude Oil, L.P. to Genesis Pipeline Texas, L.P. recorded under File No. U 701457 (R 359203), in the Official Public Records of Real Property of Harris County, Texas, in the John Mitchell Survey, A-570 Harris County, Texas, and more particularly described by metes and bounds as follows: (All bearings based on the record bearing of the west line of the 59.7718 acre tract described in the deed from John Wilhelm, Jr. to Kinder Interests, LTD., recorded under File No. T173294, in the Official Public Records of Real Property of Harris County, Texas)

COMMENCING at a 5/8" iron rod found for the northeast corner of the 91.7288 acre tract described in the Special Warranty Deed to The James A. Elkins, III 1973 Trust recorded under File No. R 182474, in the Official Public Records of Real Property of Harris County, Texas, in a south line of the 2.74 acre tract described in the deed from Genesis Crude Oil, L.P. to Genesis Pipeline Texas, L.P. recorded under File No. U701457 (R359203), in the Official Public Records of Real Property of Harris County, Texas, from which a 5/8" iron rod found for the most westerly southwest corner of said 2.74 acre tract, common to an angle corner of said 91.7288 acre tract bears N 89° 20' 24" W - 550.55'; **THENCE** S 00° 28' 00" E - 510.00', along the east line of said 91.7288 acre tract to an angle corner; **THENCE** S 89° 20' 24" W - 248.83' to the northeast corner and **POINT OF BEGINNING** of the herein described tract, common to the most easterly northeast corner of aforesaid 10.67 acre tract, from which a found 5/8" iron rod bears S 07° 42' 23" W - 0.39';

THENCE S 00° 39' 36" E - 350.00', along an east line of the said 10.67 acre tract to the southeast corner of said 10.67 acre tract, common to the southeast corner of the herein described tract, from which a found 5/8" iron rod bears N 11° 18' 46" E - 0.42';

THENCE S 89° 20' 24" W - 700.00', along the south line of said 10.67 acre tract to a 5/8" iron rod found for the southwest corner of the said 10.67 acre tract, common to the southwest corner of the herein described tract;

THENCE N 00° 39' 36" W - 350.00', along the west line of said 10.67 acre tract to a 3/4" iron rod set for the northwest corner of the herein described tract;

THENCE N 89° 20' 24"-E, at 400.00' passing a 3/4" iron rod found for an angle corner of said 10.67 acre tract, continuing for a total distance of 700.00' to the **POINT OF BEGINNING** of the herein described tract and containing 5.624 acres of land.

Prepared by:
G. P. SURVEYORS
a division of
Pate Engineers, Inc.
Job No. 458-065-51-531
Original Issue Date:
APRIL 5, 2002



Rocky J. Bradshaw

Certification Date
APRIL 5, 2002

THIS LEGAL DESCRIPTION IS ISSUED AS PART TWO, IN CONJUNCTION WITH THE STANDARD LAND SURVEY BY G. P. SURVEYORS LAST CERTIFIED APRIL 5, 2002 REFERENCE IS HEREBY MADE TO THE SURVEY AS "PART ONE".

Willow Falls



SAM YAGER INCORPORATED

800 Bering Drive, Suite 301

Houston, Texas 77057

(713) 783-0308 Office • (713) 783-0704 Fax

FACSIMILE TRANSMITTAL

- Rush / High Priority
- Call After Receipt
- Respond ASAP
- For Your ^{USE} Review
- Call To Discuss
- Respond By Fax

Date: 1/24/03 Time: _____ Number of Pages: _____
(Including this one)

To: ALMEE BEVERIDGE

RCT Re: VCP # 03-30003

Fax Number: 1-512-463-2388

- From:**
- Sam Yager, Jr.
 - Greg Voinis
 - Justin Chapman
 - Rose Hayes
 - Gina Florez
 - Sam Yager, III
 - Gary Hannon
 - Jeff Partin
 - James Mitchell
 - Karen Yager

Message: ATTACHED IS A LEGAL DESCRIPTION
OF THE S.624 AC. SITE

Please call (713) 783-0308 if you do not receive all pages. The information contained herein is **CONFIDENTIAL** and should be directed only to the addressee.

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

Willow Falls Development Ltd. has 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 5.624 acres identified as OCP No. 03-30003 located in Tomball, Harris County, Texas. The Site was owned by Willow Falls Development 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 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 OCP No. 3-30003.

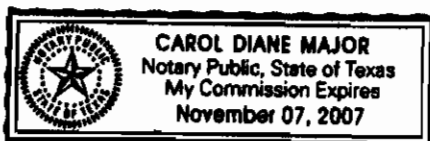
The preceding is true and correct to the best of my knowledge and belief

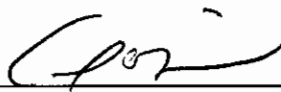
Applicant
Willow Falls Development, Ltd., a Texas
Limited partnership
By: Starwood Development, LLC,
Its General Partner
By: 
Samuel H. Yager, III
Vice President

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, personally appeared Samuel H. Yager, III, Vice President of Starwood Development LLC, 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 3rd day of December, 2003.*




Notary Public in and for the State of Texas